

1 [Board Response - Civil Grand Jury Report - Continuity Report]

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3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**
4 **and recommendations contained in the 2020-2021 Civil Grand Jury Report, entitled**
5 **“Continuity Report;” and urging the Mayor to cause the implementation of accepted**
6 **findings and recommendations through her department heads and through the**
7 **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 California 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, Under San Francisco Administrative Code, Section 2.10(a), the Board of
19 Supervisors must conduct a public hearing by a committee to consider a final report of the
20 findings and recommendations submitted, and notify the current foreperson and immediate
21 past foreperson of the civil grand jury when such hearing is scheduled; and

22 WHEREAS, In accordance with San Francisco Administrative Code, Section 2.10(b),
23 the Controller must report to the Board of Supervisors on the implementation of
24 recommendations that pertain to fiscal matters that were considered at a public hearing held
25 by a Board of Supervisors Committee; and

1 WHEREAS, The 2020-2021 Civil Grand Jury Report, entitled “Continuity Report”
2 (“Report”) is on file with the Clerk of the Board of Supervisors in File No. 210700, which is
3 hereby declared to be a part of this Resolution as if set forth fully herein; and

4 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond
5 to Finding Nos. F1, F2, and F3, as well as Recommendation Nos. R1 and R2, contained in the
6 subject Report; and

7 WHEREAS, Finding No. F1 states: “Eleven percent of the required responses over the
8 past three years were not compliant with California Penal Code Section 933.05 because they
9 did not include a timeframe for implementation;” and

10 WHEREAS, Finding No. F2 states: “In some cases where more than one agency was
11 required to respond to a finding and recommendation, the responses were conflicting;” and

12 WHEREAS, Finding No. F3 states: “The Office of the Controller’s annual report on the
13 status of responses to previous year’s Civil Grand Jury reports is extremely helpful;” and

14 WHEREAS, Recommendation No. R1 states: “Beginning with the required responses
15 to the 2020-21 Civil Grand Jury recommendations, the Board of Supervisors and the Mayor
16 should direct responding agencies to include timeframes for implementation or completion of
17 further analysis as required by California Penal Code Section 933.05(b);” and

18 WHEREAS, Recommendation No. R2 states: “Beginning with the required responses
19 to the 2020-21 Civil Grand Jury recommendations, the Board of Supervisors and the Mayor
20 should direct responding agencies to coordinate their responses to the same recommendation
21 to ensure they do not conflict;” and

22 WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of
23 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
24 Court on Finding Nos. F1, F2, and F3, as well as Recommendation Nos. R1 and R2 contained
25 in the subject Report; now, therefore, be it

1 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
2 Superior Court that they _____ with Finding No. F1 for reason as follows:
3 _____; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
5 of the Superior Court that they _____ with Finding No. F2 for reason as follows:
6 _____; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
8 of the Superior Court that they _____ with Finding No. F3 for reason as follows:
9 _____; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
11 No. R1 _____; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
13 No. R2 _____; and, be it

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

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