

1 [Board Response - Civil Grand Jury Report - Act Now Before It Is Too Late: Aggressively
2 Expand and Enhance Our High-Pressure Emergency Firefighting Water System]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**
4 **and recommendations contained in the 2018-2019 Civil Grand Jury Report, entitled**
5 **“Act Now Before It Is Too Late: Aggressively Expand and Enhance Our High-Pressure**
6 **Emergency Firefighting Water System;” and urging the Mayor to cause the**
7 **implementation of accepted findings and recommendations through his/her**
8 **department heads and through the development of the annual budget.**

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

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

19 WHEREAS, Under San Francisco Administrative Code, Section 2.10(a), the Board of
20 Supervisors must conduct a public hearing by a committee to consider a final report of the
21 findings and recommendations submitted, and notify the current foreperson and immediate
22 past foreperson of the civil grand jury when such hearing is scheduled; and

23 WHEREAS, In accordance with San Francisco Administrative Code, Section 2.10(b),
24 the Controller must report to the Board of Supervisors on the implementation of

1 recommendations that pertain to fiscal matters that were considered at a public hearing held
2 by a Board of Supervisors Committee; and

3 WHEREAS, The 2018-2019 Civil Grand Jury Report, entitled “Act Now Before It Is Too
4 Late: Aggressively Expand and Enhance Our High-Pressure Emergency Firefighting Water
5 System” (“Report”) is on file with the Clerk of the Board of Supervisors in File No. 190785,
6 which is hereby declared to be a part of this Resolution as if set forth fully herein; and

7 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors and the
8 Budget and Legislative Analyst respond to Finding Nos. F6, and F11, as well as
9 Recommendation No. R3, contained in the subject Report; and

10 WHEREAS, Finding No. F6 states: “Unless the City increases funding levels, it will be
11 several decades (i.e., after the USGS predicts one or more major earthquakes will occur)
12 before the southern parts of the City have a high-pressure, multi-sourced, seismically safe
13 emergency firefighting water supply;” and

14 WHEREAS, Finding No. F11 states: “The City does not have a timeline to fund and
15 complete development of a high-pressure, multi-sourced, seismically safe emergency water
16 supply for all parts of the City, including poor neighborhoods that historically have not been as
17 well protected as the downtown business district and many richer neighborhoods;” and

18 WHEREAS, Recommendation No. R3 states: “The Board of Supervisors should direct
19 the Budget and Legislative Analyst to study through an equity lens and issue a report to the
20 Board regarding (a) which areas of the City do not have sufficient water supplies for the
21 anticipated demand for water to fight fires following a major earthquake similar in magnitude
22 to the 1906 earthquake, and (b) options to address the issue in both the short term and the
23 long term. The Board should issue its request by no later than December 31, 2019, and the
24 Budget and Legislative Analyst should complete its report by no later than
25 December 31, 2020;” and

1 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond
2 to Finding Nos. F4, and F5, as well as Recommendation Nos. R1, R2, R4, R6, R7, and R8,
3 contained in the subject Report; and

4 WHEREAS, Finding No. F4 states: “The City’s high-pressure emergency water supply
5 system, known as the Auxiliary Water Supply System (AWSS), does not cover large parts of
6 Supervisorial Districts 1, 4, 7 and 11, roughly one-third of the City’s developed area. As a
7 result, these districts are not adequately protected from fires after a major earthquake;” and

8 WHEREAS, Finding No. F5 states: “A high-pressure, multi-sourced, seismically safe
9 emergency firefighting water supply will be costly but is essential to protect the City;” and

10 WHEREAS, Recommendation No. R1 states: “By no later than December 31, 2020,
11 the Mayor, the SFPUC, the SFFD, and Office of Resilience and Capital Planning should jointly
12 present to the Board of Supervisors a detailed plan to ensure the City is well prepared to fight
13 fires in all parts of San Francisco in the event of a 1906-magnitude (7.8) earthquake;” and

14 WHEREAS, Recommendation No. R2 states: “The plan discussed in Recommendation
15 R1 should include a detailed proposal, including financing sources, for the installation
16 within 15 years of a high-pressure, multi-sourced, seismically safe emergency water system
17 for those parts of the City that don’t currently have one, i.e., by no later than June 30, 2034;”
18 and

19 WHEREAS, Recommendation No. R4 states: “As an interim measure, by no later than
20 June 30, 2021, the City should purchase the 20 new PWSS hose tenders being requested by
21 the SFFD, to replace and expand its currently inadequate inventory;” and

22 WHEREAS, Recommendation No. R6 states: “The SFPUC, the SFFD, and the SF
23 Department of the Environment should study adding salt-water pump stations to improve the
24 redundancy of water sources, especially on the west side. Findings and recommendations
25

1 from this study should be presented to the Board of Supervisors by no later than
2 June 30, 2021;” and

3 WHEREAS, Recommendation No. R7 states: “The SFPUC should (a) continue its
4 efforts to complete a more detailed analysis of emergency firefighting water needs (including
5 above-the-median needs) by neighborhood, and not just by FRA, and (b) present a completed
6 analysis to the Board of Supervisors by no later than June 30, 2021;” and

7 WHEREAS, Recommendation No. R8 states: “By no later than June 30, 2022, the
8 Mayor and Board of Supervisors should analyze whether to propose a separate bond for the
9 development of a high-pressure, multi-sourced, seismically safe emergency water system for
10 those parts of the City that don’t currently have one, with a target date of completing
11 construction by no later than June 30, 2034;” and

12 WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of
13 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior
14 Court on Finding Nos. F4, F5, F6, and F11, as well as Recommendation Nos. R1, R2, R3, R4,
15 R6, R7, and R8 contained in the subject Report; now, therefore, be it

16 RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the
17 Superior Court that they agree with Finding No. F4; and, be it

18 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
19 of the Superior Court that they agree with Finding No. F5; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
21 of the Superior Court that they agree with Finding No. F6; and, be it

22 FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge
23 of the Superior Court that they agree with Finding No. F11; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
25 No. R1 has not been implemented but will be implemented no later than December 31, 2021,

1 and urges the Mayor, the SFPUC, the SFFD, and Office of Resilience and Capital Planning to
2 jointly present a detailed plan to the Board of Supervisors by no later than
3 December 31, 2021; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
5 No. R2 has not been implemented but will be implemented by December 31, 2021, and urges
6 the Departments to include in its detailed plan a detailed proposal, including financing
7 sources, for the installation within 15 years of a high-pressure, multi-sourced, seismically safe
8 emergency water system for those parts of the City that don't currently have one by no later
9 than June 30, 2034; and, be it

10 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
11 No. R3 has not been implemented but will be implemented in the future, and Supervisor
12 Gordon Mar will issue a request for a Budget and Legislative Analyst report no later than
13 December 31, 2019, and will direct the Budget and Legislative Analyst to issue the completed
14 report no later than December 31, 2020; and, be it

15 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
16 No. R4 will not be implemented because while funding for five hose tenders was allocated for
17 FY2019-2020 though both local and state-level actions, implementation of the
18 recommendation in its entirety will depend on the appropriation actions of a future Mayor and
19 Board of Supervisors; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
21 No. R6 has not been implemented but will be implemented in the future, and urges the
22 completion of a study for adding a salt-water pump stations to be presented to the Board of
23 Supervisors by no later than June 30, 2021, be it

24 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
25 No. R7 has not been implemented but will be implemented in the future, and urges that a

1 completed analysis be presented to the Board of Supervisors by no later than June 30, 2021;
2 and, be it

3 FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
4 No. R8 has not been implemented but will be implemented in the future, and will analyze by
5 June 30, 2022, in coordination with the Mayor, whether to propose a separate bond for the
6 development of a high-pressure, multi-sourced, seismically safe emergency water system for
7 those parts of the City that don't currently have one, with a target date of completing
8 construction by no later than June 30, 2034; and, be it

9 FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the
10 implementation of the accepted findings and recommendations through his/her department
11 heads and through the development of the annual budget.

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