File No. 110818

Committee Item No. 3
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit & Oversight **Date:** October 27, 2011

Board of Supervisors Meeting **Date:** _____

Cmte	Board	
☐	☐	Motion
☒	☐	Resolution
☐	☐	Ordinance
☐	☐	Legislative Digest
☐	☐	Budget Analyst Report
☐	☐	Legislative Analyst Report
☐	☐	Introduction Form (for hearings)
☐	☐	Department/Agency Cover Letter and/or Report
☐	☐	MOU
☐	☐	Grant Information Form
☐	☐	Grant Budget
☐	☐	Subcontract Budget
☐	☐	Contract/Agreement (Approved as to Form)
☐	☐	Award Letter
☐	☐	Application
☐	☐	Public Correspondence

OTHER **(Use back side if additional space is needed)**

☐	☐	_____
☐	☐	_____
☐	☐	_____
☐	☐	_____

Completed by: Andrea S. Ausberry **Date** October 20, 2011
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

[Board Response to the 2010-2011 Civil Grand Jury Report Entitled "Central Subway Too Much Money for Too Little Benefit"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2010-2011 Civil Grand Jury Report entitled "Central Subway Too Much Money for Too Little Benefit" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

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

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

WHEREAS, The 2010-2011 Civil Grand Jury Report entitled "Central Subway Too Much Money for Too Little Benefit" is on file with the Clerk of the Board of Supervisors in File No. 110817 which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond to Findings Nos. 3, 4, 5, 6, 11, and 12, as well as Recommendation Nos. 3, 4 and 8 contained in the subject Civil Grand Jury report; and

WHEREAS, Finding No. 3 states: "Muni is not providing adequate service to its customers;" and,

WHEREAS, Recommendation No. 3 states: "Either the City and San Francisco Municipal Transportation Agency (SFMTA) need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance;" and

WHEREAS, Finding No. 4 states: "Muni has had financial troubles in recent years and, absent an unforeseen windfall, will continue to have financial troubles in the foreseeable future;" and

WHEREAS, Finding No. 5 states: "Given the current and projected state of Muni's funding, difficult times lie ahead. This will impact the agency's ability to deliver the level of performance demanded by the charter;" and

WHEREAS, Finding No. 6 states: "Raising passenger fares can only have a minimal impact on Muni's financial shortfalls;" and

WHEREAS, Recommendation No. 4 states: "The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices;" and

WHEREAS, Finding No. 11 states: "Following the manufacturer's suggested preventive maintenance program is inadequate for maintaining Muni's fleet. This inadequate preventive maintenance negatively impacts Muni's ability to properly serve its riders;" and

WHEREAS, Finding No. 12 states: "Mid-life overhauls are not enough to properly maintain Muni's fleet. Targeted component rebuilds are essential to their maintenance;" and

WHEREAS, Recommendation No. 8 states: "The Board of Supervisors, San Francisco County Transportation Authority (SFCTA), and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis;" and

WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior Court on Finding Nos. 3, 4, 5, 6, 11, and 12, as well as Recommendation Nos. 3, 4 and 8 contained in the subject Civil Grand Jury report; now, therefore, be it

RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the Superior Court that it ____agrees/disagrees____ with Finding Nos. 3, 4, 5, 6, 11, and 12, for reasons as follows _____; and be it

FURTHER RESOLVED, That the Board of Supervisors reports that it ____agrees/disagrees____ with Recommendation Nos. 3, 4 and 8, for reasons as follows _____; and be it

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