

1 [Motion amending the Rules of Order of the Board of Supervisors to establish process  
2 regarding Civil Grand Jury Reports.]

3 **Motion amending the Rules of Order of the Board of Supervisors to add a new Section**  
4 **6.26 establishing timeline and process for review and preparation of response to Civil**  
5 **Grand Jury Reports.**

6  
7 WHEREAS, State law imposes certain duties and obligations on the Board of  
8 Supervisors to respond in a timely manner to the recommendations of the Civil Grand Jury;  
9 and,

10 WHEREAS, The ability of the Board of Supervisors to respond substantively to such  
11 recommendations is limited to only such items over which the Board of Supervisors has  
12 decision making authority; and

13 WHEREAS, The Board passed resolution 474-07 on file with the Clerk of the Board of  
14 Supervisors in File No. 071127, which is hereby declared to be a part of this motion as if set  
15 forth fully herein; and

16 WHEREAS, Said resolution and other rules governing the duties required of the Board  
17 of Supervisors for responding to Civil Grand Jury reports are not otherwise codified  
18 collectively; and

19 WHEREAS, Efficiency of administration and clarity of process will be served by the  
20 adoption of a comprehensive rule of order governing the internal handling of Civil Grand Jury  
21 Reports; now, therefore, be it

22 MOVED, The Board of Supervisors hereby amends its Rules of Order to add a new  
23 section 6.26 entitled: "Timeline and Process for Review and Preparation of Response to Civil  
24 Grand Jury Reports" which shall read as follows:

- 1  
2 1. The Board of Supervisors, pursuant to Resolution 474-07, hereby memorializes  
3 the process by which the Board of Supervisors shall respond to Civil Grand Jury  
4 Reports as required by California Penal Code § 933 et seq.
- 5 2. Pursuant to Penal Code §9330.5(c), the Board of Supervisors shall address only  
6 those budgetary or personnel matters over which it has some decision making  
7 authority.
- 8 3. Upon receipt of by Civil Grand Jury reports by the Clerk of the Board, the  
9 Legislative Analyst will prepare a resolution outlining the recommendations of the  
10 Civil Grand Jury for consideration at the Board committee which reviews audits  
11 simultaneously as the Civil Grand Jury reports are being heard.
- 12 4. The Board committee which reviews audits will consider the recommendations  
13 of the Civil Grand Jury, invite the Mayor's Office, the subject department and the  
14 Controller to discuss, accept, reject or modify the Civil Grand Jury  
15 recommendation(s).
- 16 5. Where the committee agrees with the recommendations, identifies those  
17 recommendations which the committee disagrees wholly or partially with, and/or  
18 specifies the portion of recommendation(s) that are disputed, that the Office of the  
19 Legislative Analyst will staff such discussions and amend the draft resolution  
20 accordingly for the Chair of the committee conducting said hearing to submit to the  
21 full Board of Supervisors for consideration.
- 22 6. Once the Board of Supervisors adopts a resolution with formal acceptance of  
23 feasible Civil Grand Jury recommendations, that the Clerk will submit adopted  
24 recommendations to the Mayor's Office, the subject department, the Controller and  
25 the Civil Grand Jury through the Presiding Judge of the Superior Court.

1           7.       The Board of Supervisors may request to receive reports from the Mayor and  
2                   his/her department heads and the Controller about the implementation status of  
3                   accepted recommendations which are required no later than six months and one  
4                   year respectively after receipt of the Civil Grand Jury report.

5           8.       The Board of Supervisors, having encouraged the Mayor to cause the  
6                   implementation of accepted recommendations through his/her department heads  
7                   and through the development of the annual budget; may review the status of the  
8                   Civil Grand Jury recommendations as part of the annual budget review process and  
9                   the Budget & Finance Committee may hold hearings on the Mayor and Controller's  
10                  implementation reports.