

FILE NO. 160810

Petitions and Communications received from July 1, 2016, through July 11, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 19, 2016.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Capital Planning Committee, submitting action items to be considered by the Board of Supervisors. Copy: Each Supervisor. (1)

From Controller, submitting Annual General Obligation Bond Program Report FY 2015-2016. (2)

From Controller, submitting a memo regarding audit of Public Works 2010 Earthquake Safety and Emergency Response General Obligation Bond Program. (3)

From Controller, submitting Quarterly Review of the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2016. (4)

From San Francisco Police Department, per Admin Code 10.170-1(F), submitting memos for 2014 Forensic DNA and 2015 DNA Backlog Grant Budget Revisions. 2 memos. Copy: Each Supervisor. (5)

From Controller, regarding Airport Commission's compliance audit: Swiss International Air Lines Ltd. Landing Fees for 2013 and 2014. Copy: Each Supervisor. (6)

From Controller, submitting ninth amendment of the Software Maintenance Agreement with Cogsdale Corporation. File No. 160315. Copy: Each Supervisor. (7)

From San Francisco Civil Grand Jury, submitting a report entitled, 'Into the Open: Opportunities for more timely and transparent investigations of fatal SFPD Officer involved shootings.' Copy: Each Supervisor. (8)

From Juvenile Probation Department, pursuant to Admin Code Chapter 12I, submitting 2016 Annual Report on Civil Immigration Detainers. Copy: Each Supervisor. (9)

From Mayor Lee, pursuant to Charter Section 3.100, designating Supervisor Katy Tang as Acting-Mayor from July 7, at 9:05 a.m. to July 10, 2016 at 9:16 p.m. Copy: Each Supervisor. (10)

From Mayor Lee, regarding the following Charter Section 4.105, nomination to the Planning Commission: Copy: Each Supervisor. (11)

Richard Hillis, term ending June 30, 2020

From Department of Public Health, pursuant to Admin Code 10.170-1(F), regarding Grant Budget Revision in excess of 15%. Copy: Each Supervisor. (12)

From San Francisco Public Library, pursuant to Admin Code 10.100-305, submitting FY2015-2016 Annual Report on Gifts Received. Copy: Each Supervisor. (13)

From San Francisco Municipal Transportation Agency, submitting FY2015-2016 Annual Report on Gifts Received. Copy: Each Supervisor. (14)

From San Francisco Public Utilities Commission, pursuant to Admin Code Section 10.100-305, submitting Annual Distributed Antenna System Program Revenue updated from April 2015 through April 2016. Copy: Each Supervisor. (15)

From Clerk of the Board, reporting that the following departments have submitted their reports regarding Sole Source Contracts for FY 2015-2016: (16)

- Department on the Status of Women
- District Attorney
- Employees' Retirement System
- Health Service System
- Human Resources
- Public Library
- Sheriff's Department
- War Memorial and Performing Arts Center

From Bay Area Air Quality Management District, submitting 2015 Annual Report. Copy: Each Supervisor. (17)

From State Fish and Game Commission, submitting notice of proposed regulatory action relating to commercial hagfish traps. Copy: Each Supervisor. (18)

From West Area California Public Utilities Commission, regarding Notification Letter for various Verizon Facilities. Copy: Each Supervisor. (19)

From concerned citizens, regarding Teatro ZinZanni. File No. 160541. 8 letters. Copy: Each Supervisor. (20)

From Anastasia Yovanopoulos, regarding a proposed Charter Amendment to create a Homeless Housing and Services Fund. File No. 160581. Copy: Each Supervisor. (21)

From Mark Gordon, regarding proposed payroll tax on tech companies. File No. 160760. Copy: Each Supervisor. (22)

From concerned citizen, regarding bike collisions. Copy: Each Supervisor. (23)

From Ellie Sadler, regarding police reform. Copy: Each Supervisor. (24)

From Howard Chabner, regarding conditions of crosswalks. Copy: Each Supervisor. (25)

From Suzanne Boyle, regarding MUNI. Copy: Each Supervisor. (26)

From Kim Linden, regarding fireworks and pop-pops. Copy: Each Supervisor. (27)

From HIV/AIDS Provider Network, regarding HIV/AIDS epidemic. Copy: Each Supervisor. (28)

From concerned citizen, submitting signature for petition entitled, 'Stop SFMTA (San Francisco Municipal Transportation Agency).' 4,290th signer. Copy: Each Supervisor. (29)

From concerned citizens, regarding proposed Charter Amendment to split the power to make appointments to San Francisco Municipal Transportation Agency Board of Directors between the Mayor and the Board of Supervisors. File No. 160589. 3 letters. (30)

From San Francisco Bay Area Planning and Urban Research Association, proposed resolution to adopt new regulations for transportation network companies. File No. 160759. Copy: Each Supervisor. (31)



Capital Planning Committee

Bas II, BTF, CPAS

Naomi M. Kelly, City Administrator, Chair

MEMORANDUM

July 11, 2016

To: Supervisor London Breed, Board President *N Kelly*

From: Naomi Kelly, City Administrator and Capital Planning Committee Chair

Copy: Members of the Board of Supervisors
Angela Calvillo, Clerk of the Board
Capital Planning Committee

Regarding: (1) Approval of San Francisco International Airport Capital Improvement Plans (CIP) Update (2) Approval of the resolution of public interest and necessity and the ordinance calling for a special election to amend the Seismic Safety Loan Program (Prop A, Nov 1992) to include affordable housing uses

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 JUL 11 PM 3:20
BY *SKB*

In accordance with Section 3.21 of the Administrative Code, on July 11, 2016, the Capital Planning Committee (CPC) approved the following action items to be considered by the Board of Supervisors. The CPC's recommendations are set forth below.

1. Board File Number: TBD **Approval of the San Francisco International Airport FY16-17 Five & Ten Year Capital Improvement Plans (CIP) update, totaling \$5.8 billion and \$6.1 billion, respectively.**

Recommendation: Recommend the Board of Supervisors approve the Capital Improvement Plans update.

Comments: The CPC recommends approval of these items by a vote of 11-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Conor Johnston, Board President's Office; Nadia Sesay, Controller's Office; Ed Reiskin, Director, SFMTA; Mohammed Nuru, Director, Public Works; Kathy How, SFPUC; Tom DiSanto, Planning Department; Melissa Whitehouse, Acting Budget Director; Ivar Satero, Director, San Francisco International Airport; Dawn Kamalanathan, Recreation and Parks Department; and Elaine Forbes, Interim Director, Port of San Francisco.

①

2. Board File Number: TBD

Approval of the Resolution of Public Interest and Necessity for the acquisition, rehabilitation, preservation, and conversion of multi-unit residential buildings to permanent affordable housing, to be financed through bonded indebtedness in an amount not to exceed \$350 million.

Approval of the Ordinance calling for a special election to amend the Seismic Safety Loan Program (Proposition A, Approved November 1992) to authorize the City of San Francisco to incur general obligation bonded indebtedness not to exceed \$350 million for the additional purposes of providing loans to finance the cost to acquire, improve, and rehabilitate and to convert at-risk multi-unit residential buildings to permanent affordable housing, and related costs necessary or convenient for the foregoing purposes.

Recommendation:

Recommend the Board of Supervisors approve the Resolution of Public Interest and Necessity and Ordinance calling for a special election to amend the Seismic Safety Loan Program to include affordable housing uses, *with the following modification: For the Below Market Rate component of the proposed amendment, private owners' cost of borrowing from the City shall be no less than 1/3 (one-third) of the City's cost of borrowing.*

Comments:

The CPC recommends approval of this item by a vote of 11-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Conor Johnston, Board President's Office; Nadia Sesay, Controller's Office; Ed Reiskin, Director, SFMTA; Mohammed Nuru, Director, Public Works; Kathy How, SFPUC; Tom DiSanto, Planning Department; Melissa Whitehouse, Acting Budget Director; Ivar Satero, Director, San Francisco International Airport; Dawn Kamalanathan, Recreation and Parks Department; and Elaine Forbes, Interim Director, Port of San Francisco.

From: Reports, Controller (CON)
Sent: Wednesday, July 06, 2016 12:27 PM
To: Reports, Controller (CON)
Subject: Issued: Annual General Obligation Bond Program Report, Fiscal Year 2015-16

The Office of the Controller issued the Annual General Obligation Bond Program Report. This report provides an assessment of the City and County of San Francisco's General Obligation Bond Programs that are currently in implementation and construction as of March 2016. The report includes the 2008 and 2012 Clean and Safe Neighborhood Parks, 2008 San Francisco General Hospital and Trauma Center Earthquake Safety (SFGH Rebuild), 2010 and 2014 Earthquake Safety and Emergency Response, 2011 Road Repaving and Street Safety, and the 2014 Transportation and Road Improvement bond programs. The report evaluates the scope, schedule, budget, and change orders within each bond program component and compares the results to the previous year's report.

To view the full report, please visit our Web site
at: <http://openbook.sfgov.org/webreports/details3.aspx?id=2327>

This is a send-only e-mail address. For questions about the report, please contact Rachel Cukierman at rachel.cukierman@sfgov.org or 415-554-5391.

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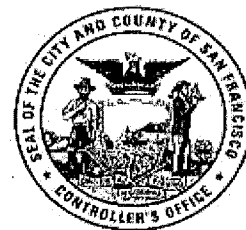
ANNUAL GENERAL OBLIGATION BOND PROGRAM REPORT FISCAL YEAR 2015-16

**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER
CITY SERVICES AUDITOR (CSA)**



CSA Project Team

Peg Stevenson, Director
Rachel Cukierman, Project Manager
David Weinzimmer, Performance Analyst
Claire Phillips, Performance Analyst



June 30, 2016

**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

The City Services Auditor was created within the Controller's Office through an amendment to the City Charter that was approved by voters in November 2003. Under Appendix F to the City Charter, the City Services Auditor has broad authority for:

- Reporting on the level and effectiveness of San Francisco's public services and benchmarking the city to other public agencies and jurisdictions.
- Conducting financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operating a whistleblower hotline and website and investigating reports of waste, fraud, and abuse of city resources.
- Ensuring the financial integrity and improving the overall performance and efficiency of city government.

Controller's Project Team

Rachel Cukierman, Project Manager
Claire Phillips, Performance Analyst
David Weinzimmer, Performance Analyst

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EXECUTIVE SUMMARY

This report is an assessment of the City and County of San Francisco’s (City) General Obligation (GO) Bond Program performance. GO bonds are approved by the voters of San Francisco and are issued to fund major capital construction projects. This report reviews all active GO Bond programs as of March 2016, assessing each component’s scope, schedule, budget, and change orders.

This report is the second Annual General Obligation Bond Program Report issued by the Controller’s Office, City Performance Unit. For the first time, it includes the bond measures approved by the voters in the June and November 2014 elections – the 2014 Earthquake Safety and Emergency Response (2014 ESER) bond and the 2014 Transportation and Road Improvement bond. This year’s report also includes a closeout assessment of the 2008 San Francisco General and Trauma Center Earthquake Safety (SFGH Rebuild) bond. The November 2015 Affordable Housing bond, which is currently in the planning phase, is summarized in Appendix B.

The table below summarizes the City’s seven active GO bond programs. Expenditures do not include encumbrances, and delays are calculated based on the last original and revised bond component completion dates; delays to specific bond components may be shorter or longer.

Bond Program	Budget (\$ millions)	Percent Expended	Projected/Actual Completion Date	Delay (Years)
2008 Clean and Safe Neighborhood Parks	186.4	92%	1/31/2018	2.9
2008 SFGH and Trauma Center Earthquake Safety	887.4	95%	8/18/2015	0.3
2010 Earthquake Safety and Emergency Response	412.3	80%	12/13/2019	1.2
2011 Road Repaving and Street Safety	250.3	66%	12/31/2018	1
2012 Clean and Safe Neighborhood Parks	195.0	17%	2/28/2019	0.2
2014 Earthquake Safety and Emergency Response	401.2	10%	3/31/2021	0
2014 Transportation and Road Improvement	485.0	1%	12/31/2022	0

FINDINGS

2008 Clean and Safe Neighborhood Parks (CSNP)

The 2008 CSNP bond program contains 3 major components led jointly by the Recreation and Park Department (RPD) and the Port of San Francisco (Port). As of March 2016, 92.3% of the project budget has been expended. Of the 27 projects in the bond program, 21 are complete and the remaining projects are scheduled to be completed by January 2018.

The bond program has experienced several scope changes at the project level due to unforeseen site conditions and the public planning and involvement process. Delivered by RPD, Mission Playground had significant scope changes to address unforeseen conditions. Additionally, Mission Dolores Park had an extensive public planning and involvement process as well as unforeseen conditions due to the presence of ground water. Scope changes resulted in change orders of 15.5% for RPD-delivered components.

The Port of San Francisco (Port) Crane Cove Park project, Phase 1 of which is funded by both the 2008 and 2012 CSNP bonds, also had significant increases in scope to address community feedback. While the increase in scope at Crane Cove Park has not reduced scope for other 2008 CSNP projects delivered by the Port, it has reduced the number of projects delivered in the 2012 CSNP. Scope changes resulted in change orders of 13.7%.

The overall budget for the bond program has increased by 2.5% due to appropriated interest and lower-than-expected cost of issuance. As of March 2016, 92% of bond funds have been expended. The departments have had difficulty expending the remaining eight percent of bond funds due to needed coordination, constrained site staff, and a more complex regulatory environment for waterfront projects.

All 2008 CSNP bond components have been significantly delayed, with delays ranging from three to five years behind original schedules. RPD project schedules have been significantly delayed by the public planning

process, in particular historic preservation requirements under the California Environmental Quality Act (CEQA). As a result, RPD adjusted projected schedules in the 2012 CSNP to allow ample time for CEQA review of projects that may have historic resources that must be preserved. For Port-led projects, the projected completion date for the Waterfront Parks is just under 3 years beyond its original schedule. The primary reason for the most recent delays to the component has been the permitting process for Crane Cove Park.

2008 San Francisco General Hospital and Trauma Center Earthquake Safety (SFGH Rebuild)

The 2008 SFGH Rebuild bond program funds the building of a new hospital that is in full compliance with state laws, standards, and requirements, as well as seismically safe. As of March 2016, 94.8% of the project budget has been expended and the program is in the closeout process for the main hospital project. The Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center reached substantial completion on August 18, 2015, and received its first patients on May 21, 2016.

The nine-year project was completed approximately three months late, on budget, and had construction change orders equal to 4.9% of base contracts.

Part of the Program's success stems from the extensive project scoping work that was completed prior to the bond's approval by voters. Coordination of bond sales with other bond programs through the City's Office of Public Finance also created cost savings by allowing the SFGH Rebuild bond program to share cost of issuance with other bond programs.

2010 Earthquake Safety and Emergency Response (2010 ESER)

The 2010 ESER bond program is comprised of three major components led by Public Works and the Public Utilities Commission (PUC). As of March 2016, 80% of the 2010 ESER program budget has been expended. Of the total 123 individual projects that vary in size and scope, 100 are complete. All three bond components have experienced over one year of delays.

Led by Public Works in coordination with the San Francisco Police Department (SFPD) and the San Francisco Fire Department (SFFD), the Public Safety Building (PSB) was completed on April 28, 2015, just over one year behind schedule, with change orders amounting to 7% of the base contract amount. The PSB project was delayed due to difficulty in coordinating utilities, design errors due to conflicting surveys, a progressive release of partially incomplete bid documents, and a lack of IT coordination in the design phase. Nonetheless, delays to construction did not have a significant impact on the operations of the SFPD and SFFD.

The Neighborhood Fire Stations (NFS) component scope has shifted slightly in the past year, with Fire Station 35 moving to the 2014 ESER Program. The NFS component has delivered all but two of its 75 planned improvements, with the remaining two projects being large seismic upgrades to Fire Station 5 and Fire Station 16. These two projects account for just over half of the component's funds. As of March 2016, the NFS component has change orders of 13.7% (of which 9.7% was for client requests).

The Auxiliary Water Supply System (AWSS) component has completed 55% of its projects with 58% of its funds, and has change orders equal to 4.3% of base contract costs.

2011 Road Repaving and Street Safety (RRSS)

The 2011 RRSS bond program is comprised of 5 major components with Public Works managing the majority of the program, and the Municipal Transportation Agency (SFMTA) overseeing one component. As of March 2016, 66% of the 2011 RRSS program budget had been expended. All bond components were spending within their original budgets, and the Streetscape component budget had been increased by \$2.3 million due to appropriated interest. Projects were at varying stages of progress. The Sidewalk Accessibility component is the furthest along, with all projected scope completed and limited funds remaining to be spent for its curb ramps sub-component. The Street Structures component was 95% complete with 38 of 40 structures constructed, and Street Resurfacing component was 87% complete, with 1,114 of 1,281 blocks resurfaced. About half of

Streetscape projects and two thirds of Traffic Signal Improvements were complete.

Street Resurfacing and Sidewalk Accessibility work are ongoing programs for Public Works, and are funded by both 2011 RRSS funds as well as the General Fund. As such, targeted scope for these programs may fluctuate for reasons independent of the 2011 RRSS bond.

Over the past year, there have been changes in scope to the Streetscape component, which decreased from 75 to 66 projects. There have also been changes to the Street Structures component, which increased from 36 projects to 40 projects.

All components within the bond program are significantly delayed from original projections, with delays ranging from one to three years, though Public Works anticipates fewer delays going forward as most remaining projects enter construction. For Street Resurfacing, the longest-delayed component, the primary source of delays has been the need to coordinate projects with other departments; a delay to utility and pipeline work on a street for instance will delay a paving project since paving must follow those improvements. A number of Streetscape projects have also been delayed due to extra time needed for public outreach for joint projects with the San Francisco Municipal Transportation Agency (SFMTA), which was not built into original project schedules.

2012 Clean and Safe Neighborhood Parks (2012 CSNP)

The 2012 CSNP bond program contains four major components, three of which are led by the Recreation and Park Department (RPD), and one of which is led by the Port of San Francisco (Port). As of March 2016, 17.5% of the bond has been expended and of the total 27 projects in the program, two are complete. All four components are estimated to be complete in the year 2018. Due to the limited spending and the small number of projects constructed at this point, there have been limited change orders in the program.

The scope and budget for RPD-led Citywide Parks, Citywide Programs, and Neighborhood Parks components has not changed, though there were scope changes at the project level for the first Neighborhood Park (Joe DiMaggio North Beach Playground). Due to a competitive bid environment and scope changes on the first project in the Neighborhood Parks component, to remain within bond allocation, RPD is now bidding amenities within parks projects as additive components on Neighborhood Park contracts, allowing the scope of each park to fluctuate to stay within project budgets. The Citywide Programs component faces the same challenges in expending bond funds as the 2008 program, including coordination with site staff. There are also new challenges in leveraging philanthropic funds, which require substantial ongoing staff effort. The Neighborhood Parks component, which includes more than half of the bond program's projects and funding, is projected to be completed three months behind schedule due to complex site conditions.

The scope of the Port-led Waterfront Parks component has significantly changed. Based on substantial community input, the Port re-scoped the bond component to fund four projects instead of seven in order to provide more of the desired amenities at Crane Cove Park in the Phase 1 project, which is funded by both the 2008 and 2012 CSNP Programs. There are still more desired improvements at Crane Cove Park, which would have to be delivered in a Phase 2 project using other, not yet identified funding sources.

Notwithstanding changes in scope, the Waterfront Parks component is still on track to be completed on schedule; however, some projects within the component are delayed to coordinate with various other developments and parks along the San Francisco waterfront, as well as changes to scope based on community input.

2014 Earthquake Safety and Emergency Response (ESER)

The 2014 ESER bond continues the work of the 2010 ESER bond to improve or construct facilities identified in the City's Capital Plan that support earthquake safety and emergency response, and includes three new components of work: improvements at nine district stations and three other police facilities; a Traffic Company and Forensic Services Division Facility to house the SFPD motorcycle unit and crime lab; and a new Office of

the Chief Medical Examiner.

It is still relatively early in the 2014 ESER bond program, and only 10% of funds have been expended as of March 2016, primarily for the Traffic Company and Forensic Services Division Facility and the Office of the Chief Medical Examiner. All bond components are currently still on schedule except for the Office of the Chief Medical Examiner, which has been delayed by nine months due to the discovery of contaminated soil and the need to remove existing concrete-reinforced panels on the site, as well as client requests. These delays may have been possible to avoid if the Construction Management Support Services team that provides expert scheduling and estimating services had been hired prior to issuing an RFP for the Construction Management/General Contractor and Architect & Engineer teams.

The Neighborhood Fire Stations component has change orders that amount to 5% of the base contract, only 0.3% of which were indicated as being for errors and omissions, well below the 3% standard performance threshold. The remaining components have not had substantial change orders.

2014 Transportation and Road Improvement

Led by the San Francisco Municipal Transportation Agency (SFMTA), this bond program is comprised of eight major components, each including a number of discreet projects of varying size and scope. Specific projects are selected for bond funding at the time of bond issuances. As of March 2016, 18 projects were funded by the first issuance of the bond.

The largest portion of the bond funds is allocated for Muni Forward Rapid Network Improvements, which implements the SFMTA's Muni Forward project that restructures transit service on Muni's high ridership lines to improve travel times and reliability, increase accessibility, and improve pedestrian safety. Other bond components fund improvements to Caltrain, accessibility improvements, upgrades to Muni operations and maintenance facilities, major transit corridor improvements, targeted pedestrian safety improvements, traffic signal improvements, and complete streets projects.

It is still early in the bond program, and only 0.5% of bond funds (\$2.6 million) have been expended as of March 2016. Likewise, there have been no changes in the scope of the bond program, and no change orders to the program. Projects delivered by Public Works will use the same change order tracking system as other Public Works Projects, but the SFMTA will independently track change orders on the projects it delivers and has not yet finalized the level of detail for that reporting.

There have already been some lessons learned and challenges in the bond program. Advanced coordination and proactive communication from the Muni Forward team to Public Works has been critical, and frequent coordination meetings between the departments have been helpful. Effective public engagement is a continuous challenge, and unexpected project changes based on community input have already impacted some project schedules within bond components.

BACKGROUND

General obligation bonds (GO bonds) are debt instruments issued by the City to raise funds for public works projects. They give the City a tool to raise funds for projects that will not provide direct sources of revenue, such as roads, parks, or bridges. GO bonds allow the City to make critical capital improvements to strengthen aging infrastructure, increase the City's ability to respond to and recover from an earthquake, and fund improvements to the City's hospitals and public safety buildings.

Voter-approved G.O. Bonds since 2008		
Year	Debt Issuance	Amount (in millions)
2008	Clean and Safe Neighborhood Parks	\$180
2008	SFGH and Trauma Center Earthquake Safety	\$887
2010	Earthquake Safety and Emergency Response	\$412
2011	Road Repaving and Street Safety	\$248
2012	Clean and Safe Neighborhood Parks	\$195
2014	Earthquake Safety and Emergency Response	\$400
2014	Transportation and Road Improvement	\$500
2015	Affordable Housing	\$310
Voter-approved G.O. Bonds Total		\$3,132

GO bonds must be approved by a two-thirds vote of the electorate. Since 2008, voters have approved eight GO bonds totaling just over \$3.1 billion. In addition to historic GO bond investments, the City issues debt through several other sources, including revenue bonds, general fund revenues, and user fees.

For an overview of changes in budget to GO bonds at both the program and component level, see Appendix A. For a description of the 2015 Affordable Housing bond, see Appendix B.

Methodology

In order to provide a high-level review of the City's GO bond programs, the City Services Auditor asked departments to provide budget and schedule data on each individual bond component. Bond program managers and in some cases bond component project managers were interviewed to obtain more detail on scope, schedule, and budget status. For a list of terms used throughout this report, see Appendix C, and for more detail on Methodology, see Appendix D.

Project versus Programmatic Work

Bond programs are made up of one or more components, each of which is assigned a lead department. Components can be a stand-alone, large-scale project or an ongoing, recurring program. Programmatic work tends to consist of smaller individual improvements implemented over an ongoing period of time (such as street resurfacing). Project work is a large-scale, one-time public work (such as constructing the new Public Safety Building).

Making a distinction between project and programmatic work is helpful in understanding how a department tracks and reports on the status of each component. Project work lends itself to set phases, schedules, and budgets. Further, there is generally strict adherence to the planned start and end date, and the budget is clearly defined for each individual project. Since programmatic work covers many smaller, on-going jobs, performance measures tend to be reported at the component level. As long as all individual projects are complete within the planned timeframe, and the budget does not go over the component's allocation, the schedule and budget performance goals have been met.

Change Orders

Change orders are defined as work that is added to or deleted from a contract's original scope of work, which then alters the contract amount and/or completion date. There is no single citywide standard for determining an acceptable amount of change orders on a project, and each implementing department sets a threshold in order to measure a project's performance. For example, San Francisco Public Works (Public Works) considers it a good indicator to have a total change order amount less than three percent of the base contract amount for errors and omissions in the scope of work. In general, other change order types (such as code issues, modifications needed for unforeseen conditions, and additional client requests) are not evaluated based on set thresholds. The Port of San Francisco (Port) and San Francisco Public Utilities Commission (SFPUC) use a standard contingency of ten percent for the overall construction contract, and measure performance based on whether the total amount of all change order types is below this ten percent contingency.

Based on the City Services Auditor's research, no single, widely accepted industry standard exists for an acceptable amount of change orders on a project. Some sources quote a ten percent contingency as an acceptable

standard; however, this can vary depending on the project size or type.¹ If a project is considered significantly complex, a contingency greater than ten percent may be appropriate. Chapter 6 of the San Francisco Administrative code, the Public Works Contracting Policies and Procedures, specifies that “any cumulative increase or decrease in price in excess of 10% of the original Contract price or scope” requires the “approval of the Mayor or Mayor’s designee or the board or commission as appropriate and also the approval of the Controller notwithstanding any delegation as provided for [prior in Chapter 6].”²

The remaining sections review the scope, budget, schedule and completion status, and change orders for the following bond programs:

- 2008 Clean and Safe Neighborhood Parks
- 2008 San Francisco General Hospital and Trauma Center Earthquake Safety (SFGH Rebuild)
- 2010 Earthquake Safety and Emergency Response
- 2011 Road Repaving and Street Safety
- 2012 Clean and Safe Neighborhood Parks
- 2014 Earthquake Safety and Emergency Response
- 2014 Transportation and Road Improvement

¹ http://www.herzog.com/wp/wp-content/uploads/2014/08/CMGC-Best-Practices-2014_WR-proof-8-14-14.pdf
https://comptroller.nyc.gov/wp-content/uploads/documents/7E13_099S.pdf

² San Francisco City Charter, Administrative Code, Chapter 6, Sec. 6.22(h)(1).

2008 CLEAN AND SAFE NEIGHBORHOOD PARKS

SUMMARY

In February 2008, San Francisco voters approved Proposition A with 71% approval for a \$185 million Clean and Safe Neighborhood Parks (2008 CSNP) bond.³ As of March 2016, \$172.1 million (92.3% of project budget)⁴ has been expended. Of the 27 projects in the bond program, 21 are complete, and the remaining projects are scheduled to be completed by January 2018.

SCOPE

The 2008 CSNP bond was approved to make the following improvements: (1) fix and improve park restrooms citywide, (2) eliminate serious earthquake safety risks in neighborhood and waterfront park facilities, (3) renovate parks and playgrounds in poor physical condition, (4) replace dilapidated playfields, (5) repair nature trail systems in the City's parks, and (5) attract matching community and philanthropic support.

Subsequent to voter approval, the 2008 CSNP bond was divided into the following three components:

1. **Citywide Programs:** led by the Recreation and Park Department (RPD), this component is broken into 5 subprograms, including restroom repair, renovation of playfields, assessing and repairing trees, restoring trails, and a Community Opportunity Fund.⁵
2. **Neighborhood Parks:** led by RPD, this component includes capital improvements to 12 parks with a specific focus on earthquake safety, general physical condition, and adequacy for basic recreational use.
3. **Waterfront Parks:** led by the Port of San Francisco (Port), this component consists of 10 capital improvement projects intended to improve waterfront open spaces.

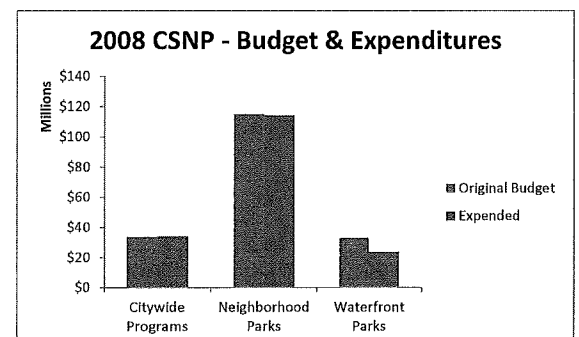


No significant changes to the bond program scope have occurred in the past year, and the number of projects funded by the 2008 CSNP bond has not changed. However, the Crane Cove Project, which is funded by both the 2008 and 2012 CSNP Waterfront Park bond funds, has driven significant changes in scope described in the summary of the 2012 CSNP bond program. Due to minor cost savings in RPD's Neighborhood Parks component as well as appropriated interest, the RPD-led Citywide Programs budget has been increased by \$4 million. This additional funding increases the scope of that component's programmatic work.

In the fiscal year 2014-15 annual report, the most substantial changes in scope had been project level changes at Mission Dolores (RPD), Mission Playground (RPD), the Community Opportunity Fund (RPD), the Pier 43 Bay Trail Link (Port), and the Bayview Gateway (Port) projects.

BUDGET⁶

As of March 2016, the revised overall budget for the bond program was \$186.4 million, a \$4.6 million increase over March 2015, due to interest appropriated to the bond program by both departments. Within the RPD components of the bond program, the Neighborhood Parks component budget was decreased by \$227,850 due to cost savings at one Neighborhood Park, while the Citywide Programs budget was increased from \$33.9 million to \$37.9 million, an increase of 11.9% due to the reallocation of cost savings and appropriated interest. The Waterfront Parks component (Port) had a budget increase of \$743,023 due to appropriated interest.



³ Hereafter referred to as the 2008 CSNP bond to differentiate it from the subsequent CSNP bond approved by the voters in 2012, referred to as the 2012 CSNP bond.

⁴ The project budget, excluding cost of issuance, increased by \$4.6 million compared to the original bond amount due to appropriated interest.

⁵ The Community Opportunity Fund allows residents, neighborhood groups, and park advocates to initiate improvements in their parks by matching community-nominated projects and funds with private gifts and grants.

⁶ For consistency with other CSNP bond reporting, these figures exclude cost of issuance.

Of the total \$186.4 million budget, \$172.1 million (92.3%) has been expended as of March 2016. The RPD components had expended 97.3% of their budgets, with the remaining funds in the Citywide Programs component. The Port had expended 70.0% of the Waterfront Parks budget, with the remaining funds set aside for Crane Cove Park and Blue Greenway Public Art project.

SCHEDULE AND PERCENT COMPLETE

The three components have varying delays ranging from just under three to just under five years.

Component	Dept. Lead	Original Completion Date	Projected/Actual Completion Date	Variance (days)	% Projects Complete
Citywide Programs	RPD	8/30/2012	6/30/2017	1765	20%
Neighborhood Parks	RPD	3/31/2013	1/27/2016	1032	100%
Waterfront Parks	Port	2/28/2015	1/31/2018	1068	80%

Citywide Programs

RPD’s projected completion date is June 2017 for all capital improvements within this component. This is almost five years beyond the original completion date, and one and a half years beyond the completion date projected one year ago. There are 5 subprograms within the Citywide Programs component: the Restroom Repair and Replacement Program, Park Playfield Repairs and Construction, Park Forestry Needs, Park Trails Reconstruction, and Community Opportunity Fund. Of these, only the Playfields subprogram is completed (December 2015), though the last Restroom Repair project is currently under construction.

The primary drivers of the increased delay are projects in the Forestry, Trails, and Community Opportunity Fund subprograms of the Citywide Programs component. These projects require substantial coordination with site staff and community groups.

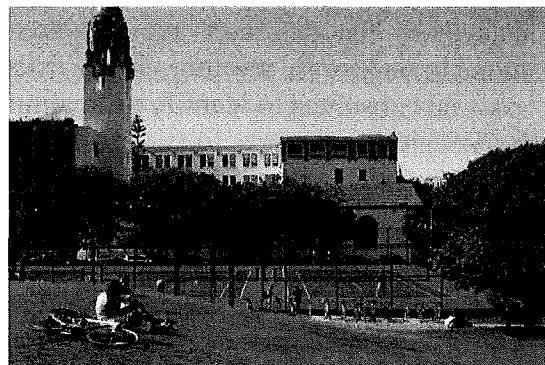
As outlined in the previous release of this report, other schedule pressures on Citywide Programs have included:

- **Litigation:** the Playfields Program was delayed by a long environmental review period and repeated appeals of building permits and California Environmental Quality Act (CEQA) approvals.
- **Staffing:** the Trails and Forestry Programs require Operations staff coordination and participation, but day-to-day responsibilities constrain their time and result in program delays.
- **Community Opportunity Fund:** adhering to guidelines for distributing funds, community involvement in project delivery, and lack of staff resources and project funding contributed to delays.
- **Regulatory Delays:** the Restrooms Program encountered delays associated with permit appeals and prolonged CEQA review for historical preservation issues.

Neighborhood Parks

The Neighborhood Parks component is complete as of January 27, 2016 when the Mission Dolores Park renovation was substantially completed. The primary delays in this component were due to unforeseen site conditions, regulatory requirements, and difficulties managing project workloads with current staffing levels.

The Mission Dolores Park project encountered substantial delays due to historic preservation issues. Various elements of the park were deemed to be a historic resource. As a result, there was a lengthy process of working with the Planning Department and an external consultant to modify the project to receive environmental clearance. The Beach Chalet renovation also went through a lengthy litigation process.



Waterfront Parks

The projected completion date for the Waterfront Parks is just under 3 years beyond its original schedule, and 8 months beyond the expected completion date from one year ago. The primary reason for the most recent delays has been the permitting process for Crane Cove Park, which is currently waiting on a U.S. Army Corps of

Engineers permit for waterside construction that is expected to be issued in November 2016.

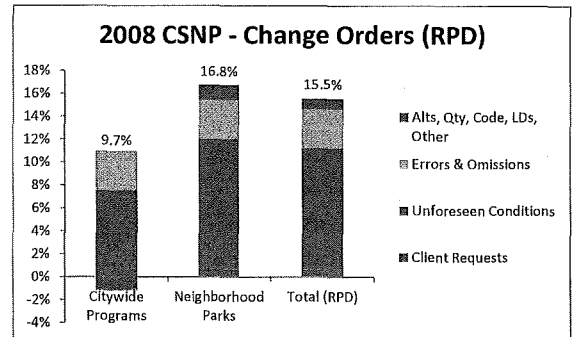
The component has also been delayed due to extensive stakeholder input after initial scoping of projects, delays in design review process for both the City and Bay Conservation and Development Commission, and historic preservation issues. The addition of 2012 CSNP bond funding renewed community discussions about Crane Cove Park in particular. These discussions resulted in additions to the scope of the 2012 CSNP-funded portion of the project, pushing out the timeline for the park's completion.

CHANGE ORDERS

Neighborhood Parks and Citywide Programs (RPD)

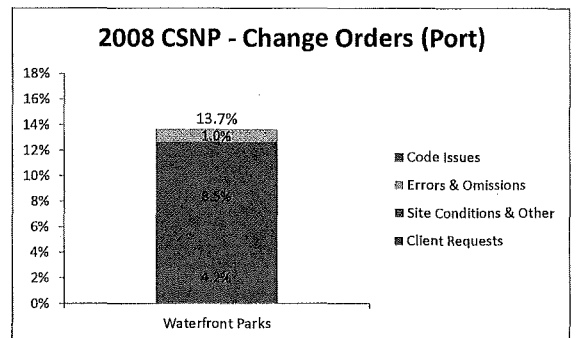
As of March 2016, the total change orders for the RPD-led components were 15.5% of the total base contract amount (9.7% for Citywide Programs and 16.8% for Neighborhood Parks). In general, RPD considers change orders less than 12-14% of the base contract amount for renovation or tenant improvement projects to be an indicator of good performance, and 6-8% for new projects.⁷

The current change order amounts for these components are in excess of the department's standards for good performance, and are unlikely to change substantially before the bond program is closed out, since most bond funds have been expended and RPD bond components are scheduled to be completed by June 30, 2017.



Waterfront Parks (Port)

As of March 2016, the total change orders for the Port-led Waterfront Parks component were 13.7% of total base contract amount. The Port considers change orders less than 10% of the base contract amount to be a for good performance. The overall change order amount on Waterfront Parks is in excess of this departmental standard. Change orders have been driven primarily by unforeseen site conditions issues, particularly due to a contractor dispute on the Pier 43 Bay Trail Link project.



LESSONS LEARNED

An important lesson learned for RPD from the 2008 CSNP bond program was that potentially complicated CEQA and historic preservation issues need substantial lead time before construction, and thus it is important to start early on those approvals. For example, as mentioned above, Mission Dolores Park was substantially delayed by historic preservation requirements. Structures in the park as well as the contours of the grass were found to be historic resources by an external consultant. RPD worked with the Planning Department and an external consultant to identify mitigations for the parks project that would allow for the provision of new landscaping, restrooms, tennis courts, and walkways compliant with Americans with Disabilities Act (ADA) requirements, while maintaining the parks historic resources.

The Port has found the 2008 CSNP bond funds to be critical to the delivery of park improvements on San Francisco's waterfront, but has learned an important lesson regarding the complexity of building on the waterfront, both from a regulatory and technical perspective. Waterfront parks projects require additional, time-intensive permits from the Bay Conservation and Development Commission and the U.S. Army Corps of Engineers. Furthermore, building on top of water is also expensive and difficult, costing about \$600 per square foot, since building over water adds complexity to technical details such as drainage, corrosion, and designing pier structures to support the additional weight of parks.

⁷ In accordance with Chapter 6 of the San Francisco Administrative Code, RPD goes to their Commission for approval if change orders are in excess of 10 percent of the original contract price or scope.

2008 SAN FRANCISCO GENERAL HOSPITAL AND TRAUMA CENTER EARTHQUAKE SAFETY (SFGH REBUILD)

SUMMARY

In 2008, San Francisco voters passed Proposition A with nearly 84% approval for an \$887.4 million San Francisco General Hospital and Trauma Center Earthquake Safety (SFGH Rebuild) bond. In March 2015, the hospital was officially renamed the Priscilla Chan and Mark Zuckerberg San Francisco General Hospital and Trauma Center (ZSFG) to honor their gift of \$75 million. As of March 2016, \$841.0 million (94.8% of the project budget) has been expended. The main construction project was substantially completed on August 18, 2015, with the remaining funds to be used for the close-out of the main construction project and completion of supporting follow-on projects. Patient transfer to the new hospital occurred on May 21, 2016, and the new hospital is now operational while follow-on projects are being completed.



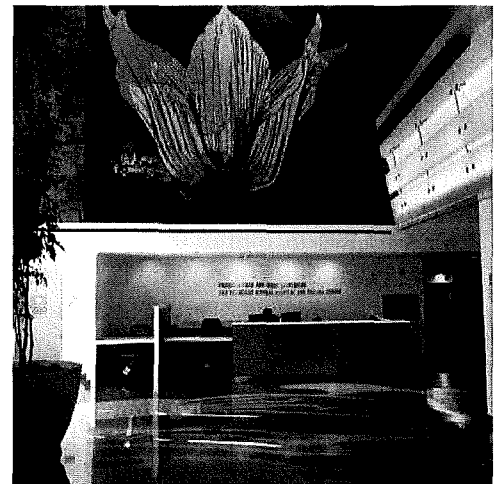
SCOPE

The 2008 SFGH Rebuild bond was approved to ensure the availability of the hospital and trauma center in the event of a natural disaster or emergency by improving earthquake safety.

Subsequent to voter approval, the 2008 SFGH Rebuild Program was scoped to build a new hospital to be in full compliance with state laws, standards, and requirements, as well as be seismically safe, by implementing: (1) service building modifications; (2) site utilities relocation or removing campus utilities; (3) reconfiguring pedestrian and vehicular traffic flow for continued operation of the medical center; (4) replacing the Campus Generator System with two new diesel generators; (5) creating a mat foundation and installing base isolators; (6) increasing capacity with a seismically resistant design; and (7) building out the new 284-bed hospital and outfitting it with major medical equipment and the most state-of-the-art imaging equipment.

San Francisco Public Works (Public Works), in coordination with the Department of Public Health (DPH), is leading the SFGH Rebuild program. The new facility resides within the existing campus and has a total of nine levels, with two levels below grade.

The facility reached substantial completion on August 18, 2015. The bond program included only one project, the delivery of a new acute care hospital, but the hospital project was completed with cost savings and earned bond interest dollars. The original language of the bond measure authorized “related costs necessary or convenient” for the rebuilding and improvement of the hospital. As described below, the project was completed under budget, and as such portions of the remaining funds are being used for four smaller follow-on projects. These projects address needs that have arisen during the construction of the hospital, either from changes in policy mandates over the nine years of construction or other site needs that have arisen during construction.



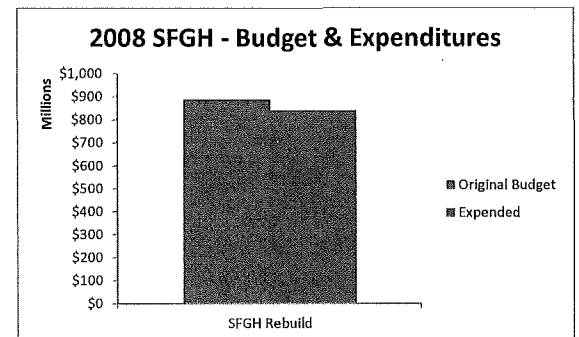
The four new follow-on projects and their budgets and timelines are presented in the table below.

Project Name	Description	Budget	Completion Date
Plant Services Building NPC-4 Seismic Upgrade	Retrofit of architectural components, including existing utilities and equipment anchorages, to meet OSHPD NPC-4 (Non-structural Performance Category, Rating 4)	\$2.3 million	December 2016
Building 5 Ground Floor Remodel at Tunnel Connection and Second Floor Remodel at Bridge Connection	Renovate areas affected by the bridge and tunnel connection between the new Hospital (Building 25) and the existing Main Hospital (Building 5) to create the corridor access between these two buildings	\$7 million	October 2016
ZSFG Pneumatic Tube Connectivity Project	Replacement of existing pneumatic tube equipment in the basement and installation of new pneumatic tube stations in Building 5, Second Floor	\$1.3 million	February 2016
Miscellaneous ZSFG Follow-on Projects	Miscellaneous minor projects in the new hospital driven by ZSFG operational and California Department of Public Health (CDPH) licensing needs	Based on availability of remaining funds after close-out	To be finalized as the scopes are being developed by ZSFG.

BUDGET

The primary project for the Program, the construction of a new acute care hospital, was completed under budget. Excluding cost of issuance, \$43.5 million of the bond funds had not yet been expended as of March 2016. However, complete financial closure of the bond program will take additional time, partially due to reconciliation of costs with the contractor and the addition of follow-on projects funded by cost savings.

The unexpended funds are earmarked for soft costs, contractor change orders, OSHPD (Office of Statewide Health Planning and Development) close-out, and the four follow-on projects described above. The amount of funding for follow-on projects is contingent on the remaining funds after close-out, but the overall bond program will remain within the original appropriated budget of \$887.4 million. Since ZSFG’s project needs exceed the availability of funds, Public Works has been coordinating with ZSFG to prioritize follow-on projects.



SCHEDULE AND PERCENT COMPLETE

Construction of the new acute care hospital was completed approximately three months behind schedule, in August 2015, and is now in its closeout phase when punch list items are addressed.⁸ The delays included resolving minor issues with the building fire alarm, air balance, and electrical systems as well as some required re-work due to design issues and contractor performance.

The four follow-on projects are currently underway, and will support the broader hospital project. The three specific follow-on projects will be completed by December 2016, while the fourth miscellaneous project does not yet have a defined end date. The added delay in closure of the bond program is primarily due to reconciling costs with the contractor and the opportunity presented by the main project’s cost savings to fund other projects that support the new hospital.

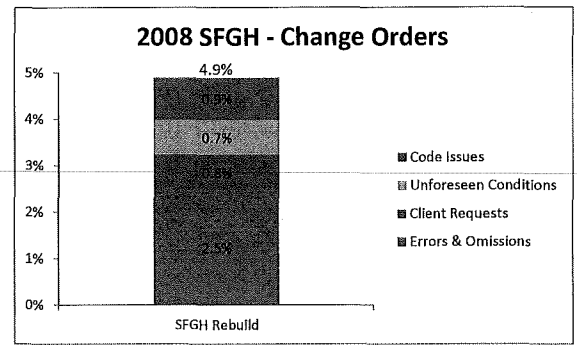


⁸ At the end of construction contracts, it is typical to prepare a “punch list” for the contractor of items not conforming to contract specifications that must be completed before final payment is made.

CHANGE ORDERS

The total construction contract amount paid to date is \$692.8 million, including additional change orders amounting to 4.9% (\$32.3 million) of the base contract amount. The majority of the change orders are due to errors and omissions.

Public Works considers change orders for errors and omissions under 3% of the base contract amount to be an indicator of good project performance. At 2.5% of change orders for errors and omissions, the hospital project is considerably below this threshold. Many of the change orders for the project arose from gaps in coordination between the different disciplines in the construction project (e.g., electrical and low-voltage systems).



LESSONS LEARNED

As the SFGH Rebuild hospital project draws toward a close, there have been a number of lessons learned over the nine-year project. Coordination with the Controller's Office to reduce the number of bond sales and sell together with other bonds to share costs of issuance has resulted in cost savings of \$1.5 million for the SFGH Rebuild bond. Another lesson learned was that pre-bond funding allowed for more detailed scoping of the project, helping the project be delivered under budget and with only modest delays.

From an operational perspective, using a Construction Manager/General Contractor (CM/GC) project delivery model was beneficial to the project. However, the performance incentive structure would have been more effective if it also applied to the design team. In addition, the contract incentive of sharing leftover contingency would have been more effective if it was not predicated on there being no claims; this incentive structure creates hesitancy to advance claims that might have been productive, and removes the entire incentive for the contractor when a single claim is made.

2010 EARTHQUAKE SAFETY AND EMERGENCY RESPONSE

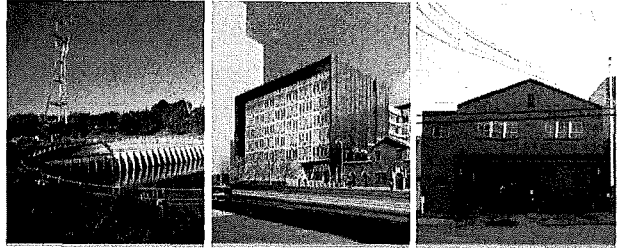
SUMMARY

In 2010, voters passed Proposition A with 79% approval for a \$412 million Earthquake Safety and Emergency Response (2010 ESER) bond.⁹ As of March 2016, \$322.9 million (80.1% of project budget) has been expended (excluding cost of issuance). Of the total 123 individual projects that vary in size and scope, 100 are complete.

SCOPE

The ESER bond was approved to do the following:

- Improve and/or replace deteriorating cisterns, pipes, tunnels, and related facilities to ensure firefighters a reliable water supply for fires and disasters;
- Improve and/or replace neighborhood fire and police stations; and
- Replace other seismically-unsafe facilities with earthquake-safe buildings.



Subsequent to voter approval, the ESER bond was divided into 3 components:

1. **Auxiliary Water Supply System (AWSS):** led by the San Francisco Public Utilities Commission (SFPUC), the 47 AWSS projects consist of two tanks, one reservoir, two pump stations, eleven pipeline/tunnel projects, approximately six cistern contracts that cover an estimated 30 cisterns, and a comprehensive planning study. The scope and location of improvements were prioritized using reliability scores from probabilistic modeling of the availability of firefighting water after a major earthquake.
2. **Neighborhood Fire Stations (NFS):** led by Public Works in coordination with the San Francisco Fire Department (SFFD), the NFS component consists of seismic upgrades, retrofitting, and other health and safety improvements to 22 of the City's 46 fire stations. Within this component, there are three subcomponents: Focused Scope, Comprehensive, and Seismic projects.
3. **Public Safety Building (PSB):** led by Public Works in coordination with the SFFD and San Francisco Police Department (SFPD), the PSB serves as a seismically safe replacement for the SFPD Headquarters and the Southern District Police Station, as well as a new fire station for the Mission Bay Neighborhood. This project component also includes the rehabilitation of historic Fire Station #30, which will serve as a new home for the SFFD Arson Task Force and provide a meeting space for City and community use.

The scope for the PSB has not changed over the last year, and the project is now complete. One project in the AWSS component, the 4th Street Pipeline, was cancelled because it is no longer hydraulically needed. The police and fire stations in the PSB had their first day of business on March 30, 2015, and the PSB construction project reached substantial completion on April 28, 2015.

The NFS scope was determined based on a comprehensive survey of all neighborhood fire stations in 2009, which identified \$350 million dollars of immediate capital needs, with a commitment that up to 23 non-specified existing stations would be addressed 2010 ESER bond. The NFS scope has been reduced over the last year due to the relocation of the Fire Station 35 project. Fire Station 35 was planned to have been moved from its current location at Pier 22 ½ to Pier 30/32 as part of the new Warriors Arena,¹⁰ but due to the Warriors' decision to locate at a site in Mission Bay the Fire Station project has moved back to Pier 22 ½. For this reason and because of funding pressure due to unforeseen conditions with the historic structures of neighborhood fire stations, the station project has been removed from the 2010 ESER bond and moved to the NFS component of

⁹ Hereafter referred to as the 2010 ESER bond to differentiate it from the subsequent ESER bond approved by the voters in 2014, referred to as the 2014 ESER bond.

¹⁰ Go Dubs!!

the 2014 ESER bond.

BUDGET

As of March 2016, all components are spending within their original budget and departments have not made any formal revisions to projected spending. However, as discussed in the previous release of this report one year ago, AWSS and NFS identified changes in the scope of work that required changes in project budgets to be funded by appropriations from the ESER 2014 bond and other sources.

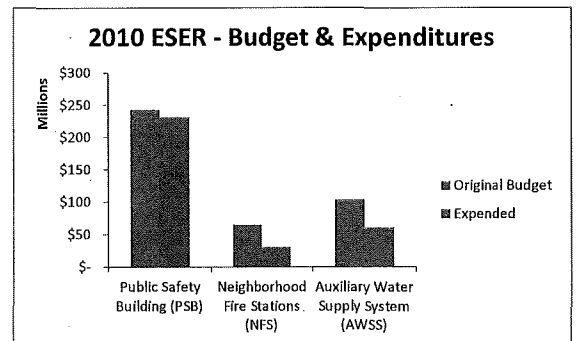
Auxiliary Water Supply System

This component's budget has not changed, and as of March 2016 58% of the original budget was expended. As described in the fiscal year 2014-15 report, the scope of work for Pump Station 1 was expanded to include four new engines and a new generator, with the additional \$9.5 million of scope to be funded with 2014 ESER funds.

As more projects are completed within the component, many have had contingencies that did not need to be used, which are either able to fund change orders on other projects or increase the overall scope of the component. As of March 2016, there was approximately \$400,000 of cost savings among the cistern projects.

Neighborhood Fire Stations (NFS)

The NFS component's budget has not changed, and as of March 2016, 48% of the budget was expended. Unforeseen conditions with historic structures have affected the budgets of individual projects and, as described above, Fire Station 35 has been moved from the 2010 ESER bond to the 2014 ESER bond; however, the 2010 budget will remain the same. The balance of funding remaining in the 2010 ESER bond that resulted from this move will be applied as necessary to the Fire Station 5 and Fire Station 16 projects still underway within the 2010 ESER program. If an additional balance of funds occurs, it will be applied to NFS Focus Scope type improvements.



Bids are still forthcoming for Fire Stations 5 and 16, both of which are relatively large projects, so these two projects are the greatest area of remaining uncertainty for the component. Cost savings from the PSB, appropriated bond interest, and lower-than-expected costs of bond issuance are expected to offset budget increases on individual projects.

Public Safety Building (PSB)

The Public Safety Building budget has remained the same. The project was completed on April 28, 2015, and as of March 2016 had expended \$231.5 million of its budgeted \$236.7 million. The project benefited from a favorable bid environment at the time it went to construction bids. The remaining budget is to be made available for the NFS component.

SCHEDULE AND PERCENT COMPLETE

All three components have slightly over one year of delays.

Component	Dept. Lead	Original Completion Date	Projected/Actual Completion Date	Variance (days)	% Projects Complete
Public Safety Building	Public Works	3/13/2014	4/28/2015	411	100%
Neighborhood Fire Stations	Public Works	5/1/2017	6/30/2018	425	96%
Auxiliary Water Supply System (AWSS)	PUC	9/30/2018	12/13/2019	439	55%

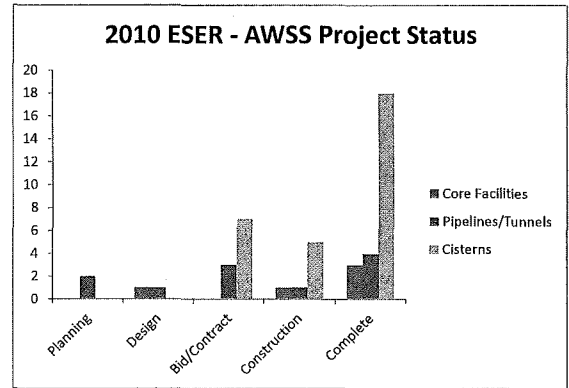
Auxiliary Water Supply System (AWSS)

PUC has completed 26 of this component's 47 projects. All projects are scheduled to be completed by December 2019. While the component was scheduled to be completed on time one year ago, there has been a delay to Pump Stations 1 and 2. Pump Station 1 was delayed to October 2016 due to a large change order to replace its diesel fuel system to meet current standards, requiring Commission approval. Pump Station 2's bid

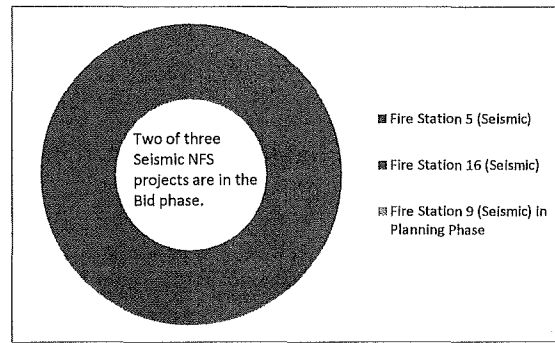
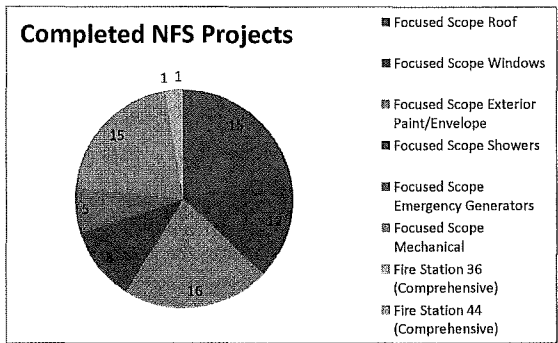
and award phase has been delayed to allow work on the Pump Station 1 project to be finished to avoid simultaneously taking two major AWSS facilities out of service, and to allow for Federal and State permits for Pump Station 2 to be finalized.

Neighborhood Fire Stations (NFS)

Public Works has completed 73 of this component's 76 projects. While this represents 96% of projects, it is 48% of the NFS budget since the completed projects are the Focused Scope and Comprehensive projects, which have relatively small budgets; the three larger seismic projects remain. For Seismic Projects, Station 5 is receiving bids on June 1, 2016, and Station 16 is receiving bids later this year, while Station 9 is in the planning phase.



The NFS component is scheduled to be completed by June 2018, six months earlier than was reported last year. The change in schedule is due to the removal of Fire Station 35 from the ESER 2010 bond, which will be funded under the ESER 2014 bond as described in the Scope section above.



Public Safety Building (PSB)

The PSB was substantially completed on April 28, 2015, just over one year behind its original schedule. As reported one year ago, this delay was primarily due to four main factors:

1. Difficulty in coordinating utility relocations;
2. A design error due to conflicting surveys between the developer and the City Surveyor;
3. A progressive release of partially incomplete bid documents to capitalize on favorable market bidding conditions, which eventually resulted in some schedule delays; and
4. A lack of IT coordination during the design phase which caused changes and subsequent delays during construction.

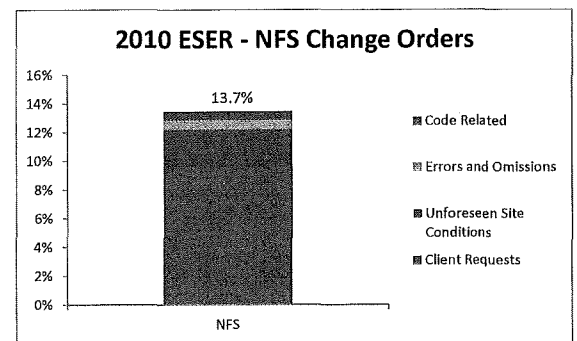
CHANGE ORDERS

Auxiliary Water Supply System (AWSS)

As of March 2016, AWSS total change orders amounted to 4.3% of base contract costs for change orders attributable to original work,¹¹ well below contract contingencies of 10%.

Neighborhood Fire Stations (NFS)

As of March 2016, NFS total change orders amounted to 13.7% of base contract, with the largest percentage being client requests (9.7%). Errors and omissions were 0.7%, well below the standard



¹¹ In addition, five projects were added to existing contracts: Twin Peaks Reservoir Joint Sealing \$633,590, Jones Street Manifold Valve Motorization \$511,908, Jones Street Tank Valve House Evaluation \$5,862, PS1 Tunnel \$166,454, and PS1 Fuel System \$41,904.

3% performance threshold.

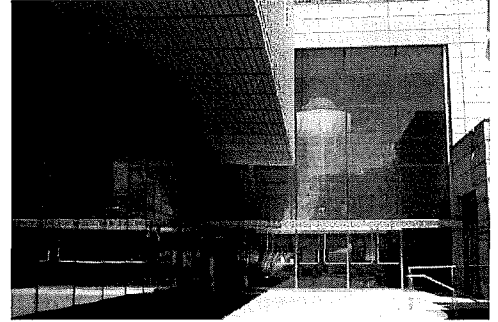
Public Safety Building (PSB)

The PSB was substantially complete at the time of the previous release of this report one year ago, and total change orders amounted to 7.0% of base contract with errors and omissions being 4.7%, with about a third of these change orders finalized after the building's substantial completion due to the completion of negotiations on outstanding change orders.

LESSONS LEARNED

One of the successes of the bond program was involving the client early in the process, especially in the case of the Public Safety Building, which helped set expectations and also get insights into how the building design would accommodate its end users. At the same time, a lack of IT expertise from the client department was a significant challenge, since technology requirements prioritizing what a model police facility will need can have a significant impact on building design.

In addition to delivering state-of-the-art facilities, Public Works recognizes that more should be done to require all building system-related contractors to document and provide maintenance schedules for building system components that the City can use to proactively maintain and keep building system components in a state of good repair.



2011 ROAD REPAVING AND STREET SAFETY

SUMMARY

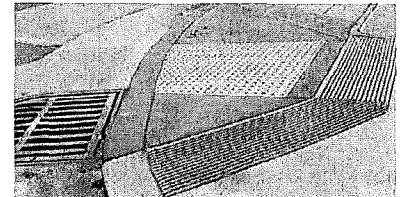
In November 2011, voters passed Proposition B with 68% approval for a \$248 million Road Repaving and Street Safety (RRSS) bond. As of March 2016, \$165.4 million (66.1% of project budget) has been expended, and all project components are scheduled to be completed between one and three years beyond original schedules.

SCOPE

The 2011 RRSS bond was approved to repave deteriorating streets in neighborhoods throughout San Francisco; repair and strengthen deteriorating stairways, bridges, and overpasses; improve safety for pedestrians and bicyclists; improve disabled access to sidewalks; and construct and renovate traffic infrastructure to improve San Francisco Municipal Railway (Muni) transit reliability and traffic flow on local streets.

The 2011 RRSS bond consists of five components:

1. **Sidewalk and Accessibility Improvements:** led by Public Works, the component includes three subprograms:
 - **Accelerated Sidewalk Abatement Program (ASAP)** is a complaint-driven program to repair 152,544 square feet of damaged sidewalks;
 - **Sidewalk Inspection and Repair Program (SIRP)** is a condition-driven program to repair 646 square blocks of the City's sidewalks; and
 - **Curb Ramp Program** will upgrade 1,563 curb ramps to provide better accessibility in accordance with the Americans with Disabilities Act (ADA).
2. **Street Resurfacing:** led by Public Works, this component will repave, repair, and reconstruct 1,281 blocks of streets to improve surface quality and ensure safety for all road users.¹²
3. **Streetscape, Pedestrian Safety, and Bicycle Safety:** led by Public Works in coordination with the San Francisco Municipal Transportation Agency (SFMTA), this component consists of 69 projects, including 24 large-scale projects to improve the street design quality and environment, and 45 smaller projects (referred to as Follow-the-Paving projects) that focus on pedestrian and bicycle safety improvements.
4. **Street Structures:** led by Public Works, this component will repair a total of 40 of the City's approximately 350 street structures (including stairways, retaining walls, pedestrian bridges, vehicular bridges, viaducts, and tunnels).
5. **Traffic Signal Improvements:** led by the SFMTA in coordination with Public Works, this component will improve or replace traffic signals at 456 intersections, including adding Transit Signal Priority at 440 intersections, new traffic signals, and traffic signal infrastructure such as conduit work.



The Sidewalk and Accessibility Improvements programs are almost complete, with a greater scope than originally projected. Under ASAP 155,544 square feet of sidewalks were repaired (102% of original goal, an increase of 3,544 square feet from projects one year ago). Under SIRP 646 square blocks were repaired (108% of original goal, but a 19% decrease from projections one year ago). Curb ramps will be completed in October 2016; 1,563 curb ramps have been constructed as of March 2016 (92% of original goal, 116% of revised target).

The scope of some bond components has changed slightly over the past year. The number of street structure

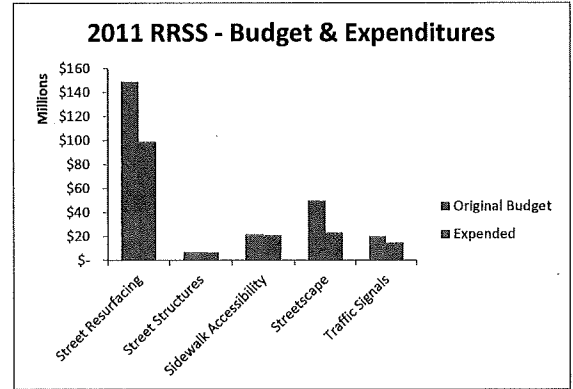
¹² Public Works originally planned on repaving 1,389 blocks and has since revised the total blocks to 1,281, primarily as the result of an assessment by project engineers during the design phase.

sites to be repaired increased from 36 to 40 because surplus bond funds were available and were used to initiate projects that will be completed using a General Fund capital allocation. Public Works selected structures to repair based on the condition score, which assesses the structural and geotechnical conditions, as well as code conformance for life safety and accessibility.

Compared to the original scope, seven Follow-the-Paving projects were cancelled or placed on hold in the Streetscape, Pedestrian Safety, and Bicycle Safety component due to feasibility concerns stemming from higher-than-projected costs, schedule changes due to interdepartmental coordination, environmental review, or more extensive public outreach needs.

BUDGET

As of March 2016, 66.1% of the revised bond program budget has been expended and all components are within their original budgets. Over the last four years, the bond accrued \$2.3 million of interest that will be appropriated to the Streetscape component as deemed appropriate by Public Works and the Controller's Office of Public Finance.



SCHEDULE AND PERCENT COMPLETE

As shown in the table below, the current project completion dates are between one and three years beyond their original schedules. These completion dates were revised by 12 to 18 months beyond what was reported a year ago. Now that most projects are entering the construction phase, Public Works anticipates fewer delays because the planning, public outreach, and design work is complete.

Component	Dept. Lead	Original Completion Date	Projected/Actual Completion Date	Variance (days)	% Projects Complete
Street Resurfacing	Public Works	1/31/2016	12/31/2018	1065	87%
Street Structures	Public Works	6/30/2015	6/30/2016	366	95%
Sidewalk Accessibility	Public Works	12/31/2014	10/31/2016	670	ASAP: 102% SIRP: 108% Curb ramps: 116%
Streetscape	Public Works	12/31/2017	12/31/2018	365	62%
Traffic Signal Improvements	MTA	5/31/2016	5/31/2017	365	67%

Street Resurfacing

The schedule for street resurfacing has been delayed the longest, by 18 months since last year. Paving work is typically the last element of a project to be implemented and is highly dependent on other agencies' project schedules. As of March 2016, Public Works has completed resurfacing of 1,114 of its goal of 1,281 blocks.

In addition to the number of blocks paved, the Street Resurfacing component's performance is based on the condition of City streets, measured by using the Pavement Condition Index (PCI). The PCI, developed by the United States Army Corps of Engineers, is a numerical index used to indicate the general condition of the pavement. The method is based on a visual survey of the number and types of distresses in a pavement surface, and ranges from 0 (worst possible condition) to 100 (best possible condition). The PCI score increased one point from calendar year 2014 to 2015 (from a score of 67 to 68). Public Works has set a target score of 69 for 2016, and 70 by 2020.

Street Structures

This component has been delayed 11 months since last year due to unforeseen conditions discovered during construction and delivery delays for materials. As of March 2016, Public Works had completed 38 of the 40 street structures projects. The remaining two have expended 98% of bond funds allocated to them. For purposes of the RRSS bond program, Public Works' estimated end date for this component is June 30, 2016, though the

two remaining projects will be completed in FY17 using general fund monies.

Sidewalk Accessibility

The curb ramp program has constructed 1,563 curb ramps, compared to a goal of 1,350, and a small amount of funds remain for further work.¹³ Completion for the curb ramp work is estimated for October 31, 2016, which is one year behind the projected schedule reported last year and nearly two years behind the original schedule.

The delays are primarily due to unknown existing site conditions, resulting in increased project costs. To address project cost overruns, Public Works decreased the component's bond-funded scope. However, the Curb Ramp, SIRP, and ASAP programs are also funded on a regular basis with general fund money in addition to the funding appropriated to them from the bond program's first two sales. These sales were scheduled upfront because the projects were already planned and ready for implementation compared to other components of the bond.

Streetscape, Pedestrian Safety, and Bicycle Safety

This component is scheduled for completion by December 31, 2018, which is one year beyond the original completion estimate. The delay is due to more community outreach needs and more time needed to address public concerns about decisions such as parking removal, which were originally underestimated. Additionally, Public Works and PUC decided to coordinate to include needed water and sewer upgrades, which extended both the design and construction project schedules.

As of March 2016, of the total 69 projects, 43 (62%) are complete, 10 of which are streetscape and 33 of which are Follow the Paving projects. Two of the Follow-the-Paving projects were planned to be funded with RRSS bond funds, but were instead completed with other funds.

Traffic Signals

As of March 2016, this component is 67% complete and projected to be completed one year late in May 2017. MTA has installed Transit Signal Priority at 300 of the 440 planned intersections, and has installed traffic signal infrastructure upgrades at 6 intersections.

CHANGE ORDERS

The statewide benchmarking standard for total construction change orders is 10% of base contract costs, and the national standard for change orders for errors and omissions is 3% of base contract.

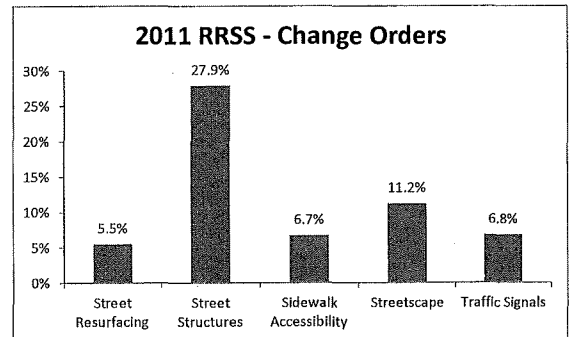
Change orders for Street Resurfacing, Sidewalk Accessibility, and Traffic Signals are within the standard 10% threshold. Sidewalk Accessibility change orders are only for curb ramps, since sidewalk repairs do not typically encounter change orders.

Streetscape, Pedestrian, and Bicycle Safety Improvements are just over the 10% threshold, though this component has only expended 45% of its budget, with many projects in construction over the next two and a half years.

The Street Structures component reported total change orders amounting to 27.9% of base contract amount, well above the 10% benchmarking standard. These change orders were primarily the result of unforeseen conditions and an increase in scope due to the availability of additional funds from a General Fund capital allocation.

LESSONS LEARNED

A significant challenge to the bond program has been the extra time needed for public outreach for joint projects



¹³ The most recent target for curb ramp work is 1,350 curb ramps, but the original target was 1,700; under the original target, the component is 92% complete.

with the SFMTA, which was not sufficient in original project schedules. While there may be overall support for streetscape projects, communities may not embrace initial plan details, especially with regards to loss of parking spaces or Muni stop relocation.

While it has also increased project schedules, one of the successes of the bond program has been an increase in coordination between Public Works, the PUC, and the SFMTA to minimize the number of times the street is disrupted, combining road repaving, streetscape projects, and utility work when possible. Public Works would like to improve communications with the public to better inform them that the increased duration of street projects is due to the consolidation of the number of times the street will be disrupted.

2012 CLEAN AND SAFE NEIGHBORHOOD PARKS

SUMMARY

In November 2012, San Francisco voters approved Proposition B with 72% approval for a \$195 million Clean and Safe Neighborhood Parks (2012 CSNP) bond. As of March 2016, \$33.7 million (17.5% of project budget) has been expended. Of the 27 projects in the program, two are complete.

SCOPE

The 2012 CSNP bond provides funding to continue the work of the 2008 CSNP bond program, including making the following improvements: (1) fix and improve park restrooms citywide; (2) eliminate serious earthquake safety risks in neighborhood, citywide, and waterfront parks; (3) renovate parks and playgrounds in poor physical condition; (4) replace dilapidated playfields; (5) repair nature trail systems in the City's parks; and (6) attract matching community and philanthropic support. The bond program's scope benefitted from being able to take advantage of the extensive community process and stakeholder meetings that helped shape the 2008 bond.

The 2012 CSNP bond program consists of four components:

1. **Citywide Parks:** led by the Recreation and Park Department (RPD), this component focuses on the restoration of natural features (such as lakes and landscapes), the building of recreational assets (such as playgrounds and courts), and the improvement of connectivity and access (such as roads and pedestrian safety) of three parks that serve the entire City.¹⁴ This component is new compared to the 2008 bond.
2. **Citywide Programs:** led by RPD, this component consists of five subprograms:
 - **Failing Playgrounds:** renovate or replace the most dilapidated of the more than 170 playgrounds;
 - **Forestry Projects:** continue the work from the 2008 bond of assessing and repairing trees;
 - **Water Conservation:** correct water usage issues found in a 2009 PUC audit, reduce waste, and improve irrigation in sites throughout City parks;
 - **Trails:** repair and reconstruct park nature trails, pathways, and connectivity in Golden Gate and John McLaren Park; and
 - **Community Opportunity Fund:** expand upon the existing program from the 2008 bond and establish a Partnership Projects Fund to support larger-scale projects.
3. **Neighborhood Parks:** led by RPD, this component includes capital improvements to 15 neighborhood parks selected based on community feedback, physical condition, amenities offered, seismic risk, and neighborhood density (a proxy for park usage).
4. **Waterfront Parks:** led by the Port of San Francisco (Port), this component has 4 projects that will improve new waterfront areas as well as complete the work on the first phase of Crane Cove Park, funded by both the 2008 and 2012 CSNP bonds.

The previous annual report noted that Joe DiMaggio North Beach Playground, the first RPD project constructed in this bond program, had undergone changes in scope due to unforeseen site conditions, and a competitive construction environment suggested an unfavorable bid environment for the remaining 14 Neighborhood Parks. Despite this challenge, RPD has kept the same number of projects in scope for its three bond program components. To remain within budget, however, amenities are now being bid as additive alternates.

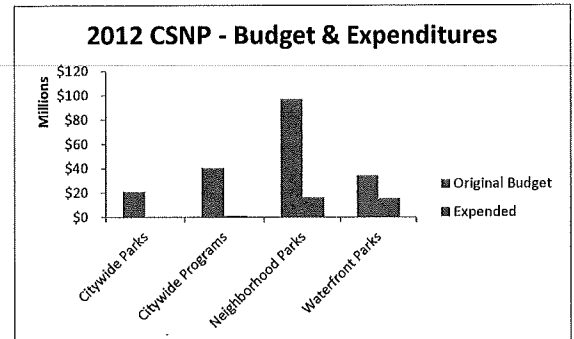
The Port has reduced the number of projects in the Waterfront Parks component from seven to four. Based on community and stakeholder feedback, the Port decided to remove three projects and redirect their funding to Crane Cove Park. The Fisherman's Wharf Plaza was removed since it was deemed infeasible to deliver a

¹⁴ Golden Gate Park, McLaren Park, and Lake Merced Park were identified by RPD as parks that serve the entire City.

significant park given the budget. Warm Water Cove Park and Pier 70 Park were removed since they are in the vicinity of Crane Cove Park and community and park advocates preferred a more complete park from Phase 1 of Crane Cove. Crane Cove Park is receiving \$10.3 million from the 2008 CSNP bond, \$14.3 million from the 2012 CSNP bond, and \$6.9 million from the Port; future sources may fund a second phase of improvements.

BUDGET¹⁵

As of March 2016, there have been no changes to the overall or component-level budgets for the bond program, and all changes have been at the project level. Of the total \$193 million budget for projects, \$33.7 million (17.5%) has been expended.



SCHEDULE AND PERCENT COMPLETE

RPD is currently scheduled to complete the Citywide Parks and Citywide Programs components on time. Over the last year, the Neighborhood Parks component schedule has been pushed back three months from its original timeline due to complex site conditions and additional coordination requirements, including the need to coordinate construction at the Margaret S. Hayward Playground with the Department of Emergency Management due to an emergency operations facility on site.

RPD has completed only one of its 15 Neighborhood Parks projects, while another four are in construction. The remaining 10 projects are in design, with conceptual designs forthcoming in summer and fall 2016. Design work has also begun on playgrounds to be funded under the Citywide Programs component. All Citywide Parks projects are currently in planning.

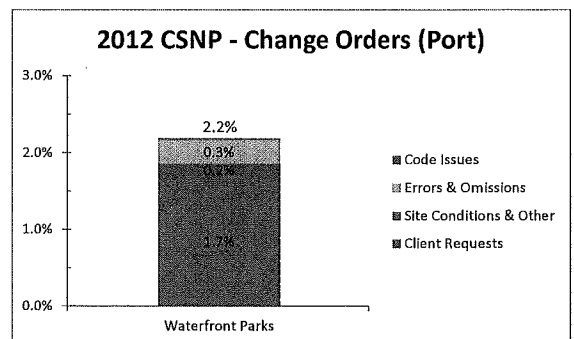
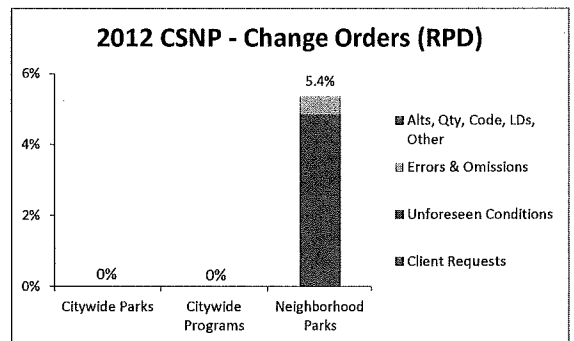
Component	Dept. Lead	Original Completion Date	Projected/Actual Completion Date	Variance (days)	% Projects Complete
Citywide Parks	RPD	11/30/2018	11/30/2018	0	0%
Citywide Programs	RPD	11/30/2018	11/30/2018	0	0%
Neighborhood Parks	RPD	11/30/2018	2/28/2019	90	7%
Waterfront Parks	Port	1/31/2018	1/31/2018	0	25%

The Port has completed only one of the four Waterfront Parks (the Cruise Terminal Plaza & Pier 27/29 Tip), although this represents 46% of the total component budget. The first of the park's two phases of construction was completed in advance of the 2013 America's Cup, and the second phase was completed in 2014.

The Port delayed the Agua Vista Park project's timeline by five months in order to allow coordination with the Mission Bay Bayfront Park, which will be directly adjacent and is being developed by the Office of Community Investment and Infrastructure (OCII). Both Agua Vista Park and the Mission Bay Bayfront Park are also adjacent to the planned 16th Street Mission Bay Ferry Landing and proposed Warriors Arena, causing design and scheduling dependencies among all four projects. Any further delay in the Agua Vista Park's delivery could cause a delay to the completion of the overall Waterfront Parks bond component.

CHANGE ORDERS

Due to the limited spending thus far on the 2012 CSNP and the completion of only 2 of 27 projects, there have been limited change orders (amounting to 5.4% of base contract amount for



¹⁵ For consistency with other CSNP bond reporting, these figures exclude cost of issuance.

RPD and 2.2% for the Port projects).

LESSONS LEARNED

RPD implemented lessons learned from the 2008 CSNP bond program by scheduling construction of parks with more complicated historic preservation issues later in the bond program timeline and starting the planning and permitting process earlier to effectively manage project schedules. However, the 2012 CSNP bond has provided new challenges with regards to philanthropic funds, which provide an opportunity to expand the bond's programmatic scope, but require substantial ongoing staff effort to obtain.

2014 EARTHQUAKE SAFETY AND EMERGENCY RESPONSE

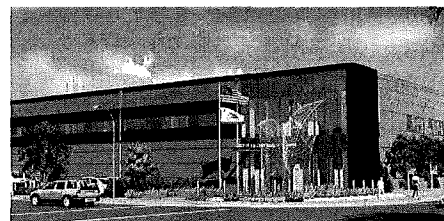
SUMMARY

In June 2014, voters approved Proposition A with 79% approval for a \$400 million Earthquake Safety and Emergency Response (2014 ESER) bond. As of March 2016, \$40.1 million (10% of project budget) has been expended. Of the total 115 projects in the program that vary in size and scope, 61 are complete.

SCOPE

The 2014 ESER bond continues the work of the 2010 ESER bond to improve or construct facilities identified in the City's Capital Plan that support earthquake safety and emergency response, and includes three new components of work.

1. **Neighborhood Fire Stations (NFS):** led by Public Works in coordination with the San Francisco Fire Department (SFFD), the NFS component continues the work of the 2010 ESER bond with seismic upgrades, retrofitting, and other health and safety improvements. The component comprises 69 projects located at 23 of the stations that did not receive improvements under the 2010 ESER bond. As with the 2010 ESER bond, there are three subcomponents: Focused Scope, Comprehensive, and Seismic projects.
2. **Emergency Firefighting Water System (EFWS):** led by the Public Utilities Commission (PUC), this component is an extension of the Auxiliary Water Supply System (AWSS) work from the 2010 ESER bond. The scope and location of improvements were prioritized based on reliability scores from probabilistic modeling of the availability of firefighting water in case of a major earthquake.
3. **Police Facilities:** led by Public Works in coordination with the San Francisco Police Department (SFPD), this component funds 10 projects that will improve up to 12 facilities. The improvements include all ten district stations except for the Southern Station, which is located in the new Public Safety Building that was funded by the 2010 ESER bond. The other three Police facilities are the Pistol Range (at Lake Merced), the Academy (in Diamond Heights), and the Stables (in Golden Gate Park). The projects focus on compliance with state and federal mandates (such as ADA accessibility), critical building maintenance such as plumbing, and seismic safety.
4. **Traffic Company and Forensic Services Division Facility:** led by Public Works in coordination with the San Francisco Police Department (SFPD), this relocates and seismically upgrades the facilities for the SFPD's motorcycle unit and the crime lab. The Traffic Company is currently located in the seismically-deficient Hall of Justice, which is slated for demolition, while the crime lab is located at the Hunters Point Naval Shipyard which is also slated for future demolition.
5. **Office of the Chief Medical Examiner:** led by Public Works in coordination with the San Francisco General Services Agency (GSA), this component constructs a new Office of the Chief Medical Examiner to relocate the facility that is currently located at the Hall of Justice. The new facility will be better aligned with accreditation standards and will provide more modern facilities.



NFS project identification and prioritization followed a similar approach to the 2010 ESER bond. An updated assessment of neighborhood fire stations was performed between November 2014 and January 2015 to update identified capital needs. All but one of the stations that did not receive improvements under the 2010 ESER bond were included in the 2014 ESER bond, and projects were prioritized that would improve emergency response and seismic readiness and mitigate water intrusion. The 2014 ESER bond includes Fire Station 35, which was originally planned to be delivered under the 2010 ESER bond program but was delayed due to the relocation of the Warriors Arena as described in the 2010 ESER bond program overview.

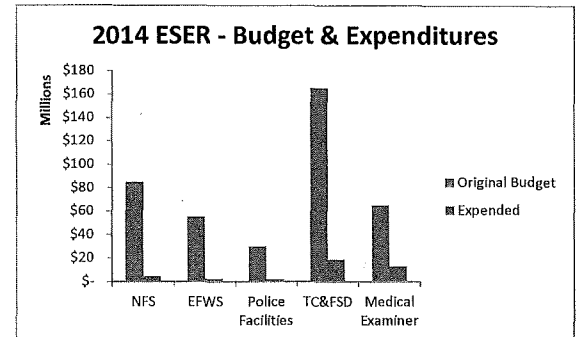
EFWS is a continuation of the Auxiliary Water Supply System (AWSS) work from the 2010 ESER bond. In addition to Auxiliary Water Supply Systems, this bond program also includes Flexible and Portable Water

Supply Systems (FWSS and PWSS), which provide alternative ways to supply water after an earthquake with lower-cost infrastructure.

Police Facilities followed a similar approach to NFS for project identification, performing assessments and studies at each station and prioritizing the most urgent work. Many of the district stations are in severe need of capital investments, with serious sewage and plumbing repairs needed, leaks from ceilings into work areas, poor ventilation and indoor air quality, and reliance on jerry-rigged repairs such as duct tape and extension cords in the absence of more durable building improvements. The current Police Facilities bond funding covers only a portion of essential improvements, and according to Public Works total capital needs for SFPD are approximately \$250 million.

BUDGET

As of March 2016, all components are spending within their original budget. The only budget revision is to the Office of the Chief Medical Examiner component, which has increased by 2% (from \$65 million to \$66.2 million) due to client requests for expansion of the scope.¹⁶ The PUC will continue to refine project budgets and will re-baseline the EFWS components after project schedules are established.



Public Works is currently working with SFPD to determine if it is possible to include facilities for technology to support SFPD’s adoption of body cameras in the Traffic Company and Forensic Services Division building, but funding has not yet been identified for the approximately \$3 million of extra costs this would entail. Public Works is examining several potential scenarios to address this, which could be budget-neutral.

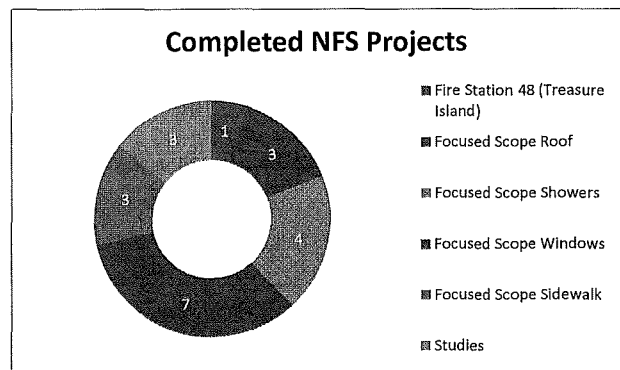
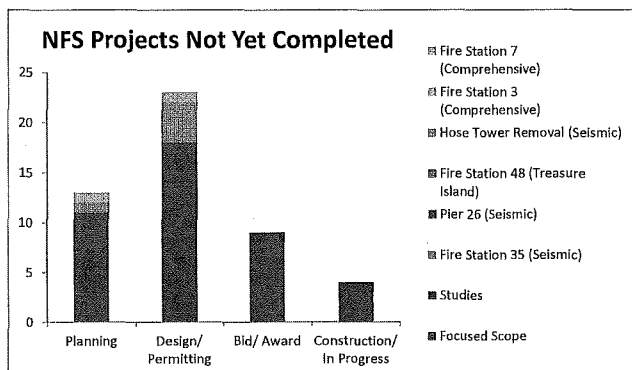
SCHEDULE AND PERCENT COMPLETE

Most components of the 2014 ESER bond are currently on schedule.

Component	Dept. Lead	Original Completion Date	Projected/Actual Completion Date	Variance (days)	% Projects Complete
Neighborhood Fire Stations (NFS)	Public Works	3/31/2021	3/31/2021	0	30%
Emergency Firefighting Water System (EFWS)	PUC	12/31/2020	12/31/2020	0	44%
Police Facilities	Public Works	12/31/2020	12/31/2020	0	0%
Traffic Company and Forensic Services Division Facility	Public Works	12/31/2019	12/31/2019	0	0%
Office of the Medical Examiner	Public Works	12/31/2016	8/2/2017	214	0%

Neighborhood Fire Stations (NFS)

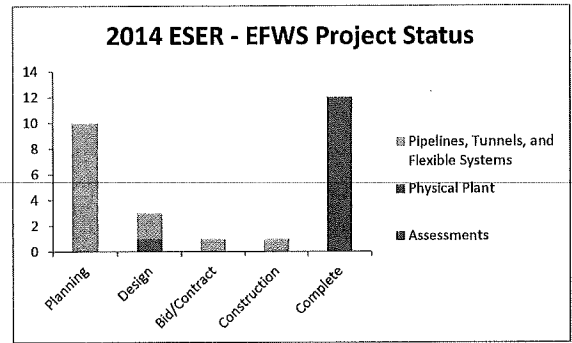
The NFS component is currently on schedule. Of the 70 projects, 21 have been completed, representing 5% of total funds since the projects completed are primarily smaller Focused Scope projects. Of the other 49 projects, three quarters are in planning or design.



¹⁶ The original budget of \$65 million includes estimated cost of issuance (COI), but the revised budget of \$66.2 million does not; a revised budget including estimated COI was not available.

Emergency Firefighting Water System (EFWS)

Twelve of the 27 projects are complete, representing 4.2% of total funds. The majority of the projects completed are assessments, and the majority (12 of 14) of the pipelines, tunnels, and flexible systems projects are in planning or design.



Police Facilities

The Police Facilities component is currently on schedule. One project (ADA Package 1) is currently in construction, one is in the bid phase (ADA Package 2), and two are in design (the Mechanical/Electrical/Plumbing Project and the Northern Police Station). The remaining six projects are in pre-design, with more studies necessary to determine the scope of improvements needed.

Traffic Company and Forensic Services Division Facility

As of March 2016, the project was completing conceptual design and thereafter moving into schematic design. The projected end date for the project has not changed.

Office of the Chief Medical Examiner

The project started construction on November 17, 2015. It is currently projected to be completed seven months behind the original schedule due to re-design necessitated by the discovery of contaminated soil, removal of existing concrete reinforced tilt-up panels in lieu of keeping them in place, and added scope of work requested by the client. The project is 33% complete.

CHANGE ORDERS

Neighborhood Fire Stations

NFS had \$27,341 in change orders as of March 2016, amounting to 5% of base contract. Only 0.3% of change orders were indicated as being for errors and omissions, well below the 3% standard performance threshold.

Emergency Firefighting Water System (EFWS)

EFWS has only had \$25,000 in change orders as of March 2016, a very small percentage of existing contracts. More change orders are expected as projects move into construction.

Other Components

The remaining components have not had substantial change orders to report. The Police Facilities have only had two very small change orders for concealing conduit, though more change orders are expected as more renovation projects move into construction. The Office of the Chief Medical Examiner has several potential change orders, but none have been finalized as of March 2016. The Traffic Company and Forensic Services Division Facility has not yet entered into construction, and as a result does not have change orders.

LESSONS LEARNED

The Office of the Medical Examiner project had a significant revision in schedule after their Construction Management/General Contractor (CM/GC) was hired and provided a detailed construction schedule, which was several months longer than the conceptual construction schedule submitted by the estimating company that was part of the original A/E team. For future projects, it would be helpful to have hired the Construction Management Support Services (CMSS) team that provides expert scheduling and estimating services prior to issuing an RFP for the Construction Management/General Contractor and Architect & Engineer teams.

In addition, the NFS program has been at times challenging to deliver since fire stations are spaces where City employees both live and work, which is not the case for most City buildings. Public Works continues to work closely with the SFFD to minimize the disruption of construction activity for those who reside in the fire stations. It has also been beneficial to involve consultants who specialize in fire station design to lend expertise to City staff architects and engineers on best practices in the planning and design of these facilities.

2014 TRANSPORTATION AND ROAD IMPROVEMENT

SUMMARY

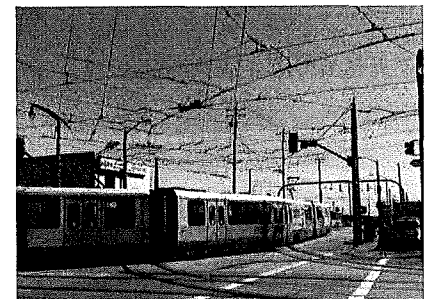
In November 2014, San Francisco voters approved Proposition A with 72% approval for a \$500 million Transportation and Road Improvement bond. As of March 2016, \$2.6 million (0.5% of project budget) has been expended. The bond program is currently programmed to include 95 projects of varying size and scope. Of the projects in the program, none are yet complete, with most projects in either planning or design phases, and some in construction.

SCOPE

The 2014 Transportation and Road Improvement bond funds projects identified through extensive analysis of transportation capital needs. The selection of components and projects for the bond was driven by the Mayor's Transportation 2030 (T2030) Transportation Task Force Report, which outlined transportation system needs and funding gaps, as well as the San Francisco Municipal Transportation Agency (SFMTA) 20-Year Capital Plan, a financially unconstrained plan that identifies and prioritizes the agency's capital investment needs based on the SFMTA Strategic Plan, and the SFMTA's 5-year Capital Improvement Program, a five-year financially constrained plan of projects. The bond projects support San Francisco's commitment to achieving Vision Zero: zero traffic fatalities by 2024, and advance goals of providing faster and more reliable transit, safer work conditions for SFMTA employees, large corridor improvements, and a cohesive bike network.

The bond's projects fall into 8 components:

1. **Muni Forward Rapid Network Improvements:** This component will fund implementation of Muni Forward, developed through the multi-year Transit Effectiveness Project (TEP) planning effort. These projects will restructure transit service on Muni's high ridership lines to improve travel times and reliability, increase accessibility, and improve pedestrian safety. Prioritization criteria include benefits to transit riders, benefits to low income and minority communities, and pedestrian and transit safety issues.
2. **Caltrain Upgrades:** This component funds part of San Francisco's share of reliability and safety improvements to Caltrain, including a new Positive Train Control system mandated by the Railroad Safety Act of 2008, which will improve safety and system performance.
3. **Accessibility Improvements:** This component will remove impediments to accessing transit for people with limited mobility or other disabilities. Projects may include modernizing or constructing new elevators, escalators, and boarding islands. One project under consideration is the installation of canopies over shared BART/Muni Metro station entrances. Such canopies would protect station escalators from the elements, improving reliability.
4. **Muni Facility Upgrades:** This component funds the design and construction of projects to improve operations and accommodate expanded fleet needs at Muni's operations and maintenance facilities.
5. **Major Transit Corridor Improvements:** This component upgrades streets that anchor the transit system to increase transit speed and reliability, and to ensure that people can safely and efficiently move around the city. It complements Muni Forward improvements by funding projects identified outside of the TEP planning process, and focusing on entire corridors rather than segments of transit routes. The first bond issuance includes funds in this component for the design of the Better Market Street project.
6. **Pedestrian Safety Improvements:** This component funds targeted pedestrian safety projects identified through WalkFirst, a data-driven effort to deliver effective engineering improvements to high-risk



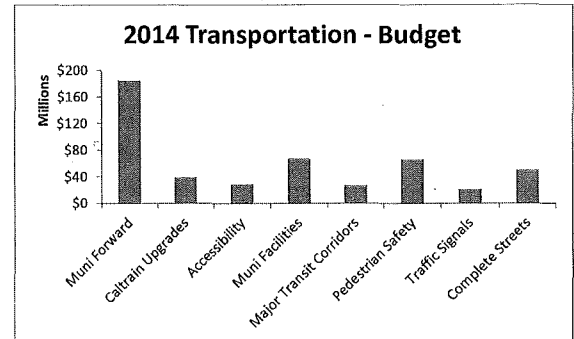
streets. These projects support the City's Vision Zero policy.

7. **Traffic Signal Improvements:** This component funds upgrades to traffic signals and operations to improve signal visibility and overall safety and efficiency of the roadway. The installation of Pedestrian Countdown Signals (PCS) and Audible Pedestrian Signals (APS) along with the upgraded signals will dramatically improve safety for people crossing streets, including the visually impaired. This component is currently planned to fund 29 traffic signal improvements on and adjacent to Market Street.
8. **Complete Streets Improvements:** This component provides funding for pedestrian and bicycle enhancements and public realm improvements, and complements that enable safe, convenient, and comfortable travel for all users and provide safer, well-defined bikeways.

BUDGET¹⁷

There have not been any changes to the budget. There have not been any projects bid substantially over budget, but the bid environment could change. If there are substantial changes to the budgets of larger projects in the future, scope will either change to match the available funds, other additional funding will be sought or the SFMTA will reprioritize projects for completion.

The 2014 Transportation and Road Improvement bond is one of multiple funding sources for many projects. The SFMTA aims to leverage other funding sources, such as federal grants and local transportation sales tax, whenever possible. The canopies under consideration for the Accessibility Improvements component would receive substantial matching funding from BART.



SCHEDULE AND PERCENT COMPLETE

None of the projects in the bond have been completed, though elements of them have been completed (e.g., bulb outs/sidewalk extensions), and others are in construction.

Component	Dept. Lead	Original Completion Date	Projected/Actual Completion Date	Variance (days)	% Projects Complete
Muni Forward Rapid Network Improvements	MTA	12/31/2022	12/31/2022	0	0%
Caltrain Upgrades	MTA	12/31/2020	12/31/2020	0	0%
Accessibility Improvements	MTA	12/31/2017	12/31/2017	0	0%
Muni Facility Upgrades	MTA	12/31/2022	12/31/2022	0	0%
Major Transit Corridor Improvements	MTA*	12/31/2022	12/31/2022	0	0%
Pedestrian Safety Improvements	MTA	12/31/2022	12/31/2022	0	0%
Traffic Signal Improvements	MTA	12/31/2022	12/31/2022	0	0%
Complete Streets Improvements	MTA	12/31/2022	12/31/2022	0	0%

* The Better Market Street project, funded by the first issuance of the Major Transit Corridor Improvements component, is managed directly by Public Works.

Possible pressures on the bond schedule include the public engagement process and interdepartmental coordination. While end dates for components have not changed, public engagement has shifted some project schedules within components. For example, in the Muni Forward component, changes based on community input have already caused a one-year delay to the 5-Fulton East of 6th Avenue (Inner) Rapid Project, though they have resulted in an innovative project that is expected to meet or exceed original reliability improvement goals. Likewise, the 28-19th Avenue Rapid project has been delayed to accommodate interdepartmental coordination with the SFPUC to add water and sewer scope under the same contract, extending the project timeline, but also minimizing disruptions to the corridor.

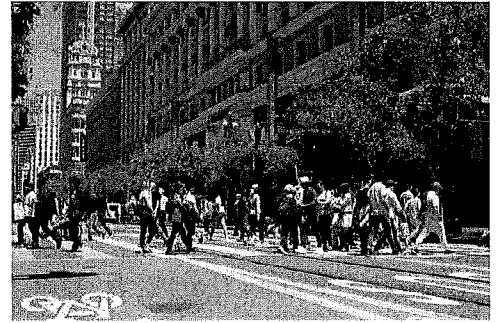
¹⁷ For consistency with other Transportation 2014 bond reporting, these figures exclude cost of issuance.

CHANGE ORDERS

As of March 2016, there have not been any change orders for projects funded by the bond program, though there inevitably will be as more projects move into construction. The bond program staff are deciding how best to track change orders. For projects delivered by Public Works, the same change order tracking system will be used as is used for its other bond programs. The SFMTA will independently track the projects it delivers. Since the Public Works change order tracking system is more robust, SFMTA change order reporting may be less detailed.

LESSONS LEARNED

It is still early on in the bond program, but there have been some lessons and challenges. Advanced coordination and proactive communication from the Muni Forward team to Public Works about upcoming workload has facilitated the quick delivery of early project elements. The SFMTA and Public Works have regular executive coordination meetings and monthly meetings at the Project Manager level to coordinate anticipated work, project issues, and repaving scheduling. In addition, effective public engagement to keep projects moving forward without significant schedule changes is a continuous challenge, as is the planning of large, multi-year projects like Better Market Street.



APPENDIX A: CHANGES IN GO BOND BUDGETS

Bond Program and Component	Original Budget	Revised Budget	Percent Change
2008 Clean and Safe Neighborhood Parks	\$ 181,866,623	\$ 186,429,369	2.5%
Citywide Programs	33,900,000	37,947,574	11.9%
Neighborhood Parks	115,100,000	114,872,149	-0.2%
Waterfront Parks	32,866,623	33,609,646	2.3%
2008 Public Health and Seismic Facilities (SFGH Rebuild)	\$ 887,400,000	\$ 887,400,000	--
2010 Earthquake Safety and Emergency Response	\$ 412,300,000	\$ 412,300,000	--
Public Safety Building (PSB)	243,000,000	243,000,000	--
Neighborhood Fire Stations (NFS)	65,100,000	65,100,000	--
Auxiliary Water Supply System (AWSS)	104,200,000	104,200,000	--
2011 Road Repaving and Street Safety	\$ 248,000,000	\$ 250,300,000	0.9%
Street Resurfacing	149,000,000	149,000,000	--
Street Structures	7,000,000	7,000,000	--
Sidewalk Accessibility	22,000,000	22,000,000	--
Streetscape	50,000,000	52,300,000	4.6%
Traffic Signals	20,000,000	20,000,000	--
2012 Clean and Safe Neighborhood Parks	\$ 195,000,000	\$ 195,000,000	--
Citywide Parks	21,000,000	21,000,000	--
Citywide Programs	40,500,000	40,500,000	--
Neighborhood Parks	99,000,000	99,000,000	--
Waterfront Parks	34,500,000	34,500,000	--
2014 Earthquake Safety and Emergency Response	\$ 400,000,000	\$ 401,233,024	0.3%
Neighborhood Fire Stations	85,000,000	85,000,000	--
Emergency Firefighting Water System (EFWS)	55,000,000	55,000,000	--
Police Facilities	30,000,000	30,000,000	--
Traffic Company and Forensic Services Division Facility	165,000,000	165,000,000	--
Office of the Chief Medical Examiner	65,000,000	66,233,024	1.9%
2014 Transportation and Road Improvement	\$ 485,000,000	\$ 485,000,000	--
Muni Forward Rapid Network Improvements	184,785,249	184,785,249	--
Caltrain Upgrades	39,000,000	39,000,000	--
Accessibility Improvements	29,023,861	29,023,861	--
Muni Facility Upgrades	67,722,343	67,722,343	--
Major Transit Corridor Improvements	27,088,937	27,088,937	--
Pedestrian Safety Improvements	65,787,419	65,787,419	--
Traffic Signal Improvements	21,284,165	21,284,165	--
Complete Streets Improvements	50,308,026	50,308,026	--

Note: All dollar amounts include cost of issuance except for (1) the revised budget of the Office of the Chief Medical Examiner, (2) the 2008 Clean and Safe Neighborhood Parks Bond, all components, and (3) the 2014 Transportation and Road Improvement Bond, all components.

APPENDIX B: SUMMARY OF 2015 BOND PROGRAM

In November 2015 and June 2016, the voters approved new general obligation bond measures.

2015 Affordable Housing Bond

In November 2015, San Francisco voters approved Proposition A with 74% approval. The \$310 million 2015 Affordable Housing bond will provide funds to build, buy, improve, and rehabilitate affordable housing in San Francisco, and assist middle-income City residents with purchasing their first home in the City. The bond aims to protect and expand low- and middle-income housing in San Francisco, and to serve the most vulnerable: low-income working families, veterans, seniors, and individuals with disabilities.

The bond program will be delivered by the Mayor's Office of Housing and Community Development (MOHCD). As of January 2016, MOHCD proposed four program categories for the bond:

- Public Housing (\$80 million)
- Affordable Housing – up to 80% of Area Median Income (AMI) (\$100 million)
- Mission Area Plan Investments – up to 120% of AMI (\$50 million)
- Middle Income Housing – 80% of AMI and above (\$80 million)

Projects will be programmed and prioritized according to program-specific prioritization criteria (regarding project impact and location, urgency of need, and populations that will benefit), geographic and social equity, and funding source eligibility (to best leverage outside resources).

2016 Public Health and Safety Bond

In June 2016, San Francisco voters approved Proposition A with 79% approval. The \$350 million 2016 Public Health and Safety bond will provide:

- \$272 million of funds to renovate, expand, and enhance the earthquake safety of fire safety and healthcare facilities,
- \$58 million to construct a larger and more modern facility for City-owned ambulances and repair and modernize neighborhood fire stations, and
- \$20 million for homeless care facilities.

APPENDIX C: DEFINITION OF TERMS

- Actual Completion Date: Date the last project within a component reached substantial completion
- Appropriated Interest: Interest earned on held bond proceeds, minus any payments necessary to the IRS under federal arbitrage limitations; upon review, the outstanding interest on bond proceeds may be added to the bond program budget
- Bond Program: Overall bond improvements, including all of the individual components
- Component: A sub-program within a Bond Program
- Change Orders: Work that is added to or deleted from a contract's original scope of work, which then alters the original contract dollar amount and/or completion date. Change orders are classified by the following types:
 - Client Requests: Contractor and client request changes due to changing factors such as costs, schedule, any alterations to the existing contract
 - Errors and Omissions: Change in design, detailing, or documentation that requires repurchase of materials, reconstruction of work, revisions to make the project work properly and is the result from incorrect information or a lack of information or information that could/should have been included initially in the contract documents
 - Unforeseen Conditions: Unavoidable or unanticipated occurrences that affect construction
 - Code Issues: Code compliance issues may include accessibility, safety, or other types of code related problems that could prevent building occupancy
- Expended: Includes all money that has been spent, and does not include encumbrances (money set aside for designated future expenses, which cannot be used for other purposes)
- Original Budget: Total bond funding anticipated to be spent derived during the component scoping phase
- Original Completion Date: Estimated completion date of the last project within a component derived during the component scoping phase
- Projected Completion Date: The estimated completion date of the last project as of March 2016
- Revised Budget: Total bond funding anticipated to be spent as of March 2016

APPENDIX D: METHODOLOGY

This report reviews the City and County of San Francisco's seven large GO bond programs. Each Program includes multiple components. In all but one instance (SFGH Rebuild), a component is broken into numerous projects or programmatic components that cover myriad capital improvements. In order to provide a high-level review of the City's GO bond programs, the City Services Auditor asked departments to provide budget and schedule data on each individual bond component based on the definitions defined within this report. In some instances, departments were able to provide additional performance measure data, such as number of projects in a given phase or the Pavement Condition Index.

The data presented in this report was collected from departmental reporting systems, Quarterly Bond Program Reports, websites, and bond program accountants. In addition to the project data collected from the departments, the Controller's Office interviewed seven bond program managers along with fourteen other bond program staff (including some bond component project managers) to document lessons learned, discuss project accomplishments, and to identify upcoming milestones.

From: Reports, Controller (CON)
Sent: Tuesday, July 12, 2016 12:35 PM
To: Calvillo, Angela (BOS); Gosiengfiao, Rachel (BOS); BOS-Supervisors; Kawa, Steve (MYR); Howard, Kate (MYR); Steeves, Asja (CON); Campbell, Severin (BUD); Newman, Debra (BUD); Rose, Harvey (BUD); SF Docs (LIB); CON-EVERYONE; Nuru, Mohammed (DPW); Lopez, Edgar (DPW); Higuera, Charles (DPW); Dawson, Julia (DPW); Fernandez, Marisa (DPW); Robertson, Bruce (DPW); dbader@ccorpusa.com; adewulf@ccorpusa.com; ogacevska@ccorpusa.com
Subject: Issued: Bond Expenditure Audit: 2010 Earthquake Safety Bond Program

The Office of the Controller's City Services Auditor Division (CSA) today issued a memorandum on its audit of Department of Public Works' 2010 Earthquake Safety and Emergency Response (ESER) General Obligation Bond Program expenditures. The audit found that expenditures for the 2010 ESER bond program were in accordance with the ballot measure and that funds were not used for any administrative salaries or other general governmental operating expenses other than those specifically authorized in the ballot measure for such bonds.

To view the full memorandum, please visit our website at:
<http://openbook.sfgov.org/webreports/details3.aspx?id=2330>

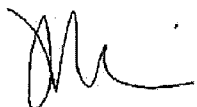
This is a send-only e-mail address. For questions about the memorandum, please contact Director of City Audits Tonia Lediju at tonia.lediju@sfgov.org or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

Follow us on Twitter @SFController



MEMORANDUM

TO: Mohammed Nuru, Director
Department of Public Works

FROM: Tonia Lediju, Director of City Audits
City Services Auditor Division 

DATE: July 12, 2016

SUBJECT: Expenditures at the Department of Public Works for the 2010 Earthquake Safety and Emergency Response Bond Program Were in Accordance With the Ballot Measure

EXECUTIVE SUMMARY

The Office of the Controller's City Service Auditor Division (CSA) engaged Cumming Construction Management (Cumming) to audit the expenditures of the 2010 Earthquake Safety and Emergency Response (2010 ESER) general obligation (GO) bond program of the City and County of San Francisco (City). Cumming audited two projects managed by the City's Department of Public Works (Public Works): the Public Safety Building (PSB) and Neighborhood Fire Stations (NFS) projects.

Cumming found that expenditures for the 2010 ESER GO bond program were in accordance with the ballot measure and that funds were not used for any administrative salaries or other general governmental operating expenses other than those specifically authorized in the ballot measure for such bonds. Cumming audited \$248.6 million out of \$259.7 million in current expenditures and found that 99.99 percent were in line with the voter-approved requirements. However, formalized procedures and better documentation are needed for the pre-bond reimbursement approval process and for Public Works' internal labor and nonlabor cost allocation process. The audit recommends that Public Works finalize and implement the Pre-Bond Reimbursement Guidelines for all current and future GO bond programs to ensure that pre-bond expenditures and related scopes of work are clearly and appropriately described and assigned.

BACKGROUND, OBJECTIVES, AND METHODOLOGY

Background

This audit was conducted under the authority of the City's Proposition F, adopted by San Francisco voters in March 2002. The proposition established the Citizens' General Obligation Bond Oversight Committee (CGOBOC) to inform the public about the expenditure of GO bond proceeds. CSA engaged Cumming to conduct a performance audit of expenditures to fulfill the CGOBOC Bylaws, Article I, Section 3, which state:

The Committee shall actively review and report on the expenditure of taxpayers' money in accordance with the voter authorization. The Committee shall convene to provide oversight for ensuring that: (1) general obligation bond revenues are spent only in accordance with the ballot measure, and (2) no general obligation bond funds are used for any administrative salaries or other general governmental operating expenses, unless specifically authorized in the ballot measure for such general obligation bonds.

Cumming reviewed the PSB and NFS projects, managed by Public Works, of the 2010 ESER GO bond program, which had an original bond amount of \$412.3 million.¹

- The PSB was officially open and operational in April 2015, with a total project budget, including development and construction costs, of \$239 million. The PSB is a new building that houses the Police Department's Headquarters and Southern District Station, Fire Station No. 4, the Arson Task Force, and a community meeting room in Historic Fire Station No. 30.
- The NFS project, with a total budget of \$64 million, identified improvements to 23 of the City's 42 neighborhood fire stations, which are located in every district of San Francisco. NFS will complete structural, seismic, and other health and safety improvements to about half of the City's neighborhood fire stations. Work is scheduled in phases through 2016 to maintain the Fire Department's service levels throughout the City.

Objective

The purpose of this audit was to determine whether 2010 ESER GO bond funds were spent in accordance with the ballot measure, including whether funds were used for any administrative salaries or other general governmental operating expenses, which is impermissible unless specifically authorized in the ballot measure for such bonds.

¹ The Auxiliary Water Supply System is also included in the 2010 ESER GO bond fund, has a budget of \$102.4 million, and is managed by the San Francisco Public Utilities Commission. The bond amount also included \$6.9 million for the cost of insurance and oversight.

Methodology

To achieve the objective, Cumming collected and reviewed the following documents:

- Construction agreements and change orders.
- Design agreements and amendments.
- Work authorizations to city departments.
- Public Works direct labor and nonlabor costs.
- Vendors invoices with citywide contracts for which project-specific contracts do not exist.

Cumming reviewed expenditures totaling \$248.6 million, or approximately 96 percent of the combined \$259.7 million PSB and NSF expenditures at the time of the review.

This performance audit was conducted by Cumming and performed in accordance with generally accepted government auditing standards. These standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. Cumming believes that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

RESULTS

Finding 1 – Bond expenditures for the 2010 ESER GO bond program were spent in accordance with the ballot measure, and funds were not used for any administrative salaries or other general governmental operating expenses other than those specifically authorized in the ballot measure for such bonds.

Of the total \$248,591,745 of PSB and NSF bond expenditures reviewed, \$248,584,123 (99.99 percent) was spent in accordance with the ballot measure with sufficient documentation to support the scope of work for design contracts, construction contracts, consulting contracts, and other allowable expenses, such as equipment rentals, permit fees, specifically authorized city attorney and public utility fees, bid advertising, move management, and reprographic services. Public Works' incorrectly recorded \$7,622 of overhead cost as bond expenditures for PSB. Public Works concurred and abated \$7,622 from PSB expenditures.

There is no recommendation for this finding other than for Public Works to continue to ensure that bond expenditures are spent in accordance with the ballot measure and funds are not used for administrative salaries or other general governmental operating expenses.

Finding 2 – Public Works needs to formalize procedures and strengthen documentation with pre-bond cost reimbursements approval.

While pre-bond expenditures were spent in accordance with the ballot measure, the approval process and supporting documentation should be strengthened. Public Works approved \$550,000 of PSB expenditures for pre-bond reimbursements for the Justice Facilities Improvement Program (JFIP)² based on estimate, assigning a proportion of JFIP expenditures. However, Public Works recorded additional pre-bond expenditures in excess of the \$550,000 in internal labor and nonlabor cost allocations. Public Works has since established Pre-Bond Reimbursement Guidelines for approval procedures and supporting documentation to ensure that pre-bond expenditures are assigned accurately and that the scope of work is clearly project-related.

Recommendation

1. The Department of Public Works should finalize and implement the Pre-Bond Reimbursement Guidelines for all current and future general obligation bond programs to ensure that pre-bond expenditures and related scopes of work are clearly and appropriately described and assigned.

cc: Public Works
Edgar Lopez
Julia Dawson
Charles Higuera
Marisa Fernandez
Bruce Robertson

Controller
Ben Rosenfield
Todd Rydstrom
Mark de la Rosa
Cherry Bobis

Board of Supervisors
Budget Analyst
Citizens Audit Review Board
City Attorney
Civil Grand Jury
Mayor
Public Library

² The Police Headquarters and Southern District Police Station were housed in the Hall of Justice and relocated to the PSB upon its completion.

ATTACHMENT: DEPARTMENT RESPONSE



Edwin M. Lee
Mayor

Mohammed Nuru
Director

Edgar Lopez
Deputy Director
and City Architect

Building Design & Construction
30 Van Ness Ave., 4th floor
San Francisco, CA 94102
tel 415-557-4700

sfpublicworks.org
facebook.com/sfpublicworks
twitter.com/sfpublicworks

July 1, 2016

Ms. Tonia Lediju
Director of City Audits
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Subject: Expenditures at the Department of Public Works for the 2010 Earthquake Safety and Emergency Response Bond Program Were in Accordance With the Ballot Measure

Dear Ms. Lediju,

In response to your memo dated June 17, 2016, San Francisco Public Works (SFPW) concurs with your recommendation and plans to complete and finalize the Pre-Bond Reimbursement Guidelines by December 31, 2016. Further, SFPW agrees to implement these guidelines on all current and future general obligation bond programs to ensure that pre-bond expenditures and related scope of work is clearly described and appropriately assigned.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Higuera".

Charles Higuera
Program Manager

c: Mohammed Nuru, Edgar Lopez, Julia Dawson, Marisa Fernandez

For each recommendation, the responsible agency should indicate whether it concurs, does not concur, or partially concurs. If it concurs with the recommendation, it should indicate the expected implementation date and implementation plan. If the responsible agency does not concur or partially concurs, it should provide an explanation and an alternate plan of action to address the identified issue.

RECOMMENDATION AND RESPONSE

Recommendation	Response	Expected Implementation Date
<p>1. The Department of Public Works should finalize and implement the Pre-Bond Reimbursement Guidelines for all current and future general obligation bond programs to ensure that pre-bond expenditures and related scopes of work are clearly and appropriately described and assigned.</p>	<p><input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur</p> <p>San Francisco Public Works (SFPW) concurs with your recommendation and plans to complete and finalize the Pre-Bond Reimbursement Guidelines by December 31, 2016. Further, SFPW agrees to implement these guidelines on all current and future general obligation bond programs to ensure that pre-bond expenditures and related scope of work is clearly described and appropriately assigned.</p>	<p>December 31, 2016</p>

From: Reports, Controller (CON)
Sent: Monday, July 11, 2016 10:33 AM
To: Calvillo, Angela (BOS); Gosiengfiao, Rachel (BOS); Kawa, Steve (MYR); Howard, Kate (MYR); Falvey, Christine (MYR); Elliott, Jason (MYR); Steeves, Asja (CON); Campbell, Severin (BUD); Newman, Debra (BUD); Rose, Harvey (BUD); SF Docs (LIB); CON-EVERYONE; MYR-ALL Department Heads; CON-Finance Officers; Cisneros, Jose (TTX); Marx, Pauline (TTX); Durgy, Michelle (TTX); alouie@mgoarpa.com
Subject: Issued: Quarterly Review of the Treasurer's Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2016

The City and County of San Francisco (City), Office of the Treasurer and Tax Collector (Treasurer), coordinates with the Office of the Controller's City Services Auditor Division (CSA) to conduct quarterly reviews and an annual audit of the City's investment fund.

CSA today issued a report on the quarterly review of the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2016.

CSA has engaged Macias Gini & O'Connell LLP (MGO) to perform these services. Based on its review, MGO is not aware of any material modifications that should be made to the schedules in order for them to be in conformity with generally accepted accounting principles.

To view the full report, please visit our website at: <http://openbook.sfgov.org/webreports/details3.aspx?id=2329>

This is a send-only e-mail address. For questions about the report, please contact Director of City Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

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City and County of San Francisco

Office of the Controller – City Services Auditor

OFFICE OF THE TREASURER AND TAX COLLECTOR:

Quarterly Review of the Schedule
of Cash, Investments, and Accrued
Interest Receivable as of
March 31, 2016



July 11, 2016

**OFFICE OF THE CONTROLLER
CITY SERVICES AUDITOR**

The City Services Auditor Division (CSA) was created in the Office of the Controller through an amendment to the Charter of the City and County of San Francisco (City) that was approved by voters in November 2003. Charter Appendix F grants CSA broad authority to:

- Report on the level and effectiveness of San Francisco's public services and benchmarking the city to other public agencies and jurisdictions.
- Conduct financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operate a whistleblower hotline and Web site and investigating reports of waste, fraud, and abuse of city resources.
- Ensure the financial integrity and improve the overall performance and efficiency of city government.

CSA may conduct financial audits, attestation engagements, and performance audits. Financial audits address the financial integrity of both city departments and contractors and provide reasonable assurance about whether financial statements are presented fairly in all material aspects in conformity with generally accepted accounting principles. Attestation engagements examine, review, or perform procedures on a broad range of subjects such as internal controls; compliance with requirements of specified laws, regulations, rules, contracts, or grants; and the reliability of performance measures. Performance audits focus primarily on assessment of city services and processes, providing recommendations to improve department operations.

CSA conducts its audits in accordance with the Government Auditing Standards published by the U.S. Government Accountability Office (GAO). These standards require:

- Independence of audit staff and the audit organization.
- Objectivity of the auditors performing the work.
- Competent staff, including continuing professional education.
- Quality control procedures to provide reasonable assurance of compliance with the auditing standards.

For questions regarding the report, please contact Director of City Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393 or CSA at 415-554-7469.

CSA Team: Kate Chalk, Audit Manager
 Joseph Towner, Associate Auditor

Review Consultants: Macias Gini & O'Connell LLP



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

July 11, 2016

Mr. José Cisneros
Treasurer
Office of the Treasurer and Tax Collector
City Hall, Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4638

Dear Mr. Cisneros:

The Office of the Controller's City Services Auditor Division (CSA) presents the review report of the Schedule of Cash, Investments, and Accrued Interest Receivable of the Office of the Treasurer and Tax Collector (Treasurer) of the City and County of San Francisco (City) as of March 31, 2016. The schedule presents the total cash, investments, and accrued interest receivable under the control and accountability of the City's Treasurer.

Results:

	<u>March 31, 2016</u>
Cash and Investments	
Cash in Bank	\$174,496,861
Investments and Accrued Interest Receivable	<u>7,407,291,150</u>
Total Cash and Investments	\$7,581,788,011

This review was performed under contract by Macias Gini & O'Connell LLP. For this contract, CSA performs the department liaison duties of project management and invoice approval.

Based on this review, Macias Gini & O'Connell LLP is not aware of any material modifications that should be made to the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2016, in order for it to be in conformity with generally accepted accounting principles. However, as explained in Note II.B. to the schedule, investments are recorded as of the settlement date and management has not presented the risk disclosures required under Governmental Accounting Standards Board (GASB) Statement No. 40, *Deposit and Investment Risk Disclosures – an amendment of GASB Statement No. 3*.

CSA appreciates the assistance and cooperation of Treasurer staff during the review. For questions regarding the report, please contact me at Tonia.Lediju@sfgov.org or 415-554-5393 or CSA at 415-554-7469.

Respectfully,

Tonia Lediju
Director of City Audits

cc: Board of Supervisors
Budget Analyst
Citizens Audit Review Board
City Attorney
Civil Grand Jury
Mayor
Public Library

**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER
AND TAX COLLECTOR**

Independent Accountant's Review Report and
Schedule of Cash, Investments, and
Accrued Interest Receivable

March 31, 2016



Certified
Public
Accountants



Independent Accountant’s Review Report

The Honorable Mayor Edwin M. Lee
The Honorable Members of the Board of Supervisors
San Francisco, California

We have reviewed the accompanying Schedule of Cash, Investments, and Accrued Interest Receivable (Schedule) of the City and County of San Francisco’s (City) Office of the Treasurer and Tax Collector (Treasurer) as of March 31, 2016, and the related notes to the Schedule. A review includes primarily applying analytical procedures to management’s financial data and making inquiries of management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the financial statements as a whole. Accordingly, we do not express such an opinion.

Management’s Responsibility for the Schedule

Management is responsible for the preparation and fair presentation of the Schedule in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement whether due to fraud or error.

Accountant’s Responsibility

Our responsibility is to conduct the review engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute Certified Public Accountants. Those standards require us to perform procedures to obtain limited assurance as a basis for reporting whether we are aware of any material modifications that should be made to the Schedule for it to be in accordance with accounting principles generally accepted in the United States of America. We believe that the results of our procedures provide a reasonable basis for our conclusion.

Accountant’s Conclusion

Based on our review, except for the issue noted in the Known Departure From Accounting Principles Generally Accepted in the United States of America paragraph, we are not aware of any material modifications that should be made to the accompanying Schedule in order for it to be in accordance with accounting principles generally accepted in the United States of America.

Known Departure from Accounting Principles Generally Accepted in the United States of America

As explained in Note II.B. to the Schedule, the Treasurer’s management has recorded investments as of the settlement date rather than the trade date and has not presented the risk and fair value disclosures required under Governmental Accounting Standards Board Statement No. 40, *Deposit and Investment Risk Disclosures—an amendment of GASB Statement No. 3*, and Statement No 72, *Fair Value Measurement and Application*. The amount by which this departure would affect the Schedule is not reasonably determinable.

Walnut Creek, California
June 17, 2016

**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR**

**SCHEDULE OF CASH, INVESTMENTS,
AND ACCRUED INTEREST RECEIVABLE
MARCH 31, 2016**

Cash:	
Cash in Bank - Investment Pool	\$ 174,496,861
Pooled Investments:	
U.S. Treasury Notes	525,971,750
Federal Agencies	4,061,029,009
Commercial Paper	374,575,201
Negotiable Certificates of Deposit	1,125,705,108
Public Time Deposits	1,440,000
Corporate Medium Term Notes	723,679,640
State and Local Government Agencies	155,405,420
Money Market Funds	305,252,192
Supranational Obligations	134,981,050
Subtotal Pooled Investments	<u>7,408,039,372</u>
Investment from Separately Managed Account:	
SFRDA South Beach Harbor Refunding Bond	1,340,000
Interest Receivable - Investment Pool, Net	<u>(2,088,222)</u>
Total Cash, Investments, and Interest Receivable	<u><u>\$ 7,581,788,011</u></u>

See Independent Accountant's Review Report and
accompanying Notes to Schedule of Cash, Investments, and Accrued Interest Receivable.

**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR**

NOTES TO SCHEDULE OF CASH, INVESTMENTS,
AND ACCRUED INTEREST RECEIVABLE
MARCH 31, 2016

I. General

The Schedule of Cash, Investments, and Accrued Interest Receivable (Schedule) presents only the cash on hand, cash in bank, investments, and related accrued interest receivable under the control and accountability of the Office of the Treasurer and Tax Collector (Treasurer) of the City and County of San Francisco (City). The Schedule is not intended to present fairly the financial position of the Treasurer or of the City.

The Treasurer is responsible for the custody and investment of a majority of the public funds held by the City and funds deposited by external entities that are either required to or voluntarily deposit funds with the Treasurer. The Treasurer is authorized to conduct these functions by the California Government Code Section 53600 et seq. and the San Francisco Administrative Code, Chapter 10, under investment policies established by the Treasurer and filed with the City's Board of Supervisors. The Treasurer also provides a safekeeping service for the City, where City departments may deposit securities and other assets in the Treasurer's vault.

II. Summary of Significant Accounting Policies

A. Cash and Deposits

The California Government Code requires California banks and savings and loan associations to secure the City's deposits not covered by federal deposit insurance by pledging government securities, letters of credit or first deed mortgage notes as collateral. The fair value of pledged securities will range between 105 and 150 percent of the City's deposits, depending on the type of security pledged. Pledging letters of credit issued by the Federal Home Loan Bank of San Francisco must have a fair value of at least 105 percent of the secured public deposits. Pledging first deed mortgage notes must have a fair value of at least 150 percent of the secured public deposits. Government securities must equal at least 110 percent of the City's deposits. The collateral must be held at the pledging bank's trust department or another bank, acting as the pledging bank's agent, in the City's name. For deposits not covered by federal deposit insurance, all of the banks with funds deposited by the Treasurer secure deposits with sufficient collateral.

B. Investments

The Treasurer makes investments in securities for a pooled money investment account and for individual investment accounts that are not invested through the pooled money investment account. The Schedule is prepared using the economic resources measurement focus and the accrual basis of accounting. Investment transactions are recorded on the settlement date. However, generally accepted accounting principles in the United States of America require investments to be recorded on the trade date. Deposits and investments with the Treasurer are exposed to risks such as credit risk, concentration of credit risk, and interest rate risk. Disclosures related to such risks as required under Governmental Accounting Standards Board Statement No. 40, *Deposit and Investment Risk Disclosures—an amendment of GASB Statement No. 3*, and disclosures about fair value measurements, the level of fair value hierarchy, and valuation techniques required under Statement No 72, *Fair Value Measurement and Application* are not presented in this report as the Treasurer does not believe that these disclosures are necessary to meet the objectives of the users of the Schedule.

**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR**

NOTES TO SCHEDULE OF CASH, INVESTMENTS,
AND ACCRUED INTEREST RECEIVABLE
MARCH 31, 2016

II. Summary of Significant Accounting Policies (continued)

The securities in the accompanying Schedule are reported at fair value in accordance with Governmental Accounting Standards Board Statement No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*. The following table summarizes the investments stated at cost and fair value, which is based on current market prices.

<u>Investment Type</u>	<u>Cost</u>	<u>Fair Value</u>
Investments from investment pool:		
U.S. Treasury Notes	\$ 523,235,343	\$ 525,971,750
Federal Agencies	4,072,382,217	4,061,029,009
Commercial Paper	374,080,875	374,575,201
Negotiable Certificates of Deposit	1,125,058,537	1,125,705,108
Public Time Deposits	1,440,000	1,440,000
Corporate Medium Term Notes	725,640,525	723,679,640
State and Local Government Agencies	155,044,748	155,405,420
Money Market Funds	305,252,192	305,252,192
Supranational Obligations	134,861,008	134,981,050
Total investments from investment pool	<u>7,416,995,445</u>	<u>7,408,039,372</u>
Investments from separately managed account:		
SFRDA South Beach Harbor Refunding Bond	<u>1,340,000</u>	<u>1,340,000</u>
Total investments	<u>\$ 7,418,335,445</u>	<u>\$ 7,409,379,372</u>

C. Interest Receivable – Investment Pool, Net

The Treasurer reported a negative accrued interest receivable balance of \$2,088,222 at March 31, 2016. Normally, a positive balance for interest receivable represents interest revenue earned that has not yet been received. However, a negative balance occurs because the cumulative amortization of premiums is greater than the interest receivable and the amortization of discounts at the end of the quarter.

BUS-11, B+F

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BOARD OF SUPERVISORS
SAN FRANCISCO

Clerk
Report
CPages

Memo

2016 JUL -6 AM 9:53

BY

DATE: July 5, 2016

TO: Clerk of the Board of Supervisors

CC: Tina Cen, Controller's Office

FROM: Fannie Yeung, Grants Analyst, SFPD *FY*

RE: Grant Budget Revision
2014 Forensic DNA Capacity Enhancement and Backlog Reduction Program
(PCFDBR-14PC)

In accordance with Administrative Code Section 10.170-1(F), this memo serves to notify the Board of Supervisors of a Federal grant line item budget revision in excess of 15% requiring funding agency approval.

Attached is a copy of budget revision documentation submitted to the funding agency.



Modify Budget GAN



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OFFICE OF JUSTICE PROGRAMS

[Change Requested](#)



GRANT ADJUSTMENT NOTICE

[Approved](#)

[Denied](#)

[Draft](#)

[Create Grant Adjustment](#)

[Help/Frequently Asked Questions](#)

Grantee Information					
Grantee Name:	City and County of San Francisco Police Department	Project Period:	10/01/2014 - 09/30/2016	GAN Number:	011
Grantee Address:	1245 3rd Street San Francisco, CA 94158	Program Office:	NIJ	Date:	06/29/2016
Grantee DUNS Number:	12-080-2983	Grant Manager:	Alan Spanbauer		
Grantee EIN:	94-6000417	Application Number(s):	2014-91582-CA-DN		
Vendor #:	946000417	Award Number:	2014-DN-BX-0027		
Project Title:	FY 2014 DNA Capacity Enhancement and Backlog Reduction Program - San Francisco Police Department		Award Amount:	\$355,615.00	

Budget Modification

* All editable Budget fields must contain a numeric value.

Categories	Approved Budget	Requested Changes to Budget	Revised Budget
A. Personnel	\$ 19312	\$ 20957	\$ 40269
B. Fringe Benefits	\$ 981	\$ 1657	\$ 2638
C. Travel	\$ 9270	\$ 0	\$ 9270
D. Equipment	\$ 221615	\$ -22614	\$ 199001
E. Supplies	\$ 0	\$ 0	\$ 0
F. Construction	\$ 0	\$ 0	\$ 0
G. Contractual	\$ 0	\$ 0	\$ 0
H. Other	\$ 104437	\$ 0	\$ 104437
TOTAL DIRECT COST	\$ 355615	\$ 0	\$ 355615
Total Direct Costs = (Sum of lines A-H)			
INDIRECT COST	\$ 0	\$ 0	\$ 0
TOTAL PROJECT COST	\$ 355615	\$ 0	\$ 355615
Total Project Costs = Total Direct Costs + Indirect Cost			
Total Project Costs = Federal Funds Approved + Non-Federal Funds + Program Income			
FEDERAL FUNDS APPROVED	\$ 355615		\$ 355615
NON-FEDERAL FUNDS APPROVED	\$ 0	\$ 0	\$ 0
PROGRAM INCOME		\$ 0	

\$
0

\$
0

***Required Justification for Budget Modification**

We are requesting a budget modification to move funds from (D) Equipment to (A) Personnel and (B) Fringe Benefits. Due to delays with the procurement of the Proflex 96-Well PCR System, we would like to move this equipment item to the

Attachments:

Filename:	User:	Timestamp:	Action:
dna-backlog-budget-detail-worksheet 2014 SFPD-revised 6-20-16.xlsx	SFPDNIJ	06/20/2016 5:40 PM	Delete Attachment

Actions:

Audit Trail:

Description:	Role:	User:	Timestamp:	Note:
Approved-Final	OCFMD - Supervisor	nguyenk	06/29/2016 9:56 AM	View Note
Submitted	PO - Grant Manager	SFPDNIJ	06/20/2016 5:41 PM	View Note
Draft	EXTERNAL - External User	SFPDNIJ	06/20/2016 5:41 PM	View Note
Draft	EXTERNAL - External User	SFPDNIJ	06/20/2016 5:39 PM	View Note

Bos-11, B+F
Clerk
CPugh

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2016 JUL -6 AM 9:53

Memo

BY SLB

DATE: July 5, 2016

TO: Clerk of the Board of Supervisors

CC: Tina Cen, Controller's Office

FROM: Fannie Yeung, Grants Analyst, SFPD *FW*

RE: Grant Budget Revision
2015 DNA Backlog Reduction Grant (PCFDBR-14PC)

In accordance with Administrative Code Section 10.170-1(F), this memo serves to notify the Board of Supervisors of a Federal grant line item budget revision in excess of 15% requiring funding agency approval.

Attached is a copy of budget revision documentation submitted to the funding agency.



Modify Budget GAN



All Active

US DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

[Change Requested](#)



GRANT ADJUSTMENT NOTICE

[Approved](#)

[Denied](#)

[Draft](#)

[Create Grant Adjustment](#)

[Help/Frequently Asked Questions](#)

Grantee Information			
Grantee Name:	San Francisco City & County Police Department	Project Period:	01/01/2016 - 12/31/2017
Grantee Address:	1245 3rd Street San Francisco, 94158	Program Office:	NIJ
Grantee DUNS Number:	12-080-2983	Grant Manager:	Alan Spanbauer
Grantee EIN:	94-6000417	Application Number(s):	2015-90407-CA-DN
Vendor #:	946000417	Award Number:	2015-DN-BX-0002
Project Title:	FY 2015 DNA Backlog Reduction Grant - San Francisco	Award Amount:	\$419,630.00

Note: There is no Final Review for this award.

Budget Modification

* All editable Budget fields must contain a numeric value.

Categories	Approved Budget	Requested Changes to Budget	Revised Budget
A. Personnel	\$ 60677	\$ -24641	\$ 36036
B. Fringe Benefits	\$ 4824	\$ -1959	\$ 2865
C. Travel	\$ 10430	\$ -1372	\$ 9058
D. Equipment	\$ 157363	\$ 26427	\$ 183790
E. Supplies	\$ 0	\$ 0	\$ 0
F. Construction	\$ 0	\$ 0	\$ 0
G. Contractual	\$ 13000	\$ 0	\$ 13000
H. Other	\$ 173336	\$ 1545	\$ 174881
TOTAL DIRECT COST	\$ 419630	\$ 0	\$ 419630
Total Direct Costs = (Sum of lines A-H)			
INDIRECT COST	\$ 0	\$ 0	\$ 0
TOTAL PROJECT COST	\$ 419630	\$ 0	\$ 419630
Total Project Costs = Total Direct Costs + Indirect Cost			
Total Project Costs = Federal Funds Approved + Non-Federal Funds + Program Income			
FEDERAL FUNDS APPROVED	\$ 419630		\$ 419630
NON-FEDERAL FUNDS APPROVED	\$ 0	\$ 0	\$ 0
PROGRAM INCOME		\$ 0	

\$
0

\$
0

***Required Justification for Budget Modification**

We are requesting a budget modification to move funds from (A) Personnel and (B) Fringe Benefits to (D) Equipment. Due to delays with the procurement of the Proflex 96-Well PCR System currently budgeted in the 2014 grant year, we

Attachments:

Filename:	User:	Timestamp:	Action:
4 - Budget Detail and Narrative, revised 6-20-16.xls	SFPDNIJ	06/20/2016 5:57 PM	Delete Attachment
3 - Program Narrative-Revised - 6-20-16.docx	SFPDNIJ	06/20/2016 5:57 PM	Delete Attachment

Actions:

Close

Printer Friendly Version

Audit Trail:

Description:	Role:	User:	Timestamp:	Note:
Approved-Final	OCFMD - Supervisor	nguyenk	06/29/2016 10:21 AM	View Note
Submitted	PO - Grant Manager	SFPDNIJ	06/20/2016 5:59 PM	View Note
Draft	EXTERNAL - External User	SFPDNIJ	06/20/2016 5:58 PM	View Note
Draft	EXTERNAL - External User	SFPDNIJ	06/20/2016 5:57 PM	View Note

From: Reports, Controller (CON)
Sent: Thursday, July 07, 2016 1:53 PM
To: Calvillo, Angela (BOS); Gosiengfiao, Rachel (BOS); BOS-Supervisors; BOS-Legislative Aides; Kawa, Steve (MYR); Howard, Kate (MYR); Steeves, Asja (CON); SF Docs (LIB); CON-
EVERYONE; John Martin (AIR); Jean Caramatti (AIR); Ivar Satero (AIR); Leo Fermin (AIR);
Wallace Tang (AIR); Kevin Kone (AIR); Linda Peng (AIR); sjohnson@mgocpa.com;
alouie@mgocpa.com; christian.belometti@swiss.com; gregory.reisdorf@swiss.com
Subject: Issued: Airport Commission: Swiss International Air Lines Ltd. Correctly Paid Its Landing Fees
for 2013 and 2014

The City and County of San Francisco's Airport Commission (Airport) coordinates with the Office of the Controller's City Services Auditor Division (CSA) to conduct periodic compliance audits of the Airport's tenants and airlines. CSA engaged Macias Gini & O'Connell LLP (MGO) to audit tenants and airlines at San Francisco International Airport to determine whether they complied with the reporting, payment, and selected other provisions of their agreements with the Airport.

CSA presents the report of MGO's audit of Swiss International Air Lines Ltd. (Swiss). The audit found that Swiss correctly reported 719 revenue aircraft landings and correctly paid \$1,293,595 in landing fees due to the Airport for the audit period.

To view the full report, please visit our website at: <http://openbook.sfgov.org/webreports/details3.aspx?id=2328>

This is a send-only e-mail address. For questions about the report, please contact Director of City Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

Follow us on Twitter @SFController

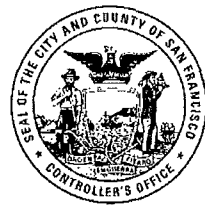
(6)

City and County of San Francisco

Office of the Controller – City Services Auditor

AIRPORT COMMISSION:

**Swiss International Air Lines Ltd.
Correctly Paid Its Landing
Fees for 2013 and 2014**



July 7, 2016

**OFFICE OF THE CONTROLLER
CITY SERVICES AUDITOR**

The City Services Auditor (CSA) was created in the Office of the Controller through an amendment to the Charter of the City and County of San Francisco (City) that was approved by voters in November 2003. Charter Appendix F grants CSA broad authority to:

- Report on the level and effectiveness of San Francisco's public services and benchmark the City to other public agencies and jurisdictions.
- Conduct financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operate a whistleblower hotline and website and investigate reports of waste, fraud, and abuse of city resources.
- Ensure the financial integrity and improve the overall performance and efficiency of city government.

CSA may conduct financial audits, attestation engagements, and performance audits. Financial audits address the financial integrity of both city departments and contractors and provide reasonable assurance about whether financial statements are presented fairly in all material aspects in conformity with generally accepted accounting principles. Attestation engagements examine, review, or perform procedures on a broad range of subjects such as internal controls; compliance with requirements of specified laws, regulations, rules, contracts, or grants; and the reliability of performance measures. Performance audits focus primarily on assessment of city services and processes, providing recommendations to improve department operations.

CSA conducts its audits in accordance with the Government Auditing Standards published by the U.S. Government Accountability Office (GAO). These standards require:

- Independence of audit staff and the audit organization.
- Objectivity of the auditors performing the work.
- Competent staff, including continuing professional education.
- Quality control procedures to provide reasonable assurance of compliance with the auditing standards.

For questions about the report, please contact Director of City Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393 or CSA at 415-554-7469.

CSA Audit Team: Winnie Woo, Associate Auditor

Audit Consultants: Macias Gini & O'Connell LLP (MGO)



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

July 7, 2016

San Francisco Airport Commission
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128-8097

John L. Martin, Airport Director
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128-8097

Dear Commission President, Commissioners, and Mr. Martin:

The City and County of San Francisco's Airport Commission (Airport) coordinates with the Office of the Controller's City Services Auditor Division (CSA) to conduct periodic compliance audits of Airport tenants and airlines. CSA engaged Macias Gini & O'Connell LLP (MGO) to audit airlines that do business with the Airport to ensure that they comply with the landing fee provisions of their agreements.

CSA presents the attached report for the compliance audit of Swiss International Air Lines Ltd. (Swiss) prepared by MGO.

Reporting Period: January 1, 2013, through December 31, 2014

Landing Fees Paid: \$1,293,595

Results:

Swiss correctly reported 719 revenue aircraft landings and correctly paid the landing fees due to the Airport.

The responses of the Airport and Swiss are attached to this report.

CSA appreciates the assistance and cooperation of Airport and Swiss staff during the audit. For questions about the report, please contact me at Tonia.Lediju@sfgov.org or 415-554-5393 or CSA at 415-554-7469.

Respectfully,

Tonia Lediju
Director of City Audits

Attachment

cc: Board of Supervisors
Budget Analyst
Citizens Audit Review Board
City Attorney
Civil Grand Jury
Mayor
Public Library

**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER**

**PERFORMANCE AUDIT REPORT
Swiss International Air Lines LTD**

January 1, 2013 through December 31, 2014



Certified
Public
Accountants



Performance Audit Report

Director of City Audits
City and County of San Francisco, California

Macias Gini & O’Connell LLP (MGO) presents its report concerning the performance audit of Swiss International Air Lines LTD (Airline) as follows:

Background

The Airline operates under a lease and use agreement (agreement) with the Airport Commission of the City and County of San Francisco (Commission) to use the landing field facilities at the San Francisco International Airport (SFO) for its air transportation business. During the audit period, the Airline operated under agreement No. L11-0182 entered into on June 1, 2010 with an effective date of December 1, 2011 and an expiration date of June 30, 2021, with provisions that allows for an earlier termination. The agreement requires the Airline to submit to the Airport Department (Airport) a monthly report showing its actual revenue aircraft landings by type of aircraft and other landing data necessary to calculate the landing fees.

The Airport charges the Airline a landing fee based on the maximum landing weight of aircraft making revenue landings at the SFO. For every 1,000 pounds of aircraft landed, the Commission sets a fee that it may change annually.

<u>For the Period</u>	<u>Landing Fee Rate</u>
January 1, 2013 to June 30, 2013	\$ 4.01
July 1, 2013 to June 30, 2014	\$ 4.29
July 1, 2014 to December 31, 2014	\$ 4.57

Reporting Period(s):	January 1, 2013 through December 31, 2014
Lease and Use Agreement(s):	No. L11-0182

Objective and Scope

The objective of this performance audit was to determine whether the Airlines was in substantial compliance with the reporting, payment, and other rent related provisions of its lease with the Commission. To meet the objective of our performance audit and based upon the provisions of the City and County of San Francisco contract number P-500 (5-10) dated March 1, 2013, between MGO and the City and County of San Francisco, and per Appendix A therein, we verified that revenues for the audit period were reported to the Airport in accordance with the lease provisions, and that such amounts agreed with the underlying accounting records; identified and reported the amount and cause of any significant error (over or under) in reporting together with the impact on rent payable to the Airport; and identified and reported any recommendations to improve record keeping and reporting processes of the Airlines relative to its ability to comply with lease provisions.

The scope of our audit included the landing fees reported and paid or payable by the Airline to the Airport for the period from January 1, 2013 through December 31, 2014.

This audit and the resulting report relates only to the landing fees reported by the Airline, and does not extend to any other performance or financial audits of either the Commission or the Airline taken as a whole.

Methodology

To meet the objectives of our performance audit, we performed the following procedures: reviewed the applicable terms of the agreement and the adequacy of the Airline’s procedures and internal controls for collecting, recording, summarizing and reporting its revenue aircraft landings; selected and tested 4 sample months for each contract year and 4 sample days for each sample month selected per guidelines provided by the City; recalculated monthly landing fees due; and verified the timeliness of reporting landing fees to the Airport.

We conducted this performance audit in accordance with *Generally Accepted Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and recommendations based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our audit results based on our audit objective.

Audit Results

Based on the results of our performance audit for the period from January 1, 2013 through December 31, 2014, the Airline correctly reported 719 revenue passenger aircraft landings and paid \$1,293,595 in landing fees to the Airport in accordance with its agreement. Those amounts agreed to the underlying records.

The table below shows the Airline’s reported total revenue aircraft landings and landing fees paid to the Airport.

**Revenue Passenger Aircraft Landings and Fees Paid
January 1, 2013 through December 31, 2014**

For the Period	Number of Landings	Landing Fees Paid
January 1, 2013 through December 31, 2013	359	\$ 625,686
January 1, 2014 through December 31, 2014	360	667,909
Total	719	\$ 1,293,595

Conclusion

Based upon the performance audit procedures performed and the results obtained, we have met our audit objective. We conclude that the Airline was in substantial compliance with the reporting, payment, and other rent-related provisions of its lease # L11-0182 with the Airport.

This performance audit did not constitute an audit of financial statements in accordance with *Government Auditing Standards* or auditing standards generally accepted in the United States of America. MGO was not engaged to, and did not, render an opinion on the Airline’s internal controls over financial reporting or over the Airline’s financial management systems.

This report is intended solely for the information and use of the Airline, the Commission and the City and County of San Francisco, and is not intended to be and should not be used by anyone other than these specified parties.

Macias Gini & O'Connell LLP

Walnut Creek, California
June 30, 2016



San Francisco International Airport

June 23, 2016

Ms. Tonia Lediju
Director of City Audits
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Subject: Performance Audit – Swiss International Air Lines LTD

Dear Ms. Lediju:

The Airport received and reviewed the final draft audit report prepared and sent by Macias Gini & O'Connell LLP (MGO) via email on June 21, 2016. This letter is to confirm that, based upon the details provided, we agree with the audit results.

If you have any questions, please feel free to call Wallace Tang at (650) 821-2850 or Kevin Kone at (650) 821-4529.

Very truly yours,

Wallace Tang, CPA, CGMA
Airport Controller

Kevin Kone
Acting Director
Aviation and Parking Management

cc: John L. Martin
Ivar Satero
Leo Fermin
Winnie Woo – CSA
Juan Zaragoza – MGO

Attachment

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

LARRY MAZZOLA
PRESIDENT

LINDA S. CRAYTON
VICE PRESIDENT

ELEANOR JOHNS

RICHARD J. GUGGENHIME

PETER A. STERN

JOHN L. MARTIN
AIRPORT DIRECTOR

Kloten, 24.06.2016

Tonia Lediju
Director of City Audits
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

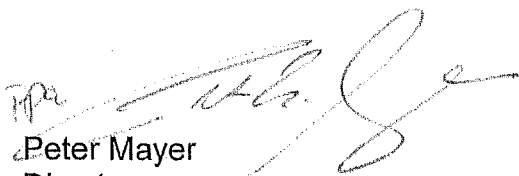
Performance Audit Report- Swiss International Air Lines Ltd.

Dear Ms. Lediju,

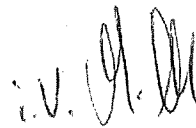
As a result of the recent audit conducted of Swiss International Air Lines Ltd. on behalf of the City and County of San Francisco, please be advised that Swiss International Air Lines Ltd. is in complete concurrence with the audit report.

Thank you,

Swiss International Air Lines Ltd.



Peter Mayer
Director
Head of GS Economics &
Commercial Relations



Marcel Hess
Manager
Airport Economics



BOS-11 1 page
Plan No. 160315

MEMORANDUM

TO: Angela Calvillo, Clerk of the Board
Board of Supervisors

FROM: Janice Craig, Sr. Contracts Analyst, ADM Division, CON (415) 554-7536 *JDC*

DATE: 7/1/2016

SUBJECT: Cogsdale Corporation, 9th Amendment
BOS File No. 160315
RESOLUTION NO. 191-16

Per BOS Board Resolution No. 191-16, attached is a copy of the executed Ninth Amendment of the Software Maintenance Agreement with Cogsdale Corporation.

An electronic copy of this Amendment will be transmitted shortly via e-mail.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 JUL -1 PM 4:09

**City and County of San Francisco
Office of Contract Administration
Purchasing Division**

Ninth Amendment

THIS AMENDMENT (this "Amendment") is made as of **June 1, 2016**, in San Francisco, California, by and between **Cogsdale Corporation** ("Contractor"), and the City and County of San Francisco, a municipal corporation ("City"), acting by and through its Director of the Office of Contract Administration.

RECITALS

WHEREAS, City and Contractor have entered into the Agreement (as defined below); and

WHEREAS, City and Contractor desire to modify the Agreement on the terms and conditions set forth herein to extend the performance period and increase the contract amount;

NOW, THEREFORE, Contractor and the City agree as follows:

1. Definitions. The following definitions shall apply to this Amendment:

1a. Agreement. The term "Agreement" shall mean the Agreement dated July 1, 2006 between Contractor and City, as amended by the:

First Amendment,	dated February 1, 2007,
Second Amendment,	dated July 1, 2007,
Third Amendment,	dated April 7, 2008,
Assignment and Assumption Agreement,	dated December 1, 2008
Fourth Amendment,	dated June 12, 2009,
Fifth Amendment,	dated June 16, 2011,
Sixth Amendment,	dated June 25, 2012,
Assignment and Assumption Agreement,	dated August 1, 2013,
Seventh Amendment,	dated June 16, 2014, and
Eighth Amendment,	dated May 15, 2015.

1b. Contract Monitoring Division. Effective July 28, 2012, with the exception of Sections 14B.9(D) and 14B.17(F), all of the duties and functions of the Human Rights Commission under Chapter 14B of the Administrative Code (LBE Ordinance) were transferred to the City Administrator, Contract Monitoring Division ("CMD"). Wherever "Human Rights Commission" or "HRC" appears in the Agreement in reference to Chapter 14B of the Administrative Code or its implementing Rules and Regulations, it shall be construed to mean "Contract Monitoring Division" or "CMD" respectively.

1c. Other Terms. Terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Agreement.

2. Modifications to the Agreement. The Agreement is hereby modified as follows:

2a. Section 3. Section 3, Term of Maintenance Agreement, currently reads as follows:

3. Term of the Agreement Maintenance Agreement. Subject to Section 2, the term of this Maintenance Agreement shall be from July 1, 2006, to June 30, 2016.

Such section is hereby amended in its entirety to read as follows:

3. Term of the Agreement Maintenance Agreement. Subject to Section 2, the term of this Maintenance Agreement shall be from July 1, 2006, to December 31, 2018, with the option to extend for an additional six months at the City's sole and absolute discretion.

2b. Section 4. Section 4, City's Payment Obligation, of the Agreement currently reads as follows:

4. City's Payment Obligation

4.1. The City will make a good faith attempt to pay all invoices within 30 days of billing. However, in no event shall City be liable for interest or late charges for any late payments made after such 30-day period. For each piece of Software listed in Appendix B-7, City shall pay the price listed in Appendix B-7 for Support Services for that piece of Software. However, in no event shall the amount of this Agreement exceed **one million, three hundred and six thousand, four hundred and five dollars and ninety-seven cents (\$1,306,405.97)**. This amount is a fixed fee for all Support Services.

As outlined in Appendix B-7, the fixed fee for the time period July 1, 2009 through June 30, 2010 shall be One hundred twenty-two thousand Two hundred and ninety-eight dollars (\$122,298) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2009, 2) October 1 – December 31, 2009, 3) January 1 – March 31, 2010, and 4) April 1 – June 30, 2010. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

As outlined in Appendix B-7, the fixed fee for the time period July 1, 2010 through June 30, 2011 shall be One hundred twenty-two thousand Two hundred and ninety-eight dollars (\$122,298) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2010, 2) October 1 – December 31, 2010, 3) January 1 – March 31, 2011, and 4) April 1 – June 30, 2011. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

As outlined in Appendix B-7, the fixed fee for the time period July 1, 2011 through June 30, 2012 shall be One hundred twenty-two thousand Two hundred and ninety-eight dollars (\$122,298) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2011, 2) October 1 – December 31, 2011, 3) January 1 – March 31, 2012, and 4)

April 1 – June 30, 2012. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

As outlined in Appendix B-7, the fixed fee for the time period July 1, 2012 through June 30, 2013 shall be One hundred thirty-one thousand Four hundred and seventy dollars and 36 cents (\$131,470.36) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2012, 2) October 1 – December 31, 2012, 3) January 1 – March 31, 2013, and 4) April 1 – June 30, 2013. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

As outlined in Appendix B-7, the fixed fee for the time period July 1, 2013 through June 30, 2014 shall be One hundred thirty-one thousand Four hundred and seventy dollars and 36 cents (\$131,470.36) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2013, 2) October 1 – December 31, 2013, 3) January 1 – March 31, 2014, and 4) April 1 – June 30, 2014. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

As outlined in Appendix B-7, the fixed fee for the time period July 1, 2014 through June 30, 2015 shall be One hundred thirty-eight thousand and forty-three dollars and no cents (\$138,043.00) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2014, 2) October 1 – December 31, 2014, 3) January 1 – March 31, 2015, and 4) April 1 – June 30, 2015. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

As outlined in Appendix B-7, the fixed fee for the time period July 1, 2015 through June 30, 2016 shall be one hundred forty-two thousand, one hundred and eighty-four dollars and twenty-five cents (\$142,184.25) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2015, 2) October 1 – December 31, 2015, 3) January 1 – March 31, 2016, and 4) April 1 – June 30, 2016. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

Payment Requests should be sent to:
City & County of San Francisco
Controller's Office – Central Finance
Attention: Jerry Wong
1 Dr. Carlton B. Goodlett Place, Room 482
San Francisco, CA 94102

4.2. Contractor and the City understand and intend that the obligations of the City to pay maintenance charges hereunder shall constitute a current expense of the City and shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the City, nor shall anything contained herein constitute a pledge of the general tax revenues, funds or monies of the City.

4.3. The City shall pay maintenance charges, exclusively from legally available funds, to Contractor or, in the event of an authorized assignment by Contractor to its assignee, according to the terms of this Maintenance Agreement, upon presentation of invoices furnished by Contractor in a form acceptable to the Controller. Payments will be made by warrant drawn on the Treasurer of the City.

Such section is hereby amended in its entirety to read as follows:

4. City's Payment Obligation

4.1. The City will make a good faith attempt to pay all invoices within 30 days of billing. However, in no event shall City be liable for interest or late charges for any late payments made after such 30-day period. For each piece of Software listed in Appendix B-8, City shall pay the price listed in Appendix B-8 for Support Services for that piece of Software. However, in no event shall the amount of this Agreement exceed **one million, seven hundred fifty nine-thousand, and sixty-seven dollars and sixty-two cents (\$1,759,067.62)**. This amount is a fixed fee for all Support Services.

i. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2009 through June 30, 2010 shall be One hundred twenty-two thousand Two hundred and ninety-eight dollars (\$122,298) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2009, 2) October 1 – December 31, 2009, 3) January 1 – March 31, 2010, and 4) April 1 – June 30, 2010. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

ii. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2010 through June 30, 2011 shall be One hundred twenty-two thousand Two hundred and ninety-eight dollars (\$122,298) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2010, 2) October 1 – December 31, 2010, 3) January 1 – March 31, 2011, and 4) April 1 – June 30, 2011. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

iii. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2011 through June 30, 2012 shall be One hundred twenty-two thousand Two hundred and ninety-eight dollars (\$122,298) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2011, 2) October 1 – December 31, 2011, 3) January 1 – March 31, 2012, and 4) April 1 – June 30, 2012. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

iv. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2012 through June 30, 2013 shall be One hundred thirty-one thousand Four hundred and seventy dollars and 36 cents (\$131,470.36) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2012, 2) October 1 – December 31, 2012, 3) January 1 – March 31, 2013, and 4) April 1 – June 30, 2013. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

v. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2013 through June 30, 2014 shall be One hundred thirty-one thousand Four hundred and seventy dollars and 36 cents (\$131,470.36) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2013, 2) October 1 – December 31, 2013, 3) January 1 – March 31, 2014, and 4) April 1 – June 30, 2014. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

vi. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2014 through June 30, 2015 shall be One hundred thirty-eight thousand and forty-three dollars and no cents (\$138,043.00) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2014, 2) October 1 – December 31, 2014, 3) January 1 – March 31, 2015, and 4) April 1 – June 30, 2015. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

vii. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2015 through June 30, 2016 shall be one hundred forty-two thousand, one hundred and eighty-four dollars and twenty-five cents (\$142,184.25) and shall be invoiced quarterly for the following time periods: 1) July 1 – September 30, 2015, 2) October 1 – December 31, 2015, 3) January 1 – March 31, 2016, and 4) April 1 – June 30, 2016. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

viii. As outlined in Appendix B-8, the fixed fee for the time period July 1, 2016 through December 31, 2018 shall be three hundred and seventy-four thousand nine hundred and seventy-seven dollars and thirty-six cents (\$374,977.36) and shall be invoiced quarterly for the following time periods for July 1, 2016 to June 30, 2017: 1) July 1 – September 30, 2016, 2) October 1 – December 31, 2016, 3) January 1 – March 31, 2017, and 4) April 1 – June 30, 2017; for the following time periods for July 1, 2017 to June 30, 2018: 1) July 1 – September 30, 2017, 2) October 1 – December 31, 2017, 3) January 1 – March 31, 2018, and 4) April 1 – June 30, 2018; and for the following time periods for July 1, 2018 to December 31, 2018: 1) July 1 – September 30, 2018, 2) October 1 – December 31, 2018. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

ix. As outlined in Appendix B-8, the fixed fee for the option period of six months from January 1, 2019 to June 30, 2019 shall be seventy-seven thousand six hundred and eighty four dollars and thirty cents (\$77,684.30): 1) January 1 – March 31, 2019, and 2) April 1 – June 30, 2019. Each invoice will be submitted 30 days prior to the beginning of the quarter and will be due on the last day of the preceding quarter.

Payment Requests should be sent to:
City & County of San Francisco
Controller's Office – Central Finance
Attention: Jerry Wong
1 Dr. Carlton B. Goodlett Place, Room 482
San Francisco, CA 94102

4.2. Contractor and the City understand and intend that the obligations of the City to pay maintenance charges hereunder shall constitute a current expense of the City and shall not in any way be construed to be a debt of the City in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by the City, nor shall anything contained herein constitute a pledge of the general tax revenues, funds or monies of the City.

4.3. The City shall pay maintenance charges, exclusively from legally available funds, to Contractor or, in the event of an authorized assignment by Contractor to its assignee, according to the terms of this Maintenance Agreement, upon presentation of invoices furnished by Contractor in a form acceptable to the Controller. Payments will be made by warrant drawn on the Treasurer of the City.

2c. Section 24. Section 24, "Notice to the Parties," of the Agreement is hereby replaced in its entirety as follows:

24. Notice to the Parties. Unless otherwise indicated elsewhere in this Agreement, all written communications sent by the parties may be U.S. mail, e-mail or by fax, and shall be addressed as follows:

To City: Joyce Kimotsuki
Controller's Office
1 Dr. Carlton B. Goodlett Place, Room 306
San Francisco, CA 94102
Joyce.Kimotsuki@sfgov.org

To Contractor: Cogsdale Corporation
Attn. Terry Ridyard, Executive Vice President
2 Lower Malpeque Rd, Lower Level
Charlottetown, PE, Canada C1E 1R4
TRidyard2@harriscomputer.com

Either party may change the address to which notice is to be sent by giving written notice thereof to the other party. If e-mail notification is used, the sender must specify a Receipt notice. Any notice of default must be sent by registered mail.

2d. Appendix B-8. Appendix B-8 ("Calculation of Charges") as attached is hereby added to the Agreement and hereby replaces "Appendix B-7."

3. Effective Date. Each of the modifications set forth in Section 2 shall be effective on and after the date of this Amendment.

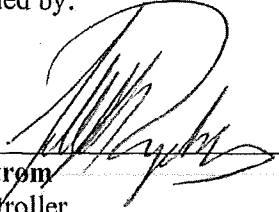
4. Legal Effect. Except as expressly modified by this Amendment, all of the terms and conditions of the Agreement shall remain unchanged and in full force and effect. IN WITNESS WHEREOF, Contractor and City have executed this Amendment as of the date first referenced above.

CITY

CONTRACTOR

Recommended by:

Cogsdale Corporation



Todd Rydstrom
Deputy Controller
Controller

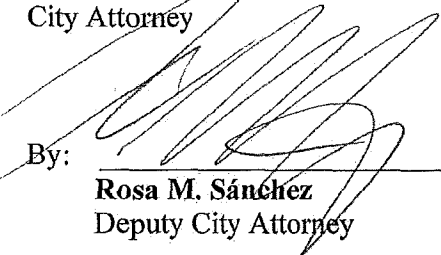


Terry Ridyard
Executive Vice President

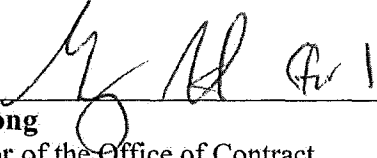
City vendor number: 89618

Approved as to Form:

Dennis J. Herrera
City Attorney


By: _____
Rosa M. Sánchez
Deputy City Attorney

Approved:



Jaci Fong
Director of the Office of Contract
Administration, and Purchaser

Appendices:
B-8: Calculation of Charges

RECEIVED
16 JUN 13 PM 4:08
PURCHASING DEPARTMENT

**Appendix B-8
Calculation of Charges**

In accordance with Section 4 of this Agreement, the Contractor's total compensation under this Agreement is detailed below. In no event shall the total costs under this Agreement exceed the amount provided in Section 4 of this Agreement.

Maintenance Fees, 7/1/06 to 6/30/07

Module	6-Month Fee
FAMIS (including RIMS)	\$22,973
ADPICS	19,144
FAACS	4,961
Labor Distribution	4,595
SYSTEMWIDE	3,829
Stargaze GUI	4,500
Performance Executive	12,500
Total	\$72,502

Maintenance Fees, 7/1/07 to 6/30/08

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 55,136	\$ 13,784.00
Asset Management	9,922	2,480.50
Purchasing	38,288	9,572.00
System Wide	7,658	1,914.50
Client GUI	11,601	2,900.25
	\$ 122,605	\$ 30,651.25

Quarterly Fee Payment Schedule

Payment #1	July 1, 2007
Payment #2	October 1, 2007
Payment #3	January 1, 2008
Payment #4	April 1, 2008

Maintenance Fees, 7/1/08 to 6/30/09

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 57,893	\$ 14,473.25
Asset Management	10,418	2,604.50
Purchasing	40,202	10,050.50
System Wide	8,041	2,010.25
Client GUI	12,181	3,045.25
	\$ 128,735	\$ 32,183.75

**Appendix B-8
Calculation of Charges**

Quarterly Fee Payment Schedule	
Payment #1	July 1, 2008
Payment #2	October 1, 2008
Payment #3	January 1, 2009
Payment #4	April 1, 2009

Maintenance Fees, 7/1/09 to 6/30/10

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 54,997	\$ 13,749.25
Asset Management	9,898	2,474.50
Purchasing	38,192	9,548.00
System Wide	7,639	1,909.75
Client GUI	11,572	2,893.00
	\$ 122,298	\$ 30,574.50

Quarterly Fee Payment Schedule	
Payment #1	July 1, 2009
Payment #2	October 1, 2009
Payment #3	January 1, 2010
Payment #4	April 1, 2010

Maintenance Fees, 7/1/10 to 6/30/11

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 54,997	\$ 13,749.25
Asset Management	9,898	2,474.50
Purchasing	38,192	9,548.00
System Wide	7,639	1,909.75
Client GUI	11,572	2,893.00
	\$ 122,298	\$ 30,574.50

Quarterly Fee Payment Schedule	
Payment #1	July 1, 2010
Payment #2	October 1, 2010
Payment #3	January 1, 2011
Payment #4	April 1, 2011

**Appendix B-8
Calculation of Charges**

Maintenance Fees, 7/1/11 to 6/30/12

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 54,997	\$ 13,749.25
Asset Management	9,898	2,474.50
Purchasing	38,192	9,548.00
System Wide	7,639	1,909.75
Client GUI	11,572	2,893.00
	\$ 122,298	\$ 30,574.50

Quarterly Fee Payment Schedule

Payment #1	July 1, 2011
Payment #2	October 1, 2011
Payment #3	January 1, 2012
Payment #4	April 1, 2012

Maintenance Fees, 7/1/12 to 6/30/13

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 59,122.76	\$ 14,780.69
Asset Management	10,640.44	2,660.11
Purchasing	41,054.24	10,263.56
System Wide	8,212.92	2,053.23
Client GUI	12,440.00	3,110.00
	\$ 131,470.36	\$ 32,867.59

Quarterly Fee Payment Schedule

Payment #1	July 1, 2012
Payment #2	October 1, 2012
Payment #3	January 1, 2013
Payment #4	April 1, 2013

**Appendix B-8
Calculation of Charges**

Maintenance Fees, 7/1/13 to 6/30/14

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 59,122.76	\$ 14,780.69
Asset Management	10,640.44	2,660.11
Purchasing	41,054.24	10,263.56
System Wide	8,212.92	2,053.23
Client GUI	12,440.00	3,110.00
	\$ 131,470.36	\$ 32,867.59

Quarterly Fee Payment Schedule

Payment #1	July 1, 2013
Payment #2	October 1, 2013
Payment #3	January 1, 2014
Payment #4	April 1, 2014

Maintenance Fees, 7/1/14 to 6/30/15

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 62,078.02	\$ 15,519.50
Asset Management	11,172.46	2,793.12
Purchasing	43,106.95	10,776.74
System Wide	8,623.57	2,155.89
Client GUI	13,062.00	3,265.50
	\$ 138,043.00	\$ 34,510.75

Quarterly Fee Payment Schedule

Payment #1	July 1, 2014
Payment #2	October 1, 2014
Payment #3	January 1, 2015
Payment #4	April 1, 2015

Maintenance Fees, 7/1/15 to 6/30/16

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 63,983.16	\$15,995.79
Asset Management	11,374.65	2,843.66
Purchasing	45,498.91	11,374.73
System Wide	8,531.00	2,132.75
Client GUI	12,796.53	3,199.13
	\$142,184.25	\$35,546.06

**Appendix B-8
Calculation of Charges**

Quarterly Fee Payment Schedule

Payment #1	July 1, 2015
Payment #2	October 1, 2015
Payment #3	January 1, 2016
Payment #4	April 1, 2016

Maintenance Fees, 7/1/16 to 6/30/17

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 65,902.66	\$16,475.66
Asset Management	11,715.89	2,928.97
Purchasing	46,863.88	11,715.97
System Wide	8,786.93	2,196.73
Client GUI	13,180.43	3,295.11
	\$146,449.77	\$36,612.44

Quarterly Fee Payment Schedule

Payment #1	July 1, 2016
Payment #2	October 1, 2016
Payment #3	January 1, 2017
Payment #4	April 1, 2017

Maintenance Fees, 7/1/17 to 6/30/18

Module	Annual Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 67,879.74	\$16,475.66
Asset Management	12,067.37	2,928.97
Purchasing	48,269.80	11,715.97
System Wide	9,050.54	2,196.73
Client GUI	13,575.84	3,295.11
	\$150,843.29	\$37,710.82

Quarterly Fee Payment Schedule

Payment #1	July 1, 2017
Payment #2	October 1, 2017
Payment #3	January 1, 2018
Payment #4	April 1, 2018

**Appendix B-8
Calculation of Charges**

Maintenance Fees, 7/1/18 to 12/31/18

Module	Six Month Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 34,958.06	\$17,479.03
Asset Management	6,214.70	3,107.35
Purchasing	24,858.94	12,429.48
System Wide	4661.04	2,330.52
Client GUI	6,991.56	3,495.78
	\$77,684.30	\$38,842.15

Quarterly Fee Payment Schedule

Payment #1	July 1, 2018
Payment #2	October 1, 2018

**OPTIONAL SIX MONTHS:
Maintenance Fees, 01/01/19 to 6/30/19**

Module	Optional Six Month Fee	Quarterly Fee
Accounting (FAMIS, RIMS, & Labor Distribution)	\$ 34,958.06	\$17,479.03
Asset Management	6,214.70	3,107.35
Purchasing	24,858.94	12,429.48
System Wide	4,661.04	2,330.52
Client GUI	6,991.56	3,495.78
	\$77,684.30	\$38,842.15

Quarterly Fee Payment Schedule

Payment #1	January 1, 2019
Payment #2	April 1, 2019

From: Major, Erica (BOS)
Sent: Wednesday, July 06, 2016 9:33 AM
To: BOS-Supervisors
Cc: BOS-Legislative Aides; Elliott, Nicole (MYR); Rosenfield, Ben (CON); Steeves, Asja (CON); Givner, Jon (CAT); Somera, Alisa (BOS); Newman, Debra (BUD); Campbell, Severin (BUD); Wasilco, Jadie (BUD); 'jcunningham@sfcgj.org'
Subject: PUBLIC RELEASE - 2015-2016 Civil Grand Jury Report - Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-involved Shootings
Attachments: PUBLIC RELEASE - Into the Open....pdf

Supervisors:

Attached please find the Clerk of the Board's memo of receipt for the 2015-2016 Civil Grand Jury report released today, Wednesday, July 6, 2016, entitled **Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-involved Shootings**.

Erica Major
Assistant Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall, Room 244 San Francisco, CA 94102

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org



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Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

CITY AND COUNTY OF SAN FRANCISCO
CIVIL GRAND JURY



BOS-11 GAO
CPAR

June 30, 2016

Angela Calvillo
Clerk of the Board
SF Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

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SUPERIOR COURT
SAN FRANCISCO

Dear Ms. Calvillo,

The 2015 – 2016 Civil Grand Jury will release its report entitled, "Into The Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-involved Shootings" to the public on Wednesday, July 6, 2016. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. John K. Stewart, this report **is to be kept confidential until the date of release (July 6th)**.

California Penal Code §933 (c) requires a response to be submitted to the Presiding Judge no later than 90 days. California Penal Code §933.5 states that for each finding in the report, the responding person or entity shall indicate one of the following: (1) agree with the finding; or (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation, your response must either indicate:

- 1) That the recommendation has been implemented, with a summary of how it was implemented;
- 2) That the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
- 3) That the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report; or
- 4) That the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

Please provide your response to Presiding Judge Stewart at the following address:
400 McAllister Street, Room 008
San Francisco, CA 94102-4512

Respectfully,

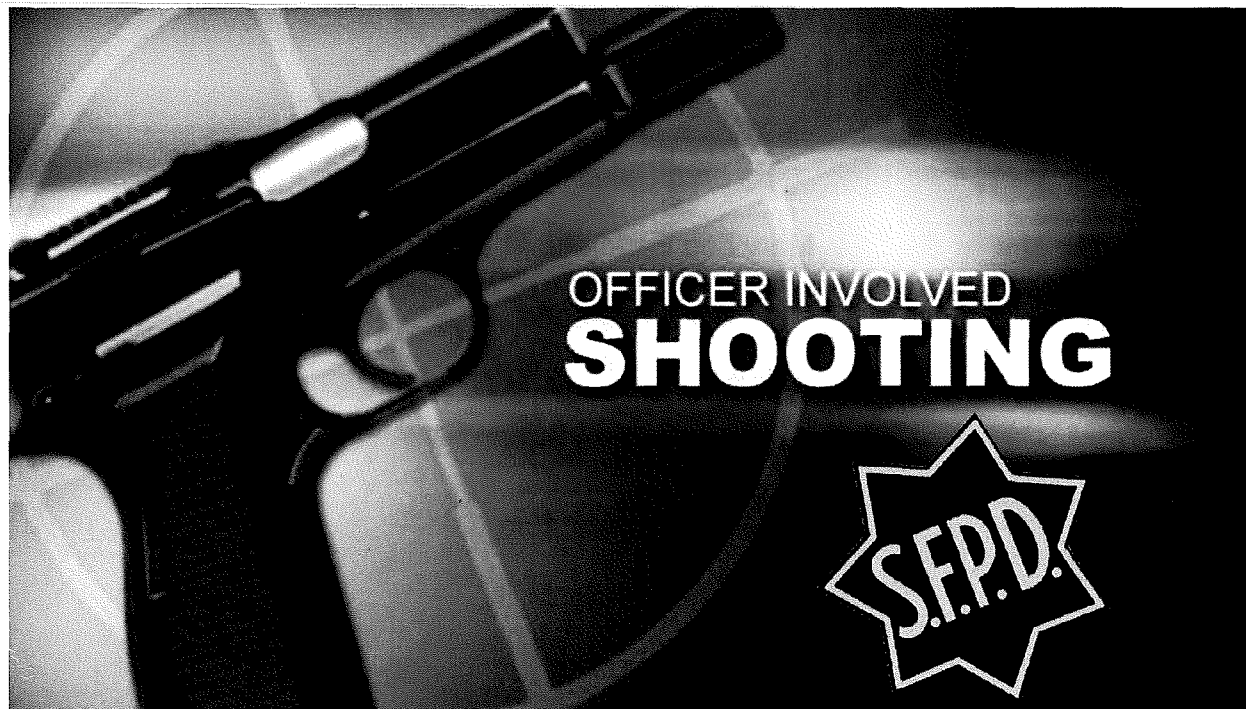
A handwritten signature in black ink, appearing to read "Jay Cunningham".

Jay Cunningham, Foreperson
2015 – 2016 Civil Grand Jury

City Hall, Room 482
1 Dr. Carlton B. Goodlett Pl, San Francisco, CA 94102
Phone: 415-554-6630

**INTO THE OPEN:
OPPORTUNITIES FOR MORE TIMELY AND TRANSPARENT
INVESTIGATIONS OF FATAL SAN FRANCISCO POLICE
DEPARTMENT OFFICER-INVOLVED SHOOTINGS**

JUNE 2016



City and County of San Francisco
Civil Grand Jury, 2015-2016

MEMBERS OF THE CIVIL GRAND JURY

Jay Cunningham, Foreperson

Alison Ileen Scott, Esq., LL.M., Foreperson Pro Tem

Arti M. Sharma, M.S., Recording Secretary

Sheldon Bachus

Richard Baker-Lehne

Mary Lou Bartoletti, M.B.A.

Jean Bogiages

Catherine Covey, M.D.

Libby Dodd, M.B.A.

John Hoskins, Esq.

Margaret Kuo, M.S.

David Lal

Andrew Lynch

Wassim J. Nassif

Patti Schock

Michael Skahill, Ph.D.

David Stein

Charles Thompson

Eric S. Vanderpool, Esq.

THE CIVIL GRAND JURY

The Civil Grand Jury is a government oversight panel of volunteers who serve for one year. It makes findings and recommendations resulting from its investigations.

Reports of the Civil Grand Jury do not identify individuals by name. Disclosure of information about individuals interviewed by the jury is prohibited.

California Penal Code Section 929

STATE LAW REQUIREMENT

Pursuant to California Penal Code Section 933.05

Each published report includes a list of those public entities that are required to respond to the Presiding Judge of the Superior Court within 60 to 90 days as specified.

A copy must be sent to the Board of Supervisors. All responses are made available to the public.

As to each finding, the responding party must:

- 1) agree with the finding, or
- 2) disagree with it, wholly or partially, and explain why.

As to each recommendation, the responding party must report that:

- 1) the recommendation has been implemented, with a summary explanation; or
- 2) the recommendation has not been implemented but will be within a set timeframe as provided; or
- 3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
- 4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

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SUMMARY

The San Francisco Police Department (“SFPD”) faces a crisis in confidence from those whom it is meant to protect and serve over the recent spate of fatal officer-involved shootings (“OIS”). The 2015-2016 San Francisco Civil Grand Jury calls upon all City agencies involved in the investigation of these incidents — from the SFPD and the Police Commission to the District Attorney’s Office (“DA” or “DA’s Office”) and the Office of Citizen Complaints (“OCC”) — to take immediate action to complete the investigations more timely and make the entire process more transparent.

After a five-month investigation that included a review of written policies and procedures, as well as interviews with City personnel in each agency involved in the investigation of fatal OIS incidents, the Civil Grand Jury reached two main conclusions:

- Investigations of fatal OIS incidents take too long; and
- The public has access to very little information both about the general process by which OIS incidents are investigated and about each individual fatal OIS investigation.

The citizens of San Francisco are not provided enough information to determine whether the current OIS investigation process works properly or whether the results of these investigations are fair and just.

To create an environment where City residents are able to make such a determination, the Civil Grand Jury makes the following recommendations.

With the goal of more *timely* OIS investigations:

- The SFPD and the DA’s Office should streamline and prioritize OIS investigations with the goal that investigations be completed timely.
- The Police Commission should revise the SFPD’s General Orders to accurately reflect the OIS investigation process and the time involved to complete such investigations.
- The DA’s Office should work to complete its OIS criminal investigations more quickly.

With the goal of more *transparent* OIS investigations:

- Each City agency involved in the investigation of OIS incidents should create a webpage to educate the public about that agency’s role in these investigations.
- SFPD should keep the public informed about each OIS investigation.
- SFPD should provide a more robust set of statistics about OIS incidents.

With *both* goals in mind:

- The City should create an oversight task force to mitigate the perception of bias in fatal OIS investigations and ensure that fatal OIS investigations are completed expeditiously and transparently.
- At the conclusion of each fatal OIS investigation, this newly created task force should issue a comprehensive “debriefing” report to the public.

INTRODUCTION

“There is no greater responsibility placed on members of law enforcement than the authority to use lethal force in the line of duty.”

— Then SFPD Assistant Chief of Police Morris Tabak¹

“Sunlight is said to be the best of disinfectants”

— United States Supreme Court Justice Louis Brandeis²

Transparency, it is said, is a cornerstone of democracy — the obligation to make information accessible to the public. Democracies prize and thrive on openness; they shun secrecy.

For over two hundred and fifty years, our society has recognized the necessity of transparency. In 1765, John Adams wrote: “[L]iberty cannot be preserved without a general knowledge among the people, who have a right . . . and a desire to know”³ In 2002, federal appellate court judge Damon J. Keith wrote: “Democracies die behind closed doors.”⁴

Transparency has no more important place than in the actions of our country’s law enforcement personnel.

Police officers have extraordinary authority; authority to investigate us, to detain us, to search us, to arrest us if they have reason to believe we have committed a crime. But with that power comes a tremendous responsibility and, in a democratic society, a need for transparency. Policing experts have observed that public disclosure provides the strongest form of oversight. A “secret police” is not often a hallmark of a free democracy, for good reason.

A police officer’s decision to use his or her authority to shoot to kill or use lethal force is the ultimate government power — the ability of our government to control our behavior⁵ — and is, therefore, when the need for transparency and accountability is the strongest.⁶ When details of a

¹ Then SFPD Assistant Chief of Police Morris Tabak, *Officer-Involved Shootings: A Five-Year Study* ii (Jan. 20, 2010), available at <http://wayback.archive-it.org/1895/20100415184524/http://www.sf-police.org/Modules/ShowDocument.aspx?documentid=24139>. (Ed. note: The Civil Grand Jury confirmed that all citation links to websites and online documents provided in this report were active at the time it published this report.)

² Louis D. Brandeis, *Other People’s Money and How the Bankers Use It* 92 (Frederick A. Stokes Co. 1914), available at <https://archive.org/stream/otherpeoplesmone00bran#page/92/mode/2up>.

³ John Adams, *A Dissertation on the Canon and Feudal Law* (1765), available at <http://teachingamericanhistory.org/library/document/a-dissertation-on-the-canon-and-feudal-law/>.

⁴ *Detroit Free Press v. Ashcroft*, 303 F.3d 681, 683 (6th Cir. 2002), available at https://scholar.google.com/scholar_case?case=15974758987197656757&hl=en&as_sdt=6&as_vis=1&oi=scholarr.

⁵ See Power (social and political), [https://en.wikipedia.org/wiki/Power_\(social_and_political\)](https://en.wikipedia.org/wiki/Power_(social_and_political)).

⁶ See Peter Bibring, *California Supreme Court Rules for Police Transparency*, ACLU of Southern California (May 29, 2014), <https://www.aclusocal.org/california-supreme-court-rules-police-transparency/>.

fatal OIS incident⁷ or other use of lethal force⁸ are disclosed to the public, the community can determine for itself whether the involved officer's actions are justified.

There are justifiable reasons for withholding some details of deadly force incidents until the circumstances have been thoroughly investigated. But there is a common perception that far too often, too many details are left out and never publicly revealed. Police departments and related agencies have traditionally been reluctant to expose their actions to public review. And the media — usually the community's watchdog — often move on to the next story and fail to follow up on previous ones, particularly when investigations drag on for many months. As a result, the public is deprived of its right to know what occurred and what the investigations into the incidents revealed.

In today's climate, which has been destabilized by the spate of high-profile fatal shootings by police, it is more important than ever that investigations of OIS incidents and other uses of lethal force be handled as independently, timely, and transparently as possible.⁹

⁷ An "officer-involved shooting" or "OIS" is defined by SFPD Department Bulletin 15-128 as follows:

An officer's intentional discharge of a firearm to stop a threat (as described in Department General Order 5.02.I.C.a, b, and c)—whether or not physical injury or death results—shall be investigated as an Officer-involved Shooting. A negligent discharge that results in the injury or the death of a person shall also be investigated as an Officer-involved Shooting.

SFPD Department Bulletin 15-128 (05/26/15), available at <http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/27696-DB%2015-128%3B%20Officer-Involved%20Shooting%20and%20Discharge%20Investigations.pdf>. Our inquiry focused on the investigation of fatal OIS incidents, but many of our findings and recommendations apply as readily to investigations of non-fatal OIS incidents. Therefore, to the extent possible, we intend our findings and recommendations to apply to *all* OIS incidents, regardless of whether the individual shot was killed.

⁸ While our focus is on fatal shootings, we believe that our findings and recommendations apply equally to any incident in which SFPD officers use lethal amounts of force. The type of force an SFPD officer uses that results in a person's death is not material. We believe the same expeditiousness and transparency should be used in investigating *any* use of lethal force incident.

⁹ See Editorial, *Trust in Police Requires Transparency*, Asbury Park Press, Aug. 28, 2015, available at <http://www.app.com/story/opinion/editorials/2015/08/28/police-involved-shootings-brick/71332952/>.

BACKGROUND

OIS incidents and their aftermath have shaken San Franciscans' trust in their police force. From autopsy results that have raised questions about SFPD accounts of the death of Amilcar Perez-Lopez, the shooting death of Mario Woods caught on cell phone video, and the drama-filled Alejandro Nieto wrongful death trial, to the hunger strike of the "Frisco Five," the controversial shooting death of Jessica Williams, and the resulting ouster of the Chief of Police, San Francisco has had its share of stark reminders that it is not immune from deaths of its citizens at the hands of its police. During the past five and a half years, from the start of 2011 through the beginning of June 2016, 18 people have been shot and killed in incidents involving SFPD officers. Six were killed in 2015 alone, and two already have been shot to death this year.

¹⁰

The SFPD and the DA's Office, the two entities fundamental to OIS investigations, recognize the importance of accountability in OIS investigations:

Peace officers perform a vital and often dangerous job in our communities. Situations occur where peace officers must use deadly force; however we expect that such force will be used only when legally necessary and as prescribed by law. When peace officers use deadly force, the public has a right to expect that a thorough and neutral examination will be conducted into these incidents and that all parties will be held legally accountable for their actions.¹¹

This report is the work of 19 citizens of San Francisco who are concerned about the number of OIS incidents in our City and the transparency — or lack thereof — of the official investigations of those shootings. We, the Civil Grand Jury, are individuals of varying ages; diverse ethnic, religious and socio-economic backgrounds; different political philosophies and opinions about the role of government. We are a varied lot. But despite our differing life experiences and worldviews, we share the view that the investigations of OIS incidents in our City lack transparency — that the citizens of San Francisco are not provided enough information to feel certain that the OIS investigation process works properly and that the results of such investigations are fair and just.

There are glimmers of hope that actions of the SFPD may become more transparent. In February 2016, the SFPD unveiled its new "Professional Standards and Principled Policing Bureau," as "part of an overall effort to increase transparency and accountability in order to better serve citizens of the City of San Francisco."¹² And in June 2016, the Police Commission approved a body-worn camera policy for SFPD officers after reaching a compromise on its contents with the

¹⁰ This report reflects incidents and developments through June 12, 2016.

¹¹ *Memorandum of Understanding Between the San Francisco District Attorney's Office and the San Francisco Police Department Regarding the Investigation of Officer-Involved Shootings and In-Custody Deaths*, Preamble, at 1 (July 15, 2005).

¹² <http://sanfranciscopolice.org/professional-standards-and-principled-policing-bureau>.

SFPD police officers' union, the San Francisco Police Officers Association. The new policy paves the way for SFPD officers to begin wearing cameras as early as August 2016.¹³

But much more is needed . . . especially with regard to OIS investigations. We unanimously undertook this investigation with the hope that our findings and recommendations will result in a more timely and transparent OIS investigation process that:

- Puts the responsibility for keeping the public informed about the status and results of OIS investigations on those City agencies involved in the process, not on tenacious reporters or community activists;
- Allows citizens to keep an eye on the institutions meant to protect and serve them;
- Publicly vindicates those SFPD officers who follow department policy and the law and holds accountable those who do not;
- Assures the community, including the families and friends of those individuals who lose their lives at the hands of SFPD officers, that the system works fairly and justly; and
- Provides clear evidence that the system works properly, or to support change, if, and when, it fails.

¹³ See Vivian Ho, *SF Police Commission OKs Body Cameras*, San Francisco Chronicle, June 2, 2016, at A5, available at <http://www.sfgate.com/news/article/SF-Police-Commission-weighs-body-cameras-7958492.php>.

OBJECTIVES, SCOPE AND METHODOLOGY

The objectives of this investigation are to:

- Review the stated policies and procedures of the SFPD and other City agencies involved in the investigation of fatal OIS incidents;
- Determine whether the actual investigations of recent fatal SFPD OIS incidents follow the stated policies and procedures;
- Assess the timeliness and transparency of the stated policies and procedures and the actual investigations; and
- Provide recommendations to expedite the OIS investigation process and to enhance its transparency.

Our report is not an analysis of the SFPD's current policy on the use of lethal force or a judgment on the propriety of its use in any of the 18 incidents described in this report. Other groups with greater resources than the Civil Grand Jury have undertaken such an analysis.¹⁴

Our report also is not a review of the recent or proposed changes to SFPD's "use of force" policies, although we do support measures that should result in fewer OIS incidents, including de-escalation tactics, approaches that "create time and distance," more widespread training and better use of Crisis Intervention Teams, and similar efforts.¹⁵

Finally, our report does not attempt to tackle the complex, controversial relationship between race and law enforcement. We do, however, acknowledge the work being done and change being effected by groups like Black Lives Matter, Justice and Love for Alex Nieto Coalition, Justice4Amilcar, Justice 4 Mario Woods Coalition and others, which are working to bridge the current divide between communities of color and law enforcement here in San Francisco and around the country.

Instead, we make our recommendations to encourage a more timely, transparent, and accountable process for investigating and reporting on OIS incidents and other uses of lethal force . . . to lift the veil that shrouds these investigations . . . and to ensure that the lessons to be learned from the deaths of these 18 men and women are *actually* learned, and not lost.

Given our objectives, we reviewed documents relating to the policies and procedures used by those City agencies involved in OIS investigations.

¹⁴ As examples, we reference the San Francisco District Attorney-convened Blue Ribbon Panel on Transparency, Accountability & Fairness in Law Enforcement (www.sfdistrictattorney.org) and the United States Department of Justice's Office of Community Oriented Policing Services Collaborative Reform Initiative (<http://www.cops.usdoj.gov/Default.asp?Item=2842>; <http://sanfranciscopolice.org/Us-department-justice-collaborative-reform-initiative>).

¹⁵ See, e.g., SFPD Department Bulletin 13-120, *Response to Mental Health Calls with Armed Suspects* (06/17/13), available at <http://sanfranciscopolice.org/sites/default/files/Documents/PoliceDocuments/DepartmentBulletins/13-120.pdf>; SFPD Department Bulletin 15-106, *Avoiding the "Lawful but Awful" Use of Force* (04/27/15), available at <http://sanfranciscopolice.org/sites/default/files/Documents/PoliceDocuments/DepartmentBulletins/15-106.pdf>.

For each of the 18 fatal OIS incidents that have occurred since the beginning of 2011, we reviewed the charging decision letters¹⁶ issued by the DA's Office in those cases in which it has completed its investigation, final reports of the OCC in those cases in which it was called upon by a citizen to investigate, and the autopsy reports issued by the Office of the Chief Medical Examiner ("OCME").

We interviewed:

- Command staff at the SFPD;
- Commissioners and staff of the San Francisco Police Commission;
- Representatives of the San Francisco Police Officers Association;
- Investigators and prosecutors in the DA's Office;
- Management and attorneys at the OCC;
- Medical and administrative personnel at the OCME; and
- A lead forensic expert at the Crime Lab.

We attended public hearings of the DA-convened Blue Ribbon Panel on Transparency, Accountability and Fairness in Law Enforcement; public listening sessions conducted by the United States Department of Justice Office of Community Oriented Policing Services ("DOJ COPS") Collaborative Reform Initiative; and the San Francisco Public Defender's Justice Summit 2016 on the "use of force."

We also toured parts of the SFPD Training Academy where we observed the training of both recruits and seasoned officers. We even put ourselves in a police officer's proverbial shoes by participating side-by-side with SFPD officers in a perishable skills training course using a force option simulator. The simulator provides practice selecting and using reasonable force options to resolve a variety of tense, rapidly evolving real-life simulations. The goal of simulated use-of-force training is to reduce deaths and injuries and improve safety for both police officers and those they encounter.

Finally, we performed an extensive review of news articles, editorials, white papers, blogs, websites, and scholarly publications discussing "best practices" in the handling of investigations of OIS incidents and other uses of lethal force.

We conducted this investigation between February and June 2016.

¹⁶ For the definition of a "charging decision letter," see p. 15.

DISCUSSION

Every Fatal OIS Incident, By Definition, Results in the Loss of a Life

Upon delving into an examination of investigations into fatal SFPD OIS incidents, it is important to note the consequence of the actions taken by members of the SFPD in these incidents. Regardless of the propriety of the actions of those involved on either side, the ultimate consequence in every one of these occurrences is the loss of a life. Table 1 lists the names of the individuals killed in each of the 18 fatal OIS incidents which are the impetus for our report. Appendix A provides a synopsis of the events surrounding each fatal OIS incident.

Year	Name	Date
2016	Jessica Williams	May 19, 2016
	Luis Gongora	April 7, 2016
2015	Mario Woods	December 2, 2015
	Javier Ivan Lopez Garcia	November 11, 2015
	Herbert Benitez	October 15, 2015
	Alice Brown	March 17, 2015
	Amilcar Perez-Lopez	February 26, 2015
	Matthew Hoffman	January 4, 2015
2014	O'Shaine Evans	October 7, 2014
	Giovany Contreras-Sandoval	September 25, 2014
	Alejandro Nieto	March 21, 2014
2013	Dale S. Wilkerson	April 17, 2013
2012	Pralith Pralourng	July 18, 2012
	Dennis Hughes	May 9, 2012
2011	Steven Young	December 14, 2011
	Peter Woo	October 3, 2011
	Kenneth Wade Harding	July 16, 2011
	Joshua Smith	June 7, 2011

Table 1. Victims in Fatal SFPD OIS Incidents from January 2011 through June 12, 2016. (Source: Compiled by the Civil Grand Jury from various sources.)¹⁷

¹⁷ Table 1 includes only *fatal* OIS incidents. For statistics for *all* SFPD OIS incidents (both fatal and non-fatal) between 2009 and 2015, see Figure 4, p. 46.

The Investigation of SFPD OIS Incidents: A Primer

To conduct an informed and meaningful analysis into the transparency of the City's official process of investigating OIS incidents, we felt it important to understand exactly how the investigative process works: who is involved, what policies and procedures inform and guide the process, and the timeline involved.

We attempted to obtain this information from the websites of the various City agencies we believed to be fundamental to OIS investigations: the SFPD, the DA's Office and the OCC. But, in large part, we were unable to obtain the information we sought, because it does not appear on these agencies' websites.

- **SFPD** (<http://sanfranciscopolice.org/>)

We located General Orders and Department Bulletins on the "use of force," including those specifically dealing with OIS incidents;¹⁸ press releases relating to specific OIS incidents;¹⁹ and some statistics relating to OIS incidents.²⁰ We were unable, however, to find any information specifically designed to give the average citizen an overview of the process by which OIS incidents are investigated within the SFPD.

Notably, the SFPD's homepage displays a tab for "Information" about the agency that reveals a list of links to almost 50 different topics, the majority of them under the heading "public interest." And while OIS incidents currently lie at the center of a firestorm of public interest not only here in San Francisco, but across the nation, the only topics on the list related to OIS are links to internal "use of force" General Orders, which are highly technical, complicated, difficult to understand, and, with regard to at least one, General Order 8.11, as we discuss later in this report, is not adhered to by the SFPD in day-to-day practice.

- **DA's Office** (<http://sfdistrictattorney.org/>)

We located "charging decision letters" issued by the DA's Office at the end of its investigation of each OIS incident, in which the DA announces whether criminal charges against the officers involved are warranted, and sets forth relevant facts, applicable law and legal analysis supporting the decision.²¹ Again, however, we were unable to find any information specifically designed to give the average citizen an overview of the DA's role in OIS investigations.

¹⁸ <http://sanfranciscopolice.org/dgo>.

¹⁹ See <http://sanfranciscopolice.org/news>.

²⁰ See, e.g., <http://sanfranciscopolice.org/data#OIS>; <http://sanfranciscopolice.org/sites/default/files/SFPDOfficerInvolvedSuspectInvolvedShootings2000-Present.xlsx>.

²¹ <http://sfdistrictattorney.org/officer-involved-shooting-letters>.

- **OCC** (<http://sfgov.org/occ/>)

We located general information related to how one goes about making a complaint, as well as the resulting investigation process, but nothing specifically related to the investigation by the OCC of complaints made regarding OIS incidents.²²

We also found summaries of OCC investigations of certain, specific OIS incidents, but only by poring through months of “openness reports.” Even then, the summaries were sanitized so as not to reveal the identities of the individuals shot or the SFPD officers involved.

The only way we were able to fully understand and appreciate the overall OIS investigation process was through detective work, intensive online research, discussions with employees in these and other City agencies, and the examination of internal department documents not publicly available.

FINDING

- F.1. None of the City agencies that are fundamental to OIS investigations has done an adequate job informing the citizens of San Francisco how the process works.

RECOMMENDATION

- R.1. Each of the three City agencies fundamental to OIS investigations — SFPD, DA’s Office and OCC — should create a “OIS Investigations” web page specifically devoted to educating the public about that agency’s role in the investigation of OIS incidents. Each agency’s web page should be comprehensive and answer the following questions:

- Who is involved in the investigation and what are their roles and responsibilities;
- Why is the agency involved in OIS investigations;
- What is the investigation’s purpose, what goals does the investigation attempt to achieve, what parts are disclosable and/or disclosed to the public, and what parts are not and/or cannot be disclosed and why;
- When does the investigation begin, what is the general time frame by which the public may expect the investigation to be completed, and what variables may affect this time frame;
- How does the OIS investigation process work; and
- Where may the public go for more information about OIS investigations generally, as well as about specific OIS investigations.

Each agency should make its “OIS Investigations” web page available in English, Spanish, Chinese and Filipino (Tagalog).

Each agency should provide a link from its home page to its “OIS Investigations” web page, so that it can be accessed easily.

²² <http://sfgov.org/occ/complaint-process>.

Each agency should add its “OIS Investigations” web page to its website as soon as possible, but no later than six months after the date this report is published.

Because of the current lack of information readily available to the average San Franciscan, accompanied by our belief that everyone should have the opportunity to learn how the OIS investigative process works, we outline below how such an investigation occurs.

Agencies, Departments & Divisions Involved

Several units and divisions within the SFPD, as well as the DA’s Office, the OCC and other City agencies, participate in the investigation of OIS incidents. The key players and their general functions are described below. Their specific role and timeline in OIS investigations are described later in the report.

San Francisco Police Department

- **Homicide Detail**

“The Homicide Detail of the SFPD is responsible for investigating unlawful deaths, officer involved shootings with injury, in custody deaths, and deaths that are deemed suspicious by the San Francisco Medical Examiner.”²³

“With regard to Officer Involved Shootings, the mission of the Homicide Detail is to conduct timely and complete criminal investigations of all Officer Involved Shootings.”²⁴

The Homicide Detail responds to all incidents of lethal force by an officer. It takes command of the scene and leads the investigation.

- **Forensic Services Division**

“The mission of the Forensic Services Division is to assist in the criminal justice system through efficient and reliable identification, collection, evaluation, analysis, and comparison of physical evidence and to provide clear, objective interpretations of all findings.”²⁵

The Forensic Services Division includes:

- **Crime Scene Investigation (“CSI”)**, which provides scene processing and documentation; evidence collection; associated field forensic work, such as latent print processing, bloodshed splatter interpretation, trajectory analysis, crime scene sketches; incident reconstruction, if needed; and the securing of officer firearms used in OIS incidents.

²³ <http://sanfranciscopolice.org/investigations-2-homicide-detail>.

²⁴ Tabak, *Officer-Involved Shootings*, p. 79.

²⁵ *Id.* at p. 86.

- **Crime Laboratory**, which performs test firing, comparison, examination and forensic analysis on firearms involved in the shooting (both officer(s) and suspect(s)); gunshot residue analysis; DNA analysis; and any other crime lab work required by the investigation.

- **Behavioral Science Unit (“BSU”)**

“The mission of the Behavioral Science Unit is to provide and coordinate psychological support and education to all members of the San Francisco Police Department. [Its] role is to advise and consult with the chain of command on the impact of psychological issues; to minimize the negative effects of incident trauma on department members; and to assist all department members and their dependents with access to their psychological benefits and services.”²⁶

- **Psychiatric Liaison Unit**

“The Psychiatric Liaison Unit’s mission is to provide support and education regarding mental health issues” for the SFPD. The Psychiatric Liaison Unit assists at the scene of OIS incidents to defuse the situation, to gather information about the psychiatric history of those individuals with mental illness from family, coworkers, neighbors, etc., and to provide appropriate referrals to medical or mental health professionals.²⁷

- **Return to Duty Panel**

The Return to Duty Panel is tasked with reviewing the facts surrounding the OIS incident and determining “whether it is appropriate for the involved member to return to duty.”²⁸ The Panel asks: “Are there issues or indicators that preclude the officer from returning to his/her regular assignment at this time?”²⁹

The Panel is comprised of high ranking SFPD officers and incident investigators.³⁰

It is important to note that the panel does *not* consider whether the use of lethal force was “in policy” or “not in policy.” That determination is made at a later date by the Firearm Discharge Review Board (“FDRB”).

The Chief of Police may either concur or disagree with the Return to Duty Panel’s recommendation. The Chief of Police forwards his or her decision in writing to the Police

²⁶ *Id.* at p. 91.

²⁷ *Id.* at pp. 94-95.

²⁸ SFPD General Order 8.11, *Investigation of Officer Involved Shootings and Discharges* § II.G.4, p. 5 (09/21/05), available at <http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/14739-DGO8.11.pdf>.

²⁹ Sgt. John Crudo, SFPD Internal Affairs Division, *The Process of SFPD Officer-Involved Shooting (OIS) Investigations* 11 (May 5, 2015).

³⁰ See Appendix B for the composition of the SFPD Return to Duty Panel.

Commission. At its first meeting after it receives the Chief of Police's report, the Police Commission meets with the Chief of Police in *closed session* to review the Return to Duty Panel's findings and the Chief of Police's decision.

- **Risk Management Office**

"The Risk Management Office ("RMO") controls all Internal Affairs Units, the Legal Division, the Professional Standards Unit, and the [Equal Employment Opportunity] Unit in the SFPD. RMO investigates cases that involve officer misconduct and officer involved shootings. The RMO uses a structured system that identifies and manages behaviors that result in performance related problems by individual members."³¹

- **Internal Affairs Division ("IA" or "IAD")**

The Internal Affairs Division is responsible for investigating officer misconduct as well as officer-involved shootings/discharges. Two units within the Internal Affairs Division are responsible for investigating allegations against SFPD officers: one is criminal, while the other is administrative.

- **Internal Affairs Criminal Unit**

"The mission of the . . . Criminal Investigations Unit is to conduct thorough, timely, and impartial investigations into allegations of criminal misconduct by SFPD employees,"³² including any potential criminal conduct by SFPD officers involved in OIS incidents.

- **Internal Affairs Administrative Unit**

"The mission of the . . . Administrative Investigations Unit is to continue to conduct thorough, timely, and impartial investigations of allegations of procedural violations by [SFPD officers]. It is comprised of both sworn and civilian legal staff. Additionally, this unit also administratively investigates all officer-involved shootings and in-custody deaths."³³

- **Legal Division**

"The function of the Legal Division is to be prepared to assist the Office of the City Attorney for future possible civil litigation in defense of the SFPD."³⁴

³¹ <http://sanfranciscopolice.org/chief-staff>

³² *Ibid.*

³³ *Ibid.*

³⁴ Tabak, *Officer-Involved Shootings*, p. 93.

- **FDRB**

According to SFPD General Order 3.10:³⁵

It is the duty of the San Francisco Police Department to review every instance in which a firearm is discharged whether or not such discharge results in an injury or death. The Firearm Discharge Review Board³⁶ shall review every discharge of a firearm by a member.

The purpose of this review is to ensure that the department is continually reviewing its training, policy and procedures in light of the circumstances that lead to firearm discharges by members and to determine if the discharge was in policy.³⁷

San Francisco Police Commission

According to the Police Commission website:³⁸

The mission of the Police Commission is to set policy for the Police Department and to conduct disciplinary hearings on charges of police misconduct filed by the Chief of Police or Director of the Office of Citizen Complaints, impose discipline in such cases as warranted, and hear police officers' appeals from discipline imposed by the Chief of Police.

Commissioners are appointed by the Mayor [four seats] and the Board of Supervisors [three seats] and they oversee the Police Department and the Office Of Citizen Complaints. . . .³⁹

With regard to OIS cases, the Police Commission meets with members of the Return to Duty Panel and the Chief of Police to determine whether involved officers shall be allowed to return to

³⁵ SFPD General Order 3.10, *Firearm Discharge Review Board (09/21/05)*, available at <http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/14802-DGO3.10.pdf>.

³⁶ See Appendix B for the composition of the SFPD Firearm Discharge Review Board.

³⁷ As defined by SFPD General Order 3.10:

“In Policy” means: “The actions of the officer in response to the circumstances leading to the discharge of his/her firearm were appropriate and consistent with department policy.”

“Not in Policy” means: “The discharge of the firearm was not appropriate under the circumstances and was not consistent with department policy. This finding shall be accompanied by a recommendation for discipline, or a referral to [Internal Affairs] for further investigation. The Firearm Discharge Review Board shall assign a due date for cases found Not in Policy and referred back to [Internal Affairs] for further investigation.”

SFPD General Order 3.10, *Firearm Discharge Review Board § I.D.4*, p. 3 (09/21/05), available at <http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/14802-DGO3.10.pdf>.

³⁸ <http://sanfranciscopolice.org/police-commission>.

³⁹ *Ibid.*

duty; receives and considers periodic reports on the status of OIS investigations from SFPD IAD; and conducts disciplinary hearings on any charges of misconduct filed by the Chief of Police or the OCC against any officer arising from an OIS incident.

OCME

The function of the OCME is to protect the public health and legal requirements of the City and County relating to forensic pathology. It performs the autopsy on the deceased in OIS incidents and determines the cause, circumstances, manner and mode of death.⁴⁰

DA's Office

“The District Attorney’s role in an officer-involved shooting is to conduct an independent criminal investigation. The purpose of the District Attorney’s investigation is to accurately, thoroughly, and objectively determine the potential criminal liability, or lack thereof, of any party involved.”⁴¹

In other words, the DA determines if any criminal laws appear to have been violated. The DA’s Office conducts its own investigation, then reviews evidence obtained from that investigation and evidence provided to it by the SFPD Homicide Detail, analyzes the pertinent laws, determines whether any appear to have been violated and considers whether sufficient evidence exists to bring criminal charges against any of the involved officers.

OCC

“The mission of the Office of Citizen Complaints is to promptly, fairly and impartially investigate civilian complaints against San Francisco police officers and make policy recommendations concerning San Francisco Police Department practices.”⁴²

The OCC was created by a charter amendment in 1982 as a civilian-staffed agency charged with the duty to take complaints from members of the public regarding SFPD officer misconduct or improper performance while on duty. All complaints are investigated unless it can be determined from the allegations themselves that the officer’s conduct was proper or the accusations are outside the OCC’s jurisdiction.

The OCC performs four main tasks:

- Investigates complaints, makes findings on those complaints, and, when warranted, makes recommendations on discipline to the SFPD Chief of Police and/or Police Commission;
- Mediates complaints;
- Makes policy recommendations concerning SFPD policies, practices and procedures; and
- Performs community outreach.

⁴⁰ Tabak, *Officer-Involved Shootings*, p. 90.

⁴¹ *Id.* at p. 81.

⁴² *Id.* at p. 84.

Historically, the OCC responded to the scene of each OIS incident to obtain a general understanding of what occurred but did not begin any type of investigation unless and until someone filed a complaint regarding the incident with the office. On June 7, 2016, the voters of San Francisco overwhelmingly passed Proposition D, an initiative ordinance amending the Administrative Code to require the OCC to “investigate any incident occurring within the City in which a San Francisco police officer fires a gun killing or physically injuring someone.”⁴³

Written Policies and Procedures Relating to OIS Investigations

Certain SFPD General Orders and Department Bulletins deal with the investigation of OIS incidents and use of force specifically or deal with topics which may encompass such incidents. See Appendix C1. The primary document setting forth SFPD department policy and procedure relating to OIS incidents is General Order 8.11, “*Investigation of Officer Involved Shootings and Discharges*,” (Appendix D) as revised by Department Bulletin 15-128, *Officer-involved Shooting and Discharge Investigations (Revision to Definitions in DGO 8.11)* (Appendix E).

Other SFPD policies concern the use of firearms and force generally, and while they do not specifically relate to the *investigation* of OIS incidents, they do help give a comprehensive view of the policies and procedures related to all aspects of OIS incidents. See Appendix C2.

The SFPD also has other published policies which guide their interactions, contact and communications with the community, which, while not specific to officer-involved shootings and use of lethal force, serve to build an expectation of transparency within the SFPD. See Appendix C3.

To the extent that these documents dictate, guide or inform the investigation of OIS incidents, we incorporate that information into the Investigation Timeline that follows.

⁴³ See Proposition D: *Office of Citizen Complaints Investigations*, available at <http://voterguide.sfelections.org/en/office-citizen-complaints-investigations>. Proposition D passed with more than 80 percent of the vote. See <http://www.sfelections.org/results/20160607/>. Section 96.11 of the Administrative Code now reads:

Sec. 96.11 INVESTIGATIONS OF OFFICER-INVOLVED SHOOTINGS.

The OCC shall conduct a timely and complete investigation of any incident occurring within the City and County of San Francisco in which a member of the uniformed ranks of the San Francisco Police Department discharges a firearm resulting in the physical injury or death of a person, even if the discharge is accidental. The Police Department and its officers and employees shall provide the OCC with prompt and full cooperation and assistance in connection with the OCC's investigations under this Section 96.11.

San Francisco, California, Admin. Code § 96.11. See Proposition D: *Office of Citizen Complaints Investigations*, Legal Text, available at <http://voterguide.sfelections.org/en/office-citizen-complaints-investigations>.

Two Separate, Concurrent Investigations: Criminal & Administrative

OIS incidents mandate two separate, but concurrent, immediate investigations: (i) criminal; and (ii) administrative.⁴⁴

A criminal investigation is conducted to determine whether anyone involved in the incident committed a crime, including whether the officers involved exhibited criminal conduct or criminal negligence during the shooting. In other words:

“Did the officers break any law by taking the action they did?”

Two different law enforcement agencies begin immediate independent criminal investigations once an OIS occurs:

- The SFPD Homicide Detail; and
- The DA’s Office.

If the OIS criminal investigation uncovers or raises significant issues, state and federal agencies may also participate in or conduct their own investigation, typically at the request of the City. These agencies may include the Department of Justice or Office of the Attorney General at the state level, and the United States Department of Justice or the Federal Bureau of Investigation at the federal level.

An administrative investigation is also conducted to determine whether the officers involved violated any SFPD policy or procedure during the shooting. In other words:

“Did the officers act in accordance with SFPD policy and procedure and use appropriate law enforcement tactics under the circumstances or should the officers be disciplined, retrained or fired because of their actions?”

SFPD IAD conducts these administrative investigations.

The OCC also conducts an independent administrative investigation by: (i) sending their own investigators to the scene to observe; (ii) conducting an independent review and analysis of evidence that is forwarded to it after being collected by the SFPD Homicide Detail; and (iii) performing any additional investigative tasks and interviews that it deems necessary to conduct a thorough investigation of the incident.

⁴⁴ We obtained much of the information contained in this section regarding the process of OIS investigations from a document entitled *“Officer-Involved Shootings: A Five-Year Study,”* commissioned by George Gascon shortly after he was sworn in as San Francisco Chief of Police on August 7, 2009, and written by then Assistant Chief of Police Morris Tabak. We are indebted to the late Mr. Tabak for his work and commend it to the reader. A copy of the report may be found at <http://wayback.archive-it.org/1895/20100415184524/http://www.sf-police.org/Modules/ShowDocument.aspx?documentid=24139>.

The reason for separate criminal and administrative investigations is because, while police officers receive due process protections and Fifth Amendment rights against self-incrimination as subjects of a *criminal* investigation, along with specific protections under the Peace Officer's Bill of Rights (Cal. Gov't Code § 3300 *et seq.*), police officers can be compelled by their employer to make a "statement against interest"⁴⁵ as subjects of an *administrative* investigation. (See Cal. Gov't Code § 3303.)⁴⁶

Therefore, it is necessary to maintain a one-way flow of information: While investigators from the administrative investigation get all information and evidence obtained from the criminal investigation, the criminal investigation receives no information from the administrative investigation.

We were informed, but have not been able to substantiate, that the administrative investigation work, by and large, is completed within a few months following an OIS incident. However, it cannot be fully wrapped up and no disciplinary proceedings may occur until after the criminal investigation is fully completed and the DA's Office has issued its charging decision letter.

OIS Investigation Timeline

When an OIS occurs, per the General Orders of the SFPD and other internal and related documents, the subsequent investigation should proceed as follows:⁴⁷



I. Day 1

A. An officer-involved shooting occurs.

II. Immediately or As Soon As Practical

A. SFPD

- **Involved officers** shall notify their immediate supervisor and Emergency Communications Division ("ECD"), which notifies the Field Operations Bureau, which then notifies key responders to OIS incident scenes, including personnel from SFPD: Command Staff, Homicide, Crisis Incident Response Team ("CIRT"), IAD, FDRB, Legal Division, RMO, Police Commission; DA; and OCC.
- **Supervisor** shall be responsible for scene until Homicide arrives.

⁴⁵ A "statement against interest is a statement a person would not normally make . . . which would put them in a disadvantaged position to that they would have had if they had not made the statement in the first place." (https://en.wikipedia.org/wiki/Statement_against_interest.)

⁴⁶ Notably, we learned that in the administrative investigations of each of the OIS incidents at the center of this report, the SFPD officers involved gave statements voluntarily. Therefore, it was not necessary to compel any of them to make a "statement against interest."

⁴⁷ This outline is designed to provide a much consolidated overview of what should occur at each stage of an OIS investigation and the projected amount of time each stage should take according to SFPD General Orders. A more extensive and comprehensive outline is provided at Appendix F.

- **Homicide Detail**, upon arriving at scene, shall assume command of scene and investigation, coordinate with all responders, and manage all aspects of evidence collection, non-officer witness interviews, and incident scene “walkthroughs.”
- **IAD** representatives shall participate in “walk through” of scene and observe Homicide interviews of officers via closed circuit feed.
- **CSI** shall collect physical evidence, and perform associated forensic field work.
- **Legal Division** shall ensure evidence beneficial for litigation is seized and document scene.
- **BSU** shall send members of CIRT to offer psychological support to involved officers.
- **Media Relations Unit** shall provide information to the media and act as a liaison with the family of the individual shot during the incident.
- **Police Range** personnel shall replace involved officers’ firearms.

B. OCME

- **Medical Examiner Staff**, when a fatality occurs, shall provide expert resources to criminal and administrative investigators at scene, remove the body from the scene, and conduct an autopsy on the remains.

C. DA’s Office

- **On-Call Assistant DA and DA Investigators**, upon arriving at scene, shall meet with Homicide Detail to walk-through scene, participate in collection and documentation of evidence, participate in non-compelled interviews of law enforcement witnesses and interviews of civilian witnesses, and confer with Homicide Detail regarding investigative process to follow.

D. OCC

- **On-Call OCC Investigator**, upon arriving at scene shall walk-through and observe scene with Homicide Detail, so that the investigator has a basic understanding of the circumstances and environment of incident.



III. The First Ten Days After the Incident

A. SFPD

- **Involved officer(s)** shall be assigned to respective Bureau Headquarters for a minimum of ten calendar days and shall not be allowed to return to duty until cleared by the Chief of Police and reviewed by the Police Commission. During that time, the officer(s) shall: (i) participate in mandatory debriefing with BSU; (ii) report to Police Range for post-discharge firearm debriefing, (iii) report to Training Academy for modified force options training, and (iv) participate in interview with IAD.

- **Homicide Detail** shall meet within 72 hours with DA, CSI, Forensic Services Division, and other offices and disciplines to determine investigative actions to be taken.
- **Crime Laboratory** shall conduct ballistics and firearms examinations, and perform DNA and other testing as requested.
- **Media Relations Unit** shall respond to media inquiries and to convey information to family of individual shot.
- **BSU** shall conduct a mandatory debriefing with involved officers within 72 hours, assess involved officer's ability to return to duty or need for additional support, participate in Return to Duty Panel hearing for involved officers and provide follow-up and psychological support.
- **Return to Duty Panel** shall conduct a return to duty hearing (*not open to the public*) within five business days of the incident, in which it reviews preliminary investigative findings by IA criminal investigators and votes on whether to recommend that involved officer(s) should be allowed to return to regular duty.
- **Chief of Police** shall determine, after consulting with the Return to Duty Panel, whether the involved officer(s) should be returned to regular field assignment and then forward written decision (*not available to public*) to Police Commission and OCC.
- **Police Commission** shall meet in *closed session* with the Chief of Police to review the Chief of Police's findings and decision regarding whether to allow involved officers to return to regular duty.
- **IAD** shall schedule interview of involved officer(s) and witness officers, obtain information from Homicide Detail and other evidence-processing personnel, and participate in return to duty hearing for involved officer(s).

B. OCME

- **Medical Examiner Staff** shall notify Homicide Detail of any physical evidence collected during autopsy.

C. DA's Office

- **DA Personnel** shall meet with Homicide Detail investigators to: (i) review the status of the evidence collected and witness and involved officer statements; (ii) obtain copies of all relevant case documents; (iii) agree on evidence to be submitted for further analysis and testing; (iv) agree on next steps to investigation; and (v) participate in interviews of additional witnesses.



IV. Within 45 Days of the Incident

A. SFPD

- **Homicide Detail** shall submit its final criminal investigation report to FDRB.
- **IAD** shall prepare final recommendation and report for submission to FDRB and Chief of Police.

- **Legal Division** shall work with IAD and OCC regarding evidence/document production and obtain incident report for any claim investigation.

B. DA's Office

- **DA's Office** shall, upon conclusion of its independent investigation and receipt of all reports from Homicide Detail, evaluate all evidence to determine potential criminal liability, or lack thereof, of any party and then notify SFPD of its decision in writing.

V. In Response to DA's Criminal Charges Against an Officer, If Any

A. SFPD

- **Chief of Police** shall suspend accused officer without pay when the officer is charged with a felony or any serious crime.
- **Accused Officer** shall remain on suspension pending resolution of criminal prosecution and adjudication of any pending administrative investigation.



VI. Within 60 Days of the Incident

A. SFPD

- **IAD** shall submit to the FDRB the completed administrative investigation with recommendations.

VII. Within 90 Days of Incident

A. SFPD

- **FDRB** shall convene within thirty days of receipt of the Internal Affairs investigative report (i.e., within ninety days of incident).



VIII. Within 210 Days of Incident

A. SFPD

- **FDRB**, within 120 days following their first meeting (i.e., within 210 days of incident), shall complete its investigation and issue its findings in accordance with General Order 3.10.

B. OCC

- **OCC Director** shall attend FDRB as an advisory member and receive and review FDRB's quarterly reports to Police Commission and provide written responses as appropriate.

IX. (Historically) At Any Point

A. OCC

- **OCC Investigators**, within 10 days of receiving a civilian complaint of police misconduct or improper performance [but likely immediately now based on the recent passage of Proposition D], shall interview the complainant and begin its own investigation of the allegations by requesting all documents and evidence accessible from or through the complainant; requesting records, documents and information from the SFPD and OCME; and identifying and scheduling interviews of witnesses
- **OCC Investigators**, upon receipt of records from SFPD, OCME and other agencies, shall review all reports, chronologies, interviews, and evidence and interview involved and witness officers.
- **OCC**, upon conclusion of the OCC's administrative investigation, shall prepare written findings as to whether or not allegations are sustained. In cases resulting in a sustained finding, OCC provides the Chief of Police a written report summarizing evidence, giving basis for the findings, and providing recommendations for discipline. *(Only a sanitized version of the report, without the names of the victim, complainant or officers involved, is made available to the public.)*

Justice Delayed Is Justice Denied

While the investigative process specified by the SFPD's General Orders as outlined above would lead one to believe that most OIS investigations are wrapped up within a reasonable timeframe of approximately seven months after the incident occurs, this is far from the case. In reality, we found that OIS investigations can and most often do take three to four times that long.

Both the SFPD and DA's Office acknowledge that criminal investigations of OIS incidents can easily take two years or longer to complete.

In an internal document entitled *The Process of SFPD Officer-Involved Shooting (OIS) Investigations*, the SFPD includes a "Flow of Criminal Investigations" chart which shows that the Homicide Detail and DA criminal investigations can take 26 months or longer just to get to the Internal Affairs Division for review. (See Figure 1, *Flow of Criminal Investigations*, on page 29.)

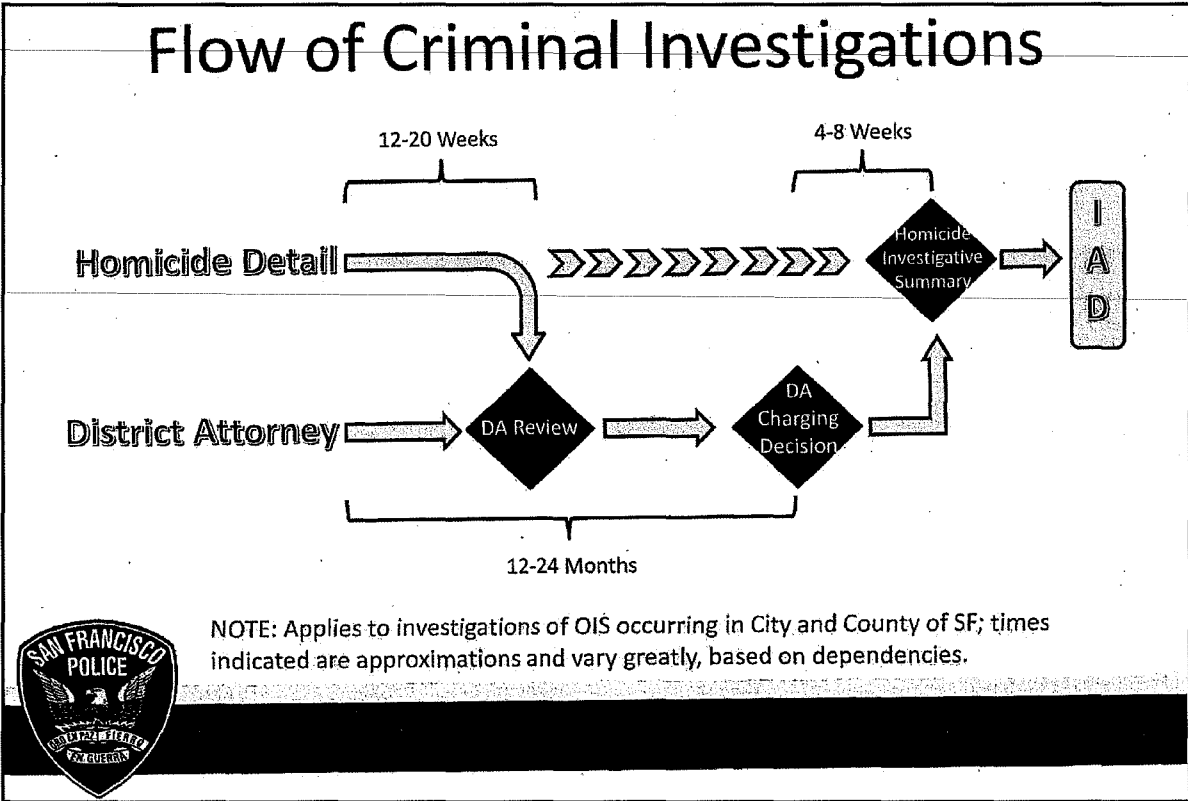


Figure 1. Flow of Criminal Investigations in OIS Incidents. (Source: *The Process of SFPD Officer-Involved Shooting Investigations*, p. 23 (SFPD, May 5, 2015).)

In the same *Process of SFPD Officer-Involved Shooting (OIS) Investigations* document, the SFPD includes a “Flow of Administrative Investigations” chart, which shows that the Administrative Investigation, concluding with the Internal Affairs Investigative Summary, can take 24-30 months to complete. (See Figure 2, *Flow of Administrative Investigations*, on page 30.) And this timeframe does not include the amount of time a hearing before the Police Commission would entail in those cases in which the administrative investigation reveals that disciplinary proceedings are warranted.

We believe a timeframe of this length is unacceptable. Even if a timeframe of this length included points where updates were given to the public — which as will be shown later in this report, it does not — a two-to-three-year investigation gives an appearance — justified or not — of, at one end of the spectrum, foot-dragging or a lack of concern, and, at the other end of the spectrum, bungling or a cover-up.

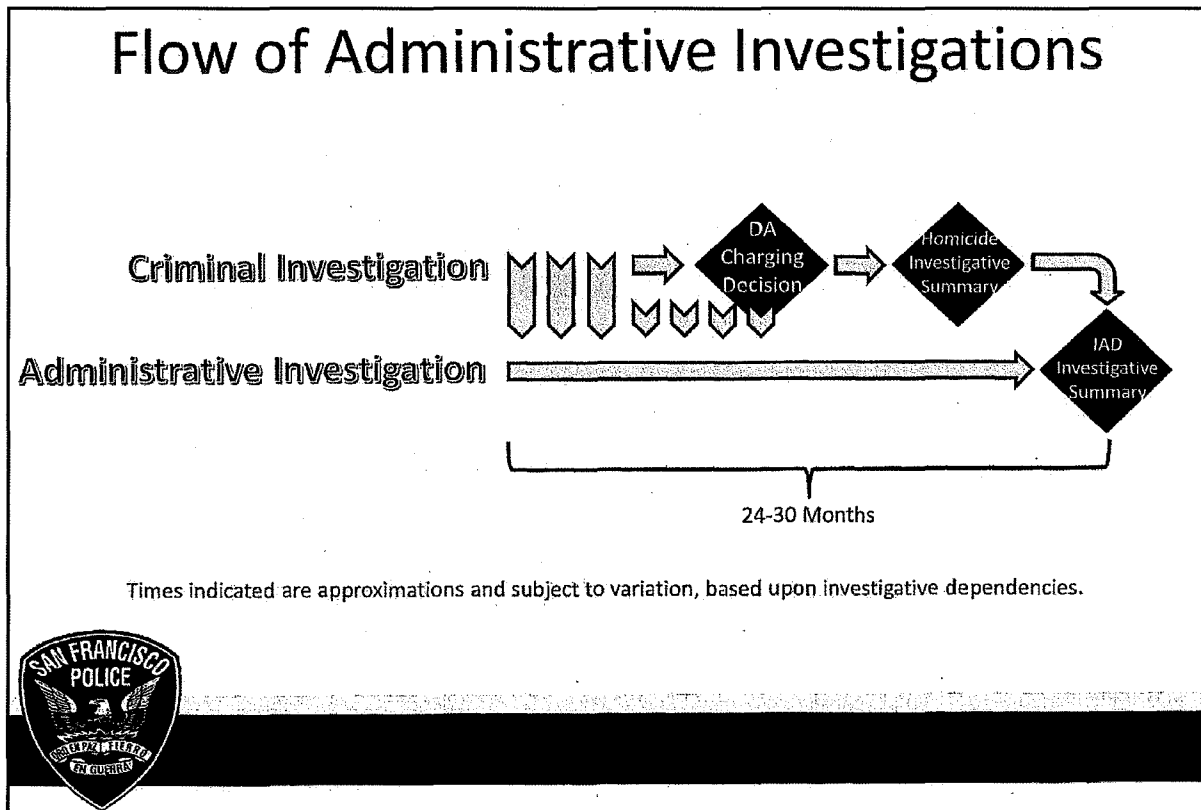


Figure 2. Flow of Administrative Investigations in OIS Incidents. (Source: *The Process of SFPD Officer-Involved Shooting Investigations*, p. 29 (SFPD, May 5, 2015).)

With investigations of this length, justice delayed truly is justice denied. This is true for all parties involved:

- **For the family and friends of the person shot**, who must await the outcome of the criminal and administrative investigations to put closure on an enduring tragedy;
- **For the officers involved in the OIS incident**, who, while they may have returned to duty, perform their duties under a cloud of uncertainty, not knowing whether they will have criminal charges filed against them or face disciplinary hearings; and
- **For the community**, which, with such an inordinate amount of time, wonders whether the killing was justified or questions why officers who may have committed a crime are still in a position of great authority and power and whether the system of determining one or the other is broken.

Because little information is made public during these OIS investigations, without inside information, it is difficult, if not impossible, to determine why they take so long. Using the authority of the Civil Grand Jury, however, we have been able to learn details about the process generally and certain investigations specifically that explain some of the delay. Based on the facts we uncovered, we make the findings and recommendations that follow with the goal of

reducing the time it takes to complete both the criminal and administrative OIS investigations to an acceptable length.

OIS Investigations Should Be Streamlined and Accurately Reflected in SFPD General Orders

General Order 8.11⁴⁸ sets forth a process and timeline which investigations of OIS incidents are to follow:

- Homicide Detail Investigation. The criminal investigation prepared by the Homicide Detail shall be completed and received by the Chair of the Firearm Discharge Review Board within forty-five-calendar days of the shooting event.
- Management Control Division Investigation.⁴⁹ The administrative investigation prepared by the Management Control Division shall be completed and submitted to the Chair of the Firearms Discharge Review Board within sixty-days of the shooting event.
- The Firearm Discharge Review Board. The Firearm Discharge Review Board shall convene within thirty calendar days of receipt of the Management Control Division investigation report. Within 120 calendar days following the first meeting of the Firearm Discharge Review Board, the panel shall complete its investigation and issue its findings in accordance with Department General Order 3.10.

General Order 3.10⁵⁰ outlines the functions and responsibilities of the FDRB and sets forth the procedures for reviewing, investigating, and reporting to the Police Commission cases in which SFPD officers discharge a firearm.

General Order 3.10 includes dates that are parallel to General Order 8.11 regarding the time by which the FDRB shall complete its investigation and issue its findings.

A review of investigations of OIS incidents that have occurred since January 2011 reveals that no investigation has met the timeframes set forth in the SFPD General Orders.

While we hope that the SFPD would attempt to bring its OIS investigations into alignment with the timeline set forth in its General Orders, we also realize that OIS investigations can be complicated, with many moving parts, numerous agencies and departments, and include a large number of variables and dependencies which can add to the length of the investigation process.

⁴⁸ <http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/14739-DGO8.11.pdf>

⁴⁹ Management Control Division is now called the Internal Affairs Division.

⁵⁰ <http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/14802-DGO3.10.pdf>

FINDING

- F.2. Because the SFPD consistently does not meet the time frame in its own General Orders by which investigations of OIS incidents are to be conducted and completed, the General Orders create false expectations for the citizens of San Francisco.

RECOMMENDATION

- R.2.A. The Police Commission, in coordination with the relevant SFPD divisions, the DA and the OCC should immediately commission a comprehensive study of ways to streamline the OIS investigation process with the goal of reducing the overall time to conduct a full investigation.
- R.2.B. After receiving the results of the study of ways to streamline the OIS investigation process, the Police Commission should revise the General Orders to more accurately reflect the timeframes by which investigations of OIS incidents are to be completed.

SFPD's Field Operations Bureau Should Adopt a Uniform, Modern Method to Alert All Essential Responders of OIS Incidents

The SFPD's Field Operations Bureau uses different methods to alert different agencies that an OIS incident has occurred. These methods include both modern means, e.g., sending text alerts to SFPD personnel, and antiquated means, e.g., calling the telephone number of one of a number of rotating, "on-call" assistant District Attorneys.

It is our understanding that the SFPD's Field Operations Bureau uses a phone tree system to contact some of the essential responders, i.e., informing responders serially by using a hierarchical contact list. Further, in at least one incident the Field Operations Bureau left an alert of an OIS incident in the wrong voice mailbox, causing the on-call assistant DA and DA investigators to be substantially delayed in responding to the scene. The delay caused ripple delaying effects in the subsequent investigation.

FINDING

- F.3. The SFPD Field Operations Bureau's use of outdated methods, including a serial, hierarchical phone tree system, to alert some essential responders of an OIS incident is inherently time-consuming and results in slower response times, which can cause delays in OIS investigations both at the scene and afterwards.

RECOMMENDATION

- R.3.A. The SFPD Field Operations Bureau should implement standardized, modern methods to notify all essential responders of an OIS incident.

R.3.B. The SFPD Field Operations Bureau should require that all essential responders called to the scene of an OIS incident confirm with the Field Operations Bureau that they received the initial notification. If the Bureau does not receive confirmation from an essential responder within a designated period of time, it should contact an alternate responder for that agency.

SFPD and DA's Office Need a New Memorandum of Understanding Regarding OIS Investigations

The policies and procedures that govern the duties, roles and cooperation between the SFPD and the DA's Office in OIS investigations are set forth in a document entitled "*Memorandum of Understanding Between the San Francisco District Attorney's Office and the San Francisco Police Department Regarding the Investigation of Officer-Involved Shootings and In-Custody Deaths*" ("MOU").

This document became effective on July 15, 2005, when it was signed by then District Attorney Kamala D. Harris and then Chief of Police Heather J. Fong.

The current MOU states:

It is the intent of the District Attorney's Office and San Francisco Police Department to complete their review of these incidents as quickly as possible, consistent with the primary goal of conducting a thorough and objective review of the facts.⁵¹

While aspirational, this statement of intent is too vague to carry much weight.

The current MOU also states:

In any event, the San Francisco Police Department shall submit a complete copy of its criminal investigation file regarding the incident to the District Attorney Investigator assigned to the incident as soon as it is complete and not more than 60 to 90 days from the date of the incident, depending on the complexity of the investigation.⁵²

While this clause provides a measurable goal by which the SFPD shall provide the DA with its completed criminal investigation file, it lacks teeth because there is no penalty for failing to meet this deadline.

Moreover, the current MOU lacks a corresponding deadline by which the DA's Office shall complete its criminal investigation.⁵³

⁵¹ MOU, *Investigative Reports*, p. 7.

⁵² *Id.* at p. 8.

⁵³ *Id.*, *Final Action*, at pp. 8-9.

The lack of specific deadlines or targeted timeframes in the current MOU by which the DA's Office is to complete its portion of OIS criminal investigation, along with the lack of any enforcement mechanism to ensure timely compliance by either the SFPD or the DA's Office, allows investigations to drag on for years.

We understand that there are many variables that must be taken into account when determining a workable timetable by which to complete OIS investigations and that each investigation is unique. Because there are many factors to consider, timeframes for completion of OIS investigations will vary, perhaps significantly. Thus, the MOU cannot establish a specific timeframe. A statement of intent committing to a review of OIS incidents "as quickly as possible," however, is an inadequate commitment. Rather, the MOU should establish a process, accounting for the variables, to arrive at an acceptable timeframe for each OIS investigation.

FINDING

F.4. While there are many factors to consider when determining a timetable to complete an OIS investigation, the lack of a meaningful and enforceable process for establishing a timetable in the current MOU between the SFPD and the DA's Office allows OIS investigations to drag on too long.

RECOMMENDATION

R.4. The SFPD and the DA's Office should jointly draft a new MOU in which each commits to an agreed-upon process to:

- Prioritize and expedite their investigations of OIS incidents within an established timeframe;
- Make a public announcement when each completes its OIS investigation, so that the public may be better informed of the investigative results and the time taken by each agency to complete its OIS investigation.

DA's Office Needs to Complete Its OIS Investigations and Issue Charging Decision Letters More Quickly

Our investigation revealed that the DA's Office is the main bottleneck in the criminal investigations of OIS incidents, both fatal and nonfatal. Moreover, the SFPD's administrative investigation is subject to the outcome of the DA's Office's criminal investigation and cannot be completed until after the DA's Office completes its investigation and analysis and issues its charging decision letter. Therefore, as long as the investigation of an OIS incident remains open in the DA's Office, the SFPD's administrative investigation cannot conclude, a review of the incident by the SFPD's FDRB cannot happen, and any disciplinary proceedings that may be warranted cannot occur.

The DA's Office acknowledges that it takes too long to complete its criminal investigations. In interview after interview of DA's Office personnel, we were told that the DA's Office lacks the resources to give OIS investigations greater priority. OIS cases are spread out among a number of investigators and attorneys in the White Collar Crime Unit⁵⁴ of the DA's Office and are merely a part of their larger workload.

Moreover, we were told that the work done by the DA's Office is deadline-driven. This means that work is prioritized by that which carries the earliest deadline. If a case carries a looming deadline, such as a deadline by which to decide to charge a suspect, an arraignment date, a trial date or some other court-ordered deadline, then that case receives priority to meet that deadline. OIS investigations carry no such deadlines. The result of these factors is that the investigation and review of OIS cases are often relegated to the "bottom of the stack" in the DA's Office.

Nowhere is this low priority put in starker relief than by looking at the sheer length of time it takes for the DA's Office to complete its investigation and issue its charging decision letter in each OIS case.

Table 2, on page 36, shows a list of *all* OIS incidents — both fatal and non-fatal — by date, from the beginning of 2011 through June 12, 2016, involving SFPD officers, along with the date the DA's Office issued its charging decision letter in each case, as well as the number of days that transpired between the date the OIS occurred and the date the DA issued its charging decision letter. Fatal OIS incidents are marked in red.



Of the 18 fatal OIS incidents which are the focus of this report, ten cases are still open. Of the eight in which the DA's Office has issued charging decision letters, the shortest length of time between the date the OIS occurred and the date the DA issued its letter was **328 days** in the case of Alejandro Nieto; the longest length of time was **887 days** in the case of Steven Michael Young. In those eight cases, it took the DA's Office, on average, **611 days** to complete its investigation and issue its charging decision letter. That is 20 months.

If one considers all OIS cases, not just those involving fatalities, the average length of time it has taken the DA to complete its investigation and issue its charging decision letter is **654 days**.⁵⁵ That is almost 22 months.



The DA must recognize that OIS incidents receive a great deal of attention, for good reason, and that they are often controversial. Thus, the DA must take action commensurate with the importance attached and attention given to the investigation of these incidents.

⁵⁴ Because OIS investigations are handled by the White Collar Crime Unit of the DA's Office, these investigations do not compete for bandwidth with other homicides, rapes or other violent crimes.

⁵⁵ We were told that the inordinate amount of time the DA's Office takes to complete its criminal investigations in OIS cases is not unique to the current DA and that OIS investigations under prior DAs took similar amounts of time.

Name of Suspect/Victim	Date of Incident	Date of Letter	No. of Days Transpired
Suspect/Victim Name Not Disclosed	4-Jan-2011		Decision Letter Not Yet Issued
Joshua Smith	7-Jun-2011	5-Oct-2012	486
Roselyndo Nagayo Sicut	29-Jun-2011	13-Oct-2013	837
Kenneth Harding, Jr.	16-Jul-2011	26-Nov-2012	499
Jesus Octavio Paredes Rodriguez	17-Sep-2011	5-Aug-2013	688
Peter Yin Woo	3-Oct-2011	20-Aug-2013	687
Steven Michael Young	14-Dec-2011	19-May-2014	887
Larry Simonton	16-Dec-2011	11-Dec-2013	726
Dennis Hughes	9-May-2012	1-May-2014	722
Derryck King	13-May-2012	21-May-2014	738
Pralith Pralourng	18-Jul-2012	13-May-2014	664
Brian Cooper	4-Aug-2012	22-May-2014	656
Larry Massey	27-Aug-2012	22-May-2014	633
Oliver Jose Barcenas	20-Sep-2012	21-May-2014	608
Alexander Gibbons	14-Feb-2013	11-Mar-2014	390
Eddie Tilman	5-Mar-2013	24-Jun-2014	476
Peter Russell	15-Mar-2013	5-Feb-2016	1057
SFPD Officer	16-Mar-2013		
Ryan Daugherty	7-Apr-2013	29-Jun-2015	813
Dale Stuart Wilkerson	17-Apr-2013	26-Dec-2014	618
Carlos Miranda	20-Jul-2013	29-Jun-2015	709
Suspect/Victim Name Not Disclosed	27-Oct-2013		Decision Letter Not Yet Issued
Jaques Samuel	30-Dec-2013	26-Mar-2015	451
Suspect/Victim Name Not Disclosed	12-Jan-2014		Decision Letter Not Yet Issued
Ramon Wellington	4-Feb-2014	29-Jan-2016	724
Suspect/Victim Name Not Disclosed	8-Mar-2014		Decision Letter Not Yet Issued
Alejandro Nieto	21-Mar-2014	12-Feb-2015	328
Giovany Contreras-Sandoval	25-Sep-2014		Decision Letter Not Yet Issued
O'Shane Evans	7-Oct-2014		Decision Letter Not Yet Issued
Suspect/Victim Name Not Disclosed	6-Nov-2014		Decision Letter Not Yet Issued
Suspect/Victim Name Not Disclosed	3-Dec-2014		Decision Letter Not Yet Issued
Suspect/Victim Name Not Disclosed	4-Jan-2015		Decision Letter Not Yet Issued
Matthew Hoffman	4-Jan-2015		Decision Letter Not Yet Issued
Amilcar Perez-Lopez	26-Feb-2015		Decision Letter Not Yet Issued
Alice Brown	17-Mar-2015		Decision Letter Not Yet Issued
SFPD Officer	18-Sep-2015		
Herbert Benitez	15-Oct-2015		Decision Letter Not Yet Issued
Suspect/Victim Name Not Disclosed	24-Oct-2015		Decision Letter Not Yet Issued
Javier Ivan Lopez Garcia	11-Nov-2015		Decision Letter Not Yet Issued
Mario Woods	2-Dec-2015		Decision Letter Not Yet Issued
Luis Gongora	7-Apr-2016		Decision Letter Not Yet Issued
Jessica Williams	19-May-2016		Decision Letter Not Yet Issued

Table 2. Time Between OIS Date & Date of DA's Charging Decision Letter (Jan. 1, 2011–June 12, 2016). (Source: Compiled from data from *Annotated List of SFPD Officer Involved Shooting Investigations Dating Back to 2000*, released by the SFPD pursuant to White House Police Data Initiative⁵⁶ and DA's Office's charging decision letters.⁵⁷)

⁵⁶ <http://sanfranciscopolice.org/sites/default/files/SFPDOfficerInvolvedSuspectInvolvedShootings2000-Present.xlsx>; see also <https://www.whitehouse.gov/blog/2015/05/18/launching-police-data-initiative>.

⁵⁷ <http://sfdistrictattorney.org/officer-involved-shooting-letters>

FINDING

- F.5. The DA's Office takes too long to complete its criminal investigations and issue its charging decision letters in OIS cases. In the last five years, it has taken an average of 611 days to issue charging decision letters in fatal OIS cases and 654 days in all OIS cases, both fatal and non-fatal.

RECOMMENDATION

- R.5.A. The DA should immediately give the investigation of OIS cases priority and dedicate the departmental resources required to reduce the time the DA's Office takes to complete its criminal investigation and issue its charging decision letters in OIS cases.
- R.5.B. The DA should determine the resources necessary to reduce the length of time the DA's Office spends to complete its criminal investigations in OIS incidents and then make sufficient requests for those resources in the proposed budget for fiscal year 2017-2018, and thereafter.
- R.5.C. The Mayor and the Mayor's Office of Public Policy and Finance should include in the proposed budget for fiscal year 2017-2018, and thereafter, resource requests from the DA's Office to expedite OIS investigations. Allocation and/or release of these funds should be contingent upon marked, measurable improvement by the DA's Office in the time it takes to complete its criminal investigations and issue its charging decision letters in OIS cases.
- R.5.D. The Board of Supervisors should approve these additional resources requested by the DA's Office and included by the Mayor and the Mayor's Office of Public Policy and Finance in the proposed budget for fiscal year 2017-2018, and thereafter, to expedite OIS Investigations. Approval of these additional resources again should be contingent upon marked, measurable improvement by the DA's Office in the time it takes to complete its criminal investigations and issue its charging decision letters in OIS cases.

OCME Is To Be Commended for Its Improved Turnaround Times and More-Detailed Reports in OIS Cases

A thorough investigation of an OIS incident cannot occur without the services of the OCME. When a fatality occurs, the OCME dispatches a medical examiner and investigators to the scene to provide expert assistance and to transport the deceased to the OCME for an autopsy. The OCME conducts the autopsy, collects biological specimens for toxicological and histological examinations and physical evidence such as spent bullets found in the body, and documents its work with extensive notes and photographs. In the days that follow, the OCME issues a final autopsy report, documenting the results of its examination, analysis and testing, and giving its conclusion as to the cause, mode and manner of death.

The final autopsy report is provided to the Homicide Detail, the DA and to the OCC. The report is also available to those with a legitimate reason to have access to it. It is also available to the public for a fee.

Our investigation revealed that, prior to March 2015, the OCME faced a huge backlog of cases and was a bottleneck in both OIS and other investigations. Other agencies which utilized the services of the OCME often pointed to the OCME as the reason why their investigations were delayed or stalled.

Since the new Chief Medical Examiner (“CME”) came aboard in March 2015, however, the OCME bottleneck has been all but eliminated and turnaround times have improved.

We learned during our investigation that the new CME recognizes that OIS cases are highly visible and often controversial and, as such, assigns them high priority at the OCME. This is borne out in improved turnaround times in the issuance of OIS autopsy reports. (See Figure 3.)

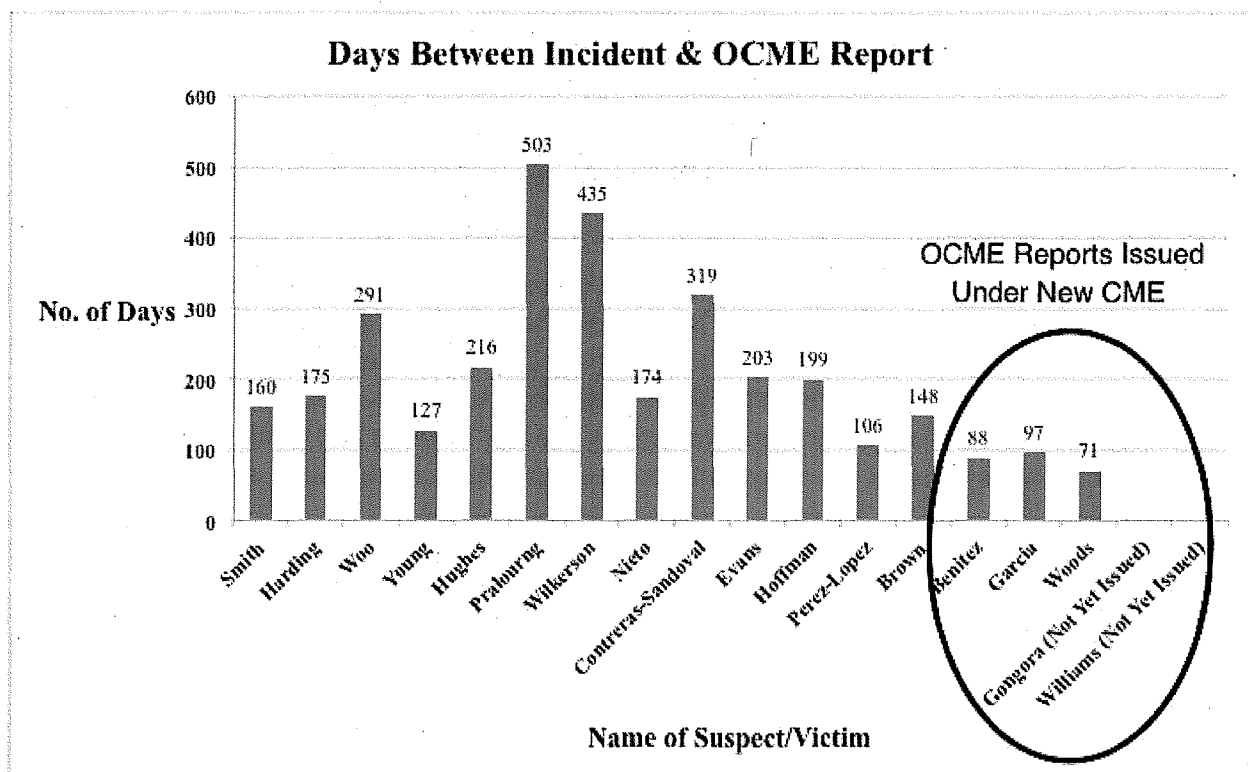


Figure 3. Length of Time Between Each OIS Incident and Date Respective OCME Issued Report. (Source: Compiled by Civil Grand Jury from OCME Reports.)

We learned from interviews with key personnel, along with our review of the OCME autopsy reports in recent OIS cases, that the new CME has also displayed a high degree of initiative, requesting incident scene evidence — such as video surveillance evidence — which may play a key role in interpreting autopsy results or analyzing what occurred.

Moreover, our comparison of autopsy reports issued by the OCME during the past 12 months with those that were issued earlier shows that the reports now include more photographs, increased documentation and greater detail.

FINDING

- F.6. Under the leadership of and commitment displayed by the CME since coming aboard in March 2015, the OCME's turnaround time has improved and its final reports have included more photographs and documentation and greater detail.

COMMENDATION

- C.6. The CME is to be commended for his leadership and commitment in eliminating the backlog and addressing other issues facing the OCME, and the OCME is to be praised for its improved turnaround times and more-detailed final reports.

RECOMMENDATIONS

- R.6.A. After the OCME releases each autopsy report in OIS cases, the CME should proactively call a meeting of the SFPD's Homicide Detail, DA's Office and OCC to help those agencies interpret the highly technical findings of the autopsy report. This meeting should be coordinated, if possible, to include reports from the Crime Lab on the results of its firearms comparisons, ballistics examinations and DNA analysis.
- R.6.B. When the new OCME building with autopsy observation facilities is completed, the CME should invite SFPD inspectors and DA and OCC investigators to observe autopsies in all fatal OIS incidents, so that questions can be answered quickly, observations shared early, and the spirit of teamwork and cooperation on the investigation can begin as early as possible.

OCC Should Receive Increased Funding to Pay for Interview Transcription Services

In OIS incidents, the OCC is immediately called to the scene to "walk-through" it and make observations, so that it will have a basic understanding of the circumstances and environment of the incident.

The OCC performs an independent administrative investigation to determine whether any of the SFPD officers involved in the incident displayed any misconduct. The OCC not only obtains and reviews the investigative files compiled by the SFPD Homicide Detail, but it also examines the evidence, interviews involved parties and officers, and arrives at its own conclusion

regarding the propriety of the police officers' actions.⁵⁸ The OCC staff includes both investigators and attorneys to perform its work.⁵⁹

In OIS cases, as in other cases it handles, the OCC interviews numerous individuals as part of its investigation process: each of the involved SFPD officers, any other SFPD officers who witnessed the incident, civilian witnesses, and, sometimes, experts. We learned that after each of these interviews, OCC staff must spend a substantial amount of time transcribing their own extensive interview notes for use throughout the investigation — time which could be spent on other aspects of the investigation process.

FINDING

- F.7. OCC investigations are hampered and delayed by the fact that its investigators and attorneys must transcribe their own extensive notes of each witness interview.

RECOMMENDATIONS

- R.7.A. The OCC should allocate current year funds and include funding requests in the proposed budget for fiscal year 2017-2018, and thereafter, for transcription services, so that OCC staff can spend more of its time on investigations and legal analysis and less time on the transcription of interview notes.
- R.7.B. The Police Commission should support the OCC's funding requests in the proposed budget for fiscal year 2017-2018, and thereafter, for transcription services.
- R.7.C. The Mayor and the Mayor's Office of Public Policy and Finance should include in the proposed budget for fiscal year 2017-2018, and thereafter, resource requests from the OCC for transcription services.
- R.7.D. The Board of Supervisors should approve the resources requested by the OCC and included by the Mayor and the Mayor's Office of Public Policy and Finance in the proposed budget for fiscal year 2017-2018, and thereafter, for transcription services.

Impediments to and Opportunities for Transparency in OIS Investigations

Attempts to make the investigation of OIS incidents more timely and more efficient solve only part of the problem. A timely investigation process may alleviate suspicions of foot-dragging and reduce the public's perception that the agencies performing the investigations do not consider them to be important. But without transparency during each step of the process, victims' families and friends, the police officers involved and the citizens of San Francisco are still denied the ability to determine for themselves that justice is being served.

⁵⁸ See generally <http://sfgov.org/occ/complaint-process>.

⁵⁹ See <http://sfgov.org/occ/frequently-asked-questions>, specifically, "What is the size and composition of the OCC staff?"

The SFPD recognizes the importance of communication and cooperation between the department and the citizens it serves.

In its Mission Statement, the SFPD states:

We Maintain Open Communication with all the Communities We Serve. Their Input Helps to Determine Police Policies, Priorities and Strategies. The Department recognizes the need to collaborate with the public to reduce crime, disorder, fear and all those negative factors lessening the quality of life. We cannot effectively deal with these by ourselves. Through open communication, we strive to increase public understanding of law enforcement complexities, to ensure the certainty that Department priorities match community expectations, and to inform the public of the reasons for police actions.⁶⁰

In its Vision Statement, the SFPD states:

The Police Department strives to maintain the trust of San Francisco community members by actively engaging with the neighborhoods it serves. The Police Department seeks to make its policies and operations as open as possible. When there are complaints involving the police department, both the public and the police are best served by a system of accountability that is expeditious and fair to all involved.⁶¹

A review of the General Orders and internal departmental documents related to the investigation of OIS incidents, however, provide very few opportunities for transparency which would allow the public insight into the investigation.

For example, in SFPD General Order 8.11, the primary General Order that deals with the investigation of OIS incidents, no opportunities for transparency are explicitly mentioned. In fact, just the opposite. There are a number of points in the investigation in which transparency is prohibited:

This report [containing the Chief of Police's decision whether the involved officers should be returned to their regular field assignment following an OIS incident] will be part of the officer's *confidential* personnel file and *shall not be disclosed to any member of the public* except by court order. The Police Commission shall, at the first Commission meeting following receipt of the report, meet in *closed session* with the Chief of Police to review the Chief's findings and decision.⁶²

⁶⁰ SFPD Mission Statement, "Our Statement of Values" (emphasis in original), *available at* <http://sanfranciscopolice.org/mission-statement>.

⁶¹ SFPD Vision Statement, *available at* <http://sanfranciscopolice.org/visionstatement>.

⁶² SFPD General Order 8.11, *Investigation of Officer Involved Shootings and Discharges* (09/21/05), at II.G.4., p. 6 (emphasis added), *available at* http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/14739-DGO_8.11.pdf.

General Order 3.10, which directs the actions of the Firearm Discharge Review Board, espouses more transparency and, in fact, acknowledges the importance of transparency in the review of firearm discharges by its officers:

*The San Francisco Police Department recognizes the public's right to know about this department's use of deadly force. It is the policy of the San Francisco Police Department to provide as much information as possible through this public reporting process while complying with applicable civil and criminal laws and preserving the integrity of ongoing investigations.*⁶³

Other than these few points where transparency is explicitly prohibited or allowed, the policies and procedures regarding OIS investigations are silent on the topic of transparency. This silence allows SFPD command staff great leeway whether to share information regarding the status of OIS investigations with the public.

The SFPD should be commended for the information that it currently shares with the public regarding OIS investigations, especially in the hours and days immediately following each OIS incident. However, the SFPD provides very little information about its OIS investigations after the initial frenzy of interest dies down. We believe that transparency throughout the OIS investigation is warranted, not just at the beginning. It is only through an open and transparent accounting in *all* phases of an OIS investigation that the SFPD will maintain the public's trust that justice is served.

As Long As SFPD Is the Lead Agency on Its Own OIS Investigations, the Public Will Have the Perception the Investigations Are Biased

The SFPD has been criticized for investigating its own OIS incidents. Under the current procedure for investigating OIS incidents, the SFPD's Homicide Detail takes charge at the scene of each incident and acts as the lead agency throughout the investigation. We believe that this procedure was designed with the best of intentions. But the SFPD, the Police Commission and the Mayor must recognize and acknowledge that this creates a perception that these investigations are biased in favor of the officers involved.

That San Francisco has a built-in set of checks and balances, in the form of the DA and the OCC, should serve to mitigate not only the perception of bias, but the actual opportunity for bias in SFPD OIS investigations. Each has its own investigators at the scene from the start, and the DA and the OCC perform parallel, independent investigations, from both a criminal perspective (DA's Office) and an administrative angle (OCC).

⁶³ SFPD General Order 3.10, *Firearm Discharge Review Board* (09/21/05), at I.A., p. 1 (italics in original), available at <http://sanfranciscopolice.org/sites/default/files/FileCenter/Documents/14802-DGO3.10.pdf>.

But, this system of checks and balances does not completely eliminate the perception of bias. The fact remains that the SFPD Homicide Detail is the *lead* agency on the investigation, and, so, both the OCC and the DA's Office must, to a certain extent, rely on the SFPD Homicide Detail to actually handle investigation properly, accurately, completely, thoroughly and without bias.⁶⁴

The President's Task Force on 21st Century Policing ("President's Task Force"), in its final report, recommends having an external, independent body handle all fatal OIS investigations:

2.2 Recommendation: Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection, and information sharing. These policies must be clear, concise, and openly available for public inspection.

....

2.2.2 Action Item: These policies should also mandate external and independent criminal investigations in cases of police use of force resulting in death, officer-involved shootings resulting in injury or death, or in-custody deaths.⁶⁵

Applying this recommendation in the context of investigations of fatal SFPD OIS incidents, however, poses a dilemma, because it appears that the SFPD currently seems to be the only agency with the resources, experience, and/or ability to investigate OIS incidents thoroughly and in a timely manner. And, as with the SFPD, each of the other agencies proposed to take the lead in the investigation of fatal SFPD OIS cases faces its own potential criticisms:

- The City and County of San Francisco Sheriff's Department is untrained, inexperienced and ill-equipped to handle such an investigation;
- The California Highway Patrol delegates its own OIS incidents in this area to the SFPD and, so, lacks the training, experience and resources;
- The OCC is considered by critics to be "toothless" and merely an extension of the Police Commission;
- Other police departments are either under federal judicial oversight regarding their handling of police misconduct cases (Oakland) or are arguably too far away geographically (San Jose); and
- The DA's office suffers from the perception that any investigation it leads could be politically motivated. Moreover, evidence shows that the DA's Office currently gives OIS investigations low priority.

While it appears that the SFPD is currently the only body currently equipped to take the lead in fatal OIS investigation, there are additional checks and balances that can be implemented and others that should be explored to mitigate the public perception that the investigations lack integrity.

⁶⁴ With regard to the OCC, an additional argument can be made that it does nothing to mitigate the perception of bias in the investigation of fatal OIS incidents because its director serves at the discretion of the Police Commission.

⁶⁵ President's Task Force on 21st Century Policing 2015. *Final Report of the President's Task Force on 21st Century Policing*. Washington, DC: Office of Community Oriented Policing Services, at pp. 20-21, available at http://www.cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf.

The President's Task Force states:

One way [an external and independent criminal investigation in fatal OIS and other use of force cases] can be accomplished is by the creation of multi-agency force investigation task forces comprising state and local investigators.⁶⁶

This idea of a multi-force agency was also floated by at least one of our interviewees who suggested that perhaps a multi-agency task force be created by members of law enforcement from each of the nine Bay Area counties.⁶⁷

We believe that a multi-agency task force would be logistically, financially and politically difficult to set-up. Given the political structure of the surrounding Bay Area counties and the myriad agencies that would necessarily be involved, it appears prohibitively complicated, at least in the near term. Instead, we believe that the City should use resources already within its power to create a more meaningful system of checks and balances to the current process whereby SFPD Homicide serves as the lead in the investigation of SFPD OIS incidents.

The City Should Create an Oversight Task Force to Mitigate the Perception of Bias in Fatal OIS Investigations and Ensure They Are Completed Expeditiously

Currently there is no oversight body that monitors an SFPD OIS investigation from start to finish. Yet, we believe there is a dire need for one . . . and one that will extend across traditional departmental lines to possibly avoid some of the self-interested departmental power plays that the citizens of San Francisco are seeing now. By having such an oversight body, we believe that perceptions of bias will diminish, investigations will occur more quickly and public trust in the process and all agencies involved will improve.

FINDING

- F.8. The current structure for investigating OIS cases lacks an oversight body to review the events surrounding the OIS incident and the actions of the SFPD officers, monitor the timeliness and fairness of the investigation, communicate regularly about the status of the investigation, and interpret and share the results of the investigation with the public.

RECOMMENDATIONS

- R.8.A. The Mayor's Office should form a new standing task force to oversee the investigation of OIS cases. The task force should include high ranking persons from the Sheriff's Office, the DA's Office, the OCME, the SFPD (including the Chief Homicide Inspector), and the OCC. The task force may also include a state or federal department

⁶⁶ *Ibid.*

⁶⁷ The Bay Area's nine counties are Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.

of justice consultant or observer, and a knowledgeable, respected citizen of San Francisco.

R.8.B. The Mayor should charge the new task force to:

- Monitor the progress of each OIS investigation and hold each involved agency accountable for timely completion of its portion of the OIS investigation;
- Provide periodic press releases and/or press conferences to update the public on the status of each OIS case;
- Compile a summary of the findings from each involved agency and then evaluate those findings in group meetings to address any inconsistencies or unanswered questions;
- Facilitate a joint discussion among its members to formulate conclusions and “lessons learned”;
- Identify necessary policy or procedural changes; and
- Share its summary of the overall OIS investigation in public sessions so that the public has a voice in the process and may respond and ask questions.

SFPD Should Do a Better Job on Its Website of Informing the Public About Each OIS Investigation and Provide Statistics About OIS Incidents

The SFPD, until very recently, provided no easily-accessible statistics on SFPD OIS shootings. Within the past few months, however, the SFPD has begun providing some, albeit limited, data at the direction of the Mayor.

In a January 6, 2016 letter to the San Francisco Board of Supervisors, the Mayor listed “Accountability & Transparency: White House Police Data Initiative” as one of the comprehensive set of reforms he directed be undertaken immediately, after the shooting death of Mario Woods in December 2015. In the letter, the Mayor stated:

5. Accountability & Transparency: White House Police Data Initiative

At the Mayor’s direction, the San Francisco Police Department will enroll in the [sic] President Obama’s Police Data Initiative. This includes using open data to increase transparency, build community trust, and support innovation, as well as better using [sic] technology, such as early warning systems, to identify problems, increase internal accountability, and decrease unneeded uses of force. This information can serve as the foundation for community visibility into [sic] and increased trust.⁶⁸

At the beginning of April 2016, the SFPD announced that it had joined the President’s White House Police Data Initiative, an initiative providing recommendations for improved police

⁶⁸ January 6, 2016 letter from Edwin M. Lee, Mayor, City & County of San Francisco, to President London Breed, Members of the Board of Supervisors, at p. 3, available at <https://www.scribd.com/doc/294851874/S-F-Mayor-Ed-Lee-s-Letter-on-Police-Use-of-Force-Jan-6-2016>.

practices, including data transparency.⁶⁹ As part of its announcement, the SFPD stated on its website:

SFPD is determined to build trust, engage with our San Francisco community, and drive positive outcomes in public safety. We hope to be as *transparent* as possible — not only with our crime data, but with information about our department and its operations.⁷⁰

The initial data sets released at the time of the announcement included *Officer Involved Shootings, Suspect-Involved, 2009-2015*⁷¹ (see Figure 4) and *Annotated List of SFPD Officer Involved Shooting Investigations Dating Back to 2000* (see Figure 5).⁷²

Officer Involved Shootings, Suspect-Involved, 2009 – 2015*

Year	Total
2015	9
2014	8
2013	8
2012	6
2011	8
2010	11
2009	5

*As of February 2, 2016.

Figure 4. Officer Involved Shootings, Suspect-Involved, 2009 - 2015. (Source: SFPD website at <http://sanfranciscopolice.org/data#OIS>.)

The Mayor is to be commended for ordering the SFPD to become more transparent by providing data regarding OIS incidents on its website. Likewise, the SFPD is to be commended for following through. To reach its goal of building public trust, engaging with the community and driving positive outcomes in public safety, however, the SFPD must provide much more robust data on OIS incidents such as that provided by the Dallas Police Department and the Los Angeles County Sheriff's Department ("LASD").

⁶⁹ Sharing Our Data: SFPD Joins the White House Police Data Initiative, *available at* <http://sanfranciscopolice.org/data>.

⁷⁰ *Ibid.* (emphasis added).

⁷¹ <http://sanfranciscopolice.org/data#OIS>.

⁷² <http://sanfranciscopolice.org/sites/default/files/SFPDOfficerInvolvedSuspectInvolvedShootings2000-Present.xlsx>.

Reference#	Date	Time	Description	Compliance
14-003	Saturday, March 8, 14	14:44 hours	On Saturday, March 8, 2014, at approximately 14:44 hours, two uniformed officers assigned to the Mission Station housing unit responded to the 1300 block of Florida Street regarding a report of vandalism to a vehicle. When officers approached the vehicle, the driver backed up, then steered his vehicle toward one of the officers. The partner officer fired at the suspect, who was not struck. An officer at the scene was hit by gunfire. The suspect fled the scene and was later apprehended in another county.	Open
14-004	Friday, March 21, 14	19:11 hours	On Monday, March 21, 2014, at approximately 19:11 hours, four uniformed officers were among units responding to Bernal Heights park to investigate a report of a suspicious person with a gun in a holster. The officers located a man matching the description. The suspect drew a weapon from his hip holster and pointed it at the responding officers. The officers fired at the suspect, fatally striking him.	In Policy
14-005	Thursday, September 25, 14	06:00 hours	On Thursday, September 25, 2014, at approximately 0600 hours, officers responded to a report of a roll-over car collision at Battery and California Streets. The description of one involved car matched an armed carjacking vehicle that had been pursued by CHP officers from Richmond to San Francisco. As unknowing citizens approached this vehicle to render assistance, the occupant fired at them, narrowly missing a Good Samaritan. Officers attempted to coax the armed suspect's surrender. When the suspect emerged from his car and pointed a firearm at officers on scene, six uniformed officers fired at the suspect, fatally striking him.	Open
14-006	Tuesday, October 7, 14	20:58 hours	On Tuesday, October 7, 2014, at approximately 2058 hours, officers assigned to Southern Station observed an auto burglary in progress. The suspects returned to their vehicle as officers began to close in. As one of the officers, wearing a plainclothes cover, moved toward the suspects' vehicle, the driver pointed a firearm at him. The officer fired at the driver, who expired from the resulting wounds.	Open
14-007	Thursday, November 6, 14	19:51 hours	On Thursday, November 6, 2014, at approximately 1951 hours, four plainclothes officers assigned to Bayview Station observed an apparent narcotics transaction in the area of public housing 900 Connecticut Street. As two of the officers began to approach the four involved subjects, two men attempted to leave the scene. An officer pursued one of the fleeing suspects. The suspect produced a firearm from his hip area and pointed it at the officer. The officer fired at the suspect, wounding him. The suspect was taken into custody.	Open

Figure 5. Extract from Excel Spreadsheet entitled, “Annotated List of SFPD Officer Involved Shooting Investigations Dating Back to 2000. (Source: SFPD website at <http://sanfranciscopolice.org/sites/default/files/SFPDOfficerInvolvedSuspectInvolvedShootings2000-Present.xlsx>.)

The Dallas Police Department’s public information about OIS could serve as a model for the SFPD. On that agency’s homepage⁷³ is an “Officer Involved Shootings (OIS) Data” button, which clicks through to a webpage⁷⁴ that includes a message from the Chief of Police, sections on “Why the Dallas Police Department Provides Officer Involved Shooting Information,” “Investigating Officer-Involved Shooting (OIS) Incidents,” the Department’s General Order on use of deadly force, “Reducing Deadly Force Incidents,” and graphs and charts providing visual depictions of incidents per year, types of OIS, most common subject weapon types, maps of where OIS incidents occurred within the City of Dallas, and individual shooting summaries. (See Figure 6, *Screenshot of Data Charts and Graphs Regarding OIS Incidents Pulled from Dallas Police Department Website*, on page 48.)

The LASD public data sharing relating to deputy involved shootings may also provide a model for the SFPD to follow as it works toward better dissemination of OIS incident data and statistics. The LASD has a webpage devoted to “Deputy Involved Shooting Incident Data & Charts,” along with definitions and other information related to “deputy involved shootings,” “use of force,” “public complaints,” and employee discipline.” (See Figure 7, *Screenshot of Los Angeles County Sheriff’s Department Public Data Webpage Providing Deputy Involved Shooting Incident Data & Charts*, on page 49.)

⁷³ <http://www.dallaspolice.net/>.

⁷⁴ <http://www.dallaspolice.net/ois/ois.html>.

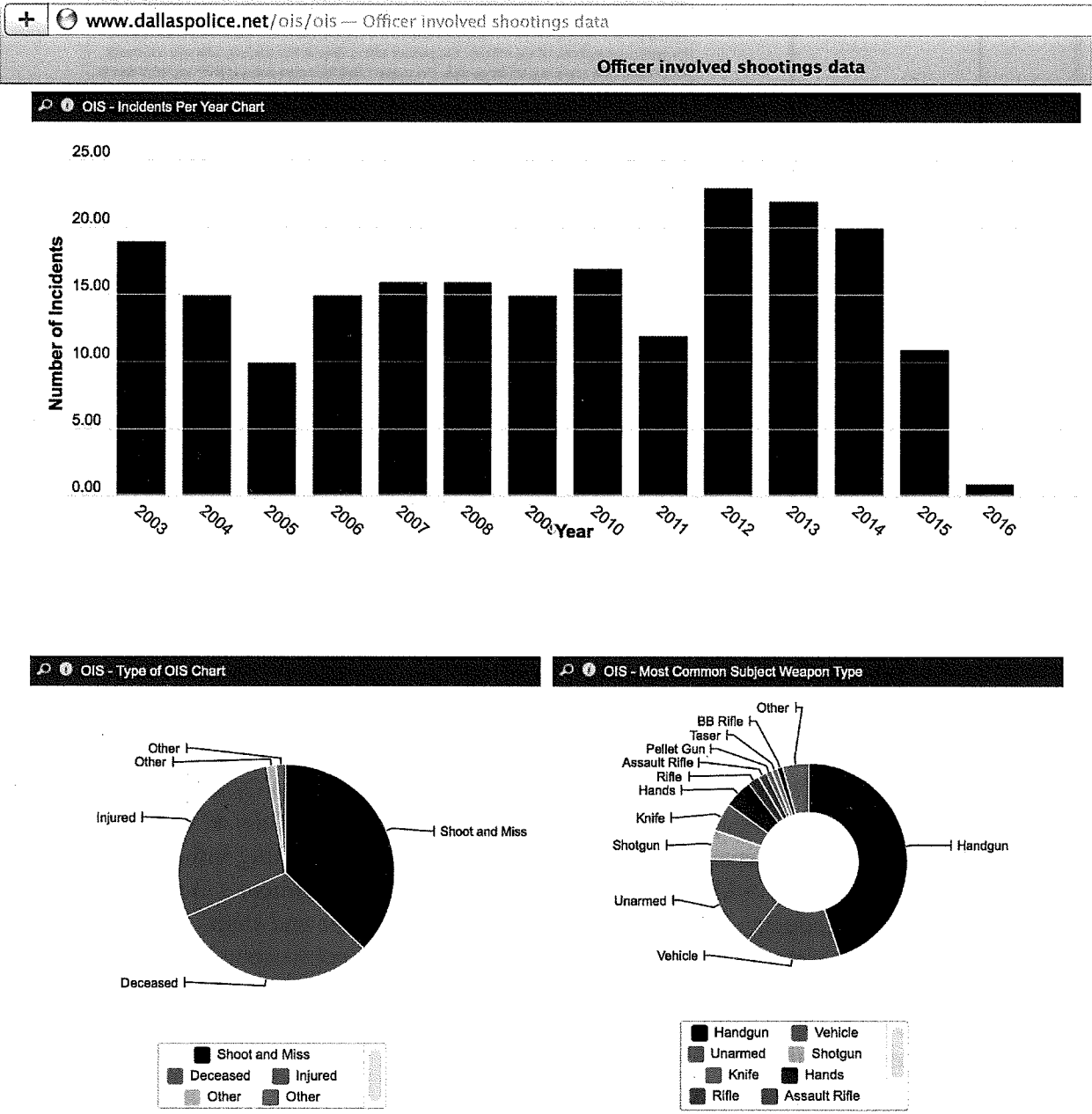


Figure 6. Screenshot of Data Charts and Graphs Regarding OIS Incidents Pulled from Dallas Police Department Website. (Source: <http://dallaspolice.net/ois/ois>.)

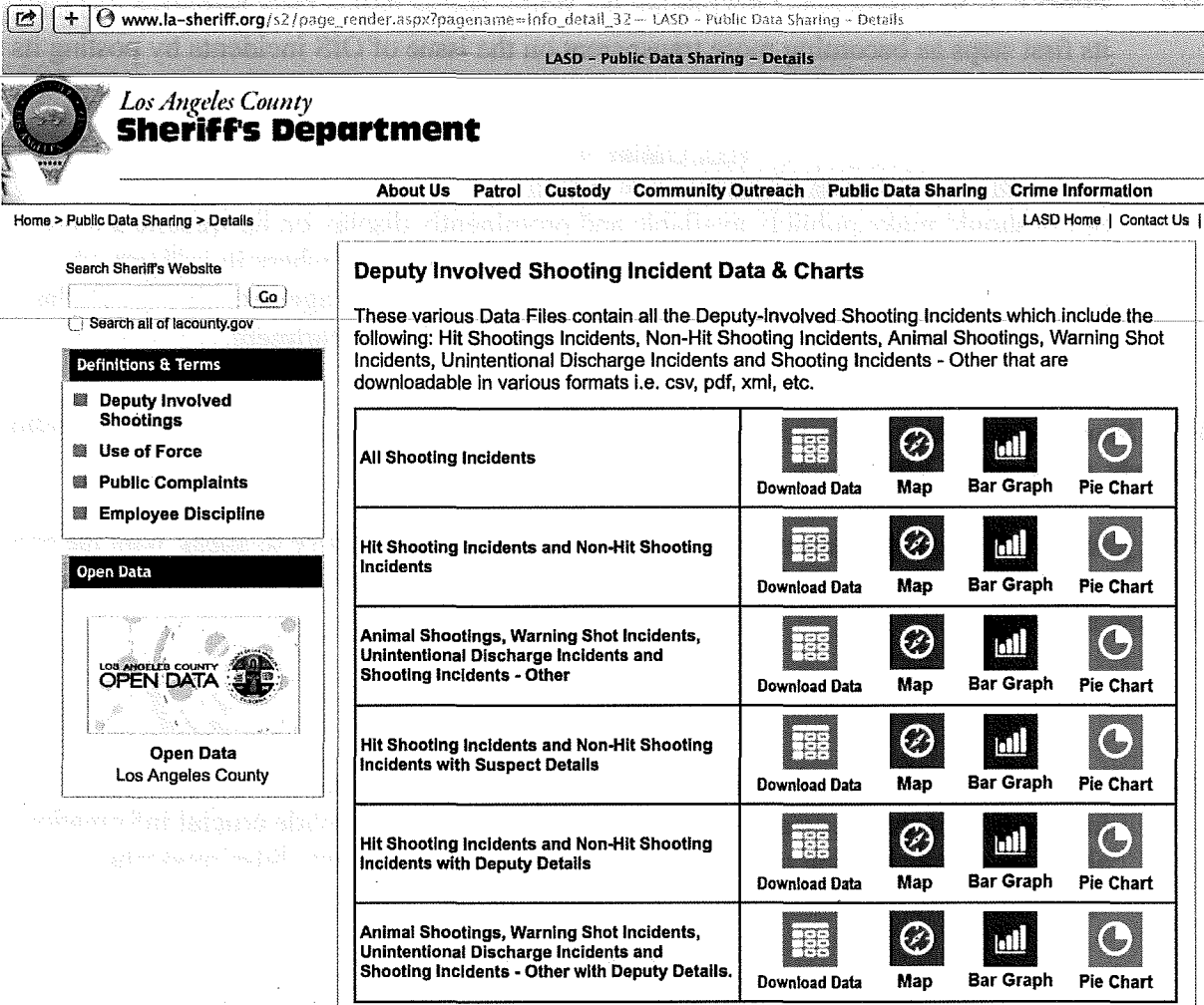


Figure 7. Screenshot of Los Angeles County Sheriff’s Department Public Data Webpage Providing Deputy Involved Shooting Incident Data & Charts. (Source: [http://www.la-sheriff.org/s2/page_render.aspx?pagename=info_detail_32.](http://www.la-sheriff.org/s2/page_render.aspx?pagename=info_detail_32))

FINDING

F.9. While the SFPD has taken important first steps in providing information and statistics regarding OIS incidents and resulting investigations, it must provide much more robust information to reach its stated goal of building public trust, engaging with the community and driving positive outcomes in public safety.

COMMENDATIONS

C.9.A. The Mayor is to be commended for ordering the SFPD to become more transparent by joining the White House Police Data Initiative.

- C.9.B. SFPD is to be commended for joining the White House Police Data Initiative and taking its first steps as becoming more transparent on the issue of OIS incidents by posting its first data sets on its website.

RECOMMENDATION

- R.9. SFPD should make publicly available and prominently display on its website a more robust set of statistics, data and information on OIS incidents where its officers are involved, using the data release practices of law enforcement agencies like the Dallas Police Department and the Los Angeles County Sheriff's Department.

SFPD Should Formalize Its Practice of Providing as Much *Factual* Information As Possible As Early As Possible After Each OIS Incident

SFPD, primarily through its former Chief of Police, has made it a practice to speak with the press at the scene of OIS incidents, within a short time of the incident to provide preliminary facts about the incident.

FINDING

- F.10. SFPD's press conferences at the scene of the incident, or soon thereafter, are an important first step in creating a transparent investigation, provide crucial information about the events leading up to the incident, and serve to mitigate false reporting, speculation and the dissemination of misinformation.

COMMENDATION

- C.10. SFPD is to be commended for its practice of holding press conferences as soon as possible after each OIS incident to relay crucial background information about events leading up to and surrounding the incident.

RECOMMENDATIONS

- R.10.A. SFPD and the Police Commission should make it official policy for the SFPD to hold press conferences as soon as possible after *each* OIS incident.
- R.10.B. SFPD should limit comments made during these press conferences to the *facts* as they are known at that time and refrain from making statements and using language to prematurely attempt to justify the actions taken by SFPD officers involved in the OIS incident.

The SFPD also has made it a practice to post "updates" on its website within hours of an OIS incident providing preliminary facts about OIS incidents and providing crucial background information about the events leading up to the incident.

FINDING

- F.11. As with its press conferences at the scene of the incident, the SFPD's practice of posting "updates" on its website as soon as possible after an OIS incident are an important step in creating a transparent investigation, provide crucial information about the events leading up to the OIS incident, and serve to mitigate false reporting, speculation and the dissemination of misinformation.

COMMENDATION

- C.11. SFPD is to be commended for its practice of posting "updates" on its website as soon as possible after each OIS incident to relay crucial background information about events leading up to and surrounding the incident.

RECOMMENDATIONS

- R.11.A. SFPD and the Police Commission should make it official policy for the SFPD to post "updates" on its website as soon as possible after *each* OIS incident.
- R.11.B. SFPD should limit comments made in these updates to the *facts* as they are known at that time and refrain from making statements and using language to prematurely attempt to justify the actions taken by SFPD officers involved in the OIS incident.

The SFPD also has made it a practice to hold a town hall meeting within a week or so of an OIS incident to provide updated facts about the incident and allow the community to ask questions.

FINDING

- F.12. SFPD's town hall meetings are crucial to a transparent OIS investigation, provide updated information about the incident, and serve to mitigate false reporting, speculation and the dissemination of misinformation.

COMMENDATION

- C.12. SFPD is to be commended for its practice of holding town hall meetings after OIS incidents to provide updated facts about the incident and allow the community to ask questions.

RECOMMENDATIONS

- R.12.A. SFPD and the Police Commission should make it official policy for the SFPD to hold town hall meetings within a week after *each* OIS incident.
- R.12.B. The Chief of Police, the Supervisor for the district in which the OIS incident occurs, the DA, the Director of the OCC, all members of the Police Commission, and all members of the newly formed OIS Task Force (see Recommendations R.8.A. and R.8.B.) should

attend the town hall meetings to show that they acknowledge the seriousness of the situation, understand how critical it is to have a thorough, accountable and transparent investigation and analysis of what occurred, and are united toward the goal of making that happen. Faith leaders and other community advocacy groups should also be invited to participate.

SFPD Should Make It Official Policy to Release the Names of All Officers Involved in Each OIS Incident Within Ten Days, Unless a Credible Threat Exists to the Officers’ Safety

In a 2014 ruling,⁷⁵ the California Supreme Court held that local departments can only withhold the names of officers involved in on-duty shootings if there is specific evidence to show that disclosing the name of an officer would pose a safety threat.

We were told that in the past the SFPD only released the names of officers involved in fatal OIS incidents when that information was requested by the press. We were also told that the SFPD now makes it a practice to release this information as a matter of course, usually within 10 days of the OIS incident. Table 3 shows, however, that the SFPD’s practice in releasing the officers’ names has been inconsistent. While the SFPD released the officers’ names in six incidents — and did so within 10 days of the incident — the SFPD failed to release officers’ names in two incidents in late 2015. There is no indication that the names of the officers involved in those two incidents were withheld due to any safety threat.

Individual Shot and Killed	Date of OIS	Date Names Released	No. of Days Elapsed
Jessica Williams	5/19/2016	5/27/2016	8
Luis Gongora	4/7/2016	4/16/2016	9
Mario Woods	12/2/2015	12/11/2015	9
Javier Lopez Garcia	11/11/2015	Not Released	
Herbert Benitez	10/15/2015	Not Released	
Alice Brown	3/17/2015	3/23/2015	6
Amilcar Perez-Lopez	2/26/2015	3/7/2015	9
Matthew Hoffman	1/4/2015	1/12/2015	8

Table 3. Length of Time Between Date of OIS Incident and Date Names of Officers Released, Fatal SFPD OIS from January 1, 2015 through June 12, 2016. (Source: Compiled by Civil Grand Jury from various media sources.)

Notably, when the SFPD releases the names of its officers involved in OIS incidents, it provides that information to the press, but does not make that information available on its website.

⁷⁵ *Long Beach Police Officer's Assoc. v. City of Long Beach*, 59 Cal. 4th 59 (Cal. 2014), available at <http://login.findlaw.com/scripts/callaw?dest=ca/cal4th/59/59.html>.

FINDING

F.13. Although the release the names of officers involved in fatal OIS incidents is an important step in creating a transparent investigation and holding the SFPD and its officers accountable for their actions, SFPD has had a spotty record regarding its release of the names of its officers involved in fatal OIS incidents.

RECOMMENDATIONS

- R.13.A. SFPD and the Police Commission should make it official policy for the SFPD to release the names of all officers involved in each OIS incident within 10 days, unless it has knowledge of credible threats to the officer's safety. In those instances in which the SFPD has knowledge that such credible threats exist, the SFPD should issue a statement stating it is withholding release of the names of the officers because of a credible threat to their safety.
- R.13.B. Simultaneous with its release of the names of the officers involved in an OIS incident or the statement that it is withholding release of that information, the SFPD should make the information available on its website.
- R.13.C. SFPD and the Police Commission should make it official policy that in those instances when the names of officers involved in an OIS incident are not released due to a credible threat to the officers' safety, the SFPD shall release the names of all officers involved as soon as the SFPD determines that the credible threat has passed.

The DA's Office Should Make a Public Announcement When It Issues Its Charging Decision Letters in OIS Cases and Make Them More Easily Accessible Online

It is fully understandable that the DA's Office must adhere to strict confidentiality while conducting its criminal investigation of an OIS incident. The public must accept that there will be limitations on transparency to maintain the integrity of the investigation itself.

As discussed earlier, however, at the end of its criminal investigation in each OIS incident, the DA's Office sends a letter to the Chief of Police, in which the DA announces whether criminal charges against the officers involved are warranted, along with supporting facts and legal analysis. The DA's Office also posts copies of each charging decision letter on its website.⁷⁶

To our knowledge, however, the DA's Office does not consistently hold a press conference or make a public announcement following its issuance of each charging decision letter to alert the public to the fact.⁷⁷

⁷⁶ <http://sfdistrictattorney.org/officer-involved-shooting-letters>.

⁷⁷ The DA did hold a press conference on May 10, 2016, however, to announce felony criminal charges against Alameda County Sheriff's Department deputies in the beating of Stanislav Petrov in a Mission District alley on November 12, 2015.

Further, while the citizens of San Francisco have access to the DA's charging decision letters, links to the letters are not listed in a manner that allows the public to access them easily. Each letter is identified only by the general location of the incident, not by the name of the individual shot. Further, while some of the letters are also identified by the date of the OIS incident, others are identified by the date the letter was issued.

FINDING

- F.14. The public's ability to learn of the result of the DA's criminal investigation of an OIS incident is hampered because the DA's Office rarely makes a public announcement that it has completed its investigation and because the DA's charging decision letters are listed in a confusing manner on the DA Office's website.

COMMENDATION

- C.14. The DA's Office is to be commended for the quality and comprehensiveness of its charging decision letters, which provide a summary of the facts, evidence and legal analysis underpinning the DA's decision whether to file criminal charges against the SFPD officers involved in OIS incidents, and which provide the citizens of San Francisco an understanding of the basis for the DA's decision.

RECOMMENDATION

- R.14.A. The DA's Office should make a public announcement each time it issues a charging decision letter so that the public is made aware that it has completed its OIS criminal investigation.
- R.14.B. The DA's Office should make its charging decision letters on its website more easily accessible to the public by including on the index page the name of the individual shot and the date of the OIS incident.

At the End of Each Fatal OIS Investigation, a Comprehensive "Debriefing" Report Should Be Issued to the Public

Only a resourceful, determined citizen using investigative skills can find the limited information that is produced about an OIS incident, such as the SFPD's initial press releases regarding the incident, the DA's charging decision letter, and perhaps even a sanitized, anonymized OCC report or Firearm Discharge Review Board summary. Even then, a full picture of the OIS incident and an understanding of the results of the subsequent investigation would likely be incomplete, because none of the City entities involved in OIS investigations create or publish a comprehensive report of the findings of the investigation.

FINDING

- F.15. Currently, citizens of San Francisco do not have access to a single, complete, comprehensive summary of the results and findings of a fatal OIS investigation. To restore the public's faith in the integrity of these investigations, such a summary should be made available.

RECOMMENDATION

- R.15. The Police Commission or the newly created OIS Investigation Oversight Task Force (see Recommendations R.8.A. and R.8.B.), in addition to summarizing the findings and conclusions of the various OIS investigations (again see Recommendations R.8.A. and R.8.B.), should examine each fatal OIS incident with a view to developing "lessons learned" and answering the following questions:
- What circumstances contributed to the OIS incident?
 - What aspects of the interaction between the SFPD officers and the suspect, if any, could have been handled differently so that the loss of a life would not have occurred?
 - What alternatives to deadly force may have been tried? What lessons can be learned?
 - Should any SFPD policies and procedures be reviewed or revised because of the incident?

The entity making this review of the fatal OIS incident should publish its findings, as well as those from each of the other City agencies involved, in one comprehensive report that is made available to the public. The entity should then hold town hall meetings to share highlights from the report and the conclusions drawn from the OIS incident and should seek and allow for public comment and feedback.

CONCLUSION

Each City agency involved in the investigation of fatal OIS incidents owes it to the citizens of San Francisco, to the friends and family of those individuals shot and killed at the hands of SFPD officers, to those officers and their families, and to its own departmental integrity to complete its investigations as timely and as transparently as possible.

The fact that the lives of everyone involved in OIS incidents are irreparably, detrimentally changed is bad enough. Such tragedy should not be exacerbated by a subsequent investigation that is too slow or opaque.

We believe that the recommendations we make in this report are minimal first steps that must be taken immediately to start down the path toward fair and just OIS investigations that are worthy of the trust of the citizens of San Francisco. We also believe that these recommendations can be implemented with little upheaval to the agencies involved and with little cost to the City.

One key component of the OIS investigation which we do not discuss in our report is the public dissemination of information about disciplinary actions taken against officers involved in OIS incidents. Our exclusion of this topic is because such dissemination is governed by state law, which is outside the Civil Grand Jury's jurisdiction.

We recognize, however, that citizens may feel that complete transparency in an OIS investigation must include the ability to learn what disciplinary actions, if any, were taken against the officers involved.

Time and again during our investigatory interviews, California state laws restricting disclosure of police officers' personnel records were blamed for the lack of transparency regarding disciplinary actions taken against officers involved in OIS incidents.

"Our state's 'Pitchess statutes' (including Sections 832.7 and 832.8 of the Penal Code) and related case law essentially make all records relating to peace officer misconduct confidential and exempt from disclosure under the Public Records Act."⁷⁸

In February 2016, State Senator Mark Leno introduced SB 1286⁷⁹ in the California Senate, with the aim of allowing greater public access to peace officer records related to serious uses of force and sustained charges of misconduct.

SB 1286 was supported by social justice activists and police reform advocates as a way to improve police-community relations, but was opposed by law enforcement organizations, which

⁷⁸ ACLU, "Increasing Law Enforcement Transparency - SB 1286 (Leno)" fact sheet, available at <https://ssl.capwiz.com/aclu/ca/issues/alert/?alertid=71310801>; see also ACLU, "SB 1286 (Leno): Enhance Community Oversight on Police Misconduct and Serious Uses of Force" fact sheet, available at https://www.aclunc.org/docs/sb1286_factsheet.pdf. Under Section 832.7 of the California Penal Code, all law enforcement personnel records are confidential. A motion to obtain a police officer's confidential personnel records as evidence in a civil or criminal proceeding is known as a *Pitchess* motion (after *Pitchess v. Superior Court*, 11 Cal.3d 531 (1974)), the requirements for which are specified in Section 1043 of the California Evidence Code.

⁷⁹ For text of SB 1286, see http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1286.

contended the bill would invade officer privacy while existing civilian review boards and potential prosecution provided enough outside accountability of police.⁸⁰

The bill was effectively killed on May 27, 2016, when it was held in the Senate's Appropriations Committee without discussion.

Public disclosure of disciplinary action recommended by the Chief of Police or the OCC and/or taken by the Chief of Police or the Police Commission against officers involved in OIS incidents is effectively prohibited by California state law. Until those laws are changed, there can be no transparency into one of the key components of OIS investigations — officer discipline.

We encourage those citizens of San Francisco who believe that they deserve to know the findings, recommendations, and disciplinary action, if any, taken by the Chief of Police, the OCC and the Police Commission against the officers involved in OIS incidents, to work to change state law restricting disclosure of the contents of police officers' personnel files.

⁸⁰ For a list of organizations that supported and those that opposed SB 1286, see Senate Committee on Public Safety Bill Analysis of SB 1286, *available at* http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_1251-1300/sb_1286_cfa_20160412_170041_sen_comm.html.

REQUEST FOR RESPONSES

Findings and Required Response Matrix

FINDING	RESPONDER
F.1. None of the City agencies that are fundamental to OIS investigations has done an adequate job informing the citizens of San Francisco how the process works.	SFPD DA's Office OCC
F.2. Because the SFPD consistently does not meet the time frame in its own General Orders by which investigations of OIS incidents are to be conducted and completed, the General Orders create false expectations for the citizens of San Francisco.	SFPD Police Commission
F.3. The SFPD Field Operations Bureau's use of outdated methods, including a serial, hierarchical phone tree system, to alert some essential responders of an OIS incident is inherently time-consuming and results in slower response times, which can cause delays in OIS investigations both at the scene and afterwards.	SFPD
F.4. While there are many factors to consider when determining a timetable to complete an OIS investigation, the lack of a meaningful and enforceable process for establishing a timetable in the current MOU between the SFPD and the DA's Office allows OIS investigations to drag on too long.	SFPD DA's Office
F.5. The DA's Office takes too long to complete its criminal investigations and issue its charging decision letters in OIS cases. In the last five years, it has taken an average of 611 days to issue charging decision letters in fatal OIS cases and 654 days in all OIS cases, both fatal and non-fatal.	DA's Office
F.6. Under the leadership of and commitment displayed by the CME since coming aboard in March 2015, the OCME's turnaround time has improved and its final reports have included more photographs and documentation and greater detail.	OCME
F.7. OCC investigations are hampered and delayed by the fact that its investigators and attorneys must transcribe their own extensive notes of each witness interview.	OCC
F.8. The current structure for investigating OIS cases lacks an oversight body to review the events surrounding the OIS incident and the actions of the SFPD officers, monitor the timeliness and fairness of the investigation, communicate regularly about the	Mayor

status of the investigation, and interpret and share the results of the investigation with the public.	
F.9. While the SFPD has taken important first steps in providing information and statistics regarding OIS incidents and resulting investigations, it must provide much more robust information to reach its stated goal of building public trust, engaging with the community and driving positive outcomes in public safety.	SFPD
F.10. SFPD’s press conferences at the scene of the incident, or soon thereafter, are an important first step in creating a transparent investigation, provide crucial information about the events leading up to the incident, and serve to mitigate false reporting, speculation and the dissemination of misinformation.	SFPD
F.11. As with its press conferences at the scene of the incident, the SFPD’s practice of posting “updates” on its website as soon as possible after an OIS incident are an important step in creating a transparent investigation, provide crucial information about the events leading up to the OIS incident, and serve to mitigate false reporting, speculation and the dissemination of misinformation.	SFPD
F.12. SFPD’s town hall meetings are crucial to a transparent OIS investigation and provide updated information about the incident and serve to mitigate false reporting, speculation and the dissemination of misinformation.	SFPD
F.13. Although the release the names of officers involved in fatal OIS incidents is an important step in creating a transparent investigation and holding the SFPD and its officers accountable for their actions, SFPD has had a spotty record regarding its release of the names of its officers involved in fatal OIS incidents.	SFPD
F.14. The public’s ability to learn of the result of the DA’s criminal investigation of an OIS incident is hampered because the DA’s Office rarely makes a public announcement that it has completed its investigation and because the DA’s charging decision letters are listed in a confusing manner on the DA Office’s website.	DA’s Office
F.15. Currently, citizens of San Francisco do not have access to a single, complete, comprehensive summary of the results and findings of a fatal OIS investigation. To restore the public’s faith in the integrity of these investigations, such a summary should be made available.	Mayor

Recommendations and Required Response Matrix

RECOMMENDATION	RESPONDER
<p>R.1. Each of the three City agencies fundamental to OIS investigations — SFPD, DA’s Office and OCC — should create a “OIS Investigations” web page specifically devoted to educating the public about that agency’s role in the investigation of OIS incidents. Each agency’s web page should be comprehensive and answer the following questions:</p> <ul style="list-style-type: none"> ● Who is involved in the investigation and what are their roles and responsibilities; ● Why is the agency involved in OIS investigations; ● What is the investigation’s purpose, what goals does the investigation attempt to achieve, what parts are disclosable and/or disclosed to the public, and what parts are not and/or cannot be disclosed and why; ● When does the investigation begin, what is the general time frame by which the public may expect the investigation to be completed, and what variables may affect this time frame; ● How does the OIS investigation process work; and ● Where may the public go for more information about OIS investigations generally, as well as about specific OIS investigations. <p>Each agency should make its “OIS Investigations” web page available in English, Spanish, Chinese and Filipino (Tagalog).</p> <p>Each agency should provide a link from its home page to its “OIS Investigations” web page, so that it can be accessed easily.</p> <p>Each agency should add its “OIS Investigations” web page to its website as soon as possible, but no later than six months after the date this report is published.</p>	<p>SFPD DA’s Office OCC</p>
<p>R.2.A. The Police Commission, in coordination with the relevant SFPD divisions, the DA and the OCC should immediately commission a comprehensive study of ways to streamline the OIS investigation process with the goal of reducing the overall time to conduct a full investigation.</p>	<p>Police Commission SFPD DA’s Office OCC</p>
<p>R.2.B. After receiving the results of the study of ways to streamline the OIS investigation process, the Police Commission should revise the General Orders to more accurately reflect the timeframes by which investigations of OIS incidents are to be completed.</p>	<p>Police Commission SFPD</p>

<p>R.3.A. The SFPD Field Operations Bureau should implement standardized, modern methods to notify all essential responders of an OIS incident.</p>	<p>SFPD</p>
<p>R.3.B. The SFPD Field Operations Bureau should require that all essential responders called to the scene of an OIS incident confirm with the Field Operations Bureau that they received the initial notification. If the Bureau does not receive confirmation from an essential responder within a designated period of time, it should contact an alternate responder for that agency.</p>	<p>SFPD</p>
<p>R.4. The SFPD and the DA’s Office should jointly draft a new MOU in which each commits to an agreed-upon process to:</p> <ul style="list-style-type: none"> ● Prioritize and expedite their investigations of OIS incidents within an established timeframe; ● Make a public announcement when each completes its OIS investigation, so that the public may be better informed of the investigative results and the time taken by each agency to complete its OIS investigation. 	<p>SFPD DA’s Office</p>
<p>R.5.A. The DA should immediately give the investigation of OIS cases priority and dedicate the departmental resources required to reduce the time the DA’s Office takes to complete its criminal investigation and issue its charging decision letters in OIS cases.</p>	<p>DA’s Office</p>
<p>R.5.B. The DA should determine the resources necessary to reduce the length of time the DA’s Office spends to complete its criminal investigations in OIS incidents and then make sufficient requests for those resources in the proposed budget for fiscal year 2017-2018, and thereafter.</p>	<p>DA’s Office</p>
<p>R.5.C. The Mayor and the Mayor’s Office of Public Policy and Finance should include in the proposed budget for fiscal year 2017-2018, and thereafter, resource requests from the DA’s Office to expedite OIS investigations. Allocation and/or release of these funds should be contingent upon marked, measurable improvement by the DA’s Office in the time it takes to complete its criminal investigations and issue its charging decision letters in OIS cases.</p>	<p>Mayor Mayor’s Office of Public Policy and Finance</p>
<p>R.5.D. The Board of Supervisors should approve these additional resources requested by the DA’s Office and included by the Mayor and the Mayor’s Office of Public Policy and Finance in the proposed budget for fiscal year 2017-2018, and thereafter, to expedite OIS Investigations. Approval of these additional</p>	<p>Board of Supervisors</p>

resources again should be contingent upon marked, measurable improvement by the DA's Office in the time it takes to complete its criminal investigations and issue its charging decision letters in OIS cases.	
R.6.A. After the OCME releases each autopsy report in OIS cases, the CME should proactively call a meeting of the SFPD's Homicide Detail, DA's Office and OCC to help those agencies interpret the highly technical findings of the autopsy report. This meeting should be coordinated, if possible, to include reports from the Crime Lab on the results of its firearms comparisons, ballistics examinations and DNA analysis.	OCME
R.6.B. When the new OCME building with autopsy observation facilities is completed, the CME should invite SFPD inspectors and DA and OCC investigators to observe autopsies in all fatal OIS incidents, so that questions can be answered quickly, observations shared early, and the spirit of teamwork and cooperation on the investigation can begin as early as possible.	OCME
R.7.A. The OCC should allocate current year funds and include funding requests in the proposed budget for fiscal year 2017-2018, and thereafter, for transcription services, so that OCC staff can spend more of its time on investigations and legal analysis and less time on the transcription of interview notes.	OCC
R.7.B. The Police Commission should support the OCC's funding requests in the proposed budget for fiscal year 2017-2018, and thereafter, for transcription services.	Police Commission
R.7.C. The Mayor and the Mayor's Office of Public Policy and Finance should include in the proposed budget for fiscal year 2017-2018, and thereafter, resource requests from the OCC for transcription services.	Mayor Mayor's Office of Public Policy and Finance
R.7.D. The Board of Supervisors should approve the resources requested by the OCC and included by the Mayor and the Mayor's Office of Public Policy and Finance in the proposed budget for fiscal year 2017-2018, and thereafter, for transcription services.	Board of Supervisors
R.8.A. The Mayor's Office should form a new standing task force to oversee the investigation of OIS cases. The task force should include high ranking persons from the Sheriff's Office, the DA's Office, the OCME, the SFPD (including the Chief Homicide Inspector), and the OCC. The task force may also include a state or	Mayor

federal department of justice consultant or observer, and a knowledgeable, respected citizen.	
<p>R.8.B. The Mayor should charge the new task force to:</p> <ul style="list-style-type: none"> ● Monitor the progress of each OIS investigation and hold each involved agency accountable for timely completion of its portion of the OIS investigation; ● Provide periodic press releases and/or press conferences to update the public on the status of each OIS case; ● Compile a summary of the findings from each involved agency and then evaluate those findings in group meetings to address any inconsistencies or unanswered questions; ● Facilitate a joint discussion among its members to formulate conclusions and “lessons learned”; ● Identify necessary policy or procedural changes; and ● Share its summary of the overall OIS investigation in public sessions so that the public has a voice in the process and may respond and ask questions. 	Mayor
<p>R.9. SFPD should make publicly available and prominently display on its website a more robust set of statistics, data and information on OIS incidents where its officers are involved, using the data release practices of law enforcement agencies like the Dallas Police Department and the Los Angeles County Sheriff’s Department.</p>	SFPD
<p>R.10.A. SFPD and the Police Commission should make it official policy for the SFPD to hold press conferences as soon as possible after <i>each</i> OIS incident.</p>	SFPD Police Commission
<p>R.10.B. SFPD should limit comments made during these press conferences to the <i>facts</i> as they are known at that time and refrain from making statements and using language to prematurely attempt to justify the actions taken by SFPD officers involved in the OIS incident.</p>	SFPD
<p>R.11.A. SFPD and the Police Commission should make it official policy for the SFPD to post “updates” on its website as soon as possible after <i>each</i> OIS incident.</p>	SFPD Police Commission
<p>R.11.B. SFPD should limit comments made in these updates to the <i>facts</i> as they are known at that time and refrain from making statements and using language to prematurely attempt to justify the actions taken by SFPD officers involved in the OIS incident.</p>	SFPD

<p>R.12.A. SFPD and the Police Commission should make it official policy for the SFPD to hold town hall meetings within a week after <i>each</i> OIS incident.</p>	<p>SFPD Police Commission</p>
<p>R.12.B. The Chief of Police, the Supervisor for the district in which the OIS incident occurs, the DA, the Director of the OCC, all members of the Police Commission, and all members of the newly formed OIS Task Force (see Recommendations R.8.A. and R.8.B.) should attend the town hall meetings to show that they acknowledge the seriousness of the situation, understand how critical it is to have a thorough, accountable and transparent investigation and analysis of what occurred, and are united toward the goal of making that happen. Faith leaders and other community advocacy groups should also be invited to participate.</p>	<p>SFPD Board of Supervisors DA's Office OCC Police Commission Mayor</p>
<p>R.13.A. SFPD and the Police Commission should make it official policy for the SFPD to release the names of all officers involved in each OIS incident within 10 days, unless it has knowledge of credible threats to the officer's safety. In those instances in which the SFPD has knowledge that such credible threats exist, the SFPD should issue a statement stating it is withholding release of the names of the officers because of a credible threat to their safety.</p>	<p>SFPD Police Commission</p>
<p>R.13.B. Simultaneous with its release of the names of the officers involved in an OIS incident or the statement that it is withholding release of that information, the SFPD should make the information available on its website.</p>	<p>SFPD</p>
<p>R.13.C. SFPD and the Police Commission should make it official policy that in those instances when the names of officers involved in an OIS incident are not released due to a credible threat to the officers' safety, the SFPD shall release the names of all officers involved as soon as the SFPD determines that the credible threat has passed.</p>	<p>SFPD Police Commission</p>
<p>R.14.A. The DA's Office should make a public announcement each time it issues a charging decision letter so that the public is made aware that it has completed its OIS criminal investigation.</p>	<p>DA's Office</p>
<p>R.14.B. The DA's Office should make its charging decision letters on its website more easily accessible to the public by including on the index page the name of the individual shot and the date of the OIS incident.</p>	<p>DA's Office</p>
<p>R.15. The Police Commission or the newly created OIS Investigation Oversight Task Force (see Recommendations R.8.A.</p>	<p>Police Commission</p>

<p>and R.8.B.), in addition to summarizing the findings and conclusions of the various OIS investigations (again see Recommendations R.8.A. and R.8.B.), should examine each fatal OIS incident with a view to developing “lessons learned” and answering the following questions:</p> <ul style="list-style-type: none"> ● What circumstances contributed to the OIS incident? ● What aspects of the interaction between the SFPD officers and the suspect, if any, could have been handled differently so that the loss of a life would not have occurred? ● What alternatives to deadly force may have been tried? What lessons can be learned? ● Should any SFPD policies and procedures be reviewed or revised because of the incident? <p>The entity making this review of the fatal OIS incident should publish its findings, as well as those from each of the other City agencies involved, in one comprehensive report that is made available to the public. The entity should then hold town hall meetings to share highlights from the report and the conclusions drawn from the OIS incident and should seek and allow for public comment and feedback.</p>	<p>Mayor</p>
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Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

ACRONYM KEY (As Used in This Report)

Abbreviation	Term
BSU	SFPD Behavioral Science Unit
CIRT	SFPD Crisis Incident Response Team
CME	Chief Medical Examiner
CSI	SFPD Crime Scene Investigation
DA or DA's Office	Office of the District Attorney
DOJ COPS	United States Department of Justice Office of Community Oriented Policing Services
ECD	Emergency Communications Division
FDRB	Firearm Discharge Review Board
IA or IAD	SFPD Internal Affairs Division
MOU	Memorandum of Understanding Between the San Francisco District Attorney's Office and the San Francisco Police Department Regarding the Investigation of Officer-Involved Shootings and In-Custody Deaths
OCC	Office of Citizen Complaints
OCME or OME	Office of the Chief Medical Examiner
OIS	Officer-Involved Shooting
RMO	SFPD's Risk Management Office
SFPD	San Francisco Police Department

APPENDICES

Appendix A

Summary Accounts of Fatal SFPD OIS Incidents from 2011 - June 12, 2016

(Source: Compiled by the Civil Grand Jury from SFPD press releases, the DA's charging decision letters and media coverage of the incidents.)

1. Jessica Williams (May 19, 2016)

Name of victim:	Jessica Williams
Gender of victim:	Female
Race/ethnicity of victim:	African-American/Black
Age of victim:	29
Date and time of shooting:	May 19, 2016 @ approx. 9:45 a.m.
Location:	Elmira Street & Helena Street; Bayview District
Officer(s) involved:	Justin Erb
SFPD Press Releases re Incident:	<ul style="list-style-type: none">• Bayview District Officer Involved Shooting (Thursday, May 19, 2016) http://sanfranciscopolice.org/article/bayview-district-officer-involved-shooting
DA's Charging Decision Letter:	Not Yet Issued

A police sergeant and another officer from the City's Bayview station, conducting a stolen vehicle recovery operation, came across Williams sitting in a purportedly stolen car. Williams allegedly attempted to flee, but struck a utility truck parked nearby. According to a witness, as the officers approached the car on foot, Williams tried to dislodge the car, which had become wedged under the truck, by shifting it forward and in reverse. When Williams did not comply with police orders, the sergeant fired one shot, hitting Williams.

Police removed Williams from the car and began to provide medical aid until paramedics arrived and took her to San Francisco General Hospital where she died.

In a statement shortly after the incident, a SFPD spokesperson said there was no immediate indication that the woman was armed or was driving the car toward officers when she was shot.

2. Luis Gongora (April 7, 2016)

Name of victim:	Luis Gongora
Gender of victim:	Male
Race/ethnicity of victim:	Hispanic/Latino
Age of victim:	45
Date and time of shooting:	April 7, 2016 @ 10:04 a.m.
Location:	400 block of Shotwell Street, between 18th Street and 19th Street; Mission District
Officer(s) involved:	Michael Mellone Nate Segar
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> ● SFPD Investigating an Officer Involved Shooting on Shotwell & 19th St (Thursday, April 07, 2016) http://sanfranciscopolice.org/article/sfpd-investigating-officer-involved-shooting-shotwell-19th-st ● Officer Involved Shooting Update (Friday, April 08, 2016) http://sanfranciscopolice.org/article/officer-involved-shooting-update ● SFPD Town Hall Meeting to Discuss Officer Involved Shooting, April 13, 2016 (Wednesday, April 13, 2016) http://sanfranciscopolice.org/article/sfpd-town-hall-meeting-discuss-officer-involved-shooting-april-13-2016
DA's Charging Decision Letter:	Not Yet Issued

City homeless outreach workers, who had responded to a report of a disturbance in a homeless encampment, called 911 to report a man waving a large kitchen knife. SFPD officers arrived minutes later. Video of the incident shows that within 30 seconds of getting out of their police cruisers, two police officers fired four beanbags and then seven gunshot rounds at Gongora, a homeless man who reportedly had been living in the encampment.

Paramedics rushed the man to San Francisco General Hospital, where he died during surgery.

In a press conference at the scene shortly after the incident, Police Chief Suhr said that his officers shot Gongora after he challenged them with the knife. Some witnesses purportedly

affirmed SFPD officers' account of events, but at least one said Gongora never challenged the officers and probably didn't understand what police were saying before he was shot.

3. Mario Woods (December 2, 2015)

Name of victim:	Mario Woods
Gender of victim:	Male
Race/ethnicity of victim:	African-American/Black
Age of victim:	26
Date and time of shooting:	December 2, 2015 @ 4:34 p.m.
Location:	Near Keith Street and Fitzgerald Street; Bayview District
Officer(s) Involved:	Charles August Nicholas Cuevas Scott Phillips Antonin Santos Winston Seto
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> ● Officers Fatally Shoot Stabbing Suspect in the Bayview (Thursday, December 03, 2015) http://sanfranciscopolice.org/article/officers-fatally-shoot-stabbing-suspect-bayview ● SFPD Town Hall Meeting Regarding Officer Involved Shooting on Keith St & Fitzgerald St (Friday, December 04, 2015) http://sanfranciscopolice.org/article/sfpd-town-hall-meeting-regarding-officer-involved-shooting-keith-st-fitzgerald-st ● SFPD Chief Suhr Meets with African-American Advisory Forum (Monday, January 04, 2016) http://sanfranciscopolice.org/article/sfpd-chief-suhr-meets-african-american-advisory-forum ● SFPD's Statement on the Medical Examiner's Autopsy Report (Thursday, February 11, 2016) http://sanfranciscopolice.org/article/sfpds-statement-medical-examiners-autopsy-report
DA's Charging Decision Letter:	Not Yet Issued

SFPD officers were dispatched to the area of Keith and Fitzgerald Streets after a man at San Francisco General Hospital reported that he had been slashed in the upper arm by a man at that location. On arriving at the scene, officers spotted and approached Woods, who matched the suspect's description. Upon seeing the officers, Woods purportedly grabbed a kitchen knife from his jeans pocket. When Woods refused to drop the knife, officers shot him four times with bean bags filled with lead shot. Although the bean bags stunned Woods, police say he still refused to drop the knife. The officers then attempted to subdue Woods by using pepper spray, which appeared to have no effect. One of the officers moved to a position on the sidewalk in an effort to prevent the suspect from fleeing. At this point, according to officers' statements, the suspect began to move toward the officer while raising his knife causing them to fire at the suspect in self defense, killing him.

Cell phone video taken by witnesses at the scene, however, appears to show Woods backed against a wall, leaning over at times and waving his hands. The footage also shows Woods shuffling along the sidewalk toward an officer in the seconds before he was shot, but does not appear to directly threaten the safety of the officers or others.

The autopsy report issued by the OCME states Woods was shot 21 times with 20 of those shots coming from behind him.

4. Javier Ivan Lopez Garcia (November 11, 2015)

Name of victim:	Javier Ivan Lopez Garcia
Gender of victim:	Male
Race/ethnicity of victim:	Hispanic/Latino
Age of victim:	25
Date and time of shooting:	November 11, 2015 @ 4:15 p.m.
Location:	Construction Site next to St. Luke's Hospital at 3555 Cesar Chavez Street (@ Valencia Street); Mission District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> Active Shooter/ Robbery Suspect at St. Luke's Hospital in Mission District Shot & Killed by Responding Officers (Thursday, November 12, 2015) http://sanfranciscopolice.org/article/active-shooter-robbery-suspect-st-lukes-hospital-mission-district-shot-killed-responding

	<ul style="list-style-type: none"> • Veterans Day Active Shooter / Robbery Suspect Officer Involved Shooting Town Hall (Friday, November 13, 2015) http://sanfranciscopolice.org/article/veterans-day-active-shooter-robbery-suspect-officer-involved-shooting-town-hall
DA's Charging Decision Letter:	Not Yet Issued

SFPD officers responded to a construction site in the area of Valencia and Cesar Chavez after receiving reports of a person armed with multiple firearms. As officers arrived on scene they heard what they believed to be shots being fired.

The officers saw Garcia standing atop a construction elevator on the sixth floor of the building under construction pointing a rifle at St Luke's Hospital, next to the construction site.

When the officers ordered him to put down his gun, Garcia pointed it down towards the officers on the ground. Three officers fired at the suspect – two officers with rifles each fired one shot and a third officer fired three shots from a pistol – killing him.

Construction workers reported that the man had said "I just want to die" prior to taking the construction elevator up the building.

Later, SFPD officers learned that Garcia had robbed a Big 5 sporting goods store in San Bruno, taking a shot gun and ammunition from the store, before driving to the construction site

Police did not recover any shells from the scene, but a box of ammunition was recovered with rounds missing.

5. Herbert Benitez (October 15, 2015)

Name of victim:	Herbert Benitez
Gender of victim:	Male
Race/ethnicity of victim:	Hispanic/Latino
Age of victim:	27
Date and time of shooting:	October 15, 2015 @ 12:06 p.m.
Location:	Eighth Street, between Market Street and Mission Street; South of Market District
Officer(s) Involved:	

SFPD Press Releases re Incident:	<ul style="list-style-type: none"> Update on Officer Involved Shooting on Market St and 8th St. (Thursday, October 15, 2015) http://sanfranciscopolice.org/article/update-officer-involved-shooting-market-st-and-8th-st
DA's Charging Decision Letter:	Not Yet Issued

A construction worker flagged down two SFPD officers, who were driving their police cruiser southbound on Eighth Street near Market Street, to complain that Benitez had been throwing glass bottles into the street near the construction site and refused to stop when asked.

When one of the officers attempted to handcuff Benitez to take him into custody, Benitez struggled with the officer and took the officer to the ground. While on top of the officer, Benitez took the officer's gun. The pinned officer called out to his partner, "He's getting my gun," and then, "He's got my gun – shoot him!" Upon hearing this, the second sergeant shot Benitez, hitting him twice.

Benitez died at the scene.

A witness at the scene purportedly corroborated the officers' accounts of what occurred.

6. Alice Brown (March 17, 2015)

Name of victim:	Alice Brown
Gender of victim:	Female
Race/ethnicity of victim:	White
Age of victim:	24
Date and time of shooting:	March 17, 2015 @ 7:00 p.m.
Location:	1603 Pine Street (@ Van Ness Avenue); Lower Pacific Heights District
Officer(s) Involved:	Thomas Maguire Michael Tursi
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> SFPD Officer Involved Shooting Van Ness Ave & Pine St (Wednesday, March 18, 2015) http://sanfranciscopolice.org/article/sfpd-officer-involved-shooting-van-ness-ave-pine-st

	<ul style="list-style-type: none"> • Officer Involved Shooting Town Hall Meeting (Wednesday, March 18, 2015) http://sanfranciscopolice.org/article/officer-involved-shooting-town-hall-meeting
DA's Charging Decision Letter:	Not Yet Issued

Two plainclothes SFPD officers investigating a possible stolen vehicle approached Brown, who was sitting in a car at the Chevron gas station at Pine Street and Van Ness Avenue. The officers reportedly displayed their police badges and identified themselves as police officers as they approached the vehicle. Brown drove toward the officers before hitting the gas station building with her car and then turning onto Pine Street.

At least one of the officers ran after the vehicle. Before reaching the end of the block, Brown made a U-turn and began driving the wrong way down the one-way street. Brown drove her car onto the sidewalk in an apparent attempt to hit one of the officers, striking a building and parked cars in the process. Brown then drove back onto the street, striking additional cars and forcing a motorcyclist to jump off his motorcycle in the middle of the street to prevent being hit. Brown then drove her car back onto the sidewalk a second time.

The two officers fired at Brown, hitting her five times. Brown's car came to rest on the sidewalk near Van Ness Street.

The officers rendered aid but Brown died at the scene.

7. Amilcar Perez-Lopez (February 26, 2015)

Name of victim:	Amilcar Perez-Lopez
Gender of victim:	Male
Race/ethnicity of victim:	Hispanic/Latino
Age of victim:	21
Date and time of shooting:	February 26, 2015 @ 9:45 p.m.
Location:	Folsom Street and 24th Street; Mission District
Officer(s) Involved:	Eric Reboli Craig Tiffe
SFPD Press Releases re Incident:	None
DA's Charging Decision Letter:	Not Yet Issued

Two plainclothes SFPD officers responded to a call about a man with a knife chasing another man. According to police officials, Perez-Lopez was attempting to steal a bike from the second man. When the two officers ordered Perez-Lopez to drop the knife, he charged at them with the knife raised over his head, forcing the officers to fire at him, killing him.

The police explanation, however, runs counter to other witnesses' accounts of the incident.

While it was unclear why Perez-Lopez was threatening the other man with the knife – some say he was trying to steal the bike, others say he was in a heated negotiation to purchase the bike, and yet others say he was trying to get his cellphone back after the man borrowed it and then refused to return it – witnesses say that Perez-Lopez was no longer fighting with the man when officers arrived.

Perez-Lopez may not have known the officers were police as they were wearing plainclothes, although police officials say the officers were identifiable by their badges on the outside of their clothing. Perez-Lopez also may not have understood what the officers were saying because he did not speak English.

According to a private autopsy conducted at the request of Perez-Lopez's family, he was struck by six bullets: four shots hit him in the back, one hit him in the back of the right arm and one hit him in the head. The San Francisco medical examiner's office autopsy report released later corroborates the private autopsy.

8. Matthew Hoffman (January 4, 2015)

Name of victim:	Matthew Hoffman
Gender of victim:	Male
Race/ethnicity of victim:	White
Age of victim:	32
Date and time of shooting:	January 4, 2015 @ 5:20 p.m.
Location:	630 Valencia Street (@ 17th Street) (Mission Police Station); Mission District
Officer(s) Involved:	Nicolas Pena Michael Serujo
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> SFPD Officer Involved Shooting at Mission Police Station (Monday, January 05, 2015) http://sanfranciscopolice.org/article/sfpd-officer-involved-shooting-mission-police-station

	<ul style="list-style-type: none"> ● SFPD Releases Suicide Letter Written by the Man Shot by Officers at Mission District Station. (Monday, January 05, 2015) http://sanfranciscopolice.org/article/sfpd-releases-suicide-letter-written-man-shot-officers-mission-district-station
DA's Charging Decision Letter:	Not Yet Issued

Three SFPD officers leaving Mission Station spotted Hoffman loitering in the station's restricted parking lot. They told him to leave and Hoffman began to comply but then stopped in the middle of the driveway blocking the officers' exit. The sergeants got out of their car and again directed Hoffman to leave. Hoffman began to walk backwards out of the parking lot while continuing to face the officers with his hands in his front shirt pockets. The officers told Hoffman to show them his hands. Hoffman then lifted his sweater, showing officers what appeared to be the butt of handgun. The officers drew their weapons as the suspect pulled the weapon from his waistband. Two of the officers shot five rounds each at Hoffman, hitting him four times. Police later discovered the weapon was an air pistol.

Hoffman was taken to San Francisco General Hospital where he died of his injuries.

During the post-shooting investigation, officers found several suicide letters on Hoffman's phone, including one addressed to the officers. It read:

"Dear Officer(s),

You did nothing wrong. You ended the life of a man who was too much of a coward to do it himself. I provoked you. I threatened your life as well as the lives of those around me. You were completely within your legal rights to do what you did. You followed protocols. You did everything right. I just wanted to find peace within myself. I am so sad and I am so lonely. There is no place for me here. Please, don't blame yourself. I used you. I took advantage of you. I am so lost and I am so hopeless. God made a mistake with me. I shouldn't be here. Please, take solace in knowing that the situation was out of your control. You had no other choice."

9. O'Shaine Evans (October 7, 2014)

Name of victim:	O'Shaine Evans
Gender of victim:	Male
Race/ethnicity of victim:	African-American/Black
Age of victim:	26

Date and time of shooting:	October 7, 2014 @ 9:32 p.m.
Location:	1 Jack London Alley (@ Bryant Street); South of Market District
Officer(s) Involved:	David Goff
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> ● Officer Involved Shooting at Bryant & Jack London Alley (Wednesday, October 08, 2014) http://sanfranciscopolice.org/article/officer-involved-shooting-bryant-jack-london-alley ● SFPD Town Hall Meeting Regarding Officer Involved Shooting (Thursday, October 09, 2014) http://sanfranciscopolice.org/article/sfpd-town-hall-meeting-regarding-officer-involved-shooting
DA's Charging Decision Letter:	Not Yet Issued

Six SFPD officers observed two men get out of a car parked just a few blocks from AT&T Park where a San Francisco Giants game was just ending, break into a Mercedes-Benz SUV parked nearby, steal a laptop, and then return to the first car.

One of the officers who was wearing a shirt over his uniform so he wouldn't stand out while working the post-baseball-game crowd, purportedly identified himself as a police officer as he walked up to the driver's side door.

Evans, who had remained in the car while the two others had committed the burglary, was sitting in the driver's seat. As the officer approached Evans, he saw a pistol on Evans's lap.

When the officer asked Evans to show him his hands, Evans reportedly pointed the gun at him, causing the officer to fire seven times into the car, striking Evans twice and hitting a passenger in the rear seat of the car once.

Evans and the other injured passenger were taken to San Francisco General Hospital where Evans died of his injuries.

Witnesses said Evans had his hands on the steering wheel at the time of the shooting, and Evans family and friends called the circumstances surrounding the shooting suspicious, including questioning why Evans would carry an unloaded gun and why the officer didn't remove the shirt covering his uniform before approaching Evans.

10. Giovany Contreras-Sandoval (September 25, 2014)

Name of victim:	Giovany Contreras-Sandoval
Gender of victim:	Male
Race/ethnicity of victim:	Hispanic/Latino
Age of victim:	34
Date and time of shooting:	September 25, 2014 @ 6:00 a.m.
Location:	199 Battery Street (@ California Street); Financial District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> • Officer Involved Shooting California St and Battery St (Thursday, September 25, 2014) http://sanfranciscopolice.org/article/officer-involved-shooting-california-st-and-battery-st • Town Hall Meeting regarding the officer involved shooting on California and Battery St (Friday, September 26, 2014) http://sanfranciscopolice.org/article/town-hall-meeting-regarding-officer-involved-shooting-california-and-battery-st
DA's Charging Decision Letter:	Not Yet Issued

After carjacking a woman in Richmond and then leading law enforcement on a high-speed chase through Contra Costa County, Marin County and then into San Francisco, Contreras-Sandoval drove the wrong way up Battery Street and caused a three-car collision.

When bystanders ran to help him, Contreras-Sandoval started firing at them. One of those attempting to provide aid was struck with what may have been a bullet fragment.

Soon SFPD officers surrounded the vehicle and repeatedly ordered Contreras-Sandoval to drop his gun, but he refused. While waiting for a less-lethal beanbag shotgun to arrive to help subdue him, Contreras Sandoval pointed his gun at officers, prompting six to open fire, collectively shooting 32 rounds and hitting Contreras-Sandoval with ten.

Contreras-Sandoval was pronounced dead at the scene.

11. Alejandro “Alex” Nieto (March 21, 2014)

Name of victim:	Alejandro Nieto
Gender of victim:	Male
Race/ethnicity of victim:	Hispanic/Latino
Age of victim:	28
Date and time of shooting:	March 21, 2014 @ approximately 7:11 p.m.
Location:	10 Bernal Heights Boulevard (Bernal Heights Park); Bernal Heights District
Officer(s) Involved:	Nathan Chew Roger Morse Jason Sawyer Richard Schiff
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> • Officer Involved Shooting - Bernal Heights Park (Friday, March 21, 2014) http://sanfranciscopolice.org/article/officer-involved-shooting-bernal-heights-park • Town Hall Meeting Regarding Bernal Heights Officer Involved Shooting (Monday, March 24, 2014) http://sanfranciscopolice.org/article/town-hall-meeting-regarding-bernal-heights-officer-involved-shooting
DA’s Charging Decision Letter:	February 12, 2015 (328 days after OIS) http://sfdistrictattorney.org/sites/default/files/FileCenter/Documents/305-Bernal%20Hill%20Park.pdf

A man called 911 to report a man with a gun in Bernal Heights Park.

Four SFPD officers responded and found Nieto who matched the description of the suspect. Nieto reportedly drew a laser-equipped weapon from his hip holster and pointed the weapon at the officers, sweeping them with the weapon’s sighting laser. The officers fired 59 shots at Nieto, striking him 15 times, killing him.

Nieto’s weapon was later identified as an electronic control weapon (i.e., a Taser), which Nieto carried for his job as a security guard at a nightclub.

12. Dale S. Wilkerson (April 17, 2013)

Name of victim:	Dale S. Wilkerson
Gender of victim:	Male
Race/ethnicity of victim:	White
Age of victim:	60
Date and time of shooting:	April 17, 2013 @ approximately 9:45 p.m.
Location:	956 De Haro Street, between Southern Heights Avenue and 22nd Street; Potrero Hill District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> ● Officer Involved Shooting on the 900 Block of De Haro Street (Thursday, April 18, 2013) http://sanfranciscopolice.org/article/officer-involved-shooting-900-block-de-haro-street ● Chief Suhr Town Hall Meeting on Officer Involved Shooting. April 19th at 4:30 PM, "Potrero Hill Neighborhood House" 953 De Haro St. (Friday, April 19, 2013) http://sanfranciscopolice.org/article/chief-suhr-town-hall-meeting-officer-involved-shooting-april-19th-4-30-pm-potrero-hill
DA's Charging Decision Letter:	December 26, 2014 (618 days after OIS) http://sfdistrictattorney.org/sites/default/files/FileCenter/Documents/309-956%20Deharo.pdf

Wilkerson called 911 to report that he had attacked his brother-in-law with a machete at his residence. When SFPD officers arrived, they were met by the victim, whom they saw suffered from multiple stab wounds to the head, arms, and chest. When they tried to help him, Wilkerson emerged from the residence with a claw hammer and purportedly charged the nearest officer with it above his head. The officer retreated and fired his gun twice, hitting Wilkerson once.

Both victims were taken to SFGH where Wilkerson died.

Neighbors said he appeared reclusive in the last 6 months, and a tenant said the two had had a physical altercation.

13. Pralith Pralourng (July 18, 2012)

Name of victim:	Pralith Pralourng
Gender of victim:	Male
Race/ethnicity of victim:	Asian
Age of victim:	32
Date and time of shooting:	July 18, 2012 @ 10:15 a.m.
Location:	Near Washington Street and Davis Street; Embarcadero District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> • Officer-Involved Shooting at Washington & Davis Street (Wednesday, July 18, 2012) http://sanfranciscopolice.org/article/officer-involved-shooting-washington-davis-street • Town Hall Meeting Regarding the Officer Involved Shooting (Thursday, July 19, 2012) http://sanfranciscopolice.org/article/town-hall-meeting-regarding-officer-involved-shooting
DA's Charging Decision Letter:	May 13, 2014 (664 days after OIS) http://sfdistrictattorney.org/sites/default/files/FileCenter/Documents/299-Washington%20%26%20Davis%20St._Redacted.pdf

Pralourng, who had a history of schizophrenia, reportedly used a box cutter to slash a co-worker in an unprovoked attack at TCHO chocolate factory on Pier 17. He then chased the victim out onto The Embarcadero. Coworkers tried to reason with Pralourng to no avail and so called 911. Pralourng began walking south along The Embarcadero.

According to the SFPD, an officer caught up with Pralourng at Washington and Drumm Streets. He did not run, but was unresponsive and continued walking with a blank stare. When Pralourng reached Davis Street, the officer told him repeatedly to drop the box cutter. Instead, Pralourng reportedly lunged at the officer, so she shot him twice in the chest. The officer then handcuffed him, but then removed them and administered CPR when she realized the extent of his injuries.

Eyewitness accounts videotaped by Occupy San Francisco activist Robert Benson and posted to YouTube within a half hour after the incident, however, contradict the SFPD version of events.

In the videos, witnesses say they saw a female officer with short blond hair shoot Pralourng while he was handcuffed.

Pralourng later died at San Francisco General Hospital.

14. Dennis Hughes (May 9, 2012)

Name of victim:	Dennis Hughes
Gender of victim:	Male
Race/ethnicity of victim:	White
Age of victim:	41
Date and time of shooting:	May 9, 2012 @ 10:38 p.m.
Location:	861 Post Street (near Hyde Street); Lower Nob Hill District
Officer(s) Involved:	Joshua Hinds or Victor Hui
SFPD Press Releases re Incident:	<ul style="list-style-type: none">• San Francisco Police Officer-Involved Shooting (Thursday, May 10, 2012) http://sanfranciscopolice.org/article/san-francisco-police-officer-involved-shooting
DA's Charging Decision Letter:	May 1, 2014 (722 days after OIS) http://sfdistrictattorney.org/sites/default/files/Document/5.09.10-%20Post%20St..pdf

Rohnert Park police detectives, joined by SFPD officers as backup, went to Hughes' girlfriend's apartment looking for Hughes after finding the body of Hughes' mother in the Rohnert Park home the two shared.

After Hughes' girlfriend answered the door, Hughes spoke with officers through the door and then began shooting. As police retreated with the girlfriend, Hughes continued to shoot through the ceiling, floor, walls and into adjacent areas of the apartment building.

Hughes then barricaded himself in the apartment and sprayed a chemical agent such as Mace around the unit and lit several small fires.

After a standoff of about an hour, a SFPD sharpshooter fired a single shot at Hughes from an adjacent apartment building when Hughes stuck his head out of a window, killing him.

15. Steven Young (December 14, 2011)

Name of victim:	Steven Young
Gender of victim:	Male
Race/ethnicity of victim:	White
Age of victim:	33
Date and time of shooting:	December 14, 2011 @ 1:25 p.m.
Location:	Larkin Street, between Bush Street and Sutter Street; Lower Nob Hill District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> ● San Francisco Police Officers Involved in Officer Involved Shooting (Wednesday, December 14, 2011) http://sanfranciscopolice.org/article/san-francisco-police-officers-involved-officer-involved-shooting ● SFPD Chief Suhr Holds Community Meeting Regarding the Officer Involved Shooting (Friday, December 16, 2011) http://sanfranciscopolice.org/article/sfpd-chief-suhr-holds-community-meeting-regarding-officer-involved-shooting
DA's Charging Decision Letter:	May 19, 2014 (887 days after OIS) http://sfdistrictattorney.org/sites/default/files/FileCenter/Documents/302-Larkin%20%26%20Fern_Redacted.pdf

After SFPD officers pulled over the car driven by Young as part of a vehicle registration traffic stop, Young got out of the car and began running south on Larkin Street. Halfway down the block, Young allegedly turned around and began shooting at the officers. One of officers fired back, striking Young once in the head.

Young died the next day at San Francisco General Hospital.

According to officials, Young had two prior strikes against him under California's three-strikes law, as well as a warrant out for his arrest in San Mateo County. Young's family believed that Young would have rather died than go back to prison.

16. Peter Woo (October 3, 2011)

Name of victim:	Peter Woo
Gender of victim:	Male
Race/ethnicity of victim:	Asian
Age of victim:	44
Date and time of shooting:	October 3, 2011 @ 7:30 a.m.
Location:	636 Funston Street, between Balboa Street and Cabrillo Street; Inner Richmond District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> Officer Involved Shooting at the 600 block of Funston Ave. (Monday, October 03, 2011) http://sanfranciscopolice.org/article/officer-involved-shooting-600-blk-funston-ave
DA's Charging Decision Letter:	August 20, 2103 (687 days after OIS) http://sfdistrictattorney.org/sites/default/files/FileCenter/Documents/310-636%20Funston_Redacted.pdf

SFPD officers, responding to reports of a stabbing, found a 78-year-old man in the doorway of the residence bleeding profusely from stab wounds to his forearm and hands.

Inside the home, officers found a 73-year-old woman who had been stabbed in the upper body. As officers tried to pull her to safety, they were confronted by Woo, the son of the victims. Woo confronted the officers with a knife in each hand above his head.

Woo reportedly ignored repeated commands from the officers to drop the knives and charged the officers. One of the officers fired an Extended Range Impact Weapon (i.e., a beanbag weapon), but it was ineffective in stopping Woo. Another officer then fired two rounds, striking him.

In searching the house, officers found Woo's 50-year-old sister hiding in a locked bedroom.

Woo and his parents were taken to San Francisco General Hospital, where Woo and his mother both died of from their injuries.

Officers subsequently learned that Woo was schizophrenic and suffered bouts of depression.

17. Kenneth Wade Harding (July 16, 2011)

Name of victim:	Kenneth Wade Harding, Jr.
Gender of victim:	Male
Race/ethnicity of victim:	19
Age of victim:	African-American/Black
Date and time of shooting:	July 16, 2011 @ 4:43 p.m.
Location:	Third Street and Oakdale Avenue; Bayview District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> ● Information on the Officer Involved Shooting (Sunday, July 17, 2011) http://sanfranciscopolice.org/article/information-officer-involved-shooting ● San Francisco Police Department Community Meeting July 20th (Monday, July 18, 2011) http://sanfranciscopolice.org/article/san-francisco-police-department-community-meeting-july-20th ● Update on Officer Involved Shooting: GSR found on suspect's hand (Tuesday, July 19, 2011) http://sanfranciscopolice.org/article/update-officer-involved-shooting-gsr-found-suspects-hand ● Demonstration Arrests (Wednesday, July 20, 2011) http://sanfranciscopolice.org/article/demonstration-arrests ● Update on Officer Involved Shooting: Bullet Recovered from Harding Not From Police Firearm (Thursday, July 21, 2011) http://sanfranciscopolice.org/article/update-officer-involved-shooting-bullet-recovered-harding-not-police-firearm ● San Francisco Police Recover the Gun Used by Kenneth Harding (Friday, July 29, 2011) http://sanfranciscopolice.org/article/san-francisco-police-recover-gun-used-kenneth-harding

DA's Charging Decision Letter:	November 26, 2012 (499 days after OIS) http://sfdistrictattorney.org/sites/default/files/FileCenter/Documents/323-3rd%20%26%20Newcomb.pdf
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According to police reports, two SFPD officers approached Harding on a Third Street light rail and escorted him off the car when he did not have proof of fare payment. Once on the platform, while one of the officers was using his radio to conduct a criminal check, Harding ran. Officers gave chase. While fleeing, Harding pulled out a gun and began firing at officers over his shoulder as he continued to run toward Mendell Plaza. The two officers returned fire. Harding collapsed on the ground, and officers requested emergency services.

Harding was taken to San Francisco General Hospital where he died.

An autopsy revealed that Harding died from a close-range penetrating gunshot wound to the right neck. The wound appeared to be self-inflicted based on the proximity of the weapon, the trajectory and the type of bullet recovered from the wound, which matched unused ammunition recovered from Harding's pocket, but which did not match weapons used by the SFPD officers at the scene. The autopsy also revealed that Harding had two other gunshot wounds, neither of which would likely have been fatal: one in his lower left leg and a graze gunshot wound to his left thigh.

Video taken of the incident shows Harding lying on the ground in a pool of blood surrounded by officers pointing guns at him, as well as a quickly-formed crowd of witnesses and onlookers shouting and taunting police.

Although some witnesses said Harding did not have a gun and no gun was recovered at the scene, video taken at the scene shortly after the shooting shows someone picking up a gun, shell casings and a cell phone lying near Harding and leaving the scene. Police later recovered the .380-caliber semi-automatic pistol after a Bayview resident led police to the gun after a weeklong effort to find it.

Harding's death sparked outrage in the community. Three days after the shooting, 43 people were arrested during a protest that led to vandalism of a Muni station and two assaults. The next day Police Chief Suhr was booed offstage during a town hall meeting about the shooting.

18. Joshua Smith (June 7, 2011)

Name of victim:	Joshua Smith
Gender of victim:	Male
Race/ethnicity of victim:	White
Age of victim:	25

Date and time of shooting:	June 7, 2011 @ 5.40 p.m.
Location:	65 Buena Vista East, between Haight Street and Duboce Street; Buena Vista District
Officer(s) Involved:	
SFPD Press Releases re Incident:	<ul style="list-style-type: none"> • San Francisco Police Involved In Officer Involved Shooting (11-059) (Wednesday, June 08, 2011) http://sanfranciscopolice.org/article/san-francisco-police-involved-officer-involved-shooting-11-059
DA's Charging Decision Letter:	October 5, 2012 (486 days after OIS) http://sfdistrictattorney.org/sites/default/files/FileCenter/Documents/318-65%20Buena%20Vista.pdf

FBI agents notified SFPD that Smith, a suspect wanted in connection with two bank robberies in Irvine, California, was driving a stolen BMW that had been tracked to San Francisco. Police were able to track the BMW via a GPS installed in it and were conducting surveillance on the car when they saw Smith get into it. When police approached the car on foot to make an arrest, Smith attempted to run down one of them. Officers shot at the car, hitting Smith six times.

Smith later died at San Francisco General Hospital.

Smith had been dubbed the "Gen X Bandit" after wearing a stocking cap and a flannel shirt while allegedly robbing the two banks in Irvine on May 17, 2011.

Appendix B

Composition of SFPD Return to Duty Panel

(Source: Lt. Alexa O'Brien et al., *OIS Investigations: Criminal & Administrative Processes* 21 (Dec. 8, 2015).)

- Deputy Chief of Administration (Chair)
- Deputy Chief of the Member's Bureau
- Commander of the Member
- Commanding Officer of the Involved Member
- Captain of Risk Management
- Lieutenant of Internal Affairs Division
- Lieutenant of Homicide Detail
- Homicide Detail Investigator(s)
- Internal Affairs Division Investigator(s)
- Behavioral Science Unit representative

Composition of SFPD Firearm Discharge Review Board

(Source: Lt. Alexa O'Brien et al., *OIS Investigations: Criminal & Administrative Processes* 31 (Dec. 8, 2015).)

Voting Members

- Deputy Chief of Administration (Chair)
- Deputy Chief Airport
- Deputy Chief Operations
- Deputy Chief Special Operations

Advisory Members

- Police Commissioner
- Director of Office of Citizen Complaints
- Captain of Risk Management Office
- Captain of Training Division
- Range Master

Appendix C

Applicable SFPD General Orders and Department Bulletins

(Source: Compiled by Civil Grand Jury from SFPD General Orders and Department Bulletins, available at <http://sanfranciscopolice.org/dgo> and by searching the SFPD site (<http://sanfranciscopolice.org>).

Appendix C1

OIS/Use of Force or Related/Applicable Thereto

The following SFPD General Orders and Department Bulletins deal with the investigation of officer-involved shootings and use of force specifically or deal with topics which may encompass such incidents.

Policy	Title	Date
General Order 2.04	Citizen Complaints Against Officers	07/20/94
General Order 2.07	Discipline Process for Sworn Officers	07/20/94
General Order 2.08	Peace Officers' Rights	08/10/05
General Order 3.10	Firearm Discharge Review Board	09/21/05
General Order 5.01	Use of Force	Rev. 10/04/95
General Order 6.01	Crime Scene Log	07/27/94
General Order 6.02	Physical Evidence and Crime Scenes	Rev. 10/01/97 Eff. 10/17/07
General Order 6.05	Death Cases	07/27/94
General Order 8.01	Critical Incident Evaluation and Notification	08/03/94
General Order 8.04	Critical Incident Response Team	08/03/94
General Order 8.09	Media Relations	08/24/94
General Order 8.11	Investigation of Officer Involved Shootings and Discharges	09/21/05
General Order 8.12	In-Custody Deaths	04/15/09
Dept. Bulletin 15-051	Use of Force Options: Reporting and Medical Assessment Requirements (Amends portions of DGO 5.01)	03/05/15
Dept. Bulletin 15-106	Avoiding the "Lawful but Awful" Use of Force	04/27/15
Dept. Bulletin 15-128	Officer-involved Shooting and Discharge Investigations (Revision to Definitions in DGO 8.11)	05/26/15

Appendix C2

Use of Firearms and Force Generally

The following SFPD General Orders and Department Bulletins concern the use of firearms and force generally, and while they do not specifically relate to the *investigation* of OIS incidents, we delineate them here to provide a comprehensive list of policies related to all aspects officer-involved shootings and use of force.

Policy	Title	Date
General Order 5.02	Use of Firearms	Rev. 11/01/95
General Order 8.02	Hostages and Barricaded Suspect Incidents	08/03/94
Dept. Bulletin 14-014	Reminder regarding Department General Order 5.02, Use of Firearms: Discharge of Firearm at Operator or Occupant of Moving Vehicles	01/07/14
Dept. Bulletin 14-015	Reminder Regarding General Order 5.02, Use of Firearms: Permissible Circumstances to Discharge Firearm	01/07/14
Dept. Bulletin 14-111	Documenting Use of Force	04/14/14
Dept. Bulletin 15-155	Response to Mental Health Calls with Armed Suspects	07/16/15

Appendix C3

Interactions, Contact and Communications with the Community

The following SFPD Statements and General Orders guide SFPD officers' interactions, contact and communications with the community, and while they are not specific to officer-involved shootings and use of lethal force, they serve to build an expectation of transparency within the SFPD.

Policy	Title	Date
	SFPD Mission Statement	
	SFPD Vision Statement	
General Order 1.08	Community Policing	09/28/11
General Order 2.01	General Rules of Conduct	08/11/05
General Order 2.05	Citizen Complaints Against Non-Sworn Members	07/20/94
General Order 5.17	Policy Prohibiting Biased Policing	Rev. 05/04/11

Appendix D

SFPD General Order 8.11 Investigation of Officer Involved Shootings and Discharges

San Francisco Police Department

8.11

GENERAL ORDER

09/21/05

INVESTIGATION OF OFFICER INVOLVED SHOOTINGS AND DISCHARGES

This order outlines the rules and procedures to be followed in the conduct of all officer-involved shooting and discharge investigations.

I. POLICY

It is the policy of the San Francisco Police Department to respond immediately and conduct a timely and complete investigation of all officer-involved shootings.

II. PROCEDURES

A. DEFINITIONS:

- Officer-involved shooting. An officer's discharge of a firearm that results in the physical injury or death of a person, even if it is an accidental discharge.
- Officer-involved discharge. An officer's discharge of a firearm that does not cause injury or death to a person. Shooting at, injuring, or killing animals also falls into this category, including accidental discharge without injury.

B. INVESTIGATION PROTOCOL: Officer-involved shootings that result in injury or death are investigated in two distinctly separate venues:

1. Criminal Investigations. Investigations to determine if there was criminal conduct on the part of the involved officer(s) are conducted separately by the Homicide Detail and the Office of the District Attorney.

Officer-involved shootings occurring on San Francisco International Airport property or in San Mateo County shall be investigated by the San Mateo County Sheriff's Office in conjunction with the San Mateo County District Attorney's Office.

DGO 8.11
09/21/05

2. **Administrative Investigation.** Investigations to determine if the officer-involved shooting was within Department policy are conducted separately by the Management Control Division and by the Office of Citizen Complaints if and when initiated by a citizen complaint.

If the officer-involved shooting occurs on San Francisco International Airport property or on its surrounding areas, the Management Control Division shall contact the San Mateo County Sheriff's investigators and the San Mateo County District Attorney's Office investigators responsible for the criminal investigation and request copies of any reports those agencies have made that are relevant to the officer-involved shooting.

- C. **OFFICER-INVOLVED SHOOTINGS OCCURRING WITHIN THE CITY AND COUNTY OF SAN FRANCISCO.** As soon as practical after an officer-involved shooting occurring within the City and County of San Francisco, the following notifications shall be made:
 1. If practical, the member(s) involved shall notify Emergency Communications Division (ECD), and his/her immediate supervisor, or the platoon commander of the district in which the shooting took place.
 2. ECD shall immediately notify the Field Operations Bureau Headquarters (Operations Center after normal business hours).
 3. The Field Operations Bureau or the Operations Center shall make the following notifications:
 - a. The on-call Homicide Inspectors
 - b. The Crisis Incident Response Team (See DGO 8.04, Crisis Incident Response Team)
 - c. Management Control Division
 - d. District Attorney's Office
 - e. The Commanding Officer of the member(s) involved
 - f. Chair of the Firearm Discharge Review Board
 - g. Office of Citizen Complaints
 - h. San Francisco Police Department Command Staff
 - i. Legal Division
 - j. Captain of Risk Management
 - k. Secretary of the Police Commission

D. OFFICER INVOLVED DISCHARGES. In cases where injury or death has not occurred, the Commanding Officer of the member involved is responsible for conducting a thorough shooting investigation, including accidental discharges. The Commanding Officer may delegate this investigation to another Commissioned Officer. The Commanding Officer, however, shall be responsible for the proper conduct of the investigation, and the appropriate findings and recommendation as documented in an investigative summary. The Commanding Officer's Bureau Chief shall set an appropriate due date for this investigation. However, this investigation shall not exceed 45 days. Officer involved discharges require the following notifications:

1. If practical, the member(s) involved shall contact the platoon commander of the district in which the discharge occurred.
2. The platoon commander shall contact the officer's Commanding Officer.
3. If outside San Francisco, as soon as practical, the officer shall contact that jurisdiction's Police or Sheriff's Department requesting that entity contact the San Francisco Police Department.
4. An officer who discharges a firearm in an Officer-Involved Discharge shall be assigned to his or her respective Bureau Headquarters. The officer shall not return to regular assignment for a minimum of 5 days or unless, upon recommendation of the member's Commanding Officer with the approval of his or her respective Bureau Chief, the Chief of Police determines the member may return to his/her assignment.

E. OFFICER-INVOLVED SHOOTINGS OR DISCHARGES OCCURRING OUTSIDE THE CITY AND COUNTY OF SAN FRANCISCO. If a member discharges a firearm outside the City and County of San Francisco (except at an approved range or during lawful recreational activities) either while on duty or off duty, he/she shall follow these procedures:

1. Absent exigent circumstances, remain at the scene of the discharge and notify the law enforcement agency.
2. Immediately contact the on duty supervisor in your unit or detail.
3. As soon as practical, the member shall contact the senior ranking member on duty in the Bureau to which he/she is assigned, or the Operations

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Center after normal business hours, and report the incident. The senior-ranking member in the Bureau who is notified or the staff at the Operations Center shall notify the on-duty supervisor of the involved member. If the member's unit is closed, the notification shall be made to the Commanding Officer or Officer-in-Charge.

- F. SCENE. The member who has discharged his/her weapon in an officer involved shooting should limit his/her investigation and activity to the following:
1. When officer safety permits: de-cock, holster, and strap in his/her firearm. He/she should not reload the weapon, or remove the magazine to examine its contents. Thereafter, he/she should not remove the weapon from the holster until directed to do so by the Homicide Detail. In cases involving shotguns and/or long rifles the weapon shall be placed on "safe" and isolated in a secure location.
 - a. Nothing in this order shall preclude a member from taking reasonable actions to provide/ensure officer and/or public safety.
 2. As soon as practical, seek medical assistance/ treatment for injured persons.
 3. As soon as practical, protect the crime scene and preserve all evidence. Prior to the arrival of the homicide detail investigators as provided under II.F.5., no person(s) should be permitted to enter the scene except to perform emergency medical assistance or assist in the preservation of the scene and evidence contained therein.
 4. As soon as practical, attempt to obtain the name and address of any witness who may not remain at the scene.
 5. When an officer-involved shooting occurs within the City and County of San Francisco, the crime scene(s) shall be under the control of the Homicide Detail upon the arrival of their investigators. No persons shall be permitted to enter the crime scene without the approval of the Homicide Inspector assigned the investigation or the Homicide OIC.
 6. Nothing in this order shall prohibit a member from taking reasonable actions to ensure his/her safety or the safety of another person.

G. INVOLVED OFFICERS. The following actions will be taken in all cases of officer-involved shootings (resulting in injury or death):

1. All members shall be afforded all substantive and procedural rights and remedies as provided by applicable law, including without limitation thereto the Public Safety Officers' Bill of Rights.
2. When a supervisor arrives on the scene, the supervisor shall have the involved member(s) escorted from the scene. If more than one member is involved in the discharging of a firearm, absent exigent circumstances, the members shall be separated and will be kept separate from one another, and shall not discuss the incident with each other prior to being interviewed by the Homicide Detail Inspectors. If possible, the supervisor shall contact the investigator from the Homicide Detail and ascertain if the involved member is to be taken to the Homicide Detail, the Investigations Bureau, or the involved member's Station or Detail. In all circumstances the member shall be taken to a department facility.
3. Members of the department's C.I.R.T. program may assist the member(s) involved prior to their interview with investigators. However, they shall not discuss the facts or details of the shooting with the member.
4. Officers who discharge a firearm in an officer-involved shooting will be reassigned to his or her respective Bureau Headquarters. Officers shall not return to regular assignment for a minimum of 10 calendar days. This reassignment is administrative only and in no way shall be considered punitive.

Within 5 business days of an officer-involved shooting, the Chief of Police shall convene a panel to discuss whether it is appropriate for the involved member to return to duty. The Panel shall include a representative of the Behavioral Science Unit, the officer-in-charge of the Homicide Detail, the Deputy Chief, Commander, and Captain overseeing the involved officer's unit, the officer-in-charge of the Management Control Division, the Deputy Chief of Investigations and officer-in-charge of Risk Management.

The Chief, after consulting with the panel shall determine if the member should be returned to their regular field assignment, but only after completion of any mandatory debriefing (per DGO 8.04, Section 1.A), and any recommended retraining. This decision, including the factors supporting the decision, shall be contained in a written report that shall be forwarded immediately to the Police Commission. A copy of the report

shall also be forwarded to the Director of the OCC. This report will be part of the officer's confidential personnel file and shall not be disclosed to any member of the public except by court order. The Police Commission shall, at the first Commission meeting following receipt of the report, meet in closed session with the Chief of Police to review the Chief's findings and decision. Officers shall not be returned to their regular duty until the Commission has met in closed session with the Chief of Police.

Any determination by the Chief not to return an officer to their regular assignment and to continue their reassignment is administrative only and in no way shall be considered punitive.

5. The officer shall receive a debriefing by the Crisis Incident Response Team and support as outlined in Section C., of Department General Order 8.04.

H. INVESTIGATIONS

1. Officer-involved shootings. The Homicide Detail and the Management Control Division shall respond immediately and conduct a timely investigation into every officer-involved shooting. These investigations shall utilize the same numbering system, and be consistent with each other, e.g., 03-01 (first O.I.S. of 2003), 03-02 (second O.I.S. of 2003) etc.
2. Officer-involved discharges. The Commanding Officer of the member involved shall contact the Management Control Division and obtain an O.I.D. number. The report prepared by the Commanding Officer of the member involved shall reflect the M.C.D. issued O.I.D. number. The final report submitted shall be routed through channels, to the Management Control Division for evaluation prior to review by the Chief of Police.

I. REVIEW OF INVESTIGATIONS

1. Officer-involved shootings.
 - a. Homicide Detail Investigation. The criminal investigation prepared by the Homicide Detail shall be completed and received by the Chair of the Firearm Discharge Review Board within forty-five-calendar days of the shooting event. If the criminal investigation report is not completed within forty-five calendar days of the shooting event, the Officer-in-charge of the Homicide Detail shall appear before the

Commission at the earliest possible meeting to explain why the report has not been completed.

- b. **Management Control Division Investigation.** The administrative investigation prepared by the Management Control Division shall be completed and submitted to the Chair of the Firearm Discharge Review Board within sixty-calendar days of the shooting event. If the administrative investigation report is not completed within sixty-calendar days of the shooting event, the Officer-in-charge of the Management Control Division shall appear before the Commission at the earliest possible meeting to explain why the report has not been completed.
- c. **The Firearm Discharge Review Board shall convene within thirty calendar days of receipt of the Management Control Division investigation report.** Within 120 calendar days following the first meeting of the Firearm Discharge Review Board, the panel shall complete its investigation and issue its findings in accordance with Department General Order 3.10. If the Firearm Discharge Review Board report is not completed within the required 120 calendar days, a representative of the Firearms Discharge Review Board shall appear before the Commission at the earliest possible meeting to explain why the report has not been completed.

Appendix E

SFPD Department Bulletin 15-128: Officer-involved Shooting and Discharge Investigations (Revisions to Definitions in DGO 8.11)



DEPARTMENT BULLETIN

A
15-128
05/26/15

Officer-involved Shooting and Discharge Investigations

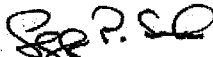
Revision to Definitions in DGO 8.11

As originally adopted, Department General Order 8.11, Section II.A defined an Officer-involved Shooting (OIS) and an Officer-involved Discharge (OID). The definitions are revised as follows:

DEFINITIONS:

- **Officer-involved Shooting.** An officer's intentional discharge of a firearm to stop a threat (as described in Department General Order 5.02.I.C.a, b, and c)—whether or not physical injury or death results—shall be investigated as an Officer-involved Shooting. A negligent discharge that results in the injury or the death of a person shall also be investigated as an Officer-involved Shooting.
- **Officer-involved Discharge.** The discharge of a firearm intended to kill a dangerous or wounded animal (as described in DGO 5.02.I.C.d) or to signal help for an urgent purpose, when no other reasonable means exists (as described in DGO 5.02.I.C.e) shall be investigated as an Officer-involved Discharge. An officer's unintended discharge of a firearm that does not cause injury or death to a person also falls into this classification.

These incidents shall be investigated in accordance with these definitions, using the Department's corresponding OIS or OID protocols.


GREGORY P. SUHR
Chief of Police

Appendix F

Complete Officer-Involved Shooting (“OIS”) Investigation Timeline

When an OIS occurs, per the General Orders of the SFPD and other internal and related documents, the subsequent investigation should proceed as follows:

I. Day 1

- A. An officer-involved shooting occurs.

II. Immediately or As Soon As Practical

A. San Francisco Police Department (“SFPD”)

1. **Involved officer(s)** shall immediately assess the scene and notify:
 - a. Emergency Communications Division (“ECD”). ECD, in turn, shall immediately notify:
 - (1) Field Operations Bureau Headquarters (or Operations Center after hours). Field Operations Bureau shall, in turn, notify:
 - (a) On-call Homicide Inspectors
 - (b) Crisis Incident Response Team (“CIRT”)
 - (c) Internal Affairs Division (“IA” or “IAD”)
 - (d) District Attorney’s Office (“DA” or “DA’s Office”)
 - (e) Commanding Officer of the officer(s) involved
 - (f) Chair of the Firearm Discharge Review Board (“FDRB”)
 - (g) Office of Citizen Complaints (“OCC”)
 - (h) SFPD Command Staff
 - (i) Legal Division
 - (j) Captain of Risk Management
 - (k) Secretary of the Police Commission
 - b. Immediate Supervisor or Platoon Commanders of the district where shooting occurred.
 2. **Supervisor**, upon arriving at scene, shall:
 - a. Ensure all injured persons are attended to and emergency aid responds as necessary.
 - b. Obtain public safety statement from officers involved.
 - c. Order officers who discharged firearms not to discuss incident with anyone until they speak to their attorney, and are subsequently interviewed by investigators from Homicide Detail and DA or IAD.
 - d. Separate officers involved and transport them away from scene.

- e. Evaluate and adjust, as necessary, perimeter established around scene.
 - f. Be responsible for scene until Homicide Detail arrives.
 - g. Limit access to scene to emergency personnel.
 - h. Designate officer to maintain crime scene log.
 - i. Identify evidence and ensure it remains undisturbed until processed by Crime Scene Investigations (“CSI”).
 - j. Ensure that witnesses remain at scene or are transported to police facility. Properly identify those witnesses who insist on leaving scene prior to being interviewed.
 - k. Locate video or fixed cameras at or near scene.
 - l. Provide SFPD Operations Center with updated information as warranted.
3. **Homicide Detail**, upon arriving at scene, shall:
- a. Assume command of scene and investigation (officer-in-charge).
 - b. Meet with Supervisor in charge of scene and obtain pertinent information.
 - c. Coordinate with and direct all police and investigative personnel at scene.
 - d. Meet with the on-call DA attorney and DA investigators and IA investigators upon their arrival at scene.
 - e. If death occurs at scene, confer with representatives of Office of Chief Medical Examiner (“OCME”) upon their arrival at scene.
 - f. Along with DA and IA investigators, meet with CSI and Photo Lab personnel to:
 - (1) Discuss scene.
 - (2) Identify all evidence.
 - (3) Determine which evidence will be processed at scene and which will be processed later in the lab.
 - (4) Identify physical environment and evidence to be photographed.
 - g. Direct neighborhood canvassing and development of investigative leads.
 - h. Interview non-officer witnesses at scene or, if not practical, transport them to police facility (Homicide Detail criminal investigators and DA personnel).
 - (1) All interviews are audio recorded by both Homicide Detail and DA.
 - (2) Involved officers are always interviewed last to ensure that investigators have as complete a picture as possible prior to interviewing involved officers.
 - i. Conduct a walk-through of scene with on-call representative of OCC.

- j. Coordinate with personnel from employee unions and legal representatives at scene and throughout investigation.
 - k. Along with DA representatives:
 - (1) Interview witness officers.
 - (2) Interview involved officers.
 - l. Brief Media Relations Unit and/or Chief of Police or his/her representative regarding status of the investigation.
4. **IAD** representatives shall:
 - a. Upon arriving, participate in “walk through” of scene.
 - b. Observe Homicide Detail interviews of involved officers and other departmental witnesses via closed circuit feed.
 - c. Make an appointment for involved officers to respond to IAD for administrative interview if necessary.
 5. **CSI**, upon arriving at scene, shall:
 - a. Confer with Homicide Detail and DA.
 - b. Locate, document and collect physical evidence, and perform associated forensic field work, such as latent print processing, bloodshed pattern interpretation, and trajectory analysis.
 - c. Prepare crime scene sketch with location of evidence and accurate distance measurements.
 - d. Take possession of discharged firearms from involved officers.
 6. **Legal Division**, upon arriving at scene, shall:
 - a. Ensure evidence beneficial for litigation is seized.
 - b. Document scene.
 7. **Behavioral Science Unit (“BSU”)** shall:
 - a. Send members of CIRT to scene, station or hospital to assist involved officers and offer psychological support. CIRT members are present as peer support only and are prohibited from discussing any aspect of incident.
 8. **Media Relations Unit**, upon arriving at scene, shall:
 - a. Confer with Homicide Detail and Command Staff.
 - b. Provide releasable information to the media.
 - c. Establish one member of the unit who will act as a liaison with the family of the individual shot during the incident. The liaison will attempt to establish contact with the family within the first 24 hours if circumstances permit.
 9. **Police Range** personnel shall:
 - a. Replace involved officers’ firearms.

B. OCME

1. **OCME**, when a fatality occurs, shall
 - a. Dispatch a Medical Examiner and a Medical Examiner Investigator to scene.
 - b. Provide expert resources to criminal and administrative investigators at scene.
 - c. Obtain a complete picture of the event that led to the fatality for use when performing the autopsy.
 - d. After the processing of the scene is complete, remove the deceased person and transport them to the OCME.
 - e. Formally notify the next-of-kin of the deceased person.
 - f. Conduct an autopsy on the remains, and collect:
 - (1) Biological evidence for toxicological examination.
 - (2) Physical evidence, such as spent bullets.
 - g. Write a final autopsy report in the weeks that follow, documenting the results of examination and testing.

C. DA's Office

1. **On-Call Assistant DA and DA Investigators**, upon arriving at scene, shall:
 - a. Meet with Homicide Detail to:
 - (1) Immediately walk-through scene and observe conditions of scene and evidence present.
 - (2) Confer regarding collection and documentation of evidence and participate in preserving and collecting evidence
 - b. Participate in non-compelled interviews of law enforcement witnesses, including officers involved and other departmental witnesses.
 - c. Participate in SFPD interviews of civilian witnesses, and to the extent warranted, conduct separate interviews of civilian witnesses.
 - d. Confer with Homicide Detail regarding investigative process to follow.

D. OCC

1. **On-Call OCC Investigator**, upon arriving at scene shall:
 - a. Walk-through and observe scene with Homicide Detail, so that the investigator has a basic understanding of the circumstances and environment of incident.

III. The First Ten Days After the Incident

A. SFPD

1. **Involved officer(s)** shall:
 - a. Participate in mandatory debriefing with BSU to learn about reactions to critical incidents and available resources.
 - b. Report to Police Range for post-discharge firearm debriefing to ensure that officer retains proficiency in firearm manipulation and operation.
 - c. Report to Training Academy for modified force options training to ensure that officer retains ability to effectively resolve shoot/no-shoot scenarios.
 - d. Obtain audio of interview with Homicide Detail.
 - e. Participate in interview with IAD.
 - f. Be assigned to their respective Bureau Headquarters for a minimum of ten calendar days. Officers, however, shall not be returned to their regular duty until the Police Commission has met in closed session with the Chief of Police to determine whether officers shall be allowed to return to duty.

2. **Homicide Detail** shall:
 - a. Meet within 72 hours with DA, CSI, Forensic Services Division, and other offices and disciplines to determine:
 - (1) Laboratory testing and analysis to be performed on evidence obtained.
 - (2) Timelines for test results.
 - (3) Additional witnesses to be interviewed.
 - (4) Other investigative actions to be taken.
 - b. Obtain sample of blood (first blood) of person shot for toxicological examination.
 - c. Continue witness interviews as necessary.
 - d. Provide involved officers with copy of their criminal interview prior to their interview with IAD.

3. **Crime Laboratory** shall:
 - a. Receive evidence collected and booked by CSI, and:
 - (1) Conduct ballistics examination of every expended shell casing and spent bullet collected and match them to the appropriate firearm.
 - (2) Examine department-issued firearms for adherence to trigger pull standards and inspect for unauthorized modifications.
 - (3) Verify that ammunition used by involved officers was department-issued

- (4) Perform DNA testing as requested.
 - (5) Perform other testing and analysis as required.
-

4. **Media Relations Unit** shall:

- a. Receive updates on investigation to respond to media inquiries and to convey information to family of individual shot.
 - b. Establish contact with family of individual shot if it has not already occurred to provide them with relevant information.
-

5. **BSU** shall:

- a. Conduct a mandatory debriefing with involved officers within 72 hours.
- b. Assess involved officer's ability to return to duty or need for additional support.
- c. Participate in Return to Duty Panel hearing for involved officers.
- d. Provide follow-up and psychological support for officers and their families.

6. **Return to Duty Panel** shall:

- a. Convene five business days after incident.
- b. Conduct a return to duty hearing within five business days of the incident.
- c. Review preliminary investigative findings by IA criminal investigators.
- d. Vote on whether to recommend that involved officer(s) should be allowed to return to regular duty.
- e. Forward its recommendations to the Chief of Police.

7. **Chief of Police** shall:

- a. After consulting with the Return to Duty Panel, determine if the involved officer(s) should be returned to regular field assignment, but only after completion of mandatory debriefing and any recommended retraining.
- b. Forward a written report, which contains the decision and factors supporting the decision, to:
 - (1) Police Commission.
 - (2) Director of the OCC.

8. **Police Commission** shall:

- a. At its first meeting following the receipt of the Chief of Police's return-to-duty report, meet in closed session with the Chief of Police to review the Chief's findings and decision regarding whether to allow involved officers to return to regular duty.

9. **IAD shall:**
 - a. Schedule interview of involved officer(s) and witness officers.
 - b. Obtain information from Homicide Detail and other evidence-processing personnel, including witness interviews, crime scene diagrams, lab requests, supplemental reports, etc.
 - c. Participate in return to duty hearing for involved officer(s).
 - d. Submit preliminary investigation to Chief of Police and make presentation to Police Commission following Return to Duty Panel.
 - e. Attend closed door session with Police Commission to determine return to duty for each involved officer.

B. OCME

1. **OCME shall:**
 - a. Notify Homicide Detail of any physical evidence collected during autopsy.
 - b. Arrange to have clothing evidence booked into Property Control Section for transfer to Forensic Services Division.

C. DA's Office

1. **DA Personnel shall:**
 - a. Meet with Homicide Detail investigators and review the status of the evidence collected, as well as witness and involved officer statements.
 - b. Obtain copies of all relevant case documents including supplemental reports, lab requests, chronological record of the investigation, and diagrams.
 - c. Agree on evidence to be submitted for further analysis and testing.
 - d. Identify timelines for expected laboratory test results.
 - e. Agree on additional statements to be obtained.
 - f. Participate in interviews of additional witnesses.

IV. Within 45 Days of Incident

A. SFPD

1. **Homicide Detail shall:**
 - a. Submit its final criminal investigation report to FDRB. If criminal investigation report is not completed within forty-five calendar days of incident, Officer-in-charge of Homicide Detail shall appear before Police Commission at earliest possible meeting to explain why report has not been completed.

2. **IAD shall:**
 - a. Receive report submitted to FDRB from Homicide Detail, which will be included in IA investigative case file.
 - b. Prepare final recommendation and report for submission to FDRB and Chief of Police.
3. **Legal Division shall:**
 - a. Work with IAD and OCC regarding evidence/document production.
 - b. Obtain incident report for any claim investigation.

B. DA's Office

1. **DA's Office shall:**
 - a. Obtain all necessary reports, including autopsy report from Office of the Medical Examiner and other laboratory reports.
 - b. Upon conclusion of its independent investigation and receipt of all reports from Homicide Detail, evaluate all evidence to determine potential criminal liability, or lack thereof, of any party.
 - c. After completing its investigation, shall notify SFPD of its decision in writing.

V. In Response to DA's Criminal Charges Against an Officer, If Any

A. SFPD

1. **Chief of Police shall:**
 - a. Suspend accused officer without pay when the officer is:
 - (1) Charged with a felony.
 - (2) Charged with any serious crime
 - (3) Charged with a violation of moral turpitude.
2. **Accused Officer shall:**
 - a. Remain on suspension pending:
 - (1) Resolution of criminal prosecution.
 - (2) Adjudication of any pending administrative investigation.
 - b. Have the opportunity to request Return to Duty hearing if:
 - (1) Officer is acquitted at trial and there are no pending administrative charges.

VI. Within 60 Days of Incident

A. SFPD

1. **IAD shall:**

- a. Prepare and submit to the FDRB the completed administrative investigation with recommendations. If this cannot be accomplished in accordance with established timelines, Commanding Officer of IAD shall appear before Police Commission at earliest possible meeting to explain why report has not been completed.
- b. Prepare a formal presentation of final report to FDRB.

VII. Within 90 Days of Incident

A. SFPD

- 1. **FDRB** shall:
 - a. Convene within thirty days of receipt of the IA investigative report (i.e., within ninety days of incident).

VIII. Within 210 Days of Incident

A. SFPD

- 1. **FDRB**, within 120 days following their first meeting (i.e., within 210 days of incident), shall:
 - a. Complete its investigation and issue its findings in accordance with General Order 3.10.

B. OCC

- 1. **OCC Director** shall:
 - a. Attend FDRB as an advisory member.
 - b. Receive and review FDRB's quarterly reports to Police Commission and provide written responses as appropriate.

IX. (Historically) At Any Point

A. OCC

- 1. **OCC Investigators**, within 10 days of receiving a civilian complaint of police misconduct or improper performance [but likely immediately now based on the recent passage of Proposition D], shall:
 - a. Interview the complainant.
 - b. Request all documents and evidence accessible from or through the complainant.
 - c. Notify SFPD of a civilian complaint.
 - d. Request records, documents and information pursuant to the OCC-SFPD document protocol.
 - e. Request the autopsy report from the OCME.
 - f. Identify and schedule interviews of witnesses.

2. **OCC Investigators**, upon receipt of records from SFPD, OCME and other agencies, shall:
 - a. Review all reports, chronologies, interviews, and evidence.
 - b. Interview involved and witness officers.

3. **OCC**, upon conclusion of the OCC's administrative investigation, shall:
 - a. Prepare written findings as to whether or not allegations are sustained. In cases resulting in a sustained finding, OCC provides Chief of Police a written report summarizing evidence, giving basis for the findings, and providing recommendations for discipline.

BOS-11, CPAG



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2016 JUL -5 PM 2:07

**City and County of San Francisco
Juvenile Probation Department**

BY MC

ALLEN A. NANCE
CHIEF PROBATION OFFICER

375 WOODSIDE AVENUE
SAN FRANCISCO, CA 94127
(415) 753-7556

June 30, 2016

The Honorable Edwin M. Lee, Mayor
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 200
San Francisco, CA 94102-4689

San Francisco Board of Supervisors
c/o Angela Calvillo, Clerk of the Board
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Re: Annual Report on Civil Immigration Detainers – 2016 pursuant to Chapter 12I Civil
Immigration Detainers

Honorable Mayor Lee and Board of Supervisors:

This report is prepared and submitted by the Juvenile Probation Department in accordance with San Francisco Administrative Code Chapter 12I: Civil Immigration Detainers, Section 12I.5 Annual Report. The Department is pleased to report its full compliance with the Civil Immigration Detainer ordinance. During the period between July 1, 2015 and June 27, 2016, there were zero (0) persons detained solely based on civil immigration detainers.

Respectfully submitted,

Allen A. Nance
Chief Juvenile Probation Officer

OFFICE OF THE MAYOR
SAN FRANCISCO



BOS-11, COB, Aide, Deputy, Rep City
EDWIN M. LEE *Atty.*
MAYOR
Micole Elliot

July 6, 2016


Ms. Angela Calvillo
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor Katy Tang as Acting-Mayor from the time I leave the State of California on Thursday, July 7, at 9:05 a.m., until I return on Sunday, July 10, at 9:16 p.m.

In the event I am delayed, I designate Supervisor Katy Tang to continue to be the Acting-Mayor until my return to California.

Sincerely,


Edwin M. Lee
Mayor

cc: Mr. Dennis Herrera, City Attorney

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2016 JUL -6 PM 12:54
W

OFFICE OF THE MAYOR
SAN FRANCISCO



orig- Leg Clerk, Leg Dep
BOS-11, City Attny, Rules
EDWIN M. LEE Clerk
MAYOR
Cpage, AC file

Notice of Appointment

July 7, 2016

San Francisco Board of Supervisors
City Hall, Room 244
1 Carlton B. Goodlett Place
San Francisco, California 94102

Honorable Board of Supervisors:

Pursuant to Section 4.105 of the Charter of the City and County of San Francisco, I hereby make the following nomination:

Richard Hillis, to the Planning Commission, for a four-year term ending June 30, 2020

I am confident that Mr. Hillis, an elector of the City and County, will serve our community well. Attached herein for your reference are his qualifications to serve.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Elliott, at (415) 554-7940.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor

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BOARD OF SUPERVISORS
SAN FRANCISCO
2016 JUL - 7 PM 3:28
BY [Signature]

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

July 7, 2016

Angela Calvillo
Clerk of the Board, Board of Supervisors
San Francisco City Hall
1 Carlton B. Goodlett Place
San Francisco, CA 94102

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Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor

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BOARD OF SUPERVISORS
SAN FRANCISCO
BY BC
2016 JUL -7 PM 3:27

RICHARD J. HILLIS

417 Lyon Street
San Francisco, CA 94117
415.269.3367 (cell) / 415.345.1967 (home)
richhillissf@yahoo.com

Experience: FORT MASON CENTER, San Francisco, CA
Executive Director

Aug 2011 to Present

Responsible for overall management and strategic leadership of Fort Mason Center, a 30 year old non-profit arts and cultural center in San Francisco. Responsibilities include management of the center's \$7 million budget and 30 employees; strategic planning; fundraising; an \$80 million planned capital renovation of the campus; cultivation of the Center's innovative resident organizations and programming; and management and negotiation of the Center's lease with the National Park Service.

ECONOMIC AND WORKFORCE DEVELOPMENT, San Francisco, CA
Deputy Director

Mar 2004 to Aug 2011

Responsible for management of complex public/private real estate projects and department's neighborhood economic development program, including:

- *Treasure Island Development* – Managing all aspects of the redevelopment of Treasure Island and Yerba Buena Island into a new 8,000 unit, mixed-use San Francisco neighborhood. Led City team in negotiating the terms of a \$1.5 billion Disposition and Development Agreement between City and developers and a land transfer agreement between City and U.S. Navy. Lead project representative in presenting and advocating for the project in the community, before policy bodies such as the Board of Supervisors, with the press, and with multiple federal, state and local agencies.
- *Octavia Boulevard/Central Freeway Development* – Led a citywide project team in developing and implementing a comprehensive strategy for the disposition and development of 22 former freeway parcels and construction of Octavia Boulevard. The project included the implementation of a community planning process, negotiation of purchase agreements for selected housing parcels, negotiation of sales agreement with Redevelopment Agency for affordable housing, and design of the new boulevard.
- *Recreation & Park Department* – Acted in dual role (2009-2010) as RPD's Director of Partnerships and Property managing RPD assets and concessions during Executive Director transition. Achievements included developing and implementing new business partnerships including Outside Lands concert, new concessionaire at Japanese Tea Garden, development of mobile food program, and Peter Pan production.
- *SFMOMA Expansion* – Led City team in negotiating an exchange agreement with the museum for the City's existing fire station on Howard Street in return for a newly constructed, replacement fire station on Folsom Street. Represented the City through approval process at commissions and Board of Supervisors.
- *Mid-Market Redevelopment* – Developed and launched the City's ongoing efforts to revitalize the Mid-Market neighborhood, the stretch of Market Street between 5th Street and Van Ness Avenue, by promoting the neighborhood as an arts district and attracting new retail and restaurants.

- *Port Development Projects* – Led Department’s efforts on priority Port development projects, including negotiating lease and development agreements for the Exploratorium relocation at Piers 15/17, and solicitation and selection of developers for the mixed-use project at SWL 337 (Giant’s parking lot).
- *Community Benefit Districts* – Developed program to promote and provide technical and financial assistance to neighborhoods interested in forming special benefit districts (aka BIDs) to improve commercial corridors. Created nine new districts in San Francisco.

OFFICE OF THE ASSESSOR, San Francisco, CA***Deputy Assessor for Valuation******Jan 2003 to Mar 2004***

- Responsible for the valuation of all real property in San Francisco; including directing the appraisal of highly complex properties and properties where values are challenged. Represented the office before the Assessment Appeals Board.
- Implemented organizational changes to improve valuation processing in the office including the establishment of a standards unit, streamlined deed processing, and new processes for valuation of new construction.

OFFICE OF THE MAYOR**DEPARTMENT OF ECONOMIC DEVELOPMENT, San Francisco, CA*****Senior Project Manager******Aug 2000 to Jan 2003******Project Manager******Feb 1997 to Aug 1999***

Responsible for management of complex, multi-departmental public and public-private economic development projects, including:

- *Forest City/Bloomingtondale’s Project* – Negotiated tax allocation agreement and sale of public right of way between city, Redevelopment Agency, and developer for 1.5 million square foot mixed-use project. Managed entitlement process, environmental review, redevelopment plan amendment, and public information process.
- *Union Square Park and Garage Renovation* – Implemented a \$19 million park and garage renovation, including development and negotiation of lease and financing agreements with non-profit garage corporation. Managed entitlement process, and participated in design development and construction management.

PORT OF SAN FRANCISCO, San Francisco, CA***Senior Project Manager******Sep 1999 to Aug 2000***

- Served as the project manager for the development of a 14-acre former industrial site on San Francisco’s southern waterfront. Responsibilities included preparation of feasibility studies, analysis of environmental conditions and mitigations, establishment of design guidelines, and preparation of request for development proposals.

OFFICE OF THE MAYOR, San Francisco, CA

Senior Analyst - Office of Finance & Legislative Affairs

Feb 1995 to Feb 1997

- Provided policy analysis to Mayor and Finance Director on City budget and finance issues. Analyzed budgets of city departments, and citywide revenue forecasts. Managed City budget analysts. Testified before Board of Supervisors' committees on behalf of Mayor's Office.
- Major projects included: labor negotiations with employee unions; study and implementation of new parking rates at municipal garages; and preparation and implementation of new hotel tax legislation.

OFFICE OF THE CITY ADMINISTRATOR

DISTRICT OF COLUMBIA GOVERNMENT, Washington, DC

Special Assistant for Fiscal Affairs

July 1993 to Feb 1995

- Advised City Administrator on citywide fiscal matters. Managed \$11 million budget of the Office of the City Administrator. Implemented a citywide review of capital project financing to prioritize spending.

WELLS FARGO BANK, San Francisco, CA

Corporate Tax Analyst

Sep 1990 to Sep 1991

- Planned and researched corporate tax issues. Supervised preparation of Federal and state tax returns of corporation with over \$50 billion in assets. Prepared analysis of Federal and state tax implications of possible merger. Led effort to reduce state tax liability through a review of filing requirements and combined filings.

ARTHUR ANDERSEN & CO., Washington, DC

Senior Tax Consultant

Sep 1988 to Sep 1990

- Planned and managed tax research and compliance services to corporate, individual, partnership and tax exempt clients. Specialized experience in corporate taxation.

NBC - LATE NIGHT WITH DAVID LETTERMAN, New York, NY

Production Staff Intern

Nov 1987 to May 1988

- Researched upcoming guests and suggested possible questions and topics for discussion. Waterboy for big-shot Hollywood celebrities.

Education: UNIVERSITY OF CHICAGO

MA in Public Policy Analysis, June 1993

- Awarded *University of Chicago Fellowship*.

STATE UNIVERSITY OF NEW YORK AT ALBANY

BS in Accounting, *Summa Cum Laude*, May 1987

To: BOS-Supervisors; Wong, Linda (BOS)
Subject: FW: Board of Supervisor Memo - Grant Budget Revision in excess of 15%
Attachments: Board of Supervisor Memo.pdf

From: Quinonez, Miguel (DPH)
Sent: Tuesday, July 05, 2016 2:25 PM
To: Gosiengfiao, Rachel (BOS) <rachel.gosiengfiao@sfgov.org>
Subject: Board of Supervisor Memo - Grant Budget Revision in excess of 15%

Hi Rachel,

Attached is the Memo to notify the Board of Supervisors of a State grant line item budget revision in excess of 15% requiring agency approval.

Thank You

Miguel



City and County of San Francisco
Department of Public Health
POPULATION HEALTH AND PREVENTION

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2016 JUL -8 PM 2:07

BY *[Signature]*

1380 Howard Street, Rm. 448
San Francisco, CA 94103-2614
415.255.3450 FAX 415.255.3675

BOS-11, B+F
Clerk
Reports,
CPMGL

July 01, 2016

To: Clerk of the Board of Supervisors

From: Miguel Quinonez *MQ*
(415) 255-3465
Miguel.Quinonez@sfdph.org

Cc: Controller's Office AOSD

Subject: Grant Budget Revision
Grant Name: Mental Health Triage Personnel

In accordance with Administrative Code Section 10.170-1(F), this memo serves to notify the Board of Supervisors of a State grant line item budget revision in excess of 15% requiring funding agency approval.

Spreadsheet and the approved e-mail attached to this letter.

Please feel free to contact me @ (415) 255-3465 or Miguel.Quinonez@sfdph.org if you have any questions.

Thank you.

San Francisco Department of Public Health
Mental Health Triage Grant
Year 3, FY16-17

A. Personnel

Position	Employee	CS Class	FTE	Triage Grant	CYF GF	Total	Char
Epidemiologist 2	Ritchie Rubio	2803	0.50	\$ 52,871		52,871	
Health Program Coordinator 3	Alison Lustbader	2593	0.75	\$ 81,432		81,432	
Behavioral Health Clinician	Maureen Edwards	2930	1.00	\$ 92,716	\$ -	92,716	
Marriage, Family & Child Counselor	Marcella Crosley	2931	1.00	\$ 92,716	\$ -	92,716	
Health Worker 3	Randall Fleming/Linda Redd	2587	2.00	\$ 75,536	\$ 58,156	133,692	
Health Worker 1	Jennifer Hubbart/Pam Powell	2585	2.00	\$ 54,574	\$ 54,574	109,148	
Health Worker 3	Monique El Amin	2587	1.00	\$ 66,846	\$ -	66,846	
Total Personnel			8.75	\$ 516,691	\$ 112,730	629,421	001

B. Fringe

\$ 227,344 \$ 49,601 276,945 013

C. Travel

D. Equipment

E. Supplies

\$ 3,722 \$ - 3,722.00 040

F. Contract:

Edgewood Center for Children and Families	\$ 1,579,348	1,579,348	
Mental Health Association of SF	\$ 1,274,097	1,274,097	
Instituto Familiar de la Raza	\$ 513,912	513,912	
	\$ 3,367,357	\$ -	\$ 3,367,357 027

G. Construction

H. Other:

Evaluation (statistical software.....) \$ 50,000 50,000 035

I. Work Order

Human Services Administration \$ 39,280 39,280 081

\$ 89,280 \$ - \$ 89,280

Total Direct Cost

\$ 4,204,394 \$ 162,331 4,366,725

Indirect Cost

\$ - \$ - -

Total Cost

\$ 4,204,394 \$ 162,331 \$ 4,366,725

Mental Health Triage
Revised FY16-17 Budget
5/16/2016

Expenditures
1. Personnel Costs

APPROVED
Original
Budget

Position	County Staff	FTE	Contract Staff
New Youth Crisis Stabilization Center			
Edgwood			
Crisis Triage Manager		1.00	\$ 70,000
Clinician Triage Specialist		2.80	\$ 156,800
Nurse Triage Specialist		1.75	\$ 113,750
Crisis Triage Counselor I		2.80	\$ 93,184
Crisis Triage Counselor II		9.80	\$ 384,944
		<u>18.15</u>	<u>\$ 818,678</u>

Four New Citywide Mobile Crisis Teams

IFR, Edgwood, DPH	CS Class	FTE	Contract Staff
Crisis Triage Manager	2930	2.00	\$ 140,000
Crisis Triage Supervisor	2931	4.00	\$ 250,000
Crisis Triage Counselor	2587	8.00	\$ 314,200
Adult Peer Triage Counselor	2585	4.00	\$ 126,000
Youth Peer Triage Counselor	2587	4.00	\$ 126,000
		<u>22.00</u>	<u>\$ 956,200</u>

New Mental Health Triage Warmline

Mental Health Assoc-SF	FTE	Contract Staff
Crisis Triage Specialist	4.00	\$ 180,000
Crisis Triage Counselor	18.00	\$ 684,000
	<u>22.00</u>	<u>\$ 864,000</u>

Total FTEs and Salaries	62.15	\$ 2,638,878
Employee Benefits	28.2%	\$ 743,493
2. Total Personnel Expenditures		\$ 3,382,371

3. Evaluation Costs

Project Evaluation Coordinator	2574	\$ 49,738	
Employee Benefits		\$ 23,874	
Evaluation Expenses		\$ 50,000	\$ 150,000
Total Evaluation Cost		\$ 123,612	\$ 273,612

4. County Administration Cost

Project Coordinator	2593	\$ 89,000	
Employee Benefits		\$ 42,720	
Administration Expenses		\$ 63,454	
Total Administration Cost		\$ 195,174	\$ 195,174

Indirect Cost

Personnel	\$ 3,383,042	\$ 338,237	
Evaluation		\$ 15,000	
Total Indirect Cost		\$ 353,237	\$ 353,237

TOTAL \$ 4,204,394

PROPOSED
Total
Revised
Budget

FTE County Staff
New Youth Crisis Stabilization Center-Edgwood

DPH Funded	FTE	Contract Staff	Total FTE	Revised Budget
	1.00	\$ 70,000	1.00	
\$ 190,272	7.00	\$ 156,800	7.00	
\$ 101,266	5.00	\$ 113,750	5.00	
	1.45	\$ 93,184	1.45	
	7.00	\$ 384,944	7.00	
\$ 291,538	21.45	\$ 818,678	21.45	\$ 818,678

Three New Citywide Mobile Crisis Teams

Team 3	DPH	Triage	HSA	Triage WO	Team 1 Instituto	Team 2 Edgewood	FTE	Contract Staff	Total FTE	Revised Budget
1.00	\$ 70,000	1.00	\$ 92,716		1.00	\$ 70,000	2.00		2.00	
1.00	\$ 92,716	1.00	\$ 92,716		2.00	\$ 125,000	4.00		4.00	
2.00	\$ 58,156	1.13	\$ 75,536	1.00	\$ 5,440	\$ 39,280	3.00	\$ 117,825	2.00	\$ 78,550
2.00	\$ 54,574	1.00	\$ 54,574		1.00	\$ 31,500	3.00		3.00	
1.00	\$ 66,846	1.00	\$ 66,846		0.00	\$ -	2.00		2.00	
7.00	\$ 112,730	5.13	\$ 382,388	1.00	\$ 5,440	\$ 39,280	7.00	\$ 344,325	4.00	\$ 180,950
							19.00		\$ 946,043	

New Mental Health Triage Warmline-MHA SF

5.00	\$ 225,000	5.00
16.00	\$ 608,000	16.00
21.00	\$ 833,000	21.00

\$ 2,597,721
\$ 782,304
\$ 3,380,025

CS 2803	DPH GF	Triage Grant	FTE	Total
	0.50	\$ 52,871	0.50	\$ 105,742
		\$ 23,263	44%	
		\$ 50,000		
		\$ 126,134		

\$ 276,134

CS 2593	0.25	\$ 27,144	0.75	\$ 81,432	1.00	\$ 108,576
		\$ -		\$ 35,830	44%	
				\$ 3,722		
				\$ 120,984		

\$ 120,984

\$ 2,790,106
\$ 150,000
\$ 2,940,106

\$ 427,251

\$ 4,204,394

Salaries 516,691
Fringe 227,344
Total Personnel 744,035
Supplies 3,722
Contract 3,367,357
Other current exp 50,000
work order 29,280 + 1,111,794

Mental Health Triage
Revised FY16-17 Budget
5/16/2016

Expenditures
1. Personnel Costs

Position	County Staff	FTE	Contract Staff	APPROVED
				Original Budget

Position	County Staff	FTE	Contract Staff	Original Budget
New Youth Crisis Stabilization Center Edgwood				
Crisis Triage Manager		1.00	\$ 70,000	
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Nurse Triage Specialist		1.75	\$ 113,750	
Crisis Triage Counselor I		2.80	\$ 93,184	
Crisis Triage Counselor II		9.80	\$ 384,944	
		18.15	\$ 818,678	

Four New Citywide Mobile Crisis Teams

IFR, Edgewood, DPH	CS Class	FTE	Contract Staff	Original Budget
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		22.00	\$ 956,200	

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Employee Benefits	28.2%	\$ 743,493	

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3. Evaluation Costs

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Indirect Cost

Personnel	\$ 3,383,042	\$ 338,237	
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Total Indirect Cost		\$ 353,237	\$ 353,237

TOTAL \$ 4,204,394

FTE County Staff Contract Staff
New Youth Crisis Stabilization Center-Edgewood

DPH Funded	FTE	Contract Staff	FTE	Contract Staff	Total	Revised Budget
	1.00	\$ 70,000	1.00		1.00	
\$ 190,272	7.00	\$ 156,800	7.00		7.00	
\$ 101,266	5.00	\$ 113,750	5.00		5.00	
	1.45	\$ 93,184	1.45		1.45	
	7.00	\$ 384,944	7.00		7.00	
\$ 291,538	21.45	\$ 818,678	21.45		21.45	\$ 818,678

Three New Citywide Mobile Crisis Teams

Team 3	DPH	Triage	HSA	Triage WO	Team 1 Instituto	Team 2 Edgewood	Total	Revised Budget
\$ 92,716	1.00 \$ -	1.00 \$ 92,716			1.00 \$ 70,000	0.00 \$ -	2.00	
\$ 92,716	1.00 \$ -	1.00 \$ 92,716			2.00 \$ 125,000	1.00 \$ 70,000	4.00	
\$ 133,692	2.00 \$ 58,156	1.13 \$ 75,536	1.00 \$ 5,440	\$ 39,280	3.00 \$ 117,825	2.00 \$ 78,550	8.00	
\$ 109,148	2.00 \$ 54,574	1.00 \$ 54,574			1.00 \$ 31,500	0.00 \$ -	3.00	
\$ 66,846	1.00 \$ -	1.00 \$ 66,846			0.00 \$ -	1.00 \$ 31,500	2.00	
\$ 495,118	7.00 \$ 112,730	5.13 \$ 382,388	1.00 \$ 5,440	\$ 39,280	7.00 \$ 344,325	4.00 \$ 180,050	19.00	\$ 946,043

New Mental Health Triage Warmline-MHA SF

	5.00	\$ 225,000	5.00
	16.00	\$ 608,000	16.00
	21.00	\$ 833,000	21.00
			\$ 833,000

\$ 168,251 44%
\$ 550,639

	DPH GF	Triage Grant	FTE	Total
CS 2803	0.50	\$ 52,871	0.50	\$ 105,742
		\$ 23,263	44%	
		\$ 50,000		
		\$ 126,134		

\$ 276,134

	DPH GF	Triage Grant	FTE	Total
CS 2593	0.25	\$ 27,144	0.75	\$ 81,432
		\$ 35,830	44%	\$ 108,576
		\$ 3,722		
		\$ 120,984		

\$ 120,984

\$ 2,790,106 405,501
\$ 150,000 21,750
\$ 2,940,106

\$ 427,251

\$ 4,204,394

Fw: FY16-17 MH Triage Budget

Perillo, Judy (DPH)

Wed 5/25/2016 10:01 PM

To: Quinonez, Miguel (DPH) <miguel.quinonez@sfdph.org>;
 Lustbader, Alison (DPH) <alison.lustbader@sfdph.org>

Here's the e-mail from the State indicating approval of our FY16-17 MH Triage budget.

Judy
 (415)255-3451
 judy.perillo@sfdph.org

From: Best, Peter@MHSOAC <Peter.Best@mhsoc.ca.gov>
 Sent: Thursday, May 19, 2016 10:58 AM
 To: Lustbader, Alison (DPH)
 Cc: Epstein, Kenneth (DPH); Perillo, Judy (DPH); Giang, Shirley (DPH)
 Subject: RE: FY16-17 MH Triage Budget

Hi Allison,

The 2016/17 Triage Budget revision is approved.

Peter W. Best, MSW
 Staff Services Manager I
 Triage Grant, Budgets and Commission Support
 Mental Health Services Oversight and Accountability Commission
 1325 J Street, Suite 1700, Sacramento, CA 95814
 Ph. (916) 445-8715, Fax (916) 445-3977

"I've discovered in life that there are ways of getting almost anywhere you want to go, if you really want to go." -- Langston Hughes

From: Lustbader, Alison (DPH) [mailto:alison.lustbader@sfdph.org]
 Sent: Tuesday, May 17, 2016 5:14 PM
 To: Best, Peter@MHSOAC <Peter.Best@mhsoc.ca.gov>
 Cc: Epstein, Kenneth (DPH) <kenneth.epstein@sfdph.org>; Perillo, Judy (DPH) <judy.perillo@sfdph.org>; Giang, Shirley (DPH) <shirley.giang@sfdph.org>
 Subject: Re: FY16-17 MH Triage Budget

Same budget, However after we meet on 6/8 it's possible we will need to discuss some changes. But for now this is the working budget. We need you to approve so we can get the money in the CBOs budget. I know that any changes we make will need to be approved by your office. But for now if you could approve this budget that would be great.

Alison Lustbader, LCSW
 Community Behavioral Health Services
 1380 Howard Street
 5th floor
 S.F., CA 94103
 415 255 3402
 415 255 3567 fax

This email is intended for the receipt only. If you receive this email in error, please notify the sender immediately. Disclosures of the PHI contained herein may subject the disclosure to criminal or civil penalties under state and federal guidelines

From: Best, Peter@MHSOAC <Peter.Best@mhsoc.ca.gov>
 Sent: Tuesday, May 17, 2016 2:48:50 PM
 To: Lustbader, Alison (DPH)
 Cc: Epstein, Kenneth (DPH); Perillo, Judy (DPH)
 Subject: RE: FY16-17 MH Triage Budget

Hi,

is this the same budget that was revised and approved by us for 15-16? No changes in staffing, FTE's and any other line item?

Peter W. Best, MSW
 Staff Services Manager I
 Triage Grant, Budgets and Commission Support
 Mental Health Services Oversight and Accountability Commission
 1325 J Street, Suite 1700, Sacramento, CA 95814
 Ph. (916) 445-8715, Fax (916) 445-3977

"I've discovered in life that there are ways of getting almost anywhere you want to go, if you really want to go." -- Langston Hughes

From: Lustbader, Alison (DPH) [mailto:alison.lustbader@sfdph.org]
 Sent: Monday, May 16, 2016 5:02 PM
 To: Best, Peter@MHSOAC <Peter.Best@mhsoc.ca.gov>
 Cc: Epstein, Kenneth (DPH) <kenneth.epstein@sfdph.org>; Perillo, Judy (DPH) <judy.perillo@sfdph.org>
 Subject: Fw: FY16-17 MH Triage Budget

Hi, Pete this is our current triage budget. We have to get this approved in order to put the money in our CBOs contracts. However, it may change after ken and I come to talk to you. But for now we can go with this budget. So that he money can be put in their contracts. Thanks

Alison Lustbader, LCSW
 Community Behavioral Health Services
 1380 Howard Street
 5th floor
 S.F., CA 94103
 415 255 3402
 415 255 3567 fax

This email is intended for the receipt only. If you receive this email in error, please notify the sender immediately. Disclosures of the PHI contained herein may subject the disclosure to criminal or civil penalties under state and federal guidelines

From: Perillo, Judy (DPH)
 Sent: Monday, May 16, 2016 4:34 PM
 To: Lustbader, Alison (DPH)
 Cc: Epstein, Kenneth (DPH); Giang, Shirley (DPH)

Subject: FY16-17 MH Triage Budget

For FY16-17, you may submit to the State the attached budget which is exactly the same as FY15-16 budget while in the process of finalizing any changes in FY16-17.

*If we don't get this approved in time for the FY16-17 FN, the effective Triage budget will be the one that was approved originally in 13-14.

Judy
(415)255-3451
judy.perillo@sfdph.org

From: Perillo, Judy (DPH)
Sent: Thursday, April 28, 2016 12:54 PM
To: Lustbader, Alison (DPH)
Cc: Giang, Shirley (DPH)
Subject: Fw: Work Order Balancing DSS DPH

Getting the approved revised FY16-17 Triage grant budget early is very important for the FY16-17 contract process. Please provide the changes so that I can put it together and you can submit to the State ASAP. You may refer to the FY15-16 as your starting point.

Thanks.

Judy
(415)255-3451
judy.perillo@sfdph.org

From: Perillo, Judy (DPH)
Sent: Thursday, March 31, 2016 10:39 AM
To: Lustbader, Alison (DPH); Epstein, Kenneth (DPH)
Cc: Giang, Shirley (DPH); Quinonez, Miguel (DPH)
Subject: Re: Work Order Balancing DSS DPH

This reminds me that we have to submit a revised FY16-17 budget for State's approval. Unless we revise the budget, the effective budget for FY16-17 is the original one we submitted in 2014. For the purpose of revising the budget, you may just refer to last year's (FY15-16) effective budget and let me know the changes from there.

Thanks.

Judy
(415)255-3451
judy.perillo@sfdph.org

From: Hancock, Nick (DPH)
Sent: Thursday, March 31, 2016 10:04 AM
To: Nguyen, Michelle (HSA) (DSS); Lustbader, Alison (DPH)
Cc: Giang, Shirley (DPH); Chen, Winnie (DPH); Perillo, Judy (DPH); Quinonez, Miguel (DPH)
Subject: RE: Work Order Balancing DSS DPH

Hi Alison,

Will this attached WO for the Triage grant be continuing in 16-17?

Thanks,
Nick

Nick Hancock
Budget Analyst/Zero Waste Coordinator
San Francisco Department of Public Health
Phone (415)255-3776
Fax (415)255-3529

From: Nguyen, Michelle (HSA) (DSS)
Sent: Thursday, March 31, 2016 9:50 AM
To: Kuang, Yunshan (DPH); Hancock, Nick (DPH)
Cc: Giang, Shirley (DPH); Chen, Winnie (DPH); Perillo, Judy (DPH); Quinonez, Miguel (DPH)
Subject: RE: Work Order Balancing DSS DPH

Hi all - my guess is that this is indeed proceeding for FY15-16 (though I appreciate the double-check), but I'm mostly wondering about the status of this work order for FY16-17. Thanks

From: Kuang, Yunshan (DPH)
Sent: Thursday, March 31, 2016 9:49 AM
To: Hancock, Nick (DPH)
Cc: Giang, Shirley (DPH); Chen, Winnie (DPH); Perillo, Judy (DPH); Nguyen, Michelle (HSA) (DSS); Quinonez, Miguel (DPH)
Subject: RE: Work Order Balancing DSS DPH

Hi Nick,
This is grant funded and is taken care by grant accountant. I cc'd Miguel in this email.

Thanks.

Shan Kuang
DPH Fiscal - AP Reconciliation (1380 Howard, #412d)
Ph: 415-255-3464

From: Hancock, Nick (DPH)
Sent: Thursday, March 31, 2016 9:44 AM
To: Kuang, Yunshan (DPH)
Cc: Giang, Shirley (DPH); Chen, Winnie (DPH); Perillo, Judy (DPH); Nguyen, Michelle (HSA) (DSS)
Subject: FW: Work Order Balancing DSS DPH

Hi Shan,

Do you have a copy of this DPH requesting/HSA performing?

Thanks,
Nick

Nick Hancock
Budget Analyst/Zero Waste Coordinator
San Francisco Department of Public Health
Phone (415)255-3776
Fax (415)255-3529

From: Nguyen, Michelle (HSA) (DSS)
Sent: Thursday, March 31, 2016 9:40 AM
To: Hancock, Nick (DPH); Giang, Shirley (DPH); Perillo, Judy (DPH)
Subject: RE: Work Order Balancing DSS DPH

Hi Nick - sorry, I didn't have the final signed FY15-16 copy in my folders, but I found it in my email.

From: Hancock, Nick (DPH)
Sent: Thursday, March 31, 2016 9:38 AM
To: Nguyen, Michelle (HSA) (DSS); Giang, Shirley (DPH); Perillo, Judy (DPH)
Subject: RE: Work Order Balancing DSS DPH

Hi,

I notice it never got signed so it wouldn't have been sent to our Fiscal group. I will confirm with SOC that it needs to go forward and get signature if so.

Thanks,
 Nick

Nick Hancock
 Budget Analyst/Zero Waste Coordinator
 San Francisco Department of Public Health
 Phone (415)255-3776
 Fax (415)255-3529

From: Nguyen, Michelle (HSA) (DSS)
Sent: Thursday, March 31, 2016 9:33 AM
To: Giang, Shirley (DPH); Perillo, Judy (DPH); Hancock, Nick (DPH)
Subject: RE: Work Order Balancing DSS DPH

Hi all - I noticed that there is the \$39,280 recovery on the DSS side that doesn't have the corresponding work order on the DPH side. This year, we set up a mid-year work order agreement for \$39,280, which I believe comes from the state Triage grant. Is this expected to continue in FY16-17?

From: Louie, Jenny (DPH)
Sent: Wednesday, March 30, 2016 5:19 PM
To: Chu, Derek (HSA) (DSS); Gibbs, Emily (HSA) (DSS); Nguyen, Michelle (HSA) (DSS); Peterson, Martha (HSA) (DSS); Wong, Tiffany (HSA) (DSS)
Cc: Giang, Shirley (DPH)
Subject: Re: Work Order Balancing DSS DPH

Spoke with Shirley and most of these are CODB, and where workorders cover positions, their salary/fringe increases. We can't tell exactly at this high level and will need to go down to each workorder, but basically they are inflationary and not enhancements.

Jenny Louie, Budget Director
 San Francisco Dept of Public Health - 101 Grove, Room 205, San Francisco, CA 94102
 Tel: 415-554-2605

From: Louie, Jenny (DPH)
Sent: Wednesday, March 30, 2016 3:17 PM
To: Chu, Derek (HSA) (DSS); Gibbs, Emily (HSA) (DSS); Nguyen, Michelle (HSA) (DSS); Peterson, Martha (HSA) (DSS); Wong, Tiffany (HSA) (DSS)
Cc: Giang, Shirley (DPH)
Subject: Re: Work Order Balancing DSS DPH

Shirley, can you confirm?

Jenny Louie, Budget Director
 San Francisco Dept of Public Health - 101 Grove, Room 205, San Francisco, CA 94102
 Tel: 415-554-2605

From: Chu, Derek (HSA) (DSS)
Sent: Wednesday, March 30, 2016 2:58 PM
To: Louie, Jenny (DPH); Gibbs, Emily (HSA) (DSS); Nguyen, Michelle (HSA) (DSS); Peterson, Martha (HSA) (DSS); Wong, Tiffany (HSA) (DSS)
Subject: FW: Work Order Balancing DSS DPH

Are these variances tied to the codb increase on DPH's side?

From: Koskinen, Alex (CON)
Sent: Wednesday, March 30, 2016 2:52 PM
To: Chu, Derek (HSA) (DSS); Wong, Tiffany (HSA) (DSS); Nguyen, Michelle (HSA) (DSS); Louie, Jenny (DPH)
Subject: Work Order Balancing DSS DPH

Hi All,

More work orders:

Department Pair	Department Code	Division Code	Program Code	FundStructure Code	Plan Index Code Code	Project Code	Grant Code	Subobject Code	Sum of BY Dept Request Amt	Sum of BY+1 Dept Request Amt		
DPH DSS	DPH	DPHGH	D1H	5HAAAAA	HGH1HUN40061			081SS	18,854,691	19,406,159		
		DPHLH	DA5	5LAAAAA	HLH448837			081SS	20,000	20,000		
		DPHMH	DMM	1GAGFAAA	HMHMCC730515			081SS	40,000	40,000		
				2SCHSPHF	HMHMPROP63	PMH5631700		081SS	25,000	25,000		
			DPHPH	DHM	1GAGFAAA	HCHAACCESSGF		081SS	50,000	50,000		
				DSP	1GAGFAAA	HCHSHHUSGGF		081SS	226,283	226,283		
			DSS	DSSAG	CIF	1GAGFAAA	45ASGF	086HM	(40,000)	(40,000)		
		CIM			1GAGFAAA	45ASIH	086HG	(18,854,692)	(19,406,159)			
							086HL	(20,000)	(20,000)			
				DSSH5	CAN	1GAGFAAA	45HLHOUSE	086HM	(251,283)	(251,283)		
					FAL	1GAGFAAA	45FCGF	086HM	(39,280)	(39,280)		
		DPH DSS Total									10,719	10,720

It looks like the red highlighted entries are the problem. How should this be balanced?

Thanks,
 Alex

Alex Koskinen
 Budget and Analysis Division
 Controller's Office
 City & County of San Francisco
 415.554.7669

Mental Health Triage Personnel Grant Application

Budget Worksheet

County: San Francisco Fiscal Year: 2016-2017
Date: Dec. 8, 2013

	County Staff FTEs	County Staff	Contract Staff FTEs	Contract Staff
A. Expenditures				
1. Personnel Costs (List type of staff to be hired.)				
<u>Component # 1:</u>				
<u>New Youth Crisis Stabilization Center</u>				
a. Crisis Triage Manager			1.00	\$ 70,000
b. Clinician Triage Specialist			2.80	\$ 156,800
c. Nurse Triage Specialist			1.75	\$ 113,750
d. Crisis Triage Counselors I			2.80	\$ 93,184
e. Crisis Triage Counselors II			9.80	\$ 384,944
<u>Component # 2:</u>				
<u>Four New Citywide Mobile Crisis Teams</u>				
f. Crisis Triage Managers			2.00	\$ 140,000
g. Crisis Triage Supervisors			4.00	\$ 250,000
h. Crisis Triage Counselors			8.00	\$ 314,200
i. Adults Peer Triage Counselors			4.00	\$ 126,000
j. Youth Peer Triage Counselors			4.00	\$ 126,000
<u>Component # 3:</u>				
<u>New Mental Health Triage Warmline</u>				
k. Crisis Triage Specialists			4.00	\$ 180,000
l. Crisis Triage Counselors			18.00	\$ 684,000
Total FTEs and Salaries				\$ 2,638,918
Total Employee Benefits				\$ 743,493
Total Personnel Costs				\$ 3,382,411
2. Total Personnel Expenditures				\$ 3,382,411

Fiscal Year: 2016-2017

County: San FranciscoDate: Dec. 8, 2013

	County Staff FTEs	County Staff	Contract Staff FTEs	Contract Staff
3. Evaluation Costs				
Project Evaluation Coordinator	0.50	\$ 49,738		
Employee Benefits		\$ 23,874		
Addl. County Evaluation Expenses		\$ 50,000		
Evaluation Support to Subcontractors				\$ 150,000
Subtotal, Evaluation Costs		\$ 123,612		\$ 150,000
4. Direct Costs		\$ 123,612		\$ 3,532,411
5. Indirect Costs				
Subcontract # 1 @ 10%				\$ 108,153
Subcontract # 2 @ 10%				\$ 131,224
Subcontract # 3 @ 10%				\$ 113,864
Subtotal, Indirect Costs				\$ 353,241
6. County Administration Costs				
Project Coordinator	1.00	\$ 89,000		
Employee Benefits		\$ 42,720		
Additional Administrative Expenses		\$ 63,450		
Subtotal, County Admin. Costs		\$ 195,170		
7. Subtotal (Personnel, Evaluation, Admin.)		\$ 318,782		\$ 3,885,652
B. Expected Revenues				
1. Medi-Cal (FFP only)		TBD		TBD
2. Other Revenue		TBD		TBD
3. Total Revenue		TBD		TBD
C. Total Combined Grant Funding Requested				\$ 4,204,434



San Francisco Public Library
100 Larkin Street (Civic Center)
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 JUL -8 PM 4:08
AK

Date: July 5, 2016
To: Clerk of the Board of Supervisors
From: San Francisco Public Library-Finance Department
Subject: Annual Report on Gifts Received up to \$10,000.00

MEMORANDUM

In accordance with Administrative Code Section 10.100-305, this memo serves to provide the Board of Supervisors with a report on gifts up to \$10,000.00 received by the Department during FY 2015-2016.

Please find attached report for your reference.

Sincerely,

Maureen Singleton
Chief Financial Officer

cc: File, SFPL-Finance Department

SAN FRANCISCO PUBLIC LIBRARY DEPARTMENT
GIFTS TO THE CITY AND COUNTY OF SAN FRANCISCO
REPORT TO THE BOARD OF SUPERVISORS
FISCAL YEAR 2015-2016

Date Received by the City	Source	Value	Gift Description	Disposition
08/01/15	Nicolas J. Albert	\$ 50.00	Check	General Library Support/Richmond Branch
09/02/15	Anonymous	\$ 20.00	Cash	General Library Support/Ocean View Branch
09/23/15	Aida Seballos	\$ 25.00	Check	General Library Support/Parkside Branch
10/08/15	Michael J. Kurihara	\$ 250.00	Check	Books and other Material for the Collection /Richmond Branch
11/05/15	Kathryn B. Meier	\$ 100.00	Check	Specific Program Support/Either Branch or Main/ Children's Book Mobile
12/28/15	Heritage on the Marina/ Heritage Residents' Council	\$ 200.00	Check	Specific Program Support/Main/ Library on Wheels
01/04/16	Aida Seballos	\$ 25.00	Check	Specific Program Support/Parkside Branch/programs
01/04/16	Gabrielle E.Powell	\$ 40.00	Check	General Library Support/Presidio Branch
01/26/16	Michael J. Kurihara	\$ 250.00	Check	Books and other Material for the Collection /Richmond Branch
03/03/16	Lerae Kroon, Tanika Vigil and Kirsten Bass	\$ 100.00	Check	General Library Support/System Wide
03/17/16	Suzanne Mary Pyrch	\$ 100.00	Check	Books and other Material for the Collection /Either Branch or Main
04/07/16	Michael J. Kurihara	\$ 250.00	Check	Books and other Material for the Collection /Richmond Branch
04/20/16	Aida Seballos	\$ 50.00	Check	General Library Support/Parkside Branch
05/10/16	Lupe Morales	\$ 10.00	Check	General Library Support/West Portal Branch
05/25/16	Anonymous	\$ 500.00	Check	General Library Support/System Wide
05/31/16	Law Offices of Niven & Smith	\$ 100.00	Check	Books and other Material for the Collection /Either Branch or Main/Children-youth material
06/27/16	Karl Oliver	\$ 19.00	Cash	General Library Support/System Wide
06/30/16	Kazuhiko and Jeannine Yoo Sano	\$ 250.00	Check	General Library Support/System Wide

To: BOS-Supervisors
Subject: FW: Annual Report on Gifts Received up to \$10,000 for FY 2016
Attachments: Gifts_Annual Report BoS_FY2016.pdf

From: Sung, Hsingyen [<mailto:Hsingyen.Sung@sfmta.com>]

Sent: Tuesday, July 05, 2016 3:08 PM

To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>

Cc: Leonardo, Eloida (MTA) <eloida.leonardo@sfmta.com>; Hunnicutt, Gloria (MTA) <gloria.hunnicutt@sfmta.com>

Subject: Annual Report on Gifts Received up to \$10,000 for FY 2016

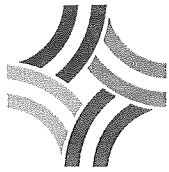
Hi Angela,

Per Administrative Code Section 10.100-305, please see attached memo for the FY 2016 gift/ donation received. Please let me know if you have any questions, thank you.

Rita Sung
Accountant III
415.646.2119



Finance & Information Technology
Accounting & Operating Budget



SFMTA
Municipal
Transportation
Agency

Edwin M. Lee, *Mayor*

Tom Nolan, *Chairman*

Cheryl Brinkman, *Vice-Chairman*

Gwyneth Borden, *Director*

Edward D. Reiskin, *Director of Transportation*

Malcolm Heinicke, *Director*

Joël Ramos, *Director*

Cristina Rubke, *Director*

Date: July 5, 2016

To: Clerk of the Board of Supervisors

From: Eloida Leonardo, Financial Reporting Manager *E. Leonardo*

Subject: Annual Report on Gifts Received up to \$10,000 for FY2016

In accordance with Administrative Code Section 10.100-305, this memo serves to provide the Board of Supervisors with a report on gifts up to \$10,000 received by the San Francisco Municipal Transportation Agency during the fiscal year 2016 as follows:

Gift Description	Source	Value	Disposition
1 Cash	New Flyer	\$1,000.00	SFMTA 2016 Rodeo Event held at the Cow Palace on 04/02/2016
2 Cash	SF Federal Credit Union	\$ 500.00	SFMTA 2016 Rodeo Event held at the Cow Palace on 04/02/2016
3 Cash	Allison Transmission	\$1,000.00	SFMTA 2016 Rodeo Event held at the Cow Palace on 04/02/2016
4 Cash	Local 200	\$ 50.00	SFMTA 2016 Rodeo Event held at the Cow Palace on 04/02/2016-awarded to the winner of the supervisor competition
5 Cash	Prudential	\$ 500.00	2016 Bus Rodeo

If you have questions or need additional information, please don't hesitate to contact us (415)701-4624.
Thank you.

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Wong, Linda (BOS); Somera, Alisa (BOS)
Subject: File 160539 FW: SFPUC DAS Annual Report
Attachments: PUC_Annual_DAS_2016Report.pdf

From: Kay, Grace [mailto:GKay@sfgwater.org]
Sent: Tuesday, July 05, 2016 9:42 AM
To: BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Cc: Hackett, Christine <CHackett@sfgwater.org>
Subject: SFPUC DAS Annual Report

Good morning,

We are submitting the SFPUC's annual Distributed Antenna System (DAS) Program Revenue Update from April 2015 through April 2016 as required by San Francisco Board of Supervisors Resolution No. 31-15.

Please find the following documents attached:

1. Cover Letter
2. SFPUC Annual DAS Program Revenue Update Memorandum
3. SPUC Power Enterprise Map of Existing DAS Street Pole Licenses

We ask that you please distribute to the Board of Supervisors, and let us know if you have any questions.

Thank you,

Grace

Grace Kay
Policy & Government Affairs
San Francisco Public Utilities Commission
(415) 554-0758 | gkay@sfgwater.org



San Francisco
Water Power Sewer
 Operator of the Hetch Hetchy Regional Water System

BOS-11, Ltg Rep.

525 Golden Gate Avenue, 13th Floor
 San Francisco, CA 94102
 T 415.554.3155
 F 415.554.3161
 TTY 415.554.3488

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO

2016 JUL -5 AM 9:46

BY FLB

B+F Clerk,

CPAGE

File 160539

July 1, 2016

Ms. Angela Calvillo
 Clerk of the Board of Supervisors
 City Hall, Room 244

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

RE: Annual DAS Program Revenue Update

Dear Ms. Calvillo,

In accordance with San Francisco Board of Supervisors Resolution No. 31-15, please find attached the San Francisco Public Utilities Commission's (SFPUC) annual Distributed Antenna System (DAS) Program Revenue Update from April 2015 through April 2016.

In addition, as required by each subsequent resolution approving a Master License Agreement for installation of DAS equipment, please find attached a map detailing the number and location of existing DAS street pole licenses resulting from Master License Agreements. On May 24, 2016, the SFPUC introduced a resolution (File No. 160539) authorizing the General Manager of the SFPUC to execute a new Master License Agreement for Outdoor Distributed Antenna System Pole Installation between the City and County of San Francisco and New Cingular Wireless PCS, LLC, dba AT&T, for a term of 12 years to commence following Board approval.

The following is a list of accompanying documents:

1. SFPUC Annual DAS Program Revenue Update Memorandum
2. SFPUC Power Enterprise Map of Existing DAS Street Pole Licenses

Should you have any questions, please contact Anthony Bardo, SFPUC Real Estate Services, at 415-554-1522.

Sincerely,

Harlan L. Kelly, Jr.
 General Manager

- Edwin M. Lee
Mayor
- Francesca Vietor
President
- Anson Moran
Vice President
- Ann Moller Caen
Commissioner
- Vince Courtney
Commissioner
- Ike Kwon
Commissioner
- Harlan L. Kelly, Jr.
General Manager





San Francisco Water Power Sewer

Services of the San Francisco Public Utilities Commission

525 Golden Gate Avenue, 13th Floor
San Francisco, CA 94102
T 415.554.0725
F 415.554.1854
TTY 415.554.3488

DATE: June 30, 2016

TO: Commissioner Francesca Vietor, President
Commissioner Anson Moran, Vice President
Commissioner Ann Moller Caen
Commissioner Vince Courtney
Commissioner Ike Kwon

THROUGH: Harlan Kelly Jr., General Manager
Barbara Hale, Assistant General Manager, Power

RICH STEPHENS
FOR BARBARA HALE

FROM: Mary Tienken
Project Manager

SUBJECT: Annual DAS Program Revenue Update

The San Francisco Public Utilities Commission (SFPUC) approved a resolution on October 28, 2014, authorizing a program to license existing SFPUC street light poles to private companies for outdoor distributed antenna system (DAS) use. To date, the SFPUC General Manager has signed Master Licenses for Outdoor DAS Pole Installation with each of the following four carriers: Extenet, Verizon, Mobilitie, and T-Mobile. A fifth master license with AT&T will be reviewed by the Board of Supervisor's (BOS) Budget & Finance Committee in either June or July 2016.

When the BOS Budget & Finance Committee recommended approval of the master license with Mobilitie in February 2015, the Committee requested annual reports describing the revenue generated by the SFPUC DAS Street Light Licensing Program. The following memo outlines the one time and recurring revenue generated by the DAS program through April 2016.

DAS Program Projected Revenue from Annual License Fees

The revenue projections that follow illustrate revenue generated from annual license fees over the duration of the 12-year master license. The annual license fee in 2015 was \$4,000 with an annual 4% escalation fee for the remaining 11-years of the master license. In February 2015, the estimated revenue ranged between approximately \$16M and \$26M (See Table 1, 12-Year Projected Revenue – 2015 Estimate).

In Table 2, 12-Year Projected Revenue – 2016 Estimate, the projected annual revenue has been re-estimated to include actual revenues from poles licensed in 2015. The anticipated revenue has increased due to aggressive pole licensing in 2015, and the addition of two licensees - AT&T and T-Mobile.

- Edwin M. Lee
Mayor
- Francesca Vietor
President
- Anson Moran
Vice President
- Ann Moller Caen
Commissioner
- Vince Courtney
Commissioner
- Ike Kwon
Commissioner
- Harlan L. Kelly, Jr.
General Manager



Table 1
12-Year Projected Revenue – 2015 Estimate

	Annual License Fee	Low Estimate		High Estimate	
		Number of Poles	Total Revenue	Number of Poles	Total Revenue
2015 - Y1	4,000	0	\$0	55	\$220,000
2016 - Y2	4,160	180	\$748,800	390	\$1,622,400
2017 - Y3	4,326	240	\$1,038,240	470	\$2,033,220
2018 - Y4	4,499	300	\$1,349,700	470	\$2,114,530
2019 - Y5	4,679	300	\$1,403,700	470	\$2,199,130
2020 - Y6	4,867	300	\$1,460,100	470	\$2,287,490
2021 - Y7	5,061	300	\$1,518,300	470	\$2,378,670
2022 - Y8	5,264	300	\$1,579,200	470	\$2,474,080
2023 - Y9	5,474	300	\$1,642,200	470	\$2,572,780
2024 - Y10	5,693	300	\$1,707,900	470	\$2,675,710
2025 - Y11	5,921	300	\$1,776,300	470	\$2,782,870
2026 - Y12	6,158	300	\$1,847,400	470	\$2,894,260
12 Year Total			\$16,071,840		\$26,255,140

Table 2
12-Year Projected Revenue – 2016 Estimate

	Annual License Fee	Low Estimate		High Estimate	
		Number of Poles	Total Revenue	Number of Poles	Total Revenue
2015 - Y1	4,000	111	\$444,000	111	\$444,000
2016 - Y2	4,160	212	\$881,920	274	\$1,139,840
2017 - Y3	4,326	374	\$1,617,924	647	\$2,798,922
2018 - Y4	4,499	374	\$1,682,626	747	\$3,360,753
2019 - Y5	4,679	374	\$1,749,946	747	\$3,495,213
2020 - Y6	4,867	374	\$1,820,258	747	\$3,635,649
2021 - Y7	5,061	374	\$1,892,814	747	\$3,780,567
2022 - Y8	5,264	347	\$1,826,608	720	\$3,790,080
2023 - Y9	5,474	347	\$1,899,478	720	\$3,941,280
2024 - Y10	5,693	347	\$1,975,471	720	\$4,098,960
2025 - Y11	5,921	347	\$2,054,587	720	\$4,263,120
2026 - Y12	6,158	347	\$2,136,826	720	\$4,433,760
2027 - Y13	6,404	90	\$576,389	150	\$960,648
2028 - Y14	6,660	90	\$599,444	150	\$999,074
12-Year Total			\$19,982,458		\$39,182,144

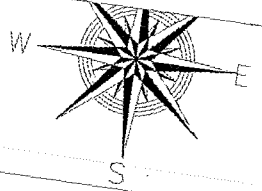
DAS Program Actual Revenue from All Fees

In April of 2015, in preparation for the Superbowl, two licensees – Verizon and Extenet, actively began pole licensing. As of the end of April 2016, the SFPUC collected \$675,860 in annual license fees for (163) SFPUC poles. More detail regarding the fees collected to date is provided in Table 3, DAS Program Revenue – Actual.

In addition to the recurring fees, the SFPUC has received \$492,100 in one time fees for the Power Enterprise to administer and manage the DAS Program, to provide power service connections, and to replace decorative poles that may be damaged by licensure. As of the end of May 2016, approximately \$165K of the one-time revenue has been spent to manage and implement the program.

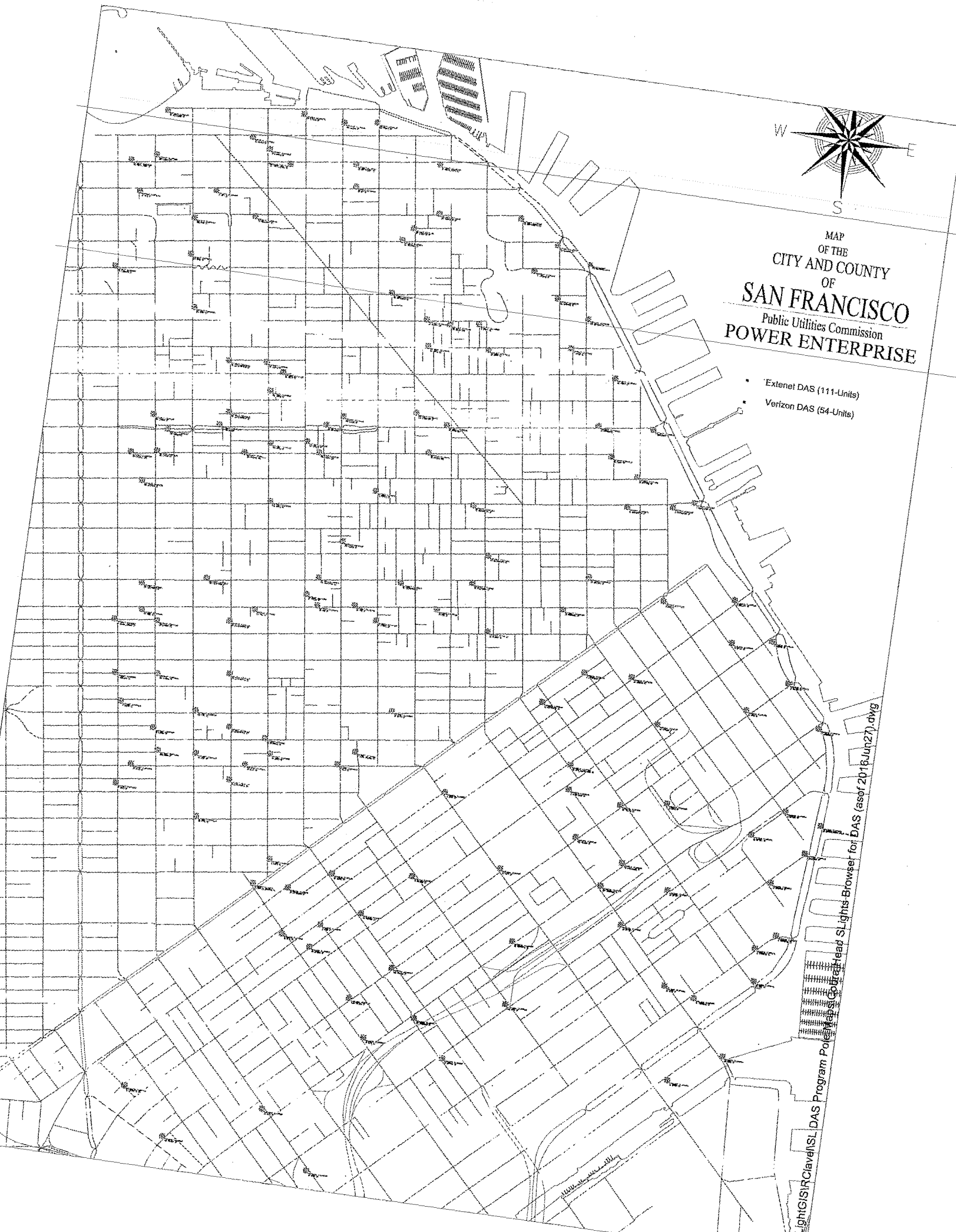
Table 3
DAS Program Revenue – Actual

Carrier	Applica-tions	Non- Recurring Fees					Recurring Fees		
		Appli-cation Fees	Decora-tive Pole Surcharge	Admin-istrative Fees	Power Connect Fees	One Time Revenue	Poles & Conduits Licensed	Annual Revenue	Total
SFPUC Poles									
Verizon	107	7,500	19,100	46,800	22,880	96,280	52	209,600	
Extenet	140	7,500	116,600	99,900	48,840	272,840	111	449,600	
Mobilitie	-	7,500	-	-	-	7,500	-	-	
T-Mobile	27	7,500	-	24,300	-	31,800	-	-	
AT&T	-	7,500	-	-	-	7,500	-	-	
Total	274	37,500	135,700	171,000	71,720	415,920	163	659,200	1,075,120
SFPUC Conduits									
Verizon	31	7,500	-	16,200	8,360	32,060	18	6,706	
Extenet	75	7,500	-	24,300	12,320	44,120	27	9,954	
Total	106	15,000	-	40,500	20,680	76,180	45	16,660	92,840
DAS Total						\$ 492,100		\$ 675,860	\$ 1,167,960



MAP
OF THE
CITY AND COUNTY
OF
SAN FRANCISCO
Public Utilities Commission
POWER ENTERPRISE

- Extenet DAS (111-Units)
- Verizon DAS (54-Units)



LightCISIRClavelISL DAS Program Point of Contact: [unreadable]@lightlead.com
LightLead Sights-Browser for DAS (as of 2018 Jun 27).dwg

From the Clerk of the Board, the following departments have submitted their reports regarding
Sole Source Contracts for FY 2015-2016:

Department on the Status of Women
District Attorney
Employees' Retirement System
Health Service System

Human Resources
Public Library
Sheriff's Department
War Memorial and Performing Arts Center

From: Alvarez, Natalie (WOM)
Sent: Tuesday, July 05, 2016 5:14 PM
To: Board of Supervisors, (BOS)
Subject: FY 15-16 Sole Source Contracts-WOM
Attachments: FY 15-16 Sole Source Contracts.xlsx

MEMO

July 5, 2016

To: Clerk of the Board of Supervisors
Fr: Natalie Alvarez, Fiscal and Policy Analyst- Department on the Status of Women
Re: FY 15-16 Sole Source Contracts

Please see the attached excel spreadsheet which list all of our FY 15-16 sole source contracts. Please let me know if you need any further information and feel free to contact me at 252-4679 with any questions.

Thanks,
Natalie

Natalie Alvarez
Fiscal and Policy Analyst
San Francisco Department on the Status of Women
25 Van Ness Avenue, Suite 240
San Francisco, CA 94102
415.252.4679

Department on the Status of \

FY 15-16 Sole Source Contract

Vendor Name	Contract Term	Total
Circlepoint	August 10, 2015 - December 31, 2015	
Global Freedom Center	September 08, 2015 - December 31, 2015	

Women

ts

	Contract Amount	Amount Paid
\$	40,000.00	\$ 40,000.00
\$	32,000.00	\$ 32,000.00
\$	72,000.00	\$ 72,000.00

From: Hoang, Stacey (DAT)
Sent: Wednesday, July 06, 2016 9:08 AM
To: Board of Supervisors, (BOS)
Subject: 2015- 2016 Sole Source Contracts Memo - Response Required
Attachments: SFDA - FY15-16 sole source disclosure.pdf

Hello:

Please see attached for the Office of the District Attorney's sole source contracts for FY15-16.

Regards,
Stacey Hoang
Finance Division Analyst
Office of District Attorney George Gascón
City & County of San Francisco
850 Bryant Street, Rm 322
San Francisco, CA 94103
Phone: (415) 553-1861
Fax: (415) 553-9700
Stacey.Hoang@sfgov.org

From: Board of Supervisors, (BOS)
Sent: Friday, June 24, 2016 10:17 AM
To: MYR-ALL Department Heads <MYR-All.DepartmentHeads@sfgov.org>
Cc: MYR-All Department Head Assistant <MYR-All.DepartmentHeadAssistant@sfgov.org>
Subject: 2015- 2016 Sole Source Contracts Memo - Response Required

Dear Department Heads:

Please see the attached memo regarding Sunshine Ordinance Section 67.24(e) reporting requirement of Sole Source Contracts.

Regards,

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax
Board.of.Supervisors@sfgov.org



George Gascón
District Attorney

July 6, 2016

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689

(sent via email: board.of.supervisors@sfgov.org)

Dear Ms. Calvillo:

The District Attorney's Office is providing the Clerk of the Board of Supervisors with this memorandum in compliance with Sunshine Ordinance Section 67.24(e) which requires that at the end of each fiscal year each City Department provides the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year. Below are the sole source contracts of the District Attorney's Office for fiscal year 2015-2016. If you have any questions please feel free to contact me at (415) 553-1895.

Sole Source Contracts for District Attorney's Office -- Fiscal Year FY2015-2016

No new sole source contracts were entered in FY 2015-2016. The following are existing contracts that carried over to FY 2015-2016.

Term	Vendor	Amount	Reason
7/1/11-8/31/15	Community United Against Violence	\$316,666	Unique expertise in LBGTQ violence prevention
2/2/15-12/31/16	Justice and Security Strategies, Inc.	\$150,000	Pre-identified federal grant subgrantee to conduct independent research on predictive analytics for chronic offenders
2/1/14-7/31/15	Vera Institute of Justice	\$93,045	Pre-identified federal grant subgrantee to conduct independent research on crime in the Eastern Bayview area

Sincerely,

Eugene Clendinen
Chief Administrative and Financial Officer



SFERS
San Francisco Employees' Retirement System

**City and County of San Francisco
Employees' Retirement System**

July 2, 2016

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Subject: **SFERS Sole Source Contracts Fiscal Year 2015-2016**

Dear Ms. Calvillo,

The following are the sole source contracts in effect for the San Francisco Employees' Retirement System during the fiscal year 2015-16. The department did not enter into any new sole source contracts during the past fiscal year.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 JUL -7 PM 4:48
BY PN

<u>Vendor</u>	<u>Amount</u>	<u>Purpose</u>
Oracle USA, Inc. 500 Oracle Parkway Redwood City, CA 94065	\$ 664,747.32	Oracle provides licensed software maintenance support for the San Francisco Employees' Retirement System. Software is proprietary and is maintained only through Oracle. Annual maintenance and support of the software is required.
Public Storage 90 South Van Ness Avenue San Francisco, CA 94103	\$ 6,362.00	Local off-site storage facility for disaster recovery hardware and equipment.
Total	\$ 671,109.32	

Please contact me should you have further questions.

Very truly yours,



Jay Huish
Executive Director

From: Levin, Pamela (HSS)
Sent: Friday, July 08, 2016 10:11 AM
To: Board of Supervisors, (BOS)
Subject: Health Service System Sole Source Contracts FY 2015-16
Attachments: HSS Sole Source FY 2015_16.pdf

Hi

Here is the memo from Catherine Dodd regarding the sole source contracts for FY 2015-16

Thanks

Pamela Levin, MPA
Chief Financial Officer
Health Service System
City & County of San Francisco
1145 Market Street 3rd Floor
San Francisco, CA 94103
(415) 554-0649

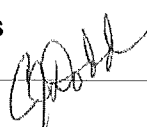
Pamela.levin@sfgov.org

HEALTH SERVICE SYSTEM
CITY & COUNTY OF SAN FRANCISCO

Memorandum

DATE: July 8, 2016

TO: Angela Calvillo
Clerk of the Board of Supervisors

FROM: Catherine J. Dodd, PhD, RN
Director, Health Service System 

RE: Health Service System Sole Source Contracts for FY 2015-16

I am in receipt of your July 24, 2016 memo regarding the Sunshine Ordinance Section 67.24(e) and the requirement that City Departments must provide the Board of Supervisors a list of any Sole Source Contracts entered into during the previous fiscal year. The Health Service System (HSS) entered into one (1) Sole Source Contract during FY 2015-16.

The contract is with Lexmark Enterprise Software, LLC (Lexmark) for professional services, licenses, maintenance and training of its proprietary Enterprise Content Management (ECM) software suite. The term of the agreement is from January 4, 2016 to January 3, 2021. The not-to-exceed amount is \$226,163.00.

The agreement with Lexmark is to facilitate the capturing, organizing, indexing, retrieving, and storage of HSS documents, pertaining to the health claims process, to ensure compliance with the Health Insurance Portability and Accountability Act (HIPAA). The ECM software solutions suite will interface with other HSS systems, such as PeopleSoft and SalesForce Customer Relationship Management System.

The request was approved by the Office of Contract Administration on October 14, 2015. The basis of the decision is found in San Francisco Administrative Code 21.30 (d) which states: "Where a vendor has proprietary rights to software or where maintenance of equipment maintenance agreements entered into with that vendor shall be treated as a sole source for the purposes of any contract requirements included in the Municipal Code."

If you need additional information, please contact Pamela Levin at 415-554-0649 or pamela.levin@sfgov.org.



From: Lewis, Brent (HRD)
Sent: Tuesday, July 05, 2016 12:13 PM
To: Board of Supervisors, (BOS)
Cc: Buick, Jeanne (HRD); Gosiengfiao, Rachel (BOS)
Subject: FW: 2015- 2016 Sole Source Contracts Memo - Response Required
Attachments: Sole Source Contracts 2015-2016.pdf

Dear Clerk of the Board,

Attached below, please find the sole source contract information for the Department of Human Resources:

Term	Vendor	Amount	Reason
Annual: July 1, 2015- June 30, 2016	ISO Services Inc.	\$60,000	On line research services for Workers' Compensation claims.
Annual: November 9, 2015 – June 20, 2016	IEDA	\$99,000	Chief negotiator in labor negotiations for up to 2 labor contracts.
Annual: July 27, 2015- July 31, 2016	Year Up	\$521,000	IT vocational training at DPH.

If you have any questions, please contact me.

Thanks,
Brent Lewis
Director of Finance and IT
Department of Human Resources
415-557-4944

From: Board of Supervisors, (BOS)
Sent: Friday, June 24, 2016 10:17 AM
To: MYR-ALL Department Heads
Cc: MYR-All Department Head Assistant
Subject: 2015- 2016 Sole Source Contracts Memo - Response Required

Dear Department Heads:

Please see the attached memo regarding Sunshine Ordinance Section 67.24(e) reporting requirement of Sole Source Contracts.

Regards,

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax
Board.of.Supervisors@sfgov.org



San Francisco Public Library

Contract Administration, Finance Division
100 Larkin Street, San Francisco, CA 94102-4733
Tel (415) 557-4214 · Fax (415) 437-4830

MEMORANDUM

July 7, 2016

TO: Angela Calvillo, Clerk of the Board

FROM: Anna Clara Wong, Contracts Manager, SFPL *Anna Clara Wong*

THROUGH: Luis Herrera, City Librarian *Luis Herrera*

SUBJECT: Sole Source Contracts for Fiscal Year 2015-16
San Francisco Public Library

Per your memorandum of June 24, 2016, please find attached a list of sole-source contracts entered into by the Library during Fiscal Year 2015-16, plus existing sole-source contracts.

If you have any questions, please feel free to call me at 415-557-4214, or email me at anna.wong@sfpl.org.

cc: Luis Herrera
Maureen Singleton

Attachment: List of Sole Source Contracts

**Public Library
Sole Source Contracts
FY 15-16**

Vendor	Service Description	Contract Amount	Begin Date	End Date
BiblioCommons	Prof Service & Software as Service	\$469,940.00	5/1/2014	4/30/2017
Cengage Learning	Online Content Database License	\$397,103.00	7/1/2013	6/30/2017
Ebsco Publishing	Online Content Database License	\$611,049.00	7/1/2009	6/30/2018
Ebsco Publishing	Online Content Database License Flipster	\$900,000.00	4/1/2016	3/31/2019
Innovative Interfaces	Software License & Maintenance	\$1,329,595.00	1/1/2013	12/31/2016
Keystone Systems, Inc.	Software License and Maintenance	\$214,276.00	1/1/2009	12/31/2017
Lyngsoe Systems	Equipment Maintenance Sorting System	\$219,010.03	7/1/2014	6/30/2018
Mergent Inc.	Online Content Database License	\$219,496.00	5/1/2016	4/30/2019
Newsbank	Prop 2 Online Content Subscription	\$598,827.00	7/1/2014	6/30/2017
Overdrive, Inc.	Database; digital library materials	\$9,980,000.00	7/1/2009	6/30/2018
Pacific Coast Trane	HVAC Maintenance	\$873,375.00	12/1/2007	11/30/2016
Proquest	Online Content Database License (assumed Bowker)	\$168,616.00	9/1/2015	10/1/2018
Proquest	Online Content Database License (assumed Lexis Nexis)	\$371,932.00	7/1/2013	6/30/2019
Proquest LLC	Online Content Database License	\$2,274,607.00	12/1/2008	11/30/2017
Recorded Books Inc	Prop2 Online Content Database License	\$519,000.00	8/1/2014	7/31/2017
Reference USA	Online Content Database License	\$207,642.00	1/1/2016	12/31/2018
Scholastic/Grolier	Online Content Database License	\$179,895.00	1/1/2016	12/31/2018
Value Line	Prop 2 Online Content Database License	\$125,750.00	2/1/2015	1/31/2018
Dragonsource.com Inc	Prop2 Online Content Database License	\$60,000.00	6/1/2016	5/31/2019
Baker & Taylor	Online Content Database License	\$5,030,000.00	1/1/2016	12/31/2018
Bridgeall Libraries Limited	Online Content Database License	\$246,066.00	2/18/2013	2/17/2019
Cengage Learning	Prof Services; Online High School	\$647,735.00	4/30/2015	4/30/2018
Johnson Controls	Maintenance of Security System	\$298,632.00	9/1/2015	8/31/2020
Johnson Controls	Prop 12 Maintenance of York Chillers	\$233,502.00	12/1/2015	11/30/2020
Midwest Tape	Online Content Database License Hoopla	\$1,250,000.00	2/1/2014	1/31/2017
Schneider Electric	Prop 12 Equipment Maintenance	\$766,874.00	3/1/2016	2/28/2020
Siemens Industry Inc.	Prop 12 Equipment Maintenance; Fire Alarm Main Library	\$222,528.00	7/1/2016	6/30/2019
Siemens Industry Inc.	Prop 12 Equipment Maintenance; Sprinkler Testing	\$178,622.00	6/30/2015	6/30/2020
Tractel-Swingstage Inc	Window Washing System Maintenance	\$73,654.96	12/1/2007	11/30/2016
Transmission Books & MicroInfo	Prop 2 Online Content Database License	\$450,000.00	10/1/2015	9/30/2018

**San Francisco Sheriff's Department
List of Sole Source Contracts in Fiscal Year 2015-16**

Term	Vendor	Amount	Reason
7/1/15 - 6/30/16	Rapid Notify, Inc.	\$12,075.00	Rapid Notify, Inc. provides access for proprietary telecommunication systems for as needed automated telephone alerts to communities in San Mateo County regarding any emergencies arising from San Francisco County Jails located in San Bruno. This is annual fee.
7/1/15 - 6/30/16	Sirron Software Corporation	\$16,678.00	Sirron Software Corporation supports and maintains the Civil Administration System Software. This is annual fee.
7/1/15 - 6/30/16	Recology Peninsula Services/San Bruno Garbage Co. Inc.	\$95,000.00	San Bruno Garbage Co., Inc. is the sole source garbage collector for all San Bruno addresses under the terms of the San Bruno Municipal Code 10.20.050. The San Francisco County Jails located in San Bruno fall under this requirement.
7/1/15 - 6/30/16	VirTra System	\$8,840.00	VirTra Systems develops and produces a proprietary simulation system using multiple screens and real video for strong arm and use of force training. VirTra has been awarded U.S. Patent #8,016,594 for the Treat Fire Device. They are the only company authorized to produce and sell any device utilizing electronic impulses to simulate consequences during training.
2/1/15 - 1/31/16	NorthPointe, Inc.	\$100,740.00	Northpointe maintains the sole copyright to COMPAS software. COMPAS is the only risk and needs software package that provides access to the State 600,000 completed felon assessments. Use of this software will enable SFSD to utilize these assessments for managing dual Jurisdiction State and County cases and build new assessments utilizing existing data for re-offenders, re-entry, and pre-trial purposes. The COMPAS software will allow compliance with data collection requirements of the Senate Bill 678 (SB678).
12/1/15-11/30/18	Global Tel*Link (GTL)	\$0.00 (Revenue Contract)	Under the proposed contract, GTL will provide an inmate telephone system including proprietary monitoring and recording software, visitation scheduling software, commissary ordering feature, paperless debit calling and video visitation system pilot in compliance with the requirements of the SFSD. GTL continues to work with Tamra Winchester of CMD to meet Administrative Code Chapters 12B.

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SHERIFF'S DEPARTMENT
SAN FRANCISCO

3/1/16 -- 2/28/17	Schneider Electric Buildings Americas	\$15,175.00	12-month Service Plan to allow Schneider Electric to service the proprietary HVAC system installed at San Bruno County Jail. Schneider Electric is the only qualified vendor to maintain the integrity, performance and sustainability of the I/A series, Network 8000 series, and DMS series systems.

From: Murray, Elizabeth (WAR)
Sent: Friday, July 08, 2016 11:40 AM
To: Board of Supervisors, (BOS)
Subject: RE: 2015- 2016 Sole Source Contracts Memo - Response Required
Attachments: FY15-16 WAR_Sole Source Contracts.pdf

Attached is War Memorial department's Sole Source Contracts report for FY 2015-16.

Elizabeth Murray, Managing Director
San Francisco War Memorial and Performing Arts Center
401 Van Ness Avenue, Suite 110
San Francisco, CA 94102
(415) 554-6306
Elizabeth.murray@sfgov.org

From: Board of Supervisors, (BOS)
Sent: Friday, June 24, 2016 10:17 AM
To: MYR-ALL Department Heads
Cc: MYR-All Department Head Assistant
Subject: 2015- 2016 Sole Source Contracts Memo - Response Required

Dear Department Heads:

Please see the attached memo regarding Sunshine Ordinance Section 67.24(e) reporting requirement of Sole Source Contracts.

Regards,

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax
Board.of.Supervisors@sfgov.org

San Francisco War Memorial and Performing Arts Center

Owned and Operated by the
City and County of San Francisco


War Memorial Veterans Building
Herbst Theatre / Green Room
War Memorial Opera House
Louise M. Davies Symphony Hall
Harold L. Zellerbach Rehearsal Hall

401 Van Ness Avenue, Suite 110
San Francisco, California 94102
Telephone (415) 621-6600
FAX (415) 621-5091
<http://www.sfwmpac.org/>

MEMORANDUM

July 8, 2016

TO: Clerk of the Board
Board of Supervisors

FROM: Elizabeth Murray, Managing Director 
War Memorial and Performing Arts Center

SUBJECT: **Sole Source Contracts for Fiscal Year 2015-2016**

In accordance with the Sunshine Ordinance requirement that each City department provide the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year, listed below are sole source contracts entered into by the War Memorial department during FY 2015-2016.

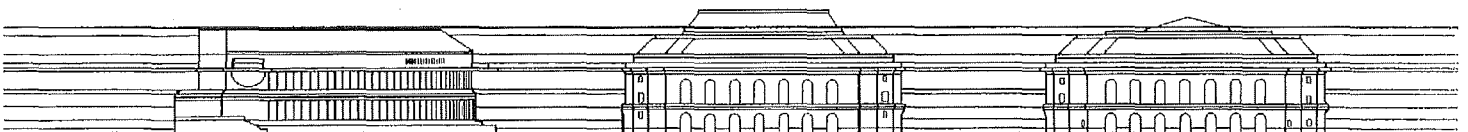
Existing Sole Source Contracts:

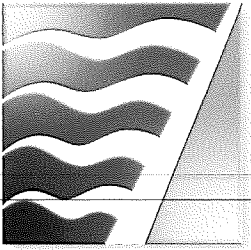
TERM	VENDOR	AMOUNT	REASON
7/1/15-6/30/16	Jacobson Consulting Application	\$15,081.00	The exclusive and only authorized provider of support, training, customization & software maintenance for <i>Artifax</i> Software (booking & scheduling software).

Sole Source Contracts entered into during FY 2015-16:

TERM	VENDOR	AMOUNT	REASON
None			

If you have any questions, please contact me at 554-6306.





June 14, 2016

**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

To: Our Clean Air Partners

On behalf of the Bay Area Air Quality Management District's Board of Directors and dedicated employees, I am pleased to provide you with our *2015 Annual Report*.

The *2015 Annual Report* explains how our programs reduce air pollution and protect public health in the Bay Area. It highlights last year's accomplishments and includes data and graphics that summarize our recent activities.

This year's annual report showcases initiatives that the Air District is pursuing in 2016 and beyond.

To request additional copies of this publication, please call the Air District's Communications and Outreach Office at 415-749-4900.

Sincerely,

Jack P. Broadbent
Executive Officer / Air Pollution Control Officer

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BOARD OF SUPERVISORS
SAN FRANCISCO
2016 JUL -8 PM 2:46
BY [Signature]

- ALAMEDA COUNTY**
Tom Bates
Scott Haggerty
Rebecca Kaplan
Nate Miley
- CONTRA COSTA COUNTY**
John Gioia
David Hudson
(Secretary)
Karen Mitchoff
Mark Ross
- MARIN COUNTY**
Katie Rice
- NAPA COUNTY**
Brad Wagenknecht
- SAN FRANCISCO COUNTY**
John Avalos
Edwin M. Lee
Eric Mar
(Chair)
- SAN MATEO COUNTY**
David J. Canepa
Carole Groom
Warren Slocum
- SANTA CLARA COUNTY**
Cindy Chavez
Liz Kniss
(Vice-Chair)
Jan Pepper
Rod G. Sinks
- SOLANO COUNTY**
James Spering
Osby Davis
- SONOMA COUNTY**
Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:





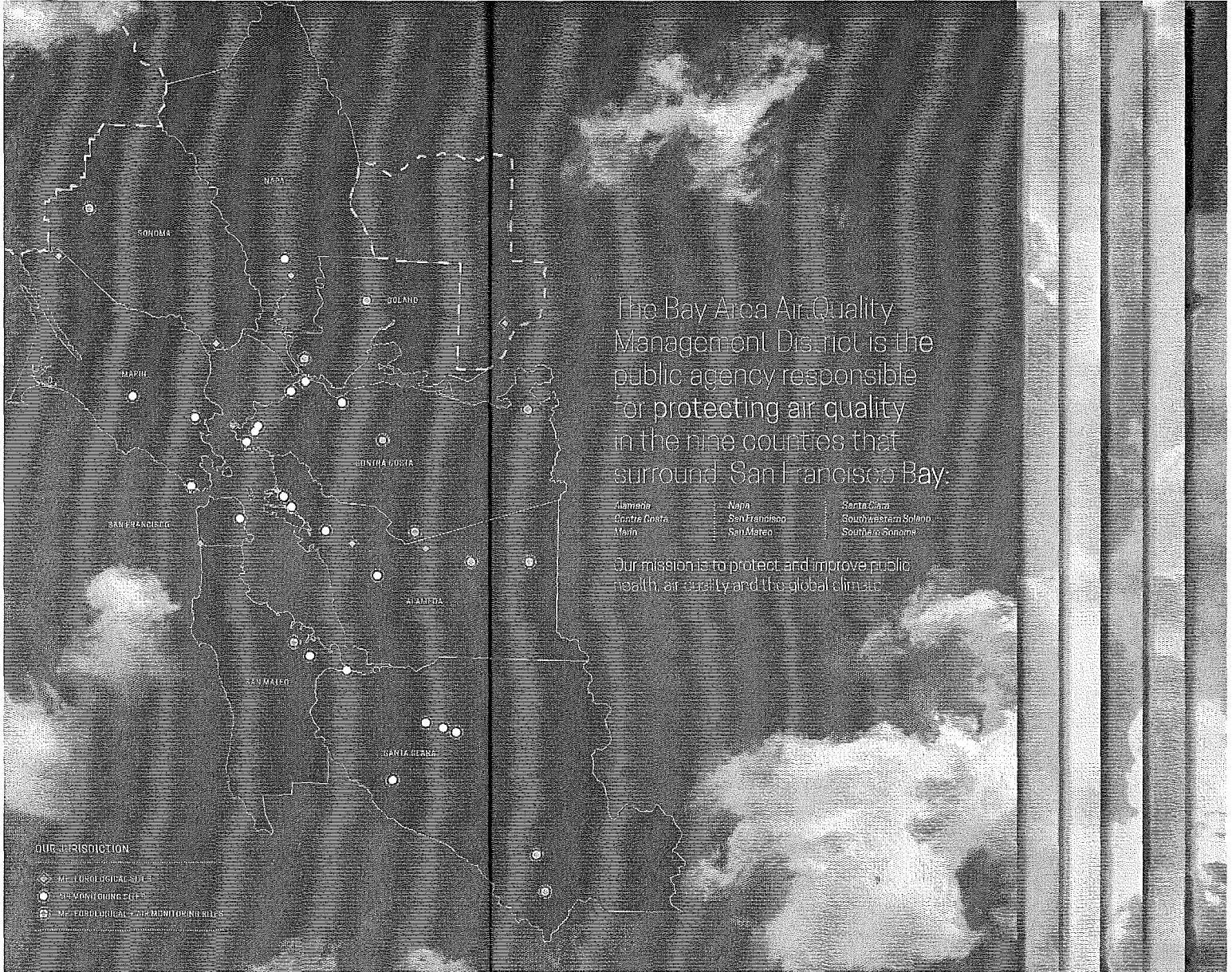
BAY AREA AIR QUALITY
MANAGEMENT DISTRICT

TOGETHER

Creating a
Clean Air Future

ANNUAL REPORT

2015



The Bay Area Air Quality Management District is the public agency responsible for protecting air quality in the nine counties that surround San Francisco Bay:

- | | | |
|--------------|---------------|-------------|
| Alameda | Napa | Santa Clara |
| Contra Costa | San Francisco | San Joaquin |
| Marin | San Mateo | Stanislaus |

Our mission is to protect and improve public health, air quality and the global climate.

OUR JURISDICTION

- ◆ METEOROLOGICAL SITES
- AIR QUALITY SITES
- PORTABLE AIR MONITORING SITES



LETTER FROM THE EXECUTIVE OFFICER

In 2015, the Bay Area Air District celebrated 60 years of service to the region by improving air quality and public health throughout the nine counties that surround the Bay and reaffirmed our commitment as a climate leader.

This past year, the Air District began preparing a Regional Climate Protection Strategy as part of the 2016 Clean Air Plan, which will establish a plan of action toward aggressive long-term greenhouse gas reduction goals.

We completed a consumption-based greenhouse gas emissions inventory and launched a monitoring network that will track trends in GHGs and provide details about Bay Area sources. This data will allow us to pinpoint areas where greater emission reductions can be achieved in the coming period.

To help us reduce wintertime pollution, we updated the Air District's wood-burning regulation. The amended rule will prohibit wood-burning devices from being installed in new building construction throughout the nine counties. Later this year, we will launch a wood stove charge-out program that will assist Bay Area households in moving to cleaner, more efficient heating devices.

At the end of 2015, our Board of Directors unanimously adopted Regulation 6-5, that requires reduction of harmful PM2.5 from refinery equipment. The Board also amended Regulations 11-10 and 9-13 that strengthen leak detection and require expedited repairs of refinery equipment.

We have continued to fulfill our core duty of enforcing air quality regulations, issuing permits, and forecasting and monitoring air quality throughout the region.

As the Air District's Executive Officer, I am proud of our work protecting the health of Bay Area residents and leading the way toward a clean air future. I hope you enjoy this review of our work over the past year.

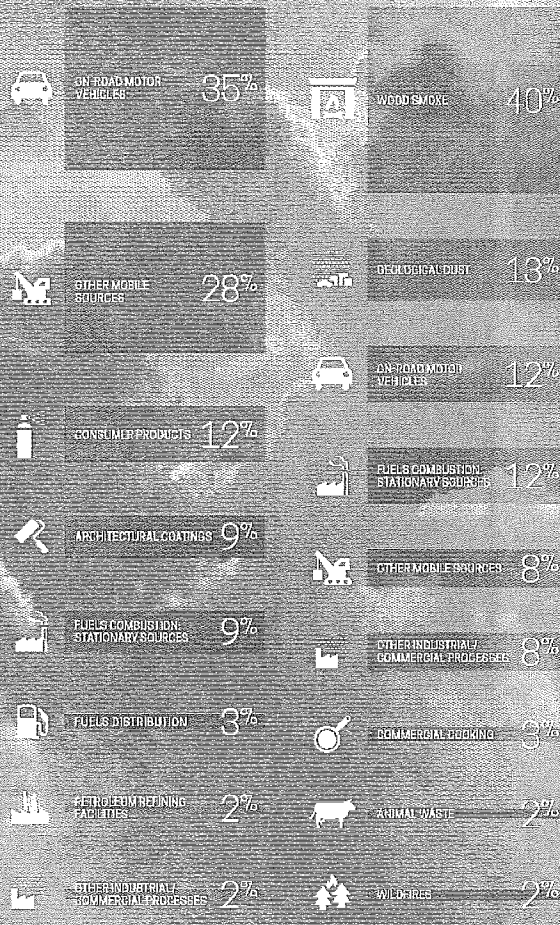
Jack P. Broadbent
 JACK P. BROADBENT
 Executive Officer
 Air Pollution Control Officer

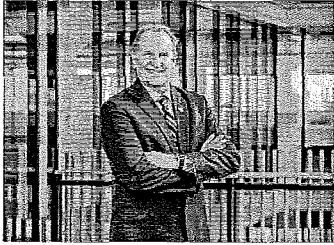
Summer Sources

of Bay Area Ozone-Forming Pollutants (2015)

Winter Sources

of Bay Area Fine Particulate Pollution (2015)





LESTER BROWN

In 2010, the Bay Area for Energy celebrated 60 years of service to the region by providing a quality of public utility through the cooperative ownership of our utility, the Bay Area Municipal Utility.

The past year has been a year of significant achievement for the Bay Area Municipal Utility. A year of new partnerships and new ideas.

We are proud to have provided a year of service to the region through the cooperative ownership of our utility, the Bay Area Municipal Utility. A year of new partnerships and new ideas.

In the coming year, we will continue to provide a year of service to the region through the cooperative ownership of our utility, the Bay Area Municipal Utility. A year of new partnerships and new ideas.

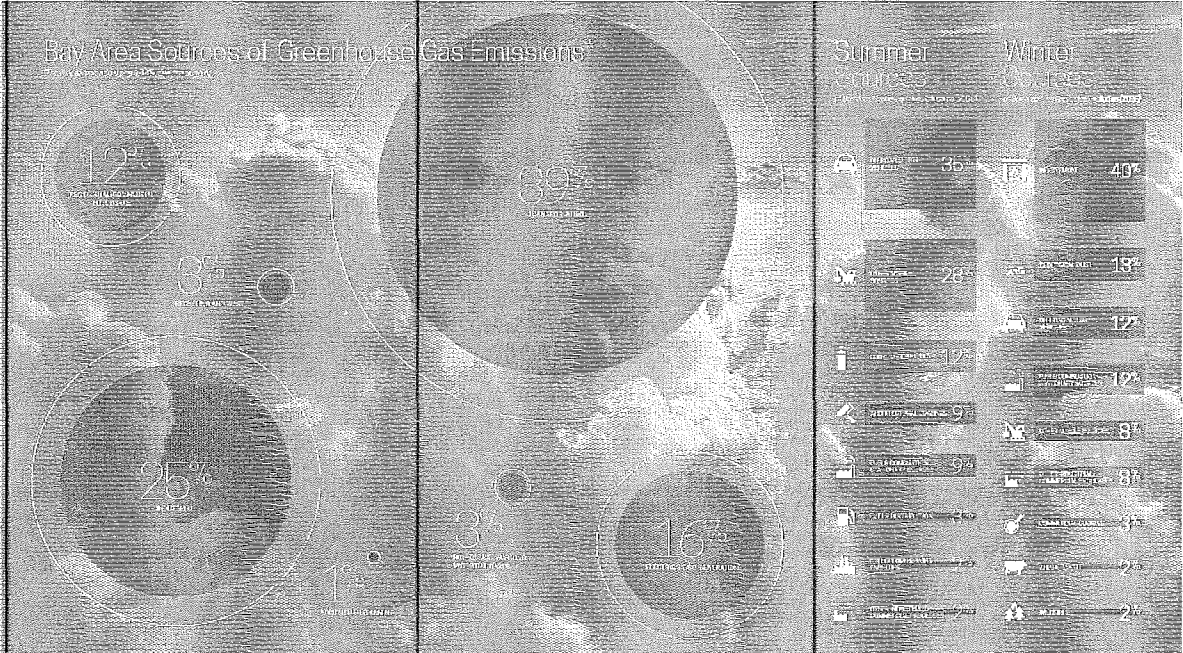
As we move forward, we will continue to provide a year of service to the region through the cooperative ownership of our utility, the Bay Area Municipal Utility. A year of new partnerships and new ideas.

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We are proud to have provided a year of service to the region through the cooperative ownership of our utility, the Bay Area Municipal Utility. A year of new partnerships and new ideas.

David R. Brown
 Vice President
 Bay Area Municipal Utility



Extended Outlook



2016 Clean Air Plan

In 2015, the Air District began work on the 2016 Clean Air Plan to align the agency's efforts to the next few years to reduce air pollution and protect public health and the global climate. The plan will identify the key air quality issues, comprehensive Regional Climate Protection Strategy, which will identify potential rules and strategies that the Air District can pursue to reduce greenhouse gases in the region.



Climate Protection Program

In 2015, the Air District completed the work on the 2016 Clean Air Plan. The plan will identify the key air quality issues, comprehensive Regional Climate Protection Strategy, which will identify potential rules and strategies that the Air District can pursue to reduce greenhouse gases in the region. The plan will identify the key air quality issues, comprehensive Regional Climate Protection Strategy, which will identify potential rules and strategies that the Air District can pursue to reduce greenhouse gases in the region.



Consumption-Based Greenhouse Gas Inventory

In 2015, the Air District completed a consumption-based greenhouse gas emissions inventory which estimates the emissions of 184 air conditioning units in the world by the productivity of generated services consumed by Bay Area residents. In 2015, the agency launched a greenhouse gas emissions network that will track trends in GHG emissions and provide data on consumption about Bay Area sources of GHGs. This network will be expanded in 2016. The consumption-based inventory and the GHG monitoring network provide information to support technical programs, policy development, and other initiatives supported by the Regional Climate Protection Strategy.



Refinery Rule and Emissions Reduction Strategy

In October 2015, the Air District signed the final rule for the refinery rule. The rule will reduce the amount of air pollution from refineries in the Bay Area. The rule will reduce the amount of air pollution from refineries in the Bay Area. The rule will reduce the amount of air pollution from refineries in the Bay Area. The rule will reduce the amount of air pollution from refineries in the Bay Area.



Wood Burning Rule and Wood Stove Change-Out Program

In February 2015, the Air District adopted a set of strong new wood burning rules designed to protect public health against the hazards of fine particulate pollution. Among other provisions, the amended rule will prohibit wood-burning devices from being installed in new building construction. In February 2016, the Air District approved \$3 million for a wood stove and wood stove change-out program to provide cleaner, more efficient heating devices for nearly 1,000 households. Increased funding will be available for low-income households.



James Carey Smith Community Grants

In January 2016, the Air District awarded more than \$250,000 in 11 community-based partnership projects within the nine-county Bay Area region. These projects will increase awareness about air quality issues and initiate activities to reduce air pollution. Ten of the selected projects are located in Bay Area communities identified through the Air District's Community Air Risk Evaluation (CARE) program—that experience concentrated air pollution and related public health impacts.



Clean Air Vehicle Incentives and Infrastructure Expansion

In May 2015, the Air District approved the allocation of \$1.4 million in funding for programs that assist and encourage Bay Area electric vehicle (EV) usage in the Bay Area. The funds support the expansion of charging stations at workplaces, public parking lots, transit stations, and at Bay Area destinations. The funding will also clean air vehicle leasing for government agencies, and provide incentives for operators of light-duty vehicle fleets and heavy-duty vehicles to encourage clean air vehicles. In May 2015, the Air District awarded \$2.2 million in funding for the completion of 12 new hydrogen refueling stations in the Bay Area. All 12 hydrogen stations are scheduled to be in service in 2016.



Caltrain Electrification Project

In July 2015, the Air District approved the allocation of \$20 million to help fund the electrification of the Caltrain corridor. Key benefits associated with electrifying the 51-mile rail line between San Francisco and San Jose include a reduction in greenhouse gases, improved frequency and speed of train service, reduced engine noise and reduced traffic congestion from automobiles. Caltrain expects to start operating the electric trains by the winter of 2020.



Zero Emission Airport Equipment

In March 2015, the Air District awarded \$2.5 million to United Airlines, Inc. to fund the replacement of 27 diesel-powered ground support equipment units with zero-emission alternatives at the San Francisco International Airport. This is the largest Air District grant issued for purchasing zero-emission airport equipment in the Bay Area and includes electric, diesel-powered aircraft, tow-tug vehicles with electric, remote diesel, and hybrids.



Agricultural Waste Chipping Program

In 2015, the Air District began sponsoring no-charge chipping services to dispose of agricultural waste material in lieu of open burning for qualifying agricultural operations located within the Bay Area. Chipping materials from orchards, vineyards and other agricultural enterprises reduces air quality fine particulate matter. The program was renewed in 2016 with a budget of \$156,000 and will continue through December 31, 2016, or until funds are exhausted, whichever occurs first.

Grant Programs

Carl Moyer Program/ Mobile Source Incentive Fund (MSIF)—2015

Total Funds Awarded	\$19,204
Number of Projects Covered by Grant Projects	565
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
Reactive Organic Gases (ROG)	50
Oxides of Nitrogen (NOx)	284
Particulate Matter (PM10)	11
TOTAL	405

Goods Movement Program—2015

Total Funds Awarded	\$12,111
Number of Projects Covered by Grant Projects	29
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
NOx	264
PM10	6
TOTAL	270

TFCA Regional Fund Grants—2015

Total Funds Awarded	\$10,000
Number of Projects Covered by Grant Projects	67
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
NOx	11.45
NOx	0.25
PM10	42.3
TOTAL	54.0
Source: Florida ICAT	\$8,564.70

TFCA County Program Manager Fund Grants— FYE 2015

Total Funds Awarded	\$11,304
Number of Projects Covered by Grant Projects	67
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
NOx	149.07
NOx	12.61
PM10	50.70
TOTAL	212.38
ICAT	\$8,427.40

Lower Emission School Bus Program—2015

Bus Replacements, Repairs and LVO Tank Replacements (MSIF Fund)	
Total Funds Awarded	\$3,074
Number of Buses Awarded Grants	67

Vehicle Buy Back Program—2015

Total Funds Awarded	\$2,074
Number of Vehicles Acquired in 2015	42.35
Estimated Lifetime Emissions Reduction for the Projects Funded (tons)	
ROG	2.3
NOx	220
PM	3
TOTAL	225

Legislation and CARE Program



2015 Legislative Summary

The most recent legislation that was effective in the 2015 session (SB 305) passed in the Senate and approved by the Florida Air Pollution Control District Association. The bill provides for a grant program to fund mobile source projects that reduce emissions.

The bill expands on the Moyer program, allows the Carl Moyer program to be used to fund other mobile source projects, and provides for a grant program to fund mobile source projects that reduce emissions. It encourages the use of other funding sources, and encourages and updates administrative requirements. The bill also provides for the creation of other bills sponsored by the A-District was passed by the Legislature with significant modifications and amendments.

• SB 305 (House Bill) increases the level of funding provided to 60 percent of the total project cost. SB 305 passed by 2015 and increases the level of funding provided by 50 percent. SB 305 also provides for the creation of a grant program to fund mobile source projects that reduce emissions.

• AB 1236 (House Bill) provides for the creation of a grant program to fund mobile source projects that reduce emissions. The bill also provides for the creation of a grant program to fund mobile source projects that reduce emissions.

• SB 775 (House Bill) provides for the creation of a grant program to fund mobile source projects that reduce emissions. The bill also provides for the creation of a grant program to fund mobile source projects that reduce emissions.

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Community Air Risk Evaluation (CARE) Program 2015 Accomplishments

In 2015, the A-District began developing and implementing a CARE program to evaluate the air quality in the A-District. The program is designed to identify areas of concern and to develop a plan to improve air quality.

- Developed a CARE program to evaluate air quality in the A-District.
- Identified areas of concern and developed a plan to improve air quality.
- Updated the CARE program to include new areas of concern.

The program is designed to identify areas of concern and to develop a plan to improve air quality. The program is designed to identify areas of concern and to develop a plan to improve air quality.

Executive Management

Kirk Zischler
 Executive Director
 Air Quality Control District

Dr. Jeff Tompkins
 Director of Health

Paulina Siskind
 District Administrator

Thomas Brown
 CFO/ASST

David W. Johnson
 Director of Air Quality Control District

Madeline Martinez
 Manager, Environmental Services

Division Managers and Directors

John D'Amico
 Director of Air Quality

Paul H. Smith
 Director of Compliance

Henry H. Kim
 Director of Air Quality Enforcement

Allyson A. Lee
 Compliance and Enforcement

Michelle M. Lee
 Compliance and Enforcement

Eric S. Smith
 Compliance and Enforcement

David Williams
 Compliance and Enforcement

State Board Members

ALAMEDA COUNTY
 Joe Taylor
 Barbara Nelson
 Marc Bennett
 Mark Miller

CONTRA COSTA SERVICES
 Jeff D'Amico
 David Johnson
 William Albert
 Alan Ross

MARIN COUNTY
 Paul Johnson

SAN FRANCISCO COUNTY
 John Taylor
 Robert Lee
 William Kim

SAN JOAQUIN COUNTY
 David Johnson
 Robert Lee
 William Kim

SANTA CLARA COUNTY
 David Johnson
 Robert Lee
 William Kim

SUBLETT COUNTY
 David Johnson
 Robert Lee
 William Kim

SUNDA COUNTY
 David Johnson
 Robert Lee
 William Kim

Contact Information

AIR POLLUTION COMPLAINTS
 800.934.0008 (24/7)

AIR QUALITY INFO
 800.HELP.AIR (24/7)
 Daily Air Quality Forecasts,
 State of Air Quality,
 Agricultural Burn Days

COMPLIANCE ASSISTANCE
 415.749.4533

ENGINEERING SERVICES
 415.749.4000

GENERAL BUSINESS
 415.749.6000

PUBLIC INFORMATION
 415.749.4940

REPORT SMOKING VEHICLES
 800.775.5187 (24/7)
www.2ndsmoke.com

WIRE BURNER (THE AIR AGENTS)
 877.300.BURN (24/7)

WEBSITES
www.aqcd.org
www.2ndsmoke.com
www.airquality.com
www.airquality.com
www.airquality.com

DIGITAL MEDIA





Bay Area Air Quality Management District
375 Beale St., San Francisco, CA 94106
415.749.5000
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The Bay Area Air Quality Management District does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, mental or physical disability, or any other attribute or belief protected by law.

It is the Air District's policy to provide fair and equal access to the benefits of a program or activity that we administer. The Air District will not tolerate discrimination against any person(s) seeking to participate in or receive the benefits of any program or activity offered or conducted by us. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint with us under this policy. This non-discrimination policy also applies to other people or entities affiliated with the Air District, including contractors or grantees that we utilize to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator, identified below, at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to one of our programs or activities, you may contact the Non-Discrimination Coordinator identified below by visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this policy should be directed to the Air District Non-Discrimination Coordinator, Rex Sanders, at 415.749.4951 or by email at rsanders@baaqmd.gov.

305-11, CPAGE

Commissioners
Eric Sklar, President
Saint Helena

Jacque Hostler-Carmesin, Vice President
McKinleyville

Anthony C. Williams, Member
Huntington Beach

Russell E. Burns, Member
Napa

Peter S. Silva, Member
Chula Vista

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Valerie Termini, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
www.fgc.ca.gov

Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

RECEIVED
SAN FRANCISCO
2016 JUL 11 PM 3:28
BR

July 6, 2016

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to Section 180.6, Title 14, California Code of Regulations, relating to commercial hagfish traps, which will be published in the California Regulatory Notice Register on July 8, 2016.

Please note the date of the public hearing related to this matter and associated deadlines for receipt of written comments.

Mr. Travis Tanaka, Environmental Scientist, Marine Region, Department of Fish and Wildlife, (831) 649-2881 or Travis.Tanaka@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachment

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 8403 and 9022 of the Fish and Game Code and to implement, interpret or make specific Sections 8403, 9001.6, 9001.7 and 9022 of said Code, proposes to amend Section 180.6, Title 14, California Code of Regulations, relating commercial hagfish traps.

Informative Digest/Policy Statement Overview

Current regulations in Section 180.6, Title 14, California Code of Regulations (CCR) allow hagfish, *Eptatretus spp.*, to be taken in 40-gallon barrel traps if attached to a ground line. Permittees may fish up to 25 barrel traps spread over a maximum of three ground lines.

Proposed Regulation Amendment

The proposed amendment replaces the 40-gallon requirement for barrel traps with a maximum total trap length of 45 inches and maximum outside diameter of 25 inches. Additional language is proposed to enact the same restrictions that are in place for other hagfish traps: 1) no take of finfish other than hagfish; and 2) no possession of any other hagfish trap type when using or in possession of barrels.

BENEFITS OF THE PROPOSED REGULATIONS

The proposed amendment would redefine maximum barrel size using linear dimensions instead of volume. Due to the variability in barrel manufacturing, linear dimensions offer flexibility to fishermen who want to switch to this gear and a consistent standard that enforcement staff can validate easily. With greater flexibility, more fishermen may switch over to this gear type which would reduce the number of traps on the seafloor and the number of vertical lines in the water, which may result in fewer whale entanglements. Adoption of sustainable fishing regulations, including gear type, provides for the maintenance of sufficient fish populations and ensures their continued existence.

EVALUATION OF INCOMPATIBILITY WITH EXISTING REGULATIONS:

Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate the commercial take of finfish using traps (Sections 8403 and 9022, Fish and Game Code). No other State agency has the authority to promulgate commercial fishing regulations. The proposed amended regulations are compatible with Sections 180, 180.2, 180.4 and 180.5, Title 14, CCR, which address other aspects of commercial take of finfish using traps. The Commission has searched the CCR for any regulations regarding the use of traps for the commercial take of hagfish and has found no such regulation; therefore the Commission has

concluded that the proposed regulations are neither inconsistent nor incompatible with existing State regulations.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Lake Natoma Inn Hotel & Conference Center, 702 Gold Lake Dr., Folsom, California, on Wednesday, August 24, 2016, at 8:00 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before August 11, 2016, at the address given below, or by email to FGC@fgc.ca.gov. **Written comments mailed, or emailed to the Commission office, must be received before 5:00 p.m. on August 22, 2016.** All comments must be received no later than **August 24, 2016**, at the hearing in Folsom, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Valerie Termini, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Valerie Termini or Sherrie Fonbuena at the preceding address or phone number. **Travis Tanaka, Department of Fish and Wildlife, phone (831) 649-2881 or email Travis.Tanaka@wildlife.ca.gov, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, the regulatory language, the Notice, and other rulemaking documents, may be obtained from either the address above or on the Commission's website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) **Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Amending this regulation will allow fishermen to utilize any barrel, up to the maximum allowed dimensions, without need for modification or ordering special barrels at significant cost. However, fishermen may continue to use Korean or bucket traps for the take of hagfish if they desire to do so.

(b) **Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment:**

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California, or any benefits to the health and welfare of California residents or worker safety.

The Commission anticipates possible benefits to the State's environment due to the anticipated reduction in vertical buoy lines and traps on the seafloor if more fishermen switch to barrels.

(c) **Cost Impacts on a Representative Private Person or Business:**

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed amendment does not require fishermen to use barrel traps. Fishermen who choose to switch to barrel traps may incur costs of approximately \$30 per barrel. Total cost for the allowable 25 barrels is estimated to be about \$750.

(d) **Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.**

(e) **Nondiscretionary Costs/Savings to Local Agencies: None.**

(f) **Programs Mandated on Local Agencies or School Districts: None.**

- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: June 28, 2016

Valerie Termini
Executive Director

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: CPUC Notification - Verizon Wireless - Verizon Facilities
Attachments: CPUC Notification - Verizon - SF UM Bulk 6-21-2016 - Revised.pdf

From: West Area CPUC [mailto:WestAreaCPUC@VerizonWireless.com]

Sent: Tuesday, July 05, 2016 4:51 PM

To: Masry, Omar (CPC) <omar.masry@sfgov.org>; Administrator, City (ADM) <city.administrator@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>

Cc: West Area CPUC <WestAreaCPUC@VerizonWireless.com>

Subject: CPUC Notification - Verizon Wireless - Verizon Facilities

This is to provide your agency with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC"). This notice is being provided pursuant to Section IV.C.2.

If you prefer to receive these notices by US Mail, please reply to this email stating your jurisdiction's preference.

Thank You



July 5, 2016

Ms. Anna Hom
Utilities Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
alh@cpuc.ca.gov

RE: Notification Letter for Verizon Small Facility
San Francisco-Oakland, CA / GTE Mobilnet of California Limited Partnership / U-3002-C

This is to provide the Commission with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") for the project described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact the representative below.

Sincerely,

Ruth Concepcion
Engr II Spec-RE/Regulatory
15505 Sand Canyon Avenue, Irvine, CA 92618
WestAreaCPUC@VerizonWireless.com

CPUC Attachment A

Initial Build (new presence for Verizon Wireless)



JURISDICTION	PLANNING DIRECTOR	CITY ADMINISTRATOR	CLERK OF THE BOARD	COUNTY
City of San Francisco Dr. Carlton B. Goodlett Pl San Francisco, CA 94102	omar.masry@sfgov.org	city.administrator@sfgov.org	Board.of.Supervisors@sfgov.org	San Francisco

Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	
627 Taylor Street, San Francisco CA 94102	N/A - public right-of-way	37°47'18.02"N 122°24'42.88"W	Installation of one 7.5" diameter x 24" tall canister antenna, two 16.5" x 9.8" x 5.7" MRRU's on to existing (29' 2" AGL) SFPUC steel streetlight pole.	1 panel antenna	existing SFPUC steel pole	Panel antenna @ 30' 11" RAD	31' 11" AGL	N/A	Personal Wireless Service Facility Permit	6/14/2016	7/14/2016	15

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: CPUC Notification - Verizon Wireless - Verizon Facilities
Attachments: CPUC Notification - Verizon - SF UM Bulk 6-21-2016.pdf

From: West Area CPUC [mailto:WestAreaCPUC@VerizonWireless.com]
Sent: Tuesday, July 05, 2016 11:15 AM
To: Masry, Omar (CPC) <omar.masry@sfgov.org>; Administrator, City (ADM) <city.administrator@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: West Area CPUC <WestAreaCPUC@VerizonWireless.com>
Subject: CPUC Notification - Verizon Wireless - Verizon Facilities

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Thank You



July 5, 2016

Ms. Anna Hom
Utilities Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
alh@cpuc.ca.gov

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San Francisco-Oakland, CA / GTE Mobilnet of California Limited Partnership / U-3002-C

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Sincerely,

Ruth Concepcion
Engr II Spec-RE/Regulatory
15505 Sand Canyon Avenue, Irvine, CA 92618
WestAreaCPUC@VerizonWireless.com

BOS-11, C pages
160541

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: Teatro ZinZanni File No. 160541

-----Original Message-----

From: Zenelia [mailto:zenymd@yahoo.com]

Sent: Thursday, July 07, 2016 7:16 PM

To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Lee, Mayor (MYR) <mayoredwinlee@sfgov.org>

Subject: Teatro ZinZanni

Honorable Members of the Board
File No.160541
Teatro ZinZanni Term Sheet Endorsement

Dear Members of the Board of Supervisors,

I support Teatro ZinZanni's return to San Francisco in a new theatre and hotel project at Seawall Lot 323 & 324, and I stand with labor & business leaders, community members, former employees, and neighborhood representatives in urging the Board of Supervisor's to support the Term Sheet between the Port of San Francisco and Teatro ZinZanni.

On Tuesday, July 12th, please vote to endorse the Teatro ZinZanni Term Sheet so that ZinZanni can return to its home in San Francisco as soon as possible.

Sincerely,

Zenelia Roman

From: Jay Wallace <jwallace@jaywallaceassociates.com>
Sent: Wednesday, July 06, 2016 12:04 PM
To: London Breed; Avalos, John (BOS); Campos, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Peskin, Aaron (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS)
Cc: Somera, Alisa (BOS); Board of Supervisors, (BOS)
Subject: TZK Broadway, LLC--Endorsement of Term Sheet--File No. 160541
Attachments: D Anderson Letter with Exhibits to BoS-July 6 2016.pdf

On behalf of Darius Anderson and the partners of TZK Broadway, LLC, we are pleased to present you with several letters of support from the community (HERE Local 2, Teamsters Local 856, SF Building Trades Council, Barbary Coast Neighborhood Association, FOGG, North Beach Neighbors, Top of Broadway CBD, CCDC and Joan Baez) in connection with the above matter. We hope that we can count on your and your colleagues support when this matter comes before the Board next week. Please feel free to contact Darius or me if you have any questions. Thank you for your consideration. Sincerely, Jay Wallace

Jay Wallace, Partner
TZK Broadway, LLC
Kenwood Investments, LLC
415-601-2081
jwallace@jaywallaceassociates.com

TZK Broadway, LLC
A Teatro ZinZanni/Kenwood Investments Joint Venture

July 6, 2016

Via Email To All Members of the Board of Supervisors

President London Breed and Hon. Members
City Hall, Room 244
San Francisco, CA 94012

RE: File No. 160541
SUPPORT FOR Endorsement of Term Sheet Between San Francisco Port and
TZK Broadway--New Theater and Hotel Project/Seawall Lots 323 & 324

Dear President Breed and Hon. Members:

As you may know, I am the Managing Partner of TZK Broadway, LLC ("TZK"). I am writing to you today to respectfully request your endorsement of the Term Sheet between the Port of San Francisco and TZK, which has been sent to the full board with recommendation by the Land Use Committee and following unanimous approval by the Port of San Francisco.

Our project was before this Board in May 2015, when the Board unanimously approved the Port and TZK entering into an ENA. The endorsement of the Term Sheet now is the next step in the process.

Our project continues to comply with the 40-X height and bulk restrictions on the site and the Secretary of the Interiors and the City's historic guidelines for constructing in a historic district, such as where our project resides. We have entered into binding agreements with H.E.R.E, Local 2 and Teamsters Local 856 with respect to hotel operations and the San Francisco Building and Construction Trades Council for construction of the project. And, we have met with all of the major neighborhood groups and have received strong support from most, including receiving the attached support letters from the following organizations:

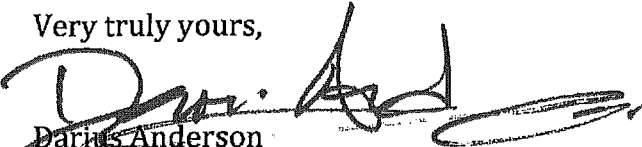
- H.E.R.E., Local 2 and Teamsters, Local 856
- Building and Construction Trades Council
- Barbary Coast Neighborhood Association
- Friends of Golden Gateway
- Chinatown Community Development Council
- North Beach Neighbors
- Top of Broadway Community Benefit District
- Joan Baez

Jay Wallace, one of my partners in TZK, will also be dropping off additional materials to each of you during the week.

On behalf of all of us at TZK Broadway, LLC, we respectfully request your support for the Port-TZK Term Sheet, File No. 160541, when it comes before you on July 12, 2016, and want to thank you in advance for your consideration.

If you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Darius Anderson", written over a horizontal line.

Darius Anderson
Managing Partner
TZK Broadway, LLC

CC: All Members of the Board of Supervisors (w/encls.)
Angela Cavillo, Clerk of the Board (w/encls.)
Jay Wallace

UNITEHERE! 



June 7, 2016

President London Breed
Members of the Board of Supervisors
c/o Ms. Angela Calvillo, Clerk of the Board
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Via email: angela.calvillo@sfgov.org

Re: Support for the Broadway/Embarcadero hotel & theater project ("Teatro Zinzanni")

Dear Supervisors:

We write in support of the proposed Term Sheet between The Port of San Francisco and TZK Broadway LLC. Our unions together represent over 9,000 hotel workers in San Francisco, and as you know we have worked hard to ensure that the hospitality industry delivers the kinds of livable-wage jobs service workers needs more of in San Francisco.

Since early in the development process, TZK Broadway have indicated their support for this goal, and have committed to going above and beyond the City's own requirements for projects on public land. Not only has TZK Broadway executed card check / neutrality agreements with both of our unions, but Kenwood Investments has signed a global agreement covering all future hotel projects in which it is a majority partner. These agreements will guarantee that scores, and likely hundreds, of hotel workers will have the opportunity to decide for themselves whether to join a union.

Our Port has a long tradition of supporting the kind of quality jobs that raise standards for working people throughout San Francisco. This hotel project continues in that tradition, and we urge your support for it.

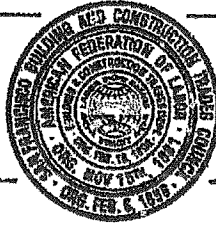
Yours truly,

Anand Singh
President, UNITE HERE Local 2

Michael Lagomarsino
President, Teamsters Local 856

San Francisco Building and

1188 FRANKLIN STREET • SUITE 203
SAN FRANCISCO, CA 94107
EMAIL: mike@sfbctc.org



Construction Trades Council

TEL. (415) 345-9333

www.sfbuildingtradesCouncil.org

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LARRY MAZZOLA
President

MICHAEL THERIAULT
Secretary - Treasurer

JOHN DOHERTY
VICTOR PARRA
Vice Presidents

6 June 2016

Via Hand Delivery and Email:

Ms. Angela Calvillo, Clerk of the Board
angela.calvillo@sfgov.org

London Breed, President
Members of the San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RE: SUPPORT FOR ENDORSEMENT OF TERM SHEET BETWEEN PORT OF SAN FRANCISCO AND TZK BROADWAY, LLC

Dear President Breed and Supervisors:

The San Francisco Building and Construction Trades Council urges your approval of the San Francisco Port Commission's Resolution endorsing a Term Sheet between The Port and TZK Broadway, LLC, a California limited liability comprised of Teatro ZinZanni and Kenwood Investments No. 6, LLC. TZK Broadway LLC proposes to build a theater, a 180-room hotel, and a public plaza and park on Seawall Lots 323 and 324 within the district's 40-X height and bulk limits. TZK Broadway, LLC reached out to us early in this process and has assured us that it will build its project entirely with Union construction labor. This guarantees apprenticeship opportunities, decent wages, and retirement and family medical benefits for the women and men working on the project. We support the proposal.

The project has already received support from neighbors, neighborhood organizations, other stakeholders, the Port Commission, and the Board of Supervisors itself, as evidenced by the 21 April 2015 (File No. 150311) 11-0 approval of the Port entering into an Exclusive Negotiating Agreement with TZK Broadway, LLC, the Port Commission's 3-0 approval on September 8, 2015 of the ENA with TZK Broadway, LLC, and the Port Commission's 5-0 endorsement of the Term Sheet on April 7, 2016.

The project will provide badly-needed revenue to the Port. It will employ hundreds of workers in its construction and hundreds more long-term. It will bring significant new public benefits, such as a new plaza and park on The Embarcadero, hundreds of thousands of dollars of new tax revenues, and a venue for arts, culture and entertainment. Again, the San Francisco Building and Construction Trades Council urges you to endorse the Term Sheet between the Port of San Francisco and TZK Broadway, LLC.

Respectfully yours,

Michael Theriault
Secretary-Treasurer

Barbary Coast Neighborhood Association
640 Davis St., Unit 28
San Francisco, CA 94111
www.bcnasf.org

June 22, 2016

Via Hand Delivery to all Members and
Email to board.of.supervisors@sfgov.org

President London Breed and
Members of the Board of Supervisors
City Hall
San Francisco, CA 94102

RE: SUPPORT FOR ENDORSEMENT OF TERM SHEET
TZK Broadway, LLC/Seawall Lots 323 & 324
Teatro ZinZanni and Kenwood Investments, LLC

Dear President Breed and Members:

On behalf of the Barbary Coast Neighborhood Association (BCNA), I am writing to express the BCNA's support for the Board of Supervisors' endorsement of the term sheet between The Port of San Francisco and TZK Broadway, LLC for the development of a new theater and hotel at Seawall Lots 323 and 324.

TZK Broadway, LLC has kept the BCNA up to speed with the plans for the development of the new theater and hotel and we are in support of this project as it has been designed. We particularly are appreciative of the project sponsor sticking to the height and bulk limits for the site, proposing a use that is compatible with the neighborhood and for keeping the neighborhood informed of the plans and schedule for this new project. We will continue to monitor the development as it proceeds.

On behalf of the BCNA, we urge you to endorse the term sheet between the Port of San Francisco and TZK Broadway, LLC when it comes before you later this month. Thank you for your consideration of our support letter.

Very truly yours,

Diana Taylor

On behalf of the Board of Directors
Diana Taylor, Vice President
Barbary Coast Neighborhood Association



FOGG
405 Davis Ct. #703
San Francisco, CA. 94111
June 20, 2016

London.breed@sfgov.org

And Ms. Angela Cavillo
For Distribution to Full Board
board.of.supervisors@sfgov.org

London Breed
President of the Board of Supervisors
City Hall
San Francisco, CA 94102

RE: File No. 16-541 – Referred from Land Use With Recommendation

Dear President and Board Members:

Freidns of Golden Gateway (FOGG) is writing to urge you and the full Board of Supervisors to support the endorsement of the term sheet involving Teatro Zinzanni's proposed hotel and theater at Seawall Lots 323 and 324, File No.160541.

We are supporting the project for a number of reasons, including the fact that the project complies with the 40 foot height limit, creates a new privately financed public open space in the neighborhood and has sought community input throughout the process. While there may be still some design issues to address, we believe the project is appropriate for the neighborhood, and we urge you to endorse the term sheet when it comes before you.

Thank you for your consideration.

Sincerely,

Lee Radner
Chair, Friends of Golden Gateway

CC: Angela Cavillo angela.cavillo@sfgov.org

Jay Wallace jwallace@jaywallaceassociates.com



July 6, 2016

Via Hand Delivery to all Members and
Email to board.of.supervisors@sfgov.org

President London Breed and
Members of the Board of Supervisors
City Hall
San Francisco, CA 94102

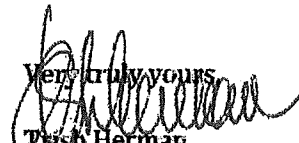
RE: SUPPORT FOR ENDORSEMENT OF TERM SHEET
TZK Broadway, LLC/Seawall Lots 323 & 324
Teatro ZinZanni and Kenwood Investments, LLC
File No. File No. 160541

Dear President Breed and Members:

On behalf of the North Beach Neighbors, I am writing to express our support for the Board of Supervisors' endorsement of the term sheet between The Port of San Francisco and TZK Broadway, LLC for the development of a new theater and hotel at Seawall Lots 323 and 324.

TZK Broadway, LLC has kept us informed of its plans for the development of the new theater and hotel and we are in support of this project as it has been designed. We particularly are appreciative of the project sponsor sticking to the 40-X height and bulk limits that were imposed on the site, for proposing a use that is compatible with the neighborhood and for keeping us informed of the plans and schedule for this exciting new project.

On behalf of the North Beach Neighbors organization, we urge you to endorse the term sheet between the Port of San Francisco and TZK Broadway, LLC when it comes before you later this month. Thank you for your consideration of our support letter.

Very truly yours,

Tish Herman
President

T O P O F
BROADWAY
COMMUNITY BENEFIT DISTRICT

Via Email To All Members of the Board of Supervisors

President London Breed and Hon. Members
City Hall, Room 244
San Francisco, CA 94012

RE: File No. 160541
SUPPORT FOR Endorsement of Term Sheet Between San Francisco Port and
TZK Broadway--New Theater and Hotel Project/Seawall Lots 323 & 324

Dear President Breed and Hon. Members:

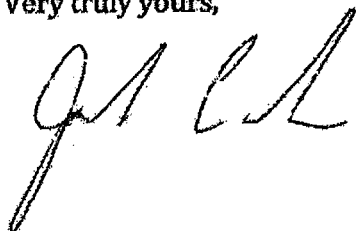
On behalf of the Top of Broadway Community Benefit District, I am writing to urge you to support the Term Sheet between the San Francisco Port and TZK Broadway, LLC, File No. 160541.

The TZK Broadway, LLC proposal, which includes a permanent home for Teatro ZinZanni, a new public park and a new 180-room hotel, all built within the 40 foot height limit, is creative and provides many benefits for the City. Chief among these benefits are creating a new gateway to North Beach and Chinatown, new tax revenues and Transient Occupancy Tax (TOT) for the City and promotion of culture, theater and the arts along the waterfront.

The Top of Broadway CBD strongly supports the TZK Broadway theater and hotel project and urges you to vote to endorse the Term Sheet between the Port and TZK, File No. 160541, when it comes before you on July 12, 2016.

Thank you in advance for your consideration.

Very truly yours,



Joe Carouba, Vice President
On behalf of the Board of Directors

July 6, 2016

Via Hand Delivery to all Members and
Email to board.of.supervisors@sfgov.org



1525 Grant Avenue
San Francisco, CA 94133
TEL 415.984.1450
FAX 415.362.7992
TTY 415.984.9910
www.chinatowncdc.org

President London Breed and
Members of the Board of Supervisors
c/o Clerk of the Board of Supervisors
San Francisco, CA 94102

**RE: SUPPORT FOR ENDORSEMENT OF TERM SHEET
TZK Broadway, LLC/Seawall Lots 323 & 324
File No. 160541**

Dear President Breed and Members:

For over 30 years, Chinatown CDC has been dedicated to the pursuit of our mission to build community and enhance the quality of life for San Francisco's residents. We are a place-based community development organization that strives to empower low-income residents by providing advocacy, planning, organizing, housing development, and property management for neighborhoods across the City.

On behalf of Chinatown CDC, I am writing to urge the Board of Supervisors to endorse the term sheet between The Port of San Francisco and TZK Broadway, LLC for the development of a new theater and hotel at Seawall Lots 323 and 324.

TZK Broadway, LLC has kept us informed of its plans for the development of the new theater and hotel and we are in support of this project as it has been designed. We particularly are appreciative of the project sponsor sticking to the 40-X height and bulk limits that were imposed on the site several years ago, for proposing a use that is compatible with the neighborhood and for committing to build and operate a new public park in our neighborhood.

Chinatown CDC urges the Board of Supervisors to endorse the term sheet between the Port of San Francisco and TZK Broadway, LLC when it comes before you and thank you in advance for your consideration of our support letter.

Very truly yours,


Malcolm Yeung
Chinatown Community Development Center



Properties professionally managed by Chinatown Community Development Center do not discriminate based on race, color, creed, religion, sex, national origin, age, familial status, handicap, ancestry, medical condition, physical handicap, veteran status, sexual orientation, AIDS, AIDS related condition (ARC), mental disability, mental status, source of income, or any other arbitrary status.



TEATRO ZINZANNI

LOVE
CHAOS &
DINNER

Being a part of Teatro Zinzanni
is always a joyous and magical
experience. I have cherished my time
there and am thrilled to know it will be
returning to San Francisco!

Jean Baus



From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Somera, Alisa (BOS); Ausberry, Andrea
Subject: FW: CCDC Support for Endorsement of TZK Broadway Term Sheet - File No. 160541
Attachments: File No 160541 Port of SF and TZK Broadway - CCDC Support Letter.pdf

From: Queena Chen [mailto:qchen@chinatowncdc.org] **On Behalf Of** Malcolm Yeung
Sent: Wednesday, July 06, 2016 11:39 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: CCDC Support for Endorsement of TZK Broadway Term Sheet - File No. 160541

Good Morning,

Please see the attached support letter for File No. 160541.

Thank you and have a great day!

Malcolm Yeung | Deputy Director
Chinatown Community Development Center
663 Clay Street | San Francisco | CA | 94111
(v) 415.984.1458 | myeung@chinatowncdc.org
<http://www.chinatowncdc.org>

Like us on [Facebook](#)

Follow us on Twitter [@chinatowncdc](#)

July 6, 2016

Via Hand Delivery to all Members and
Email to board.of.supervisors@sfgov.org



Chinatown Community
Development Center

華協中心

1525 Grant Avenue
San Francisco, CA 94133
TEL 415.984.1450
FAX 415.362.7992
TTY 415.984.9910
www.chinatowncdc.org

President London Breed and
Members of the Board of Supervisors
c/o Clerk of the Board of Supervisors
San Francisco, CA 94102

**RE: SUPPORT FOR ENDORSEMENT OF TERM SHEET
TZK Broadway, LLC/Seawall Lots 323 & 324
File No. 160541**

Dear President Breed and Members:

For over 30 years, Chinatown CDC has been dedicated to the pursuit of our mission to build community and enhance the quality of life for San Francisco's residents. We are a place-based community development organization that strives to empower low-income residents by providing advocacy, planning, organizing, housing development, and property management for neighborhoods across the City.

On behalf of Chinatown CDC, I am writing to urge the Board of Supervisors to endorse the term sheet between The Port of San Francisco and TZK Broadway, LLC for the development of a new theater and hotel at Seawall Lots 323 and 324.

TZK Broadway, LLC has kept us informed of its plans for the development of the new theater and hotel and we are in support of this project as it has been designed. We particularly are appreciative of the project sponsor sticking to the 40-X height and bulk limits that were imposed on the site several years ago, for proposing a use that is compatible with the neighborhood and for committing to build and operate a new public park in our neighborhood.

Chinatown CDC urges the Board of Supervisors to endorse the term sheet between the Port of San Francisco and TZK Broadway, LLC when it comes before you and thank you in advance for your consideration of our support letter.

Very truly yours,

Malcolm Yeung
Chinatown Community Development Center

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Evans, Derek
Subject: FW: Rules committee #160581

From: anastasia Yovanopoulos [mailto:shashacooks@yahoo.com]
Sent: Tuesday, July 05, 2016 4:42 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Rules committee #160581

Attention: Clerk Derek Evans, Rules Committee
San Francisco Board of Supervisors

Dear Mr Evans,

Please see that Supervisor Eric Mar receives this message **Re: #160581**. Thank you.

Dear Supervisor Eric Mar,

In your efforts to create a fund for homeless housing and services, and transportation improvements for our city kindly consider that there are other sources of revenue you could look at tapping for funding.

1. Developers of new construction currently a fee that is discounted at 75%.
2. Commuter shuttle bus companies and their riders currently do not contribute anything towards transportation improvement.

Thank you for your serious consideration of these matters.

Sincerely,
Anastasia Yovanopoulos
District #8 resident

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Wong, Linda (BOS)
Subject: File 160760 FW: Proposed Payroll Tax on Tech Companies

-----Original Message-----

From: Mark S. Gordon [mailto:mark.gordon333@gmail.com]
Sent: Friday, July 08, 2016 7:52 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Proposed Payroll Tax on Tech Companies

File
160760

Hello !

I wanted to say that I support a 1.5% payroll tax on tech companies in the City. The additional revenue from this tax could be used for affordable housing, helping the homeless and helping the deficit with the City's budget.

I also believe that it should not be any problem for the employees of these companies to pay, especially since recent new articles reported that employees of these companies have average annual salaries of \$150,000-\$200,000

Thank you for allowing me to share my comments and observations .

Respectfully submitted

Mark Gordon

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Major, Erica (BOS)
Subject: File 160764 FW: SF Traffic -Bike collisions

From: Paul [mailto:pnisbett@hotmail.com]
Sent: Friday, July 01, 2016 7:35 PM
To: Lee, Mayor (MYR) <mayoredwinlee@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; joe <joe@sfxaminer.com>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Subject: SF Traffic -Bike collisions

Hello,
I'm hearing lip service about improving traffic safety but our city leaders don't have the will to back it up.

Our city government is terrified that Uber might bark if it is asked to train it's drivers to actually be the professional cab drivers that they are.

The city is failing in it's long term mission to reduce the number of cars on the road.
As a bike rider/commuter ,one thing I have noticed is that there are more cars on the road now than 5 years ago.

It is the Uber effect. The streets are more dangerous and the city's efforts at reducing the number of cars on the road in SF has failed miserably.

Forget about Vision Zero , just work on any sort of vision to regulate the ride sharing companies and their employees.

You used to be able to tell who the taxis were from behind and plan accordingly.

Now you have random cars driving around waiting for fares, stopping in the middle of blocks, and people walking out between cars to get into their Uber/Lyft/whatever . Taxi drivers used to instruct their passengers to get out on the curb side of the car ,the amateur cabs on the road do not do that. There will be more people getting doored as a result of the ride sharing "miracle".

Frankly ,these gypsy cab drivers need to be licensed to prove that they have at least basic training in handling passengers but that's not going to happen because doesn't fit into Ubers "business model" . I applaud cities like Austin for actually standing up to them and putting people's "life model" first.

-Paul

BOS-11, Copies

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: police reform

From: ellie sadler [mailto:elliesadler20@gmail.com]
Sent: Friday, July 08, 2016 8:55 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: police reform

Hello,

I am writing to you to let you know that police policy reform is of deep importance to me. I am sick of hearing about the deaths of people of color at the hands of the people paid to protect them. Please ensure that you do all you can to make our Police Department one that befits our city. I will be voting with this topic as a priority for me.

Thank you,
Ellie Sadler

BOS-11, Campos

From: Howard Chabner <hlchabner@comcast.net>
Sent: Thursday, July 07, 2016 4:42 PM
To: Breed, London (BOS); Mar, Eric (BOS); 'scott weiner'; Cohen, Malia (BOS); Avalos, John (BOS); Campos, David (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Tang, Katy (BOS); Yee, Norman (BOS); Calvillo, Angela (BOS); Johnston, Conor (BOS); Brown, Vallie (ECN); Board of Supervisors, (BOS); Peskin, Aaron (BOS); Ang, April (BOS); Wong, Iris (BOS); Kelly, Margaux (BOS); Montejano, Jess (BOS); Taylor, Adam (BOS); mayoredlee@sfgov.org; Lee, Mayor (MYR)
Cc: 'Howard Chabner '
Subject: Dangerous condition of crosswalks throughout San Francisco

Dear Mayor Lee, President Breed and Supervisors:

The condition of the crosswalk pavements (and the parts of the streets that are not crosswalks) throughout San Francisco has been terrible for many years. Potholes, indentations and crumbling asphalt are a huge problem. When rolling in crosswalks in my wheelchair, I've lost my balance several times because of potholes and indentations. My wheelchair has shock absorbers, a tilting seat and a reclining back, which mitigate the problems a bit; I can only imagine the dangers and difficulties for people in a mobility devices without these features, for those who walk with difficulty, and even for able-bodied pedestrians. When crossing the street, one has to concentrate so much on the pavement surface that it is becoming increasingly difficult to focus on traffic conditions. San Francisco is spending large amounts of money on new projects instead of adequately and safely maintaining existing crosswalks and streets. For example, why spend millions on new bulbouts in the name of pedestrian safety when crumbling pavement and potholes in crosswalks throughout SF remain a major danger to pedestrians?

A couple of days ago I crossed Geary at the east side of Divisadero (a location I cross fairly often), and conditions were awful and dangerous. This intersection is near Mt. Zion medical area and has a high volume of pedestrians, many of whom are elderly and/or disabled. Because of the bad condition of the crosswalk surface, I and other pedestrians were forced to go outside the crosswalk, dangerously close to vehicles.

The terrible condition of crosswalks throughout San Francisco is a major civil rights and safety issue. These conditions cannot be allowed to continue.

Thank you for considering this email.

Sincerely

Howard Chabner

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: MUNI

-----Original Message-----

From: Suzanne Boyle [mailto:suzboyle1@gmail.com]
Sent: Sunday, July 03, 2016 7:20 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: MUNI

Dear Supervisors,

In the last 2 years I have attended a concert and 2 Opera at the Park (Ballpark) and after each concert ended THERE WERE NO TRAINS! Why is this City encouraging us to ride public transportation and then NOT PROVIDING THE TRANSPORTATION?

I'm a senior and I had to walk much further than I wanted at night WITH NO TRAINS IN SITE until I was finally able to contact a "Lyft" ride! Do you expect seniors to "ride their bikes" to events? You encourage people to take advantage of the events but don't make returning from them at all easy.

You continue to build multi unit housing with few or NO parking available. The City looks like a parking lot, every where you go.

I'm really fed up with your lack of planning when an event to promote such cultural events as the SF Opera does not consider what will these people do when the event is OVER?

You certainly don't mind taxing us but giving us the services we look forward to when it is possible to go out at night you seem to have no consideration of.

And while I'm at it, the homeless problem is tragic. I live in the Castro district and daily there are bodies sleeping up and down our neighborhood in doorways and corners. Crazy drugged people acting as if they were giving a lecture on street corners. Last week I stepped outside my home to a piece of cardboard filled with feces. Tents taken down and put up a block away. It's truly disgusting and certainly maddening to live in such a beautiful place, that by the way, costs lots of money, and have to wonder "what is really being done with the money they have"? It's like the too few garages and too many cars. I'm really confused by your thinking.

Thank you for listening and I sincerely hope you will consider providing services for major events.

Very truly yours,

Suzanne Boyle
3995-18th Street
San Francisco, CA 94114
415-713-7253

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: Ban fireworks and pop-pops sold in Chinatown

From: charlottavalentine@hotmail.com [mailto:charlottavalentine@hotmail.com] **On Behalf Of** kim linden
Sent: Monday, July 04, 2016 11:55 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Ban fireworks and pop-pops sold in Chinatown

July 4, 2016

Dear Board of Supervisors,

I am writing to you because this year has been by far the worst for fireworks noise in Chinatown. It is very disturbing that people are setting off fireworks that literally illicit the capacity of bomb noise.

Out of respect and compassion for the Veterans living in the near community, I am asking you to ban this activity, INCLUDING the sale of pop-pops in Chinatown which are routinely exploded throughout the neighborhood all year long, often times right behind people at random. These activities should be recognized as serious disturbances of the peace.

For those who are living with traumatic stress, these displays of fireworks usage, whether on July 4th or throughout the year, are triggering, can and do lead to cycles of increased and intense suffering.

If, as a city community, we value the service of our Veterans and Military, then statements of value and respect can and should be made by our city leaders, including our Mayor.

Thank you.

Kim Linden
linden@mail.sfsu.edu

To: BOS-Supervisors
Subject: FW: Letter to be shared with Board members
Attachments: BAR Ltr_to_Editor July 5 2016 from HAPN.docx

From: Bill Hirsh [mailto:bill@alrp.org]
Sent: Wednesday, July 06, 2016 1:12 PM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Cc: Lance@apiwellness.org
Subject: Letter to be shared with Board members

Dear Ms. Calvillo:

As a response to an article in the press, the HIV/AIDS Provider Network (HAPN) sent the attached letter to the Bay Area Reporter. Is it possible for you to share with all of the members of the Board of Supervisors, or do I need to send to each Board member separately? Thank you for your consideration.

Sincerely,

Bill Hirsh & Lance Toma
Co-Chairs, HIV/AIDS Provider Network (HAPN)

Bill Hirsh
Executive Director
AIDS Legal Referral Panel
1663 Mission St., Suite 500
San Francisco, CA 94103
415-701-1200 ext. 308
bill@alrp.org
www.alrp.org

Dear Editor,

The HIV/AIDS Provider Network (HAPN) feels compelled to speak out against recent baseless attacks on leading allies in the fight against HIV and AIDS on the Board of Supervisors. Supervisor Wiener has certainly been a great champion of HIV services. So, too, have Supervisors Jane Kim and David Campos, along with all of the members of the Board of Supervisors.

People living with and at risk for HIV will benefit from the \$3.1 million in new initiatives agreed to in June by the Mayor and Board of Supervisors. This funding will support services for long term survivors of AIDS, services to increase linkage and retention of HIV-positive people in care and treatment, and increased access to PrEP for HIV-negative people. In addition to this HIV specific funding, the City's new budget includes increased funding for other services that are important for people living with HIV: housing subsidies, food security, and services for transitional aged youth. We are particularly pleased that new funds will support essential services for the 76% of people living with HIV who are at risk of homelessness in our City.

San Francisco truly does have the opportunity to become the first U.S. city to get to zero in the fight against HIV, with no new HIV-related deaths and no new HIV infections by the year 2025. Lifting the great burden of this disease from our lives requires the support and involvement of as many San Franciscans as possible. This is not a time for divisiveness in our struggle to fight the epidemic. We can and must do better.

Toward unity and solidarity,

HAPN Executive Committee

Word count: 263

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: I'm the 4,290th signer: "Stop SFMTA (San Francisco Municipal Transportation Agency)"

From: urwgoayaiol [mailto:petitions-noreply@moveon.org]
Sent: Tuesday, July 05, 2016 10:48 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: I'm the 4,290th signer: "Stop SFMTA (San Francisco Municipal Transportation Agency)"

Dear San Francisco Board of Supervisors,

I just signed a petition addressed to you titled *Stop SFMTA (San Francisco Municipal Transportation Agency)*. So far, 4,291 people have signed the petition.

You can reach me directly by replying to this email. **Or, post a response for MoveOn.org to pass along to all petition signers by clicking here:** http://pac.petitions.moveon.org/target_talkback.html?tt=tt-23483-custom-54063-20260705-bO2aPJ

The petition states:

"As residents and taxpayers of San Francisco we believe that the SFMTA's first and foremost responsibility is to improve MUNI and to make MUNI a more desirable means of transportation. It is not SFMTA's job to make owning and driving a motor vehicle more expensive and difficult. The SFMTA needs to be accountable to all the citizens of San Francisco. We need a balanced, unbiased municipal transportation policy. We respectfully request that the Mayor and District Supervisors immediately stop the SFMTA from: 1. Installing new parking meters and extending the hours of enforcement 2. Enforcing Sunday parking meters 3. Increasing meter rates, fees and fines "

My additional comments are:

bQyx7w hqujxksjroo, [url=<http://rxzngucnmggz.com/>]/rxzngucnmggz[/url],
[link=<http://atnwckbktlgt.com/>]/atnwckbktlgt[/link], <http://aoyqueqtihmz.com/>

To download a PDF file of all of your constituents who have signed the petition, including their addresses, click this link: http://petitions.moveon.org/deliver_pdf.html?job_id=1825055&target_type=custom&target_id=54063

To download a CSV file of all of your constituents who have signed the petition, including their addresses, click this link:
http://petitions.moveon.org/deliver_pdf.html?job_id=1825055&target_type=custom&target_id=54063&csv=1

urwgoayaiol
rWTmpcJzHmO, Equatorial Guinea

file 160589

G

From: Jamey Frank <jameyfrank@me.com>
Sent: Tuesday, July 05, 2016 4:59 PM
To: Peskin, Aaron (BOS); Campos, David (BOS); Lee, Mayor (MYR); Mar, Eric (BOS); Kim, Jane (BOS); Avalos, John (BOS); Tang, Katy (BOS); Breed, London (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Yee, Norman (BOS); Wiener, Scott; Board of Supervisors, (BOS)
Subject: SFMTA Charter Ammendment

Members of the Board of Supervisors:

re: Support the SFMTA Charter Amendment on the November ballot

We understand that a Charter Amendment is being prepared for the November ballot, introduced by Supervisor Yee, that would split the MTA Board appointments between the Mayor and the Supervisors, 4 to 3. The board currently needs seven votes to reject the SFMTA's budget. This measure would lower that requirement to six votes.

We thank Supervisors Yee, Campos, Kim, and Peskin for co-sponsoring this amendment and appreciate the support from Supervisors Mar and Cohen for putting this Amendment on the November ballot and hope we can depend on the rest of you to support this effort. The public has the right to determine how our money is spent and how our transportation system is run. The SFMTA is the one that needs to *shift policies and goals*. They work for us. We don't work for them.

San Francisco needs a transportation system that works today, not a plan for the future. We need directors who listen to the public and follow our suggestions. Taking seats out of buses and removing bus stops will not help an aging population, families with children, or merchants and businesses who are finding it impossible to function with the changes that the SFMTA is forcing on us against our will.

--Jamey Frank
370 Church Street Apt E
San Francisco 94114

From: Board of Supervisors, (BOS)
To: Evans, Derek
Subject: File 160589 FW: Managing the SFMTA...opportunity

From: Roland Salvato [mailto:rolandsalvato@hotmail.com]

Sent: Tuesday, July 05, 2016 6:09 PM

To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Campos, David (BOS) <david.campos@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Avalos, John (BOS) <john.avalos@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Norman.Yee.Bos@sfgov.org; Mar, Eric (BOS) <eric.mar@sfgov.org>; Farrell, Mark (BOS) <mark.farrell@sfgov.org>; Wiener, Scott <scott.wiener@sfgov.org>

Subject: Managing the SFMTA...opportunity

TO: Members of the Board of Supervisors:

RE: Support for the SFMTA Charter Amendment on the November ballot

Dear Supervisors,

I support the Charter Amendment being prepared for the November ballot that would split the MTA Board appointments between the Mayor and the Supervisors, 4 to 3.

San Francisco needs a transportation system that works today, not a plan for the future. We need directors who listen to the public and follow our suggestions. Removing seats from buses and removing bus stops will not help an aging population, families with children, or merchants and businesses who are finding it impossible to function with the changes that the SFMTA is forcing on us against our will.

Thanks to Supervisors Yee, Campos, Kim, and Peskin for co-sponsoring this amendment and appreciate the support from Supervisors Mar and Cohen for putting this Amendment on the November ballot. We encourage all Supervisors to evaluate this measure in good faith.

The public has the right to determine how our money is spent and how our transportation system is run. The SFMTA is the one that needs to shift policies and goals. They work for us. We don't work for them.

Sincerely,

"Action speaks louder than words but not nearly as often."
— Mark Twain

From: Board of Supervisors, (BOS)
To: Evans, Derek
Subject: File 160589 FW: Support the SFMTA Charter Amendment on the November ballot

From: LDY [mailto:harris.rose@att.net]
Sent: Wednesday, July 06, 2016 2:31 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Campos, David (BOS) <david.campos@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Cohen, Malia (BOS) <malia.cohen@sfgov.org>; Avalos, John (BOS) <john.avalos@sfgov.org>; Kim, Jane (BOS) <jane.kim@sfgov.org>; Tang, Katy (BOS) <katy.tang@sfgov.org>; Breed, London (BOS) <london.breed@sfgov.org>; Norman.Yee.Bos@sfgov.org; Mar, Eric (BOS) <eric.mar@sfgov.org>; Farrell, Mark (BOS) <mark.farrell@sfgov.org>; Wiener, Scott <scott.wiener@sfgov.org>
Subject: Support the SFMTA Charter Amendment on the November ballot

Members of the Board of Supervisors:

re: Support the SFMTA Charter Amendment on the November ballot

We understand that a Charter Amendment is being prepared for the November ballot, introduced by Supervisor Yee, that would split the MTA Board appointments between the Mayor and the Supervisors, 4 to 3. The board currently needs seven votes to reject the SFMTA's budget. This measure would lower that requirement to six votes.

We thank Supervisors Yee, Campos, Kim, and Peskin for co-sponsoring this amendment and appreciate the support from Supervisors Mar and Cohen for putting this Amendment on the November ballot and hope we can depend on the rest of you to support this effort. The public has the right to determine how our money is spent and how our transportation system is run. The SFMTA is the one that needs to **shift policies and goals**. They work for us. We don't work for them.

San Francisco needs a transportation system that works today, not a plan for the future. We need directors who listen to the public and follow our suggestions. Taking seats out of buses and removing bus stops will not help an aging population, families with children, or merchants and businesses who are finding it impossible to function with the changes that the SFMTA is forcing on us against our will.

Sincerely,

Linda Yaco
845 McAllister Street, San Francisco 94102

BOS-11 : C pages

From: Alyssa Kies <akies@spur.org>
Sent: Thursday, July 07, 2016 5:59 PM
To: Board of Supervisors, (BOS)
Cc: Avalos, John (BOS); Kim, Jane (BOS); Cohen, Malia (BOS); Yee, Norman (BOS); Mar, Eric (BOS); Peskin, Aaron (BOS); Breed, London (BOS); Campos, David (BOS); Tang, Katy (BOS); Farrell, Mark (BOS); Wiener, Scott
Subject: SPUR letter regarding Resolution 160759 (TNCs)
Attachments: SPUR ltr to BoS re 160759 7.7.16 .pdf

Dear Board President Breed and Supervisors:

Please find attached a letter from SPUR President & CEO Gabriel Metcalf, in opposition to Resolution 160759.

Thank you.

--
Alyssa Kies
Executive Assistant + Board Liaison
SPUR • Ideas + Action for a Better City
(415) 644-4286
akies@spur.org

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SPUR

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July 7, 2016

Supervisor John Avalos
President of the Board of Supervisors London Breed

~~Supervisor David Campos~~

Supervisor Malia Cohen

Supervisor Mark Farrell

Supervisor Jane Kim

Supervisor Eric Mar

Supervisor Aaron Peskin

Supervisor Katy Tang

Supervisor Scott Wiener

Supervisor Norman Yee

San Francisco Board of Supervisors
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102

Re: Opposition to Resolution 160759

Dear President Breed and Supervisors:

I'm writing to express our concerns about the proposed resolution about fingerprinting and background checks for TNC drivers.

We are living through a time of extraordinary change in our transportation system, perhaps more dramatic than anything we have seen since mass adoption of the automobile a century ago. The new technologies and the cultural changes that go along with them will require us to develop the right rules and regulations. So it is entirely appropriate for elected officials to be thinking about what we need as a regulatory framework for new mobility services.

Unfortunately, the proposal to add fingerprinting and background checks would be a step in the wrong direction. Ridesharing companies already require drivers to undergo background checks, in-person screenings and vehicle inspections, all of which are requirements enforced by the CPUC. The CPUC already subjects ride-sharing companies to continuing review, requiring these companies to report annual on accidents, service levels and other criteria.

The main effect of the proposed resolution is not going to be to increase the safety of passengers, but rather to reduce the ability of people to go to work as a TNC driver. By introducing the duplicative and intrusive process, we expect part time drivers, in particular to be deterred from joining the driving platforms. (The average TNC driver drives around 15 hours per month.)

These regulations would bring into the world of TNCs some of the problematic regulations of the taxi industry. It should be abundantly clear by now that one of the reasons that so many residents of San Francisco have chosen to use Uber and Lyft is because the old system for regulating taxis did not work. By all means, there should be a "level playing field." But our goal should be to reform the regulations on the taxi industry to make taxis more useful to the public, not to hamstring a part of our transportation mix that is actually working well for many people.

The new transportation services are still evolving quickly. We are especially interested in the growing adoption of shared rides, and the potential to use these services as a substitute for the private automobile and a first/last mile connection to fixed line transit. We believe the City of San Francisco should be working in a constructive way to expand the use of these services in ways that are good for the city.

Thank you for considering our views on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Metcalf', with a long horizontal flourish extending to the right.

Gabriel Metcalf
President & CEO, SPUR