

File No. 190309

Committee Item No. 5

Board Item No. 4

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date April 10, 2019

Board of Supervisors Meeting

Date April 23, 2019

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
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| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER

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Completed by: Linda Wong Date April 5, 2019

Completed by: Linda Wong Date April 12, 2019

1 [Appropriating \$398,561 in Fire Service Fees - De-Appropriation and Re-Appropriation -
2 Expenditures of \$5,750,492 - Supporting Increased Overtime and Professional Services
3 Expenditures - FY2018-2019]

4 Ordinance appropriating \$398,561 to overtime in the Fire Department, de-appropriating
5 \$5,750,492 from permanent salaries, mandatory fringe benefits, and capital projects,
6 and appropriating \$5,750,492 to overtime and professional services in the Sheriff's
7 Department, and to overtime in the San Francisco Public Utilities Commission, in order
8 to support the Departments' projected increases in overtime as required per
9 Administrative Code, Section 3.17; this Ordinance requires a two-thirds vote of all
10 members of the Board of Supervisors for the Sheriff's Department appropriations
11 approval, pursuant to Charter, Section 9.113(c).

12
13 Note: Additions are single-underline italics Times New Roman;
14 deletions are ~~strikethrough italics Times New Roman~~.
15 Board amendment additions are double underlined.
16 Board amendment deletions are ~~strikethrough normal~~.

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

18 Section 1. The uses of funding outlined below are herein appropriated to reflect the
19 projected revenue available for FY2018-2019.
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1 **Sources Appropriation**

2 Fund /	Project & Activity /	Account	Description	Amount
3 Department ID	Authority			
4 10000	10001963-0001	460678	Fire Overtime	\$398,561
5 GF - Annual Acct	FD Prevention /	Fire Overtime Service	Service Fees	
6 Ctrl/ 130651	10000 Operating	Fees		
7 FIR Prevention				
8				
9 Total SOURCES Appropriation				\$398,561

10
11 Section 2. The uses of funding outlined below are herein de-appropriated to reflect the
12 projected funding available for FY2018-2019.

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14 **Uses De-Appropriation**

15 Fund /	Project & Activity /	Account	Description	Amount
16 Department ID	Authority			
17 10000	10001929-0006	501010	Perm Salaries-	(\$1,800,000)
18 GF Annual Acct Ctrl /	<u>SH Jail</u> Jail No. 5 – San	Perm Salaries-	Misc-Regular	
19 232331 Sheriff	Bruno/ 10000 Operating	Misc-Regular		
20				
21 10000	10001929-0006	513090	Retirement	(\$600,000)
22 GF Annual Acct Ctrl/	<u>SH Jail</u> Jail No. 5 – San	Retirement Non-	Non-City	
23 232331 Sheriff	Bruno/ 10000	City (Pers)	(Pers)	
24	Operating			
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Fund /	Project & Activity /	Account	Description	Amount
Department ID	Authority			
10010	10016951-0004	500010	Facilities	(\$114,488)
GF Annual Authority	SHF - Facilities	Facilities	Maintenance-	
Ctrl/ 232331 Sheriff	Maintenance/	Maintenance-	Budget	
	15808 SHF-Facilities	Budget		
	Maintenance			
10020	10013784-0002	585030	Capital Proj	(\$17,000)
GF Continuing Auth Ctrl/	<u>Interior Finish Repair</u> CJ	Capital Proj	Budget- CFWD	
232331 Sheriff	5 Interior/	Budget- CFWD	only	
	15229 SH Interior	only		
	Finish Repair			
10020	10013799-0002	584030	Capital	(\$195,000)
GF Continuing Auth Ctrl/	<u>CJ5 Rehabilitation Water</u>	Capital Renewal	Renewal	
232331 Sheriff	<u>System</u> County Jail 5/	Projects	Projects	
	15246			
	SH CJ5 Rehabilitation			
	Water System			

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Fund / Department ID	Project & Activity / Authority	Account	Description	Amount
10020	10033360-0001	584030	Capital	(\$1,273,512)
GF Continuing Authority Ctrl / 232331 Sheriff	<u>CJ#2 Kitchen Repair</u> CJ2 Equipment Replacement/ 20364 425 7th Facility Maint Project	Capital Renewal Projects	Renewal Projects	<u>(\$1,723,512)</u>
10000	10001930-0001	538000	CBO Services	(\$420,000)
GF Annual Acct Ctrl / 232331 Sheriff	SH Jail Programs / 10000 Operating	CBO Services	Budget	
10000	100024434-0001	538000	CBO Services	(\$30,000)
GF Annual Acct Ctrl / 232331 Sheriff	SH Violence Prevention Program / 17427 Violence Prev Programming	CBO Services	Budget	
Subtotal - Sheriff's Department - De-Appropriation				<u>(\$4,450,000)</u>

1	Fund /	Project & Activity /	Account	Description	Amount
2	Department ID	Authority			
3	27180	10026776-0001	501010	Perm Salaries-	(\$7,534)
4	PUC Operating Fund/	UB Info Technology/	Perm Salaries-	Misc-Regular	
5	267643 PUB110301 ITS	10000 Operating	Misc-Regular		
6	Administration				
7					
8	27190	10026778-0005	501010	Perm Salaries-	(\$3,029)
9	PUC Personnel Fund/	UB Infrastructure	Perm Salaries-	Misc-Regular	
10	232145 PUB0401	<u>Infrastructure Admin/</u>	Misc-Regular		
11	Infrastructure Admin	10002 Interdept-			
12		Overhead			
13					
14	25940	10029997-0020	501010	Perm Salaries-	(\$694,775)
15	WTR Op Annual Acct	UW Water	Perm Salaries-	Misc-Regular	
16	Ctrl/ 232403 WTR0301	Transmission WTR	Misc-Regular		
17	CDD Shops	<u>Transmission: Peninsula</u>			
18		<u>Region/</u>			
19		10000 Operating			
20					
21	20160	10030002-0001	501010	Perm Salaries-	(\$461,022)
22	WWE Op Annual Acct	UC Wastewater	Perm Salaries-	Misc-Regular	
23	Ctrl / 229281 WWE03	Treatment	Misc-Regular		
24	Maintenance	<u>General Treatment/</u>			
25		10000 Operating			

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Fund / Department ID	Project & Activity / Authority	Account	Description	Amount
24970	10029992-0004	501010	Perm Salaries-	(\$71,104)
HHWP Op Annual Acct Ctrl/ 298647	UH Admin HHP <u>General</u> <u>Power Administration!</u>	Perm Salaries- Misc-Regular	Misc-Regular	
HHP0901 Power Administration	10000 Operating			
24970	10029992-0022	501010	Perm Salaries-	(\$63,028)
HHWP Op Annual Acct Ctrl/ 298646 HHP10	UH Admin HHP <u>Contract</u> <u>Development!</u>	Perm Salaries- Misc-Regular	Misc-Regular	
Hetchy Water	10000 Operating			
20160	10030002-0001	501010	Perm Salaries-	(\$350,000)
WWE Op Annual Acct Ctrl /229281	UC Wastewater Treatment/ 10000	Perm Salaries- Misc-Regular	Misc-Regular	
WWE03 Maintenance	Operating			
25940	10029997-0020	501010	Perm Salaries-	(\$300,000)
WTR Op Annual Acct Ctrl /232403	UW Water Transmission WTR/ 10000 Operating	Perm Salaries- Misc-Regular	Misc-Regular	
WTR0301 CDD Shops				

Fund /	Project & Activity /	Account	Description	Amount
Department ID	Authority			
Subtotal – San				<i>(\$1,950,492)</i>
Francisco Public				<i>(\$1,300,492)</i>
Utilities Commission -				
De-Appropriation				
Total USES De-Appropriation				<i>(\$6,400,492)</i>
				<i>(\$5,750,492)</i>

Section 3. The uses of funding outlined below are herein appropriated to reflect the projected use of funding for FY2018-2019.

Uses Appropriation

Fund /	Project & Activity /	Account	Description	Amount
Department ID	Authority			
10000	10001963-0001	511010	Overtime -	\$398,561
GF - Annual Account	FD Prevention /	Overtime -	Scheduled	
Control /	10000	Scheduled Misc	Misc	
130651	Operating			
FIR Prevention				
Total USES Appropriation				<u>\$398,561</u>

1 **Uses Re-Appropriation**

2	Fund /	Project & Activity /	Account	Description	Amount
3	Department ID	Authority			
4	10000	10001929-0006	511010	Overtime --	\$4,000,000
5	GF Annual Acct Ctrl /	<u>SH Jail</u>	Overtime --	Scheduled	
6	232331 Sheriff	Jail No. 5 -- San	Scheduled Misc.	Misc.	
7		Bruno/			
8		10000 Operating			
9					
10	10000	10001938-0001	527000	Prof &	\$450,000
11	GF Annual Acct Ctrl /	Jail No. 5 -- San Bruno	Prof & Specialized	Specialized	
12	232331 Sheriff	<u>SH Alternative</u>	Svcs-Bdgt	Svcs-Bdgt	
13		<u>Programs/</u>			
14		10000 Operating			
15					
16	Subtotal - Sheriff's				<u>\$4,450,000</u>
17	Department -				
18	Re-Appropriation				
19					
20	27180	10026776-0001	511010	Overtime -	\$7,534
21	PUC Operating Fund/	UB Info Technology/	Overtime -	Scheduled	
22	267643	10000 Operating	Scheduled Misc	Misc	
23	PUB110301 ITS				
24	Administration				

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Fund /	Project & Activity /	Account	Description	Amount
Department ID	Authority			
27190	10026778-0005	511010	Overtime -	\$3,029
PUC Personnel Fund/	UB Infrastructure	Overtime -	Scheduled	
232145 PUB0401	<u>Infrastructure Admin/</u>	Scheduled Misc	Misc	
Infrastructure Admin	10002 Interdept-			
	Overhead			
25940	10029997-0020	511010	Overtime -	\$694,775
WTR Op Annual Acct	UW Water	Overtime -	Scheduled	
Ctrl/ 232403 WTR0301	Transmission WTR	Scheduled Misc	Misc	
CDD Shops	<u>Transmission: Peninsula</u>			
	<u>Region/</u> 10000			
	Operating			
20160	10030002-0001	511010	Overtime -	\$461,022
WWE Op Annual Acct	UC Wastewater	Overtime -	Scheduled	
Ctrl / 229281 WWE03	Treatment	Scheduled Misc	Misc	
Maintenance	<u>General Treatment/</u>			
	10000 Operating			

1	Fund /	Project & Activity /	Account	Description	Amount
2	Department ID	Authority			
3	24970	10029992-0004	511010	Overtime -	\$71,104
4	HHWP Op Annual Acct	UH Admin HHP	Overtime -	Scheduled	
5	Ctrl/ 298647	<u>General Power</u>	Scheduled Misc	Misc	
6	HHP0901 Power	<u>Administration/</u>			
7	Administration	10000 Operating			
8					
9	24970	10029992-0022	511010	Overtime -	\$63,028
10	HHWP Op Annual Acct	UH Admin HHP	Overtime -	Scheduled	
11	Ctrl/ 298646 HHP10	<u>Contract Development/</u>	Scheduled Misc	Misc	
12	Hetchy Water	10000 Operating			
13					
14	20160	10030002-0001	511010	Overtime-	\$350,000
15	WWE Op Annual Acct Ctrl/	UC Wastewater	Overtime-Scheduled	Scheduled Misc	
16	229281 WWE03	Treatment/	Misc		
17	Maintenance	10000 Operating			
18					
19	25940	10029997-0020	511010	Overtime-	\$300,000
20	WTR Op Annual Acct Ctrl/	UW Water Transmission	Overtime-Scheduled	Scheduled Misc	
21	232422 WTR0301 CDD	WTR/	Misc		
22	Shops	10000 Operating			
23					
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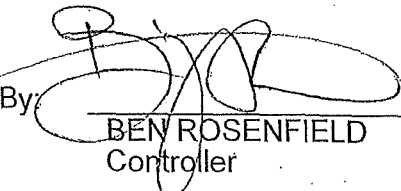
Fund /	Project & Activity /	Account	Description	Amount
Department ID	Authority			
Subtotal – San				<u>\$1,950,492</u>
Francisco Public				<u>\$1,300,492</u>
Utilities Commission -				
Re-Appropriation				
Total USES Re-Appropriation				<u>\$6,400,492</u>
				<u>\$5,750,492</u>

1 Section 4. The Controller is authorized to record transfers between funds and adjust
2 the accounting treatment of sources and uses appropriated in this Ordinance as necessary to
3 conform with Generally Accepted Accounting Principles.
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8 APPROVED AS TO FORM:
9 DENNIS J. HERRERA, City Attorney

FUNDS AVAILABLE:
BEN ROSENFELD, Controller

10
11
12 By: 
13 BUCK DELVENTHAL
14 Deputy City Attorney

15
16
17 By: 
18 BEN ROSENFELD
19 Controller

Item 5 File 19-0309	Departments: Sheriff, Public Utilities Commission, Fire
EXECUTIVE SUMMARY	
<p style="text-align: center;">Legislative Objectives</p> <p>The proposed amended ordinance appropriates fee revenues and re-appropriates surplus funds in FY 2018-19, totaling \$6,149,053 to (a) overtime and professional services in the Sheriff's Department (b) overtime in the San Francisco Public Utilities Commission (SFPUC), and (c) overtime in the Fire Department. Approval of the proposed appropriation of overtime and professional services in the Sheriff's Department requires a two-thirds vote of all members of the Board of Supervisors pursuant to Charter Section 9.113(c).</p> <p style="text-align: center;">Fiscal Impact</p> <ul style="list-style-type: none"> • The Sheriff's Department has (a) \$4,450,000 in surplus salaries, fringe benefits, capital projects and facilities maintenance due to a staffing deficit and to delays in hiring; and (b) projected excess overtime expenditures of \$4,000,000 due to new requirements established by the Principled Policing goals, Proposition 63, and an increase in court-ordered electronic monitoring case load. The department is also requesting an additional \$450,000 for professional services for an existing contract with Leaders in Community Alternatives, Inc. to administer the department's court-ordered electronic monitoring program. • The Fire Department has (a) \$398,561 in overtime service fee revenues that exceed budgeted revenues in the Fire Department's FY 2018-19 budget; and (b) projected excess overtime expenditures of \$398,561 due to a higher than anticipated level of activity because of an increase in special events and requests for expedited and off-hours inspections for permits needed for construction. • The San Francisco Public Utilities Commission (SFPUC) has (a) \$1,300,492 in surplus salaries due to vacant positions; and (b) projected excess overtime expenditures of \$1,300,492 due to staffing shortages impacting the ability of the Water Enterprise division to meet minimum operating staffing levels and respond to emergencies, as well as planning and preparation efforts to minimize flooding due to the rainy season. <p style="text-align: center;">Recommendation</p> <ul style="list-style-type: none"> • Approve the proposed ordinance. 	

MANDATE STATEMENT

Charter Section 9.105 provides that amendments to the Annual Appropriation Ordinance be subject to Board of Supervisors approval by ordinance, after the Controller certifies the availability of funds.

Administrative Code Section 3.17 requires that the Annual Appropriation Ordinance contain a separate overtime appropriation within the Airport, Emergency Management, Fire, Police, Public Health, Public Utilities, Public Works, Recreation and Park, and Sheriff Departments' operating budgets. In accordance with Administrative Code Section 3.17(b), these nine identified City departments must first obtain Board of Supervisors supplemental appropriation approval prior to the expenditure of additional overtime if their overtime expenditures are proposed to be greater than the amount of overtime previously appropriated by the Board of Supervisors in the department's budget.

Charter Section 9.113(c) states that, in the event the Mayor or a member of the Board of Supervisors recommends a supplemental appropriation ordinance after the adoption of the budget and prior to the end to the budget year that contains any item rejected by the Mayor or the Board of Supervisors in the original budget appropriation, the supplemental appropriation can only be approved by a two-thirds vote of the Board of Supervisors.

DETAILS OF PROPOSED LEGISLATION

The proposed amended ordinance appropriates fee revenues and re-appropriates surplus funds in FY 2018-19, totaling \$6,149,053 to (a) overtime and professional services in the Sheriff's Department (b) overtime in the San Francisco Public Utilities Commission (SFPUC), and (c) overtime in the Fire Department. Approval of the proposed appropriation of overtime and professional services in the Sheriff's Department requires a two-thirds vote of all members of the Board of Supervisors pursuant to Charter Section 9.113(c).

Table 1 below summarizes the proposed amended appropriation of \$6,149,053 by department.

Table 1: Appropriation of \$6,149,053 by Department

	Sheriff	SFPUC	Fire	Total
Sources				
Fire Overtime Service Fees			398,561	398,561
<u>De-appropriation</u>				
Salaries	\$1,800,000	\$1,300,492		\$3,100,492
Fringe Benefits	600,000			600,000
Capital Projects	1,935,512			1,935,512
Facilities Maintenance	114,488			114,488
Total Sources	\$4,450,000	\$1,300,492	\$398,561	\$6,149,053
Uses				
<u>Appropriation</u>				
Overtime	4,000,000	\$1,300,492	\$398,561	\$5,699,053
Professional Services	450,000			\$450,000
Total Uses	\$4,450,000	\$1,300,492	\$398,561	\$6,149,053

FISCAL IMPACT

Sheriff's Department: \$4,450,000

The proposed ordinance de-appropriates \$4,450,000 in surplus salaries, fringe benefits, capital projects and facilities maintenance in the Sheriff's Department's FY 2018-19 budget to pay for \$4,000,000 in overtime expenditures and \$450,000 in professional services, as shown in Table 2 below.

Table 2: Sheriff's Department Appropriation to Overtime¹

Sources	
<u>De-appropriation</u>	
Permanent Salaries	\$1,800,000
Fringe Benefits	600,000
Capital Projects ²	1,935,512
Facilities Maintenance	114,488
Total Sources	\$4,450,000
Uses	
<u>Appropriation</u>	
Overtime	4,000,000
Professional Services	450,000
Total Uses	\$4,450,000

¹ De-appropriated salaries come from County Jail 5 (located at 1 Moreland Drive in San Bruno). The re-appropriated overtime and professional services will be used at Jail 5.

² De-appropriated capital project funds come from Count Jail #2 renovation projects.

According to Mr. Crispin Hollings, Sheriff's Department Chief Financial Officer, although the Sheriff's Department has hired 236 sworn officers in the last three years, there were still salary and fringe benefit savings due starting at a staffing deficit and to delays in hiring. The Sheriff's Department plans to replace capital project funds, which are needed for the County Jail #2 kitchen renovation, and facilities maintenance funding in the FY 2019-20 budget process.

Sheriff Overtime

New requirements established by the Principled Policing goals³, Proposition 63⁴, and an increase in court-ordered electronic monitoring case load led to an increase in overtime. In support of Principled Policing goals, the department's annual training requirement increased by 20 percent to include subjects such as crisis intervention, gender awareness, and prevention of harassment and racial profiling. According to Mr. Hollings, staff training is funded with overtime dollars. In addition, the department implemented a firearms surrender program in 2018, as required by Proposition 63, wherein deputies now serve 30 domestic violence restraining orders and seize 3 firearms per month. Finally, in January 2018, an appellate court decision resulted in the number of court-ordered electronic monitoring participants⁵ increasing three-fold, from approximately 100 participants per month to 300 per month, as previously reported to the Board of Supervisors (File 19-0203). According to Mr. Hollings, most of the overtime is for uniformed staff.

The Sheriff's Department has filled nearly all of the vacancies it has had in the three prior years. According to Mr. Hollings, a preliminary report by the City Services Auditor report from the Controller's Office notes that "the increase in hiring did not keep pace with the increase in the amount of work the Sheriff staff performs."

Sheriff Professional Services

In addition to the \$4,000,000 for overtime, the Sheriff's Department is requesting an additional \$450,000 for professional services. In April 2019, the Board of Supervisors approved a third contract amendment to the existing contract with Leaders in Community Alternatives, Inc. to administer the Sheriff's Department's court-ordered electronic monitoring program. The amendment, in part, increases the total not to exceed amount by \$465,000, from \$2,000,000 to \$2,465,000 (File 19-0203). The increased cost of the contract was due to increased costs of the program due to an increase in the number of court-ordered electronic monitoring participants (see above) and, at the same time, Sheriff Hennessy's decision to eliminate fees for sentenced electronic monitoring participants. According to Mr. Hollings, the department has been able to pay for some of the additional cost through savings. However, because the Professional Services budget was modified by the Board during the FY 2018-19 budget process, the department will need a two-thirds vote of the Board of Supervisors to re-allocate funds from capital projects to professional services in order to comply with Charter Section 9.113(c).

³ Principled Policing goals were promulgated by the Community Oriented Policing Services of the U.S. Department of Justice, which made specific recommendations to the Police Department on training on cultural competency, procedural justice, and explicit/implicit bias.

⁴ Proposition 63, approved by California voters in 2016, requires background checks for ammunition purchases.

⁵ Since the early 2000s, the Sheriff's Department has funded an electronic monitoring program as a court-ordered alternative to incarceration.

The Sheriff's Department's budget for non-work order overtime⁶ in FY 2018-19 is \$17,149,444. As of the March 8, 2019 pay period, the Sheriff's Department's actual non work order overtime expenditures were \$14,606,697. Projected overtime spending through June 30, 2019 is approximately \$21,150,000. The requested re-appropriation of \$4,000,000 would increase the non-work order overtime budget from \$17,149,444 to \$21,149,444, an increase of 23.3 percent.

The total non-work order overtime budget (original budget and the requested appropriation) of \$21,149,444 million is approximately \$1,792,304 million or 8 percent less than the Sheriff's Department's total non-work order overtime expenditures of \$22,941,748 in FY 2017-18.

Fire Department: \$398,561

The proposed ordinance appropriates \$398,561 in overtime service fee revenues that exceed budgeted revenues in the Fire Department's FY 2018-19 budget to pay for \$398,561 in overtime, as shown in Table X below.

Table 3: Fire Department Appropriation to Overtime

Sources	
Fire Overtime Service Fees	\$398,561
Total Sources	\$398,561
Uses	
<u>Appropriation</u>	
Overtime	\$398,561

According to Mr. Mark Corso, Fire Department's Deputy Director of Finance and Planning, the department is requesting an overtime supplement for the Bureau of Fire Prevention, which handles services such as fire inspections, permits and licenses. The Bureau of Fire Prevention is predominantly funded by fee revenues generated from services. Overtime services at the Bureau are at the request of customers and include activities such as after-hours inspections and plan reviews or additional services outside the regular scope of work during business hours. According to Mr. Corso, the department budgeted \$2 million for anticipated overtime services in FY 2018-19 based partly on the \$1.97 million in actual expenditures from FY 2017-18. However, the department anticipates exceeding this amount in this fiscal year given a higher than anticipated level of activity due to an increase in special events and requests for expedited and off-hours inspections for permits needed for construction. Mr. Corso states that in order to offset the costs for additional overtime, the department is projecting a corresponding level of fee revenues associated with the overtime services⁷.

The Fire Department's budget for non-work order overtime in FY 2018-19 is \$33,580,464. As of the March 8, 2019 pay period, the Fire Department's actual non work order overtime expenditures were \$24,386,383. The requested re-appropriation of \$398,561 would increase the non-work order overtime budget from \$33,580,464 to \$33,979,025, an increase of 1.2

⁶ Per the Administrative Code 3.17, the annual appropriations ordinance shall contain a separate appropriation within the annual operating funds for overtime. General fund work orders are not an annual operating fund.

⁷ Fees are collected prior to services being provided.

percent. The total non-work order overtime budget (original budget and the requested appropriation) of \$33,979,025 is approximately \$3,236,783 or 10.5 percent more than the Fire Department's total overtime expenditures of \$30,742,242 in FY 2017-18.

Public Utilities Commission: \$1,300,492

The proposed ordinance de-appropriates \$1,300,492 in surplus salaries in the Public Utilities' FY 2018-19 budget to pay for \$1,300,492 in overtime expenditures, as shown in Table 4 below.

Table 4: Public Utilities Commission Appropriation to Overtime

	Bureaus	Water	Wastewater	Hetch Hetchy	Total
Sources – De-Appropriation					
Miscellaneous Salaries	\$10,563	\$694,775	\$461,022	\$134,132	\$1,300,492
Uses					
Overtime	\$10,563	\$694,775	\$461,022	\$134,132	\$1,300,492

According to Mr. Carlos Jacobo, SFPUC's Budget Director, the savings in salaries are due primarily to vacant positions. As of March 2019, the SFPUC's Water Enterprise⁸ division had 108 vacancies, and the Wastewater Enterprise⁹ division had 80 vacancies.

According to Mr. Jacobo, staffing shortages as a result of vacancies¹⁰ are contributing to increased overtime and impacting the ability of the Water Enterprise division to meet minimum operating staffing levels, as well as respond to emergencies such as water main breaks. Mr. Jacobo also states that staffing shortages, as well as planning and preparation efforts to minimize flooding due to the rainy season, contributed to increased overtime at the Wastewater Enterprise division. These efforts include temporary flood barrier installations during heavy rains, increased operations of the North Point Wet Weather Facility (NPF)¹¹ and nighttime inspections of Combined Sewer Discharge (CSD) infrastructure required under National Pollutant Discharge Elimination System (NPDES) permits.

The SFPUC's budget for non-work order overtime in FY 2018-19 is \$4,963,517. As of the March 8, 2019 pay period, the SFPUC's actual non work order overtime expenditures were \$4,291,191.

⁸ The Water Enterprise is responsible for collecting, treating and distributing about 200 million gallons of water per day to 2.7 million people, including retail customers in the City, and 27 wholesale customers located in San Mateo, Santa Clara, and Alameda Counties.

⁹ The Wastewater Enterprise collects, transports, treats, and discharges sanitary and stormwater runoff generated within the City, Treasure Island and Yerba Buena Island.

¹⁰ According to SFPUC, the shortage of positions that use overtime to fill shifts and respond to emergencies include the following: Stationary Engineers (6 vacancies of 12 positions), Gatemen and Foremen (5 vacancies of 24 positions), Utility Plumber (11 vacancies of 64 positions) and Utility Plumber Supervisor II (1 vacant of 4 positions).

¹¹ According to SFPUC, the North Point Wet Weather Facility (NPF) has discharged 68 percent more effluent to San Francisco Bay and operated more frequently in the July through January period than the comparable period in FY 2017-18. Data has not been publicly submitted yet for February or March, however the same trend has continued. Required minimum staffing levels dictate that NPF has three certified operators onsite when the National Oceanic and Atmospheric Administration (NOAA) forecasts a 30 percent or greater probability of precipitation. These personnel are typically on overtime as the facility is only staffed at these levels during wet weather events.

The requested re-appropriation of \$1,300,492 would increase the non-work order overtime budget from \$4,963,517 to \$6,264,009, an increase of 26.2 percent. According to Mr. Jacobo, \$650,492 of the requested amount is to compensate the Fair Labor Standards Act (FLSA)¹² settlement for SFPUC employees. The total non-work order overtime budget (original budget and the requested appropriation) of \$6,264,009 is approximately \$1,286,033 or 25.8 percent more than the SFPUC's total overtime expenditures of \$4,977,976 in FY 2017-18.

RECOMMENDATION

Approve the proposed ordinance.

¹² The Fair Labor Standards Act (FLSA) requires that covered, non-exempt employees must receive one-and-one-half times their regular rate of pay for all hours worked over forty in a workweek.

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Sophia Kittler
RE: Appropriating \$398,561 in Fire Service Fees, and De-Appropriation and Re-Appropriation – Expenditures of \$5,750,492 Supporting Increased Overtime and Professional Services Expenditures - FY2018-2019
DATE: April 2, 2019

SK

Ordinance appropriating \$398,561 to overtime in the Fire Department, de-appropriating \$5,750,492 from permanent salaries, mandatory fringe benefits, and capital projects, and appropriating \$5,750,492 to overtime and professional services in the Sheriff's Department, and to overtime in the San Francisco Public Utilities Commission, in order to support the Departments' projected increases in overtime as required per Administrative Code Section 3.17. This Ordinance requires a two-thirds vote of all members of the Board of Supervisors for the Sheriff's Department appropriations approval, pursuant to Charter Section 9.113(c).

Should you have any questions, please contact Sophia Kittler at 415-554-6153.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2019 APR -2 PM 4:12
BT
JN

Wong, Jocelyn (BOS)

From: Peacock, Rebecca (MYR)
Sent: Tuesday, April 2, 2019 6:06 PM
To: BOS Legislation, (BOS)
Cc: Karunaratne, Kanishka (MYR); Johnson, Jillian (MYR); Kirkpatrick, Kelly (MYR); Pereira.Tully, Marisa (MYR); Kittler, Sophia (MYR)
Subject: Mayor - Ordinance - SUBSTITUTION: Overtime Supplemental Appropriation for Sherriff & PUC
Attachments: Mayor - Overtime Appropriation and Deappropriation FIR_SHF_PUC- FY18-19 FINAL AMENDMENT_3-27-19 w new puc.docx
Categories: 190309

Attached for introduction to the Board of Supervisors is an ordinance appropriating \$398,561 to overtime in the Fire Department, de-appropriating \$5,750,492 from permanent salaries, mandatory fringe benefits, and capital projects, and appropriating \$5,750,492 to overtime and professional services in the Sheriff's Department, and to overtime in the San Francisco Public Utilities Commission, in order to support the Departments' projected increases in overtime as required per Administrative Code Section 3.17. This Ordinance requires a two-thirds vote of all members of the Board of Supervisors for the Sheriff's Department appropriations approval, pursuant to Charter Section 9.113(c).

This legislation is intended to substitute File No. 190309.

Please let me know if you have any questions.

Rebecca Peacock
(415) 554-6982
Rebecca.Peacock@sfgov.org
Office of Mayor London N. Breed
City & County of San Francisco

OFFICE OF THE MAYOR
SAN FRANCISCO



LONDON N. BREED
MAYOR

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Kanishka Karunaratne Cheng *KKC*
RE: Appropriating \$398,561 in Fire Service Fees, and De-Appropriation and Re-Appropriation Expenditures of \$6,400,492 Supporting Increased Overtime and Professional Services Expenditures – FY2018-2019
DATE: March 19, 2019

Ordinance appropriating \$398,561 to overtime in the Fire Department, de-appropriating \$6,400,492 from permanent salaries, mandatory fringe benefits, capital projects, community based organization services, and non-personnel services, and appropriating \$6,400,492 to overtime and professional services in the Sheriff's Department, and to overtime the San Francisco Public Utilities Commission, in order to support the Departments' projected increases in overtime as required per Administrative Code Section 3.17. This Ordinance requires a two-thirds vote of all members of the Board of Supervisors for the Sheriff's Department appropriations approval, pursuant to Charter Section 9.113(c).

Should you have any questions, please contact Kanishka Karunaratne Cheng at 415-554-6696.

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2019 MAR 19 PM 2:59
AK

1 DR. CARLTON B. GOODLETT PLACE, ROOM 200
SAN FRANCISCO, CALIFORNIA 94102-4681
TELEPHONE: (415) 554-6141

BOS-11, COB, Leg. Dep, B&F Clerk
Dep. City Atty, Mayor's Office,
BOS-IT, OPS.

President, District 7
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-6516
Fax No. 554-7674
TDD/TTY No. 544-6546

Norman Yee

80 AMOUNT OF SUPERVISORS
SAINT FRANCISCO
2019 MAR 27 AM 8:00
BY [Signature]

PRESIDENTIAL ACTION

Date: 3/25/2019
To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 190309 Mayor
(Primary Sponsor)

Title. Appropriation of \$398,561 in Fire Service Fees - De-Appropriation and Re-Appropriation - Expenditures of \$6,400,492 - Supporting Increased

Transferring (Board Rule No 3.3)

File No. _____
(Primary Sponsor)

Title.

From: _____ Committee

To: _____ Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor _____

Replacing Supervisor _____

For: _____ Meeting
(Date) (Committee)

Norman Yee
Norman Yee, President
Board of Supervisors