

BOARD of SUPERVISORS



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October 22, 2021

The Honorable Samuel K. Feng
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street, Department 206
San Francisco, CA 94102

Subject: Civil Grand Jury Report – Continuity Report

Dear Judge Wong:

The Board of Supervisors' Government Audit and Oversight Committee conducted a public hearing on September 30, 2021, to review the findings and recommendations of the 2020-2021 Civil Grand Jury report, entitled "Continuity Report."

Prior to the Committee meeting, the following City Department submitted required response to the Civil Grand Jury:


- Office of the Mayor:
Received August 12, 2021.

During the September 30, 2021 meeting, the Government Audit and Oversight Committee prepared a resolution responding to the requested findings and recommendations identified in the report. The response was prepared by Resolution No. 463-21 (File No. 210701) and enacted on October 15, 2021.

By this message, the Office of the Clerk of the Board of Supervisors is transmitting their response (Resolution No. 463-21) to your attention.

If you have any questions, please contact John Carroll, Government Audit and Oversight Committee Clerk at (415) 554-4445, or via email to john.carroll@sfgov.org.

Sincerely,


Angela Calvillo
Clerk of the Board

jec:lw:ams

(Continues on next page)

- c: Thomas Paulino, Office of the Mayor
- Andres Power, Office of the Mayor
- Sally Ma, Office of the Mayor
- Rebecca Peacock, Office of the Mayor
- Anne Pearson, Office of the City Attorney
- Ben Rosenfield, City Controller, Office of the Controller
- Todd Rydstrom, Office of the Controller
- Peg Stevenson, Office of the Controller
- Mark de la Rosa, Office of the Controller
- Severin Campbell, Office of the Budget and Legislative Analyst
- Reuben Holober, Office of the Budget and Legislative Analyst
- Ellie Schafer, 2020-2021 Foreperson, San Francisco Civil Grand Jury
- Donna Hurowitz, 2020-2021, Member, San Francisco Civil Grand Jury
- Michael N. Hofman, 2021-2022, Foreperson, San Francisco Civil Grand Jury

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

2
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.**

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 "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. R2 and R3, 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 agree with Finding No. F1; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
4 of the Superior Court that they agree with Finding No. F2; and, be it

5 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
6 of the Superior Court that they agree with Finding No. F3; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
8 No. R1 has been implemented as detailed in the Mayor's response; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
10 No. R2 has been implemented as detailed in the Mayor's response; and, be it

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

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City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 210701

Date Passed: October 05, 2021

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2020-2021 Civil Grand Jury Report, entitled "Continuity Report;" and urging the Mayor to cause the implementation of accepted findings and recommendations through her department heads and through the development of the annual budget.

September 30, 2021 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

September 30, 2021 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

October 05, 2021 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210701

I hereby certify that the foregoing Resolution was ADOPTED on 10/5/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

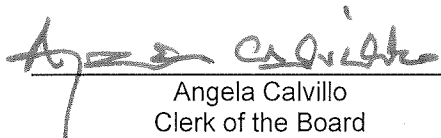
Unsigned

London N. Breed
Mayor

10/15/2021

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.



Angela Calvillo
Clerk of the Board

10/15/2021

Date

File No.
210701