

1 [Board response to the 2006-2007 Civil Grand Jury Report entitled “Can San Francisco Keep
2 its Promise to Reduce Greenhouse Gas Emissions?”]

3 **Resolution responding to the Presiding Judge of the Superior Court on the**
4 **recommendations contained in the 2006-2007 Civil Grand Jury Report entitled “Can**
5 **San Francisco Keep its Promise to Reduce Greenhouse Gas Emissions?”.**

6
7 WHEREAS, Under California Penal Code Section 933 et seq., the Board of
8 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
9 Court on the recommendations contained in Civil Grand Jury Reports; and,

10 WHEREAS, In accordance with Penal Code Section 933.05(c), if a finding or
11 recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a
12 county agency or a department headed by an elected officer, the agency or department head
13 and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the
14 response of the Board of Supervisors shall address only budgetary or personnel matters over
15 which it has some decision making authority; and,

16 WHEREAS, The 2006-2007 Civil Grand Jury Report entitled “Can San Francisco Keep
17 its Promise to Reduce Greenhouse Gas Emissions?” is on file with the Clerk of the Board of
18 Supervisors in File No. _____, which is hereby declared to be a part of this resolution as if set
19 forth fully herein; and,

20 WHEREAS, Recommendation No. A1a of the subject Civil Grand Jury Report states:
21 “The Department of the Environment should take the lead in identifying resources necessary
22 to foster the culture change in the City needed to fully address the issue of climate change; its
23 should increase outreach and education activities. Posters should be placed in all public
24 locations, including schools and buses. The Department should encourage City utilities and
25 phone companies to include environmental brochures in regular mailings to consumers”; and

1 WHEREAS, Recommendation No. A1b states: “The Department of Environment should
2 have booths at street fairs and other events in the City to educate attendees about climate
3 change, using student interns or other volunteers. The Mayor should declare a ‘Global
4 Warming Heads Up Day’ featuring free showings of Al Gore’s documentary, ‘An Inconvenient
5 Truth,’ in City parks and theaters. The Department of Environment should partner with PG&E
6 to give complementary fluorescent light bulbs to attendees. Copies of the film should also be
7 provided to schools, churches and other organizations for fundraisers and other events”; and

8 WHEREAS, Recommendation No. B1a states: “The MTA Board, while seeking short
9 and long-term system-wide MUNI improvements in speed and reliability, should establish
10 periodic goals for increasing the percentage of ridership using public transit and detail steps to
11 be taken to achieve these goals”; and

12 WHEREAS, Recommendation No. B1b states: “The Department of Parking and Traffic
13 (DPT) engineers should consider ways to speed up MUNI buses, such as further restricting
14 left turns on bus routes during rush hour, making major streets on-way, giving signal
15 preemption to bus drivers to increase transit speed, and other transit-friendly steps”; and

16 WHEREAS, Recommendation No. B2a states: "Muni should report to the MTA Board
17 on a quarterly basis the implementation status of the new diesel-electric hybrid buses. The
18 report should include a schedule for the procurement, receipt, testing and acceptance, as well
19 as the date that individual buses were placed in service. It should also include the number of
20 older diesel buses that are retired from service. This information should be included in Muni’s
21 annual report”; and

22 WHEREAS, Recommendation No. B2b states: “The Municipal Transportation Agency
23 Board, the Mayor and the Board of Supervisors should approve sufficient funds for
24 maintenance and operations staffing needs, materials management requirements and training
25 and code compliance activities”; and

1 WHEREAS, Recommendation No. B3a states: “The San Francisco State Legislation
2 Committee should lobby State lawmakers to maintain a baseline level of funding for local
3 transit”; and

4 WHEREAS, Recommendation No. B3b states: “The San Francisco State Legislation
5 Committee should lobby State lawmakers to pass legislation for a California Department of
6 Motor Vehicle tiered tax based on vehicle emissions to provide additional revenues for transit
7 rather than highways”; and

8 WHEREAS, Recommendation No. B3c states: “The San Francisco State Legislation
9 Committee should lobby State lawmakers for legislation enabling cities to access a local
10 motor vehicle tax based on vehicle emissions to provide additional revenues for transit”; and

11 WHEREAS, Recommendation No. B3d states: “The Municipal Transportation Agency,
12 with cooperation of the Board of Supervisors and Mayor, should continue to pursue additional
13 funding for Muni operations; avoid, if possible, raising fares; consider all other funding options
14 such as congestion pricing”; and

15 WHEREAS, Recommendation No. B3e states: “If actions planned by the City do not
16 appear feasible or if those actions appear insufficient to meet San Francisco’s emission-
17 reduction goals, the City should consider more radical solutions such as greatly reduced
18 transit fares combined with new sources of funding for transit, and a high-priority program to
19 encourage clean vehicles for all uses, municipal, business and personal”; and

20 WHEREAS, Recommendation No. B4a states: “For high traffic transit corridors, such
21 as Geary Boulevard and Van Ness Avenue, the Municipal Transportation Agency should
22 complete environmental impact studies for the proposed Bus Rapid Transit system with the
23 goal of putting these BRT improvements into operation as soon as possible to increase speed
24 and ridership”; and

25

1 WHEREAS, Recommendation No. B4b states: “The Municipal Transportation Agency
2 should develop more ways to increase speed and effectiveness of Muni on all routes, such as:
3 improved stop spacing; increased use of prepaid fares; other proof-of-payment alternatives;
4 more bus bulbs; signal preemption; more buses on primary corridors; restricted left turns for
5 non-transit vehicles; and additional transit-only lanes”; and

6 WHEREAS, Recommendation No. B5a states: “The Municipal Transportation Agency,
7 in cooperation with the Department of the Environment, should improve informational
8 campaigns to encourage all employees, whether public or private, to take public transportation
9 to work, and should promote the Muni Fast Pass to increase ridership”; and

10 WHEREAS, Recommendation No. B5b states: “The Municipal Transportation Agency,
11 in cooperation with the Department of the Environment, should improve incentive programs to
12 encourage City employees to participate in transit-related, Pre-Tax Commuter Benefit
13 Programs”; and

14 WHEREAS, Recommendation No. B6a states: “The San Francisco State Legislation
15 Committee should lobby State lawmakers to pass AB493, which would give significant rebates
16 to drivers who buy clean-running cars, to be funded with a one-time charge on purchase of
17 new high-emission autos”; and

18 WHEREAS, Recommendation No. B6b states: “The Mayor should urge commercial
19 entities with fleets servicing the City to change to cleaner alternative fuels”; and

20 WHEREAS, Recommendation No. B6c states: “The Board of Supervisors should
21 establish regulations and fees for commercial fleets serving the City that do not convert to
22 alternative fuels by 2012”; and

23 WHEREAS, Recommendation No. B6d states: “The Board of Supervisors should
24 consider a tax-reduction or fee-reduction alternative, such as rebate of part of the annual
25

1 business license fee, for any business that demonstrates purchase of a low-emission vehicle”;
2 and

3 WHEREAS, Recommendation No. B7a states: “The General Services Agency (GSA)
4 and the Office of the Mayor should collaborate to put in ‘soft’ orders for plug-in vehicles for the
5 City’s automobile fleet”; and

6 WHEREAS, Recommendation No. B7b states: “The Department of Environment should
7 encourage city businesses, working through Plug-in Bay Area, to put in ‘soft’ orders for plug-in
8 vehicles and join a city-by-city campaign to create incentives for the automotive companies to
9 quickly put this technology into production”; and

10 WHEREAS, Recommendation No. B7c states: “The Departments of Planning, Parking
11 and Traffic and the Parking Authority, consistent with the requirements legislated in the San
12 Francisco Environment Code, should at regular intervals perform a market demand
13 assessment for publicly accessible electric charging bays in City-owned garages and be ready
14 to provide access to outlets for the plug-in hybrids and electric vehicles when they come on
15 the market”; and

16 WHEREAS, Recommendation No. B7d states: “The Departments of Planning and
17 Building Inspection should develop regulations requiring electrical outlets for plug-in vehicles
18 in the construction of new apartments and condominiums with garages”; and

19 WHEREAS, Recommendation No. B7e states: “The Department of Environment should
20 keep the public informed of the status of the development and availability of plug-in hybrids
21 and electric vehicles as they become commercially available, and of the sources and
22 availability of kits to convert hybrids into plug-in hybrids. They should also keep the public
23 updated in the locations of charging bays in public garages”; and

24 WHEREAS, Recommendation No. B8a states: “The Board of Supervisors should enact
25 legislation to raise the per-shift gate fee paid by a driver to the owner of a taxi, in order to

1 create a monetary incentive for taxi owners to purchase low emission or zero emission
2 vehicles”; and

3 WHEREAS, Recommendation No. B8b states: “The Taxi Commission should formulate
4 a plan which would allow group investments in hybrids to facilitate the fastest acquisition and
5 lowest negotiated prices of these new vehicles”; and

6 WHEREAS, Recommendation No. B9 states: “The Municipal Transportation Agency,
7 Planning Department, Department of Public Works (DPW), and the General Services Agency,
8 in coordination with bicycle advocacy groups, should increase and improve:

- 9 • The number of bicycle lanes, routes, and paths
- 10 • Bicycle parking facilities
- 11 • Dedicated bicycle storage in City buildings and
- 12 • A public service campaign to educate bicyclists and drivers on road safety and etiquette,
13 with maps showing dedicated bicycle lanes”; and

14 WHEREAS, Recommendation No. C1a states: “The Department of Environment and
15 Public Utility Commission should request plans from high energy users, such as Muni,
16 SFPUC, San Francisco Airport, the Port, Fire Department, Central Shops, Unified School
17 District, Planning, and Health Department, to reduce energy use based on energy audits”; and

18 WHEREAS, Recommendation No. C1b states: “The high energy users, such as Muni,
19 SFPUC, San Francisco Airport, the Port, Fire Department, Central Shops, Unified School
20 District, Planning, and Health Department, with guidance from the Department of Environment
21 and SFPUC, should budget for and implement facilities repair and upgrades where necessary
22 to comply with the energy audit findings”; and

23 WHEREAS, Recommendation No. C1c states: “The Mayor and Board of Supervisors
24 should approve budgets from high energy users to include funds to implement facilities repair
25 and upgrades to comply with the energy audit findings”; and

1 WHEREAS, Recommendation No. C1d states: “The Department of Environment
2 should develop programs that reward public employees for excellence in energy savings”; and

3 WHEREAS, Recommendation No. C2a states: “In order to reach emission-reduction
4 goals, the Planning Department should require design and construction of new City buildings
5 to the higher LEED Gold standard”; and

6 WHEREAS, Recommendation No. C2b states: “The Department of Building Inspection
7 should accelerate the process of hiring and training inspectors to evaluate compliance to
8 LEED standards and codes”; and

9 WHEREAS, Recommendation No. C3a states: “The Departments of Environment,
10 Planning and Building Inspection should collaborate to review and develop new city building
11 code requirements higher than those in the State Title 24 energy code for new construction, to
12 take advantage of emerging green technology”; and

13 WHEREAS, Recommendation No. C3b states: “The Departments Planning and
14 Building Inspection should develop or expand other incentives for builders to increase energy
15 efficiency in new construction, such as direct installation, project management and technical
16 assistance, rebates, financing, energy surveys, design, engineering, expedited approval
17 processes, and turnkey energy retrofit projects, as envisioned in the City’s Climate Action
18 Plan”; and

19 WHEREAS, Recommendation No. C3c states: “The Departments Planning and
20 Building Inspection should mandate installation of energy-efficient HVAC systems”; and

21 WHEREAS, Recommendation No. C3d states: “The Departments Planning and
22 Building Inspection should develop regulations to modernize lighting in new construction, both
23 commercial and residential, to require energy-efficient fixtures and bulbs and phase out
24 traditional incandescent lights”; and

25

1 WHEREAS, Recommendation No. C4 states: “The Department of Environment should
2 make small businesses and owners of multi-family residential buildings more aware of free
3 energy conservation programs through public-service information campaigns”; and

4 WHEREAS, Recommendation No. C5 states: “The Departments of Planning and
5 Building Inspection should extend green building requirements to commercial buildings as
6 Boston has done”; and

7 WHEREAS, Recommendation No. C6 states: “The Mayor should propose and the
8 Board of Supervisors should consider a local energy tax to reduce energy use and to raise
9 funds needed by the Department of Environment to implement the actions required by the
10 City’s Climate Action Plan”; and

11 WHEREAS, Recommendation No. C7a states: “The Departments of Planning and
12 Building Inspection should look into ways that RECO can be improved and more effectively
13 enforced. Its reach should be extended, for instance, to require property owners to upgrade
14 lighting and other electricity uses before a property changes ownership”; and

15 WHEREAS, Recommendation No. C7b states: “The Departments of Planning and
16 Building Inspection should recommend a RECO ordinance change to require replacement of
17 incandescent light bulbs with energy-saving lamps before a property changes ownership”; and

18 WHEREAS, Recommendation No. D1 states: “The City should move as quickly as
19 possible, through regulations enacted or authorized by the Local Agency Formation
20 Commission, Board of Supervisors and Mayor, to put the Community Choice Aggregation
21 program into effect using Prop B funds made available by the voters in 2001. The process of
22 contracting for renewable, clean energy sources by and for the citizens of San Francisco
23 should begin”; and

24 WHEREAS, Recommendation No. D2a states: “The Department of Environment, with
25 the cooperation of the Mayor, Board of Supervisors, and Departments of Planning and

1 Building Inspection, should explore more ways to create incentives for City residents and
2 businesses with rooftops suitable for solar panels to act early to invest in these projects,
3 considering financial incentives such as subsidies, rebates, property tax reduction, or low-cost
4 loans”; and

5 WHEREAS, Recommendation No. D2b states: “The San Francisco State Legislation
6 Committee should lobby the California Public Utilities Commission and the State Legislature
7 for regulations allowing homeowners and businesses to be compensated for all solar energy
8 being returned to the grid”; and

9 WHEREAS, Recommendation No. D2c states: “The Department of Environment should
10 keep consumers informed of technological advances in solar technology”; and

11 WHEREAS, Recommendation No. D2d states: “The Departments of Environment,
12 Planning and Building Inspection should catalogue and publicize financing options for solar
13 installations for residential consumers”; and

14 WHEREAS, Recommendation No. D2e states: “The Department of Environment
15 should partner with San Francisco Community College to establish training and certification
16 programs for professional solar installers and for customer self-installations”; and

17 WHEREAS, Recommendation No. D2f states: “The Departments of Environment,
18 Planning and Building Inspection should work with business groups such as BC#, as well as
19 hotel associations and local non-profit organizations to promote solar installations through
20 community education, outreach and training”; and

21 WHEREAS, Recommendation No. E1 states: “San Francisco businesses, residents
22 and City departments should be encouraged through stepped-up educational programs by the
23 Department of Environment to decrease their purchase and use of plastic goods and to
24 increase recycling”; and

25

1 WHEREAS, in accordance with Penal Code Section 933.05(c), the Board of
2 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
3 Court on the Recommendation Nos. B2a, B2b, B3a, B3b, B3c, B3d, B3e, B6a, B6b, B6c, B6d,
4 B8a, B8b, C1a, C1b, C1c, C1d, C6, D1, D2a, D2b, D2c, D2d, D2e, and D2f contained in the
5 subject Civil Grand Jury report; now, therefore, be it

6 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
7 Superior Court that it agrees with Recommendation Nos. ____ of the 2006-2007 Civil Grand
8 Jury Report entitled "Can San Francisco Keep its Promise to Reduce Greenhouse Gas
9 Emissions?"; and be it

10 FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees wholly
11 or partially with Recommendation Nos. ____, as follows ____; and, be it

12 FURTHER RESOLVED, That the Board of Supervisors reports that it specifically
13 disputes portions of Recommendation Nos. ____, as follows ____; and, be it

14 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
15 implementation of accepted recommendations through his/her department heads and through
16 the development of the annual budget.

17
18
19
20
21
22
23
24
25