

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 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" is on file with the Clerk of the Board of Supervisors
20 in File No. 130687, which is hereby declared to be a part of this resolution as if set forth fully
21 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

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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;” and

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

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

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

14 WHEREAS, the Recommendation No. 5.1 states: “The Board of Supervisors should
15 hold a hearing within six months of the release of this report by the 2012-13 Jury to see if BIC
16 has taken action on the issues raised;” and

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

22 WHEREAS, the Recommendation No. 6.2 states: “The DBI should develop monthly
23 management reports for BIC that monitor the Department's performance against BIC-
24 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 _____ with Finding 1 for reasons as follows: _____; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors reports that _____ with
8 Finding 5 for reasons as follows: _____; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors reports that _____ with
10 Finding 6 for reasons as follows: _____; and, be it

11 FURTHER RESOLVED, That the Board of Supervisors reports that _____
12 Recommendation 1.1 for reasons as follows: _____; and, be it

13 FURTHER RESOLVED, That the Board of Supervisors reports that _____
14 Recommendation 1.2 for reasons as follows: _____; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors reports that _____
16 Recommendation 5.1 for reasons as follows: _____; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors reports that _____
18 Recommendation 6.1 for reasons as follows: _____; and, be it

19 FURTHER RESOLVED, That the Board of Supervisors reports that _____
20 Recommendation 6.2 for reasons as follows: _____; and, be it

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

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