

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	1. Given that San Francisco is responsible for any cost overrun of the Central Subway project, SFMTA should hire an independent entity to investigate whether the \$1.578 billion budget is a realistic estimate.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	As detailed in the SFMTA's previous response to the Civil Grand Jury, significant and independent federal and local resources conduct oversight and continuous review of the Project's estimated and actual costs to date.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	2. SFMTA should hire an independent auditor to conduct an analysis of whether its internal goals and the requirements in Proposition E are realistic, why Muni has been unable to meet them, and what should be done to improve Muni's service levels.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	Section 8A.107 of the City Charter already requires that the SFMTA contract on a biennial basis with a nationally recognized management or transportation consulting firm for an independent review of the extent to which the SFMTA has met, and is expected to meet, the goals, objectives, and performance standards it is required to adopt under Section 8A.103.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	San Francisco Municipal Transportation Agency	Recommendation Implemented	As part of our Agency's efforts to improve Muni service, the SFMTA will continue to look at ways to improve efficiencies, decrease costs and increase funding. The FY 2013 and FY 2014 Proposed budget includes \$30 million funding for maintenance efforts, safety and other major front line initiatives in recognition that an investment in maintenance is key to service reliability. However, SFMTA still faces ongoing structural deficits in its operating and capital budget. The structural deficit is defined as the funds required to deliver the level of services mandated in the Charter and to address the state of good repair needs of the system. The operating deficit is approximately \$120 million annually while an additional \$250 million per year is required annually to address infrastructure state of good repair needs. The SFMTA recently convened a panel to assist in identifying funding to address these structural deficits in the operating and capital budget and the panel will finalize its recommendations in May 2012 which may include revenue options requiring voter approval. If funding is not identified, the City will have to have to decide what level of transportation services can be supported with existing resources.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	San Francisco County Transportation Authority	Will Not Be Implemented: Not Warranted or Not Reasonable	The recommendation refers to the City or SFMTA. This is not an action for the SFCTA. The Authority notes that not all performance improvements will require additional ongoing operating funds. Some improvements in performance should be possible through efficiency and streamlining.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with Recommendation No. 3. (Resolution No. 477-11; approved by BOS 11/8/11; File No. 110818)  BOS cannot cause the implementation of the recommendation, only urge the Mayor thru budget process.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	Office of the Mayor	Requires Further Analysis	The Mayor's Office agrees that decreased funding has presented a challenge to Muni's ability to meet its performance goals. The City expects the SFMTA to develop operational efficiencies and decrease costs while also looking at ways to increase revenues.	Recommendation Implemented	As the City economy grows, funding allocated towards the SFMTA increases. In FY 2013-14, budgeted SFMTA General Fund baselines and transfer in-lieu of parking tax will increase by more than \$21 million when compared to the previous fiscal year. In addition, the planned Transportation and Streets Infrastructure Package includes additional funding for Muni fleet overhauls. Finally, one of the goals of the recently convened San Francisco Transportation 2030 Task Force is to develop recommendations to ensure that Muni is reliable, efficient, and performs to citizen expectations.
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The SFMTA disagrees with this recommendation. The Agency fully understands the elasticity of fare increases on the system. There is a much stronger nexus between service reductions and impact to ridership, as opposed to fare increases, as has been confirmed by both the Transit Effectiveness Project and recent actions on service and fare changes. The Agency has conducted extensive research on its policies to identify the optimal scenario for maximum revenue generation. Given challenging economic times with limited funding for operations, the effect of fare increases on the system has been heavily weighed against service reduction in regards to ridership and resulting revenue impacts.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	San Francisco County Transportation Authority	Will Not Be Implemented: Not Warranted or Not Reasonable	The Authority disagrees with this recommendation. Although it would be useful to look at ways in which Muni could optimize its service and fare structure, it is unlikely that an auditor would be best qualified to perform this analysis. Financial audits are appropriate for evaluating compliance but a useful study of costs and revenues would involve other financial and transportation consultants.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. 4. (Resolution No. 477-11; approved by BOS 11/8/11; File No. 110818)  Pursuant to Charter Section 8A.102, the Board of Supervisors does not have the authority to implement the recommendation.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The SFMTA has indicated in its response that it has extensively researched scenarios that would allow it to maximize revenues and also identify the impacts of fare increases and service reductions. Therefore, this recommendation is not warranted.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	5. SFMTA should publicly explain if and when the remaining cuts to Muni service will be restored.	San Francisco Municipal Transportation Agency	Recommendation Implemented	Over the past year, SFMTA has made small service modifications to improve service reliability and reduce crowding. As a result, the annual service hours are now very similar to the pre-May 2010 levels.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	6. Maintenance should be given a higher priority in the budget than it currently is.	San Francisco Municipal Transportation Agency	Will be Implemented in the Future	Implementation of the recommendation has begun, but is not yet fully implemented. The FY 2013 and FY 2014 Proposed budget includes \$30 million funding for maintenance efforts, safety and other major front line initiatives in recognition that an investment in maintenance is key to service reliability; additional funds are necessary to fully meet our needs.	Will Be Implemented in the Future	Implementation of the recommendation has begun, but is not yet fully implemented. The FY 2013 and FY 2014 Proposed budget includes \$30 million funding for maintenance efforts, safety and other major front line initiatives in recognition that an investment in maintenance is key to service reliability; additional funds are necessary to fully meet our needs.
2010-11	Central Subway: Too Much Money for Too Little Benefit	7. Muni should end its practice of cannibalizing wrecked vehicles to repair other vehicles.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The SFMTA had an existing policy prohibiting cannibalizing wrecked vehicles that is still in effect.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The FY 2013 and FY 2014 Proposed budget includes \$30 million funding for maintenance efforts, safety and other major front line initiatives in recognition that an investment in maintenance is key to service reliability. However, SFMTA still faces ongoing structural deficits in its operating and capital budget. The structural deficit is defined as the funds required to deliver the level of services mandated in the Charter and to address the state of good repair needs of the system. The operating deficit is approximately \$120 million annually while an additional \$250 million per year is required annually to address infrastructure state of good repair needs. The SFMTA recently convened a panel to assist in identifying funding to address these structural deficits in the operating and capital budget and the panel will finalize its recommendations in May 2012 which may include revenue options requiring voter approval. If funding is not identified, the City will have to decide what level of transportation services can be supported with existing resources.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	San Francisco County Transportation Authority	Will Not Be Implemented: Not Warranted or Not Reasonable	The Authority exists as a result of a voter mandate to fund and implement transportation capital projects and cannot legally fund day-to-day operations and maintenance.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with Recommendation No. 8. (Resolution No. 477-11; approved by BOS 11/8/11; File No. 110818)  BOS cannot cause the implementation of the recommendation, only urge the Mayor thru budget process.	**	

(1) \*\*\*\*\* Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The SFMTA will continue to work with its funding partners to meet its maintenance needs on an ongoing basis.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	9. SFMTA should conduct a comparison of Muni's "mean time between failures" against other cities' to gauge the impact of Muni's current maintenance practices on its fleet. It should also take into account any unique aspects of San Francisco transit that might affect its "mean time between failures."	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation was implemented prior to the CGJ process. The SFMTA's Planning staff was in the process of conducting a survey of a number of North American LRV agencies to gather information regarding their maintenance and procurement practices. SFMTA completed the first part of the survey, which was to identify the basic characteristics of agencies with similar size LRV fleets, including agencies in the region and state. Information on mean distance between failures (MDBF) will be collected during informational interviews with maintenance and procurement staff at these agencies, to be held over the next 3-6 months.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	10. The SFMTA should explain when it plans to hire and train new operators to ensure a smooth rollout of the Central Subway.	San Francisco Municipal Transportation Agency	Will Be Implemented in the Future	In 2011, the SFMTA produced an FTA approved T-Third-Central Subway Service Integration Plan that defines the service plans, levels of service, days and hours of operation and vehicles required for 2018 through 2025. This Plan will be the basis for preparing the T-Third Central Subway Start Up Plan (SUP) that will be completed as a working draft in the first quarter of 2014. The timing of training and selecting of operators for the integrated T-Third service will be finalized in the Start Up Plan, which is due to be finalized in early 2016.	Will Be Implemented in the Future	Draft plan anticipated 2014. In 2011, the SFMTA produced an FTA approved T-Third-Central Subway Service Integration Plan that defines the service plans, levels of service, days and hours of operation and vehicles required for 2018 through 2025. This Plan will be the basis for preparing the T-Third Central Subway Start Up Plan (SUP) that will be completed as a working draft in the first quarter of 2014. The timing of training and selecting of operators for the integrated T-Third service will be finalized in the Start Up Plan, which is due to be finalized in early 2016.
2010-11	Central Subway: Too Much Money for Too Little Benefit	11. The SFMTA should look at the peak demand for vehicles at the time it proposes to conduct new operator training and ensure that such training will not impact its ability to meet peak LRV demand.	San Francisco Municipal Transportation Agency	Will Be Implemented in the Future	The SFMTA has a training process in place so that new operator training, for any reason, not just start-up of the T-Third with the Central Subway 1.7 mile extension, has no negative impact on peak LRV demand.	Recommendation Implemented	The SFMTA has a training process in place so that new operator training, for any reason, not just start-up of the T-Third with the Central Subway 1.7 mile extension, does not have a negative impact on peak LRV demand.
2010-11	Central Subway: Too Much Money for Too Little Benefit	12. The SFMTA should explain what changes to the internal decision-approval processes have been put into practice to prevent the types of problems that affected the T-Third project. It should be noted that merely changing staff does not suffice to fix these problems. If such changes have yet to be made, the SFMTA should hire an external management consultant to advise it on how best to change its processes.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	This Recommendation is not warranted because the action proposed by the CGJ has been actively underway before, during and after the CGJ Report. This recommendation was proactively addressed in the FTA's New Starts implementation program. Phase 1 vs. Phase 2 processes include: construction management differences, the requirement that the Project own and operate a Project Management Plan and contractor selection differences. Further details are included in the "Response to Follow-up Civil Grand Jury Questions" dated March 15, 2011, which responded to this same concern.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	13. The SFMTA should explain how its internal communication process will facilitate cooperation and discussion between various people and agencies involved in the Central Subway project.	San Francisco Municipal Transportation Agency	Recommendation Implemented	The Central Subway Project relies on the involvement, cooperation and participation of a number of City, County, State and utility entities for design, design review and construction coordination. The participating agencies are listed in detail on pages 14-1 and 14-2 in the Project Management Plan that was previously provided and discussed with the CGJ. Formal meetings with stakeholders and other entities are held on a scheduled, continual bases.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	14. The SFMTA should maintain a single, unified Master Plan for the Central Subway project that can be accessed, though not changed, by all parties involved in the project.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation was actively underway prior to the CGJ process. An FTA required approved Program Management Plan (PMP) is a Master Plan for all aspects of project conduct and multiparty involvement and is already in use.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	15. All communications and publications regarding the Central Subway project should receive more accurate fact-checking.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The Central Subway has an existing comprehensive public outreach program that includes a robust social media program to inform the community in real time. All documentation is reviewed by professionals in the public communications field, who pay careful attention to the details and accuracy of the information that is being distributed.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	16. The SFMTA should consider a realignment of the Central Subway which allows for a more direct connection to the Muni Metro.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	As designed, the Union Square/Market Street Station already provides a direct, underground connection to the Powell Street Muni/BART Station via a modern, well-lit concourse. In addition, the north end of the station connects with the major shopping district at Union Square. The direct Muni to Muni connection is an estimated walk of 4.8 minutes from platform to platform.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	17. The Union Square/Market Street station should be designed to allow a future Geary light rail vehicle line to access it.	San Francisco Municipal Transportation Agency	Recommendation Implemented	As stated in CS Transmittal No. 1403 dated February 18, 2011, Geary corridor cars would be able to use the Central Subway line for pull-in and pull-out to load a possible future Geary route for revenue service. Alternative concepts have been raised by the San Francisco Planning and Urban Research Association and other stakeholders to improve the Geary corridor route concept by using Post Street as the preferred alignment.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	18. The Central Subway should be redesigned to serve both the Financial District and Chinatown. If SFMTA thinks the current alignment already serves both neighborhoods, it should explain how.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	After years of planning and analysis, it is not in the public's interest to re-route the Central Subway or implement other costly changes.  The SFCTA identified the Third Street Corridor with an extension to Chinatown as a priority in the late 1980s. The need to better serve the Chinatown neighborhood was further necessitated by the 1989 Loma Pietà Earthquake. Since then, the City and the SFMTA have explored numerous alignment options for the Central Subway, conducted comprehensive public outreach and planning, and have coordinated with land use planning in conjunction with the City's General Plan, the Downtown Plan, the Chinatown Area Plan, the East Soma Area Plan and the pending Western Soma Area Plan.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	19. The SFMTA should enact a plan to improve service on the Stockton corridor prior to completing the Central Subway.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The action proposed by the CGJ was actively underway before, during and after the CGJ Report. The Transit Effectiveness Project includes recommendations to improve transit travel times for the 30 and 45 routes. The Columbus and Stockton segments of the routes are among the highest priority and design improvements will be cleared at the project level as part of the TEP EIR.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	20. SFMTA needs to fix the transfer between the Central Subway and Muni Metro.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The transfer from Central Subway will be a seamless, underground, and direct transfer within a controlled transit environment with vertical circulation aided by escalators and elevators in both directions. There is no difference in travel distance for current Muni bus customers and future Central Subway customers.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	21. SFMTA should change the name of the "Union Square/Market Street" station to simply "Union Square" for an accurate description.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The name of the station "Union Square/Market Street" is appropriate as there will be two entrances: one at Market Street and one at Union Square. Both names designate the primary destinations at this station.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	22. SFMTA should add escalator redundancy to all stations on the Central Subway.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	Redundancy is available at all stations from platform to concourse and from concourse to surface without relying exclusively on escalators. The Central Subway stations will provide assisted paths of travel via escalators and elevators between surface and concourse levels in addition to stairs.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	23. SFMTA should purchase dedicated level-boarding vehicles for the Central Subway.	San Francisco Municipal Transportation Agency	Requires Further Analysis	All Central Subway stations are designed for level boarding. The LRV Procurement Steering Committee is investigating a specification for the next procurement that may include dedicated level-boarding vehicles. A decision will be made within the next 12 months.	Will Not Be Implemented: Not Warranted or Not Reasonable	All Central Subway stations are designed for level boarding. In 2012 the LRV Procurement Steering Committee and SFMTA Transit Operations investigated a specification for the next LRV procurement to be dedicated level-boarding vehicles. The results of the analysis are that the next vehicles will not be dedicated to the T-Third Phase 1 Third Street and Phase 2 Central Subway and, as a result, SFMTA will not pursue procurement of level boarding (low floor) LRVs for the Central Subway procurement.
2010-11	Central Subway: Too Much Money for Too Little Benefit	24. The SFMTA should consider eliminating the mezzanines from the Central Subway station designs.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The mezzanine level plays an important role in a transit station and should not be eliminated. The Union Square/Market Street Station's mezzanine level is needed to connect to the mezzanine level already present in the Powell Street Station (as well as all Market Street Muni Metro stations). In general, the mezzanine level provides the functionality of space desired in all subway stations as well as all mass transportation portals: arriving and departing passengers need a transition zone to wait, meet others, confirm time and direction information, to purchase tickets, to ask for assistance, etc.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	25. The SFMTA should conduct an analysis of whether a proof-of-payment system is preferable to its planned hybrid fare collection system for the Central Subway.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The SFMTA already conducted a comprehensive proof-of-payment study in 2009, which reinforced the importance of maintaining proof-of-payment inspection and barrier fee fare collection.	**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	26. The SFMTA should redesign the Central Subway to better serve the San Francisco population.	San Francisco Municipal Transportation Agency	Will Not Be Implemented: Not Warranted or Not Reasonable	The Central Subway alignment is the result of over 10 years of technical analysis and public review and feedback. The Southeastern area of the City has long been recognized as being underserved by high capacity transit. In the late 1980s an extensive planning process was undertaken by the San Francisco County Transportation Authority (SFCTA) to prioritize transit corridors in the City. Four corridors that needed enhanced transit service were identified, studied, and prioritized as follows: Third Street, Chinatown as an extension of the Third Street Corridor (now referred to as the Central Subway), Geary, and Van Ness.	**	
2010-11	Continuity Reports: Pension Reports	1. Until such time as the retiree health trust fund can cover the expense, the Controller, the Mayor and the Board of Supervisors' Budget and Finance Committee should develop a temporary remedy to the Other Post Employment Benefits unfunded liability, until the retiree health trust fund can cover the expense, in order to reduce its negative impact on funding levels for other city programs.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation is not warranted, and would require massive set-asides of City funds, to the detriment of needed City services. San Francisco's approach of requiring pre-funding for new employees, and legislating or negotiating increased employee contributions over time, is more realistic given our economic constraints and obligations, as stated by the Controller, in its discussion of Proposition C in its response.	**	
2010-11	Continuity Reports: Pension Reports	1. Until such time as the retiree health trust fund can cover the expense, the Controller, the Mayor and the Board of Supervisors' Budget and Finance Committee should develop a temporary remedy to the Other Post Employment Benefits unfunded liability, until the retiree health trust fund can cover the expense, in order to reduce its negative impact on funding levels for other city programs.	Office of the Controller	Recommendation Implemented	Proposition C placed on the ballot by the Mayor and Board of Supervisors and passed by voters in November 2011 expands the retiree health trust fund by having all active employees begin contributing 0.25 percent of pensionable pay in FY 2016-17, rising to 1 percent in FY 2019-20, and matched by the City. This will not fully cover the liability, but does increase the prefunding level.	**	
2010-11	Continuity Reports: Pension Reports	1. Until such time as the retiree health trust fund can cover the expense, the Controller, the Mayor and the Board of Supervisors' Budget and Finance Committee should develop a temporary remedy to the Other Post Employment Benefits unfunded liability, until the retiree health trust fund can cover the expense, in order to reduce its negative impact on funding levels for other city programs.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. 1 2 related to the 2008-2009 Civil Grand Jury report entitled "Pensions Beyond Our Ability to Pay" and the 2009-2010 Civil Grand Jury report entitled "Pension Tsunami: The Billion Dollar Bubble", for reasons as follows: Proposition C, which was recently approved by the San Francisco voters on November 8, 2011 will result in significant changes such that these recommendations are not warranted and impossible to implement in some regards (Resolution No. 505-11; approved by BOS 11/22/11; File No. 110931)	**	
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation is not warranted. SFERS directs its actuaries to perform actuarial studies as required based on the Charter. SFERS' actuary already takes into account the final year safety salary increases into account when determining actuarial liability and funding. The recommendation is also impossible to implement: while we can attempt to predict retirement rates, employees have the individual right to determine when they will retire. To attempt to withhold or divert wage increases from employees approaching retirement age may well violate age discrimination laws. Finally, such an action would impair the City's ability to comply with its collective bargaining obligations pursuant to state law (the Meyers-Milias-Brown Act).	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	Office of the Controller	Will not be implemented: Not Warranted or Not Reasonable	Given a promotion is made to employees within 3 years of full retirement age, that does not predict exactly when the employee will retire. This also would create actual or appearance of an unfair and potentially illegal consideration factor in the promotion process because it might lead a department to be more wary of promoting an older versus a younger candidate.	**	
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. 1 related to the 2008-2009 Civil Grand Jury report entitled "Pensions Beyond Our Ability to Pay" and the 2009-2010 Civil Grand Jury report entitled "Pension Tsunami: The Billion Dollar Bubble", for reasons as follows: Proposition C, which was recently approved by the San Francisco voters on November 8, 2011 will result in significant changes such that these recommendations are not warranted and impossible to implement in some regards (Resolution No. 505-11; approved by BOS 11/22/11; File No. 110931)	**	
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	San Francisco Employee Retirement System	Will Not Be Implemented: Not Warranted or Not Reasonable	SFERS disagrees with the finding related to "additional funds needed by the pension system to support the higher salary" referring back to "salary increases in excess of actuarial estimates (currently 4.5%) within 3 years of full retirement age, including temporary assignments". SFERS' consulting actuarial firm has historically included such "end-of-career" increases when determining SFERS actuarial liability as well as funding requirements. The actuarial wage growth assumptions currently used by SFERS' consulting actuarial firm include the previously quoted 4.5% wage inflation assumption, as well as a merit increase assumption and extra covered wages assumption based on its analysis of the economic and demographic characteristics of the SFERS membership. The SFERS consulting actuarial firm conducts an annual economic experience analysis in addition to a demographic experience analysis every five years which measures the actual experience of the SFERS membership over the measured period. As a result of the findings in the 2011 SFERS Demographic Experience Analysis, the previously quoted 4.5% wage inflation assumption has been lowered to 4.25%, this reduction to be phased in over a 3-year period beginning July 1, 2011. There are no "additional funds needed by the pension system" to support the salary increases described in this Finding.	**	
2010-11	Continuity Reports: CGOBOC	1. The CGOBOC and Board of Supervisors should work together to ensure that the Annual Report is presented at a hearing annually. This appearance should occur within one month of the CGOBOC's publishing its Annual Report.	Citizens' General Obligation Bond Oversight Committee	Will be implemented in the Future	In a response to the Civil Grand Jury this year, we let them know we will diligently work to get an annual meeting with the Board for the Annual Report. We did meet with the GAO this year with our annual report, but it was not within one month of publishing. We have changed the date of the Annual Report to coincide with the fiscal year and hope to be in front of the board around July 2012.	Recommendation Implemented	CGOBOC's Previous Chair Thea Selby had a meeting with the Board of Supervisors in September of 2012. The annual report for 2011-12 was completed and submitted to the BOS as well. The 12-13 annual report is currently being drafted.
2010-11	Continuity Reports: CGOBOC	1. The CGOBOC and Board of Supervisors should work together to ensure that the Annual Report is presented at a hearing annually. This appearance should occur within one month of the CGOBOC's publishing its Annual Report.	Board of Supervisors	Will Be Implemented in the Future	FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with Recommendation No. 1 related to the 2007-2008 Civil Grand Jury report entitled "Citizen's General Obligation Bond Oversight Committee" (Resolution No. 505-11; approved by BOS 11/22/11; File No. 110931)  BOS Rule 2.10 gives Supervisors the authority to call a hearing on any matter they wish to discuss. When the CGOBOC submits their Annual Report, a Supervisor may open a hearing file to consider their report.	Requires Further Analysis	BOS Rule 2.10 gives Supervisors the authority to call a hearing on any matter they wish to discuss. When the CGOBOC submits their Annual Report, a Supervisor may open a hearing file to consider their report.

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Continuity Reports: Elections Issues	1. The Department of Elections and the Real Estate Division of the General Services Agency should make a current priority of finding a suitable, long-term location for the Department to perform the activities it currently does at Pier 48.	Department of Elections	Recommendation Implemented	The recommendation has been implemented. The Acting Director of Real Estate, Jon Updike, and I met on April 1, 2011, to discuss the Department of Elections' options in utilizing properties near City Hall. Acting Director Updike discussed possible sites for the Department's warehousing operation as well as the Department's City Hall functions. The sites included properties that the City currently owns or leases as well as properties the City may purchase or lease in the future.	**	
2010-11	Continuity Reports: Elections Issues	1. The Department of Elections and the Real Estate Division of the General Services Agency should make a current priority of finding a suitable, long-term location for the Department to perform the activities it currently does at Pier 48.	Real Estate Division of the General Services Agency	Recommendation Implemented	The Department of Elections currently leases approximately 86,954 square feet at Pier 48 Shed B for administrative offices, storing, distribution and storage of vehicles, voting equipment, files, etc. Department of Elections also has a robust presence in City Hall. The Port lease (technically an MOU) is effective through 2016.  Per John Arntz, Director of the Department of Elections, Pier 48 meets their needs at this time and until lease/MOU termination.	**	
2010-11	Continuity Reports: Elections Issues	2. The Department should not limit the scope of its search to excess properties held by the SFUSD. Rather, with the help of the Real Estate Division of the General Services Agency, the Department should cast as wide a net as reasonably possible, while still being near City Hall, to find the best long-term solution available.	Department of Elections	Recommendation Implemented	The recommendation has been implemented as described in the answer to Recommendation 1.	**	
2010-11	Continuity Reports: Elections Issues	2. The Department should not limit the scope of its search to excess properties held by the SFUSD. Rather, with the help of the Real Estate Division of the General Services Agency, the Department should cast as wide a net as reasonably possible, while still being near City Hall, to find the best long-term solution available.	Real Estate Division of the General Services Agency	Requires Further Analysis	The Department of Elections is reviewing their future space needs, and the Real Estate Division is available to assist them as needed. As the Port of San Francisco's active development of Seawall Lots and Piers continues in the coming years, and as the City explores space options in the Civic Center area, the Real Estate Division will continue to keep the space needs of the Department of Elections in mind, and do so broadly, looking at not only public assets but private as well.  Therefore, the recommendation of the San Francisco Civil Grand Jury of finding a suitable, long-term location for the Department of Elections other than Pier 48, and preferably one near City Hall, requires further analysis. The real estate market in the Civic Center is very active, and the Real Estate Division is constantly reaching out to property owners to determine if there are opportunities that the City can pursue that could include resolving the Department of Elections space needs on a longer-term basis.	Will Be Implemented in the Future	Real Estate is working collaboratively with the Department of Elections to review space options that meet that needs, and our search is covering the entire City and County of San Francisco. There are a few promising leads that we're investigating more thoroughly during calendar year 2013. The MOU with the Port for occupancy at Pier 48 does not expire until 2015, so we do have sufficient time for this thoughtful review of options to continue during the year.
2010-11	Continuity Reports: Disabled Parking Placards	1. Working with the Board of Supervisors, the Mayor should reintroduce legislation establishing an independent review panel. This is the preferred route as it would be easier to ensure that the review panel is organized as an independent body and enjoy a high profile. Should the Board of Supervisors again prove unwilling to pass such legislation, then the Mayor should request the SFMTA Board of Directors to authorize an independent review panel. It is the Civil Grand Jury's expectation that a majority of the panel members would be comprised of knowledgeable and energetic private citizens, including at least one qualified physician or medical authority as specified in CVC Section 255511.58. In order for the panel to perform its work effectively, it is important that it have adequate statistical and clerical staff. The panel should be empowered to hold open hearings and make its findings available to the general public.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	While the Mayor's Office agrees that the City should address any abuse of the use of disabled placards, we agree with the SFMTA that it is more effective to change state law in order to allow cities and counties to pursue local solutions to this problem. If we could enact this change, the City and County of San Francisco could then move forward legislation to address this issue. While the City Attorney did state that the SFMTA could create an independent review panel, the SFMTA stated in its response that a panel would be ineffective as it would fail to address the financial incentive to misuse placards. The Mayor's Office will work with the SFMTA to look at ways to address this problem by better managing accessible parking and pushing to change state law.	**	

(1) \*\*\*\*\* Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Continuity Reports: Disabled Parking Placards	1. Working with the Board of Supervisors, the Mayor should reintroduce legislation establishing an independent review panel. This is the preferred route as it would be easier to ensure that the review panel is organized as an independent body and enjoy a high profile. Should the Board of Supervisors again prove unwilling to pass such legislation, then the Mayor should request the SFMTA Board of Directors to authorize an independent review panel. It is the Civil Grand Jury's expectation that a majority of the panel members would be comprised of knowledgeable and energetic private citizens, including at least one qualified physician or medical authority as specified in CVC Section 255511.58. In order for the panel to perform its work effectively, it is important that it have adequate statistical and clerical staff. The panel should be empowered to hold open hearings and make its findings available to the general public.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. 1 related to the 2006-2007 Civil Grand Jury report entitled "Parking for the Disabled- Abuse of Over-Use", for the following reasons: an independent review panel is fine when it has the power to do something, but creating an independent review panel which has no authority to make recommendations or make changes is a waste. (Resolution No. 505-11; approved by BOS 11/22/11; File No. 110931)	**	
2010-11	Continuity Reports: Disabled Parking Placards	1. Working with the Board of Supervisors, the Mayor should reintroduce legislation establishing an independent review panel. This is the preferred route as it would be easier to ensure that the review panel is organized as an independent body and enjoy a high profile. Should the Board of Supervisors again prove unwilling to pass such legislation, then the Mayor should request the SFMTA Board of Directors to authorize an independent review panel. It is the Civil Grand Jury's expectation that a majority of the panel members would be comprised of knowledgeable and energetic private citizens, including at least one qualified physician or medical authority as specified in CVC Section 255511.58. In order for the panel to perform its work effectively, it is important that it have adequate statistical and clerical staff. The panel should be empowered to hold open hearings and make its findings available to the general public.	San Francisco Municipal Transportation Agency Board of Directors	Requires Further Analysis	In summer 2012, the SFMTA plans to convene an accessible parking advisory committee. The group will consider various policy options, and may choose to evaluate setting up a review panel per the Civil Grand Jury's recommendation. However, the SFMTA continues to believe that setting up a local panel to review state disabled placard applications (as allowed in CVC 2251.58b) would be an excessive bureaucratic layer.  Working with its accessible parking advisory committee, the SFMTA aims to complete a policy proposal this winter.	Will Not Be Implemented: Not Warranted or Not Reasonable	Implementation of the Recommendation is not within the purview of the SFMTA's Board of Directors. SFMTA convened a 17-member committee, a majority of which was comprised of disability rights advocates, joined by stakeholders representing business, medical, and regional transportation interests. The co-chairs were the Interim Director of the Mayor's Office on Disability and the Director of Transportation at the SFMTA.  Some organizations represented on the committee included: the Independent Living Resource Center (ILRC), Multimodal Accessibility Advisory Committee (MAAC), the Paratransit Coordinating Council (PCC), Mayor's Commission on Aging, Access Northern California, San Francisco Chamber of Commerce, San Francisco Council of District Merchants Associations, Building Owners and Managers Association, San Francisco Medical Society, Metropolitan Transportation Commission (MTC), and the California Department of Motor Vehicles (DMV).  The committee spent six-months studying the issue of placard abuse, looking at practices of 12 other jurisdictions, speaking with disability rights advocates from across the country about placard related practices in their locality. The committee also analysed the feasibility and costs associated with implementing an independent review panel as suggested by the grand jury and confirmed that a panel will not be a cost-beneficial solution and, therefore, the committee decided not to recommend an independent review panel as a part of an effective program to reduce placard abuse and increase access to on-street parking for legitimate placard holders.
2010-11	Continuity Reports: Disabled Parking Placards	2. The Mayor should urge the SFMTA board to initiate an immediate dialogue with other counties in California with the objective of urging their individual State Legislative delegations to support a comprehensive review of the current laws pertaining to disabled parking placards. The objective of this review should be to bring current regulations more into line with those existing in other states, including the automatic exemption from posted time limits and paying parking meter fees.	Office of the Mayor	Will Be Implemented in the Future	The SFMTA has stated in its own response that it intends to conduct outreach and find a state legislative sponsor to carry a bill to address the disabled placard issue. The Mayor's Office will work with the SFMTA to work with our partners in Sacramento as well as other cities and counties to push for a change in state law.	Will Be Implemented in the Future	As noted in the SFMTA's response, efforts to review current laws pertaining to disabled parking placards will begin in Fall 2013 in anticipation of the January 2014 legislative session. The Mayor's Office will work with the SFMTA, our partners in Sacramento, as well as other cities and counties on any effort to change state law.

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.



Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Continuity Reports: Disabled Parking Placards	2. The Mayor should urge the SFMTA board to initiate an immediate dialogue with other counties in California with the objective of urging their individual State Legislative delegations to support a comprehensive review of the current laws pertaining to disabled parking placards. The objective of this review should be to bring current regulations more into line with those existing in other states, including the automatic exemption from posted time limits and paying parking meter fees.	San Francisco Municipal Transportation Agency Board of Directors	Requires Further Analysis	In 2009, the SFMTA conducted significant outreach and research to develop and refine a draft policy proposal, which included reducing incentives for placard abuse by removing the automatic exemption of disabled placard holders from paying parking meter fees. This draft proposal was enclosed in the SFMTA's August 18, 2011 response to the Civil Grand Jury.  To finalize a strategy for moving forward, the SFMTA will do additional outreach and have more engagement with stakeholders. In summer 2012, the SFMTA plans to convene an accessible parking advisory committee to consider various policy options. Working with this group, the SFMTA aims to complete a policy proposal this winter.	Will Be Implemented in the Future	Implementation of the Recommendation is not within the purview of the SFMTA's Board of Directors. SFMTA's Accessible Parking Policy Advisory Committee has developed recommendations. While advancing these recommendations will require additional outreach and support from other stakeholders and policymakers, SFMTA staff has already begun reaching out to other California jurisdictions to inform them of the Committee's work and to see where the possibility of mutual interests exists. Following initial outreach, if there is consensus and support to advance the Committee's recommendations by the Fall 2013 then efforts to advance changes to state law will begin in Fall 2013 in anticipation of the January 2014 legislative session.
2010-11	Continuity Reports: Disabled Parking Placards	3. The Mayor should urge the SFMTA Board of Directors to instruct the Department of Parking and Traffic to modify its current enforcement protocol with respect to the misuse of disabled placards and initiate a more vigorous approach involving all of their PCOs as permitted under CVC Section 22511.56. Serious consideration should also be given to enlisting the San Francisco Police Department in the effort to combat disabled parking abuse.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	In a time of scarce resources and many competing responsibilities, I agree with the SFMTA that a more effective method to deal with the misuse of disabled placards is to remove the financial incentives to misusing placards. The SFMTA has provided the Civil Grand Jury with several methods to remove the financial incentives, which I am also attaching to my response. With respect to the use of the San Francisco Police Department resources to combat disabled parking abuse, I do not believe that at this time it is appropriate to take our police officers away from combating violent crime in order to prevent parking abuse.	**	
2010-11	Continuity Reports: Disabled Parking Placards	3. The Mayor should urge the SFMTA Board of Directors to instruct the Department of Parking and Traffic to modify its current enforcement protocol with respect to the misuse of disabled placards and initiate a more vigorous approach involving all of their PCOs as permitted under CVC Section 22511.56. Serious consideration should also be given to enlisting the San Francisco Police Department in the effort to combat disabled parking abuse.	San Francisco Municipal Transportation Agency Board of Directors	Requires Further Analysis	The SFMTA has vigorously enforced disabled placard abuse, increasing the number of Parking Control Officers in the Disabled Placard Detail from four in 2007 to eleven in 2011. The enforcement of disabled placards is specialized, labor intensive, time consuming, and costly, and enforcing disabled placards is one demand among many for SFMTA's scarce financial and enforcement resources. Enforcing disabled placards is specialized, and Parking Control Officers that work in this area receive specialized training that covers issues including invisible disabilities, reporting requirements, and making judgment calls such as how to respond when a driver claims to be a caretaker but the disabled placard holder is not immediately present.  In summer 2012 the SFMTA plans to convene an accessible parking advisory committee to consider various policy options. Working with this group, the SFMTA will consider enforcement-related solutions as part of a policy proposal to be completed this winter.	Recommendation Implemented	Implementation of the Recommendation is not within the purview of the SFMTA's Board of Directors. The accessible parking committee recommended further exploration of enhanced enforcement efforts but recognized that enforcement alone is the not the solution to disabled placard abuse. To address enhanced enforcement efforts, as of April 1, 2013, SFMTA's Enforcement Division increased the staffing of the placard-abuse detail.
2010-11	Continuity Reports: Disabled Parking Placards	4. The Board of Supervisors should refrain from passing any new legislation that allows for the installation of additional meters, extending hours of operation or raising meter rates and parking fines until such time as meaningful policies are implemented to eliminate the \$8.4 million hole in the City's parking revenue caused by continued disabled placard abuse. The residents of San Francisco deserve no less.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. 4 related to the 2006-2007 Civil Grand Jury report entitled "Parking for the Disabled- Abuse of Over-Use", for the following reasons: implementation of Recommendation No. 4 is impractical because of the SFMTA's need for flexibility to move forward on many different policies while the issue of parking and placards is being debated. (Resolution No. 505-11; approved by BOS 11/22/11; File No. 110931)	**	
2010-11	Continuity Reports: Risk Management	1. Because of the long-term nature of this implementation, the Risk Management Division should aggressively pursue single high risk situations in other divisions, departments, and agencies for possible solutions in the short-term.	Director of Risk Management	Recommendation Implemented	Recommendation Implemented: Single high risk situations and solutions for short term response have been completed. Three such situations were identified and solutions were developed in 2010-11	**	
2010-11	Continuity Reports: Risk Management	2.The Risk Management Division should establish baseline measures that will allow some gauge of program success.	City Administrator	Recommendation Implemented	Recommendation Implemented: Baseline measures were established in 2010.	**	
2010-11	Continuity Reports: Risk Management	2.The Risk Management Division should establish baseline measures that will allow some gauge of program success.	Director of Risk Management	Recommendation Implemented	Recommendation Implemented: Baseline measures were established in 2010.	**	
2010-11	Continuity Reports: Risk Management	3.Based on those measurements, the Risk Management Division should consider the value of adding implementation resources.	City Administrator	Recommendation implemented	Recommendation Implemented: Implementation resources were added as of 6/29/11.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Continuity Reports: Risk Management	3. Based on those measurements, the Risk Management Division should consider the value of adding implementation resources.	Director of Risk Management	Recommendation implemented	Recommendation Implemented: Implementation resources have been available since 6/29/11.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	1.1. The Ethics Commissioners should establish a fixed fine structure for violations or apply the maximum allowed fine.	Ethics Commission	Will Not Be Implemented: Not Warranted or Not Reasonable	Due to the breadth of reasons that infractions are committed, a fix fine structure would be generally unfair as it would disallow any consideration of individual circumstances and create unintended consequences much like "zero tolerance" and "three strikes" laws. Punishment should fit the crime.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	1.2. If the respondent disagrees with the fine a request may be made for a public hearing. This will allow the commissioners to exercise discretion over the fines process.	Ethics Commission	Recommendation Implemented	This reflects the Commission's long standing process--all negotiated settlement agreements and their attendant proposed fines are sent to each Commission member for approval. If more than one Commissioner disapproves of the proposal, it is automatically calendared for a closed-session discussion at a Commission meeting. Moreover, any respondent who cannot or will not reach a settlement agreement with staff will have his or her case heard in a closed-session probable cause hearing. At the respondent's request, this hearing is made public.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	2. All Sunshine Ordinance Task Force enforcement actions deserve a timely hearing by the Ethics Commission.	Ethics Commission	Will Be Implemented in the Future	In May 2010, the Commission formulated several reforms for the handling of Sunshine referrals, which it sent to the SOTF in August 2010. The SOTF responded in August 2011; since that time, both the Commission and the SOTF have been trying to establish a date for a joint meeting to discuss these proposals. As of this date, the joint meeting is scheduled for April 13, 2012.	Recommendation Implemented	The Ethics Commission adopted regulations to handle Sunshine complaints and SOTF referrals on a timely basis. These regulations took effect on January 29, 2013. The first hearings based on such regulations were held on February 25, 2013.
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	2. All Sunshine Ordinance Task Force enforcement actions deserve a timely hearing by the Ethics Commission.	Board of Supervisors	Requires Further Analysis	FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with Recommendation No. 2 within the constraints of the budget (Resolution No. 417-11; approved by BOS 10/4/11; File No. 110793)  Additional information on implementation of the recommendation may be available at the end of FY2012-2013.	Recommendation Implemented	The Ethics Commission adopted regulations to handle Sunshine complaints and SOTF referrals on a timely basis. These regulations took effect on January 29, 2013. The first hearings based on such regulations were held on February 25, 2013.
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	2. All Sunshine Ordinance Task Force enforcement actions deserve a timely hearing by the Ethics Commission.	City Attorney	Will Not Be Implemented: Not Warranted or Not Reasonable	The City Attorney's Office serves as the legal advisor to the Ethics Commission, and other than providing legal advice regarding compliance with deadlines, does not play a role in deciding whether or how to implement this recommendation.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	3. After the 14-day window, Ethics Commission investigations should start promptly.	Ethics Commission	Will Not Be Implemented: Not Warranted or Not Reasonable	The Commission agrees with the recommendation; however, the Commission also believes that its investigative staff needs some discretion in deciding which cases to prioritize based on current circumstances. In addition, because staff resources are limited, it does not make sense to duplicate the work of other law enforcement agencies.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	3. After the 14-day window, Ethics Commission investigations should start promptly.	District Attorney	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation is not directed at the District Attorney's Office, but rather at the Ethics Commission. Accordingly, it is not in our authority to implement it.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	3. After the 14-day window, Ethics Commission investigations should start promptly.	City Attorney	Will Not Be Implemented: Not Warranted or Not Reasonable	The City Attorney's Office serves as the legal advisor to the Ethics Commission, and other than providing legal advice regarding compliance with deadlines, does not play a role in deciding whether or how to implement this recommendation.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	4. The City Charter should be changed to add four additional commission members appointed by non-partisan community organizations and individuals such as: The League of Women Voters, Society of Professional Journalists, The San Francisco Labor Council, The Bar Association of San Francisco, and the Dean of UC Hastings Law School.	Ethics Commission	Will Not Be Implemented: Not Warranted or Not Reasonable	The Commission is neutral with respect to this recommendation. The voters of San Francisco chose the process that establishes the Commission; the Commission is not going to second-guess their wisdom.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	4. The City Charter should be changed to add four additional commission members appointed by non-partisan community organizations and individuals such as: The League of Women Voters, Society of Professional Journalists, The San Francisco Labor Council, The Bar Association of San Francisco, and the Dean of UC Hastings Law School.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that with regard to Recommendation No. 4, the Board of Supervisors disagrees with Recommendation No. 4 and does not take a position with regard to the specific recommendation but does think it is appropriate to consider future options to reduce the appearance of impropriety on the part of the Ethics Commission. (Resolution No. 417-11; approved by BOS 10/4/11; File No. 110793)	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	4. The City Charter should be changed to add four additional commission members appointed by non-partisan community organizations and individuals such as: The League of Women Voters, Society of Professional Journalists, The San Francisco Labor Council, The Bar Association of San Francisco, and the Dean of UC Hastings Law School.	Office of the Mayor	Requires Further Analysis	The voters chose the current composition of the Ethics Commission. Past efforts to change the structure of the Ethics Commission has not received voter approval.	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation remains at the discretion of City voters. Voters chose the current composition of the Ethics Commission and past efforts to change the current structure have not received voter approval.
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	5. The commissioners should amend section VI. A in the Ethics Commission Regulations For Investigations and Enforcement Proceedings to require review and a vote on investigations recommended for dismissal.	Ethics Commission	Will Not Be Implemented: Not Warranted or Not Reasonable	Under the current system, Ethics staff prepare comprehensive reports for the Commissions regarding both proposed dismissals and complaint settlements. All Commissioners read these reports and make independent or calendar items for discussion at Commission meetings. If more than one Commissioner has concerns about staff recommendations, the item is calendared for closed session discussion at the next Commission meeting.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	6. The Ethics Commission staff should create or modify their database to increase search and tracking capabilities.	Ethics Commission	Recommendation Implemented	Staff had been instructed to log document requests into the data system, before the issuance of the Grand Jury report.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	7. To maximize transparency, the San Francisco Ethics Commission should broadcast their meetings on the SFGOVTV television network.	Ethics Commission	Recommendation Implemented	Effective with its January 23, 2012 meeting, the Commission's meetings are televised.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	7. To maximize transparency, the San Francisco Ethics Commission should broadcast their meetings on the SFGOVTV television network.	Board of Supervisors	Recommendation Implemented	FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with Recommendation No. 7 within the constraints of the budget. (Resolution No. 417-11; approved by BOS 10/4/11; File No. 110793)  The Ethics Commission began broadcasting their meetings on the SFGOVTV network on January 23, 2012.	**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	7. To maximize transparency, the San Francisco Ethics Commission should broadcast their meetings on the SFGOVTV television network.	Office of the Mayor	Requires Further Analysis	The Mayor's Office disagrees that there is insufficient transparency in how the Ethics Commission currently conducts business. The Civil Grand Jury is asking the Ethics Commission to increase its outreach efforts. This recommendation will require further analysis in order to determine whether the City has sufficient budget resources to cover expenses associated with broadcasting Ethics Commission meetings as well as sufficient budget resources to relocate its meetings. The Commission currently holds hearings in a location in City Hall that is not equipped for video recording, and outfitting the room for video presents a substantial financial and management challenge for the Department of Technology. As such, providing video of the Commission hearings would require the Commission to change locations, which may also necessitate scheduling changes. the feasibility of implementing such a change requires further analysis.	Recommendation Implemented	The Ethics Commission began broadcasting their meetings in Fiscal Year 2011-12.
2010-11	Hiring Practices of the City and County of San Francisco	1. On all job applications there should be a single link or single sheet of paper outlining in plain English under what conditions a job applicant can appeal to the DHR and ultimately to the Commission.	Department of Human Resources	Will Not Be Implemented: Not Warranted or Not Reasonable	The electronic application allows job seekers to provide information about themselves and this information is then submitted via an online application system. Therefore, DHR doesn't believe that the job application is the appropriate vehicle for disseminating appeal information and disagrees with that part of the recommendation. On the other hand, DHR and Decentralized Exam Units do include appeal information on the actual job announcement or provide a link on the announcement to access appeal information. Appeal information is also made available on hard-outs during test administration and when applicants/candidates are notified of recruitment or exam-related decisions that affect them.	**	

(1) \*\*\*\*\* Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Hiring Practices of the City and County of San Francisco	1. On all job applications there should be a single link or single sheet of paper outlining in plain English under what conditions a job applicant can appeal to the DHR and ultimately to the Commission.	Civil Service Commission	Recommendation Implemented	IMPLEMENTED in part, due to job announcements are issued by DHR and Decentralized Exam Units. Discussions have taken place and protests and appeals process are on job announcements and handouts during exam administration. DHR may provide details as this is administered by DHR	**	
2010-11	Hiring Practices of the City and County of San Francisco	2. DHR should establish tighter procedures to ensure that all letters sent to appellants denying their appeal are mailed promptly. Where appropriate they should advise appellants of their right to appeal the decision to the Commission. As a further backup, the Jury urges the Commission to include in its letters to appellants setting the date of their hearing a reminder that they are entitled to a copy of the DHR's report free of charge.	Department of Human Resources	Will Not Be Implemented: Not Warranted or Not Reasonable	DHR disagrees with the recommendation because it is our belief that DHR does provide timely notifications and is not aware of any instances in which such notifications were sent out untimely; nor has the Civil Grand Jury cited any examples in its June 2011 report to indicate as much. In August 2011, DHR asked the Civil Grand Jury to provide some specific examples but none were received. With regard to the recommendation advising appellants of their right to appeal, this recommendation has been implemented. When DHR responds in writing and notifies applicants or candidates about determinations that affect them (e.g., ineligibility decisions, denial of protests), it includes a link that points these individuals to the Civil Service Commission (CSC) Rules concerning announcements, applications, examination procedures and appeal rights. When a matter of protest is not subject to appeal to the CSC, they are also informed that they must submit the protest in writing to the Human Resource Director within 5 business days from the notification of the decision or action. City analysts responsible for recruitments and examination programs have been trained to include this notification.	**	
2010-11	Hiring Practices of the City and County of San Francisco	2. DHR should establish tighter procedures to ensure that all letters sent to appellants denying their appeal are mailed promptly. Where appropriate they should advise appellants of their right to appeal the decision to the Commission. As a further backup, the Jury urges the Commission to include in its letters to appellants setting the date of their hearing a reminder that they are entitled to a copy of the DHR's report free of charge.	Civil Service Commission	Recommendation Implemented	IMPLEMENTED: Appellants are advised to gather any additional materials related to their appeals and as soon as the staff reports are submitted to CSC, the appellant is mailed a copy.	**	
2010-11	Hiring Practices of the City and County of San Francisco	3. The city should continue its move away from T&E examinations and return to a more knowledge-based examination.	Department of Human Resources	Recommendation Implemented	This recommendation has been implemented. DHR has made a significant shift in recent years to replace T&Es with various other assessment instruments (e.g., supervisory and management test batteries, written job simulations, knowledge tests) that tend to be better predictors of job success. DHR has also been training Human Resources Analysts from other City departments with decentralized testing authority to administer other instruments. While we continue to expect less reliance on T&Es going forward, it should be noted that the T&E methodology may be appropriate in certain circumstances. For example, the Behavioral Consistency methodology is a type of T&E that is considered highly valid and should not be necessarily abandoned. When certifications and licenses are required, T&Es also may be appropriate as knowledge-based testing may be duplicative and unnecessary.	**	
2010-11	Hiring Practices of the City and County of San Francisco	3. The city should continue its move away from T&E examinations and return to a more knowledge-based examination.	Civil Service Commission	Recommendation Implemented	IMPLEMENTED: The City has been replacing T&Es with various written or computer-administered examination instruments. DHR continues to implement use of testing instruments with less emphasis on T&Es	**	
2010-11	Hiring Practices of the City and County of San Francisco	4. Position based job announcements should identify each City department that might use the examination eligibility list. This would assist potential applicants in deciding whether or not to participate in the examination and get on an eligibility list. Otherwise, the list should be used solely by the department designated on the job announcement.	Department of Human Resources	Recommendation Implemented	This recommendation has been implemented. DHR has added a clause to every PBT announcement that instructs applicants how to search for departments that might use the eligible list. This announcement language reads as follows, "Upon approval of the Human Resource Director (see Civil Service Rule 111A.26.5), the eligible list resulting from this announcement may be used by other departments that also use this classification or a similar classification. To find other Departments which use this classification, please see <a href="http://www.sfdhr.org/Modules/ShowDocument.aspx?documentID=13693">http://www.sfdhr.org/Modules/ShowDocument.aspx?documentID=13693</a> . Search that document by title or job code to see which departments use the classification."	**	
2010-11	Hiring Practices of the City and County of San Francisco	4. Position based job announcements should identify each City department that might use the examination eligibility list. This would assist potential applicants in deciding whether or not to participate in the examination and get on an eligibility list. Otherwise, the list should be used solely by the department designated on the job announcement.	Civil Service Commission	Recommendation Implemented	IMPLEMENTED: While the announcement does not list all City departments--DHR through JobAps notifies applicants to be notified of positions for classifications they are interested in applying	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Hiring Practices of the City and County of San Francisco	5. The Commission should be authorized to hire at least one additional senior personnel analyst	Civil Service Commission	Requires Further Analysis	IN PART, UNDER CONSIDERATION: At a Board of Supervisors Gov't and Audit Committee hearing, the BOS will evaluate the need for additional staff, particularly a senior personnel analyst, within the constraints of the budget and requirements of the Commission.	Will Not Be Implemented: Not Warranted or Not Reasonable	Although the Civil Service Commission supports this proposal, we unfortunately do not have the authority or ability to implement it. Position and budgetary authority rests with the Mayor's Office and the Board of Supervisors.
2010-11	Hiring Practices of the City and County of San Francisco	5. The Commission should be authorized to hire at least one additional senior personnel analyst	Office of the Mayor	Requires Further Analysis	The determination of appropriate staffing levels requires an analysis by the Mayor's Office and the department as to whether the department is able to perform its core functions as well as a consideration of the budgetary resources available annually. The CSC has stated that it takes seriously its role and responsibility to oversee the City's merit system and does believe its staff responds to complaints and concerns in a timely manner. The CSC has indicated in its response that any additional staffing would only enhance its operations. Any discussion related to increasing staffing will have to be made in the course of the budget development process.	Requires Further Analysis	The determination of appropriate staffing levels requires an analysis by the Mayor's Office and the department as to whether the department is able to perform its core functions as well as a consideration of the budgetary resources available annually. The CSC has stated that it takes seriously its role and responsibility to oversee the City's merit system and does believe its staff responds to complaints and concerns in a timely manner. Any discussion related to increasing staffing will have to be made in the course of the budget development process.
2010-11	Hiring Practices of the City and County of San Francisco	5. The Commission should be authorized to hire at least one additional senior personnel analyst	Board of Supervisors	Requires Further Analysis	FURTHER RESOLVED, That the Board of Supervisors reports that with regard to Recommendation No. 5, the Board of Supervisors will evaluate the need for additional staff, in particular a senior personnel analyst, within the constraints of the budget and the requirements of the Commission (Resolution No. 416-11; approved by BOS 10/4/11; File No. 110791)  Additional information on implementation of the recommendation may be available at the end of FY2011-2012.	Will Not Be Implemented: Not Warranted or Not Reasonable	Hiring of staff for the Civil Service Commission is not under the purview of the Board of Supervisors. The Board can only urge the Mayor to implement this change and at this time a senior personnel analyst has not been hired for the Civil Service Commission. Any additional analysis to fill this position would have to be initiated by the Mayor and/or his department heads.
2010-11	Hunters Point Shipyard: A Shifting Landscape	1. The Department of Public Health (SFDPH) should strictly adhere to its self-proclaimed pledge to keep the residents of San Francisco apprised of developments at HPS by updating its HPS Project website "... on a weekly or monthly basis."	Department of Public Health – Environmental Health Department	Recommendation Implemented	SFDPH has been and will continue to update its Hunters Point Shipyard web page on a monthly basis whenever new information is available. The website was initiated sometime in 2007 and regular monthly updates began in approximately 2008.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	2. In order to erase any doubt among the public with respect to its ability to remain independent and impartial in overseeing the cleanup work at HPS, the SFDPH should immediately stop accepting money from Lennar to pay for monitors at HPS and cover the cost from its own resources.	Department of Public Health	Will Not Be Implemented: Not Warranted or Not Reasonable	SFDPH implementation of this recommendation is not feasible or necessary. The current fee-based funding mechanism for regulatory oversight is legally authorized, necessary, and the normal practice of governmental regulatory agencies. Further, independent oversight monitoring conducted by SFRA is an effective method to assure the reliability of the monitoring conducted by the developer to meet SFDPH and BAAQMD requirements.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	3. In order to avoid even the semblance of inappropriate behavior, government agencies such as the SFDPH should rigorously enforce conflict of interest guidelines governing dealings between its officials and the companies they monitor.	Department of Public Health	Recommendation Implemented	All SFDPH employees are provided with a Compliance Program Policy and Code of Conduct. This document provides employees with guidance on, among other things, the principles of compliance, conflict of interest, and business ethics. The SFDPH Compliance Program maintains an updated page on the SFDPH intranet, listing all policies and making training materials available to staff and managers. SFDPH also maintains a compliance hotline accessible to all employees to facilitate identification, investigation, prevention and correction of any inappropriate conduct. SFDPH takes allegations of inappropriate conduct very seriously and thoroughly investigates any such allegations. Additionally, SFDPH strictly enforces conflict of interest guidelines in accordance with national standards of environmental health practice and will continue to do so. SFDPH will re-enforce the importance of maintaining professional and objective tone and language in all written communications.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	4. SFDPH should conduct its own environmental assessment on capping Parcel E-2 and make its findings available to the public for comment. This should occur before the Board of Supervisors holds its next hearing on the HPS redevelopment project.	Department of Public Health – Environmental Health Department	Recommendation Implemented	On October 5, 2011, SFDPH issued a formal comment letter on the Navy's Parcel E-2 Proposed Plan. On September 13, 2011, SFDPH and its consultants conducted a public workshop at the Mayor's Hunters Point Shipyard Citizens Advisory Committee (HPS CAC) Environment and Reuse Subcommittee on the same document. SFDPH also participated in two hearings on the same document; the first at the full HPS CAC on 10/17/11 and second at the SF Board of Supervisors Land Use Committee hearing on 10/24/11.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	5. The Navy still owns the majority of the land comprising HPS and consequently the city has no direct control over matters dealing with deadlines and deliverables for environmental cleanup. It is critical that the Bay Area Air Quality Management and the SFDPH be particularly vigilant in monitoring clean-up activities at HPS.	Bay Area Air Quality Management District	Recommendation Implemented	The District has implemented a system of vigilant monitoring. More details are provided in the attached correspondence.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	5. The Navy still owns the majority of the land comprising HPS and consequently the city has no direct control over matters dealing with deadlines and deliverables for environmental cleanup. It is critical that the Bay Area Air Quality Management and the SFDPH be particularly vigilant in monitoring clean-up activities at HPS.	Department of Public Health – Environmental Health Department	Recommendation Implemented	SFDPH has been actively monitoring and reviewing the Navy's environmental cleanup for all areas of the Shipyard since 1993 and will continue to be vigilant in its ongoing monitoring of clean-up activities. SFDPH has used the expertise of a full time SFDPH staff environmental engineer and the resources of Treadwell and Rollo, including their team of geologists, hydrogeologists, geotechnical engineers, environmental engineers and risk assessors. SFDPH has commented on hundreds of technical documents that the Navy has produced and has been a regular participant in the Navy's monthly Base Closure Team meetings.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	Office of the Mayor	Recommendation Implemented	This recommendation is being implemented. The Mayor's Office, the SFRA and OEWD are working collectively to analyze the impacts of the Dissolution Law and the OptIn Law and to develop strategies of how to implement all of its contractual obligations, including development at Hunters Point Shipyard. On August 2, 2011, the Board of Supervisors unanimously adopted a resolution expressing the intent of the City to comply with the provisions of the OptIn Law to continue state-authorized redevelopment activities by agreeing to make annual payments to other taxing entities. The City had planned to introduce legislation that would commit the City to make the required annual payments to taxing entities under the OptIn Law; however, the California Supreme Court issued a decision on August 11, 2011, to stop the enforcement of the portions of the state law dissolving redevelopment agencies and requiring the payment of a community remittance pending a final decision of the Court, which is expected in January 2012. In any event, the DDAs for the Hunters Point Shipyard are considered "enforceable obligations" under the state legislation. The SFRA will continue to implement its contractual obligations for the Hunters Point Shipyard and Candlestick Point areas and, in the event of dissolution, the City will assume those obligations.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with Recommendation No. 6 (Resolution No. 450-11; approved by BOS 10/25/11; File No. 110796)  BOS cannot cause the implementation of the recommendation, only urge the Mayor thru budget process.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	Office of Economic and Workforce Development	Recommendation Implemented	<p>On June 28, 2011, the Governor approved two bills, AB 26 and AB 27, which amended the California Community Redevelopment Law, which regulates the activities of redevelopment agencies. AB 26 was the "dissolution" bill, which set November 1 as the date to dissolve all redevelopment agencies. The companion legislation AB 27, the "reinstatement" bill, allowed cities to keep their agencies in place by committing to substantial "community remittances" to be paid to the State.</p> <p>AB 26 put the Agency into a state of suspension under which no new contracts, obligations or redevelopment plans could be approved. In July, a lawsuit was filed challenging the constitutionality of both AB 26 and AB 27. The Supreme Court accepted the case and issued a "stay" under which agencies remained in place but in the suspended state pending a decision by the court.</p> <p>On December 29, 2011, the California Supreme Court issued its decision: it upheld AB 26, which eliminates redevelopment agencies, but struck down AB 27, which would have allowed cities to agree to community remittance payments to keep their agencies in place. As a result, under the schedule set by the Supreme Court, the San Francisco Redevelopment Agency was dissolved as of February 1, 2012. AB 26 provides that the City may become the successor to the Redevelopment Agency, and continue to implement "enforceable obligations" which were in place prior to the suspension—existing contracts, bonds, leases, etc.—and take title to all of the Agency's housing and other assets.</p> <p>Response On January 24, 2012, the Board of Supervisors passed legislation sponsored by Supervisor Malia Cohen and co-sponsored by Supervisors Jane Kim and Christina Olague, to confirm the City's role as the successor to the Redevelopment Agency. The legislation was approved by Mayor Edwin Lee on January 26, 2012. The legislation does the following: 1.approves the retention by the City as successor to the Redevelopment Agency of the Agency's affordable housing assets and functions upon the Agency's dissolution, including all funds in the Agency's Low and Moderate Income Housing Fund, and authorizing the Mayor's Office of Housing to manage these affordable housing assets and to exercise the housing functions that the Agency previously performed;</p>	**	
					<p>2.acknowledges that upon the Agency's dissolution the City as successor agency shall accept the transfer of all of the Agency's non-affordable housing assets, which shall be placed under the jurisdiction of the Director of the Department of Administrative Services unless otherwise provided for in the Charter, and that the Director shall have the authority to manage such assets and to exercise the functions that the Agency previously performed for such assets;</p> <p>3.provides for the required payment and performance of enforceable obligations, the transfer and establishment of funds and accounts, and for the administration of funds and other assets, all associated with the City's exercise of its responsibilities as successor agency to the Agency under state law;</p> <p>4.authorizes the new Oversight Board, which state law requires the City as successor agency to create, to oversee certain fiscal management of former Agency assets other than affordable housing assets, and to exercise land use, development and design approval authority under the enforceable obligations for the Mission Bay Redevelopment Project Area, Hunters Point Shipyard Project Area and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, and part of the Transbay Redevelopment Project Area, in place of the former Agency Commission.</p> <p>The Candlestick Point - Hunters Point Shipyard Phase 2 project is considered a binding enforceable obligation under AB 26 and will be continued to be implemented according to a the agreements with the project developer and other related binding agreements attached to the Phase 2 DDA. These binding agreements also pledge tax increment to finance the projects, thus the State's dissolution of redevelopment agencies is not believed to impact the funding sources upon which it depends.</p>		

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	San Francisco Redevelopment Agency	Recommendation Implemented	<p>On June 28, 2011, the Governor approved two bills, AB 26 and AB 27, which amended the California Community Redevelopment Law, which regulates the activities of redevelopment agencies. AB 26 was the "dissolution" bill, which set November 1 as the date to dissolve all redevelopment agencies. The companion legislation AB 27, the "reinstatement" bill, allowed cities to keep their agencies in place by committing to substantial "community remittances" to be paid to the State.</p> <p>AB 26 put the Agency into a state of suspension under which no new contracts, obligations or redevelopment plans could be approved. In July, a lawsuit was filed challenging the constitutionality of both AB 26 and AB 27. The Supreme Court accepted the case and issued a "stay" under which agencies remained in place but in the suspended state pending a decision by the court.</p> <p>On December 29, 2011, the California Supreme Court issued its decision: it upheld AB 26, which eliminates redevelopment agencies, but struck down AB 27, which would have allowed cities to agree to community remittance payments to keep their agencies in place. As a result, under the schedule set by the Supreme Court, the San Francisco Redevelopment Agency was dissolved as of February 1, 2012. AB 26 provides that the City may become the successor to the Redevelopment Agency, and continue to implement "enforceable obligations" which were in place prior to the suspension—existing contracts, bonds, leases, etc.—and take title to all of the Agency's housing and other assets.</p> <p>Response On January 24, 2012, the Board of Supervisors passed legislation sponsored by Supervisor Malia Cohen and co-sponsored by Supervisors Jane Kim and Christina Olague, to confirm the City's role as the successor to the Redevelopment Agency. The legislation was approved by Mayor Edwin Lee on January 26, 2012. The legislation does the following: 1.approves the retention by the City as successor to the Redevelopment Agency of the Agency's affordable housing assets and functions upon the Agency's dissolution, including all funds in the Agency's Low and Moderate Income Housing Fund, and authorizing the Mayor's Office of Housing to manage these affordable housing assets and to exercise the housing functions that the Agency previously performed;</p>	**	
					<p>2.acknowledges that upon the Agency's dissolution the City as successor agency shall accept the transfer of all of the Agency's non-affordable housing assets, which shall be placed under the jurisdiction of the Director of the Department of Administrative Services unless otherwise provided for in the Charter, and that the Director shall have the authority to manage such assets and to exercise the functions that the Agency previously performed for such assets;</p> <p>3.provides for the required payment and performance of enforceable obligations, the transfer and establishment of funds and accounts, and for the administration of funds and other assets, all associated with the City's exercise of its responsibilities as successor agency to the Agency under state law;</p> <p>4.authorizes the new Oversight Board, which state law requires the City as successor agency to create, to oversee certain fiscal management of former Agency assets other than affordable housing assets, and to exercise land use, development and design approval authority under the enforceable obligations for the Mission Bay Redevelopment Project Area, Hunters Point Shipyard Project Area and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, and part of the Transbay Redevelopment Project Area, in place of the former Agency Commission.</p> <p>The Candlestick Point - Hunters Point Shipyard Phase 2 project is considered a binding enforceable obligation under AB 26 and will be continued to be implemented according to a the agreements with the project developer and other related binding agreements attached to the Phase 2 DDA. These binding agreements also pledge tax increment to finance the projects, thus the State's dissolution of redevelopment agencies is not believed to impact the funding sources upon which it depends.</p>		

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.



Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	7. In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.	Office of Economic and Workforce Development	Will Not Be Implemented: Not Warranted or Not Reasonable	As indicated in the City's August 15, 2011 response to referenced Civil Grand Jury Report, the recommendation is not feasible. The Report incorrectly asserts that "It is the responsibility of the OLSE" to monitor compliance with the new local hire ordinance." The OLSE has no enforcement authority related to the Local Hiring Policy for Construction. Responsibility for enforcing the local hire ordinance will fall to the OEWD. Thus, the recommendation will not be implemented. Moreover, development at the HPS is not subject to the City's local hiring ordinance. The development is governed by disposition and development agreements executed by the SFRA before the City's adoption of the ordinance. These agreements include workforce and hiring goals and requirements, focused on the hiring of individuals specifically from the Bayview Hunters Point and then from other City redevelopment project areas, and require hiring goals for permanent job opportunities at the affected sites, not just construction-related job opportunities from City-funded construction, and provide for SFRA and developer support and management in training and job development. Further, these agreements require that the development at the Shipyard comply with SFRA's Prevailing Wage Policy. Under AB26, the legislation dissolving redevelopment agencies statewide, these agreements, along with the workforce performance and monitoring requirements described above, are in full force as enforceable obligations of the City as successor to the San Francisco Redevelopment Agency.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	7. In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. 7. (Resolution No. 450-11; approved by BOS 10/25/11; File No. 110796)  The Board of Supervisors is overseeing and reviewing city-wide workforce development policies.	**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	7. In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.	Office of Labor Standards Enforcement	Will Not Be Implemented: Not Warranted or Not Reasonable	The Office of Labor Standards Enforcement is not legally authorized to enforce workforce hiring laws at the Hunters Point Shipyard.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	1. Increase collaboration among the San Francisco Conservation Corps, the San Francisco Unified School District and Urban Sprouts to develop projects which utilize the natural environment for outdoor education opportunities including gardening, landscaping, native plant restoration, pond maintenance, creek habitat restoration, trail creation and hiking.	Juvenile Probation Department	Recommendation Implemented	By July 1, 2012 the new list of projects for FY 2012-2013 will be established that links the curricula among SFUSD, SFCC and Urban Sprouts that expand Log Cabin Ranch residents' educational capacities and improves the facility's outdoor conditions.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	2. As sufficient data become available, establish relationships with local graduate schools in disciplines such as Social Work and Psychology who may be able to assist with outcome assessment and evaluation as there are a number of thesis topics for their students.	Juvenile Probation Department	Will Not Be Implemented: Not Warranted or Not Reasonable	A formal cost benefit analysis is presently under development by the Controller's Office that will measure the long term outcomes of various dispositions, including Log Cabin Ranch.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	3. Explore the possibilities of developing a contractual relationship with both the San Francisco Department of Public Works and the Department of Parks and Recreation for the Log Cabin Ranch residents to sell to them benches and picnic tables made at the Ranch for use on city streets and in city parks.	Juvenile Probation Department	Will Not Be Implemented: Not Warranted or Not Reasonable	The present vision and range of the current construction projects related to the improvement of Log Cabin Ranch facilities leaves little room for commercial production at this time.	**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	4. The Log Cabin Planning Committee, which currently meets only on an ad hoc basis, should become a permanent committee meeting quarterly to build on its original success. The committee should be used as a forum to discuss and address long held negative biases and "turf-battles" among the stakeholders. Further tasks could include: (1) exploring the expansion of involvement of community-based organizations with the Ranch; (2) exploring and seeking additional funding opportunities from private foundations and other sources; and (3) expanding and broadening the vocational opportunities currently offered at the Ranch.	Juvenile Probation Department	Recommendation Implemented	The Juvenile Probation Department (JPD) continues to meet regularly with system stakeholder groups over multiple issues and projects including Log Cabin Ranch, the Court School, competency redevelopment and out-of-home placement. JPD now sits on an advisory panel of stakeholders in conjunction with a Public Defender Office grant that advances educational advocacy for court wards represented.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	4. The Log Cabin Planning Committee, which currently meets only on an ad hoc basis, should become a permanent committee meeting quarterly to build on its original success. The committee should be used as a forum to discuss and address long held negative biases and "turf-battles" among the stakeholders. Further tasks could include: (1) exploring the expansion of involvement of community-based organizations with the Ranch; (2) exploring and seeking additional funding opportunities from private foundations and other sources; and (3) expanding and broadening the vocational opportunities currently offered at the Ranch.	District Attorney	Recommendation Implemented	The Juvenile Probation Department (JPD) continues to meet regularly with system stakeholder groups over multiple issues and projects including Log Cabin Ranch, the Court School, competency redevelopment and out-of-home placement. JPD now sits on an advisory panel of stakeholders in conjunction with a Public Defender Office grant that advances educational advocacy for court wards represented.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	4. The Log Cabin Planning Committee, which currently meets only on an ad hoc basis, should become a permanent committee meeting quarterly to build on its original success. The committee should be used as a forum to discuss and address long held negative biases and "turf-battles" among the stakeholders. Further tasks could include: (1) exploring the expansion of involvement of community-based organizations with the Ranch; (2) exploring and seeking additional funding opportunities from private foundations and other sources; and (3) expanding and broadening the vocational opportunities currently offered at the Ranch.	Public Defender	Will Not Be Implemented: Not Warranted or Not Reasonable	Public Defender agrees with recommendation no. 4, however, we do not have the responsibility of establishing the Log Cabin Planning Committee. We are awaiting to participate in Log Cabin Committee meetings to address issues and tasks in recommendation #4.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	5. The Mayor and the Board of Supervisors should immediately provide capital funding for long neglected infrastructure needs.	Office of the Mayor	Requires Further Analysis	The Mayor's Office agrees that we must take care of Log Cabin Ranch and provide the necessary capital funding to improve the facility. However, because of continuing budget uncertainties the City faces and because of other high priority infrastructure needs, it is too early to commit resources to any new capital improvement projects until I can assess the budget conditions for the upcoming year. I also cannot commit to providing capital funding sooner, but I will work with the Juvenile Probation Department and the Capital Planning Committee to monitor the needs of Log Cabin Ranch and find solutions to address problems that might arise at the facility throughout the year.	Requires Further Analysis	The City's FY 2012-13 and 2013-14 Capital Plan allocated over \$500,000 towards Log Cabin Ranch repairs. A comprehensive needs assessment is currently in progress. This assessment should be completed before additional resources (both capital and operational) are committed to the facility.

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	5. The Mayor and the Board of Supervisors should immediately provide capital funding for long neglected infrastructure needs.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it partially disagrees with Recommendation No. 5, for reasons as follows: that the Board of Supervisors agrees that "The Mayor and the Board of Supervisors should immediately provide capital funding for long neglected infrastructure needs," and adds the clarification of "if and when funding is available" (Resolution No. 451-11; approved by BOS 10/25/11; File No. 110816)  The Board of Supervisors reviews and prioritizes capital needs annually.  BOS cannot cause the implementation of the recommendation, only urge the Mayor thru budget process.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	6. The Mayor and the Board of Supervisors should support funding for a third cohort in the fiscal year 2011-2012 budget cycle, and for a fourth cohort in the 2012-2013 budget cycle.	Office of the Mayor	Requires Further Analysis	While this recommendation, which calls for additional funding to support a third cohort in Fiscal Year 2011-2012 cannot be implemented in Fiscal Year 2011-2012 because the budget process for the Fiscal Year has been completed, the Mayor's Office will evaluate the availability of resources and the appropriateness of adding supplementary cohorts in Fiscal Year 2012-2013. The City will have a better understanding of next year's budget when the budget planning process begins in February 2013.	Requires Further Analysis	As with all departmental requests for program enhancements, the Mayor's Office will evaluate the appropriateness of the request in context with available City funding. A comprehensive needs assessment is currently in progress. This assessment should be completed before additional resources (both capital and operational) are committed to the facility.
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	6. The Mayor and the Board of Supervisors should support funding for a third cohort in the fiscal year 2011-2012 budget cycle, and for a fourth cohort in the 2012-2013 budget cycle.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it partially disagrees with Recommendation No. 6, for reasons as follows: that the Board of Supervisors agrees that "The Mayor and the Board of Supervisors should support funding for a third cohort in the fiscal year 2011-2012 budget cycle, and for a fourth cohort in the 2012-2013 budget cycle," and adds the clarification of "if and when funding is available" (Resolution No. 451-11; approved by BOS 10/25/11; File No. 110816)  The Board of Supervisors reviews and prioritizes capital needs annually.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	7. Vocational and apprenticeship programs should be developed in fields such as auto mechanics, metal working and welding, pipe fitting, solar panel installation or other union-affiliated positions.	Juvenile Probation Department	Will Not Be Implemented: Not Warranted or Not Reasonable	The time allocated for the present gardening and construction curricula leaves little room to introduce and manage new vocational programming at the present time.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	7. Vocational and apprenticeship programs should be developed in fields such as auto mechanics, metal working and welding, pipe fitting, solar panel installation or other union-affiliated positions.	San Francisco Unified School District.	Will Not Be Implemented: Not Warranted or Not Reasonable	The District cannot reasonably develop the listed vocational and apprenticeship programs at Log Cabin Ranch due to the limited enrollment numbers at the site, as well as limited resources overall. However, Log Cabin does provide vocational training through collaboration with other organizations, including the SF Conservation Corps and Urban Sprouts. Please see the District's original response for more details about the services provided at Log Cabin Ranch.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	8. There should be regular and on-going training in the Missouri Model for all Ranch employees, regardless of their classification or department affiliation. Employee evaluations should include an assessment of the employee's ability to properly utilize the model in his/her interactions with the residents. For the Ranch to be successful all stakeholders must be using the same language and be on the same philosophical path.	Juvenile Probation Department	Recommendation Implemented	All Log Cabin Ranch staff and collateral department personnel received the initial "mission" model training. Regular monthly staff training, including collateral department staff, is delivered in support of the present model. All special events, family visiting and staff meetings reflect the principles of the MYSI model that are embraced and practiced by all partners.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	9. The San Francisco Unified School District should explore additional educational options that would challenge all Log Cabin Residents. These options could include programs such as the "Big Picture" model currently used at San Francisco court-appointed schools or a charter school scenario.	San Francisco Unified School District.	Recommendation Implemented	The District has implemented this recommendation by assigning a new teacher to Log Cabin Ranch who is fully trained in the Big Picture model. This teacher is charged with integrating relevant aspects of the Big Picture model into the curriculum at Log Cabin Ranch. The former principal of the Principals Center Collaborative (PCC) was fully trained in the Big Picture model when it was adopted at that school site last year. The former principal transferred to Log Cabin Ranch as a lead teacher starting in August 2011, and will be working to bring some of the project-based elements of the Big Picture model into the existing Missouri model at Log Cabin. This integration includes the development of hands-on projects and curriculum that link academic instruction to the vocational learning that occurs through Urban Sprouts and the Conservation Corps.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	10. Log Cabin Ranch should develop a speakers' bureau and/or mentorship program that would bring people to the Ranch to share information about various occupations and the positives and negatives of those occupations.	Juvenile Probation Department	Recommendation Implemented	Log Cabin Ranch staff and residents plan multiple special events throughout the year that bring guest motivational speakers to Log Cabin Ranch from various occupations, backgrounds and cultures. Periodic appearances by Log Cabin Ranch grads provide additional motivation for the residents to succeed.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	11. The Juvenile Probation Department should immediately seek either City or grant funding to expand the Juvenile Collaborative Reentry Team program to include youth reentering society from the Log Cabin Ranch.	Juvenile Probation Department	Will Not Be Implemented: Not Warranted or Not Reasonable	The existing Log Cabin Ranch re-entry planning, implementation and post release supervision provides sufficient guidance and direction for Log Cabin Ranch residents. The introduction of the JCRT model at Log Cabin Ranch is not warranted at this time.	**	
2010-11	The Parkmerced Vision: Government-By-Developer	<p>In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.</p> <p>A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)</p> <p>The new legislation should be applicable to all development, including Special Use Districts.</p> <p>With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.</p>	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	<p>FURTHER RESOLVED, That the Board of Supervisors incorporates and adopts as its own the response of the Office of Economic and Workforce Development to the Recommendation (Resolution No. 339-11, approved by BOS 8/2/11; File No. 110688)</p> <p>BOS cannot cause the implementation of the recommendation, only urge the Mayor thru budget process.</p>	**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	The Parkmerced Vision: Government-By-Developer	<p>In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.</p> <p>A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)</p> <p>The new legislation should be applicable to all development, including Special Use Districts.</p> <p>With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.</p>	Office of Economic and Workforce Development	--	Department elected not to respond	--	Department elected not to respond
2010-11	The Parkmerced Vision: Government-By-Developer	<p>In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.</p> <p>A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)</p> <p>The new legislation should be applicable to all development, including Special Use Districts.</p> <p>With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.</p>	San Francisco Planning Commission	Will Not Be Implemented: Not Warranted or Not Reasonable/ Recommendation Implemented	<p>This recommendation will not be implemented because deletion of this Section would not be consistent with the basic purpose of a development agreement, which is to create certainty of development rights in exchange for certainty of delivery of specific public benefits and services. Deleting this section would undermine the purpose of a development agreement by granting the City the unilateral right to impose new rules on the Parkmerced Project during the 30-year DA term that could potentially restrict residential rents for new market rate units. This recommendation undermines the primary public policy and business reason that cities and developers enter into development agreements, which is to exchange the financial benefits of regulatory certainty and vested development rights for public services and benefits above and beyond what can be achieved through existing city regulations and state law requirements. Developers could be unwilling to invest the significant private capital needed to build all of the public improvements contemplated in a neighborhood the size and scope of Parkmerced Project if they cannot in turn rely on the basic rules established during the DA negotiation, including the market-based revenues from the proposed market-rate dwelling units.</p> <p>Finally, Section 2.2.2(h) equally protects the City's right to apply the existing Inclusionary Affordable Housing Ordinance and provisions of the San Francisco Rent Stabilization Ordinance incorporated by the DA on the Project Site 30 years into the future. Deletion of this provision would also permit a future ordinance to reduce or eliminate these important tenant affordability protections.</p> <p>This recommendation was implemented by the City several years ago. The City's Rent Ordinance contains a virtually identical provision, which has been part of the existing San Francisco Rent Ordinance for several years, set forth in San Francisco Rent Ordinance, Administrative Code section 37.9A(b). As background for this provision, the Ellis Act, California Government Code section 7060.2(d), provides an exception to Costa Hawkins, to allow public entities to impose rent control on newly constructed units by ordinance or regulation when an existing rent controlled unit is demolished and a new unit is constructed on the same property within 5 years. Section 37.9A (b) of San Francisco's Rent Ordinance implements this provision. Section 4.1.2 of the DA expressly incorporates this provision of state law and the San Francisco Rent Ordinance, and explicitly states that all parties intend to rely on this exception, and reiterates that the City would not be willing to permit demolition of the Existing Units if the City could not impose the Rent Ordinance on the Replacement Units and satisfy the needs of existing and future tenants.</p>	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	The Parkmerced Vision: Government By-Developer	In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.  A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)  The new legislation should be applicable to all development, including Special Use Districts.  With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.	San Francisco Planning Department	Will Not Be Implemented: Not Warranted or Not Reasonable	The Board of Supervisors and the Mayor chose not to remove Section 2.2.2(h) from DA. The DA was adopted with the Section included. Regarding the second recommendation, such legislation was enacted by the City years before Parkmerced was even considered, so the suggestion by the Grand Jury was moot.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	1. CSA should perform all investigations. This would require a change to the Charter.	Office of the Controller	Will Not Be Implemented: Not Warranted or Not Reasonable	Disagree. This recommendation will not be implemented. The Civil Grand Jury is correct in concluding that the Charter would need to be amended to require the Controller's Office to perform all investigations. As the Charter is currently written, the Controller has the authority to refer complaints for investigation. From a workload or specialization standpoint, it is neither practical nor advisable not to refer whistleblower complaints. It is also a standard protocol of whistleblower programs in other jurisdictions to refer complaints to those in the best position to investigate them, with involvement as appropriate from the central whistleblower program.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	1. CSA should perform all investigations. This would require a change to the Charter.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. R1 (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929) BOS recognizes the right of the public to consider modification of the Charter.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	1. CSA should perform all investigations. This would require a change to the Charter.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The Mayor's Offices agrees with the Controller's Office response that requiring the City Services Auditor (CSA) to perform all investigations does not make sense from a workload standpoint. The standard practice for other whistleblower programs is to refer complaints for investigation. Requiring CSA to perform all investigations would require a change to the City Charter and would likely necessitate allocating more resources to CSA.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	2. There are major deficiencies in the whistleblower procedures. The website should be revised: <ul style="list-style-type: none"> <li>To make it more user-friendly;</li> <li>To provide clear guidelines for what qualifies as a whistleblower complaint as opposed to a general complaint;</li> <li>To provide examples of what doesn't qualify as waste fraud and abuse;</li> <li>To provide information about the investigation process when a complaint is submitted;</li> <li>To provide detailed information about how confidentiality of the complainant can be maintained when contact information is supplied;</li> <li>To regularly update the reports section and legal status sections;</li> <li>To create a box that indicates there are additional documents to support the allegations in a complaint;</li> <li>To provide information on who to contact if a whistleblower is facing retaliation;</li> <li>To include a box indicating who to contact about the status of an investigation at regular intervals;</li> <li>To describe the general procedure that will ensue in the course of the investigation.</li> </ul>	Office of the Controller	Recommendation Implemented	<p>The Whistleblower Program website already contains a great deal of information (fraud, waste, and abuse definitions, legal statutes, complaint status check). The website does not have examples of what does not qualify as fraud, waste, or abuse because the charter gives the Controller the broad authority to receive individual complaints concerning the quality and delivery of government services, wasteful and inefficient City government practices, misuse of City government funds, and improper activities by City government officers and employees.</p> <p>The following website pages have been updated:</p> <ul style="list-style-type: none"> <li>- Filing a Complaint</li> <li>- Frequently Asked Questions</li> <li>- Protection From Retaliation</li> </ul> <p>In addition, pages seen by complainants after filing a complaint and when checking the status of a complaint now provide instruction on how to contact the Whistleblower Program, and instructs complainants to contact the Ethics Commission if they are experiencing retaliation.</p> <p>The Whistleblower Program will continue to update their website as needed.</p>	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	3. The COWS system should be modified: <ul style="list-style-type: none"> <li>To define whether it is a high-, medium-, or low-level risk complaint;</li> <li>Remove the ability to edit or delete investigation notes after they have been entered;</li> <li>Add a field to indicate the source (web, phone, letter, etc.)</li> <li>To remove the constraint, if it exists, to allow investigators to copy full e-mails and correspondence into the notes.</li> </ul>	Office of the Controller	Will Be Implemented in the Future	<p>1) The Whistleblower Program is working with the Department of Technology (DT) to upgrade the COWS database. A statement of work was sent by DT to the vendor 21 Tech on April 10, 2012. There is a target date of May 31, 2012 for the completion of the database and web form.</p> <p>2) Disagree. It is unclear what benefit this change would provide. The inability to edit investigator notes would make the database more difficult to use.</p> <p>3 - 4) Disagree. The COWS database already allows the Whistleblower Program to record complaint source, and to copy and paste full emails into investigator notes. Complaint source statistics have been published in our fiscal year 2008-09 and 2009-10 annual newsletters.</p>	Recommendation Implemented	The system upgrade was completed in August 2012, incorporating those suggested features that the Controller's Office concurs will add value for the program.
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	4. A more proactive system must be developed for communicating with the whistleblower.	Office of the Controller	Recommendation Implemented	<p>The majority of complaints are received through the Whistleblower Program web form, which automatically provides complainants with their unique four digit tracking number and information on how to contact the Whistleblower Program.</p> <p>Complainants who provide contact information receive a message from Whistleblower Program staff with their unique tracking number, the investigator's name, and investigator contact information.</p>	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	5. If a complaint is substantiated, a public Finding should be issued that details: <ol style="list-style-type: none"> <li>The nature of the complaint;</li> <li>What the investigation determined;</li> <li>The name of the respondent; and</li> <li>The penalty applied or actions taken.</li> </ol>	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	<p>FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. R5. (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929)</p> <p>State law prohibits a portion of this recommendation from being implemented.</p>	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	5. If a complaint is substantiated, a public Finding should be issued that details: <ol style="list-style-type: none"> <li>The nature of the complaint;</li> <li>What the investigation determined;</li> <li>The name of the respondent; and</li> <li>The penalty applied or actions taken.</li> </ol>	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	<p>The Whistleblower Program issues an annual report that states complaint allegations and the outcome of investigations. Discussion of complaints and their outcomes in general terms is done to protect whistleblowers from retaliation. The disclosure of the name of the respondent is prohibited under state law, except under very limited circumstances.</p>	**	

(1) \*\*\*\*\* Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	6. An independent administrative law judge should deal with retaliation issues. The responsibility for retaliation complaints should be removed from the Ethics Commission.	Office of the Controller	Will Not Be Implemented: Not Warranted or Not Reasonable	Not appropriate for a response from the Controller's Office, as retaliation issues are under the jurisdiction of the Ethics Commission. Accordingly, the Civil Grand Jury should consult with the Ethics Commission regarding these findings and recommendations.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	6. An independent administrative law judge should deal with retaliation issues. The responsibility for retaliation complaints should be removed from the Ethics Commission.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. R6. (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929)  BOS did not agree that an administrative law judge is the appropriate entity to handle these issues.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	6. An independent administrative law judge should deal with retaliation issues. The responsibility for retaliation complaints should be removed from the Ethics Commission.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation is not warranted. The City Charter must be changed in order to have an administrative law judge deal with retaliation issues. The Ethics Commission is an appropriate venue for retaliation complaints to be heard.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	7. If an employee who has filed a whistleblower complaint is laid off within two years of having filed the complaint, or within one year of the complaint being closed, an administrative law judge will conduct a full review. Should it be determined that retaliation is a factor in the layoff/termination; the employee shall be awarded up to two years full salary as part of his or her severance package.	Office of the Controller	Will Not Be Implemented: Not Warranted or Not Reasonable	Not appropriate for a response from the Controller's Office, as retaliation issues are under the jurisdiction of the Ethics Commission. Accordingly, the Civil Grand Jury should consult with the Ethics Commission regarding these findings and recommendations.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	7. If an employee who has filed a whistleblower complaint is laid off within two years of having filed the complaint, or within one year of the complaint being closed, an administrative law judge will conduct a full review. Should it be determined that retaliation is a factor in the layoff/termination; the employee shall be awarded up to two years full salary as part of his or her severance package.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. R7. (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929)  BOS did not agree with the specificity of the recommendation on determinant actions.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	7. If an employee who has filed a whistleblower complaint is laid off within two years of having filed the complaint, or within one year of the complaint being closed, an administrative law judge will conduct a full review. Should it be determined that retaliation is a factor in the layoff/termination; the employee shall be awarded up to two years full salary as part of his or her severance package.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The City Charter must be changed in order to allow an administrative law judge to hear retaliation complaints. Should an instance ever occur where an employee is terminated without cause based upon his or her action as a whistleblower, there currently exist enough avenues to provide the employee with appropriate remedies. Retaliation issues are under the jurisdiction of the Ethics Commission. The Civil Grand Jury should consult with the Ethics Commission regarding this recommendation. Under the Whistleblower Ordinance, if the Ethics Commission finds that a City officer or employee was retaliated against because he or she made a complaint regarding improper governmental activity, the Commission may impose monetary fines against the City officer or employee who committed the retaliation. The Commission may also refer the matter to the Department of Human Resources or the Civil Service Commission with recommendations for further disciplinary action up to an including dismissal by the appointing authority. Under current law, retaliation may take the form of a termination, demotion, suspension or similar adverse employment – the Civil Grand Jury's recommendation appears to restrict protections against retaliation to instances of termination only. Thus, the Civil Grand Jury's recommendation threatens to narrow the protections of the Ordinance.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	8. CGOBOC must become an effective Whistleblower Program oversight entity by reviewing the number and type of whistleblower complaints, the investigative process used and the final results of investigations at least twice a year.	Office of the Controller	Recommendation Implemented	Agree. This recommendation has been implemented, and is ongoing. CARB has always been aware of its oversight responsibilities of the Whistleblower Program since its charter-mandated inception in 2004. The Whistleblower Program meets quarterly with a Citizens Audit Review Board (CARB) representative to discuss complaints and program administration, and provides feedback to program staff on individual cases.  The Whistleblower Program welcomes opportunities for enhanced oversight and feedback from CARB, and will work to support any enhanced level of oversight that CARB deems appropriate.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.



CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	8. CGOBOC must become an effective Whistleblower Program oversight entity by reviewing the number and type of whistleblower complaints, the investigative process used and the final results of investigations at least twice a year.	Citizens' General Obligation Bond Oversight Committee	Recommendation Implemented	CGOBOC reviews the number and types of complaints and the process used and the final results of investigations quarterly through the report from our designated Whistleblower Liaisons. We continue to work on improving the report (for example, prioritizing the complaints better) and in making the reports more transparent. CGOBOC held several hearings on the whistleblower program and engaged directly with the Controller's Office and the Ethics Commission to enhance oversight and timeliness of complaint resolution. The Committee established more frequent and detailed reporting on the program.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	8. CGOBOC must become an effective Whistleblower Program oversight entity by reviewing the number and type of whistleblower complaints, the investigative process used and the final results of investigations at least twice a year.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it agrees with Recommendation No. R8. (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929)  BOS cannot cause the implementation of the recommendation, only urge the Mayor thru budget process.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	9. Anyone filing a non-website initiated complaint should be sent a form letter that indicates the tracking number and an acknowledgment that their complaint has been received.	Office of the Controller	Recommendation Implemented	Agree and implemented. The Whistleblower Program issues tracking numbers to all complainants who provide some form of contact information.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	10. Create and institute a filter process to allow redirection of non-waste, fraud and abuse complaints to 311. This would require a change to the Charter.	Office of the Controller	Will Not Be Implemented: Not Warranted or Not Reasonable	Disagree. This recommendation will not be implemented. The charter gives the Controller the authority to receive complaints about issues other than fraud waste and abuse, including the quality and delivery of government services. The Civil Grand Jury is correct in concluding that the charter would have to be changed to allow this recommendation to be implemented.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	10. Create and institute a filter process to allow redirection of non-waste, fraud and abuse complaints to 311. This would require a change to the Charter.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. R10. (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929)  BOS recognizes the right of the public to consider modification of the Charter.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	10. Create and institute a filter process to allow redirection of non-waste, fraud and abuse complaints to 311. This would require a change to the Charter.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The Civil Grand Jury is correct that this change to allow 311 to take complaints of non-waste, fraud and abuse and filter these complaints will require a change in the City Charter. However, the Whistleblower Program does work with 311 to receive complaints of fraud, waste or abuse. 311 enters this information onto the Whistleblower Program's online complaint form, and submit this to the Program. I do not believe that this recommendation is warranted as the Controller's Office is tasked with receiving these types of complaints. The Controller's Office has consistently met its obligations and has worked to effectively manage the Whistleblower Program.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	11. The Office of the Controller should develop and implement training to educate all city employees about the Whistleblower Program.	Office of the Controller	Recommendation Implemented	Continued and expanded outreach to city employees is a key focus of the Whistleblower Program. Outreach has for years included quarterly written communication to each of the City's 27,000 employees and periodic presentations at various department staff meetings. Outreach was recently expanded to include a segment about the program in both the new employee and new manager orientation training conducted by the Department of Human Resources.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	12. Establish an appeals process using an independent administrative law judge for whistleblower complaints that qualify for review. Guidelines must be established to determine legitimate reasons for the appeal of a "dismissed", "no violation found" or "closed" complaint.	Office of the Controller	Will Not Be Implemented: Not Warranted or Not Reasonable	Disagree. This recommendation will not be implemented. The Whistleblower Program is unaware of any other local jurisdiction with a complaint appeals process.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	12. Establish an appeals process using an independent administrative law judge for whistleblower complaints that qualify for review. Guidelines must be established to determine legitimate reasons for the appeal of a "dismissed", "no violation found" or "closed" complaint.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. R12. (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929)  BOS did not agree that an administrative law judge is the appropriate entity to handle these issues.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

Status of the Recommendations  
by the Civil Grand Jury  
2010-11

CGJ Year	Report Title	Recommendation	Response Required	2012 Response	2012 Response Text	2013 Response <sup>(1)</sup>	2013 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	12. Establish an appeals process using an independent administrative law judge for whistleblower complaints that qualify for review. Guidelines must be established to determine legitimate reasons for the appeal of a "dismissed", "no violation found" or "closed" complaint.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	This recommendation is not warranted. As the Controller's Office states in its response, no other jurisdiction has an administrative law judge to review whistleblower complaints. A Charter amendment would be required to allow for an administrative law judge.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	13. Establish a reward system for substantiated high-risk whistleblower complaints with a \$500 minimum or 10% of funds recovered, whichever is greater.	Office of the Controller	Will Not Be Implemented: Not Warranted or Not Reasonable	Disagree. This recommendation will not be implemented. With the exception of the Assessor's Office Real Estate Watchdog Program and comparable tax revenue recovery programs, rewards are not a standard or recommended practice for local government whistleblower programs.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	13. Establish a reward system for substantiated high-risk whistleblower complaints with a \$500 minimum or 10% of funds recovered, whichever is greater.	Board of Supervisors	Will Not Be Implemented: Not Warranted or Not Reasonable	FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with Recommendation No. R13. (Resolution No. 476-11; approved by BOS 11/8/11; File No. 110929)  BOS did not agree that an incentive program is appropriate.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	13. Establish a reward system for substantiated high-risk whistleblower complaints with a \$500 minimum or 10% of funds recovered, whichever is greater.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The Civil Grand Jury does not provide any evidence where other jurisdictions have a reward system and where that reward system has improved the whistleblower program. Absent specific data showing the efficacy of a reward system, this recommendation is not warranted.	**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	14. The Jury recommends that a best practices/benchmark study be done of other jurisdictions as to how confidentiality issues might be better managed.	Office of the Controller	Recommendation Implemented	Benchmarking and evaluation of other programs was conducted during the initial establishment of the program. As an ongoing practice in FY10-11, the Whistleblower Program began a refreshed benchmarking study to compare practices with local and state whistleblower programs. A preliminary report of this study's findings was provided to the Civil Grand Jury during its investigation. The study found that the program's practices are consistent with other local and state whistleblower programs. Review of the practices of programs in other jurisdictions is ongoing and will continue in the future.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	1. Given that San Francisco is responsible for any cost overrun of the Central Subway project, SFMTA should hire an independent entity to investigate whether the \$1.578 billion budget is a realistic estimate.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	2. SFMTA should hire an independent auditor to conduct an analysis of whether its internal goals and the requirements in Proposition E are realistic, why Muni has been unable to meet them, and what should be done to improve Muni's service levels.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	San Francisco County Transportation Authority	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	Board of Supervisors	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	3. Either the City and SFMTA need to increase Muni's funding, or the City and SFMTA need to lower their expectations for Muni's performance.	Office of the Mayor	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	San Francisco County Transportation Authority	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	Board of Supervisors	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	4. The SFMTA should hire an outside auditor to evaluate the potential gains in revenue brought by higher fares against the potential loss in total ridership due to such higher prices.	Office of the Mayor	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	5. SFMTA should publicly explain if and when the remaining cuts to Muni service will be restored.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	6. Maintenance should be given a higher priority in the budget than it currently is.	San Francisco Municipal Transportation Agency	Will Be Implemented in the Future	Implementation of the recommendation has begun, but is not yet fully implemented. The FY2013 and FY2014 budget included approximately \$30 million funding for maintenance efforts, safety and other major front line initiatives in recognition that an investment in maintenance is key to service reliability. Additionally, the Agency's capital budget is focused on replacing old fleet and other infrastructure to relieve maintenance costs in the operating budget. The FY15 and FY16 budget continues to add maintenance dollars to the operating budget and the capital budget is anticipating \$195 million from November ballot measures to fund new vehicles and overhaul facilities. The SFMTA continues to make progress on addressing maintenance needs but additional operating and capital resources are required to fully address this area.	Recommendation Implemented	Implementation of the recommendation is complete. Nearly 300 maintenance staff have been added and over \$30 million in ongoing funding for maintenance efforts has been included in the base operating budget as investment in maintenance is key to service reliability. Additionally, the entire bus and rail fleets have or are in the process of being replaced. With 147 brand new buses in service, including hybrid electric motor coaches and zero emission trolley buses, mean distance between failure of these buses has already increased by 57%. Muni delivered 99% of schedule service on the streets daily for the first time.
2010-11	Central Subway: Too Much Money for Too Little Benefit	7. Muni should end its practice of cannibalizing wrecked vehicles to repair other vehicles.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	San Francisco County Transportation Authority	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	Board of Supervisors	**		**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	8. The Board of Supervisors, SFCTA, and SFMTA should determine how to fund adequate preventive maintenance and a targeted component rebuild program on an ongoing basis.	Office of the Mayor	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	9. SFMTA should conduct a comparison of Muni's "mean time between failures" against other cities' to gauge the impact of Muni's current maintenance practices on its fleet. It should also take into account any unique aspects of San Francisco transit that might affect its "mean time between failures."	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	10. The SFMTA should explain when it plans to hire and train new operators to ensure a smooth rollout of the Central Subway.	San Francisco Municipal Transportation Agency	Will Be Implemented in the Future	Draft plan was completed in 1 <sup>st</sup> quarter of 2014 as anticipated and is currently being circulated for comment. This Plan will be the basis for preparing the T-Third Central Subway Start Up Plan (SUP) that will be completed as a working draft in the first quarter of 2014. As stated previously, the timing of training and selecting of operators for the integrated T-Third service will be finalized in the Start Up Plan, which is due to be finalized in 2016.	Will Be Implemented in the Future	Recommendation scheduled to be implemented by end of 2016. The SFMTA is implementing a number of key capital investments such as radio and purchasing of new Light Rail Vehicles (LRVs) in preparation for the opening of the Central Subway in 2019. We have begun the development of training and start up plans to integrate these improvements into our existing system and eventually the Central Subway.
2010-11	Central Subway: Too Much Money for Too Little Benefit	11. The SFMTA should look at the peak demand for vehicles at the time it proposes to conduct new operator training and ensure that such training will not impact its ability to meet peak LRV demand.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	12. The SFMTA should explain what changes to the internal decision-approval processes have been put into practice to prevent the types of problems that affected the T-Third project. It should be noted that merely changing staff does not suffice to fix these problems. If such changes have yet to be made, the SFMTA should hire an external management consultant to advise it on how best to change its processes.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	13. The SFMTA should explain how its internal communication process will facilitate cooperation and discussion between various people and agencies involved in the Central Subway project.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	14. The SFMTA should maintain a single, unified Master Plan for the Central Subway project that can be accessed, though not changed, by all parties involved in the project.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	15. All communications and publications regarding the Central Subway project should receive more accurate fact-checking.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	16. The SFMTA should consider a realignment of the Central Subway which allows for a more direct connection to the Muni Metro.	San Francisco Municipal Transportation Agency	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	17. The Union Square/Market Street station should be designed to allow a future Geary light rail vehicle line to access it.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	18. The Central Subway should be redesigned to serve both the Financial District and Chinatown. If SFMTA thinks the current alignment already serves both neighborhoods, it should explain how.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	19. The SFMTA should enact a plan to improve service on the Stockton corridor prior to completing the Central Subway.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	20. SFMTA needs to fix the transfer between the Central Subway and Muni Metro.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	21. SFMTA should change the name of the "Union Square/Market Street" station to simply "Union Square" for an accurate description.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	22. SFMTA should add escalator redundancy to all stations on the Central Subway.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	23. SFMTA should purchase dedicated level-boarding vehicles for the Central Subway.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	24. The SFMTA should consider eliminating the mezzanines from the Central Subway station designs.	San Francisco Municipal Transportation Agency	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Central Subway: Too Much Money for Too Little Benefit	25. The SFMTA should conduct an analysis of whether a proof-of-payment system is preferable to its planned hybrid fare collection system for the Central Subway.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Central Subway: Too Much Money for Too Little Benefit	26. The SFMTA should redesign the Central Subway to better serve the San Francisco population.	San Francisco Municipal Transportation Agency	**		**	
2010-11	Continuity Reports: Pension Reports	1. Until such time as the retiree health trust fund can cover the expense, the Controller, the Mayor and the Board of Supervisors' Budget and Finance Committee should develop a temporary remedy to the Other Post Employment Benefits unfunded liability, until the retiree health trust fund can cover the expense, in order to reduce its negative impact on funding levels for other city programs.	Office of the Mayor	**		**	
2010-11	Continuity Reports: Pension Reports	1. Until such time as the retiree health trust fund can cover the expense, the Controller, the Mayor and the Board of Supervisors' Budget and Finance Committee should develop a temporary remedy to the Other Post Employment Benefits unfunded liability, until the retiree health trust fund can cover the expense, in order to reduce its negative impact on funding levels for other city programs.	Office of the Controller	**		**	
2010-11	Continuity Reports: Pension Reports	1. Until such time as the retiree health trust fund can cover the expense, the Controller, the Mayor and the Board of Supervisors' Budget and Finance Committee should develop a temporary remedy to the Other Post Employment Benefits unfunded liability, until the retiree health trust fund can cover the expense, in order to reduce its negative impact on funding levels for other city programs.	Board of Supervisors	**		**	
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	Office of the Mayor	**		**	

(1) \*\*\*\*\* Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	Office of the Controller	**		**	
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	Board of Supervisors	**		**	
2010-11	Continuity Reports: Pension Reports	2. The City should implement changes as to how salary increases are currently granted to employees within at least three years of their retirement. Changes would include a review of all salary increases in excess of actuarial estimates (currently 4.5% <sup>(1)</sup> ) within 3 years of full retirement age, including temporary assignments. This review should be performed by the Office of the Controller and the San Francisco Employee Retirement System's Actuarial and would identify the additional funds needed by the pension system to support the higher salary. The employee's department would then transfer the additional pension liability arising from the promotion to the Retirement System.	San Francisco Employee Retirement System	**		**	
2010-11	Continuity Reports: CGOBOC	1. The CGOBOC and Board of Supervisors should work together to ensure that the Annual Report is presented at a hearing annually. This appearance should occur within one month of the CGOBOC's publishing its Annual Report.	Citizens' General Obligation Bond Oversight Committee	**		**	
2010-11	Continuity Reports: CGOBOC	1. The CGOBOC and Board of Supervisors should work together to ensure that the Annual Report is presented at a hearing annually. This appearance should occur within one month of the CGOBOC's publishing its Annual Report.	Board of Supervisors	Recommendation Implemented	This recommendation has been implemented; although, not within the one month timeframe as recommended. The Board of Supervisors' Government Audit and Oversight Committee held a public hearing on the 2011 Annual Report on February 14, 2013. The Supervisors may call for additional hearings on future Annual Reports.	**	

(1) "" Response not required: Recommendation has been fully implemented or abandoned.



CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Continuity Reports: Elections Issues	1. The Department of Elections and the Real Estate Division of the General Services Agency should make a current priority of finding a suitable, long-term location for the Department to perform the activities it currently does at Pier 48.	Department of Elections	**		**	
2010-11	Continuity Reports: Elections Issues	1. The Department of Elections and the Real Estate Division of the General Services Agency should make a current priority of finding a suitable, long-term location for the Department to perform the activities it currently does at Pier 48.	Real Estate Division of the General Services Agency	**		**	
2010-11	Continuity Reports: Elections Issues	2. The Department should not limit the scope of its search to excess properties held by the SFUSD. Rather, with the help of the Real Estate Division of the General Services Agency, the Department should cast as wide a net as reasonably possible, while still being near City Hall, to find the best long-term solution available.	Department of Elections	**		**	
2010-11	Continuity Reports: Elections Issues	2. The Department should not limit the scope of its search to excess properties held by the SFUSD. Rather, with the help of the Real Estate Division of the General Services Agency, the Department should cast as wide a net as reasonably possible, while still being near City Hall, to find the best long-term solution available.	Real Estate Division of the General Services Agency	Will be Implemented in the Future	Negotiations between Elections and Port continue, which involve an extension of the expiration date of the current MOU for occupancy at Pier 48 (to beyond end of 2015). Concurrently, Elections and Real Estate have vetted a number of possible locations for relocation of Elections operations, and decisions will be made in late 2014 or early 2015 as to a new space for Elections operations.	Recommendation Implemented	A destination for the relocation of Elections from Pier 48 has been identified in the northern waterfront on SF Port property. An MOU will be signed once core and shell construction is completed and a move-in date is officially determined.
2010-11	Continuity Reports: Disabled Parking Placards	1. Working with the Board of Supervisors, the Mayor should reintroduce legislation establishing an independent review panel. This is the preferred route as it would be easier to ensure that the review panel is organized as an independent body and enjoy a high profile. Should the Board of Supervisors again prove unwilling to pass such legislation, then the Mayor should request the SFMTA Board of Directors to authorize an independent review panel. It is the Civil Grand Jury's expectation that a majority of the panel members would be comprised of knowledgeable and energetic private citizens, including at least one qualified physician or medical authority as specified in CVC Section 255511.58. In order for the panel to perform its work effectively, it is important that it have adequate statistical and clerical staff. The panel should be empowered to hold open hearings and make its findings available to the general public.	Office of the Mayor	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Continuity Reports: Disabled Parking Placards	1. Working with the Board of Supervisors, the Mayor should reintroduce legislation establishing an independent review panel. This is the preferred route as it would be easier to ensure that the review panel is organized as an independent body and enjoy a high profile. Should the Board of Supervisors again prove unwilling to pass such legislation, then the Mayor should request the SFMTA Board of Directors to authorize an independent review panel. It is the Civil Grand Jury's expectation that a majority of the panel members would be comprised of knowledgeable and energetic private citizens, including at least one qualified physician or medical authority as specified in CVC Section 255511.58. In order for the panel to perform its work effectively, it is important that it have adequate statistical and clerical staff. The panel should be empowered to hold open hearings and make its findings available to the general public.	Board of Supervisors	**		**	
2010-11	Continuity Reports: Disabled Parking Placards	1. Working with the Board of Supervisors, the Mayor should reintroduce legislation establishing an independent review panel. This is the preferred route as it would be easier to ensure that the review panel is organized as an independent body and enjoy a high profile. Should the Board of Supervisors again prove unwilling to pass such legislation, then the Mayor should request the SFMTA Board of Directors to authorize an independent review panel. It is the Civil Grand Jury's expectation that a majority of the panel members would be comprised of knowledgeable and energetic private citizens, including at least one qualified physician or medical authority as specified in CVC Section 255511.58. In order for the panel to perform its work effectively, it is important that it have adequate statistical and clerical staff. The panel should be empowered to hold open hearings and make its findings available to the general public.	San Francisco Municipal Transportation Agency Board of Directors	**		**	
2010-11	Continuity Reports: Disabled Parking Placards	2. The Mayor should urge the SFMTA board to initiate an immediate dialogue with other counties in California with the objective of urging their individual State Legislative delegations to support a comprehensive review of the current laws pertaining to disabled parking placards. The objective of this review should be to bring current regulations more into line with those existing in other states, including the automatic exemption from posted time limits and paying parking meter fees.	Office of the Mayor	Recommendation Implemented	SFMTA's Accessible Parking Policy Advisory Committee has developed policy recommendations. If there is consensus among stakeholders, the Mayor's Office will work with the SFMTA, our partners in Sacramento, as well as other cities and counties on any effort to change state law.	**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Continuity Reports: Disabled Parking Placards	2. The Mayor should urge the SFMTA board to initiate an immediate dialogue with other counties in California with the objective of urging their individual State Legislative delegations to support a comprehensive review of the current laws pertaining to disabled parking placards. The objective of this review should be to bring current regulations more into line with those existing in other states, including the automatic exemption from posted time limits and paying parking meter fees.	San Francisco Municipal Transportation Agency Board of Directors	Recommendation Implemented	On 11/9/13, SFMTA's Board of Directors voted to support the recommendations of SFMTA's Accessible Parking Policy Advisory Committee and their inclusion in the SFMTA's legislative program. The recommendations included allowing cities to remove the automatic exemption from posted time limits and paying parking meter fees for disabled placard holders. SFMTA staff will continue to work with other jurisdictions statewide to support implementing these recommendations.	**	
2010-11	Continuity Reports: Disabled Parking Placards	3. The Mayor should urge the SFMTA Board of Directors to instruct the Department of Parking and Traffic to modify its current enforcement protocol with respect to the misuse of disabled placards and initiate a more vigorous approach involving all of their PCOs as permitted under CVC Section 22511.56. Serious consideration should also be given to enlisting the San Francisco Police Department in the effort to combat disabled parking abuse.	Office of the Mayor	**		**	
2010-11	Continuity Reports: Disabled Parking Placards	3. The Mayor should urge the SFMTA Board of Directors to instruct the Department of Parking and Traffic to modify its current enforcement protocol with respect to the misuse of disabled placards and initiate a more vigorous approach involving all of their PCOs as permitted under CVC Section 22511.56. Serious consideration should also be given to enlisting the San Francisco Police Department in the effort to combat disabled parking abuse.	San Francisco Municipal Transportation Agency Board of Directors	**		**	
2010-11	Continuity Reports: Disabled Parking Placards	4. The Board of Supervisors should refrain from passing any new legislation that allows for the installation of additional meters, extending hours of operation or raising meter rates and parking fines until such time as meaningful policies are implemented to eliminate the \$8.4 million hole in the City's parking revenue caused by continued disabled placard abuse. The residents of San Francisco deserve no less.	Board of Supervisors	**		**	
2010-11	Continuity Reports: Risk Management	1. Because of the long-term nature of this implementation, the Risk Management Division should aggressively pursue single high risk situations in other divisions, departments, and agencies for possible solutions in the short-term.	Director of Risk Management	**		**	
2010-11	Continuity Reports: Risk Management	2.The Risk Management Division should establish baseline measures that will allow some gauge of program success.	City Administrator	**		**	
2010-11	Continuity Reports: Risk Management	2.The Risk Management Division should establish baseline measures that will allow some gauge of program success.	Director of Risk Management	**		**	
2010-11	Continuity Reports: Risk Management	3.Based on those measurements, the Risk Management Division should consider the value of adding implementation resources.	City Administrator	**		**	

(1) "\*\*\*\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Continuity Reports: Risk Management	3. Based on those measurements, the Risk Management Division should consider the value of adding implementation resources.	Director of Risk Management	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	1.1. The Ethics Commissioners should establish a fixed fine structure for violations or apply the maximum allowed fine.	Ethics Commission	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	1.2. If the respondent disagrees with the fine a request may be made for a public hearing. This will allow the commissioners to exercise discretion over the fines process.	Ethics Commission	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	2. All Sunshine Ordinance Task Force enforcement actions deserve a timely hearing by the Ethics Commission.	Ethics Commission	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	2. All Sunshine Ordinance Task Force enforcement actions deserve a timely hearing by the Ethics Commission.	Board of Supervisors	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	2. All Sunshine Ordinance Task Force enforcement actions deserve a timely hearing by the Ethics Commission.	City Attorney	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	3. After the 14-day window, Ethics Commission investigations should start promptly.	Ethics Commission	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	3. After the 14-day window, Ethics Commission investigations should start promptly.	District Attorney	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	3. After the 14-day window, Ethics Commission investigations should start promptly.	City Attorney	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	4. The City Charter should be changed to add four additional commission members appointed by non-partisan community organizations and individuals such as: The League of Women Voters, Society of Professional Journalists, The San Francisco Labor Council, The Bar Association of San Francisco, and the Dean of UC Hastings Law School.	Ethics Commission	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	4. The City Charter should be changed to add four additional commission members appointed by non-partisan community organizations and individuals such as: The League of Women Voters, Society of Professional Journalists, The San Francisco Labor Council, The Bar Association of San Francisco, and the Dean of UC Hastings Law School.	Board of Supervisors	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	4. The City Charter should be changed to add four additional commission members appointed by non-partisan community organizations and individuals such as: The League of Women Voters, Society of Professional Journalists, The San Francisco Labor Council, The Bar Association of San Francisco, and the Dean of UC Hastings Law School.	Office of the Mayor	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	5. The commissioners should amend section VI. A in the Ethics Commission Regulations For Investigations and Enforcement Proceedings to require review and a vote on investigations recommended for dismissal.	Ethics Commission	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	6. The Ethics Commission staff should create or modify their database to increase search and tracking capabilities.	Ethics Commission	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	7. To maximize transparency, the San Francisco Ethics Commission should broadcast their meetings on the SFGOVTV television network.	Ethics Commission	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	7. To maximize transparency, the San Francisco Ethics Commission should broadcast their meetings on the SFGOVTV television network.	Board of Supervisors	**		**	
2010-11	San Francisco's Ethics Commission: The Sleeping Watch Dog	7. To maximize transparency, the San Francisco Ethics Commission should broadcast their meetings on the SFGOVTV television network.	Office of the Mayor	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	1. On all job applications there should be a single link or single sheet of paper outlining in plain English under what conditions a job applicant can appeal to the DHR and ultimately to the Commission.	Department of Human Resources	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Hiring Practices of the City and County of San Francisco	1. On all job applications there should be a single link or single sheet of paper outlining in plain English under what conditions a job applicant can appeal to the DHR and ultimately to the Commission.	Civil Service Commission	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	2. DHR should establish tighter procedures to ensure that all letters sent to appellants denying their appeal are mailed promptly. Where appropriate they should advise appellants of their right to appeal the decision to the Commission. As a further backup, the Jury urges the Commission to include in its letters to appellants setting the date of their hearing a reminder that they are entitled to a copy of the DHR's report free of charge.	Department of Human Resources	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	2. DHR should establish tighter procedures to ensure that all letters sent to appellants denying their appeal are mailed promptly. Where appropriate they should advise appellants of their right to appeal the decision to the Commission. As a further backup, the Jury urges the Commission to include in its letters to appellants setting the date of their hearing a reminder that they are entitled to a copy of the DHR's report free of charge.	Civil Service Commission	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	3. The city should continue its move away from T&E examinations and return to a more knowledge-based examination.	Department of Human Resources	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	3. The city should continue its move away from T&E examinations and return to a more knowledge-based examination.	Civil Service Commission	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	4. Position based job announcements should identify each City department that might use the examination eligibility list. This would assist potential applicants in deciding whether or not to participate in the examination and get on an eligibility list. Otherwise, the list should be used solely by the department designated on the job announcement.	Department of Human Resources	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	4. Position based job announcements should identify each City department that might use the examination eligibility list. This would assist potential applicants in deciding whether or not to participate in the examination and get on an eligibility list. Otherwise, the list should be used solely by the department designated on the job announcement.	Civil Service Commission	**		**	

(1) "" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Hiring Practices of the City and County of San Francisco	5. The Commission should be authorized to hire at least one additional senior personnel analyst	Civil Service Commission	**		**	
2010-11	Hiring Practices of the City and County of San Francisco	5. The Commission should be authorized to hire at least one additional senior personnel analyst	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The CSC has previously stated that it takes seriously its role and responsibility to oversee the City's merit system and does believe its staff responds to complaints and concerns in a timely manner. The department has not requested additional staff as part of the FY 2014-15 budget process. Additionally, the Department has added work order funding to support a part time personnel analyst at the Department of Human Resources.	**	
2010-11	Hiring Practices of the City and County of San Francisco	5. The Commission should be authorized to hire at least one additional senior personnel analyst	Board of Supervisors	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	1. The Department of Public Health (SFDPH) should strictly adhere to its self-proclaimed pledge to keep the residents of San Francisco apprised of developments at HPS by updating its HPS Project website "... on a weekly or monthly basis."	Department of Public Health – Environmental Health Department	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	2. In order to erase any doubt among the public with respect to its ability to remain independent and impartial in overseeing the cleanup work at HPS, the SFDPH should immediately stop accepting money from Lennar to pay for monitors at HPS and cover the cost from its own resources.	Department of Public Health	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	3. In order to avoid even the semblance of inappropriate behavior, government agencies such as the SFDPH should rigorously enforce conflict of interest guidelines governing dealings between its officials and the companies they monitor.	Department of Public Health	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	4. SFDPH should conduct its own environmental assessment on capping Parcel E-2 and make its findings available to the public for comment. This should occur before the Board of Supervisors holds its next hearing on the HPS redevelopment project.	Department of Public Health – Environmental Health Department	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	5. The Navy still owns the majority of the land comprising HPS and consequently the city has no direct control over matters dealing with deadlines and deliverables for environmental cleanup. It is critical that the Bay Area Air Quality Management and the SFDPH be particularly vigilant in monitoring clean-up activities at HPS.	Bay Area Air Quality Management District	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	5. The Navy still owns the majority of the land comprising HPS and consequently the city has no direct control over matters dealing with deadlines and deliverables for environmental cleanup. It is critical that the Bay Area Air Quality Management and the SFDPH be particularly vigilant in monitoring clean-up activities at HPS.	Department of Public Health – Environmental Health Department	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	Office of the Mayor	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	Board of Supervisors	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.



CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	Office of Economic and Workforce Development	**		**	
				**		**	

(1) "" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	San Francisco Redevelopment Agency	**		**	
				**		**	

(1) "" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Hunters Point Shipyard: A Shifting Landscape	7. In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.	Office of Economic and Workforce Development	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	7. In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.	Board of Supervisors	**		**	
2010-11	Hunters Point Shipyard: A Shifting Landscape	7. In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.	Office of Labor Standards Enforcement	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	1. Increase collaboration among the San Francisco Conservation Corps, the San Francisco Unified School District and Urban Sprouts to develop projects which utilize the natural environment for outdoor education opportunities including gardening, landscaping, native plant restoration, pond maintenance, creek habitat restoration, trail creation and hiking.	Juvenile Probation Department	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	2. As sufficient data become available, establish relationships with local graduate schools in disciplines such as Social Work and Psychology who may be able to assist with outcome assessment and evaluation as there are a number of thesis topics for their students.	Juvenile Probation Department	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	3. Explore the possibilities of developing a contractual relationship with both the San Francisco Department of Public Works and the Department of Parks and Recreation for the Log Cabin Ranch residents to sell to them benches and picnic tables made at the Ranch for use on city streets and in city parks.	Juvenile Probation Department	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	4. The Log Cabin Planning Committee, which currently meets only on an ad hoc basis, should become a permanent committee meeting quarterly to build on its original success. The committee should be used as a forum to discuss and address long held negative biases and "turf-battles " among the stakeholders. Further tasks could include: (1) exploring the expansion of involvement of community-based organizations with the Ranch; (2) exploring and seeking additional funding opportunities from private foundations and other sources; and (3) expanding and broadening the vocational opportunities currently offered at the Ranch.	Juvenile Probation Department	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	4. The Log Cabin Planning Committee, which currently meets only on an ad hoc basis, should become a permanent committee meeting quarterly to build on its original success. The committee should be used as a forum to discuss and address long held negative biases and "turf-battles " among the stakeholders. Further tasks could include: (1) exploring the expansion of involvement of community-based organizations with the Ranch; (2) exploring and seeking additional funding opportunities from private foundations and other sources; and (3) expanding and broadening the vocational opportunities currently offered at the Ranch.	District Attorney	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	4. The Log Cabin Planning Committee, which currently meets only on an ad hoc basis, should become a permanent committee meeting quarterly to build on its original success. The committee should be used as a forum to discuss and address long held negative biases and "turf-battles " among the stakeholders. Further tasks could include: (1) exploring the expansion of involvement of community-based organizations with the Ranch; (2) exploring and seeking additional funding opportunities from private foundations and other sources; and (3) expanding and broadening the vocational opportunities currently offered at the Ranch.	Public Defender	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	5. The Mayor and the Board of Supervisors should immediately provide capital funding for long neglected infrastructure needs.	Office of the Mayor	Recommendation Implemented	During the 2013-14 fiscal year, the City invested funds to improve the LCR water treatment plant, a large scale renovation of the dormitory bathroom (currently under development), improvements to lighting fixtures and other electrical efficiencies, and investments to repair a major culvert on the main road to LCR. These capital funds were prioritized over other longstanding areas of needs of the JPD. Infrastructure investments require ongoing commitment. JPD has also included \$175K in its 2014-15 budget submission to repair roofs to the LCR structures, and an additional \$175K to repaint, reseal and repair decking and eaves. Finally, \$100K is included to replace the windows on the LCR dormitory building.	**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	5. The Mayor and the Board of Supervisors should immediately provide capital funding for long neglected infrastructure needs.	Board of Supervisors	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	6. The Mayor and the Board of Supervisors should support funding for a third cohort in the fiscal year 2011-2012 budget cycle, and for a fourth cohort in the 2012-2013 budget cycle.	Office of the Mayor	Will Not Be Implemented: Not Warranted or Not Reasonable	The number of commitments to LCR during calendar years 2012 and 2013 has not warranted further expansion. During fiscal year 2012-13 and thus far into 2013-14, the average daily population at LCR has been 19 and 14 respectively, well below the present capacity of 24 youth. The number of youths in the Juvenile Justice system between 2008 and 2013 has decreased by more than 40%.	**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	6. The Mayor and the Board of Supervisors should support funding for a third cohort in the fiscal year 2011-2012 budget cycle, and for a fourth cohort in the 2012-2013 budget cycle.	Board of Supervisors	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	7. Vocational and apprenticeship programs should be developed in fields such as auto mechanics, metal working and welding, pipe fitting, solar panel installation or other union-affiliated positions.	Juvenile Probation Department	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	7. Vocational and apprenticeship programs should be developed in fields such as auto mechanics, metal working and welding, pipe fitting, solar panel installation or other union-affiliated positions.	San Francisco Unified School District.	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	8. There should be regular and on-going training in the Missouri Model for all Ranch employees, regardless of their classification or department affiliation. Employee evaluations should include an assessment of the employee's ability to properly utilize the model in his/her interactions with the residents. For the Ranch to be successful all stakeholders must be using the same language and be on the same philosophical path.	Juvenile Probation Department	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	9. The San Francisco Unified School District should explore additional educational options that would challenge all Log Cabin Residents. These options could include programs such as the "Big Picture" model currently used at San Francisco court-appointed schools or a charter school scenario.	San Francisco Unified School District.	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	10. Log Cabin Ranch should develop a speakers' bureau and/or mentorship program that would bring people to the Ranch to share information about various occupations and the positives and negatives of those occupations.	Juvenile Probation Department	**		**	
2010-11	Log Cabin Ranch: Moving Towards Positive Horizons	11. The Juvenile Probation Department should immediately seek either City or grant funding to expand the Juvenile Collaborative Reentry Team program to include youth reentering society from the Log Cabin Ranch.	Juvenile Probation Department	**		**	
2010-11	The Parkmerced Vision: Government-By-Developer	<p>In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.</p> <p>A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)</p> <p>The new legislation should be applicable to all development, including Special Use Districts.</p> <p>With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.</p>	Board of Supervisors	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	The Parkmerced Vision: Government-By-Developer	<p>In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.</p> <p>A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)</p> <p>The new legislation should be applicable to all development, including Special Use Districts.</p> <p>With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.</p>	Office of Economic and Workforce Development	--	Department elected not to respond	Will Not Be Implemented: Not Warranted or Not Reasonable	<p>On July 13, 2011, the Office of Economic and Workforce Development (OEWD) replied to the Civil Grand Jury Report with the attached letter. The final page of the letter addressed the Civil Grand Jury recommendations in question.</p> <p><i>(Excerpt of the letter)</i></p> <p>This recommendation will not be implemented because it is unreasonable and conflicts with the fundamental purpose of the DA. Deleting this section would introduce an unreasonable degree of uncertainty by granting the City the unilateral right to impose new rules on the Parkmerced Project during the 30-year DA term that could potentially restrict residential rents for new market rate units. This recommendation undermines the primary public policy and business reason that cities and developers negotiate and enter into development agreements, which is to exchange the financial benefits of regulatory certainty and vested development rights for public benefits above and beyond what can be achieved through existing city regulations and state law nexus requirements. A developer cannot be expected to invest the significant private capital needed to build the public improvements in a neighborhood the size and scope of Parkmerced Project if they cannot in turn rely on the basic rules established during the DA negotiation and the expectation of receiving reasonable, market-based revenues from the proposed non-rent-controlled (i.e., market-rate) units. Finally, Section 2.2.2(h) equally protects the City's right to apply the existing Inclusionary Affordable Housing Ordinance and provisions of the San Francisco Rent Stabilization Ordinance incorporated by the DA on the Project Site 30 years into the future. Accordingly, deletion of this provision would also permit a future Board ordinance or voter ballot measure to reduce or eliminate these important tenant affordability protections.</p>
2010-11	The Parkmerced Vision: Government-By-Developer	<p>In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.</p> <p>A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)</p> <p>The new legislation should be applicable to all development, including Special Use Districts.</p> <p>With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.</p>	San Francisco Planning Commission	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	The Parkmerced Vision: Government-By-Developer	<p>In addition to addressing the findings of this report, the Civil Grand Jury recommends the City and County of San Francisco remove Section 2.2.2 (h) of the Development Agreement and enact legislation prior to signing the Development Agreement that adequately assures the statutory rights of existing tenants to remain at Parkmerced and enjoy undisturbed continued tenancy.</p> <p>A possible provision would include: "If a landlord demolishes residential property currently protected under the City's Rent Stabilization and Arbitration Ordinance, and builds new residential rental units on the same property within five (5) years, the newly constructed units are subject to the San Francisco Rent Stabilization Ordinance. (See Los Angeles City Ordinance No. 178848, codified as Los Angeles Municipal Code section 151.28)</p> <p>The new legislation should be applicable to all development, including Special Use Districts.</p> <p>With such an ordinance, tenants and citizens of San Francisco can be reasonably assured that the City and County of San Francisco is making its best efforts to ensure rights are being upheld regardless of development arrangements in the future.</p>	San Francisco Planning Department	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	1. CSA should perform all investigations. This would require a change to the Charter.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	1. CSA should perform all investigations. This would require a change to the Charter.	Board of Supervisors	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	1. CSA should perform all investigations. This would require a change to the Charter.	Office of the Mayor	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.



CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	2. There are major deficiencies in the whistleblower procedures. The website should be revised: <ul style="list-style-type: none"> <li>• To make it more user-friendly;</li> <li>• To provide clear guidelines for what qualifies as a whistleblower complaint as opposed to a general complaint;</li> <li>• To provide examples of what doesn't qualify as waste fraud and abuse;</li> <li>• To provide information about the investigation process when a complaint is submitted;</li> <li>• To provide detailed information about how confidentiality of the complainant can be maintained when contact information is supplied;</li> <li>• To regularly update the reports section and legal status sections;</li> <li>• To create a box that indicates there are additional documents to support the allegations in a complaint;</li> <li>• To provide information on who to contact if a whistleblower is facing retaliation;</li> <li>• To include a box indicating who to contact about the status of an investigation at regular intervals;</li> <li>• To describe the general procedure that will ensue in the course of the investigation.</li> </ul>	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	3. The COWS system should be modified: <ul style="list-style-type: none"> <li>• To define whether it is a high-, medium-, or low-level risk complaint;</li> <li>• Remove the ability to edit or delete investigation notes after they have been entered;</li> <li>• Add a field to indicate the source (web, phone, letter, etc.)</li> <li>• To remove the constraint, if it exists, to allow investigators to copy full e-mails and correspondence into the notes.</li> </ul>	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	4. A more proactive system must be developed for communicating with the whistleblower.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	5. If a complaint is substantiated, a public Finding should be issued that details: <ol style="list-style-type: none"> <li>1. The nature of the complaint;</li> <li>2. What the investigation determined;</li> <li>3. The name of the respondent; and</li> <li>4. The penalty applied or actions taken.</li> </ol>	Board of Supervisors	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	5. If a complaint is substantiated, a public Finding should be issued that details: <ol style="list-style-type: none"> <li>1. The nature of the complaint;</li> <li>2. What the investigation determined;</li> <li>3. The name of the respondent; and</li> <li>4. The penalty applied or actions taken.</li> </ol>	Office of the Mayor	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	6. An independent administrative law judge should deal with retaliation issues. The responsibility for retaliation complaints should be removed from the Ethics Commission.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	6. An independent administrative law judge should deal with retaliation issues. The responsibility for retaliation complaints should be removed from the Ethics Commission.	Board of Supervisors	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	6. An independent administrative law judge should deal with retaliation issues. The responsibility for retaliation complaints should be removed from the Ethics Commission.	Office of the Mayor	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	7. If an employee who has filed a whistleblower complaint is laid off within two years of having filed the complaint, or within one year of the complaint being closed, an administrative law judge will conduct a full review. Should it be determined that retaliation is a factor in the layoff/termination; the employee shall be awarded up to two years full salary as part of his or her severance package.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	7. If an employee who has filed a whistleblower complaint is laid off within two years of having filed the complaint, or within one year of the complaint being closed, an administrative law judge will conduct a full review. Should it be determined that retaliation is a factor in the layoff/termination; the employee shall be awarded up to two years full salary as part of his or her severance package.	Board of Supervisors	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	7. If an employee who has filed a whistleblower complaint is laid off within two years of having filed the complaint, or within one year of the complaint being closed, an administrative law judge will conduct a full review. Should it be determined that retaliation is a factor in the layoff/termination; the employee shall be awarded up to two years full salary as part of his or her severance package.	Office of the Mayor	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	8. CGOBOC must become an effective Whistleblower Program oversight entity by reviewing the number and type of whistleblower complaints, the investigative process used and the final results of investigations at least twice a year.	Office of the Controller	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	8. CGOBOC must become an effective Whistleblower Program oversight entity by reviewing the number and type of whistleblower complaints, the investigative process used and the final results of investigations at least twice a year.	Citizens' General Obligation Bond Oversight Committee	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	8. CGOBOC must become an effective Whistleblower Program oversight entity by reviewing the number and type of whistleblower complaints, the investigative process used and the final results of investigations at least twice a year.	Board of Supervisors	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	9. Anyone filing a non-website initiated complaint should be sent a form letter that indicates the tracking number and an acknowledgment that their complaint has been received.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	10. Create and institute a filter process to allow redirection of non-waste, fraud and abuse complaints to 311. This would require a change to the Charter.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	10. Create and institute a filter process to allow redirection of non-waste, fraud and abuse complaints to 311. This would require a change to the Charter.	Board of Supervisors	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	10. Create and institute a filter process to allow redirection of non-waste, fraud and abuse complaints to 311. This would require a change to the Charter.	Office of the Mayor	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	11. The Office of the Controller should develop and implement training to educate all city employees about the Whistleblower Program.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	12. Establish an appeals process using an independent administrative law judge for whistleblower complaints that qualify for review. Guidelines must be established to determine legitimate reasons for the appeal of a "dismissed", "no violation found" or "closed" complaint.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	12. Establish an appeals process using an independent administrative law judge for whistleblower complaints that qualify for review. Guidelines must be established to determine legitimate reasons for the appeal of a "dismissed", "no violation found" or "closed" complaint.	Board of Supervisors	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.

CGJ Year	Report Title	Recommendation	Response Required	2014 Response <sup>(1)</sup>	2014 Response Text	2016 Response <sup>(1)</sup>	2016 Response Text
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	12. Establish an appeals process using an independent administrative law judge for whistleblower complaints that qualify for review. Guidelines must be established to determine legitimate reasons for the appeal of a "dismissed", "no violation found" or "closed" complaint.	Office of the Mayor	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	13. Establish a reward system for substantiated high-risk whistleblower complaints with a \$500 minimum or 10% of funds recovered, whichever is greater.	Office of the Controller	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	13. Establish a reward system for substantiated high-risk whistleblower complaints with a \$500 minimum or 10% of funds recovered, whichever is greater.	Board of Supervisors	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	13. Establish a reward system for substantiated high-risk whistleblower complaints with a \$500 minimum or 10% of funds recovered, whichever is greater.	Office of the Mayor	**		**	
2010-11	Whistling in the Dark: The San Francisco Whistleblower Program	14. The Jury recommends that a best practices/benchmark study be done of other jurisdictions as to how confidentiality issues might be better managed.	Office of the Controller	**		**	

(1) "\*" Response not required: Recommendation has been fully implemented or abandoned.