

1 [Board Response - Civil Grand Jury - Office of the Assessor-Recorder: Despite Progress, Still
2 the Lowest Rated in the State]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**
4 **and recommendations contained in the 2014-2015 Civil Grand Jury Report, entitled**
5 **“Office of the Assessor-Recorder: Despite Progress, Still the Lowest Rated in the**
6 **State;” and urging the Mayor to cause the implementation of accepted findings and**
7 **recommendations through his/her department heads and through the development of**
8 **the annual budget.**

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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 contained in Civil Grand Jury Reports; and

13 WHEREAS, In accordance with California 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, Under San Francisco Administrative Code, Section 2.10(a), the Board of
20 Supervisors must conduct a public hearing by a committee to consider a final report of the
21 findings and recommendations submitted, and notify the current foreperson and immediate
22 past foreperson of the civil grand jury when such hearing is scheduled; and

23 WHEREAS, In accordance with San Francisco Administrative Code, Section 2.10(b),
24 the Controller must report to the Board of Supervisors on the implementation of

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1 recommendations that pertain to fiscal matters that were considered at a public hearing held
2 by a Board of Supervisors Committee; and

3 WHEREAS, The 2014-2015 Civil Grand Jury Report, entitled “Office of the Assessor-
4 Recorder: Despite Progress, Still the Lowest Rated in the State” (Report) is on file with the
5 Clerk of the Board of Supervisors in File No. 150601, which is hereby declared to be a part of
6 this Resolution as if set forth fully herein; and

7 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond
8 to Finding Nos. 3, 4, 5, as well as Recommendation Nos. 2 and 3 contained in the subject
9 Report; and

10 WHEREAS, Finding No. 3 states: “The funding from [the State-County Assessor’s
11 Partnership Program] (SCAPP) and the matching monies from the City and County provides
12 an opportunity to eliminate the Office of Assessor-Recorder backlog and raise their [California
13 State Board of Equalization] (BOE) rating;” and

14 WHEREAS, Finding No. 4 states: “The funding from SCAPP is limited in time and does
15 not cover other [Office of Assessor-Recorder] (OAR) personnel needs, including key
16 administrative positions that can keep the backlog reduction momentum going;” and

17 WHEREAS, Finding No. 5 states: “OAR does not have a written staffing analysis and
18 plan to reduce the remaining backlog of unassessed properties;” and

19 WHEREAS, Recommendation No. 2 states: “The Office of Assessor-Recorder needs to
20 conduct a staffing analysis and generate an aggressive written long-term plan to maintain a
21 backlog-free OAR before the end of CY2015;” and

22 WHEREAS, Recommendation No. 3 states: “The City and County needs to provide
23 General Fund money (from the expected increase in revenue from property taxes due to a
24 more productive OAR) in the FY15-16 budget to support new funding for key administrative
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1 positions and on-going funding for OAR positions after the expiration of the three-year grant;”
2 and

3 WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of
4 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
5 Court on Finding Nos. 3, 4, 5, as well as Recommendation Nos. 2 and 3 contained in the
6 Report; now, therefore, be it

7 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
8 Superior Court that they partially disagree with Finding No. 3 for reasons as follows: the
9 SCAPP grant funding and matching funds are not likely to be sufficient to fully eliminate the
10 backlog; however, the Board of Supervisors approved additional funding and staffing in
11 FY2015-16 and will likely provide continued support in the future to reduce the backlog; and,
12 be it

13 FURTHER RESOLVED, That the Board of Supervisors reports that they agree with
14 Finding No. 4; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors reports that they partially
16 disagree with Finding No. 5 for reasons as follows: the Board of Supervisors concurs with the
17 OAR, which states that “over the last two budget cycles [their] office has successfully
18 advocated for and outlined work plans for the hiring of additional staff through the City's
19 annual appropriation process. In both instances funding requests were made to address a
20 part of the outstanding assessment work load in both assessment appeals as well as new
21 construction and to partially address the resources needed in key administrative positions.
22 Looking forward, the office prioritized transitioning previously project-based limited positions
23 who worked on appeals cases only to permanent positions for the office in order to provide
24 operational flexibility. Operational flexibility is critical as [their] office is impacted by economic
25 cycles - market downturns may drive more appeals cases and market upswings may drive

1 additional new construction work so the ability to assign staff where the need remains
2 important. As administrative resources and data become available in the coming year, the
3 office intends to refine [their] long-term projections and provide trade-offs for policy makers in
4 their funding decisions;” and, be it

5 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
6 No. 2 has not yet been implemented, but will be implemented in the future, for reasons as
7 follows: while this recommendation is beyond the authority of the Board of Supervisors, OAR
8 is working on finalizing a complete staffing analysis and expects to be finished by the end of
9 FY2015-16, and the Board shall report to the Civil Grand Jury on the status of this
10 recommendation within six months from the date of issuance or by December 8, 2015; and,
11 be it

12 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
13 No. 3 has been implemented for reasons as follows: the Board of Supervisors and the Mayor
14 approved the FY2015-16 budget, which included a \$655,634 increase in General Fund
15 support and 18 new positions for the OAR; and, be it

16 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
17 implementation of the accepted findings and recommendations through his/her department
18 heads and through the development of the annual budget.

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