

180114

Petitions and Communications received from January 19, 2010, through January 25, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on February 2, 2010.

From the Asian Firefighters Association, submitting opposition to the proposed Charter Amendment that eliminates the 48.7 hour limit on the work week for firefighters. File 090606, Copy: Each Supervisor (1)

From Emerald Spear, regarding the next Earth Summit in Brazil in 2012. (2)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from January 23, 2010, until January 24, 2010. Copy: Each Supervisor, City Attorney (3)

From Police Commission, requesting the Board of Supervisors to urge the state lawmakers to do all things necessary to ensure that violent felons are prohibited from wearing body armor. Copy: Each Supervisor, City Attorney (4)

From Office of the Mayor, submitting letter vetoing ordinance that extends "just cause" eviction protections for tenants in most residential rental units with a certificate of occupancy issued after June 13, 1979, and that are not currently under rent control. File 090583, Copy: Each Supervisor, City Attorney (5)

From Office of the Controller, submitting recommendations for improved streetscape project planning, design, review, and approval. Copy: Each Supervisor (6)

From Ajay Martin, submitting opposition to Muni's plan to cut service and raise fares. (7)

From Howard Chabner, regarding the North Beach branch library. (8)

From Office of the Controller, submitting Quarterly Review of the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2009. Copy: Each Supervisor (9)

From Office of the Controller, regarding the extension of gross receipts taxes to the Presidio and other federal enclaves within San Francisco. (Reference No. 20091208-001) (10)

From Ethics Commission, submitting the efficiency plan for FY2010-2013. (11)

From Office of the Controller, submitting report concerning the audit of franchise fee payments Comcast of California made to the City and County of San Francisco to operate a cable television system. Copy: Each Supervisor (12)

From Ms. Wells, submitting opposition to the Sanctuary law in San Francisco. (13)

From Andre Morand, expressing his concern about Walgreen's selling alcohol. (14)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interests for Stanton Jones – leaving. (15)

From Kimo Crossman, regarding the transfer tax in San Francisco. (16)

From Department of Animal Control, submitting request for waiver of Administrative Code Chapter 12B for Bayer Healthcare. (17)

From Denae Green, announcing the 30<sup>th</sup> Anniversary of Black Cuisine on March 6, 2010. (18)

From Office of the Mayor, submitting appointment of Mark Burell, Recreation and Parks Commission, term ending June 25, 2010. (19)

From Employees' Retirement System, submitting the retirement contribution rates for FY2010-2011. Copy: Each Supervisor (20)

From Dominic Paris, submitting support for a Sit-Lie Law in San Francisco. (21)

From concerned citizen, regarding police officers given four year scholarships to attend the Academy of Art University. (22)

From Valerie Chu, urging the Board of Supervisors to have an Environmental Impact Report done on the proposed Golden Gate Park Beach Chalet soccer fields near Ocean Beach. (23)

From Chris Dowd, submitting support for the proposed Golden Gate Park Beach Chalet soccer fields near Ocean Beach. (24)

From Matthew Nakatani, regarding complaint about an aggressive MTA fares inspector. (25)

From Supervisor David Chiu, submitting the reappointment of Supervisor Sean Elsbernd to the San Francisco Retirement Board. Copy: Rules Committee Clerk (26)

From Elections Commission, submitting its Annual Report of the Commission's activities over the previous year. Copy: Each Supervisor (27)

From Peter Scott, submitting support for the high rise condo project at 555 Washington Street. (28)

From Kate Goyette, requesting an extension of the public comment period for the Draft Environmental Impact Report on Candlestick Point/Hunters Point Shipyard Phase II. (29)

From concerned citizens, urging the Board of Supervisors to reject the all-golf alternative and support the restoration of Sharp Park to a public park that protects endangered species. File 091307, 5 letters (30)

From Aaron Goodman, submitting letter entitled SFMTA – Community Benefit vs. Private Interests. (31)

From Stephen Causey, regarding publishing the pictures of those arrested for solicitation of prostitution. (32)

ASIAN FIREFIGHTERS ASSOCIATION  
OF SAN FRANCISCO



File 090606  
BOSTH  
RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 JAN 21 AM 11:06

January 21, 2010

San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Re: File Number 090606, Eliminating the 48.7-hour work week for fire fighters

Dear Honorable Supervisors,

On behalf of one of the San Francisco Fire Department's employee groups, the Asian Firefighters Association, who represent many firefighters, EMTs, and paramedics, we are writing to oppose this proposed charter amendment of eliminating the 48.7 work week for firefighters.

We already work 48.7 hours per week which is more than 20% more than the average 40 hour work week. Increasing to a 52 hour work week will increase that another 10%.

We realize our job is dangerous and carries many risks, but we love our job and that's why we do it. We know that every minute more spend on duty is increasing our time exposed to those dangers and risks. So not only are we doing a job riskier than most, and working 20% more than most, you are asking that we increase our risk and exposure 10% more or the time. We think we already put ourselves in harm's way enough and are happy maintain that.

Increasing our hours also keeps us away from our families and community work. The members of the Asian Firefighters Association volunteer during off duty hours to serve the community. That volunteerism, which is already hard to come by, would be severely hurt by any increase in our work hours.

Please do not seek to increase firefighter's work hours. Please do not hesitate to contact us should you have any questions or concerns. Thank you.

Sincerely,

Norm Caba  
President, Asian Firefighters Association  
Email: NormCaba@AsianFire.org  
Phone: 415.647.2788

PRESIDENT  
NORM CABA

VICE PRESIDENT  
KEITH ONISHI

SECRETARY  
PATRICIA LUI

TREASURER  
WILL YEUNG

DIRECTORS  
JOHN CABA  
CHUTEH KOTAKE  
GREG OWYANG  
JOEL SATO

①



emerald spear  
<goingforthegolddd@gmail.com>

01/20/2010 04:39 PM

To ecostar9977@gmail.com

cc bashley@marinij.com, mprado@marinij.com,  
opinion@marinij.com, editor@visionmagazine.com,  
comments@visionmagazine.com, jmcneil@afdop.org,

bcc

Subject EARTH SUMMIT 2012- Brazil

The next EARTH SUMMIT will be held in Brazil in 2012.  
Theme will be biodiversity.

website:

<http://www.earthsummit2012.org>

2

Office of the Mayor  
City & County of San Francisco



BOS-11, COB  
Leg. Dep, Op Dep, c Adams  
Gavin Newsom  
C page  
RE  
PN

January 22, 2010

Ms. Angela Calvillo  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94109

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 JAN 22 PM 1:21  
BY                     

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor Sean Elsbernd as Acting-Mayor from the time I leave the state of California at 9:30AM on Saturday, January 23, 2009, until 8:00PM Sunday, January 24, 2010.

In the event I am delayed, I designate Supervisor Elsbernd to continue to be the Acting Mayor until my return to California.

Sincerely,

  
Gavin Newsom  
Mayor, City and County of San Francisco

cc: Mr. Dennis Herrera, City Attorney



BOS-11  
COB  
RC  
City Attorney  
C-Pages

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 JAN 22 AM 10:00  
BY [Signature]

# The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

January 21, 2010

DR. JOE MARSHALL  
President  
THOMAS MAZZUCCO  
Vice President

PETRA DEJESUS  
Commissioner

YVONNE Y. LEE  
Commissioner

DAVID ONEK  
Commissioner

VINCENT PAN  
Commissioner

JAMES HAMMER  
Commissioner

Lieutenant Joe Reilly  
Secretary

Board of Supervisors  
City Hall, Room 244  
#1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94103

Dear Honorable Supervisors:

At the meeting of the Police Commission on Wednesday, January 13, 2010, the following resolution was adopted:

**RESOLUTION NO. 5-10**

**RESOLUTION REQUESTING THE BOARD OF SUPERVISORS (1) TO URGE THE CALIFORNIA SUPREME COURT TO ACCEPT REVIEW OF THE STATE LAW PROHIBITION AGAINST VIOLENT FELONS WEARING BODY ARMOR AND (2) TO URGE STATE LAWMAKERS TO DO ALL THINGS NECESSARY TO ENSURE THAT VIOLENT FELONS ARE PROHIBITED FROM WEARING BODY ARMOR**

WHEREAS, in 1994, in San Francisco, a gunman protected by full body armor was able to fend off 120 armed police officers for 32 minutes and in the process killed San Francisco Police Officer James Guelff; and

WHEREAS, three years later, in North Hollywood, two bank robbers in body armor engaged in a one-hour gun battle with 350 police officers that resulted in two deaths and injuries to more than ten others; and

WHEREAS, as a result of these tragic events, the state legislature enacted the "James Guelff Body Armor Act of 1998," Penal Code Section 12370 (the Act), in honor of slain San Francisco Police Officer James Guelff; and

WHEREAS, The Act outlaws the possession of body armor by a person previously convicted of a violent felony; and

WHEREAS, the legislative intent behind the Act was to stop the threat of violent felons who are able to thwart police officers by wearing body armor, potentially injuring or killing innocent officers or civilians in the process; and

4

WHEREAS, in a recently decided case entitled *People v. Saleem*, No. B204646 (2009 WL 4852440 (Cal.App. 2 Dist.)), the California Court of Appeal determined that the Act's definition of "body armor" was unconstitutionally void for vagueness, based on the Court's conclusion that an ordinary person would not know what type of body armor was prohibited by the law, and on that basis reversed the conviction of the defendant, who was on parole for voluntary manslaughter and wearing a flak jacket vest; and

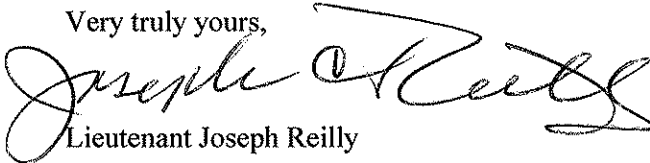
WHEREAS, the decision was decided by a two to one vote, over a vigorous dissent that rejected that majority's conclusion that a defendant would need to be aware of the technicalities of what constituted body armor and therefore concluded that: "If a violent felon chooses to possess an item that appears to be body armor, the People prove that the garment actually is body armor, i.e., withstands penetration by the relevant test ammunition, then there is no reason why the conviction should not stand;" and

WHEREAS, the Attorney General has announced that his office will seek review of the appellate court decision by the California Supreme Court; now, therefore, be it

RESOLVED, that the San Francisco Police Commission requests the San Francisco Board of Supervisors to urge the California Supreme Court to accept review of the case of *People v. Saleem*; and, be it

FURTHER RESOLVED, that the San Francisco Police Commission requests the San Francisco Board of Supervisors to urge state lawmakers to do all things necessary to ensure that violent felons are prohibited from wearing body armor.

AYES: Commissioners Marshall, Mazzucco, DeJesus, Lee, Hammer, Onek, Pan

Very truly yours,  
  
Lieutenant Joseph Reilly  
Secretary  
San Francisco Police Commission



Office of the Mayor  
City & County of San Francisco



BUS-11  
Renee C  
RC  
Gavin Newsom  
my file  
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January 22, 2010

Members, Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 JAN 22 PM 4:48  
BY \_\_\_\_\_

Dear Supervisors:

This letter communicates my veto of the ordinance pending in File Number 090583, finally passed by the Board of Supervisors on January 12, 2010. This legislation proposes extending "just cause" eviction protections for tenants in most residential rental units with a certificate of occupancy issued after June 13, 1979 and that are not currently under rent control.

The vast majority of housing units in San Francisco were built prior to 1979 and already are subject to the eviction protections of the City's Rent Stabilization Ordinance. It is my belief that this legislation unnecessarily changes long-agreed upon rules for the benefit of a small group of tenants. And, this change would be at the expense of many homeowners and builders who relied upon existing law when deciding whether to rent their homes or units. For the same reason, extending eviction protections into post-1979 construction also would have a chilling effect on the financing of new housing development in the City.

My understanding is that the genesis of this legislation was to provide protection to tenants being unfairly displaced when banks took possession of a property through foreclosure. I strongly support this goal, but do not believe this legislation addresses this problem in the most effective and least harmful way. Most foreclosures in San Francisco have occurred in buildings built before 1979, including a recent high profile repossession of almost 300 rental properties from a single landlord. A recent analysis by the Assessor's office estimates 75% of foreclosures in San Francisco are happening in owner-occupied single family homes. This legislation may actually make this problem worse. Currently homeowners who have lost their jobs or otherwise are having a hard time making mortgage payments have the option of temporarily vacating and renting out their units until their financial situation stabilizes. By extending new eviction rules to all units citywide – regardless of whether they are in foreclosure – this legislation introduces much more financial risk for the temporary (or accidental) landlord.

I am also concerned about the impact this legislation will have on future housing development in San Francisco. By suddenly changing long-established rules and substantially increasing the difficulty of ending residential leases in order to sell condominiums, the legislation increases the risk of renting units on a temporary basis and, therefore jeopardizes financing from private lending institutions including the Federal Housing Authority – a key source of financing for affordable housing. This will make existing condominium units and new condominium buildings less saleable during a time when the City is trying to encourage growth and jobs. Increasing the risk and uncertainty tied to new housing development only will serve to increase the costs of development. Given that rental housing – even temporary – is the most affordable housing alternative for the majority of San Francisco residents, such a shift does not make sense.

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We need more housing in San Francisco, not less – especially for those in economic need. In the last three and a half years, we have seen the creation of 10,585 homes, of which 2,347 are affordable housing for low and moderate income households. With 2,025 more homes under construction, our housing initiative is on track and having its desired impact: an immediate and dramatic increase in housing production made possible by a thorough reform of the City’s housing production system. This is critical work that must, and will, continue.

However, because the risks associated with foreclosure are real, I have introduced legislation to address this threat directly. I remain committed to supporting legislation that is focused on preventing unfair treatment of tenants in foreclosed properties, and welcome a coordinated effort with the Board of Supervisors to address this issue.

Sincerely,

Gavin Newsom  
Mayor

A large, stylized handwritten signature in black ink, overlapping the printed name and extending across the page.

# City and County of San Francisco

Office of the Controller – City Services Auditor

Document is available  
at the Clerk's Office  
Room 244, City Hall

305-11  
To: Angela Calvillo,  
Clerk of the Board  
From: Office of the Controller  
City Services Auditor

## BETTER STREETS PLAN:

Recommendations for Improved  
Streetscape Project Planning,  
Design, Review and Approval



January 19, 2010

6



Ajay Martin  
<ajay.j.martin@gmail.com>  
01/22/2010 01:12 PM

To board.of.supervisors@sfgov.org  
cc  
bcc  
Subject Muni cuts

I am amazed and disgusted that Muni is planning to cut service and raise fares yet again! Fares were raised at the beginning of January and service was recently cut a few months ago. Why can't Muni find other ways to streamline its operations rather than balancing its books on the backs of its riders?

Do NOT vote to cut Muni's service again. How can we be a transit first city yet continually degrade our bus service year after year? How are San Franciscans supposed to get to work on already crowded buses if frequencies are cut yet again? If people can't get to work on time, this will hurt San Francisco's economy and make it harder for us to pull out of this recession.

Sincerely

Ajay Martin  
Concerned San Francisco Muni Rider

7



Ghia Jacobs  
<ghia.jacobs@gmail.com>  
01/19/2010 11:59 AM

To mtaboard@sfmta.com  
cc gavin.newsom@sfgov.org, board.of.supervisors@sfgov.org  
bcc  
Subject Proposed MUNI fare increases and cuts

Hello,

I think it is unfair to continue to raise MUNI rates while cutting service. I understand that there is a huge deficit gap to fill, however there must be a better way to close it. Why increase rates for those that use MUNI and already contribute? Instead you should increase parking meter rates as well as ticket fines, and extend parking meter hours. By increasing MUNI monthly passes, I am more and more inclined to NOT use MUNI. I am one of the lucky ones; I work in The City, I do not have to be at work at a certain time (which could not be the case for some- one train delay and poof! you're late) and I COULD get a ride to work if I really needed one. For those who are struggling and do not have a car, buying a MUNI pass at the newest rates will cost one commuter \$620 a year. Two working parents, and that rate doubles. I have heard the argument that some fear increased parking meter rates will hurt the poor. The poor don't have cars- they ride MUNI!

Please reconsider hiking MUNI rates!

Thank you,

Ghia Jacobs



Susan Ruhne  
<sruhne@yahoo.com>  
01/19/2010 02:20 PM

To nathaniel.ford@sfmta.com, mtaboard@sfmta.com,  
gavin.newsom@sfgov.org, board.of.supervisors@sfgov.org,  
Eric.L.Mar@sfgov.org, Roberta.Boomer@sfmta.com,  
cc Susan Ruhne <sruhne@yahoo.com>

bcc

Subject SFMTA cut proposal feedback

January 19, 2010

SFMTA Executive Director, Nathaniel Ford  
SFMTA Board of Directors  
Mayor Gavin Newsom  
Supervisor Eric Mar, District 1

Dear Officials;

I am a San Francisco resident, and live in District #1. I buy a monthly Muni pass, and use it to commute to my job downtown in addition to other transportation around town. I do also own a car, and pay a yearly fee for the privilege of parking it in my neighborhood near my apartment which is a 1910 building that has no parking accommodations.

I read with dismay of the SFMTA's current proposals to increase the fare on the F line, and also on the express busses, while also cutting additional service. In the last year my Muni pass has gone up two times, and I am now buying the \$60 version, as Bart is not usually an option for me.

F Line – My experience with the F line is that it is not worth \$5 per ride! The line, while cute & appealing to tourists, is also the ONLY option for getting from my office area (Union & Battery) towards the West side of town (to connect to the 30 in order to get to Crissy Field/ Marina Green area after work) since you changed the 10 in December of 2009. It is also frequently so full, that it can't accommodate additional passengers waiting at the stops.

Higher priced pass for express busses – With the Fast Pass, Muni is guaranteed money each month from those who work & ride Muni on a regular basis. These customers actually pay to ride Muni! I take the 1 AX or 1 BX to work, and don't feel it's worth an extra fee to ride. Why not reward & cultivate the ridership of responsible, paying, clean passengers instead of alienating us?

No action on Muni's part – what I don't see in any of the SFMTA proposals is how Muni is cutting costs, controlling union costs better, or enforcing the pay to ride policy that is the foundation of the system. On the 1, I regularly see many, many, many people board thru the backdoors, often with no attempt to wave/show any sort of pass. I would really like to see &

understand how Muni is collecting fares from each & every passenger, before you just hit up those of us who plan ahead to buy our passes.

Parking Passes – While I pay a yearly fee to park in my neighborhood, I fear you are working towards pricing me out of the city. I would love to take Muni to my weekend & evening activities, but Muni doesn't easily service the Marina Green or Presidio / Crissy Field from my home in the Richmond. Taking three busses, and still having to walk, is just not appealing to me.

Please don't think you can just charge the Muni passengers, and car owners more until you really show that you, as an organization, have done all that you can to control costs and reduce costs within the organization. Learn to live within your means! Be responsible! Be creative within your walls before reaching outside.

Regards,

Susan Ruhne

[sruhne@yahoo.com](mailto:sruhne@yahoo.com)

205 7<sup>th</sup> Ave #2

San Francisco, CA 94118



"Howard Chabner"  
<hlchabner@jps.net>  
01/19/2010 07:44 PM

To <gavin.newsom@sfgov.org>,  
<board.of.supervisors@sfgov.org>, <david.chiu@sfgov.org>,  
<john.avalos@sfgov.org>, <david.campos@sfgov.org>,  
cc <hlchabner@jps.net>

bcc

Subject Please support the replacement of North Beach branch  
library with a new building

Dear Mayor Newsom, Supervisors, Commissioners, Ladies and Gentlemen:

I'm writing in support of the San Francisco Public Library's plans to tear down the North Beach branch library and replace it with a new building designed by the award-winning architecture firm of Leddy Maytum Stacy. The new building would be 60% larger, bright, airy, seismically safe and state-of-the-art. This project has been approved by the Library Commission.

SFPL is modernizing the branches - physically, technologically, linguistically and pedagogically - to meet the needs of San Franciscans ranging from toddlers to senior citizens. The branches are designed to serve not only as libraries, but as community centers. The existing building has no community program room - the only branch library that lacks such a vital space. The new branch would have a program room, more bookshelf space and more dedicated space for children and teenagers. The program room would be upstairs and closed to the public when not in use, but everything else would be on a single level, making the building much more efficient and pleasant to use both for the public and for library staff than the existing building could ever be, even if it were renovated and enlarged.

The North Beach branch is the only Appleton & Wolfard library on multiple levels. A substantial minority of the existing library's space is in a basement level, and only some of that area has natural light. Renovation would not be able to increase the natural light or reduce the inefficiency of operating on multiple levels.

The new building would be a model of sustainable design, including planned solar roof panels and LEED Silver certification. Renovating the existing building would not achieve anywhere near the level of environmentally responsible and sustainable design.

The new library would be part of a project that would include upgrading, beautifying, modernizing and making more accessible the adjacent park and playground. The Recreation and Park Commission has approved the project in principle. Because the new library would be on an adjacent site and the site of the existing building would become open space, there would be a beautiful, smooth, integrated flow of space linking the library and the park. This would not be possible if the current building were retained and renovated, whether or not an addition were constructed, unless the tennis courts, bocce ball courts and children's play area were relocated or, possibly, removed altogether. It's clear from the plans and elevations prepared in the studies for the various alternatives that, in contrast to a new building, renovating and adding to the existing building would make the site look, feel and be cluttered.



Some residents in the immediate vicinity object to the project because it might involve closing a small portion of Mason Street. However, the new library could be built with Mason Street narrowed, rather than closed.

I strongly support preserving buildings if at all feasible, but in this case, renovating the existing building, even with an addition, would not create a modern, usable, efficient, state-of-the-art library. The US Secretary of the Interior's Standards and Guidelines for Rehabilitation of Historic Properties define "rehabilitation" as "the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural and cultural values." (Emphasis added.) It is simply not possible to renovate the North Beach library to provide an efficient contemporary use.

It is beyond dispute that SFPL has tried hard to preserve existing libraries instead of tearing them down. The magnificently restored Richmond branch, with its rich architectural detail including beautifully restored coffered ceilings, is but one example of SFPL's successful commitment to historic preservation. San Francisco has 27 branch libraries, including those currently being renovated or built. Including libraries renovated or built under the Branch Library Improvement Program (BLIP) and a handful of projects that predate the program, San Francisco will have renovated 18 City-owned buildings and replaced only three, including North Beach, with new buildings. (In addition, it will have built one new branch and replaced five leased storefronts with new City-owned buildings.)

I use an electric wheelchair. The North Beach branch, which is quite small, is the only branch that has neither restrooms nor a program area accessible to wheelchair users and people with other mobility impairments. (There is no true program area at all, but the library has been holding programs in the mezzanine, which is both inaccessible and generally inadequate.) Not only does this discriminate against members of the public with mobility disabilities, it means that people with mobility disabilities cannot work at the library. North Beach has four levels and no elevator - one level containing an inaccessible entrance that is no longer used, and three operating levels, only one of which is accessible. Although it may be possible to install an elevator serving all four levels, the elevator would break the building's slanted roof line that is one of its main architectural features. Moreover, regardless of whether the currently inaccessible entrance were reinstated (which might or might not be feasible), having an elevator immediately inside the entrance would certainly detract from the aesthetics and greatly diminish the open feeling that is a characteristic of those Appleton & Wolford libraries that are more architecturally successful than the North Beach branch. (The alternative to a single elevator serving all levels would be a series of separate, open lifts serving each level, but this would not be permitted by federal and California codes.)

Moreover, an elevator and other required disability access features, such as larger restrooms, wider bookshelf aisles and greater turnaround space at the end of bookshelves, would reduce the usable size of an already small library. (The comparison of linear shelf space between the proposed new building and the existing building, contained in the architects' and planners' analyses, probably understates the difference because it doesn't account for the fact that if the

existing building were retained, it would be necessary to widen the aisles and increase the turnaround space.) The North Beach branch is simply too small.

The mezzanine level of the existing building has doors leading directly to the park/play area. In order to make this entrance accessible, significant changes to the doors and windows would be required, unlike in the other renovated Appleton & Wolfard libraries, where it was possible to provide direct access to patios and parks without significantly changing doors and windows, which are important architectural features. Even with these changes, however, there may not be sufficient space for code-compliant direct access.

Of the eight San Francisco branch libraries designed by Appleton & Wolfard, four have been renovated in the past several years (Eureka Valley/Harvey Milk, Excelsior, Marina and Western Addition), two are currently being renovated (Merced and Parkside), and one (Ortega) has been demolished and is being replaced by a new building. North Beach is the eighth. If North Beach were demolished, six Appleton & Wolfard libraries would remain. Any or all of these six could be landmarked without an adverse impact on the library's program or on disability access. (Even if they weren't landmarked, it's highly unlikely that any of them would be demolished or significantly altered in the next several decades, given the fiscal realities and the fact that they are now (and those under renovation will soon be) state-of-the-art.

The key characteristics of the Appleton & Wolfard library style often cited as character defining features include one-story height, open floor plan, an overall residential "ranch-style" character and natural light throughout the building. But as described above, this is not the case with the North Beach library. Because of the steeply sloped site, Appleton & Wolfard had to compromise these design principles to accommodate the site - unlike in their other libraries. Moreover, the view of the library from Columbus Street and from the playground is drab and blank. Also, the materials are pedestrian, and there is little sense of fine craftsmanship.

I have been to the renovated Eureka Valley/Harvey Milk, Excelsior, Marina and Western Addition branches, and in my opinion the North Beach branch doesn't, and even if renovated wouldn't, have the sense of openness, natural flow of space, spaciousness, natural light, cheerfulness and connection with its surroundings as the Eureka Valley/Harvey Milk, Marina and Western Addition branches. And unlike the Marina branch, because of the constraints of the site and the existing building, an addition to North Beach wouldn't be well integrated with the existing building - the old and the new would be experienced as two separate, completely different buildings. The proposed design by Leddy Maytum Stacy would feel more light-filled, airy, flowing and open than any renovation, which itself could be seen as respectful of Appleton & Wolfard's intentions and design principles.

Another reason for replacing the building is that renovating the existing building would require the branch to be closed for nearly two years, whereas the branch would remain open during construction of a new building because the new building would be located on an adjacent site.

Moreover, the North Beach branch is the only substantially inaccessible library in San Francisco. Regardless of the ultimate decision about landmarking it, the initiation of designation by the

Historic Preservation Commission is causing significant further delays in having a fully accessible branch library in North Beach.

Issues around historic preservation are complex. There is a need to balance the legitimate requirements for growth, modern functionality and urban dynamism, on the one hand, with the need to preserve a physical connection with the past - both for architectural masterpieces and for prosaic buildings that are historically important although not masterpieces. It's true that if a building is torn down, it's gone forever: the decision is irreversible. It's also true that many buildings have been torn down (certainly in my hometown, Chicago) that have later been considered important and/or beautiful, and decades later the consensus has been that something important was lost.

I appreciate the need for preservation and greatly respect those who have fought for it. I deeply admire great architecture, whether vernacular or designed by masters or by lesser-known architects. My wife and I own a flat in a 1904 San Francisco Edwardian, which we have proudly preserved. We've been to Rome four times since 2003. I also recognize that preservation isn't only or always about beautiful buildings - history is important.

Some buildings are worth preserving at all costs, but the North Beach library is not. It is not a masterpiece of design or craftsmanship. It is not beautiful. It is not associated with an important historical event or person. It is not universally beloved by those who use it (in fact, the contrary appears to be true). It is not unique (except for a negative feature, having multiple levels). Rather, the argument for preservation is that it is one of a group of libraries designed by a single architecture firm that exemplify midcentury Modernist, informal design. But if it were torn down, six newly renovated Appleton & Wolfard libraries would remain, any or all of which could be designated historic landmarks.

In sum, preserving the existing building, either with or without an addition, would not result in a spacious, modern, fully functional and state-of-the-art branch library. Renovating the existing building, either with or without an addition, would be very cost inefficient compared with replacing it, taking into account the resulting usable space and functionality. Preserving the existing building would require too many trade-offs and compromises, and the result would be likely to please very few constituencies. Please support the SFPL's plans to replace the existing building.

Thank you for considering this e-mail.

Sincerely

Howard L. Chabner

# City and County of San Francisco

Office of the Controller – City Services Auditor

BDS-11

To: Angela Calvillo,  
Clerk of the Board  
From: Office of the Controller  
City Services Auditor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2010 JAN 20 PM 1:44

BY 

## OFFICE OF THE TREASURER AND TAX COLLECTOR:

Quarterly Review of the Schedule of  
Cash, Investments, and Accrued  
Interest Receivable as of  
March 31, 2009



January 20, 2010

9

**CONTROLLER'S OFFICE  
CITY SERVICES AUDITOR**

The City Services Auditor was created within the Controller's Office through an amendment to the City Charter that was approved by voters in November 2003. Under Appendix F to the City Charter, the City Services Auditor has broad authority for:

- Reporting on the level and effectiveness of San Francisco's public services and benchmarking the city to other public agencies and jurisdictions.
- Conducting financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operating a whistleblower hotline and website and investigating reports of waste, fraud, and abuse of city resources.
- Ensuring the financial integrity and improving the overall performance and efficiency of city government.

The audits unit conducts financial audits, attestation engagements, and performance audits. Financial audits address the financial integrity of both city departments and contractors and provide reasonable assurance about whether financial statements are presented fairly in all material aspects in conformity with generally accepted accounting principles. Attestation engagements examine, review, or perform procedures on a broad range of subjects such as internal controls; compliance with requirements of specified laws, regulations, rules, contracts, or grants; and the reliability of performance measures. Performance audits focus primarily on assessment of city services and processes, providing recommendations to improve department operations.

We conduct our audits in accordance with the Government Auditing Standards published by the U.S. Government Accountability Office (GAO). These standards require:

- Independence of audit staff and the audit organization.
- Objectivity of the auditors performing the work.
- Competent staff, including continuing professional education.
- Quality control procedures to provide reasonable assurance of compliance with the auditing standards.

Audit Team: Elisa Sullivan, Audit Manager



**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
**Controller**

**Monique Zmuda**  
Deputy Controller

January 20, 2010

José Cisneros, Treasurer  
Office of the Treasurer and Tax Collector  
City Hall, Room 140  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4638

Dear Mr. Cisneros:

The Controller's Office, City Services Auditor, presents the review report of the Schedule of Cash, Investments, and Accrued Interest Receivable of the Office of the Treasurer and Tax Collector (Treasurer) of the City and County of San Francisco (City) as of March 31, 2009. The Schedule presents the total cash, investments, and accrued interest receivable under the control and accountability of the Treasurer of the City.

**Results:**

	<u>March 31, 2009</u>
<b>Cash and Investments:</b>	
Cash on Hand	\$ 4,000
Cash in Bank	204,659,172
Investments and Accrued Interest Receivable	<u>3,162,259,231</u>
<b>Total Cash and Investments</b>	<b>\$ 3,366,922,403</b>

This review was performed under contract by Macias Gini & O'Connell LLP. For this contract, the City Services Auditor Division performed the department liaison duties of project management and contractor invoice approval.

Based on this review, Macias Gini & O'Connell LLP is not aware of any material modifications that should be made to the Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2009, in order for it to be in conformity with generally accepted accounting principles.

Respectfully submitted,

Tonia Lediju  
Director of Audits

cc: Mayor  
Board of Supervisors  
Civil Grand Jury  
Budget Analyst  
Public Library



**MACIAS GINI & O'CONNELL** LLP  
Certified Public Accountants & Management Consultants

WALNUT CREEK  
2121 N. California Blvd., Suite 750  
Walnut Creek, CA 94596  
925.274.0190

SACRAMENTO

OAKLAND

LOS ANGELES

NEWPORT BEACH

SAN DIEGO

The Honorable Mayor Gavin Newsom  
The Honorable Members of the Board of Supervisors  
San Francisco, California

### Independent Accountant's Review Report

We have reviewed the accompanying Schedule of Cash, Investments, and Accrued Interest Receivable of the City and County of San Francisco's (City) Office of the Treasurer and Tax Collector (Treasurer) as of March 31, 2009, in accordance with *Statements on Standards for Accounting and Review Services* issued by the American Institute of Certified Public Accountants. All information included in the Schedule of Cash, Investments, and Accrued Interest Receivable is the representation of the management of the Treasurer.

A review consists principally of inquiries of Treasurer personnel and analytical procedures applied to financial data. It is substantially less in scope than an audit in accordance with generally accepted auditing standards, the objective of which is the expression of an opinion regarding the financial statements taken as a whole. Accordingly, we do not express such an opinion.

Based on our review, with the exception of the matter described in the following paragraph, we are not aware of any material modifications that should be made to the accompanying Schedule of Cash, Investments, and Accrued Interest Receivable as of March 31, 2009, in order for it to be in conformity with generally accepted accounting principles.

As explained in Note II.B to the Schedule of Cash, Investments, and Accrued Interest Receivable, management has not presented the risk disclosures required under Governmental Accounting Standards Board Statement No. 40, *Deposit and Investment Risk Disclosures—an amendment of GASB Statement No. 3*.

*Macias Gini & O'Connell* LLP  
Certified Public Accountants

Walnut Creek, California  
December 21, 2009



**CITY AND COUNTY OF SAN FRANCISCO  
OFFICE OF THE TREASURER  
AND TAX COLLECTOR**

Independent Accountant's Report on the  
Review of the Schedule of  
Cash, Investments, and Accrued Interest Receivable  
March 31, 2009

**City and County of San Francisco**  
**Office of the Treasurer and Tax Collector**  
**Schedule of Cash, Investments, and Accrued Interest Receivable**  
**March 31, 2009**

Cash:	
Cash on Hand	\$ 4,000
Cash in Bank	204,659,172
Total Cash	204,663,172
Investments:	
U.S. Treasury Bills	314,487,500
U.S. Treasury Notes	356,165,500
FFCB Floater Notes	49,984,375
FFCB Notes	78,498,938
FHLB Notes	222,422,623
FHLB Floater Notes	380,014,844
FHLMC Bonds	447,534,375
FHLMC Discount Notes	39,771,739
FHLMC Floater Notes	68,457,188
FNMA Discount Notes	99,890,000
FNMA Notes	462,063,297
Treasury TLGP	135,617,438
TLGP Floater	26,466,531
MTFG Floater	25,042,969
Negotiable Certificates of Deposit	425,000,000
Public Time Deposits	15,200,000
Total Investments	3,146,617,317
Accrued Interest Receivable	15,641,914
Total Cash, Investments, and Accrued Interest Receivable	\$ 3,366,922,403

See Independent Accountant's Review Report.

**City and County of San Francisco**  
**Office of the Treasurer and Tax Collector**  
**Notes to the Schedule of Cash, Investments, and Accrued Interest Receivable**  
**March 31, 2009**

**I. General**

The Schedule of Cash, Investments, and Accrued Interest Receivable (Schedule) presents only the cash on hand, cash in bank, investments and related accrued interest receivable under the control and accountability of the Office of the Treasurer and Tax Collector (Treasurer) of the City and County of San Francisco (City). The Schedule is not intended to present fairly the financial position and results of operations of the Treasurer or of the City.

The Treasurer is responsible for the custody and investment of a majority of the public funds held by the City and funds deposited by external entities that are either required to or voluntarily deposit funds with the Treasurer. The Treasurer is authorized to conduct these functions by the California Government Code Section 53600 et seq. and the San Francisco Administrative Code, Chapter 10, under investment policies established by the Treasurer and filed with the City's Board of Supervisors. The Treasurer also provides a safekeeping service for the City, where City departments may deposit securities and other assets in the Treasurer's vault.

**II. Summary of Significant Accounting Policies**

***A. Cash and Deposits***

The California Government Code requires California banks and savings and loan associations to secure the City's deposits not covered by federal deposit insurance by pledging government securities as collateral. The market value of pledged securities must equal at least 110 percent of the City's deposits. The collateral must be held at the pledging bank's trust department or another bank, acting as the pledging bank's agent, in the City's name. All of the banks with funds deposited by the Treasurer secure deposits with sufficient collateral.

***B. Investments***

The Treasurer makes investments in securities for a pooled money investment account with financial institutions and for individual investment accounts that are not invested through the pooled money investment account. The Schedule is prepared using the economic resources measurement focus and the accrual basis of accounting. Investment transactions are recorded on the trade date. Deposits and investments with the Treasurer are exposed to risks such as credit risk, concentration of credit risk, and interest rate risk. Disclosures related to such risks as required under Governmental Accounting Standards Board No. 40, *Deposit and Investment Risk Disclosures—an amendment of GASB Statement No. 3* are not presented in this report as the Treasurer does not believe that these disclosures are necessary to meet the objectives of the users of the Schedule.

City and County of San Francisco  
Office of the Treasurer and Tax Collector  
Notes to the Schedule of Cash, Investments, and Accrued Interest Receivable  
March 31, 2009

**II. Summary of Significant Accounting Policies** (continued)

The securities in the accompanying Schedule are reported at fair value in accordance with Governmental Accounting Standards Board Statement No. 31, *Accounting and Financial Reporting for Certain Investments and for External Investment Pools*. The statement requires external investment pools to report all investments at fair value. The following table summarizes the investments stated at cost and fair value.

<u>Investment Type</u>	<u>Cost</u>	<u>Fair Value</u>
U.S. Treasury Bills	\$ 312,855,810	\$ 314,487,500
U.S. Treasury Notes	356,230,675	356,165,500
FFCB Floater Notes	50,000,000	49,984,375
FFCB Notes	76,826,507	78,498,938
FHLB Notes	222,658,094	222,422,623
FHLB Floater Notes	379,535,200	380,014,844
FHLMC Bonds	447,239,400	447,534,375
FHLMC Discount Notes	39,659,778	39,771,739
FHLMC Floater Notes	68,537,476	68,457,188
FNMA Discount Notes	99,146,667	99,890,000
FNMA Notes	464,917,195	462,063,297
Treasury TLGP	135,468,694	135,617,438
TLGP Floater	26,492,346	26,466,531
MTFG Floater	25,041,114	25,042,969
Negotiable Certificates of Deposit	425,000,000	425,000,000
Public Time Deposits	15,200,000	15,200,000
<b>TOTAL</b>	<u>\$ 3,144,808,956</u>	<u>\$ 3,146,617,317</u>



## MEMORANDUM

**TO:** Supervisor Ross Mirkarimi, San Francisco Board of Supervisors  
Angela Calvillo, Clerk of the Board

**FROM:** Ben Rosenfield, Controller  
Ted Egan, Chief Economist, Office of Economic Analysis  
Kurt Fuchs, Senior Economist, Office of Economic Analysis

**DATE:** January 14, 2010

**SUBJECT:** Inquiry into Presidio Tenants for Possible Gross Receipts Tax Reform -  
Reference No. 20091208-001

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On December 8, 2009, Supervisor Mirkarimi requested the following information:

*Requesting that the Controller and City Attorney explore the extension of gross receipts taxes to the Presidio and other federal enclaves within San Francisco as part of a shift to a gross receipts tax business tax structure in the City, including an estimate of revenues that would be generated for the City as a result of such an extension.*

The Controller's Office of Economic Analysis (OEA) has researched businesses located within the Presidio of San Francisco based on information provided by the Presidio Trust, Dun & Bradstreet, other business directories, and individual company websites. The Presidio is the only Federal enclave within San Francisco that contains private businesses which are not currently taxed by the City, but may be taxable under an alternative taxation system. This memo estimates the gross receipts currently generated by businesses within the Presidio, as a first step toward estimating revenue from any potential future gross receipts tax.

The Presidio contains an estimated 203 employers, who employ over 3,100 people, and generate over \$1.07 billion in gross receipts annually. This total includes non-profits and small businesses, who are not currently taxed under San Francisco's payroll tax. Of the 203 employers, an estimated 34 are larger private businesses, which generate more than \$1 million in gross receipts annually. Together they produce an estimated \$882 million in gross receipts annually.

As the City does not currently assess a gross receipts tax, there is no current tax rate to apply to Presidio gross receipts, and thus there is, at present, no way to estimate tax revenue that could be generated from private business in the Presidio. However, as a point of reference, the OEA applied the gross receipts tax rates from Oakland to the 34 large private businesses at the Presidio, to estimate the tax potential.

Applying the industry-appropriate rate to the 34 non-tax-exempt businesses would result in an estimated \$2.2 million annually in gross receipts taxes from Presidio businesses.

**Summary of Presidio Tenants and Estimated Gross Receipts**

	# of Firms	Employees	Estimated Annual Gross Receipts	Estimated Tax at Oakland's Tax Rate (2)
Tax-Exempt, non-profit, or Park Operations	87	912 (1)	\$ 164,797,000	NA- Exempt
Firms with < \$1 million Receipts	82	370	\$ 23,842,000	NA- Exempt
Firms with > \$1 million Receipts	34	1,824	\$ 882,209,000	\$ 2,182,000
<b>Total</b>	<b>203</b>	<b>3,106</b>	<b>\$ 1,070,848,000</b>	<b>\$ 2,182,000</b>

Sources: Presidio Trust Tenant Directory, Presidio Trust Operating Budget. Dun & Bradstreet is the primary source for employee count, annual gross receipts, and headquarter classification. For several firms, this information was not available from D&B, so other sources were utilized, including ReferenceUSA, Business & Company Resource Center, Kompass.com, MuniServices, and individual firm websites.

(1) Employee count likely understated as employment information was available for only about half of these non-profit businesses.

(2) Estimated annual tax assuming Oakland's gross receipts tax rate structure.



**To:**  
**Cc:**  
**Bcc:**  
**Subject:** Fw: Inquiry into Presidio Tenants for Possible Gross Receipts Tax Reform - Reference Number 20091208-001

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**From:** Maura Lane/CON/SFGOV  
**To:** Ross Mirkarimi/BOS/SFGOV@SFGOV  
**Cc:** Rick Galbreath/BOS/SFGOV@SFGOV, Jeremy Pollock/BOS/SFGOV@SFGOV, Angela Calvillo/BOS/SFGOV@SFGOV, Vallie Brown/BOS/SFGOV@SFGOV  
**Date:** 01/19/2010 04:44 PM  
**Subject:** Inquiry into Presidio Tenants for Possible Gross Receipts Tax Reform - Reference Number 20091208-001

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Dear Supervisor Mirkarimi,

On December 8th, 2009 a request was made by you office that the Controller and City Attorney explore the extension of gross receipts taxes to the Presidio and other federal enclaves within San Francisco as part of a shift to a gross receipts tax business structure in the City, including an estimate of revenues that would be generated for the City as a result of such extension.

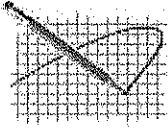
The requested information is attached. Please feel free to contact Ted Egan (554-5268) or Kurt Fuchs (554-5369) if you have questions.

Sincerely,

Maura



Ref No 20091208-001 Presidio\_1.14.10.pdf



John X  
Chan/ETHICS/SFGOV  
01/22/2010 03:50 PM

To Board of Supervisors/BOS/SFGOV@SFGOV, Rebekah  
Krell/MAYOR/SFGOV@SFGOV,  
performance.con@sfgov.org

cc

bcc

Subject: Fw: efficiency plan - Ethics Commission

Attached please find the efficiency report for the Ethics Commission. Thank you.

-----Forwarded by John X Chan/ETHICS/SFGOV on 01/22/2010 01:16PM -----

To: John X Chan/ETHICS/SFGOV@SFGOV  
From: Mabel Ng/ETHICS/SFGOV  
Date: 01/20/2010 04:58PM  
Subject: efficiency plan

Mabel Ng  
Deputy Executive Director  
San Francisco Ethics Commission  
415/252-3100

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**San Francisco Ethics Commission  
Efficiency Plan Fiscal Year 2010-2-13**

**Section 1: Mission and Goals**

*A. Mission*

The mission of the Ethics Commission is to promote and practice the highest standards of ethical behavior in government. In order to accomplish this mission, the Commission:

1. Clearly informs candidates for public office, public employees, and other officials and members of the public of existing ethics laws and rules;
2. Actively enforces all ethics laws and rules, including campaign finance and open government laws;
3. Effectively administers and oversees the campaign public finance programs;
4. Recommends new laws, rules and programs that will lead to ethics compliance;
5. Serves as a model for other elected and appointed officials and government employees; and
6. Faithfully adheres to its own Code of Ethics.

*B. General goals and objectives*

The Commission provides the following Charter-mandated services:

- Administer the Campaign Finance Reform Ordinance, including provisions related to the electronic filing of campaign disclosure reports and the partial public financing programs for candidates for Mayor and the Board of Supervisors ;
- Administer the Lobbyist Ordinance;
- Serve as filing officer for the Statements of Economic Interests;
- Serve as filing officer for political campaign disclosure statements;
- Audit financial disclosure statements of campaign committees;
- Investigate alleged violations of state law, the Charter and City ordinances related to campaign finance, governmental ethics and conflicts of interest;
- Assist agencies, officials, and candidates by administering laws relating to campaign finance, conflicts of interest and governmental ethics;
- Recommend legislative changes to the Mayor, the Board of Supervisors, and the voters;
- Adjust statutory limitation amounts and disclosure thresholds in accordance with the Consumer Price Index;
- Assist departments in developing and maintaining conflict of interest codes, including but not limited to the Statements of Incompatible Activities;
- Advocate understanding of the Charter and City ordinances regarding governmental ethics laws;
- Manage its office subject to the Charter's budgetary and fiscal provisions;

- Promulgate needed forms for reports, statements and other documents required by the Charter or ordinances related to campaign finance, conflicts of interest, lobbying, campaign consultants and governmental ethics;
- Publish manuals concerning governmental ethics laws; and
- Develop an educational outreach program.

In addition, the Ethics Commission is charged by ordinance to administer the Campaign Consultant Ordinance; to help draft and implement the Statements of Incompatible Activities for all departments, boards and commissions; and to serve as filing officer for Sunshine Ordinance Declarations and Certificates of Ethics Training for City officers.

The Commission's mandates have annually increased since its establishment in 1993 and continue to do so.

## **Section 2: Programs and Services**

The Commission has three primary operational areas – campaign finance reporting, public financing and audit, and investigations. The Commission also administers and provides other programs and services, as discussed below.

### *A. Campaign Finance:*

The California Political Reform Act of 1974 and the City's Campaign Finance Reform Ordinance (CFRO) require officeholders and candidates as well as campaign committees that support or oppose ballot measures or candidates to file finance statements disclosing campaign contributions and expenditures made in connection with a campaign. The statements cover disclosure of monetary and non-monetary contributions including loans and enforceable promises, expenditures (including loans), unpaid bills and miscellaneous increases to cash. Filers must also keep detailed records of receipts and expenditures of \$25 or more.

Under the Charter, the Commission serves as filing officer for five categories of local candidates and committees:

1. Candidates seeking election to local office and their controlled committees,
2. Committees formed or existing primarily to support or oppose candidates seeking election to local office,
3. Committees formed or existing primarily to support or oppose qualification or passage of a ballot measure being voted on only in San Francisco,
4. County general-purpose committees active only in San Francisco, and
5. Candidates and candidate committees for county central committee office.

As filing officer, the Commission promotes compliance by candidates and committees by conducting workshops that provide information about filing requirements and sending notices about filing deadlines. It maintains records of reports filed, most of which are available on the Commission's website as well in public files in the office. The

Commission imposes late fees for late reports and penalties for failure to adhere to filing deadlines and reporting requirements.

### *B. Audit*

As stated above, officers, candidates and campaign committees that support or oppose ballot measures or candidates running for office in San Francisco must file finance statements disclosing campaign contributions and expenditures. The Commission audits the statements for compliance with, among other things, contribution limits and disclosure requirements. Its process is outlined in an audit manual available to the public. Filers are selected for audit by random drawing at Commission meetings, or are targeted based on preliminary staff reviews. In addition, all publicly financed candidates are audited. Audits are posted on the Commission's website as they are completed. The Commission's audit staff also implements and administers the partial public financing programs for candidates running for Mayor or the Board of Supervisors.

### *C. Investigations and Enforcement*

The San Francisco Charter charges the Ethics Commission with authority to investigate alleged violations of laws governing campaign finance, lobbying, conflicts of interest, and government ethics. In addition, the Improper Government Activities Ordinance, also known as the Whistleblower Ordinance, directs the Commission to investigate charges of retaliation directed against complainants. The Commission continues to review the investigation process and adopted procedural and administrative changes to accelerate the process used in carrying out this mission.

The types of complaints vary. They include alleged violations of campaign finance law due to improper loans, failure to report contributions and expenditures, coordination of resources, and excessive contributions; violations of rules governing the use of City resources for personal or political purposes; violations of the Campaign Consultant and Lobbyist Ordinances; and violation of the conflict of interest laws that govern all City officers and employees.

### *D. Other major program areas*

In addition to the above-cited operational areas, the Commission administers the Lobbyist and Campaign Consultant Ordinances, serves as filing officer for the Statements of Economic Interests, Sunshine Ordinance Declarations and Certificates of Ethics Training filed by department heads and members of boards and commissions, provides both formal and informal advice about the laws under its jurisdiction, and makes policy recommendations to the Board of Supervisors and Mayor.

#### *1. Lobbyist Ordinance*

Lobbyists are required by ordinance to register with the City and to file reports of any activity intended to influence local legislative or administrative action. Beginning in February 2010, these reports will be submitted online to the Commission; they will also

be submitted on a monthly instead of a quarterly basis. The Commission reviews lobbyist statements to ensure completeness and accuracy. It assesses penalties for failure to adhere to deadlines and other requirements. Registration is triggered by a threshold level of activity based on payments promised or received totaling at least \$3,000 over a three-month period and one contact with a City officer. Information regarding lobbyist activities is available online on the Commission's website.

## 2. *Campaign Consultant Ordinance*

The Regulation of Campaign Consultants Ordinance, passed in 1997, requires anyone who earns \$1,000 or more in a calendar year from activity as a campaign consultant to register with the City and submit quarterly reports. Consultants are required to report names of clients, services provided, payments received, contributions and gifts made to local officials, and other information. The Commission prepares summaries of the quarterly filings, posted on the website, and publishes a manual.

## 3. *Statements of Economic Interests*

Statements of Economic Interests (also known as "SEIs" or "Form 700s") are filed by public officials to disclose personal financial holdings pursuant to the Political Reform Act and the local Conflict of Interest Code. SEIs are due on an annual basis, on April 1, and whenever a public official assumes office or leaves office. As filing officer for the SEIs of department heads and members of boards and commissions, the Commission conducts workshops for department heads and commission secretaries to train them about their responsibilities under the law. The Commission maintains filings in its office, tracks filings under its jurisdiction, and posts information about filers and non-filers on its website. It also assesses and collects late fees for reports that are filed late.

## 4. *Sunshine Declarations and AB 1234*

SEI filers who file with the Ethics Commission, with few exceptions, are required to file Sunshine Declarations with the Commission certifying that they have read the Sunshine Ordinance and have attended or will attend when next offered a training on the Sunshine Ordinance. In addition, all City officers who are required to file SEIs with the Commission must undertake ethics training under AB 1234 once every two years. The Commission works with the City Attorney in putting together such trainings. The Commission also creates and maintains the forms that must be filed, as well as tracking such filings and pursuing non-filers.

## 5. *Advice*

The Commission is charged with interpreting and applying the conflict of interest, campaign finance, lobbyist and campaign consultant and other governmental ethics laws under its jurisdiction. This requires that the Commission consider requests for waivers from the laws and that it issue formal and informal written advice on matters requiring interpretation. Commission staff is available each workday to answer public inquiries

about the City's campaign finance and ethics laws, and responds daily to dozens of requests for information by phone and at the counter in the Commission office.

With respect to formal opinions issued by the Commission, no person who acts in good faith on an opinion issued by the Commission and concurred in by the City Attorney and District Attorney is subject to criminal or civil penalties for so acting, provided that the material facts are as stated in the opinion request.

#### 6. *Policy recommendations*

The Commission regularly reviews the operation of the CFRO, as well as the other City ordinances under its jurisdiction, enacts enabling regulations, and proposes substantive and operational changes. It also advises on amendments proposed by the Board of Supervisors or the Mayor.

In the past year, the Commission considered and approved amendments to the CFRO that made technical amendments, particularly as they relate to the public financing program. The Commission also approved regulations to implement these amendments.

In addition, the Commission completed its review of the Lobbyist Ordinance and made substantive and technical adjustments to the law. The Ordinance now defines a lobbyist as an individual who receives or is promised economic consideration of \$3,000 or more within three consecutive calendar months for lobbyist services, and on behalf of the persons providing the economic consideration, makes any contact with a City officer. may be needed. Lobbyists must register with the Commission within five business days of qualifying as a lobbyist, and must submit monthly online reports about their activities.

The Commission also approved several changes to the conflict of interest laws, San Francisco Campaign and Governmental Conduct Code section 3.200 et seq, which subsequently were approved by the Board of Supervisors and signed into law by the Mayor. In particular, the Commission clarified extended the application of section 3.222 so that officers, rather than members of boards and commissions, are barred from entering or bidding for a contract with the City that is worth \$10,000 or more. Other changes include permitting the Commission to waive section 3.222 for any officer who, by law, must be appointed to represent any profession, trade, business, union or association; and renaming chapter 2 as the Government Ethics Ordinance.

After completing a comprehensive review of its Regulations for Investigations and Enforcement Proceedings, the Commission made several changes to its regulations. The changes focused on clarifying the governing procedures in probable cause hearing and hearings on the merits, including the following: identifying the laws that the Commission enforces; allowing amendments to probable cause determinations; requiring the Executive Director to notify the Commission and respondents of exculpatory information; addressing the confidentiality of complaints alleging violations of the Sunshine Ordinance; and clarifying the process and procedures related to a hearing on the merits. The changes also contained several technical amendments, all of which clarified,

conformed or simplified existing language. These changes took effect December 18, 2009 and January 8, 2010.

The Commission endeavors to create new legislation that makes campaign finance and ethics laws more effective while being easier to comprehend and also works as a partner with the Board of Supervisors in effecting positive changes to the Administrative Code, the CFRO and other statutes governing the City.

#### 7. *Other major developments*

In addition to the developments mentioned above, the Commission spent considerable time and resources during the past year to implement the public financing program, which goes into effect for candidates for the Board of Supervisors in February 2010. Staff will continue to assist both publicly financed and non-publicly financed candidates and other committees with their campaign disclosure filings.

Barring even mild staffing cutbacks, the Commission hopes to be able to continue to fulfill its mandated duties in the forthcoming years, with a particular focus on achieving the following broad objectives:

- The Commission will continue to perform mandatory audits of publicly financed candidates, as well as randomly selected or targeted committees that file campaign reports with the Commission. It will also prepare reports and ready itself for the next round of elections in each coming year.
- The Commission will continue to work with the City's departments, boards and commissions on the implementation of the Statements of Incompatible Activities, as well as to provide training to officers and employees who are governed by the SIAs.
- The Commission will continue its review of the Lobbyist Ordinance to determine whether adjustments to the law are needed to implement and improve the online filing system. The Commission will also continue its efforts to develop and implement online reporting programs under the Campaign Consultant Ordinance.
- With the hiring of the first-ever training officer for the Commission in 2007, the Commission has begun to enhance its strong institutional commitment to educate the public about San Francisco's ethics laws and to support campaign reform and government accountability efforts consistent with City policy throughout the state and elsewhere. For the first time, the Commission's calendar shows workshops and training sessions scheduled on almost a weekly basis, whereas previously such trainings occurred only sporadically. The Commission will continue to conduct ongoing informational programs about ethics-related laws and requirements, produce educational materials, and actively publicize its outreach activities through public notices. The Commission will continue to develop web-based trainings in the areas under its jurisdiction.

- The Commission will continue to conduct a review of its processes related to the collection of Statements of Economic Interests and will determine whether changes may be needed both in the way information is collected and the content of such information.
- The Commission will continue to develop and fine-tune its electronic filing programs for campaign committees, financial interest filers, lobbyists and campaign consultants.
- The Commission will prepare performance plans and conduct performance reviews for all staff.
- The Commission will continue to monitor the application of laws within its jurisdiction and will continue to propose amendments and regulations as appropriate.

### **Section 3: Customer service**

#### *Customers defined*

Anyone who contacts the Commission, be it by office visit, a telephone call, via correspondence, or a visit to the Commission's website, is a customer.

External customers include lobbyists, campaign consultants, representatives of political campaign committees, and candidates for City elective office and the County Central Committees. Members of the public, former employees and officers, and other city, state or federal agencies that seek information and advice about matters within the Commission's jurisdiction are also external customers.

Internal customers include the Mayor, the Board of Supervisors, appointed members of City boards and commissions, department heads and designated employees under section 3.1-100 et seq. of the San Francisco Campaign and Governmental Conduct Code, and all other employees subject to the City's conflict of interest laws.

Budget issues remain a concern for the Commission. Recent cutbacks have resulted in a loss to permanent as well as temporary staff. The City's bumping system has also resulted in the loss of other talented individuals, leading to backlogs in the Commission's ability to maintain its files as well as implement its directives. Foreseeable cutbacks will mean that the Commission will need to focus solely on its most primary missions, which may lead to continued backlogs in other areas.

Moving forward, the Ethics Commission desires to do more in public education and outreach. Already, the Ethics Commission has been working on improving public access to information through the development of web-based applications. The Ethics Commission envisions ongoing classes in the various domains of the Commission so that

the public remains informed, campaigns understand proper procedures for filing, fundraising, and conducting business; and that, in general, ignorance of the myriad of campaign laws ceases to be an excuse, however innocent, for violating them.

However, the Commission is not immune to the recessionary nature of our current times; nor is it ignorant of the upcoming mandatory cutbacks that will gravely affect the Commission's ability to perform its mandates. Depending upon its budget, the Commission will endeavor to achieve all of its mandates as best it can, but will necessarily focus on those activities that are the most compelling for our agency.

#### *Relationship of performance goals to goals and objectives*

The Commission developed its performance goals in order to ascertain as much as possible the achievement of its general goals and objectives. However, much of what the Commission does is not measurable. For instance, with respect to complaints, the Commission cannot forecast either how many complaints will be filed or how much staff effort it will take to resolve each complaint because the resolution of any complaint is dependent upon the particular facts and circumstances of the alleged violation(s) and the elements of proof under the law allegedly violated. With respect to a major Commission mandate -- the recommendation of legislative changes -- initially issues are often nebulous, staff must engage in discussions to clarify issues and formulate ideas, the Commission and often the Board of Supervisors and its committees must hold public hearings to discuss and evaluate the proposals, and there is no tangible measure of the success or failure of any legislative attempt. In addition, staff provides oral advice on a daily basis to many persons who contact the Commission, but because of its many other duties, staff cannot take time to develop approximate -- much less accurate -- measurements of such activities. The Commission tracks measurable performance, including monitoring the timely filing compliance of lobbyists, consultants, campaigns and officials and the performance of audits.

#### *External factors*

As discussed above, budgetary constraints and staffing highly impact the work of the Commission. Other external factors also impact the work of the Commission, such as requests from the Board of Supervisors to review legislative proposals, or the Grand Jury to respond to findings. Voters may approve propositions that lead to an increase in the functions of the Commission. For example, Proposition O provided for the public financing of candidates for the Board of Supervisors, which created another initiative for the Commission to implement. Because of the nature of the work of the Commission, the Commission must remain flexible in adjusting its schedules to meet its mandates. In terms of other mandated services provided by the Commission, the extent of the workload is difficult to predict. As previously mentioned, the nature and volume of complaints/inquires varies. The volume of lobbyists, campaign consultants and candidates for Board of Supervisors could increase during election cycles and the adoption of new conflict of interest amendments could increase the Commission's complaint load.



#### **Section 4: Performance Evaluation**

See above discussion regarding the relationship of performance goals to goals and objectives. See also attached performance evaluation forms.

The Commission is committed to providing the highest level of service to all customers. In accordance with this goal, the Commission tries to provide appropriate information in clear language and on a timely basis. It strives to ensure that all customers are treated fairly and equally, and that they are treated courteously and with respect.

The Commission is charged with several mandates, the performance of which is essential to good government. The budget for the Commission has historically been limited, with staff working hard to achieve the Commission's mandates as best it can. The Commission believes that in order to achieve its mandates most effectively, more staffing and resources will need to be provided in the future.

S:\Commission\Efficiency Plan\2010\FY 10-13 plan.doc

# City and County of San Francisco

Office of the Controller – City Services Auditor

Document is available  
at the Clerk's Office  
Room 244, City Hall

To: Angela Calvillo,  
Clerk of the Board  
From: Office of the Controller  
City Services Auditor

BOS 11

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2010 JAN 21 PM 12:21

BY lc

## BOARD OF SUPERVISORS

Franchise Fee Audit of Comcast of  
California III, Inc.



January 21, 2010

12



"Toni" <netscw@q.com>  
01/20/2010 07:22 PM

To <board.of.supervisors@sfgov.org>  
cc  
bcc  
Subject Sanctuary Law

This is illegal! Why do you want to protect  
criminals who broke our laws?

Ms. Wells

13



André Morand  
<andremorand@yahoo.com>  
01/20/2010 10:34 AM

To board.of.supervisors@sfgov.org  
cc  
bcc  
Subject Attn: David Campos - Walgreen's Proposal

Dear Supervisor Campos,

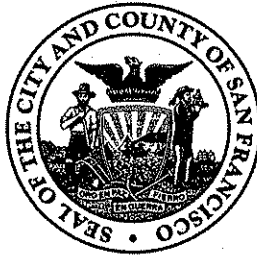
I'm writing to express my concern about Walgreen's drug stores' proposal to start selling alcohol. As a resident of southern Bernal Heights, I see alcohol already too prevalent and accessible in our community. Additional alcohol outlets in this already saturated market will only contribute to crime, violence, and negatively influence local youth. There are many things this community needs -more cheap booze is not one of them.

I hope you will stand with me in opposing this proposal.

Best,  
Andre Morand  
779 Crescent Avenue  
San Francisco, CA 94110

14

BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 544-5227

Date: January 19, 2010  
To: Members of the Board of Supervisors  
From: Angela Calvillo, Clerk of the Board  
Subject: Form 700

A handwritten signature in black ink, appearing to read "Angela Calvillo".

This is to inform you that the following individual has submitted a Form 700 Statement

Stanton W. Jones – Budget Analyst – Leaving

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 JAN 22 AM 10:43  
BY PN

15



Kimo Crossman  
<kimo@webnetic.net>  
Sent by:  
kimocrossman@gmail.com

01/16/2010 11:49 PM

Please respond to  
kimo@webnetic.net

To assessor@sfgov.org, Board of Supervisors  
<Board.of.Supervisors@sfgov.org>, superdaly  
<superdaly@yahoo.com>, Ross Mirkarimi  
cc  
bcc  
Subject Morgan Stanley walks away from SF office buildings but still  
pays it's people 2010 bonuses - do they owe SF transfer  
tax?

Is the SF city transfer tax incurred when Morgan Stanley walks away from SF office buildings which they are calling a "Transfer"?

<http://www.bloomberg.com/apps/news?pid=20601087&sid=a5KuG3V2IxHE>

The other buildings Morgan Stanley is giving up are **201 California St., 60 Spear St. and 188 Embarcadero.** The five properties have a combined 1.3 million square feet,

Colliers said. **One Post**, with 489,000 square feet, and **Foundry Square I**, with 335,000 square feet -- would sell for \$300 a square foot, according to Colliers International. The value of all five buildings is about \$279 million, the brokerage said.

<http://www.bloomberg.com/apps/news?pid=20601087&sid=a5KuG3V2IxHE>

16



# CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

## S.F. ADMINISTRATIVE CODE CHAPTERS 12B and 14B WAIVER REQUEST FORM (HRC Form 201)

FOR HRC USE ONLY
Request Number: <u>5137</u>

### Section 1. Department Information

Department Head Signature: [Signature]  
 Name of Department: Animal Care & Control  
 Department Address: 1200 15<sup>th</sup> Street, San Francisco, CA 94103  
 Contact Person: Harold Powell  
 Phone Number: 554-6914 Fax Number: 554-6156

### Section 2. Contractor Information

Contractor Name: Bayer Healthcare LLC. Contact Person: Customer Service  
 Contractor Address: 115 Norwood Park South Norwood, MA 02062  
 Vendor Number (if known): 29169 Contact Phone No.: 888-424-3938

### Section 3. Transaction Information

Date Waiver Request Submitted: 01/20/2010 Type of Contract: Dept. Blanket  
 Contract Start Date: 07/01/2009 End Date: 07/30/2010 Dollar Amount of Contract:  
 \$45,000.00 Request a \$20,000.00 to dollar amount of contract.

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2010 JAN 20 AM 11:30  
 BY AK

### Section 4. Administrative Code Chapter to be Waived (please check all that apply)

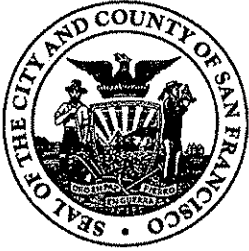
- Chapter 12B
- Chapter 14B *Note: Employment and LBE subcontracting requirements may still be in force even when a 14B waiver (type A or B) is granted.*

### Section 5. Waiver Type (Letter of Justification *must* be attached, see Check List on back of page.)

- A. Sole Source
- B. Emergency (pursuant to Administrative Code §6.60 or 21.15)
- C. Public Entity
- D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on:
- E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on: 1/20/2010
- F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:
- G. Local Business Enterprise (LBE) (for contracts in excess of \$5 million; see Admin. Code §14B.7.1.3)
- H. Subcontracting Goals

HRC ACTION	
12B Waiver Granted: _____	14B Waiver Granted: _____
12B Waiver Denied: _____	14B Waiver Denied: _____
Reason for Action: _____	
HRC Staff: _____	Date: _____
HRC Staff: _____	Date: _____
HRC Director: _____	Date: _____

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.	
Date Waiver Granted: _____	Contract Dollar Amount: _____



**SAN FRANCISCO  
DEPARTMENT OF  
ANIMAL CARE AND  
CONTROL**

**Rebecca Katz  
Interim Director**

**Kathleen Brown  
Deputy Director**

**Judy Choy  
Shelter Office  
Supervisor**

**Deb Campbell  
Community Affairs  
Coordinator**

**R. Bing Dilts, D.V.M.  
Shelter Veterinarian**

**Vicky Guldbeck  
Operations Manager**

**Eric Zuercher  
Animal Care  
Supervisor**

1200 15th Street  
(at Harrison Street)  
San Francisco  
CA 94103

(415) 554-6364  
Fax (415) 557-9950  
TDD (415) 554-9704

www.animalshelter.sfgov.org

1/15/10

Ms. Tammy Winchester  
Human Rights Commission  
25 Van Ness Av. Suite 800  
San Francisco, CA. 94102-6033

Re: Increase contract amount for Bayer Corp.

Dear Ms. Winchester,

I am writing this letter to ask that the contract dollar amount for Bayer Corp. for San Francisco Animal Care and Control be increased by \$20,000.00. The reason we are purchasing more from this company this year is that last year, we changed the brand of microchips we use from Home Again (Schering Corp.) to ResQ (Bayer Corp.) and this year, we began using Advantage Multi on our dogs and cats for flea *and* internal parasite control. Previously, we were using a liquid de-wormer and flea powder, but flea powder is no longer available. Advantage Multi is cheaper than purchasing Advantage plus the liquid de-wormer. We also purchase antibiotics and other pharmaceuticals from this company for use on the shelter animals. Bayer is the only manufacturer of these pharmaceuticals and microchips and our regular vendor, T.W. Medical Supply doesn't carry Bayer products. We cannot purchase these drugs, Advantage Multi or microchips from anyone else we usually do business with. The San Francisco Animal Care and Control is the premier municipal animal shelter on the west coast and access to the drugs, Advantage Multi and microchips needed to treat our animal is one reason we shine above the rest. Please accept this and increase the contract dollar amount for Bayer Corporation by \$20,000.00 for this fiscal year.

Sincerely,

R. Bing Dilts D.V.M.





bhpmss1@aol.com  
01/19/2010 02:53 PM

To senegal55@aol.com, SecondUnionBC@aol.com,  
MAKIDZ@aol.com, Hvw7325@aol.com, dsrtglo@cox.net,  
AWCONSUL@aol.com, Senegal55@aol.com,  
cc

bcc

Subject 30th Anniversary of Black Cuisine

Dear Neighbor,

The 30th Anniversary of Black Cuisine will be held the weekend of March 6, 2010.

So now is the time to get your recipes out for that sweet potato pie, pound cake, oxtails, collard greens or one of your family recipes that was past down from one generation to the next. Our cooking contest is still the highlight of the festivities. Let's see who will walk away with that famous 1st place blue ribbon.

**Another change to this year's festivities is the cookbook.** This year's cookbook has been expanded to include not only traditional black cuisine faire, but healthy alternatives to traditional soul food with one or more of the following flavors: Cuba, South American, Pacific Islander.

30 years ago Dr. George W. Davis and the Bayview Hunters Point Multipurpose Senior Service began a tradition of an annual fun and festive street faire and cooking contest. One of the goals of the faire was to teach the youth the art of cooking soul food 30 years later, Black Cuisine has grown into something much more.

**Black Cuisine is now a two-day event** that boasts entertainment, food booths and community vendors who sell everything from clothing to fresh baked foods to arts and crafts, live music and promises an event like no other. We are diligently working on providing the entire San Francisco community and beyond, a cultural food extravaganza and festival like no other. In their kitchens, our seniors are guarding their secret recipes for the senior division cook-off. Restaurants, caterers and professional chefs specializing in traditional soul food, afro-fusion soul food and healthy alternative soul food are perfecting their recipes for the professional level cook-off contest.

If you have any question call (415) 235-4158

Hope you'll join.

Sincerely,

Denae Green  
Assistant Coordinator  
30th Anniversary Black Cuisine

18

BOARD of SUPERVISORS



*COB. cpage*  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-5184  
Fax No. 554-5163  
TDD/TTY No. 554-5227

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**MEMORANDUM**

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Date: January 19, 2010

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board *Madeline Fioravanti*

Subject: APPOINTMENT BY THE MAYOR

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The Mayor has submitted an appointment to the following Commission:

- Mark Buell, Recreation and Park Commission, term ending on June 25, 2010

Under the Board's Rules of Order, a Supervisor can request a hearing on an appointment by notifying the Clerk in writing.

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within thirty days of the appointment as provided in Section 3.100(17) of the Charter.

Please notify me in writing by **2:00 p.m., Monday, January 25, 2010**, if you wish this appointment to be scheduled.

Attachments

19

Office of the Mayor  
City & County of San Francisco



*Rules Clerk*  
*c: COB Leg Deputy*

Gavin Newsom

January 19, 2010

Angela Calvillo  
Clerk of the Board, Board of Supervisors  
San Francisco City Hall  
1 Carlton B. Goodlett Place  
San Francisco, California 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2010 JAN 19 PM 2:59

BY AK

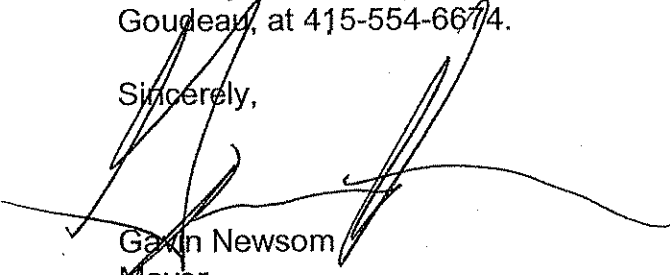
Dear Ms. Calvillo,

I have appointed Mark Buell as a member of the Recreation and Park Commission effective today, January 19, 2010. Mark Buell will fill a seat that was formerly held by James Lazarus. The term of Mark Buell will expire on June 25, 2010.

Please see the attached biography which will illustrate that Mark Buell's qualifications allow him to represent the communities of interest, neighborhoods and diverse populations of the City and County.

Should you have any questions, please contact my liaison to commissions, Matthew Goudeau, at 415-554-6674.

Sincerely,

  
Gavin Newsom  
Mayor

Attachment

cc: Phil Ginsburg

## MARK BUELL Biography

Mark Buell is a fourth generation San Franciscan. He was educated in San Francisco public schools graduating from Lowell High School in 1960 and from University of San Francisco with a B.A. in Political Science in 1967. Following graduation, he served two years in the U.S. Army seeing active duty in Vietnam in 1969 where he was twice decorated with the Bronze Star.

In 1970, Mark rejoined his employer, the San Francisco Redevelopment Agency where he was the Assistant to the Executive Director. In 1971, Buell joined the San Francisco Chamber of Commerce as Manager of their Governmental Affairs Department and in 1972, he was recruited by Mayor Joseph Alioto to become San Francisco's first Director of Economic Development.

In 1976, Buell began a seven year stint as the Director of the Emeryville Redevelopment Agency. In 1983, Buell left public service and became a private consultant in housing and economic development.

In 1992, Buell became General Manager of Tuntex (U.S.A.) Inc., a Taiwan-based development company with extensive land holdings in Northern San Mateo County and the Executive Park in San Francisco. He also formed a residential development partnership constructing single-family homes in the Silicon Valley.

Over the course of Buell's career, he has volunteered his services to a number of causes and has accepted appointments to various public commissions. In 1979, Buell was a founding member and served as the first president of CALED, the California Association for Local Economic Development. Now the largest statewide organization of its kind in the United States, CALED brings representatives of the public and private sector together to find mutual solutions to the problems of job development and economic growth in California.

On the national level, Buell served for ten years on the board of the National Council for Urban Economic Development, and in 1979 served as Regional Vice President of the National Association of Housing and Redevelopment Officials.

In the early 1970's, Buell served on the San Francisco Council for Economic Opportunity as a Co-Chairman for the San Francisco Coalition for Effective Schools and as a board member of the Youth for Service, these groups were both dedicated to improving job development and public education in San Francisco. In 1985, Mayor Dianne Feinstein appointed Buell to the City's Industrial Development Authority and in 1987, to the San Francisco Public Utilities Commission.

For the past 10 years, he has focused his attention on parks and open space. He is a former board member of the Neighborhood Parks Council and past President of the Friends of Alta Plaza Park. He is the past Chair of the San Francisco Conservation Corps and currently serves as Chairman of the Board of the Golden Gate National Parks Conservancy. In addition, he chairs the Board of the Chez Panisse Foundation.

Buell is married to the former Susie Russell Tompkins and has two children from a previous marriage: Sabrina and Justin. He resides in San Francisco at 2500 Steiner Street.



**MEMORANDUM**

To: Department Heads  
Interested Parties  
Labor Organizations  
Retiree's Associations

From: Gary A. Amelio  
Executive Director

Date: January 15, 2010

Subject: **RETIREMENT CONTRIBUTION RATES FOR FISCAL YEAR 2010-2011**

RECEIVED  
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SAN FRANCISCO  
2010 JAN 19 PM 2:51  
BY

At the January 12, 2010, Retirement Board meeting, the Retirement Board adopted employer contributions for fiscal year 2009-2010.

CITY AND COUNTY OF SAN FRANCISCO RETIREMENT CONTRIBUTION RATES			
EMPLOYEE TYPE	CHARTER SECTION	2009-2010	2010-2011
Miscellaneous Employees	8.509; 8.584, 8.587	9.49%	13.56%
Uniformed Police	8.559; 8.586, 8.595, 8.597	9.49%	13.56%
Uniformed Fire Fighters	8.585; 8.588, 8.596, 8.598	9.49%	13.56%

The new rates are effective on July 1, 2010.

The newly adopted rates reflect plan amendments (Proposition B, June 2008), the investment losses experienced in Fiscal Year 2007-2008, and 2008-2009 and the Retirement Board's lowering of the expected rate of earnings on plan assets effective July 1, 2008.

There are no changes in the rates of contribution paid by the members of the Retirement System.

If you have any questions, please feel free to contact me.

Admin/Rates/2010-2011 Contribution Rate Memo

20



Dominic Paris  
<dominic.paris@mac.com>  
01/16/2010 03:19 PM

To board.of.supervisors@sfgov.org  
cc  
bcc  
Subject Sit/Lie Law

I'm writing as a resident of Haight Ashbury and a constituent of district 5. I want to express my support for a sit/lie law to combat the thugs and low level crime that cripples this neighborhood. I've lived in the city for six years and have only seen it go from bad to worse.

Drug dealers used to operate below my window North of the Panhandle. When they were being obnoxious at midnight arguing over whose customers belong to who and how many grams of this or that, my roommate and I had enough. We called the police. They arrived a few minutes later and asked the drug dealers "have you heard two guys arguing?" They dealer said, "no" and the police drove away. The police are useless unless they have to the tools to crack down on these thugs.

Please enact a sit/lie law so the police can do their job.

Sincerely,

Dominic Paris  
1819A Oak Street  
Haight Ashbury  
District 5

21



Hornedup Man  
<sfanon687980@yahoo.com  
>

01/17/2010 10:42 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Academy of Art University

Why are San Francisco police officers given four year scholarships to attend the Academy of Art University?

22



bonmot  
<bonmot@gmail.com>  
01/18/2010 09:20 AM

To Sean.Elsbernd@sfgov.org, gavin.newsom@sfgov.org,  
recpark.commission@sfgov.org, phil.ginsburg@sfgov.org  
cc board.of.supervisors@sfgov.org

bcc

Subject Please be sure that an Environmental Impact Report is done  
before impacting the environment!

As a San Francisco resident I know that one of the major things that sets SF apart from many other urban areas is the healthy presence of wildlife and the supporting environments in and around this city. The nature in this city, as well as the birds that migrate through and rely on it, is a precious resource that is constantly struggling to survive the challenges we put on it here, and it is our responsibility to take the delicate balance of the environment into account before we do (more) things that can have an irrevocable impact.

This is the case with the major changes that are being proposed for the Golden Gate Park Beach Chalet soccer fields near Ocean Beach - the proposed radical changes to the environment of replacing nature with large areas of artificial turf along with the bright night lighting will have a significant impact, the very least that needs to be done is an environmental impact report. We should not be blindly gambling on what impacts the vast swathes of fake grass will have or how the night lighting will effect various populations of local and migrating birds. Even considering pushing this through without thorough research is completely irresponsible, as guardians of this natural setting we need to be sure that it and the wildlife that rely on it are not being harmed first and foremost.

Please do the right thing and take the necessary step to be certain that at least a complete environmental impact study is done before allowing the proposed changes to the park, there is no doubt that it is better to prevent damaging the balance of the environment vs. attempting to fix damage we cause later - we are stewards of it after all.

Sincerely,  
Valerie Chu  
547 Oak Park Dr

23





cfdowd@comcast.net  
01/18/2010 04:29 PM

To eric.mar@sfgov.org, michela.alioto-pier@sfgov.org  
cc board.of.supervisors@sfgov.org,  
recpark.commission@sfgov.org  
bcc  
Subject Beach Chalet project-YES!

Dear Supervisors,

I would like to support the renovation of the Beach Chalet playing fields with the utmost enthusiasm. As a San Francisco resident and the father of two elementary school children, I have experienced the lack of adequate playing fields in our city. The Beach Chalet renovation would represent a positive step in making our city more livable for families, and I urge you to support this important project.

Thank you for your consideration.

Sincerely,  
Chris Dowd  
2995 Lake St.

24



Matt <somatt@gmail.com>  
01/16/2010 05:33 PM

To board.of.supervisors@sfgov.org  
cc  
bcc  
Subject ATTN: CHRIS DALY - complaint from constituent about  
aggressive MTA fare inspector #67

From:  
Matthew Nakatani  
1067 Market Street #5007  
San Francisco, CA 94103

To:  
San Francisco MTA  
Citation Review Center  
ATTN: Transit Violations  
11 South Van Ness Avenue  
San Francisco, CA 94103

CC:  
SF Board of Supervisors  
ATTN: Chris Daly  
[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)

To whom it may concern,

I am writing this letter to contest SFMTA citation TV3104979 and complain about MTA fare inspection officer #67, Washington.

On 1/15/2010 I boarded an F train Northbound at the southbound corner of 6th and Market streets. I am disabled and have RTC and Translink with autopay monthly disabled pass. I boarded with my partner, she paid her toll and retrieved her transfer. I swiped my Translink. We went to the back of the train and sat down.

Officer Washington approached us and said "What did you say to me, boy?" I replied "Nothing." He said "Next time be man enough to say it to my face." Then he requested my I.D. He did not at any time ask to see my proof of payment. I handed him my RTC card and he requested a CA I.D. I asked why and he refused to tell me. I told him that I was a paying customer and did not have to show him my CA I.D. without a reason. I told him he was harassing me and I requested that he return my RTC card at once and leave me alone. Officer Washington began to make menacing postures and as I took out my camera to take a picture of him he said "Get that fucking camera out of here!" and lunged for the camera. In doing so he hit

25

my partner in her right temple. We got off the train at 3rd and Market. Officer Washington refused to give my RTC card back. He then detained me for almost an hour without reason. The entire time he repeatedly threatened me with arrest if I did not give him my CA I.D. When the police arrived officer Washington made up that he heard me call him a "fucking hater" under my breath. This is a bold faced lie. When I confronted him about this lie he made menacing gestures and asked me what I said and I said that I was having a personal conversation with my partner and that it was none of his business what we were talking about. He then wrote me a citation for section 128 (d) of the SF MUNI Traffic code. On the citation he wrote that I was being unruly when I was not. On the ticket officer Washington crossed out \$50 and wrote \$75.

Officer Washington is a mean spirited officer who feels he has something to prove. Not only did he profile and harass me (an ADA disabled minority and a paying MUNI customer), but he also assaulted my partner by hitting her in the left temple, aggravating a previous head injury. In addition he detained us both for almost an hour without reason and by harassing me and threatening me with arrest he negatively affected my mental state aggravating my disability and health issues.

According to section 128.1 (f) the fine for the infraction is \$50 for first offense if found guilty, yet by filling in \$75 on the ticket (and never even asking me for any type of proof of payment) he also shows that in addition to being mean, he doesn't do his job properly or effectively. And on top of all of this, he lied to the police attempting to incriminate me!

I request that all charges be dropped against me for 128 (d) and that officer Washington have his badge revoked from further duty so that he cannot harass or profile others in the same manner. If these requests are not met I will be forced to take further legal action.

Thank you,

Matthew Nakatani  
1067 Market Street #5007  
San Francisco, CA 94103

Rules Clerk  
COB, Leg Dep  
c page

President, Board of Supervisors  
District 3



City and County of San Francisco

DAVID CHIU

邱信福 · 市參事主席

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 JAN 25 AM 11:49  
BY PN

January 25, 2010

Gary Amelio  
San Francisco Employee Retirement System  
30 Van Ness Avenue, Suite 3000  
San Francisco, CA 94102

Dear Gary,

Pursuant to San Francisco Charter Section 12.100, I am pleased to reappoint Supervisor Sean Elsbernd to the San Francisco Retirement Board.

Please do not hesitate to contact me with any questions,

All the best,

David Chiu  
President

26

2009-11



**ELECTIONS COMMISSION**  
*City and County of San Francisco*

Joseph B. Phair, President  
Winnie Yu, Vice President  
Gerard Gleason  
Richard P. Matthews  
Rosabella Safont  
Arnold Townsend  
Derek E. Turner

John Arntz  
Director of Elections

Shirley Rodrigues  
Commission Secretary

Monday, January 25, 2010

Ms. Angela Calvillo, Clerk of the Board  
Board of Supervisors  
City Hall  
San Francisco, CA  
94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2010 JAN 25 AM 9:58  
BY SK

Dear Ms. Calvillo,

Each year the San Francisco Elections Commission, pursuant to its Bylaws, prepares and files with the Mayor and the Secretary of the Board of Supervisors, its Annual Report of the Commission's activities over the previous year. Enclosed for your general information is a copy of the Commission's Annual Report for the period January 1, 2009 to December 31, 2009 which was adopted by the Commission at its meeting on January 20, 2010. I am providing this report to you as one of the authorities charged with appointing a member of the Elections Commission.

Please feel free to contact me at your convenience should you have any questions or comments regarding the report, the operation of the Commission in 2009, or its ongoing activities this year.

Very truly yours,

Joseph B. Phair  
President  
San Francisco Elections Commission

cc: Elections Commissioners  
Director, Department of Elections  
Deputy City Attorney, Mollie Lee, Esq.

# San Francisco Elections Commission

## COMMISSION ANNUAL REPORT

January 01, 2009 – December 31, 2009

Pursuant to the Bylaws of the San Francisco Elections Commission,  
Article V, Section 2.E., I herewith submit the Commission's Annual Report for the  
Commission's Eighth year, 2009.

Joseph B. Phair  
President

Approved by the San Francisco Elections Commission on January 20, 2010

San Francisco Elections Commission  
#1 Dr. Carlton B. Goodlett Place, Room 48  
San Francisco, CA 94102  
web site: [www.sfgov.org/elections](http://www.sfgov.org/elections)  
Commission email at: [elections.commission@sfgov.org](mailto:elections.commission@sfgov.org).  
Phone: (415) 554-4305  
Fax: (415) 554-7457

# COMMISSION ANNUAL REPORT

January 01, 2009 – December 31, 2009

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## 1 Purpose

The purpose of this report is to describe significant elections events during calendar year 2009 and Elections Commission (the "Commission") activities in the context of these events. Following is a brief history of the Commission's events during this year.

## 2 Commission Organizational Description

### 2.1 Commission Members

During 2009, the Commission held ten meetings and operated with a membership of six of the authorized seven Commissioner positions for roughly half of the year (five of those ten meetings). In spite of being short one position for five meetings, the Commission maintained a quorum at all of its meetings.

Commissioner Gerard Gleason was reappointed by the Board of Supervisors for a five year term commencing this year.

Commissioner Malcolm Young, appointed to the Commission by the San Francisco Board of Education the previous year, resigned from the Commission in May 2009 to take an employment position which, due to his duties, would not enable him to continue on the Commission. On October 27, 2009 the Board of Education appointed Derek Turner to the Commission. Mr. Turner was sworn in as a Commissioner at the Commission's meeting on November 18, 2009, returning the Commission to full membership as of that date.

The Commission had one standing committee in 2009, the Budget and Oversight of Public Elections Committee ("BOPEC"). BOPEC consists of three Commission members, Commissioner Matthews, Chairman, Commissioner Gleason and Commissioner Safont. BOPEC held eight meetings in 2009. The following table details each Commissioner, their dates of service, and their roles on the Commission:



<b>Appointing Authority</b>	<b>Commissioner</b>	<b>Months of Service (2009)</b>	<b>Roles</b>
Board of Supervisors	Gerard Gleason	January – December	BOPEC Member
Board of Education	Derek Turner	November – December	Commission Member
Public Defender	Joseph Phair	January – December	Commission President
Mayor	Arnold Townsend	January – December	Commission Member
Treasurer	Rosabella Safont	January – December	Commission Vice President and BOPEC Member
City Attorney	Richard Matthews	January – December	BOPEC Chairperson
District Attorney	Winnie Yu	January – December	Commission Member

## 2.2 Commission Secretary

During 2009, the Commission Secretary's authorized hours remained at half time. In 2005 and prior, the Commission's Secretary had been a full-time position. In 2006, the Commission's Secretary position was reduced to three-quarters time and in 2007 was reduced to half-time. Shirley Rodriques, who has served as the Commission Secretary since her appointment in 2003, took retirement from The City effective January 11, 2009 but agreed continued to serve as the Commission Secretary in a part time position in 2009 to avoid leaving the Commission with no secretarial support. Ms. Rodriques has done an excellent job serving the Commission and The City during this year.

## 2.3 Deputy City Attorney

During the course of 2009, Mollie Lee served as Deputy City Attorney to the Commission with support from her colleague, Jon Givner. Both Ms. Lee and Mr. Givner provided excellent and dedicated service to the Commission.

At its June 17, 2009 meeting, the Commission authorized the appointment of Mr. Miguel Marquez, Acting County Counsel of Santa

Clara County, to serve as special counsel to the Commission and the San Francisco Department of Elections (the "DOE") regarding the San Francisco City Attorney's race in the November 3, Municipal General Election. This appointment was necessary to provide counsel to the Commission and the DOE in the event that an issue arose regarding or relating to the City Attorney's candidacy in that election which presented a conflict of interests for the San Francisco City Attorney's office acting as counsel to the Commission or the DOE. Mr. Marquez graciously agreed to serve in this special capacity without compensation or expense to The City under a mutual reciprocal arrangement of the legal departments of several governments throughout the SF Bay Area. No issues arose regarding the subject election and therefore it was not necessary to call upon Mr. Marquez for legal assistance. This appointment was confirmed to Mr. Marquez by San Francisco Deputy City Attorney Jon Givner by letter dated August 5, 2009.

## 2.4 Director of Elections

John Arntz continued to serve as the Director of Elections in 2009 (the "Director").

## 3 Department Accomplishments

### 3.1 Elections in 2009

Coming off of its marathon of successfully conducting four public and other non-public elections, including the general (presidential) election in 2008, the Department of Elections successfully conducted two public elections in 2009:

- 1) May 19, 2009 Statewide Special Election for State Propositions
- 2) November 3, 2009 General Municipal Election

In addition, the Department of Elections, which is called upon annually to conduct non-public elections, conducted the San Francisco City Employee's Retirement Board election in January 2009.

### 3.2 Voting System for the 2009 Election Year

The public elections in 2009 continued use of the election voting system supplied under contract by Sequoia Voting Systems and first used the previous year, as well as the two components that comprise the voting equipment at polling places which are:

1. An optical scanner (brand: Insight); and

2. A direct recording electronic (DRE) touchscreen device (with audio, sip-and-puff, and other features to assist voters who might have any of a wide variety of disabilities) (brand: EDGE).

No significant voter use problems were encountered in with this system and equipment in 2009, although one ballot navigation issue was encountered with the EDGE during the November 3, 2009 election when Chinese language was selected. Although no voter complaints were received in this regard, when the DOE discovered the situation it notified the California Secretary of State's office (the "SOS"). With the SOS's approval, the DOE immediately distributed a written explanation and instructions to poll workers. Sequoia subsequently developed and presented a mitigation plan for this problem to both the DOE and SOS.

The Sequoia systems Edge touchscreen voting equipment, introduced in 2008, continued to be used in San Francisco in 2009. This is pursuant to the Help America Vote Act (HAVA) which requires the availability of voting machines that allow voting by disabled persons which is both accessible and private. Because the marking of optical scan ballots is physically difficult or impossible for some voters, the Sequoia touch screen Edge system is used to accommodate these voters (although any voter may elect to use the Edge touchscreen device).

The Sequoia system software was approved conditionally by the SOS in March 2009 for use in the May 19 Statewide Special Election. [Minutes, March 18, 2009, Director's Report]

As in the past, the DOE continued to conduct extensive pollworker training prior to all of the elections in 2009, which training was variously observed by members of the Commission.

## 4 Commission Accomplishments

### 4.1 Elections

Pursuant to San Francisco Charter section 13.103.4, the Commission reviewed, assessed and approved the DOE's written election plans prior to each election, and following each election evaluated the elections, finding that each of them to be in substantial compliance with the previously approved election plans. The Commission's findings were:

- 1) May 19, 2009 Election: The Commission found the election to be effective and in compliance with the written Election Plan. [Minutes: August 19, 2009]

- 2) November 3, 2009 Election: The Commission found the election to be effective and in compliance with written Election Plan.  
[Minutes: December 16, 2009]

To facilitate complete and timely review of Election Plans, the Commission reiterated its requirement that the DOE deliver draft proposed Election Plans to the Commission for its review not later than 55 days prior to each election as previously arranged and agreed to by the Director at the Commission's meeting on July 19, 2006.

## 4.2 Voting System

During 2009 the DOE continued its use of the voting equipment first introduced in 2008 under its contract with Sequoia Voting Systems. As reported last year, while the optical scan equipment provided under this contract is similar in scope and operation to the optical scan system under the previous contract with Election Systems & Software, the separate Sequoia component provided to meet accessible voting equipment requirements is a DRE unit. The SOS allows use of this DRE voting equipment in California subject to certain restrictions and mandates. These restrictions and mandates were developed and altered by the SOS during 2007 and 2008. In 2009 the DOE continued its efforts to comply with the SOS requirements, aimed at standardizing operating procedures such as instructions to pollworkers and the vote tabulation process for votes cast on DRE equipment.

The Commission continued to review and discuss these actions in 2009.

## 4.3 Director Performance Review

The Commission's responsibilities include overseeing the DOE, including annually reviewing the performance of the DOE's Director. As noted in last year's Annual Report, the most recent five-year appointment for the Director of Elections position began in May 2008 (term: May 2008 – May 2013). At its meeting on July 16, 2008 the Commission, in consultation with the Director, adopted a Performance Plan and Appraisal Report (the "Plan") for the Director based on the format prescribed by the San Francisco Department of Human Resources ("DHR").

On September 14, 2009 the Commission was advised that use of the DHR format appraisal document is optional for the Director.

At its meeting on February 18, 2009 the Commission conducted an interim performance review discussion with the Director.

At its meeting on September 16, 2009 the Commission conducted, in closed session, the first annual performance review with the Director

and the written final evaluation approved by the Commission was approved for submitted to DHR.

#### 4.4 Further Response to Civil Grand Jury Report

In 2008 the Commission reviewed and responded to the 2007/2008 Civil Grand Jury Report: *A Year of Five Elections for the City & County of San Francisco*. [See the 2008 Annual Report, Section 4.4 and Minutes: July 19, 2008 & August 20, 2008]. In December 2008 the Grand Jury commented upon the Commission's response and requested to meet with a member of the Commission regarding its comments. At its meeting on December 17, 2008 the Commission authorized Commissioner Matthews to speak with members of the Civil Grand Jury on behalf of the Commission, which he did on January 14, 2009. The issues discussed involved providing additional information regarding the sufficiency of pollworker education, temporary vs. permanent DOE staffing and consolidation of DOE facilities. The Grand Jury was referred to the Commission's prior responses on these issues and advised that as constituted the Commission must defer to the Director regarding DOE's day-to-day operational needs.

#### 4.5 Commission Observation and Oversight of Elections

It has been the practice of the Commission to authorize individual Commissioners to act on behalf of the Commission in observing specific functions, activities or conditions affecting or involving each election. To facilitate a broader process of engaging in such election observation activities, the Commission adopted a policy to formally authorize all Commissioners to observe all election activities rather than limiting the Commissioner's observations to specific subjects during each election. The following policy was adopted:

The Commissioners were authorized: *"to observe all phases of elections activities, including but not limited to pollworker training, materials assembly and distribution, election day activities, and post-election and canvass activities."*

[Minutes: March 18, 2009]

#### 4.6 Commission Subject Discussions in 2009

Various issues were brought before the Commission for discussion in 2009 from the DOE, observations of elections operations by members of the Commission and public input. Full descriptions and dialog can be found in the minutes of the meetings as noted. The following is a brief synopsis of some of the more substantial issues discussed in 2009:

- 1) DOE post-election and pre-election reviews and improvement including: voter roll clean ups; pollworker performance; federally mandated post-election survey per the Elections Assistance Commission; the Immigrant Rights Commission equal access ordinance report and Help America Vote Act funding application [Minutes January 21, 2009 and December 16, 2009]
- 2) Polling place language access from DOE IRIS reports [Minutes: January 21, 2009]
- 3) Long range planning for Commission activities and areas of interest for 2009 and subsequent years [Meeting: April 15, 2009]
- 4) DOE plans for consolidated voting precincts and related voter materials for the May 19, 2009 Statewide Special Election [Minutes: April 15, 2009]
- 5) Observation of voter complaints and comments from the May 19, 2009 Statewide Special Election as reported in the DOE IRIS reports for that election (Commissioner Yu) and operation of a consolidated precinct (Commissioner Safont) [Minutes: September 16, 2009]
- 6) Enhancing methods to allow voter registration to include personal contact information (phone numbers and e-mail address) for DOE's limited, non-public, administrative use. The Commission's resolution advocating this change in the California Elections Code along with a supporting memorandum authored by Commissioner Gleason was transmitted to the San Francisco State Legislation Committee and the California Secretary of State by the Commission President on December 16, 2009 [Minutes: August 19, 2009; October 21, 2009; and November 18, 2009]
- 7) Observations from the November 3, 2009 General Municipal Election including vote-by-mail and pollworker training [Minutes: November 18, 2009]
- 8) DOE considerations to improve the automation of vote-by-mail ballot processing [Minutes: December 16, 2009]
- 9) Summary of DOE actions taken as described in the November 3, 2009 General Municipal Election Plan in the areas of; brochures, Community Presentations, Media, Public Service Announcements and Advertising [Minutes: December 16, 2009]

10)DOE implementation of a "Vote Call" statewide data base program as required under the Help America Vote Act [Minutes: December 16, 2009]

#### 4.7 Department Budget

The Commission reviewed and approved the DOE budget for 2009, with particular attention to budgetary limitations due to ongoing City and State projected deficits, noting the challenges to operations that anticipated or mandated cutbacks would require.

[Minutes: January 21, 2009; February 18, 2009; March 18, 2009; and April 15, 2009]



"Peter Scott"  
<peter@tuskercorp.com>  
01/25/2010 12:23 PM

To <board.of.supervisors@sfgov.org>  
cc  
bcc  
Subject shadow ordinance

Dear Supervisors,

PLEASE reconsider your idea to impose the old shadow ordinance on the new project at 555 Washington next to the Transamerica Building. Tusker Corporation (my employer) is a major property owner on Jackson Square (three office buildings) and we strongly support the 555 Washington project. It will take a neighborhood that is semi-blighted and turn in into a vibrant residential area mixed with exciting retail and commercial spaces.

PLEASE reconsider your proposal to stop the high rise condo project at 555 Washington. The slight increase in shadow is a small price to pay for the doubling of the Redwood Park AND having it gifted to the City AND having it maintained in perpetuity. It is short-sighted to slow down this kind of sensitive, thoughtful development. I'll be speaking at City Hall whenever this subject comes up, but I'm writing to ask you to please carefully consider the opinions and desires of the voters and property tax payers who are directly affected by your decisions.

Thank you,

Peter Scott  
Property Manager  
Tusker Corporation  
3636 Buchanan Street  
San Francisco, CA 94123  
(415) 563-2500 main  
(415) 292-3623 direct

Peter Scott  
Property Manager  
Tusker Corporation  
3636 Buchanan Street  
San Francisco, CA 94123  
(415) 563-2500 main  
(415) 292-3623 direct



Board of  
Supervisors/BOS/SFGOV  
01/19/2010 02:48 PM

To David Chiu/BOS/SFGOV,  
cc  
bcc  
Subject Fw: Extend comment period for the DEIR for Lennar  
Candlestick/Hunters Point Development Project

---- Forwarded by Board of Supervisors/BOS/SFGOV on 01/19/2010 02:48 PM ----



Kate Goyette  
<kate.goyette@gmail.com>  
01/18/2010 05:15 PM

To Board.of.Supervisors@sfgov.org  
cc  
Subject Extend comment period for the DEIR for Lennar  
Candlestick/Hunters Point Development Project

Dear SF Supervisor,

Please extend the comment period of the Draft Environmental Impact Report (DEIR) for the Lennar Candlestick/Hunters Point Development Project to February 12, 2010, so that the Sierra Club can adequately respond to this project since it is 4,000 pages and there is not enough time to read it with the given deadline.

Thank you,  
Kate Goyette

29

File 091307



"suecossins"  
<suecossins@earthlink.net>  
01/24/2010 09:24 PM

To <Board.of.Supervisors@sfgov.org>,  
<gavin.newsom@sfgov.org>  
cc  
bcc  
Subject Sharp Park

I urge you to support restoration of Sharp Park to a public park that protects endangered species.  
Thank you,  
Sue Cossins  
459 Marin Drive  
Burlingame, CA 94010

30

file 091307

Board of  
Supervisors/BOS/SFGOV  
01/25/2010 11:32 AM

To Alisa Somera/BOS/SFGOV, Ross Mirkarimi/BOS/SFGOV,  
Sophie Maxwell/BOS/SFGOV, Eric L Mar/BOS/SFGOV,  
cc  
bcc  
Subject Fw: Sharp Park

----- Forwarded by Board of Supervisors/BOS/SFGOV on 01/25/2010 11:32 AM -----



Gordon Becker  
<becker@cemar.org>  
01/24/2010 09:33 PM

To <Board.of.Supervisors@sfgov.org>,  
<gavin.newsom@sfgov.org>  
cc  
Subject Sharp Park

Please be forward thinking and rational regarding the future of Sharp Park. Please abandon the golf alternative in favor of using the property for general public enjoyment and endangered species protection. Be on the right side of history here!

Thank you,

Gordon Becker

File 091307



susan vaughan  
<susan\_e\_vaughan@yahoo.com>  
01/25/2010 11:35 AM

To gavin newsom <gavin.newsom@sfgov.org>  
cc bevan dufty <bevan.dufty@sfgov.org>, carmen chu  
<carmen.chu@sfgov.org>, chris daly  
<chris.daly@sfgov.org>, david campos  
bcc

Subject Sharp Park

Dear Mayor Newsom, Members of the San Francisco Board of Supervisors,  
and Members of the San Francisco Recreation and Park Commission:

As a species we are clearly reluctant to acknowledge the obvious: that we are coming to the limits of the planet's ability to sustain us in the current manner. This is a manner in which we exploit finite natural resources, as if their supplies were endless, and disrupt the habitat of other species with little thought to their needs. We are also reluctant to acknowledge the likely reality that water levels are going to rise as a result of climate change here in the Bay Area.

We can take one small but important step towards acknowledging those realities by restoring Sharp Park and turning it into a local gem that we can bequeath to future generations -- much as at the turn of the last century, so many forward-thinking individuals worked actively to save so many pockets of wilderness that are now national parks.

I understand that there is a lobby of golfers that is quite attached to Sharp Park. I'm convinced that were they to lose Sharp Park, they would either find other places to golf or they would find other ways to enjoy their free time. In fact, they might even come to enjoy Sharp Park in its restored state.

Please reject the all-golf alternative that Recreation and Parks Director Phil Ginsburg and Congresswoman Jackie Speier seem to be leaning towards. Please support the plans that Brent Plater and other at the Wild Equity Institute have been working on.

Sincerely,  
Sue Vaughan  
San Francisco

File 091307



Susan Floore  
<sfloore@att.net>  
01/24/2010 09:38 PM

To Board.of.Supervisors@sfgov.org, gavin.newsom@sfgov.org  
cc  
bcc  
Subject Sharp Park golf course

Dear Mayor Newsom and Supervisors,

I wish to register my STRONG opposition to keeping the golf course at

Sharp Park and dumping more and more scarce financial resources into this poorly sited golf course. As it stands, this course is a serious money loser and will continue to be in the future if the golf course is retained. There are 4 other golf courses in San Francisco; I do not care to subsidize golf in another community. There are parks in San Francisco that desperately need regular attention from gardeners. As a taxpayer, I want my property taxes to go to these that actually serve S.F. residents.

Considering Mother Nature's annual cycles and the rising of sea level that will seriously impact this area, making this area a nature reserve with trails for families and wildlife is the only solution that makes any sense. Far more people hike in local natural areas than play golf; so this makes sense both from a recreation as well as a financial perspective.

Sincerely, Susan Floore  
3984 - 26th Street,  
San Francisco, CA.

file 091307



Stella & Bob Pellegrini  
<stellarte@sbcglobal.net>

01/24/2010 09:35 PM

To Board.of.Supervisors@sfgov.org, gavin.newsom@sfgov.org

cc

bcc

Subject SHARP PARK GOLF COURSE

Dear People:

The evidence suggests that the Sharp Park golf course is the habitat of an endangered and a threatened species. Appearances suggest that the time has come to conserve the habitat by terminating its use as a golf course. This writer recognizes the political liabilities all of you will encounter in the event you act in the most scientifically appropriate manner; it won't be pleasant.

Doubtless, your direction is to fund a CEQA consistent EIR.

The DEIR will be a political headstone for a lot of bright & able people. That outcome is avoidable & unacceptable. The intelligent choice is to negotiate with Brent Plater (Wild Equity) and avoid a DEIR that will condemn any (non habitat) use of the west side of the Sharp Park golf course as a CEQA significant adverse, avoidable, and unacceptable impact on an endangered and a threatened species. It looks like USFWS has already made it clear that Dr Swaim's proposal is, in reality, a mitigation plan; the ball game is over.

Hang in there,

Bob Pilgrim



Aaron Goodman  
<amgodman@yahoo.com>  
01/19/2010 03:32 PM

To MTABoard@SFMTA.com, CAC@sfmta.com,  
board.of.supervisors@sfgov.org

cc

bcc

Subject SFMTA - Community Benefit vs. Private Interests

SFMTA, CAC @ SFMTA, SF Board of Supervisors

Today's Examiner had a small article opinion piece signed by Tom Nolan and Nathaniel P. Ford Sr. of SFMTA. The line that got my attention was the one that states **"to simply stay where we are now, much less to grow, the entire city will need to debate and then choose proposals sure to meet quick opposition from key stakeholders."** With today's SFMTA meeting at city hall, and the consistent lack of vision, or addressing of community concerns we are seeing quickly the loss of a public transportation system to one of private corporate profiteering. We are losing a real battle in terms of addressing citywide the issue of **GETTING PEOPLE OUT OF THEIR CARS!!!!** The SFSU/CSU station stop has ticket purchase booths on the ramp end that have not been working in over 6-9 months (this has been reported repeatedly). The MOU Memorandum of Understanding between SFSU/CSU and SF Muni transit and city officials lacked any real "fair-share" impact fees on the CSU organization, which ignores the legal decision City of Marina vs. CSU where adequate transit and effective new systems must be implemented to address future proposed growth. The Parkmerced "vision" project and the meeting that occurred 11.12.2008 that included development and private entities, the district supervisors representative, parkmerced, and SFMTA members, and the mayor's representative, in addition to SFCTA, and SFMTA entities ignored also community organizations, and the issue of community input on the routing of public transit for the benefit of private development. A public records request of the current proposals touted by Amit Gosh notes the efforts of Peter Albert and the SFMTA long range planning staff, in pushing for the re-rout through parkmerced, the documents received did not include the numerous emails and documents already sent between the SFMTA and developer on the issues of routing public transit through a residential neighborhood that would be unacceptable to any neighborhood or community group in SF. The documents in the Parkmerced docket at the SF Planning Department indicate the preferred addressing of the issue of multi-leveled transit, parking and direct connection to daly city BART but places the issue as financially "un-affordable" or improbable. This direct routing that addresses the 1952 interchange at 19th avenue and brotherhood way is the key issue in the future development of the southwest portion of SF. The need to provide a transit based, community based alternative to the proposed multiple developments that affect parkmerced, and realistically look cumulatively at ALL development sites along 19th avenue in district 7 is required to provide per CEQA the best direct connection, and least environmentally impacting design. The memo from Fehr & Peers on June 10, 2008, on the 19th Avenue Transportation Study directly indicates that the existing developments at 77 Cambon, Parkmerced, SFSU, Stonestown Galleria, Ardenwood, and 800 Brotherhood way are not adequately accounted for in terms of impact on transportation, parking and traffic.

The need to address future growth and respectfully address community and neighborhood concerns that have been made on the transit impacts are sincere. Without addressing the real direct point A - point B connection from the M-line to Daly City Bart at 19th Avenue and Brotherhood Way, and look at significantly adding NEW lines and upgraded systems in the sunset, and outside communities that

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border adjacent mass-transit systems we are not linking and providing transit first opportunities for growth.

Parkmerced can and should be the ideal candidate for development, and there are many solutions to densification at parkmerced that can address the community concerns for open space, and the protection of the existing housing, and landscape design. It just takes a bit more vision as to where and how this development can occur, and in what ways we can get multiple-land owners to join hands and look towards ALL of our benefit towards transit first projects.

Grade Separation, and Tunneling ARE the future positive development methods to increase land-development, trade-offs to protect the landscape in parkmerced, and to secure a more positive outlook towards transit access for multiple neighborhoods and communities in our district. The documents I did receive from Peter Abert directly point to this route, and the need to look at it for the future growth as an alternative or option per CEQA that currently is NOT in the alternatives being proposed by Page and Turnbull, in the CEQA document I reviewed at the SF Planning Dept. There is distinct need to rectify this, and get a WPA, federal funded major infrastructure and transit upgrade for our district and neighborhood to reduce auto use and traffic impacts. We can make a positive solution, opening a new gateway entrance to SF. The question is whether the MTA Board, the city agencies, and private developers and interests can get past the rhetoric, and get to the drawing board in time to create a significant alternative option that takes into account community input.

Sincerely

Aaron Goodman (resident District 7)  
[amgodman@yahoo.com](mailto:amgodman@yahoo.com)





Stephen Causey  
<stephen\_causey@hotmail.com>

01/21/2010 02:14 PM

To <cnevius@sfnchronicle.com>  
cc <board.of.supervisors@sfgov.org>,  
<gavin.newsom@sfgov.org>  
bcc

Subject Your Article Today - Why not publish photos of johns? It's S.F.

Dear Mr. Nevius,

I've enjoyed reading your article for some time but today's really got me thinking. We the people of San Francisco need to do more to prevent and deter crime. Why wouldn't the entire Board of Supervisors and the Mayor get behind this idea of publishing the pictures of those arrested for solicitation of prostitution?

Are we the people of San Francisco embarrassed that our City has become a magnet for prostitution? Yes of course we are and we should be! Now is the time for regular law-abiding citizen's to stand up and take action.

I believe that the police take mug shots of everyone arrested regardless of the crime they are accused of and I think public embarrassment - posting their picture, on a web site or in the paper - would help to dissuade those thinking of trying to solicit for prostitution.

I'd like to see the figures from The City of Minneapolis but I'd bet that those statistics would show a reduction of arrests for solicitation.

Bottom line; I would like to get involved and help do something to clean up the City I call home.

Can you offer any advice as to how I go about it? Do I call the SF police Chief or try and get on a citizens panel? Any advice would be appreciated.

Regards,  
Stephen Causey

---

Hotmail: Trusted email with Microsoft's powerful SPAM protection. [Sign up now.](#)

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