

1 [Board Response - Civil Grand Jury Report - "Are the Wheels Moving Forward? A Follow-Up
2 to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to
3 Conversation"]

4 **Resolution responding to the Presiding Judge of the Superior Court on the findings**
5 **and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Are**
6 **the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report**
7 **Sharing the Roadway: From Confrontation to Conversation;" and urging the Mayor to**
8 **cause the implementation of accepted findings and recommendations through his/her**
9 **department heads and through the development of the annual budget.**

10 WHEREAS, Under California Penal Code Section 933 et seq., the Board of
11 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
12 Court on the findings and recommendations in Civil Grand Jury Reports; and

13 WHEREAS, In accordance with Penal Code Section 933.05(c), if a finding or
14 recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a
15 county agency or a department headed by an elected officer, the agency or department head
16 and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the
17 response of the Board of Supervisors shall address only budgetary or personnel matters over
18 which it has some decision making authority; and

19 WHEREAS, The 2012-2013 Civil Grand Jury Report entitled "Are the Wheels Moving
20 Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From
21 Confrontation to Conversation" is on file with the Clerk of the Board of Supervisors in File No.
22 130602, which is hereby declared to be a part of this resolution as if set forth fully herein; and
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1 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond
2 to Finding Number 4 as well as Recommendations 4.1 and 4.2 contained in the subject Civil
3 Grand Jury report; and

4 WHEREAS, Finding No. 4 states: "SFPD needs the support of the City's leaders to
5 enforce roadway laws effectively;" and

6 WHEREAS, the Recommendation No. 4.1 states: "The Mayor and the Board of
7 Supervisors should support SFPD efforts to successfully enforce roadway laws by adopting a
8 San Francisco Bicycle Enforcement Safety Agreement that would pursue the goals of zero
9 bicycle fatalities and a 50% annual reduction in bicycle collisions;" and

10 WHEREAS, the Recommendation No. 4.2 states: "Through collaboration with SFPD,
11 BAC, and SFMTA the City should build an Enforcement Safety Campaign around the goals in
12 Recommendation 4.1 and alert the public to the SFPD enforcement plan that will follow;" and

13 WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of
14 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
15 Court on Finding Number 4 as well as Recommendations 4.1 and 4.2 contained in the subject
16 Civil Grand Jury report; now, therefore, be it

17 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
18 Superior Court that it agrees with Finding 4; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors reports that it has not
20 implemented but will implement Recommendation 4.1 within six months of the publication of
21 the Civil Grand Jury report, from June 10, 2013 to no later than December 10, 2013 and, be it

22 FURTHER RESOLVED, That the Board of Supervisors reports that it requires further
23 analysis for Recommendation 4.2 for reasons as follows: the Board will evaluate what
24 collaboration with the SFPD, Bicycle Advisory Committee, and SFMTA would look like; and

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1 conduct this evaluation within six months of the publication of the Civil Grand Jury report, from
2 June 10, 2013 to no later than December 10, 2013; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
4 implementation of accepted findings and the recommendation through his/her department
5 heads and through the development of the annual budget.

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