

FILE NO. 121123

Petitions and Communications received from October 29, 2012, through November 9, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 20, 2012.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From Mayor's Office, submitting Notice of Appointment to the following Commissions and Board: (1)

Linda Crayton; Airport Commission
Gustavo Serina; Commission on Aging
Todd Mavis; Human Rights Commission
Darryl Honda; Board of Permit Appeals

From City Attorney, regarding election results and effective dates of ballot measures. (2)

From Real Estate, regarding the fourth amendment to lease of 875 Stevenson. File No. 121047. Copy: Each Supervisor. (3)

*From the Controller, submitting the Annual Year-End Performance Measure Report for FY2011-12. (4)

*From Merit System Services, regarding an onsite compliance review of the City and County of San Francisco's personnel system. Copy: Each Supervisor. (5)

From James Chaffee, regarding the San Francisco Public Library. (6)

From concerned citizens, regarding public nudity ban (additional material available in the file). File No. 120984. Copy: Each Supervisor, City Operations & Neighborhood Services Clerk. 90 letters. (7)

From James Chaffee, regarding the San Francisco Public Library. Copy: Each Supervisor. (8)

From James Chaffee, regarding full Board meetings. (9)

From Nelson Wong, regarding SFMTA. (10)

From the Controller, regarding an audit of the warehouse and inventory controls at the Power Enterprise of the SFPUC. (11)

From the Southeast Community Facility Commission, regarding their Sector Resource Directory. Copy: Each Supervisor. (12)

From Public Works, regarding the BLIP Q3 quarterly report. (13)

From Frank Lee, regarding Board of Supervisors Inquiry #20121002-002. (14)

From State Fish and Game Commission, submitting copy of notice of findings regarding the Gray Wolf. Copy: Each Supervisor. (15)

From State Fish and Game Commission, submitting copy of notice of proposed regulatory action resulting from the Commission's February 2, 2012, meeting. Copy: Each Supervisor. (16)

From Dee Dee Workman, regarding support for the Warriors' Arena. File No. 121044. (17)

From L.S. Nichols, regarding KPOO radio. (18)

From Patrick Missud, regarding SFMTA auto return lien sales. (19)

From John Jenkel, regarding various concerns. (20)

From Rev. Fred Merrick, regarding Sutter Health Project (21)

From Jim Lazarus, regarding support for Business Tax Regulations Code - Prevent termination of Payroll Tax exclusion for small business. File No. 120965. Copy: Each Supervisor. (22)

From Clerk of the Board, reporting the following individuals have submitted a Form 700 Statement: (23)

Stephanie Tucker - Legislative Aide-Assuming

From San Francisco Living Wage Coalition, regarding San Francisco's Administrative and Police codes. (24)

From Rudy Nothenberg, regarding the 13% interest rate. (25) -

From Brian Browne, regarding Public Utilities Revenue Bond Oversight Committee. File No. 120221. (26)

*(An asterisked item represents the cover sheet to document that exceeds 25 pages. The complete document is available at the Clerk's Office, Room 244, City Hall.)

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. 554-5227

MEMORANDUM

Date: October 31, 2012
To: Honorable Members, Board of Supervisors
From: *ACC* Angela Calvillo, Clerk of the Board
Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following body:

- Linda Crayton, Airport Commission, term ending August 31, 2016

Under the Board's Rules of Order Section 2.24, 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 30 days of the appointment as provided in Charter Section 3.100(18).

Please notify me in writing by **12:00 p.m., Tuesday, November 6, 2012**, if you would like to request a hearing on the above appointment.

Attachments

OFFICE OF THE MAYOR
SAN FRANCISCO



Orig. Rules Clerk
cc-COB, Leg Dep, cpage.
EDWIN M. LEE *AC*
MAYOR *file.*

October 30, 2012

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 30 PM 2:25
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Dear Ms. Calvillo,

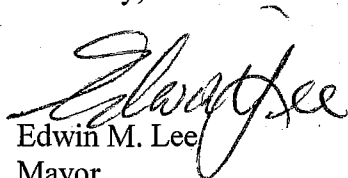
Pursuant to Charter Section 3.100 (18), I hereby make the following appointment:

Linda Crayton to the Airport Commission, for a term ending August 31, 2016

I am confident that Ms. Crayton, a CCSF elector, will serve our community well. Attached are her qualifications to serve, which demonstrates how this appointment represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Notice of Appointment

October 30, 2012

San Francisco Board of Supervisors
City Hall, Room 244
1 Carlton B. Goodlett Place
San Francisco, California 94102

Honorable Board of Supervisors:

Pursuant to Charter Section 3.100 (18), I hereby make the following appointment:

Linda Crayton to the Airport Commission, for a term ending August 31, 2016

I am confident that Ms. Crayton, a CCSF elector, will serve our community well. Attached are her qualifications to serve, which demonstrates how this appointment represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton at (415) 554-7940.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 30 PM 2:25

LINDA S. CRAYTON

Linda S. Crayton was appointed to the Airport Commission in October, 1996. Ms. Crayton worked for AT&T for 23 years before joining Comcast Cable Communications as their Senior Regional Director, Government Relations. She is a former president of the District V Community Mental Health Advisory Board in San Francisco, and Moderator of the San Francisco Presbytery (Presbyterian Church USA). She has also served on the Board of Directors of the San Francisco Black Chamber of Commerce. Ms. Crayton was the recipient of the Board of Supervisors Award of Recognition for Leadership and has been recognized by the San Francisco Alliance of Black School Educators.


Ms. Crayton was appointed to the Airport Commission by Mayor Willie L. Brown, Jr. on October 3, 1996 and was reappointed in October 2000. She was reappointed to a third term by Mayor Gavin Newsom in 2004, and was reappointed by Mayor Newsom to a fourth term in 2008.

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. 554-5227

MEMORANDUM

Date: October 30, 2012
To: Honorable Members, Board of Supervisors
From:  Angela Calvillo, Clerk of the Board
Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following body:

- Gustavo Serina, Commission on Aging, term ending July 21, 2016

Under the Board's Rules of Order Section 2.24, 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 30 days of the appointment as provided in Charter Section 3.100(18).

Please notify me in writing by 5:00 p.m., Monday, November 5, 2012, if you would like to request a hearing on the above appointment.

Attachments

OFFICE OF THE MAYOR
SAN FRANCISCO



Orig: Rules Clerk
C-COB, Leg Dep, Ac.
EDWIN M. LEE *file*
MAYOR
pages

October 29, 2012

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 29 PM 4:17
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Dear Ms. Calvillo,

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

Gustavo Serina to the Commission on Aging, for a term ending July 21, 2016.

I am confident that Mr. Serina, a CCSF elector, will serve our community well. Attached are his qualifications to serve, which will demonstrate how this appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Notice of Appointment

October 29, 2012

San Francisco Board of Supervisors
City Hall, Room 244
1 Carlton B. Goodlett Place
San Francisco, California 94102

Honorable Board of Supervisors:


Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

Gustavo Serina to the Commission on Aging, for a term ending July 21, 2016

I am confident that Mr. Serina, a CCSF elector, will serve our community well. Attached are his qualifications to serve, which will demonstrate how this appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 29 PM 4:17
BY L

GUSTAVO SERINA

215 Douglass Street

San Francisco, CA 94114-2424

(415) 552-9625 (Home) (415) 823-0705 (Cell)

(415) 241-0874 (Fax)

gserina@aol.com

SUMMARY

Results-oriented finance, management, and writing professional with proven track record in Fortune 100 and volunteer organizations, and free-lance journalism. Strong background in the financial services industry. Twice elected President of neighborhood association, during which it commissioned, funded, and completed San Francisco's Pink Triangle Park and Memorial, the first free standing monument in the United States to gay and lesbian victims of the Nazi Regime.

- o Managed Central and Line Finance Staff o Project Management/Re-engineering
- o Strategic Planning o Chief Administrative Officer
- o Divestitures, Acquisitions, Downsizings o Fluent Spanish
- o Analytical, Planning, Communications o Interpersonal/Team Building Skills
- o Problem Solving Skills o Professional Journalist

VOLUNTEER, BUSINESS, AND JOURNALISM EXPERIENCE

EUREKA VALLEY PROMOTION ASSOCIATION

2000 -- Present

Board Member, President, Corresponding Secretary

Currently Chair of Planning Committee. Previously, two-term President of San Francisco's oldest neighborhood organization, founded in 1881. Recruited other neighborhood leaders to serve as officers and board members. Doubled membership during this period. Working with the Mayor's Office of Neighborhood Beautification, the San Francisco Arts Commission, the Department of Public Works, and EVPA volunteers, transformed a barren, abandoned park at the juncture of Market, 17th, Castro Streets in San Francisco into a beautiful, professionally landscaped site with a sculpture designed and donated by award-winning artists dedicated to the memory of gay and lesbian victims of the Nazi regime. Organization actively worked with District 8 Supervisor to make Halloween in the Castro 2003-04 a safe, city-sponsored event.

BANK OF AMERICA

1997 – 2000

Chief Administrative Officer/Vice President

Global Wholesale Finance

Reporting to Executive Vice-President, successfully managed centralization, reorganization, and downsizing of finance staff supporting major international and domestic corporations using credit, treasury, cash management, capital markets products and services. Conducted on-site assessments of finance operations in Mexico, Argentina, Brazil, Chile, Hong Kong, London, San Francisco, and Chicago. Managed process re-engineering and work elimination while meeting staff reduction targets. Responsible for planning, reporting, budgeting for Global Marketing and Advertising. Served on transition team following 1998 merger with NationsBank.

BANK OF AMERICA

1992 --1997

Chief Administrative Officer and Vice President

Global Cash Management and Institutional Trust

Reporting to Executive Vice President, managed approximately 75 professionals in financial planning, reporting, management and financial accounting, and regulatory reporting for global capital markets, global cash management, and retail broker/dealer operations. Managed integration of global finance functions following acquisition of Security Pacific National Bank, including conversions to common financial reporting systems and setting cost reduction targets. Developed strategic plans and alternative scenarios for sale of \$250 million annual revenue institutional trust businesses. As Director of Control and Compliance, managed approximately 50 professionals responsible for the due diligence process and assessment of operating risks during the institutional trust business sale and transition periods.

BANK OF AMERICA

1981 – 1992

Various Positions, Including:

o **Senior Manager--Finance, Corporate Financial Analysis and Planning**

Managed approximately 25 professionals with responsibility for corporate-wide management accounting and budgeting policies, annual corporate operating plan process, setting financial targets for major business, geographical, and administrative groups, preparing analytical reports and presentations to the CFO, CEO and Board of Directors.

o **Chief of Staff for Corporate Financial Controller/Chief Accounting Officer**

Responsible for all administrative functions for approximately 400 professionals located in San Francisco, New York, Europe, Hong Kong, and Latin America.

o **Senior Accounting Officer, External Financial Reporting**

Responsible for Securities and Exchange Commission filings (10K, 10Q), Annual Report to Shareholders, Quarterly Earnings Press Release, Federal Reserve and Office of the Comptroller of the Currency filings.

PROFESSIONAL JOURNALISM

Contributing Writer, Bay Area Reporter (San Francisco)	1995 – Present
Contributing Writer, Southern Voice (Atlanta)	2000 – Present
Contributing Writer, San Diego Update	2000 – Present
Member, San Francisco Chronicle Advisory Board	1995

EDUCATION

San Francisco State University

M.A. History Recipient of Graduate Student Distinguished Achievement Award

University of San Francisco

B.A. History Recipient of Award for Highest Academic Achievement in Senior Class

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. 554-5227

MEMORANDUM

Date: November 13, 2012
To: Honorable Members, Board of Supervisors
From: *AC* Angela Calvillo, Clerk of the Board
Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following body:

- Todd Mavis, Human Rights Commission, term ending September 2, 2016

Under the Board's Rules of Order Section 2.24, 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 30 days of the appointment as provided in Charter Section 3.100(18).

Please be advised that our office received the Mayor's letter of appointment on November 9, 2012, and due to the Thanksgiving holiday, the Board would have to consider the appointment, with the Board sitting as Committee of the Whole, on December 4, 2012, if a hearing is requested.

Please notify me in writing by **12:00 p.m., Monday, November 19, 2012**, if you would like to request a hearing on the above appointment.

Attachments

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Notice of Appointment

November 8, 2012

San Francisco Board of Supervisors
City Hall, Room 244
1 Carlton B. Goodlett Place
San Francisco, California 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV -9 PM 3:14
AK

Honorable Board of Supervisors:

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

Todd Mavis to the Human Rights Commission, for a term ending September 2, 2016.

I am confident Mr. Mavis, a CCSF elector, will serve the City and County well. Attached are his qualifications to serve, which demonstrates how this appointment represents the communities of interest, neighborhoods, and diverse populations of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

November 8, 2012

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

Dear Ms. Calvillo,

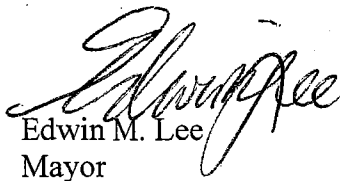
Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

Todd Mavis to the Human Rights Commission, for a term ending September 2, 2016.

I am confident Mr. Mavis, a CCSF elector, will serve the City and County well. Attached are his qualifications to serve, which demonstrates how this appointment represents the communities of interest, neighborhoods, and diverse populations of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

TODD MAVIS

P.O. Box 460171
San Francisco, CA 94146

(415) 407-9713 (cell)
ToddMavis@hotmail.com

WORK EXPERIENCE

LIBERTY PROPERTIES GROUP
GENERAL PARTNER

2002 – Present

- Specializing in End-to-End Real Estate Development, Construction, Management and Brokering of Residential Properties
- Completed over 20 projects primarily in City of San Francisco
- Work with neighborhood associations, various governmental and non-governmental agencies and community development boards
- Responsibilities: construction project management, hiring decisions, human-resources issues and maintaining a diverse workforce

ROLAND BERGER – Management Consulting Firm
PROJECT MANAGER, Strategy and Corporate Development Practice

1997-May 2002

- Top tier, strategic planning consulting firm (31 international offices with 1,000 consultants)
- Worked in: Germany, United Kingdom, Netherlands, Spain, Switzerland, Austria, Argentina and Brazil
- Led project teams of 3 to 20 people; worked with senior client executives in the Construction and Finance Industries
- Responsibilities: managed project teams, acquired new clients, wrote and analyzed business plans, developed new growth strategies, designed and implemented new business units or products, led post-merger integration teams and implemented re-organization plans.

UNIVERSITY PROFESSOR

GOLDEN GATE UNIVERSITY, San Francisco, CA
ADJUNCT ASSISTANT PROFESSOR

1994 - 1997

- Faculty member in the Law School and Graduate School of Business
- Courses taught: International Preservation of Human Rights, Employment Rights, Health Care, Business Law

EDUCATION

University of California, Berkeley, B.A. in Economics and Political Science (honors), 1990

London School of Economics, LL.B. Law Degree (honors), 1993

University of Freiburg, LL.M. Masters in Law (cum laude), Freiburg, Germany, Thesis Topic: Preservation of Economic, Social and Cultural Human Rights, 1994

COMMUNITY ACTIVITIES

- Equity Advisory Committee member to the S.F. Human Rights Commission ('09 – present)
- Human Rights Campaign and Equality California – fundraising and awareness campaign efforts
- Alice B. Toklas LGBT Democratic Club – Board of Directors
- San Francisco Coalition for Responsible Growth – Board of Directors
- Pets Are Wonderful Support (PAWS) – Board of Directors

OFFICE OF THE MAYOR
SAN FRANCISCO



Orig. Leg Clerk
C: BOS-11, COB, Rules Clerk
Leg Dep: At File
EDWIN M. LEE
MAYOR
Dep City Attny page

Notice of Appointment

October 29, 2012

San Francisco Board of Supervisors
City Hall, Room 244
1 Carlton B. Goodlett Place
San Francisco, California 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 30 PM 2:25

Honorable Board of Supervisors:

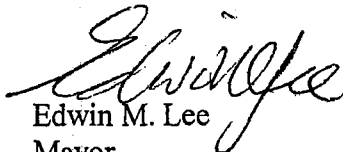
I am pleased to advise you of my appointment of Darryl Honda to the Board of Permit Appeals, pursuant to Charter Section 4.106. Mr. Honda's term will begin upon approval of this nomination and will expire July 1, 2016.

Please see the attached resume which will illustrate that Mr. Honda's qualifications allow him to represent the communities of interest, neighborhoods, and diverse populations of the City and County of San Francisco.

Mr. Honda is an elector of the City and County of San Francisco.

Should you have any questions, please contact my Director of Appointments, Nicole Wheaton at (415) 554-7940.

Sincerely,


Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

October 29, 2012

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 30 PM 2:25

Honorable Board of Supervisors:

I am pleased to advise you of my appointment of Darryl Honda to the Board of Permit Appeals, pursuant to Charter Section 4.106. Mr. Honda's term will begin upon approval of this nomination and will expire July 1, 2016.

Please see the attached resume which will illustrate that Mr. Honda's qualifications allow him to represent the communities of interest, neighborhoods, and diverse populations of the City and County of San Francisco.

Darryl Honda
2523 California Street
San Francisco, CA 94115
415-608-7575
Darryl@sfsold.com

BACKGROUND

Native Californian

- Diamond Heights Elementary (currently the SF Police Academy)
- Marina Junior High
- Sacred Heart High School, George Washington High School
- 38 years here, resided in six districts

WORK EXPERIENCE

- Zephyr Real Estate • REALTOR ® since 1998

Specializing in San Francisco real estate

Closing more than 350 real estate transactions

- Owner/Entrepreneur, VideoMotion, 1985-2000

Landmark video store in the Sunset

Established lasting relationships, both business and personal many of which are still current today

- Bussed tables at Fisherman's Wharf, Candy stripped at Presbyterian Hospital (currently CPMC), gas station attendant at Union 76 on Lombard Street and when I was even younger, I delivered newspaper for the Chronicle and had three routes at one time

SKILLS AND EXPERIENCE

- Owned and operated VideoMotion for over 15 years; as a small business owner I did all the tasks that come with owning a company. PR, HR, CEO, CFO & janitorial
- Founding Member, Westside Chinese Democratic Club
- Founding Member, Westside Democratic Club
- Candidate, San Francisco Board of Supervisors for District 4, Sunset
- Board Member for 9 years, SAFE-BIDCO – State Assistance Fund for Enterprise, Business and Industrial Development Corporation, Appointed by Senate Pro-tem John Burton
- Member, San Francisco Association of REALTORS ®
- Member, California Association of REALTORS ®
- Member, National Association of REALTORS ®

EDUCATION

- Academy of Art College of San Francisco
- San Francisco Community College



DENNIS J. HERRERA
City Attorney

MOLLIE LEE
Deputy City Attorney

Direct Dial: (415) 554-4705
Email: mollie.lee@sfgov.org

MEMORANDUM

TO: John Arntz, Director of Elections
Angela Calvillo, Clerk of the Board
FROM: Mollie Lee (ML)
Deputy City Attorney
DATE: November 6, 2012
RE: Election Results and Effective Dates of Ballot Measures

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV - 6 PM 3:30
MM

In this memorandum, we summarize the process for reporting election results and the general rules governing the effective and operative dates of ballot measures that may be adopted at the November 6, 2012 general election. Please note that further action by the Board of Supervisors (the "Board") and, in some cases, the Secretary of State, will determine the effective dates of measures adopted by the voters. Dates provided in this memorandum are only estimates. Please contact the City Attorney's office if you require advice about specific measures that the voters approve at the November 6, 2012 general election.

Reporting Election Results

- **Preliminary results** – As soon as the polls close on Election Day, the Department of Elections ("Department") begins tabulating precinct ballots and vote-by-mail ballots, including ballots from early voting at City Hall. See Cal. Elec. Code § 15150: The semifinal official canvass continues until all precincts are accounted for, see id., and the Department reports preliminary results on Election Night. We understand that this year, the Department's Election Night reporting will include preliminary ranked-choice voting results. But because of time constraints, the preliminary results will not include vote-by-mail ballots that the Department receives on or shortly before Election Day, provisional ballots, and ballots with write-in votes.
- **Processing vote-by-mail and provisional ballots** – In the days after an election, the Department continues to process ballots that could not be counted by Election Night. We understand that each afternoon at 4 p.m., the Department will release updated results that include the vote-by-mail and provisional ballots processed that day.
- **Final results, local contests** – The Department must complete the final official canvass of votes and certify the election results within 28 days of the election. See Cal. Elec. Code § 15372. The Department submits the certified results to the Board, which must then adopt a resolution declaring the results of the election. See id. § 9269, 15400. Additionally, the Board President and Clerk of the Board must certify and authenticate copies of any Charter amendments adopted by the voters. See Cal. Gov't Code § 34460. The Department must then file certified copies of adopted Charter amendments with the California Secretary of State, provide them to the City Archivist at the San Francisco Public Library, and record them with the San Francisco Assessor-Recorder. See Cal. Elec. Code § 9269; Cal. Gov't Code § 34460. The copies recorded with the Assessor-

(2)

MEMORANDUM

TO: John Arntz, Director of Elections
 Angela Calvillo, Clerk of the Board
 DATE: November 6, 2012
 PAGE: 2
 RE: Election Results and Effective Dates of Ballot Measures

Recorder and filed in the San Francisco archives must include certified copies of ballot arguments and other election materials. *Id.*

- **Final results, state contests** – Based on results submitted by counties around the state, the Secretary of State compiles results for state offices and measures and certifies these results within 38 days of the election. *See* Cal. Elec. Code § 15501.

Effective Date of Ballot Measures

- **Local measures other than Charter amendments** – Unless the text of the measure provides otherwise, approved local measures other than Charter amendments go into effect 10 days after the Board declares the results of the election. *See* S.F. Municipal Elections Code § 380. The Department has until December 4, 2012, to complete the official canvass of votes, but it estimates that it will complete the canvass before Thanksgiving. This means the Board will likely declare the results of the November 6, 2012 general election on December 4, 2012, and local initiative ordinances adopted at this election would become effective on December 15, 2012. The last regularly scheduled meeting for the Board to declare the results is December 11, 2012, which would mean that initiative ordinances would become effective on December 22, 2012.
- **Charter amendments** – After the Board declares the election results, the Director of Elections must submit to the Secretary of State certified copies of any charter amendments adopted by the voters. *See* Cal. Elections Code § 9269. These amendments become effective when they are accepted and filed by the Secretary of State. *See* S.F. Municipal Elections Code § 380; Cal. Govt. Code §§ 34459, 34460. Based on the Board of Supervisors' meeting schedule and the Department's projected date for completing the official canvass, we estimate that Charter amendments adopted at the November 6, 2012 general election will be filed with the Secretary of State, and will therefore become effective, in mid- to late-December. After the Secretary of State files the Charter amendments, it will notify the Department of the official filing date.
- **State Measures** – State measures are effective the day after the election, unless the text of the measure provides otherwise. *See* Cal. Const. art. 2, § 10(a) (state initiatives and referenda); Cal. Const. art. 18, § 4 (constitutional amendments and revisions).

November 6, 2012 Local Measures

We list below the date each local measure will become generally effective, if adopted by the voters at the November 6, 2012 general election. Please note that a measure may establish different effective dates for all or part of the measure, or may require further action before the measure is fully implemented. We have attempted to note this information below, but further research may be required to determine when particular ballot measures will be fully operative. Interested parties should not rely on this memorandum as a substitute for consulting with an attorney.

District Measure

A: City College Parcel Tax

- Effective 10 days after the Board declares the results of the election.

MEMORANDUM

TO: John Arntz, Director of Elections
Angela Calvillo, Clerk of the Board
DATE: November 6, 2012
PAGE: 3
RE: Election Results and Effective Dates of Ballot Measures

Bond Measure

B: Clean and Safe Neighborhood Parks Bond

- Effective 10 days after the Board declares the results of the election.

Charter Amendments

C: Housing Trust Fund

- Effective when the Secretary of State files the Charter amendment.
- The measure includes an early termination option and a sunset provision:
 - Early termination (Charter § 16.110(l)): The Mayor may terminate implementation of the measure by issuing written notice to the Board of Supervisors and the Controller any time before January 1, 2013. If this happens, the measure will be inoperative in its entirety after the date of notice.
 - Sunset provision (Charter § 16.110(k)): The measure will become inoperative on July 1, 2043.
- The measure specifies additional operative dates for certain provisions:
 - The reduction of on-site inclusionary housing obligations (Charter § 16.110(g)(2)) will become operative on January 1, 2013.
 - The prohibition against increased inclusionary housing obligations and increased affordable housing fees (Charter § 16.110(h)(2),(3)) will become operative on January 1, 2013.

D: Consolidating Odd-Year Municipal Elections

- Effective when the Secretary of State files the Charter amendment.

Ordinances

E: Gross Receipts Tax (amendments to the Business and Tax Regulations Code)

- Effective 10 days after the Board of Supervisors declares the results of the election.
- Amendments to the Business Registration Ordinance (sections 855, 856, and 863) become operative when the measure becomes effective.
- Amendments to the Payroll Expense Tax (Business and Tax Regulations Code §§ 903.1-909), provisions establishing the Gross Receipts Tax (Business and Tax Regulations Code §§ 950-965), and all other provisions of the ordinance become operative on January 1, 2014.
- Amendments to the Payroll Expense Tax (sections 903.1-909), provisions establishing the Gross Receipts Tax (sections 950-965), and amendments to the Common Administrative Provisions (sections 6.1-1, 6.2-12, 6.2-17, 6.9-1, 6.9-2, 6.9-3 and 6.24-1) become operative on January 1, 2014.

F: Water and Environment Plan

- Effective 10 days after the Board of Supervisors declares the results of the election.
- The planning process described in the measure would become operative on the effective date, but the plan would not be implemented unless approved by the voters at a later election (Admin. Code § 116.4(h)).

MEMORANDUM

TO: John Arntz, Director of Elections
Angela Calvillo, Clerk of the Board
DATE: November 6, 2012
PAGE: 4
RE: Election Results and Effective Dates of Ballot Measures

Declaration of Policy

G: Policy Opposing Corporate Personhood

- Effective 10 days after the Board declares the results of the election.
- Within 90 days of the election, the Board of Supervisors must study and take appropriate legislative measures directed at the problem addressed in the measure.



Edwin M. Lee, Mayor
Naomi M. Kelly, City Administrator



John Updike
Director of Real Estate

November 2, 2012

Honorable Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Re: Fourth Amendment to Lease of 875 Stevenson (file no. 121047) and Lease Agreement for 1155 Market Street (file no. 121048) and Lease Agreement for 110 12th Street (file no. 121046)

Board of Supervisors Tuesday, November 6 Agenda Items 8-11 & 18 -- FAQ

Dear Board Members:

The three above-noted Resolutions are coming before the Board of Supervisors on November 6 for consideration. Our introductory cover letter is attached for a detailed explanation of the proposals, and to supplement that information, we are providing this Frequently Asked Questions document. I invite you to contact me directly at 554-9860 if you have any further questions or concerns.

Which departments are affected by these agreements?

ReproMail (Office of Contract Administration), Treasurer-Tax Collector (TTX), Assessor-Recorder (ASR), Department of Public Works (DPW), General Services Agency-Human Resources (GSAHR), Mayor's Office on Disability (MOD) and SFPUC.

When would departments have to relocate?

The SFPUC has already moved into the 9th floor of 1155 Market Street under an administrative holdover agreement, consistent with the terms of their former lease of the property. ReproMail would complete their move into 110 12th Street by February 4, 2013. TTX, ASR, DPW and GSAHR would complete their move into 1155 Market Street by February 4, 2013. MOD (currently located at 401 Van Ness) would complete their move into 1155 Market Street by April, 2013.

Is there a net increase in expenses for the City this fiscal year or FY13-14 as a result of these proposals?

We have negotiated a payment from the owners of 875 Stevenson of \$3,250,000 in consideration for an early exit from the property. That amount covers the estimated cost of the physical moves (except for ReproMail (to be funded through Budget Committee reserve release, discussed in detail below) and SFPUC (move already completed), the amortization of improvement costs at 1155 Market Street for all but the SFPUC floor (9th floor, already populated) and MOD space on a portion of the first floor. The amount also covers the incremental increase in rent departments will experience from January, 2013 through June, 2014 (again, except for SFPUC and MOD, budgeted separately).

Can these leases be terminated early?

The lease for 110 12th Street is of an initial term of 10 years, but the City can leave the property any time after 5 years with proper notice, at no cost. The lease for 1155 Market Street is also an initial term of 10 years, and also has provisions for early exit after 5 years or after 92 months, with a modest exit fee. Of course, all leasing contracts are subject to the Controller's annual certification of funds.

Explain the Tenant Improvement Allowances negotiated at each site.

At 110 12th Street, ReproMail's destination, the owner is providing, at their cost, the installation of a loading door, the removals of first floor walls to create sufficient print shop space to meet our needs, and various other tenant improvements. Again, all of those are the cost of the owner. The City will be responsible for the dismantling, set-up and physical move from 875 Stevenson to 110 12th Street of all equipment, the recalibration of that equipment, and providing connectivity from that equipment to the best available fiber source. Cost of that is estimated to be approximately \$200,000, and trailing legislation is forthcoming to secure a Budget Committee release of reserve funds of \$213,000 to address this anticipated expense, previously allocated in FY06-07.

At 1155 Market Street, the landowner has several building-wide capital improvements to complete, at owner expense. Additionally, there is a Tenant Improvement Allowance of \$25 per square foot, which is an owner expense. Finally, there is available to the City an additional allowance of \$35 per square foot, which can be amortized over the initial 10 year term of the lease at 8% interest. That interest rate charged by owners to good credit tenants is fairly typical in today's market. Our current cost projections are less than \$35 per square foot, but the design development remains in early stages, and therefore the budget presented here assumes our full use of the allowance.

What happens if this legislative package is denied?

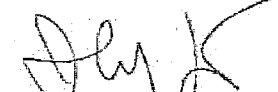
The City would still need to relocate the ReproMail facility from 875 Stevenson, as our current tenancy there is on a month-to-month basis (the owner can require the City to exit the space with 30 days written notice). We believe the lease agreement for 110 12th Street is a favorable solution that meets that immediate space need.

We would remain in occupancy of the 3rd and 4th floors of 875 Stevenson Street until that lease naturally terminates in May, 2015. The lease does not have a renewal option available to the City. Replacement space would have to be identified, and the City would have to pay 100% of the cost to relocate. The City would also be taking the risk that a) adequate space is available at that time in the Civic Center area, and b) rental prices would not experience further increases over the next two years. The City would lose the present opportunity of an early exit payment from the landlord.

Are there purchase options in these leases?

There is no purchase option for 110 12th Street. However, there are two 5-year options for renewal. There is a right of first purchase option for 1155 Market Street. Board of Supervisors approval would be required to effect such an option.

Respectfully,


John Updike, Director

c: Naomi Kelly, City Administrator



Jo Ann Updike
Acting Director of Real Estate



October 23, 2012

Through Naomi Kelly, City Administrator

Honorable Board of Supervisors
 City and County of San Francisco
 City Hall, Room 244
 1 Dr. Carlton B. Goodlett Place
 San Francisco, California 94102

**Re: Fourth Amendment to Lease of 875 Stevenson and
 Lease Agreement for 1155 Market Street and
 Lease Agreement for 110 12th Street**

Dear Board Members:

Attached for your consideration is a proposed Resolution authorizing the acceptance of an early termination of the City's lease at 875 Stevenson Street, effective February 4, 2013. Also presented for separate consideration is a proposed Resolution authorizing the lease of eight (8) floors of 1155 Market Street, primarily to provide replacement space for those currently occupying space at 875 Stevenson Street, but also to address other space matters facing the City at this time. Finally, we submit another Resolution authorizing a lease at 110 12th Street for use by the City's Reproductions and Mail Services ("ReproMail"), also relocating from 875 Stevenson Street.

The City currently leases a portion of the first floor of 875 Stevenson Street, along with the entirety of the 3rd and 4th floors. That lease, as currently amended, provides the City space at 875 Stevenson until the end of May, 2015 for the 3rd and 4th floors, but we are on month-to-month holdover for the first floor presence which is our Reprographics/Mail Services operations. We occupy the space at a fixed rate of \$27.00/square foot per year, excluding janitorial, utilities and certain maintenance obligations which result in a cost to the City to occupy the space of approximately \$32/square foot per year. The City leases a total of 81,348 square feet at 875 Stevenson. Our present cost of occupancy at 875 Stevenson is therefore roughly \$2,603,136 per year or \$216,928 per month. Occupants at 875 Stevenson are:

- ReproMail
- Department of Public Works
- General Services Agency-Human Resources
- Treasurer-Tax Collector
- Assessor-Recorder

The City was approached this summer by the Landlord (Shorenstein) of 875 Stevenson (collectively branded as Market Square with 1355 Market Street, now home to Twitter, One Kings Lane and others), requesting the City consider leaving the property before the end of its term of occupancy. They desire to take advantage of the surging market in Civic Center and Central Market commercial

Jupdike/1650 mission/wall sign BOS intro letter 2-2012.doc

real estate, and to do so, need to vacate the entire building at Stevenson & 11th to refurbish it similar to what was successfully deployed at 1355 Market for Twitter and others.

The final negotiated exit payment and terms of the exit agreement (technically, a Fourth Amendment to Lease), followed intense but productive negotiations. The amount of compensation secured in the agreement, along with some additional flexibility granted to the City to depart by no later than March 4, 2013 (but at considerable financial impact to the City at any time after February 4, 2013), dovetail nicely with the entry agreements simultaneously negotiated elsewhere. The City's space planning efforts have the City geared up to execute our exit by no later than February 4, 2013 (to maximize the City's exit payment).

At approximately the same time this summer, the City rekindled negotiations with the ownership of 1155 Market Street, as the SFPUC commenced their exit from that property to 525 Golden Gate. A lease agreement has been negotiated at 1155 Market Street to meet our needs. Later this summer, the City finally located an acceptable new premises for ReproMail (of the Office of Contract Administration), at 110 12th Street, and have secured conceptually a lease agreement for that location.

The fiscal constraint was to orchestrate these agreements in such a way as to be expense neutral to the City over the course of the remainder of the current fiscal year, as well as the entirety of fiscal year 13-14. We are pleased to report that we have accomplished that goal in the legislation presented. Costs of renting space continue to rise throughout San Francisco, and given the 875 Stevenson lease was set to expire in May of 2015 (no renewal options remained), City staff knew this day was fast approaching to locate new space, more likely far more expensive space, to meet our space needs to 2020 and beyond. The notice from Shorenstein simply accelerated that timeline and provided the City an opportunity to make the change with a slightly reduced fiscal impact than we would have experienced in 2015.

The new lease at 1155 Market secures for the City initial access to floors 1-5 and 7-9 of the 11-story high-rise. The lease requires ownership to perform certain base building improvements and deliver to the City modest tenant improvements within a set budget. The tenant improvement package includes \$25/square foot of improvements delivered at the Landlord's expense, with an additional \$35/square foot of improvements delivered at the City's expense, amortized over the initial 10 year term of the lease at 8% interest. The current space plan Rough Order of Magnitude budget suggests the delivery of the necessary improvements may be somewhat less than the full \$60/square foot. However, for budget purposes staff is assuming full use of the tenant improvement allowance.

As previously mentioned, 1155 Market Street provides space for more than just those relocating from 875 Stevenson. We are accommodating a space need from the SFPUC to retain the 9th floor for their continued use. We are relocating the Mayor's Office on Disability from War Memorial to the ground floor of 1155 Market Street. In addition to the initial premises of 8 floors, the City has secured an option right to floors 6, 10 and 11. Exercise of those options is subject to further Board of Supervisor's approval. The lease agreement also includes a Right of First Offer to Purchase. Should ownership decide to sell the property, the City will have first opportunity to acquire.

The basic terms of the 1155 Market Street lease are:

- 10 year initial term, but City can exit after 5 years or after 92 months in the property by paying a modest termination fee.
- Initial year rate of \$31.67 per square foot (excluding janitorial and utilities – estimated at \$5.00/square foot per year), second year of \$39.14 per square foot and future years increasing at 3% per year.

The lease agreement at 110 12th Street calls for leasing the entirety of that property (also known as 101 South Van Ness), a 10,469 square foot building with secured parking area. The lease would commence February 1, 2013 and expire January 31, 2023, however the City would have on-going rights to terminate the lease without any penalty after the fifth year of the lease. The lease rate would be \$27,000/month (or \$30.95/square foot per year), increasing annually by 4%. The City would be responsible for utilities, janitorial expenses and the cost of an alarm system, which would likely be approximately \$4.00 to \$5.00/square foot per year. The landlord will provide all necessary improvements to the space to suit the City's needs.

A comparison of existing lease expenses to new lease expenses is on the attached chart.

The Fourth Amendment to Lease at 875 Stevenson calls for the City to exit the property by February 4, 2013, which is the operative plan at this time. If successful in doing so, the City would be paid the sum of \$750,000 fifteen days after the approval of the new site agreements (to which staff is relocating), and the additional sum of \$2,500,000 fifteen days after vacating and surrendering the premises. Should the City be delayed in moving, there would be a reduction in the amount owed by the Landlord to the City, calculated on a per day basis. The move must absolutely be completed by no later than March 4, 2013, or the City would find itself in default of the lease as amended.

The Real Estate Division recommends approval of the Resolutions referenced herein. These agreements advance forward in time relocations that would otherwise be 100% fiscal burdens of the City in the near future with respect to ReproMail or in 2015 with respect to the other tenancies of 875 Stevenson. Accelerating these moves to take advantage of the availability of a funding source would appear to be the City's best course of action at this time.

If you have any questions in this regard, please contact me at 554-9860.

Respectfully,

COPY

John Updike
Acting Director of Property

Attachments

c: Jaci Fong, Director of OCA
Mohammed Nuru, Director of DPW
Jose Cisneros, Treasurer-Tax Collector
Phil Ting, Assessor
Steve Nakajima, Director of GSA-HR
Carla Johnson, Acting Director of Mayor's Office on Disability
Michael Carlin, Assistant General Manager, SFPUC

Comparison of Occupancy Expenses

Existing Monthly Expense at 875 Stevenson	\$216,928	
First Year Monthly Expense at 1155 Market Street*	\$263,159	(1/15/2013-1/14/2014)
Second Year Monthly Expense at 1155 Market Street*	\$316,767	(1/15/2014-1/14/2015)
*excludes space to be occupied by Mayor's Office on Disability and SFPUC		
First Year Monthly Expense at 110 12 th Street	\$ 31,362	(2/1/2013-1/31/2014)
Second Year Monthly Expense at 110 12 th Street	\$ 32,616	(2/1/2014-1/31/2015)

New rent commences January 15, 2013 at 1155 Market Street
 New rent commences February 1, 2013 at 110 12th Street
 Prior rent at 875 Stevenson terminates February 4, 2013

New rent amount due January 15, 2013 through June 30, 2013:

\$263,159 x 5 = \$1,315,795	five months February, March, April, May and June at 1155 Market
\$263,159 / 2 = \$ 131,580	one half of January, 2013 at 1155 Market
\$ 31,362 x 5 = <u>\$ 156,810</u>	five months at 110 12 th Street
\$1,604,185	subtotal for FY12-13

New rent amount due July 1, 2013 through June 30, 2014

\$263,159 x 6.5 = \$1,710,533	July-January 15 at 1155 Market
\$316,767 x 5.5 = \$1,742,218	January 16 – June 30 at 1155 Market
\$ 31,362 x 7 = \$ 219,534	July 1 – January 31 at 110 12 th Street
\$ 32,616 x 5 = <u>\$ 163,080</u>	February 1 – June 30 at 110 12 th Street
\$3,835,365	subtotal for FY13-14

Impact of Amortization of improvements at 1155 Market Street (assuming full use of \$35/square foot available from Landlord over 86,117 square feet):

\$36,569 per month x 17.5 = \$639,957	Time period of 17.5 months from January 15, 2013 through June 30, 2014
---------------------------------------	--

Estimated Cost of physical moves, data/telephony, cubicles and FF&E: **\$900,000***

*excludes relocation and equipment calibration expenses associated with ReproMail, which has separate available funding source on Controller's Reserve.

Total new expense during period January 15, 2013 through June 30, 2014:

\$1,604,185
\$3,835,365
\$ 639,957
<u>\$ 900,000</u>
\$6,979,507

Expense of remaining at 875 Stevenson January 15, 2013 through June 30, 2014 (17.5 months), assuming lease was not terminated early: \$216,928 x 17.5 = \$3,796,240

Increase in expenses through 6/30/2014: \$6,979,507 - \$3,796,240 =	\$3,183,267
Payment due from Shorestein:	\$3,250,000



Issued: Annual Year-End Performance Measure Report Fiscal Year 2011-12
Reports, Controller

to:

Calvillo, Angela, Nevin, Peggy, BOS-Supervisors, BOS-Legislative Aides, Kawa, Steve, Howard, Kate, Falvey, Christine, Elliott, Jason, Campbell, Severin, Newman, Debra, sfdocs@sfpl.info, gmetcalf@spur.org, CON-Media Contact, ggiubbini@sftc.org, Con, Performance, CON-PERF DEPT CONTACTS, Robertson, Bruce, millsapsmel@yahoo.com, Rosenfield, Ben, Zmuda, Monique, Lane, Maura, CON-EVERYONE, CON-CCSF Dept Heads, CON-Finance Officers

11/01/2012 12:42 PM

Sent by:

"Chapin-Rienzo, Shanda" <shanda.chapin-rienzo@sfgov.org>

Hide Details

From: "Reports, Controller" <controller.reports@sfgov.org> Sort List...

To: "Calvillo, Angela" <angela.calvillo@sfgov.org>, "Nevin, Peggy"

<peggy.nevin@sfgov.org>, BOS-Supervisors <bos-supervisors.bp2ln@sfgov.microsoftonline.com>, BOS-Legislative Aides <bos-legislativeaides.bp2ln@sfgov.microsoftonline.com>, "Kawa, Steve" <steve.kawa@sfgov.org>, "Howard, Kate" <kate.howard@sfgov.org>, "Falvey, Christine" <christine.falvey@sfgov.org>, "Elliott, Jason" <jason.elliott@sfgov.org>, "Campbell, Severin" <severin.campbell@sfgov.org>, "Newman, Debra" <debra.newman@sfgov.org>, "sfdocs@sfpl.info" <sfdocs@sfpl.info>, "gmetcalf@spur.org" <gmetcalf@spur.org>, CON-Media Contact <con-mediacontact.bp2ln@sfgov.microsoftonline.com>, "ggiubbini@sftc.org" <ggiubbini@sftc.org>, "Con, Performance" <performance.con@sfgov.org>, CON-PERF DEPT CONTACTS <con-perfdeptcontacts.bp2ln@sfgov.microsoftonline.com>, "Robertson, Bruce" <bruce.robertson@flysf.com>, "millsapsmel@yahoo.com" <millsapsmel@yahoo.com>, "Rosenfield, Ben" <ben.rosenfield@sfgov.org>, "Zmuda, Monique" <monique.zmuda@sfgov.org>, "Lane, Maura" <maura.lane@sfgov.org>, CON-EVERYONE <con-everyone.bp2ln@sfgov.microsoftonline.com>, CON-CCSF Dept Heads <con-ccsfdeptheads.bp2ln@sfgov.microsoftonline.com>, CON-Finance Officers <confinanceofficers.bp2ln@sfgov.microsoftonline.com>, Sent by: "Chapin-Rienzo, Shanda" <shanda.chapin-rienzo@sfgov.org>

The Office of the Controller, City Services Auditor (CSA) has issued the Annual Year-End Performance Measure Report for FY 2011-12. The report has data for all measures currently in the Citywide Performance Measurement System—over 1,000 measures covering all City departments. The report also summarizes the Citywide Performance Measurement Program's ongoing work—efforts to train city staff in performance measurement, validate data in the Citywide system, and improve the data with new benchmarking, effectiveness and efficiency measures.

To view the full report, please visit our website at: <http://co.sfgov.org/webreports/details.aspx?id=1493>

You can also access the report on the Controller's website (<http://www.sfcontroller.org>) under the News & Events section and on the Citywide Performance Measurement Program website (www.sfgov.org/controller/performance) under the Performance Reports section.

For more information, please contact:

Office of the Controller
City Services Auditor Division

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 29 PM 3:02
AK

BDS-11
full report
electronically
sent upon
request.

October 24, 2012

City and County of San Francisco
Board of Supervisors
Angela Calvillo, Clerk of the Board
#1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4683

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

Dear Ms. Calvillo

Merit System Services (MSS) has completed an onsite compliance review of the City and County of San Francisco's personnel system. The compliance review was conducted under the authority of Government Code Section 19802 and related provisions of the California Administrative Code titled Local Agency Personnel Standards (LAPS). The City and County of San Francisco, like other approved local agencies, must comply with these standards to receive State and Federal funding for its Social Services and Child Support Services programs.

Overall, the City and County of San Francisco operates a sound personnel system. There are areas in which the audit team found to be compliance issues as related to the Local Agency Personnel Standards (LAPS), Chapter 1.

- Per LAPS Section 17111, "basic recruitment efforts for entry into the career service shall include posting of examination announcements in appropriate public places for a minimum of five working days to ensure an adequate number of candidates will apply." While the Civil Service Rules do note posting requirements for promotional examinations, the Rules are silent as related to open exam announcements (See Section 110.2 of the Rules). As such, the City's Civil Service Commission Rules must be amended to reflect the required minimum posting period of five (5) working days for all job announcements. The City is to submit an action plan within 30 days of receiving the final report.
- Per LAPS Section 17112(c), "appointments to permanent service positions shall be made through selection from appropriately ranked eligible lists. Appointment procedures may not allow appointment either beyond the top ten eligibles or the top ten percent of eligibles or the top predetermined score group of those on an eligible list who are willing to accept the conditions of employment." While the City is to be commended to making strides to ensure that Rule of the List is no longer an option for miscellaneous positions, provisions for Rule of the List continue to be reflected within the Management Agreement. In that there are positions within this contract covered under LAPS, this is a clear violation of the LAPS standards. As such, the City is to provide MSS with an action plan within 30 days of receiving the final report to reflect intended changes to the Rules and MEA contract.
- As noted within the body of the report, the audit team received a copy of the Delegation Agreement between the Department of Human Resources and the Department of Human Services. On page 6 of the Delegation Agreement, it states that "The

BOS 11
Chaff

Chaffee -- Library Held Hostage to Privatization

James Chaffee

to:

board.of.supervisors, Carmen.Chu, Christina Olague, David Campos, David Chiu, Eric L. Mar, Jane Kim, John.Avalos, Malia Cohen, Mark Farrell, Scott Wiener, Sean.Elsbernd
11/07/2012 09:09 AM

Hide Details

From: "James Chaffee" <chaffeej@pacbell.net> Sort List...

To: <board.of.supervisors@sfgov.org>, <Carmen.Chu@sfgov.org>, "Christina Olague" <Christina.Olague@sfgov.org>, "David Campos" <David.Campos@sfgov.org>, "David Chiu" <David.Chiu@sfgov.org>, "Eric L. Mar" <Eric.L.Mar@sfgov.org>, "Jane Kim" <Jane.Kim@sfgov.org>, <John.Avalos@sfgov.org>, "Malia Cohen" <Malia.Cohen@sfgov.org>, "Mark Farrell" <Mark.Farrell@sfgov.org>, "Scott Wiener" <Scott.Wiener@sfgov.org>, <Sean.Elsbernd@sfgov.org>,

History: This message has been forwarded.

Dear Friends,

Yesterday I delivered the attached letter to the Supervisors. Since the attachments consist of 14 pages I will only send them to those who request them. The text is below.

James Chaffee

Member, Board of Supervisors

City Hall

San Francisco, CA 94102

Re: The Library Held Hostage to Privatization

Dear Supervisor:

It is impossible not to watch the San Francisco City Librarian, Luis Herrera, as I have done, and not be overwhelmed by a sense of sadness. This is a man who is held hostage. You don't see it so much anymore, but it used to be that prisoners of war or kidnap victims would be beaten, tortured and then brought before the cameras to say what is necessary to save their lives. That is Luis Herrera. Can't we send in Seal Team Six, or pay the ransom? It is just heart-wrenching. When the San Francisco is finally rid of the non-profit Friends of the Library, it will be Mr. Herrera who will provide the most compelling testimony of its ruthless plundering of our library.

In his present condition, Mr. Herrera still has to announce to the public, as he did at the recent Open Hours Hearings, that the Friends of the Library are responsible for the furniture, fixtures and equipment in the new and remodeled branches as part of the Branch Library Improvement Program.

An immediate disclosure request to the Department of Public Works, the city department that has partnered with the Library on the branch projects can produce a list of all items that have been paid for with funds from the private non-profit Friends of the Library, a list that includes computers, outdoor

6

playgrounds, outside consultants and office supplies comprising a total of \$3,629,904. The Friends of the Library itself says that: "No, no, we have given more than \$5.1 Million." The Friends cannot produce one single document that supports that figure one year after a public records request, and purportedly requested by the City Librarian.

What would a brain dead zombie that does not have clue do in response to that circumstance? Such a clueless person might balance reality on the one hand, and a complete fantasy on the other, split the difference and say that the Friends of the Library, "might have given nearly \$4.4 Million." On the contrary, Mr. Herrera has added the two figures together and represented that the Friends gave \$8.8 Million. No one can make such a claim out of ignorance. I'm sorry, but that is an individual with a gun to his head.

Let us look at the details. The most recent Budget Report submitted to the Library Commission dated September 20, 2012, states that the item for furniture fixtures and equipment is \$8.8 million (\$8,806,286) and that \$5.1 Million (\$5,170,967) is "reported expenditures are in-kind contributions of BLIP FFE." See, exhibit A.

Mr. Ray Hartz, a distinguished public-spirited citizen, has requested any documents within the Library administration's custody and control that supports that figure and has received a line of accounting that basically duplicates the line in the budget report. Yet when that figure is transferred to the Branch Library Improvement Program's most recent official Quarterly Report, there is no footnote, or indeed text anywhere, to inform the reader that there is no support for that figure or the fact that it should be considered cumulative with the documentation from the Department of Public Works.

When the Branch Library Improvement Program began the citizen were told that the program would cost \$105.9 Million and that the Friends would be responsible for raising \$16 Million for the things that the bond program could not pay for such as furniture, fixtures and equipment. In fact, the Library Commission itself, although charged with representing the public, as vigorous proponents of the Friends in return for the economic and social benefits and perquisites that they receive stated repeatedly that, "If the Friends don't raise \$16 Million the public will be sitting on the floor."

The documentation provided by the Department of Public Works for the gifts from Friends is attached here as exhibit B. I have taken that data and transcribed it into a table by branch and classification and then sorted and totaled it by category, attached here as exhibit C. (N.B.: This table is from February and the most recent figure, above, is \$5,415 higher.) The results are very instructive. A review of the table shows that only 26.54% or \$963,284.47 was for either shelving or FFE, while 21.1% or 765,896.42 was for self-check machines, and another 48.79% or \$1,771,167.84 was for computers and software.

There are two questions that immediately come to mind. First, where is the missing \$5.1 Million that is hiding in plain sight? If the DPW figures include computers and self-check machines there can hardly be another allotment of in-kind computers on top of that. The second question is, how positive could this public-private "partnership" be if the Friends are claiming that they have documentation that they are unwilling to share with the City Librarian?

Part of the answer is that the Friends of the Library provide the City Librarian with two separate discretionary funds, also known as slush funds. Again, this is information that has been obtained by Mr. Ray Hartz and that he has shared with the public. For most departments the accounting for fiscal year 2009-10 would be out of date, but this is what we deal with in the Library Department. The grants from the Friends of the Library show that the City Librarian Fund is composed of two accounts, "City Librarian's Discretionary Fund" and an "External Relations Consultant." See exhibit D & E. They were budgeted for \$65,000 and the City Librarian actually overspent it by \$4,266.37. The detail shows a lot of trips and parties.

I won't dissect these funds in detail, but it must be observed that the illegality comes from his receiving of the money, not what he spends it on. He is supposed to be representing all of the public and the conflict of interest laws exist so that he won't give greater weight to those who are giving him money. It is the carrot part of the "carrot and stick" coercion. He is being held hostage and he gets a sweet once in a while.

Too many people in City Hall, especially the Supervisors, feel that getting private interests to pay for things is good. There is a common assumption that as long as one is clever enough to weave one's way through the minefield of conflict of interest laws it must be acceptable. The fact is that there is a common law principle of conflict of interest that a public official owes a duty to the public to act with integrity and diligence primarily for the benefit of the public. This money has to be assessed in the light of the fact that the City Librarian is not doing that.

The real point is that although the City Librarian is presumed to be representing the public, it is only the citizen activists who have made this information available. The City Librarian has resisted the exposure of these facts by all means at his disposal, including some that are illegal. As I stated above, when the citizens of San Francisco are finally rid of the Friends of the Library it is Mr. Herrera who will be able to provide the most compelling testimony of their corruption and outrages. Free the City Librarian.

Very truly yours,

James Chaffee

cc: Interested citizens & media

BOS 11
Chaffee



RE: Chaffee -- Library Held Hostage to Privatization
James Chaffee

to:

board.of.supervisors, Carmen.Chu, Christina Olague, David Campos, David Chiu, Eric L. Mar, Jane Kim, John.Avalos, Malia Cohen, Mark Farrell, Scott Wiener, Sean.Elsbernd
11/07/2012 09:35 AM

Hide Details

From: "James Chaffee" <chaffeej@pacbell.net> Sort List...

To: <board.of.supervisors@sfgov.org>, <Carmen.Chu@sfgov.org>, "Christina Olague" <Christina.Olague@sfgov.org>, "David Campos" <David.Campos@sfgov.org>, "David Chiu" <David.Chiu@sfgov.org>, "Eric L. Mar" <Eric.L.Mar@sfgov.org>, "Jane Kim" <Jane.Kim@sfgov.org>, <John.Avalos@sfgov.org>, "Malia Cohen" <Malia.Cohen@sfgov.org>, "Mark Farrell" <Mark.Farrell@sfgov.org>, "Scott Wiener" <Scott.Wiener@sfgov.org>, <Sean.Elsbernd@sfgov.org>,

Dear Friends,

Gee Whiz, I forgot the attachment.

James,

From: James Chaffee [mailto:chaffeej@pacbell.net]

Sent: Wednesday, November 07, 2012 9:11 AM

To: board.of.supervisors@sfgov.org; Carmen.Chu@sfgov.org; Christina Olague; David Campos (David.Campos@sfgov.org); David Chiu; Eric L. Mar; Jane Kim (Jane.Kim@sfgov.org); John.Avalos@sfgov.org; Malia Cohen; Mark Farrell (Mark.Farrell@sfgov.org); Scott Wiener (Scott.Wiener@sfgov.org); Sean.Elsbernd@sfgov.org

Subject: Chaffee -- Library Held Hostage to Privatization

Dear Friends,

Yesterday I delivered the attached letter to the Supervisors. Since the attachments consist of 14 pages I will only send them to those who request them. The text is below.

James Chaffee

Member, Board of Supervisors
City Hall
San Francisco, CA 94102

Re: The Library Held Hostage to Privatization

Dear Supervisor:

It is impossible not to watch the San Francisco City Librarian, Luis Herrera, as I have done, and not be overwhelmed by a sense of sadness. This is a man who is held hostage. You don't see it so much anymore, but it used to be that prisoners of war or kidnap victims would be beaten, tortured and then

brought before the cameras to say what is necessary to save their lives. That is Luis Herrera. Can't we send in Seal Team Six, or pay the ransom? It is just heart-wrenching. When the San Francisco is finally rid of the non-profit Friends of the Library, it will be Mr. Herrera who will provide the most compelling testimony of its ruthless plundering of our library.

In his present condition, Mr. Herrera still has to announce to the public, as he did at the recent Open Hours Hearings, that the Friends of the Library are responsible for the furniture, fixtures and equipment in the new and remodeled branches as part of the Branch Library Improvement Program.

An immediate disclosure request to the Department of Public Works, the city department that has partnered with the Library on the branch projects can produce a list of all items that have been paid for with funds from the private non-profit Friends of the Library, a list that includes computers, outdoor playgrounds, outside consultants and office supplies comprising a total of \$3,629,904. The Friends of the Library itself says that: "No, no, we have given more than \$5.1 Million." The Friends cannot produce one single document that supports that figure one year after a public records request, and purportedly requested by the City Librarian.

What would a brain dead zombie that does not have clue do in response to that circumstance? Such a clueless person might balance reality on the one hand, and a complete fantasy on the other, split the difference and say that the Friends of the Library, "might have given nearly \$4.4 Million." On the contrary, Mr. Herrera has added the two figures together and represented that the Friends gave \$8.8 Million. No one can make such a claim out of ignorance. I'm sorry, but that is an individual with a gun to his head.

Let us look at the details. The most recent Budget Report submitted to the Library Commission dated September 20, 2012, states that the item for furniture fixtures and equipment is \$8.8 million (\$8,806,286) and that \$5.1 Million (\$5,170,967) is "reported expenditures are in-kind contributions of BLIP FFE." See, exhibit A.

Mr. Ray Hartz, a distinguished public-spirited citizen, has requested any documents within the Library administration's custody and control that supports that figure and has received a line of accounting that basically duplicates the line in the budget report. Yet when that figure is transferred to the Branch Library Improvement Program's most recent official Quarterly Report, there is no footnote, or indeed text anywhere, to inform the reader that there is no support for that figure or the fact that it should be considered cumulative with the documentation from the Department of Public Works.

When the Branch Library Improvement Program began the citizen were told that the program would cost \$105.9 Million and that the Friends would be responsible for raising \$16 Million for the things that the bond program could not pay for such as furniture, fixtures and equipment. In fact, the Library Commission itself, although charged with representing the public, as vigorous proponents of the Friends in return for the economic and social benefits and perquisites that they receive stated repeatedly that, "If the Friends don't raise \$16 Million the public will be sitting on the floor."

The documentation provided by the Department of Public Works for the gifts from Friends is attached here as exhibit B. I have taken that data and transcribed it into a table by branch and classification and

then sorted and totaled it by category, attached here as exhibit C. (N.B.: This table is from February and the most recent figure, above, is \$5,415 higher.) The results are very instructive. A review of the table shows that only 26.54% or \$963,284.47 was for either shelving or FFE, while 21.1% or 765,896.42 was for self-check machines, and another 48.79% or \$1,771,167.84 was for computers and software.

There are two questions that immediately come to mind. First, where is the missing \$5.1 Million that is hiding in plain sight? If the DPW figures include computers and self-check machines there can hardly be another allotment of in-kind computers on top of that. The second question is, how positive could this public-private "partnership" be if the Friends are claiming that they have documentation that they are unwilling to share with the City Librarian?

Part of the answer is that the Friends of the Library provide the City Librarian with two separate discretionary funds, also known as slush funds. Again, this is information that has been obtained by Mr. Ray Hartz and that he has shared with the public. For most departments the accounting for fiscal year 2009-10 would be out of date, but this is what we deal with in the Library Department. The grants from the Friends of the Library show that the City Librarian Fund is composed of two accounts, "City Librarian's Discretionary Fund" and an "External Relations Consultant." See exhibit D & E. They were budgeted for \$65,000 and the City Librarian actually overspent it by \$4,266.37. The detail shows a lot of trips and parties.

I won't dissect these funds in detail, but it must be observed that the illegality comes from his receiving of the money, not what he spends it on. He is supposed to be representing all of the public and the conflict of interest laws exist so that he won't give greater weight to those who are giving him money. It is the carrot part of the "carrot and stick" coercion. He is being held hostage and he gets a sweet once in a while.

Too many people in City Hall, especially the Supervisors, feel that getting private interests to pay for things is good. There is a common assumption that as long as one is clever enough to weave one's way through the minefield of conflict of interest laws it must be acceptable. The fact is that there is a common law principle of conflict of interest that a public official owes a duty to the public to act with integrity and diligence primarily for the benefit of the public. This money has to be assessed in the light of the fact that the City Librarian is not doing that.

The real point is that although the City Librarian is presumed to be representing the public, it is only the citizen activists who have made this information available. The City Librarian has resisted the exposure of these facts by all means at his disposal, including some that are illegal. As I stated above, when the citizens of San Francisco are finally rid of the Friends of the Library it is Mr. Herrera who will be able to provide the most compelling testimony of their corruption and outrages. Free the City Librarian.

Very truly yours,

James Chaffee

cc: Interested citizens & media



Fw: Reject Wiener's Nudity Ban
Derek Evans to: Peggy Nevin

11/01/2012 11:45 AM

Derek K. Evans
Assistant Committee Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554-7702 | Fax: (415) 554-5163
derek.evans@sfgov.org | www.sfbos.org

File 120984
BOS-11, page
+ file

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Derek Evans/BOS/SFGOV on 11/01/2012 11:52 AM -----

From: James Borrazas <borrazas@mindspring.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 10/31/2012 08:20 PM
Subject: Reject Wiener's Nudity Ban

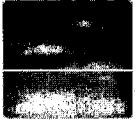
To all SF Supervisors:

We don't need blue laws in SF. Vote down Wiener's nudity ban legislation.

Please include this message on the Legislative File.

James Borrazás
SF Voter

Sent from my iPhone



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 120984: Reject Wiener's Nudity Ban

From: James Borrazas <borrazas@mindspring.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 10/31/2012 08:20 PM
Subject: Reject Wiener's Nudity Ban

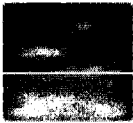
To all SF Supervisors:

We don't need blue laws in SF. Vote down Wiener's nudity ban legislation.

Please include this message on the Legislative File.

James Borrazás
SF Voter

Sent from my iPhone



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 120984: - Public Nudity Ban Emails

From: Craig Scott <craigscottsf@yahoo.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 10/31/2012 02:50 PM
Subject: Please confirm receipt of email. Please add to Nudity Ban Legislative File: File Reference Number 120984.

Please add to Nudity Ban Legislative File: File Reference Number 120984. Please confirm receipt of email.

Dear Supervisors:

I encourage you not to approve the ban on nudity as it has been proposed. It is far too broad and not only steps on the rights of one group for the benefit of another but it also rejects San Francisco wonderful tradition of compromise and a test period on controversial issues. I urge you to consider postponing any decision so the parties may explore compromise. As of now, no attempt has been made to seek any sort of compromise.

There are many potential ways to compromise that have not been considered. Nudity on Saturdays only between May and October, is just one example. In certain areas only, etc.. San Francisco has dealt with many controversial issues this way. For example, Sunday Streets and transit only on Market Street. I urge you to postpone any decision until attempt have been made for compromise.

Thank you, Craig Scott

From: James Borrazas <borrazas@mindspring.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 10/31/2012 08:20 PM
Subject: Reject Wiener's Nudity Ban

To all SF Supervisors:

We don't need blue laws in SF. Vote down Wiener's nudity ban legislation.

Please include this message on the Legislative File.

James Borrazás
SF Voter

Sent from my iPhone

From: Patrick Mulcahey <patrickmulcahey@comcast.net>
To: Linda.Wong@sfgov.org, Derek.Evans@sfgov.org,
Date: 10/31/2012 08:29 PM
Subject: Legislative file: File Reference Number 120984 Ban on Public Nudity

Please include my comments below in the legislative file reference number 120984, "Ban on Public Nudity"

Begin forwarded message:

From: Patrick Mulcahey <patrickmulcahey@comcast.net>
Date: October 3, 2012 3:03:47 PM PDT
To: John.Avalos@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org,
Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org,
Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org
Subject: public nudity ban

Dear Supervisors,

I am writing to express my strong opposition to the "nudity ban" proposed by my own supervisor, Scott Wiener. I find it regressive, disheartening, and unnecessary; and while it is far from being a "gay issue," it appears to pander to a new upscale heterocentric element in the Castro community with a penchant for waving the "Save the Children!" flag. There is absolutely no research to support the sentimental fear that casual adult non-sexual nudity harms children, and plenty of experience (and common sense) to dispute it.

There are already laws on the books against public lewdness. If public lewdness is the problem, by all means, arrest the offenders. That can be accomplished without implementing this overbearing, un-San Franciscan legislation. It is repressive insanity to restrict the personal liberties of 800,000 citizens because the behavior of a half-dozen men on one streetcorner in one neighborhood chafes the sensibilities of some. I am not at all opposed to some compromise or accommodation being reached to safeguard the rights and interests of all involved, but no other proposal or negotiation has even been attempted. Is legislation really the way of leadership in this matter? I say it is not.

Patrick Mulcahey
191 Carnelian Way
San Francisco CA 94131

From: John Iversen <johniversen94702@yahoo.com>
To: "Change.org" <no-reply@change.org>, "john.avalos@sfgov.org" <john.avalos@sfgov.org>,
Cc: "derek.evans@sfgov.org" <derek.evans@sfgov.org>, "linda.wong@sfgov.org" <linda.wong@sfgov.org>, Tommi Mecca <avimecca@yahoo.com>, Tom Taylor <tommarc@sbcglobal.net>, "scott.wiener@sfgov.org" <scott.wiener@sfgov.org>, Scott Carroll <scottoutandabout@yahoo.com>, Judy Greenspan <judygreenspan@att.net>, Judith Scherr <judithscheer@gmail.com>, Tim Kingston <timwhitsedkingston@gmail.com>, Alix Rosenthal <aar@rosenthallegal.com>, Glenn Reeder <glenn@kpfa.org>, Mitch Jeserich <mjeserich@gmail.com>
Date: 10/31/2012 09:20 PM
Subject: Refuse to ban public nudity in San Francisco include @ Legislative File 120984

Greetings should be Mayor Avalos and all,

ACT UP East Bay unanimously supports PUBLIC NUDITY. At this point it is a tourist attraction and draws tourists to the Castro hoping for a peek! Scott Weener/whiner is simply using this as an election ploy. If he cares about drawing attention to the netherworld, he should ban the wearing of cock rings not nudity.

His inner Church Lady needs to become his inner Bette Midler. What a tool. Vote NO on banning public nudity. I am an old prune, scott a young prude who is better suited for the Junior League than the County Bd.

Your truly, John Iversen

co-founder ACT UP/East Bay, Berkeley and Oakland Needle Exchanges and the most effective and known PWA global iads activist in the Bay Area, member-MN Chippewa tribe and a pretty good tango singer--writing from Buenso Aires now. There are more important issues. Weener is a tragic comedy. You should have seen Dana King's eyes roll when she first reported on Whiner's initiative. I think she even uttered "This is news?" How is it representing the 2% Mr. Weener?

From: mitch hightower <mail@change.org>

To: johniversen94702@yahoo.com

Sent: Thursday, November 1, 2012 12:02 AM

Subject: Update about "San Francisco Board of Supervisors: Refuse to ban public nudity in San Francisco"

This message is from mitch hightower who started the petition "San Francisco Board of Supervisors: Refuse to ban public nudity in San Francisco," which you signed on Change.org.

Greetings Friends!

We appreciate your continued support as we do our best to prevent the proposed public nudity ban from becoming law in San Francisco.

Prior to the hearing coming up on November 5, we need to ask you to send another email or two about this matter.

PLEASE take the emails you have sent to supervisors on the PUBLIC NUDITY BAN issue and forward them to the emails that follow at the bottom of this message. Ask that your comments be included in the LEGISLATIVE FILE, reference number below.

This is the file that the supervisors look at when making decisions on how to vote, and there are very few public comments in the file right now. Let's fill it up!

File Reference Number 120984 Ban on Public Nudity

Email both: Derek.Evans@sfgov.org and Linda.Wong@sfgov.org

Thank you again for your time and support!

Mitch Hightower

[View the petition](#) | [View and reply to this message online](#)

[Unsubscribe from updates about this petition](#)

From: Glenn Moor <oltl492@yahoo.com>

To: "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>, "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,

Date: 10/31/2012 10:11 PM

Subject: Re: File Reference Number 120984 Ban on Public Nudity

Sorry, I am resending this , as I realized I had some typos in my first email.
File Reference Number 120984 Ban on Public Nudity

Please include my comments in the LEGISLATIVE FILE, reference number above.

To San Francisco Supervisors:

Please do not ban public nudity in San Francisco. The freedoms that people have in San Francisco are one of the many things that make San Francisco a special place in America, especially considering that America is supposed to be the most free place in the world and that we, above all other nations, value FREEDOM. Let's protect that freedom we have ALWAYS had. I hope you do the right thing and set an example for the rest of the country. Let's continue to protect freedoms we have always had, instead of taking freedoms away.

Please do not let those people in our community, who have shame about the naked body, dictate what is acceptable for the rest of us. The body is a thing of beauty, not something we should have shame about. They "get" this in Europe. I don't understand why people have a problem with nudity in this country. Every time I meet someone from Europe, they ask my why Americans are so uptight about this. I simply have no answer for them.

Glenn Moor
4353 Colfax Ave
Studio City, CA

From: Glenn Moor <olt1492@yahoo.com>

To: "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>; "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>

Sent: Wednesday, October 31, 2012 10:04 PM

Subject: File Reference Number 120984 Ban on Public Nudity

File Reference Number 120984 Ban on Public Nudity

Please include my comments in the LEGISLATIVE FILE, reference number above.

To San Francisco Supervisors:

Please do not ban public nudity in San Francisco. The freedoms that people have in San Francisco are one of the many things that make San Francisco a special place in America, especially considering that America is supposed to be the most free place in the world and that we, above all other nations, value FREEDOM. Let's protect that freedom we have ALWAYS. I hope you do the right thing and set an example for the rest of the country. Let's continue to protect freedoms we have always had, instead of taking freedoms away.

Please do let those people in our community, who have shame about the naked body, to dictate what is acceptable

for the rest of us. The body is a thing of beauty, not something we should have shame about. They "get" this in Europe. I don't understand why people have a problem with nudity in this country. Every time I meet someone from Europe, they ask my why Americans are so uptight about this. And I simply have no answer for them

Glenn Moor
4353 Colfax Ave
Studio City, CA

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 11/01/2012 06:02 AM
Subject: For Legislative File #120984

Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!

***Regards,
Pete***

***PETER A. SFERRA
3736 WILLOWOOD DRIVE
SAN JOSE, CA 95118
(650) 766-3344***

(Sent to Board of Supervisors on October 2, 2012)

My name is Peter Sferra and I've been a practicing nudist for my entire adult life (I'm now 57). In addition to enjoying this lifestyle in a great many traditional nudist/naturist venues such as clubs, resorts, and designated beaches, I've been able to explore somewhat more "unconventional" options thanks to living in such a tolerant area of the country. I believe that nudity is not something to be ashamed of and I raised two daughters within a community where body-acceptance was encouraged. I'm pleased to report that they're now very happy, productive, and emotionally healthy adults. I wanted to share my thoughts with you on the subject of public nudity in San Francisco in the hopes that my comments might help to guide any decisions you happen to make with regards to potential legislation that would limit or even eliminate its legal status in the city.

All too often, the street nudists are incorrectly characterized in the media as being a small group of insensitive and eccentric gay exhibitionists who have a misguided sense of entitlement and nothing could be further from the truth. We come from all walks of life and represent a very diverse population. I'm a Silicon Valley professional and work in the aerospace industry as an illustrator and technical writer. Just a relatively "normal" fellow who happens to enjoy being naked in the warm sun. My wife Laura works as a housekeeper for a wealthy couple in San Jose, where we live.

Public nudity has been an integral part of San Francisco's unique make-up for quite some time now and it's one of the many things that bring people to the city, not just at wild street festivals and crazy races but on normal days as well. It seems pretty clear that there's a huge tourist draw with the street nudists and this is obviously a very good thing for commerce. The nude-friendliness also draws in folks like Laura and me who not only want to experience the unique freedom but who also feel strongly about supporting the many small businesses up there. Every time we come to San Francisco for one of our

nude adventures we buy lunch before and dinner afterwards (clothed, of course! :-). We also make sure to take the time to support local businesses by shopping for things that we could just as easily purchase in our home town. We love San Francisco as much as any resident and we want to do what we can to help it thrive.

Nudity is an integral part of a good many large annual events in San Francisco as well as a number of smaller gatherings. I've participated in the Bay to Breakers twelve times and have always delighted in the acceptance and even encouragement that the public showed the ever increasing number of nudists. This past May, Laura and I encountered a surprising number of young people along the racecourse who took the time to say hello and thank us for being "the kind of folks that help make the city unique and special". That felt really good and it gave me hope that my long-time dream of nudists and the clothed masses freely sharing urban space might really be starting to happen in San Francisco. We took the adventure a step further this year by choosing not to dress after the race and even strolled over to the Haight for some free-spirited window shopping. We were naked for eight straight hours that day and did not encounter a single negative reaction. As a matter of fact, we had a good number of friendly people, both locals and tourists alike, approach and engage us. I even asked permission from a few business owners to take photos of Laura "shopping" in their stores and they all happily agreed. Polls have consistently shown that the majority of San Francisco residents support the legal status of simple nudity and this speaks volumes to their open-minded, tolerant nature.

Laura and I had so much fun that we returned to the city in late July for the "Up Your Alley" fair. In addition to attending the actual event on Sunday, we also visited the Castro neighborhood on Saturday just to hang out and roam around. Once again, we spent significant time strolling around naked and didn't have a single negative encounter, not from people on the street nor from shop owners. While I only actually went inside Hot Cookie on this visit, I chatted with a few other businessmen and they were all too happy to have nudists around because it brought them curious tourists who were ready to spend their money. We relaxed in Jane Warner Plaza with a few fellow nudists and quite a number of clothed folks. What struck me most was how "normal" it felt and how at ease everyone was. There was no feeling at all of us being "freaks" and everyone appeared to be enjoying the warm afternoon. I had the overwhelming sense that this was a genuine social "win-win" situation that set San Francisco apart from any other large American city.

I never take this gift for granted and am well aware that an anti-nudity ordinance could be passed at any time. With that said, my hope is that the horse is too far out of the barn at this point and that the best strategy for San Francisco is to continue setting the bar for tolerance and to remain a benchmark for other progressive thinking cities. Playing devil's advocate, I realize there are those who will abuse this privilege and cross the line from mere nudity to sexually suggestive behavior. To that issue, I say why not deal with the violators? The law is pretty clear. Nudity in and of itself is not obscene so why not create an environment where a responsible couple like Laura and I can freely take a pleasant naked stroll and not have to worry about being stopped by police. Why not focus any enforcement energy on those who choose to perform lewd acts, something that has always been against the law.

Supervisor Scott Wiener has been very vocal about proposing heavy-handed legislation with a sweeping city-wide ban on nudity in an effort to appease a relatively small group of his own constituents who are upset about nudists using Jane Warner Plaza. Rather than working toward a compromise that would benefit everyone, he seems to believe the best approach to his decidedly local issue is a city-wide eradication of those who are perceived to be making waves with a very vocal minority. As you well

know, expanding social boundaries never comes without its detractors. I have no doubt that there are folks up in the city who are not happy about nudists roaming around but my gut feeling is that there are far more who either support the freedom afforded to this alternative lifestyle or who really don't care one way or another. There are many things that help to make San Francisco one of the most amazing and wonderful cities in the world but clearly unrivaled tolerance and a celebration of diversity rank at near the top of the list.

I really do respect the sometimes difficult position your job places you in and I'd be most happy to continue the dialogue with you at any time and. Thanks so much for listening!

Warm regards,

Pete Sferra

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 11/01/2012 06:05 AM
Subject: For Legislative File #120984

Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!

Regards,

Pete

**PETER A. SFERRA
3736 WILLOWOOD DRIVE
SAN JOSE, CA 95118
(650) 766-3344**

(Sent to Board of Supervisors on October 16, 2012)

Supervisor Scott Wiener said that he had hoped the public nudity phenomenon would “run its course”, dismissing enthusiasts as if they were simply freaks participating in some kooky fad. Instead it has grown significantly. He has repeatedly tried to characterize those who happen to enjoy the freedom of not wearing clothes on a warm afternoon as being a small group of selfish exhibitionists and nothing could be further from the truth, on any count. He went as far as to say folks like my wife Laura and me, who happen to live in San Jose, are “out-of-towners” who have undermined his neighborhood. Never mind that we feverishly support the community when we’re here, not only buying lunch and dinner on every visit, but also shopping for things we could just as easily purchase in our own home town. Or that the presence of nudists draws in many curious and enthusiastic tourists from all over the world. Tourists who see the acceptance of public nudity as a positive thing and who are all too happy to give local businesses their vacation money.

Laura and I show great respect for those who share the streets with us and have received only one negative comment on our many nude strolls. One young woman actually thanked us for being "the kind of people who help make San Francisco unique and special" and another woman with two young children smiled as she passed us and said "Beautiful day for a walk!" Not surprisingly, that kind of encounter made us feel pretty good. I don't believe for one minute that nudists have "taken over" Jane Warner Plaza or that the majority of Castro residents are upset by their presence, but if we agree that this issue is the driver behind Supervisor Wiener's actions, why have no local solutions been examined for this neighborhood-level "problem". A city-wide ban on an innocuous activity that has become an integral part of the San Francisco scene seems disproportionately draconian and will only serve to diminish the city's enviable reputation as a benchmark for tolerance of alternative lifestyles.

Any expansion of social boundaries will have its detractors and like a lot of other controversial topics, public nudity will always ruffle some feathers. But for the record, a recently commissioned scientific poll (performed by a highly respected national organization) showed that over 63 percent of San Francisco residents are not offended by it. In fact, 46 percent of those polled strongly disagreed when asked if public nudity offends them and I can't help but believe this should be a powerful message to those who would attempt to determine who is "acceptable" on the streets and more importantly, who is not.

Thank you for listening.

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 11/01/2012 06:09 AM
Subject: Legislative File #120984

Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!

Regards,

Pete

**PETER A. SFERRA
3736 WILLOWOOD DRIVE
SAN JOSE, CA 95118
(650) 766-3344**

(Sent to the Board of Supervisors on October 22, 2012)

You have already received a couple of messages from me regarding the proposed city-wide ban on public nudity and I'm hoping I've expressed my feelings clearly.

What I wanted to do was follow up with you because it's becoming apparent that your votes will be of paramount importance to the efforts to preserve this unique aspect of San Francisco's make-up. Let me say up front that I would never presume to try to sway you or anyone else away from anything that you genuinely believe in. My only intent in writing today is to ask you to seriously consider everything that's at stake and to try to listen to as many folks as possible (via phone, email, letter, even in-person meetings) before making a decision that could have significant ramifications not just on "urban nudists" but on a great deal more. Once closed, I doubt that this door could be re-opened anytime soon.

My understanding is that the scheduled November 5th hearing is an opportunity for a subcommittee of the Board of Supervisors to listen to public opinion and act accordingly. This could include sidelining the legislation altogether but the odds of that are probably not good. Ultimately, it will likely come to a full vote and I hope you will consider a number of things when making your decision. Nudists have significant public support, not only from a number of San Francisco's other alternative lifestyle groups but from a great many "ordinary" residents who have nothing at all to personally gain from the bill's defeat. They simply do not believe San Francisco should be in the business of passing laws that unnecessarily restrict the rights of people who may be "different" from the mainstream public. Like me, they also see this as a neighborhood issue that can be solved rather easily without the use of sweeping all-city legislation. I have seen this increasing public support at the rallies that have taken place recently as well as out on the streets when my wife Laura and I were strolling nude. I've also been pleased to see recent media articles of the kind linked below where a young non-nudist San Francisco mother airs her feelings about basic freedoms. Though there are undoubtedly folks who support Supervisor Wiener's proposed ban, I firmly believe the majority of residents support the rights of nudists. If I didn't believe that, I would have nothing at all to do with the efforts to defeat this legislation, and I most certainly would not have allowed my full name (or that of my wife) to be published multiple times in the media. I never hide behind on-line IDs or nicknames when posting thoughtful comments to articles and opinion pieces and am happy to provide my legitimate full contact information with any correspondence. I believe in this cause with all of my heart and am quite certain that my like-minded friends feel the same way.

The vast majority of "urban nudists" are responsible citizens who are interested in building bridges and they want to be perceived as positive members of the community. We're ready to work toward any of a number of compromise solutions that will benefit the maximum number of citizens. Can Supervisor Wiener say the same thing? When things started to heat up, nudist leaders were eager to jump in and work toward a "win-win" solution. Supervisor Wiener stated that the only real catalyst for this controversy was a perceived congestion at Jane Warner Plaza and claimed the community was fed up. Clearly this seemed like a neighborhood concern, best answered by a local solution. Following a community meeting for Eureka Valley residents where relatively little negative input was actually aired (and even positive comments were made), Supervisor Wiener told several local nudist leaders that he was willing to "wait and see" if some self-policing by our ranks might improve the situation. He put that in writing to me as well because I had expressed sincere interest in the outcome. Just a few days after that, he went ahead and introduced the legislation! Where was the "waiting and seeing"? Clearly, this does not speak well to his desire to fairly serve his community. He has since stated more than once that he is confident the law will pass and I believe that kind of arrogance dismisses the importance of the community-based legislative process and, quite frankly, minimizes the voice of the other Board members.

Not being a San Francisco resident I realize my own voice may not be quite as compelling as others, but

my love for the city is no less than anyone else's. My daughter lives there with her fiancé and my wife is a former resident of many years (Haight, Potrero, and Sunset). We spend considerable time in the city and love it for many reasons, not least of which is how socially evolved it has become. Please don't let this divisive and unnecessarily harsh legislation chip away at what truly makes San Francisco unique and special.

I'd welcome the chance to be a part of any dialogue that might be helpful, be it in person, by phone, or via any other method of communication. Thank you for listening!

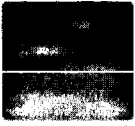
Respectfully,

Pete Sferra

3736 Willowood Drive
San Jose, CA 95118
(650) 766-3344

Golden Gate Xpress article:

<http://www.goldengatexpress.org/2012/10/19/nudity-ban-opinion/>



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 120984 - Public Nudity Ban - Emails

From: Race Bannon <race@racebannon.com>
To: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org,
Date: 10/31/2012 03:02 PM
Subject: Fwd: Nudity Ban - Please do not vote for the nudity ban

Please include my email comments below in the legislative file, File Reference Number 120984
Ban on Public Nudity.

Thank you very much for doing so.

--

Race Bannon

[Blog](#) [Facebook](#) [Twitter](#) [LinkedIn](#) [About.Me](#) [Foursquare](#) [Pinterest](#) [Tagged](#) [SoundCloud](#)

----- Forwarded message -----

From: **Race Bannon** <race@racebannon.com>
Date: Sun, Oct 21, 2012 at 1:48 PM
Subject: Nudity Ban - Please do not vote for the nudity ban
To: John.Avalos@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org,
Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org,
Christina.Olague@sfgov.org

As was clearly demonstrated by the very successful community rally yesterday to oppose the proposed nudity ban, the community is by no means united around this proposed ban. Many of us feel it will have a chilling effect on San Francisco and have far reaching negative repercussions on the city if it passes.

Please do not vote to pass the proposed nudity ban. There are already laws on the books today that clearly handle inappropriate public behavior. This law is an unnecessary over reach.

Thank you for taking the time to read my concerns.

--

Race Bannon

[Blog](#) [Facebook](#) [Twitter](#) [LinkedIn](#) [About.Me](#) [Foursquare](#) [Pinterest](#) [Tagged](#) [SoundCloud](#)

From: Andrae Vigil-Romero <andraevr@gmail.com>
To: undisclosed-recipients;;
Date: 10/31/2012 08:46 PM
Subject: Public Nudity

Please support freedom of speech and vote NO on the Public Nudity Ban. San Francisco is a model for the nation in being open and accepting of different communities. This ban would send a message to the people of San Francisco that limiting speech and expression is okay. But, as

you know from the 1st Amendment, that is not the case. Please be sure to showcase your commitment to freedom and freedom of speech/expression.

Thank you,
Andrae Vigil-Romero

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

From: Geof <geof@riverdream.org>
To: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org,
Date: 10/31/2012 08:52 PM
Subject: against nudity ban

Please include my comments in the Legislative File Reference Number 120984 Ban on Public Nudity

Begin forwarded message:

From: Geof <geof@riverdream.org>
Subject: against nudity ban
Date: October 3, 2012 1:48:04 PM PDT
To: David.Campos@sfgov.org

Mr. Campos,

I live in your district in San Francisco, and want to voice my strong opposition to the ban on nudity proposed by Mr. Wiener. Public nudity is part of the rich diversity of San Francisco, and does not harm anyone. Please don't bend to the publicity seeking stunt of Mr. Wiener. Please support free expression for all San Franciscans.

Yours,

Geoffrey Worcester
225 Harvard St.
San Francisco, CA 94134

From: "kenat404@gmail.com" <kenat404@gmail.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,
Cc: Ken McBride <kkserv@mindspring.com>
Date: 10/31/2012 08:53 PM
Subject: Refuse to Ban Public Nudity

Please Refuse to Ban Public Nudity

This is freakin' SAN FRANCISCO !

Regards, in freedom,
KENNETH MCBRIDE
118 Cresta Vista Drive
San Francisco, CA 94127

From: wil Nolan <wilnolan1@yahoo.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 10/31/2012 09:29 PM
Subject: comments on the proposed ban on public nudity

greetings my name Wil Nolan. I am writing you to express my feelings on the proposed ban on public nudity in San Francisco. I am a 3rd generation San Francisco born resident. I love San Francisco. One of the wonderful things about SF is its tolerance towards all kinds of creative expression. it makes the city one of the most colorful places in the world. about the nudity issue...I am a professional nude figure art model and have been for over 25 years. It has given me a great appreciation for the beauty of the human form. I am also a nudist as a lifestyle. I started coming regularly to the Castro area about a year ago. I have been enjoying the freedom of nudism in the Castro and have met several wonderful fellow (and female) nudists. One point I wish to make is...there have been reports that stated that there were up to 14 nudists hanging around the Plaza, creating an uncomfortable situation for the rest of the people there. That number is simply not true. I have been there many times, and on many weekends, and even on a warm sunny day, there are perhaps up to five nudists at a time. I have been observing the reaction of the (clothed) people, and notice that most folks are either not even paying attention to the nudists, or are expressing positive comments about it. of course there are a few who complain, but that is to be expected in a public setting. Most people, I want to say, are positive about the nudity. I have spoken to the regular nudists there and we all agree that if we see any individual using nudity to disturb anyone or to use it for sexual purposes, that we should tell that individual to stop immediately. now about the tourists.... I have been photographed hundreds of times at the Castro with my arm around a smiling tourist. It really makes my day! They make comments like, wow! " they will never believe this at home! San Francisco is such a great City!" The tourists LOVE the nudists! it is like going to the Circus for them. it is all good fun! it makes me think that in a way the nudity (which is word known) is perhaps bringing more tourism to the Castro area and to SF in general, and helping the stores. More tourists, more purchases. these are some of my heart felt thoughts and observations about the nudity in Castro area. San Francisco is a great city, and the nudity is very harmless and part of the colorful nature of this city. We should focus on crime and sexual predators who are fully dressed. the few nude folks who are simply enjoying their freedom are a very harmless and fascinating part of San Francisco. I truly hope you do not vote to ban nudity. there will be a lot of very sad tourists and a little less charm in San Francisco. thank you very much for your time I would like my comments to be included in the Legislative File...reference number 120984 sincerely Wil Nolan

----- Forwarded by Derek Evans/BOS/SFGOV on 11/01/2012 02:26 PM -----

From: Woody <woody@nudewoody.com>
To: Derek.Evans@sfgov.org,
Date: 10/31/2012 10:02 PM
Subject: File Reference Number 120984 Ban on Public Nudity

As a long time Castro resident and a nudist, it saddens me to see the neighborhood I have considered my home for two thirds of my life become so intolerant and unwilling to listen to logic and reason. The human body is only offensive and obscene if you see it as such, offense and obscenity rests in the mind. Many complain that we are two old, fat, ugly, hairy, etc. My body carries the record of my lived experience, its triumphs and failures, its successes and tragedies. To assert that my body should be censored from public view is to assert that my lived experience, my very identity, should be censored from public view. Some site children as a reason for us to cover ourselves. I ask, why are you teaching your children to hate their bodies? Some insist we are all straight men who do not live here. It is funny, but when I go to other neighborhoods some who do not like me call my and my fellow nudists faggots. Body freedom belongs to everyone, gay, straight, bisexual, and transgender. Some say we are ruining business, keeping people from coming to the neighborhood to shop. I ask, why do we need to cater to the intolerant and uneducated? We nudists could be used as a learning tool, a symbol of our neighborhood's and our city's openness, tolerance, and respect for the beliefs of others. This is what I had thought San Francisco and Castro values were.

I therefor urge you to vote no on Supervisor Wiener's proposed nudity ban.

Please include my comments in File Reference Number 120984 Ban on Public Nudity

Elwood Miller

From: "Christina A. DiEduardo, Esq.," <christina@diedoardolaw.com>
To: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org,
Date: 10/31/2012 10:34 PM
Subject: File Reference Number 120984 Ban on Public Nudity

Dear Mr. Evans and Ms. Wong:

As a local criminal defense attorney, I wanted to submit my comments to you regarding the proposed ban on public nudity ahead of the committee hearing on November 5, 2012.

The proposed ban is both unnecessary and, in all likelihood, unconstitutional. Over forty years ago in *In re Smith*, 7 Cal.3d 362, 497 P.2d 807 (1972), the California Supreme Court held that "It is settled that mere nudity does not constitute a form of sexual 'activity.'" Instead, in order to secure a conviction for indecent exposure, the People in *Smith* had to show "additional conduct intentionally directing attention to [the defendant's] genitals for sexual purposes."

Similarly, a juvenile who "mooned" (i.e. exposed his buttocks) to traffic for reasons of adolescent stupidity could also not be found delinquent, since he lacked the lewd intent required by the statute (although he absolutely had the intent to annoy people) See *In re Dallas W.* 85 Cal.App.4th 937, 102 Cal.Rptr.2d 493 (2nd Dist. 2000).

To the extent that the ordinance seeks to ban the public display of devices intended to draw attention to male genitalia, such as "cock rings",

it is unnecessary. All the SFPD needs to do to remedy the conduct is issue citations for Penal Code 314(1), since the wearer of the ring would clearly be attempting to draw attention to their genitalia as proscribed by Smith.

More troublingly, a blanket ban on public nudity is likely to face constitutional challenges. Although a 1975 case out of the Second District upheld a Los Angeles ban on nude sunbathing in parks (Eckl v. Davis 51 Cal.App.3d 831, 124 Cal.Rptr. 685 (2nd Dist. 1975) as a time/place/manner restriction, even the Los Angeles authorities were not attempting to ban nudity across *all* public areas of the City, as I understand the proposed ordinance seeks to do (subject to exceptions not relevant for purposes of this discussion). While nudity is frequently seen to be "conduct" rather than "speech", it would take little effort for nudists to insert political content in their nudity. I doubt the SFPD and the District Attorney want to separate citations from nudists who claim to be naked because they are #occupy members from those who just want a full body tan.

If I can be of further assistance I would be happy to expand on these remarks. Thank you for the opportunity to be heard on this issue and to assist the City as it considers this important issue.

Sincerely,

Christina A. DiEdoardo, Esq.,

--

Christina A. DiEdoardo, Esq.,
Law Offices of Christina DiEdoardo
201 Spear Street #1100
San Francisco CA 94105
(415) 839-5098
(415) 796-0893 (fax)
christina@diedoardolaw.com
Twitter:ChristinaSFLaw
<http://www.diedoardolaw.com>

From: Ronald Herman Symansky <rhsymansky@sbcglobal.net>
To: Derek.Evans@sfgov.org,
Date: 11/01/2012 12:54 AM
Subject: Comments on Ban on Public Nudity

Please include these Comments for File Reference Number 120984

Please oppose the ban on public nudity.

I have lived in San Francisco for over 22 years and considered the Castro my neighborhood although my homes have been in other parts of the city. It is the neighborhood where I spend my most of my time when not at home or work. I explain this to say that I am a resident of the city and especially the Castro and have never seen inappropriate behavior. That is not to say it hasn't happened, but there are existing laws to deal with lewd behavior.

The character of this city embraces and gains strength from its diversity. The proposed ban harms that character by not embracing the diversity of beliefs that vitalize this city and make it draw people from all over the world. The Castro neighborhood is a neighborhood as well as a world destination. It is a destination because things like naked people congregating happen. As a neighborhood that has evolved, its more lively character has been established longer than most of

the residents. The ban on nudity legislates the whole city and homogenizes away some of that one neighborhood's character.

As an artist the freedom of speech and expression is of particular concern. An element of my work as an artist challenges body shame and sees the naked body as source of commonality and beauty. My spirituality celebrates the human body. This proposed ban unnecessarily limits my free expression when existing and reasonable restrictions aren't being enforced.

Thank You for your consideration,

Ronald H Symansky
100 woodside ave
San Francisco

From: Jason Wood <woodjs@gmail.com>
To: derek.evans@sfgov.org, linda.wong@sfgov.org,
Cc: mail@change.org
Date: 11/01/2012 02:36 AM
Subject: File Reference Number 120984 Proposed Ban on Nudity

Please include the following comments in the legislative file reference number, 120984:

I have been a resident of San Francisco, California for over 18 years and currently reside at 502 Church Street, 94114. Among a few reasons why I moved to San Francisco is one that, I believed, SF supported a community with a tolerance for all types of lifestyles. This has, for the most part, been a reality. The Castro in particular has been a neighborhood where many have flocked from around the world to live their lives free from judgment and ridicule. The nudists remind me of this when I see them around the City enjoying the elements in whatever "fashion" they see fit.

I believe the naturalists (nudists) who express themselves in San Francisco should be permitted to continue so long as their expression is without outward and explicitly lascivious behavior. Breast-feeding in public is of this same nature. Please do not ban nudity in San Francisco. If this proposed ban on nudity is approved, I believe it will be more of a threat to our society than a few views of exposed penises, buttocks, and breasts can ever be.

We don't always enjoy what we see in the World but the difference invokes tolerance, which is a core value that more of us need to observe in life.

From: Jason Wood <woodjs@gmail.com>
To: derek.evans@sfgov.org, linda.wong@sfgov.org, mail@change.org,
Date: 11/01/2012 02:53 AM
Subject: File Reference Number 120984 - Proposed Ban on Nudity

Please include the following comments in the legislative file reference number, 120984:

Please do not approve the ban on nudity in San Francisco. While I do not participate in this certain act of expression, I believe it is important to uphold this right.

It reminds all of us that freedom of expression is a natural right that cannot be taken away from us because of someone's disapproval of this expression. Nudity is portrayed in our society in many forms of art and is a natural part of humanity. Nudity is not a threat to any thread that holds our society together. Nudity reminds us that we are all human and that we should embrace our humility.

Furthermore, if we ban nudity in San Francisco we are not only banning it in the Castro, we are also banning it from "weird and queer" traditions that make San Francisco stand apart from the other cities and towns across the nation where tolerance has less presence.

Let us not forget about Bay to Breakers, SF Pride, Folsom Street Fair, Up Your Alley, How Weird Street Faire, and the various other events where nudity is present and expected by the people who seek the thrills if only for just one moment or just one day. These events produce revenue for our beloved City and we should uphold the tolerance we have for the differences that make our communities colorful.

The ban itself is a threat to our society. If we allow a ban like this to pass where does it end. If this ban passes, it will be oppressive and will move us backward in the natural progression of society. Please do not allow San Francisco to become provincial and conformist. Please do not pass the ban on nudity.

Sincerely,

Jason Wood

502 Church Street

San Francisco CA 94114

From: J P L <pathfndrjoe@aol.com>
To: Derek.Evans@sfgov.org,
Date: 11/01/2012 03:24 AM
Subject: Public nudity

Dear Sir,
Derek Evans,

Concerning public nudity we the people of the United States are far too concerned about silly topics such as public nudity, The human body is a wonderful & marvelous creation, the U S seems so concerned off the wall topics, per say public nudity example.

The Bay to Breakers foot race, Folsom street fair & Door Alley & other events, seriously who cares if people are naked / nude at said events. We the citizens of the U S think we have free speech, but sadly we do not. What would be wonderful is if the U S senate & major law officials spent more time trying to put into place laws that truly would help the U S population such as a U S brand health care, or ways to help the over whelming addiction so many people have on meth & other (SERIOUS) street drugs. But no our law officials spend time & tax dollars try to ban & arrest people for showing some skin & or being naked at festivals or events.

Spend time, energy & tax dollars on something important for a change.

Sincerely,

Joe Lopez
Salt Lake City, Utah

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 11/01/2012 06:02 AM
Subject: For Legislative File #120984

Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!

***Regards,
Pete***

***PETER A. SFERRA
3736 WILLOWOOD DRIVE
SAN JOSE, CA 95118
(650) 766-3344***

(Sent to Board of Supervisors on October 2, 2012)

My name is Peter Sferra and I've been a practicing nudist for my entire adult life (I'm now 57). In addition to enjoying this lifestyle in a great many traditional nudist/naturist venues such as clubs, resorts, and designated beaches; I've been able to explore somewhat more "unconventional" options thanks to living in such a tolerant area of the country. I believe that nudity is not something to be ashamed of and I raised two daughters within a community where body-acceptance was encouraged. I'm pleased to report that they're now very happy, productive, and emotionally healthy adults. I wanted to share my thoughts with you on the subject of public nudity in San Francisco in the hopes that my comments might help to guide any decisions you happen to make with regards to potential legislation that would limit or even eliminate its legal status in the city.

All too often, the street nudists are incorrectly characterized in the media as being a small group of insensitive and eccentric gay exhibitionists who have a misguided sense of entitlement and nothing could be further from the truth. We come from all walks of life and represent a very diverse population. I'm a Silicon Valley professional and work in the aerospace industry as an illustrator and technical writer. Just a relatively "normal" fellow who happens to enjoy being naked in the warm sun. My wife Laura works as a housekeeper for a wealthy couple in San Jose, where we live.

Public nudity has been an integral part of San Francisco's unique make-up for quite some time now and it's one of the many things that bring people to the city, not just at wild street festivals and crazy races but on normal days as well. It seems pretty clear that there's a huge tourist draw with the street nudists and this is obviously a very good thing for commerce. The nude-friendliness also draws in folks like Laura and me who not only want to experience the unique freedom but who also feel strongly about supporting the many small businesses up there. Every time we come to San Francisco for one of our

nude adventures we buy lunch before and dinner afterwards (clothed, of course! :-). We also make sure to take the time to support local businesses by shopping for things that we could just as easily purchase in our home town. We love San Francisco as much as any resident and we want to do what we can to help it thrive.

Nudity is an integral part of a good many large annual events in San Francisco as well as a number of smaller gatherings. I've participated in the Bay to Breakers twelve times and have always delighted in the acceptance and even encouragement that the public showed the ever increasing number of nudists. This past May, Laura and I encountered a surprising number of young people along the racecourse who took the time to say hello and thank us for being "the kind of folks that help make the city unique and special". That felt really good and it gave me hope that my long-time dream of nudists and the clothed masses freely sharing urban space might really be starting to happen in San Francisco. We took the adventure a step further this year by choosing not to dress after the race and even strolled over to the Haight for some free-spirited window shopping. We were naked for eight straight hours that day and did not encounter a single negative reaction. As a matter of fact, we had a good number of friendly people, both locals and tourists alike, approach and engage us. I even asked permission from a few business owners to take photos of Laura "shopping" in their stores and they all happily agreed. Polls have consistently shown that the majority of San Francisco residents support the legal status of simple nudity and this speaks volumes to their open-minded, tolerant nature.

Laura and I had so much fun that we returned to the city in late July for the "Up Your Alley" fair. In addition to attending the actual event on Sunday, we also visited the Castro neighborhood on Saturday just to hang out and roam around. Once again, we spent significant time strolling around naked and didn't have a single negative encounter, not from people on the street nor from shop owners. While I only actually went inside Hot Cookie on this visit, I chatted with a few other businessmen and they were all too happy to have nudists around because it brought them curious tourists who were ready to spend their money. We relaxed in Jane Warner Plaza with a few fellow nudists and quite a number of clothed folks. What struck me most was how "normal" it felt and how at ease everyone was. There was no feeling at all of us being "freaks" and everyone appeared to be enjoying the warm afternoon. I had the overwhelming sense that this was a genuine social "win-win" situation that set San Francisco apart from any other large American city.

I never take this gift for granted and am well aware that an anti-nudity ordinance could be passed at any time. With that said, my hope is that the horse is too far out of the barn at this point and that the best strategy for San Francisco is to continue setting the bar for tolerance and to remain a benchmark for other progressive thinking cities. Playing devil's advocate, I realize there are those who will abuse this privilege and cross the line from mere nudity to sexually suggestive behavior. To that issue, I say why not deal with the violators? The law is pretty clear. Nudity in and of itself is not obscene so why not create an environment where a responsible couple like Laura and I can freely take a pleasant naked stroll and not have to worry about being stopped by police. Why not focus any enforcement energy on those who choose to perform lewd acts, something that has always been against the law.

Supervisor Scott Wiener has been very vocal about proposing heavy-handed legislation with a sweeping city-wide ban on nudity in an effort to appease a relatively small group of his own constituents who are upset about nudists using Jane Warner Plaza. Rather than working toward a compromise that would benefit everyone, he seems to believe the best approach to his decidedly local issue is a city-wide eradication of those who are perceived to be making waves with a very vocal minority. As you well

know, expanding social boundaries never comes without its detractors. I have no doubt that there are folks up in the city who are not happy about nudists roaming around but my gut feeling is that there are far more who either support the freedom afforded to this alternative lifestyle or who really don't care one way or another. There are many things that help to make San Francisco one of the most amazing and wonderful cities in the world but clearly unrivaled tolerance and a celebration of diversity rank at near the top of the list.

I really do respect the sometimes difficult position your job places you in and I'd be most happy to continue the dialogue with you at any time and. Thanks so much for listening!

Warm regards,

Pete Sferra

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 11/01/2012 06:05 AM
Subject: For Legislative File #120984

Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!

Regards,

Pete

**PETER A. SFERRA
3736 WILLOWOOD DRIVE
SAN JOSE, CA 95118
(650) 766-3344**

(Sent to Board of Supervisors on October 16, 2012)

Supervisor Scott Wiener said that he had hoped the public nudity phenomenon would "run its course", dismissing enthusiasts as if they were simply freaks participating in some kooky fad. Instead it has grown significantly. He has repeatedly tried to characterize those who happen to enjoy the freedom of not wearing clothes on a warm afternoon as being a small group of selfish exhibitionists and nothing could be further from the truth, on any count. He went as far as to say folks like my wife Laura and me, who happen to live in San Jose, are "out-of-towners" who have undermined his neighborhood. Never mind that we feverishly support the community when we're here, not only buying lunch and dinner on every visit, but also shopping for things we could just as easily purchase in our own home town. Or that the presence of nudists draws in many curious and enthusiastic tourists from all over the world. Tourists who see the acceptance of public nudity as a positive thing and who are all too happy to give local businesses their vacation money.

Laura and I show great respect for those who share the streets with us and have received only one negative comment on our many nude strolls. One young woman actually thanked us for being "the kind of people who help make San Francisco unique and special" and another woman with two young children smiled as she passed us and said "Beautiful day for a walk!" Not surprisingly, that kind of encounter made us feel pretty good. I don't believe for one minute that nudists have "taken over" Jane Warner Plaza or that the majority of Castro residents are upset by their presence, but if we agree that this issue is the driver behind Supervisor Wiener's actions, why have no local solutions been examined for this neighborhood-level "problem". A city-wide ban on an innocuous activity that has become an integral part of the San Francisco scene seems disproportionately draconian and will only serve to diminish the city's enviable reputation as a benchmark for tolerance of alternative lifestyles.

Any expansion of social boundaries will have its detractors and like a lot of other controversial topics, public nudity will always ruffle some feathers. But for the record, a recently commissioned scientific poll (performed by a highly respected national organization) showed that over 63 percent of San Francisco residents are not offended by it. In fact, 46 percent of those polled strongly disagreed when asked if public nudity offends them and I can't help but believe this should be a powerful message to those who would attempt to determine who is "acceptable" on the streets and more importantly, who is not.

Thank you for listening.

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>
Date: 11/01/2012 06:09 AM
Subject: Legislative File #120984

Please include my comments (attached below) in the LEGISLATIVE FILE (Reference Number 120984 – Ban on Public Nudity). Thank you!

Regards,

Pete

**PETER A. SFERRA
3736 WILLOWOOD DRIVE
SAN JOSE, CA 95118
(650) 766-3344**

(Sent to the Board of Supervisors on October 22, 2012)

You have already received a couple of messages from me regarding the proposed city-wide ban on public nudity and I'm hoping I've expressed my feelings clearly.

What I wanted to do was follow up with you because it's becoming apparent that your votes will be of

paramount importance to the efforts to preserve this unique aspect of San Francisco's make-up. Let me say up front that I would never presume to try to sway you or anyone else away from anything that you genuinely believe in. My only intent in writing today is to ask you to seriously consider everything that's at stake and to try to listen to as many folks as possible (via phone, email, letter, even in-person meetings) before making a decision that could have significant ramifications not just on "urban nudists" but on a great deal more. Once closed, I doubt that this door could be re-opened anytime soon.

My understanding is that the scheduled November 5th hearing is an opportunity for a subcommittee of the Board of Supervisors to listen to public opinion and act accordingly. This could include sidelining the legislation altogether but the odds of that are probably not good. Ultimately, it will likely come to a full vote and I hope you will consider a number of things when making your decision. Nudists have significant public support, not only from a number of San Francisco's other alternative lifestyle groups but from a great many "ordinary" residents who have nothing at all to personally gain from the bill's defeat. They simply do not believe San Francisco should be in the business of passing laws that unnecessarily restrict the rights of people who may be "different" from the mainstream public. Like me, they also see this as a neighborhood issue that can be solved rather easily without the use of sweeping all-city legislation. I have seen this increasing public support at the rallies that have taken place recently as well as out on the streets when my wife Laura and I were strolling nude. I've also been pleased to see recent media articles of the kind linked below where a young non-nudist San Francisco mother airs her feelings about basic freedoms. Though there are undoubtedly folks who support Supervisor Wiener's proposed ban, I firmly believe the majority of residents support the rights of nudists. If I didn't believe that, I would have nothing at all to do with the efforts to defeat this legislation, and I most certainly would not have allowed my full name (or that of my wife) to be published multiple times in the media. I never hide behind on-line IDs or nicknames when posting thoughtful comments to articles and opinion pieces and am happy to provide my legitimate full contact information with any correspondence. I believe in this cause with all of my heart and am quite certain that my like-minded friends feel the same way.

The vast majority of "urban nudists" are responsible citizens who are interested in building bridges and they want to be perceived as positive members of the community. We're ready to work toward any of a number of compromise solutions that will benefit the maximum number of citizens. Can Supervisor Wiener say the same thing? When things started to heat up, nudist leaders were eager to jump in and work toward a "win-win" solution. Supervisor Wiener stated that the only real catalyst for this controversy was a perceived congestion at Jane Warner Plaza and claimed the community was fed up. Clearly this seemed like a neighborhood concern, best answered by a local solution. Following a community meeting for Eureka Valley residents where relatively little negative input was actually aired (and even positive comments were made), Supervisor Wiener told several local nudist leaders that he was willing to "wait and see" if some self-policing by our ranks might improve the situation. He put that in writing to me as well because I had expressed sincere interest in the outcome. Just a few days after that, he went ahead and introduced the legislation! Where was the "waiting and seeing"? Clearly, this does not speak well to his desire to fairly serve his community. He has since stated more than once that he is confident the law will pass and I believe that kind of arrogance dismisses the importance of the community-based legislative process and, quite frankly, minimizes the voice of the other Board members.

Not being a San Francisco resident I realize my own voice may not be quite as compelling as others, but my love for the city is no less than anyone else's. My daughter lives there with her fiancé and my wife is

a former resident of many years (Haight, Potrero, and Sunset). We spend considerable time in the city and love it for many reasons, not least of which is how socially evolved it has become. Please don't let this divisive and unnecessarily harsh legislation chip away at what truly makes San Francisco unique and special.

I'd welcome the chance to be a part of any dialogue that might be helpful, be it in person, by phone, or via any other method of communication. Thank you for listening!

Respectfully,

Pete Sferra

3736 Willowood Drive
San Jose, CA 95118
(650) 766-3344

Golden Gate Xpress article:

<http://www.goldengatexpress.org/2012/10/19/nudity-ban-opinion/>

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 11/01/2012 06:21 AM
Subject: Legislative File #120984

Hello Derek and Linda!

As recommended by a friend who's tuned in to the process, I've been forwarding the contents of messages I had previously sent to the Board of Supervisors to both of you. He asked that we request that anything we write be included in the Legislative File (#120984). I just wanted to let you know that I'm intentionally sending multiple messages that are different so you don't inadvertently delete any of them. Thus far, I've sent three.

Thanks so much for your kind assistance!

Regards,

Pete

PETER A. SFERRA
3736 WILLOWOOD DRIVE
SAN JOSE, CA 95118

(650) 766-3344

From: "Meinzer, Chet BHCS" <CMeinzer@acbhcs.org>
To: "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>, "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,
Date: 11/01/2012 07:31 AM
Subject: File Reference Number 120984 Ban on Public Nudity Refuse to ban public nudity in San Francisco

Dear representative,
Nudity does not rank in the top 100 substantial problems in San Francisco. I am for nudity, but I am also pointing out that this controversial ban is a deflection from real policy. Soma is full of homeless drug addicts dying on the street. Please focus on improving people's lives as your civil service.

Refuse to ban public nudity in San Francisco
Group message follows.

San Francisco has always been on the leading edge of new ideas and social change. Currently the City by the Bay is embroiled in a controversy about public nudity. Right now there is no law preventing public nudity in the City and County of San Francisco. Let's keep it that way! This important freedom has contributed to the continued success of many long-running and popular street events including Bay to Breakers, Pride, World Naked Bike Ride, Up Your Alley Street Fair, Nude In Body Freedom Demonstration and Folsom Street Fair. The general acceptance of public nudity in is one of those cool only-in-San-Francisco things and we want to encourage the City Leaders and Elected Officials to resist giving in to a few anti-nudists who would like to impose a total citywide ban. That's totally un-San Franciscan! Show your support for body freedom and acceptance. Please consider signing this petition and ask the San Francisco Board of Supervisors and other City Leaders to refuse to introduce or enact a citywide ban on public nudity. Thank you for your support!

Sincerely,
Chet Meinzer

Sent from mobile

From: <douglasmont@comcast.net>
To: <Derek.Evans@sfgov.org>,
Date: 11/01/2012 09:03 AM
Subject: Please don't ban nudity in San Francisco..

...we need more freedom, not less. If no one is hurt, let people express themselves. Lets set a good example of tolerance and self expression and Not narrow our self expression in response to the most vocal, who are often a minority.

Thank you,

Joseph Montgomery

Sent from Xfinity Mobile App

From: "Michael G. Bare" <michaelgbare@gmail.com>
To: Linda.Wong@sfgov.org, Derek.Evans@sfgov.org,

Date: 11/01/2012 10:32 AM
Subject: Reference Number 120984 Ban on Public Nudity

Dear Ms. Wong and Mr. Evans,

I ask that my comments be included in the legislative file, reference number 120984, re: Ban on Public Nudity.

I am not a nudist. Nor do I care that others around me live comfortably without clothes. I believe that this ban removes a San Franciscan cultural institution of clothing optionality. Nudity on the streets, parks and beaches should be most certainly legal and tolerated. The basic human right of living in your body and deciding how to live in that body must not be taken away by cultural conservatives seeking to alter the personality of this great city. Many have moved here from oppressive environments to be in a place with permissive attitudes; I say if people don't like nudity they can live anywhere; people who want to be nude have few options comparatively.

Thanks for your time.

Michael G. Bare

From: Mike Wepplo <shaheen@earthlink.net>
To: Derek.Evans@sfgov.org,
Date: 11/01/2012 11:29 AM
Subject: File Reference Number 120984 Ban on Public Nudity

dear board member

i strongly urge you not to ban public nudity in san francisco. san francisco is the last truly unique city in america, the only city were people can be them selves without fear or persecution. we do not live in san francisco, but i visit it quite frequently for this very reason, we live in los angeles and los angeles is a very uptight city. i also hold all my business meetings in san francisco for the same reason, some times in vegas, but there is actually much much more freedom in your city. when we come there we hang out in the castro district, my wife and i are not gay, but we dont care, the people there are the friendliest, the food is the best and i like it the way it is. the nudists never bother anyone, they are not offensive to see or talk to. it is very refreshing to see such freedom. with such freedoms gone my interest in coming to san francisco would be greatly diminished

thank you for your time

thank you

Mike Wepplo
shaheen@earthlink.net
909 527 3035

From: "Brian Powell" <bepowell@ntlworld.com>
To: <Derek.Evans@sfgov.org>, <Linda.Wong@sfgov.org>,
Date: 11/01/2012 11:45 AM

Subject: Nudity in San Francisco

Dear Sir/Madam,

There are parts of the world where women might be punished or killed for being "immodest". I feel that the United States should be an example of Freedom of Expression to the rest of the world. San Francisco typifies a truly open and accepting attitude to acceptance of the human body as something wonderful and not shameful or disgusting in any way. I would love to visit San Francisco and see this liberal attitude at first hand. There are so many places in the USA and elsewhere that are too happy to curtail the freedom of the individual. I do not wish San Francisco to become another one of these.

I request that there be no ban on public nudity in San Francisco.

Please add this email to the file below.

File Reference Number 120984 Ban on Public Nudity

Regards

Brian Powell B Ed.

From: "Joseph A. Mott" <jmottmd@sbcglobal.net>
To: <Derek.Evans@sfgov.org>, <Linda.Wong@sfgov.org>,
Date: 11/01/2012 01:57 PM
Subject: Please include my email in the LEGISLATIVE FILE

From: [Joseph A. Mott](mailto:Joseph.A.Mott@sfgov.org)

Sent: Wednesday, October 24, 2012 9:10 PM

To: John.Avalos@sfgov.org ; David.Campos@sfgov.org ; David.Chiu@sfgov.org ; Carmen.Chu@sfgov.org ;

Malia.Cohen@sfgov.org ; Sean.Elsbernd@sfgov.org ; Mark.Farrell@sfgov.org ; Jane.Kim@sfgov.org ;

Eric.L.Mar@sfgov.org ; Christina.Olague@sfgov.org ; Scott.Wiener@sfgov.org

Subject: Against Proposed Nudity Ban

Dear Scott and others on the Board of Supervisors,

I've lived in San Francisco since 1994, and I spend a great deal of time in The City, and particularly in the Castro neighborhood.

I'd like to register my opposition to the proposed new legislation banning nudity. I believe in people's right to free expression, and I think that our society's discomfort with the nude human form, and with sexuality, is unhealthy. Nude people on the street do no actual harm to anyone, and any laws proscribing nudity will tend to overreach, to be arbitrary and difficult to

enforce, to be subject to interpretation and abuse, and to infringe on the freedom of expression in that very BASTION of free speech, the public square. The slippery slope arguments also hold water in this instance, because who is to determine what is, and what is not so “obscene” or “objectionable” as to be criminal? The majority? 50% plus one? On which day?

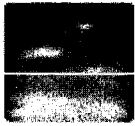
San Francisco has a colorful history, and we have made room for LOTS of different sorts of personal expression here – much of which has been found to be “objectionable” or “obscene” to whole swaths of normative observers. But by doing so, we have MADE history, as well.

We must resist the fear-based, conservative forces that are at work weakening the roots of our democratic society. Personal freedom of expression is a critical part of democracy and it works to promote and protect civil rights of many stripes.

Joseph Mott, M.D., J.D.
555 John Muir Drive, Apt. B410
San Francisco, CA 94132
jmottmd@sbcglobal.net

avast! Antivirus: Outbound message clean.

Virus Database (VPS): 121101-0, 11/01/2012
Tested on: 11/1/2012 1:55:59 PM
avast! - copyright (c) 1988-2012 AVAST Software.



To:
Cc:
Bcc:
Subject: Letter Concerning Proposed Ordinance - File 120984

Peter Lauterborn

Dear Angela, Per this individual's request, can y...

10/29/2012 02:24:00 PM

From: **Rolf Holbach** <holcol@earthlink.net>
Date: Mon, Oct 29, 2012 at 2:14 PM
Subject: Letter Concerning Proposed Ordinance
To: Eric.L.Mar@sfgov.org

October 29, 2012

Rolf Holbach
3139 Ridgeview Dr.
Altadena, CA 91001

Dear Supervisor Mar,

As a longtime, committed naturist and native Californian who visits San Francisco a number of times each year, and cherishes the city's unique diversity and character, I respectfully urge you to oppose Supervisor Wiener's proposed ordinance banning non-sexual public nudity.

I, like most naturists, and 63% of most San Franciscans, believe that simple nudity is not lewd. Public lewd behavior on the part of any person, nude or not, should be dealt with on an individual basis by the authorities, not with a citywide restriction on the personal liberties of all its citizens.

Your city's reputation for tolerance of progressive ideas and lifestyles serves as a model and beacon to the rest of the nation, and that model would be irreparably tarnished, if San Francisco were to become just like any other city.

In light of your team, and city, becoming World Series Champions, please continue to champion the progressive attitude and character that makes San Francisco so inviting a place to visit, and for the rest of us to aspire to, by opposing Supervisor Weiner's proposed ordinance.

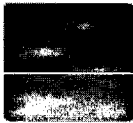
Thank You,

Rolf Holbach

President,
Southern California Naturist Association

P.S.

I respectfully request that this correspondence be included in the permanent public record of the San Francisco Board of Supervisors.



To: Linda Wong/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120984: Wiener's proposal

Please place in file:

From: "NEWPORT MOOSE" <nptmoose@cox.net>
To: <Carmen.Chu@sfgov.org>
Date: 10/17/2012 09:26 PM
Subject: Fw: Wiener's proposal

48 Four Rod Way

Tiverton RI 02878

18 October 2012

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place

San Francisco CA 94102-4689

To Whom It Concerns:

Please be advised that, as a frequent visitor to the State of California and to San Francisco in particular, I am disturbed by the proposal by Supervisor Scott Wiener to restrict non-sexual nudity in certain areas of San Francisco.

I support diversity in San Francisco and believe that regular clothing-optional public activities are an important part of that diversity. Mr. Wiener has chosen to use dated pejoratives like "nudist colony"

in his public statements, and I am disappointed in that.

The numbers speak for themselves. More than sixty-three percent of San Francisco residents say they are NOT personally offended by the non-sexual nudity of others, according to a 2009 Zogby poll commissioned by the Naturist Education Foundation.

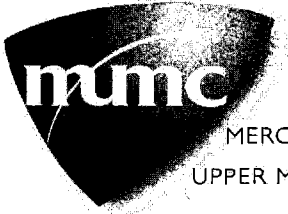
Thank you for considering my comments. I look forward to your reply.

Yours sincerely,

Dr. Ronald Marsh

nptmoose@cox.net

f) Be sure to make a request that your correspondence (letter, fax, e-mail) be included in the permanent public record of the San Francisco Board of Supervisors.



MERCHANTS OF
UPPER MARKET & CASTRO

584 Castro Street, # 333
San Francisco CA 94114-2512
415/431-2359
Email MUMC-SF@earthlink.net
www.CastroMerchants.com

Terry Asten Bennett, President
415/431-5365 Ext. 4
TerryAsten@cs.com

November 2, 2012

Via email and Hand Delivery 11/2/2012

District 8 Supervisor Scott Wiener
San Francisco Board of Supervisors
City Hall – Room 244
1 Dr. Carleton B. Goodlett Place
San Francisco CA 94102-4689

Re: BoS File No. 120984 Proposed Police Code Amendment Prohibiting Public Nudity

Dear Supervisor Wiener,

I am pleased to confirm that the Members of the **Merchants of Upper Market & Castro (MUMC)** voted at the monthly Meeting on November 1, 2012 to **SUPPORT** your proposed legislation to limit Public Nudity in San Francisco.

MUMC is the merchants' organization serving San Francisco's Castro-Upper Market area, generally along Upper Market Street from Octavia Blvd. to Castro Street, Castro from Market to 19th Street, and cross streets throughout that area. **MUMC** has about 250 currently-paid Members for 2012.

Please let us know if you have any questions regarding **MUMC's** support for this Legislation. Please share this letter with the Board's Committee(s) and all Board Members at the appropriate time(s), and place a copy of it in the proposed Legislation's permanent file where it can be seen by everyone with an interest in this topic.

Respectfully,

Terry Asten Bennett, President



To: Derek Evans/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120984: MUMC SUPPORT for Sup. Wiener's Nudity Legislation

From: MUMC-SF <mumc-sf@earthlink.net>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org,
MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org, Jason.Elliott@SFGov.org,
Date: 11/02/2012 12:44 PM
Subject: MUMC SUPPORT for Sup. Wiener's Nudity Legislation

Forwarding to all Members of the Board of Supervisors and to the Clerk of the Board

>Supervisor Scott Wiener
>cc: Adam Taylor, Andres Power, Jeff Cretan, Sup,. Wiener's Office
>
>Attached is MUMC's letter in SUPPORT of your proposed Public Nudity
>Legislation, to be heard at BoS CONS Committee on Monday morning,
>November 5 at 10:00am.
>
>Best regards,
>Terry Asten Bennett, President
MUMC-Merchants of Upper Market & Castro
>415/431-2359
>MUMC-SF@earthlink.net
>11/2/2012 12:45pdt



MumcLtrWienerNudity110212.doc

2012 NOV - 2 AM 11:24

BOS-11

File 120984

DEAR BOARD OF SUPERVISORS:

I WAS VERY DISAPPOINTED TO LEARN OF THE PROPOSED LEGISLATION THAT WOULD BAN NUDITY IN THE ENTIRE CITY OF SAN FRANCISCO. I WAS ALSO RATHER SHOCKED. I MOVED TO THIS CITY 4 YEARS AGO FROM BALTIMORE, MARYLAND, AND ONE OF THE MAIN REASONS I CHOSE THIS PLACE WAS THE OVERWHELMING ACCEPTANCE IT SEEMED TO POSSESS FOR ALL WALKS OF HUMANITY, AND PARTICULARLY FOR THE HUMAN FORM. THE FIRST TIME I VISITED THIS CITY, I REMEMBER SITTING IN A BAR IN THE CASTRO, AND LOOKING OUT THE WINDOW TO SEE NO LESS THAN 3 NUDE MEN, STANDING ON THE STREET CORNER, CASUALLY CHATTING AMONGST EACH OTHER. I ASKED MY FRIEND IF THIS WAS A NORMAL OCCURRENCE, AND HE SAID YES, THEY COULD BE SEEN ON THE STREET QUITE REGULARLY. AND I REMEMBER AT THAT MOMENT JUST KNOWING, THIS IS WHERE I BELONG. I HAVE ALWAYS BEEN A FREE SPIRIT, LOVER OF THE HUMAN BODY, AND A NUDIST AT HEART. I GREW UP IN THE MIDWEST, AND EVERYWHERE I HAVE LIVED PREVIOUSLY, HAD ALWAYS FELT REPRESSED AND LIMITED BY THE LACK OF OPPORTUNITIES/ VENUES WHERE IT MIGHT BE POSSIBLE TO EXPRESS MY TRUE SELF. SO, I RETURNED

TO BALTIMORE, SAVED AS MUCH MONEY AS I
COULD, AND A YEAR LATER, ARRIVED BACK
IN SAN FRANCISCO - THIS TIME TO STAY. SINCE
THEN, I HAVE FELT HAPPIER AND MORE AT
HOME THAN EVER IN MY LIFE, FREE TO
BE AND EXPRESS MYSELF, IN A COMMUNITY,
RATHER THAN IN ISOLATION. TODAY, I KNOW
THOSE 3 MEN I SAW ON THE CORNER THAT DAY
BY NAME, AND AS PEOPLE WHO SHARE MY
VALUES, I HAVE FOUND TREMENDOUS STRENGTH
IN HAVING A SENSE OF COMMUNITY, ~~AND~~ OF
SOLIDARITY, OF BELONGING. AND, I FEEL
LUCKY EVERY DAY TO LIVE WITH THIS FREEDOM
OF EXPRESSION. WHEN I *IMAGINE THIS PLACE
WITHOUT IT, I AM DEEPLY SADDENED, AS I LIKE
TO DREAM THAT ONE DAY THE REST OF THE
WORLD MIGHT RISE TO SAN FRANCISCO'S EXAMPLE,
RATHER THAN SAN FRANCISCO GIVING TO THAT
SET BY THE REST OF THE WORLD. I TRULY
HOPE THAT BEFORE ENACTING THIS LEGISLATION
YOU WILL CONSIDER WHAT MAKES THIS PLACE
SPECIAL, MAGICAL, AND DIFFERENT FROM
EVERY OTHER CITY IN THE U.S., AND WHAT
MAKES CREATIVES, ECCENTRICS, AND FREE
SPIRITS, LIKE ME, LOVE IT SO MUCH. CONSIDER
WHAT MAKES SAN FRANCISCO WHAT IT IS, AND
WHO YOU MIGHT HURT BY TAKING AWAY, AND
CRIMINALIZING, HARMLESS FREEDOMS. THANK
YOU FOR YOUR CONSIDERATION.

SINCERELY,


VELSEY BEYER

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 NOV -2 AM 11:23

BY Re

I am against any legislation that restricts our right to be nude. This is the only place in the country where we can be free and without clothes. If someone ^{have them} subjects to that, move back to Ohio or Iowa, wherever they came from, and be safe and comfortable there.

Dear San Francisco Supervisors,

Oct 30, 2012

BOS-11

the 120989

Bill Maltshberger
SP Resident of 25+ years

Thank you,
Sincerely,
Michael V. Novoselov

to consider the registration proposed by Mr. Wiener as
an attempt on the very recent and soul of San Francisco.
The most important part of that soul is tolerance. That's
what made this city what it is: the center of one of the
most intensively wealthy producing areas on the planet.
It happened because instead of excluding minorities of all
kinds we integrate them. Instead of wasting public resources
on witch-hunts and persecutions we keep these people as
productive tax payers contributing to the society. That's
exactly what attracts creative people to the city. That's
what made the city what it is.
Please let the city favour: don't let Mr. Wiener start
us on a slippery slope towards intolerance and escalating
police state, as the history clearly shows us, such steps
usually start the decline and degeneration.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV -2 AM 11:23
RC

the 120984
005-11

TO WHOM IT MAY CONCERN:

From:
MIKHAIL V. NOVOSELOV
276 MISSION ST
SAN FRANCISCO, CA 94110

File 120984

BOS-11

Oct 30, 2012

Dear Supervisors,

To Whom It May Concern:

I hope you find it in your hearts to allow us continued freedom to be nude in public. I love this wonderful city for its diversity and progressiveness.

In my experience here in San Francisco there may only be one person in thousands who may not appreciate the human form in public. We get and bring so many smiles from passersby. The tourists absolutely love us. I think this can be continued in a thoughtful and responsible way.

Thank you so much for allowing me this freedom thus far. I love you all!

- Michael Hernandez

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV -2 AM 11:24
3

Scott Weiper
SF Supervisor

File 120984
BOS-11

I am writing in regards to your ~~comments~~ and other residents of SF concerning public nudity. Growing up there was nudity in school and on TV programs. It was works of art and people who lived with less attire.

The issue was never the nudity but the reaction of a few boys laughing at the women. Nothing except the teachers took the boys to task asking to remain quiet.

I feel this is the same situation. Some vocal individuals are having a problem with how some people.

Dwight Jones

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV -2 AM 11:24
W

File 120984

BOS-11

Dear SF Board of Supervisors,

I strongly but respectfully urge you to not pass any ordinance / law to ban ~~any~~ public nudity anytime / anywhere in San Francisco.

As a SF resident of 57 years, I've always appreciated the open mindedness and tolerance of the majority of the diverse and progressive citizens of my beloved hometown.

Please do not allow the very few to spoil our city.

Thanking You.

Bob Miteo

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 NOV -2 AM 11:24

cc

File 120884

I Am against This Legislation ^{BOS-11} Banning
PUBLIC NUDITY NUDERS NOT LEWD
ITS ONLY NATURAL I Love San Francisco
I sit in the square at Castro and
Market sunbathing naked I feel
comfortable there being able to be nude
in public

Joel H. Dore TV

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 NOV - 2 AM 11:24

10

BOS-11
File 120984

DUDAY IS FOR FREEDOM NOT FOR LHWDA ACT

BRIAN DAVIS


1756 NEWCOMB AVE
SF, CA, 94124

RECEIVED
BOARD OF SUPERVISOR
SAN FRANCISCO
2012 NOV - 2 AM 11:24
cc

BOS-11
File 120984

Hello, one other thing I love about living in SF
Is that I live in a town with no public nudity laws
I don't take advantage of this, but the one of the
reasons I love to live here. take this
away and you destroy what, so special about
SF. Thank you.

Ross

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV -2 AM 11:24
K

October 30, 2012

BOS-11

File 120984

Dear Supervisors,

I am a San Franciscan man who has lived in this glorious city for about 1 year. Although it was not the main reason I moved into the city, when I read online that the City Supervisors allowed respectful public nudity, it was the "icing on the cake" that convinced me that I should move here. I have long practiced nude sunbathing, since it helps to strengthen my nerve force. Although I love being a San Franciscan, unfortunately I am a poor disabled man (with both physical + emotional difficulties), and thus I am forced to live in one of the worst ghettos in the City (on the corner of 6th street and Mission Street...). 24 hrs. a day of people screaming wildly outside my window was made much more bearable by going to the beautiful Castro neighborhood and sunbathing with all of the friendly nudists in Jane Warner Plaza. Hanging out, respectfully, in the plaza and soaking up as much sun on my skin as possible has enabled me to keep my sanity, store up wonderful healing life experiences, and has been the joy of my life. The nude Human Body is not shameful, and Public Nudity is not a sin. sincerely yours,
KOENRAAD DEETMAN

BIS-11

File 120984

10-26-12
Greeting Mr. Supervisor:

As a 3rd generation native of San Francisco I have always found our City to be a bastion of free speech and expression. Consequently, I am chagrined why you are taking time and effort to suppress the ability and opportunity for people to dress according to their own tastes. Your continued highlighting of personal non-criminal behavior in light of more serious and damaging social issues and true criminal behavior. The citizens of San Francisco will not benefit from this legislation and enforcement of this control of personal behavior is counter productive.

Sincerely,
John E. Paul

BDS-11

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 NOV -2 AM 11:24

pk

File 120984

Please do not ban nudism
in San Francisco. Everybody is
nude under there clothes.

In my experience as a
nudist, people are alot more
friendly and sociable when they
are nude (clothing optional).

Maurice Valkema

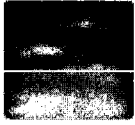
BOS - 11
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV - 2 AM 11:24
ab

File 120984

of Scott Wiener

continued the wasteful
battle against his
non issue issue I'll have
plenty of material for future
stencils.
E. Clara Acuda Bandersnatch
Fashion icon graffiti artist.

— "Scott Wiener
should mind his
own shortcomings"
— ed. E. CLAIR ACUDA
Bandersnatch



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Public Nudity - More Public Correspondence

File 120984
file, BOS-11
pages

From: Derek Evans/BOS/SFGOV
To: Peggy Nevin/BOS/SFGOV@SFGOV,
Date: 11/05/2012 08:49 AM
Subject: Public Nudity - More Public Correspondence

Derek K. Evans
Assistant Committee Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554-7702 | Fax: (415) 554-5163
derek.evans@sfgov.org | www.sfbos.org

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: "Brian Powell" <bepowell@ntlworld.com>
To: <Derek.Evans@sfgov.org>, <Linda.Wong@sfgov.org>,
Date: 11/01/2012 11:45 AM
Subject: Nudity in San Francisco

Dear Sir/Madam,

There are parts of the world where women might be punished or killed for being "immodest". I feel that the United States should be an example of Freedom of Expression to the rest of the world. San Francisco typifies a truly open and accepting attitude to acceptance of the human body as something wonderful and not shameful or disgusting in any way. I would love to visit San Francisco and see this liberal attitude at first hand. There are so many places in the USA and elsewhere that are too happy to curtail the freedom of the individual. I do not wish San Francisco to become another one of these.

I request that there be no ban on public nudity in San Francisco.

Please add this email to the file below.

File Reference Number 120984 Ban on Public Nudity

Regards

Brian Powell B Ed.

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: "Joseph A. Mott" <jmottmd@sbcglobal.net>

To: <Derek.Evans@sfgov.org>, <Linda.Wong@sfgov.org>,
Date: 11/01/2012 01:57 PM
Subject: Please include my email in the LEGISLATIVE FILE

From: Joseph A. Mott

Sent: Wednesday, October 24, 2012 9:10 PM

To: John.Avalos@sfgov.org ; David.Campos@sfgov.org ; David.Chiu@sfgov.org ; Carmen.Chu@sfgov.org ;
Malia.Cohen@sfgov.org ; Sean.Elsbernd@sfgov.org ; Mark.Farrell@sfgov.org ; Jane.Kim@sfgov.org ;
Eric.L.Mar@sfgov.org ; Christina.Olague@sfgov.org ; Scott.Wiener@sfgov.org

Subject: Against Proposed Nudity Ban

Dear Scott and others on the Board of Supervisors,

I've lived in San Francisco since 1994, and I spend a great deal of time in The City, and particularly in the Castro neighborhood.

I'd like to register my opposition to the proposed new legislation banning nudity. I believe in people's right to free expression, and I think that our society's discomfort with the nude human form, and with sexuality, is unhealthy. Nude people on the street do no actual harm to anyone, and any laws proscribing nudity will tend to overreach, to be arbitrary and difficult to enforce, to be subject to interpretation and abuse, and to infringe on the freedom of expression in that very BASTION of free speech, the public square. The slippery slope arguments also hold water in this instance, because who is to determine what is, and what is not so "obscene" or "objectionable" as to be criminal? The majority? 50% plus one? On which day?

San Francisco has a colorful history, and we have made room for LOTS of different sorts of personal expression here – much of which has been found to be "objectionable" or "obscene" to whole swaths of normative observers. But by doing so, we have MADE history, as well.

We must resist the fear-based, conservative forces that are at work weakening the roots of our democratic society. Personal freedom of expression is a critical part of democracy and it works to promote and protect civil rights of many stripes.

Joseph Mott, M.D., J.D.
555 John Muir Drive, Apt. B410
San Francisco, CA 94132
jmottmd@sbcglobal.net

avast! Antivirus: Outbound message clean.

Virus Database (VPS): 121101-0, 11/01/2012
Tested on: 11/1/2012 1:55:59 PM
avast! - copyright (c) 1988-2012 AVAST Software.

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: Kelly Bryan <kellydbryan@earthlink.net>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,
Date: 11/02/2012 10:00 AM
Subject: No Anti nudity Law

Sent from my iPhone

On Oct 26, 2012, at 1:29 PM, Kelly Bryan <bryankd2020@gmail.com> wrote:

Dear Mr. Evansl,

Please vote against any anti-nudity laws!

I think once nudity becomes more normalized and accepted its exhibitionistic qualities will die down. We are currently in a transition period. If we can get past this particular moment in time as nudists we can move on into the natural fabric of this wonderful city. And Castro Plaza will no longer need to be the ground zero of nude human expression because all neighborhoods will have the occasional nudist residents and be accepted. In cold weather like all San Franciscans we all tend to cover-up naturally. Please let us be as nudist without recrimination.

Thank you for listening,

Kelly Bryan

155 Jackson St.

#1704

San Francisco, CA 94111

Sent from my iPhone

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: "Sferra, Pete" <pete.sferra@lmco.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>,
Date: 11/02/2012 12:29 PM
Subject: For Inclusion in Legislative File #120984

Please file this letter in Legislative File #120984 (Proposed Nudity Ban)

Supervisor Scott Wiener is a very shrewd and ambitious politician and let's be painfully clear here; the current public nudity debacle that he has single-handedly created is almost entirely politically driven. He undoubtedly surprised no one with his magnanimous announcement yesterday that he's removing "buttocks" from his draconian legislation. Supervisor Wiener must have known all along that his

original draft would clearly upset San Francisco's significant leather community and he timed his "grand compromise" perfectly. He's undoubtedly hoping any support nudists may have from other "alternative lifestyle" groups will evaporate like the morning dew . . . just before Monday's public hearing. I hope insightful people on both sides will see through this shamefully manipulative charade.

While we're talking about this latest twist, let's look at exactly what anti-nudity folks would be getting with the new and improved "genital only" ban. If the law passes, my wife and I would be allowed to roam around the city wearing a string around our waists with a small piece of fabric hanging in front . . . just enough to safely cover our genitals. And Supervisor Wiener believes this would solve the problem of concerned Castro parents having to explain to their allegedly curious children why on earth someone might actually prefer the freedom of not wearing clothes on a warm afternoon?! Kids are very inquisitive and as a lifelong nudist, I can guarantee you such a minimalist outfit would attract FAR more attention than total nudity, yet ludicrous and unnecessary laws like this one create just such a paradox. It will force free-spirited individuals to look for alternatives that may be even more eye-opening than simply being unclothed. And whether or not opponents choose to believe it, the vast majority of urban nudists are NOT attention-seeking exhibitionists. Wouldn't it be healthier to just teach our children up front that the human body is not something to be ashamed of? And I'd like to ask those same "concerned" parents how they explain other regular Castro neighborhood sights to their children. Things like graphic window displays at the many sex shops, aggressive panhandlers, homeless people urinating on the sidewalks, drug addicts wandering aimlessly, lurid posters for sex shows plastered over all of the power poles, etc. As much as I personally love the flavor of the Castro (and financially support it feverishly when I'm there), it has never felt like "Mayberry" to me. I think urban children are a lot more insightful than some parents give them credit for being, and respected studies have consistently shown that nudity (in the absence of lewdness) does absolutely no harm to them.

On a separate subject, when I hear people say that my right to be nude is trumped by their right to not be offended, it makes me cringe. Society gives us absolutely no "right" to not be offended. There are many people who I might find disturbing to look at (and a good number of them seem to congregate CLOTHED at Jane Warner Plaza) but I would never dream of seeking legislation to ban them from the streets. That's not what a free society is about and NO OTHER CITY exemplifies that freedom like San Francisco. Rights are an emotional issue. It's easy to dismiss the urban nudists by minimizing their plight as simply being about an "apparel choice" but that freedom matters a great deal to them and the right to choose that option has in fact been granted to them by the city for many years. The bottom line is that Supervisor Wiener's ban would take that existing right away from them and I dare say they see that as being far more important than their opponents are willing to recognize.

The saddest part of this colossal waste of city resources is that the entire problem could have been easily resolved with two quick actions. Simply designate the seating area at Jane Warner Plaza as "nudity prohibited" and enact a ban on displaying so-called "cock rings" in public. Supervisor Wiener said all along that the catalyst for this decidedly local controversy was a perceived congestion at the Plaza so why not just ban nudity there, instead of all over the entire city? He even stated that he had no problem with nudists just innocuously strolling around so why take that right away from them? And there are already very clear laws against lewd behavior in public. If we need to add genital jewelry to the list, so be it. But do we really want to throw the baby out with the bath water? A city-wide ban on an activity that has become integral to San Francisco's make-up (and one which brings many visitors . . . and their vacation money) is unconscionable and will only serve to diminish the city's enviable reputation as an undisputed bastion of tolerance.

Respectfully,

Pete Sferra

Peter A. Sferra
3736 Willowood Drive
San Jose, CA 95118
(650) 766-3344

austral17@yahoo.com

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: George Davis <george123570@yahoo.com>
To: Derek.Evans@sfgov.org,
Date: 11/02/2012 01:51 PM
Subject: Item 120984 Committee Operations and Neighborhood Services Committee

**Public comment before San Francisco City Operations and Neighborhood Services Committee meeting
Item #120984**

**Because I refuse to be misquoted or misrepresented in this presentation which on purpose (and rightfu
imagery I am releasing the text of my presentation in advance. I will be wearing a blazer with a pink t
David”**

**My name is George Davis. Let me tell you a little story from the pages of history. We all know the sto
came into power they made Jews and homosexuals sew yellow "Stars of David" and pink triangles on t
known is that in 1930 Weimar Republic Germany 4 million out of 85 million Germans were members o
clubs. In 1933, after the Nazis seized power, Hermann Goering issued a decree calling for the use of al
"destroy the so-called" nude culture. And they did.**

**In San Francisco, we have an urban nudist movement. At best, you can say that we are regular peo
acceptance, freedom, and comfort. At worst, all you can say is that we are a harmless group of non-vic**

**A small, vocal, manipulative, unrepresentative and discriminatory clique (that's polite-speak for fas
Supervisor Wiener. Mr. Wiener has made a Faustian bargain. If there has to be a nudity ordinance, l**

Francisco decide if they want to lose their freedoms by an initiative in a free and open election. This in approval of 4 Supervisors who believe in letting the public decide whether they are for tolerance and b legislation now!

This is San Francisco, people all over the world consider us a beacon of light for freedom of express tolerance, and center of free thought. This is America, land of the free. This kind of legislation can't b

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From: Linda Wong/BOS/SFGOV
To: Derek Evans/BOS/SFGOV@SFGOV,
Date: 11/02/2012 01:54 PM
Subject: Fw: item 120984 City Operations and Neighborhood Services Committee

----- Forwarded by Linda Wong/BOS/SFGOV on 11/02/2012 02:00 PM -----

From: George Davis <george123570@yahoo.com>
To: Linda.Wong@sfgov.org
Date: 11/02/2012 01:52 PM
Subject: item 120984 City Operations and Neighborhood Services Committee

Public comment before San Francisco City Operations and Neighborhood Services Committee meeting #120984

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----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>,
Date: 11/02/2012 04:46 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day, I am forwarding the e-mails I sent to the supervisors of the City of San Francisco. Please include them in the list shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: John.Avalos@sfgov.org
Date: Saturday, October 27, 2012, 10:45 PM

Reference file number120984 Ban On Public Nudity

Dist. 11 John Avalos

Dear Supervisor Avalos,

If this law passes, I request your aid. There is a park 2 blocks away from my home that I used to visit. It has been there every weekend. Perhaps we can work out a way to ban them. Of course I am not serious though this event does depend on weather permitting.

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan for the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of

year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have the right to dress or not dress as one chooses.

There is no harm or injury occurring. No one is being forced to take part or approve or disapprove. No one has to begin with. No one is forced to watch me walk down a street in the clothing God gave me, my skin. Yet one person was threatened in the city of San Francisco.

During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

I carry a cover-up in case of need. However it is risky to be alone due to my high blood pressure so I really like to go to San Francisco and all the welcoming people I meet there. I drive in late morning. I go to the park. I walk around. People stop for lunch or dinner somewhere. I drive back to Concord.

Some citizens have voiced a concern about lewd acts being committed on the streets and a fellow supervisor, who enforces the law in his district against lewd activity has dragged you into an untenable position of being either "perverts" as nudists and naturists are tagged by the ignorant.

I do not envy you your position. We nudists have been victimized by these same lewd persons. If they were in a nudist club, they would be kicked out and banned for their activity. Most clubs are comprised of couples with mutual respect. I am sure that gay clubs also enforce their rules.

I hope the famously progressive City of San Francisco can also enforce its laws instead of enacting a new restriction.

Respectfully,

Greg Fiorini

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From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>,
Date: 11/02/2012 04:48 PM
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Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: Malia.Cohen@sfgov.org
Date: Saturday, October 27, 2012, 10:40 PM

Reference file number120984 Ban On Public Nudity

Dist. 10 Malia Cohen

Dear Supervisor Cohen,

If this law passes, I request your aid. There is a park 2 blocks away from my home that I used to visit. It has been there every weekend. Perhaps we can work out a way to ban them. Of course I am not serious though this event does depend on weather permitting.

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan to ban public nudity in the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of the year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have a right to dress or not dress as one chooses.

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During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

I carry a cover-up in case of need. However it is risky to be alone due to my high blood pressure so I really like San Francisco and all the welcoming people I meet there. I drive in late morning. I Park. I walk around. People stop for lunch or dinner somewhere. I drive back to Concord.

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Greg Fiorini

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From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>,
Date: 11/02/2012 04:49 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day, I am forwarding the e-mails I sent to the supervisors of the City of San Francisco. Please include the reference number shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity

To: David.Campos@sfgov.org

Date: Saturday, October 27, 2012, 10:37 PM

Reference file number 120984 Ban On Public Nudity

Dist. 9 David Campos

Dear Supervisor Campos,

If this law passes, I request your aid. There is a park 2 blocks away from my home that I used to visit. It has been there every weekend. Perhaps we can work out a way to ban them. Of course I am not serious though this event does depend on weather permitting.

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan to ban public nudity in the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of the year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have. The right to dress or not dress as one chooses.

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Greg Fiorini

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>,
Date: 11/02/2012 04:50 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day, I am forwarding the e-mails I sent to the supervisors of the City of San Francisco. Please include the ref # shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: Sean.Elsbernd@sfgov.org
Date: Saturday, October 27, 2012, 10:34 PM

Reference file number120984 Ban On Public Nudity

Dist. 7 Sean Elsbernd Sean.Elsbernd@sfgov.org
Dear Supervisor Elsbernd,

If this law passes, I request your aid. There is a park 2 blocks away from my home that I used to visit. It has been there every weekend. Perhaps we can work out a way to ban them. Of course I am not serious though this event does depend on weather permitting.

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan to ban nudity in the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of the year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have: the right to dress or not dress as one chooses.

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From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: Jane.Kim@sfgov.org
Date: Saturday, October 27, 2012, 10:30 PM

Reference file number120984 Ban On Public Nudity
Dist. 6 Jane Kim

Dear Supervisor Kim,

If this law passes, I request your aid. There is a park 2 blocks away from my home that I used to visit. It has been there every weekend. Perhaps we can work out a way to ban them. Of course I am not serious though this event does depend on weather permitting.

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During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

I carry a cover-up in case of need. However it is risky to be alone due to my high blood pressure so I really like San Francisco and all the welcoming people I meet there. I drive in late morning. I Park. I walk around. People stop for lunch or dinner somewhere. I drive back to Concord.

Some citizens have voiced a concern about lewd acts being committed on the streets and a fellow supervisor, who enforces the law in his district against lewd activity has dragged you into an untenable position of being either "perverts" as nudists and naturists are tagged by the ignorant.

I do not envy you your position. We nudists have been victimized by these same lewd persons. If they were in our position, they would be kicked out and banned for their activity. Most clubs are comprised of couples with mutual respect. I am sure that gay clubs also enforce their rules.

I hope the famously progressive City of San Francisco can also enforce its laws instead of enacting a new rest

Respectfully,

Greg Fiorini

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: greg fiorini <goodlittleboyboy@yahoo.com>

To: Derek Evans <derek.evans@sfgov.org>
Date: 11/02/2012 04:52 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day, I am forwarding the e-mails I sent to the supervisors of the City of San Francisco. Please include the ref # shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: Christina.Olague@sfgov.org
Date: Saturday, October 27, 2012, 10:28 PM

Reference file number120984 Ban On Public Nudity

Dist. 5 Christina Olague Christina.Olague@sfgov.org
Dear Supervisor Olague

If this law passes, I request your aid. There is a park 2 blocks away from my home that I used to visit. It has been there every weekend. Perhaps we can work out a way to ban them. Of course I am not serious though this event does depend on weather permitting.

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan for the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of the year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have a right to dress or not dress as one chooses.

There is no harm or injury occurring. No one is being forced to take part or approve or disapprove. No one has to begin with. No one is forced to watch me walk down a street in the clothing God gave me, my skin. Yet one c

threatened in the city of San Francisco.

During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

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Some citizens have voiced a concern about lewd acts being committed on the streets and a fellow supervisor, who enforces the law in his district against lewd activity has dragged you into an untenable position of being either "perverts" as nudists and naturists are tagged by the ignorant.

I do not envy you your position. We nudists have been victimized by these same lewd persons. If they were not tolerated, they would be kicked out and banned for their activity. Most clubs are comprised of couples with mutual respect. I am sure that gay clubs also enforce their rules.

I hope the famously progressive City of San Francisco can also enforce its laws instead of enacting a new rest

Respectfully,

Greg Fiorini

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>
Date: 11/02/2012 04:52 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day,

I am forwarding the e-mails I sent to the supervisors of the City of San Francisco.
Please include them in the Legislative File under the ref # shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: Carmen.Chu@sfgov.org
Date: Saturday, October 27, 2012, 10:25 PM

Reference file number120984 Ban On Public Nudity

Dist. 4 Carmen Chu
Dear Supervisor Chu

If this law passes, I request your aid. There is a park 2 blocks away from my home that I used to visit. It has been there every weekend. Perhaps we can work out a way to ban them. Of course I am not serious though this event does depend on weather permitting.

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan to ban public nudity in the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of the year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have. The right to dress or not dress as one chooses.

There is no harm or injury occurring. No one is being forced to take part or approve or disapprove. No one has to begin with. No one is forced to watch me walk down a street in the clothing God gave me, my skin. Yet one person has been threatened in the city of San Francisco.

During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

I carry a cover-up in case of need. However it is risky to be alone due to my high blood pressure so I really like to go to San Francisco and all the welcoming people I meet there. I drive in late morning. I walk around. People stop for lunch or dinner somewhere. I drive back to Concord.

Some citizens have voiced a concern about lewd acts being committed on the streets and a fellow supervisor, enforce the law in his district against lewd activity has dragged you into an untenable position of being either "perverts" as nudists and naturists are tagged by the ignorant.

I do not envy you your position. We nudists have been victimized by these same lewd persons. If they were ir non-landed, they would be kicked out and banned for their activity. Most clubs are comprised of couples with respect. I am sure that gay clubs also enforce their rules.

I hope the famously progressive City of San Francisco can also enforce its laws instead of enacting a new rest

Respectfully,

Greg Fiorini

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>,
Date: 11/02/2012 04:53 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day,

I am forwarding the e-mails I sent to the supervisors of the City of San Francisco.
Please include them in the Legislative File under the ref # shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: David.Chiu@sfgov.org
Date: Saturday, October 27, 2012, 10:07 PM

Reference file number 120984 Ban On Public Nudity

Dist. 3 David Chiu
Dear Supervisor Chiu

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan in the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have a right to dress or not dress as one chooses. Don't be remembered for that.

There is no harm or injury occurring. No one is being forced to take part or approve or disapprove. No one has to begin with. No one is forced to watch me walk down a street in the clothing God gave me, my skin. Yet one is threatened in the city of San Francisco.

As a Viet Nam era veteran I am sad that a city government is attempting to do what I fought against. Don't be

During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

I carry a cover-up in case of need. However it is risky to be alone due to my high blood pressure so I really like San Francisco and all the welcoming people I meet there. I drive in late morning. I Park. I walk around. People stop for lunch or dinner somewhere. I drive back to Concord.

Some citizens have voiced a concern about lewd acts being committed on the streets and a fellow supervisor, who enforces the law in his district against lewd activity has dragged you into an untenable position of being either "perverts" as nudists and naturists are tagged by the ignorant.

I do not envy you your position. We nudists have been victimized by these same lewd persons. If they were in a non-landed position, they would be kicked out and banned for their activity. Most clubs are comprised of couples with mutual respect. I am sure that gay clubs also enforce their rules.

I hope the famously progressive City of San Francisco can also enforce its laws instead of enacting a new rest

Respectfully,

Greg Fiorini

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>,
Date: 11/02/2012 04:54 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day,

I am forwarding the e-mails I sent to the supervisors of the City of San Francisco.
Please include them in the Legislative File under the ref # shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: Mark.Farrell@sfgov.org
Date: Saturday, October 27, 2012, 10:03 PM

Reference file number120984 Ban On Public Nudity

Mark.Farrell@sfgov.org

Dear Supervisor Ferrell

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have a right to dress or not dress as one chooses. Don't be remembered for that.

There is no harm or injury occurring. No one is being forced to take part or approve or disapprove. No one has begun with. No one is forced to watch me walk down a street in the clothing God gave me, my skin. Yet one is threatened in the city of San Francisco.

As a Viet Nam era veteran I am sad that a city government is attempting to do what I fought against. Don't be

During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

I carry a cover-up in case of need. However it is risky to be alone due to my high blood pressure so I really like San Francisco and all the welcoming people I meet there. I drive in late morning. I Park. I walk around. People stop for lunch or dinner somewhere. I drive back to Concord.

Some citizens have voiced a concern about lewd acts being committed on the streets and a fellow supervisor, who enforces the law in his district against lewd activity has dragged you into an untenable position of being either "perverts" as nudists and naturists are tagged by the ignorant.

I do not envy you your position. We nudists have been victimized by these same lewd persons. If they were in a non-landed, they would be kicked out and banned for their activity. Most clubs are comprised of couples with mutual respect. I am sure that gay clubs also enforce their rules.

I hope the famously progressive City of San Francisco can also enforce its laws instead of enacting a new rest

Respectfully,

Greg Fiorini

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: greg fiorini <goodlittleboyboy@yahoo.com>
To: Derek Evans <derek.evans@sfgov.org>,
Date: 11/02/2012 04:56 PM
Subject: Fw: Reference file number120984 Ban On Public Nudity

Good day,

I am forwarding the e-mails I sent to the supervisors of the City of San Francisco.
Please include them in the Legislative File under the ref # shown, #120984.

Thank you.

--- On Sat, 10/27/12, greg fiorini <goodlittleboyboy@yahoo.com> wrote:

From: greg fiorini <goodlittleboyboy@yahoo.com>
Subject: Reference file number120984 Ban On Public Nudity
To: Eric.L.Mar@sfgov.org
Date: Saturday, October 27, 2012, 7:12 PM

Reference file number120984 Ban On Public Nudity

Dist. 1 Eric Mar Eric.L.Mar@sfgov.org

Dear Supervisor Mar:

I am a neighbor of yours from the city of Concord and I am surprised to be contacting you concerning a plan

the city of San Francisco. It is not a mob on a crime spree or a revival of The Inquisition. The Supervisors of year 2012 have been compelled to discuss revoking a right that San Franciscans and many of its visiting tourists have a right to dress or not dress as one chooses. Don't be remembered for that.

There is no harm or injury occurring. No one is being forced to take part or approve or disapprove. No one has to begin with. No one is forced to watch me walk down a street in the clothing God gave me, my skin. Yet one was threatened in the city of San Francisco.

As a Viet Nam era veteran I am astounded that our government is attempting to do what I fought against. Don't

During warm weather I enjoy walking nude in Lime Ridge and Briones Regional Park

I carry a cover-up in case of need. However it is risky to be alone due to my high blood pressure so I really like to go to San Francisco and all the welcoming people I meet there. I drive in late morning. I Park. I Walk around. People stop for lunch or dinner somewhere, clothed of course. I drive back to Concord.

Some citizens have voiced a concern about lewd acts being committed on the streets and a fellow supervisor, who enforces the law in his district against lewd activity has dragged you into an untenable position of being either anti or pro "pervert" as nudists and naturists are tagged by the ignorant.

I do not envy you your position. We nudists have been victimized by these same lewd persons. If they were in your position they would be kicked out and banned for their activity. Most clubs are comprised of couples with children and I am sure that gay clubs also enforce their rules.

I hope the famously progressive City of San Francisco can also enforce its laws instead of enacting a new resolution that will be remembered for that.

Respectfully,

Greg Fiorini

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: Pete Sferra <austral17@yahoo.com>
To: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org,
Date: 11/03/2012 08:14 AM
Subject: Legislative File #120984 (Important Input From C.A.N.E.)

Please include in Legislative File #120984

Thank you!

Important Input From C.A.N.E.

I'm forwarding the attached material on behalf of a group called C.A.N.E. (Castro Area Nudism Enthusiasts). The group's founder and leader is currently on the East Coast and has been adversely impacted by Hurricane Sandy so he asked that I act as a liaison.

Like many others, the members of C.A.N.E. are looking for "win-win" compromise. The nudity ban is NOT the will of the people in San Francisco. While the issue may not seem as crucial as others the city is facing, it's VERY important to nudists, and to a lot of folks who simply believe in tolerance.

If you have any questions regarding the material, please don't hesitate to contact me personally.

Thank you!

Pete Sferra

(650) 766-3344



CANE.doc Police Sample

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: steve2670@aol.com
To: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org,
Date: 11/04/2012 06:03 AM
Subject: File Reference Number 120984 Ban on Public Nudity

Please include my comments in the LEGISLATIVE FILE 120984 Ban on Public Nudity.

Dear Supervisors,

I reside in the state of New York. I travel to San Francisco two times a year for vacation, and, as such, believe I offer a valuable perspective on Supervisor Wiener's public nudity legislation. If the legislation passes, I will surely cancel my future travel plans to San Francisco. I believe the "blanket exemption" is too nebulous and in dire need of substantive and definitive guidelines to prevent possible law enforcement abuse at such popular events as the Bay to Breakers and Gay Pride.

I am in agreement with Supervisor Wiener concerning the existence of a problem in Jane Warner Plaza.

However, this problem is local in nature, requiring a local solution rather than a city-wide ban. Supervisor Wiener has stated that a city-wide ban on nudity is the only solution, but it would be impossible to know that for certain. Accordingly, incremental legislative action would seem more appropriate than the uniform and indiscriminate legislation currently under consideration.

By passing a city-wide ban on nudity, you risk undermining the unique aspects of some of San Francisco's most popular and cherished events. The intent of the "blanket exemption" is to preserve those unique aspects, but it is unlikely to achieve that result unless prudent guidelines are added. For example, under the current legislation, once the Bay to Breakers race officially ends, the "blanket exemption" would expire as well. But the official end of the race occurs much earlier than the actual end and thus would allow an overzealous police officer to fine nudists. Moreover, the "blanket exemption" does not adequately address issues of jurisdiction and thus leaves too much discretion for law enforcement, while promoting uncertainty and confusion over the new restrictions.

If you do pass a city-wide ban on nudity, I would hope that you add additional content and safeguards to the "blanket exemption" to ensure that nudity will truly be preserved at these unique and celebrated events.

Yours sincerely,

Steve Grodkowski
845-542-2596

----- Forwarded by Derek Evans/BOS/SFGOV on 11/05/2012 08:55 AM -----

From: Erik Gibb <erikgibb@gmail.com>
To: John.Avalos@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org,
Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org,
Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org,
Cc: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org
Date: 11/04/2012 08:38 AM
Subject: I'm opposed to banning Public Nudity (File Reference Number 120984)

Greetings Supervisors,

I'm a 16 year resident of San Francisco. I discovered San Francisco via Tales of the City while i was in high school, visited for halloween, and moved here as quickly as possible. I have been delighted for almost 16 years to see the city stay modern, while still keeping true to itself in a way that did that book proud.

I frequent the businesses of the Castro often. I do my banking there, purchase my toiletries there, purchase the majority of my clothing there, and eat and drink at least 3-5 times per week there. I spend a significant amount of money, which has increased dramatically every year as this city has allowed me to prosper with it.

[Short Summary]

I am entirely opposed to banning nudity in the city. There are already laws to prevent people from doing the things this law is allegedly aiming to prevent. Enacting this law would be irresponsible and will only hurt a larger number of people who are doing nothing wrong, and who provide the financially valuable service of making San Francisco a truly unique city.

[Longer version]

The naked guys don't interest me. They're just part of the colorful tapestry that makes up this



To: Derek Evans/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120984: Nudity on Castro Street Is the Heart Of San Francisco

From: Sister Dana <sisterdana@gmail.com>
To: Lee Mentley <leementley@sbcglobal.net>,
Cc: John.Avalos@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org,
Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org,
Christina.Olague@sfgov.org, Scott.Wiener@sfgov.org, SanFrancisco Clerkof TheBoard
<board.of.supervisors@sfgov.org>, San Francisco Examiner <letters@examiner.com>, BayArea
Reporter <news@ebar.com>, SF Sentinel <sanfranciscosentinel@yahoo.com>, Seattle Gay News
<sgn2@sgn.org>, Blade Washington <news@washblade.com>, Gay Chicago
<LGBTliberation@aol.com>, Advocate <newsroom@advocate.com>, Daily Queer News
<info@dailyqueernews.com>, RFD GAY <submissions@rfdmag.org>, SFGay Media
<sisterdana@pacbell.net>
Date: 11/04/2012 01:47 PM
Subject: Re: Nudity on Castro Street Is the Heart Of San Francisco

YES!!! Check out my "Local News Briefs" column in sfbaytimes.com and on the street in print regarding our little Nude-In last week.

It is fascism when the government tries to take back civil rights!

+--+--+--+--+--+--+

Luv,
Sister Dana
The best - bar nun

Dennis McMillan
SF Bay Times Staff Reporter/Reviewer
sfbaytimes.com

also known as Sister Dana Van Iquity of
the SF Sisters of Perpetual Indulgence, Inc.

Check out my biweekly "*Sister Dana Sez*" column at sfbaytimes.com

On Sun, Nov 4, 2012 at 9:59 AM, Lee Mentley <leementley@sbcglobal.net> wrote:

November 4, 2012

Dear San Francisco Supervisors;

San Francisco is a unique destination for everyone. In The Castro many vulnerable individuals and under represented c where else to go and gave them safety.

Now is not the time if there ever is a time to roll back rights people already have to appease the business community or

There are so many more important issues to address..., like homeless Gay Youth...!

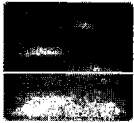
A Founding Member of The Castro Neighborhood 1971

HRH Lee Mentley

Your very own..., old, miserable, cranky, S.O.B...!

--

x



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 120984: Police Code- Prohibiting Public Nudity

From: Linda Wong/BOS/SFGOV
To: Derek Evans/BOS/SFGOV@SFGOV,
Date: 11/05/2012 09:42 AM
Subject: Fw: Police Code- Prohibiting Public Nudity

From: Michael Cronbach <mcronbac@yahoo.com>
To: "Sean.Elsbernd@sfgov.org" <Sean.Elsbernd@sfgov.org>, "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>, "Christina.Olague@sfgov.org" <Christina.Olague@sfgov.org>
Cc: Supervisor Scott Wiener <Scott.Wiener@sfgov.org>, "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>
Date: 11/04/2012 08:55 PM
Subject: Police Code- Prohibiting Public Nudity

November 4, 2012

I heartily support Supervisor Wiener's proposed ordinance amending the police code to prohibit public nudity except a part of permitted parades, fairs and festivals.

I live in Noe Valley and regularly pass through the area of Castro between 17th and 19th Streets. I also shop at Cliff's Variety store, AG Ferrari's and the Walgreen Pharmacy. I frequently use the Muni Metro station at 17th, Market and Castro. I sometimes attend film showings at the Castro Theater. In the last few years I have been bothered to have to look at nude exhibitionists as I walk drive or ride the bus through this area.

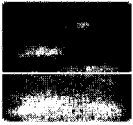
It's very different from people who choose to go nude at the far end of Baker Beach, in a locker room, etc., in that the exhibitionists don't really give us a choice on whether or not we want to see them.

Please approve this proposal and recommend it for passage to the full Board.

Thanks.

Michael Cronbach
860 Elizabeth Street

BOS-11
(D Evans)



To:
Cc:
Bcc:
Subject: File 120984: SF Nudity Ban

From: Mark Bivings <markbivings@aol.com>
To: Derek.Evans@sfgov.org, Linda.Wong@sfgov.org,
Date: 11/05/2012 06:14 PM
Subject: SF Nudity Ban

For the Public Record,
The following was sent to the entire Board of Supervisors individually.
November 5, 2012

Re: File Reference Number 120984 Ban on Public Nudity

Dear Supervisor Olague:

I am writing to you to ask you to oppose the proposed ban on public nudity. San Francisco has been a beacon of freedom for minorities for decades, and we feel that this legislation puts this freedom at risk. While some consider public nudity objectionable, this is an objection rooted in a culture that sexualizes the body. We are all born naked, but we cover it not only for warmth, but because we perceive any exposure of the body is for sexual purposes. Members of Gay Naturists International (GNI) find this notion antiquated. We celebrate our bodies, whether they are toned or flabby, young or old. For our members, San Francisco is one of the few places that honor diversity and difference, and the current rules allow for a rich dialogue about the role of the body.

We understand that there are concerns about the activities of some individuals who choose to be naked in public, but existing legislation on lewd activity can and should be enforced to address this problem.

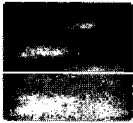
GNI is the largest organization for gay male nudists, and organizes and sponsors social events for nudists across North America. Our organization exists because of the limitations placed on nudity. In order to provide opportunities for our members to socialize in the nude, many of the local events sponsored by our affiliates occur in private homes, and larger events are limited by the relatively small number of clothing-optional beaches and resorts in the U.S.

While many of our members restrict their nudity to their homes and these isolated events, some of our members live a significant part of their lives without clothes, and others desire to. We support those who wish to live more of their lives free of clothing, as well as those who seek to increase acceptance of the body through events such as the World Naked Bike Ride.

Thank you for your time, and please consider opposing the ban on public nudity.

Sincerely,
Mark Bivings
President
Gay Naturists International (GNI)
www.gaynaturists.org

File 120984



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 120984: Public Nudity Ban

Derek K. Evans
Assistant Committee Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554-7702 | Fax: (415) 554-5163
derek.evans@sfgov.org | www.sfbos.org

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Derek Evans/BOS/SFGOV on 11/13/2012 10:48 AM -----

From: tommy avicollis mecca <avimecca@yahoo.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,
Cc: "Linda.Wong@sfgov.org" <Linda.Wong@sfgov.org>
Date: 11/09/2012 08:21 PM
Subject: NO BAN ON NUILITY!

Please put this email in File NO. 120984. Thank you.

Supervisors:

My message to you is simple: no ban on nudity in SF. As an older gay man, I remember the days when laws were passed to restrict public space to gay men or drag queens because people were offended by us. In my hometown of Philadelphia in the early 70s, two or more gay men couldn't walk down the street at night after a certain time or we'd be stopped by the police and possibly arrested. There was actually a law against it. In the Rittenhouse Square area of town, gay men and drag queens used to congregate at night. Neighbors complained to police about us because they were offended at the sight of gay men cruising and drag queens simply because of who they were. Police would come into the park and chase us out because we were offensive to neighbors.

In the late 90s right here in SF in the Castro, neighbors and merchants opposed three shelters for homeless queer youth that I helped establish because they were offended by the thought of having these kids in their neighborhood. One mother stood up at a community meeting and said that her children would get "cooties" (I kid you not, she said that) from the homeless kids. Fortunate for us, then-Supervisors Mark Leno and Tom Ammiano did not give in to this foolishness and the shelters all opened.
Show the same courage: don't give in to the anti-nudism

bigotry of those few people in the Castro who are "offended" by naked men. Keep SF the wild and wonderful place it is when we allow personal freedom to flourish.

Tommi Avicelli Mecca

queer activist of 42 years and counting
Castro resident of 21 years and counting

----- Forwarded by Derek Evans/BOS/SFGOV on 11/13/2012 10:48 AM -----

From: Thomas Hatch <thatchx0@yahoo.com>
To: "Derek.Evans@sfgov.org" <Derek.Evans@sfgov.org>,
Date: 11/11/2012 10:38 AM
Subject: File Reference Number 120984 Ban on Public Nudity

Dear City Supervisor:

As a former resident and now occasional visitor to your city I am writing to express my concerns about what effect the impending nudity ban may have on one of my primary reasons for visiting your city; The annual Bay to Breakers. Below is a copy of a letter I have sent to race sponsor Zazzle and other local sponsors and merchants expressing my cause for concern.

To B2B or not to B2B? That is the question I must now ask myself. As a former resident of the Bay Area, I truly enjoy returning each year to participate in the unique event that is the Bay to Breakers. One of the best things about the Bay to Breakers has always been walking back along the course after the finish to enjoy the revelry and socialize with the many people dressed in creative and even risqué costumes, or even people not dressed at all. Where else but San Francisco can such a thing be found? Unfortunately it has come to my attention that this may drastically change if City Supervisor Scott Wiener gets his way and enacts a very loosely worded and draconian, city wide nudity ban.

I have been closely following this controversy over the past few weeks. Recently Mr. Wiener held what can only be described as a very undemocratic, mock hearing, in which he ignored overwhelming opposition in order to fast track his agenda. I know Mr. Wiener has said that events such as the B2B would be exempted, under his so called "Wiener law," within certain strict guidelines. However he has also made it very clear, in at least one emailed reply to a friend, that this will be a very limited exemption, and has said nothing at all to assure me that the B2B will continue to be exempted in the future. If Mr. Wiener's bill does become law, I and many friends of mine would no longer feel comfortable spending a great deal of money to travel across states, to attend what will essentially become a half-day event, or worse yet, to inadvertently face possible citations for indecency. The Wiener law will do nothing for the B2B other than to add confusion. Costumes that are perfectly acceptable during the 7:30 to noon operation of the event could suddenly become citable offences at the sole discretion and whim of individual law enforcement officers as soon as the noon hour arrives. The text of Mr. Wiener's bill is extremely vague and completely open to interpretation as to exactly what constitutes indecent exposure once the official ending time of the

B2B expires. While the vast majority of participants are technically clothed,
a

great many of the costumes are extremely form fitting or even transparent
enough to make the anatomy visible. Would such a costume constitute indecent
exposure while walking back to my hotel or vehicle after the race?

Additionally,

Mr. Weiner has stated that these temporarily permitted styles of dress will be
strictly limited to the race course and immediate area only, yet does not
define precisely what areas those are. Wearing an unsuitable costume while
walking to or from the event, for example, is specifically disallowed and
would

be considered a violation of law, yet it is unclear exactly what kinds of
costumes are permitted, or if leaving the course to use a port-a-john or to
patronage local merchants will also become illegal.

For this, and other similar reasons, I and many like me,
feel that if the Mr. Wiener has his way, it will no longer be worthwhile to
attend the Bay to Breakers. I personally would not want to travel such a
distance to attend something where I may unknowingly risk costly citations
simply for enjoying the many street-parties or even for simply trying to
leave!

While I and others may feel that we are completely covered and in compliance
with the laws of a newly conservative San Francisco, individual police
officers

with ticket quotas to fill may have a different opinion. Just as the Oakland
A's have decided that their city is no longer suitable, likewise SF may no
longer

be suitable for the unique expression of freedom and liberty that is the B2B.
The

last thing San Francisco needs is a New Jerseyite like Scott Wiener,
inflicting

his east coast values on a city that he clearly doesn't like and does not
understand. If San Francisco does indeed turn its back on its history,
heritage

and tradition, perhaps it is time to end a century of Bay to Breakers and
instead start a new tradition in another Bay Area city, one that remains
liberal and would not be ashamed to fully support it, rather than making
mockery with vague exemptions under nebulous laws. I hope that as a sponsor,
Zazzle can help persuade city Supervisors that the Wiener bill is not only
unnecessary

but harmful to both the institution of the Bay to Breakers as well as the
reputation of the City itself. While I am hopeful of attending the 2013 Bay to
Breaks, I am fearful that I will be forced to find another city in which to
spend my hard earned money.

Thank you for your time and support.

T. Hatch

----- Forwarded by Derek Evans/BOS/SFGOV on 11/13/2012 10:48 AM -----

From: wil Nolan <wilnolan1@yahoo.com>
To: "john.avalos@sfgov.org" <john.avalos@sfgov.org>, "david.campos@sfgov.org"
<david.campos@sfgov.org>, "david.chiu@sfgov.org" <david.chiu@sfgov.org>,
"carmen.chu@sfgov.org" <carmen.chu@sfgov.org>, "malia.cohen@sfgov.org"
<malia.cohen@sfgov.org>, "sean.elsbernd@sfgov.org" <sean.elsbernd@sfgov.org>,
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"eric.mar@sfgov.org" <eric.mar@sfgov.org>, "christina.olague@sfgov.org"
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"Mayoredwinlee@sfgov.org" <Mayoredwinlee@sfgov.org>, "derek.evans@sfgov.org"
<derek.evans@sfgov.org>, "linda.wong@sfgov.org" <linda.wong@sfgov.org>,
Date: 11/12/2012 03:04 PM

Subject: the ban on public nudity reference # 120984

greetings my name is Wil Nolan. I have previously sent you an email regarding the proposed ban on public nudity in San Francisco, but I feel so strongly about this issue that I am sending you another. Please hear me out on this issue. I strongly feel that the ban should not take place. I feel it is a violation of our right to expression and freedom. I am a 3rd generation born in San Francisco. I love this unique open city, and sincerely hope it stays that way. I have been a professional nude figure art model for over 25 years in the Bay Area, and fully appreciate the beauty of the human form when it is expressed in a tasteful, non-threatening way. I have been coming regularly to the Castro area for about a year and have met most of the regular folks there (men and women) who enjoy nude freedom. They are delightful, harmless, happy people who simply enjoy the nude lifestyle. They are not trying to shock, provoke, or disturb anyone. I have spoken with the other nudists and we all agree that if any nude individual is seen bothering anyone or being sexually inappropriate, that we would tell them to stop immediately. We have never had to act on this. My observation has been that most of the reactions from the (dressed) public has been either very positive or simply taking it in stride. Of course there have been some complaints, which is to be expected, but they are few and far between. I have been photographed hundreds of times with my arm around a smiling tourist. Tourists LOVE the nudists and many of them have told me that they heard about it in their country and came to the Castro specifically for that reason. They say how great this city is because it is so open. No doubt it helps the stores, since the tourists probably shop for items while they are visiting there. Honestly, about 80% of public reaction has been positive. Children usually seem just fine with the non-threatening, non-sexual nudity. Their simple, unconditioned minds see it as natural. It's only when parents cover the child's eyes, that it confuses the child. This has happened to me when at Castro, but not very often at all. There is so much poverty, crime, and sexual violation in any city, and San Francisco is no different. Can we focus on these unfortunate things instead of targeting a harmless, beautiful, expression of human freedom and celebration. The Castro, in particular, is a very colorful place, with a world reputation. Gays proudly expressing their life style, people being fully creative, and of course the joyous freedom of nudity. What a wonderful and healthy way to live! I hope WITH ALL MY HEART that you will vote to keep public nudity legal in San Francisco. I speak for many many people both nudists and non nudists. Some of the magic of SF will be gone if this ban passes. please, please, please. do think about this with an open mind and heart. thankyou for taking time to read my message. my phone number is 707 291 3404 this is for file reference # 120984 Ban on Public Nudity thankyou again Wil Nolan

----- Forwarded by Derek Evans/BOS/SFGOV on 11/13/2012 10:48 AM -----

From: Todd Snyder <todd.clark.snyder@gmail.com>
To: Derek.Evans@sfgov.org,
Date: 11/12/2012 09:52 PM
Subject: Please reject the anti-nudity law proposed by Supervisor Wiener

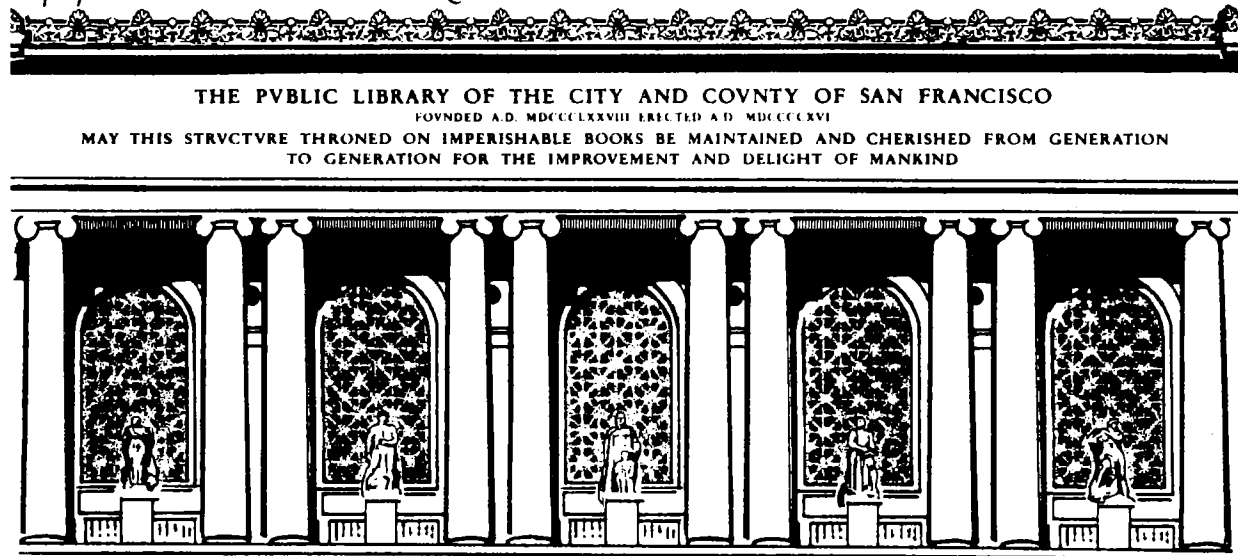
As your constituent, I strongly urge you to oppose legislation introduced by Supervisor Scott Wiener that would ban nudity and

revealing clothing throughout the city except at a handful of special police-sanctioned events. The controversy over nudity at Jane Warner Plaza is local, not city-wide. Neither side is claiming that the nudists have harmed anyone -- the whole issue revolves around activities at one small plaza. Why should a drastic city-wide solution be used to resolve a minor local controversy? Scott Wiener is turning a problem that could be quietly solved in his own district into a media-grabbing story involving the whole city. His "solution" to the problem is like putting cyanide in the water supply to improve the taste. Legislation should be designed to efficiently solve a specific problem, without huge unpredictable side effects. Scott Wiener's proposed anti-nudity law is poorly designed, inefficient, and has huge unpredictable effects on San Francisco's reputation as a city where personal freedom is encouraged to flourish. Wiener's Law would make San Francisco into just another city where prudishness and irrational taboos are in control of social policy. The national media will be watching the outcome of this controversy in San Francisco. If the city bans nudity, the news media will have a field day with it. The story will be on every TV news program and in every newspaper. But the news media often misreport the details of the stories they carry. The story of Scott Wiener's nudity law will inevitably contain inaccuracies in some news reports and will be misunderstood by many readers. Some potential visitors to the city's big nude-friendly events will assume that these events will be spoiled or even canceled because of the new law. No amount of explaining to reporters about exemptions will prevent a certain amount of misreporting and misinterpretation. This confusion will cost San Francisco dearly in lost tourist business. About 150,000 people attended the Bay to Breakers event last year, many of them from out of town. Some of these visitors stayed for days, or even a week. They spent money on food, hotel rooms, taxis, and sightseeing. If even 1% of those attendees skip the event next year because of confusion over a new nudity law, that's a loss of 1500 people -- and a loss to the city's businesses of the money they would have spent here. Attendance at the Folsom Street Fair is about 400,000. If Wiener's ban results in the loss of 1% of that number, that's a loss of 4000 people, along with the money they would have spent in San Francisco. These losses would be in the millions of dollars. Do San Francisco's supervisors really want to take the blame for recklessly damaging the city's economy?

Sincerely,
Todd Snyder
1941 Turk street # 4
San Francisco, CA 94115
todd.clark.snyder@gmail.com

11/6/12 - Received in Board *all*

BOS-11
c-pages



The Original Library Movement

November 5, 2012

James Chaffee

63 Stoneybrook Avenue
San Francisco, CA 94112

Member, Board of Supervisors
City Hall
San Francisco, CA 94102

Re: The Library Held Hostage to Privatization

Dear Supervisor:

It is impossible not to watch the San Francisco City Librarian, Luis Herrera, as I have done, and not be overwhelmed by a sense of sadness. This is a man who is held hostage. You don't see it so much anymore, but it used to be that prisoners of war or kidnap victims would be beaten, tortured and then brought before the cameras to say what is necessary to save their lives. That is Luis Herrera. Can't we send in Seal Team Six, or pay the ransom? It is just heart-wrenching. When the San Francisco is finally rid of the non-profit Friends of the Library, it will be Mr. Herrera who will provide the most compelling testimony of its ruthless plundering of our library.

In his present condition, Mr. Herrera still has to announce to the public, as he did at the recent Open Hours Hearings, that the Friends of the Library are responsible for the furniture, fixtures and equipment in the new and remodeled branches as part of the Branch Library Improvement Program.

An immediate disclosure request to the Department of Public Works, the city department that has partnered with the Library on the branch projects can produce a list of all items that have been paid for with funds from the private non-profit Friends of the Library, a list that includes computers, outdoor playgrounds, outside consultants and office supplies comprising a total of \$3,629,904. The Friends of the Library itself says that: "No, no, we have given more than \$5.1 Million." The Friends cannot produce one single document

that supports that figure one year after a public records request, and purportedly requested by the City Librarian.

What would a brain dead zombie that does not have clue do in response to that circumstance? Such a clueless person might balance reality on the one hand, and a complete fantasy on the other, split the difference and say that the Friends of the Library, "might have given nearly \$4.4 Million." On the contrary, Mr. Herrera has added the two figures together and represented that the Friends gave \$8.8 Million. No one can make such a claim out of ignorance. I'm sorry, but that is an individual with a gun to his head.

Let us look at the details. The most recent Budget Report submitted to the Library Commission dated September 20, 2012, states that the item for furniture fixtures and equipment is \$8.8 million (\$8,806,286) and that \$5.1 Million (\$5,170,967) is "reported expenditures are in-kind contributions of BLIP FFE." See, exhibit A.

Mr. Ray Hartz, a distinguished public-spirited citizen, has requested any documents within the Library administration's custody and control that supports that figure and has received a line of accounting that basically duplicates the line in the budget report. Yet when that figure is transferred to the Branch Library Improvement Program's most recent official Quarterly Report, there is no footnote, or indeed text anywhere, to inform the reader that there is no support for that figure or the fact that it should be considered cumulative with the documentation from the Department of Public Works.

When the Branch Library Improvement Program began the citizen were told that the program would cost \$105.9 Million and that the Friends would be responsible for raising \$16 Million for the things that the bond program could not pay for such as furniture, fixtures and equipment. In fact, the Library Commission itself, although charged with representing the public, as vigorous proponents of the Friends in return for the economic and social benefits and perquisites that they receive stated repeatedly that, "If the Friends don't raise \$16 Million the public will be sitting on the floor."

The documentation provided by the Department of Public Works for the gifts from Friends is attached here as exhibit B. I have taken that data and transcribed it into a table by branch and classification and then sorted and totaled it by category, attached here as exhibit C. (N.B.: This table is from February and the most recent figure, above, is \$5,415 higher.) The results are very instructive. A review of the table shows that only 26.54% or \$963,284.47 was for either shelving or FFE, while 21.1% or 765,896.42 was for self-check machines, and another 48.79% or \$1,771,167.84 was for computers and software.

There are two questions that immediately come to mind. First, where is the missing \$5.1 Million that is hiding in plain sight? If the DPW figures include

computers and self-check machines there can hardly be another allotment of in-kind computers on top of that. The second question is, how positive could this public-private "partnership" be if the Friends are claiming that they have documentation that they are unwilling to share with the City Librarian?

Part of the answer is that the Friends of the Library provide the City Librarian with two separate discretionary funds, also known as slush funds. Again, this is information that has been obtained by Mr. Ray Hartz and that he has shared with the public. For most departments the accounting for fiscal year 2009-10 would be out of date, but this is what we deal with in the Library Department. The grants from the Friends of the Library show that the City Librarian Fund is composed of two accounts, "City Librarian's Discretionary Fund" and an "External Relations Consultant." See exhibit D & E. They were budgeted for \$65,000 and the City Librarian actually overspent it by \$4,266.37. The detail shows a lot of trips and parties.

I won't dissect these funds in detail, but it must be observed that the illegality comes from his receiving of the money, not what he spends it on. He is supposed to be representing all of the public and the conflict of interest laws exist so that he won't give greater weight to those who are giving him money. It is the carrot part of the "carrot and stick" coercion. He is being held hostage and he gets a sweet once in a while.

Too many people in City Hall, especially the Supervisors, feel that getting private interests to pay for things is good. There is a common assumption that as long as one is clever enough to weave one's way through the minefield of conflict of interest laws it must be acceptable. The fact is that there is a common law principle of conflict of interest that a public official owes a duty to the public to act with integrity and diligence primarily for the benefit of the public. This money has to be assessed in the light of the fact that the City Librarian is not doing that.

The real point is that although the City Librarian is presumed to be representing the public, it is only the citizen activists who have made this information available. The City Librarian has resisted the exposure of these facts by all means at his disposal, including some that are illegal. As I stated above, when the citizens of San Francisco are finally rid of the Friends of the Library it is Mr. Herrera who will be able to provide the most compelling testimony of their corruption and outrages. Free the City Librarian.

Very truly yours,

James Chaffee
cc: Interested citizens & media

CURRENT BUDGET REPORT-2000 Branch Library Improvement Bond Program
Commission Meeting of September 20, 2012

Branch	BUDGET		REVENUE						EXPENDITURES/ENCUMBRANCES		
	Baseline Budget (10/01)	Approved Budget (2/12)	City Prop. A Bonds	City Prop. A Bond Interest ⁽³⁾	Lease Revenue Bond (LRB)	Lib. Preservation Fund (LPF)	Slate Prop. 14 Grants	Other Funds	Total All Sources	Total To Date 31-Aug-12	New This Month
Site Acquisitions / New Construction											
Bayview	3,820,000	13,567,244	3,840,656	2,297,198	5,932,232	1,496,928	-	230 ⁽⁴⁾	13,567,244	12,095,148	68,597
Glen Park	4,570,000	5,484,116	5,214,590	-	-	269,526	-	-	5,484,116	5,484,116	-
Ingleside	4,570,000	6,930,623	2,344,556	203,307	-	630,817	3,751,943	-	6,930,623	6,930,213	-
Mission Bay	3,350,000	3,737,573	3,736,025	-	-	1,548	-	-	3,737,573	3,737,573	-
North Beach	3,460,000	14,548,574	1,495,588	545,095	4,918,743	7,589,148	-	-	14,548,574	2,878,991	22,424
Ortega	3,560,000	10,020,492	1,565,059	5,792	7,475,258	974,383	-	-	10,020,492	9,443,508	3,692
Portola	4,570,000	5,951,015	5,640,109	190,606	-	120,300	-	-	5,951,015	5,951,015	-
Visitation Valley	5,320,000	12,962,489	9,512,594	68,985	-	1,056,322	-	2,324,588 ^(4,5)	12,962,489	12,660,196	-
Support Services	9,080,000	8,867,578	8,852,224	-	-	-	-	15,354 ⁽⁴⁾	8,867,578	8,867,578	-
SUBTOTAL	42,300,000	82,069,704	42,201,401	3,310,983	18,326,233	12,138,972	3,751,943	2,340,172	82,069,704	68,048,338	94,713
Renovations											
Anza	4,740,000	6,939,810	4,624,012	508,058	1,595,354	212,386	-	-	6,939,810	6,657,870	-
Bernal Heights	5,350,000	5,642,521	4,901,976	372,149	-	368,396	-	-	5,642,521	5,614,235	-
Eureka Valley	4,580,000	4,160,075	3,337,084	669,056	-	153,925	-	-	4,160,075	4,160,075	-
Excelsior	3,820,000	3,594,441	3,594,441	-	-	-	-	-	3,594,441	3,594,441	-
Golden Gate Valley	5,340,000	7,279,809	1,617,311	169,025	5,470,227	23,246	-	-	7,279,809	6,536,392	482
Manna	4,110,000	3,823,319	3,823,319	-	-	-	-	-	3,823,319	3,823,319	-
Merced	4,200,000	5,410,462	854,761	201,086	3,766,000	588,595	-	-	5,410,462	4,967,890	5,138
Noe Valley	4,410,000	5,480,954	5,472,454	-	-	8,500	-	-	5,480,954	5,480,954	-
Park	1,310,000	2,475,588	1,052,143	1,385,204	-	38,241	-	-	2,475,588	2,473,610	-
Parkside	2,880,000	4,699,217	4,330,025	16,400	-	352,792	-	-	4,699,217	4,542,254	-
Potrero	4,230,000	5,426,847	4,548,565	609,216	-	269,066	-	-	5,426,847	5,350,981	2,729
Presidio	1,530,000	3,549,650	3,477,322	240	-	72,088	-	-	3,549,650	3,545,396	-
Richmond	7,630,000	13,455,687	2,393,911	35,282	-	2,667,653	5,958,841	2,400,000 ⁽¹⁾	13,455,687	13,455,688	-
Sunset	1,490,000	1,459,109	1,429,023	13,302	-	16,784	-	-	1,459,109	1,459,109	-
West Portal	4,110,000	4,419,838	4,419,838	-	-	-	-	-	4,419,838	4,419,838	-
Western Addition	3,430,000	4,303,962	3,318,860	24,928	-	960,174	-	-	4,303,962	4,303,962	-
SUBTOTAL	63,160,000	82,121,289	53,195,075	4,003,946	10,831,591	5,731,846	5,958,841	2,400,000	82,121,289	80,386,004	8,349
Program-Wide Services & Costs											
Library Program Costs	800,000	1,080,000	736,141	15,019	-	328,840	-	-	1,080,000	1,035,436	284,278
Program Consultants	750,000	1,165,000	1,162,819	2,181	-	-	-	-	1,165,000	1,134,320	-
City Program Management	3,600,000	8,387,767	6,821,619	145,258	1,420,890	-	-	-	8,387,767	7,841,277	50,606
Real Estate Dept	120,000	235,281	235,281	-	-	-	-	-	235,281	235,281	-
Art Enrichment Program	-	362,000	251,807	40,193	-	70,000	-	-	362,000	362,000	-
Moving & Interim Services	4,360,000	522,559	422,559	-	-	100,000	-	-	522,559	465,511	-
Furniture & Equipment Reserve	15,000,000	16,000,000	-	-	-	-	-	16,000,000 ⁽²⁾	16,000,000	8,806,286 ⁽⁶⁾	-
Bond Financing Costs	1,500,000	1,843,953	838,298	-	1,005,655	-	-	-	1,843,953	1,773,380	-
Debt Service Reserve	-	2,471,797	-	-	2,471,797	-	-	-	2,471,797	-	-
Program Reserve	1,675,000	-	-	-	-	-	-	-	-	-	-
SUBTOTAL	27,805,000	32,068,357	10,468,524	202,651	4,898,342	498,840	-	16,000,000	32,068,357	21,653,491	334,884
TOTAL	133,265,000	196,259,350	105,865,000	7,517,580	34,056,156	18,369,658	9,710,784	20,740,172	196,259,350	170,087,833	437,946

(1) Earthquake Safety Program funds remaining for Branch Libraries (\$2,400,000)

(2) Private donations from Friends of the Library. As of September 2012, anticipated total is estimated at \$10.8M for furniture, fixtures and equipment (FFE) direct & in-kind expenditures through the completion of the program. Estimates are as follows:

\$1,000,000 Reimbursement of \$1,000,000 of LPF advanced for shelving purchases from November 2007
 \$8,806,286 See expenditure to date breakdown in footnote # 6 below
 \$500,000 Anticipated FFE spending for Bayview
 \$500,000 Anticipated FFE spending for North Beach
\$10,806,286 Anticipated Total Friends contribution for FFE

(3) Bond interest proceeds appropriated (\$1,673,481; \$3,679,132, \$1,683,967 [pending Controller's release of reserve]; \$481,000)

(4) Rents & Concessions appropriated (\$128,342; \$152,030; \$59,800)

(5) Advance for Developer Impact Fees (\$2,000,000); \$1,089,489 actual revenues received to date

(6) BLIP furniture, fixtures and equipment expenditures to date are as follows:

\$5,170,967 Friends (Friends of SFPL reported expenditures are in-kind contributions of BLIP FFE)
 \$2,528,911 SFPL (direct city expenditures of Friends donations)
 \$1,106,408 DPW (direct city expenditures of Friends donations)
\$8,806,286 Total To Date

16M Gift from Friends for BLIP
 Index Code 410166 Grant Code LBF16M 06
 as of February 2012

Revenue and Allocated Expenditures

Post Date	Branch	Detail Description	Actual Expenditure
<i>FY 04-05</i>			
09/09/05	Excelsior	Abatement - Computers (JELB07000015)	108,876.10
<i>FY 05-06</i>			
03/21/06	Excelsior	For Shelving	61,700.00
04/10/06	Mission Bay	For Computers	74,424.55
06/14/06	BLIP	BLIP meeting with Architects about Donors	2,500.00
<i>FY 06-07</i>			
10/02/06	Sunset	For Shelving	51,420.00
10/23/06	Mission Bay	For Computer System	
10/23/06	Sunset	For Computer Equipments	106,057.85
10/23/06	West Portal	For Computers	72,951.03
11/14/06	Mission Bay	Abatement - Computers	12,832.77
01/17/07	Sunset	For Shelving - refund	-21,200.00
03/06/07	West Portal	For Self Check Equipment	119,521.41
03/26/07	Marina	For Shelving	108,725.47
04/17/07	Glen Park	For Shelving	153,643.00
05/09/07	Marina	For Computer Equipment	60,508.84
05/17/07	West Portal	For Construction--donor brick area	2,684.61
06/05/07	Glen Park	For Computer Equipment	71,954.13
06/26/07	Sunset	For 3M Security Gate	24,810.47
07/06/07	West Portal	ref# CRLB07000215 05 for shelving	52,394.00
<i>FY 07-08</i>			
08/07/07	Noe Valley	For Shelving	79,000.00
09/25/07	Western Addition	For Signage	24,600.00
09/25/07	Western Addition	For Landscape	75,000.00
03/31/17	Western Addition	For Installation of Donor Brick	0.00
11/21/07	Western Addition	For Computers	67,876.57
11/21/07	Noe Valley	For Computers	54,185.66
12/11/07	Glen Park	Self Check Equipment	0.00
12/11/07	Marina	SIP2 Licences for Self-Checks	0.00
12/11/07	Marina	Self Check Equipment	0.00
03/31/17	Noe Valley	Software equipment for Noe Valley	5,000.00
06/25/08	Western Addition	Software equipment for Western Addition	5,000.00
06/27/08	Western Addition	Self Check Equipment	36,688.38
06/30/08	Glen Park	Self Check Equipment	35,931.58
<i>FY 08-09</i>			
10/31/08	BLIP	BLIP meeting with Architects about Donors	92.66

16M Gift from Friends for BLIP
 Index Code 410166 Grant Code LBF16M 06
 as of February 2012

Revenue and Allocated Expenditures

Post Date	Branch	Detail Description	Actual Expenditure
11/03/08	Portola	For Computers	68,985.36
12/12/08	Portola	3M Self Check System	36,331.58
01/20/09	Richmond	Play Surface	14,211.00
01/20/09	Richmond	Play Structure	23,240.41
02/09/09	Portola	SIP2 Licences for Self-Checks	5,000.00
02/09/09	Richmond	Computer	100,512.02
02/18/09	Richmond	3M Self Check System	92,447.66
	Ingleside	3M Self Check System	35,859.06
	Ortega	3M Self Check System	
04/30/09	Richmond	SIP2 License	10,000.00
	Ingleside	SIP2 License	
	Ortega	SIP2 License	2,500.00
04/30/09	Richmond	Computer Hardware	38,388.38
	Ingleside	Computer	77,373.90
	Eureka	Computer	
<i>FY09-10</i>			
07/15/09	Ingleside	SIP2 License	5,000.00
07/15/09	Ingleside	Self Check Equipment	
07/15/09	Ingleside	Computers	3,387.93
08/31/09	Eureka	SIP2 License	5,000.00
10/08/09	Eureka	Self Check Equipment	36,659.06
10/08/09	Eureka	Computers	70,499.48
11/19/09	Bernal	Self Check Equipment	37,459.06
11/24/09	Bernal	SIP2 License	5,000.00
11/24/09	Bernal	Computers	74,273.89
11/24/09	Potrero	Self Check Equipment	35,859.06
11/24/09	Potrero	Computers	61,111.31
11/24/09	Potero	Shelvings	118,000.00
11/12/09	Western Addition	Donor Brick	4,195.32
12/21/09	Potrero	SIP2 Licenses	5,000.00
01/19/10	Bernal Heights	Additional computers	1,978.91
<i>FY 10-11</i>			
07/21/10	Presidio	FFE	136,904.00
07/21/10	Merced	FFE	133,300.00
07/21/10	Park	FFE	64,798.00
08/17/10	Parkside	SIP 2 Licenses	5,000.00
08/17/10	Parkside	Self Check Equipment	36,659.06
09/07/10	Parkside	Computers	2,492.89
09/07/10	Parkside	Computers	66,284.23
09/07/10	Parkside	Computers	571.34
09/07/10	Parkside	Computers	1,007.48
11/18/10	Park/Parkside	SIP2 Licenses	10,000.00
11/19/10			
11/18/10	Park	Laptop/Accessories and Maintenance	1,804.91
11/18/10	Park	Laptop/Accessories and Maintenance	39,486.46
11/18/10	Park	Laptop/Accessories and Maintenance	7,304.73
11/18/10	Park/Presidio	3M Self Check System	36,659.06
11/19/10	Park/Presidio	3M Self Check System	36,659.06
11/18/10	Park	PC Desktop System & Monitor Stand	18,717.94
12/17/10	Anza	PC Hardware & accessories	43,056.43

16M Gift from Friends for BLIP
 Index Code 410166 Grant Code LBF16M 06
 as of February 2012

Revenue and Allocated Expenditures

Post Date	Branch	Detail Description	Actual Expenditure
12/17/10	Anza	PC Hardware & accessories	1,819.39
12/22/10	Presidio	PC Hardware & accessories	62,486.64
12/22/10	Presidio	PC Hardware & accessories	1,819.00
12/22/10	Presidio	PC Hardware & accessories	793.44
12/22/10	Presidio	PC Hardware & accessories	7,604.78
01/24/11	Presidio	Computers	
02/01/11	BLIP	Thermo Receipt	7,632.11
02/09/11	VVA	19 in LCD	5,158.92
03/03/11	Merced	Computer	1,920.37
03/03/11	Merced	PC/Hardwre/Software	1,135.60
03/03/11	Merced	PC/Hardwre/Software	57,198.76
03/03/11	Merced	PC/Hardwre/Software	7,283.59
03/03/11	Merced	SIP License	5,000.00
03/03/11	Merced	Self Check Machines	36,659.06
04/14/11	Anza	SIP2 License	5,000.00
04/14/11	Anza	PC/Hardwre/Software	579.21
04/14/11	Anza	PC/Hardwre/Software	11,058.41
04/27/11	Anza	Self Check machines	36,659.06
05/18/11	Anza	Computers(abatement from 415230)	20,656.47
	VVA	Hardware/Software/Maintenance	1,471.34
	VVA	Hardware/Software/Maintenance	1,428.00
05/19/11	VVA	SIP License	5,000.00
	VVA	Hardware/Software/Maintenance	60,837.41
	VVA	Hardware/Software/Maintenance	7,283.59
05/19/11	VVA	Self Check Machines	36,331.58
05/19/11	Bayview	Computer	
06/29/11	VVA	Computers	
	VVA/ORT	Computer Supplies-IPAD/Covers	1,236.21
	Bayview	Computer Supplies-Printer/Toners	2,089.32
	VVA	Computer Supplies-Laser Scanner/LCD	655.33
07/11/11	Ortega	SIP License	2,500.00
07/11/11	Ortega	Self Checks	18,165.80
10/06/11	Ortega	HP Desktops	22,394.40
	Ortega	Hardware/Software/Maintenance	1,481.64
	Ortega	Hardware/Software/Maintenance	2,697.29
	Ortega	Ipad & Covers	1,635.16
	Ortega	Hardware/Software/Maintenance	43,051.91
11/15/11	GGV	Hardware/Software/Maintenance	28,545.82
	GGV	Hardware/Software/Maintenance	1,435.44
	GGV	Hardware/Software/Maintenance	1,675.33
11/15/11	GGV	SIP2 License	5,000.00
	GGV	PC Accessories	21,829.98
11/15/11	GGV	3M Self Check	36,331.58
			204.84
Total Revenue & Allocated Expenditures			3,629,904.84

SFPL	2,486,264.37
DPW	1,143,640.47
TOTAL	3,629,904.84

Breakdown of Friends Gifts to BLIP

Branch	Computer	Software	Self-check/gate	Shelving/FFE	Landscape/Const	Other	Total
Excelsior	\$ 108,876.10						
Excelsior				\$ 61,700.00			
Mission Bay	\$ 74,424.55						
BLIP-admin						\$ 2,500.00	
Sunset				\$ 51,420.00			
Sunset	\$ 106,057.85						
West Portal	\$ 72,951.03						
Mission Bay	\$ 12,832.77						
Sunset				\$ (21,200.00)			
West Portal			\$ 119,521.41				
Marina				\$ 108,725.47			
Glen Park				\$ 153,643.00			
Marina	\$ 60,508.84						
West Portal					\$ 2,684.61		
Glen Park	\$ 71,954.13						
Sunset			\$ 24,810.47				
West Portal				\$ 52,394.00			
Noe Valley				\$ 79,000.00			

Exhibit C

Branch	Computer	Software	Self-check/gate	Shelving/FFE	Landscape/Const	Other	Total
Western Add				\$ 24,600.00			
Western Add					\$ 75,000.00		
Western Add	\$ 67,876.57						
Noe Valley	\$ 54,185.66						
Noe Valley		\$ 5,000.00					
Western Add		\$ 5,000.00					
Western Add			\$ 36,688.38				
Glen Park			\$ 35,931.58				
BLIP-Admin						\$ 92.66	
Portola	\$ 68,985.36						
Portola			\$ 36,331.58				
Richmond					\$ 14,211.00		
Richmond					\$ 23,240.41		
Portola		\$ 5,000.00					
Richmond	\$ 100,512.02						
Richmond			\$ 92,447.66				
Ingleside			\$ 35,859.06				
Richmond		\$ 10,000.00					
Ortega		\$ 2,500.00					
Richmond	\$ 38,388.38						
Ingleside	\$ 77,373.90						

Exhibit C

Branch	Computer	Software	Self-check/gate	Shelving/FFE	Landscape/Const	Other	Total
Ingleside		\$ 5,000.00					
Ingleside	\$ 3,387.93						
Eureka		\$ 5,000.00					
Eureka			\$ 36,659.06				
Eureka	\$ 70,499.48						
Bernal Heights			\$ 37,459.06				
Vernal Heights		\$ 5,000.00					
Vernal Heights	\$ 74,273.89						
Potrero			\$ 35,859.06				
Potrero	\$ 61,111.31						
Potrero				\$ 118,000.00			
Western Add					\$ 4,195.32		
Potrero		\$ 5,000.00					
Vernal Heights	\$ 1,978.91						
Presidio				\$ 136,904.00			
Merced				\$ 133,300.00			
Park				\$ 64,798.00			
Park side		\$ 5,000.00					
Park side			\$ 36,659.06				
Park side	\$ 2,492.89						
Park side	\$ 66,284.23						

Exhibit C

Branch	Computer	Software	Self-check/gate	Shelving/FFE	Landscape/Const	Other	Total
Park side	\$ 571.34						
Park side	\$ 1,007.48						
Park		\$ 5,000.00					
Park side		\$ 5,000.00					
Park	\$ 1,804.91						
Park	\$ 39,486.46						
Park	\$ 7,304.73						
Park			\$ 36,659.06				
Presidio			\$ 36,659.06				
Park	\$ 18,717.94						
Anza	\$ 43,056.43						
Anza	\$ 1,819.39						
Presidio	\$ 62,486.64						
Presidio	\$ 1,819.00						
Presidio	\$ 793.44						
Presidio	\$ 7,604.78						
BLIP-admin						\$ 7,632.11	
Vis Valley	\$ 5,158.92						
Merced	\$ 1,920.37						
Merced	\$ 1,135.60						
Merced	\$ 57,198.76						

Exhibit C

Branch	Computer	Software	Self-check/gate	Shelving/FFE	Landscape/Const	Other	Total
Merced	\$ 7,283.59						
Merced		\$ 5,000.00					
Merced			\$ 36,659.06				
Anza		\$ 5,000.00					
Anza	\$ 579.21						
Anza	\$ 11,058.41						
Anza			\$ 36,659.06				
Anza	\$ 20,656.47						
Vis Valley	\$ 1,471.34						
Vis Valley	\$ 1,428.00						
Vis Valley		\$ 5,000.00					
Vis Valley	\$ 60,837.41						
Vis Valley	\$ 7,283.59						
Vis Valley			\$ 36,331.58				
Vis Valley	\$ 1,236.21						
Bayview	\$ 2,089.32						
Vis Valley	\$ 655.33						
Ortega		\$ 2,500.00					
Ortega			\$ 18,165.80				
Ortega	\$ 22,394.40						
Ortega	\$ 1,481.64						

Exhibit C

Branch	Computer	Software	Self-check/gate	Shelving/FFE	Landscape/Const	Other	Total
Ortega	\$ 2,697.29						
Ortega	\$ 1,635.16						
Ortega	\$ 43,051.91						
GG Valley	\$ 28,545.82						
GG Valley	\$ 1,435.44						
GG Valley	\$ 1,675.33						
GG Valley		\$ 5,000.00					
GG Valley	\$ 21,829.98						
GG Valley			\$ 36,331.58				
GG Valley			\$ 204.84				
Totals	\$ 1,686,167.84	\$ 85,000.00	\$ 765,896.42	\$ 963,284.47	\$ 119,331.34	\$ 10,224.77	\$ 3,629,904.84
Percentages	46.45%	2.34%	21.10%	26.54%	3.29%	0.28%	100.00%

**Friends of SFPL
Traditionally Funded Grants**

	Draft			
	Codes	FY2009/10 Approved Budgets	Funds Expended	Balance of 6/30/10
Traditionally Funded Programs				
Branch Programming				
<i>Grants to Branches: General Support(\$500 for each branch)</i>				
Anza	100-xxxx-380-381-01-1			-
Bay view	100-xxxx-380-381-02-1			-
Bernal	100-xxxx-380-381-03-1			-
Chinatown	100-xxxx-380-381-04-1			-
Eureka Valley	100-xxxx-380-381-05-1			-
Excelsior	100-xxxx-380-381-06-1	200.00	189.10	10.90
Glen Park	100-xxxx-380-381-07-1	350.00	347.69	2.31
Golden Gate	100-xxxx-380-381-08-1			-
Ingleside	100-xxxx-380-381-09-1	1,000.00	870.65	129.35
Marina	100-xxxx-380-381-11-1	600.00	600.00	-
Merced	100-xxxx-380-381-12-1			-
Mission	100-xxxx-380-381-13-1	500.00	357.91	142.09
Noc Valley	100-xxxx-380-381-14-1	350.00	339.62	10.38
North Beach	100-xxxx-380-381-15-1	900.00	600.00	300.00
Ocean View	100-xxxx-380-381-16-1			-
Ortega	100-xxxx-380-381-17-1	1,500.00	1,131.05	368.95
Park	100-xxxx-380-381-18-1	500.00	500.00	-
Parkside	100-xxxx-380-381-19-1			-
Portola	100-xxxx-380-381-20-1	450.00	703.68	(253.68)
Potrero	100-xxxx-380-381-21-1	200.00	200.00	-
Presidio	100-xxxx-380-381-22-1			-
Richmond	100-xxxx-380-381-23-1	1,000.00	1,274.84	(274.84)
Sunset	100-xxxx-380-381-24-1			-
Visitation Valley	100-xxxx-380-381-25-1	800.00	1,149.57	(349.57)
West Portal	100-xxxx-380-381-26-1	500.00	629.63	(129.63)
Western Addition	100-xxxx-380-381-27-1	550.00	538.10	11.90
Mission Bay	100-xxxx-380-381-28-1	300.00	298.88	1.12
				-
<i>Teen Workforce (Multiple Branches)</i>	100-xxxx-380-381-10-1	1,000.00	997.00	3.00
<i>Leadership development (Branch Managers)</i>	100-xxxx-380-381-10-1	1,600.00	1,599.18	0.82
<i>Chinatown Open House</i>	100-xxxx-380-381-04-1	500.00	499.64	0.36
Bookmobile	100-xxxx-380-381-10-1	200.00	182.69	17.31
Youth Programming (Youth Guidance Ctr.)	100-xxxx-380-381-10-2	500.00	500.00	-
				-
Innovation Grants				-
Golden Voices Project	100-xxxx-380-381-10-1	2,000.00	2,000.00	-
Gay History Stories	100-xxxx-380-381-05-1	2,500.00	1,438.00	1,062.00
Adult Summer Reading	100-xxxx-380-381-24-1	4,000.00	3,753.78	246.22
Digital Archives	100-xxxx-380-381-10-1	2,500.00	409.27	2,090.73
Volunteer mentoring program	100-xxxx-380-381-10-1	2,500.00		2,500.00
System wide hands-on computer training	100-xxxx-380-381-10-1	2,500.00	1,176.16	1,323.84
Innovative program	100-xxxx-380-381-10-1	4,000.00	995.51	3,004.49
				-
				-
Children & Youth Services				
General System-wide Programming	100-xxxx-360-361-xx-1	38,000.00	37,342.93	657.07
Summer Reading Program	100-xxxx-360-363-xx-1	58,500.00	58,205.23	294.77
Teen Services	100-xxxx-360-364-xx-1	28,000.00	24,630.84	3,369.16
Book Buddies Program	100-xxxx-360-362-xx-1	1,300.00	1,300.00	-
Effie Lee Morris Lecture	100-xxxx-360-366-xx-1	2,500.00	2,314.25	185.75
				-
				-
Public Affairs				
Community Relations/Promotions & Marketing	100-xxxx-440-442-10-1	25,000.00	26,344.40	(1,344.40)
One City One Book				-
				-
				-
Programs & Exhibitions				
Programs & Exhibition-system-wide	100-xxxx-420-421-10-1	65,000.00	64,994.63	5.37
Shades of San Francisco	100-xxxx-420-427-10-1			-
At the Public Library	100-xxxx-440-445-10-1	53,400.00	58,067.32	(4,667.32)

**Friends of SFPL
Traditionally Funded Grants**

	Draft			as
	Codes	FY2009/10 Approved Budgets	Funds Expended	Balance of 6/30/10
				-
City Librarian Fund				
City Librarian's Discretionary Management F	100-xxxx-400-411-10-1	35,000.00	39,266.37	(4,266.37)
External Relations Consultant	100-xxxx-400-411-10-1	30,000.00	30,000.00	-
Professional Development				
Educational Opportunities	100-xxxx-400-401-10-1	30,000.00	36,578.00	(6,578.00)
Annual Staff Recognition Event	100-xxxx-400-402-10-1	2,000.00	1,999.31	0.69
Staff Holiday Party	100-xxxx-400-404-10-1	5,500.00	5,500.00	-
Training Refreshment Fund	100-xxxx-400-403-10-1	1,500.00	1,498.52	1.48
Volunteer Services Recognition Event (Fair	100-xxxx-400-419-10-1	6,000.00	3,491.93	2,508.07
Friends Initiatives				
				-
SUB-TOTAL FUNDING APPROVED		415,200.00	414,815.68	384.32
OCOB		25,000.00		
		440,200.00		
Tricycle Music Fest	100-xxx-360-369-xx-1		10,312.54	(10,312.54)
At the Public Library-Bulk mail	100-xxxx-440-445-10-1		8,306.79	(8,306.79)
GRAND -TOTAL FUNDING APPROVED		465,200.00	18,619.33	(18,619.33)



City Librarian's Management Fund 2009/10				
	Chiefs & Deputy CL Funds			\$3,850
		Beginning Balance		\$31,150.00
Date	Vendor/Reimbursement	Description	Amount	
07/01/09	Eve Bekker-SJSU internship prog	Staff Development	\$2,000.00	\$29,150.00
07/02/09	Luis Herrera	Business expense	\$45.92	\$29,104.08
07/06/09	Luis Herrera	Staff appreciation	\$123.00	\$28,981.08
07/06/09	Almer Castillo	Staff appreciation	\$18.00	\$28,963.08
	Maureen Sullivan	Leadership development	\$3,249.39	\$25,713.69
07/21/09	Luis Herrera - ALA	Conference attendance	\$2,012.01	\$23,701.68
07/23/09	Mindy Linetzky	Office supplies	\$91.68	\$23,610.00
07/23/09	Jill Bourne - ALA	Conference attendance	\$438.62	\$23,171.38
08/19/09	Jill Bourne	Office supplies	\$23.23	\$23,148.15
08/26/09	Luis Herrera - CLA	Conference attendance	\$179.00	\$22,969.15
08/26/09	Luis Herrera	Organizational dues	\$165.00	\$22,804.15
08/26/09	Jill Bourne - CLA	Conference attendance	\$179.00	\$22,625.15
		Office supplies & staff appreciation		
08/27/09	Mary Hudson	appreciation	\$53.67	\$22,571.48
09/08/09	Luis Herrera	Business expense	\$20.50	\$22,550.98
09/28/09	Luis Herrera - CLA	Conference attendance	149.20	\$22,401.78
09/29/09	Amy Nuque	Staff appreciation	549.34	\$21,852.44
10/05/09	Brian Bannon -ALA	Conference attendance	167.34	\$21,685.10
	Jill Bourne - ALA	Conference attendance	815.00	\$20,870.10
09/10/09	Ingleside - BLIP Opening	Staff appreciation	200.00	\$20,670.10
10/09/09	Amy Nuque	Leadership Development	280.48	\$20,389.62
10/22/09	Theresa Gwiazdowski-Potrero Opening	Staff appreciation	216.53	\$20,173.09
11/03/09	Maureen Sullivan	Leadership Development	3,423.75	\$16,749.34
11/04/09	Luis Herrera-CLA	Conference attendance	990.28	\$15,759.06
11/04/09	Jill Bourne-CLA	Conference attendance	1,039.83	\$14,719.23
11/06/09	Patricia Tarin	Leadership Development	36.00	\$14,683.23
11/13/09	Robyn Huff-Eibl	Staff Development	2,377.36	\$12,305.87
11/13/09	Luis Herrera-LJ Summit	Conference attendance	176.13	\$12,129.74
11/18/09	Luis Herrera-ALA Midwinter	Conference attendance	165.00	\$11,964.74
12/03/09	Maureen Sullivan	Leadership Development	3,167.70	\$8,797.04
12/04/09	Holiday Party	Staff appreciation	483.63	\$8,313.41
12/15/09	Jill Bourne-PLA	Conference attendance	195.00	\$8,118.41
12/15/09	Mint Café	Leadership Development	38.33	\$8,080.08
01/08/10	Mint Café	Meeting refreshments	41.88	\$8,038.20
01/12/10	Luis Herrera	Business expense	32.60	\$8,005.60
01/25/10	Maureen Sullivan	Leadership Development	3,358.93	\$4,646.67
01/27/10	Mint Café	Leadership Development	38.33	\$4,608.34
02/02/10	Steven Cady- Bernal Heights Opening	Staff appreciation	187.54	\$4,420.80
02/05/10	Christine Harris	Staff appreciation	54.00	\$4,366.80
		Office supplies; Meeting refreshments		
02/23/10	Mary Hudson		62.91	\$4,303.89
02/23/10	Luis Herrera	Leadership Development	66.60	\$4,237.29
02/24/10	Mint Café	Leadership Development	164.25	\$4,073.04
02/24/10	Maureen Sullivan	Leadership Development	3,300.23	\$772.81

03/11/10	Jill Bourne-ALA	Conference attendance	185.00	\$587.81
03/10/10	Theresa Gwiazdowski-Potrero Opening	Staff appreciation	224.79	\$363.02
03/15/10	Luis Herrera	Business expense	42.46	\$320.56
03/19/10	Luis Herrera	Business expense	30.73	\$289.83
03/29/10	Jill Bourne-PLA	Conference attendance	567.89	(\$278.06)
03/30/10	Luis Herrera-PLA	Conference attendance	146.10	(\$424.16)
04/12/10	Mary Hudson	Office supplies; Meeting refreshments	47.28	(\$471.44)
04/15/10	Luis Herrera - SPUR membership renewal	Organizational dues	100.00	(\$571.44)
05/05/10	Jill Bourne (Bike to Work Day)	Staff appreciation	43.13	(\$614.57)
05/06/10	Jennifer Collins (Bike to Work Day)	Staff appreciation	39.42	(\$653.99)
05/12/10	Luis Herrera-ALA	Conference attendance	185.00	(\$838.99)
05/12/10	Luis Herrera-PLA	Conference attendance	461.52	(\$1,300.51)
05/20/10	Luis Herrera	Business expense	63.25	(\$1,363.76)
05/27/10	Terrasol	Office furnishings	327.25	(\$1,691.01)
05/27/10	Mint Café	Staff appreciation	275.00	(\$1,966.01)
06/15/10	Luis Herrera	Business expense	42.59	(\$2,008.60)
06/22/10	Jill Bourne-ALA	Conference attendance	343.38	(\$2,351.98)
06/30/10	Luis Herrera-	Conference attendance	56.78	(\$2,408.76)
06/30/10	Pat Fahrenthold	Staff appreciation	143.53	(\$2,552.29)

BOS 11

Chaffee



Chaffee -- Board of Supervisor Meetings

James Chaffee

to:

board.of.supervisors, Carmen.Chu, Christina Olague, David Campos, David Chiu, Eric L. Mar, Jane Kim, John.Avalos, Malia Cohen, Mark Farrell, Scott Wiener, Sean.Elsbernd
11/07/2012 02:29 PM

Hide Details

From: "James Chaffee" <chaffeej@pacbell.net> Sort List...

To: <board.of.supervisors@sfgov.org>, <Carmen.Chu@sfgov.org>, "Christina Olague" <Christina.Olague@sfgov.org>, "David Campos" <David.Campos@sfgov.org>, "David Chiu" <David.Chiu@sfgov.org>, "Eric L. Mar" <Eric.L.Mar@sfgov.org>, "Jane Kim" <Jane.Kim@sfgov.org>, <John.Avalos@sfgov.org>, "Malia Cohen" <Malia.Cohen@sfgov.org>, "Mark Farrell" <Mark.Farrell@sfgov.org>, "Scott Wiener" <Scott.Wiener@sfgov.org>, <Sean.Elsbernd@sfgov.org>,

Dear Supervisors and Friends,

I criticized the Board of Supervisors for meeting on Election Day which violates the traditional deference to the franchise to make it as easy as possible to vote. Maybe it was a good thing they did. (There were only three public comments yesterday.) Do I owe the Supervisors an apology?

If we look at the schedule, next week they are off for Veterans day. They meet the week after that, then they are off on Nov 27, presumably for Thanksgiving. Why they would actual take off the Tuesday after Thanksgiving is not clear to me, but there you are.

Then there are meetings on December 4 and 11. It seems almost unbelievable but there are only three meetings between now and Christmas, which means between now and January 15. Actually because of New Years, the Inaugural meeting (January 8)and ML King day, there are only four meetings between now and January 29. This is November 7.

Plan your public comments accordingly.

James,



Frivolously Squandering Money while Muni Flounders

toreador103

to:

Malia.Cohen, john.avalos, sean.elsbernd, Jane.Kim, christina.olague,
Board.of.Supervisors, david.campos, carmen.chu, Mark.Farrell, Eric.L.Mar,
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10/31/2012 11:05 AM

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Dear Supervisors:

Last Wednesday SFMTA Director Ed Reiskin had this to say in NYC at the meeting of the National Association of City Transportation Officials (NACTO)...

"It also comes down to being smart with the money you do have, said SFMTA Director Ed Reiskin. "I think being strategic about how we invest money and doing it cost-effectively is key".

Reiskin's statement echoes the thoughts expressed by FTA Administrator Peter Rogoff over two years ago. The following is quoted from an article that appeared in "NewGeography" on May 25, 2010:

...."Now comes a startling new revelation from a senior U.S. DOT official that even rail extensions may be at risk. Speaking at a National Summit on the Future of Transit before an audience of leading transit General Managers on May 18, **Federal Transit Administrator Peter Rogoff questioned the wisdom of expanding rail networks when money is badly needed to maintain and modernize existing facilities:**

'At times like these, it's more important than ever to have the courage to ask a hard question: if you can't afford to operate the system you have, why does it make sense for us to partner in your expansion? If you can't afford your current footprint, does expanding that under-funded footprint really advance the President's goal for cutting oil use and greenhouse gases... Or are we at risk of just helping communities dig a deeper hole for our children and our grandchildren?'

"In Rogoff's judgment, the first priority for the transit industry is to follow the precept 'fix it first.' 'Put down the glossy brochures, roll up our sleeves, and target our resources on repairing the system we have,' he told the assembled transit officials. 'Transit systems that don't maintain their assets in a state of good repair risk losing riders', he warned. The Administrator cited the preliminary results of an FTA study of the financial needs of 690 public transit systems across

America that show a \$78 billion backlog of deferred maintenance. Fully 29 percent of all transit assets are 'in poor or marginal condition.' The challenge facing transit managers is to resist the siren call of new construction and devote money to the 'unglamorous but absolutely vital work of repairing and improving our current systems'"

Despite a national realization that the transit store needs minding, the SFMTA....and most of you Supervisors....continue to spread scarce transit resources around like drunken sailors. Examples:

- o building an overpriced and uniquely inherently foolish subway that for the rest of your lives you will never live down,
- o bowing to a fervent but narrowly-focused phalanx of bicycle advocates,
- o holding out the plumb of Free Muni to a favored category of rider.

The talk is of minding the store. In San Francisco, the action is to let it fester. Sickening.

Respectfully,

Nelson Wong
Amy Gu
Stephen Phang

of San Francisco and Berkeley



Issued: The San Francisco Public Utilities Commission's Power Enterprise Lacks Adequate Controls to Safeguard Its Inventory Reports, Controller

to:

Calvillo, Angela, Nevin, Peggy, BOS-Supervisors, BOS-Legislative Aides, Kawa, Steve, Howard, Kate, Falvey, Christine, Elliott, Jason, Campbell, Severin, Newman, Debra, CON-Media Contact, CON-EVERYONE, CON-CCSF Dept Heads, CON-Finance Officers, sfdocs@sfpl.info, gmetcalf@spur.org, ggiubbini@sftc.org

10/29/2012 01:14 PM

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Sent by: "Chapin-Rienzo, Shanda" <shanda.chapin-rienza@sfgov.org>

The Office of the Controller's City Services Auditor Division (CSA) today issued a memorandum on its audit of the warehouse and inventory controls at the Power Enterprise of the San Francisco Public Utilities Commission (SFPUC). The audit found that the warehouse and inventory processes and controls at the Power Enterprise need improvement to mitigate the risks associated with inventory.

To view the full memorandum, please visit our website at: <http://co.sfgov.org/webreports/details.aspx?id=1492>

This is a send-only email address.

For questions about the memorandum, please contact Director of City Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393, or the CSA Audits Unit at 415-554-7469.




CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller
Monique Zmuda
Deputy Controller

MEMORANDUM

TO: Harlan L. Kelly, Jr., General Manager
San Francisco Public Utilities Commission

FROM: Tonia Lediju, Director of City Audits
City Services Auditor Division 

DATE: October 29, 2012

SUBJECT: The San Francisco Public Utilities Commission's Power Enterprise Lacks Adequate Controls to Safeguard Its Inventory

EXECUTIVE SUMMARY

The warehouse and inventory processes and controls at the Power Enterprise of the San Francisco Public Utilities Commission (SFPUC) need improvement to mitigate the risks associated with inventory. SFPUC does not regularly count the inventory in its two Power Enterprise warehouse locations, does not have complete inventory lists for its warehouse locations, and does not always check inventory out of its inventory system, which increases susceptibility to theft. Without regular physical counts of its entire inventory, the Power Enterprise cannot ensure that its inventory is being adequately protected against loss and theft, that there are no shortages or unnecessary purchases, or that the inventory is properly reported in financial records.

SFPUC generally does not record the value of its Power Enterprise inventory and lacks warehouse and inventory policies and procedures. Although the Power Enterprise's inventory is organized in an acceptable manner, SFPUC has no system to identify a Power Enterprise inventory item's location. Last, SFPUC does not always change the passwords needed to access the Power Enterprise's warehouses via automated security systems. The audit resulted in seven findings and 11 recommendations. SFPUC's response to the memorandum is attached.

BACKGROUND, OBJECTIVES & METHODOLOGY

Background

In accordance with the Office of the Controller's City Services Auditor Division (CSA) fiscal year 2011-12 work plan, CSA audited the warehouse and inventory controls of SFPUC's Power Enterprise.

Mission and Services. The SFPUC's Power Enterprise generates and delivers clean hydroelectric energy from the Hetch Hetchy Regional Power System to San Francisco's municipal customers, which include San Francisco International Airport, City Hall, San Francisco General Hospital and Trauma Center, fire stations, the San Francisco Municipal Transportation Agency, and the San Francisco Unified School District. Additionally, in San Francisco, the Power Enterprise uses the solar and wastewater resources of the City and County of San Francisco (City) to generate over 10 megawatts of clean, renewable energy from its multiple solar and biogas installations. This energy is delivered to the City's municipal facilities.

Other Power Enterprise services include:

- Providing reliable electricity service, transmission and power scheduling for municipal facilities.
- Designing and implementing energy efficiency improvements for city buildings.
- Solar photovoltaic generation installations on city buildings.
- Street lighting services.
- Utility planning for redevelopment projects and citywide electricity resource planning
- Clean energy generation for retail customers.
- Energy generation, transmission and distribution services for Treasure Island.

Facilities. The Power Enterprise issues inventory (replacement parts, materials, and supplies) from its two warehouses, one on Bryant Street and the other on Treasure Island. The Bryant Street facility has two warehouses and an outdoor lot that hold inventory that Power Enterprise employees use to maintain and improve the SFPUC's infrastructure that generates and delivers power throughout San Francisco. The Treasure Island facility has a warehouse and an outdoor lot that hold power-related inventory for Treasure Island. Typical inventory items at both locations are light posts, light bulbs, copper wire, and tools.

Planned Inventory Management System. Although the Power Enterprise did not use an automated asset management system to track its inventory during the audit, it plans to implement MAXIMO, an asset management and work-order system, early in fiscal year 2012-13. SFPUC also uses MAXIMO at its Water Enterprise and Wastewater Enterprise. This system can support multiple inventory and warehouse functions. For example, the Water Enterprise uses MAXIMO's master item catalog function to identify all stocked items in warehouses and to maintain information such as specifications and stock type. It also uses MAXIMO to track inventory data, including storeroom and bin location, bin balances, and physical count frequency.

Objective

The main objective of this audit was to determine whether the Power Enterprise uses standardized and consistent inventory processes and controls at its two warehouse facilities, and that those processes and controls are adequate to ensure that materials, supplies, and tools are accurately accounted for, and adequately organized and secured.

The audit's subobjectives were to determine whether the Power Enterprise:

- Maintains an accurate inventory of materials, supplies, equipment, and tools by using the automated MAXIMO system to track the items that it receives into and issues from inventory, including by conducting accurate inventory counts.
- Adequately secures its inventory to minimize the risk of theft by limiting access to its warehouses only to authorized individuals.
- Efficiently and effectively organizes its inventory items to facilitate storing and locating them
- Actively manages its scrap and obsolete inventory.
- Documents and periodically updates its inventory policies and procedures.

Scope Limitations

The audit did not consider the Power Enterprise's three satellite locations that, according to the Power Enterprise, are not warehouses and do not hold stock items. Moreover, not all of the audit objectives could be fully achieved because:

- The Power Enterprise does not yet use MAXIMO, so the audit could not assess its use.
- The audit could not assess the accuracy of the inventory lists or whether loss or theft was present because the Power Enterprise has not performed a complete count of its inventory and provided the audit team undated, incomplete inventory lists.

Methodology

CSA gathered information about the warehouses and inventory, and conducted test work to accomplish the audit objectives. CSA:

- Interviewed key Power Enterprise personnel about warehouse and inventory management procedures.
- Visited the two warehouse facilities.
- Observed examples of inventory storage.
- Priced the cost of some inventory items on the Internet.
- Obtained and reviewed the inventory listings provided.
- Documented the results of the test work.

RESULTS

Finding 1 – The Power Enterprise does not count its entire inventory and lacks complete inventory lists.

The Power Enterprise does not adequately count its inventory at its two warehouse facilities.

- **Bryant Street**: The Power Enterprise does not regularly count inventory at the Bryant Street facility. The first partial count of inventory in several years occurred there on June 29, 2012, and was incomplete. The inventory list the Power Enterprise provided to the audit team did not indicate any item counts. According to the Power Enterprise, it has not regularly counted its inventory because this is not required by any policy or procedure and has not been a past practice.
- **Treasure Island**: According to its staff, the Power Enterprise counts some of its inventory quarterly at Treasure Island. The Power Enterprise provided the audit team with an inventory list that included some counts, but could not provide evidence that quarterly counts have occurred. According to the Power Enterprise, some inventory stored in the Treasure Island warehouse is not counted because the items were previously expensed as part of a specific work order.

Without regular physical counts of its entire inventory, the Power Enterprise cannot ensure that its inventory is being adequately protected against loss and theft, that there are no shortages or unnecessary purchases, or that the inventory is properly reported in financial records.

According to the United States Government Accountability Office (GAO) *Executive Guide for Best Practices in Achieving Consistent, Accurate Physical Counts of Inventory and Related Property* (GAO Guide), the ability to accurately count physical inventories is critical in verifying that inventory actually exists and that on-hand balances agree with financial and logistical records. The GAO Guide identifies the following 12 key factors that are essential to achieving consistent and accurate counts of physical inventories:

1. Establish accountability
2. Establish written policies
3. Select an approach
4. Determine frequency of counts
5. Maintain segregation of duties
6. Enlist knowledgeable staff
7. Provide adequate supervision
8. Perform blind counts
9. Ensure completeness of count
10. Execute physical count
11. Perform research
12. Evaluate count results

Further, according to the GAO Guide, managing the acquisition, storage, and distribution of inventory is critical to controlling cost, operational efficiency, and mission readiness. Proper inventory accountability requires that detailed records of acquired inventory be maintained, and that inventory is properly reported in the Power Enterprise's financial management records. Physical controls and accountability reduce the risk of undetected theft and loss, unexpected shortage of critical items, and unnecessary purchases of items already on hand. These controls improve accountability over inventory, which helps ensure continuation of operations, increased productivity, and improved storage and control of excess or obsolete stock.

Recommendations

The San Francisco Public Utilities Commission should ensure that the Power Enterprise:

1. Implements inventory count procedures consistent with the United States Government Accountability Office *Executive Guide for Best Practices in Achieving Consistent, Accurate Physical Counts of Inventory and Related Property*.
2. Counts and tracks all inventory including inventory that was previously expensed for a work order.

Finding 2 – The Power Enterprise does not require employees to report when inventory is taken from the Bryant Street facility, and no approval is required for removing inventory from any of its warehouses.

At its Bryant Street facility, the Power Enterprise does not require employees to report or record when inventory items, including tools, are taken from the warehouse for use. Therefore, the inventory listing is not updated when inventory is used. At the Treasure Island facility, Power Enterprise employees log when an item is taken from the warehouse for use, but this action does not require supervisory approval.

When Power Enterprise employees do not report when an inventory item is taken from the warehouse, the Power Enterprise cannot accurately track its inventory. Without an accurate inventory, the Power Enterprise is less able to assess optimal reorder points and quantities. Additionally, because it does not require approval of inventory usage, the Power Enterprise cannot monitor whether inventory items are taken from the warehouse only for legitimate purposes, which increases the risk of theft by those with access to the warehouses.

The Power Enterprise's inventory includes copper items, which can be light and small enough to carry and, therefore, potentially could be easily stolen. For example, 250 feet of copper wire comparable to that on the inventory list for the Bryant Street facility was recently offered for sale on eBay for \$175.¹ Due to the current high value of copper and ease of selling it for scrap, there is a considerable incentive for theft, and the lack of the Power Enterprise's inventory checkout controls provides opportunity for theft.

¹ American Wire Gauge 6, which is 0.162 inches in diameter, exclusive of insulation.

According to SFPUC, the possibility of theft of items from its warehouses is minimized by the presence of building security systems and video surveillance systems at warehouse entrances. However, according to an SFPUC employee, the cameras have not been working since early August 2012. The employee plans to monitor the cameras daily once they are again functioning. Further, according to SFPUC, the possibility of theft of items that could be converted to scrap metal is minimized because San Francisco has an ordinance that controls the sale of scrap metal to scrap metal dealers. However, not all cities have these ordinances, so scrapping of stolen metals may be possible if the metals are taken to other cities outside of San Francisco. In addition, such controls do not limit the resale market on the Internet, including eBay.

According to the materials management policies and procedures of the Water Supply and Treatment Division of the Water Enterprise, another SFPUC unit that handles inventory, only supervisory employees or above may authorize personnel to withdraw stock materials from its warehouse. To do so, the supervisor must use a form that includes:

- Date.
- Work order number, which relates the item to the job for which it is being withdrawn.
- Index code, which identifies the item that is withdrawn.

The authorized employee may then obtain the inventory item from the warehouse and must sign the form, noting that the item received. A warehouse employee then files the form.

Recommendations

The San Francisco Public Utilities Commission should ensure that the Power Enterprise:

3. Implements procedures comparable to those of the Water Enterprise's Water Supply and Treatment Division, requiring that:
 - Supervisors authorize in writing the withdrawal of materials from the warehouse.
 - Authorized personnel sign a form when inventory is received.
 - Warehouse personnel key the information on the form into the Power Enterprise inventory list or provide the form to management who will input the information.
 - Authorized personnel file the form.
4. Requires that the inventory list is updated when items are removed from the warehouse.
5. When the inventory list is accurate, uses it to calculate optimal reorder points and quantities to ensure that costs are minimized.

Finding 3 – The Power Enterprise generally does not record the value of its inventory.

The Power Enterprise does not completely record the value of its inventory as evidenced by the following:

- Of the 576 types of inventory items on the inventory list for Treasure Island, the Power Enterprise recorded the cost for only 17 (3 percent). The Power Enterprise did not record the cost of any of the inventory on the Bryant Street list. The prices that are included were added to the list during May and June 2012, after the audit began.
- According to the 2010-11 financial statements for Hetch Hetchy Water and Power, the Power Enterprise's inventory was valued at \$174,000, yet the Power Enterprise could not provide inventory lists that agreed to this value.
- According to the Power Enterprise, it does not consider some items in its warehouses to be part of its inventory because they were purchased and already expensed as part of a specific work order. However, according to Governmental Accounting Standards Board Statement 11, *Measurement Focus and Basis of Accounting – Governmental Fund Operating Statements*, issued in 1990, expenses for inventory supplies should be recognized using the consumption method, or when items are *consumed*, not when purchased.

If the Power Enterprise does not track the value of its inventory or retain records supporting the value of its inventory, it cannot be sure that it is reporting the value of its inventory correctly in its financial statements.

According to the 2010-11 financial statements of Hetch Hetchy Water and Power, the Power Enterprise's inventory is valued at average cost.² To support this financial statement practice and the total value of its inventory on its financial statements, the Power Enterprise must record the cost of the items in its inventory. SFPUC's Water Enterprise, another SFPUC unit that handles inventory, generally records the cost of its inventory on its inventory lists.

Recommendations

The San Francisco Public Utilities Commission should ensure that the Power Enterprise:

6. Records the cost of each inventory item on its inventory lists.
7. Expenses its inventory when it is consumed.

Finding 4 – The Power Enterprise lacks warehouse and inventory policies and procedures.

The Power Enterprise does not have policies and procedures defining warehouse and inventory processes and controls. Specifically, SFPUC does not have documented policies and procedures for how Power Enterprise employees are to:

- Purchase inventory

² Average cost is computed by dividing the total cost of goods by the number of units of the goods available.

- Receive inventory
- Classify inventory
- Handle inactive inventory
- Withdraw inventory
- Replenish stock
- Deal with back orders
- Conduct physical inventory counts

Implementing policies and procedures is an effective way to increase both control over inventory and the efficiency with which it is handled. Without policies and procedures, Power Enterprise employees may inconsistently or incorrectly perform inventory-related tasks. Further, if warehouse personnel change, their duties may not be easily taken on by new warehouse employees in the absence of written procedures.

According to literature in the field of inventory management, one of the best ways to create a disciplined warehouse is to create and maintain a policies and procedures manual.³ The manual should list the main policies and procedures under which the warehouse department operates. The materials management policies and procedures manual of the Water Enterprise's Water Supply and Treatment Division is a worthy example. According to the Power Enterprise, it plans to create policies and procedures comparable to those of the Water Enterprise's Water Supply and Treatment Division.

Recommendation

8. The San Francisco Public Utilities Commission should ensure that the Power Enterprise creates warehouse and inventory policies and procedures to fit its unique conditions, but similar to those of the Water Enterprise's Water Supply and Treatment Division.

Finding 5 – The Power Enterprise does not code its inventory according to storage location.

The Power Enterprise does not assign unique codes to inventory storage locations and does not track inventory by storage location. Instead, inventory is organized in different ways at the Power Enterprise's different warehouses, and there is no documentation of what is stored where in each warehouse. According to the materials coordinator, this is not a problem because he — and to a lesser extent, other employees — knows where the inventory is located. According to the Power Enterprise, inventory at the Bryant Street facility is organized and labeled by its destination, that is, where it goes in the city. Inventory at the Treasure Island facility is organized by use type. For example, one room contains overhead inventory, or items needed for above-ground Power Enterprise tasks, while another room holds underground inventory. It is not ideal for warehouse staff to have to rely on memory to know the locations of inventory items. If a warehouse employee leaves his or her position, new staff may be unable to readily identify where various inventory items are located.

³ Steven M. Bragg, *Inventory Best Practices*, John Wiley & Sons, Inc., Hoboken, New Jersey, 2004.

Although the method of organization of inventory at both facilities is acceptable, it is not ideal. Inventory management literature recommends assigning a unique location code to every possible inventory storage location and to subsequently track inventory by these codes.⁴ A common way to do this is to assign a letter to each aisle, followed by a number for each rack on the aisle, and a letter for each level or shelf on each rack. The combined number — for example, A1a — is then used on the inventory list to denote the location of each item. Such a system makes finding items easier and makes physical inventory counts orderly and efficient.

Recommendations

The San Francisco Public Utilities Commission should ensure that the Power Enterprise:

9. Assigns a code to each storage location that may be used.
10. Tracks inventory in its inventory listing by storage location.

Finding 6 – Password rotation is not required for the Power Enterprise's facility access systems.

Although the Power Enterprise generally has good security over its inventory — such as fences, locks, alarm systems, and cameras — controls over passwords to its security systems for physical access at its Treasure Island and Bryant Street facilities are inadequate. Large items, such as light posts, are enclosed by fences with locked gates, and cameras. Smaller items, such as spools of copper wire, tools, and light bulbs, are in warehouses to which access is controlled by a security system that requires a password for entry. However, passwords for the Treasure Island system are not changed, and passwords for the Bryant Street system may be changed infrequently or irregularly because there is no policy requiring password changes.

Passwords that do not change for many months or years are more likely than frequently changed passwords to be used or misused by people other than the account owner. Frequently changed passwords reduce predictability and better protect assets. According to city guidelines, industry standards indicate that passwords should be changed every 60 to 90 days.⁵

Recommendation

11. The San Francisco Public Utilities Commission should ensure that the Power Enterprise implements a policy requiring that warehouse users periodically change their security system passwords, preferably every 60 to 90 days.

⁴ Ibid.

⁵ Office of the Controller, Departmental Guidelines No. 003-12, October 20, 2011.

Finding 7 – It is acceptable that the Power Enterprise stores some potentially obsolete inventory.

The Power Enterprise stores some old, used, and deteriorated items, including rusted light posts, which may be obsolete. According to Power Enterprise staff, such items are not obsolete because they can be refurbished and reused. Power Enterprise staff stated that if an item cannot be used, it is scrapped. Although some deteriorated items are large and may be kept for years before they are used, if ever, the audit team deems this acceptable for the present. Guidance in the field of inventory management allows for keeping on hand working parts for obsolete equipment or infrastructure that is still in use so that it can be serviced and repaired.⁶ However, if the Power Enterprise relocates any of its inventory storage, it would benefit from assessing whether all items need to be retained.

CSA extends its appreciation to you and your staff who assisted with this project. For questions regarding the memorandum, please contact me at Tonia.Lediju@sfgov.org or (415) 554-5393, or CSA at (415) 554-7469.

cc: SFPUC
Barbara Hale
Todd Rydstrom
Nancy Hom
Matthew Lum
Camron Samii
Bart Murphy
Controller
Ben Rosenfield
Mark Tipton
Kate Kaczmarek

⁶ Steven M. Bragg, *Inventory Best Practices*, John Wiley & Sons, Inc., Hoboken, New Jersey, 2004.

ATTACHMENT: DEPARTMENT RESPONSE



**San Francisco
Water Power Sewer**
Services of the San Francisco Public Utilities Commission

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October 19, 2012

Tonia Lediju, Audit Director
Office of the Controller, City Services Auditor Division
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Subject: City Services Auditor Audit: The San Francisco Public Utilities
Commission's Power Enterprise Lacks Adequate Controls to
Safeguard Its Inventory.

Dear Ms. Lediju,

Thank you for providing us the opportunity to review the audit report entitled,
The San Francisco Public Utilities Commission's Power Enterprise Lacks
Adequate Controls to Safeguard Its Inventory Audit, prepared by the
Controller's Office, City Services Auditor.

Attached for your review and consideration are SFPUC Management's
responses to the recommendations detailed in the memorandum for the audit.

If you have any questions or need additional information, please do not hesitate
to contact me at (415) 554-1600.

Sincerely,

A handwritten signature in black ink, appearing to read "Harlan L. Kelly, Jr." with a stylized flourish at the end.

Harlan L. Kelly, Jr.
General Manager

cc: Michael Carlin, Deputy General Manager
Todd L. Rydstrom, AGM Business Services & Chief Financial Officer
Barbara Hale, AGM Power Enterprise
Nancy L. Hom, Director, Assurance & Internal Controls

Edwin M. Lee
Mayor

Anson Moran
President

Art Torres
Vice President

Ann Moller Caen
Commissioner

Francesca Viator
Commissioner

Vince Courtney
Commissioner

Harlan L. Kelly, Jr.
General Manager



RECOMMENDATIONS AND RESPONSES

Recommendation	Responsible Agency	Response
<p>The San Francisco Public Utilities Commission should ensure that the Power Enterprise:</p> <p>1. Implements inventory count procedures consistent with the United States Government Accountability Office Executive Guide for Best Practices in Achieving Consistent, Accurate Physical Counts of Inventory and Related Property.</p>	SFPUC	Concur - Power Enterprise, Utility Services Division is in the process of conducting a complete physical inventory count and updating procedures that are consistent with the United States Government Accountability Office (GAO) Executive Guide for Best Practices in Achieving Consistent, Accurate Physical Counts of Inventory. Projected completion date for this item is 12/31/2012.
<p>2. Counts and tracks all inventory including inventory that was previously expensed for a work order.</p>	SFPUC	Concur - Power Enterprise, Utility Services Division will incorporate proper counts and tracking inventory in its new procedures and implement into MAXIMO. Projected completion date for this item is 6/30/2013.
<p>3. Implements procedures comparable to those of the Water Enterprise's Water Supply and Treatment Division, requiring that:</p> <ul style="list-style-type: none"> • Supervisors authorize in writing the withdrawal of materials from the warehouse. • Authorized personnel sign a form when inventory is received. 	SFPUC	Concur - Power Enterprise, Utility Services Division is currently in the process of updating all prices in MAXIMO for the items that have been counted, thus allowing us to gain a true value of our inventory. As stated in our response for recommendation #2 our updated procedures will address the Supervisor's approval of the items being issued from the warehouses and use of items in updating MAXIMO on a daily basis. This will also allow the Division to build a better usage history, which will allow the warehouse staff to update and modify the min/max usage levels on all items. Projected completion date for this

Recommendation	Responsible Agency	Response
<ul style="list-style-type: none"> • Warehouse personnel key the information on the form into the Power Enterprise inventory list or provide the form to management who will input the information. • Authorized personnel file the form. 		item is 6/30/2013.
4. Requires that the inventory list is updated when items are removed from the warehouse.	SFPUC	Concur - Utility Services staff is currently in the process of implementing MAXIMO, which will allow staff to update both the receiving and issuance of all items in the warehouse. Projected completion date for this item is 12/31/2012.
5. When the inventory list is accurate, uses it to calculate optimal reorder points and quantities to ensure that costs are minimized.	SFPUC	Concur - Utility Services staff is currently in the process of assigning each item in its inventory with a commodity code and site location. Additionally, Power Enterprise staff will be implementing a bar code system for each item, thus allowing for better accuracy of all receiving and issuance of parts, which will optimize our use of the min/max reorder points. Projected completion date for this item is 6/30/2013.
6. Records the cost of each inventory item on its inventory lists.	SFPUC	Concur - Utility Services staff is currently in the process of implementing MAXIMO, which will allow staff to record the cost of each inventory item in the warehouses. Once the system is fully implemented staff will ensure all inventory items are assigned values. This includes inventories funded by Grants/Projects or other entities including contractual spares and refurbished items. Projected completion date for this item is 6/30/2013.
7. Expenses its inventory when it is consumed.	SFPUC	Concur - Utility Services staff is currently in the process of implementing MAXIMO, which will allow staff to update both the

October 29, 2012

Recommendation	Responsible Agency	Response
		receiving and issuance of all items in the warehouse. Projected completion date for this item is 6/30/2013.
8. Creates warehouse and inventory policies and procedures to fit its unique conditions, but similar to those of the Water Enterprise's Water Supply and Treatment Division.	SFPUC	Concur - Utility Services is in process of updating procedures that are consistent with the United States Government Accountability Office (GAO) Executive Guide for Best Practices in Achieving Consistent, Accurate Physical Counts of Inventory. We currently have documentation from Water Enterprise Regional Program and are working with Water Supply Treatment Division to acquire a copy of their policies and procedures to incorporate "Best Practices" into a Power Enterprise set of procedures. Projected completion date for this item is 3/31/2013.
9. Assigns a code to each storage location that may be used.	SFPUC	Concur - Utility Services staff is currently in process of assigning each item in its inventory with a commodity code and site location. Additionally the Power Enterprise staff will be implanting a bar code system and assign a unique bar code identifier to each item, thus allowing for better accuracy of all receiving and issuance of parts. Projected completion date for the bar coding system will be 6/30/2013. This component of the project will take additional time to be implemented in MAXIMO.
10. Tracks inventory in its inventory listing by storage location.	SFPUC	Concur - See #9 Projected completion date for this item is 6/30/2013.

Recommendation	Responsible Agency	Response
11. Implements a policy requiring that warehouse users periodically change their security system passwords, preferably every 60 to 90 days.	SFPUC	Concur - Utility Services staff will evaluate its current security systems; work with SFPUC Security to determine capability and, if necessary identify costs to modify existing systems to allow frequent system password changes. Projected completion date for this item is 6/30/2013.

BOS-11
CPAGE



Toye Moses,
Executive Director

SOUTHEAST COMMUNITY FACILITY COMMISSION CITY and COUNTY of SAN FRANCISCO

Edwin M. Lee, Mayor

November 7, 2012

Resource Directory
available in
Clerk's Office

- Willie B. Kennedy
President
- Bobbrie Brown
Vice-President
- Armina Brown
Commissioner
- Karen Chung
Commissioner
- Theo Ellington
Commissioner
- Brigette R. LeBlanc
Commissioner
- Al Norman
Commissioner

Angela Cavillo, Clerk of the Board
 San Francisco Board of Supervisors
 City Hall Room 244
 1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2012 NOV -9 AM 9:08
 K

Dear Ms. Cavillo:

The Southeast Community Facility Commission has compiled and revised the "San Francisco Southeast Sector Resource Directory."

The Southeast Community Facility Commission's goal is to advocate and encourage the promotion of services for the improvement of entrepreneurial business opportunities, health, safety and welfare of residents in the Southeast sector of the City. We do hope this directory will serve as a mechanism for linking the community with the information, resources and services required to achieve its goal.

SECF staff has diligently tried to make this directory as thorough and accurate as possible. We also know that there may be omissions, mistakes changes in agencies, or addresses. We invite you to bring any such corrections to our attention by completing the "UPDATE FORM" on page 96 of the resource directory and returning it to us.

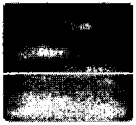
Please keep this directory handy for instant reference; a downloadable digital copy of the directory is available on the Commission's website. Should you have any questions, please contact us at (415) 821-1534 or visit the website at www.sfgov.org/sefacility.

Sincerely,


 Toye Moses, Executive Director
 Southeast Community Facility Commission

TM:lp

12



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: CGOBOC quarterly reopr for BLIP, Q3 2012

From: Alberto, Dianne

Sent: Wednesday, November 07, 2012 3:30 PM

To: 'Abler, Mary'; Bernardi, Toni; 'Bourne, Jill'; Calvillo, Angela; Carlson, Robert; Cisneros, Jose; Falvey, Christine; Flynn, Ronald; Ginsburg, Phil; Herrera, Luis; Howard, Kate; 'Jeffers, Michelle'; Ko, Albert J; Kwan, Will; Lamont, Tara; Lawhun, Kathy; Lee, Edwin; Legg, Douglas; Lombardi, Roberto; 'Marion, Donna'; 'Melton, Edward'; Mizner, Susan; Nuru, Mohammed; Rivera, Patrick; Rosenfield, Ben; Scott, JohnPaul; Sesay, Nadia; 'Staub, Scott C.'; Stevenson, Peg; Strong, Brian; Sweiss, Fuad; Taylor, Yadira; Ting, Phil; Torres, Joaquin; Updike, John; 'Walsh, Rich'; 'Williams, Tim'; 'Wong, Elsie'

Subject: CGOBOC quarterly reopr for BLIP, Q3 2012

Please find attached the electronic version of the BLIP Q3 quarterly report.

Dianne J. Alberto

Public Service Aide

Project Management Division

Department of Public Works

City and County of San Francisco

30 Van Ness, 4th Floor

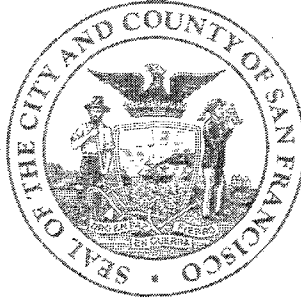
San Francisco, CA 94102

phone: (415) 557-4667

email: dianne.alberto@sfdpw.org



Q3 2012_BLIP Quarterly Report.pdf

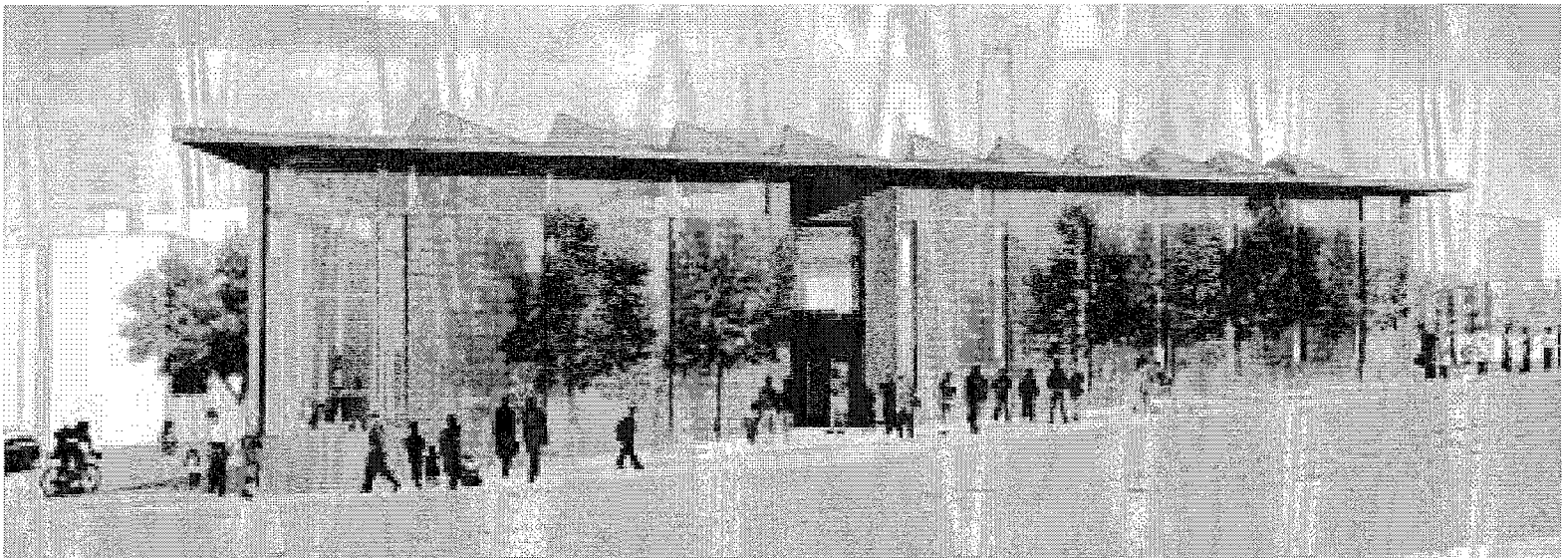


2000 Branch Library Improvement Bond

QUARTERLY REPORT

Third Quarter 2012

July - September



NORTH BEACH BRANCH LIBRARY

EXTERIOR PERSPECTIVE, Leddy Maytum Stacy Architects rendering



Prepared by: Dianne J. Alberto, Financial Administrator, 557-4667

Deborah M. Morgan, Project Management Assistant, 557-4602

Lena Ch'en, Program Manager, 557-4751

Building better libraries for stronger communities

Table of Contents
Quarterly Report
July - September 2012

Executive Summary..... 1

- Program Budget..... 2
- Project Status..... 2

Program Background..... 3

- Program Summary..... 3
- Budget Summary..... 3
- Program Management Activities..... 4

Program Scope of Work..... 5

Project Status Summaries: Active Projects..... 6

Project Background: Bayview Library..... 7

Project Background: North Beach Library..... 9

Program Timeline & Schedule: Active Projects..... 11

Program Budget

- Program Revenues..... 12
- Program Expenditures..... 13



San Francisco Public Library

Luis Herrera
City Librarian



BRANCH LIBRARY
IMPROVEMENT PROGRAM

Lena Ch'en
Bond Program Manager



Mohammed Nuru
Director

Program Budget

- Baseline Budget: \$133,265,000
Current Approved Budget: \$196,259,350
Projected Budget: \$196,259,350
- The current Program Budget \$196,259,350 is funded from the following sources:

City Prop. A Bonds	\$105,865,000
Interest Proceeds	7,517,580
Lease Revenue Bond	34,056,156
Rents Realized	340,172
City ESP Bonds	2,400,000
State Prop. 14 Bonds	9,710,784
Library Preservation Fund	18,369,658
Developer Impact Fees Advanced for Vis Valley	2,000,000
Friends of the Library	16,000,000

- A total of \$178,633,990 has been *expended or encumbered* as of September 30, 2012:

City Prop. A Bonds	\$105,430,450
Bond Interest & Rents	\$6,155,903
Lease Revenue Bond	\$27,920,763
City ESP Bonds	\$2,400,000
State Prop. 14 Bonds	\$9,710,376
Library Preservation Fund	\$18,210,212
Friends of SFPL	\$8,806,286

- Actual *expenditures* through September 30, 2012 of \$166,434,490 are as follows:

City Prop. A Bonds	\$105,073,255
Bond Interest & Rents	\$5,750,880
Lease Revenue Bond	\$22,604,015
City ESP Bonds	\$2,400,000
State Prop. 14 Bonds	\$9,710,376
Library Preservation Fund	\$12,089,678
Friends of SFPL	\$8,806,286

Project Status

- The following project is in Bid & Award:

North Beach	Re-bid yields 3 bids; selection of low bidder is pending review of bidder & sub-contractors qualification. Contract was awarded late September & construction is scheduled to start early October.
-------------	--

- The following project is in Construction:

Bayview	Construction 70% complete; anticipate opening February 2013.
---------	--

Program Background 2000 – 2012

Program Summary

- Voters approved the Branch Library Improvement Bond in November 2000.
- The Branch Library Improvement Program consists of 24 branch library projects and a Support Services Center – 16 renovations, 4 leased facilities to be replaced with City-owned buildings, 3 branches to be replaced with new buildings, and the construction of the brand-new Mission Bay branch.
- The goals of the BLIP are to increase public safety through seismic strengthening and hazardous materials abatement; increase accessibility by conforming with the Americans with Disabilities Act (ADA); improve infrastructure through modernization and code compliance upgrades; and improve public library service through reconfigured interior spaces, adaptations for technology and, where possible, expansion.
- On July 22, 2008, the City & County of San Francisco Board of Supervisor's passed the Green Building ordinance. The final 10 projects will achieve a LEED Silver rating or greater.

Budget Summary

- Program budget reports are presented monthly to the Library Commission. Budget changes were last approved in September 2012 for the Anza, Park, Presidio, Visitacion Valley, Parkside projects, and the Program Reserve.

GO & REVENUE BONDS:

- A total of \$105,865,000 in Proposition A General Obligation Bonds have been sold in four bond sales and appropriated by the Board of Supervisors.
- A total of \$7,036,580 from G.O. Bond Interest and \$340,172 from Rents and

Concessions have been allocated to the BLIP.

- Proposition D passed by 74.5% which extended the Library Preservation Fund and allows the City to issue revenue bonds for branch improvements.
- In May 2009, \$34,056,156 of Lease Revenue Bonds was allocated to the BLIP as part of the first sale for 6 libraries and program wide services, including the cost of bond issuance.
- In August 2011, the Library Commission accepted \$1,089,489 in Visitacion Valley Developer fees.
- In April 2012, the Board of Supervisors approved a supplemental appropriation for \$481,000 of G.O. Bond Interest Proceed Earnings.

LIBRARY PRESERVATION FUND (LPF):

- The Board of Supervisors approved transfers from the LPF reserves into the Branch Library Improvement Program in FY 03/04, FY 05/06, FY 06/07, FY 07/08, FY 08/09 & FY 11-12.
- In FY 08/09, \$2,000,000 in LPFs was advanced for anticipated developer impact fees for the new Visitacion Valley library.
- In January 2011, the Board of Supervisors approved a supplemental appropriation request for \$2,169,200 of developer impact fees, \$1,089,489 of which were accepted by the Library Commission and transferred to the Visitacion Valley project budget. Previously advanced LPFs were returned to the Program Reserve for use by other projects.

GRANTS:

- The State awarded two March 2000 Proposition 14 grants totaling \$9.7 million for the Richmond and Ingleside projects for furniture and construction.

Program Management Activities

OUTREACH:

- To date, library and management staff have sponsored or attended 679 public meetings to update neighborhoods, merchant groups, legislative bodies and other organizations.
- Monthly presentations are made to the Library Commission.

SCHEDULES:

- Baseline project schedules established in October 2001 are reflected along with Current Approved schedules for active projects in the Program Timeline & Schedule report.
- Program schedule reports for active projects are presented monthly to the Commission. Schedule changes were approved in December 2011 for the Bayview and North Beach projects.

DESIGN TEAMS:

- Five design teams were selected in 2002 through a competitive RFQ process: Carey & Co. for Noe Valley, Tom Eliot Fisch / Field Paoli for Marina, THA Architecture for West Portal and Parkside, Fougeron Architecture for Sunset, and Leddy Maytum Stacey for North Beach.
- Two design teams were selected for new branches in 2002 through a competitive RFQ process: Fougeron Architecture /Group 4 for Ingleside and Stoner Meek / Noll & Tam Architects for Portola.
- Three design teams were selected through a competitive RFQ process in 2007: Tom Eliot Fisch/Paulett Taggart for Park & Presidio; Field Paoli/ Joseph Chow & Associates for Golden Gate Valley; and THA Architecture for Bayview.
- Bureau of Architecture designed Excelsior, Richmond, Visitacion Valley, Ortega, Western Addition, Bernal Heights, Potrero, Ortega, Merced, and Anza branch libraries.

TEMPORARY SERVICES:

- A temporary site at the YMCA is serving the Bayview community during construction of the new branch library.

PUBLIC ART:

- An art enrichment master plan was presented to the Library Commission in 2002 and revised in September 2008. Public art has been installed in Glen Park, Mission Bay, Ingleside, Portola, Potrero, Richmond, Visitacion Valley and Ortega. Artists were selected for Bayview and North Beach.

MOU:

- A Memorandum of Understanding has been completed between the DPW & SFPL.
- Major revisions to the MOU were completed in 2008 and updates were presented to the Library Commission in November 2008 and December 2009.

BLIP AWARDS:

- AIA Special Achievement Award (3/5/09).
- Governor's Historic Preservation Award for the Noe Valley restoration (11/21/08).
- CA Preservation Foundation Design Award for the Noe Valley restoration (9/19/09).
- Historic Restoration Award from the American Public Works Association for the Richmond restoration (2/25/10).
- 2010 DPW Employee Recognition Award for the Bernal Heights renovation (5/21/10).
- Historic Preservation Awards from the Northern California American Public Works Association for the Bernal Heights and Eureka Valley renovations (2/24/11).
- Historic Preservation Award from the American Public Works Association for the Bernal Heights renovation (9/19/11).
- Best New Building Award by the Architectural Foundation of SF for the Ingleside Branch Library (6/11).
- 2011 Green & Blue Award for BLIP as a "Green Building Leader" from the San Francisco Department of the Environment (6/21/11).
- Golden Gate Valley received the 2012 Preservation Design Award from the California Preservation Foundation for the Rehabilitation category (7/12).

Scope of Work

The bond program includes 7 site acquisitions, new construction of 8 branch libraries, and renovation and/or expansion of 16 existing branches and a support services center. Renovations will include some or all of the following: seismic strengthening, hazardous material abatement, Americans with Disabilities Act conformance, code compliance, electrical and mechanical upgrades, technology improvements, and reconfiguration of interior spaces.

	Renovation and/or Expansion	Site Acquisition	New Construction	Opening Date for Completed Projects
Anza	•			June 18, 2011
Bayview *		•	•	
Bernal Heights	•			Jan. 30, 2010
Eureka Valley	•			Oct. 24, 2009
Excelsior	•			July 9, 2005
Glen Park		•	•	Oct. 13, 2007
Golden Gate Valley	•			Oct. 15, 2011
Ingleside		•	•	Sept. 12, 2009
Marina	•			Aug. 4, 2007
Merced	•			May 14, 2011
Mission Bay		•	•	July 8, 2006
Noe Valley	•			March 8, 2008
North Beach *			•	
Ortega *			•	Sept. 10, 2011
Park	•			Feb. 26, 2011
Parkside	•			Nov. 6, 2010
Portola		•	•	Feb. 28, 2009
Potrero	•			March 6, 2010
Presidio	•			March 26, 2011
Richmond	•			May 16, 2009
Sunset	•			Mar. 31, 2007
Visitacion Valley		•	•	July 30, 2011
West Portal	•			Feb. 10, 2007
Western Addition	•			Feb. 2, 2008
Support Center	•	•		Feb. 2005

*Original scope changed from renovation to new construction

Project Status Summaries: Active Projects

One Project in Construction:

Bayview Branch Library

Project Location: 5075 Third Street

Program Manager: Lena Chen

lena.chen@sfdpw.org; (415) 557-4751

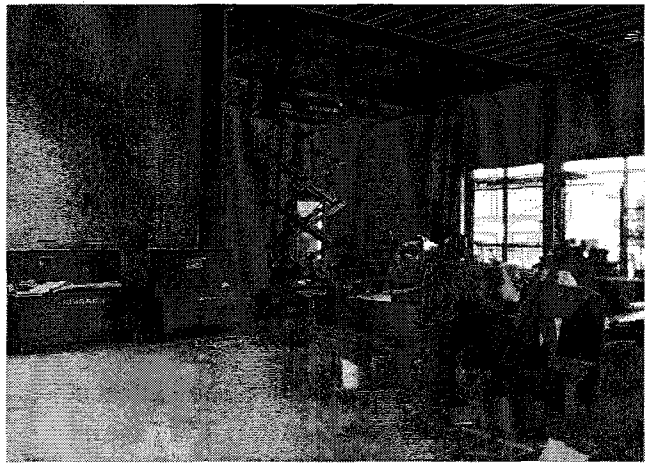
Project Description: The new 9,527 sq. ft. Bayview Branch Library will address the programmatic needs of the neighborhood by providing separate children, teen, and adult spaces; a large program room; an interior courtyard; increased collection; ADA accessibility; new shelving and furniture; public art and code compliant seismic, electrical and mechanical systems. The new construction will meet at least Silver certification standards and may meet Gold certification standard.

Project Schedule at a Glance

	Start	Finish
Original	Pre-2005	Nov-06
Approved	Nov-07	Feb-13

Project Budget

Original Budget	\$3,820,000
Current Budget	\$13,567,244
Current Projected	\$13,567,244
Spent or Encumbered to Date	\$12,189,937



One Project in Bid & Award Phase:

North Beach Branch Library

Project Location: 850 Columbus Avenue

Program Manager: Lena Chen

lena.chen@sfdpw.org; (415) 557-4751

Project Description: The new 8,500 sq. ft. North Beach Branch Library will address the programmatic needs of the neighborhood by providing separate children, teen, and adult spaces; a large program room; ADA accessibility; new shelving and furniture; public art and code compliant seismic, electrical and mechanical systems. The new construction is targeting LEED Silver certification. In addition to the new library, a Master Plan was developed with the Recreation & Parks Department to expand and reorganize the adjacent Joe DiMaggio Playground.

Project Schedule at a Glance

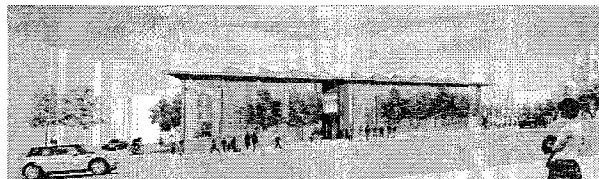
	Start	Finish
Original	Pre-2005	Mar-07
Approved	Nov-07	Dec-13

Project Budget

Original Budget	\$3,460,000
Current Budget	\$14,548,574
Current Projected	\$14,548,574
Spent or Encumbered to Date	\$11,277,104



LIBRARY AND PARK FROM COLUMBUS AVENUE LOOKING NORTH



LIBRARY ALONG COLUMBUS AVENUE LOOKING EAST

Project Background: Bayview Branch Library 2000 – 2012

BAYVIEW SCOPE OF WORK

The original scope for the Bayview Branch Library project was a renovation of the existing site with a small addition. Based on community input and programmatic need, the Library Commission voted to expand the project scope to new construction and possible site acquisition to accommodate a new, larger branch library. In May 2007, a survey was conducted in which 300 people gave their opinions about materials, facilities and service needs at the branch. In February 2008 the Library Commission directed staff to develop three potential design options for the new Bayview Branch Library: (1) a new two story building on the existing site; (2) a new one story branch with acquisition of an adjacent property for expansion; and (3) an alternate property and location for the new library. In April 2008, a public meeting was held at the Bayview Branch to introduce the architects, discuss conceptual plans, and hear the community's vision for a new branch library.

In June 2008, the Library Commission authorized the City Librarian to pursue schematic design for a one story building and to pursue adjacent property acquisition options to accommodate a new one story building on the existing site. In August 2008, the Library Commission approved a resolution endorsing the acquisition of the property at 5025 Third Street and urged the Board of Supervisors and the Mayor to approve the Purchase Agreement.

The new library is located at 5075 Third Street at Revere Avenue and is built on the site of the old branch and an adjacent storefront. The new 9,527 square-foot, one-story building will be fully ADA accessible and feature: separate areas for children, teen, and adults; an interior courtyard; study rooms; a program room with after-hours access for community meetings and library programs; public art; wireless internet access; and an expanded collection of books and materials. Images representing the history and culture of the Bayview neighborhood are incorporated into the design. The new library is designed to meet LEED Silver with green features such as a living roof and solar panels.

A ground breaking ceremony for the new building was held on July 22, 2011. To date, the project is in the construction phase, and anticipated to open to the public in February 2013.

BAYVIEW FUNDING

The Bayview Branch Library project's original renovation budget was set in 2001 at \$3,820,000. In March 2007, the Library Commission reassessed the program, approving schedule and budget changes for five projects—Bayview, Golden Gate Valley, Merced, North Beach, and Ortega. The Bayview project scope was changed from a renovation to new construction and site acquisition, increasing the estimated project budget to between \$9.9 and \$10.3 million. In March 2007, the Library Commission also approved a strategy to seek funds to complete six remaining branch projects – Anza, Bayview, Golden Gate Valley, Merced, North Beach, and Ortega – through lease revenue bonding authority, which was subsequently approved by voters through Proposition D (November, 2007). The first sale of lease revenue bonds was completed in March 2009, providing \$29,335,249 in proceeds for the six branch projects. Proceeds from this sale were limited to only soft costs for North Beach and Bayview projects, with a second sale of lease

revenue bonds planned to complete the two projects. In May 2009, the Bayview Branch Library project budget was set at \$4,985,778, to fund the project through design and pre-bid cost estimates.

The 2009 Bayview Branch pre-bid cost estimate described a total project budget of \$11,830,796, including \$1,210,795 in cost to purchase the adjacent property for the library expansion, \$7,003,501 in total construction, abatement, and contingency costs, and \$3,616,500 in design, management, fees, and other soft costs. In February 2010, the Library Commission approved both the project budget of \$11,830,796 and the use of an alternative project bid method from the traditional design/bid/build contracting approach to a Construction Manager/General Contractor (CM/GC). The primary reason for this action was to increase the prospects of local hiring. With assistance from the Human Rights Commission (HRC), City Build, DPW leadership, and library staff, the BLIP management team has made great strides towards meeting that objective. Examples of this effort include:

- Legislative policy to hire workers from the Bayview community for this project: DPW changed the bidding process; wrote legislation along with the HRC to maximize local hiring opportunities; required all potential CM/GC contractors to outline their local hiring plan in detail; hired a CM/GC contractor from the community; hired an outreach consultant from the neighborhood; negotiated the demolition contract with a Bayview contractor; and worked with City Build to hire new workers through local neighborhood organizations for each trade package.
- The HRC established a project LBE (Local Business Enterprise) goal of 30%

The cost estimate for the project was conducted over 2 years prior to the bid and award phase of the project and was based on multiple bidders. Since that time, the local economy showed some signs of recovery, and may have led to the lack of competition for individual trade packages, despite continual contractor outreach. Increased costs due to the change in bid climate, lack of competition for each trade package, increased local hiring objectives, difficult site conditions, and other factors required an increase to the project budget by \$1,736,448. In August 2011, the Library Commission approved the revised project budget for the Bayview Branch Library project of \$13,567,244.

Since 2009, the BLIP has moved forward successfully, completing 22 of the 24 individual branch construction projects. An improved bidding climate, combined with enhanced program management practices, resulted in savings from closed and awarded branch projects. These savings allowed the Library Commission to fully fund the Bayview Branch project, now in construction.

Project Background: North Beach Branch Library 2000 – 2012

NORTH BEACH SCOPE OF WORK

The North Beach Branch Library, built in 1959, is a multilevel 5,530 square foot facility, located on a Recreation and Parks Department (RPD) property known as the Joe DiMaggio Playground. In 2003, a series of public meetings were held regarding the planned project, a renovation with small addition (500 square feet) to replace the loss of public space resultant from changes necessitated by the Americans with Disabilities Act (ADA) and seismic safety requirements, but the community strongly voiced demand for a larger, more functional library. In March 2007, the Library Commission voted to expand the North Beach project scope from a renovation to a new 8,500 square foot facility. In 2008, the Library, the Recreation and Parks Department (RPD), and the Department of Public Works (DPW) completed a 6-month master planning process. The Plan which called for a new library facility at 701 Lombard (the “triangle” lot), demolition of the existing facility, closure of Mason Street, and a redesigned larger park received unanimous approval from both the Library Commission and Recreation and Parks Commission in September 2008.

The North Beach Branch project has undergone a high level of public review and input. In addition to the master planning process, the project was the subject of an extensive Environmental Impact Review (EIR) (2008-2011), Civic Design Review (2009-2012), Historic Resource Evaluation (2009 – 2010), and has been discussed before the Library Commission on numerous occasions, including deliberations of scope, schedule, and funding. In April 2011, the EIR for the North Beach Library and Joe DiMaggio Park Master Plan was certified through unanimous vote by the Planning Commission. After a subsequent appeal, the EIR certification was unanimously upheld by the Board of Supervisors in June 2011. Following these approvals, the BLIP design team advanced through the construction document phase.

NORTH BEACH FUNDING

When the North Beach Branch Library project was originally budgeted, as a renovation with a small addition, a preliminary budget had been set of \$3,460,000. However, subsequent decisions were made to expand the project scope, based on community feedback and the master planning process that examined multiple options. In March 2007, the Library Commission reassessed the Branch Library Improvement Program, approving schedule and budget changes for five projects—Bayview, Golden Gate Valley, Merced, North Beach, and Ortega. The North Beach project scope was changed from a renovation to a new building, increasing the estimated project budget to between \$7 and \$8 million, but required additional studies, and the completion of the EIR. In March 2007, the Library Commission also approved a strategy to seek funds to complete six remaining branch projects – Anza, Bayview, Golden Gate Valley, Merced, North Beach, and Ortega – through lease revenue bonding authority, which was subsequently approved by voters through Proposition D (November, 2007). The first sale of lease revenue bonds was completed in March 2009, providing \$29,335,249 in proceeds for the six branch projects. Proceeds from this sale were limited to only soft costs for North Beach and Bayview projects, with a second sale of lease

revenue bonds planned to complete the two projects. In May 2009, the North Beach Branch Library project budget was set at \$3,500,000, to fund the project through design and pre-bid cost estimates.

Since 2009, the BLIP has moved forward successfully, completing 22 of the 24 individual branch construction projects. An improved bidding climate, combined with enhanced program management practices, resulted in savings from closed and awarded branch projects. These savings allowed the Library Commission to fully fund the Bayview Branch project, now in construction, and increased the Program Reserve, which helped to fully fund the North Beach project budget.

Based upon a 95% design estimate, the BLIP management team recommended approval of a revised project budget for the North Beach Branch Library project. In February 2012, the Library Commission approved the budget increase of \$11,048,574, changing the budget from \$3,500,000 to \$14,548,574. In April 2012, the Board of Supervisors approved a supplemental appropriation ordinance to fully fund the project by a combination of GO Bond interest earnings and a draw from the existing fund reserve of the Library Preservation Fund (LPF). Due to this approach, no additional debt through the issuance of lease revenue bonds is required.

**2000 Branch Library Improvement Program G.O. Bond
Program Timeline & Schedule: Active Projects as of 9/30/2012**

Legend: Site Acquisition Planning / Design / Bid & Award Construction / Move In / Opening

BRANCH LIBRARIES	DIST	PHASE	AMOUNTS	SCHEDULE																																																					
				START	FINISH	2006				2007				2008				2009				2010				2011				2012				2013				2014																			
Active Projects in Alphabetical Order				2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr											
Bayview																																																									
Original (Renovation)			\$3,820,000	Pre-2005	Nov-06	955,000		2,865,000																																																	
Total Current Approved (New Construction)			\$13,567,244	Nov-07	Feb-13																																																				
Site Acquisition ²	10	Construction	\$1,210,795	Jun-08	Jan-09																																																				
Total Current Projected			\$13,567,244	Nov-07	Feb-13																																																				
Spent to Date ¹ (Incl. Site Acq.)			\$12,189,937																																																						
North Beach																																																									
Original (Renovation)			\$3,460,000	Pre-2005	Mar-07	865,000		2,595,000																																																	
Total Current Approved (New Construction)			\$14,548,574	Nov-07	Dec-13																																																				
Site Acquisition ²			\$4,359																																																						
Current Approved ³ (Demo & Site Improvements)	3	Design	\$649,000	Mar-14																																																					
Total Current Projected (New Construction)			\$14,548,574	Nov-07	Dec-13																																																				
Current Projected ³ (Demo & Site Improvements)			\$649,000	Mar-14																																																					
Spent to Date ^{1,4} (Incl. Site Acq. & Demo/S.I.)			\$11,277,104																																																						

Notes:
 1. Spent to Date Includes actual expenditures, encumbered funds, and costs associated with Site Acquisition or Demo & Site Improvements
 2. Site Acquisition is included in Total Current Approved, Total Current Projected, and Spent to Date. Bayview Site Acquisition is complete; North Beach Site Acquisition pertains to fees for the Real Estate Department
 3. Demolition and site improvements at existing library; Included in Total Current Approved and Total Current Projected
 4. \$245,423 of amount Spent to Date is for Utility Relocation only

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Revenues as of 9/30/2012**

Branch / Project	Baseline Budget (10/01)	Approved Budget (9/12)	City Prop. A Bonds	City Prop. A Bond Interest ⁽³⁾	Lease Revenue Bond (RB)	Library Preservation Fund	State Prop. 14 Bonds	Other Funds	Total All Sources
Site Acquisitions / New Construction									
Bayview	3,820,000	13,567,244	3,757,013	2,297,198	6,015,875	1,496,928	-	230	13,567,244
Glen Park	4,570,000	5,484,116	5,214,590	-	-	269,526	-	-	5,484,116
Ingleside	4,570,000	6,930,623	2,344,556	203,307	-	630,817	3,751,943	-	6,930,623
Mission Bay	3,350,000	3,737,573	3,736,025	-	-	1,548	-	-	3,737,573
North Beach	3,460,000	14,548,574	1,470,222	494,472	4,854,990	7,728,890	-	-	14,548,574
Ortega	3,560,000	10,020,492	1,565,059	5,792	7,475,258	974,383	-	-	10,020,492
Portola	4,570,000	5,951,015	5,640,109	190,606	-	120,300	-	-	5,951,015
Visitation Valley	5,320,000	12,681,990	9,503,577	62,506	-	791,319	-	2,324,588 ^(4,5)	12,681,990
Support Services	9,080,000	8,867,578	8,852,224	-	-	-	-	15,354 ⁽⁴⁾	8,867,578
SUBTOTAL	42,300,000	81,789,205	42,083,375	3,253,881	18,346,123	12,013,711	3,751,943	2,340,172	81,789,205
Renovations									
Anza	4,740,000	6,651,380	4,616,700	502,564	1,351,095	181,021	-	-	6,651,380
Bernal Heights	5,350,000	5,642,521	4,901,976	372,149	-	368,396	-	-	5,642,521
Eureka Valley	4,580,000	4,160,075	3,337,094	669,056	-	153,925	-	-	4,160,075
Excelsior	3,820,000	3,594,441	3,594,441	-	-	-	-	-	3,594,441
Golden Gate Valley	5,340,000	7,279,809	1,617,311	169,025	5,470,227	23,246	-	-	7,279,809
Marina	4,110,000	3,823,319	3,823,319	-	-	-	-	-	3,823,319
Merced	4,200,000	5,410,462	854,781	201,086	3,746,110	608,485	-	-	5,410,462
Noe Valley	4,410,000	5,480,954	5,472,454	-	-	8,500	-	-	5,480,954
Park	1,310,000	2,473,610	1,052,143	1,385,204	-	36,263	-	-	2,473,610
Parkside	2,880,000	4,542,253	4,330,025	16,400	-	195,828	-	-	4,542,253
Potrero	4,230,000	5,426,847	4,551,293	607,762	-	267,792	-	-	5,426,847
Presidio	1,530,000	3,545,386	3,477,322	240	-	67,824	-	-	3,545,386
Richmond	7,630,000	13,455,687	2,393,911	35,282	-	2,667,653	5,958,841	2,400,000 ⁽¹⁾	13,455,687
Sunset	1,490,000	1,459,109	1,429,023	13,302	-	16,784	-	-	1,459,109
West Portal	4,110,000	4,419,838	4,419,838	-	-	-	-	-	4,419,838
Western Addition	3,430,000	4,303,962	3,318,860	24,928	-	960,174	-	-	4,303,962
SUBTOTAL	63,160,000	81,669,653	53,190,491	3,996,998	10,567,432	5,555,891	5,958,841	2,400,000	81,669,653
Program-Wide Services & Costs									
Library Program Costs	800,000	1,080,000	736,141	15,019	-	328,840	-	-	1,080,000
Program Consultants	750,000	1,165,000	1,154,014	2,181	-	8,805	-	-	1,165,000
Program Management	3,600,000	8,387,767	6,821,619	145,258	1,420,890	-	-	-	8,387,767
Real Estate Dept	120,000	235,281	235,281	-	-	-	-	-	235,281
Art Enrichment Program	362,000	362,000	251,807	40,193	-	70,000	-	-	362,000
Temporary Services & Moving	4,360,000	522,559	422,559	-	-	100,000	-	-	522,559
Furniture & Equipment Reserve	15,000,000	16,000,000	-	-	-	-	-	16,000,000 ⁽²⁾	16,000,000
Bond Financing Costs	1,500,000	1,843,953	838,298	-	1,005,655	-	-	-	1,843,953
Debt Service Reserve	-	2,471,797	-	-	2,471,797	-	-	-	2,471,797
Program Reserve	1,675,000	732,135	131,415	64,050	244,259	292,411	-	-	732,135
SUBTOTAL	27,805,000	32,800,492	10,591,134	266,701	5,142,601	800,056	-	16,000,000	32,800,492
TOTAL	133,265,000	196,259,350	105,865,000	7,517,580	34,056,156	18,369,658	9,710,784	20,740,172	196,259,350

Notes:

(1) Earthquake Safety Program funds remaining for Branch Libraries (\$2,400,000)

(2) Private donations from Friends of the Library. As of September 2012, anticipated total is estimated at \$10.8M for furniture, fixtures and equipment (FFE) direct & in-kind expenditures through the completion of the program.

Estimates are as follows:

- \$1,000,000 Reimbursement of \$1,000,000 of LPF advanced for shelving purchases from November 2007
- \$8,806,286 See expenditure to date breakdown in footnote # 6 below
- \$500,000 Anticipated FFE spending for Bayview
- \$500,000 Anticipated FFE spending for North Beach
- \$10,806,286 Anticipated Total Friends contribution for FFE

(3) Bond interest proceeds appropriated (\$1,673,481; \$3,679,132; \$1,683,967 [pending Controller's release of reserve])

(4) Rents received & appropriated (\$128,342; \$152,030; \$59,800)

(5) Advance for Developer Impact Fees (\$2,000,000)

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Expenditures as of 9/30/2012***

Dist	Branch / Project	Phase	Category	FAMIS									
				Baseline Budget (10/2001)		Current Budget		Expended		Encumbered		Balance	
				All Sources	2000 Prop. A Bonds	All Sources	2000 Prop. A Bonds ¹	All Sources	2000 Prop. A Bonds ¹	All Sources	2000 Prop. A Bonds ¹	2000 Prop. A Bonds ¹	
1	Anza	Opened	Soft Costs	1,292,727	1,292,727	1,914,467							
			Construction Costs	3,318,000	3,318,000	4,556,147							
			Project Contingency	129,273	129,273	180,766							
			SUBTOTAL	4,740,000	4,740,000	6,651,380	5,132,070	6,651,380	5,119,264	6,490	6,490	6,316	
10	Bayview	Construction	Site Acquisition	-	-	1,210,795							
			Soft Costs	868,182	868,182	3,277,013							
			Construction Costs	2,865,000	2,865,000	8,749,140							
			Project Contingency	86,818	86,818	330,296							
			SUBTOTAL	3,820,000	3,820,000	13,567,244	6,054,211	8,987,554	4,091,284	3,202,383	242,618	1,720,309	
9	Bernal Heights	Opened	Soft Costs	1,605,000	1,605,000	1,464,667							
			Construction Costs	3,745,000	3,745,000	4,165,847							
			Project Contingency	-	-	12,007							
			SUBTOTAL	5,350,000	5,350,000	5,642,521	5,274,125	5,614,235	5,271,530	-	-	2,595	
8	Eureka Valley	Opened	Soft Costs	1,145,000	1,145,000	1,454,868							
			Construction Costs	3,435,000	3,435,000	2,705,207							
			Project Contingency	-	-	-							
			SUBTOTAL	4,580,000	4,580,000	4,160,075	4,006,150	4,160,075	4,006,150	-	-	-	
11	Excelsior	Opened	Soft Costs	955,000	955,000	1,430,944							
			Construction Costs	2,865,000	2,865,000	2,163,497							
			Project Contingency	-	-	-							
			SUBTOTAL	3,820,000	3,820,000	3,594,441	3,594,441	3,594,441	3,594,441	-	-	-	
8	Glen Park	Opened	Site Acquisition	1,770,000	1,770,000	3,431,448							
			Soft Costs	700,000	700,000	560,974							
			Construction Costs	2,100,000	2,100,000	1,491,694							
			Project Contingency	-	-	-							
			SUBTOTAL	4,570,000	4,570,000	5,484,116	5,214,590	5,484,116	5,214,590	-	-	-	
2	Golden Gate Valley	Opened	Soft Costs	1,456,364	1,456,364	2,378,150							
			Construction Costs	3,738,000	3,738,000	4,513,450							
			Project Contingency	145,636	145,636	388,209							
			SUBTOTAL	5,340,000	5,340,000	7,279,809	1,786,336	6,478,196	1,755,151	58,476	7,217	23,968	
7	Ingleside	Opened	Site Acquisition	1,770,000	1,770,000	2,051,799							
			Soft Costs	700,000	700,000	928,782							
			Construction Costs	2,100,000	2,100,000	3,950,042							
			Project Contingency	-	-	-							
			SUBTOTAL	4,570,000	4,570,000	6,930,623	2,547,863	6,930,213	2,547,863	-	-	-	
2	Marina	Opened	Soft Costs	934,091	934,091	1,008,507							
			Construction Costs	3,082,500	3,082,500	2,814,812							
			Project Contingency	93,409	93,409	-							
			SUBTOTAL	4,110,000	4,110,000	3,823,319	3,823,319	3,823,319	3,823,319	-	-	-	
7	Merced	Opened	Soft Costs	1,050,000	1,050,000	1,957,559							
			Construction Costs	3,150,000	3,150,000	3,165,502							
			Project Contingency	-	-	287,401							
			SUBTOTAL	4,200,000	4,200,000	5,410,462	1,055,867	4,966,690	1,045,468	1,200	-	10,399	

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Expenditures as of 9/30/2012***

Dist	Branch / Project	Phase	Category	Baseline Budget (10/2001)		Current Budget		FAMIS				
				All Sources		2000 Prop. A Bonds		Expended		Encumbered		Balance
				All Sources	2000 Prop. A Bonds	All Sources	2000 Prop. A Bonds	All Sources	2000 Prop. A Bonds	All Sources	2000 Prop. A Bonds	2000 Prop. A Bonds
6	Mission Bay	Opened	Site Acquisition	3,350,000	3,350,000	3,737,573						
			Project Contingency	-	-	-						
			SUBTOTAL	3,350,000	3,350,000	3,737,573	3,736,025	3,737,573	3,736,025	-	-	-
8	Noe Valley	Opened	Soft Costs	1,202,727	1,202,727	1,201,363						
			Construction Costs	3,087,000	3,087,000	4,279,591						
			Project Contingency	120,273	120,273	-						
			SUBTOTAL	4,410,000	4,410,000	5,480,954	5,472,454	5,480,954	5,472,454	-	-	-
3	North Beach	Design	Site Acquisition			4,359						
			Soft Costs	786,364	786,364	3,765,426						
			Construction Costs	2,595,000	2,595,000	10,061,435						
			Project Contingency	78,636	78,636	717,354						
			SUBTOTAL	3,460,000	3,460,000	14,548,574	1,964,694	2,473,375	1,433,790	8,803,729	457,069	73,835
4	Ortega	Opened	Soft Costs	809,091	809,091	2,954,038						
			Construction Costs	2,670,000	170,000	7,066,454						
			Project Contingency	80,909	80,909	-						
			SUBTOTAL	3,560,000	1,060,000	10,020,492	1,570,851	9,324,215	1,507,194	119,281	48,825	14,832
5	Park	Opened	Soft Costs	339,409	339,409	704,688						
			Construction Costs	936,650	936,650	1,768,922						
			Project Contingency	33,941	33,941	-						
			SUBTOTAL	1,310,000	1,310,000	2,473,610	2,437,347	2,473,610	2,437,347	-	-	-
4	Parkside	Opened	Soft Costs	654,545	654,545	1,353,055						
			Construction Costs	2,160,000	2,160,000	3,189,198						
			Project Contingency	65,455	65,455	-						
			SUBTOTAL	2,880,000	2,880,000	4,542,253	4,346,425	4,542,254	4,346,425	-	-	-
10	Portola	Opened	Site Acquisition	1,770,000	1,770,000	1,341,456						
			Soft Costs	700,000	700,000	1,153,569						
			Construction Costs	2,100,000	2,100,000	3,455,990						
			Project Contingency	-	-	-						
			SUBTOTAL	4,570,000	4,570,000	5,951,015	5,830,715	5,951,015	5,830,715	-	-	-
10	Potrero	Opened	Soft Costs	1,057,500	1,057,500	1,629,895						
			Construction Costs	3,172,500	3,172,500	3,796,952						
			Project Contingency	-	-	-						
			SUBTOTAL	4,230,000	4,230,000	5,426,847	5,159,055	5,350,981	5,159,055	-	-	-
2	Presidio	Opened	Soft Costs	417,273	417,273	1,046,619						
			Construction Costs	1,071,000	1,071,000	2,498,767						
			Project Contingency	41,727	41,727	-						
			SUBTOTAL	1,530,000	1,530,000	3,545,386	3,477,562	3,545,386	3,477,562	-	-	-
1	Richmond ^{2,3}	Opened	Soft Costs	2,080,909	21,909	2,843,961						
			Construction Costs	5,341,000		10,355,914						
			Project Contingency	208,091	208,091	255,812						
			SUBTOTAL	7,630,000	230,000	13,455,687	2,429,193	13,455,688	2,429,193	-	-	-

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Expenditures as of 9/30/2012***

Dist	Branch / Project	Phase	Category	FAMIS									
				Baseline Budget (10/2001)		Current Budget		Expended		Encumbered		Balance	
				All Sources	2000 Prop. A Bonds	All Sources	2000 Prop. A Bonds	All Sources	2000 Prop. A Bonds	All Sources	2000 Prop. A Bonds	2000 Prop. A Bond	
5	Sunset	Opened	Soft Costs	447,000	447,000	501,612							
			Construction Costs	1,043,000	1,043,000	957,497							
			Project Contingency	-	-	-							
			SUBTOTAL	1,490,000	1,490,000	1,459,109	1,442,325	1,459,109	1,442,325	-	-	-	-
	Support Services	Opened	Site Acquisition	9,080,000	9,080,000	8,867,578							
			Project Contingency	-	-	-							
			SUBTOTAL	9,080,000	9,080,000	8,867,578	8,852,224	8,867,578	8,852,224	-	-	-	-
10	Visitacion Valley	Opened	Site Acquisition	1,990,000	1,990,000	2,035,136							
			Soft Costs	734,091	734,091	2,776,404							
			Construction Costs	2,522,500	22,500	7,870,450							
			Project Contingency	73,409	73,409	-							
			SUBTOTAL	5,320,000	2,820,000	12,681,990	9,748,742	12,681,514	9,566,083	-	-	-	182,659
7	West Portal	Opened	Soft Costs	1,233,000	1,233,000	1,016,714							
			Construction Costs	2,877,000	2,877,000	3,403,124							
			Project Contingency	-	-	-							
			SUBTOTAL	4,110,000	4,110,000	4,419,838	4,419,838	4,419,838	4,419,838	-	-	-	-
5	Western Addition	Opened	Soft Costs	857,500	857,500	1,323,836							
			Construction Costs	2,572,500	2,572,500	2,980,126							
			Project Contingency	-	-	-							
			SUBTOTAL	3,430,000	3,430,000	4,303,962	3,343,788	4,303,962	3,343,788	-	-	-	-
	Program-Wide Services & Costs												
			Library Program Costs	800,000	800,000	1,080,000	751,160	1,035,436	751,158	-	-	-	2
			Program Consultants	750,000	750,000	1,165,000	1,156,195	1,126,378	1,125,515	7,942	-	-	30,680
			Program Management	3,600,000	3,600,000	8,387,767	6,966,877	7,872,946	6,966,877	-	-	-	-
			Real Estate Dept	120,000	120,000	235,281	235,281	235,281	235,281	-	-	-	-
			Art Enrichment Fund	-	-	362,000	292,000	362,000	292,000	-	-	-	-
			Moving & Interim Services	4,360,000	4,360,000	522,559	422,559	465,511	422,559	-	-	-	-
			Furniture & Equipment Reserve	15,000,000	-	16,000,000	-	8,806,286 ⁴	0	-	-	-	-
			Bond Financing Costs	1,500,000	1,500,000	1,843,953	838,298	1,773,380	767,725	-	-	-	70,573
			Debt Service Reserve	-	-	2,471,797	-	-	-	-	-	-	-
			Program Reserve	1,675,000	1,675,000	732,135	-	-	-	-	-	-	-
			SUBTOTAL	27,805,000	12,805,000	32,800,492	10,662,370	21,677,218	10,561,115	7,942	-	-	101,255
TOTAL PROGRAM:				133,265,000	105,865,000	196,259,350	113,382,580	166,434,490	110,484,193	12,199,501	762,219	-	2,136,168

*Expenditure data through 9/30/2012 from FAMIS as of 10/1/2012

Notes:

- 2000 Prop. A Bonds reported for Current Budget, Expenditures, and Encumbrances includes bond proceeds and interest appropriated to date
- Baseline Budget included \$2,400,000 from Earthquake Safety Bonds
- Expenditures to date "All Sources" includes \$2,400,000 Earthquake Safety Bonds
- Amount reported for the Friends of the San Francisco Public Library represents in kind contributions of BLIP furniture, fixtures, and equipment;
Expenditures to date as follows:

5,170,967	Friends (Friends of SFPL reported expenditures are in-kind contributions of BLIP FFE)
2,528,911	SFPL (direct city expenditures of Friends donations)
1,106,408	DPW (direct city expenditures of Friends donations)
<u>\$ 8,806,286</u>	<u>Total To Date</u>



To: BOS-Operations/BOS/SFGOV,
Cc:
Bcc:
Subject: BOARD OF SUPERVISORS INQUIRY #20121002-002

From: "Lee, Frank W" <Frank.W.Lee@sfdpw.org>
To: "Eric.Mar@sfgov.org" <Eric.Mar@sfgov.org>,
Cc: Board of Supervisors <Board.of.Supervisors@sfgov.org>, "Sanguinetti, Jerry" <Jerry.Sanguinetti@sfdpw.org>, "Nuru, Mohammed" <Mohammed.Nuru@sfdpw.org>, "Moore, Grace" <Grace.Moore@sfdpw.org>, "Kwong, John" <John.Kwong@sfdpw.org>, "Fong, Lynn" <Lynn.Fong@sfdpw.org>, "Lauterborn, Peter" <Peter.Lauterborn@sfgov.org>, "Lim, Victor" <Victor.Lim@sfgov.org>, "Pagoulatos, Nickolas" <Nickolas.Pagoulatos@sfgov.org>, "Rodis, Nathan" <Nathan.Rodis@sfdpw.org>, "Gordon, Rachel" <Rachel.Gordon@sfdpw.org>
Date: 11/05/2012 12:43 PM
Subject: RE: BOARD OF SUPERVISORS INQUIRY #20121002-002

Dear Supervisor Mar:

Our department has plans to install pedestal-mounted newsracks on Geary Boulevard from 17th Avenue to 28th Avenue. We will be scheduling and coordinating these pedestal-mounted newsrack installations during the Spring-Summer of 2013. These pedestal-mounted newsracks would be installed at two of the seven locations that you mentioned: Geary Blvd and 19th Ave, and Geary Blvd and 21st Ave.

Since the Geary Blvd and 16th Avenue location (that you listed) is just outside the limits of our plans, we will re-assess the situation at Geary Blvd and 16th Avenue to see if we could also add pedestal-mounted newsracks there. If we determine that this location should receive pedestal-mounted newsracks, we will let you know.

With respect to your concern about the condition of the existing newsracks at the seven listed locations, we will contact the publishers that have newsracks at these locations because publishers are responsible for the maintenance of their equipment.

Any member of the public could report damaged or dirty newsracks, whether they are free standing newsracks or pedestal-mounted ones, to 3-1-1. 3-1-1 would notify us of the problem. We would then handle with the publishers to resolve the complaint.

Sincerely,

Frank W. Lee
Executive Assistant to the Director
Department of Public Works
Tel: (415) 554-6993
Fax: (415) 522-7727
Email: Frank.W.Lee@sfdpw.org
Website: www.sfdpw.org

-----Original Message-----

From: Board of Supervisors [mailto:Board.of.Supervisors@sfgov.org]

Sent: Thursday, October 04, 2012 11:35 AM
To: Lee, Frank W
Cc: Eric.Mar@sfgov.org
Subject: BOARD OF SUPERVISORS INQUIRY

BOARD OF SUPERVISORS INQUIRY
For any questions, call the sponsoring supervisor

TO: Frank Lee
Public Works

FROM: Clerk of the Board
DATE: 10/4/2012
REFERENCE: 20121002-002
FILE NO.

Due Date: 11/3/2012

This is an inquiry from a member of the Board of Supervisors made at the Board meeting on 10/2/2012.

Supervisor Mar requests the following information:

Requesting the Department of Public Works to report on the feasibility of: Replacing old and damaged news racks at:

- 1) 25 Point Lobos
- 2) Balboa St. and 6th Ave.
- 3) Balboa St. and 37th Ave.
- 4) Balboa St. and 38th Ave.
- 5) Geary Blvd. and 16th Ave.
- 6) Geary Blvd. and 19th Ave.
- 7) Geary Blvd. and 21st Ave.

Please indicate the reference number shown above in your response, direct the original via email to Board.of.Supervisors@sfgov.org and send a copy to the Supervisor(s) noted above.

Your response to this inquiry is requested by 11/3/2012

BOS-11
page

Commissioners
Jim Kellogg, President
Discovery Bay
Michael Sutton, Vice President
Monterey
Daniel W. Richards, Member
Upland
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

Fish and Game Commission



October 30, 2012

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Findings regarding the Gray Wolf (*Canis lupus*) which will be published in the California Regulatory Notice Register on November 2, 2012.

Sincerely,

Sheri Tiemann
Sheri Tiemann
Staff Services Analyst

Attachment

RECEIVED
SUPERVISORS
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV -2 PM 4:04
BY _____

Commissioners
Jim Kellogg, President
Discovery Bay
Michael Sutton, Vice President
Monterey
Daniel W. Richards, Member
Upland
Richard Rogers, Member
Santa Barbara
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Los Angeles

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

Fish and Game Commission



CALIFORNIA FISH AND GAME COMMISSION NOTICE OF FINDINGS

Gray Wolf (*Canis lupus*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the Fish and Game Code, the California Fish and Game Commission, at its October 3, 2012, meeting in Sacramento, California, accepted for consideration the petition submitted to list the Gray Wolf (*Canis lupus*) as an endangered species. A single, migrating wolf entered California from Oregon in 2012 and is the only member of his species currently alive in the state. His elimination, from any cause, will result in the extirpation of the species within the state. Imminent human threats to his survival include: illegal take, vehicle collisions, and exposure to diseases from domestic animals. Pursuant to subdivision (a)(2) of Section 2074.2 of the Fish and Game Code, the aforementioned species is hereby declared a candidate species as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department of Fish and Game shall submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned action is warranted. Copies of the petition, as well as minutes of the October 3, 2012, Commission meeting, are on file and available for public review from Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Written comments or data related to the petitioned action should be directed to the Commission at the aforementioned address.

Fish and Game Commission

October 18, 2012

Sonke Mastrup
Executive Director

Commissioners
Jim Kellogg, President
Discovery Bay
Michael Sutton, Vice President
Monterey
Daniel W. Richards, Member
Upland
Richard Rogers, Member
Santa Barbara
Jack Baylis, Member
Los Angeles

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission



BOS-11
page
Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

October 24, 2012

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action resulting from the Commission's February 2, 2012, meeting, when it made a finding pursuant to Section 2075.5, Fish and Game Code, that listing the southern mountain yellow-legged frog (*Rana muscosa*) as Endangered under CESA is warranted; and listing the Sierra Nevada yellow-legged frog (*Rana sierrae*) as Threatened under CESA is warranted. The notice of proposed regulatory action will be published in the California Regulatory Notice Register on October 26, 2012.

Please note the date of the public hearing related to this matter and associated deadlines for receipt of written comments.

Mr. Stafford Lehr, Fisheries Branch, Department of Fish and Game, phone (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,


Sheri Tiemann
Staff Services Analyst

Attachment

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 OCT 29 PM 3:02
AK

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 2070 and 2075.5 of the Fish and Game Code and to implement, interpret or make specific sections 1755, 2055, 2062, 2067, 2070, 2074.6, 2075.5, 2077, 2080, 2081 and 2835, of the Fish and Game Code, proposes to amend Section 670.5, Title 14, California Code of Regulations, relating to Animals of California Declared to Be Endangered or Threatened.

Informative Digest/Policy Statement Overview

The Department of Fish and Game recommends that the Commission amend subsection (a)(3) of Section 670.5 of Title 14, CCR, to add the southern mountain yellow-legged frog (*Rana muscosa*) to the list of endangered animals, and amend subsection (b)(3) of Section 670.5 of Title 14, CCR, to add the Sierra Nevada mountain yellow-legged frog (*Rana sierrae*) to the list of threatened animals.

In making the recommendation to list the mountain yellow-legged frog (*Rana muscosa* and *Rana sierrae*) pursuant to CESA, the Department identified the following primary threats:

1) introduction and persistence of non-native trout populations to habitats occupied by mountain yellow-legged frog; 2) introduction and persistence of the amphibian disease chytridiomycosis; and 3) catastrophic natural events impacting relictual southern California populations of southern mountain yellow-legged frog (*Rana muscosa*). More detail about the current status of the mountain yellow-legged frog (*Rana muscosa* and *Rana sierrae*) can be found in the "Report to the California Fish and Game Commission, "A Status Review of the Mountain Yellow-Legged Frog (*Rana muscosa* and *Rana sierrae*)" (Department of Fish and Game, November 28, 2011).

The proposed regulation will benefit the environment by protecting the southern mountain yellow-legged frog (*Rana muscosa*) as an endangered species and the Sierra Nevada yellow-legged frog (*Rana sierrae*) as a threatened species.

The Commission does not anticipate any non-monetary benefits to worker safety, the prevention of discrimination, the promotion of fairness or social equity, or the increase in openness and transparency in business and government.

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. No other state entity has the authority to list threatened and endangered species.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Hilton San Diego-Mission Valley, 901 Camino del Rio South, San Diego, California, on Wednesday, December 12, 2012 at 8:30 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on December 7, 2012.** All comments must be received no later than December 12, 2012, at the hearing in San Diego, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct

requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Sheri Tiemann at the preceding address or phone number. **Stafford Lehr, Fisheries Branch, Department of Fish and Game, phone (916) 327-8840, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action/Results of the Economic Impact Analysis

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

While the California Endangered Species Act (CESA) does not specifically prohibit the consideration of economic impact in determining if listing is warranted, the Attorney General's Office has consistently advised the Commission that it should not consider economic impact in making a finding on listing. This is founded in the concept that CESA was drafted in the image of the federal Endangered Species Act. The federal act specifically prohibits consideration of economic impact during the listing process.

Listing a species pursuant to CESA is a multi-stage process. During one stage, the Commission must make a finding on whether or not the petitioned action is warranted. By statute, once the Commission has made a finding that the petitioned action is warranted, it must initiate a rulemaking process to make a corresponding regulatory change. To accomplish this next stage, the Commission is required to follow the Administrative Procedure Act (APA).

The provisions of the APA, specifically sections 11346.3 and 11346.5 of the Government Code, require an analysis of the economic impact of the proposed regulatory action. While Section 11346.3 requires an analysis of economic impact on businesses and private persons, it also contains a subdivision (a) which provides that agencies shall satisfy economic assessment requirements only to the extent that the requirements do not conflict with other state laws.

Since the finding portion of CESA is silent to consideration of economic impact, it is possible that subdivision (a) of Section 11346.3 does not exclude the requirement for economic impact analysis. While the Commission does not believe this is the case, an abbreviated analysis of the likely economic impact of the proposed regulation change on businesses and private individuals is provided. The intent of this analysis is to provide disclosure, the basic premise of the APA process. The Commission believes that this

analysis fully meets the intent and language of both statutory programs.

Designation of the southern mountain yellow-legged frog (*Rana muscosa*) and the Sierra Nevada mountain yellow-legged frog (*Rana sierrae*) as endangered and threatened, respectively, will subject it to the provisions of CESA. CESA prohibits take and possession except as may be permitted by the Department.

Listed status is not expected to result in any significant adverse economic effect on small business or significant cost to private or public entities undertaking activities subject to the California Environmental Quality Act (CEQA). Prior to making any discretionary approval of a project subject to CEQA, public agencies are to consider de facto endangered species to be subject to the same requirements under CEQA as though they were already listed by the Commission in Sections 670.2 or 670.5 of Title 14, CCR (CEQA Guidelines, Section 15380). All populations of mountain yellow-legged frog have qualified for protection under CEQA Guidelines Section 15380 since its designation by the Department in 1994 as a species of special concern.

Required mitigation as a result of public agency compliance with CEQA, whether or not the species is listed by the Commission, may increase the cost of a project. Such costs may include, but are not limited to, purchasing off-site habitat, development and implementation of management plans, establishing new populations, installation of protective devices such as fencing, protection of additional habitat, and long-term monitoring of mitigation sites. Public agencies may also require additional actions should the mitigation measures fail, resulting in added expenditures by the project proponent. If the mitigation measures required by the public agency do not minimize and fully mitigate project effects on a listed species as required for the Department to issue an incidental take permit pursuant to CESA, listing could increase business costs by requiring measures beyond those required by CEQA.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment::

The Commission does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses or the expansion of businesses in California.

The Commission does not anticipate benefits to the health and welfare of California residents or to worker safety.

The Commission anticipates benefits to the environment by the protection of the mountain yellow-legged frog (*Rana muscosa* and *Rana sierrae*).

- (c) Cost Impacts on a Representative Private Person or Business:

Designation of threatened or endangered status, per se, would not necessarily result in any significant cost to private persons or entities undertaking activities subject to CEQA. CEQA presently requires private applicants undertaking projects subject to CEQA to consider de facto endangered (or threatened) and rare species to be subject to the same protections under CEQA as though they are already listed by the Commission in Sections 670.2 or 670.5 of Title 14, CCR (CEQA Guidelines Section 15380).

Any added costs should be more than offset by savings that would be realized through

the information consultation process available to private applicants under CESA. The process would allow conflicts to be resolved at an early stage in project planning and development, thereby avoiding conflicts later in the CEQA review process, which would be more costly and difficult to resolve.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated: October 16, 2012

Sonke Mastrup
Executive Director

121044

Page 1 of 1

BOS II
Clage
Budget Clerk



Letter for BOS re Warriors Arena

Dee Dee Workman

to:

board.of.supervisors@sfgov.org

11/09/2012 10:52 AM

Hide Details

From: Dee Dee Workman <dworkman@sfchamber.com>

To: "board.of.supervisors@sfgov.org" <board.of.supervisors@sfgov.org>,

History: This message has been replied to and forwarded.

1 Attachment



Warrior Letter to BOS 11.9.12.docx

Hi Angela,

Please distribute this letter from the Chamber of Commerce to all members of the Board of Supervisors prior to their Budget and Finance Committee meeting Nov. 14, 2012 regarding support for the Warriors Arena at Piers 30-32.

Thanks very much,

Dee Dee Workman

Director of Public Policy

San Francisco Chamber of Commerce

235 Montgomery Street, 12th Floor

San Francisco, CA 94104-2803

Direct Line: 415-352-8851; cell: 415-533-8130

Fax: 415-392-0485

dworkman@sfchamber.com

www.sfchamber.com



SAN FRANCISCO
CHAMBER OF COMMERCE

November 9, 2012

San Francisco Board of Supervisors
c/o Angela Calvillo, Clerk of the Board
City Hall Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisors,

The San Francisco Chamber of Commerce strongly supports building a sports and entertainment arena at Piers 30-32 to bring the Warriors back to San Francisco.

The state-of-the-art Warriors Arena will create thousands of new jobs and stimulate substantial economic growth along San Francisco's waterfront. Piers 30-32 will be repaired without cost to taxpayers or the general fund. Millions of dollars in new tax revenues will provide an enormous boost to city coffers that will be invested in a wide range of public services and infrastructure improvements across the City.

San Francisco has no indoor entertainment facility that can accommodate 18,000 attendees or more. The new Arena will not only bring Warriors basketball back to San Francisco, the facility will accommodate large-scale entertainment and cultural events that will attract new visitors to the City and produce millions of dollars for our local economy. This will mean a huge boost to our tourism and hospitality industries. The Arena will also be a popular venue for local residents who now must go outside the City to attend events of this nature.

The City of San Francisco cannot afford to let such a rare and beneficial opportunity pass it by. The San Francisco Chamber of Commerce supports building Warriors Arena at Piers 30-32 and urges the Port Commission and Board of Supervisors to move ahead with it.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven B. Falk".

Steven B. Falk
President & CEO

BOS-11

Clerk Board of Supervisors
City Hall Rm.
Carlton B. Goodlett Square
San Francisco, Ca 94102

Oct 1, 2012

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 NOV -5
PAC:3

So what happened to the funding of KP00 89.5 F.M Community
poor peoples radio. The Board of Supervisors agreed to help support
the station - you still are on air with broadcast meetings yet
no financial assistance has come through - SO WHATS UP?

Black folks and poor people still want to be in the know of whats
going on in the City. Not all these people can be home to listen
or even TiVo it - they are poor people - THEY WORK!
ever heard of concept. Maybe the board doesn't want informed public.

First it indicates a total disregard for poor peoples radio and
indicates a non-interest in this segment of City population.
Demographics show a radical decline in African American
population within the City. As I see it the Board of
Supervisors is just another contributor to the elimination
and demise of the African American community. A prime example
is the Ethnic Cleansing of Divisadero Strip. Isn't it ironic
KP00 radio is located on Divisadero too. Like Fillmore Street
is overrun with Koreans (who don't wish to integrate) and Old
broken down Russian Jews who could care less - as long as
that free SSI money keeps coming. They DON'T LIKE people
of color - at all yet the occupy space build for and by
African Americans. Best housing, free medical, free money
Its a great life - if you weren't born in America.

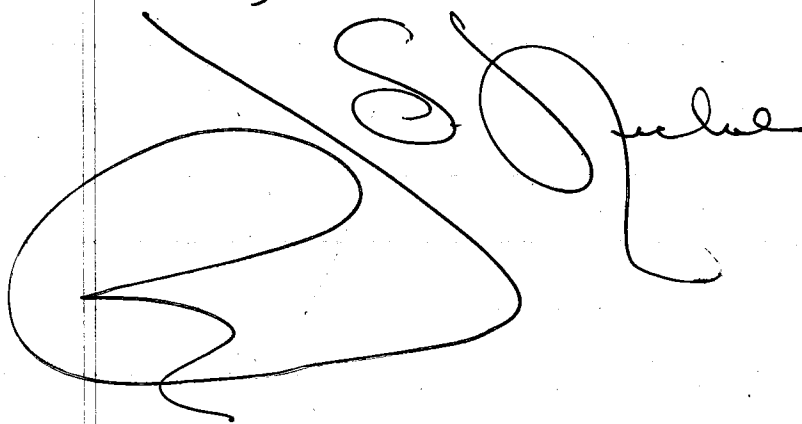
As with years of displacement and re-development - once again the Board of Supervisors are active participants in the removal and silencing of the African American Community. You all should be - but aren't ashamed of your actions

To help support KPOO you could use some of the millions in overtime pay to police department, which is paid to protect the total disruption of the City by Critical Mass. Yup thats where the money goes - to protect irresponsible white kids on bikes. If it were black kids on bikes - it would be shut down.

I have never - in my life - seen, heard, or read of any so well orchestrated plan to remove blacks from face of earth.

Never ever, do I want to read news articles questioning with innosense, false shock and surprise at the declining black population. The Board of Supervisors are willing participants in this plan. Get up off the financial support that was promised. All KPOO and its contributors hear is chirp! chirp! chirp! the sound of of crickets.....

Sincerely with Concern

A large, stylized handwritten signature in black ink, appearing to read 'S. S. Jones'.

BOS-11, COB
cpay

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 NOV -5 AM 10:58

Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251 office/fax
415-845-5540 cellular

November 5, 2012

Board of Supervisors
1 Carlton Goodlett Place Room 244
San Francisco, CA, 94102-4689
Fax 415-554-5163

San Francisco MTA
c/o Director Tom Nolan
One South Van Ness Ave,
San Francisco, CA, 94103

Re: SFMTA-AutoReturn Lien Sales; Bell-CA type 18 USC §201 and §1962
Via: Email: cityattorney@sfgov.org, board.of.supervisors@sfgov.org,
Ginger.Woods@sfmta.com, Lorena.Kehoe@sfmta.com, SFMTASunshineRequests@sfmta.com,
customerservice4@sfmta.com, Victoria.Einhaus@sfmta.com, Caroline.Celaya@sfmta.com,
Julie.Rosenberg@sfmta.com, Mike.Hanrahan@sfmta.com,
Registered in 12-cv-5468-EMC and related;
Forwarded to syndicated media and state and federal law enforcement

Attention City Supervisors,

As you already know, the City's SFMTA is involved in Bell-California type of official corruption and racketeering. Find enclosed a November 5, 2012 letter addressed to this federal Circuit's Chief Justice Kozinski detailing the fraud. It was also copied to the FBI and DOJ and syndicated media. A second cover up of CGC-10-495770 or RICO 12-cv-5468-EMC (formerly 'insurance' claim 12-mc-80246-WHA) will not be repeated.

Recall that RICO -5468 is also related to four other suits similarly proving to criminal standards that the City's graft and corruption is the norm -not the exception. Specific to claims made in -5468, I recommend that the City cancel its upcoming 11-7-12 pier 70 lien sales. Demand for past civil rights violations is currently set at only \$100,000,000 but likely to increase if the Board opts to violate just one more resident's due process or other rights.

A federal raid is guaranteed,

Patrick Missud

Patrick Missud;
18 USC §1513 informant

1 PATRICK MISSUD #219614
 2 91 San Juan Ave.
 3 San Francisco, CA, 94112
 4 Attorney and Plaintiff
 missudpat@yahoo.com

8 UNITED STATES DISTRICT COURT
 9 SAN FRANCISCO DIVISION
 10 UNLIMITED CIVIL JURISDICTION
 11 CLASS ACTION
 DEMAND FOR JURY TRIAL

12 PATRICK A. MISSUD,
 13 and those similarly situated

27 156 41
 12-cv-5468-EMC; 11-cv-3567-EMC; 12-cv-
 3117-WHA; 12-15658

14 vs.

15 STATE OF CALIFORNIA; CITY AND
 16 COUNTY OF SAN FRANCISCO; SAN
 17 FRANCISCO MUNICIPAL TRANSPORT-
 18 ATION AUTHORITY; AUTORETURN;
 19 BUREAU OF SIDEWALK MANAGEMENT;
 20 DEPARTMENT OF BUILDING
 21 INSPECTION; SAN FRANCISCO TAX
 22 ASSESSOR; DOES 1-2000. Defendants.

**REQUEST FOR JUDICIAL NOTICE
 THAT THE NINTH CIRCUIT'S CHIEF
 JUSTICE, U.S. SUPREME COURT, AND
 FEDERAL AUTHORITIES WERE
 NOTIFIED OF ADDITIONAL BELL-
 CALIFORNIA TYPE OF §201 OFFICIAL
 CORRUPTION AND §1962 JUDICIAL
 RACKETEERING**

Date:
 Time:
 Dept: 17th Floor, Courtroom 5
 Judge: Edward Chen

23 **TAKE JUDICIAL NOTICE** that on November 3, 2012 SCOTUS, the FBI, and DOJ
 24 received or will receive notice that Nevada's Supreme Court and California's First District Court
 25 of Appeal coordinated efforts to prevent exposure of bi-state judicial corruption. Also take heed
 26 that on November 5, 2012 this Ninth Circuit's Chief Justice, FBI, and DOJ received or will
 27 receive notice that the City of San Francisco and federal judge Edward Chen further concealed
 28 Bell-California type of 18 USC §201 Official Corruption and §1962 Racketeering in 12-cv-5468,
 formerly 'misclassified' and 'opened by error' under 'insurance' claim 12-mc-80246.

1 The purpose of the pleadings, their permanent registration in PACER, and their
 2 distribution to syndicated media and law enforcement is to set up additional corrupt judge\$\$\$.
 3 The judge\$ now have to ignore all facts and twist all laws to favor the special interests and
 4 prevent their own exposure. When 313,000,000 common-sense Americans see their order\$ they
 5 will have no doubt that the judiciary is bought to violate ordinary citizens' sacrosanct, 226 year
 6 old, guaranteed civil rights to illegally favor corporate and other \$pecial interest\$.

7 //

8 Submitted by a Federal Informant and on behalf of 38 million Californians and 313 million
 9 common-sense Americans,

10 *Patrick Missud* 11-5-12

11 Patrick Missud; Dated
 12 USC Title 18 §1513; CCP §1021.5

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Patrick Missud
Attorney at Law 219614
91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251 office/fax
415-845-5540 cellular

November 5, 2012

Chief Justice Alex Kozinski
9th Circuit Court of Appeals
Richard H. Chambers Court of Appeals
125 South Grand Avenue, Room 200
Pasadena, CA, 91105-1621
Cert RR #7012 0470 0000 3084 5502

Executive Cathy Catterson
James Browning U.S. Courthouse
95, Seventh Street
P.O. Box 193939
San Francisco, CA, 94119-3939
Cert RR #7012 0470 0000 3084 5496

Re: Complaint naming Judge Edward Chen; and Proving his Judicial Misconduct in
Two Cases 11-cv-3567-EMC, and 12-cv-5468-EMC

Via: Certified RR, Registered in C: 11-3567-EMC, 12-3117-WHA, 12-5468-EMC;
and forwarded to syndicated media to benefit 313,000,000 Americans

Attention Chief Justice Kozinski and Court Executive Catterson,

Find enclosed a completed Judicial Council Form submitted to initiate an investigation of judge Chen for the above referenced judicial misconduct. In satisfaction of paragraph (5), find below a "Brief Statement of Facts" supported with: registered non-hearsay: court transcripts, self-authenticating FTC, HUD, FBI, SEC, USPS records; full-faith-and-credit state and federal court declarations, affidavits, and acknowledged statements; verifiable government documents, subpoenas, summons and sheriff-served papers; official court orders, minutes, RAR's, dockets, transcripts and myriad court admissions; City of San Francisco municipal records and admissions; etc. All of these thousands of records already registered in four federal cases [C: 11-3567, 12-161, -3117, -5468] and two appeals [12-15658, -16602] must be considered by the Ninth Circuit when evaluating the below acknowledged statements.

A. Case 11-cv-3567-EMC

RICO -3567 was filed to expose Fortune-500 D. R. Horton's [DHI] purchase of judicial decisions in both Nevada and California. For at least a decade, DHI originated predatory loans on behalf of Countrywide's Angelo Mozilo and Wells Fargo's John Stumpf. As we all now know, those illegal consumer-crushing loans caused: the mortgage meltdown; \$4 Trillion in Real Estate equity losses; the bankruptcy of Bear-Stearns and Lehman Brothers; and near collapse of the US economy. Just last month, BofA/Countrywide and Wells Fargo/Wachovia were sued by the DOJ for knowingly mischaracterizing fraudulent bundled loans in real estate backed securities which were guaranteed by the federal government:

<http://www.usatoday.com/story/money/business/2012/10/24/bank-of-america-mortgage->

[fraud/1654441/](http://www.fraud/1654441/) and http://www.cbsnews.com/8301-505123_162-57529119/wells-fargo-sued-for-mortgage-fraud/.

Judge after judge after 'judicially immune' judge ignored thousands of prima-facie records proving that DHI, this Country's largest residential builder was the largest single source of predatory loans. Among the non-hearsay official documents that judges Bulla, Gonzalez, Saitta, Pickering, Parraguirre, Gibbons, Hardesty, Douglas, Cherry, Giorgi, Alvarado, Kahn, McGuiness, Jenkins, Pollak, Cantil-Sakauye, ... ignored were:

1. 190 FTC records evincing DHI's predatory loan origination in 20 states targeting 44 citizens [FOIA-2009-355; RJN's in C: 10-235-SI, 11-3567-EMC, 12-161-DMR, -3117-WHA <http://www.drhortonfraud.com/sitebuildercontent/sitebuilderfiles/FTC-Part-1.pdf>];
2. 2 HUD reports finding that every audited DHI-originated Arizona loan was predatory, already in foreclosure, or imminently so [2010-LA-1009; 2011-LA-1801; C: 10-235-SI, 11-3567-EMC, 12-161-DMR, -3117-WHA <http://www.hudoig.gov/pdf/AuditReports/AZ/ig1091009.pdf> and <http://www.hud.gov/offices/oig/reports/files/ig1191801.pdf>];
3. A Rippon Landing Virginia FBI investigation which discovered that DHI artificially inflated appraisals at a time when real estate prices were in precipitous decline [<http://www.washingtonpost.com/wp-dyn/content/article/2007/12/17/AR2007121701993.html>];
4. SEC admissions evincing that the supposed regulator violated its own Rule 14(A)-8 and FOIA demands for four years [<http://www.sec.gov/divisions/corpfin/cf-noaction/14a-8/2012/patrickmissud102312-14a8.pdf>; and RJN's in 12-cv-161-DMR];
5. DHI'S own admissions in official SEC 10K statements that it practices presumptive antitrust per *Alcoa*, and violates the Sherman and Clayton antitrust Acts [<http://www.drhorton.com/Company-Information/Investors/SEC-Filings.aspx>];
6. USPS confirmed/certified mail delivery records proving that Nevada and California judges received pleadings, but nevertheless fraudulently claimed non-receipt [<https://www.usps.com/shipping/trackandconfirm.htm>; and RJN's in C: 10-235-SI, 11-3567-EMC, 12-161-DMR, -3117-WHA];
7. Notice of 7700 HUD records filed in 08-cv-1324-AJT-TCB evincing that the builders foisted 1000's of predatory loans throughout the nation [<http://www.pacer.gov/findcase.htm>];
8. Dozens of sworn federal court declarations all similarly recounting that DHI targets consumers for bait-and-switch predatory loans [<http://www.drhortonfraud.com/sitebuildercontent/sitebuilderfiles/NationwideCases.pdf>; and in PACER, search query <D R Horton, DHI Mortgage, Cambridge Homes, Continental Homes, Schuller Homes,];
9. Official Nevada admissions wherein a fired state regulator refuses to regulate DHI's mortgage originating licenses even after receiving 20 verified complaints of DHI fraud targeting Nevadans for fraud [<http://www.drhortonfraud.com/sitebuildercontent/sitebuilderfiles/ndmlcorruption.pdf>; and RJN's in C: 10-235-SI, 11-3567-EMC, 12-161-DMR, -3117-WHA];
10. Nevada's full faith and credit Betsinger decision in A503121 and appeal A50510 finding DHI liable for bait and switch predatory lending [<http://wiznet.wiznet.com/clarknv/pages/login.jsp> and <http://caseinfo.nvsupremecourt.us/public/caseView.do?csIID=18280>];

11. That Clark County's Presiding Judge and Court CEO flaunted sheriff-served subpoenas demanding production of illegally-suppressed, supposedly public documents [<http://caseinfo.nvsupremecourt.us/public/caseView.do?csIID=21950> and RJN's in C: 10-235-SI, 11-3567-EMC, 12-161-DMR, -3117-WHA];
12. That the PJ failed to record her July 13, 2010 order which she claims exists but is absent from the docket [<http://wiznet.wiznet.com/clarknv/pages/login.jsp>];
13. That Nevada's Clark County and Supreme Courts blatantly violated NRS 1.235, 41.660; NRAP 3(A)b, 8, 10; Judicial Canon 2.3; SRCR Rule 3(5)a [<http://caseinfo.nvsupremecourt.us/public/caseView.do?csIID=21950> and <http://caseinfo.nvsupremecourt.us/public/caseView.do?csIID=28728>];
14. That two San Francisco Superior Court judges repeatedly violated CCP 1710, motions to vacate fraudulently procured awards: [<http://www.sfsuperiorcourt.org/online-services> and search <510876>];
15. That another SF judge ignored all the above records to deny a CCP 1021.5 private attorney general motion: [<http://www.sfsuperiorcourt.org/online-services> and search <510876>];
16. That California's First District Court of Appeal likewise ignored all of the above to dismiss appeal A131566 without substantively considering any evidence: [<http://www.courts.ca.gov/1dca.htm> and search <A131566>];
17. That 'coincidentally' the NSC ruled on the exact same day, and exact same way as the CCA on November 22, 2011 to release DHI from suit: [<http://caseinfo.nvsupremecourt.us/public/caseView.do?csIID=21950> and see 11-36104];
18. That California's Supreme Court denied review of A131566 in S198352 despite all of the above proving to criminal standards that DHI targets a potential 38 million Californians for predatory loans and consumer fraud: [<http://www.courts.ca.gov/1dca.htm> and search <S198352>];
19. That five class action representatives averred that DHI targeted them for predatory loans in violation of RESPA, Regulation X, and antitrust Acts in the Ninth District's San Diego Division; all of which corroborated by a DHI insider in C-08-592-BEN-RBB: [<http://www.pacer.gov/findcase.html>];
20. That jurisdiction over DHI was found in C-08-592-BEN-RBB, and in fact the corporation was to have arbitrated at JAMS on March 9, 2010 before William Pate. The hearing for 12400119476 was cancelled with each party bearing their own costs: [<http://www.jamsadr.com/offices/xpqOfficeDetail.aspx?xpST=OfficeDetail&office=3d8dbf0a-a24a-42ec-9cb2-380002da5042&op=overview&ajax=no> and see C-08-592, docket #31];
21. That DHI was a repeat-business player at JAMS where it already arbitrated 110 cases with the wildly-lucrative, for-profit, private, secretive, quasi-judicial forum as "D R Horton" and "Western Pacific Housing;"
22. That corporate special interests like DHI hire JAMS' retired judges like Gene McDonald and William Pate who work for the private for-profit arbitration mill to craft corporate-favoring awards which violate consumers' fundamental rights. This criminally-proven claim is exhaustively detailed in 11-cv-1856-PJH and appeal 12-15371 currently docketed for decision by Justice Wardlaw, Bea and Reinhardt; all of whom will be impeached and thrown in prison for having already undermined democracy and violated 18 USC §2381 Treason. [<http://www.pacer.gov/findcase.html>];

Judge Chen ignored the thousands of aforementioned, self-authenticating, official government and court records to: release Fortune-500, \$6,000,000,000.00 D. R. Horton from suit; and then declared federal informant Missud, who filed all of that damning information to specifically get dozens of corrupt judges investigated, indicted, impeached, and incarcerated "vexatious." Chen's 18 USC 1513(e) retaliation will get him an additional 5 years tacked onto his already life-long sentence.

B. Case 12-cv-5468-EMC

In early 2010 the City of Bell, located just 16.4 miles from this Circuit's Pasadena Courthouse, was raided by the FBI because its Council, Supervisors and Managers were participating in 18 USC §201 official corruption. Among their many schemes was to issue fraudulent vehicle citations, tow residents' vehicles, and then extort money from their constituents when they came to collect their illegally seized property.

<http://abcnews.go.com/US/bell-california-scandal-reaches-court-city-manager-dozes/story?id=13028339#.UJbS6GfmqSo> and http://articles.cnn.com/2010-09-21/justice/california.bell.arrests_1_luis-artiga-misappropriation-victor-bello?s=PM:CRIME and <http://www.latimes.com/news/local/bell/> and <http://www.bloomberg.com/news/2010-07-20/california-official-s-800-000-salary-in-city-of-38-000-triggers-protests.html> and <http://www.foxnews.com/politics/2012/08/29/fired-bell-calif-employee-sues-for-837g-in-sick-vacation-pay/>

On October 15, 2012 at 1:14PM, Missud filed 12-cv-5406-EDL in SF's Burton Federal Courthouse alleging the same Bell-California RICO scheme, naming the City of SF, its SFMTA, and private contractor AutoReturn. The complaint then quickly disappeared, and was misclassified under "insurance" case 12-mc-80246-WHA. The Court then feigned that the complete lack of notice of case re-assignment, and misidentification were in "error" and then assigned a 3rd case number 12-cv-5468-EMC [10-23-12, docket #6]. In one week, three judges were assigned to a complaint with as many case numbers. The court was desperate to bury this second Bell-type scandal.

By October 23rd the following non-hearsay proof was already permanently registered in evidence:

The SFMTA: (1) admits not following VC40202 but nevertheless expects the defective citations be paid in full [arbitrary and capricious enforcement]; (2) issues multiple citations for the same exact infraction to provide the bases for illegal tows [void for vagueness, due process violations- no notice]; (3) arbitrarily enforces City Traffic Codes 37A, 11.1(a)(9) and VC22651(k), but capriciously ignores its own residential permit parking program so that it can tow [CGC-10-495770]; (4) issues duplicative, defective V5204A citations which provide the bases for pricey 11.1(a)(9) tows; (5) knows of 2.2 million defective citations already identified by a May 25, 2011 KTVU investigation; (6) rapidly and rabidly issues identical citations not allowing for required 21 day notice and due process before illegally towing; (7) uses any combination of defective citations per 1-6 above to illegally seize thousands of residents' vehicles for \$600+++ tows; and then

Under color-of-law, AutoReturn: (8) illegally liens SFMTA-seized vehicles; (9) provides tardy notice of impounds in efforts to pad storage fees at a rate of \$63.50 per day; (10) fraudulently declines funds in efforts to pad bills with additional storage fees;

(11) intentionally scuttles electronic payments made from bank accounts with sufficient funds to increase storage costs; (12) participates in conversion by increasing fees and costs to unaffordable sums and then claims to give registered owners 'amnesty' if they sign vehicle titles over to AutoReturn and the SFMTA; and

(13) the SFMTA has a program called "Project 20" or "Pre-Trial Diversion" whereby residents whose vehicles were illegally seized can 'volunteer' to work off void fines: <http://www.sfmta.com/cms/penf/ParkingFAQs.htm#paymentplan>. In actuality this is a program which fosters indentured servitude targeting mostly Hispanics and African Americans who can't afford SFMTA-AutoReturn extortion.

Judge Chen, who is charged with preserving the Constitution and Bill of Rights, was given three opportunities to prevent City-sanctioned grand theft, racketeering, and slavery. Instead, Chen decided to assist the City in concealing its own version of Bell's RICO scheme which already caused a half dozen officials' indictment and likely incarceration for 18 USC §201.

C. CONCLUSIONS

Edward Chen's corruption is proven hundreds of times over in the two referenced federal lawsuits. His colleagues' corruption is criminally proven hundreds of times over in more than a half dozen federal cases and appeals.

Either Alex Kozinski will act to protect 38 million Californians, or Missud will guarantee Kozinski's investigation, impeachment, indictment and incarceration.

There is no room for compromise. Either the judges will uphold the law or rot in prison.

Acknowledged by an attorney and federal informant who specializes in getting corrupt judges imprisoned for life terms under 18 USC §201,

Patrick Missud

Patrick Missud; 18 USC §1513

Cc: FBI, DOJ

'Da 9-11 Truth Campaign to end 65 years of Mass Murder & Squander for Fascist Gain by Shock & Shame.
November 1, 2012, Abuse News #5204 by John Jenkel, 1-800-500-7083, 9-11bountyhunter@att.net

John Jenkel
1600 California, San Francisco, California 94109

David Chiu, Supervisor
City and County of San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102-4689

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JDK

Dear Supervisor Chiu:

My family jewel at the northwest corner of Polk and California Streets is under foreclosure because I cannot borrow \$1 million at market rates under 3% to cure a maturity default and pay off a balloon payment. I can only get hard money at 8%.

I am entitled to a traditional loan to satisfy my maturity default but I have not been able to secure a market loan because of illegitimate judgments in Sonoma County that can never be liens. They are none the less used by JPMorgan Chase Bank, N.A to deny financing of my inherited balloon payment on a perfectly performed 15 year loan secured by a \$6 million dollar cash cow.

Chase threatened judicial foreclosure three times but backed off. Now a new lender wants to lend me hard money to cure my certainly curable default. It threatens non-judicial foreclosure. This fourth threat of foreclosure could land lending officers and their attorney in jail.

The invalid judgments are not even against me. They are being used to destroy me and 'da 9-11 Truth Campaign in order to let Congress get away with covering up 2,798 unplanned murders during the Enron-sponsored organized crime on 9-11 and continue maintaining mass murder in the unconstitutional war in Afghanistan and in the so called 'nation building' in Iraq. Both optional conflicts are of congressional choice, never necessity, for profit and fascist gain of sponsors of the president and Congress.

Our Senator **Dianne Feinstein** authorized our president to kill and terrorize "as he determines to be necessary" under Section 3 (a) of democracy killing **MARTIAL Law 107-243**, the domestic terrorism act of October 16, 2002.

On Tuesday you heard us make public comment about presidential treason. Your office received a copy that stated:

"1. During last Monday's presidential debate on foreign policy, 'da President of our \$16 trillion corrupt United States gave aid and comfort to domestic enemies of we 'da congressionally betrayed people who profit from unconstitutional wars of congressional choice against CIA fabricated enemies for fascist gain.

- 1) He claimed to be our "commander in chief," which he is not.
- 2) He claimed to have "ended the war in Iraq," which has not ended.
- 3) He lied about "those who actually killed us on 9-11." It was not al Qaeda.

"2. These three capital crimes of treason render constitutionalist-turned-elected-dictator **Barack Obama** ripe for three death penalties in a court of constitutional law. Ah, but not to worry, Obama lovers. He can redeem himself. See below."

"3. More Mass Murder Mitt transformed himself to More Mass Money Mitt Romnesia. He conceals the above treason by self-appointed impostor commander in chief Obama, thereby committing misprision of treason which is a felony. But neither presidential candidate worries about being held accountable to we 'da congressionally betrayed people by yours truly, 'da 9-11 Bounty Hunter, and 'da 9-11 Truth Campaign, because their criminal conduct is protected under **MARTIAL Law 107-243**, 'da domestic terrorism act of 2002, "as he determines to be necessary." "He" is constitutionalist-turned-elected-dictator Obama, or his puppeteer, shadow president **Willie Brown**, 'da Wizard of Deception."

Now that both presidential candidates agree on maintaining our troops in Afghanistan through 2012, the average war-worn and distracted voter will not see any difference between them in foreign policy for mass murder in unconstitutional wars of congressional choice, never necessity. President Obama must support and defend the Constitution without any mental reservation or purpose of evasion by using his unconstitutional authority in Section 3 (a) of democracy killing **MARTIAL Law 107-243** to order our troops home NOW, or More Mass Money Mitt is apt to win on Tuesday.

California public officer **David Chiu**: We '*da* congressionally betrayed and distracted people, and your constituent who paid \$11,014.80 in San Francisco property taxes last year, would appreciate the Clerk of the Board emailing the following letter to the Office of the President of the United States signed by you and at least 5 other supervisors, and e-mailing a copy to the San Francisco Chronicle and 9-11bountyhunter@att.net.

Naturally,  **John Jenkel** and '*da 9-11* Truth Campaign

Dear Mr. President:

We the undersigned California public officers on the City and County of San Francisco Board of Supervisors demand that you support and defend the Constitution without any mental reservation or purpose of evasion by ending the unconstitutional war in Afghanistan. This is entirely your choice under Section 3 (a) of Public Law 107-243.

Please do so by ordering the immediate withdrawal of all of our 68,000 troops from Afghanistan and any remaining troops from Iraq.

Respectfully,

'Da 9-11 Truth Campaign to end 65 years of Mass Murder & Squander for Fascist Gain by Shock & Shame.
November 1, 2012, Abuse News #5203 by John Jenkel, 1-800-500-7083, 9-11bountyhunter@att.net

John Jenkel
P.O. Box 1822, Sebastopol, California 95203-1822

Eric Mar, Supervisor
City and County of San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, California 94102-4689

Dear Supervisor Mar:

On October 29, 2012, **Mary Morrison** and I made public comment about presidential treason to the City and County of San Francisco Board of Supervisors by reading the first page of the attached 14 page Abuse News #5202 entitled "**Obama come clean.**" Then we delivered exact copies to the public offices of all 11 supervisors and to the Office of the Clerk of the Board. San Francisco Chronicle staff also received a copy.

All 12 public offices signed in receipt of our document but yours. By refusing to sign for the receipt of our document about presidential treason for your enlightenment as a California public officer, your staff violated our constitutionally secured rights to petition your good public office for a redress of grievances. Since our document exposes that President **Barack Obama** committed three counts of treason, your staff violated our sacred and inalienable rights, secured by the 1st Amendment to our now \$16.17 thousand billion congressionally robbed and dysfunctional United States of 312 million congressionally betrayed and now over 6,620 elected dictator president/self-appointed impostor commander in chief/ **MARTIAL Law 107-243** lynched Americans ("CfUS"), to petition government for a redress of grievances about presidential treason authorized by Section 3 (a) of **MARTIAL Law 107-243**.

You, California public officer **Eric Mar**, and the 11 member board have knowledge of presidential treason from our public comment, and possibly from our faxes of the attached 14 page document to six other supervisor offices that morning.

No board member was willing to take emergency action under the Brown Act, as I requested in my public comment. I requested the board take emergency action to petition our self-appointed impostor commander in chief/**MARTIAL Law 107-243** elected dictator president to order our 68,000 congressionally betrayed troops out of Afghanistan immediately.

The first and second points our Abuse News #5202 that your office refused to sign in receipt states:

"1. During last Monday's presidential debate on foreign policy, 'da President of our \$16 trillion corrupt United States gave aid and comfort to domestic enemies of we 'da congressionally betrayed people who profit from unconstitutional wars of congressional choice against CIA fabricated enemies for fascist gain.

- 1) He claimed to be our "commander in chief," which he is not.
- 2) He claimed to have "ended the war in Iraq," which has not ended.
- 3) He lied about "those who actually killed us on 9-11." It was not al Qaeda.

"2. These three capital crimes of treason render constitutionalist-turned-elected-dictator **Barack Obama** ripe for three death penalties in a court of constitutional law. Ah, but not to worry, Obama lovers. He can redeem himself. See below."

"3. More Mass Murder Mitt transformed himself to More Money Mitt Romnesia. He conceals the above treason by self-appointed impostor commander in chief Obama, thereby committing misprision of treason which is a felony.

Now that both presidential candidates agree on maintaining our troops in Afghanistan through 2012, the average war worn and distracted voter will not see any difference between them in foreign policy for mass murder in unconstitutional wars of congressional choice, never necessity. President Obama must support and defend the Constitution without any mental reservation or purpose of evasion by using his unconstitutional authority in Section 3 (a) of democracy killing **MARTIAL Law 107-243** to order our troops home NOW, or More Mass Money Mitt is apt to win on Tuesday.

Your staff concealed the evidence that your office received documented proof of presidential treason in our document by refusing to sign in receipt of our hand carried copy. The clerk's staff and all other supervisor staff signed in receipt without issue, and some with considerable interest.

In light of the above, your California public office perhaps unknowingly

adhered to enemies of this state who have profited from the lynching of over 722 Californians under Section 3 (a) of democracy killing **MARTIAL Law 107-243** in constitutionally defective conflicts of congressional choice, never necessity, for fascist gain, and gave these enemies aid and comfort.

Your public office refused to acknowledge receipt of our petition to redress our grievance about presidential treason. By so doing, your otherwise good public office concealed treason, in violation of California Penal Code Section 38, which is a felony.

Your Office appears to adhere to Congress squandering \$160.7 billion of our state resources, including \$4.141 billion of City and County of San Francisco resources, on unconstitutional wars in Afghanistan and Iraq that only one San Franciscan approved. That is our treasonous United States Senator and communist China's doll **Dianne Feinstein**.

California public officer **Eric Mar**: *'Da 9-11* Truth Campaign will not pursue misprision of treason charges against your staff, IF the Clerk of the Board emails the following letter to the Office of the President of the United States signed by you and at least 5 other supervisors, and e-mails a copy to the San Francisco Chronicle and 9-11bountyhunter@att.net.

Naturally,  **John Jenkel** and *'da 9-11* Truth Campaign

Dear Mr. President:

We the undersigned California public officers on the City and County of San Francisco Board of Supervisors demand that you support and defend the Constitution without any mental reservation or purpose of evasion by ending the unconstitutional war in Afghanistan. This is entirely your choice under Section 3 (a) of Public Law 107-243.

Please do so by ordering the immediate withdrawal of all of our 68,000 troops from Afghanistan and any remaining troops from Iraq.

Respectfully,

'Da 9-11 Truth Campaign to end 65 years of Mass Murder & Squander for Fascist Gain by Sheds & Thorns
October 29, 2012, Abuse News #5202 by John Jenkel, 1-800-500-7083, 9-11bountyhunter@att.net

CONGRESSWOMAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTH GATE DR. 354
Sausalito, CA 94965
415 550 9554

To get re-elected, Obama must come clean about 'da Enron-sponsored organized crimes of 9-11 and about 68,000 congressionally betrayed American troops that Bad Boy Born-again Bush trapped in Afghanistan

1. During last Monday's presidential debate on foreign policy, 'da President of our \$16 trillion corrupt United States gave aid and comfort to domestic enemies of we 'da congressionally betrayed people who profit from unconstitutional wars of congressional choice against CIA fabricated enemies for fascist gain.

- 1) He claimed to be our "commander in chief," which he is not.
- 2) He claimed to have "ended the war in Iraq," which has not ended.
- 3) He lied about "those who actually killed us on 9-11." It was not al Qaeda.

2. These three capital crimes of treason render constitutionalist-turned-elected-dictator **Barack Obama** ripe for three death penalties in a court of constitutional law. Ah, but not to worry, Obama lovers. He can redeem himself. See below.

3. More Mass Murder Mitt transformed himself to More Money Mitt Romnesia. He conceals the above treason by self-appointed impostor commander in chief Obama, thereby committing misprision of treason which is a felony. But neither presidential candidate worries about being held accountable to we 'da congressionally betrayed people by yours truly, 'da 9-11 Bounty Hunter, and 'da 9-11 Truth Campaign, because their criminal conduct is protected under **MARTIAL Law 107-243**, 'da domestic terrorism act of 2002, "as he determines to be necessary." "He" is constitutionalist-turned-elected-dictator Obama, or his puppeteer, shadow president **Willie Brown**, 'da Wizard of Deception.

4. Now that former More Mass Murder Mitt and 'da Obamanable Snow-job Man agree on a timetable for leaving Afghanistan in 2014, President Obama has lost his main no-brainer issue to win votes from Americans who are war-worn.

5. With More Money Mitt's warmongering pals controlling 'da media, Obama needs another no-brainer issue to win over independent voters. And that decisive issue is what **Clint Eastwood** asked an empty chair to do at the

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CONGRESSWOMAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTHGATE DR. 354
SAN RAFAEL 94903
415 9554

shocked GOP Convention, that is to **"bring them home tomorrow."** **Self** appointed impostor commander in chief Obama can use his unconstitutional unilateral power **"to use the Armed Forces of the United States as he determines to be necessary"** and order them home tomorrow under Section 3 (a) of **MARTIAL Law 107-243**. That would for sure get him re-elected.

6. Then he should level with we *'da* congressionally betrayed and lied to people. He should admit that our 68,000 troops in land-locked Afghanistan are trapped in an unconstitutional war that he inherited from his predecessor, **9-11** attempted wife killer Bad Boy Born-again Bush, and spill *'da* Enron beans. He should admit that there were 2,798 unplanned murders on **9-11** caused by Enron puppet and power-crazed **George wart Bush** trying to get his wife killed. Bad Boy Born-again Bush tried to exploit **9-11** to return to bachelorhood. He wanted sex in the Oral Office, like his predecessor, Mr. Taliban **Bill Clinton**.

7. President Obama should admit that **"those who actually killed us on 9-11"** were not Enron/ CIA operative **Osama bin Laden** and his 25 Enron-sponsored and trained Saudi religious fanatics in al Qaeda's Martyrdom Battalion who hijacked 6, not 4, domestic airliners on **9-11**.

8. 2,629 of the 2,798 unplanned murders on **9-11** were caused by controlled demolitions of the Twin Towers that were supposed to be empty. Another 125 unplanned murders on **9-11** were caused by a remote controlled U.S. Air Force F-16 attack on the Pentagon Office of Naval Intelligence ("ONI") that was supposed to be empty.

9. Had **9-11** gone as apparently **Ken Lay** planned, there would have been no occupants in the Twin Towers when World Trade Center principal **Larry Silverstein** clearly demolished them, and no ONI workers in the Pentagon when it was attacked by a remote controlled U.S. Air Force F-16 and its missile. The problem was caused by the Enron-sponsored al Qaeda's Martyrdom Battalion suicide bombers attacking the Twin Towers with hijacked United Airlines Flight 175, and with hijacked American Airlines Flight 11, 41 minutes behind schedule. This 41 minute delay of the planned attacks on office buildings allowed office workers to enter targeted structures that would have been closed had the attacks on the Twin Towers been 41 minutes earlier, as apparently planned. Had the attack on the Pentagon been 41 minutes earlier, as

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CONGRESSWOMAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTHGATE DR. 354
SAN RAFAEL, CA 94903
415 507 9664

apparently planned, the ONI would have been empty too.

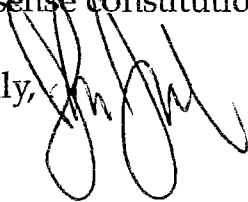
10. So what caused the 41 minute delay of these well planned attacks on the World Trade Center and the Pentagon, which caused 2,754 unplanned murders? The 41 minute delay was caused by the process of saving the life of our first lady, **Laura Bush**. Born-again Butcher Boy **George wart Bush** changed the plan and left our first lady to be a sitting duck in the White House to face certain death with planned target, energy czar **Dick Cheney**, with the aid of first companion and Hoover Fellow **Condoleezza Rice**.

11. The only way to save first lady **Laura Bush** from certain unplanned death in the West Wing of the White House from the surprise attack by on-time Enron-sponsored al Qaeda's Martyrdom Battalion suicide bombers with hijacked United Airlines Flight 93, and to prevent uncontrollable scandal, was to shoot the flight down and destroy all evidence.

12. In order to shoot Flight 93 down, it had to be trailed so it could be intercepted by NORAD. Once Flight 93 took off from Newark, only four suicide bombers seeking paradise and 72 virgins knew the route they would take to the White House. Consequently, Flight 93 was held on the Newark tarmac until a private jet could get in position to follow it. The other attacks were delayed until star act Flight 93 was airborne. Top Enron speculator **Warren Buffett** supplied the private white NetJets jet. U.S. Air Force Major **Rick Gibney** subsequently shot Flight 93 down with a sidewinder missile under an order by self-appointed impostor commander in chief **George wart Bush**. Pennsylvania Police Major **Lyle Szupinka** found "the whole engine."

13. All President Obama has to do to win re-election is admit that **9-11** was a Bush-botched Enron-sponsored organized crime and order the immediate withdrawal of all 68,000 troops trapped in an optional unconstitutional war of congressional choice in Afghanistan under fascist **MARTIAL Law 107-243**.

Please, no-nonsense constitutionalist first lady **Michelle Obama**, talk to him.

Naturally, 

John Jenkel and 'da 9-11 Truth Campaign

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'Da 9-11 Truth Campaign to end 65 years of Mass Murder & Squander for Fascist Gain by Shock & Shame.
October 22, 2012, Abuse News #5198, by John Jenkel, 1-800-500-7083, 9-11bountyhunter@aft.net

GRESSWOMAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTH HIGHWAY DR. 354
SAN RAFAEL, CA 94903
507-9554

Fact checkers overlooked Obama's treason

In last night's debate, 'da Obamanable Snow-job Man committed treason three times by pretending to be our "commander in chief," claiming to have "ended the war in Iraq" and then lying about "those who actually killed us on 9-11." These capital crimes render him ripe for three death penalties in any court of constitutional law. Mitt Romnesia committed misprision of treason, which is a felony.

Under clause 1 of Section 2 in Article II in we 'da congressionally betrayed people's "Constitution for," not of, our now \$16.17 thousand billion congressionally robbed and dysfunctional United States of 312 million congressionally betrayed and now over 6,627 elected dictator president/self-appointed impostor commander in chief-lynched Americans ("CfUS"), "The President shall be commander in chief when called into actual service of the United States" by Congress to execute specific foreign policy in a declaration of war. We 'da congressionally betrayed people have not had a commander in chief since World War II.

Last night, impostor commander in chief Obama claimed "We ended the war in Iraq" and "refocused our attention on those who actually killed us on 9-11," referring to Enron/CIA operative Osama bin Laden and his Enron-sponsored Saudi misfits in al Qaeda. Last year bin Laden's body was reportedly dump at sea.

There were 2,798 unplanned murders on 9-11, 2,629 of which were at the World Trade Center, including 369 first responders. They were killed in the alleged "collapse" of the Twin Towers.

The Twin Towers were 114 story massive steel structures. Steel towers do not collapse. The Twin Towers were demolished with 2,629 unplanned occupants inside them by World Trade Center principal Larry Silverstein.

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County Counsel

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CONGRESSWOMAN
MARIN DISTRICT
1050 NORRIS VALLEY
SAN RAFAEL, CALIF. 94903
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The unplanned occupants were caused by a 41 minute delay of the attacks, apparently planned by desperate Enron builder **Ken Lay**, to distract from the main attack by Enron-sponsored al Qaeda's Martyrdom Battalion on the West Wing of the White House. That attack by hijacked United Airlines Flight 93 had to be shot down by U.S. Air Force Major **Rick Gibney** because **George Wart Bush** left our first lady to be a sitting duck in the White House with the aid of first companion and Hoover Fellow **Condoleezza Rice**.

Flight 93 had to be delayed for 41 minutes at Newark to be trailed by a private jet supplied by **Warren Buffett** so Major Gibney could locate the doomed flight and shoot it down with a sidewinder missile. The motivated passengers had recovered the flight and planned to land safely at Reagan International Airport where hijacked American Flight 77 landed and disappeared into a waiting hanger.

Naturally,

John Jenkel and 'da 9-11 Truth Campaign

National Priorities Project (<http://nationalpriorities.org>) Costofwar.com (/)

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State Now choose a City See Cost of War

Cost of War to Sonoma County, California

Total Cost of Wars Since 2001

\$2,181,185,337

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Cost of War in Iraq

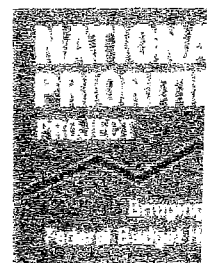
\$1,271,860,074

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Cost of War in Afghanistan

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The Cost of War is brought to you by National Priorities Project.

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MARIN COUNTY BOARD OF SUPERVISORS

OCT 30 RECD

5/14

2/2

Rec'd
10/23
Sen Leno

South tower

North tower



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WOOLSEY
 OFFICE
 DR. 354
 CA 94903
 707 9554

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 2012 OCT 30 AM 11:37

Beams and Bodies

<http://www.serendipity.li/wot/collapse.htm>

Rec'd Sen. Leno 10/23
 6/14

"collapse" is
 controlled demolition

Exhibit C-5.3

Page 2 c

Pa

OCT 30 REC'D

(6/14)

Da 9-11 Truth Campaign to end 65 years of Mass Murder & Squander for Fascist Gain by Shock & Shame.
October 20, 2012, Abuse News #5184 by John Jenkel, 1-800-500-7083, 9-11bountyhunter@att.net

CONGRESSWOMAN J. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTH STREET, DR. 354
SAN RAFAEL, CA 94903
5507 9554

Beams and Bodies in 'da "collapse" lie



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COUNTY OF SAN RAFAEL

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County Council
COUNTY OF SOLANO

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2012 OCT 30 A 11:31
BOARD OF SUPERVISORS

<http://www.serendipity.li/wot/collapse.htm>

Over 700 bodies disintegrated. Hundreds of beams are visible.

This photo shows over 700 unplanned murders during the controlled demolition of the South Tower by World Trade Center principal **Larry Silverstein** on 9-11. The unplanned occupants, including over 150 first responders, were caused by Enron puppet Bad Boy Born-again Bush lusting for bachelorhood. He left his wife to be a sitting duck in the White House. The process of saving our first lady and scandal caused the attacks to be delayed 41 minutes, allowing office workers to enter targets that desperate Enron builder **Ken Lay**, or somebody, planned to be empty.

Silverstein and financier **Lloyd Goldman** collected \$4.6 billion for controlled demolitions in insurance scams against insurance companies *not*

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7/14

1/3

Rod
10/23
Sen. Lew

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controlled by top terrorist insurance scammer **Warren Buffett**.

BOARD OF SUPERVISORS
COUNTY OF SONOMA

Top Enron speculator **Warren Buffet** made such a killing by his six insurance companies selling insurance against terrorist acts after 9-11 that he had to give **'da Bill and Melinda Gates Foundation** \$31 billion for protection from federal prosecutors. **'Da Protection** is provided by **boss Democrat** and shadow president **Willie Brown** and his despised **Brown Green/Gay/Chinese Wine, Religion & Sex Machine**. **Wizard of Deception Willie** uses every corrupt trick in the book to destroy 9-11 Bounty Hunter **John Jenkel** and **'da 9-11 Truth Campaign**.

CONGRESSWOMAN L. WOOLSEY
MARIN DISTRICT OFFICE
305 JOURNAL GATE DR. 354
AEL, CA 94903
75507 8554

Collapse of the South Tower

("Collapse" is actually controlled demolition.)



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County Counsel
COUNTY OF SONOMA

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PETITION FOR EXTRAORDINARY RELIEF FROM DOMESTIC TERRORISM, #5175, Page 107

OCT 30 RECD

8/24

2/3

Rec'd
10/23
Sen. Leno

Exhibit C-5.2

CONGRESSWOMAN L. MARIN
DISTRICT 10
1050 NORTH
SAN RAFAEL

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COUNTY OF SONOMA



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For 10 years, Presidents, Congress, Homeland false Security, and the City of New York have told the world that the above mass murder during controlled demolition was caused by 25 of Enron-sponsored Saudi misfits in al Qaeda's Martyrdom Battalion. It took 10 years, the lynching of 2,140 American volunteers, and the squander of over 576 thousand million dollars of we 'da congressionally betrayed people's blood debt under **MARTIAL Law 107-243** to allegedly find unarmed Enron/CIA operative **Osama bin Laden** in an unguarded Pakistan villa, kill him, and dump his body in the ocean. If the reader buys that, **Al Sharpton** has a bridge to sell you. 'Da Obamanable Snow-job Man must come clean, get our 68,000 congressionally betrayed and trapped troops out of Afghanistan, and repeal **MARTIAL Law 107-243**, or he may not be re-elected and his no-nonsense constitutionalist wife may leave him.

OCT 30 RECD

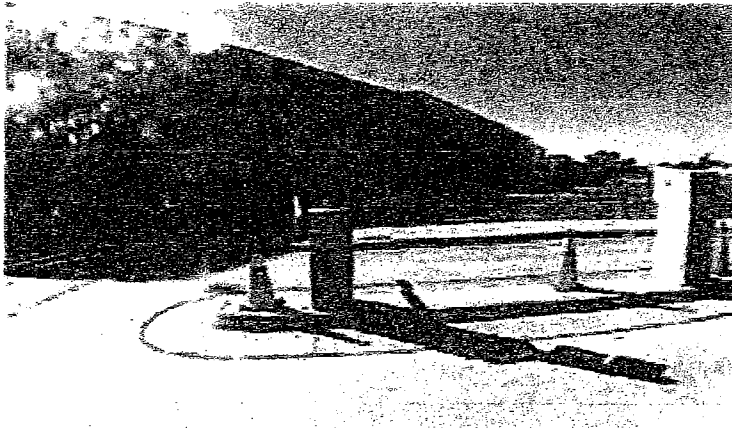
9/14

Exhibit C-5.3 5175

Rec'd
10/23
Sen. Lane

Pentagon attack

COMMISSIONER HAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTHGATE DR. 354
SAN RAFAEL, CA 94903
415 5507 9554

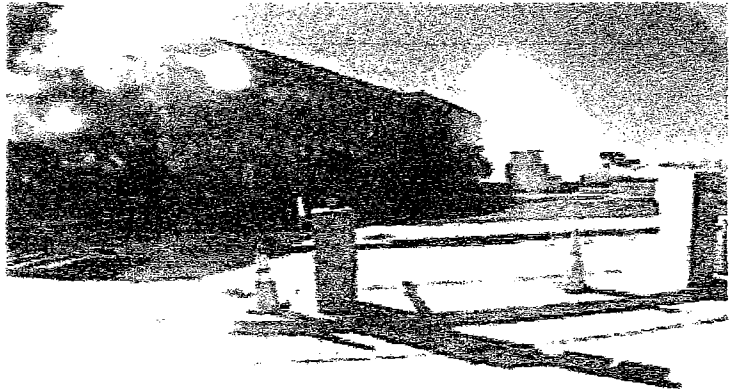


Remote controlled U. S. Air Force attack on the Pentagon Office of Naval Intelligence. Note the smoke from just fired missile.

Sep. 12, 2001, 17:37:19

plane

Only missile smoke.



Sep. 12, 2001, 17:37:19

impact

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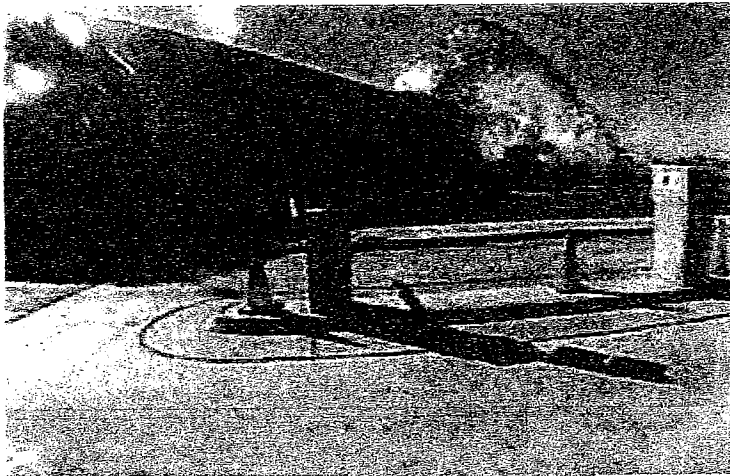
2012 OCT 30 A 11: 31

COMMISSIONER HAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTHGATE DR. 354
SAN RAFAEL, CA 94903

Exhibit C-6

OCT 30 RECD

10/14



Sep. 12, 2001, 17:37:21

#2 impact

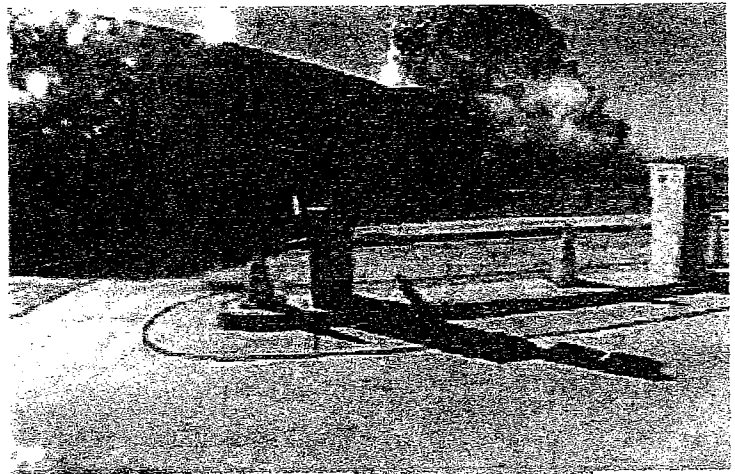
CONGRESSWOMAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORTHGATE DR. 354
SAN RAFAEL, CA 94903
415.507.9554
415.507.9554

2012 OCT 30 A 11: 3'

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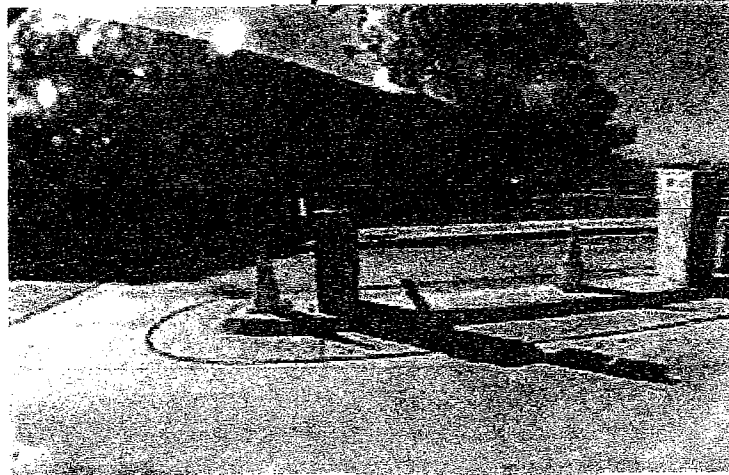
OCT 30 2012

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Sep. 12, 2001, 17:37:22

#3 impact



Sep. 12, 2001, 17:37:23

#4 impact

11/14

Exhibit C-

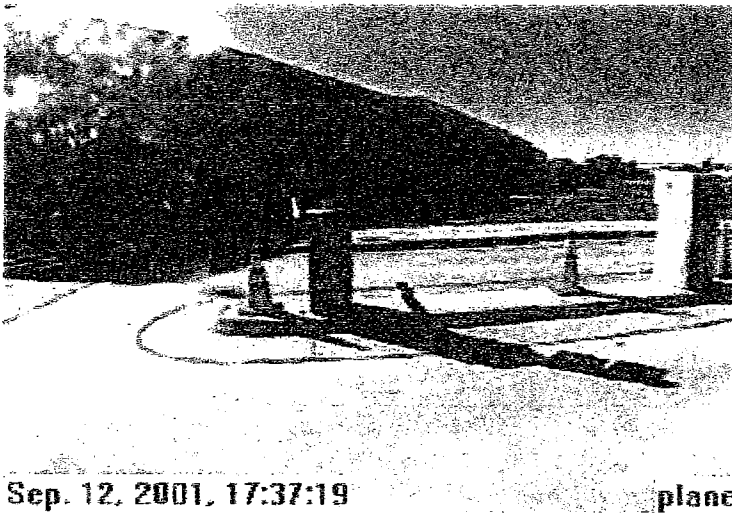
CONGRESSWOMAN L. WOOLSEY
MARIN DISTRICT OFFICE
1050 NORRIS GATE DR. 354
SAN RAFAEL, CA 94903
415.457.5507 9554

Obama misled us again

Yesterday, 'da Obamanable Snow-job Man spoke to our union of states from the Pentagon. He deliberately misled us again to believe that 11 years ago our Pentagon was attacked by "a small band of terrorists" from "halfway around the world" who brought "evil to our shores." That is another half-truth.

The "small band of terrorists" from "halfway around the world" were actually 25 Enron-sponsored and trained al Qaeda Martyrdom Battalion suicide bombers seeking paradise and 72 virgins by painlessly taking out United States energy czar **Dick Cheney** and his VP staff from Enron competitor Halliburton. These 25 religious fanatics believed that VP Cheney and staff were the top American infidels. Their fanaticism was encouraged by Enron to remove VP Cheney and gang who were blocking Enron's trans Afghan pipeline into The People's Republic of communist China.

On 9-11, the Pentagon Office of Naval Intelligence was attacked 41 minutes behind schedule by a remote controlled United States Air Force F-16 and its missile. A Pentagon security camera caught a glimpse of the F-16 and the white smoke from its just fired missile. It can be seen on top of the gate tower in the image below. In the next frame it is gone and there is an explosion.



2012 OCT 30 A 11: 54
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12/14

Exhibit C-6.3

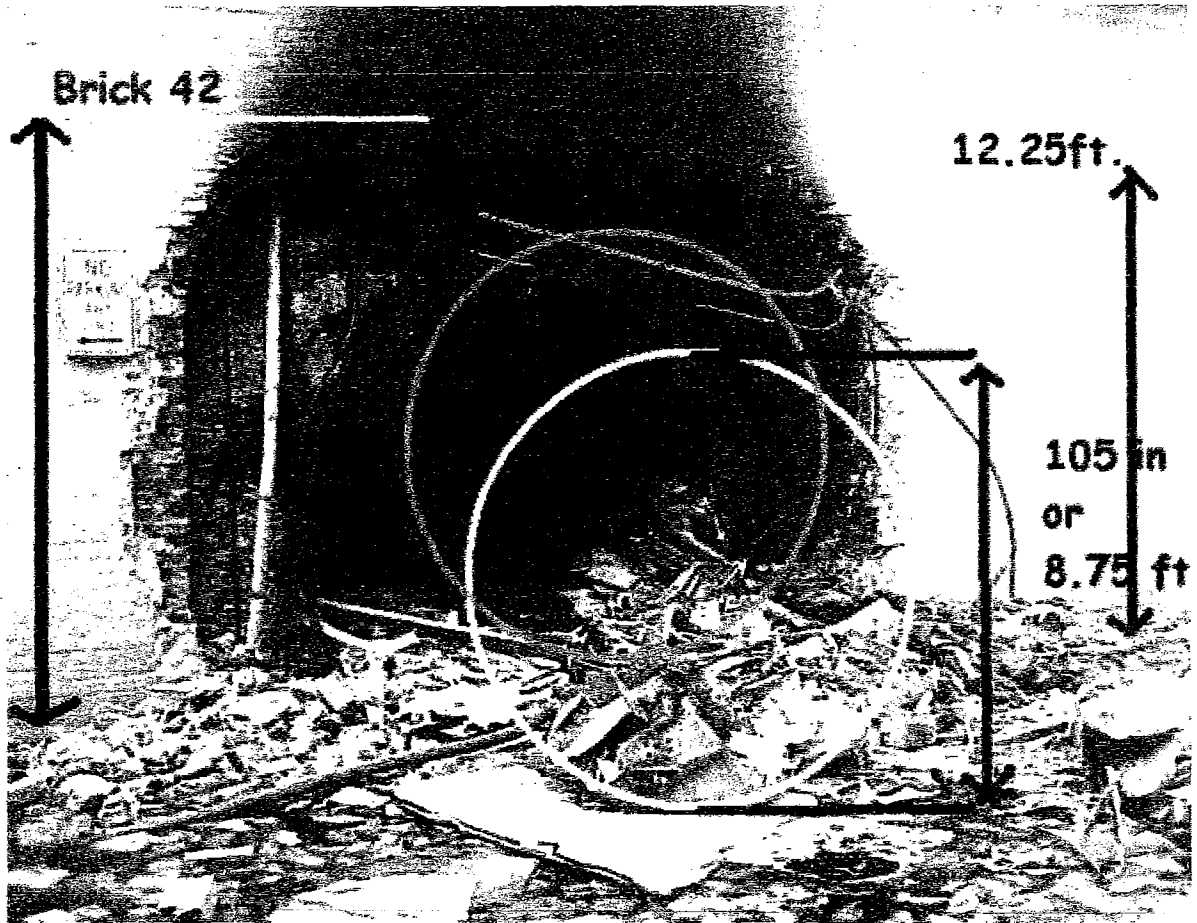
OCT 30 RECD

12/14

Hole in the 3rd ring of the Pentagon made by a U.S. Air Force missile



CONGRESSWOMAN L. WOOLSEY
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SAN RAFAEL, CA 94903
415 5507 9554



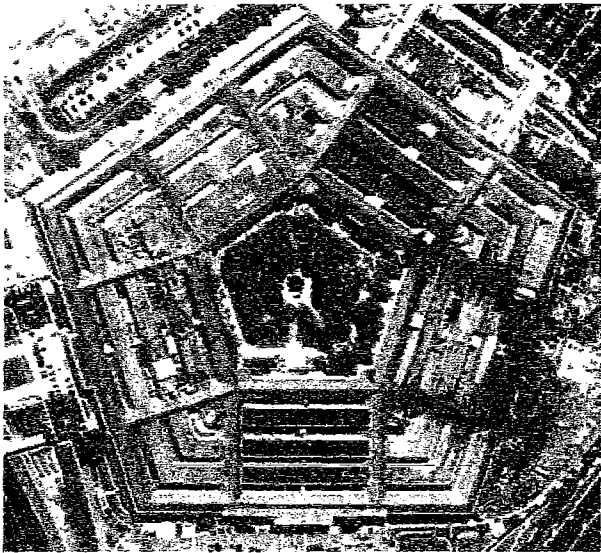
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12/14

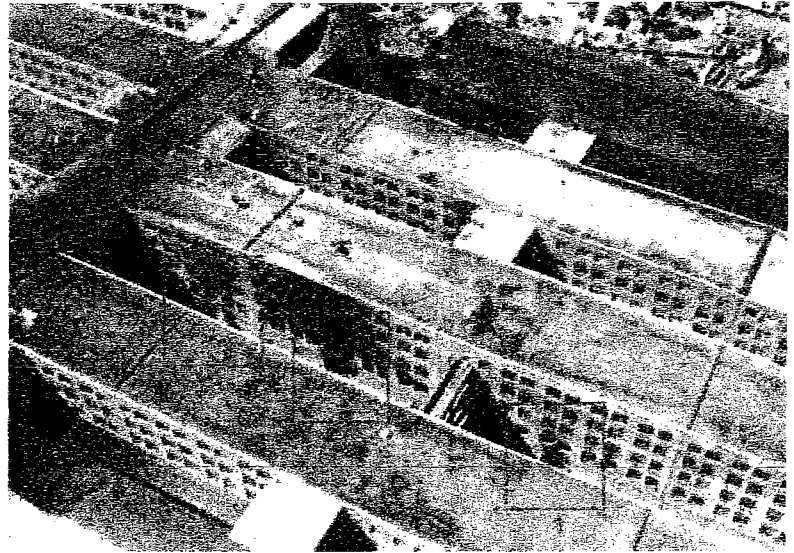
Exhibit

fire well under control, a small adjacent to impact point section of the building, measuring around 24 metres across, collapsed. Photographs taken of the collapsed section show that offices on either side sustained astonishingly little interior damage, given their proximity to the impact and fireball. In this picture (right) note the pristine walls and the immaculate wooden stool and open book. How odd that several Pentagon employees who survived the blast in this section of the building speak of the incredible heat, so intense that it melted window panes.

Behind the outer ring of Wedge 1, the Pentagon suffered very distinctive damage. As the first of the photographs below shows, fire spread extensively along the outer ring of the wedge and along the entire length of the main dividing sections running crossways. The fire was clearly less extensive in the rings contained within this area. Aerial photographs showing the inner wall of C Ring however do reveal three interesting exit holes, as shown in the second of the photographs below and in closer detail in the two that follow. The exit hole I have labelled number 1 is widely documented and discussed. Some have suggested that it was caused by the plane's port engine propelling itself like a missile through the building, though it seems too large to have been caused by the engine that was found. Others have argued that it is far more reminiscent of an exit hole caused by a real missile. The other two exit holes have been less widely considered. They are probably blasted out doorways rather than exit holes as such but the significant damage and scorching suggest something hot and explosive happened here, a part of the building otherwise not greatly affected by fire.



Pattern of fire damage



Three distinct exit holes in C Ring



Exhibit C

PETITION FOR EXTRAORDINARY RELIEF FROM DOMESTIC TERRORISM, #5175, Page 113

124/124

BOS-11
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2012 OCT 31 AM 10:27
de

An Open Letter to the Editor and to Mayor Edwin Lee and the SF Board of Supervisors – 8/22/2012

Dear Mayor Edwin Lee and SF Supervisors,

As a 36 year resident of San Francisco, I am very concerned that the Sutter Health Project being considered by the city officials, including Department of Public Health and Planning Dept. staff members, does not take the long term mental health concerns of San Francisco into consideration. The starting point for any negotiations must be the fact that Sutter Health benefits enormously from doing business here. As a "non-profit", they receive approximately \$90 million a year in tax exemptions for their San Francisco operations, with county property tax breaks accounting for \$9 million of that.

St. Luke's has given great charity care to many poor people in SF for over a century when owned by the Episcopal Diocese of California. Sutter Health tried to close St. Luke's shortly after acquiring it in the wake of a major lawsuit against them. Sutter did close the 32-bed inpatient psychiatric unit 4 years into their acquisition instead of keeping it open at least 5 years as brokered by the state attorney general's office. Their doctors, nurses and other workers do incredibly valuable work and need to be supported. Instead, Sutter is refusing to hire more staff at St. Luke's despite repeated requests from their own doctors to do so. This includes pediatricians struggling to attend to all the children who come to the hospital. Many others have commented on the fact that St. Luke's is only 1 of 2 hospitals south of Market Street, with the other being SF General. If major care is no longer available at St. Luke's, it will be difficult for many needy people to get to other hospitals and they will delay getting help and then care will be more costly as they will only go to a hospital farther away when their symptoms are much more serious!

Sutter's proposal for an 80-bed St. Luke's is a cynical bargaining chip in order to gain permission to build their projected 555-bed Cathedral Hill Hospital, which is meant to replace the California and Pacific Campuses. They profit upwards of \$140 million a year in this City and have been transferring money to their mother corporation all along. The idea that they can't maintain St. Luke's for 20 years is not credible, especially given their high charge rates, which are 37% higher across the board, according to an analysis by the LA Times.

Sutter and Mayor Lee are touting this plan as a "jobs creator", and while some construction workers will get much needed employment, it has been said only a relative handful will come from the local area. Meanwhile, they are projecting to eliminate almost 300 hospital positions. Yes, there will be some jobs gained from construction, but once the new hospital is built, those jobs will disappear. They're also attempting to prevent the California Nurses' Association from being recognized at Cathedral Hill, which is frightening when one considers the CNA's strong record of patient advocacy.

Sutter is proposing no psych beds in their new hospital on Van Ness Avenue, not a single one in a total of 635 brand new beds as they effectively abandon such patients for the public system to hopefully care for! Psychiatrists in the community find this to be particularly outrageous, given Sutter's poor record of returning a community benefit commensurate with their tax breaks, as required by law. Mayor Lee and Board of Supervisors, you should require them to put in the 32 psych beds they eliminated from St. Luke's at the Cathedral Hill Campus or add those beds back at the new St. Luke's. We need emergency mental health beds as we have many fragile people on the streets of our City. NOW is the time to negotiate this! Otherwise revoke their local property-tax exemption as they have not earned it.

In 2010, Sutter Health paid over 21 executives salaries of \$1 million each, and their CEO in Sacramento, Pat Fry, gets a salary of at least \$4.7 million annually. Sutter's paying of such outrageously high compensations, while crippling St. Luke's and cutting back the quality and quantity of mental health and other healthcare services needed in San Francisco, is obscene! Mayor Lee and the supervisors – you need to be vigilant and bargain hard now! Maintaining St. Luke's for 20 years is a minimum program, and given their profitability, it is not much to demand. Especially when considering that their regional monopoly is going to drive up healthcare costs on all those who pay for health coverage or who end up in one of their hospitals.

The time to act is now! Please step up to the plate and demand what is good for San Francisco and NOT what Sutter Health wants that will put more money into their coffers.

Fred Merrick

Rev. Fred Merrick, member of Grace Evangelical Lutheran Church, SF Interfaith Council, and SF Organizing Project.



SAN FRANCISCO
CHAMBER OF COMMERCE

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2012 NOV -5 PM 4:10

Ak

BOS-11
File 120965
Cpage

November 5, 2012

Ms. Angela Calvillo, Clerk of the Board
San Francisco Board of Supervisors
City Hall, Room #244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Support Item #12, File #120965; Business and Tax Regulations Code – Prevent Termination of Payroll Expense Tax Exclusion for Small Business Net New Payroll if Voters Adopt Gross Receipts Tax

Dear Ms. Calvillo and Members of the Board,

The San Francisco Chamber of Commerce supports the ordinance introduced by Supervisor Farrell to amend the San Francisco Business and Tax Regulations Code to prevent the Payroll Expense Tax Exclusion for Small Business Net New Payroll from terminating if Proposition E, the Gross Receipts Tax Measure, is passed by the voters on November 6, 2012.

The purpose of the net new payroll exclusion is to provide an incentive for small businesses to create new jobs in and relocate existing jobs to San Francisco. The exclusion will benefit small businesses in every sector of the city's economy and will result in significant job growth for local residents.

This ordinance is needed to ensure the small business net new payroll exemption remains in place through 2015 should the voters of San Francisco approve the change to a Gross Receipts Tax at the ballot on November 6, 2012.

The Chamber supports Supervisor Farrell's ordinance and urges the Board of Supervisors to approve it when it comes before you at the full Board of Supervisors meeting on November 6, 2012.

Sincerely,

Jim Lazarus
Senior Vice President
Public Policy

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: November 2, 2012
To: Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board
Subject: Form 700

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

Stephanie Tucker – Legislative Aide - Assuming

San Francisco Living Wage Coalition

2940 – 16th Street #301

San Francisco, CA 94103

ph. 415-863-1225 • fax 863-1927 • email: sflivingwage@riseup.net

www.livingwage-sf.org

BOS-11
opages

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2012 OCT 29 PM 3:02

BY
AK

October 25, 2012

Members of the Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Supervisors,

The San Francisco Living Wage Coalition enthusiastically endorses changes in San Francisco's Administrative and Police codes that will expand access to housing and employment for people with arrest or conviction records. The San Francisco Living Wage Coalition is an organization dedicated to social and economic justice. We believe that people coming out of the criminal court system, or prison, immigration detention, county jails, or juvenile hall should not be subjected to lifelong punishment. The stigma of a criminal record shuts people out from jobs and health care, housing, and a chance for education and job training. These people are our family, our neighbors, members of our community. Yet jobs, public benefits, and housing are routinely denied to them because of a past criminal record. Stopping the discrimination they face because of past convictions will improve the quality of life for the whole community.

Setting guidelines for consideration of arrest or conviction records by landlords and employers will contribute to public safety in the City and County of San Francisco because it will promote stable housing and employment. The San Francisco Living Wage Coalition believes that vendors, housing providers, and employers in San Francisco should comply with recognized standards for considering conviction records. We need to adopt these standards city-wide to expand access to housing and employment, because people with jobs, housing, and stable lives are much less likely to return to crime in order to survive.

Eliminating unfair discrimination based on past criminal records is the only way to ensure equal opportunity in employment and housing. Because the criminal justice system disproportionately targets people of color and poor people for arrest, prosecution and imprisonment, discrimination based on past criminal records is a cover for racism and racial discrimination. Equal opportunity in housing and employment will help our society focus on rehabilitation and support for people convicted of crimes, rather than further stigmatizing them through permanent denial of their basic civil and human rights.

The San Francisco Living Wage Coalition fully supports amending the Administrative and Police Codes of the City and County of San Francisco to expand access to housing and employment by setting guidelines for consideration of conviction records by employers and housing providers.

Sincerely,



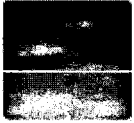
Karl Kramer
Campaign Co-director



David Frias
Campaign Co-director

Cc: Linda Evans c/o All of Us or None, LSPC, 1540 Market Street #490, San Francisco, CA 94102

24



To:
Cc:
Bcc:
Subject: Memo from Rudy Nothenberg, Chief Administrative Officer, Retired

From: margorudy@comcast.net
To: "Board of Supervisors" <Board.of.Supervisors@sfgov.org>
Sent: Sunday, November 11, 2012 5:55:40 PM
Subject: Memo from Rudy Nothenberg, Chief Administrative Officer, Retired

Dear Madame Clerk of The Board:

My name is Rudy Nothenberg. I served in various positions at City Hall, as Deputy Mayor to Mayors Moscone and Feinstein, as General Manager of Public Utilities and then for nine years as Chief Administrative Officer, the office from which I retired. I returned as a part time annuitant to become the head of Mayor Brown's Economic Development Office for the first two years of his administration.

I am currently out of town and unable to get to City Hall until the end of the month. I wonder whether, as a matter of courtesy, you would distribute copies of the attached two page memo to the offices of the various members of the Board as well as to Harvey's office. I would much appreciate the courtesy. Thanking you in advance,



Rudy Nothenberg. finalbos.doc

November 12, 2012

To: The Honorable Members of the Board of Supervisors

From: Rudy Nothenberg, Chief Administrative Officer,
City & County of San Francisco (Ret.)

Re: Reject the 13% Interest Rate!

I am writing to urge that you direct the City's negotiators to renegotiate the outrageous 13% interest rate the developers of the proposed waterfront arena are proposing to charge the City for their costs of replacing Piers 30/32

I spent many years as a high level financial advisor in the administrations of Mayors Moscone, Feinstein, Agnos, Jordan and Brown, was General Manager of Public Utilities and served for almost a decade as the City's Chief Administrative Officer. In my years as General Manager of Public Utilities, comprised then of the Municipal Railway, the Water Department & Hetch-Hetchy and later in my years as Chief Administrative officer, I took probably more that a billion dollars worth of various debt instruments to the Mayor and Board of Supervisors for their approval.

Never, even in the days of extremely high interest rates, did I ever bring a 13% interest rate bearing City obligation forward for consideration. I would have been ashamed to make such a request. In today's credit environment it is incomprehensible that such a recommendation would be brought to you – and in such haste. San Francisco – and other jurisdictions - have recently achieved long term financing rates of less than 4% to no more than 4.5% . It is astonishing that you should be asked to approve an interest rate of such dramatic discrepancy with what the City can - and has - achieved in other recent debt instruments.

I would most respectfully urge you to send this proposal back to the developers, and explicitly instruct the City's negotiators who are even now, before your approval of the Financial Feasibility study, negotiating the term-sheet to bring it back to you with a more favorable interest rate to the City, a rate that should in no event exceed 7.5%

A 7.5% rate would still be almost twice what the City would need to pay for City issued debt and would more than amply compensate the developers for any risk premium that they allege that they are taking.

Any such instruction from you to the City negotiators should also make it clear that they are not to make any new concessions to the developers in exchange for achieving a still high, but eminently more reasonable interest rate.

Thank you for your attention.

Rudy Nothenberg
Chief Administrative Officer (Ret)



To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Do not extend the sunset of the Public Utilities Revenue Bond Oversight Committee

File 120221

From: "brian@h2oecon.com" <brian@h2oecon.com>
To: "Mormino, Matthias" <Matthias.Mormino@sfgov.org>, Jane.Kim@sfgov.org,
board.of.supervisors@sfgov.org,
Cc: Nate.Allbee@sfgov.org, David.Campos@sfgov.org, SOTF <sotf@sfgov.org>,
ethics.commission@sfgov.org, mark.farrell@sfgov.org
Date: 10/30/2012 06:43 AM
Subject: Do not extend the sunset of the Public Utilities Revenue Bond Oversight Committee

Dear Matthias,

As you will recall, I fully described to you, many times, over a relatively extended period, noxious events that occurred while I was a member (2003-2012) of the Revenue Bond Oversight Committee. Below is tip of the iceberg from our discussions.

1) The RBOC spent considerable time negotiating with UCB and UCLA to do a top to bottom (full 9 yards) independent review of the SFPUC's expenditures of revenue bonds. They (UCB as lead) presented a brilliant draft multi-disciplinary proposal after numerous meetings and many exchanges. The most open and transparent process ever conducted by this committee. The RBOC was about to sign a contract with UCB. I was authorized to spearhead these negotiations.

Without comment RBOC office holders (off camera) made this contract disappear. No thank you nor apology to these great universities (UCB in particular). Just disappeared never to be discussed again. .

2) These same RBOC office holders, probably SFPUC driven, entered into a Memorandum of Understanding (MOU) with the Controller's - City Services Auditors (CSA) to control all RBOC contracting. This was in absolute defiance of the "independent clauses" of 2002 Proposition P.

Most of these activities were conducted "off camera." (discovered by my use of the Sunshine process) The Controller, when asked (a group of us approached him) how he became involved, stated he was approached by the then chair. Such a meeting, between the chair and the Controller, was not pre-authorized at a full RBOC meeting.

The Controller showed little knowledge of 2002 Proposition P . The Controller never gave us, as promised, a legal reason as to why this MOU between the RBOC and CSA was legal per the different Propositions creating the RBOC and the CSA. Read them.

3) At or about this time, a draft of the current "sunset lifting" legislation appeared at RBOC meetings (no pre-discussion agenda) pushed by these very same folks who "disappeared" the university contract and entered into the CSA-RBOC - MOU. The then Chair of the RBOC stated at a meeting that she had met with Supervisor Mark Farrell who had agreed to carry this legislation forward. Mr Farrell in response to my Sunshine request denies any meeting with anyone prior to presenting this sunset lifting legislation (see his response below).

"4 thru n" - litany of other abuses/failures of the RBOC on request. One that comes to mind is the failure of this Committee to investigate

26

the giving of 15% of SF's pristine Hetch Water to the peninsula in the 2009 Master Water Sales Agreement (MWSA). We were using this water (1984-2009). They (BAWSCA) were not. We are to replace this pristine HH water with expensive augmented sources (recycled/well). They (BAWSCA) get HH water at existing cost (\$640 v approx \$3000 per acre ft). Plus the largest contract ever for SF - the 2009 MWSA uses a statistical outlier (265 MGD) to set ad infinitum contractual assurances to peninsula customers. I could not get the RBOC to honestly and openly consider the downsides to SF of this contract (MWSA) nor could I attend, on your (BoS) behalf, MWSA negotiations. This MWSA needs to be renegotiated.

The facts speak unequivocally to the failure of the RBOC to act in accordance with its enabling legislation. Let it sunset on 1/1/2013. The RBOC as envisioned by the legislators, authors, and voters in 2002 has never existed. This current group calling themselves the RBOC perpetrate a cruel charade on the voters of zero oversight per the mandates of 2002 P.

How can the SFPUC continue to tell the financial markets and voters that they are monitored by an independent and competent oversight group known as the RBOC? Prove it.

Sincerely,

Brian Browne

From Mark Farrell
Received PM on 29 October 2012.

"Dear Mr. Browne,
I apologize for not responding earlier to your immediate disclosure request sent on October 18, 2012. I have reviewed my emails, files and calendar and have no documents responsive to your request. Should you have any questions, please do not hesitate to contact me and/or my legislative aide, Catherine Stefani, at 554-7752.

Sincerely,

Mark E. Farrell
Board of Supervisors, District 2
1 Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554.7752
Email:mark.farrell@sfgov.org"