

AMENDED IN COMMITTEE
10/10/2013

FILE NO. 130687

RESOLUTION NO.

1 [Board Response - Civil Grand Jury Report - "Building a Better Future at the Department of
2 Building Inspection"]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**
4 **and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled**
5 **"Building a Better Future at the Department of Building Inspection;" and urging the**
6 **Mayor to cause the implementation of accepted findings and recommendations**
7 **through his/her department heads and through the development of the annual budget.**

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

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

18 WHEREAS, The 2012-2013 Civil Grand Jury Report entitled "Building a Better Future
19 at the Department of Building Inspection (DBI)" is on file with the Clerk of the Board of
20 Supervisors in File No. 130687, which is hereby declared to be a part of this resolution as if
21 set forth fully herein; and

22 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond
23 to Finding Nos. 1, 5, and 6 as well as Recommendations 1.1, 1.2, 5.1, 6.1, and 6.2 contained
24 in the subject Civil Grand Jury report; and

1 WHEREAS, Finding No. 1 states: “The revolving door of DBI leadership has adversely
2 affected the Department's ability to develop and execute a strategic plan and to implement the
3 recommendations of the 2007 Business Process Reengineering Report (BPR);” and

4 WHEREAS, Finding No. 5 states: “Many issues that the Jury found would have been
5 ameliorated by tighter and more active oversight by the Building Inspection Commission
6 (BIC);” and

7 WHEREAS, Finding No. 6 states: “DBI's code enforcement policies and practices have
8 resulted in a backlog of unresolved violations;” and

9 WHEREAS, the Recommendation No. 1.1 states: “The DBI management should retain
10 a consultant to update the 2007 BPR findings and recommendations and present the findings
11 to BIC and the DBI Director;” and

12 WHEREAS, the Recommendation No. 1.2 states: “The BIC and DBI Director should
13 develop a detailed action plan with firm due dates for implementing BPR report
14 recommendations that the consultant identifies as not completed;” and

15 WHEREAS, the Recommendation No. 5.1 states: “The Board of Supervisors should
16 hold a hearing within six months of the release of this report by the 2012-2013 Jury to see if
17 BIC has taken action on the issues raised;” and

18 WHEREAS, the Recommendation No. 6.1 states: “The DBI should establish
19 performance standards for resolving code violations within designated time frames (for
20 example, closing 75 percent of Notices of Violation within six months and 95 percent within 12
21 months of when they are issued). The performance standards should be reviewed and
22 approved by BIC in public session;” and

23 WHEREAS, the Recommendation No. 6.2 states: “The DBI should develop monthly
24 management reports for BIC that monitor the Department's performance against BIC-
25 approved performance standards for resolving building code violations;” and

1 WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of
2 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
3 Court on Finding Nos. 1, 5, and 6 as well as Recommendations 1.1, 1.2, 5.1, 6.1, and 6.2
4 contained in the subject Civil Grand Jury report; now, therefore, be it

5 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
6 Superior Court that it partially disagrees with Finding 1 for reasons as follows: while the
7 leadership change hasn't been the only cause DBI's ability to develop and execute a strategic
8 plan and to implement Finding No. 1, other reported issues have also prevented the DBI from
9 developing and implementing a strategic plan and from implementing the recommendations of
10 the 2007 Business Process Reengineering Report; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors reports that it partially
12 disagrees with Finding 5 for reasons as follows: there are other issues that are also
13 preventing the improvement of the reported issues, while tighter and more active oversight by
14 the BIC would have helped ameliorate some issues; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors reports that it partially
16 disagrees with Finding 6 for reasons as follows: seeing that there are two divisions affected by
17 this finding, the problems facing the backlog of unresolved building code violations are unique
18 to Building Code enforcement while the House Code enforcement division has been
19 functioning well; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors reports that it has not
21 implemented, but it will implement Recommendation 1.1 within six months of the publication of
22 the Civil Grand Jury report, from July 2, 2013 to no later than January 2, 2014; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors reports that it has not
24 implemented, but it will implement Recommendation 1.2 within six months of the publication of
25 the Civil Grand Jury report, from July 2, 2013 to no later than January 2, 2014; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors reports that it has not
2 implemented, but it will implement Recommendation 5.1 within six months of the publication of
3 the Civil Grand Jury report, from July 2, 2013 to no later than January 2, 2014; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
5 6.1 has been implemented; and, be it

6 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
7 6.2 has been implemented; and, be it

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

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