

1 [Board response to the 2006-2007 Civil Grand Jury Report entitled “Risk Management: Are
2 the Managers Managing the Risks of the City”]

3 **Resolution responding to the Presiding Judge of the Superior Court on the**
4 **recommendations contained in the 2006-2007 Civil Grand Jury Report entitled “Risk**
5 **Management: Are the Managers Managing the Risks of the City”.**

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

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

16 WHEREAS, The 2006-2007 Civil Grand Jury Report entitled “Risk Management: Are
17 Managers Managing the Risks of the City” is on file with the Clerk of the Board of Supervisors
18 in File No. _____, which is hereby declared to be a part of this resolution as if set forth fully
19 herein; and,

20 WHEREAS, Recommendation No. 1 of the subject Civil Grand Jury Report states: “The
21 City should create a risk management program that conforms to best business practices, is
22 highly developed, embraces technology-based risk management tools, and is applicable to all
23 City departments”; and

1 WHEREAS, Recommendation No. 2 states: “The creation of a risk management
2 program must include an assessment of current risk management staff and a determination of
3 what else is needed for the successful launch of a citywide risk management program”; and

4 WHEREAS, Recommendation No. 3 states: “The Office of Risk Management must
5 have the authority necessary to implement a citywide risk management program”; and

6 WHEREAS, Recommendation No. 4 states: “The Mayor and the City Attorney should
7 exercise their authority and leadership to insure cooperation between the staff of the Office of
8 the City Attorney and the Office of Risk Management”; and

9 WHEREAS, Recommendation No. 5 states: “The Office of the City Attorney should
10 produce a standard loss run detailing the City’s loss history which is acceptable to insurance
11 company underwriters”; and

12 WHEREAS, Recommendation No. 6 states: “The City should engage a consultant to
13 review its current insurance program to determine whether the current plan of self insurance
14 remains the most cost-effective plan of insurance, whether the City would benefit from the
15 inclusion of other insurance such as excess insurance or insurance policies with a high self
16 insured retention”; and

17 WHEREAS, Recommendation No. 7 states: “The Office of Risk Management should be
18 directed to request insurance quotes for standard commercial coverage for the City”; and

19 WHEREAS, Recommendation No. 8 states: “The October 15, 1999, ‘Judgement and
20 Claims Report’ from the Office of the Legislative Analyst, and the March 2001 ‘Review of
21 Claims, Settlements, and Litigation Data for the City Departments’ from the Budget Analyst for
22 the Board of Supervisors should be reviewed and the recommendations contained therein
23 implemented”; and

24 WHEREAS, Recommendation No. 9 states: “In insuring against the liability risks of
25 City-owned vehicles, the City should explore and compare the financial advantages of an

1 insurance program consisting of (1) a commercial insurance package, (2) self-insurance, or
2 (3) a combination of self and commercial insurance”; and

3 WHEREAS, Recommendation No. 10 states: “The City should hold Heads of
4 departments accountable for losses arising out of their respective departments”; and

5 WHEREAS, Recommendation No. 11 states: “The City Attorney should produce a
6 standard loss run constituting the City’s history of loss and should make it available to the
7 Office of Risk Management”; and

8 WHEREAS, Recommendation No. 12 states: “The Risk Management Office should
9 consult with Museum administration during the renewal process, provide the Museum with a
10 copy of its policy, and explain key policy terms”; and

11 WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of
12 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
13 Court on the Recommendation Nos. 1, 3, 6, 8, 9, and 10 contained in the subject Civil Grand
14 Jury report; now, therefore, be it

15 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
16 Superior Court that it agrees with Recommendation Nos. ____ of the 2006-2007 Civil Grand
17 Jury Report entitled “Risk Management: Are Managers Managing the Risks of the City”; and
18 be it

19 FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees wholly
20 or partially with Recommendation Nos. ____, as follows ____; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors reports that it specifically
22 disputes portions of Recommendation Nos. ____, as follows ____; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
24 implementation of accepted recommendations through his/her department heads and through
25 the development of the annual budget.