

**Revised Proposed Response to
San Diego County Grand Jury Report Entitled
“Say What You’ll Do And Then Do What You Say:
Past Grand Jurors Association Implementation Review Committee”**

Pursuant to California Penal Code section 933(c), the Mayor and City Council of the City of San Diego provide the following responses to the applicable finding and recommendation included in the above referenced Grand Jury Report:

FINDINGS

Finding 02: *The City of San Diego failed to make the Grand Jury Implementation Review Committee permanent in 2009 despite its success in insuring that Grand Jury recommendations were implemented.*

Response: The City partially disagrees with the finding.

At the end of 2007 the City Council established a mechanism for Grand Jury implementation review. City Ordinance 19671 (O-19671), was passed in October 2007, with the following purpose:

It is the purpose and intent of the City Council to establish the City of San Diego Past Grand Jurors Association Implementation Review Board. The Board is established to provide the Mayor and City Council with a pool of experienced citizens, who have served as members of the San Diego County Civil Grand Jury, to promote a policy regarding the implementation and follow-up of accepted recommendations of the County's Civil Grand Juries, and to assist and advise the Mayor and City Council in the process of reviewing the implementation of County Civil Grand Jury accepted recommendations.

The Implementation Review Board was automatically repealed (“sunsetting”) by O-19671 on December 1, 2009. The Grand Jury indicates in this finding that “the City of San Diego failed to make the Grand Jury Implementation Review Committee permanent in 2009 despite its success in insuring that Grand Jury recommendations were implemented.” No additional information is included in the Grand Jury report supporting this statement.

The Implementation Review Board provided a mechanism for reviewing the status of previously accepted Grand Jury recommendations; however, the City believes it would be a better use of resources to utilize standing Council Committees for this purpose. The existing Council Committee structure is more familiar to citizens and would provide greater transparency and openness. Additionally, transparency to the public would be enhanced via a newly created webpage that would include status updates. See response to Recommendation 14-81.

RECOMMENDATIONS

Recommendation 14-81: *Establish an Implementation Review Committee similar to the one established in 2007-2009 and patterned after the current San Diego County Past Grand Jury Implementation Review Committee.*

Response: The recommendation will not be implemented because it is not warranted.

Rather than establish a separate Implementation Review Committee of Past Grand Jurors Association members, the City believes this matter could be addressed in a more efficient, effective and transparent manner. The City plans to develop a new Council Policy regarding the implementation and follow-up of previously accepted Grand Jury recommendations. This Policy will incorporate several components, including the creation of a new *Grand Jury Reports* page on the City's website where original Grand Jury reports, City responses and status updates would be posted. The Policy will include defining parameters for tracking implementation status and review of implementation status by City Council Committees, which provide a public hearing format.

The vetting process for creation of the Council Policy would begin with the Economic Development & Intergovernmental Relations Committee within the next six months. The Policy would identify the following:

- Clearly defined responsibilities for follow-up and tracking of accepted Grand Jury recommendations.
- The timeframe and frequency for providing updates on implementation progress.
- What materials would be posted to the new *Grand Jury Reports* webpage.

The City believes that utilizing the City Council's existing Committee structure to review the implementation status of previously accepted Grand Jury recommendations would be more effective than creating a separate review committee, as suggested by the Grand Jury. This would be consistent with the process for initially responding to the findings and recommendations directed to the City Council, where the appropriate Council Committee reviews proposed responses to applicable Grand Jury reports and forwards them to the full City Council for final review.

Utilizing existing Council Committees would avoid additional support expenses and confusion associated with creation of a separate Committee process. Council Committees are held monthly, are open to the public, and the agendas are widely publicized in advance for the purposes of obtaining citizen input. Council Committees provide a widely known public platform and have authority to direct additional follow-up or actions, which would enhance accountability. Attendance and participation by Past Grand Jurors Association members would be encouraged.

The Council Committee review process would be accomplished through standing Council Committees based on the subject matter, as is the case with the City Council's original Grand Jury responses. Status reports for Committee review would be developed by appropriate departmental staff. These Grand Jury status reports would also be posted on appropriate Council Committee websites (on Committee agendas) along with the original Grand Jury reports.