

Status of the Recommendations
by the Civil Grand Jury
2014-15

CGJ Year	Report Title	Recommendation	Response Required	Original 2015 Response	Original 2015 Response Text	2016 Response ⁽¹⁾	2016 Response Text
2014-15	San Francisco's City Construction Program: It Needs Work	R1. NONE	NONE			**	
2014-15	San Francisco's City Construction Program: It Needs Work	R2. The BoS should amend Chapter 6 of the Administrative Code to require contractor performance as an additional criterion for construction contracts.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board cannot commit to timing or outcome of future legislation.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R3. The CGJ recommends that the proposed Chapter 6 amendment make past performance a construction award criterion for all future City construction contracts including LBE subcontracts.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board cannot commit to timing or outcome of future legislation.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R3. The CGJ recommends that the proposed Chapter 6 amendment make past performance a construction award criterion for all future City construction contracts including LBE subcontracts.	Mayor	Will be implemented in the future	The six Chapter 6 departments (Airport, Public Works, Port, Recreation and Park, SFMTA, and SFPUC), are committed to improving the pool of contractors who bid on City construction projects. In conjunction with the City Attorney and the Office of the Controller, the Chapter 6 departments are actively working to revise Chapter 6 to require performance evaluations and to devise procedures to consider past performance in contract awards. The departments are meeting regularly with a goal of presenting amendments to the law and associated processes to the Board of Supervisors in 2016.	Recommendation Implemented	File no. 160225 is an ordinance introduced at the Board of Supervisors in March 2016 that amends Chapter 6 to allow City departments authorized to perform public work to select construction contractors on the basis of best value to the City. The ordinance provides departments with another tool to procure public work contracts, establishes procedures and criteria for the selection of the best value contractor, and allows selection based on a combination of price and qualifications. The ordinance requires that any Local Business Enterprise bid discount available under Chapter 14B of the Administrative Code be applied to the price or cost portion of the bid only. The ordinance requires Chapter 6 departments to document, evaluate, and report the performance of all contractors awarded construction contracts under Chapter 6 for all contracts first advertised on or after September 1, 2016.
2014-15	San Francisco's City Construction Program: It Needs Work	R4. The Office of the Controller should implement a standardized change order management policy and require all City departments to adhere to any new change order policy.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	Given the wide variety of project types, sizes, budgets, and complexity undertaken by the Chapter 6 departments, a "one size fits all" approach is not in accordance with best practices.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R4. The Office of the Controller should implement a standardized change order management policy and require all City departments to adhere to any new change order policy.	Mayor Office of the Controller	Will not be implemented because it is not warranted or reasonable	The Office of the Controller, and specifically the City Services Auditor (CSA), audits and assesses departments' adherence to relevant construction policies and procedures citywide, and provides technical assistance to departments as needed. As presently written, the Administrative Code calls for a decentralized approach to construction management for Chapter 6 departments, leaving this authority with each department. This allows for a segregation of duties between the Office of the Controller and the departments charged with construction management. Given the wide variety of project types, sizes, budgets, and complexity undertaken by the Chapter 6 departments, a "one size fits all" approach is not in accordance with best practices. However, as recommended by CSA's May 2014 audit of citywide construction practices, the Chapter 6 departments, in conjunction with CSA, are moving forward with amendments to the Administrative Code, including potential modifications related to change order management policies. Public Works has a change order management tracking system. Change orders are tracked, categorized and regularly discussed in order to inform project management decisions. This system could be tailored to other Chapter 6 department's needs.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R5. The Office of the Controller should implement a standardized construction contract closeout policy and require all City departments to adhere to any new policy.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	Although the Board of Supervisors supports the recommendation, it is not within the jurisdiction of the Board.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R5. The Office of the Controller should implement a standardized construction contract closeout policy and require all City departments to adhere to any new policy.	Mayor Office of the Controller	Will not be implemented because it is not warranted or reasonable	The Office of the Controller, and specifically the City Services Auditor (CSA), conducts audits and assessments of departments' adherence to relevant construction policies and procedures citywide, and provides technical assistance to departments as needed. As presently written, however, the Administrative Code calls for a decentralized approach to construction management for Chapter 6 departments, leaving this authority with each department. This allows for a segregation of duties between the Office of the Controller and the departments charged with construction management. Given the wide variety of project types, sizes, budgets, and complexity undertaken by the Chapter 6 departments, a "one size fits all" approach is not always in accordance with best practices. However, as recommended by CSA's May 2014 audit of citywide construction practices, the Chapter 6 departments, in conjunction with CSA, are moving forward with amendments to the Administrative Code, including potential modifications related to construction contract closeout policies. At this time, Public Works is piloting new construction contract closeout procedures; if successful, this system is designed to be shared with the other Chapter 6 departments.	**	

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2014-15	San Francisco's City Construction Program: It Needs Work	R6. The BoS should request the BLA or CSA to benchmark the City's design and engineering workforce organizational structure against comparable cities and issue a report.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board of Supervisors will request a report back from the City Services Auditor during their next cycle of work planning by the end of the calendar year.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R6. The BoS should request the BLA or CSA to benchmark the City's design and engineering workforce organizational structure against comparable cities and issue a report.	Mayor Office of the Controller DPW	Requires further analysis	A benchmarking analysis could provide important and helpful insight into best practices for how to improve the organizational structure of the City's design and engineering workforce, and merits further consideration. As the Office of the Controller's City Services Auditor prepares its work plan, a benchmarking report will be considered, but must be weighed against other requests for that office's resources. The departments participating in this response defer to the Board of Supervisors with respect to involvement of the Board's Legislative Analyst, and the Office of the Controller will consult with the Board regarding which, if any, office performs the analysis. Because of departmental jurisdiction, this recommendation would not be implemented by the Mayor or Public Works. The departments that would participate in this recommendation defer to the Board of Supervisors with respect to involvement of the Legislative Analyst, as well as to the participation of the Office of the Controller's City Services Auditor.	Will Not Be Implemented: Not Warranted or Not Reasonable	The departments that would participate in this recommendaion defer to the Board of Supervisors with respect to involvement of the Legislative Analyst, as well as to the participation of the Controller City Services Auditor.
2014-15	San Francisco's City Construction Program: It Needs Work	R7. The Mayor should allocate financial resources in the current City budget to fund the Department of Technology hiring a consulting firm with extensive construction management expertise to develop citywide system requirements for the implementation of a construction management system.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	Although the Board of Supervisors supports the recommendation, it is not within the jurisdiction of the Board.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R7. The Mayor should allocate financial resources in the current City budget to fund the Department of Technology hiring a consulting firm with extensive construction management expertise to develop citywide system requirements for the implementation of a construction management system.	Mayor Office of the Controller DPW	Requires further analysis	The City's annual budget process begins in December of each year, and concludes in June the following year. As part of the Fiscal Years 2016-17 and 2017-18 budget process, Public Works, the Department of Technology, and the Mayor's Office will consider the inclusion of financial resources to fund a consultant to meet the vision of the Jury. Any request, however, must be weighed against other citywide funding requests, so funding cannot be guaranteed at this time.	Requires Further Analysis	The City's annual budget process begins in December of each year, and concludes in June the following year. As part of the Fiscal Years 2016-17 and 2017-18 budget process, Public Works, the Department of Technology, and the Mayor's Office will consider the inclusion of financial resources to fund a consultant to meet the vision of the Jury. Any request, however, must be weighed against other citywide funding requests, so funding cannot be guaranteed at this time. The Financial Systems Project (FSP) has over 400 requirements for procurement in the categories of commodities and services (including professional services and construction). These requirements include managing the sourcing event from initiation, bid, evaluation and contract negotiation. Also as a part of the project there are approximately 150 requirements related to the payment processes, which include the ability for vendors and suppliers to submit invoices electronically into the system. FSP is currently working with the Chapter 6 departments to develop Citywide processes within the system so that efficiencies are gained in the procurement and management of these contracts.
2014-15	San Francisco's City Construction Program: It Needs Work	R8. The BoS should either request the CSA or BLA, or retain an outside firm, to benchmark the independent construction management structure of other cities and develop recommendations applicable to San Francisco.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board of Supervisors does not have the authority to implement this recommendation, the Board will request a report back from the City Services Auditor during their next cycle of work planning by the end of the calendar year.	**	
2014-15	San Francisco's City Construction Program: It Needs Work	R8. The BoS should either request the CSA or BLA, or retain an outside firm, to benchmark the independent construction management structure of other cities and develop recommendations applicable to San Francisco.	Mayor Office of the Controller	Requires further analysis	This recommendation overlaps with recent and existing work of a workgroup of Chapter 6 departments. Legislation modernizing Chapter 6 went into effect August 1, 2015 after more than a year of collaboration. The next round of changes, including a shared database to track contractor performance, is being discussed now with a goal of implementation by summer 2016. However, a benchmarking analysis could provide important and helpful insight into best practices for how to improve the City's independent construction management structure, and will be considered. As the Office of the Controller's City Services Auditor prepares its work plan going forward, a benchmarking report will be considered, but must be weighed against other requests for that office's resources. The departments participating in this response defer to the Board of Supervisors with respect to involvement of the Board's Legislative Analyst, and the Office of the Controller will consult with the Board regarding which, if any, office performs the analysis.	Requires Further Analysis	A benchmarking analysis could provide important and helpful insight into best practices for how to improve the City's independent construction management structure, and will be considered. As the Office of the Controller's City Services Auditor prepares its work plan going forward, a benchmarking report will be considered, but must be weighed against other requests for that office's resources. The departments participating in this response defer to the Board of Supervisors with respect to involvement of the Board's Legislative Analyst, and the Office of the Controller will consult with the Board regarding which, if any, office performs the analysis.
2014-15	San Francisco's City Construction Program: It Needs Work	R9. The BoS should require all City departments to issue final project construction reports within nine month of project completion for all construction projects and for the reports to be posted on each department's website.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board of Supervisors does not have the authority to implement this recommendation. Although the Board of Supervisors does not have the authority to implement this recommendation, the Board requests the Departments to report on their construction projects by the end of the calendar year.	**	

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2014-15	San Francisco's City Construction Program: It Needs Work	R9. The BoS should require all City departments to issue final project construction reports within nine month of project completion for all construction projects and for the reports to be posted on each department's website.	Mayor Office of the Controller	Will not be implemented because it is not warranted or reasonable	This recommendation is directed specifically to the Board of Supervisors. However, the responding departments welcome further discussion regarding final construction reports should the Board of Supervisors choose to pursue this recommendation. It should be noted, however, that pertinent budget and schedule information is provided in various forms to staff and oversight bodies. As per Administrative Code Section 6.22(k), Chapter 6 departments must prepare and execute closeout and acceptance documents. Upon presentation to oversight bodies (including the Citizens' General Obligation Bond Oversight Committee, the Recreation & Park Commission, Port Commission, Airport Commission, Public Utilities Commission, and the Municipal Transportation Agency Board of Directors), this information is posted online and made available to the public.	**	
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 1.1: That the Ethics Commission recommend to the Board of Supervisors an amendment to the WPO that provides real protection for whistleblowers, in conformity with the Charter mandate of Proposition C.	Ethics Commission & Executive Director	May be implemented	The Ethics Commission is willing to suggest amendments to the WPO to the Board of Supervisors but will need the assistance of the City Attorney's Office, the Department of Human Resources and the Controller's Office. Also, due to an already heavy planned workload for this year, and in addition the upcoming election cycle, the Commission anticipates that it will not be able to begin this project until 2016. Further, should the Board of Supervisors communicate in writing to the Commission that they wish to conduct the drafting of these amendments, the Commission will defer to the Board.	Recommendation Implemented	The Ethics Commission provided its written analysis of the CGJ's WPO recommendations in a memo dated January 20, 2016. At its meeting on January 25, 2016, the Commission discussed that analysis and directed that draft amendments to the Ordinance be presented for further action. On March 28, 2016, in addition to strengthening existing law by unanimously adopting regulations that interpret and clarify terms in the current statute, the Commission unanimously approved a series of statutory changes to strengthen the Ordinance to forward to the Board of Supervisors for its action. The Commission's recommendations were transmitted to the Board on April 11, 2016.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 1.2: If the Ethics Commission fails to act within a reasonable time, that the Board of Supervisors on its own amend the WPO to provide real protection to whistleblowers, in conformity with the Charter mandate of Proposition C.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board of Supervisors will work with the Ethics Commission to improve the WPO; however, the Board of Supervisors cannot predict the timing or outcome of the Ethics Commission's actions nor the approvals by the legislative body.	**	
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 1.3: If the Ethics Commission requests that the Board amend the WPO and the Board fails to act within a reasonable time, that the Commission consider submitting such an amendment directly to the voters.	Ethics Commission & Executive Director	May be implemented	If the Commission recommends amendment(s) to the Board that are not considered or not adopted, the Commission will then consider sending the amendment(s) to the voters.	Requires Further Analysis	Since transmitting its recommendations to the Board, Ethics Commission staff has engaged with BOS leadership and the City Attorney's Office regarding the development and introduction of a formal draft Ordinance for the Board's consideration, both of which are anticipated in May 2016. Commission staff will keep the Ethics Commission informed about the Board's actions on the proposed Ordinance. Should the Board fail to act on the WPO in a reasonable timeframe, the Commission would be informed of that and could then consider whether to submit the item directly to the voters.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R. 1.4: If the Ethics Commission and the Board fail to act within a reasonable time, that the Mayor introduce legislation to the Board of Supervisors that would amend the WPO to provide real protection to whistleblowers, in conformity with the Charter mandate of Proposition C.	Mayor	Will not be implemented because it is not warranted or reasonable	This sub-recommendation is part of a larger recommendation that first calls for the Ethics Commission to submit an amendment to the WPO to the Board of Supervisors. If the Ethics Commission fails to do so, the Board of Supervisors is to act on its own to amend the WPO. In the event that the Ethics Commission does not take action or the recommended amendment is not enacted by the Board of Supervisors, the Ethics Commission is to submit an amendment directly to the voters. In the event that none of these recommendations occur, Recommendation 1.4 calls for the Mayor to introduce legislation to the Board of Supervisors to amend the ordinance. The amendment to the WPO recommended here is too vaguely-defined for the Mayor to take a position on it at this time. Further, the sequencing described in the recommendation is not consistent with the way the Mayor's Office approaches major changes to City law. If such changes were to be contemplated, a consensus-based approach would be adopted, with engagement from relevant City departments, stakeholders, legal and subject-matter experts, as well as other elected officials. This is a more effective method of enacting changes to City law.	**	
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 2.1: That amendments to the WPO expand the definition of whistleblowing to cover oral complaints to the complainant's department; disclosures to a City department or commission other than the complainant's own; and providing information to any of the recipients listed in the Charter mandate (hereafter "listed recipients"), outside of the formal complaint or investigation process.	Ethics Commission & Executive Director	May be implemented	If and when the Commission considers amending the WPO, it will take these recommendations into consideration. It may be advisable to expand the scope of the definition of "providing information" but there needs to be provision for the memorializing of these reports.	Recommendation Implemented	The Ethics Commission's proposed strengthening amendments recommend expanding the definition of whistleblowing to cover disclosures that include those brought outside the formal complaint or investigative process; and to a City department or commission other than the complainant's own, as well as to another state or federal agency. In addition, the term 'complaint' was clarified to mean any formal or informal writing or record such as a letter, email or other communication sufficient to convey what the complainant in good faith believes evidences improper government activity by a city officer or employee. A "complaint" can also include an oral communication that is recorded in writing by the recipient of the complaint or that is accompanied by written information demonstrating improper government activity by a city officer or employee.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 2.1: That amendments to the WPO expand the definition of whistleblowing to cover oral complaints to the complainant's department; disclosures to a City department or commission other than the complainant's own; and providing information to any of the recipients listed in the Charter mandate (hereafter "listed recipients"), outside of the formal complaint or investigation process.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board of Supervisors will work with the Ethics Commission to improve the WPO; however, the Board of Supervisors cannot predict the timing or outcome of the Ethics Commission's actions nor the approvals by the legislative body. The Board would also need a more specific definition of "oral complaints" in order to warrant implementation of this recommendation.	**	

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2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 2.1: That amendments to the WPO expand the definition of whistleblowing to cover oral complaints to the complainant's department; disclosures to a City department or commission other than the complainant's own; and providing information to any of the recipients listed in the Charter mandate (hereafter "listed recipients"), outside of the formal complaint or investigation process.	Mayor	Requires further analysis	<i>No response text provided.</i>	Requires Further Analysis	On March 28, 2016, the Ethics Commission adopted Whistleblower Protection Ordinance Regulations to clarify and interpret terms used in the ordinance and adopted proposed amendento to the Whistblower Ordinance that the Ethics Commission transmitted on May 11, 2016 for consideration. The proposed amendments include clarifying definition of whistleblowing and covered complaints filed with departments other than the complainant's departmnet.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 2.2: That these amendments further expand the scope of covered disclosures to include "providing information" to any of the listed recipients regarding improper government activities, whether or not such information is set forth in a formal complaint, or provided during an official investigation.	Ethics Commission & Executive Director	May be implemented	If and when the Commission considers amending the WPO, it will take these recommendations into consideration. It may be advisable to expand the scope of the definition of "providing information" but there needs to be provision for the memorializing of these reports.	Recommendation Implemented	In the Ethics Commission's recommended changes, the term 'complaint' was clarified to mean any formal or informal writing or record such as a letter, email or other communication sufficient to convey what the complainant in good faith believes evidences improper government activity by a city officer or employee. A "complaint" can also include an oral communication that is recorded in writing by the recipient of the complaint or that is accompanied by written information demonstrating improper government activity by a city officer or employee. In addition, for purposes of affording Whistleblower protections, the scope of what is defined as an "improper governmental activity" was clarified and expanded to include alleged 'gross waste, fraud and abuse of City resources,' and not alleged violations of laws within the Ethics Commission's jurisdiction only.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 2.2: That these amendments further expand the scope of covered disclosures to include "providing information" to any of the listed recipients regarding improper government activities, whether or not such information is set forth in a formal complaint, or provided during an official investigation.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board of Supervisors will work with the Ethics Commission to improve the WPO; however, the Board of Supervisors cannot predict the timing or outcome of the Ethics Commission's actions nor the approvals by the legislative body. The Board would also need a more specific definition of what "providing information" entails in order to warrant implementation of this recommendation since there is no clear data that defines the problem.	**	
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 2.2: That these amendments further expand the scope of covered disclosures to include "providing information" to any of the listed recipients regarding improper government activities, whether or not such information is set forth in a formal complaint, or provided during an official investigation.	Mayor	Requires further analysis	<i>No response text provided.</i>	Requires Further Analysis	On March 28, 2016, the Ethics Commission adopted Whistleblower Protection Ordinance Regulations to clarify and interpret terms used in the ordinance and adopted proposed amendento to the Whistblower Ordinance that the Ethics Commission transmitted on May 11, 2016 for consideration. The proposed amendments include expanding the types of improper governmental activitions subject to protection.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 3: That amendments to the WPO provide a meaningful remedy for the effects of retaliation, by authorizing the Ethics Commission to order cancellation of a retaliatory job action, and increasing the limit of the civil penalty available under the WPO to an amount adequate to repay the financial losses that can result from such an action.	Ethics Commission & Executive Director	May be implemented	The Commission believes these recommendations may well improve the WPO and will also take them into consideration. The Commission notes that Employment Law is not part of our mandate and is normally handled by other departments. Many factors may come into consideration in this area such as MOU's and other labor agreements that are not properly part of the Ethics Commission mission. The Commission also notes that these proposals may create a large increase in staff workload.	Recommendation Implemented	The Ethics Commission's recommended Ordinance changes propose to expand remedies for retaliatory employment actions by increasing civil penalties from a maximum of \$5,000 to a maximum of \$10,000; and by authorizing the Ethics Commission to issue an Order following an administrative hearing in which a violation was found that calls for the cancellation of a retaliatory action. In addition, for greater clarity and effectiveness of the law, the Commission has defined by regulation the term "other similar adverse employment actions." This clarifying regulation would continue to be applicable to the Ordinance as proposed by the Ethics Commission.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 3: That amendments to the WPO provide a meaningful remedy for the effects of retaliation, by authorizing the Ethics Commission to order cancellation of a retaliatory job action, and increasing the limit of the civil penalty available under the WPO to an amount adequate to repay the financial losses that can result from such an action.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	The Board of Supervisors concurs with the Mayor's Office, which states that "under the WPO, the Ethics Commission is provided with punitive, not restorative, powers to respond to the finding of retaliatory job action. However, there are a number of other avenues a complainant can pursue in such circumstances. As the Civil Grand Jury notes, 'City officers and employees have successfully litigated complaints of whistleblower retaliation in state court.' Contrary to the Jury's claim that this proves the ineffectiveness of the WPO, it in fact demonstrates that there is an established process for filing a civil action. In addition, if an employee believes that he or she has been disciplined without just cause or has suffered adverse job impact in retaliation for blowing the whistle, the employee can file a grievance through his or her union. A grievance of this nature may be resolved at the department or Department of Human Resources level, or be escalated to arbitration, in accordance with the negotiated rules of the employee's Memorandum of Understanding. If the Ethics Committee had investigated and found that the job action was in fact retaliation for activities protected by the Whistleblower Protection Ordinance, this ruling would likely influence the independent arbitrator, who does have the power to reverse a retaliatory job action. While the investigation and ruling of the Ethics Commission would be a critical step in the process, as the Ethics Commission notes in their response, labor relations are the responsibility of the Department of Human Resources.	**	

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2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 4: That amendments to the WPO include a revision of Subsection 4.115(b)(iii) providing that the burden of proof set forth therein does not apply during preliminary review and investigation of administrative complaints to the Commission.	Ethics Commission & Executive Director	May be implemented	As stated above, the Commission will carefully consider these recommendations when considering amending the ordinance. The Commission believes that there needs to be some demonstrable basis for a complaint in order to justify an investigation.	Recommendation Implemented	The Ethics Commission clarified by regulation that the "preponderance of the evidence" standard applies in establishing that retaliation actually occurred only in a civil action or an administrative proceeding before the Ethics Commission, not in the process of investigating the complaint. This clarifying regulation would continue to be applicable to the Ordinance as proposed by the Ethics Commission.
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 4: That amendments to the WPO include a revision of Subsection 4.115(b)(iii) providing that the burden of proof set forth therein does not apply during preliminary review and investigation of administrative complaints to the Commission.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	There should be minimum evidence requirement to justify a whistleblower complaint in order for the Ethics Commission to pursue an investigation.	**	
2014-15	San Francisco's Whistleblower Protection Ordinance is in Need of Change	R 4: That amendments to the WPO include a revision of Subsection 4.115(b)(iii) providing that the burden of proof set forth therein does not apply during preliminary review and investigation of administrative complaints to the Commission.	Mayor	Will not be implemented because it is not warranted or reasonable	As noted above, the burden of proof requirement provides critical balance to the WPO by eliminating the element of moral hazard that its removal would enable.	**	
2014-15	CleanPowerSF At Long Last	R1. That CleanPowerSF be designed, first and foremost, to be financially viable and to grow quickly without undue risk.	Mayor SF Public Utilities Commission (Agency)	Recommendation implemented	CleanPowerSF is designed to be financially viable and to grow quickly without undue risk. The Mayor's Office and the SFPUC, however, reject the Civil Grand Jury's suggestion that the program use unbundled RECs as a tool to support the program's growth and financial viability. We believe purchasing unbundled RECs to claim non-renewable power as renewable is not appropriate for the City's community choice aggregation program. Moreover, unlike the experience of Marin Clean Energy recounted in the report, San Francisco is procuring supply for a CleanPowerSF program at a time when electricity prices - including bundled renewables - are quite low, and projected to remain low. As a result, San Francisco's program at launch is expected to be affordable with bundled renewable supplies, avoiding the arguments explained in the report about the degraded quality of programs reliant upon unbundled RECs. CleanPowerSF is designed to not rely on unbundled RECs. We believe that the program will grow more quickly if consumers have the confidence that the renewable power procured and claimed by the program is high quality renewable. We have made the policy decision to only launch the program if the affordability goals can be met with bundled renewables supplying the program.	**	
2014-15	CleanPowerSF At Long Last	R1. That CleanPowerSF be designed, first and foremost, to be financially viable and to grow quickly without undue risk.	Board of Supervisors	Recommendation implemented	The program is designed to be viable and able to grow quickly.	**	
2014-15	CleanPowerSF At Long Last	R2. That CleanPowerSF be free to use unbundled RECs, and to provide less than 100% green power, as needed to meet its goals of financial viability and early expansion.	Mayor SF Public Utilities Commission (Agency)	Will not be implemented because it is not warranted or reasonable	CleanPowerSF is designed to be financially viable without using unbundled RECs. Moreover, as previously stated, the Mayor's Office and the SFPUC reject the use of unbundled RECs for CleanPowerSF to meet its financial goals or increase the growth of the program. CleanPowerSF will be honest and transparent about the renewable content of the power it is procuring for its customers. There is a growing consensus against the use of unbundled RECs. In July 2015, the Board of Supervisors passed 8-0 an initiative ordinance including the following language: "It is the City's policy that the use of unbundled renewable energy credits for CleanPowerSF customers shall be limited to the extent deemed feasible by the SFPUC, consistent with the goals of the program." (Italics added for emphasis) As discussed above, however, the recommendation to include a renewable power option that is less than 100% has been implemented.	**	

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2014-15	CleanPowerSF At Long Last	R2. That CleanPowerSF be free to use unbundled RECs, and to provide less than 100% green power, as needed to meet its goals of financial viability and early expansion.	Board of Supervisors	Recommendation implemented	CPSF is not currently restricted from using unbundled RECs, however the Board of Supervisors recently approved language saying unbundled RECs, "shall be limited to the extent deemed feasible by the SFPUC, consistent with the goals of the program" and state law. CPSF is designed with two product offerings: one with 100% green power and another with less than 100% but more than what PG&E offers.	**	
2014-15	CleanPowerSF At Long Last	R3. That CleanPowerSF be designed to provide as many local jobs as it can, without compromising its financial viability and potential for early expansion.	Mayor SF Public Utilities Commission (Agency)	Recommendation implemented	CleanPowerSF is designed to provide as many jobs as it can and add more jobs with its growth.	**	
2014-15	CleanPowerSF At Long Last	R3. That CleanPowerSF be designed to provide as many local jobs as it can, without compromising its financial viability and potential for early expansion.	Board of Supervisors	Recommendation implemented	CPSF is designed to provide local jobs and its expansion will enable it to create yet more local jobs.	**	
2014-15	CleanPowerSF At Long Last	R4. That SFPUC integrate the GoSolarSF program into CleanPowerSF to take advantage of their complementary relationship	Mayor SF Public Utilities Commission (Agency)	Will be implemented in the future	The CleanPowerSF program design envisions its customers will be able to access GoSolarSF incentives. The amount of funding CleanPowerSF will contribute to GoSolarSF has not yet been determined.	Will Be Implemented in the Future	PUC staff conducted a meeting with GoSolarSF and other stakeholders on April 27, 2016. PUC staff is drafting program changes to achieve the City's goal of putting more solar on San Francisco rooftops, while improving the relationship between GoSolarSF incentives and CleanPowerSF customers. Follow-up meetings with stakeholders to get more input on the proposals are scheduled in late May and early June. PUC staff will then bring recommendations to AGM Power, GM, and to then Commission for approval. Target approval is August 23, 2016.
2014-15	CleanPowerSF At Long Last	R4. That SFPUC integrate the GoSolarSF program into CleanPowerSF to take advantage of their complementary relationship	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	Though the Board of Supervisors enthusiastically supports this effort, and though the relevant department, the San Francisco Public Utilities Commission, is actively working to implement it, the restrictive response options imposed by the Civil Grand Jury process prevent the Board from offering an accurate response. The recommendation involves a multi-year effort being conducted outside of the Board's direct authority, and there is no response option for that situation.	**	
2014-15	CleanPowerSF At Long Last	R5. That local officials, including the Mayor, put the full weight of their offices behind the success of the CleanPowerSF program	Mayor SF Public Utilities Commission (Agency)	Recommendation implemented	The Mayor, Board President Breed, San Francisco Board of Supervisors, and the SFPUC have been working to ensure the success of CleanPowerSF.	**	
2014-15	CleanPowerSF At Long Last	R5. That local officials, including the Mayor, put the full weight of their offices behind the success of the CleanPowerSF program	Board of Supervisors	Recommendation implemented	The Board of Supervisors has been putting its full weight behind CleanPowerSF for years, and is thankful to be joined by Mayor Lee, the SFPUC, and a broad coalition of city officials, residents, business owners, and advocates who are committed to CleanPowerSF's success.	**	
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R1. The Office of Assessor-Recorder should raise the bar by meeting the state requirement and clear the backlog by the end of FY16-17.	Mayor	Requires further analysis	Please see the department's response regarding the feasibility of clearing the backlog by the end of FY 2016-17. The Mayor supports the goal of clearing the backlog and as a result the budget has included funds for significant staffing and IT investments for the Assessor-Recorder's Office over the past several fiscal years.	Will Be Implemented in the Future	Over the last two budget cycles, the Assessor-Recorder's Office has filled positions to continue to bring down the outstanding assessment work load, particularly in new construction cases, and provide key resources in Finance, IT and Human Resources to support a growing staff. The office developed a long-term staffing analysis in FY 2015-2016 and has the goal to refine that plan as more information is known about market conditions or resource changes over time. As part of the FY2016-17 and FY2017-18 budget process, the Assessor-Recorder's Office has submitted a request for additional resources to restructure the organization for long-term success and implement business process improvements, provide additional appraiser, analytical and clerical staff to work on outstanding cases, and to modernize and replace the City's obsolete property assessment and tax systems. The Office of the Mayor supports the Assessor-Recorder in her efforts to secure the continuation of the State-County Assessors' Partnership Agreement Program (SCAPAP), a state grant dedicated to improving the administration of the county property tax rolls, as grant funding expires at the end of FY2016-17.
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R1. The Office of Assessor-Recorder should raise the bar by meeting the state requirement and clear the backlog by the end of FY16-17.	Assessor-Recorder	~The recommendation has been implemented ~The recommendation requires further analysis ~The recommendation will not be implemented because it is not warranted or reasonable	See response to Findings 3, 4 and 5. Although our office has been successful in advocating for and receiving funds from the State and locally, long term success depends on a number of factors, including: success in receiving additional support for operations, identifying operational efficiencies, support in the hiring process to implement the staffing plan, and market conditions. While the office's goal is to clear the outstanding assessment cases, current staffing levels are not adequate to do so by FY 16-17. The office, however, is focused on refining our analysis to determine the combination of strategies needed to address work load in the long-term.	Recommendation Implemented / Will Be Implemented in the Future	Over the last two budget cycles, ASR has received funding for additional staff through the City's annual budget process. New positions were funded to keep pace with a high-volume incoming work load, particularly in new construction cases, and provide key resources in Finance, IT and Human Resources to support a growing staff. The office developed a long-term staffing analysis in FY 2015-2016 and intends to refine that plan as more information is known about market conditions or resource changes over time. As part of the FY2016-17 and FY2017-18 budget process, the Assessor-Recorder's Office has submitted a request for additional resources to restructure the organization for long-term success and implement business process improvements, provide additional appraiser, analytical and clerical staff to work on outstanding cases, and to modernize and replace the City's obsolete property assessment and tax systems. In addition, ASR is working at the state level to ensure the continuation of the State-County Assessors' Partnership Agreement Program (SCAPAP), a state grant dedicated to improving the administration of the county property tax rolls, as grant funding expires at the end of FY2016-17.

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

Status of the Recommendations
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CGJ Year	Report Title	Recommendation	Response Required	Original 2015 Response	Original 2015 Response Text	2016 Response ⁽¹⁾	2016 Response Text
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R2. The Office of Assessor-Recorder needs to conduct a staffing analysis and generate an aggressive written long-term plan to maintain a backlog-free OAR before the end of CY2015.	Mayor	Will be implemented in the future	Please see the department's response for information on its plan to implement this recommendation by the end of Fiscal Year 2015-16. The Mayor encourages the department to generate a long-term plan, which will supplement its practice of producing an annual staffing analysis.	Recommendation Implemented	The Assessor-Recorder's Office has developed a staffing analysis in FY 2015-2016. In addition, the office is hiring a number of new appraiser positions, including transitioning limited-term assessment appeals positions to permanent appraiser positions focused on new construction, parcel management, and change in ownership assessment cases. The office has begun to implement a number of business process improvements throughout the organization to gain efficiencies where possible. As resources become available in the coming fiscal year, the office intends to refine its long-term projections to work down its caseload.
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R2. The Office of Assessor-Recorder needs to conduct a staffing analysis and generate an aggressive written long-term plan to maintain a backlog-free OAR before the end of CY2015.	Assessor-Recorder	~The recommendation has been implemented ~The recommendation has not been, but will be, implemented in the future	See response to Finding 5. The office's goal is to develop a long-term plan in FY 201 5-16 and to continue refining that plan as more information is known about market conditions or resource changes.	Will Be Implemented in the Future	The office developed a staffing analysis in FY 2015-2016 and plans to refine that analysis as more information is known about market conditions or resource changes over time. In addition, the office is hiring a number of new appraiser positions, including transitioning limited-term assessment appeals positions to permanent appraiser positions focused on new construction, parcel management, and change in ownership assessment cases. The office has begun to implement a number of business process improvements throughout the organization to gain efficiencies where possible. As resources become available in the coming fiscal year, the office intends to refine its long-term projections to work down its caseload.
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R2. The Office of Assessor-Recorder needs to conduct a staffing analysis and generate an aggressive written long-term plan to maintain a backlog-free OAR before the end of CY2015.	Board of Supervisors	Recommendation implemented	The staffing analysis will be complete by the end of FY2015-2016.	**	
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R3. The City and County needs to provide General Fund money (from the expected increase in revenue from property taxes due to a more productive OAR) in the FY15-16 budget to support new funding for key administrative positions and on-going funding for OAR positions after the expiration of the three-year grant.	Mayor	Recommendation implemented	The adopted Fiscal Year 2015-16 budget includes a \$655,634 increase in General Fund support for the Assessor-Recorder's Office; 18 new positions are included in that funding increase.	**	
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R3. The City and County needs to provide General Fund money (from the expected increase in revenue from property taxes due to a more productive OAR) in the FY15-16 budget to support new funding for key administrative positions and on-going funding for OAR positions after the expiration of the three-year grant.	Assessor-Recorder	~The recommendation has been implemented ~The recommendation has not been, but will be, implemented in the future	The Board of Supervisors and the Mayor approved a \$22 million General Fund budget for OAR for FY 2015- 16, including additional resources for key administrative and operations positions. As the office further refines the long-term outlook, additional resources may be necessary to reduce the number of outstanding assessment cases. In addition, the expiration of a three-year state grant is outside the timeframe of the recently passed two year FY 2015-17 budget. The office will be in conversations with the Board of Supervisors and the Mayor's Office prior to the expiration of grant funding in FY 2017-18.	Will Be Implemented in the Future	The Board of Supervisors and the Mayor approved a \$22 million General Fund budget for OAR for FY 2015-16, including additional resources for key administrative and operations positions. Moving forward, OAR will continue to work with the Mayor and the Board of Supervisors to identify revenue to help resource the department. Additionally, OAR has begun work with the California Assessors Association (CAA) to coordinate efforts to extend the state grant dedicated to performing essential property tax duties, such as assessments and enrollments. Currently, the grant funding ends in FY 2017-18.
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R3. The City and County needs to provide General Fund money (from the expected increase in revenue from property taxes due to a more productive OAR) in the FY15-16 budget to support new funding for key administrative positions and on-going funding for OAR positions after the expiration of the three-year grant.	Board of Supervisors	Recommendation implemented	The Board of Supervisors and the Mayor approved the FY2015-16 budget, which included a \$655,634 increase in General Fund support and 18 new positions for the OAR.	**	
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R4. The Office of Assessor-Recorder should regularly meet with staff from DBI to transfer data more efficiently between the departments before the end of CY15.	Mayor	Recommendation implemented	As noted in the Assessor-Recorder's response, this recommendation has been implemented.	**	
2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R4. The Office of Assessor-Recorder should regularly meet with staff from DBI to transfer data more efficiently between the departments before the end of CY15.	Assessor-Recorder	Recommendation implemented	The Office of the Assessor-Recorder is currently holding regularly scheduled meetings with the Department of Building Inspection (DBI) to improve data flow between both departments. In addition, we will be working through the City Services Auditor Division within the Controller's Office and with DBI to find additional opportunities to improve the flow of information from DBI to our office this is particularly important as DBI begins planning for the next phase of their technology project.	**	

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

Status of the Recommendations
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2014-15	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R5. The 2015 and on-going OAR Annual Reports need to be written in a more explicit, consumer-friendly, jargon-free fashion, highlighting and clearly defining any efforts made in reducing the backlog, discussing the financial implications for not doing so, and addressing any progress made, or obstacles encountered, in fulfilling the recommendations for office improvements.	Mayor	Will be implemented in the future	As noted in the Assessor-Recorder's response, this recommendation will be implemented in the upcoming OAR Annual Report, which is expected to be released in September 2015.	Recommendation Implemented	In its 2015 Annual Report, which covers FY 2014-15, the Assessor-Recorder explains workload queue (page 17). This information was supported by a detailed analysis of supplemental and escape assessments on page 18 of the report, as well as a description and analysis of our assessment appeals on page 15.
2013-14	Office of the Assessor-Recorder: Despite Progress, Still The Lowest Rated Office in the State	R5. The 2015 and on-going OAR Annual Reports need to be written in a more explicit, consumer-friendly, jargon-free fashion, highlighting and clearly defining any efforts made in reducing the backlog, discussing the financial implications for not doing so, and addressing any progress made, or obstacles encountered, in fulfilling the recommendations for office improvements.	Assessor-Recorder	Recommendation implemented	The Office of the Assessor-Recorder strives to make information on the functions of the office and requirements of the revenue and tax code assessable to taxpayers and looks forward to continuing to improve our communications. Pages 4 & 5 of the 2014 Annual Report highlights key initiatives for the office. Pages 11-21 focuses on the Real Property Division and includes information such as pending assessment appeals cases over the last ten years and descriptions of the property roll. While the report does not include a discussion on the financial implication of unworked assessments (because individual cases have not yet been reviewed), pages 7-9 speaks to how property tax revenues are allocated and programs it supports.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.1 . That by December 2015 the Chief develop a plan and the methodology for bringing response times for both Code 2 and Code 3 calls to required levels, and that the Department achieve compliance with EOA standards by December 2016.	SFFD Chief of Department	Recommendation implemented	The development of a plan and methodology was formalized in the fall of 2014 with the formation of the City's ambulance work group, headed by the Mayor's Office with representatives from SFFD, DEM, Controller, Board of Supervisors, Fire Commission and other relevant stakeholders. This work group and its various sub groups were responsible for analyzing the issues facing the City's EMS system and developing recommendations to meet both response and EOA metrics for both the SFFD and private providers. A number of these recommendations have been implemented , including additional staffing for the Department, the purchase of new ambulances, and the staffing of a nurse at a DPH shelter. In addition, a number of recommendations have been funded in the new FY15-16 budget or are currently being implemented, such as restoration of the HOME team , per diem employees and other initiatives . There is on-going analysis done to staffing levels, work load, and call volume to regularly monitor the performance of the system , and all invested providers meet regularly to discuss issues and topics of relevance.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.1. That by December 2015 the Chief develop a plan and the methodology for bringing response times for both Code 2 and Code 3 calls to required levels, and that the Department achieve compliance with EOA standards by December 2016.	SFFD Commission	Recommendation implemented	The development of a plan and methodology was formalized in the fall of 2014 with the formation of the City's ambulance work group, headed by the Mayor's Office with representatives from SFFD, DEM, Controller, Board of Supervisors, Fire Commission and other relevant stakeholders. This work group and its various sub groups were responsible for analyzing the issues facing the City's EMS system and developing recommendations to meet both response and EOA metrics for both the SFFD and private providers. A number of these recommendations have been implemented, including additional staffing for the Department, the purchase of new ambulances, and the staffing of a nurse at a DPH shelter. In addition, a number of recommendations have been funded in the new FY15-16 budget or are currently being implemented, such as restoration of the HOME team, per diem employees and other initiatives. There is on-going analysis done to staffing levels, work load, and call volume to regularly monitor the performance of the system, and all invested providers meet regularly to discuss issues and topics of relevance.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.1.1. The Fire Commission should require the Chief to prepare a monthly report on ambulance performance versus the EOA and the average number of ambulances capable of responding to a service call.	SFFD Chief of Department	Recommendation implemented	Even before the Civil Grand Jury Report was issued, the Fire Commission had already tasked the Chief of Department to report on ambulance response times and progress toward meeting the EOA. These reports are typically provided by the Deputy Chief of Operations. The Commission has been actively monitoring these issues for years.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.1.1 .The Fire Commission should require the Chief to prepare a monthly report on ambulance performance versus the EOA and the average number of ambulances capable of responding to a service call.	SFFD Commission	Recommendation implemented	Even before the civil grand jury report was issued, the Fire Commission had tasked the Chief to report on ambulance response times and progress toward meeting the EOA. These reports are typically provided by the Deputy Chief of Operations. The Commission has been actively monitoring these issues for years.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.2 . That by July 2016, the Chief institute a modified static/dynamic model of ambulance deployment to include ambulances based at stations in Battalions 7, 8, 9, and 10 with the remaining ambulance fleet operating out of Station 49.	SFFD Chief of Department	Will not be implemented because it is not warranted or reasonable	There are numerous issues with a model where ambulance employees work a 24-hour shift, as the Department experienced in the early years of the merger with DPH. These include fatigue, safety and deterioration of clinical skills, which result from long work periods at high call volume without adequate rest breaks. In addition , the Department was part of a lawsuit surrounding FLSA overtime at the time it employed the 24-hour ambulance shift model, since employees that work 24-hours on an ambulance are not considered fire suppression employees and are subject to separate labor rules. The 24-hour shift is generally discouraged within the EMS industry. A number of current ambulance posting locations are right by or are very close to existing fire stations; thus, provided that the system has sufficient resources and those postings can be maintained, these areas should then be well covered within the dynamic ambulance deployment model.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.2.1. The Civil Grand Jury recommends the number of supply trips from Station 49 be reduced through the implementation of a secure inventory reserve at some stations or by contracting with a medical supply company to restock supplies at firehouses.	SFFD Chief of Department	Will be implemented in the future	The Department is currently developing a plan to increase counts of medical supplies and establish satellite "caches" at various fire stations and other locations throughout the City to allow ambulance crews to re-stock their ambulances without having to travel back to Station 49.	Recommendation Implemented	The Department has set up a "cache house" program, where supplies for ambulances are stored at eight fire stations placed throughout the City to allow ambulance crews to re-stock items without having to return to Station 49. In addition, the Department is currently testing a supply bin system at Station 49 to improve logistical efficiencies there for ambulances coming off and going on duty. The Department is also in the process of hiring three senior storekeepers to assist the Department's logistics bureau with supply restocking on ambulances.

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

Status of the Recommendations
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2014-15	San Francisco Fire Department What Does the Future Hold?	R1.3. That by July 2017, the Chief schedule sufficient new training academies so that all engines will have a paramedic on every crew.	SFFD Chief of Department	Requires further analysis	There are additional on-going costs to the Department to staff all engines with H- 3 FF/PMs that are above and beyond what is incorporated in the Department's Operating budget. The Department is currently meeting its first ALS on-scene response time metrics Citywide, and is increasing staff in its H3 FF/PM tier through the hiring of Paramedics from within into the Fire Academy. The Department's goal is to achieve 32 daily ALS engines out of 44 by the end of the fiscal year. In addition, there is much debate within the health care industry as to whether an ALS-capable resource makes an impact on patient survival rate and quality of care when compared to a BLS resource. This is an issue that will continue to be analyzed, both at the Department and City levels.	Requires Further Analysis	This is an item that is still under analysis. However, in order to have a Paramedic on all engines, the Department would need to be allocated additional funding in its budget, beyond what has been previously allocated in current year budget. The Department's current goal is to staff 32 out of 44 engines per day with a Paramedic. The Department is nearing our goal of consistently staffing 32 ALS engines. The Department continues to meet its first paramedic on-scene ALS response times City-wide. Analysis of the impact of ALS resources on patient survival rate is on-going.
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.4. That the span of control for Rescue Captains be reduced in the next fiscal year, bringing the Department into compliance with Admin Code 2A.97	SFFD Chief of Department	Will be implemented in the future	The Department agrees that the span of control for EMS Captains should be reduced in the current fiscal year. This will be occurring with the revised supervision model at Station 49, allowing for the return of the Station 49 EMS Captain to field operations. This would restore the number of 24-hour EMS Captains working as medical supervisors to four.	Will Be Implemented in the Future	The Department is in the process of restoring its fourth Rescue Captain position in field operations. The Department was allocated funding in the current fiscal year budget for a new supervision model at Station 49, envisioned to be 12-hour shifts for greater accountability and efficiency. The Department is currently in negotiations with labor regarding the supervisory model at Station 49 which, when implemented, would restore the fourth Rescue Captain to the field..
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.5. That by December 2015 the Chief, using funds allocated in the next budget year, contract with an experienced consultant to initiate a strategic plan covering: full funding for equipment renewal; facilities maintenance and updates; communication technology; and training for both normal operations and disasters	SFFD Chief of Department	Will be implemented in the future	The issue of strategic planning has been a priority for the Department but its development and implementation had been hampered by the lack of fiscal resources. In the new fiscal year's budget, the Department was allocated additional personnel to enhance the Department's planning capabilities. The Chief has recently formed the Department's Strategic Planning Committee, and this committee had its initial kick-off meeting last month. However, the caveat is that, even with a thorough and robust strategic plan, there is no guarantee that funding will be available to fully support the plan. This is an issue that the Department has been struggling with in the past (such as with the Department's existing vehicle replacement plan) and will continue to do so in the future, even with the improved economic conditions.	Will Be Implemented in the Future	Rather than contract with a consultant, in the fall of 2015, the Department convened a Strategic Planning Committee, comprised of members from various ranks and Divisions, as well as representation from employee groups, labor, private sector, other government agencies, and retired members to develop a Strategic Plan. The Strategic Planning Committee has been meeting regularly and is in the process of compiling its draft document, with the hopes of publishing a completed Strategic Plan by the Fall of 2016. The plan will highlight many of the needs addressed in the Civil Grand Jury Report, including training, staffing, equipment, facilities, and IT.
2014-15	San Francisco Fire Department What Does the Future Hold?	R1.5. That by December 2015 the Chief, using funds allocated in the next budget year, contract with an experienced consultant to initiate a strategic plan covering: full funding for equipment renewal; facilities maintenance and updates; communication technology; and training for both normal operations and disasters	SFFD Commission	Will be implemented in the future	The issue of strategic planning has been a priority for the Department, but its development and implementation had been hampered by the lack of fiscal resources. In the new fiscal year's budget, the Department was allocated additional personnel to enhance the Department's planning capabilities. The Chief has recently formed the Department's Strategic Planning Committee, and this committee had its initial kick-off meeting in July and follow-up meetings with stakeholder groups are occurring. However, the caveat is that, even with a thorough and robust strategic plan, there is no guarantee that funding will be available to fully support the plan. This is an issue that the Department has been struggling with in the past (such as with the Department's existing vehicle replacement plan) and will continue to do so in the future, even with the improved economic conditions.	Will Be Implemented in the Future	As mentioned in the most recent response to the Grand Jury report, the Chief of Department formed a Strategic Planning Committee in 2015, comprised of members of a variety of ranks and job functions in the Department as well as representatives from the Fire Commission, labor and employee groups, retired members, the private sector, and other Departments. This group is currently preparing a final draft of the plan that will be brought to the Fire Commission for initial review and discussion before being formally vetted by the Commission. The Department's Strategic Plan will be added to the agenda at a future Commission meeting to discuss and review the plan in a formal public forum, with input, comments and recommendations from the Fire Commission to be incorporated into the report. The draft is anticipated to be available for review and consideration by the Commission in late summer 2016. The Strategic Plan will cover all the topics addressed in the Civil Grand Jury recommendations, in addition to Health and Wellness, Community Programs and Partnerships, Infrastructure, and Recruitment/Staffing.
2014-15	San Francisco Fire Department What Does the Future Hold?	R2.1. That the Chief review the current agreement with TIDA to determine whether it is possible to amend the agreement so as to retain the existing location of the training facility.	SFFD Chief of Department	Recommendation implemented	The Department believes that the best option would be to retain the current Treasure Island Training facility. However, this will take many discussions and coordination with TIDA, the Mayor's Office, and a number of other entities, to possibly implement. If a decision to retain the facility is mutually reached, the Department would then begin developing plans to upgrade the facility and potentially have it used as a regional facility to generate revenue for the Department.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R2.2. That TIDA review its current agreement with SFFD to determine whether it is possible to amend the agreement so as to retain the existing location of the training facility.	Treasure Island Director	Will not be implemented because it is not warranted or reasonable	The continued use of the existing fire training center on Treasure Island is not constrained by the agreement between the SFFD and TIDA, but is limited by the development plans for Treasure Island and Yerba Buena Island. The development plan and FEIR for the Treasure Island and Yerba Buena Island do not include the continued existence of the fire training center or a replacement facility, and those uses are not consistent with the adopted land use plan. On May 29, 2015, the Navy transferred 290 acres on Yerba Buena Island and Treasure Island to TIDA and development activities are expected to begin before the end of the year. The initial areas of development will be concentrated on Yerba Buena Island and the southwest corner of Treasure Island. The fire training center is located in what will be the fourth and final phase of development. Based on the current schedule for development, the fire training center should be able to continue operations for seven years before it would need to be vacated for development to proceed.	**	
2014-15	San Francisco Fire Department What Does the Future Hold?	R2.3 That while Recommendations 2.1 and 2.2 are being explored, the Chief and the Fire Commission determine an alternate site for the training center since, if an already City-owned site is not adequate to serve as a training center, purchase of a new site will be more than difficult in the current real estate market.	SFFD Chief of Department	Recommendation implemented	A request for funds has been submitted to Capital Planning for the construction of a new training facility. The request continues to be deferred due to the large cost of the project. Given the economic and construction climate in the City currently, it is highly unlikely that the Department would find a suitable space large enough to accommodate the needs of the Training Facility. Moreover, the chances of passing an EIR with the Live Burn portion of the facility would likewise be slim. Even if that theoretical plot of land could be found and the Department would receive a favorable EIR, the acquisition costs would be astronomical. There were discussions many years ago about allocating a portion of the new Hunters Point development for a new facility, but it does not appear that this was included in the current plans for the shipyard.	**	

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

Status of the Recommendations
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2014-15

CGJ Year	Report Title	Recommendation	Response Required	Original 2015 Response	Original 2015 Response Text	2016 Response ⁽¹⁾	2016 Response Text
2014-15	San Francisco Fire Department What Does the Future Hold?	R2.3 That while Recommendations 2.1 and 2.2 are being explored, the Chief and the Fire Commission determine an alternate site for the training center since, if an already City-owned site is not adequate to serve as a training center, purchase of a new site will be more than difficult in the current real estate market.	SFFD Commission	Will be implemented in the future	The Commission agrees that let is important for the Department to retain a first-class training facility. The Commission has been assured that the Department has reviewed the agreement with TIDA. Further, the Commission is aware that the Department would like to retain the location of its training facility on Treasure Island, but it does not have the authority to require TIDA to amend the agreement. The Department has advised the Commission that it is unlikely that TIDA will take any steps to remove or dismantle the existing training facility within the next seven years, at the earliest. Nevertheless, the Department has already advised the City's Capital Planning Committee that an alternate site might be necessary in the event that TIDA proposes another use for the current training site. The Commission will monitor TIDA's plans as they develop.	Will Be Implemented in the Future	The Commission believes it is crucial for the Department to develop a long term site for its training facility, and will continue to advocate for this project. A new training facility is one of the top priorities for the Department over the next five to ten years. The Commission continues to work with the Department in its discussions with TIDA and the developer with regards to the current training site on Treasure Island, as well as with the Department of Real Estate and Capital Planning to evaluate the potential of new sites for a training academy to be located. The Commission will continually ask for updates on the status of both the ability to stay in the current training facility as well as the potential for a new site. The Department has initiated a needs assessment for a training facility with the Department of Public Works, and will report back to the Commission when that has been completed. In the meantime, the Commission has been working with the Department on its efforts to get the Department's current training site accredited by the State of California, for which the process is nearing completion. This accreditation will expand the number of trainings able to be held at the Department's training facility, opening up the site to our regional partners to host a number of classes and trainings. The ability to serve as an accredited regional training site would have a number of benefits for the Department, and is a big consideration in the planning process for the new training division site as the Commission and Fire Department work towards identifying a potential new location.
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R1. The Mayor should prioritize the network infrastructure and fully fund the required investment in this foundational platform.	Mayor	Recommendation implemented	As described in the response to Finding 1, the City has made significant commitments to strengthening the City's network infrastructure through DT's "Fix the Network" project and other citywide efforts around maintenance, disaster recovery, and data center consolidation. As evidence of this commitment, the "Fix the Network" project was highlighted as high priority into the most recent ICT plan and funded with \$4.3 million in the Mayor's FY 2015-16 and 2016-17 budget- the largest single allocation from COIT's annual project allocation. Additionally, funding for DT's operational budget has continued to grow to support the ongoing capacity of the department to prioritize this project and support its ongoing maintenance.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R1. The Mayor should prioritize the network infrastructure and fully fund the required investment in this foundational platform.	Board of Supervisors	Recommendation implemented	As the Mayor's response indicates, "the 'Fix the Network' project was highlighted as high priority into the most recent ICT plan and funded with \$4.3 million in the Mayor's FYs 2015-2016 and 2016-2017 budget – the largest single allocation from COIT's [Committee on Information Technology] annual project allocation.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R2. The Mayor and Board of Supervisors should require a six-month and twelve-month report on the status of the DT reorganization.	Mayor Department of Technology	Will not be implemented because it is not warranted or reasonable	Through the annual budget process, the Mayor and the Board of Supervisors have reviewed the Department of Technology's position changes and new organizational structure. Any further changes will be reviewed as part of future budget cycles. Additionally, in September the department began releasing a monthly project status and key performance indicator report for department heads, including measures on services performed at project levels, network uptime, and other yet-to-be determined metrics. The report will reflect the impacts of the reorganization on service delivery. It will be summarized and presented at public COIT meetings.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R2. The Mayor and Board of Supervisors should require a six-month and twelve-month report on the status of the DT reorganization.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	While any individual supervisor can call a hearing on this topic at any time, the Board of Supervisors cannot specifically predict if or when one may do so. The Board President sits on COIT, which will be receiving updates on DT's progress. And as the Department's response indicates, "in September [DT] began releasing a monthly project status and key performance indicator report for department heads.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R3. A user satisfaction survey should be sent to all DT clients, before the end of 2015 and later in six months after the reorganization, to assess whether the new accountability structure is making a difference for clients.	Mayor Department of Technology	Will be implemented in the future	DT agrees with the recommendation and will implement both survey recommendations in the proposed timeline - an initial survey before the end of the CY 2015 and follow-up survey by the end of FY 2015-16.	Recommendation Implemented	DT administered a survey from December 2015-January 2016 to 430 personnel across all city departments. 10%, or 45 City personnel, responded to the survey over the four-week window. The survey solicited feedback regarding DT services, likelihood of recommending DT services, and suggestions for improving DT services. Survey respondents suggested that DT improve in the following areas: communication, personnel shortages, delivery and response, and increasing skills and training. DT is utilizing this survey as a baseline for improvement. A second survey will be conducted during June, 2016 that aims to build from this analysis.

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2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R3. A user satisfaction survey should be sent to all DT clients, before the end of 2015 and later in six months after the reorganization, to assess whether the new accountability structure is making a difference for clients.	Board of Supervisors	Recommendation implemented	The Department of Technology sent a user satisfaction survey to all clients in December 2015.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R4. The Office of the Controller should develop the skills inventory capability in the emerge PeopleSoft system to update IT employee skills by the end of FY15-16	Mayor Department of Technology Office of the Controller	Will be implemented in the future	<p>The Office of the Controller agrees with this recommendation. The Office of the Controller is advancing this capability through the eMerge PeopleSoft system which includes functionality to house a skills inventory and link those skills to job classifications, positions, and employees- successful implementation is dependent on citywide departmental engagement and adoption. At the center of this functionality is the use of "competencies," which in PeopleSoft are used to define skills and levels of proficiency expected for job classifications and positions. By properly using the competency and performance appraisal features in the performance module in PeopleSoft, the City could develop skills inventory capability.</p> <p>The current ePerformance Pilot Project is implementing competency and skills assessment for the FY 2015- 16 performance appraisal period. The pilot project includes 41 job classifications and 595 employees at the Airport Commission, Controller's Office, Department of Public Health, and Public Utilities Commission. The Controller's Office and its eMerge Division are soliciting additional departments to leverage the ePerformance module for FY 2016-17 performance appraisals. The Office of the Controller will work with the Department of Human Resources and Department of Technology toward citywide deployment after the pilot is successfully concluded.</p> <p>The Office of the Controller is implementing this recommendation by working closely with the Department of Human Resources and the Department of Technology to implement an expedited IT hiring pilot program. The expedited IT hiring pilot program includes the tracking of competencies, in eMerge PeopleSoft, at the time of hire. The tracking of competencies at the time of hire will enable the City to begin to develop a validated, IT skills inventory within PeopleSoft.</p> <p>In addition, the Office of the Controller is implementing an ePerformance Pilot Project, which includes implementing competency and skills assessment for 41 job classifications and 595 employees at the Airport Commission, Controller's Office, Department of Public Health, and Public Utilities Commission.</p> <p>The Office of the Controller will work with the Department of Human Resources and Department of Technology toward citywide deployment after the pilot is successfully concluded.</p>	Recommendation Implemented	<p>The Office of the Controller is implementing this recommendation by working closely with the Department of Human Resources and the Department of Technology to implement an expedited IT hiring pilot program. The expedited IT hiring pilot program includes the tracking of competencies, in eMerge PeopleSoft, at the time of hire. The tracking of competencies at the time of hire will enable the City to begin to develop a validated, IT skills inventory within PeopleSoft.</p> <p>DHR implemented improvements in the response to R5 below.</p>
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R4. The Office of the Controller should develop the skills inventory capability in the eMerge PeopleSoft system to update IT employee skills by the end of FY15-16	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	the Board of Supervisors does not have authority to implement this recommendation. Although the Board of Supervisors does not have the authority to implement the recommendation, the Board requests the Department of Technology and the Department of Human Resources to provide a report to the Board with their progress by the end of the calendar year.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R5. DHR should publicly present the results of its pilot IT hiring process to the Mayor and the Board of Supervisors before the end of CY2015	Mayor Department of Human Resources	Will be implemented in the future	The Department of Human Resources is currently expanding its IT hiring pilot, in cooperation with the Department of Technology, the Controller's Office and other City departments. The results will not be ready for presentation at the end of calendar year 2015, but the department projects they will be available by the end of FY 2015-16 and will present these findings to the public COIT oversight body, which includes representatives of both the Mayor and the Board of Supervisors.	Recommendation Implemented	<p>The Department of Human Resources (DHR) and Department of Technology presented the TechHire Project to COIT, the City's technology policy and oversight body, which includes representatives of both the Mayor and the Board of Supervisors, in November of 2015. DHR will give COIT a project update before the close of FY 2015-16.</p> <p>DHR additionally implemented an internal TechHire communications program to ensure City stakeholders are continuously updated on the project. DHR has done in person sessions about TechHire at CIO forums, HR professionals meetings, and with individual departments, and began providing monthly video updates to stakeholders in March of 2016.</p>
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R5. DHR should publicly present the results of its pilot IT hiring process to the Mayor and the Board of Supervisors before the end of CY2015	Board of Supervisors	Recommendation implemented	The Department of Human Resources presented the results of its expedited IT hiring project in October 2015.	**	

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2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R6. DHR should issue a monthly written report to the Mayor and Board of Supervisors showing the number of open IT positions at the beginning of the month, the number of new IT position requisitions received in the current month, the number of IT positions filled in the current month, the number of open IT positions at the end of the month, and the average number of days required to fill the IT positions closed in the current month.	Mayor Department of Human Resources	Will not be implemented because it is not warranted or reasonable	DHR regularly reports to the Committee on Information Technology (COIT) on the status of the IT Hiring Group's progress, so further reporting is not operationally beneficial at this time. For context, current results reflect that approval of a department's request to fill a position, a process managed by DHR and the Mayor's Office, takes an average of four days. Other parts of the hiring process are managed at the department level, where extended periods of time between when a position goes vacant and when a department submits a request a hire occurs, based on the department's immediate priorities, needs, and goals. There may also be periods of time between when the request to hire is approved and when a person is actually hired, due to circumstances such as lack of an adequate candidate pool. Without any context on where a vacancy actually is in the hiring process, and departmental insight into why a position remains vacant, a monthly set of data will not shed any light on why an IT job remains unfilled. DHR and the Mayor's Office are pursuing numerous, potentially impactful improvements to processes and systems that will create more transparency for hiring in general. Additionally, DHR regularly reports to the Civil Service Commission on matters under its jurisdiction. Annual reports to the Civil Service Commission, which are relevant to IT hiring, include: • Appointments Exempt from Civil Service under the 1996 Charter Section 10.104 - 1 through 10.104-12 • Appointments Exempt from Civil Service under the 1996 Charter Section 10.104 - Categories 16 through 18 • Position-Based Testing Program • Class Consolidation	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R6. DHR should issue a monthly written report to the Mayor and Board of Supervisors showing the number of open IT positions at the beginning of the month, the number of new IT position requisitions received in the current month, the number of IT positions filled in the current month, the number of open IT positions at the end of the month, and the average number of days required to fill the IT positions closed in the current month.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	Implementation of this recommendation is largely beyond the jurisdiction of the Board of Supervisors. While any individual supervisor could call a hearing on this topic or request a report at any time, the Board of Supervisors cannot specifically predict if or when one may do so. Moreover, reports with this level of granularity and frequency would likely be excessive for the Board's purposes.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R7. DT should launch a taskforce to recommend options for recruiting and hiring IT staff, particularly on an "at will" basis.	Mayor Department of Technology	Recommendation implemented	In its original report, the Civil Grand Jury recommended that the Mayor's Office and DHR convene a taskforce to develop methods to speed up the process for hiring IT personnel in the absence of making all IT positions exempt, which would require a Charter change. The taskforce was convened and included DT, DHR, the Mayor's Office, the Controller's Office, other City departments, and IFPTE Local 21. As noted in response to recommendations five and six, this group developed and implemented interim strategies to improve hiring, including a pilot online, on-demand exam. The pilot exam was successful, but only impacted one portion of the hiring process. As noted in response to finding two, this group is implementing a comprehensive plan to improve IT hiring.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R7. DT should launch a taskforce to recommend options for recruiting and hiring IT staff, particularly on an "at will" basis.	Board of Supervisors	Recommendation implemented	As DT's response indicates, this task force was developed in response to the Civil Grand Jury's previous report. The Board of Supervisors thanks the Civil Grand Jury members for their contributions and role in improving city-wide IT.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R8. The Mayor and Board of Supervisors should calendar an interim review of taskforce proposals within six months of its convening.	Mayor Department of Technology	Recommendation implemented	The taskforce, described in the response to Recommendation 7, presented to the public COIT body in their September 19, 2013 meeting and updated the group on January 29, 2015. The taskforce will continue to present updates and proposals to the public COIT body in the future.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R8. The Mayor and Board of Supervisors should calendar an interim review of taskforce proposals within six months of its convening.	Board of Supervisors	Recommendation implemented	The task force has and will again present to COIT, a body on which the President of the Board of Supervisors and many other City leaders sit.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R9. DT needs a recruiter dedicated exclusively to DT and other IT units' staffing needs.	Mayor Department of Technology	Will be implemented in the future	As part of the larger departmental reorganization, DT has prioritized existing resources in the current fiscal year to support the existing efforts to improve IT recruitment through DHR. The department is in the process of identifying the appropriate staff position to focus on expedited outreach and hiring for IT positions. The ongoing nature of this position will be re-evaluated at the fiscal year end as part of the larger taskforce planning and recommendations for improving the City's IT hiring.	Recommendation Implemented	DT hired an IT Recruitment and Retention Manager in October 2015. Since October 2015, the manager has implemented a proactive recruitment approach resulting in increased applicants, filled vacancies and investment in existing staff via professional development. For FY15/16, DT has hired and promoted 93 staff members, brought down vacancy rate to 14%, reduced time to hire, and increased diversity rates. The IT Recruitment and Retention Manager partners with DHR on the tech hire project to improve the way the City hires IT personnel and works with other departments (DPH, DPW, Public Library, Controllers Office, 311, etc) with their IT and executive recruiting efforts.

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2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R9. DT needs a recruiter dedicated exclusively to DT and other IT units' staffing needs.	Board of Supervisors	Will not be implemented because it is not warranted or reasonable	This is largely beyond the jurisdiction of the Board of Supervisors, though the Board will support DT in its efforts and evaluate any possible staffing requests during the annual budget process.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R10. DT needs to hire business analyst talent for the taskforce, new reorganization, and new initiatives.	Mayor Department of Technology	Recommendation implemented	As described in the response to Finding 4, DT created a Business Engagement Office as part of its reorganization. The purpose of the Business Engagement Office is to utilize best practices for client engagement, service delivery, and vendor relationship management. The Office is currently staffed by an existing staff member with budget approval to add an additional staff member in the current fiscal year. The department intends to continually evaluate the needs of the team and consider adding additional resources in coming fiscal years.	**	
2014-15	Unfinished Business: A Continuity Report on the 2011-12 Report, Déjà Vu All Over Again	R10. DT needs to hire business analyst talent for the taskforce, new reorganization, and new initiatives.	Board of Supervisors	Recommendation implemented	This is largely beyond the jurisdiction of the Board of Supervisors, but as the Department's response indicates, DT has "created a Business Engagement Office as part of its reorganization" that is working on these efforts and has funding for additional staff.	**	

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