

1 [Administrative Code - Creating the Sheriff’s Auxiliary Reserve Air Squadron]

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3 **Ordinance amending the Administrative Code to create the Sheriff’s Auxiliary Reserve**
4 **Air Squadron to support the Sheriff by providing aerial observation of the City,**
5 **including its coast, public utility transmission and distribution lines, and evacuation**
6 **routes, in the event of actual or threatened emergency.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.
9 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
10 **Board amendment additions** are in double-underlined Arial font.
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.
12 **Asterisks (* * * *)** indicate the omission of unchanged Code
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. The Administrative Code is hereby amended by adding Section 7.12 to
16 Chapter 7, to read as follows:

17 **SEC. 7.12. SHERIFF’S AUXILIARY RESERVE AIR SQUADRON.**

18 *(a) The following terms as used in this Section 7.12 shall have the meaning ascribed to them,*
19 *as follows:*

20 *"Air Squadron" shall mean the Sheriff’s Auxiliary Reserve Air Squadron.*

21 *"Emergency" shall be as defined in Section 7.1 of this Chapter 7.*

22 *"Member" shall mean member of the Sheriff’s Auxiliary Reserve Air Squadron.*

23 *"San Francisco Sheriff’s Air Squadron" or "SFSAS" shall mean the association of volunteer*
24 *pilots, formed in 1946, which since that time has provided the Sheriff’s Department air support by*
25 *flying their personal fixed wing aircraft at the direction of the Sheriff to prepare for and respond to*
emergencies.

(b) The Board of Supervisors finds as follows:

1 (1) Under the direction of the Sheriff, SFSAS has provided vital aerial support to the
2 City to prepare for and respond to threatened or actual emergencies on a volunteer basis since its
3 founding in 1946 through 2013. Founded by former World War II pilots inspired by civic duty and
4 pride, SFSAS pilots have stood at the ready to aid the City in time of emergency and have flown under
5 the direction of the Sheriff at their own personal expense and without any injury to persons or property
6 for over sixty-seven (67) years;

7 (2) SFSAS has participated in local, state, and federal emergency preparedness training
8 for simulated disasters including earthquakes, fire, terrorist attacks, and coastal enemy invasion.
9 SFSAS's fixed-wing aircraft are equipped to transmit live aerial audio and video feed to the City
10 emergency command center to give local, state, and federal first responders and disaster relief
11 agencies critical bird's-eye views of the City, its evacuation routes, and public utility transmission and
12 distribution lines to identify trouble spots and to facilitate the quick and efficient distribution of critical
13 and limited resources;

14 (3) SFSAS pilots are experienced; the majority are retired or active military and
15 commercial airline pilots. SFSAS pilots donate their time and the use of their aircraft, and cover all
16 other related expenses with the exception of fuel costs. During years when the City suffered budget
17 deficits, SFSAS pilots also covered the fuel costs for the missions;

18 (4) After the September 11, 2001 World Trade Center terrorist attacks, the New York
19 City Fire Department ("FDNY") commissioned a five-month intensive review of FDNY's response,
20 which found that air support was critical to the collection and dissemination of information necessary
21 to deploy and coordinate FDNY rescue efforts;

22 (5) In 2002-2003, the City and County of San Francisco Civil Grand Jury investigated
23 the City's emergency preparedness and rerecognized that air support plays a vital role in supporting
24 an emergency response, including locating "hot" spots, providing damage assessment, and collecting
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1 and disseminating information. In its response to this report, the City's Director of Emergency Services
2 noted that the City relied on SFSAS to provide necessary emergency response air support; and

3 _____ (6) SFSAS fills a critical gap in the City's ability to respond effectively to threatened
4 and actual emergencies at minimal cost to the City.

5 (c) The Sheriff's Auxiliary Reserve Air Squadron is hereby created. The Air Squadron of not
6 more than 100 members, which shall include all members of SFSAS as of the effective date of this
7 Section 7.12 and any additional members that the Sheriff may designate, shall be under the direction of
8 the Sheriff and shall be subject to such rules, regulations and procedures as the Sheriff may prescribe.

9 (d) The Sheriff shall prescribe the qualifications and standards by which applications for
10 membership in the Air Squadron shall be governed, and persons possessing the qualifications and
11 conforming to the standards may be appointed to the Air Squadron by the Sheriff. Members shall
12 receive no financial compensation from the City for membership in the Air Squadron or for services
13 provided pursuant to this Section 7.12 except that members may be reimbursed for fuel charges
14 incurred in connection with their duties pursuant to this Section 7.12. Members shall register with the
15 City Disaster Council as disaster service workers.

16 (e) The Air Squadron is hereby assigned the duty of providing the Sheriff aerial observation
17 support in the event of a threatened or actual emergency, including but not limited to recording and
18 transmitting to the Sheriff live aerial video and audio feed of the City and its coast, evacuation routes,
19 and public utility transmission and distribution lines. Any duties assigned to the members shall be
20 deemed to be training in preparation against such perils.

21 (f) The approved dress, badge and equipment to be worn and carried by the members shall be
22 as determined by the Sheriff.

23 (g) It shall be unlawful for any person to impersonate or falsely represent himself or herself to
24 be a member of the Air Squadron.

1 (h) The Sheriff may, in his or her sole discretion, dismiss a member from the Air Squadron for
2 any reason, and each member shall have the right to resign from the Air Squadron, at any time.

3 (i) To be eligible for membership in the Air Squadron, each applicant must indicate his or her
4 willingness to serve an average minimum of 8 hours per month in the public service as a member of the
5 Air Squadron.

6 (j) The Sheriff is authorized to promulgate such rules, regulations and procedures as may, in the
7 Sheriff's discretion, be necessary or appropriate to carry out the intent of this Section 7.12.

8 (k) The Air Squadron shall be deemed to be a part of the Operations Support Fire and Rescue
9 Branch of the City Emergency Management Program.

10 (l) Nothing in this Section 7.12 shall authorize the City to impose any duties or obligations in
11 conflict with limitations on municipal authority imposed by federal or State law. This Section shall be
12 construed so as not to conflict with applicable federal or State law, including but not limited to the
13 Federal Aviation Act and any regulations promulgated by the Federal Aviation Administration. The
14 City, including but not limited to the Sheriff's Department, is authorized to implement this Section so as
15 to avoid a conflict, if any, with applicable federal or State law.

16 Section 2. Effective Date. This ordinance shall become effective 30 days after
17 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
18 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
19 of Supervisors overrides the Mayor's veto of the ordinance.

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21 APPROVED AS TO FORM:
22 DENNIS J. HERRERA, City Attorney

23 By: _____
24 Jana Clark
25 Deputy City Attorney

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