

FILE NO. 160983

Petitions and Communications received from September 2, 2016, through September 12, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 20, 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 Clerk of the Board, submitting 60 Day Receipt Civil Grand Jury Report: Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings. Copy: Each Supervisor. (1)

From Controller, submitting memorandum on its assessment of payments made by the General Services Agency's Central Shops Department to Channel Lumber Company. Copy: Each Supervisor. (2)

From Clerk of the Board, reporting the following agencies have submitted a 2016 Local Agency Biennial Conflict of Interest Code Review Report: (3)

Assessor-Recorder

City Administrator

Department of the Environment

Finance Corporation

Health Service System

Department of Homelessness and Supportive Housing

Office of Small Business and Small Business Commission

From Airport, regarding request for Emergency Contract for Seawall Erosion Repair at End of Runways 19L and 19R. Copy: Each Supervisor. (4)

From Controller, regarding Short-Term Residential Registry Fee-Municipal Code Authorized Fee Increases. Copy: Each Supervisor. (5)

From West Area California Public Utilities Commission, regarding Notification Letter for various Verizon Facilities. Copy: Each Supervisor. (6)

From State Senator Mark Leno, regarding reappointment of Francesca Vietor to the S.F. Public Utilities Commission. File No. 160910. Copy: Each Supervisor. (7)

From concerned citizens, regarding bicycle and pedestrian safety. 6 letters. File No. 160764. Copy: Each Supervisor. (8)

From Bicycle Advisory Committee, submitting resolution titled "Status of Ghost Bikes in the City and County of San Francisco." Copy: Each Supervisor. (9)

From Aaron Goodman, regarding vacation of streets in Parkmerced. File No. 160880. Copy: Each Supervisor. (10)

From Dennis Hong, regarding Chinatown Ping Yuen rehabilitation project. File Nos. 160855 and 160856. Copy: Each Supervisor. (11)

From Augusto Elias, regarding proposed ordinance prohibiting first story Business or Professional Service uses in the West Portal Avenue Neighborhood Commercial District for 45 days. File No. 160894. Copy: Each Supervisor. (12)

From concerned citizens, submitting signatures for petition titled "Edwin Lee: A Behavioral Health Justice Center – The Solution to SF's Mental Health Crisis." 100th signer. Copy: Each Supervisor. (13)

From Art Agnos, regarding Floating Shelter Ship. Copy: Each Supervisor. (14)

From Luke Swartz, regarding proposed rezoning of Midtown Terrace. File No. 160426. (15)

From Catherine Girardeau, regarding pedestrian safety at Alemany Farmers' Market. Copy: Each Supervisor. (16)

From: Major, Erica (BOS)
Sent: Monday, September 12, 2016 9:39 AM
To: Board of Supervisors, (BOS)
Subject: FW: 60 Day Receipt - Civil Grand Jury Report: Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings
Attachments: 60 Day Receipt - Into the Open.pdf

Rachel,

Please add to c-pages, note the title is "Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings," I sent an email to the recipients to that effect (email below).

Best,

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
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From: Major, Erica (BOS)
Sent: Friday, September 09, 2016 5:17 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>
Cc: BOS-Legislative Aides <bos-legislative_aides@sfgov.org>; ascott@sfcgj.org; 'jcunningham@sfcgj.org' <jcunningham@sfcgj.org>; klowry@sfcgj.org; kking@sfcgj.org; Ababon, Anthony (MYR) <anthony.ababon@sfgov.org>; Kelly, Naomi (ADM) <naomi.kelly@sfgov.org>; Rosenfield, Ben (CON) <ben.rosenfield@sfgov.org>; Steeves, Asja (CON) <asja.steeves@sfgov.org>; Givner, Jon (CAT) <jon.givner@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Campbell, Severin (BUD) <severin.campbell@sfgov.org>; Wasilco, Jadie (BUD) <Jadie.Wasilco@sfgov.org>; Gascon, George (DAT) <george.gascon@sfgov.org>; DeBerry, Cristine (DAT) <cristine.deberry@sfgov.org>; Szabo, Max (DAT) <max.szabo@sfgov.org>; Chaplin, Toney (POL) <toney.chaplin@sfgov.org>; Fountain, Christine (POL) <christine.fountain@sfgov.org>; Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>; Hunter, Michael (ADM) <michael.hunter@sfgov.org>; Wirowek, Christopher (ADM) <christopher.wirowek@sfgov.org>; Hicks, Joyce (OCC) <joyce.hicks@sfgov.org>; Alden, John (OCC) <john.alden@sfgov.org>
Subject: 60 Day Receipt - Civil Grand Jury Report: San Francisco's Homeless Health Housing: A Crisis Unfolding in Our Streets

Supervisors:



Please find the attached 60-day receipt from the Clerk of the Board documenting the required department responses for the Civil Grand Jury Report, "San Francisco's Homeless Health Housing: A Crisis Unfolding in Our Streets" have been received. Supervisor Peskin has scheduled this matter in the Government Audit and Oversight Committee on September 15, 2016, at 9:30 a.m. in the Chamber Room 250. The departments that have submitted their response as required are as follows:

- ✓ Mayor's Office
- ✓ Police Department
- ✓ City Administrator
- ✓ Office of the Medical Examiner
- ✓ Office of Citizen Complaints
- ✓ District Attorney

Best,

Erica Major
Assistant Clerk

Board of Supervisors

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BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

DATE: September 9, 2016

TO: Members of the Board of Supervisors

FROM: *ACC* Angela Calvillo, Clerk of the Board

SUBJECT: 2015-2016 Civil Grand Jury Report "Into the Open: Opportunities for More Timely and Transparent Investigation of Fatal San Francisco Police Department Officer-Involved Shootings"

We are in receipt of the following required responses to the San Francisco Civil Grand Jury report released July 6, 2016, entitled: **Into the Open: Opportunities for More Timely and Transparent Investigation of Fatal San Francisco Police Department Officer-Involved Shootings**. Pursuant to California Penal Code, Sections 933 and 933.05, the City Departments shall respond to the report within 60 days of receipt, or no later than September 6, 2016.

For each finding the Department response shall:

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

As to each recommendation the Department shall 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.

The Civil Grand Jury Report identified the following City Departments to submit responses (attached):

- Mayor's Office submitted a consolidated response for the following departments:
 - a. Mayor's Office of Public Policy and Finance
 - b. Police Department
 - c. City Administrator
 - d. Office of the Medical ExaminerReceived September 6, 2016
- Office of Citizen Complaints
Received September 6, 2016
- District Attorney
Received September 6, 2016

These departmental responses are being provided for your information, as received, and may not conform to the parameters stated in California Penal Code, Section 933.05 et seq. The Government Audit and Oversight Committee will consider the subject report, along with the responses, at an upcoming hearing and will prepare the Board's official response by Resolution for the full Board's consideration.

c:

Honorable John K. Stewart, Presiding Judge
Kathie Lowry, 2016-2017 San Francisco Civil Grand Jury
Kitsaun King, 2016-2017 San Francisco Civil Grand Jury
Jay Cunningham, 2015-2016 San Francisco Civil Grand Jury
Alison Scott, 2015-2016 San Francisco Civil Grand Jury
Kate Howard, Mayor's Office
Anthony Ababon, Mayor's Office
Naomi Kelly, City Administrator
Ben Rosenfield, Controller
Asja Steeves, Controller
Jon Givner, Deputy City Attorney
Alisa Somera, Legislative Deputy Director
Severin Campbell, Budget and Legislative Analyst
Jadie Wasilco, Budget and Legislative Analyst
George Gascon, Office of the District Attorney
Cristine Soto DeBerry, Office of the District Attorney
Maxwell Szabo, Office of the District Attorney
Toney D. Chaplin, Police Department
Christine Fountain, Police Department
Sergeant Rachael Kilshaw, Police Commission
Dr. Michael Hunter, Office of the Medical Examiner
Christopher Wirowek, Office of the Medical Examiner
Joyce Hicks, Office of Citizen Complaints
John Alden, Office of Citizen Complaints



George Gascón
District Attorney

September 6, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California
City and County of San Francisco
400 McAllister Street, Room 206
San Francisco, CA 94102-4512

Re: In the Matter of the 2015-2016 Civil Grand Jury Report "Into The Open: Opportunities For More Timely And Transparent Investigations Of Fatal San Francisco Police Department Officer Involved Shootings"—District Attorney's Response

Dear Judge Stewart:

Please find attached our response to the Civil Grand Jury's report, "Into The Open: Opportunities For More Timely And Transparent Investigations Of Fatal San Francisco Police Department Officer Involved Shootings." I commend the Civil Grand Jury for taking on this critically important issue and for conducting this comprehensive investigation.

In order to have a truly independent review of all law enforcement cases involving violations of individuals' Fourth and Fourteenth Amendment rights, the San Francisco District Attorney must have actual autonomy and independence in that investigation. Currently, San Francisco Police Department is the lead investigator on officer involved shootings, in custody deaths and excessive use of force. This structure makes it impossible to have an independent investigation. However, with our current staffing we are unable to assign people to this work on a full time basis because they are needed in other assignments.

To remedy this, I proposed the creation of an Independent Investigations Bureau (IIB) within the District Attorney's Office. The funding request in our budget submission was granted. However, the positions have been placed on reserve, making it impossible for us to hire staff. The IIB would be responsible for investigating and prosecuting cases of law enforcement officers who violate the Fourth and/or Fourteenth Amendment rights of individuals. The unit will handle all law enforcement officer involved shootings, all in-custody deaths, and all cases of on-duty excessive use of force. In addition to the prosecution of these cases, the unit will also be responsible for investigating and remedying colorable claims of factual innocence.

WHITE COLLAR CRIME DIVISION

732 BRANNAN STREET • SAN FRANCISCO, CALIFORNIA 94103
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District Attorney's Office Response to the Civil Grand Jury
September 6, 2016

While the IIB will not cure all the challenges facing us as we deal with these difficult issues, it would certainly be a dramatic improvement to the way the work has historically been done. I am hopeful that this first of its kind, innovative approach will be funded quickly so that it can produce more timely and transparent procedures and outcomes the community can trust.

Thank you for this opportunity to respond to the Civil Grand Jury.

Respectfully,



George Gascon
District Attorney

The District Attorney's Office response to the Civil Grand Jury's findings is as follows:

Finding 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."

Response: The District Attorney agrees with this finding.

Finding 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."

Response: The District Attorney agrees with this finding.

Finding 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."

Response: The District Attorney agrees with this finding.

Finding 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."

Response: The District Attorney agrees with this finding.

The District Attorney's Office response to the Civil Grand Jury's recommendations is as follows:

Recommendation 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.

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."

Response: This recommendation will be implemented no later than December 31, 2016. We are hopeful that by this date we will be able to post our new role and responsibilities based on the formation of the IIB.

Recommendation 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."

Response: This recommendation will not be implemented, as we do not have adequate funding to commission the recommended study. However, we have already determined several ways to improve the speed and independence of OIS investigations. In the 2016-17 budget we requested funding to create an Independent Investigations Bureau (IIB). This request was funded and we are waiting for the Mayor and the Board of Supervisors to remove the positions from reserve so that we can hire attorneys and investigators dedicated solely to investigating and prosecuting officer involved shootings and excessive use of force cases. This team will be able to send trained personnel to the scene of OIS cases which will dramatically improve our ability to capture evidence in a timely manner. Additionally, having dedicated personnel on these cases rather than tasking the work to already overburdened prosecutors will mean faster charging and trial preparation than we are currently capable of achieving. The new unit will bring much needed improvement to our process which has been substantially limited by poor resources.

Recommendation 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.

Response: This recommendation has not yet been implemented. We have drafted a proposed MOU and shared it with the SFPD. We are awaiting their feedback and acceptance of the new terms. We hope to reach agreement by September 30, 2016.

Recommendation 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."

Response: This recommendation has been implemented in part, and will be fully implemented once the funding for the IIB is released and the positions are filled. The District Attorney has always given the investigation of OIS incidents top priority and has used the limited resources available to his office to ensure that each OIS investigation is conducted in a thorough and professional manner. However, the historic lack of funding specifically dedicated to the investigation of OIS incidents has resulted in a much longer than optimal length of time required to complete each investigation and issue the charging decision letters. We have already determined several ways to improve the speed and independence of OIS investigations. As noted in response to Recommendation 2.A, we requested funding to create the IBB and this request was funded in the current fiscal year's budget.

Recommendation 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."

Response: This recommendation has been implemented. Our primary request in the 2016-17 budget was for staffing to improve the way we investigate and prosecute OIS cases. We recognized the long timeframe for completing our work as well as other problems with the process. This compelled us to request funding and push hard for the creation of a new unit in our office dedicated solely to this work because of its paramount importance. Unfortunately, the positions were placed on reserve so we have not been able to hire staff yet.

Recommendation 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."

Response: This recommendation has been implemented in part, and will be fully implemented by no later than December 31, 2016. The District Attorney's Office has attended a number of town hall meetings concerning OIS incidents over the last few years, and the District Attorney has personally met with the concerned community members, including family and friends, in connection with several of them.

Recommendation 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."

Response: This recommendation has been implemented. We already prepare a letter summarizing each incident and post it to our website. Going forward, the District Attorney's Office will also issue a press statement each time a charging decision has been made relating to an OIS investigation.

Recommendation 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."

Response: This recommendation has been implemented.

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Received via email
9/6/2016
File Nos. 160615 and 160616

September 6, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102

Dear Judge Stewart:

Pursuant to California Penal Code sections 933 and 933.05, the following is in reply to the 2015-16 Civil Grand Jury report, *Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-Involved Shootings*. The City is in the process of reforming SFPD practices across the board. Implementing these reforms will likely reduce the number of OIS incidents over time as well as address concerns regarding the use of force.

These reforms - aimed at safeguarding the life, dignity and liberty of all persons - include:


- Revising principles with regard to the application of force options such as expanding time and distance used before engaging with suspects;
- Deploying body worn cameras to better evaluate day-to-day behavior and increase accountability of our officers; and
- Embracing 21 Century Policing Principles to increase transparency and community awareness with regard to police operations.

Moreover, the SFPD will implement U.S. Department of Justice Collaborative Reform Initiative (DOJ-CRI) best practices in addition to many of the Civil Grand Jury's recommendations. SFPD will conduct a comprehensive study of ways to streamline the OIS investigation process with the goal of reducing the overall time to conduct a full investigation. As such, we agree with many of the report's findings, are actively working to improve the practices and policies related to OIS, and are dedicated to timely resolutions, which positively impact the conduct of OIS investigations.

A detailed response from the Mayor's Office, the Police Department, and the Office of the City Administrator to the Civil Grand Jury's findings and recommendations are attached.

Thank you for the opportunity to comment on this Civil Grand Jury report.


Sincerely,



Edwin Lee
Mayor



Naomi M. Kelly
City Administrator



Toney D. Chaplin
Interim Chief of Police

Findings:

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.

Agree with finding.

The SFPD agrees that in order to be more transparent, a document outlining the overall OIS process could be created to share with the public. The document would include the responsibilities of each agency involved in an OIS investigation. However, any detailed information regarding a specific investigation would not be made available due to laws governing the release of information relating to ongoing investigations.

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.

Disagree with finding, partially.

The 30, 45, and 60-day deadlines imposed in General Orders 3.10 and 8.11, when first issued, were considered industry standards. With advancements in technology and science, these investigative deadlines do not reflect inherent complexities such as forensic evidence processing. In addition, the current deadlines did not consider the dependencies of independent investigations now required that are outside the control of the SFPD, including the District Attorney's investigation and, in death cases, the Medical Examiner's investigation.

The length of an OIS investigation is largely dependent on the outcome of these investigations, particularly the charging decision of the District Attorney's Office with respect to the officer. All relevant reports, including the Medical Examiner's report, are needed to complete the criminal investigation. Likewise, the trailing administrative investigation would not be complete without the District Attorney's Office determination of the criminal portion. Per California Government Code 3304(d), the time limit investigation of a personnel investigation tolls until (1) a criminal investigation; (6) civil litigation; or (7) criminal litigation where the officer is the defendant in the matter is completed.

While the administrative case could be theoretically closed before conclusion of these investigations, SFPD's administrative investigation has a significant dependency on the finding of the District Attorney, because the officer must have acted lawfully to be within policy. It is conceivable that at the conclusion of an investigation, the District Attorney could charge the officer with a crime that the administrative investigation or the SFPD Homicide investigators had not foreseen.

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.

Agree with finding.

Although the SFPD's Department Operations Center (DOC), a unit under the command of the Special Operations Bureau, currently has a notification system in place for OIS call outs, the best available technology should be used for all critical incident call outs. The SFPD should perform a review of best practices of similar-sized agencies.

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.

Disagree with finding, partially.

The SFPD's Homicide Unit currently completes an OIS investigation and forwards it to the DA's office. However, the case and the Internal Affairs process cannot be closed until receipt of the results of the forensic analysis, the Medical Examiner's report, and the DA's final charging decision. These processes are not under the control of the SFPD.

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.

Agree with finding.

The Office of the Chief Medical Examiner (OCME) prioritized decreasing turnaround time for the release of work product. This has positively impacted the production final reports associated with OIS incidents. The office understands the need for the timeliness of report generation and will remain vigilant in this regard. The OCME continues to stand behind its work product which continues to meet national standards.

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.

Disagree with finding, partially.

SFPD convenes its Firearm Discharge Review Board in connection with each OIS incident and summaries of incidents are provided to the Police Commission for review. The Firearm Discharge Review Board convenes quarterly and reports on the status of open SFPD OIS investigations.

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.

Disagree with finding, partially.

The SFPD agrees that any information that is releasable should be shared with the public. However, as an OIS investigation is considered open and on-going, the SFPD needs to remain cautious not to release

information prematurely that may be inaccurate or any details that would compromise the outcome of the investigation. The SFPD will review other agencies' best practices to determine if similar processes can be implemented that would allow for more transparency without compromising the investigation.

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.

Agree with finding.

For the past five years, command staff has responded to the scene of critical incidents along with members of the Media Relations Unit. This allows for initial information to be provided as soon as possible. In addition, a meeting is completed within 10 days of an incident to provide additional information. A "press-exclusive" press conference could be added or substituted.

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.

Agree with finding.

Following the initial release of information relating to an OIS incident, the SFPD routinely provides updated information to the media by way of press releases, which are posted on its website. However, to help dispel egregious public information, staff should ensure that all information has been vetted prior to distribution to the public. At the conclusion of the investigation, the website could be updated to reflect the outcome.

Finding 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.

Agree with finding.

For the past five years, it has been a practice to hold a town hall, community, or stakeholder meeting within 10 days of an OIS incident in the affected community. The intent of these meetings is to provide preliminary information to the public. These meetings are chaired by the Police Chief and are regularly attended by members of the Police Commission and Board of Supervisors, as well as City officials. As an investigation evolves, further information is developed and disseminated to the public and the media.

Finding F.13: Although the release of 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.

Disagree with finding, wholly.

Since 2014 when the California Supreme Court ruled that agencies must release the names of officers involved in shootings, the SFPD has complied with that decision within 10 days of the incident. The ruling allowed for names to be withheld under certain circumstances, including if a credible threat to the officer's safety existed. As such, the SFPD has done its due diligence when releasing the names of officers by ensuring any known, credible threat has been resolved prior to the release of the name(s) of the involved members. Additionally, the media has requested historical information relating to OIS incidents, including the names of involved officers, and the SFPD has complied with such requests.

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.

Agree with finding.

Recommendations:

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.

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.

Recommendation has not been, but will be, implemented in the future.

The SFPD agrees that information should be provided to the public consistent with the best practices in 21st century policing. The SFPD is evaluating and adjusting its website to provide improved information to the community. During this process, the SFPD will consider inclusion of the above recommendation, as well as review other agency websites for additional information that could be included. As required by the City and fully supported by the SFPD, information available on the website will meet the requirements of the Language Access Ordinance.

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.

Recommendation has not be been, but will be, implemented in the future.

This recommendation is being reviewed by the U.S. Department of Justice Collaborative Reform Initiative (DOJ-CRI) review team and compared against national best practices. The SFPD will review and implement recommendations made by the DOJ-CRI and the Civil Grand Jury.

Recommendation 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.

Recommendation has not been, but will be, implemented in the future.

This recommendation is being reviewed by the U.S. Department of Justice Collaborative Reform Initiative (DOJ-CRI) review team and compared against national best practices. The SFPD will review and implement recommendations made by the DOJ-CRI and the Civil Grand Jury.

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

Recommendation has not been, but will be, implemented in the future.

The SFPD's Department Operations Center (DOC), a unit under the command of the Special Operations Bureau, has a system in place to notify all essential responders to OIS incidents. The SFPD has added an additional layer of notification specific to the on-call DA investigator, which requires a direct call from the Captain of the Major Crimes Division to the on-call DA investigator immediately after learning of an OIS incident. The SFPD will research available technology that can improve the notification process.

Recommendation 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.

Recommendation has not been, but will be, implemented in the future.

The SFPD's Department Operation Center (DOC), a unit under the command of the Special Operations Bureau, will review the current process for notification to an OIS incident to ensure there is a process in place for first responders to confirm receipt of the notification and to log that confirmation. The process also should include a mechanism to ensure follow-up notification is done within a designated time span when a response from a first responder has not been received.

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.

Recommendation requires further analysis.

The SFPD is reviewing the current MOU and is in discussion with the DA's Office, as well as exploring additional resources to investigate OIS incidents.

Recommendation 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.

Recommendation has been implemented.

The DA's Office budget for FY 2016-17 and FY 2017-18 includes \$1.8 million in each year and additional staffing of 14 positions to expedite OIS investigations.

Recommendation 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.

Recommendation has not been, but will be, implemented in the future.

The OCME will fully participate in after action conferences with regard to OIS incidents; however, the conference should be initiated by the agency leading the investigation as the agency will have a better understanding of the case status of each participating party.

Recommendation 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.

Recommendation has not been, but will be, implemented in the future.

With a projected opening in Fall 2017, the design of the new OCME facility includes an autopsy observation room. The observation room will allow investigators to participate more fully in autopsies related to OIS incidents. Additionally, the observation room will reduce informational asymmetries, improve the flow of information and enhance information sharing allowing the investigation to begin as early as possible. Investigators will be encouraged to attend examinations in all homicide and suspicious cases.

Recommendation 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.

Recommendation has been implemented.

The FY 2016-17 and FY 2017-18 budget includes ongoing \$231,000 for the OCC for transcription services.

Recommendation 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.

Recommendation has not been, but will be, implemented in the future.

The Mayor’s Office works with the DA’s Office and the SFPD to monitor progress of each OIS investigation, provide periodic and timely updates to the public on the status of OIS cases, summarizes and evaluates findings, and jointly discuss OIS investigations. The dedication to timely resolutions coupled with additional resources have positively impacted the conduct of OIS investigations, and includes \$800,000 for the California Department of Justice’s ongoing research of best practices related to OIS incidents. In implementing policy and procedural changes, SFPD has modified department general orders to assure time and distance and preserve the sanctity of life.

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.

Recommendation has not been, but will be, implemented in the future.

As part of the SFPD’s participation in the White House Initiative, staff began the process of implementing the items in this recommendation. The City’s Department of Technology will be developing and enhancing the City’s IT infrastructure which will include developing new websites for both the SFPD and Police Commission. At this time, the current website needs to be redesigned to make it more user-friendly and information readily accessible on a dedicated reports page. It is anticipated that the SFPD’s IT Department will have the infrastructure developed within the second quarter of 2017.

Recommendation 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.

Recommendation has been implemented.

The SFPD’s current practice is to have a press briefing/conference as immediately as possible after each OIS incident, including a briefing at the scene of, or in close proximity to, the incident. At these briefings, preliminary information is provided by the Media Relations Unit, the Police Chief, or designee.

Updated information is provided to the public through press releases, and any media inquiries are addressed through the Media Relations Unit. Updated information also is provided at community stakeholder or public meetings, held within 10 days of an OIS incident, as well as at the weekly Police Commission and at meetings with community leaders, stakeholders, and advocates.

Recommendation 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.

Recommendation has been implemented.

The SFPD strives to meet the highest operational and ethical standards and to continually improve how we meet the City's public safety objectives. The SFPD's goal is to incorporate the recommendations of the President's Task Force on 21st Century Policing, especially relating to transparency. These policies and practices are intended to provide accurate, timely, and reliable information to the public.

The SFPD realizes that emerging technology, including the use of social media to post real-time video, provides additional information and evidence that may be different than the preliminary information gathered from witnesses and involved officers. As such, the SFPD will continue to explore best practices in transparency and media relations in an effort to disseminate accurate and reliable information that has been vetted.

Recommendation 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.

Recommendation has not been, but will be, implemented in the future.

The SFPD currently posts information released to the media as a "press release" relating to critical incidents, including OIS incidents, on its website. In addition, information relating to community and/or stakeholder meetings are released to the media and posted on the website. The SFPD will review best practices of other agencies to determine a process by which updated information can be shared on its website that will not compromise the ongoing investigation.

As part of the SFPD's participation in the White House Police Data Initiative, datasets relating to officer involved shootings between 2009 and 2015 are posted. In addition, a website link to OIS incidents could be developed.

Recommendation 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.

Recommendation has been implemented.

The SFPD has developed a process by which the Media Relations Unit, Homicide, and Internal Affairs coordinates with the Chief's Office to ensure that only verified information is disseminated.

Recommendation 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.

Recommendation requires further analysis.

For the past five years, it has been a practice of the SFPD to hold a town hall, community, or stakeholder meeting in the area most affected by an OIS incident. Most recently, as the SFPD has been expanding its collaboration with community stakeholders and interfaith leaders, meetings have been held with these specific groups who represent those neighborhoods most impacted by the incident. The intent of these meetings is to provide information directly to community representatives and to engage in open dialogue to address concerns in a more productive environment. These community leaders then provide the information to their respective communities. The SFPD acknowledges the seriousness of these critical incidents, and the importance of transparency, and will draft a policy that will allow for information to be shared with the public whether at a public meeting or direct meeting with community leaders and stakeholders.

Recommendation 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 public and/or community stakeholder 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.

Requires further analysis.

The SFPD and the Police Chief recommend and implement best practices with respect to procedures following OIS incidents including: (i) notification to the public; (ii) transparency of investigations; and (iii) updates on the status of investigations. SFPD currently partners with local faith based leadership and other community groups including the Street Violence Reduction Team and the San Francisco Interfaith Council.

For the past five years, a town hall meeting has been convened within 10 days of an OIS incident as close as possible to the location of the incident. It is the practice of the SFPD to invite members of the Police Commission and Board of Supervisors, other City agency executives (OCC and DA), community and faith-based leaders, and media outlets. Staff attending from the SFPD include the Police Chief, Chief of Staff, Command Staff members, representatives of the Investigations Division and the District Station captain. This process is under review by Command Staff and Media Relations to ensure an orderly and transparent dissemination of the information continues to occur with technological advancements.

Recommendation 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.

Recommendation has been implemented.

Since 2014, when the California Supreme Court ruled that agencies must release the names of officers involved in shootings, the SFPD has complied with that decision within 10 days of the incident. When a credible threat to the safety of the involved officer(s) exists, the SFPD will issue a statement to clarify why the information is being withheld.

Recommendation 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.

Recommendation has not been, but will be, implemented in the future.

This is in process. The City's Department of Technology will be developing and enhancing the City's IT infrastructure which will include developing new websites for both the Police Department and Police Commission. At this time, the current website needs to be redesigned to make it more user-friendly and information readily accessible on a dedicated reports page. We anticipate the SFPD's IT Department will have the infrastructure developed within the second quarter of 2017.

Recommendation 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.

Recommendation has been implemented.

The SFPD ensures that prior to releasing officers' names that any known, credible threat has been resolved.

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 a community meeting to share highlights from the report and the conclusions drawn from the OIS incident and should seek and allow for public comment and feedback.

Requires further analysis.

The Police Commission currently oversees and reviews the conduct of OIS investigations. Many of the reforms already implemented by SFPD – including time and distance / zone of danger, body worn cameras and use of force – are based on the findings from OIS investigations. The Police Commission also engages

the Police Officers Association (POA) and provides a public forum for community members to comment on current practices and proposed reforms.

In November 2016, San Francisco citizens will vote on a City Charter Amendment to rename the Office of Citizen Complaints to the Department of Police Accountability; and will add new responsibilities to the Department of Police Accountability. If approved by the voters, the Charter Amendment would require that the Department of Police Accountability investigate claims of officer misconduct and use of force. Certain other reforms are pending and additional reforms will be proposed in the future.

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Joyce M. Hicks
Executive Director

September 2, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102

RE: Civil Grand Jury Report – *Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings.*

Dear Judge Stewart:

Pursuant to Penal Code sections 933 and 933.05, the following is in reply to the 2014-2015 Civil Grand Jury report entitled "*Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings*," issued July 6, 2016. I appreciate very much the Grand Jury's attention to this important and challenging issue.

Introduction

Because this report addresses multiple agencies, the Office of Citizen Complaints (OCC) has crafted responses just to those findings and recommendations specifically directed to this office. For ease of reading, the responses are grouped into two categories, Transparency and Streamlining. In addition, a response matrix is attached.

Findings and Recommendations Relating to Transparency

As stated above, the Grand Jury findings relating to transparency are addressed together here.

Providing the greatest possible transparency allowed by law is a high priority for the OCC. However, California has some of the most restrictive laws in the country with respect to release of information in Officer Involved Shooting (OIS) investigations, like the ones conducted by the OCC. These rules significantly limit the information the OCC can provide to the public.

For example, it was only in 2014 that it became clear that a law enforcement agency could even release the names of the officers involved in an OIS. Long Beach Police Officers Assn. v. City of Long Beach (2014) 59 Cal.4th 59. As you know, the OCC is still prohibited from releasing much more than that about any specific investigation. Copley Press, Inc. v. Sup. Ct. (County of San Diego) (2006) 39 Cal.4th 1272. But the OCC does work diligently to provide to the public that information which the OCC is allowed to disseminate.

FINDING 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.

Response:

Disagree, partially.

The OCC can only speak to the transparency efforts it has made, and not to the efforts made by the other agencies noted in this finding. As for the efforts of the OCC, state law prohibits the OCC from providing the public with factual information about specific cases, including most of the details of the processes used in any specific case. Copley Press, Inc. v. Sup. Ct. (County of San Diego) (2006) 39 Cal.4th 1272. It has been the experience of the OCC that most complainants' concerns about transparency stem from the limitations imposed by state law, not any failure on the part of the OCC to divulge information that the OCC is permitted to share.

That said, the OCC is able to inform the public about the process in general, and does so in the following ways, among others:

- a) The OCC publishes annual and quarterly reports, which are also available at the OCC website, sfgov.org/occ. These reports note the specific OIS cases investigated, when the OIS incident occurred, and when the investigations were closed.
- b) The OCC publishes monthly Complaint Summary Reports, also known as Openness Reports, detailing cases resolved that month. These are redacted to omit any specific case identifier, such as the case names, or the complainants' or officers' names. The details provided include a summation of the allegations, the findings of OCC, and the action taken by the Chief of Police and/or the Police Commission on those cases. These reports are also on the OCC website.
- c) The OCC's process for investigating cases is disseminated to the public through the OCC Community Outreach Strategic Plan. As part of that plan, OCC staff attend a wide variety of outreach events in the community, where staff introduce the OCC, its mission, provide information regarding procedures in general, and distribute OCC brochures.
- d) The OCC website describes the process for receiving and investigating complaints, which applies equally to OIS cases as it does to other kinds of complaints.

The Police Commission and the OCC staff deserve credit for the hard work they have put into these transparency efforts. Taken together, these steps have made the San Francisco police discipline system among the most transparent such systems in the state.

However, the OCC does agree with the Grand Jury that the addition of a webpage specific to the OIS process on the OCC website as described in Recommendation 1 would be a valuable resource for the community. The OCC is working on creating such a page, as described in the next response.

RECOMMENDATION 1. Each of the three City agencies fundamental to OIS investigations - SFPD, DA's Office and the 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 an/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.

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.

Response:

This recommendation has not been, but will be, implemented in the future.

As noted above with respect to Finding 1, the OCC agrees that the webpage described in this Recommendation would be valuable to the community. As part of a package of ongoing information technology improvements at the OCC, the Mayor and Board of Supervisors have

allocated funding for a new Assistant Information Systems Analyst (Civil Service Classification 1051). I intend to task that individual with creating the webpage containing the information described in Recommendation 1. Other staff are crafting the content, which will be translated as recommended.

RECOMMENDATION 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.

Response:

Agree.

Should such a Task Force be created, I will attend Town Hall meetings. In addition, we currently attend public meetings called by the Chief of Police following Officer Involved Shootings.

Findings and Recommendations Relating to Streamlining

The Grand Jury also made findings and recommendations for streamlining the existing OIS process. Because many are interrelated, they are addressed together here.

RECOMMENDATION 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.

Response:

This recommendation requires further study.

It is important to note that the OCC reports to the Police Commission, and this recommendation calls for the Police Commission to arrange for a study. The OCC defers to the

Commission as to whether and how to do so. Once the Commission provides direction as to how it wishes to proceed, the OCC will make every effort to assist.

FINDING 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.

Response:

Agree.

RECOMMENDATION 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.

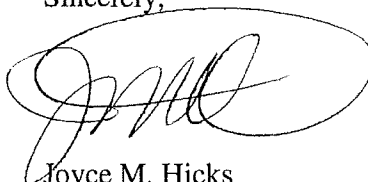
Response:

This recommendation has been implemented.

Conclusion

Thank you for this opportunity to respond to the Grady Jury Report "*Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved Shootings.*" I hope the members of the Grand Jury find these responses useful.

Sincerely,

A handwritten signature in black ink, appearing to be "J. Hicks", enclosed within a large, loopy oval.

Joyce M. Hicks
Executive Director
Office of Citizen Complaints

Enclosure

2015-16 Civil Grand Jury
Transparent Investigations of Fatal SFPD Officer-Involved Shootings
MASTER LIST-FINDINGS Response Template

CGJ Year	Report Title	Findings	Respondent assigned by CGJ	Responses (Agree/Disagree)Use the drop down	2016 Response Text
2015-16	Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-Involved Shootings	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.	Office of Citizen Complaints	disagree with it, partially (explanation in next column)	State law prohibits the OCC from providing the public with factual information about specific cases, including most of the details of the processes used in any specific case. <u>Copley Press, Inc. v. Sup. Ct. (County of San Diego)</u> (2006) 39 Cal.4th 1272. It has been the experience of the OCC that most complainants transparency stem from the limitations imposed by state law, not any failure on the part of the OCC to divulge information that the OCC is permitted to share. That said, the OCC is able to inform the public about the process in general, and does so in the following ways, among others: a) The OCC publishes annual and quarterly reports, which are also available at the OCC website, sfgov.org/occ . These reports note the specific OIS cases investigated, when the OIS incident occurred, and when the investigations were closed; b) The OCC publishes monthly Complaint Summary Reports, also known as Openness Reports, detailing cases resolved that month. These are redacted to omit any specific case identifier, such as the case names, or the complainants' or officers' names. The details provided include a summation of the allegations, the findings of OCC, and the action taken by the Chief of Police and/or the Police Commission on those cases. These reports are also on the OCC website; c) The OCC's process for investigating cases is disseminated to the public through the OCC Community Outreach Strategic Plan. As part of that plan, OCC staff attend a wide variety of outreach events in the community, where staff introduce the OCC, its mission, provide information regarding procedures in general, and distribute OCC brochures; d) The OCC website describes the process for receiving and investigating complaints, which applies equally to OIS cases as it does to other kinds of complaints. The Police Commission and the OCC staff deserve credit for the hard work they have put into these transparency efforts. Taken together, these steps have made the San Francisco police discipline system among the most transparent such systems in the state. However, the OCC does agree with the Grand Jury that the addition of a webpage specific to the OIS process on the OCC website as described in Recommendation 1 would be valuable.
2015-16	Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-Involved Shootings	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.	Office of Citizen Complaints	agree with finding	

2015-16 Civil Grand Jury
Transparent Investigations of Fatal SFPD Officer-Involved Shootings
MASTER LIST : RECOMMENDATIONS Response Template

CGJ Year	Report Title	Recommendations	Respondent assigned by CGJ	2016 Response	2016 Response Text
2015-16	Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-Involved Shootings	<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). Each agency should provide a link from its home page to its "OIS Investigations" web page, so that it can be accessed easily. 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>	Office of Citizen Complaints	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	The OCC agrees that the webpage described in this Recommendation would be valuable to the community. As part of a package of ongoing information technology improvements at the OCC, the Mayor and Board of Supervisors have allocated funding for a new Assistant Information Systems Analyst (Civil Service Classification 1051). The OCC intends to task that individual with creating the webpage containing the information described in Recommendation 1. Other staff are crafting the content, which will be translated as recommended.
2015-16	Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-Involved Shootings	<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>	Office of Citizen Complaints	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	It is important to note that the OCC reports to the Police Commission, and this recommendation calls for the Police Commission to arrange for a study. The OCC defers to the Commission as to whether and how to do so. Once the Commission provides direction as to how it wishes to proceed, the OCC will make every effort to assist.

2015-16 Civil Grand Jury
Transparent Investigations of Fatal SFPD Officer-Involved Shootings
MASTER LIST : RECOMMENDATIONS Response Template

2015-16	Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-Involved Shootings	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.	Office of Citizen Complaints	The recommendation has been implemented (summary of how it was implemented in next column)	The Mayor and Board of Supervisors have so allocated.
2015-16	Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal SFPD Officer-Involved Shootings	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.	Office of Citizen Complaints	The recommendation has not been, but will be, implemented in the future (timeframe for implementation noted in next column)	Should such a Task Force be created, the OCC Director will attend Town Hall meetings. The OCC already attends public meetings called by the Chief of Police following Officer Involved Shootings.

From: Reports, Controller (CON)
Sent: Wednesday, September 07, 2016 2:21 PM
To: Calvillo, Angela (BOS); Gosiengfiao, Rachel (BOS); BOS-Supervisors; BOS-Legislative Aides; Kawa, Steve (MYR); Howard, Kate (MYR); Tucker, John (MYR); Steeves, Asja (CON); Campbell, Severin (BUD); Newman, Debra (BUD); Rose, Harvey (BUD); SF Docs (LIB); CON-EVERYONE; Kelly, Naomi (ADM); Bukowski, Kenneth (ADM); Jensen, Dave (CAT)
Subject: Issued: Payments to Channel Lumber Complied With City Procurement Policies and Procedures but Some Controls Should Be Improved

The Office of the Controller's City Services Auditor Division (CSA) today issued a memorandum on its assessment of payments made by the General Services Agency's Central Shops Department (Central Shops) to Channel Lumber Company (Channel Lumber). Although Central Shops complied with City and County of San Francisco (City) bid purchasing authority requirements, it should improve some of its payment processing controls to ensure prompt payment and accurate recording of invoice receipt dates. The City paid \$122,031 to Channel Lumber in October 2013 through May 2016.

To view the full memorandum, please visit our website at:
<http://openbook.sfgov.org/webreports/details3.aspx?id=2356>

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



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

MEMORANDUM

TO: Naomi M. Kelly
City Administrator
Office of the City Administrator and General Services Agency

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

DATE: September 7, 2016

SUBJECT: *Payments to Channel Lumber Complied With City Procurement Policies and Procedures but Some Controls Should Be Improved to Pay Vendors on Time and Take Advantage of Early Payment Discounts*

EXECUTIVE SUMMARY

The General Services Agency's Central Shops Department (Central Shops) complied with procurement policies and procedures of the City and County of San Francisco (City) related to bid purchasing authority requirements. Although Channel Lumber Company (Channel Lumber) was not originally the lowest, most responsive bidder, the selected vendor was unable to fulfill the order, so Central Shops selected Channel Lumber, the second lowest bidder, to provide the lumber needed and to fulfill other orders under both bid and delegated departmental purchasing authority. As a result, the City paid \$122,031 to Channel Lumber in October 2013 through May 2016.

Despite Central Shops' compliance with bid-related policies and procedures, it should improve some of its payment processing controls to ensure prompt payment and accurate recording of invoice receipt dates. Specifically, Central Shops did not:

- Pay one invoice within the City's prompt payment guideline of 30 calendar days from the invoice receipt date or according to early payment discount terms offered by the vendor, resulting in one missed discount of \$40 (12 percent of potential early payment discounts of \$343).
- Accurately record the invoice receipt date in the City's accounting system, contrary to city guidance, for two invoices tested.

BACKGROUND, OBJECTIVES & METHODOLOGY

Background

Central Shops. The Central Shops Department is part of the City's General Services Agency.¹ Under the San Francisco Administrative Code (Administrative Code),² Central Shops is to provide fleet services to more than 70 departments, with a combined fleet of approximately 6,000 units. Central Shops operates five maintenance and repair facilities, which are largely dedicated to the vehicles and highly specialized equipment of its primary client departments, including the Fire Department, Police Department, Department of Public Works, and Recreation and Park Department. Client departments reimburse Central Shops for its services through interdepartmental work orders. Central Shops handles an average of approximately 34,000 work orders yearly.

Specialized Ladders for the Fire Department. Central Shops is responsible for ordering and storing the lumber for—and for building and repairing—the Fire Department's wooden ladders. The Fire Department is among a few in the nation that still use wooden ladders, and San Francisco is the only city that uses custom-built, handcrafted, wooden ladders. Per the Fire Department's specifications, the ladders must be made of Douglas fir and hickory woods.

Procurement Process. City departments can use many methods to procure goods and services, including citywide term contracts, departmental contracts, departmental purchase orders, purchase orders, and direct vouchers. Departments must first encumber funds in the City's accounting system before receiving goods or services or providing payments to a vendor. Once funds are encumbered, departments can place an order in accordance with the allowable items and amounts described in the purchase order, contract, or other commitment to a vendor. After it validates receipt of goods or services and matches the invoiced details with the purchase order's specifications, department staff processes the payment as a voucher in the City's accounting system, which allows the vendor payment to be automatically generated.

The Administrative Code, Chapter 21, delegates the responsibility for city procurement to the City's Purchaser, who executes purchasing duties through the Office of Contract Administration (OCA). The Administrative Code permits the Purchaser to delegate certain purchasing authority, which it does by allowing departments to make purchases of up to \$10,000. Delegated departmental purchasing authority allows departments to process certain purchases more quickly by enabling them to issue and approve their own purchase orders up to \$10,000 (including tax and shipping).

¹ The General Services Agency of the Office of the City Administrator comprises a broad array of departments, divisions, programs, and offices, which provide services to support the effective operations of other city departments.

² Section 4.10-1, *City-Owned and Leased Vehicles; Fleet Management Program*, states that the City Administrator is responsible for implementing the vehicle fleet management program, which includes all general-purpose vehicles the City owns, leases, or rents.

The exhibit below shows the number and value of all payments Central Shops made to Channel Lumber by fiscal year.

EXHIBIT Central Shops' Payments to Channel Lumber		
Fiscal Year	Number of Payments	Amount
2013-14	4	\$58,796
2014-15	4	57,522
2015-16*	2	5,713
Total	10	\$122,031

*Note: Through May 31, 2016.

Source: City's accounting system.

Objective and Scope

The objective of this assessment was to determine whether Central Shops' purchases from Channel Lumber complied with city procurement policies and procedures. CSA performed this assessment at the request of the General Services Agency and in consultation with the Office of the City Attorney. The period covered by the assessment was January 1, 2012, through May 31, 2016.

Methodology

To perform this assessment, CSA:

- Interviewed key personnel at OCA and Central Shops.
- Extracted payment information from the City's accounting system.
- For all payments made during the period, traced and agreed payments recorded in the City's accounting system to supporting documentation and verified whether payments were properly recorded and approved and disbursed in a timely manner.
- Reviewed and assessed the adequacy of departmental policies and procedures related to payment processing.
- Reviewed relevant sections of the San Francisco Administrative Code and departmental guidelines issued by OCA.

Government Auditing Standards do not cover nonaudit services, which are defined as professional services other than audits or attestation engagements. Therefore, Central Shops is responsible for the substantive outcomes of the work performed during this assessment and is responsible to be in a position, in fact and appearance, to make an informed judgment on the results of the nonaudit service.

RESULTS

Finding 1 – Central Shops complied with city procurement policies and procedures in its payments to Channel Lumber.

Central Shops' procedures ensured that four payments, totaling \$109,945, to Channel Lumber during October 2013 through May 2016 complied with bid purchasing authority requirements.

Central Shops and OCA undertook the following bid selections regarding Channel Lumber:

- Bid Selection 1 (July 2012) – Central Shops submitted a purchase order requisition³ to OCA for purchases of lumber needed to build Fire Department ladders. OCA solicited vendor bids and received three responses. The lowest, most responsive bidder was selected, but was unable to deliver the orders by the delivery due date of January 8, 2013. In November 2013 OCA sent a notice of failure to deliver to the vendor⁴ because it did not comply with the terms of the purchase order. Central Shops then selected Channel Lumber, the second lowest bidder, to provide the lumber needed.
- Bid Selection 2 (March 2013) – In the same period, before the order was fulfilled under the first bid, Central Shops submitted another purchase order requisition for additional lumber for Fire Department ladders. OCA solicited vendor bids, two bidders responded, and Channel Lumber was selected as the lowest, most responsive bidder.

For the remaining payments from Central Shops to Channel Lumber during October 2013 through May 2016, Central Shops complied with delegated departmental purchasing authority requirements and with its internal procedures and fully documented its steps before paying Channel Lumber.

- Non-Bid Purchases – The remaining six payments, totaling \$12,086, made by Central Shops to Channel Lumber were each less than the \$10,000 threshold required for departmental delegated purchasing authority.⁵ Even so, according to Central Shops, shop supervisors are required to solicit at least three quotations (bids) and attach written bids for purchases of \$5,000 to \$10,000. For payments of less than \$5,000, at least one written bid should be obtained.

³ A purchase order requisition is a written request issued by a department to OCA for the procurement of commodities.

⁴ According to OCA, vendors rarely fail to deliver a product. Regardless, Central Shops and OCA appropriately and properly documented their efforts and documented that the selected vendor had several chances to fulfill its obligations before OCA selected another vendor.

⁵ This authority gives departments permission to issue direct purchase orders and buy directly from the vendor. Although departments need not solicit bids for purchases of less than \$10,000, OCA encourages departments to obtain written bids or price quotations (especially from local business enterprises) and to select the lowest responsive and responsible bidder.

Finding 2 – Central Shops did not always adhere to citywide accounting policies and procedures.

Although the majority of payments were remitted on time, one (10 percent) of the ten sample payments tested was not remitted within the City's prompt payment guideline of 30 calendar days from the invoice receipt date and within the discount period stated on the invoice. Had Central Shops paid the invoice within ten days of its receipt date, the City would have received an early payment discount of \$40 (or 1 percent of the invoiced amount of \$4,033). Although Central Shops received \$306 in early payment discounts (89 percent of the potential early payment discounts tested of \$343), it should ensure that it takes advantage of all available early payment discount terms offered by vendors.

Also, two (20 percent) of the ten payments tested had stamped invoice receipt dates that did not match the invoice receipt dates recorded in the City's accounting system. According to the City's prompt payment guidelines, the receipt date recorded is to be the latest of the following three dates:

- The date the vendor's payment request (invoice) was received by the City.
- The payment date specified in the contract or purchase order (not to preclude the vendor's early performance).
- The date materials or services are delivered to the City.

City guidance requires that departments record invoices and vouchers in the City's accounting system as early in the process as possible and accurately document the date that each invoice is first received. Further, although these payments were ineligible for early payment discounts, failure to record accurate invoice receipt dates and other invoice information reduces a department's assurance that vendors are paid on time.

Recommendations

The General Services Agency's Central Shops Department should:

1. Ensure that payments are remitted within the City's prompt payment guideline of 30 calendar days from the invoice receipt date or within the discount period stated on the invoice to take advantage of early payment discounts.
2. Ensure that the invoice receipt date entered in the City's accounting system is based on the date the department received the invoice, which should also match the receipt date stamped on the invoice.

The General Services Agency's response is attached. CSA will work with your staff to follow up on the status of the recommendations in this memorandum. CSA extends its appreciation to you and your staff who assisted with this assessment. If you have any questions or concerns, please contact me at (415) 554-5393 or tonia.lediju@sfgov.org.

Payments to Channel Lumber Complied With City Procurement Policies and Procedures but Some Controls Should Be Improved to Pay Vendors on Time and Take Advantage of Early Payment Discounts
September 7, 2016

cc: General Services Agency
Ken Bukowski

Office of the City Attorney
Dave Jensen

Controller
Ben Rosenfield
Todd Rydstrom
Steve Flaherty
Amanda Sobrepeña

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

ATTACHMENT: DEPARTMENT RESPONSE



Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator

OFFICE OF THE CITY ADMINISTRATOR



August 29, 2016

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

Re: Channel Lumber Procurement Audit

Dear Ms. Lediju:

Thank you for assistance as part of the recently completed Controller's Office audit memorandum titled *Payments to Channel Lumber Complied With City Procurement Policies and Procedures but Some Controls Should Be Improved to Pay Vendors on Time and Take Advantage of Early Payment Discounts*.

We have reviewed the audit's findings and recommendations. As indicated on the attached response form, we have reminded the Central Shops Business Manager about the City's invoice payment policies, and we will make sure these policies are also reviewed with the new Central Shops Account Clerk when that individual is hired.

Please contact me if you need any additional information.

Sincerely,

A handwritten signature in cursive script that reads "Naomi M. Kelly".

Naomi M. Kelly
City Administrator

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.

RECOMMENDATIONS AND RESPONSES

Recommendation	Response
The General Services Agency's Central Shops Department should:	
1. Ensure that payments are remitted within the City's prompt payment guideline of 30 calendar days from the invoice receipt date or within the discount period stated on the invoice to take advantage of early payment discounts.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur <p>We have reminded the Central Shops Business Manager of this accounting policy, and we will make sure the new Central Shops Account Clerk is properly trained regarding invoice payment policies.</p>
2. Ensure that the invoice receipt date entered in the City's accounting system is based on the date the department received the invoice, which should also match the receipt date stamped on the invoice.	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur <p>We have reminded the Central Shops Business Manager of this accounting policy, and we will make sure the new Central Shops Account Clerk is properly trained regarding invoice payment policies.</p>

September 20, 2016 Communications Page

From the Clerk of the Board, agencies that have submitted a 2016 Local Agency Biennial Conflict of Interest Code Review Report:

Assessor-Recorder
City Administrator
Department of Environment
Finance Corporation
Health Service System
Homelessness and Supportive Housing, Department
Office of Small Business and Small Business Commission

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Office of the Assessor-Recorder
Mailing Address: City Hall, Room 190
Contact Person: Vivian Po Title: Assistant to Assessor-Recorder
Office Phone No: 415-554-5502
E-mail: vivian.po@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9/7/2016

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: General Services Agency – City Administrator's Office
Mailing Address: City Hall, RM 362
Contact Person: Lynn Khaw Title: Executive Assistant to the City Administrator
Office Phone No: (415) 554-6296
E-mail: lynn.khaw@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

☒ **An amendment is required. The following amendments are necessary:**

(Check all that apply.) See attached Sheet.

- ☒ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☒ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☒ Other (describe) _____

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 SEP 12 PM 4:10
ST

☐ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.


Signature of Chief Executive Officer

9/12/16
Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

Biennial Review of Code Filers for the General Services Agency (GSA) - City Administrator

9/8/16

Amendment Descriptions		
1. Include new positions (including consultants that must be designated).		
2. Revise disclosure categories.		
3. Revise the titles of existing positions.		
4. Delete position that have been abolished.		
5. Delete positions that no longer make or participate in making governmental decisions.		
6. Other (describe) _____		
Dept & Designated Positions	Current	Amendment No. (See descriptions above) / Amendment to be made
Convention Facilities Dept.	Senior Event Manager	#6, Moved to Real Estate Division
Entertainment Commission	Assistant Executive Director	#3, Change title to Deputy Director
Entertainment Commission	Permit Administrator	#3, Change title to Permit Administrator/Commission Secretary
Entertainment Commission	Senior Analyst - Community and Cultural Events	#1, Category 1
Mayor's Office on Disability	Building Inspector	#1, Category 1
Office of Contact Admin	Principal Administrative Analyst II	#1, Category 4
Office of Contact Admin	Manager	#1, Category 1
Real Estate Division	Senior Event Manager	#1, Category 1
Real Estate Division	City hall Media and Security Services Manager	#3, Revise title to Media and Security Services Manager
Real Estate Division	General Manager	#3, change title to Campus General Manager
Real Estate Division	Chief Sustainability Officer	#1, Category 1
Real Estate Division	Chief Policy Advisor	#1, Category 1
GSA - CAO Main Office	Chief Resilience Officer	#1, Category 1
New Office under GSA: Office of Short Term Rentals	Director	#1, Category 1
New Office under GSA: Office of Short Term Rentals	Senior Administrative Analyst	#1, Category 1
New Office under GSA: Office of Short Term Rentals	Management Assistant	#1, Category 1

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Department of the Environment
Mailing Address: 1455 Market St, Suite 1200, San Francisco, CA 94103
Contact Person: Anthony Valdez Title: Commission Affairs Manager
Office Phone No: 415-355-3709
E-mail: Anthony.e.valdez@sfgov.org

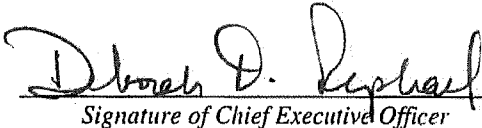
This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9/7/2016

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

2016 Local Agency Biennial Notice

Conflict of Interest Code Review Report

Name of Agency: City + County of San Francisco Finance Corporation
Mailing Address: 1 Dr. Carlton B. Goodlett Place, City Hall/Room 336, SF, CA
Contact Person: Angela Whittaker Title: Compliance
Office Phone No: 415-554-6643
E-mail: Angela.Whittaker@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:



An amendment is required. The following amendments are necessary:

(Check all that apply.)

10

- ☒ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____



No amendment is required.

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.


Signature of Chief Executive Officer

9/8/16
Date

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Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

2016 Local Agency Biennial Notice

Conflict of Interest Code Review Report

Name of Agency: SF Health Service System
Mailing Address: 1145 Market St, 3rd & 1st floors
Contact Person: Seretha Gallaread Title: Admin. Services Mgr.
Office Phone No: 415.554.1727
E-mail: Seretha.gallaread@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☒ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☐ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Catherine J. Dodd
Signature of Chief Executive Officer

9-7-2016
Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

[Print](#)

San Francisco Campaign and Governmental Conduct Code

SEC. 3.1-267. HEALTH SERVICE SYSTEM.

<i>Designated Positions</i>	<i>Disclosure Categories</i>
Health Service Board Member	1
Director, Health Service System	1
Chief Operating Officer	1
Chief Financial Officer	1
Contract Compliance and Employer Relations Manager	1
Senior Admin. Analyst	1
Senior Management Assistant	1

(Added by Ord. 99-05, File No. 041570, App. 5/25/2005; amended by Ord. 80-07, File No. 070122, App. 4/19/2007; Ord. 93-08, File No. 090199, App. 6/10/2009; Ord. 320-10, File No. 101272, App. 12/23/2010; Ord. 256-14, File No. 141003, App. 12/19/2014, Eff. 1/18/2015).

2016 SEP -1 AM 11:40

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

BY JLB

Name of Agency: Department of Homelessness Supportive Housing
Mailing Address: P.O. Box
Contact Person: Gigi Whitley Title: Deputy Director for
Office Phone No: 415-252-3242 Administration and
E-mail: gigi.whitley@sfgov.org Finance

This agency has reviewed its conflict-of-interest code and has determined that:

☒ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☒ Other (describe) formation of new city department

☐ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.

Gigi Whitley
Signature of Chief Executive Officer

8-31-16
Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

Department of Homelessness and Supportive Housing

proposed 09.08/16, requires City Attorney's Office review

<u>Designated Positions</u>	<u>Disclosure Category</u>
Executive Director	1
Deputy Directors	1
Director, Information Technology	4
Communications Officer	2
Managers, Homeless and Supportive Housing Programs	2
Manager, Contracts	1
Manager, Budget, Finance and Performance	1
Manager, Personnel	2
Principal Administrative Analyst, Contracts	2
Principal Administrative Analyst, Fiscal	2
Principal Administrative Analyst, Capital Projects	2
Program Manager, Coordinated Entry System	2
Senior Administrative Analyst, Fiscal	2
Senior Administrative Analyst, Special Projects	2
Special Assistant to the Executive Director	2

Note:

Ordinance 116-16 established the new department;
Department officially established on 8.15.16

2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report

Name of Agency: Office of Small Business and Small Business Commission
Mailing Address: City Hall, Room 110, 1 Carlton B. Goodlett Place, SF, CA 94102
Contact Person: Regina Dick-Endrizzi Title: Executive Director
Office Phone No: 415-554-6481
E-mail: regina.dick-endrizzi@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other *(describe)* _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

September 7, 2016

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

To: BOS-Supervisors
Subject: FW: SFO Notice - Emergency Contract for Seawall Erosion Repair at End of Runways 19L and 19R
Attachments: 9-6-16_Emergency Contract for Seawall Erosion Repair.pdf

From: Calvillo, Angela (BOS)
Sent: Wednesday, September 07, 2016 12:09 PM
To: Gosiengfiao, Rachel (BOS) <rachel.gosiengfiao@sfgov.org>
Subject: FW: SFO Notice - Emergency Contract for Seawall Erosion Repair at End of Runways 19L and 19R

Please provide to the Board. This is a notice on SFO's emergency contract for Seawall Erosion Repair at End of Runways 19L and 19R that has been provided to the Board pursuant to Chapter 6.60.
Thank you
AC

From: Theresa Ludwig (AIR)
Sent: Tuesday, September 06, 2016 12:01 PM
To: Jacobson, Caitlin (MYR) <caitlin.jacobson@sfgov.org>; Leung, Sally (MYR) <sally.leung@sfgov.org>; Rosenfield, Ben (CON) <ben.rosenfield@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Cc: Chris Arrigale (AIR) <chris.arrigale@flysfo.com>
Subject: SFO Notice - Emergency Contract for Seawall Erosion Repair at End of Runways 19L and 19R

Please see attached in regards to an Emergency Contract for Seawall Erosion Repair at End of Runways 19L and 19R.

Thank you for disseminating this information as appropriate.

Theresa Ludwig SFO
Executive Secretary | Airport Director's Office
San Francisco International Airport | P.O. Box 8097 | San Francisco, CA 94128
Tel 650-821-5004 | www.flysfo.com

San Francisco International Airport

September 6, 2016

Mr. Larry Mazzola
President, Airport Commission
San Francisco International Airport
P. O. Box 8097
San Francisco, CA 94128

Subject: Emergency Contract for Seawall Erosion Repair at End of Runways 19L and 19R

Dear Commissioner Mazzola:

This letter is to advise you that I am declaring an emergency due to unforeseeable and unexpected erosion damages to the seawall at the end of runways 19L and 19R and to request your approval for the San Francisco International Airport (Airport) to begin emergency work, as described in more detail below. This work will address the immediate erosion issues identified in the attached report. The preliminary estimated cost of the emergency construction work is \$1,500,000. The amount of the construction estimate necessitates approvals by the San Francisco Airport Commission (Commission) President and the San Francisco Board of Supervisors.

The emergency work is essential to addressing an imminent threat to the seawall in a critical section at the end of runways 19L and 19R. For a long-term solution, the Airport is currently pursuing the procurement of environmental permits and design services for a Shoreline Protection Project (SPP) to provide protection against a 100-year flood. The estimated cost of the SPP is \$60,000,000. However, the SPP cannot meet the schedule required for this emergency repair.

Background

The Airport is protected by a bayside seawall system from flooding by king tides, high waves, and storm surges. The section of the seawall at the end of runways 19L and 19R was last constructed in 1983 with earth fill, bedding stones, and rip rap on top of existing solid debris. The berm was lined with shotcrete in 2006 to minimize seepage.

On July 18, 2016, Airport staff observed significant erosion damages at the end of runways 19L and 19R. A geotechnical consultant has assessed the erosion and found seepage problems and a potential sinkhole. The consultant concluded that this section of the seawall needs immediate repair. If this repair is not completed before the rain season, the seawall may fail and flooding is likely to occur. These circumstances constitute an imminent threat to Airport property which may interrupt aircraft arrival and departures and impact the general public. This repair is required to prevent further erosion of the seawall system and safeguard the airfield from flooding during the upcoming storm season.

Airport staff has analyzed the circumstances and determined that the following repair work is necessary to be completed by November 30, 2016, prior to the rain season, under an emergency contract.

1. Placement of about 2,000 feet of rip rap along seawall using a barge and crane from bay side to minimize air traffic interruption.
Estimated cost: \$1,050,000
2. Asphalt pavement repair to eliminate seepage and prevent sinkholes.

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

IVAR C. SATERO
AIRPORT DIRECTOR

Estimated cost: \$150,000

3. Construction phasing/constructability/night work premium/contingency: \$300,000

The total preliminary estimate for the repair work described above is \$1,500,000.

Emergency Declaration and Required Approvals

Administrative Code Section 6.60, subdivision (b) grants the Airport Director the authority to declare an emergency with immediate notice to the Board of Supervisors, the Mayor, the Controller, and the Commission. Section 6.60, subdivision (c), defines "emergency" to include: an unforeseeable and unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services. Examples include weather conditions and tidal flooding necessitating immediate emergency repair to safeguard lives or property of the City. I have determined that the erosion damages meet these requirements and, on that basis, I am declaring an emergency.

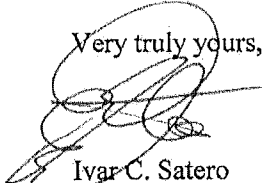
As President of the Commission, your authorization is required before the Airport may commence emergency work because the cost of the work is estimated to exceed \$250,000. Airport Staff will also prepare a proposed Resolution for the Board of Supervisors to approve this emergency declaration. The proposed Resolution will be submitted to the Board within sixty (60) days of the date of this letter in conformance with Section 6.60, subdivision (d).

The Airport Planning Division will secure the necessary regulatory permits from the US Army Corps of Engineers and San Francisco Bay Conservation and Development Commission in order to perform this emergency repair. Both permitting processes have emergency permitting procedures.

Request for Approval

I respectfully request your approval to commence the proposed emergency work described. If you should have any questions or would like to discuss this matter, please do not hesitate to call me.

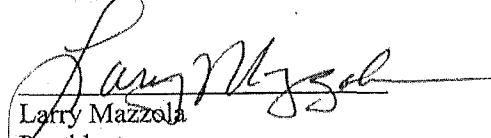
Very truly yours,



Ivar C. Satero
Airport Director

cc: Mayor Edwin M. Lee
Controller Ben Rosenfield
San Francisco Board of Supervisors
San Francisco Airport Commission

APPROVED:



Larry Mazzola
President
San Francisco Airport Commission

To: BOS-Supervisors
Subject: FW: Short-Term Residential Registry Fee-Municipal Code Authorized Fee Increases
Attachments: 24_Office_of_Short_Term_Rental_Fees-SIGNED.pdf

From: Calvillo, Angela (BOS)
Sent: Monday, September 12, 2016 1:53 PM
To: Gosiengfiao, Rachel (BOS) <rachel.gosiengfiao@sfgov.org>
Cc: Somera, Alisa (BOS) <alisa.somera@sfgov.org>
Subject: FW: Short-Term Residential Registry Fee-Municipal Code Authorized Fee Increases

Rachel,

Attached is a Controller's memo, dated September 9, 2016, for their adjustment to the short-term rental registration fee. The registration fee amount will increase from \$50 to \$250. This increase will go into effect in 60 days from the date of the memorandum, absent legislative action. We know the Members are copied on the original memo, but please send to them again to be sure the memo was received.

Thank you.

Angela

Angela Calvillo
Clerk of the Board of Supervisors
City and County of San Francisco



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form

The [Legislative Research Center](#) provides 24-hour access to legislation, and archived matters since August 1998.

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.*



Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

MEMORANDUM

TO: Naomi Kelly, City Administrator
Kevin Guy, Director, Office of Short-Term Rentals

FROM: Ben Rosenfield, Controller *BR*
Michelle Allersma, Director of Budget & Analysis, Controller's Office

CC: Mayor Edwin Lee
Members of the Board of Supervisors
Clerk of the Board

DATE: September 9, 2016

SUBJECT: Short-Term Residential Rental Registry Fee –
Municipal Code Authorized Fee Increases

Chapter 41A of the Administrative Code requires the Controller to adjust the short-term rental registration fee to recover the costs of operation without producing revenue that is significantly more than the costs of administering the short-term rental laws, which includes registering hosts and enforcement of Chapter 41A. The applicable code section may be found online here:

[http://library.amlegal.com/nxt/gateway.dll/California/administrative/chapter41aresidentialunitconversionandde?f=templates\\$fn=document-frame.htm\\$3.0\\$q=\\$x=](http://library.amlegal.com/nxt/gateway.dll/California/administrative/chapter41aresidentialunitconversionandde?f=templates$fn=document-frame.htm$3.0$q=$x=)

Given these requirement, the short-term rental registration fee amount will increase from \$50 to \$250. This increase will go into effect in 60 days from the date of this memorandum, absent legislative action, to allow for time to implement the revised fee level. The fee amount is calculated using prior year costs net of annualized prior year penalties collected divided by the expected number of applicants in FY2016-17.

We note that while this increase in the fee will ensure full cost-recovery for all registration and enforcement actions, it may reduce compliance rates for businesses required to register under the program. Registration costs currently account for approximately 16% of total program costs, with approximately 84% of costs attributable to enforcement and other activities.

Please feel free to contact either of us with questions at (415) 554-7500.

cc: Board of Supervisor's Budget & Legislative Analyst
Mayor's Budget Office
City Administrator, Chief Fiscal Officer

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: CPUC Notification - Verizon Wireless - SF Metreon
Attachments: CPUC Notification - Verizon - SF Metreon.pdf

From: West Area CPUC [mailto:WestAreaCPUC@VerizonWireless.com]

Sent: Tuesday, September 06, 2016 11:20 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 - SF Metreon

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



September 6, 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 SF Metreon
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



Site Name	SF Metreon	Site Coordinates: location A
Legal Entity	GTE Mobilenet of California	
Type of Project	Initial Build (new presence for VZW)	
Street Address of Site	135 4th Street	
Site Location City	San Francisco	
Site Location Zip Code	94105	
Site Location County	San Francisco	
Site Location APN Number	3721-025	

	Degrees	Minutes	Seconds
Latitude	37	47	5.30
Longitude	122	24	12.91
NAD 83			

Brief Description of Project	Install one ball antenna, permit the existing temp ball antenna, add panel antenna. Both sectors will be behind FRP screens, equipment will be inside the equipment room. Add 15 RRUS-12 with A2, 3 RRUS-12, 3 raycap 3315 surge suppressors, 3 hybrid cables
------------------------------	---

Number & type of Antennas / Dishes	1 panel antenna/ 2 ball antennas	LAND USE OR BUILDING APPROVALS <table border="1"> <tr> <td>Type of Approval Issued</td> <td>Building Permit</td> </tr> <tr> <td>Issue Date of Approval</td> <td>8/10/2016</td> </tr> <tr> <td>Effective Date of Approval</td> <td>8/10/2016</td> </tr> <tr> <td>Agency Name</td> <td>Planning Department</td> </tr> <tr> <td>Approval Permit Number</td> <td>2016-05-25-8347</td> </tr> <tr> <td>Resolution Number</td> <td>NA</td> </tr> </table>	Type of Approval Issued	Building Permit	Issue Date of Approval	8/10/2016	Effective Date of Approval	8/10/2016	Agency Name	Planning Department	Approval Permit Number	2016-05-25-8347	Resolution Number	NA
Type of Approval Issued	Building Permit													
Issue Date of Approval	8/10/2016													
Effective Date of Approval	8/10/2016													
Agency Name	Planning Department													
Approval Permit Number	2016-05-25-8347													
Resolution Number	NA													
Tower Design	Rooftop													
Tower Appearance	Rooftop													
Tower Height (in feet)	134'9"													
Size of Building or NA	NA													

Planning Director (or equivalent)	Planning Director	<table border="1"> <tr> <td>Type of Approval Issued (2)</td> <td>NA</td> </tr> <tr> <td>Issue Date of Approval (2)</td> <td>NA</td> </tr> <tr> <td>Effective Date of Approval (2)</td> <td>NA</td> </tr> <tr> <td>Agency Name (2)</td> <td>NA</td> </tr> <tr> <td>Approval Permit Number (2)</td> <td>NA</td> </tr> <tr> <td>Resolution Number (2)</td> <td>NA</td> </tr> </table>	Type of Approval Issued (2)	NA	Issue Date of Approval (2)	NA	Effective Date of Approval (2)	NA	Agency Name (2)	NA	Approval Permit Number (2)	NA	Resolution Number (2)	NA
Type of Approval Issued (2)	NA													
Issue Date of Approval (2)	NA													
Effective Date of Approval (2)	NA													
Agency Name (2)	NA													
Approval Permit Number (2)	NA													
Resolution Number (2)	NA													
Contact 1 Email Address	omar.masry@sfgov.org													
Contact 1 Agency Name	City of San Francisco													
Contact 1 Street Address	1660 Mission Street, #400													
Contact 1 City, State ZIP	San Francisco, CA 94103													

City Manager (or equivalent)	City Manager	Notes/Comments:
Contact 2 Email Address	city.administrator@sfgov.org	
Contact 2 Agency Name	City of San Francisco	
Contact 2 Street Address	1 Dr. Carlton B. Goodlett Place	
Contact 2 City, State ZIP	San Francisco, CA 94102	

City Clerk (or equivalent)	Clerk of the Board
Contact 3 Email Address	Board.of.Supervisors@sfgov.org
Contact 3 Agency Name	City of San Francisco
Contact 3 Street Address	1 Dr. Carlton B. Goodlett Place
Contact 3 City, State ZIP	San Francisco, CA 94102

Director of School Board (or equivalent)	NA
Contact 4 Email Address	NA
Contact 4 Agency Name	NA
Contact 4 Street Address	NA
Contact 4 City, State ZIP	NA

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: CPUC Notification - Verizon Wireless - SF Charles Schwab
Attachments: CPUC Notification - Verizon - SF Charles Schwab.pdf

From: West Area CPUC [mailto:WestAreaCPUC@VerizonWireless.com]
Sent: Tuesday, September 06, 2016 11:30 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 - SF Charles Schwab

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



September 6, 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 SF Charles Schwab
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

verizon[✓]

Site Name	SF Charles Schwab	Site Coordinates	Degrees	Minutes	Seconds				
Legal Entity	GTE Mobilnet of California Limited Partnership								
Type of Project	Initial Build (new presence for VZW)	<div>Latitude</div> <div>Longitude</div> <div>NAD 83</div>	37	47	14.24				
Street Address of Site	171 2nd Street								
Site Location City	San Francisco								
Site Location Zip Code	94105								
Site Location County	San Francisco								
Site Location APN Number	3721-025	<div>Latitude</div> <div>Longitude</div> <div>NAD 83</div>	122	23	54.63				
Brief Description of Project	Installation of 8 new panel antennas 2 FRP screens, and 3 faux radomes on rooftop of existing building. Equipment will be inside of building.								
Number & type of Antennas / Dishes	8 panel antennas					<div>LAND USE OR BUILDING APPROVALS</div> <div> <div>Type of Approval Issued</div> <div>Issue Date of Approval</div> <div>Effective Date of Approval</div> <div>Agency Name</div> <div>Approval Permit Number</div> <div>Resolution Number</div> </div> <div> <div>Type of Approval Issued (2)</div> <div>Issue Date of Approval (2)</div> <div>Effective Date of Approval (2)</div> <div>Agency Name (2)</div> <div>Approval Permit Number (2)</div> <div>Resolution Number (2)</div> </div>			
Tower Design	Rooftop								
Tower Appearance	Penthouse extension and faux radomes								
Tower Height (in feet)	88'11"								
Size of Building or NA	NA								
Planning Director (or equivalent)	Planning Director	<div>Notes/Comments:</div>							
Contact 1 Email Address	omar.masry@sfgov.org								
Contact 1 Agency Name	City of San Francisco								
Contact 1 Street Address	1660 Mission Street, #400								
Contact 1 City, State ZIP	San Francisco, CA 94103								
City Manager (or equivalent)	City Manager								
Contact 2 Email Address	city.administrator@sfgov.org								
Contact 2 Agency Name	City of San Francisco								
Contact 2 Street Address	1 Dr. Carlton B. Goodlett Place								
Contact 2 City, State ZIP	San Francisco, CA 94102								
City Clerk (or equivalent)	Clerk of the Board								
Contact 3 Email Address	Board.of.Supervisors@sfgov.org								
Contact 3 Agency Name	City of San Francisco								
Contact 3 Street Address	1 Dr. Carlton B. Goodlett Place								
Contact 3 City, State ZIP	San Francisco, CA 94102								
Director of School Board (or equivalent)	NA								
Contact 4 Email Address	NA								
Contact 4 Agency Name	NA								
Contact 4 Street Address	NA								
Contact 4 City, State ZIP	NA								

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: CPUC Notification - Verizon Wireless - Verizon Facilities
Attachments: CPUC Notification - Verizon - SF LM Bulk 9-1-2016.pdf

From: West Area CPUC [mailto:WestAreaCPUC@VerizonWireless.com]
Sent: Tuesday, September 06, 2016 1:21 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: RE: 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



September 6, 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 Various Verizon Facilities
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)

VZW LEGAL ENTITY	JURISDICTION	PLANNING DIRECTOR	CITY ADMINISTRATOR	CLERK OF THE BOARD	COUNTY
GTE Mobilonet of California Limited Partnership	City of San Francisco 1 Dr. Carlton B. Goodlett Pl San Francisco, CA 94102	omar.masrv@sfgov.org	city.administrator@sfgov.org	Board.of.Supervisors@sfgov.org	San Francisco

Site Name	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	Approval Permit Number	Resolution Number
SF LM PH2 SC 100	289 8th street	N/A - public right-of-way	37 46 30.53 N, 122 24 36.4 W	Install new telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexors on existing brown PGE pole in the public right of way	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 35'-7")	36'-9"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	15WR-0338	N/A
SF LM PH3 SC 137	600 16th street	N/A - public right-of-way	37 46 2.83 N, 122 23 36.5 W	Install new telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexors on existing brown PGE pole in the public right of way	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 32'-0")	33'-4"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	16WR-0063	N/A
SF LM PH3 SC 138	550 16th Street	N/A - public right-of-way	37 46 1.00 N, 122 23 25.4 W	Install new telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexors on existing brown PGE pole in the public right of way	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 33'-10")	35'-3"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	16WR-0064	N/A

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: Senator Mark Leno re: Francesca Vietor -- Letter of support for Rules Committee
Attachments: Francesca Vietor.pdf

From: Evans, Derek
Sent: Tuesday, September 06, 2016 11:05 AM
To: Sun, Susan <Susan.Sun@sen.ca.gov>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: RE: Senator Mark Leno re: Francesca Vietor -- Letter of support for Rules Committee

Hi Susan,

Thank you for forwarding Senator Leno's letter of support. I added it to Francesca's hearing file. Further I am copying the Board of Supervisors email for distribution to all members.

Please let me know if I can be of further assistance.

Regards,

Derek K. Evans
Assistant Clerk, Board of Supervisors
(415) 554-7702

 Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

From: Sun, Susan [<mailto:Susan.Sun@sen.ca.gov>]
Sent: Tuesday, September 06, 2016 10:15 AM
To: Evans, Derek <derek.evans@sfgov.org>
Subject: Senator Mark Leno re: Francesca Vietor -- Letter of support for Rules Committee

Hi Derek –

Attached please find a letter of support for Francesca Vietor, whose re-appointment to the SFPUC is on the Rules Committee agenda this Thursday.

Can you please assist in distributing this letter of support to the Members of the Rules Committee? If there is another protocol for distribution, please let me know.

Thank you,

Susan

*Susan Sun, District Director
Senator Mark Leno*

P: (415) 557-1300
F: (415) 557-1252
www.senate.ca.gov/Leno

STATE CAPITOL
ROOM 5100
SACRAMENTO, CA 95814
TEL (916) 651-4011
FAX (916) 651-4911

DISTRICT OFFICES
455 GOLDEN GATE AVE.
SUITE 14800
SAN FRANCISCO, CA 94102
TEL (415) 557-1300
FAX (415) 557-1252

SENATOR.LENO@SEN.CA.GOV
WWW.SENATE.CA.GOV/LENO

California State Senate

SENATOR
MARK LENO

ELEVENTH SENATE DISTRICT



COMMITTEES:
BUDGET AND
FISCAL REVIEW
CHAIR
JOINT LEGISLATIVE
BUDGET
CHAIR
ENVIRONMENTAL QUALITY
JUDICIARY
LABOR & INDUSTRIAL
RELATIONS
LEGISLATIVE ETHICS
PUBLIC SAFETY

August 29, 2016

San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Honorable Supervisors,

I am writing to express my support for the reappointment of Francesca Vietor to another four-year term with the San Francisco Public Utilities Commission (SFPUC).

I have known Francesca for 20 years and experienced first-hand her deep commitment to environmental and social justice. She has devoted her career to improving the environmental health and quality of life of the most vulnerable communities and disenfranchised residents in our city.

Francesca has shown herself to be a committed and effective public servant and environmentalist. Over the past eight years, she has championed the SFPUC's groundbreaking environmental justice and community benefits policies, advocating the launch of CleanPowerSF, instituting green infrastructure and advancing drought measures.

We have all been fortunate to have the benefit of Francesca's intelligence, work ethic, dedication and passion. I respectfully request your support of Francesca Vietor's reappointment as a PUC Commissioner for another four-year term.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Leno".

Mark Leno
Senator, 11th District

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Major, Erica (BOS)
Subject: File 160764 FW: Hold the City to its Executive Directive commitments (PSNS Committee) and additional emails
Attachments: Hold the City to its Executive Directive commitments (PSNS Committee); Hold the City to its Executive Directive commitments (PSNS Committee)

-----Original Message-----

From: joebpublic@yahoo.com [mailto:joebpublic@yahoo.com]
Sent: Sunday, September 04, 2016 1:09 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>
Cc: janice@sfbike.org
Subject: Hold the City to its Executive Directive commitments (PSNS Committee)

To the Board of Supervisors,

At the upcoming Public Safety and Neighborhood Services Committee meeting on Sept. 8, the City will be presenting its progress since the Mayor issued an Executive Directive on bicycle and pedestrian safety on Aug. 4. I urge you to hold the City to its commitment to building more protected bike lanes, delivering safe streets faster and continuing smart, data-driven traffic enforcement.

Thank you, Joe Britz

Sent from my iPhone

From: Asumu Takikawa <asumu@simplyrobot.org>
Sent: Sunday, September 04, 2016 9:56 PM
To: Board of Supervisors, (BOS); Major, Erica (BOS)
Cc: janice@sfbike.org
Subject: Hold the City to its Executive Directive commitments (PSNS Committee)

Dear SF Board of Supervisors,

I am writing to you as a resident of SF about the the upcoming Public Safety and Neighborhood Services Committee meeting on Sept. 8.

First, I want to thank the BoS for its leadership on bicycling issues such as advocating for the Idaho Stop and pushing for protected lanes around the city.

On Sept. 8, the SFMTA will be presenting its progress since the Mayor issued an Executive Directive on bicycle and pedestrian safety on Aug. 4.

I urge you to hold the City to its promises, especially its promises to deliver the highest quality bike lanes and delivery timely safety improvements. SF truly needs a network of protected bike lanes reaching all districts so that everyone can feel safe and comfortable when riding a bike.

Sincerely,
Asumu Takikawa
(Richmond District)

From: Fennel Doyle <fennel.doyle@gmail.com>
Sent: Sunday, September 04, 2016 11:17 AM
To: Board of Supervisors, (BOS); +erica.major@sfgov.org
Cc: Janice Li
Subject: Hold the City to its Executive Directive commitments (PSNS Committee)

To the Board of Supervisors,

At the upcoming Public Safety and Neighborhood Services Committee meeting on Sept. 8, the City will be presenting its progress since the Mayor issued an Executive Directive on bicycle and pedestrian safety on Aug. 4. I urge you to hold the City to its commitment to building more protected bike lanes, delivering safe streets faster and continuing smart, data-driven traffic enforcement.

My 3 year old son & I walk, stroll, bike and use the bus system. You must fix the public thruways immediately. It is up to you to fix the streets! Car drivers are hogging the streets, polluting the air, and obstructing families ability to get to point B, via bike or by foot. The way you have designed the SF streets diverts attention away from the most vulnerable young San Francisco citizens, who have a right to have a more safe protected, sensible way to go (without fear).

It is unfair to prioritize private car owners! Many of our daily trips are within walking, and biking distance but we don't end up doing that because the streets are too dangerous, at this time. Would you please learn from our friends in Bologna Colombia, NYC, and many many European cities already?!

Fennel & Fabricio Doyle
Divisadero St
Western Addition

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Major, Erica (BOS)
Subject: File 160764 FW: Hold the City to its Executive Directive Commitments (PSNS) Committee

-----Original Message-----

From: Davi Ottenheimer [mailto:davi@flyingpenguin.com]
Sent: Wednesday, September 07, 2016 10:36 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>
Cc: janice <janice@sfbike.org>
Subject: Hold the City to its Executive Directive Commitments (PSNS) Committee

Hello, I was very excited to hear Mayor Lee issue the Executive Directive. Please carry forward this Directive with utmost urgency and purpose.

At the last hearing I explained how hard it is for me, a security professional (risk analyst) and cyclist with over 30 years experience including racing, to stay safe from cars on the streets of SF. Security cameras I review regularly show cars running stop signs at high-speed, sometimes so fast we had to increase the frames per second on a single block, PER SECOND, to even see the car.

Although I've ridden bikes regularly (up to 5hr/day) in cities such as London, Los Angeles, Twin Cities (MN), Paris...it is only in SF that I have been hit by cars. And not once or twice, four times.

The last time I was hit by a car in SF it put me in the Emergency Room. An Uber hit me from behind, yelled at me and drove away. I only caught this driver because he ran a second red light and an oncoming car forced him off the road. If that oncoming car at the second light had been a cyclist she likely would be dead.

In the past few months:

I have paid money into a fund to help a colleague who was cycling to work and put in a coma after being hit from behind by a car. He is a fit young male in the tech sector with no health issues, now fighting for his life.

I have seen a small business owner disappear from work after being hit from behind by a car. He was a fit middle-aged male commuting daily from his home to work in SF, no health issues until he woke up in hospital with broken ribs and punctured lung.

A small business owner has complained to me their number one loss of customer has been cyclists killed. Think deeply about today's planning reality for SF business owners. How big a percentage of our customers will be lost because cars kill so easily and regularly? This business said they lost 3 great customers in the first 3 months of 2016.

More people are walking and cycling than ever, while cars increase their speed and power (weaponize) to race through signals and become more like dangerous missiles hitting innocent people in our streets. We know the solutions. Vision zero has done the research and we've seen other cities moving ahead faster and better in concern for cyclist and pedestrian welfare.

I'm tired of seeing so many friends and colleagues being killed or hospitalized, I hate for those leading a healthy life that benefits all of us being punished for it by a selfish few. A solution to the problem is within easy reach. Please hold the city to its Executive Directive Commitments.

Thanks,

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Major, Erica (BOS)
Subject: File 160764 FW: Hold the City to its Executive Directive commitments (PSNS Committee)

From: Samson B [mailto:samsonlb@gmail.com]
Sent: Tuesday, September 06, 2016 7:19 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; +erica.major@sfgov.org
Cc: janice@sfbike.org
Subject: Hold the City to its Executive Directive commitments (PSNS Committee)

To the Board of Supervisors, At the upcoming Public Safety and Neighborhood Services Committee meeting on Sept. 8, the City will be presenting its progress since the Mayor issued an Executive Directive on bicycle and pedestrian safety on Aug. 4. I urge you to hold the City to its commitment to building more protected bike lanes, delivering safe streets faster and continuing smart, data-driven traffic enforcement.

Thank you,

Samson Brock
San Francisco, CA

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Major, Erica (BOS)
Subject: File 160764 FW: please fight for bicycle and pedestrian safety

From: Dan Landy [mailto:landydan@gmail.com]
Sent: Saturday, September 03, 2016 7:24 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; +erica.major@sfgov.org
Cc: Janice Li <janice@sfbike.org>
Subject: please fight for bicycle and pedestrian safety

Dear Board of Supervisors,

I urge you to hold the City to its commitment to building more protected bike lanes, delivering safe streets, and continuing smart traffic enforcement at the upcoming Public Safety and Neighborhood Services Committee meeting on Sept. 8.

San Francisco should be leading the way in supporting transportation alternatives.

Thank you for your support.

Dan Landy
541 Central Ave.
SF, CA 94117

355-11
C072
C Page

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 SEP -8 AM 9:50
BY Ak

Devon Warner
451 16th Avenue
San Francisco, CA 94118
415-596-6064
crabulux@yahoo.com

September 8, 2016

San Francisco Board of Supervisors
San Francisco City Hall
One Carlton Goodlett Place, Room 244
San Francisco, CA 94102

Re: Status of Ghost Bikes in the City and County of San Francisco

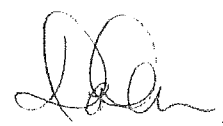
Esteemed Supervisors:

On behalf of the Bicycle Advisory Committee we submit the attached resolution, passed unanimously at our monthly meeting, August 22, 2016. In attendance were all sitting members, only missing one, as the District 2 seat is currently vacant.

Although our resolution asks for the right to negotiate permission with the appropriate City Departments and Agencies to place Ghost Bikes or other memorials for fallen cyclists, we are open to drafting an ordinance that would also cover memorials for pedestrian who died in traffic. We support the City in working to meet the stated goals of Vision Zero in a spirit of unity with various constituencies, and in particular the vulnerable. A savings to the City in time and effort might be served by this.

We ask for your full consideration and support in pressing forward with the intent of the Ghost Bikes Resolution and we respectfully ask you to adopt it.

Very truly yours,



Devon Warner
SF Bicycle Advisory Committee,
District 1 Representative

19



San Francisco Bicycle Advisory Committee
City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Status of Ghost Bikes in the City and County of San Francisco

WHEREAS, bicycling and walking are key modes of the City of San Francisco's "Transit First Policy", adopted in 1973, and established in the City Charter, SEC. 8A.115, and,

WHEREAS, "The Climate Action Plan" calls on San Francisco to "increase bicycling and walking as an alternative to driving", and

WHEREAS, the *2009 San Francisco Bicycle Plan* declares, "An increase in bicycling as a critical component to improving the future health and prosperity of San Francisco. With limited public investment, the City can improve conditions for bicycling in order to help achieve numerous important goals, including reducing greenhouse gas emissions, conserving energy, improving the health and physical fitness of residents, mitigating the negative effects of traffic congestion, improving air quality, providing affordable transportation alternatives and creating more livable neighborhoods." And,

WHEREAS, the *San Francisco Bicycle Advisory Committee* (BAC) is charged by the San Francisco Administrative Code Article XIV, Section 5.132 with promoting cycling in the City. And,

WHEREAS, Over twenty cyclists have been killed in traffic since 2005, including three cyclists killed in 2015 and two to date in 2016. And,

WHEREAS, community and family members have attempted to memorialize these cyclists by placing a "Ghost Bike" or other memorial at locations where cyclists were struck and killed, ie: a bicycle painted all white, sometimes bearing the name and/or image of the cyclist, and frequently adorned with flowers and other mementos. And,

WHEREAS, these community and family members object to the Department of Public Works and other City entities removing said "Ghost Bike" as trash, such removal being highly disturbing and demoralizing to the surviving family and friends of those cyclists being memorialized and to the entire community. And,

WHEREAS, Every "Ghost Bike" serves as a reminder to the entire community that safety is not to be taken for granted, that we all have a duty to participate in safety regardless of our choice of means of transportation, and that the consequences of crashes are sometimes the tragic loss of life. Therefore:



San Francisco Bicycle Advisory Committee
City Hall, Room 408
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

BE IT RESOLVED, the San Francisco Bicycle Advisory Committee recommends that *Board of Supervisors* move to recommend establishment of an immediate moratorium on the removal of any "Ghost Bike" placed anywhere within the confines of the City and County of San Francisco for at least one year, providing that such "Ghost Bike" is not in violation of any local ordinances that involve public safety, e.g.: no "Ghost Bike" may block egress by pedestrians, wheelchair users, city and county workers, including first responders and privately employed delivery persons, block any roadway, or present any other public safety hazard.

BE IT FURTHER RESOLVED, the *San Francisco Department of Public Works* (DPW), the *County Transportation Authority* (CTA), and the *Municipal Transit Agency* (MTA) work with the *BAC* and/or any other appropriate public entity to draft regulations for permitting those who wish to place a "Ghost Bike" or other appropriate memorials at locations around San Francisco. And,

BE IT FURTHER RESOLVED, Within one year's time, or by August 31, 2017, that the *BAC*, with the full support of the *DPW*, *CTA*, and the *MTA*, report to the Board of Supervisors for approval, said recommendations for regulations for the permitted placement of "Ghost Bikes" or other memorials by citizens who wishes to do so.

Approved By Unanimous Consent

District 1- Devon Warner, *Introduced*

District 2 – Vacant

District 3 – Marc Brandt

District 4 – Edward Nicholson

District 5 – Melyssa Mendoza

District 6 – Mary Kay Chin

District 7 – Bert Hill

District 8 – Diane Serafini

District 9 – Catherine Orland

District 10 – Paul Wells

District 11 – Casey Dos Santos Allen

Respectfully Submitted and adopted this 22 Day of August, 2016

Signed Bert Hill
Bert Hill, Chair

Date 9/1/2016

Dear Bicycle Advisory Committee,

I am unable to make it in tonight as I live 2 hours away, but I want you to hear my voice on the issue of ghost bike memorials because this means a lot to me.

My precious 21 year old son Dylan Mitchell was killed in May 2013 while riding his bike to work in SF. He was run over by a garbage truck driver. My son's death has devastated our lives. He was the oldest of my four sons and very loved in the community we live in. He had just moved out of our house in Clayton only days before his death as he was following in his father's, grandfather's and great grandfather's footsteps to become an electrician for the IBEW in SF. There is not a minute of my day that goes by that I don't think of and miss my son. His death has ruined my life!

Since my son's death I have made it my mission to help make the streets safer in SF. I have done work with the SFMTA in supporting Vision Zero and currently am starting a group called San Francisco Bay Area Families for Safe Streets with the help of Walk SF.

Ghost bike memorials are an important reminder that motorists share the road with bicyclists and they need to pay attention so they don't end up destroying lives. My husband and I put our sweat and tears into making a memorial ghost bike for our son Dylan last May 2015. We put it up at the crash site and even locked it with a chain in an unobtrusive spot on that street. My husband works in SF and sat in his car many days watching the reaction people had to the memorial. People and bicyclists were stopping and reading it, paying their respects and it was making an impact on people until a few weeks later when the city removed it. It felt like another insult to injury when the city removed our precious son's memorial that we put so much emotion into making to honor him. These ghost bikes are not only a way to honor the person that was killed, but it helps bring awareness to how vulnerable bicyclists are. It was doing good by being there and was another way to raise awareness that these are people that are loved and cherished, not just another fatality statistic.

I am asking that you please keep these ghost bike memorials up so they can continue to make an impact on the public as well as give the families of the victims of these crashes a way to honor their loved one.

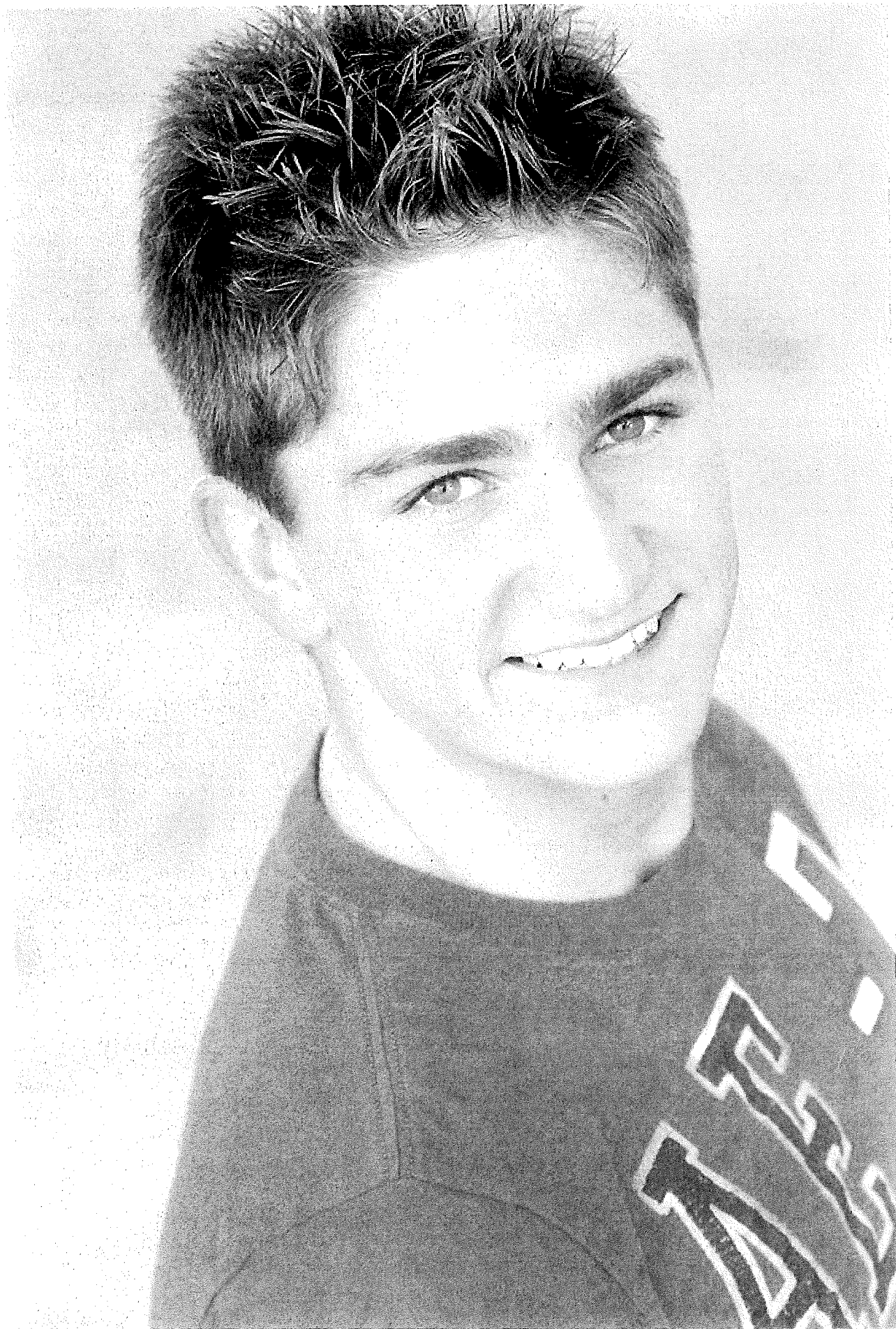
If you would like to talk further, I would love to discuss this with you.

Sincerely,

Julie Mitchell

(925)914-7752





From: Board of Supervisors, (BOS)
To: BOS-Supervisors; BOS Legislation (BOS)
Subject: File 160880 FW: SFBOS- item #10 -160880

-----Original Message-----

From: Aaron Goodman [mailto:amgodman@yahoo.com]
Sent: Tuesday, September 06, 2016 9:21 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: SFBOS- item #10 -160880

SFBOS

I am unable to attend and speak on the issue of 160880 - vacate of streets at Parkmerced's proposed development.

My concerns about the overall impacts of the development and the environmental and physical changes that has already deeply affected the community in terms of displacement and gentrification of renters and loss of rental housing in D7 and are not to date addressed by the city in terms of the loss of open space (quantity and quality) and public land of the prior development.

Since the developer has never produced the documents on land title that indicate the original developments initial agreement with the city between met-life and the city of SF it is impossible to determine land-use and ownership and the allowance of the initial development of it was to be affordable rent controlled housing in perpetuity or if there was tax related issues to the city streets and what has occurred during the multiple "flips" of the property and challenges on the ownership of the development prior and currently.

The city is propelling forward and is loathe to look over its shoulder in the rush to redevelop, but it is worthwhile to ask and check facts and figures to ascertain if the development agreements are being enforced adequately.

Parkmerced had a minimal HABS historical study installation done in Juan Bautista circle but has continued to decimate the tree canopy.

Parkmerced is making deals with uber and other proposals for their needs but is the transit routing and design in the publics best interests and will the construction zones cause further parking and traffic impacts along 19th?

microclimate impacts of the development still have not been studied nor understood by planners with the loss of trees and impacts of heavy regrading and construction so physical data collection must occur to determine the overall air quality and impacts of regrading over 20 years during parkmerced's redevelopment.

many other impacts like displacement of renters, families and seniors in the SFSU and Parkmerced co-development impacts have not been assessed.

The initial street vacate opens the door to this destruction and rebuild and it behooves the public representatives to do justice and document what impacts occurs and assess the damage and reparations made to those impacted.

At this stage it's impossible to stop a juggernaut... but it is possible to make people think about each step, each action and its impacts...

please ensure if you move forward that the cities residents including the natural elements whether already displaced or to be impacted by this development is studied and properly documented. You have before you also today a TDM item

160925 which discusses the issue of transit management and concerns for how you will implement transit improvements in this development and others. the transit problems being the largest and most costly solution needed.

parkmerceds infrastructure begins at the streets as a prior walking walkable community, with direct access to transit. the steps take. Today begin to impact the city drastically and thus any effort to enforce and secure funding for the M line extension to Daly City Bart should be a priority up front and not in 20 years. Otherwise the below grade parking lots of parkmerceds future buildings will be a parking gridlock along 19th and lakeshore Blvd and traffic and transit issues will not be solved only worsened.

Please think through the decisions and costs and value of the streetscape of Parkmerced as it relates to transit improvement and capacity I needs of the city. To allow the developer carte Blanche risks more than just a landscape, it risks a city.....

A.Goodman D11
Amgodman@yahoo.com
Former Parkmerced resident....

Sent from my iPhone

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Wong, Linda (BOS)
Subject: FW: Need your support with 160855 and 160856 - Chinatown Ping Yuen Rehab project

From: Dennis Hong [mailto:dennisj.gov88@yahoo.com]
Sent: Sunday, September 11, 2016 5:16 PM
To: Lee, Mayor (MYR) <mayoredwinlee@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>
Subject: Need your support with 160855 and 160856 - Chinatown Ping Yuen Rehab project

Good evening Honorable Members of the Board of Supervisors, I need your support to pass both actions for 160855 and 160856 as submitted by our Mayor and Supervisor Arron Perskin-District 3. I know these two housing unit all too well. I grew up in North Beach / Chinatown. In my opinion these units are long over due for this renovation work. The longer it is delayed the worse it will get and will cost more for the renovation work.

With that said, can I have your support for this work? If anyone has any reservation in approving/passing this please feel free to reach out and let me know why - I can be reached at dennisj.gov88@yahoo.com

I look forward to this being passed/approved and placed on a priority list.

Best regards,
Dennis

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; Somera, Alisa (BOS)
Subject: File 160894 FW: Businesses in West Portal Ave. and additional emails concerning 160894
Attachments: West Portal Zoning; New Moratorium; Proposed Moratorium in the West Portal NCD; West Portal NCD; West portal NCD; 360-A West Portal, SF; 360-A West Portal, SF; West Portal Moratorium; Untitled; Fwd: Moratorium Legislation for West Portal Professional Businesses

From: Augusto Elias [mailto:rael4832@yahoo.com]
Sent: Saturday, September 03, 2016 12:10 PM
To: Yee, Norman (BOS) <norman.yee@sfgov.org>
Cc: Jen.Cow@sfgov.org; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Businesses in West Portal Ave.

Dear Supervisor Yee:

I am a long time resident of San Francisco (District 7). I have heard about the new legislation you introduced on August 2 to enact a new Moratorium in the West Portal NCD.

I am strongly against it and am appalled by it. I would ask you the reasons for this new legislation, and who can possibly gain from it? Do you wish to see more hair/nail salons, pet groomers, dry cleaners, or other unsustainable businesses on West Portal?

We all wish for a more vibrant West Portal NCD. However, I fail to see how you would accomplish this goal by discriminating against an entire genre of "Business and Professional Services", which I'd would like to see more of them, not less. Your discrimination will surely create additional vacancies in a neighborhood that is already plagued by vacancies over the years, and surely will depress rents (Think about retired people which only income come from their rentals).

With the enforcement of this new legislation, you will force my long-time advisor, Peter Chen at 360-A West Portal, out of this neighborhood.

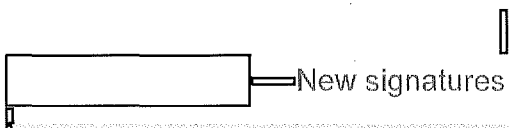
I am strongly against this legislation and am asking you to reconsider it and stop the process immediately.

Sincerely

Augusto Elias

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: 100 more people signed "Edwin Lee: A BEHAVIORAL HEALTH JUSTICE CENTER - THE SOLUTION TO SF'S MENTAL HEALTH CRISIS"

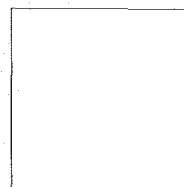
From: mail@changemail.org [mailto:mail@changemail.org]
Sent: Wednesday, September 07, 2016 5:51 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: 100 more people signed "Edwin Lee: A BEHAVIORAL HEALTH JUSTICE CENTER - THE SOLUTION TO SF'S MENTAL HEALTH CRISIS"



San Francisco Board of Supervisors – This petition addressed to you on Change.org has new activity. See progress and respond to the campaign's supporters.

Edwin Lee: A BEHAVIORAL HEALTH JUSTICE CENTER - THE SOLUTION TO SF'S MENTAL HEALTH CRISIS

Petition by Jennifer Johnson · 100 supporters



**100 more people signed
in the last 5 days**

[View petition activity](#)

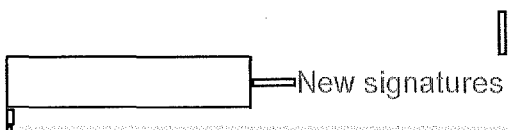
RECENT SUPPORTERS

 **Brad Schwarz**
Mill Valley, CA · Sep 07, 2016

Problem needs FIXED and this is sound thinking.

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: 10 more people signed "Edwin Lee: A BEHAVIORAL HEALTH JUSTICE CENTER - THE SOLUTION TO SF'S MENTAL HEALTH CRISIS"

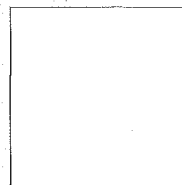
From: mail@changemail.org [mailto:mail@changemail.org]
Sent: Saturday, September 03, 2016 6:51 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: 10 more people signed "Edwin Lee: A BEHAVIORAL HEALTH JUSTICE CENTER - THE SOLUTION TO SF'S MENTAL HEALTH CRISIS"



San Francisco Board of Supervisors – This petition addressed to you on Change.org has new activity. See progress and respond to the campaign's supporters.

Edwin Lee: A BEHAVIORAL HEALTH JUSTICE CENTER - THE SOLUTION TO SF'S MENTAL HEALTH CRISIS


Petition by Jennifer Johnson · 10 supporters



**10 more people signed
in the last 7 hours**

[View petition activity](#)

RECENT SUPPORTERS

 **Laura Williams**
Putney, VT · Sep 03, 2016

People need treatment not incarceration.



Elizabeth Mc Carthy

Richmond, CA · Sep 03, 2016

Mental illness and homelessness need to be addressed. Groups homes, medication, stability.



Vaishali Bhakta

Fremont, CA · Sep 03, 2016

Mental health in this country is overlooked in this country.



Johanna Wagner

Freeville, NY · Sep 03, 2016

This is our biggest domestic issue!



Joan Martelle

Delmar, NY · Sep 03, 2016

It's time for a change

[View all 10 supporters](#)

CHANGE.ORG FOR DECISION MAKERS

On Change.org, decision makers like you connect directly with people around the world to resolve issues. Respond to let the people petitioning you know you're listening, say whether you agree with their call to action, or ask them for more information. [Learn more.](#)

This notification was sent to Board.of.Supervisors@sfgov.org, the address listed as the decision maker contact by the petition starter. If this is incorrect, please [post a response](#) to let the petition starter know.

Change.org · 548 Market St #29993, San Francisco, CA 94104-5401, USA

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; BOS-Legislative Aides
Subject: FW: Game Changer: Floating Shelter Ship
Attachments: Floating Shelter Ship.docx

From: Art Agnos [mailto:artagnos@yahoo.com]
Sent: Tuesday, September 06, 2016 8:12 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Game Changer: Floating Shelter Ship

Dear Supervisor,

In this morning's Chronicle Editorial pages, you will find the attached essay: Floating Shelter Ship - Game Changer.

As you know, I don't do this very often. But the multitude of homeless tent camps in so many of our San Francisco neighborhoods cry out for an immediate progressive solution while the new Department of Homelessness and Supportive Services works on the long term solution aimed at permanent housing.

Winter is coming. We know that permanent housing will take time and the creation of one small navigation centers every quarter at best is hardly enough to deal with this overwhelming problem in front of us right now.

From my years of experience at the local and state levels of government, I believe this proposal is worthy of your serious examination.

It worked in the last emergency our city faced in the Loma Prieta earthquake and it will take leadership to work out the various issues for a "game changer" to come together for longer term use this time.

Sincerely,
Art Agnos

Floating the Idea of a Shelter Ship

Art Agnos, former mayor

August 15 2016

Hundreds of San Francisco's homeless population are living in horrendous conditions on streets in tents. That is because we simply do not have enough beds for them. Proposals to cite homeless with "2 day vacate notices attached to promise of housing" are disingenuous because there is no housing.

Our city desperately needs a humane, progressive "game changer" to house them until there is enough permanent housing. Only when we can provide that housing on demand can we honestly say: "No more living in street tents or sleeping in doorways, parks or under freeways."

My idea for a "game changer" is to create a temporary navigation center operated by non-profit agency aboard a reconditioned Navy ship large enough to handle a large number of people.

For 35 years, the USS Peleliu, a small aircraft carrier complete with sleeping quarters, kitchens, medical clinics, offices, and recreation facilities, carried 2200 Marines, 2500 sailors, and 262 officers totaling almost 5000 military personnel working and living aboard the ship for months at sea.

If docked at the Port of San Francisco, the USS Peleliu could temporarily house most, if not all, of San Francisco's homeless currently living in tents on the streets while permanent housing is built.

Pie in the sky?

Not really...this is exactly what we did in San Francisco to temporarily house homeless folks after the 1989 Loma Prieta Earthquake.

While the San Francisco's Marina neighborhood had the most visible victims of the earthquake, more homeless victims living in badly damaged South of Market Single Room Occupancy hotels were temporarily housed in the Moscone Convention Center. To allow the convention center to get back to business, Admiral John Bitoff offered the Peleliu, a helicopter carrier, to temporarily house homeless individuals.

During the day, 300 homeless individuals kept their usual routines. At night they came home to the ship. It was popular because it was a safe, civilized shelter with good food. The ship left after two weeks to resume its military mission.

The USS Peleliu worked beautifully as a temporary emergency earthquake homeless shelter, but now we need to test it on a long-term pilot basis.

While this might be a "game changer" in San Francisco, our city would not be the first to try this approach:

- Auckland, New Zealand – A group of businessmen began looking into the purchase of an Italian cruise liner for use as a homeless shelter for their city, an expensive international housing market.
- Dortmund, Germany – The city has deployed two cruise ships on the Emscher River to temporarily house its overflow of refugees.

- Galveston, Texas and Mobile Alabama – In 2005, the Federal Emergency Management Agency (FEMA) chartered three large cruise ships with a combined capacity of more than 4,400 beds to house Hurricane Katrina victims. Afterward, FEMA reported “the use of cruise ships was an innovative and successful program.”
- New York - In 2002, then Mayor Michael Bloomberg explored the use of cruise ships for the homeless but the cost of retrofitting was deemed to be too high at that time.

Would this “game changer” have challenges such as costs...availability...logistics...federal cooperation for a pilot program here?

Certainly, but the same great champion we had with Washington in 1989, Congresswoman Nancy Pelosi, D-San Francisco, is today the House Minority Leader. U.S. Senator Dianne Feinstein, as former mayor, certainly understands the homeless problem. Both leaders are on excellent terms with President Obama and Secretary of the Navy Ray Mabus.

Winter is coming. Maybe this “game changer” could be arranged to coincide with the beginning of San Francisco’s famed Navy Fleet Week whose mission is to “honor the men and women of the United States Armed Forces while advancing cooperation and knowledge among civilian and military-based Humanitarian Assistance and Disaster Response personnel.

Now that would be a “game changer.”



160426

From: Luke Swartz <lswartz@gmail.com>
Sent: Monday, September 12, 2016 10:50 AM
To: Board of Supervisors, (BOS); Cohen, Malia (BOS); Wiener, Scott; Peskin, Aaron (BOS)
Cc: Somera, Alisa (BOS); SK Trauss
Subject: Vote NO on Down-zoning Midtown Terrace

Members of the Transportation and Land Use Committee,

I am a San Francisco native, homeowner, and military veteran. I grew up around the corner from Midtown Terrace (on Glenview).

I urge you to vote NO on down-zoning the Midtown Terrace neighborhood.

We urgently need **more** housing the City, not less. This down-zoning makes it harder to add ADUs ("in-law units") or otherwise add badly-needed housing (e.g. to the 28 larger lots eligible for 2 units today). On the contrary, we should be UP-zoning neighborhoods to allow for more density, not down-zoning them!

Please don't give in to NIMBYs who want to maintain a 1950s car-centric culture.

Sincerely,

Luke Swartz

From: Board of Supervisors, (BOS)
To: BOS-Supervisors; BOS-Legislative Aides
Subject: FW: Urgent need to improve pedestrian safety at Alemany Farmer's Market

From: Catherine Girardeau [mailto:catherine@earprint.com]
Sent: Saturday, September 10, 2016 2:41 PM
To: Martinez, Amalia (ADM) <amalia.martinez@sfgov.org>; Meskunas, Barbara (ADM) <barbara.meskunas@sfgov.org>; Canja, Sharie (ADM) <sharie.canja@sfgov.org>
Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Jason Reinier <jason@earprint.com>; Josh Reinier <joshuatazman.music@gmail.com>
Subject: Urgent need to improve pedestrian safety at Alemany Farmer's Market

Dear Ms. Martinez, Ms. Meskunas, Ms. Canja, and San Francisco Supervisors,

I'm writing to bring to your attention a growing concern for pedestrian safety crossing Crescent Avenue and Putnam Avenue on Saturdays during Alemany Farmer's Market hours. I have lived in Bernal Heights for 19 years and have been walking to the Farmer's Market almost every Saturday for all of those years. In the past year, I have begun to feel unsafe crossing Putnam Avenue into and out of the Alemany Farmer's Market on Saturday mornings. Auto traffic has increased, as it has all over San Francisco, as well as driver impatience and rudeness. Drivers coming down Putnam street routinely enter the crosswalk when pedestrians are still in the crosswalk. Many drivers do not stop for the crosswalk. This morning, I began to cross Putnam from the market when traffic was stopped. Before I reached the middle of the crosswalk, a driver entered the crosswalk right in front of me, not even bothering to stop.

I am able-bodied and walk relatively fast, but many people crossing there are elderly, are carrying infants, or are pulling carts full of produce from the market, requiring even longer to cross the street. **I believe this intersection needs a crossing guard and/or a technology solution, such as flashing yellow lights bordering the crosswalk, as I have seen at other dangerous San Francisco intersections.** Please don't wait for a pedestrian to be hurt or killed by a vehicle at this intersection to take action.

Vision Zero SF was at the Market conducting a survey a couple of weeks ago. I believe they could also be involved in this effort.

I look forward to your response.

Sincerely,

Catherine Girardeau
662 Anderson Street
San Francisco, CA 94110