
OFFICE OF THE INDEPENDENT BUDGET ANALYST REPORT

Date Issued: March 10, 2008

IBA Report Number: 08-24

Grand Jury Report: “Past Grand Juror’s Association Implementation Review Board”

OVERVIEW

On January 10, 2008, the San Diego County Grand Jury filed their report “Past Grand Juror’s Association Implementation Review Board” (Attached). The report makes recommendations as to the operation of the City’s newly established Past Grand Juror’s Association Implementation Review Board. The IBA submits this item to propose a response to the report’s recommendations 08-01 through 08-03, which were directed to the City Council.

FISCAL/POLICY DISCUSSION

The IBA proposes the language below for the City Council to utilize in responding to the recommendations directed to the City of San Diego:

The 2007/2008 San Diego County Grand Jury recommends that the City of San Diego:

08-01: Eliminate the sunset provision in the ordinance and make the Board permanent.

The recommendation will not be implemented. The purpose of the two-year provision is to allow a review of the effectiveness and added value of the Board, to the City’s current processes. The Board has just been established, with the appointments confirmed by the City Council on March 4, 2008. At this time, there has been insufficient opportunity for an evaluation to be done of the effectiveness and value of this Board.

08-02: Provide the sitting Grand Jury with copies of the Implementation Review Board’s reports to the City.

The recommendation requires further analysis. On March 4, 2008, the City Council approved the appointments to the Board and we expect the Board will convene for its first meeting in the near future. The City Council will refer this recommendation to the Mayor's Office. The Mayor's Office staffs the Board and is responsible for these operational activities.

08-03: Publish a detailed agenda in its public announcements of meetings of the Board.

The recommendation requires further analysis. Effective June 20, 1994, the City Council established Council Policy 000-16, *Open Meetings*, which provides that all City-appointed boards adhere closely to the Brown Act, including requirements to announce the subject matter to be considered at a regular meeting through a written docket posted in an accessible location and at least 72 hours prior to the meeting. The Mayor's Office will staff this Board and is responsible for these operational activities. Therefore, the City Council will refer this recommendation to the Mayor's Office to ensure that it will be properly considered and executed

The IBA notes that the Grand Jury report also included one Finding as follows:

Finding: The County of San Diego has had an excellent experience with its Past Grand Jurors Implementation Review Committee (PGJIRC).

The Penal Code requires that the responding person or entity shall either agree or disagree (wholly or partially) with each finding. This report was addressed both to the County of San Diego (via Chief Administrative Officer Walt Ekard) and the San Diego City Council. Unlike with the Recommendations, the Grand Jury has not specified to which party the Finding is directed. However, the City does not have the requisite facts to either agree or disagree with this Finding. The IBA believes this Finding is best and most likely directed toward the other responding party, the County of San Diego, and we do not recommend that the City Council make a response to this Finding.

CONCLUSION

The IBA believes that this language is appropriate to constitute the response to the Grand Jury on their report on the Past Grand Juror's Association Implementation Review Board on behalf of the San Diego City Council.

[SIGNED]

Penni Takade
Deputy Director

[SIGNED]

APPROVED: Andrea Tevlin
Independent Budget Analyst

Attachment