

1 [Board Response - Civil Grand Jury Report - A Fluid Concern: San Francisco Must Improve  
2 Fuel Resilience]

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 “A**  
5 **Fluid Concern: San Francisco Must Improve Fuel Resilience;” and urging the Mayor to**  
6 **cause the implementation of accepted findings and recommendations through her**  
7 **department heads and through the development of the annual budget.**

8  
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 “A Fluid Concern: San  
2           Francisco Must Improve Fuel Resilience” (“Report”) is on file with the Clerk of the Board of  
3           Supervisors in File No. 210704, which is hereby declared to be a part of this Resolution as if  
4           set forth fully herein; and

5           WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
6           to Finding Nos. F3, F4, F18, and F19, as well as Recommendation Nos. R9, R17, and R18  
7           contained in the subject Report; and

8           WHEREAS, Finding No. F3 states: “The City’s lack of agency sponsorship and  
9           dedicated staffing and budgeting for fuel resilience efforts weakens its ability to ensure fuel  
10          resilience in an emergency;” and

11          WHEREAS, Finding No. F4 states: “The cessation of fuel resilience progress during  
12          COVID indicates that the City is not prioritizing fuel resilience comparably to other aspects of  
13          lifeline resilience;” and

14          WHEREAS, Finding No. F18 states: “The lack of fuel resilience-related line items in the  
15          2019 and 2021 Capital Plans indicates that the City is not prioritizing fuel resilience  
16          comparably to other aspects of lifelines resilience;” and

17          WHEREAS, Finding No. F19 states: “Progress on fuel resilience has been impeded by  
18          the lack of a dedicated, reliable funding source;” and

19          WHEREAS, Recommendation No. R9 states: “In the 2023 Capital Plan, the City should  
20          commit to building an additional fueling station with five-ten thousand gallon storage capacity  
21          for both gasoline and diesel fuels in the space to be freed up at the Southeast Treatment  
22          Plant when the digester replacement work is done, or to identify an alternate site for an  
23          additional fueling station if the Southeast plant is not available;” and

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1           WHEREAS, Recommendation No. R17 states: “In the 2023 Capital Plan, the City  
2 should commit to funding capital projects that are identified in the Fuel Plan as a high priority  
3 to improve fuel resilience in the City over the subsequent ten years;” and

4           WHEREAS, Recommendation No. R18 states: “In the 2023 Capital Plan, the City  
5 should specify how it will provide at least \$10 million in dedicated funding for fuel resilience  
6 capital projects within the next ten years using general obligation bond revenue;” and

7           WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of  
8 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
9 Court on Finding Nos. F3, F4, F18, and F19, as well as Recommendation Nos. R9, R17, and  
10 R18 contained in the subject Report; now, therefore, be it

11           RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
12 Superior Court that they \_\_\_\_\_ with Finding No. F3 for reason as follows:  
13 \_\_\_\_\_; and, be it

14           FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
15 of the Superior Court that they \_\_\_\_\_ with Finding No. F4 for reason as follows:  
16 \_\_\_\_\_; and, be it

17           FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
18 of the Superior Court that they \_\_\_\_\_ with Finding No. F18 for reason as follows:  
19 \_\_\_\_\_; and, be it

20           FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
21 of the Superior Court that they \_\_\_\_\_ with Finding No. F19 for reason as follows:  
22 \_\_\_\_\_; and, be it

23           FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
24 No. R9 \_\_\_\_\_; and, be it

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1           FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
2 No. R17 \_\_\_\_\_; and, be it

3           FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation  
4 No. R18 \_\_\_\_\_; and, be it

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

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