

FILE NO. 130660

Petitions and Communications received from June 17, 2013, through July 1, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 9, 2013.

**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 Clerk of the Board, reporting the following individual has submitted a Form 700 Statement: (1)

Carolyn J. Goossen - Legislative Aide - Assuming  
Yoyo Chan - Legislative Aide - Assuming

From Clerk of the Board, the following departments have submitted their reports regarding Sole Source Contracts for FY2012-2013: (2)

Adult Probation  
Asian Art Museum  
Board of Appeals  
Civil Service Commission  
Ethics Commission  
Film Commission  
Human Rights Commission  
Human Services Agency  
Juvenile Probation  
Mayor's Office of Disability  
Municipal Transportation Agency  
Office of Citizen Complaints  
Planning Department  
Public Health

\*From concerned citizens, regarding the Masonic Aveune Cycle Project. File No. 120974. 37 letters. Copy: Each Supervisor. (3)

From Nancy Elsner, regarding Connect2Comcast. Copy: Each Supervisor. (4)

From California Department of Fish and Wildlife, submitting notice of proposed rulemaking. Copy: Each Supervisor. (5)

From AnMarie Rodgers, regarding Planning Commission Recommendation: Allow Fee Deferral Program to Expire. Copy: Each Supervisor. (6)

From concerned citizens, regarding Condominium Conversion. File No. 120669. 2 letters. Copy: Each Supervisor. (7)

From concerned citizens, regarding the Beilenson Hearing. File Nos. 130595 and 130580. 3 letters. Copy: Each Supervisor. (8)

From Superior Court, submitting Civil Grand Jury Report: Golden Gate Park's Homeless Population: Are San Francisco's Policies Serving Us Well? Copy: Each Supervisor directly. (9)

From Superior Court, submitting Civil Grand Jury Report: Log Cabin Ranch: Planning for the Future, A Continuity Report. Copy: Each Supervisor directly. (10)

\*From Superior Court, submitting Civil Grand Jury Report: Building a Better Future at the Department of Building Inspection. Copy: Each Supervisor directly. (11)

\*From Superior Court, submitting Civil Grand Jury Report: Auditing the City Services Auditor: You Can Only Manage What You Measure. Copy: Each Supervisor directly. (12)

\*From Superior Court, submitting Civil Grand Jury Report: Use of Nonprofit Community-Based Organizations: Measuring Outcomes. Copy: Each Supervisor. (13)

From Rose Hilson, regarding Planning Department's California Environmental Quality Act review website. Copy: Each Supervisor. (14)

From Emil Lawrence, regarding taxi medallion fees and fines mandated by the SFMTA. Copy: Each Supervisor. (15)

From concerned citizen, regarding public comment at the June 18, 2013, Board of Supervisors Meeting. (16)

From Marcelo Fonseca, regarding New Online Enabled Transportation Services. (17)

From PG&E, submitting notice of an application filed to increase electric generation rates in 2014. Copy: Each Supervisor. (18)

From Robert Schaezlein, regarding Metropolitan Transportation Agency bicycle planning. (19)

From Roland Salvato, regarding historic landmarking of buildings and sites during appeals. File No. 130248. Copy: Each Supervisor. (20)

From Ryan Weidenmiller, regarding Woodhouse Marina Green. File No. 120987. Copy: Each Supervisor directly. (21)

From Mayor, designating London Breed as Acting-Mayor from June 21, 2013, until June 23, 2013. Copy: Each Supervisor. (22)

From Youth Commission, submitting a memo regarding support of Board of Supervisors File Nos. 130600 and 130502. Copy: Each Supervisor. (23)

From Controller, submitting The Department of Public Health Adequately Monitors MedImpact's Prescription Claims but Needs Better Controls Over Its Use of MedImpact as a Fiscal Intermediary Report. Copy: Each Supervisor. (24)

From concerned citizens, regarding California Environmental Quality Act modifications. File Nos. 130248, 121019, and 130464. 2 letters. Copy: Each Supervisor. (25)

From Lee Goodin, regarding the Central Subway. 3 letters. Copy: Each Supervisor (26)

From concerned citizens, regarding Woodhouse on Marina Green. File No. 120987. 3 letters. Copy: Each Supervisor. (27)

From Marvis Phillips, regarding California Senate Bill 635. (28)

From Clerk of the Board, submitting notice of vacancies on the Association of Bay Area Governments Executive Board. (29)

From concerned citizens, regarding the Neighborhood Emergency Response Team program. Copy: Each Supervisor. 5 letters. (30)

From Jon Givner, submitting Appeal of the Historic Preservation Commission's Decision on a Major Permit to Alter memo relating to 706 Mission Street. Copy: Each Supervisor. (31)

From Brigida Lembke, regarding the taxi industry in San Francisco. Copy: Each Supervisor. (32)

From Bernard Choden, regarding Central Subway Budget Hearing. Copy: Each Supervisor. (33)

From concerned citizens, regarding fiber broadband. 7 letters. Copy: Each Supervisor. (34)

From Planning, regarding Castro Neighborhood Commercial District Use Size Limits. File No. 130263. Copy: Each Supervisor. (35)

From UCSF Medical Center, providing notification of a clinic change. Copy: Each Supervisor. (36)

From Fish and Game Commission, submitting notice of proposed regulatory action on commercial herring fisheries. Copy: Each Supervisor. (37)

From B G Ward, regarding Civic Center Historic District. Copy: Each Supervisor. (38)

From concerned citizens, regarding Sharp Park. Copy: Each Supervisor. (39)

From MaryLou Corrigan, regarding parking enforcement. Copy: Each Supervisor. (40)

\*From Controller, submitting SFMTA: Overhead Rates of Two Central Subway Project Management Consultants Must Be Reduced report. Copy: Each Supervisor. (41)

From Controller, submitting Treasurer and Tax Collector: Quarterly Reviews of the Schedule of Cash, Investments, and Accrued Interest Receivable as of September 30, 2012, and December 31, 2012, Reports. Copy: Each Supervisor. (42)

From Controller, submitting a General Fund Revenue Update Report. Copy: Each Supervisor directly. (43)

From Linda Chapman, regarding California Pacific Medical Center Van Ness area plan changes and Lower Polk Community Benefits District development agreement. Copy: Each Supervisor. (44)

From Controller, submitting City Services Benchmarking Report: Public Libraries. Copy: Each Supervisor. (45)

From Michelle Horneff-Cohen, regarding the Family Friendly Workplace Ordinance. File No. 130622. Copy: Each Supervisor. (46)

From Department of Child Support Services, regarding Adopted Budget for FY2013-2014 and FY2014-2015. File No. 130535. (47)

From Mark Goldstein, regarding protection of benefits for retirees. File No. 130481. Copy: Each Supervisor. (48)

From Public Library, regarding Grant Budget Revision for the Teen Center Learning Lab at Main Library. File No. 130535. Copy: Each Supervisor. (49)

From Department of Public Health, regarding increases in contracts during FY2012-2013. Copy: Each Supervisor. (50)

From Pat Monk, regarding medical marijuana policy. Copy: Each Supervisor. (51)

From Susannah Robbins, regarding film productions in California. Copy: Each Supervisor. (52)

\*(An asterisked item represents the cover sheet to a 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. 544-5227**

Date: June 28 2013  
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:

Carolyn J. Goossen – Legislative Aide – Assuming  
Yoyo Chan - Legislative Aide – Assuming

July 9, 2013 – Communications Page

From the Clerk of the Board, the following departments have submitted their reports regarding Sole Source Contracts for FY2012-2013.

Adult Probation  
Asian Art Museum  
Board of Appeals  
Civil Service Commission  
Ethics Commission  
Film Commission  
Human Rights Commission  
Human Services Agency  
Juvenile Probation  
Mayor's Office of Disability  
Municipal Transportation Authority  
Office of Citizen Complaints  
Planning Dept.  
Public Health

---

**From:** Diane.Lim@sfgov.org  
**Sent:** Friday, June 28, 2013 2:48 PM  
**To:** Board of Supervisors  
**Cc:** Veronica.Martinez@sfgov.org  
**Subject:** Sole Source Contracts for Fiscal Year 2012-13  
**Attachments:** APD 2012-13BOSSoleSourceLtr.pdf

Dear Board of Supervisors,

In compliance with Sunshine Ordinance 67.24(e) enclosed please find the annual report of Sole Source Contracts from the Adult Probation Department

Let me know if you have any questions  
Thank you

(See attached file: APD 2012-13BOSSoleSourceLtr.pdf)

---

Diane Lim  
Director of Finance and Administrative Services San Francisco Adult Probation Department  
415-553-1058  
415-575-8895 Fax



*Protecting the Community, Serving Justice and  
Changing Lives*

**WENDY S. STILL**

Chief Adult Probation Officer

Date: July 28, 2013  
 To: Ms. Angela Calvillo, Clerk of the Board  
 Thru: Wendy S. Still, Chief Adult Probation Officer  
 From: Diane Lim, Director of Finance and Administrative Services  
 Re: Adult Probation Department Sole Source Contracts for Fiscal Year 2012-13

In compliance with Sunshine Ordinance Section 67.24 (e), the Adult Probation Department is reporting in FY 2012-13 that the department worked with the Office of Contract Administration, Human Rights Commission, Civil Service Commission, Department of Human Resources, the City Attorney and Local 21, for approval to enter into one sole source contract.

**Fiscal Year 2012-13 Sole Source Waivers Approved and Modified**

**Vendor:** Regents of University of California, Chief Justice Earl Warren Institute on Law and Social Policy/Berkeley Center for Criminal Justice

	<b>Date of Approval</b>	<b>Term</b>	<b>Amount</b>
<b>Original Sole Source</b>	06/04/2012	Dec 2011 – Jun 2013	\$99,999
<b>Modification One</b>	06/14/2013	Dec 2011 – Jun 2014	\$50,000
<b>Total Sole Source Amount</b>			<b>\$149,999</b>

**Reason**

The Adult Probation Department (ADP) works with University of California Berkeley Center for Criminal Justice (BCCJ)/Warren Institute in the comprehensive review and updating of all ADP operational policies and procedures to reflect evidence based supervision and best practices in community corrections, as well as standards established by such organizations as the American Correctional Association and American Probation and Parole Association. In addition, performance-based standards initiated by the U.S. Department of Justice are also being incorporated into ADP policies. UC Regents ensures that the Adult Probation Department policies and procedures are in compliance with all local, state, and federal regulations. Furthermore, UC Regents assists the Adult Probation Department in assessing implementation and compliance of newly developed policies and manuals, identifying effective training tools and national experts for guidance. All policies and protocols



developed include a statement of purpose, they signal evidence based practice in which the policy is based, and determines measurements of success.

In 2013 ADP identified eleven additional policies that must be completed prior to culmination of the project. Updating/developing these new policies and their respective research and analysis required an increase in the term and amount of the agreement. UC Regents has the project knowledge and experience required to complete and finalize this project

**Vendor:** Northpointe, Inc.

	<b>Date of Approval</b>	<b>Term</b>	<b>Amount</b>
<b>Original Sole Source</b>	08/31/2010	Sep 2010 – Aug 2013	\$474,000
<b>Modification One</b>	05/14/2013	Sep 2010 – Jun 2016	\$525,300
<b>Total Sole Source Amount</b>			\$999,300

**Reason**

Northpointe Inc.'s Correctional Offender Management Profiling and Alternative Sanctions System (COMPAS) copyrighted software provides an integrated Case Management and Risk/Needs Assessment single database solution which includes JUSTIS interface and Supervise Release File functionality that enables the Department to comply with data collection requirements of the Senate Bill 678 Evidence Based Supervision Practices, and the California Administrative Office of the Courts CALRAPP programs.

In 2013 the Adult Probation Department (ADP) determined that interface and integration of new supervision and monitoring tools (telephone reporting system and criminal fines and fees collection system) within ADP's COMPAS assessment tool must be built. Training and maintenance for these new features will be needed. These services required an increase in the contract amount and term.

**Vendor:** National Council on Crime and Delinquency (NCCD)

	<b>Date of Approval</b>	<b>Term</b>	<b>Amount</b>
<b>Original Sole Source</b>	01/09/2013	Mar 2013- June 2014	\$33,000

**Reason**

CAIS™ is a proprietary, interactive web-based system that analyzes data regarding adult offenders to determine case management classification, provides risk and needs assessments, and generates specific recommendations regarding the supervision of offenders. Scoring and analysis of the data is provided via a conventional web browser in a series of concise, interactive reports. CAIS™ was developed by NCCD. The Adult Probation Department (ADP) used CAIS™ to assess and classify its clients between 2008 and 2011. ADP requested this sole source to enter into an on-line subscription agreement with NCCD to access historical existing data previously entered by ADP staff regarding ADP's clients.

The CAIS™ subscription includes a web-based data-reporting package, which produces on-demand aggregate reports. With the on-line subscription agreement, the scope of services was narrowed to view-only access to, and reporting of, existing ADP clients hosted in the CAIS™. No training or other professional services are needed from NCCD at this time to fulfill this agreement.

**Prior Years Sole Source Contracts**

**None**

Should you have any questions please contact me at 415-553-1058

---

**From:** Mark McLoughlin [MMcLoughlin@asianart.org]  
**Sent:** Wednesday, June 19, 2013 8:25 AM  
**To:** Board of Supervisors  
**Cc:** Jay Xu; Adrian Trujillo  
**Subject:** Re: Fw: Sole Source Contracts and Annual Reports - Response Required  
**Attachments:** Sole Source Memo 12-13.doc

The Asian Art Museum of San Francisco entered into NO sole source contracts in FY12/13.

Thanks,

Mark McLoughlin  
Chief Operating Officer & CFO  
Asian Art Museum of San Francisco  
200 Larkin Street  
San Francisco, CA 94102  
415.581.3730  
[www.asianart.org](http://www.asianart.org)

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message, or the taking of any action based on it, is strictly prohibited.

From: "Jay Xu" <jxu@asianart.org>  
To: "Mark McLoughlin" <mmcloughlin@asianart.org>  
Date: 06/19/2013 01:05 AM  
Subject: Fw: Sole Source Contracts and Annual Reports - Response Required

---

Jay Xu  
Director  
Asian Art Museum of San Francisco  
200 Larkin Street  
San Francisco, CA 94102

Sent via BlackBerry by AT&T

---

**From:** Board of Supervisors <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Date:** Wed, 19 Jun 2013 00:48:47 +0000  
**To:** [rbenefield@famfsf.org](mailto:rbenefield@famfsf.org)<[rbenefield@famfsf.org](mailto:rbenefield@famfsf.org)>; Callahan, Micki<[micki.callahan@sfgov.org](mailto:micki.callahan@sfgov.org)>; Calvillo, Angela<[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>; Chu, Carmen<[carmen.chu@sfgov.org](mailto:carmen.chu@sfgov.org)>; Cisneros, Jose<[jose.cisneros@sfgov.org](mailto:jose.cisneros@sfgov.org)>; DeCaigny, Tom<[tom.decaigny@sfgov.org](mailto:tom.decaigny@sfgov.org)>; Dick-Endrizzi, Regina<[regina.dick-endrizzi@sfgov.org](mailto:regina.dick-endrizzi@sfgov.org)>; Dodd, Catherine<[catherine.dodd@sfgov.org](mailto:catherine.dodd@sfgov.org)>; Falvey, Christine<[christine.falvey@sfgov.org](mailto:christine.falvey@sfgov.org)>; Garcia, Barbara<[barbara.garcia@sfdph.org](mailto:barbara.garcia@sfdph.org)>; Gascon, George<[george.gascon@sfgov.org](mailto:george.gascon@sfgov.org)>; Ginsburg, Phil<[phil.ginsburg@sfgov.org](mailto:phil.ginsburg@sfgov.org)>; Goldstein, Cynthia<[cynthia.goldstein@sfgov.org](mailto:cynthia.goldstein@sfgov.org)>; Robbins, Susannah<[susannah.robbins@sfgov.org](mailto:susannah.robbins@sfgov.org)>; Hayes-White, Joanne<[joanne.hayes-white@sfgov.org](mailto:joanne.hayes-white@sfgov.org)>; Collins, Tara<[tara.collins@sfgov.org](mailto:tara.collins@sfgov.org)>; Herrera, Luis<[luis.herrera@sfgov.org](mailto:luis.herrera@sfgov.org)>; Hicks, Joyce<[joyce.hicks@sfgov.org](mailto:joyce.hicks@sfgov.org)>; Hui, Tom<[tom.hui@sfgov.org](mailto:tom.hui@sfgov.org)>; Huish,

---

**From:** Goldstein, Cynthia  
**Sent:** Wednesday, June 19, 2013 10:32 AM  
**To:** Board of Supervisors  
**Subject:** Sole Source Contracting Report for Board of Appeals

The Board of Appeals did not enter into any sole source contracts during fiscal year 2012-13 and has no existing sole source contracts.

Cynthia G. Goldstein  
Executive Director  
San Francisco Board of Appeals  
1650 Mission Street, Suite 304  
San Francisco, CA 94103  
Phone: 415-575-6881  
Fax: 415-575-6885  
Email: [cynthia.goldstein@sfgov.org](mailto:cynthia.goldstein@sfgov.org)

---

**From:** Eng, Sandra  
**Sent:** Wednesday, June 19, 2013 11:04 AM  
**To:** Board of Supervisors  
**Subject:** Sole Source Contracts  
**Attachments:** Sole Source.pdf

Board of Supervisors,

The Civil Service Commission did not enter into any Sole Source Contracts in Fiscal Year 2012-13. Please see the attached memo.

Thank you,

Sandra Eng

*Sandra Eng  
Assistant Executive Officer  
Civil Service Commission  
25 Van Ness Avenue, Suite 720  
San Francisco, CA 94102  
Direct (415) 252-3254  
Main (415) 252-3247  
Fax (415) 252-3260*





**CIVIL SERVICE COMMISSION**  
**CITY AND COUNTY OF SAN FRANCISCO**

EDWIN M. LEE  
MAYOR

Date: June 19, 2013

KATE FAVETTI  
PRESIDENT

SCOTT R. HELDFOND  
VICE PRESIDENT

MARY Y. JUNG  
COMMISSIONER

E. DENNIS NORMANDY  
COMMISSIONER

To: Clerk of the Board  
Board of Supervisors

From: Sandra Eng <sup>LE</sup>  
Assistant Executive Officer

Subject: **Sole Source Contract**

JENNIFER C. JOHNSTON  
EXECUTIVE OFFICER

In compliance with Sunshine Ordinance Section 67.24(e), the Civil Service Commission did not enter into any Sole Source Contract in Fiscal Year 2012-13.

---

**From:** Massey, Steven  
**Sent:** Thursday, June 20, 2013 4:37 PM  
**To:** Board of Supervisors  
**Cc:** St.Croix, John; Ng, Mabel  
**Subject:** RE: Sole Source Contracts and Annual Reports - Response Required

Board of Supervisors,

The Ethics Commission did not enter into any new sole source contracts during the past fiscal year.

Existing Sole Source Contracts:

Term	Vendor	Amount	Reason
October 31, 2010 – September 30, 2013	Westcoast Online Information Systems, Inc. (Netfile)	\$262,500 (total amount for 3 years)	Only vendor with a campaign finance and statement of economic interests electronic filing system that is certified by both the California Secretary of State and Fair Political Practices Commission.

-----  
Steven Massey  
Information Technology Officer  
CCSF Ethics Commission  
25 Van Ness Avenue, Suite 220  
San Francisco, CA 94102  
(P) 415-252-3108  
(F) 415-252-3112  
[Steven.Massey@sfgov.org](mailto:Steven.Massey@sfgov.org)  
<http://www.sfethics.org>

---

**From:** St.Croix, John  
**Sent:** Wednesday, June 19, 2013 10:19 AM  
**To:** Massey, Steven; Ng, Mabel  
**Subject:** FW: Sole Source Contracts and Annual Reports - Response Required

John St. Croix  
Executive Director  
San Francisco Ethics Commission

---

**From:** Board of Supervisors  
**Sent:** Tuesday, June 18, 2013 5:49 PM  
**To:** [rbenefield@famsf.org](mailto:rbenefield@famsf.org); Callahan, Micki; Calvillo, Angela; Chu, Carmen; Cisneros, Jose; DeCaigny, Tom; Dick-Endrizzi,

Regina; Dodd, Catherine; Falvey, Christine; Garcia, Barbara; Gascon, George; Ginsburg, Phil; Goldstein, Cynthia; Robbins, Susannah; Hayes-White, Joanne; Collins, Tara; Herrera, Luis; Hicks, Joyce; Hui, Tom; Huish, Jay; Johnson, Carla; Johnston, Jennifer; Kelly, Jr, Harlan; Kelly, Naomi; Kronenberg, Anne; Lee, Olson; Martin, John (SFO); Mirkarimi, Ross; Moyer, Monique; Murase, Emily; Murray, Elizabeth; Nuru, Mohammed; Nutter, Melanie; Palone, Kriztina; Rahaim, John; [ed.reiskin@sfmta.com](mailto:ed.reiskin@sfmta.com); Rhorer, Trent; Rosenfield, Ben; Rufo, Todd; Siffermann, William; Sparks, Theresa; St.Croix, John; Still, Wendy; Suhr, Chief; Touitou, Marc (SFCityCIO); Wolf, Delene; [maria@dcyf.org](mailto:maria@dcyf.org); [jxu@asianart.org](mailto:jxu@asianart.org)  
**Subject:** Sole Source Contracts and Annual Reports - Response Required

Please see attachment.

Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415)554-5184  
(415)554-5163 fax  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)



---

**From:** Robbins, Susannah  
**Sent:** Wednesday, June 19, 2013 9:57 AM  
**To:** Board of Supervisors  
**Subject:** sole source

The Film Commission did not enter into any sole source contracts for FY12/13

Susannah Greason Robbins  
Executive Director  
San Francisco Film Commission  
City Hall, Room 473  
San Francisco, CA 94102  
415-554-6642 (direct line)  
415-554-6301 (fax)

---

**From:** Moayed, Taraneh  
**Sent:** Wednesday, June 19, 2013 11:01 AM  
**To:** Board of Supervisors  
**Cc:** Moayed, Taraneh; Sparks, Theresa  
**Subject:** HRC Response to Request for Sole Source Contracts and Annual Reports  
**Attachments:** Sole Source Memo 12-13.doc

**Importance:** High

Dear Board of Supervisors:

In response to the attached Sole Source Memo, please be advised that HRC **did not** enter into any sole source contracts during the FY 12-13.

Regards,

Taraneh Moayed

  
Budget & Policy Coordinator  
SF Human Rights Commission  
25 Van Ness Avenue, Suite 800  
San Francisco, CA 94102  
Tel: (415) 252-2531  
Fax: (415) 431-5764  
Email: [taraneh.moayed@sfgov.org](mailto:taraneh.moayed@sfgov.org)

---

**From:** Board of Supervisors  
**Sent:** Tuesday, June 18, 2013 5:49 PM  
**To:** [rbenefield@famsf.org](mailto:rbenefield@famsf.org); Callahan, Micki; Calvillo, Angela; Chu, Carmen; Cisneros, Jose; DeCaigny, Tom; Dick-Endrizzi, Regina; Dodd, Catherine; Falvey, Christine; Garcia, Barbara; Gascon, George; Ginsburg, Phil; Goldstein, Cynthia; Robbins, Susannah; Hayes-White, Joanne; Collins, Tara; Herrera, Luis; Hicks, Joyce; Hui, Tom; Huish, Jay; Johnson, Carla; Johnston, Jennifer; Kelly, Jr, Harlan; Kelly, Naomi; Kronenberg, Anne; Lee, Olson; Martin, John (SFO); Mirkarimi, Ross; Moyer, Monique; Murase, Emily; Murray, Elizabeth; Nuru, Mohammed; Nutter, Melanie; Palone, Kriztina; Rahaim, John; [ed.reiskin@sfmta.com](mailto:ed.reiskin@sfmta.com); Rhorer, Trent; Rosenfield, Ben; Rufo, Todd; Siffermann, William; Sparks, Theresa; St.Croix, John; Still, Wendy; Suhr, Chief; Touitou, Marc (SFCityCIO); Wolf, Delene; [maria@dcyf.org](mailto:maria@dcyf.org); [jxu@asianart.org](mailto:jxu@asianart.org)  
**Subject:** Sole Source Contracts and Annual Reports - Response Required

Please see attachment.

Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415)554-5184  
(415)554-5163 fax  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

# City and County of San Francisco



Edwin M. Lee, Mayor


# Human Services Agency

Department of Human Services  
Department of Aging and Adult Services

Trent Rhorer, Executive Director

## MEMORANDUM

TO: Clerk of the Board  
Board of Supervisors

FROM: Trent Rhorer   
Executive Director

DATE: June 21, 2013

RE: Submission of Sole Source Contract Activity

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 28 AM 10:07

Enclosed please find the listing of sole source contract activity for the fiscal year ending June 30, 2013. This submission is in accordance with the Sunshine Ordinance Section 67.24(e)(3)(i). Please note, the list includes new contracts that commenced during this period and renewal of existing contracts.

If you have any questions about this information, please contact David Curto, Director of Contracts Management, at 557-5581.

Enclosure: Sole Source Activity Spreadsheet.

Contractor		Effective Date	Exp Date	Contract Amount	Procurement #. If Sole Source give reason
CALIFORNIA STATE UNIVERSITY-FRESNO FOUNDATION	CCTA-BAA Child Welfare Staff Training	10/01/2011	06/30/2014	\$1,638,133.00	Sole Source/Public Agency
CALIFORNIA STATE UNIVERSITY-FRESNO FOUNDATION	CCTA-BAA Gomez & PQCR	10/01/2011	06/30/2014	\$103,869.00	Sole Source/Public Agency
CALIFORNIA STATE UNIVERSITY-FRESNO FOUNDATION	CCTA-BAA Parenting for Permanency College	10/01/2011	06/30/2014	\$1,158,109.00	Sole Source/Public Agency
CAREACCESS OF THE SILICON VALLEY	REVA	05/01/2012	06/30/2014	\$61,400.00	Sole Source-Software License Agreement
CAREACCESS OF THE SILICON VALLEY	Web Access Portal for AACTS	02/01/2011	09/30/2014	\$112,225.00	Sole Source-Software License Agreement
CITYSPAN	Database Development	04/01/2011	06/30/2013	\$252,250.00	Sole Source-Software License Agreement
COMPASS FAMILY SERVICES	Clara House	07/01/2010	06/30/2013	\$790,535.00	Sole Source-facility driven
CSAC	Maintenance of CalWIN system-IT	07/01/2010	06/30/2013	\$362,550.00	Sole Source-Software License Agreement
FISCAL EXPERTS	Time study buddy	07/01/2012	06/30/2015	\$270,000.00	sole source- unique technology
HANSINE FISHER	TCM consulting Renewal	07/01/2012	06/30/2014	\$60,000.00	MAA
HEWLETT PACKARD ENTERPRISE SERVICES	CalWIN Statewide Information System-IT	07/01/2010	06/30/2013	\$16,212,167.00	Sole Source-Software License Agreement
INTELEGY	CalWORKs/Medi-Cal Call Center Consulting	04/01/2011	06/30/2015	\$681,910.00	Sole Source-Software License Agreement
LARKIN STREET YOUTH CENTER	Preventive Services	07/01/2010	06/30/2013	\$470,889.00	Sole Source-facility driven
LEAH'S PANTRY	SNAP-Ed Innovative Pilot Project	03/01/2012	09/30/2013	\$462,678.00	Sole Source-Software License Agreement
MCWILLIAMS MAILLIARD TECHNOLOGY GROUP	AACTS	02/01/2011	09/30/2014	\$290,944.00	Sole Source-Software License Agreement
NATIONAL COUNCIL ON CRIME & DELINQUENCY	FCS SafeMeasures database subscription & ad hoc reporting	07/01/2010	06/30/2013	\$300,603.00	Sole Source-Software License Agreement
NORTHERN CALIF PRESBYTERIAN HOMES	SF Transitional Care Program	10/01/2012	06/30/2013	\$600,000.00	grant proposal
PANORAMIC SOFTWARE INC	Licensing Agreement- IT	07/01/2004	06/30/2014	\$2,325,840.00	Sole Source-Software License Agreement
REGENTS UNIV OF CALIF / UNIV CALIF S F	Infant Parent Program	07/01/2008	06/30/2013	\$293,025.00	Sole Source/Public Agency
SALVATION ARMY	Railton Place	07/01/2008	06/30/2013	\$1,792,491.00	Sole Source-facility driven
SAN FRANCISCO CHILD ABUSE PREVENTION CTR	Mandatory Reporting/Support Center and CAC	07/01/2009	06/30/2014	\$1,230,696.00	Sole Source-Designated as Child Abuse Council
SAN FRANCISCO COMMUNITY COLLEGE DISTRICT	IV- E Training for Foster Family Agencies	07/01/2012	06/30/2013	\$2,029,000.00	Sole Source/Public Agency
SAN FRANCISCO COMMUNITY COLLEGE DISTRICT	Work Study Program- CalWORKS	07/01/2011	06/30/2014	\$2,199,915.00	Sole Source/Public Agency
SAN FRANCISCO FOOD BANK	DAAS-01 SRO Food Assistance (SRO)	07/01/2012	06/30/2017	\$251,948.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DAAS-02 Brown Bag (BB)	07/01/2012	06/30/2017	\$284,937.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DAAS-03 Groceries for OMI Food Networking (OMI)	07/01/2012	06/30/2013	\$10,000.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DAAS-04 Groceries for Seniors (GFS)	07/01/2012	06/30/2017	\$254,955.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DAAS-05 Home Delivered Groceries (HDG)	07/01/2012	06/30/2017	\$349,405.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DHS-01 Emergency Food Box (EFB)	07/01/2012	06/30/2017	\$248,996.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DHS-02 Immigrant Food Assistance (IFA)	07/01/2012	06/30/2017	\$2,035,445.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DHS-03 Pantry Food Assistance (PFA)	07/01/2012	06/30/2017	\$254,955.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	DHS-04 Housing First Food Pantry (HSG 1st)	07/01/2012	06/30/2017	\$764,865.00	Sole source - only provider in SF
SAN FRANCISCO FOOD BANK	SNAP-Ed Innovative Pilot Program	03/01/2012	09/30/2013	\$251,724.00	Sole source - only provider in SF

SAN FRANCISCO NETWORK MINISTRIES	SafeHouse	07/01/2012	06/30/2015	\$290,916.00	Sole source - only provider in SF
SF IN-HOME SPPRTIV SVCS (IHSS) PUBL AUTH	Emergency On-Call IHSS	07/01/2012	06/30/2013	\$115,943.00	Sole Source/Public Agency/ BOS Action
SF IN-HOME SPPRTIV SVCS (IHSS) PUBL AUTH	IHSS IP Mode PA Admin, Health, Dental	07/01/2012	06/30/2016	\$203,326,959.00	Sole Source/Public Agency/ BOS Action
STATE OF CALIFORNIA / DEPT OF REHABILITA	Vocational Rehabilitation Services	07/01/2010	06/30/2013	\$273,996.00	Sole Source/Public Agency

---

**Subject:** Juvenile Probation Department Sole Source Contracts FY12-13  
**Attachments:** JPD Sole Source Memo FY12-13.pdf

**From:** McGuire, Catherine  
**Sent:** Friday, June 28, 2013 02:58  
**To:** Calvillo, Angela  
**Cc:** Siffermann, William; Layton, Sheila  
**Subject:** Juvenile Probation Department Sole Source Contracts FY12-13

Good afternoon,

I am writing to transmit (attached) the Juvenile Probation Department's FY12-13 Sole Source Contract information for your review. Please let us know if you have any questions, comments or concerns.

Thank you,  
M. Catherine McGuire, M.P.Aff.  
Director of Finance  
Juvenile Probation Department  
City and County of San Francisco  
415-753-7560 desk



**City and County of San Francisco  
Juvenile Probation Department**

**William P. Siffermann**  
Chief Probation Officer

375 Woodside Avenue  
San Francisco, CA 94127  
(415) 753-7800

TO: Angela Calvillo, Clerk of the Board  
FROM: M. Catherine McGuire, Director of Finance  
DATE: June 28, 2013  
RE: FY2012-13 Sole Source Contracts

---

The Juvenile Probation Department did not enter into any sole source contracts in FY2012-13. However, the following two sole source contracts were active in FY2012-13.

Term	Vendor	Amount	Reason
04/01/2012-12/31/2012	W Haywood Burns Institute	25,000.00	There is no other vendor who could provide the city with this level of knowledge and expertise
03/01/2011-07/30/2014	U C Regents (Berkeley Center for Criminal Justice)	231,905.87	There is no other vendor who could provide the city with this level of knowledge and expertise

## Board of Supervisors

---

**From:** Carla.Johnson@sfgov.org  
**Sent:** Monday, June 24, 2013 10:34 AM  
**To:** Board of Supervisors  
**Subject:** Re: Sole Source Contracts and Annual Reports - Response Required

Dear Clerk, Board of Supervisors

The following is my response to the Board's request for reporting on Sole Source contracts. MOD did not enter into any new sole source contracts during FY 12-13.

Thank you

Carla

Mayor's Office on Disability Sole Source Contract Report for FY 12-13

Term	Vendor	Amount	Reason
No new sole source contracts			

**The Mayor's Office on Disability has moved. Our new address is 1155 Market Street on the First Floor.**

Check out our Preparedness Resources on the MOD web page at the link below.

Disaster Preparedness for PWD

<http://www.sfgov2.org/index.aspx?page=2629>

Carla Johnson, CBO, CASp  
Interim Director  
Mayor's Office on Disability  
1155 Market Street, First Floor  
San Francisco, CA 94103  
Phone 415 554-6785  
TTY 415 554-6799  
Fax 415 554-6159

From: Board of Supervisors <board.of.supervisors@sfgov.org>  
To: "rbenefield@famsf.org" <rbenefield@famsf.org>, "Callahan, Micki" <micki.callahan@sfgov.org>, "Calvillo, Angela" <angela.calvillo@sfgov.org>, "Chu, Carmen" <carmen.chu@sfgov.org>, "Cisneros, Jose" <jose.cisneros@sfgov.org>, "DeCaigny, Tom" <tom.decaigny@sfgov.org>, "Dick-Endrizzi, Regina" <regina.dick-endrizzi@sfgov.org>, "Dodd, Catherine" <catherine.dodd@sfgov.org>, "Falvey, Christine" <christine.falvey@sfgov.org>, "Garcia, Barbara" <barbara.garcia@sfdph.org>, "Gascon, George" <george.gascon@sfgov.org>, "Ginsburg, Phil" <phil.ginsburg@sfgov.org>, "Goldstein, Cynthia" <cynthia.goldstein@sfgov.org>, "Robbins, Susannah" <susannah.robbs@sfgov.org>, "Hayes-White, Joanne" <joanne.hayes-white@sfgov.org>, "Collins, Tara" <tara.collins@sfgov.org>, "Herrera, Luis" <luis.herrera@sfgov.org>, "Hicks, Joyce" <joyce.hicks@sfgov.org>, "Hui, Tom" <tom.hui@sfgov.org>, "Huish, Jay" <jay.huish@sfgov.org>, "Johnson, Carla" <carla.johnson@sfgov.org>, "Johnston, Jennifer" <jennifer.johnston@sfgov.org>, "Kelly, Jr, Harlan" <hkelly@sfgov.org>, "Kelly, Naomi" <naomi.kelly@sfgov.org>, "Kronenberg, Anne" <anne.kronenberg@sfgov.org>, "Lee, Olson" <olson.m.lee@sfgov.org>, "Martin, John (SFO)" <john.martin@flsfo.com>, "Mirkarimi, Ross" <ross.mirkarimi@sfgov.org>, "Moyer, Monique" <monique.moyer@sfgov.org>, "Murase, Emily" <emily.murase@sfgov.org>, "Murray, Elizabeth" <elizabeth.murray@sfgov.org>, "Nuru, Mohammed" <mohammed.nuru@sfgov.org>, "Nutter, Melanie" <melanie.nutter@sfgov.org>, "Palone, Kriztina" <kriztina.palone@sfgov.org>, "Rahaim, John" <john.rahaim@sfgov.org>, "ed.reiskin@sfmta.com" <ed.reiskin@sfmta.com>, "Rhorer, Trent" <trent.rhorer@sfgov.org>, "Rosenfield, Ben" <ben.rosenfield@sfgov.org>, "Rufo, Todd" <todd.rufo@sfgov.org>, "Siffermann, William" <william.siffermann@sfgov.org>, "Sparks, Theresa" <theresa.sparks@sfgov.org>, "St.Croix, John" <john.st.croix@sfgov.org>, "Still, Wendy" <wendy.still@sfgov.org>, "Suhr, Chief" <chiefsuhr@sfgov.org>, "Touitou, Marc (SFCityCIO)" <marc.touitou@sfgov.org>, "Wolf, Delene" <delene.wolf@sfgov.org>, "maria@dcyf.org" <maria@dcyf.org>, "jxu@asianart.org" <jxu@asianart.org>.



Date: 06/18/2013 05:47 PM  
Subject: Sole Source Contracts and Annual Reports - Response Required

---

Please see attachment.

Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
(415)554-5184  
(415)554-5163 fax  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

[attachment "Sole Source Memo 12-13.doc" deleted by Carla Johnson/ADMSVC/SFGOV]

---

**Subject:** SFMTA Sole Source Contract submittal  
**Attachments:** SFMTA Sole Source Contract List.pdf

**From:** Harmon, Virginia [<mailto:Virginia.Harmon@sfmta.com>]

**Sent:** Monday, June 24, 2013 03:29

**To:** Calvillo, Angela

**Subject:** SFMTA Sole Source Contract submittal

Attached please find the SFMTA sole source contract list for FY 2012-2013. Please let me know if you need further information.

Thank you.


Virginia Harmon  
SFMTA Contracts & Procurement  
(415)701-4404



**MEMORANDUM**

Date: June 24, 2013

To: Angela Calvillo  
Clerk of the Board of Supervisors

From: Virginia Harmon, Manager  
SFMTA Contracts & Procurement 

Re: San Francisco Municipal Transportation Agency (SFMTA) Annual  
Sole Source Contract List

Pursuant to Sunshine Ordinance Section 67.24(e), SFMTA submits its list of sole source contracts entered into during fiscal year 2012-2013.

Term	Vendor	Amount	Reason
Oct. 1, 2012-Sept. 30, 2015	Drivecam, Inc.	\$1,200,000	Proprietary software and support services not available from another vendor.

If you have any questions, please do not hesitate to contact me directly at (415)701-4404.



# OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



**Joyce M. Hicks**  
Executive Director

June 19, 2013

The Clerk of the Board  
Board of Supervisors  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Subject - Sole Source Contracts for Fiscal Year 2012-2013  
and Annual Reports

The Office of Citizen Complaints did not enter into any Sole Source Contracts for Fiscal Year 2012-2013.

In compliance with charter section 4.103 and administrative code section 8.16, the Office of Citizen Complaints provides electronic copies and hard copies of its annual report to the Mayor and the Board of Supervisors. Two hard copies of the annual report are sent to the Documents Librarian at the San Francisco Public Library within ten days from the date of publication.

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 21 AM 10:33  
BY [Signature]

Sincerely,

A handwritten signature in black ink, appearing to be "JM Hicks", enclosed in a large, loopy oval.

Joyce M. Hicks  
Executive Director

/pt

---

**From:** DeMartini, Keith  
**Sent:** Wednesday, June 19, 2013 1:34 PM  
**To:** Board of Supervisors  
**Cc:** Rahaim, John; DiSanto, Thomas  
**Subject:** Sole Source Contracts and Annual Reports

Hello,

The Planning Department did not enter into any Sole Source contracts in FY12-13. Please let me know if you have any questions. Thank you!

**Keith DeMartini**  
**Finance & IT Manager**

Planning Department | City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103  
Direct: 415-575-9118 | Fax: 415-558-6409  
Email: [keith.demartini@sfgov.org](mailto:keith.demartini@sfgov.org)  
Web: [www.sfplanning.org](http://www.sfplanning.org)





City and County of San Francisco

## San Francisco Department of Public Health

Barbara A. Garcia, MPA  
Director of Health

### MEMORANDUM

DATE: June 28, 2013  
TO: Angela Calvillo, Clerk of the Board of Supervisors  
FROM: Jacquie Hale, Director, Office of Contracts Management and Compliance  
RE: Sole Source Contracts for Fiscal Year 2012-13

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 28 AM 11:42  
AK  
*[Signature]*

Please find enclosed our annual list of sole source contracts during the 2012-13 fiscal year.

If you have any questions on this report, please contact me at 554-2609.

Thank you.

#### Attachment

cc: Greg Wagner, Chief Administrative Officer, DPH  
Anne Okubo, Deputy Chief Administrative Officer, DPH

---

The mission of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.

We shall ~ Assess and research the health of the community ~ Develop and enforce health policy ~ Prevent disease and injury ~

~ Educate the public and train health care providers ~ Provide quality, comprehensive, culturally-proficient health services ~ Ensure equal access to all ~

Jacquie.hale@sfdph.org – office 415-554-2609 fax 415 554-2555

101 Grove Street, Room 307, San Francisco, CA 94102

---

Vendor Name	Amount	Start Date	End Date	Service Type	Justification
<b>S.F. Administrative Code Chapter 21.5:</b>					
<b>Healthy San Francisco:</b>					
San Francisco Community Health Authority	\$ 48,000,000	7/1/2011	6/30/2014	Reimbursements to providers under Healthy SF	public entity established by Board of Supervisors
San Francisco Community Health Authority	\$ 19,800,000	7/1/2011	6/30/2014	Third Party Administrator for Healthy SF	public entity established by Board of Supervisors
<b>Government Agencies:</b>					
County Of Marin, Health And Human Services	\$ 254,630	5/1/2012	6/30/2013	Pass-through	Designated by Local Government Agency Consortium as the host county to administer Medi-Cal activities
San Francisco Superior Court	\$ 3,908,318	7/1/2011	12/31/2015	Community Justice Coordinator	Sole public entity that provides court monitoring of defendants who may be eligible for substance abuse treatment services
San Francisco Unified School District	\$ 98,722	9/1/2011	8/31/2013	Safe Routes to School project	Co applicant for Safe Routes to School Grant Program (BOS Res. 101-11, File No. 110075)
State Of California / Dept Of Health Services	\$ 312,000	10/1/2011	6/30/2013	AB2968 project for community living support benefits	State-mandated program (AB2968) to implement and monitor pilot project for Medi-Cal benefits in San Francisco
<b>Regents of the University of California (UCSF):</b>					
Regents Of The University Of California	\$ 90,000	11/1/2011	6/30/2013	Comprehensive maternity care services at SFGH	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Regents Of The University Of California	\$ 25,000	11/1/2011	6/30/2013	Prenatal and Neonatal consultation and transportation services	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Regents Of The University Of California	\$ 134,300	7/1/2010	6/30/2013	Vocational Rehabilitation Services	Sole vendor with the established vocational rehabilitation program at SFGH, necessary to provide required collaboration among staff
Regents Of The University Of California, Behalf Of Med C	\$ 3,402,000	1/1/2012	6/30/2013	Tertiary Care Services	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Regents Of The University Of California	\$ 19,600	10/24/2011	6/30/2013	Prenatal/Neonatal training programs and preceptorships	Only local source to provide required continuing education units to SFGH medical professionals
<b>Misc. Health Services</b>					
Apheresis Care Group	\$ 300,000	1/1/2013	6/30/2013	Therapeutic apheresis (medical technology to remove selected substances from the blood by removing, separating, and then returning the blood to patients bodies)	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Compumed, Inc	\$ 87,999	7/1/2011	6/30/2016	Remote EKG reading and service for the model 707 EKG at JHS	Sole vendor that can connect and read data from jails
KCI USA INC	\$ 3,000,000	7/1/2010	6/30/2015	Continued lease and consumables for the Wound Vac	Sole manufacturer of unique product to treat bedsores
<b>Non-profit Organizations:</b>					
Asian Week Foundation	\$ 195,000	9/30/2012	9/29/2013	Fiscal Intermediary for HEAL SF-B Hepatitis B Early Prevention and Linkage of Care project.	Named in grant; only San Francisco Hep B Free non-profit member with the ability to dispense funds to testing sites which cover direct medical services
Children's Health Council	\$ 336,000	7/1/2009	6/30/2014	Court-ordered mental health care for single clients	Sole respondent
Harm Reduction Coalition	\$ 347,460	1/1/2009	12/31/2012	Drug Overdose Prevention and Education (DOPE) Project	Harm Reduction Coalition is the fiscal sponsor for DOPE

Vendor Name	Amount	Start Date	End Date	Service Type	Justification
<b>S.F. Administrative Code Chapter 21.30: (Software)</b>					
A D L Data Systems Inc	\$ 450,000	1/1/2009	12/31/2012	Continuing software maintenance, support, and upgrades for the ADL patient and patient care administration system installed at Laguna Honda Hospital (LHH).	Vendor has proprietary rights to software
Andrew J. Wong, Inc.	\$ 600,000	7/1/2012	6/30/2015	Maintenance and support for interdepartmental Children's System of Care Shared Youth Database	Vendor has proprietary rights to software
Bat Technologies LLC	\$ 30,000	7/1/2008	12/31/2013	License and maintenance for LabBilSys system at the PHlab	Vendor has proprietary rights to software
Catalyst Systems LLC	\$ 49,500	10/1/2012	9/30/2013	Continued system support for EVALISYS Patient Classification System	Vendor has proprietary rights to software
Catalyst Systems, LLC	\$ 49,500	10/1/2009	9/30/2012	Support for the EVALISYS system	Vendor has proprietary rights to software
Cerner DHT Inc	\$ 200,000	5/1/2010	4/30/2015	Software maintenance for the Copath+ System	Vendor has proprietary rights to software
Clarion Data Inc	\$ 120,000	7/1/2009	12/31/2012	Maintenance services for Clarion software in use by LHH Medical Records	Vendor has proprietary rights to software
Clarion Data, Inc	\$ 147,840	1/1/2013	12/31/2015	Maintenance services for Clarion software in use by LHH Medical Records	Vendor has proprietary rights to software
Common Cents Systems	\$ 188,718	1/1/2013	12/31/2017	Continuing maintenance for Apollo LEMS	Vendor has proprietary rights to software
Common Cents Systems Inc	\$ 104,000	1/1/2010	12/31/2012	Software maintenance for the Apollo LEMS system in the PH Lab	Vendor has proprietary rights to software
Dataway	\$ 1,358,123	7/1/2012	6/30/2013	Manage security infrastructure of DPH integrated Enterprise Network System	Vendor has proprietary rights to software
Delta Health Technologies, LLC	\$ 1,292,213	1/1/2009	12/31/2018	Software for the Health at Home unit	Vendor has proprietary rights to software
E M C Corp	\$ 130,000	11/21/2011	6/30/2014	EMC Documentum System modules, software maintenance and installation services to expand and augment the existing EMC Documentum System suite of software tools	Vendor has proprietary rights to software
Echo Consulting Services Of California, Inc	\$ 1,164,401	7/1/2009	6/30/2013	Software support for INSYST system	Vendor has proprietary rights to software
Emsystem LLC	\$ 122,396	12/1/2008	12/31/2012	Software maintenance and support for the EM Resource Electronic Inventory and Resource Management System for DPH Emergency Medical Services Agency (EMSA)	Vendor has proprietary rights to software
Fiscal Experts, Inc.	\$ 80,000	7/9/2012	6/30/2015	Access to Time Study Buddy proprietary web based application	Vendor has proprietary rights to software
Four Rivers Software Systems, Inc.	\$ 121,727	5/1/2012	8/31/2014	Licensing and maintenance for TMS suite of software at SFGH	Vendor has proprietary rights to software
Genisys Decision Corp	\$ 268,800	7/1/2009	6/30/2014	Maintenance services for software in use by the CHN Budget Office	Vendor has proprietary rights to software
Healthstream, Inc.	\$ 400,000	9/1/2009	8/31/2012	Access to the online, web-based training system	Vendor has proprietary rights to software
Healthstream, Inc.	\$ 121,509	9/1/2012	8/31/2013	Renewal of user licenses for Healthstream web application	Vendor has proprietary rights to software
Hill Rom	\$ 136,000	8/17/2009	8/16/2012	Maintenance for the Watchchild system installed at SFGH	Vendor has proprietary rights to software
Hill Rom Co Inc	\$ 1,980,000	7/1/2011	6/30/2021	Upgrade license and maintenance for Watchchild system at SFGH	Vendor has proprietary rights to software
Huge Media Inc.	\$ 20,000	1/1/2013	11/30/2013	Provide support and maintenance services for existing Bay Area Mass Prophylaxis website	Vendor has proprietary rights to software
Landesk Software Inc	\$ 175,000	8/1/2009	8/31/2012	Software license, maintenance for Touchpaper software at SFGH	Vendor has proprietary rights to software
Legacy Systems Solutions, Inc.	\$ 585,400	7/1/2008	6/30/2015	Software maintenance, support for LSS Medical Charting app.	Vendor has proprietary rights to software
McKesson	\$ 575,000	7/1/2012	6/30/2016	Maintenance and upgrade of the McKesson Pathways Material Mgmt system	Vendor has proprietary rights to software



Vendor Name	Amount	Start Date	End Date	Service Type	Justification
McKesson	\$ 780,399	12/1/2011	8/31/2017	Modification to add Payroll Verification Module and 1000 employees at LHH	Vendor has proprietary rights to software
McKesson	\$ 405,000	2/1/2010	6/30/2015	Software license and maintenance for the CareEnhance software product for the Nurse Advise line for Health SF	Vendor has proprietary rights to software
Molly Duggan Associates, LLC	\$ 28,764	1/1/2013	6/30/2015	Annual maintenance of LHH public web site.	Vendor has proprietary rights to software
Morrisey Associates, Inc	\$ 432,836	4/1/2008	3/31/2014	Software License and Maintenance for a credentialing application in use at SFGH, LHH, CBHS	Vendor has proprietary rights to software
Nuance Communications, Inc.	\$ 540,000	12/12/2011	9/30/2017	Maintenance renewal for the Powerscribe system	Vendor has proprietary rights to software
Oracle USA	\$ 200,000	12/1/2012	11/30/2013	Maintenance for existing oracle licenses	Vendor has proprietary rights to software
Performance Logic, Inc.	\$ 93,408	8/1/2010	7/31/2013	Access to the Health Commander workbench online application for QM at SFGH	Vendor has proprietary rights to software
Philips Healthcare	\$ 318,300	1/1/2009	12/31/2014	Support and maintenance for the Phillips ICIP critical care system installed in both Intensive Care and Coronary Care Units at SFGH	Vendor has proprietary rights to software
Philips Healthcare	\$ 441,700	1/1/2009	12/31/2014	To acquire the Phillips ICIP critical care system software licensing and technical service support.	Vendor has proprietary rights to software
Quadramed Quantim Corp	\$ 652,907	6/1/2012	6/30/2019	New licenses for Quadramed Quantim in use at SFGH and LHH	Vendor has proprietary rights to software
Quadramed Quantim Corp.	\$ 1,696,231	6/1/2012	6/30/2019	Licenses and maintenance for Quadramed Quantim software in use at SFGH and LHH	Vendor has proprietary rights to software
R T Z Associates Inc	\$ 2,427,456	7/1/2009	6/30/2013	On-going access to SF Get Care	Vendor has proprietary rights to software
SearchAmerica Inc	\$ 1,200,000	1/1/2009	12/31/2015	Access to the proprietary database for the patient Financial services group at the CHN	Vendor has proprietary rights to software
Siemens Medical Solutions USA	\$ 52,314,455	7/1/2010	6/30/2017	Consolidation of the PPS and RCO contracts. Ongoing service and licenses for existing clinical, and financial applications	Vendor has proprietary rights to software
Social Interest Solutions	\$ 1,800,000	7/1/2012	6/30/2017	Ongoing licensing, access and maintenance of One-e-App Software system	Vendor has proprietary rights to software

Vendor Name	Amount	Start Date	End Date	Service Type	Justification
<b>S.F. Administrative Code Chapter 21.42: (health and behavioral health services; non-profit organizations only)</b>					
473 Ellis, L.P. Community Housing Partnership	\$ 112,000	7/1/2012	6/30/2016	Housing at Cambridge Hotel and prop mgmt	Need to provide continuity of services from one building owner to another after property transfer
44 McAllister Associates LP	\$ 1,588,440	7/1/2011	6/30/2016	Property mgmt and onsite supportive housing services	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.
AIDS Community Research Consortium	\$ 798,905	3/1/2007	6/30/2014	Client Advocacy and treatment adherence for people of color	Need to provide continuity of services pending solicitation
AIDS Emergency Fund	\$ 9,939,205	3/1/2009	6/30/2018	HIV emergency assistance services	Sole local contractor in Ryan White Part A Directives Emergency Financial Assistance service category
Asian American Recovery Services	\$ 9,987,283	7/1/2012	12/31/2013	Fiscal intermediary services for Drug Court, Access, etc.	Need to provide continuity of services pending solicitation
Asian And Pacific Islander Wellness Center	\$ 1,260,000	7/1/2011	6/30/2016	Outreach and pretreatment for gender variant individuals	Sole vendor for target population
Asthma Resource Center of San Francisco	\$ 151,400	9/1/2011	6/30/2014	Implementation assistance for Asthma Task Force	Sole vendor for target population (Mirant power plant settlement)
Bayview Hunters Point Foundation	\$ 9,327,564	7/1/2010	12/31/2014	FI services for Family Mosaic, Anchor Project, Jelani Project, Outpatient intervention for LGBTQ	Need to provide continuity of services pending solicitation
Bayview Hunters Point HERC	\$ 949,760	10/1/2011	6/30/2013	Disease reduction in Bayview Hunter's Point African-American community	Need to provide continuity of services pending solicitation (previous RFP yielded no award)
Boys And Girls Club Of San Francisco	\$ 100,000	1/1/2011	12/31/2012	Access and coordination of mental health services for youth.	Need to provide continuity of services pending solicitation
Catholic Charities CYO	\$ 1,356,728	7/1/2010	6/30/2013	Support housing services in permanent housing	Need to provide continuity of services pending solicitation
Catholic Charities CYO	\$ 1,254,000	3/1/2008	6/30/2013	Attendant Care at Leland House & Peter Claver	Need to provide continuity of services pending solicitation
Catholic Charities CYO	\$ 533,792	7/1/2010	6/30/2014	On-site supportive services to Edith Witt Senior Community	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.
Chinatown Community Development Corporation	\$ 591,160	7/1/2011	7/31/2016	Housing units at William Penn and Cambridge Hotels	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.
Community Awareness & Treatment Services	\$ 1,193,920	7/1/2011	7/31/2016	Supportive housing services at the Eddy Street Apartments	Need to provide continuity of services pending solicitation
Community Awareness & Treatment Services	\$ 8,029,563	7/1/2011	6/30/2014	MAP, Medical Respite, SF Homeless Outreach	Need to provide continuity of services pending solicitation
Community Initiatives	\$ 75,000	6/1/2012	4/30/2013	Healthy Schools and Health Restaurant Meals program	Need to provide continuity of services pending solicitation
Community Initiatives	\$ 30,700	4/1/2012	3/31/2013	Consultation services to implement Robert Woods Foundation agreement	Named as provider in grant; contract ended in 12/13
Community Initiatives	\$ 38,000	9/30/2012	9/29/2013	Fiscal Intermediary for HEAL SF-B Hepatitis B Early Prevention and Linkage of Care project.	Named in grant. Only fiscal sponsor for the San Francisco Hep B Free campaign. Employs the Executive Director of the SFHBF campaign.
Eldergivers	\$ 160,800	7/1/2009	6/30/2015	Art Therapy at LHH focusing on seniors as artists at LHH	Need to provide continuity of services pending solicitation
Family Services Agency of San Francisco	\$ 283,081	7/1/2013	12/31/2013	Mental health consultation for children	Need to provide continuity of services pending solicitation
Family Services Agency of San Francisco	\$ 909,815	7/1/2010	12/31/2013	On-site mental health administrative services	Need to provide continuity of services pending solicitation
Family Services Agency of San Francisco	\$ 763,550	5/1/2012	12/31/2013	Mental health outpatient services for deaf and hard-of-hearing	Need to provide continuity of services pending solicitation; program transfer from UCSF
Glide Community Housing Inc	\$ 2,196,000	1/1/2010	6/30/2015	On-site client support and property management services	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.
GP-TODCO-A	\$ 1,461,371	7/1/2011	7/31/2016	Housing, prop. Mgt. for the Direct Access to Housing (DAH)	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.

Sole Source Report 2012-13 Department of Public Health

Vendor Name	Amount	Start Date	End Date	Service Type	Justification
Haight Ashbury Free Clinics	\$ 6,145,980	1/1/2011	12/31/2013	Mental health and substance abuse treatment services	Need to provide continuity of services pending solicitation
Haight Ashbury Free Clinics - Walden House	\$ 4,530,438	1/1/2010	6/30/2013	Representative Payee and other services	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Hearing And Speech Center Of Northern California	\$ 25,000	7/1/2012	6/30/2013	Audiology services at LHH	Need to provide continuity of services pending solicitation; RFP conducted for services start 13/14
Jelani House	\$ 478,314	10/1/2012	12/31/2013	Residential substance abuse treatment, Medi-Cal billing.	Need to provide continuity of services pending solicitation; program transfer
Jewish Family And Children's Services	\$ 860,048	7/1/2010	12/31/2012	Mental health services for children and youth	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Larkin Street Youth Center	\$ 756,000	8/1/2012	1/31/2014	Provide HIV specialty medical services to HIV youths	Need to provide continuity of services pending solicitation
Lutheran Social Services	\$ 2,849,530	7/1/2011	6/30/2016	Rep Payee services for people living with HIV/AIDS	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.
Mercy Housing California XI	\$ 3,500,000	10/1/2010	7/31/2015	Housing at Arlington Residence	Need to provide continuity of services from one building owner to another after property transfer
Mission Council On Alcohol Abuse / Spanish	\$ 650,000	1/1/2012	6/30/2013	Substance abuse services for Spanish-speaking	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Mission Creek Senior Community	\$ 3,345,271	7/1/2010	6/30/2016	Residential subsidies at Mission Creek Senior Community	Need to provide continuity of services pending solicitation
Mission Neighborhood Health Center	\$ 1,456,000	7/1/2012	6/30/2017	HIV Outreach, Testing, and Referral Services	Need to provide continuity of services pending solicitation; sole vendor for target population
National Alliance On Mental Illness	\$ 215,040	1/1/2013	12/31/2014	Peer-to-Peer program for individuals living with mental illness	Agency has only program with Peer-to-Peer and Family-to-Family training and support. NAMI developed and has copyright for program , trainers must be NAMI-certified.
North Of Market Senior Services dba Curry Senior Center	\$ 2,580,995	7/1/2010	12/31/2012	Substance abuse and mental health services	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
P B Strategies LLC	\$ 410,360	7/1/2010	3/31/2015	Project management services for the SOAR project	Named in grant
Plaza Apartments Associates Lp	\$ 5,998,314	11/1/2005	6/30/2014	Direct Access to Housing (DAH) for Plaza Hotel Plaza Apts.	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.
Project Open Hand	\$ 5,376,000	3/1/2010	6/30/2014	HIV Primary - Food Services	Need to provide continuity of services pending solicitation
Providence Foundation Of San Francisco	\$ 544,480	7/1/2010	6/30/2015	Supportive housing services at 3500 Third Street	Agency owns and operates the housing site. Services at this location can only be provided through this vendor.
Realizing Youth As Leaders, Inc. (Royal)	\$ 100,800	7/1/2011	12/31/2012	Mental health services in Tagalog, Visayan, and English	Only San Francisco community based organization devoted to Filipino sensitive care model.
Richmond Area Multi Services	\$ 168,000	7/1/2012	12/31/2013	FI for APIHPC	continuity of services during RFP development
Richmond Area Multi-Services, Inc.	\$ 3,553,252	5/1/2013	11/15/2014	Vocational rehabilitation and services	Need to provide continuity of services pending solicitation; program transfer
S F Community Clinic Consortium	\$ 350,000	7/1/2011	6/30/2015	provision of Americorp and VISTA interns	Established federal training program
S F Mental Health Educational Funds	\$ 2,424,750	7/1/2007	6/30/2015	To provide staff support for the San Francisco Mental Health Board	Agency was specifically founded to administer SF Mental Health Board
Saint Francis Memorial Hospital	\$ 555,017	10/1/2010	3/31/2014	Rally Family Visitation Services	Named in the grant
San Francisco Bicycle Coalition	\$ 138,053	9/1/2011	8/31/2013	Safe Route to Schools Project classes	Named in the grant
San Francisco Food Bank	\$ 521,276	7/1/2011	6/30/2016	Food services to non-profits	Need to provide continuity of services pending solicitation
San Francisco Public Health Foundation	\$ 15,000	6/1/2012	8/31/2012	Develop plan to increase access to parks and open space in SF	Named in grant

Vendor Name	Amount	Start Date	End Date	Service Type	Justification
San Francisco Public Health Foundation	\$ 568,800	5/1/2013	12/31/2014	Fiscal Intermediary for San Francisco Covered California Initiative	No other agency agreed to provide these services under grant from Covered California
San Francisco Public Health Foundation	\$ 407,679	9/30/2012	9/29/2013	Consultant and contractual services for Community Transformation Grant.	Named in grant
San Francisco Public Health Foundation	\$ 310,711	3/1/2012	8/31/2013	Provide consultant and contractual services Health Impact Assessment for Sustainable Development grant	Named in grant
San Francisco Public Health Foundation	\$ 48,220	6/1/2012	8/31/2013	Research support services for Developing Public Health Capacity and Adaptations to Reduce Human Health Effects of Climate Change Program CDC grant	Named in grant
San Francisco Study Center	\$ 400,000	7/1/2012	5/1/2015	Enhance emergency preparedness capabilities	Fiscal intermediary to facilitate coordination of regional emergency preparedness
San Francisco Suicide Prevention	\$ 520,000	3/1/2009	6/30/2013	Nightline phone crisis services	Only 24/7 suicide crisis line
Self Help For The Elderly	\$ 735,039	7/1/2013	6/30/2018	Assistance services for seniors at Autumn Glow	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Seneca Center	\$ 504,000	4/1/2011	12/31/2013	BH services for children and adolescents	Only responder in service category under RFP 23-2010.
Sourcecorp Deliverex	\$ 305,000	7/1/2011	6/30/2013	Medical records storage and management	Need to provide continuity of services pending solicitation
St. Vincent De Paul Society Of San Francisco	\$ 3,217,483	7/1/2010	12/31/2012	Mental health services for children and adolescents	Contractor previously awarded these services under an RFP; sole source needed to provide continued services while new RFP is being developed
Tenderloin Neighborhood Development Corp.	\$ 3,993,572	7/1/2011	6/30/2016	Multiple housing units at various sites (scattered housing).	Need to provide continuity of services pending solicitation
The Tides Center	\$ 75,000	7/1/2011	12/31/2012	Health services for women	Only non-governmental community-based health clinic for women in San Francisco
Y M C A Of San Francisco	\$ 84,250	9/1/2011	8/31/2013	Safe Routes to School Project collaboration	Named in the grant
Zylmira Ivonne Garcia	\$ 140,400	10/1/2011	9/30/2014	Consultant services to support breast feeding peer counseling program for WIC	Named in the grant

---

**From:** Board of Supervisors  
**To:** BOS-Supervisors; Miller, Alisa  
**Subject:** File 120974: SAVE THE PARKING ON MASONIC

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

---

**From:** Brigid W [mailto:brigidw@me.com]  
**Sent:** Monday, June 17, 2013 1:26 PM  
**To:** Lee, Mayor; Board of Supervisors; Breed, London; Farrell, Mark; Mar, Eric (BOS); [ed.reiskin@sfmta.com](mailto:ed.reiskin@sfmta.com);  
[mtaboard@sfmta.com](mailto:mtaboard@sfmta.com); [maria.lombardo@sfcta.org](mailto:maria.lombardo@sfcta.org); [tilly.chang@sfcta.org](mailto:tilly.chang@sfcta.org)  
**Cc:** [info@savemasonic.com](mailto:info@savemasonic.com)  
**Subject:** SAVE THE PARKING ON MASONIC

Dear Mayor Lee, Supervisors, MTA Board Members and Mr. Reiskin:

As a 17 year resident of NOPA, I STRONGLY oppose the current plan to remove parking along Masonic. This is a mostly residential area with families, elderly and working people who (for most) their vehicles are not a luxury but a need. I am all for safe bike lanes, but there needs to be consideration for the needs of all in our community. Currently, residents compete with tourists, commuting college students and people camping in buses/large vans for parking in our neighborhoods.

Please revise this plan to be fair to all the tax paying residents, not just the limited few who will simply be passing through our neighborhoods during the day on their bikes.

Parking is already a struggle and a safety issue in this area, especially when you're coming home late from work and afraid to walk several blocks alone at night.

Thank you for your consideration,  
Brigid Willerer  
Fell Street

BOS-11  
cpage

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 JUN 17 PM 3:05

BY 

June 13, 2013

Mayor Edwin M. Lee  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

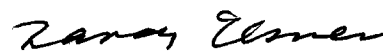
Dear Mayor Lee:

In Chicago Mayor Rahm Emanuel announced in April that the city would Partner with Connect2Comcast, a nonprofit associated with cable provider Comcast. It will offer high-speed Internet service for as little as \$9.95 a month. Families earning \$35,000 or less will be able to buy a computer for \$150.

This was reported in the June 17th issue of *The Christian Science Monitor Weekly*.

I suggest that your office look into entering into such a contract for the benefit citizens of San Francisco. It is my understanding that several European cities offer similar arrangements for their citizens at reasonable costs.

Sincerely,

  
Nancy Elsner  
2275-19th Avenue, #8  
San Francisco, CA 94116-1867

cc Board of Supervisors, City Hall

Bos-11, cpage

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

**TITLE 14. DEPARTMENT OF FISH AND WILDLIFE**

[Notice published June 14, 2013]

2013 JUN 17 PM 3:43

**NOTICE OF PROPOSED RULEMAKING**

**NOTICE IS HEREBY GIVEN** that the Department of Fish and Wildlife (Department) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. The Department invites interested persons to present statements or arguments with respect to alternatives to the regulations at the scheduled hearing or during the written comment period.

**PUBLIC HEARING**

The Department will hold a public hearing meeting on July 30, 2013, from 1:30-3:30 p.m., at the Resources Building located at 1416 9<sup>th</sup> Street, Sacramento, California, in the first floor auditorium. The auditorium is wheelchair accessible. At the public hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that the persons who make oral comments at the hearing also submit a written copy of their testimony at the hearing.

**WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. All written comments must be received by the Department at the office below not later than 5:00 p.m. on July 30, 2013. All written comments must include the true name and mailing address of the commenter.

Written comments may be submitted by mail, fax, or e-mail as follows:

Department of Fish and Wildlife  
Mike Randall  
1416 9<sup>th</sup> Street, Room 1208  
Sacramento, CA 95814  
Fax: (916) 653-9890  
E-mail: [mike.randall@wildlife.ca.gov](mailto:mike.randall@wildlife.ca.gov)

**AUTHORITY**

Fish and Game Code sections 395, 396, 713, 1002, 1050, 1053, 2118, 2120, 2122, 2150, 2150.2 and 2157 authorize the Department to adopt these proposed regulations.

## **REFERENCE**

The proposed regulations implement, interpret, and make specific sections 355, 356, 395, 396, 398, 713, 1050, 1053, 2116, 2116.5, 2117, 2118, 2120, 2125, 2150, 2150.2, 2150.4, 2151, 2157, 2190, 2193, 2271, 3005.5, 3007, 3031, 3503, 3503.5, 3511, 3513, 3950, 10500, 12000 and 12002 of the Fish and Game Code.

Title 50, Code of Federal Regulations, Parts 21.29 and 21.30.

## **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

### **Background:**

The Department of Fish and Wildlife (Department) and the Fish and Game Commission (Commission) are in the process of promulgating new regulations for the practice of falconry in California. In order to comply with federal requirements, the Commission adopted new regulations for the practice of falconry in the state on March 6, 2013, in Section 670, Title 14, CCR. The regulations currently proposed by the Department in Section 703 provide for the establishment of falconry fees and forms in accordance with the new provisions of Section 670. The effective date for the new regulations in both sections 670 and 703 is January 1, 2014.

The actions proposed will allow the Department to recover its costs for licensing, permitting and inspection activities associated with the practice of falconry in California. The action will increase the workload and costs to the Department; however these costs will be borne by the permit holders. Pursuant to sections 1050 and 2150.2 of the Fish and Game Code, the Department has set forth in Section 703 fees for permits, permit applications and facility inspections in amounts sufficient to cover the costs of administering, implementing, and enforcing the falconry regulations in Section 670.

Additionally, in accordance with Section 700.4, Title 14, CCR, all licenses, tags, permits, reservations or other entitlements purchased via the Automated License Data System (ALDS) shall be subject to a three percent nonrefundable application fee, not to exceed seven dollars and fifty cents (\$7.50) per item, to pay the Department's costs for issuing that license, tag, permit, reservation or other entitlement. The total cost including ALDS will appear on the relevant form.

### **Proposed Amendments To Section 703:**

The Department is proposing to amend Section 703, Title 14, CCR, by adding a new subsection 703(b)(1) to provide falconry fees, forms and permits, in accordance with Section 670 which establishes a State falconry permitting program. The effective date for the new regulations in Section 703 is January 1, 2014 simultaneous with Section 670. The proposed regulatory changes are needed to allow the Department to recover its costs in implementing a falconry program in California.



The following is a summary of the fees proposed in Section 703(b)(1):

<b>703(b)(1)(A) 2013-2014 Falconry Fees</b>	<b>New Fee (Eff. 1/1/14)</b>
1. License Application	\$ 13.75
2. Examination	\$ 50.00
3. Inspection Fee for 1 to 5 enclosures	\$ 259.00
Each enclosure over 5	\$ 12.75
4. Re-inspection	\$ 216.00
5. Data Entry of Federal Form 3-186A	\$ 12.75
6. Special Raptor Capture Drawing Application	\$ 7.50
7. Special Raptor Capture Permit	\$ 12.75
8. Nonresident Falconer Raptor Capture Permit	\$ 319.00

The forms are proposed to be incorporated by reference in Section 703(b)(1):

<b>703(b)(1) Forms</b>	<b>New Form (date)</b>
(B) Falconry License Renewal Application	FG 360 (New 2/13)
(C) New Falconry License Application	FG 360b (New 2/13)
(D) Apprentice Falconer's Annual Progress Report	FG 360c (New 2/13)
(E) Raptor Facilities and Falconry Equipment Inspection Report	FG 360d (New 2/13)
(F) Resident Falconer Raptor Capture Recapture and Release Report	FG 360f (New 2/13)
(G) Falconry Hunting Take Report	FG 360h (New 2/13)
(H) Special Raptor Capture Drawing Application	FG 360i (New 2/13)
(I) Nonresident Falconer Application for Raptor Capture Permit	FG 361 (New 2/13)
(J) Nonresident Falconer Raptor Capture Permit and Report	FG 361a (New 2/13)

**Benefits of the proposed regulation:**

Regulations for the practice of falconry in California are contained in Title 14, CCR, Section 670. Under these regulations, the Department issues licenses and permits, inspects facilities, and monitors falconry activities. The new provisions of Section 703 set forth the necessary fees and forms in accordance with Section 670. The benefits of the proposed regulations are concurrence with Federal law, and sustainable management of the State's raptor populations while continuing to provide recreational opportunity. Fees proposed under Section 703 will ensure that adequate funding is available for the Department to continue issuing licenses, inspecting falconry facilities, and monitoring the capture and disposition of wild raptors for the practice of falconry.

**Consistency with existing regulations:**

The Fish and Game Commission adopted new regulations for falconry on March 6, 2013, in Section 670, Title 14, CCR. The new regulations were developed to meet federal requirements of the U.S. Fish and Wildlife Service as outlined in 50 CFR 21.29 and 21.30. The Department conducted a search of the CCR and the proposed regulations are neither inconsistent nor incompatible with existing State regulations related to the practice of falconry. The proposed regulations are compatible with existing federal falconry regulations.

**DISCLOSURES REGARDING THE PROPOSED ACTION:**

**Mandate on local agencies or school districts:** None

**Costs or savings to any state agency:** The fees established by the Department are in an amount sufficient to recover all reasonable administrative and implementation costs relating to the falconry program.

**Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:** None

**Other nondiscretionary costs or savings imposed on local agencies:** None

**Costs or savings in federal funding to the state:** There are no related costs or savings in Federal Funding to the State.

**Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states:**

The proposed action will affect a relatively small number of individuals engaged in the practice of falconry in California, primarily for recreation. The Department anticipates that the proposed regulations will affect very few, if any, businesses that rely on raptors. Therefore the proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Considering the small number of permits issued over the entire state, this proposal is economically neutral to business.

**Effect on small business:** The Department concludes that the proposed regulations are unlikely to affect small business. The proposed action will affect a relatively small number of individuals engaged in the practice of falconry in California, primarily for recreation. The Department anticipates that the proposed regulations will affect very few, if any, businesses that rely on raptors.

**Cost impacts on a representative private person or business:** There will be costs to private persons (e.g. falconers) who are among the 575 current licensees, and new applicants, who must comply with this proposed regulation. However, generally, the new fees are not charged annually but are charged one-time dependent on the service extended by the state. Those one time fees, listed as 1-3, are: initial License Application, \$13.75; Examination, \$50.00; and initial Inspection, \$259.00 (and \$12.75 for addition enclosures); totaling \$322.75. The re-inspection fee, 4, is only charged when there is a failed inspection. The other fees, listed as 5-8, are charged based on the falconer's request for the service.

The fees established by the Department are in an amount sufficient to recover all reasonable administrative and implementation costs relating to the falconry program.

**Significant effect on housing costs:** None

## **RESULTS OF THE ECONOMIC IMPACT ANALYSIS**

**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:**

The Department does not anticipate any impacts on the creation or elimination of jobs, the creation of new business, the elimination of existing businesses, the expansion of businesses in California, or benefits to worker safety.

**Benefits of the regulation to the health and welfare of California residents, and the state's environment:**

The Department expects that the proposed regulations concerning falconry fees and permits will provide non-monetary benefits to the environment and to the health and welfare of California residents by improving the monitoring and reporting of raptor captures and the take of wildlife under a falconry permit. It is the policy of this state to encourage the conservation, maintenance, and utilization of existing raptor populations for their ecological values and for their use and enjoyment by the public. Adoption of a self-supporting falconry program in California, including raptor species harvest quotas and inspection of raptor housing facilities, supports preservation of sustainable raptor populations for their continued existence in California.

The Department does not anticipate benefits to worker safety, the prevention of discrimination, the promotion of fairness and social equity, or to the increase in openness and transparency in business and government.

## **CONSIDERATION OF ALTERNATIVES:**

The intent of the proposed regulation is to implement new Department fees and forms in accordance with the Commission's newly adopted falconry regulations in Section 670. The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective as 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.

## **MITIGATION MEASURES REQUIRED BY REGULATORY ACTION:**

The proposed regulatory action will have no negative impact on the environment; therefore, no mitigation measures are needed.

## **CONTACT PERSONS**

Mike Randall  
1416 9<sup>th</sup> Street  
Sacramento, CA 95814

Telephone: (916) 653-4678  
Fax: (916) 653-9890  
E-mail: [mike.randall@wildlife.ca.gov](mailto:mike.randall@wildlife.ca.gov)

The backup contact person is:

Craig Martz  
1416 9<sup>th</sup> Street  
Sacramento, CA 95814

Telephone: (916) 653-4674  
Fax: (916) 653-9890  
E-mail: [craig.martz@wildlife.ca.gov](mailto:craig.martz@wildlife.ca.gov)

## **AVAILABILITY OF THE INITIAL STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE:**

The Department will have the entire rulemaking file available for inspection and copying at its office at 1416 9<sup>th</sup> Street, Sacramento. As of the date this notice is published, the rulemaking file consists of this notice, the proposed text of the regulations, the proposed Falconry Forms, the Economic Impact Analysis, the Economic and Fiscal Impact Assessment (STD. Form 399) and the Initial Statement of Reasons. Please direct requests for copies of the rulemaking file to Mike Randall as indicated above.

## **AVAILABILITY OF DOCUMENTS ON THE INTERNET:**

Website Access: The entire rulemaking file can be found at:  
[www.dfg.ca.gov/news/pubnotice](http://www.dfg.ca.gov/news/pubnotice)

## **AVAILABILITY OF CHANGED OR MODIFIED TEXT:**

After holding the hearing and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Mike Randall as indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

## **AVAILABILITY OF THE FINAL STATEMENT OF REASONS:**

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Mike Randall as indicated above.

---

**From:** Rodgers, AnMarie [anmarie.rodgers@sfgov.org]  
**Sent:** Monday, June 17, 2013 4:39 PM  
**To:** Calvillo, Angela; BOS-Supervisors  
**Cc:** Pointer BOS-Legislative Aides; Rich, Ken; Buckley, Jeff; Boyajian, Judy  
**Subject:** Planning Commission Recommendation: Allow Fee Deferral Program to Expire  
**Attachments:** Planning Commission Recommendation on Fee Deferral Program.pdf

Dear Honorable Board of Supervisors and Ms. Calvillo,

On June 13, 2013, the San Francisco Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the effectiveness of the fee deferral program, and adopted Resolution No. 18903 (attached), recommending that the Board of Supervisors allow the development impact fee deferral program to expire.

his resolution further recommended that if the Board of Supervisors chooses to extend the fee deferral program, the follow modifications to the program should be made: 1) standardize the down payment, creating a standard 15% or 20% down payment; 2) eliminate the seed fund, which unlike the down payment creates a great administrative burden without improving access to funds; and 3) adjust the interest rate by removing the blended rate and instead use the annual infrastructure construction cost inflation estimate to cover actual inflation costs of infrastructure.

By way of background, Planning Code Section 403(b) requires that prior to July 1, 2013, the San Francisco Planning Commission shall hold a hearing to review the effectiveness of the Fee Deferral Program, the economy at large, and whether the stimulative effects of the Fee Deferral Program are still needed. Following this hearing, the Commission shall forward a recommendation to the Board of Supervisors as to whether the Fee Deferral Program should be continued, modified, or terminated.

The extension or expiration of the program has been determined to be "not a project" under Section 15060(c)(3) of the CEQA Guidelines. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

**AnMarie Rodgers, Manager  
Legislative Affairs**

Planning Department | City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103  
Direct: 415.558.6395 | Fax: 415.558.6409  
Email: [anmarie@sfgov.org](mailto:anmarie@sfgov.org)  
Web: <http://www.sf-planning.org/Legislative.Affairs>  
Property Info Map: <http://propertymap.sfplanning.org/>





# SAN FRANCISCO PLANNING DEPARTMENT

June 17, 2013

Ms. Angela Calvillo, Clerk  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Re: **Transmittal of Planning Department Case Number 2013.0376U**  
**Effectiveness of the Fee Deferral Program**  
**Planning Commission Recommendation: Allow Fee Deferral Program to Expire**

Dear Honorable Board of Supervisors and Ms. Calvillo,

On June 13, 2013, the San Francisco Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the effectiveness of the fee deferral program, and adopted Resolution No. 18903 (attached), recommending that the Board of Supervisors allow the development impact fee deferral program to expire.

This resolution further recommended that if the Board of Supervisors chooses to extend the fee deferral program, the follow modifications to the program should be made: 1) standardize the down payment, creating a standard 15% or 20% down payment; 2) eliminate the seed fund, which unlike the down payment creates a great administrative burden without improving access to funds; and 3) adjust the interest rate by removing the blended rate and instead use the annual infrastructure construction cost inflation estimate to cover actual inflation costs of infrastructure.

By way of background, Planning Code Section 403(b) requires that prior to July 1, 2013, the San Francisco Planning Commission shall hold a hearing to review the effectiveness of the Fee Deferral Program, the economy at large, and whether the stimulative effects of the Fee Deferral Program are still needed. Following this hearing, the Commission shall forward a recommendation to the Board of Supervisors as to whether the Fee Deferral Program should be continued, modified, or terminated.

The extension or expiration of the program has been determined to be "not a project" under Section 15060(c)(3) of the CEQA Guidelines. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

Digitally signed by anmarie rodgers  
DN: dc=org, dc=sfgov, dc=cityplanning,  
ou=CityPlanning, ou=Directors Office,  
cn=anmarie rodgers,  
email=anmarie.rodgers@sfgov.org  
Date: 2013.06.17 16:34:25 -07'00'

AnMarie Rodgers  
Manager of Legislative Affairs

**Transmittal Materials**  
**Planning Commission Hearing: June 13, 2013**

**CASE NO. 2013.0376T**  
**Fee Deferral Program Evaluation**

cc:

Jeff Buckley, Senior Housing Advisor for Mayor Edwin M. Lee  
Ken Rich, Mayor's Office of Economic and Workforce Development  
Mayor's Office, Jason Elliot  
City Attorney, Judith Boyajian

Attachments (one copy of the following):

Planning Commission Resolution No. 18903

Planning Commission Executive Summary for Case No. 2013.0376U



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 18903 Required Hearing Fee Deferral Program HEARING DATE: JUNE 13, 2013

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

*Project Name:* Effectiveness of the Fee Deferral Program  
*Case Number:* 2013.0376T  
*Staff Contact:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* Allow Fee Deferral Program to Expire

**RECOMMENDING THAT THE BOARD OF SUPERVISORS ALLOW THE DEVELOPMENT IMPACT FEE DEFERRAL PROGRAM TO EXPIRE.**

**FURTHER RECOMMENDING THAT IF THE BOARD OF SUPERVISORS CHOOSES TO EXTEND THE FEE DEFERRAL PROGRAM, THE FOLLOW MODIFICATIONS TO THE PROGRAM SHOULD BE MADE: 1) STANDARDIZE THE DOWN PAYMENT, CREATING A STANDARD 15% OR 20% DOWN PAYMENT; 2) ELIMINATE THE SEED FUND, WHICH UNLIKE THE DOWN PAYMENT CREATES A GREAT ADMINISTRATIVE BURDEN WITHOUT IMPROVING ACCESS TO FUNDS; AND 3) ADJUST THE INTEREST RATE BY REMOVING THE BLENDED RATE AND INSTEAD USE THE ANNUAL INFRASTRUCTURE CONSTRUCTION COST INFLATION ESTIMATE TO COVER ACTUAL INFLATION COSTS OF INFRASTRUCTURE.**

### **PREAMBLE**

Whereas, Planning Code Section 403(b) requires that prior to July 1, 2013, the San Francisco Planning Commission shall hold a hearing to review the effectiveness of the Fee Deferral Program, the economy at large, and whether the stimulative effects of the Fee Deferral Program are still needed; and

Whereas, following this hearing, the Commission shall forward a recommendation to the Board of Supervisors as to whether the Fee Deferral Program should be continued, modified, or terminated; and

Whereas, on October 27, 2009 and November 3, 2009, Mayor Newsom introduced three proposed Ordinance under Board of Supervisors (hereinafter "Board") File Numbers 09-1275 Development Impact and In-Lieu Fees, 09-1251 Development Fee Collection Procedure; Administrative Fee, and 09-1252 Affordable Housing Transfer Fee Restriction Alternative for Inclusionary and Jobs Housing Linkage Programs; and

Whereas, on December 15, 2009 revised ordinances were introduced for the Development Fee Collection Procedure; Administrative Fee and the Development Impact and In-Lieu Fees Ordinances [Board File No.s 09-1251-2 and 09-1275-2]; and



Whereas, In March, 2008, San Francisco published its Citywide Development Impact Fee Study Consolidated Report. The purpose of the Study was to evaluate the overall state, effectiveness, and consistency of the City's impact fee collection process and to identify improvements. Among other things, the Study cited the City's decentralized process as a problem. Centralizing the collection of development impact and in-lieu fees within the Department of Building Inspection and providing for an auditing and dispute-resolution function within DBI will further the City's goals of streamlining the process, ensuring that fees are accurately assessed and collected in a timely manner, informing the public of the fees assessed and collected, and implementing some suggestions in the Consolidated Report; and

Whereas, in 2008-2009 the economic climate had dramatically slowed the development of new commercial and residential projects in California, including in the City and County of San Francisco. In the construction sector, working hours among the trades had declined between 30% and 40% from a year previous; and

Whereas, Board File Numbers 091275 and 091251 were adopted and became respectively Ordinance Numbers 108-10 and 107-10 which were signed into law on May 25, 2010.

Whereas, on June 13, 2013, the San Francisco Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to review the effectiveness of the Fee Deferral Program, the economy at large, and whether the stimulative effects of the Fee Deferral Program are still needed; and

Whereas, if the program were to be extended the proposed changes to the Planning Code have been determined to be "not a project" under Section 15060(c)(3) of the CEQA Guidelines; and

Whereas, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented by Department staff, and other interested parties; and

Whereas, the all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

Whereas, the Commission has reviewed the materials; and

**MOVED**, that the Commission hereby recommends that the Board of Supervisors terminate the fee deferral program.

**BE IT FURTHER MOVED**, that should the Board of Supervisors pursue continuation of the program, three changes to the fee deferral program should be made 1) standardize the down payment, creating a standard 15% or 20% down payment; 2) eliminate the seed fund, which unlike the down payment creates a great administrative burden without improving access to funds; and 3) adjust the interest rate by removing the blended rate and instead use the Annual Infrastructure Construction Cost Inflation estimate to cover actual inflation costs of infrastructure.

## FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. Since July 1, 2010, there have been 107 building applications which were required to pay development impact fees and/or in-lieu fees. Of these 107 applications, 68 project sponsors elected to defer fees. This represents about 63.6% of those projects eligible to defer fees. These 68 projects were assessed over \$86 million worth of fees—the vast majority of the \$93 million worth of impact fees assessed during this period. So while only 63.6% of the project sponsors who were eligible to defer fees chose to do so, the project sponsors who did defer had the projects with the largest fees resulting in deferral of 92.5% of the impact fees eligible for deferral.
2. The primary policy goal of the deferral program was to improve the financial feasibility of development projects on the margin so that as macroeconomic conditions improve and construction financing becomes available, construction will commence sooner than it would have under the current fee collection system. The potential economic benefits to the City of earlier construction starts include earlier increases in construction employment, property tax reassessments and transfer tax proceeds. Due to the broad range of economic factors that figure into a developer's decision to advance a project, analyzing the number of early starts and therefore measuring actual impact may not be possible. At the time the City launched the fee deferral program, the Controller's draft estimate was that the economic impact of the legislation to defer infrastructure fees would on average produce a maximum of 50 additional units per year. So while the City saw enthusiastic participation in the program with over 92% of the impact fees being deferred, it is unclear if these projects would have been advanced without the deferral program.
3. The Department estimated the effects of the program on revenue stream and found that between fiscal year 2014 and 2020, during the first two years under the Fee Deferral Scenario, the City would receive about \$10 million dollars less in fees. However, after the first two to three years, the fee revenue captured under the Fee Deferral Program would catch up with revenue that would be received if there were no program. Overtime, impact fees income would converge and there would not be a significant difference in the amount of the monies the City would be receiving.
4. This information indicates that there has not been a significant difference in the ability to fund infrastructure projects with or without the fee deferral program, with the exception of the ability to initially pay for some additional small-scale capital projects sooner.
5. With regard to the state of the economy at large, At the end of 2012 the San Francisco Chronicle proclaimed that, "if the Bay Area economy were considered a stock, analyst would definitely rate it a

'strong buy' for 2013"<sup>1</sup>. After analyzing the first quarter of 2013, the San Francisco City Controller seems to confirm this assessment. The Office of the Controller's Economic Barometer: Quarter 1, 2013 listed several encouraging statistics including: In April 2013, unemployment rates fell below 6% for the first time since October 2008 to 5.4%. While the unemployment rate is falling, current estimates place 25,800 San Franciscans as unemployed. Much of the employment growth has been driven by the construction industry, which grew by nearly 14% in the San Francisco Metro Division. The growth in construction employment is supported by an increase new building permits, which started seeing year-to-year growth in the 2nd quarter of 2012. Average quarterly number of units in buildings with new permits are up by nearly 50% from last year.

6. It is unlikely that the stimulative effects of the fee deferral program are still needed. As described, San Francisco's local economy seems to be bursting at the seams. The Mayor's June 1, 2013 budget noted 35 construction cranes crossing our skies. The Controller's Economic Barometer shows improvements not only in construction and real estate but also in overall employment numbers. Given all of the good economic news, it's hard to argue that the circumstances that created the need for fee deferral in 2008-09 remain relevant today.
7. Outreach by the Mayor's Office seems to indicate that developers are largely satisfied with the permanent change which moved the collection point for development impact fees to the First Construction Permit.
8. But one should also consider, does the program cause harm/benefit to the City and does the program cause harm/benefit to developers?" The fee program as established by the City has two components that seem to safeguard the City from potential harm: 1) the fee deferral surcharge rate to recapture inflationary costs and 2) the down-payment to enable early planning for infrastructure. It seems likely that the program does help improve the financial feasibility of development projects on the margin. That said, as the program nears expiration on July 1, 2013, there has been no clamoring to keep the program in place. Outreach by the Mayor's Office seems to indicate that developers are largely satisfied with the permanent change which moved the collection point for development impact fees to the First Construction Permit. Perhaps the lack of interest in extending the program indicates that there are currently few to no projects on the margin that would benefit from the program. Overall the Department believes that there is a lack of evidence to definitively analyze if the program was effective or not.
9. The fee deferral program is a tool that the City may wish to use in the future if it does not extend the program this year.

---

<sup>1</sup> San Francisco Chronicle. "Bay Area Economy Looking Bright for 2013", Ross. Andrew. December 23, 2012. Retrieved on June 3, 2013 at: <http://www.sfgate.com/business/bottomline/article/Bay-Area-economy-looking-bright-for-2013-4142769.php>

Therefore, the Commission recommends that the Board of Supervisors terminate the fee deferral program.

**BE IT FURTHER MOVED**, that should the Board of Supervisors pursue continuation of the program, three changes to the fee deferral program should be made 1) standardize the down payment, creating a standard 15% or 20% down payment; 2) eliminate the seed fund, which unlike the down payment creates a great administrative burden without improving access to funds; and 3) adjust the interest rate by removing the blended rate and instead use the Annual Infrastructure Construction Cost Inflation estimate to cover actual inflation costs of infrastructure.

I hereby certify that the Planning Commission ADOPTED the foregoing Resolution on June 13, 2013.

Jonas P. Ionin  
Acting Commission Secretary

AYES: Fong, Wu, Borden, Hillis, Moore, and Sugaya

NAYS: Antonini

ABSENT:

ADOPTED: June 13, 2013



# SAN FRANCISCO PLANNING DEPARTMENT

## Executive Summary Required Hearing Fee Deferral Program HEARING DATE: JUNE 13, 2013

*Project Name:* Effectiveness of the Fee Deferral Program  
*Case Number:* 2013.0376I  
*Staff Contact:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* Allow Fee Deferral Program to Expire

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

### REQUIRED PLANNING COMMISSION HEARING

Planning Code Section 403(b) requires that prior to July 1, 2013, the San Francisco Planning Commission shall hold a hearing to review the effectiveness of the Fee Deferral Program, the economy at large, and whether the stimulative effects of the Fee Deferral Program are still needed. Following this hearing, the Commission shall forward a recommendation to the Board of Supervisors as to whether the Fee Deferral Program should be continued, modified, or terminated.

#### The Way It Is Now Summary:

Beginning July 1, 2010 any project sponsor who would be assessed development impact fees but has not yet paid the impact fees would be eligible for the fee deferral program. (Application processing fees remain unchanged by the legislation and are not eligible for deferral.) All impact fee requirements have been moved into a new Article Four of the Planning Code. At "first construction permit" all fees are required to be paid in full, unless applicant enrolls in the Fee Deferral Program at that time. This program allows deferral of 80% of all impact fees in area plans (Eastern Neighborhoods, Market and Octavia, etc.) and allows deferral of 85% of impact fees in projects outside of adopted area plans. Interest due accrues during the deferral period. If fees are deferred all fees must be paid prior to issuance of "first certificate of occupancy". DBI is responsible for collecting the fees. Planning is responsible for calculating fees at project submittal and for confirming or adjusting fees after project approval.

The two Ordinances established the following:

1. **Development Impact and In-Lieu Fees [BF 091275, Ord. No 108-10]** created a new Article Four in the Planning Code to consolidate fee and in-lieu controls in one article; added Section 402 to provide that all impact fees and in-lieu fees will be collected by DBI prior to issuance of the first construction permit, with the option to defer payment to prior to issuance of the first certificate of occupancy in exchange for a deferral surcharge; provided that physical improvements would be confirmed by the regulating department prior to first certificate of occupancy; and where possible, created standard definitions, procedures, appeals, and reporting standards while deleting duplicative language.

The following fees were moved into the new Article Four:

- Downtown Park Special Fund (Previously § 139/Now § 412);

- Van Ness and Market Downtown Residential Special Use District (SUD): A) Including Van Ness and Market Downtown Residential SUD Affordable Housing Fund and B) Van Ness and Market Downtown Residential SUD Infrastructure Fund (Previously § 249.33 /Now § 424 );
  - Housing Requirements for Large-Scale Development Projects, Jobs-Housing Linkage Program (Previously § 313-/Now § 413 );
  - Child-Care Requirements for Office / Hotel Developments (Previously § 314- /Now § 414);
  - Affordable Housing Program (Previously § 315 /Now §415);
  - Downtown Residential Community Improvements Fund and the SoMa Community Stabilization Fund (Previously § 318- /Now §418);
  - Housing Requirements for Residential Projects in the UMU Zoning Districts of Eastern Neighborhoods & the Land Dedication Alternative in the Mission NCT District (Previously § 319 /Now § 419);
  - Market and Octavia Community Improvements Fund (Previously § 326 /Now § 421);
  - Eastern Neighborhoods Public Benefit Fund (Previously § 327 / Now § 423);
  - Balboa Park Community Improvement Fund (Previously § 331 /Now § 422);
  - Visitation Valley Community Facilities & Infrastructure Fee (Previously § 318.10 /Now § 420);
  - Transit Impact Development Fee (Previously Chapter 38 of the Administrative Code / Now Planning Code § 411);
  - Alternative Means of Satisfying the Open Space Requirement in the South of Market Mixed Use Districts (Previously § 135.3(d) / Now § 425)
  - Alternative Means of Satisfying the Open Space Requirement in the Eastern Neighborhoods Mixed Use Districts (Previously § 135.3(e) / Now § 426)
  - Payment in Cases of Variance or Exception (Previously § 135(j) / Now § 427)
  - Street Tree Requirement (Previously § 143 / Now § 428)
  - Artworks, Options to Meet Public art requirement, recognition of architect and artists, and requirements in C-3 districts. (Previously § 149 / § 429)
2. **Development Fee Collection Procedure; Administrative Fee [BF 091251/BF 091251-2, Ord. No. 107-10]** amended the Building Code to establish a procedure for the Department of Building Inspection (DBI) to collect all development impact fees. The Ordinance ensures that fees are paid prior to the issuance of the first construction permit or allows the project sponsor to defer payment until issuance of first certificate of occupancy in exchange for paying a fee deferral surcharge. These fee procedures are implemented by a new "Fee Collection Unit" within DBI that ensures fee payment prior to issuance periods; requires a Project Development Fee Report prior to issuance of building or site permits; and provides an appeal opportunity to the Board of Appeals.

**In more detail, the current process is:**

The first Ordinance [BF 091275, Planning Code Amendment] creates a fee deferral mechanism while streamlining and consolidating the Planning Code fee requirements in one location, Article Four of the Planning Code. The second Ordinance [BF 091251, Building Code Amendment] expands DBI's role; placing DBI in the fee collection process with responsibility for fee notification, reporting, collection, and tracking through a standardized process. The assessed fee amounts are subject to appeal before the Board of Appeals. Together, the two Ordinances provide a uniform process that help both project sponsors and the public understand the impact fees associated with each development. For the first time, the "gate-keeping" agency charged with issuing the permit is also responsible for fee collection. The new option to

defer fee payment is coupled with a “fee deferral surcharge<sup>1</sup>” intended to preserve the City’s revenue stream. This surcharge is assessed at a “blended” rate of return that combines rates reflecting what the City would have earned had it invested the monies and the increase to the cost of construction anticipated for building the infrastructure.

The new fee assessment and collection process includes the following four steps:

1. **Application Submittal**—The first step is the submission of Site or Building Permit applications by the project sponsor. Within 30-days of application submittal, each fee assessing agency (for example Planning, MTA, the School District etc.) sends an initial development impact requirement/fee estimate to the Fee Collection Unit in DBI. These development impact requirements/fees are then compiled in an easy to read list called a “Project Development Fee Report” that is available to any member of the public. The Project Development Fee Report lists the amount of each development impact requirement/fee, the legal authorization for the development impact requirement/fee, and contact information for the staff person responsible for determining the requirement.
2. **First Construction Document**— The term “first construction document” refers to any building permit or addendum issued after the site permit that would authorize substantial construction on a project. Any and all development impact fees will be due prior to issuance of the first construction permit unless the project sponsor elects to defer them to First Certificate of Occupancy by enrolling in the fee deferral program. If a project sponsor elects to enroll in the Fee Deferral Program, a deposit on the total fees must be paid prior to issuance of the first construction permit. The deposit amount paid shall be either 1) 20% of the total impact fees for projects located in any of the six neighborhood plan areas as shown in Exhibit A or 2) 15% of the total impact fees for those projects outside of the six mapped neighborhoods. If a project is in one of the six mapped neighborhood plan areas, this deposit goes into the City’s Neighborhood Infrastructure Seed Fund (hereinafter “Seed Fund”). This Seed Fund is intended to accelerate the construction start times of infrastructure projects in these areas. If a project is outside of the six neighborhood plan areas, the deposit payment is proportionally divided into each of the relevant impact fee accounts.

Interest (called a Fee Deferral Surcharge ) would begin to accrue on all of the deferred fees beginning the issuance of the first construction document. The fee deferral surcharge rate would be “locked-in” at this point based upon the blended interest rate comprised of 50% of the Treasurer’s yield on a standard two-year investment and 50% of the latest updated Monthly Earned Income Yield Rate for the City and County of San Francisco’s Pooled Funds, as posted on the San Francisco Treasurer’s website and 50% of the Annual Infrastructure Construction Cost Inflation Estimate published by the Office of the City Administrator’s Capital Planning Group and approved by the City’s Capital Planning Committee consistent with its obligations under Section 409(b) of the San Francisco Planning Code. The interest would continue to accrue interest until the project sponsor pays the deferred fees, presumably when they are ready to pull the first Certificate of Occupancy.

---

<sup>1</sup> The term ‘first construction permit’ excludes permits authorizing general site preparation work, such as demolition, grading or shoring permits, but includes permits authorizing foundation work, for example. For projects seeking only a single building permit, the first construction permit is the building permit

3. **First Certificate of Occupancy**—This permit allows a property to be occupied (and sold or rented) for commercial or residential use. The first Certificate of Occupancy will not be issued by DBI until any deferred fees or certificates of completeness for in-kind contributions have been secured by DBI's Fee Collection Unit.

The legislation that created the Fee Deferral program included a provision for the program to automatically expire on July 1, 2013, unless the Board of Supervisors was to extend the program.

#### **The Way It Would Be Summary:**

On July 1, 2013 Section 107A.13.3 of the San Francisco Building Code, which created a Fee Deferral Program, is scheduled to expire. Project sponsors would remain eligible for the Program if the project is already enrolled in the Fee Deferral Program, prior to July 1, 2013. Any project where the building or site permit is issued after July 1, 2013 will not be eligible for the Program. Beginning July 1, 2013, all development impact fees and in-lieu fees will be due prior to issuance of first construction document.

#### **Background:**

The recent economic downturn has been called the "Great Recession" by some. "According to the National Bureau of Economic Records, December 2007 is the moment that the U.S. economy peaked, but unemployment climbed to 4.9 percent, and the recession began."<sup>2</sup> The fee deferral effort was initiated by Mayor Newsom in the Fall 2009 and this point in time was near the nadir of the building permit volumes. The fee deferral program sought to provide an economic stimulus for new construction projects by deferring impact fee costs until a later in the development process.

Prior to the passage of the Building Code and Planning Code amendments, several development impact fees were typically collected at one of two points: either at Site Permit, or later at the Certificate of Occupancy. The collection burden was shared by a host of agencies, including the Planning Department. DBI was previously not involved in fee collection but was responsible for issuing both the site permit and certificate of occupancy permit. The reliance on multiple agencies for fee assessment and collection resulted in a sometimes complicated and often confusing process for project sponsors and staff.

### **ISSUES AND CONSIDERATIONS**

The issues that are required to be considered during this hearing include: 1) the effectiveness of the Fee Deferral Program, 2) the economy at large, and 3) whether the stimulative effects of the Fee Deferral Program are still needed.

#### **1. Evaluation of the Effectiveness of the Fee Deferral Program**

Chart A below reviews the number of projects which have had the opportunity to participate in the Fee Deferral Program. Since July 1, 2010, there have been 107 building applications which were subject to development impact fees and/or in-lieu fees. Of these 107 applications, 68 project sponsors elected to defer fees. This represents about 63.6% of those projects eligible to defer fees. These 68

---

<sup>2</sup> "The Great Recession, Five Years Later." Simon, Scott. National Public Radio. December 8, 2012. Retrieved at <http://www.npr.org/2012/12/08/166784038/the-great-recession-five-years-later-on-june-5-2013>.



projects were assessed over \$86 million worth of fees—the vast majority of the \$93 million worth of impact fees assessed during this period. So while only 63.6% of the project sponsors who were eligible to defer fees chose to do so, the project sponsors who did defer had the projects with the largest fees, resulting in deferral of 92.5% of all impact fees eligible for deferral. This may imply that developers with smaller projects do not gain as much from the fee deferral program as do those with larger projects. Even when project sponsors elect to defer fees, a down payment of either 15% or 20% is still required prior to issuance of first construction document.

<b>Summary - Impact Fee Deferral Program July 1, 2010 to May 8, 2013</b>	
Number of applications that include impact fees	107
Number of applications for which the impact fees have been deferred	68
Total amount of impact fees due for the 107 applications	\$ 93,062,251
Total amount of impact fees due for the 68 applications that selected to defer	\$ 86,102,461
Construction Valuation found in applications that chose to defer	\$ 1,101,165,771
Amount of deferred impact fees	\$ 68,096,513
Average number of days between issuance of first construction document when the deferral is made to the full payment of the deferral fees and interest (Note: This number is based on the 22 applications that have completed the fee deferral process.)	341

*Chart A: Statistical Summary of Fee Deferral Program*

Chart B below shows the total deferred fees by fee type. Of the \$68 million worth of deferred fees, nearly one half of those fees (46%) are designated as Inclusionary Affordable Housing Fees required by Section 415 of the Planning Code. The two next highest fees combined account for under ¼ of the remaining fees (Jobs Housing Linkage Fee 13.5% and the Transit Impact Development Fee 10.5%).

<b>Deferred Fees by Fee Type</b>	<b>Fee Total In Dollars</b>	<b>Percentage of Total</b>
Affordable Housing - Job Housing Linkage Fee	\$9,171,407	13.47%
Affordable Housing Program	\$31,027,056	45.56%
Child Care Fee	\$720,177	1.06%
Downtown C-3 Artwork	\$603,500	0.89%
Downtown Park Fee	\$924,981	1.36%
Eastern Neighborhoods Infrastructure Impact Fee	\$4,205,019	6.18%

Eastern Neighborhoods: Usable open space in lieu fee for EN mixed use districts	\$22,906	0.03%
Market & Octavia Affordable Housing Fee	\$2,942,451	4.32%
Market & Octavia Community Infrastructure Fee	\$4,054,860	5.95%
Rincon Hill Community Infrastructure Impact Fee	\$1,667,560	2.45%
South of Market (SOMA) Community Stabilization Fee	\$5,213,807	7.66%
Street Trees Planting Requirement or In-lieu Fee	\$36,212	0.05%
Transit Impact Development Fee (TIDF)	\$7,139,007	10.48%
Visitacion Valley Community Facilities and Infrastructure Fee	\$367,570	0.54%
<b>TOTALS</b>	<b>\$68,096,513</b>	<b>100.00%</b>

*Chart B: Itemization of Deferred Fees by Fee Type*

**Stimulus Effect for Private Developers.** The primary policy goal of the deferral program was to respond to the economic downturn by improving the financial feasibility of development projects on the margin so that as macroeconomic conditions improve and construction financing becomes available, construction will commence sooner than it would have under the current fee collection system. The potential economic benefits to the City of earlier construction starts include earlier increases in construction employment, property tax reassessments and transfer tax proceeds. Due to the broad range of economic factors that figure into a developer's decision to advance a project, analyzing the number of early starts and therefore measuring actual impact may not be possible. At the time the City launched the fee deferral program, the Controller's draft estimate was that the economic impact of the legislation to defer infrastructure fees would on average produce a maximum of 50 additional units per year.

So while Chart B demonstrates enthusiastic participation in the program with over 92% of the impact fees being deferred, it is unclear if these projects would have been advanced without the deferral program. Another consideration is did the program cause harm to the City's ability to provide needed infrastructure and affordable housing.

**Revenue Stream Effects for the Provision of Infrastructure and Affordable Housing.** Deferred fees are collected at first certificate of occupancy rather than first construction. This delay generally results in an average of two years of delay in fee collection. Accordingly with the deferral program, funds are available on average two years later for expenditure. However, as illustrated in the charts below, after an initial drop in impact fee revenues when the program was initiated, revenue streams are projected to stabilize. This means the annual expenditure for a given fee program is expected to be the same size. However, should the fee deferral program expire, infrastructure programs and affordable housing development would have a greater cumulative revenues earlier.

Charts C and D below project revenues that would be associated with Development Impact Fees and In-Lieu Fees under two scenarios: 1) with the Fee Deferral Program and 2) without the Fee Deferral

Program. Based upon fee projections from 2012, between fiscal year 2014 and 2020 during the first two years under the Fee Deferral Scenario, the Department estimates that the City would receive about \$10 million dollars less in fees. Overtime, impact fees income would be projected to converge without a significant difference in the amount of the monies the City would be receiving.

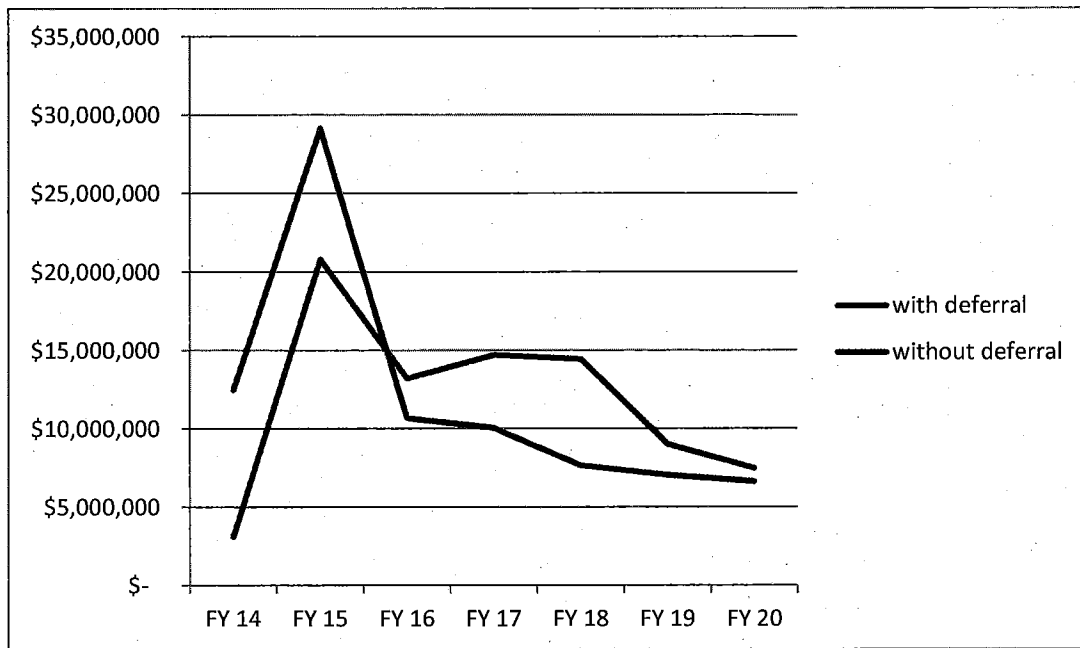


Chart C: Comparison of Projected Revenues with and Without the Fee Deferral Program. This chart is based upon pipeline projects within the neighborhood plan areas.

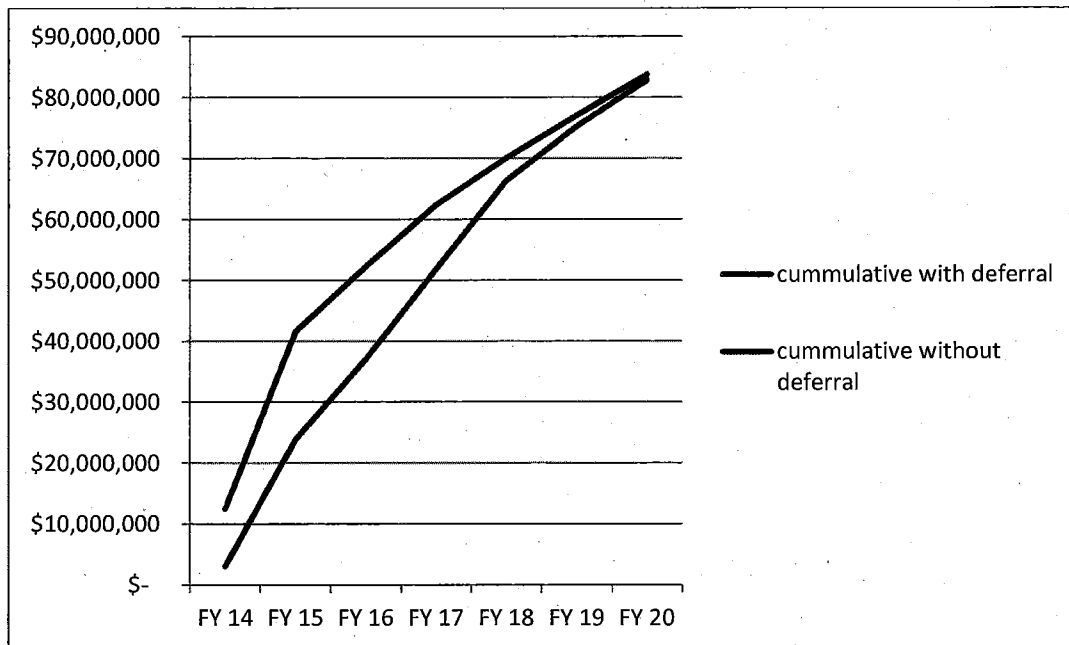


Chart D: Comparison of Projected Cumulative Revenues with and Without the Fee Deferral Program. This chart is based upon pipeline projects within the neighborhood plan areas.

Another consideration is the ability of the City to spend impact fee funds as the funds are received. Capital projects using area plan impact fees are planned based on the projected revenue over several years, not based on how much cash is in hand at a particular time. Since revenues are based on projections, City agencies consider impact fee funding as speculative until the funds are received. Accordingly, City agencies are sometimes unable to initiate projects until the funding is accrued, which can result in funds being unused for several months after collection. However with the fee deferral program the City can more precisely anticipate the date that deferred fees would be available based on the date that the initial payment is made. Whether or not the fee deferral is implemented, capital planning will continue to be based on revenue projections either with or without the fee deferral added into the fee projection model.

Impact fees are a more flexible source of funding than other major infrastructure dollars, as they are able to fund initial studies, close project gaps, or secure larger state or federal grants. Accordingly the Interagency Plan Implementation Committee (hereinafter "IPIC") has generally planned to use these funds to help expedite larger projects, or to complete smaller infrastructure projects. With large capital projects, there is typically a need for initial funds to pay for design, engineering, and environmental review up front. With the fee deferral program the City can use the upfront payment of 15% or 20% in area plan areas. This has enabled the City to fund initial planning and engineering studies for certain projects, such as was done with the Upper Market pedestrian study, and to pay for some small-scale projects that require less advance planning and design. It is possible that the City would have been able to deliver some additional small-scale capital projects in the first few years of the program had the fee deferral program not been in place.

This information indicates that there has not been a significant difference in the ability to fund infrastructure projects with or without the fee deferral program, with the exception of the ability to initially pay for some additional small-scale capital projects sooner.

**Permanent Changes to Fee Collection.** Prior to the fee deferral program, fees are typically collected at one of two points: either early at Site Permit, or later at Certificate of Occupancy. One notable exception was the Transportation Impact Development Fee (TIDF) which was collected upon initial application of environmental evaluation. Fee collection was shared by a host of agencies, including the Planning Department. The reliance on multiple agencies for fee assessment and collection resulted in a sometimes complicated and often confusing process for project sponsors and staff. One of the changes of the fee deferral program that will not sunset is the collection method for impact fees. The establishment of the fee deferral program included a reorganization of fee payment which established that the "gate-keeping" agency charged with issuing the permit would also be made responsible for fee collection. The new collection method established that fees not deferred to Certificate of Occupancy would be collected at First Construction Document. First Construction Document refers to later addendums, after the site and building permit, that would authorize construction. This new marker is the point where project sponsors would either pay fees or enroll in the fee deferral program to pay fees at First Certificate of Occupancy.

Using First Construction Document as a new, permanent collection trigger seems to work more effectively as a collection point in a couple of ways. First, the City can be assured that no significant construction will begin prior to collection of the fees. Second, under the old method some fees were

collected so early in the process that the project sponsor was not yet committed to the project. Although impact fee refunds are uncommon, just prior to the establishment of the fee deferral program, the Mayor's Office of Housing (MOH) had to refund over \$10M in in-lieu fees when two projects in Rincon Hill were cancelled and withdrew their site permits. Collecting fees at the point of construction ensures that project sponsors are more committed to the project and makes refund requests less likely. The Department believes that this new collection process resulted in less staff time, more clarity for project sponsors, and a more successful fee collection rate.

**Deferral Specifics: Down-payment, Seed Fund, and Fee Deferral Interest Rate.** If the project sponsor chose to enroll in the fee deferral program, the First Construction Document is the moment that a down-payment is made and that interest (fee deferral surcharge) begins to accrue on all of the deferred fees. The Building Code requires that only 80 to 85% of the impact fees may be deferred. The remaining 20% (for those within plan areas) or 15% (for those outside of plan areas) must be paid at first construction permit. This 15-20% is a down-payment that the City uses to begin infrastructure planning. This small fraction of the total fee could help avoid potential delay in the funding and timing of capital improvements associated with the deferred impact fees. The Department believes that the down-payment has been successful. **Should the fee deferral program be continued or reestablished in the future, the Department would recommend requiring either a consistent down-payment of either 15% or 20%, instead of applying two different rates.**

In addition to the down-payment, the fee deferral program also established a "Neighborhood Infrastructure Seed Fund". This fund, established by the Controller's Office, served the purpose of collecting the collecting the down-payment of the development fees intended to fund pre-development work on any neighborhood infrastructure project funded by any of the six neighborhood infrastructure impact development fees as listed in Building Code Subsection 107A.13.13.<sup>3</sup> In addition, third-party grant monies or loans may also be deposited into this fund for the purpose of funding pre-development or capital expenses to accelerate the construction start times of any neighborhood infrastructure project funded by any of the six neighborhood infrastructure impact development fees. The seed fund took the deposit monies for projects both within and outside of the six plan areas.

If a development project is subject to one of the six neighborhood infrastructure impact development fees, the entire 20 percent development fee pre-payment shall be deposited in the appropriate neighborhood infrastructure impact fee account (instead of being proportionally allotted to the various fees such as childcare, open space, etc.) . These pre-paid funds shall be dedicated solely to replenishing the Neighborhood Infrastructure Seed Fund for that specific neighborhood infrastructure impact fee account. Then when the total fees project fees have been paid at First Construction Permit, the City would redistribute the total fee amounts into each development impact fee account. If a development project is not subject to one of the six neighborhood infrastructure impact fees, the pre-paid portion of the development fees shall be deposited into the appropriate fee account. If there is more than one fee account, the pre-paid portion of the fees shall be apportioned

---

<sup>3</sup> The six neighborhoods subject to the 20% down-payment and the seed fund include 1) Rincon Hill, 2) Visitacion Valley, 3) Market & Octavia, 4) Balboa Park, 5) Eastern Neighborhoods, and 6) Van ness and Market.

equally at time of the deposit and then shall be proportionally redistributed into the proper fee category at final payment. While the Department found the deposit to be helpful to begin early planning for infrastructure, the seed fund concept seems to have been overly complicated and not worth implementing should a deferral program be used again in the future. **If the Fee Deferral Program were to be used again, the Department recommends eliminating the seed fund provision.**

The Fee Deferral Program applied a "blended" rate which is the average of the City Treasurer's floating investment rate and a floating annual San Francisco-specific construction cost index as determined by the Capital Planning Group. (See Chart E below.) The fee deferral rate has been "locked-in" at the point in time when the first construction document is issued and the project sponsor elects to defer impact fees. The rate would apply then and forward on an annualized basis until the deferred fees are paid. A potential policy issue related to this blended rate is the fact that construction costs typically rise faster than revenue interest rates. For instance, at the time the Fee Deferral Program was established, for the City's capital planning efforts, the "cost of construction" was typically estimated at a 5% annual increase whereas the annual value of investment return was estimated at 3%. The table below illustrates the base rates that have been used to calculate the Fee Deferral surcharge rate.

If the Fee Deferral Program were to be used again, the Department recommends charging an interest rate that would equal the Annual Infrastructure Costs of Construction Inflation Rate. This would ensure that the City would be able to provide the same amount of needed infrastructure after deferral as could have been provided if the fees had been collected at first construction document.

Development Fee Deferral Surcharge Rate				
Month	Year	Annual Infrastructure Construction Cost Inflation Estimate	Treasurer's Earned Income Yield	Deferral Surcharge Rate
September	2010	3%	0.48%	1.74%
December	2010	3%	0.48%	1.74%
March	2011	3%	0.02%	1.51%
June	2011	3%	0.02%	1.51%
September	2011	3%	1.28%	2.14%
December	2011	3%	1.26%	2.13%
March	2012	3.25%	1.29%	2.27%
June	2012	3.25%	1.72%	2.49%
September	2012	3.25%	0.99%	2.12%
December	2012	3.25%	1.17%	2.21%
March	2013	4.00%	0.93%	2.47%

*Chart E: Blended Fee Deferral Surcharge Rate. This chart shows the quarterly rates that were combined to calculate the Fee Deferral Surcharge rate. The Fee Deferral Surcharge is an average of the Annual Infrastructure Construction Cost Inflation estimate and the Treasures' Earned Yield on investments.*

2. Review of the economy at large

At the end of 2012 the San Francisco Chronicle proclaimed that, "if the Bay Area economy were considered a stock, analyst would definitely rate it a 'strong buy' for 2013"<sup>4</sup>. After analyzing the first quarter of 2013, the San Francisco City Controller seems to confirm this assessment. The Office of the Controller's Economic Barometer: Quarter 1, 2013<sup>5</sup> listed several encouraging statistics including:

- In April 2013, unemployment rates fell below 6% for the first time since October 2008 to 5.4%. While the unemployment rate is falling, current estimates place 25,800 San Franciscans as unemployed.
- Much of the employment growth has been driven by the construction industry, which grew by nearly 14% in the San Francisco Metro Division.
- The growth in construction employment is supported by an increase new building permits, which started seeing year-to-year growth in the 2nd quarter of 2012.
- Average quarterly number of units in buildings with new permits are up by nearly 50% from last year.

Total County Employment (use Jobs Indicator drop-down menu to select indicator)

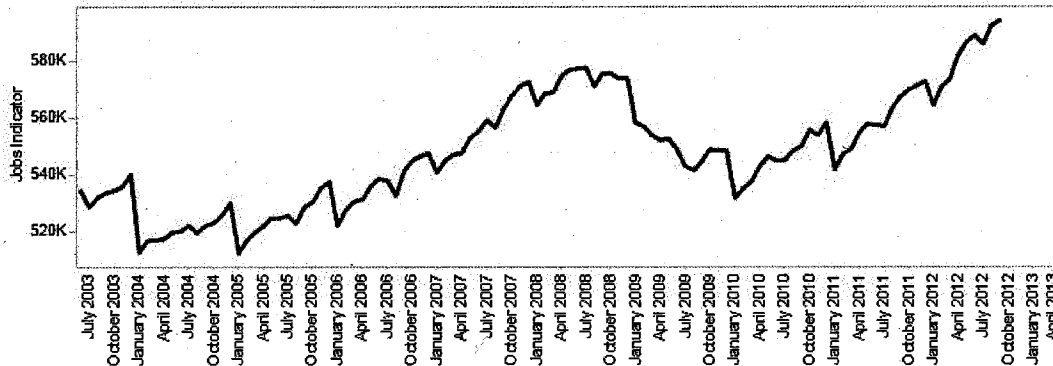
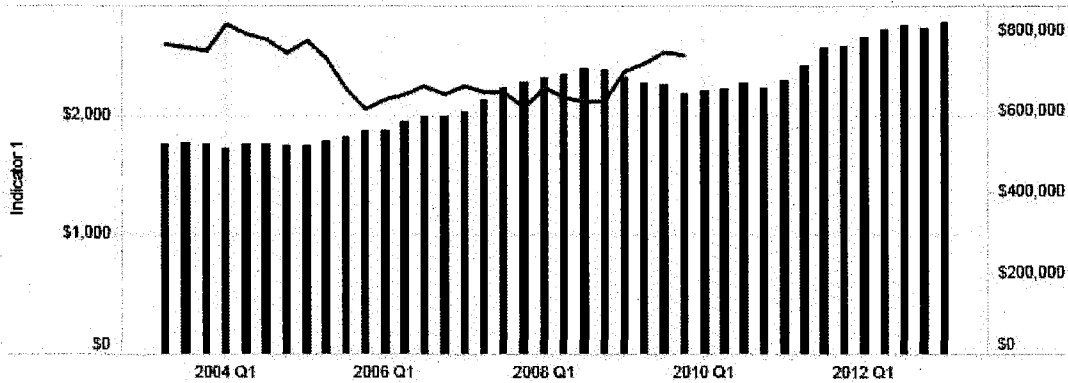


Chart F: San Francisco County employment statistics over the past 10 years. Courtesy the Office of the Controller. Note the Fee Deferral effort was initiated in Fall 2009. These charts show the recent employment figures were the bleakest from the summer of 2009 through spring of 2010.

<sup>4</sup> [San Francisco Chronicle](http://www.sfgate.com/business/bottomline/article/Bay-Area-economy-looking-bright-for-2013-4142769.php). "Bay Area Economy Looking Bright for 2013", Ross. Andrew. December 23, 2012. Retrieved on June 3, 2013 at: <http://www.sfgate.com/business/bottomline/article/Bay-Area-economy-looking-bright-for-2013-4142769.php>

<sup>5</sup> The City of San Francisco Controller's Economic Barometer is available at: [http://sfbarometer.weebly.com/uploads/1/4/0/3/14037181/economic\\_barometer\\_summary\\_march\\_2013.pdf](http://sfbarometer.weebly.com/uploads/1/4/0/3/14037181/economic_barometer_summary_march_2013.pdf)

**Asking Rent vs. Median Home Price**



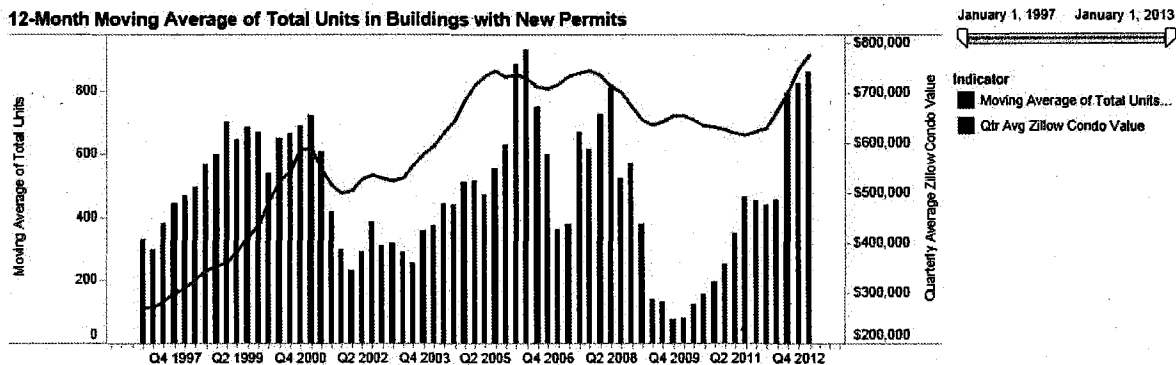
*Chart G: San Francisco County Asking Rent (orange) vs. Median Home Price (blue) over the past 10 years. Courtesy the Office of the Controller. Note the Fee Deferral effort was initiated in Fall 2009. This chart shows that median home price dipped in late 2009 through 2010.*

Residents walking through the City are likely to notice the significant construction activity. A May 2013 article in the San Francisco Chronicle noted that, "A chorus line of more than two dozen skeletal construction cranes looms over San Francisco's skyline." The Chronicle has granted permission for the Department to publish two graphic illustrations of this development on the following two pages. During the first quarter of 2013, the Department of Building Inspection had issued permits for 877 dwelling units. To put that number in perspective, Chart H below shows the number of dwelling units with issued permits since 2010. Permit activity in 2010 reached record lows. In 2012, record highs were recorded, resulting in the widespread construction boom which is currently visible in San Francisco.

Timeframe	No. of Dwelling Units (via issued building permits)
2010	519
2011	2043
2012	4857
2013 to date (first quarter only)	877

*Chart H: Dwelling units produced per year 2010-2012 and during the first quarter of 2013.*

**12-Month Moving Average of Total Units in Buildings with New Permits**

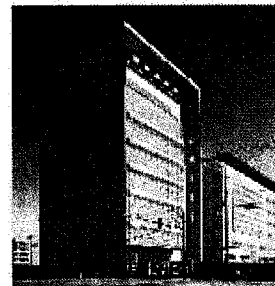
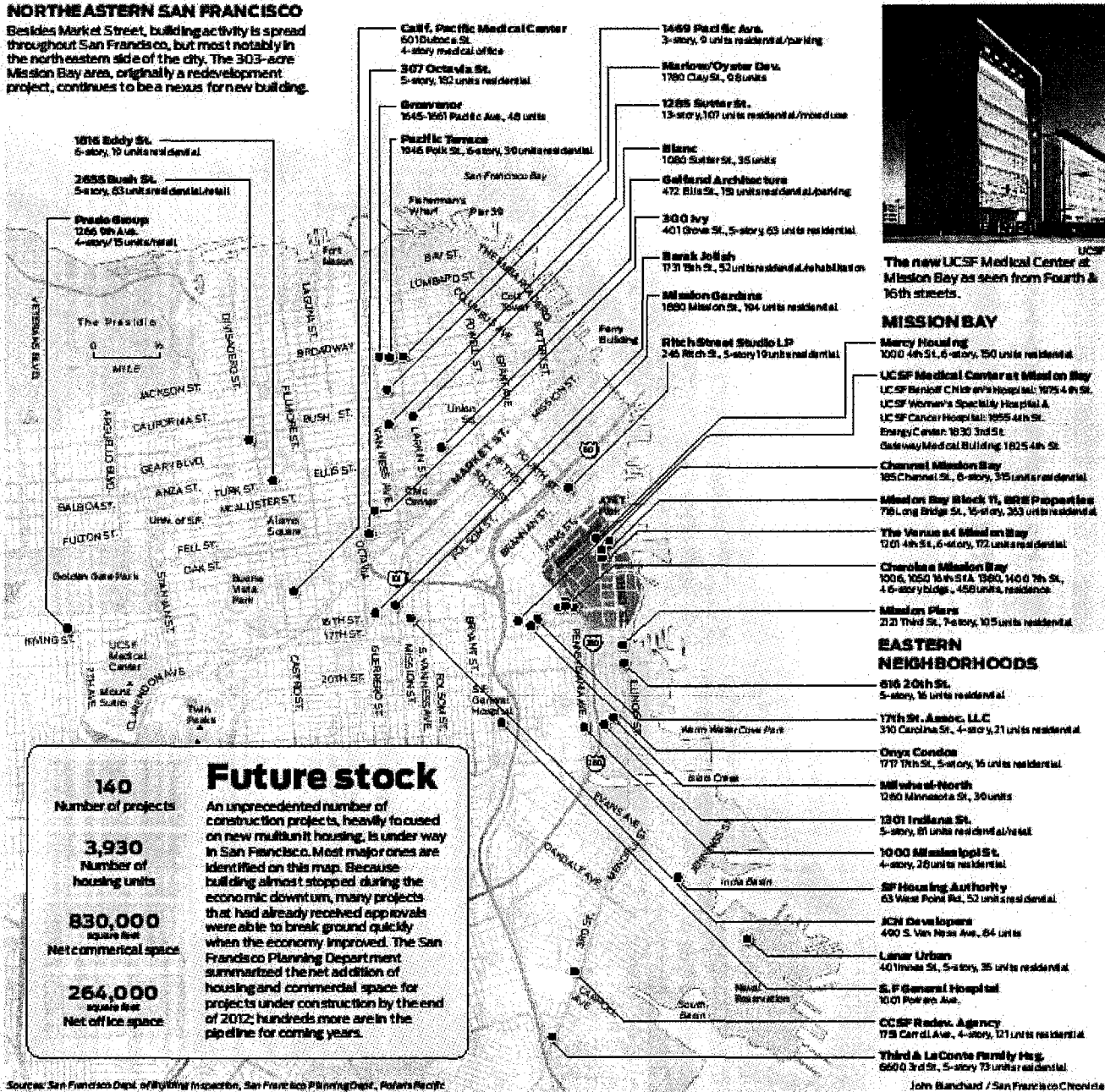


*Chart I: Building Permit Information compared with Zillow's estimated condo values. Courtesy the Office of the Controller. Note the Fee Deferral effort was initiated in Fall 2009 near the nadir of the building permit values.*



**NORTHEASTERN SAN FRANCISCO**

Besides Market Street, building activity is spread throughout San Francisco, but most notably in the northeastern side of the city. The 303-acre Mission Bay area, originally a redevelopment project, continues to be a nexus for new building.



The new UCSF Medical Center at Mission Bay as seen from Fourth & 16th streets.

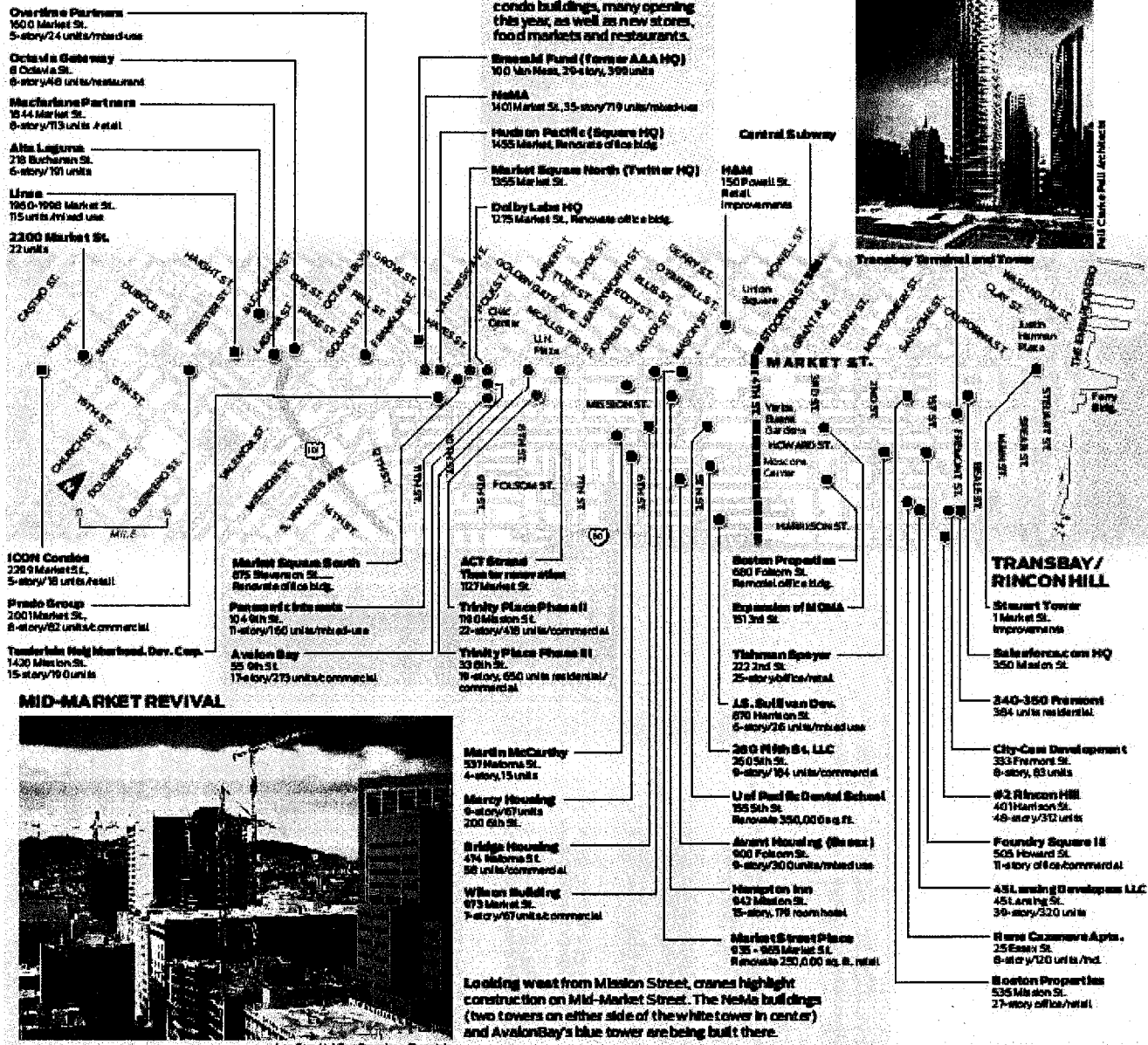
- MISSION BAY**
- Mercy Hospital  
1000 4th St., 6-story, 150 units residential
  - UCSF Medical Center at Mission Bay  
UCSF Benioff Children's Hospital, UCSF Women's Specialty Hospital & UCSF Cancer Hospital: 1655 4th St.  
Energy Center: 1630 3rd St.  
Gateway Medical Building: 1825 4th St.
  - Channing Mission Bay  
165 Channing St., 6-story, 315 units residential
  - Mission Bay Block 11, 8th St. Properties  
716 Long Bridge St., 15-story, 263 units residential
  - The Venue at Mission Bay  
1701 4th St., 6-story, 172 units residential
  - Chancellor Mission Bay  
1006, 1050 16th St. 1960, 1400 7th St., 4-6-story bldgs., 458 units, residence
  - Mission Plaza  
211 Third St., 7-story, 105 units residential
- EASTERN NEIGHBORHOODS**
- 516 20th St.  
5-story, 16 units residential
  - 17th St. Assoc. LLC  
310 Carolina St., 4-story, 21 units residential
  - Omya Condos  
1717 17th St., 5-story, 16 units residential
  - Milward of North  
1260 Minnesota St., 30 units
  - 1801 Indiana St.  
5-story, 81 units residential/retail
  - 1000 Mission Lodge St.  
4-story, 28 units residential
  - SP Housing Authority  
63 West Point Rd., 52 units residential
  - JCN Development  
490 S. Van Ness Ave., 64 units
  - Lunar Urban  
401 Nevada St., 5-story, 35 units residential
  - S. F. General Hospital  
1001 Polk Ave.
  - CCSF Redev. Agency  
175 Carroll Ave., 4-story, 121 units residential
  - Third & La Concha Family Hsg.  
660 3rd St., 5-story 73 units residential

Citywide Projects. A graphic summary of active development across San Francisco by John Blanchard for the San Francisco Chronicle<sup>6</sup>. Graphic courtesy the San Francisco Chronicle.

<sup>6</sup> This graphic was published for the May 6, 2013 article by Carolyn Said titled, "SF's building boom brings change to city". This graphic is available at: <http://www.sfchronicle.com/local/item/Map-See-construction-projects-underway-18805.php>

**MARKET STREET AREA PROJECTS**

San Francisco's main thoroughfare, Market Street, is a centerpiece of San Francisco's current building boom. That's by design, as city planners want to encourage growth along transit corridors.



Market Street Projects. A graphic summary of active development near Market Street by John Blanchard for the San Francisco Chronicle.<sup>7</sup> Graphic courtesy the San Francisco Chronicle.

<sup>7</sup> This graphic was published for the May 6, 2013 article by Carolyn Said titled, "SF's building boom brings change to city". This graphic is available at: <http://www.sfchronicle.com/local/item/Map-See-construction-projects-underway-18805.php>

**3. Are the stimulative effects of the Fee Deferral Program still needed?**

The answer is likely no to this limited question. As described, San Francisco's local economy seems to be bursting at the seams. The Mayor's June 1, 2013 budget noted 35 construction cranes crossing our skies<sup>8</sup>. The Controller's Economic Barometer shows improvements not only in construction and real estate but also in overall employment numbers. Given all of the good economic news, it's hard to argue that the circumstances that created the need for fee deferral in 2008-09 remain relevant today.

That said, perhaps a better question is "does the program cause harm/benefit to the City and does the program cause harm/benefit to developers?" The fee program as established by the City has two components that seem to safeguard the City from potential harm: 1) the fee deferral surcharge rate to recapture inflationary costs and 2) the down-payment to enable early planning for infrastructure. The next question is does the program help development? It seems likely that the program does help improve the financial feasibility of development projects on the margin. That said, as the program nears expiration on July 1, 2013, there has been no clamoring to keep the program in place. Outreach by the Mayor's Office seems to indicate that developers are largely satisfied with the permanent change which moved the collection point for development impact fees to the First Construction Permit. Perhaps the lack of interest in extending the program indicates that there are currently few to no projects on the margin that would benefit from the program. Overall the Department believes that there is a lack of evidence to definitively analyze if the program was effective or not.

The fee deferral program is a tool that the City may wish to use in the future if it does not extend the program this year. If the Commission or the Board were to reestablish this program in the future, the Department would recommend three modifications. Specifically, the Department would recommend to 1) standardize the down payment creating a standard 15% or 20% down payment; 2) eliminate the Seed Fund which unlike the down payment creates a great administrative burden without improving access to funds; and 3) adjust the interest rate to cover actual inflation costs of infrastructure.

**POTENTIAL COMMISSION ACTION**

This hearing shall enable the Planning Commission to recommend to the Board of Supervisors as to whether the Fee Deferral Program should be continued, modified, or terminated.

**RECOMMENDATION**

The Department recommends that the Planning Commission recommend *termination of the fee deferral program* to the Board of Supervisors and adopt the attached Draft Resolution to that effect.

The Department further recommends that the Commission may want to recommend *three potential changes to the program should the Board pursue continuation of the program*. Specifically, the draft resolution would recommend that if the program were to continue the following changes should be made 1) standardize the down payment, creating a standard 15% or 20% down payment; 2) eliminate the seed

---

<sup>8</sup> Mayor Edwin M. Lee. "Mayor's 2013-2014 & 2014-2015 Proposed Budget". Published June 1, 2013. Retrieved on June 3, 2013 at <http://www.sfmayor.org/Modules/ShowDocument.aspx?documentID=266>

fund, which unlike the down payment creates a great administrative burden without improving access to funds; and 3) adjust the interest rate by removing the blended rate and instead use the Annual Infrastructure Construction Cost Inflation estimate to cover actual inflation costs of infrastructure.

**ENVIRONMENTAL REVIEW**

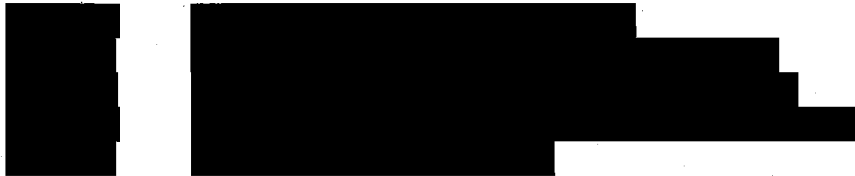
The proposed amendment is "not a project" under Section 15060(c)(3) of the CEQA Guidelines.

**PUBLIC COMMENT**

The Building Inspection Department mailed a letter in early May to all project sponsors with projects in the pipeline informing the project sponsor that the fee deferral program would expire on July 1, 2013; explaining what steps to take to enroll their project prior to this expiration; and informing the project sponsor about the Planning Commission's planned hearing on June 13, 2013. As of the date of this report, the Planning Department received one letter from an individual about the Fee Deferral Program. The Market & Octavia Community Advisory Committee and Eastern Neighborhoods Community Advisory Committee passed resolutions recommending that the program be discontinued. The most recent resolution from each CAC is attached.

**RECOMMENDATION: Recommendation of Expiration of the Fee Deferral Program**

**Attachments:**



Note: The attachments to this executive summary are available at the Planning Department, 1650 Mission Street, Suite 400, San Francisco CA 94103. Only the executive summary is being transmitted to the Clerk of the Board. The complete executive summary and attachments are available upon request.

**From:** Kathy Mitchell [qtbird@gmail.com]  
**Sent:** Monday, June 17, 2013 4:29 PM  
**To:** Board of Supervisors  
**Cc:** Avalos, John; Farrell, Mark; Wiener, Scott; Breed, London; Campos, David; Chiu, David; Cohen, Malia; Kim, Jane; Mar, Eric (BOS); Tang, Katy; Yee, Norman (BOS); Lee, Mayor  
**Subject:** Condominium Conversion Fee File #120669

Dear Supervisors and Mayor Ed Lee,

The fallback provision (aka poison pill) in the proposed Condominium Conversion Fee law is unfair and probably illegal. You cannot require TIC owners to forfeit money they are required to pay for conversion services just because a lawsuit is filed. While guaranteeing the 10 year moratorium sought by tenant interests, the poison pill does not similarly protect TIC owners interests.

"...the poison pill in the new SF law is invalid as a penalty on the exercise of the right to court access."

- *Michael C. Dorf, Cornell University law professor and noted U.S. constitutional law scholar,*  
[http://www.lawschool.cornell.edu/faculty/bio\\_michael\\_dorf.cfm](http://www.lawschool.cornell.edu/faculty/bio_michael_dorf.cfm)  
- *Email to author, attached, dated June 14, 2013*

"Note, however, that owners whose applications are frozen may not be able to recover other expenses incurred in the course of preparing and submitting conversion applications, such as building inspection fees, building repair costs, and land surveying fees."

- *Andrew Sirkin, Sirkin & Associates, San Francisco Condominium Conversion Attorney*  
- *"New TIC Condo Conversion Law", last modified June 14,*  
2013, <http://www.andysirkin.com/HTMLArticle.cfm?Article=219>

The issue is compounded by the missing, confusing and/or unconsidered language in the law likely to require court intervention for clarification. In his analysis of the new law, Andy Sirkin identifies several questions he believes will have to be resolved in court, automatically invoking the poison pill and punishing TIC owners:

"...does not contain details on how the lifetime lease requirement will apply in situations... and the courts will ultimately have to resolve the issue."

"...does not contain details on the ability of a lifetime lease tenant to assign or sublease his/her apartment, and the courts will ultimately have to resolve the issue."

"...it is unclear whether the qualifying owner(s) must continue to occupy between that date and the date the conversion application..."

- *Andrew Sirkin, Sirkin & Associates, San Francisco Condominium Conversion Attorney*

Please save our taxpayers money and time by resolving these problems before passing this law.

Thank you,  
Kathy Mitchell  
District 3 TIC Owner

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

**From:** Michael Dorf <mikedorf@gmail.com>  
**Date:** Fri, Jun 14, 2013 at 6:40 AM  
**Subject:** Re: Fallback Law in San Francisco  
**To:** Kathy Mitchell <qtbird@gmail.com>

Dear Kathy

Thanks for sending this. I wrote about fallback provisions that were triggered by a judicial finding that the primary provision is unconstitutional. By contrast, the poison pill here is triggered by the mere filing of a lawsuit. Although one could argue that there's no legal difference, I think the better view is that the poison pill in the new SF law is invalid as a penalty on the exercise of the right to court access. So--with good lawyering--I wouldn't be. Surprised if the poison pill itself were ruled invalid.

Best wishes,  
Mike Dorf

-----  
Michael C. Dorf

Robert S. Stevens Professor of Law  
Cornell University Law School  
242 Myron Taylor Hall  
Ithaca, NY 14853-4901

Phone: 607-255-3890

Cell: 607-323-1492

Fax: 866-343-4688

email: mikedorf@gmail.com

or michaeldorf@cornell.edu

blog: Dorf on Law

cv: http://ww3.lawschool.cornell.edu/faculty/faculty\_cvs/Dorf.pdf

author page: http://ssrn.com/author=199184  
-----

---

**Subject:** Condo Bypass Legislation

**From:** Stover, Beth [mailto:BSTover@NorcalMutual.com]

**Sent:** Thursday, June 20, 2013 11:29 AM

**To:** Lee, Mayor; Mar, Eric (BOS); Farrell, Mark; Chiu, David; Chu, Carmen; Breed, London; Kim, Jane; Yee, Norman (BOS); Wiener, Scott; Campos, David; Cohen, Malia; [John.Avalos@ci.sf.ca.us](mailto:John.Avalos@ci.sf.ca.us)

**Subject:** Condo Bypass Legislation

Dear Mayor and Supervisors,

I cannot tell you how disappointed I am with your so-called compromise on the Condo Bypass situation.

I am a TIC owner and voter in District 9. I have owned my TIC for 7 years. I have entered the lottery 4 times and lost 4 times. I have no hope that I can convert to condo and own my own house. I have no hope that I will be able to refinance and take advantage of lower interest rates. I have been watching this process carefully, and I had great hopes that you would give me some relief. I need relief. I am not rich. I am not privileged. I am a regular person who works hard. I saved my money so that I can be a home owner in the city I love. I pay my taxes. I follow the law. I help my neighbors. I am a good citizen.

If you were trying to find a solution for TIC owners, this is not it. Why in the world would you insert the "poison-pill" amendment if you really did want to help TIC owners???? I cannot understand this.

The legislation is so vague in certain areas, that I have no idea of what to do next. I contacted my lawyer who told me that he could not advise me to start the conversion process because the money I pay in fees could be lost if the conversions get frozen because of a lawsuit. Is this true????

Can you tell me 100% that I will be able to convert based on the current legislation if I meet all criteria? Can you guarantee that there will be no lawsuits that will stop the conversion process????

I am so confused and disappointed.

Please help me!

**Beth Stover**

Systems Engineer - Network  
Information Technology Department  
NORCAL Group  
415-735-2168

This e-mail message and any attachment(s) transmitted with it are intended only for the use of the recipient(s) named above. This message may be privileged and/or confidential. If you are not an intended recipient, you may not review, copy or distribute this message. If you have received this communication in error, please notify us immediately by e-mail and delete the original message.

---

**From:** pmonette-shaw [Pmonette-shaw@earthlink.net]  
**Sent:** Monday, June 17, 2013 11:17 PM  
**To:** Chiu, David; Wiener, Scott; Chu, Carmen; Kim, Jane; Avalos, John; Mar, Eric (BOS); Farrell, Mark; Olague, Christina; Elsbernd, Sean; Cohen, Malia; Campos, David; Board of Supervisors; Calvillo, Angela  
**Subject:** Written Bielsonson Hearing Testimony for Meeting Packet  
**Attachments:** Testimony to Board of Supes on Reprogramming the MHRF 13-06-16.pdf

June 17, 2013

Supervisor Eric Mar, District 1

Supervisor Mark Farrell, District 2

Supervisor David Chiu, District 3

Supervisor Katy Tan, District 4

Supervisor London Breed, District 5

Supervisor Jane Kim, District 6

Supervisor Norman Yee, District 7

Supervisor Scott Wiener, District 8

Supervisor David Campos, District 9

Supervisor Malia Cohen, District 10

Supervisor John Avalos, District 11

Angela Calvillo, Clerk of the Board

Dear Board of Supervisors,

Please find attached my testimony regarding your June 18 Bielsonson hearing, that I ask be included in your meeting packet.

Patrick Monette-Shaw



**Patrick Monette-Shaw**

975 Sutter Street, Apt. 6  
San Francisco, CA 94109

Phone: (415) 292-6969 • e-mail: pmonette-shaw@earthlink.net

June 16, 2013

San Francisco Board of Supervisors

- The Honorable David Chiu, President, San Francisco Board of Supervisors, District 3
- The Honorable Eric Mar, Supervisor, San Francisco Board of Supervisors, District 1
- The Honorable Mark Farrell, Supervisor, San Francisco Board of Supervisors, District 2
- The Honorable Katy Tang, Supervisor, San Francisco Board of Supervisors, District 4
- The Honorable London Breed, Supervisor, San Francisco Board of Supervisors, District 5
- The Honorable Jane Kim, Supervisor, San Francisco Board of Supervisors, District 6
- The Honorable Norman Yee, Supervisor, San Francisco Board of Supervisors, District 7
- The Honorable Scott Wiener, Supervisor, San Francisco Board of Supervisors, District 8
- The Honorable David Campos, Supervisor, San Francisco Board of Supervisors, District 9
- The Honorable Malia Cohen, Supervisor, San Francisco Board of Supervisors, District 10
- The Honorable John Avalos, Supervisor, San Francisco Board of Supervisors, District 11

1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**Re: Reject the Bielson Hearing Recommendation to "Re-Program" the MHRF / BHC**

Dear Board of Supervisors,

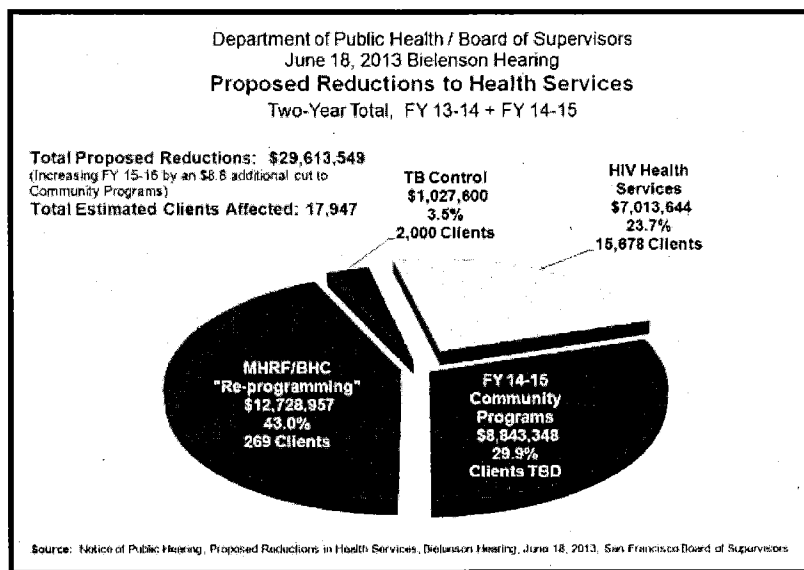
There are a number of reasons why the Board of Supervisors should reject the Department of Public Health's proposed cuts to medically indigent San Franciscans during your State-required Bielson hearing on June 18.

These Bielson Hearing cuts total somewhere between \$30 million to \$40 million, but you'd never know it, since the Board of Supervisors and the Health Commission both seem to have forgotten how to include column, or report, totals, showing total cuts on the proposed cut list. Like showing basic math including totals are unworthy of your skill sets.

Here's why:

First of all, Supervisor Jane Kim's Board of Supervisors web page indicates that as a member of the budget and Finance Committee, she believes in "values-based budgets." But the Bielson hearing cuts being proposed on June 18 do not reflect San Francisco values regarding provision of in-county mental health services.

If this Board accepts the Bielson cuts proposed by the Department of Public Health that were apparently incorporated into Mayor Ed Lee's budget proposal awaiting your approval, it would effectively eliminate all but 24 of the mental health rehab beds at the MHRF on the campus of San Francisco General Hospital.



Doing so would make Ed Lee and this Board of Supervisors no better than Ronald Regan, who as governor shut down California's mental hospitals, and as president slashed funding to community-based mental health clinics nationwide. Doing so would tarnish Ed Lee's and this Board's legacy as shutting down mental health services within San Francisco.

June 16, 2013

**Re : Reject the Bielson Hearing Recommendation to "Re-Program" the MHRF / BHC**

Page 2

On closer review, while the Bielson notice indicates that \$7.2 million "savings" will be obtained by re-programming of the MHRF/BHC itself, another \$5.5 million is being attributed to the MHRF reprogramming by adding in cuts to existing contracts of Crestwood Behavioral Health; Mental Health Management, Inc.; and San Francisco's Victorian Manor, totaling \$5.5 million above and beyond the \$7.2 million in cuts DPH proposed itself to MHRF / BHC cuts.

DPH's Budget Initiative B-1 mentioned only the cuts to the MHRF / BHC, and failed to mention that it would also involve cuts to other out-of-county and in-county facilities, which were only identified on the Board of Supervisors Bielson Hearing notice.

Indeed, the Health Commission did not conduct a noticed hearing to members of the public announcing the full proposed Bielson cuts.

The Health Commission's minutes for May 7, 2013 show that the Health Commission did not discuss in any detail the proposed Bielson cuts. The minutes also show that the Health Commission did not discuss publicly in any detail a proposed increase of \$21.2 million for out-of-county locked facilities that has been introduced for a separate Board of Supervisors hearing that will occur following the Bielson cuts hearing.

The Health Commission's minutes also show it unanimously approved DPH's budget submission to the Mayor, with no discussion between Commissioner's of DPH Budget Initiative B-1 to dump MHRF patients into Laguna Honda Hospital.

While now cutting out-of-county psych services under this Bielson hearing, the Board of Supervisors is scheduled to consider pending legislation to increase contracts for the same facilities, perhaps increasing out-of-county patient dumping.

Indeed, it only has become clear on a closer review of the Board of Supervisor's Bielson hearing list of cuts, that an additional \$5.5 million in cuts is being attributed to the re-programming of the MHRF / BHC, including cuts to Crestwood Behavioral Health's facilities in Stockton, Fremont, Vallejo, Angwin, Carmichael, Modesto, and Riverbank, and cuts to Mental Health Management, Inc. at its Canyon Manor facility in Novato, along with cuts to Victorian Manor in San Francisco.

We're back to the 2003-2004 "patient flow" debacle that resulted in the 2006 ballot measure to protect Laguna Honda Hospital for the frail elderly and disabled, which measure originated from the disastrous effects of violence that resulted by inappropriately mixing psychotic patients with elderly demented patients, two patient populations that rarely thrive well together. Mixing patients who need a locked psych unit in with patients who need a locked dementia unit in a single locked unit is a poor idea, and has been considered unethical for a long time.

Increasing the mix by dumping MHRF patients into Laguna Honda isn't a good idea. The two patient populations don't thrive well together because the behaviors of people with dementia agitate psychotic people, and then psychotic patients want to harm the demented ones.

Nearly 30% of the Bielson cuts — to Community based providers — haven't even been identified, nor has that impact on an estimated number of clients been identified. Without knowing the number of clients who will be affected, the Board simply can't approve those cuts now, prematurely.

Please reject DPH's proposed cuts to the MHRF / BHC, and send it back to the Health Commission for further work. Patient dumping — in all its forms — is simply inhumane.

Respectfully submitted,

[signed]

Patrick Monette-Shaw

Columnist, *Westside Observer* Newspaper

cc: Angela Calvillo, Clerk of the Board, San Francisco Board of Supervisors

---

**From:** Board of Supervisors  
**To:** BOS-Supervisors  
**Subject:** Ding-Dong, Slavin's Gone! Fwd: Patient Dumping: Who's Dumping Grandma? ( City Attorney's Hypocrisy, Laguna Honda Hospital's Shame)

**From:** pmonette-shaw [mailto:Pmonette-shaw@earthlink.net]  
**Sent:** Saturday, June 22, 2013 3:01 PM  
**Subject:** Ding-Dong, Slavin's Gone! Fwd: Patient Dumping: Who's Dumping Grandma? ( City Attorney's Hypocrisy, Laguna Honda Hospital's Shame)

Don't be duped by Director Barbara Garcia's testimony during Tuesday's Bielensohn hearing.

1. The 34 patients being dumped from the MHRF/BHC into LHH will actually displace skilled nursing patients who might otherwise be admitted to those 34 beds.
2. Garcia claims only 12 of the BHC patients are headed to LHH, and the rest will be placed (as she claims) into "community-based settings" What she withhold from you is that any of the 34 BHC patients they can't cram into LHH are being dumped out of county. Even a Health Commissioner has acknowledged to a prominent community member that those patients are headed out-of-county, not into the "community" as Director Garcia would like to mislead you about. The community is also being misled by LHH staff who claim that only 6, not Director's Garcia's "12" BHC patients are being dumped into LHH. DPH can't even keep their own story straight.

At the same time, LHH front-line staff are being advised to expect all 34 of the BHC patients.

The Board of Supervisors needs to reject DPH's budget plan to reconfigure the MHRF into housing. It's a pity that the Board of Supervisors took no action at the conclusion of the Bielensohn hearing last Tuesday, and simply closed public comment. The Board should have taken a vote right then and there to bifurcate the MHRF/BHC closure from the Bielensohn cuts, and should have ordered DPH to maintain in-county mental health beds!

Are the Board of Supervisors aware that Marc "The Patient Gift Fund Isn't For Patients" Slavin, LHH's notoriously snarky PIO has been forced out, given bad blood between he and LHH Executive Administrator Mivic Hirose? Ding-Dong ... Slavin's gone, as of last Thursday or Friday, at long-overdue last!

It appears that when Slavin lost his benefactress, Ms. Louise Renne — whose LHH Foundation was ordered by the State to abandon using Community Initiatives a fiscal sponsor and who subsequently disbanded her Foundation — his tenure under Mivic "The Vindictive One" Hirose was doomed and all but set in cement (just ask Gayling Gee how vindictive and mean Mivic is).

Patrick Monette-Shaw

----- Original Message -----

**Subject:** Patient Dumping: Who's Dumping Grandma? ( City Attorney's Hypocrisy, Laguna Honda Hospital's Shame)

**Date:** Thu, 13 Jun 2013 23:25:39 -0700

**From:** pmonette-shaw <[pmonette-shaw@earthlink.net](mailto:pmonette-shaw@earthlink.net)>

**Reply-To:** [pmonette-shaw@earthlink.net](mailto:pmonette-shaw@earthlink.net)

**To:** undisclosed-recipients;

The expanded version of my article, "Who's Dumping Grandma?" published in the June edition of the *Westside Observer* — which focuses on out-bound patient dumping San Francisco's "City Hall Family" prefers to ignore — is now available on-line at [www.stopLHHdownsize.com](http://www.stopLHHdownsize.com):

### "Who's Dumping Grandma?"

It's a story about City Attorney Dennis Herrera's concerns that Nevada's practice of mental health patient dumping is "shockingly inhumane and illegal," while Herrera turns a blind eye to San Francisco's own unethical patient dumping out-of-county, exposing Herrera's hypocrisy over in-bound patient dumping, but lack of ethical concern about out-bound patient dumping, or intra-facility patient dumping.

It's a story about a Health Commission that reported in its minutes not one word of discussion among Health Commissioners about the San Francisco Department of Public Health's budget proposal to further slash mental health care beds at its Behavioral Health Center (formerly named the "Mental Health Rehabilitation Facility," abbreviated as the "MHRF") on the grounds of SF General Hospital by converting more of the MHRF's beds into, essentially, housing, and transferring 34 of its patients to Laguna Honda Hospital, where they may not receive the appropriate level of mental health care.

A story of a Health Department seeking \$29 million to \$38 million in services cuts to mental health and community-based services, and then turning around — after an upcoming State-required "Bielenson hearing" by the Board of Supervisors on June 18 on the reduction or elimination of health care services to the medically indigent — and later seeking permission to increase contracts for out-of-county, 24-hour locked mental health facilities in other jurisdictions.

It's a story about a Mayor who must know about these cuts — which he appears to have included in his budget submission to the Board of Supervisors — even if the Health Commission failed to discuss either the in-county cuts or the out-of-county contract increases during public meetings. Possibly a Mayor whose legacy may follow former governor Ronald Reagan, who shut down California's mental health hospitals and then as President curtailed community-based mental health clinics, should Lee accept the Health Department's "reprogramming" of the MHRC into housing, and the dumping of patients into Laguna Honda Hospital, or out-of-county. Will Mayor Lee become known for shutting down San Francisco's own MHRF?

It's a story of inappropriate mixing of psychotic patients with demented patients, two patient populations that rarely thrive well together.

A story about Sheriff Department statistics at Laguna Honda Hospital documenting an uptick in battery cases, disturbances by residents, and disturbances by visitors, all sharply increased. And a warning to staff about the uptick.

But a warning too late, following an assault-and-battery of a Laguna Honda employee by a patient, now the subject of the employee's lawsuit.

It involves a story of an employee who asked just three questions regarding patient and staff safety, and then chose to

resign following bullying by management.

It's a story about San Francisco's own out-bound patient dumping, a story you won't want to miss reading, offering suggestions on what you might do by Monday, June 18 to oppose cuts to safety net services.

Before San Francisco engages any further in "Who's Dumping Grandma."

*Please feel free to widely share the printer-friendly version of this article available on my web site, or a link to my web site. And feel free to quote from it during public comment before various bodies.*

**Patrick Monette-Shaw**

[Read more](#) (in the printer-friendly PDF file on-line)

To unsubscribe, send me an e-mail

No virus found in this message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 2012.0.2242 / Virus Database: 3199/5906 - Release Date: 06/12/13

*cpage*

**Board of Supervisors**

---

**To:** BOS-Supervisors  
**Subject:** File 130595: Delay approval -DPH - BIELENSON report - Please

**From:** dianariver [mailto:dianariver@aol.com]  
**Sent:** Tuesday, June 18, 2013 10:54 AM  
**To:** Mar, Eric (BOS)  
**Cc:** Board of Supervisors  
**Subject:** Delay approval -DPH - BIELENSON report - Please

**DIANE M. RIVERA**

---

4133 A Judah St.  
San Francisco, CA 94122  
415-753-1443 - email: [dianariver@aol.com](mailto:dianariver@aol.com)

June 18, 2013

The Honorable Eric Mar, Supervisor  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Dear Supervisor Mar,

Please delay the approval of the DPH's Budget based upon Bielenon report due to be heard in today's (6-18-2013) by the full Committee of the Board of Supervisor's meeting until after the Board's City Operations and Neighborhood Services Subcommittee, which is supposed to hear policy matters involving public health, emergency services, seniors, and the disabled has a chance to review and make recommendations on what it will cost to contract out-of-county services and how this will impact the San Francisco Budget overall. At this time, Board's City Operations and Neighborhood Services Subcommittee, is slated to be heard AFTER the Bielenon hearing of today. At this writing, a date has not been set for this subcommittee hearing.

Based upon some of the reading that I have done on this subject, I believe that the full Board of Supervisors needs a total picture in order to make a sound decision on proposed 'savings' and 'added costs' regarding the budget submitted by the Department of Public Health.

Below, please find excerpts from one source on this subject. <http://www.stoplhhdowntsize.com/>

Please focus on the Post Scripts # 2 and 3 at the end of the report.

“...The Bielensen hearing notice issued by the Board of Supervisors says DPH will only save \$3 million and \$4.1 million, respectively, across the two-year budget cycle, for a total of only \$7.1 million. This stands in stark contrast to the \$21.2 million increase for the two out-of-county contracts being extended 18 months...”

And more,

“...The Bielensen hearing cuts will grow from \$8.1 million in FY 2013-2014, to \$21.4 million in FY 2014-2015 — for a two-year total increase of \$29.6 million — and will presumably grow to \$38.4 million in subsequent fiscal years, if DPH adopts its planned additional cuts of \$8.8 million to community programs (to the \$17.7 million on an annualized basis starting in FY 2015-2016)...”

My family has been a consumer of the services provided to us at Laguna Honda Hospital during our mother’s illness until her passing in 2007. We were able to be by her side the whole time providing respite and care in addition to the excellent care she received while in residence there. If any proposal is adopted to send elderly, frail, disabled, etc. individuals to other counties, families and especially families of little or no means will not have the ability to visit and advocate for their loved ones.

I do not think we can base our fiscal budgets on the care or lack thereof on people who cannot take care or advocate for themselves.

Thank you for taking the time to read about my recommendations.

Sincerely

Diane Rivera  
Daughter of Nancy  
Both native San Francisco residents

Orig: Leg Clerk  
C: COB, Leg Dep. BOS-11 (directly)  
GAD clerk. Cpage

#3

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
CIVIL GRAND JURY



June 18, 2013

Angela Calvillo  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 18 AM 9:48

Dear Ms. Calvillo,

The 2012 – 2013 Civil Grand Jury will release its report entitled, "Golden Gate Park's Homeless Population: Are San Francisco's Policies Serving Us Well?" to the public on June 20, 2013. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. Cynthia Ming-mei Lee, this report is to be kept confidential until the date of release.

California Penal Code §933.5 requires a response to the Presiding Judge no later than September 19, 2013. For each finding in the report, you must either (1) agree with the finding; or (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation, your response must either indicate:

- 1) That the recommendation has been implemented, with a summary of how it was implemented;
- 2) That the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
- 3) That the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report; or
- 4) That the recommendation will not be implemented because it is not warranted or reasonable, with an explanation. (California Penal Code § 933 and §933.05)

Please provide your response to Presiding Judge Lee at the address below.

Very truly yours,

Martha M. Mangold, Foreperson  
2012 – 2013 Civil Grand Jury

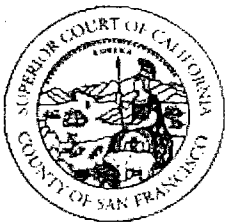
400 McAllister Street, Room 008  
San Francisco, CA 94102-4512  
Phone: 415-551-3605



# Golden Gate Park's Homeless Population

Are San Francisco's Policies Serving Us Well?

June 2013



City and County of San Francisco  
Civil Grand Jury, 2012-2013

MEMBERS OF THE 2012-2013  
CIVIL GRAND JURY  
CITY AND COUNTY OF SAN FRANCISCO

Martha Mangold, Foreperson  
Fred A. Rodríguez, Foreperson Pro Tem  
Leslie Finlev, Recording Secretary  
Maria Martinez, Corresponding Secretary

Jon Anderson  
Jennifer Angelo  
Jeanne Barr  
Paul Cheng  
Jerry Dratler  
Hülda E. Garfolo  
D. Peter Gleichenhaus  
Shelly Hing  
Corinna Kaarlela  
Daniel Kreps  
Hilary Pedigo  
Theresa Sabella  
Suzanne Tucker  
Thomas Walker  
Stuart Williams

## THE CIVIL GRAND JURY

The Civil Grand Jury is a government oversight panel of volunteers who serve for one year.  
It makes findings and recommendations resulting from its investigations.

Reports of the Civil Grand Jury do not identify individuals by name.  
Disclosure of information about individuals interviewed by the jury is prohibited.  
California Penal Code, section 929

## STATE LAW REQUIREMENT California Penal Code, section 933.05

Each published report includes a list of those public entities that are required to respond to the Presiding Judge of the Superior Court within 60 to 90 days, as specified.

A copy must be sent to the Board of Supervisors. All responses are made available to the public.

For each finding the response must:

- 1) agree with the finding, or
- 2) disagree with it, wholly or partially, and explain why.

As to each recommendation the responding party must report that:

- 1) the recommendation has been implemented, with a summary explanation; or
- 2) the recommendation has not been implemented but will be within a set timeframe as provided; or
- 3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
- 4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

## Table of Contents

Issue .....	5
Summary .....	5
Background .....	6
Investigation .....	9
1. The Homeless Population and their Needs .....	9
a. Number and Overview .....	9
b. Permanent Dwellers .....	9
c. Transient Dwellers .....	10
d. Substance Abuse and Mental Disability .....	10
e. First-hand Encounters .....	10
Findings and Recommendations: The Homeless Population .....	11
2. Outreach and Enforcement Efforts .....	11
a. Homeless Outreach and Engagement Teams .....	12
b. Police and Park Patrol Engagement .....	13
c. Issuance of Citations .....	14
d. Park Closure Hours .....	15
Findings and Recommendations: Outreach and Enforcement Efforts .....	15
3. Litter Accumulation in Golden Gate Park .....	16
a. The Costs of Litter Removal .....	16
b. Shopping Carts in the Park .....	17
Finding and Recommendation: Litter Accumulation in Golden Gate Park .....	18
Response Matrix .....	19
Methodology .....	21
Appendix .....	21
Excerpts from Park Code, San Francisco Municipal Code .....	21
Endnotes .....	22

## Issue

Homeless encampments continue to exist in Golden Gate Park. How effective are current City policies in mitigating the situation, assisting the vulnerable population who live in the Park, and keeping the Park green and clean?

## Summary

The 2012-13 Civil Grand Jury investigated problems associated with people living in Golden Gate Park (GGP or the “Park”). The report covers:

1. the needs of vulnerable people living in an unprotected, exposed environment
2. the enforcement of City codes and outreach efforts to park dwellers
3. litter accumulation that is a direct result of campsites

While homeless individuals and their encampments are found across San Francisco, the Jury chose to focus on this hot-button issue in Golden Gate Park because it is the crown jewel of the City’s Recreation and Parks Department (Rec & Park) and an extremely popular destination for both residents and tourists.

A key goal of the investigation is to provide recommendations that will improve the daily lives of those who call the Park “home.” Addressing this issue also supports keeping the Park green and clean for visitors and Rec & Park staff.

Based on its investigation, the Jury concludes that the City lacks adequate information about park dwellers and their needs. With more information, the City would be better able to focus its efforts to move individuals out of the Park and into a more stable situation. The Jury found that current outreach efforts to inform park dwellers about support services are limited, and efforts that do take place are not documented in a way that makes it possible to analyze their efficiency or success. The current system of issuing citations for nighttime sleeping and camping in the Park has not been effective in reducing the number of park dwellers.

The investigation revealed that it is common for park dwellers to push shopping carts filled with personal belongings into the Park, a practice that facilitates setting up encampments and contributes to a litter problem. Encampments in the Park generate substantial litter, which impacts the time and budgets of City departments that are responsible for removal. The Jury also found inconsistent and confusing signage about park closure times.

The Jury recommends the following:

1. The City should formalize a system to gather information on the characteristics of GGP dwellers and why they live in the Park.
2. Information about GGP dwellers should be used to tailor support services to specific populations, whose age and circumstances affect their needs and acceptance of services.
3. The City should establish a system to track its outreach efforts among park dwellers and use the information to evaluate effectiveness in reducing the number of park dwellers.
4. The Engagement Specialist Team (EST) should conduct in-person, proactive outreach at different times of the day and night in order to maximize their efforts.
5. The San Francisco Police Department (SFPD) and the Park Patrol should expand their outreach to GGP encampments to more areas of the Park and should vary the time.
6. References to the Park's closure time on all park signs, brochures, City handouts, and City websites should be made consistent with the Park Code and Rec & Park Commission resolutions.
7. The San Francisco Park Code should ban shopping carts in GGP in order to discourage living in the Park and to reduce litter.

## Background

Golden Gate Park is a 1,017-acre urban park designed as open space and located in the middle of western San Francisco. Human activity abounds throughout the Park, with daily visitors engaging in a wide variety of activities: physical exercise, meditation practices, art and education, sports, social gatherings, nature watching, and more. About 13 million people visit GGP in an average year,<sup>1</sup> and its attractions create exceptional experiences and memories for tourists and residents alike.

All is not idyllic, however, in this grand green space. The Park has a population of people who use the Park as a home, with the number of individuals varying with the seasons. Problems associated with these park dwellers have been the topic of media reports and editorials, public speeches, advocacy campaigns, and neighborhood outreach attempts.

No sections of the San Francisco Municipal Code, neither the Police nor the Park Codes, prohibit the presence of homeless individuals. However, the Park Code does prohibit sleeping in the Park between the hours of 8 p.m. and 8 a.m. and camping in the Park (see Appendix). Camping is

defined as having and using housing or camping equipment, household furniture, or cooking devices. Violators of these Park Code prohibitions usually are described as “homeless,” but in this report, we use the terms “park dweller” or “GGP dweller” to describe any person living in GGP regardless of code violation.

While the population of dwellers in the Park has decreased over the last decade, as a result of efforts detailed below, it was estimated to be about 200 dwellers in 2006 when then-Mayor Gavin Newsom ordered a cleanup campaign.<sup>2</sup> For reasons set out in this report, the Jury believes that there are still many GGP dwellers who can be helped to change their living conditions.

Throughout the Park and San Francisco’s other 220 parks and open spaces, the Recreation and Parks Department (Rec & Park) manages facilities, maintenance, staffing, and programs. Within the Department, Park Patrol is charged with enforcing the regulations set forth by the Park Code and protecting park property. Rec & Park divides the Park into six service areas (see Figure 1).

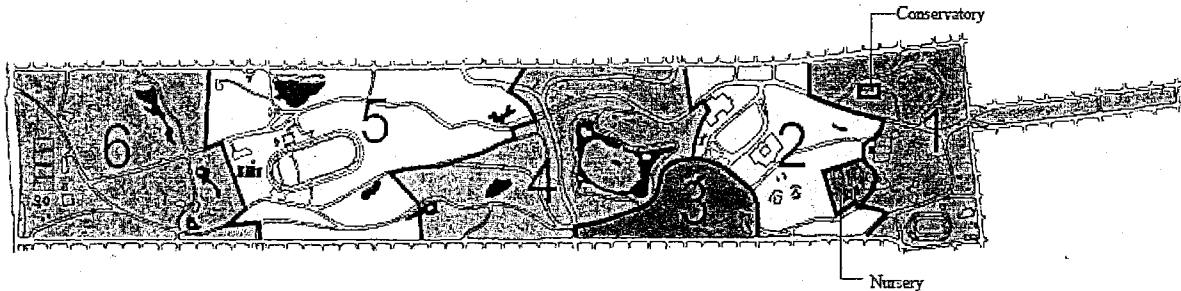


Figure 1: Golden Gate Park Service Areas<sup>3</sup>

The San Francisco Police Department (SFPD) partners with the Park Patrol in patrolling and issuing citations for infractions against either Police or Park Codes that occur on Rec & Park land. Two police stations are assigned jurisdiction over GGP (see Figure 2):

- Richmond Station is responsible for most of the Park, from Ocean Beach to a north/south line that runs through the general area of the Conservatory of Flowers.
- Park Station is responsible for the area east of the Conservatory, including the Panhandle.

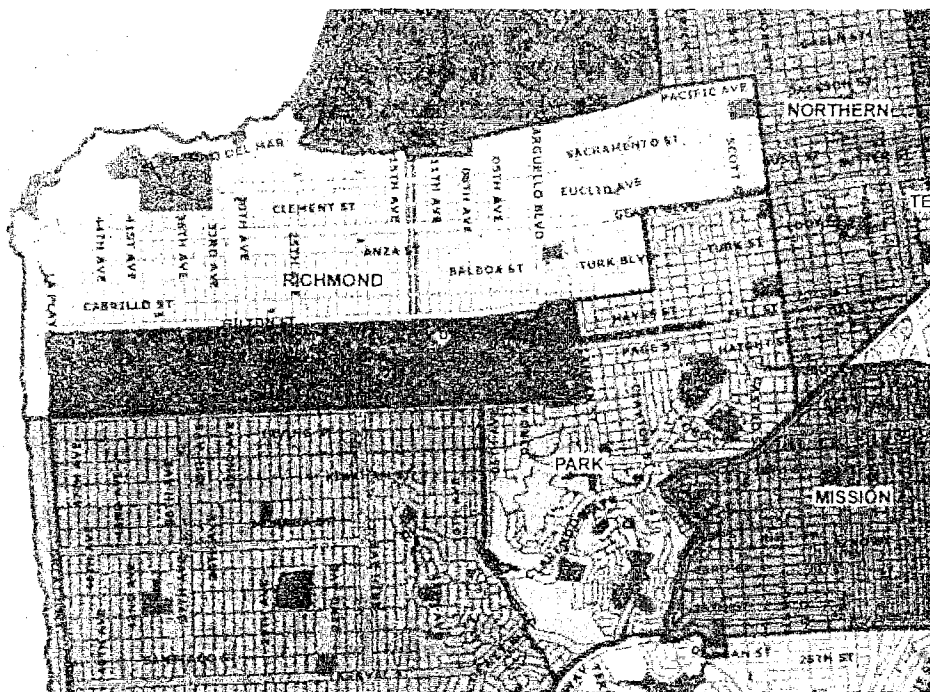


Figure 2: SFPD jurisdictions across Golden Gate Park <sup>4</sup>

Park staff, including administrative, program, and ground personnel, work at various facilities in GGP. Policymaking and operational oversight come from the Recreation and Parks Commission, an appointed seven-member board responsible for setting regulations regarding how the public may use and enjoy park spaces. It is the responsibility of Rec & Park to carry out these policies. In addition, the Mayor's Office and the Board of Supervisors have the ability to create and pass legislation that affect park operations and procedures.



## Investigation

### **1. *The Homeless Population and their Needs***

City employees provided the following information about GGP dwellers and their characteristics.

#### **a. Number and Overview**

Determining the number of people living in the Park is difficult. Dwellers often hide, sleeping in protected and hidden places. Because they tend to be mobile, individuals are not in one place long enough to generate accurate data.

It is estimated that 40 to 200 people live in the Park, with fewer dwellers during cold, wet winter months and a higher number during the warmer, drier summer/fall months. One-half of the group is estimated to be transient – here en route to someplace else – and is in the Park for a short term, while the other half remains in San Francisco for a longer term, for a variety of reasons.

The San Francisco Homeless Point-in-Time Count & Survey,<sup>5</sup> conducted every two years, does not collect data on GGP separately from City districts. The 2011 report estimated that 38 percent (1,181) of the City's 3,106 unsheltered homeless were residents in the two districts that encompass the Park (districts 5 and 6 on the map used for the survey). Of those, 211 persons were counted as living in vehicles, encampments, or parks.

A common characteristic of GGP dwellers is possession of one or more dogs, used for companionship and warmth during the night. Park dwellers often are suffering from mental health issues and drug abuse. Most park dwellers are men; one Rec & Park staff member estimated that the ratio is about five men to each woman.

#### **b. Permanent Dwellers**

It is common for permanent dwellers to be older people, often military veterans. They typically settle in the west side of the Park (Service areas 5 and 6 in Figure 1), alone or in very small groups. Although permanent dwellers tend to be aware of City homeless services, they usually choose not to receive assistance. Mental health issues and drug use are common. Many of these dwellers have lived in this area of the Park for years, including one man who has used the Park as a home for 20 years. The Jury believes it relevant that the Veterans Affairs Medical Center is only five blocks north of the Park.

### **c. Transient Dwellers**

Transient dwellers are usually younger and often live in small and rotating groups. Campsites are generally close to the east edge of the Park, near Lake Alvord and Haight Street (Service area 1 in Figure 1). Individuals in this group often come to the Park with the intention of leaving after a time. They are less likely to be familiar with City homeless services, and often come from difficult backgrounds, such as an abusive home. Many of these dwellers are seasonal and regional transients who follow a mass homeless migration along the west coast from Southern California to Oregon and Washington.

City employees interviewed for this report believe that proactive outreach efforts to move individuals out of the Park are most likely successful with transient, younger park dwellers, particularly if there is housing that includes support services and job training. Most of these individuals are substance abusers. Because of their youth, it is believed that help can get them off the path of alcohol, drugs, and homelessness. According to leaders in San Francisco's program for homeless housing, the City does have Transitional Age Youth Housing, operated by the Community Housing Partnership, but the number of beds is limited.

### **d. Substance Abuse and Mental Disability**

One City employee with extensive outreach experience in the Park characterized a major portion of GGP dwellers in another way: men in their 40s or 50s who have had a substance abuse condition for much of their lives and likely have psychiatric issues that have escalated to a critical point that leads to homelessness. It is estimated that as many as 60 percent of dwellers exhibit these characteristics. Since the 4 a.m. outreach efforts first began (discussed below), these dwellers have been the most receptive to offers of City services.

### **e. First-hand Encounters**

In researching this report, Jurors accompanied a regular 4 a.m. patrol to observe inhabited encampments in GGP. The patrol team had 13 interactions with park dwellers in four separate camps. Three campsites were inhabited by multiple people, mostly men. Three dogs were seen in three separate camps. Most of the park dwellers were in their late teens or early 20s. One man, in a sleeping bag apart from other dwellers, appeared to be in his 50s. The offer of City services each time was identical and consisted of information about emergency housing. One dweller accepted services and arranged transit to the services site.

The patrols were conducted in the eastern-most area of GGP, considered home to the more transient population. Jurors' interactions with park dwellers revealed that most were not originally San Franciscans and had arrived in the Park during the previous few days. Although a few seemed familiar with the area and were aware of the 4 a.m. patrol and the proffered homeless services, the most were not.

While age and gender are noted on citations, no other demographic information about a park dweller is recorded. The patrol team did not ask dwellers about their veteran status, their city of origin, or the circumstances that led them to the Park for the night. Evidence of alcohol consumption was found, but was not noted on citations.

## **Findings and Recommendations: The Homeless Population**

**Finding 1:** City agencies lack specific data on the characteristics of GGP dwellers, which prevents accurate profiling of individual problems and needs.

**Recommendation 1:** The City should formalize a system to gather information on the characteristics of GGP dwellers and why they live in the Park.

**Finding 2:** With better information about GGP dwellers, their histories, and their needs, the City would be better able to move these individuals out of the Park, into a more stable situation.

**Recommendation 2:** Information about GGP dwellers should be used to tailor support services to specific populations, whose age and circumstances affect their needs and acceptance of services.

## ***2. Outreach and Enforcement Efforts***

Contact with dwellers in Golden Gate Park is currently a combined enforcement and outreach effort led by the San Francisco Police Department (SFPD) and Park Patrol.

Two Park Codes directly relate to GGP dwellers (See Appendix 1 for full text of these codes.):

- Section 3.12: prohibits camping in any City park
- Section 3.13: prohibits sleeping in any park between 8 p.m. and 8 a.m.

Violations of these codes are infractions and a citation with an associated fee is issued to offenders. Regular 4 a.m. patrols by SFPD and the Park Patrol provide the main means for outreach in GGP. At the time of contact, City services are also offered in lieu of a citation.

### **a. Homeless Outreach and Engagement Teams**

This current combination of enforcement and outreach is a direct result of previously successful practices.

In 2004, a collaborative assessment of homeless issues was conducted by six entities: SFPD, Rec & Park, the Mayor's Office, Department of Public Health (DPH), Human Services Agency (HSA), and Community Awareness and Treatment Services (CATS), a non-profit organization dedicated to providing homeless services. This work led to the creation of the San Francisco Homeless Outreach Team (SF HOT), with a mandate to assess homeless individuals in the field, to determine their needs, and to provide access to appropriate services.

Initially, members of SF HOT were deployed to downtown areas of San Francisco. By 2007, the team was also a daily presence in the Park. At that time, it was reported that about 200 people were illegally dwelling there. The SF HOT visits began in the Park as a three-month pilot program, with team members walking from encampment to encampment at 4 a.m., talking directly with dwellers, and offering and explaining services. The SF HOT team focused on engagement, rather than enforcement. However, SFPD and Park Patrol, also part of these daily outreach visits, issued citations for illegal camping or sleeping during prohibited hours.

The SF HOT program was conducted for three and a half years. It helped an estimated 300 people into more permanent housing, and about 90 people into shelters where they could stay as long as necessary while finding permanent housing. Because of the success of the 4 a.m. outreach, SF HOT funding was made more permanent, thereby maintaining a staff of six full-time employees with four solely dedicated to the Park.

By 2011, the park population decreased to about 50 dwellers, with some seasonal variations.

The 2011 San Francisco Homeless Point-in-Time Count & Survey noted that the number of homeless individuals citywide in emergency, transitional, or other types of shelter increased from 26.9 to 39.3 percent over the prior two years. In the same period, the homeless living outdoors, on streets, in parks and encampments had decreased from 51.2 to 27.7 percent.

A former SF HOT member reported that the acceptance of services reached a plateau in 2011. Although the outreach team had continued success drawing a small number of GGP dwellers into accepting services, it was determined that the team would be more effective offering outreach in a variety of other locations in San Francisco. Since that time, the number of chronic GGP

dwellers has remained roughly stagnant and the number of transient dwellers varies with the season.

SF HOT is a grant recipient of the San Francisco Community Clinic Consortium, which is funded mainly by federal, state, and philanthropic sources. In 2012, SF HOT joined with the CATS Mobile Assistance Program to form the Engagement Specialist Team (EST). Similar to SF HOT, EST functions in the field citywide to engage, assess, and extend services to the homeless population. EST does not make regular outreach visits to the Park, but an EST representative is on call 24/7 if assistance is requested by Rec & Park staff or SFPD.

## **b. Police and Park Patrol Engagement**

With the cessation of regular outreach visits by a social services team such as EST to the Park, SFPD and Park Patrol took over, continuing to cite violators of the Park Code and offering homeless services information. Current outreach/enforcement patrols follow a common routine. Police officers and Park Patrol rangers (usually three or four people, depending on other calls being answered at the time) visit areas known to be campsites. They awaken park dwellers and ask them to move. Violators of Park Code Sections 3.12 or 3.13 are offered City services and cited for code violations. If applicable, other Police and Park Code violations are then addressed. This exchange gives the patrol team an opportunity to assess the dwellers to see if anyone needs medical attention or will accept City services.

To best conduct interactions with park dwellers, SFPD has incorporated homeless outreach training into the overall police training curriculum. The SFPD also has a citywide unit of 17 specialist homeless outreach officers, including at least three who specifically patrol GGP.

Park Patrol does not provide homeless outreach training for its officers or have homeless outreach staff. Neither the job description nor the required experiences for a Park Patrol Officer (Class 8208) or Head Park Patrol Officer (Class 8210) address social services or homeless outreach. However, Park Patrol does conduct the 4 a.m. outreach visits when accompanied by the SFPD. If the SFPD cannot make a particular patrol, it is cancelled. While the primary responsibility of SFPD and Park Patrol officers is enforcement of regulations, the EST focuses on social services in its interactions with park dwellers.

Currently there is no official mandate that 4 a.m. patrols happen at all; it has been a concerted effort on the part of individual SFPD and Rec & Park staff to address park dwellers. Moreover, no official directive dictates the timing or routes of these field efforts. The patrol visits occasionally occur in other areas of GGP but mainly focus on the same homeless sites. Because the SFPD Park Station leads the efforts, the most targeted areas are in the eastern part of the Park, near Haight Street, Lake Alford and McLaren Lodge, which typically has the highest density of park dwellers. The patrols were commonly referred to as "4 a.m. sweeps" or "4 a.m. outreach

efforts,” indicating that it was unlikely for the patrols to occur at a much different hour. Because of the routine nature of the patrols, little contact with park dwellers in other parts of the GGP occurs.

### **c. Issuance of Citations**

When a citation is issued, the violator is asked to sign the citation as an acknowledgement that the person understands the cause for issuance and requirement to appear in court at a prescribed time and date. A fine of \$187 is attached to the citation and late fees are added if it is not paid in full by a specified date. An alternate method of clearing the violator’s record is also offered: a card is given with the citation that offers a hearing in a Neighborhood Court if the violator is found eligible.

According to several City employees, the issuance of citations is not an effective way of eliminating the incidence of violations. In most cases, they do not prevent future violations. Park dwellers are given citations for separate incidents; consequently individuals can have multiple violations open at the same time. The Jury learned of one park dweller with 67 active citations pending against him.

In 2012, The San Francisco County Superior Court, in collaboration with City departments and the SFPD, developed a pilot program to address chronic offenders in a stricter manner by holding them in contempt of court. In January 2013, after four months in operation, the California Court of Appeals ruled that the program was unconstitutional.<sup>6</sup>

Enforcement staff members interviewed for this report said they believed that the legal system in San Francisco is currently incapable of adequately processing all citations. They stated that many violators of Park Codes 3.12 and 3.13 ignore citations, choosing not to pay, and ignoring court dates. Late fees are added to the fine, making it even harder for the offender to pay. Typically, the citation is bundled with other similar citations and defended by a pro bono legal team created by a homeless advocacy group. Regardless of the outcome, once the citation is issued, it is beyond the purview of the issuing officer.

In 2011, out of a total of 305 citations issued, the SFPD issued 277 citations for violations of the sleeping and camping prohibitions of the Park Code. Between January and September 2012, violations of these two codes were responsible for 420 out of 620 total citations. Examples of other violations include urinating in public, drinking in public, etc.

Three data points pertaining to park dweller citations are recorded: the number of citations issued, the reason for the citation, and the general location in the Park where the issuance takes place, e.g., Sharon Meadow. This limited amount of statistical recordkeeping prevents an accurate accounting or analysis for effective homeless services. Neither SFPD nor Rec & Park keeps records of citations linking a

person's name to health records or veteran status. Without such data being recorded and publicly reported, it is difficult for the general public to fully appreciate the impact of park dwellers in GGP.

#### **d. Park Closure Hours**

While it is illegal to sleep in GGP (and other San Francisco parks) between 8 p.m. and 8 a.m., a person's physical presence in the Park between these hours is not against any Park Code. The creation of official closure hours would require amendment of the Park Code by the Board of Supervisors and the Mayor. Such legislation would have to be drafted to exclude official events taking place in the Park and individuals who are en route through the Park.

In the early 1990s, the Rec & Park Commission passed several resolutions recommending that 51 San Francisco parks institute evening closing times. We learned through our interviews that these resolutions are expressions of the Rec & Park Commission's desire and are non-binding. Only one area of the Park, the Lake Alford area, was a part of these resolutions. Neither SFPD nor Park Patrol currently issues citations for being in the Park during closure hours.

There are discrepancies and contradictions among signs posted throughout the Park. The Jury observed that Rec & Park has posted signs at sites around the perimeter of the Park stating that it is closed between the hours of 10 p.m. and 6 a.m., between 10 p.m. and 5 a.m., or between midnight and 5 a.m., except for "thru" traffic. The Rec & Park website ([www.sfrecpark.org](http://www.sfrecpark.org)) states that the Park is closed between sunset and sunrise. Park Code Sec. 3.02, cited on these closure signs, mandates that "posted signs must be obeyed." One S.F. employee stated that many signs are "non-enforceable" because closure times are posted even though they were not formally approved by Rec & Park resolution. This employee said that the department is aware of the questionable legality of the signs and intends to remove them. However, as of this report's publication, removal has not occurred.

### **Findings and Recommendations: Outreach and Enforcement Efforts**

**Finding 3:** Because the City does not track individual park dwellers and their interactions with social services, it is difficult to determine the efficiency and success of outreach efforts in reducing the park population.

**Recommendation 3:** The City should establish a system to track its outreach efforts among park dwellers and use the information to evaluate effectiveness in reducing the number of park dwellers.

**Finding 4:** Limitations on outreach efforts by EST, SFPD, and Park Patrol to GGP encampments has an inhibiting effect on positive results.

**Recommendation 4:** The Engagement Specialist Team (EST) should conduct in-person, proactive outreach to park dwellers at different times of the day and night in order to maximize their efforts.

**Finding 5:** The current system of issuing citations for nighttime sleeping and camping in the Park is not effective in reducing the current number of park dwellers.

**Recommendation 5:** The SFPD and Park Patrol should expand their outreach to GGP encampments to more areas of the Park and should vary the time.

**Finding 6:** Signs and public information about the Park closure time are inconsistent and confusing.

**Recommendation 6:** References to the Park's closure time on all park signs, brochures and City websites should be made consistent with the Park Code and Rec & Park Commission resolutions.

### **3. Litter Accumulation in Golden Gate Park**

One direct result of GGP dwellers is the accumulation of litter. Every City employee who was asked about problems related to park dwellers cited this issue. Items such as food packaging, clothing, household goods, and other objects are found daily, scattered throughout the park. Claimed items are not considered litter; if individuals take responsibility for any item, they must keep it in their possession at all times. Sometimes litter is near roads and trails, but often it is amassed deep in the wooded parts of the park.

#### **a. The Costs of Litter Removal**

Recreation and Park staff is charged with cleaning and removing litter from GGP. Unclaimed items collected from park encampments are considered abandoned and are taken to a specific 20 cubic-yard dumpster near the Park's Structural Maintenance Yard. This dumpster is emptied by Recology, the waste management company, on Tuesdays and Fridays. Park management stated that the weekly dumpster weight averages 3.3 to 3.5 tons and the 2012 pickup cost of this dumpster was \$5,678 per month, or \$68,136 per year. This number reflects homeless encampment litter only; it does not include trash accumulated and removed from public garbage cans throughout the Park.



Rec & Park does not track time spent on individual workday tasks, so there is not a definitive figure on staff time spent removing litter associated with park encampments. However, three gardeners were asked by the Jury to estimate how much of their day is devoted to cleaning homeless encampments. Two estimated that about 25 percent of their work day was used solely for encampment cleanup; the third gardener chose to dedicate little time to the encampments and instead to focus on plant maintenance, saying that cleaning encampments would be “endless.” Since the number of gardeners has diminished over the recent years, there is a need to optimize their efforts on essential GGP tasks.

In addition, two 4-person environmental crews are tasked solely with clearing and hauling litter and personal belongings from GGP encampments. These crews work 32 hours per week, with schedules that cover all seven days. These positions (Class 9916) are funded by economic stimulus monies from San Francisco Human Services Agency and are dependant upon future federal budgetary decisions. The Rec & Park supervisors of crews in charge of individual buildings and facilities in the Park have the option of using their own staff to deal with encampment litter or calling the environmental crews to deal with the issue. The Jury did not find any data to describe time spent on litter clean up by these staff members.

### **b. Shopping Carts in the Park**

The Jury learned that part of the reason for the high cost of litter removal is the weight and bulk of shopping carts, often used by park dwellers to store and transport personal items. Although many types of wheeled conveyances are used, shopping carts are the most common. Rec & Park staff said several abandoned carts are collected each week. It is not uncommon for a park dweller to have multiple carts, further increasing the potential volume of personal items.

At present, no park code prohibits shopping carts in the Park, provided they are in the control of an individual. Found carts are assumed by Rec & Park staff to have been stolen from local grocery stores, but none were aware of any stores prosecuting the perpetrators of these thefts. Although SFPD will proactively question the ownership of shopping carts and confiscate stolen ones, Rec & Park does not determine if, indeed, they are stolen property. Rec & Park does not confiscate shopping carts unless they are abandoned or if the individual in possession of the cart has an active arrest warrant.

Unclaimed carts and their contents are picked up by Rec & Park staff and taken to the Maintenance Yard, where they are held for one month. If they are not claimed during this period, the contents are hauled away by the Park’s trash collection service and the carts are picked up by a City-contracted vendor for return to grocery stores and reward payments. Carts confiscated from individuals because of police warrants must be cataloged and stored for the owner to claim later.

Jurors who participated in the 4 a.m. patrols observed three shopping carts overflowing with personal belongings and scattering litter. While some of the objects appeared to be camping items like blankets and clothing, other items appeared to be food wrappers, bottles, random household items, and many unidentified goods. In each situation, the volume of the belongings in the carts exceeded the volume that one person could carry.

### **Finding and Recommendation: Litter Accumulation in Golden Gate Park**

**Finding 7:** Shopping carts facilitate moving personal items into the Park and setting up an encampment.

**Recommendation 7:** The San Francisco Park Code should ban shopping carts in GGP in order to discourage living in the Park and to reduce litter.

## Response Matrix

Findings	Recommendations	Responses Required
1. City agencies lack specific data on the characteristics of GGP dwellers, which prevents accurate profiling of individual problems and needs.	1. The City should formalize a system to gather information on the characteristics of GGP dwellers and why they live in the Park.	Rec & Park DPH Mayor
2. With better information about GGP dwellers, their histories, and their needs, the City would be better able to move these individuals out of the Park, into a more stable situation.	2. Information about GGP dwellers should be used to tailor support services to specific populations, whose age and circumstances affect their needs and acceptance of services.	Rec & Park DPH Mayor
3. Because the City does not track individual park dwellers and their interactions with social services, it is difficult to determine the efficiency and success of outreach efforts in reducing the park population.	3. The City should establish a system to track its outreach efforts among park dwellers and use the information to evaluate effectiveness in reducing the number of park dwellers.	Rec & Park DPH SFPD Mayor
4. Outreach efforts to GGP encampments by EST are limited, which inhibits positive results.	4. The EST should conduct in-person, proactive outreach to park dwellers at different times of the day and night in order to maximize their efforts.	Rec & Park DPH
5. The current system of issuing citations for nighttime sleeping and camping in the Park is not effective in reducing the current number of park dwellers.	5. The SFPD and Park Patrol should expand their outreach to GGP encampments to more areas of the Park and should vary the time.	Rec & Park Rec & Park Commission SFPD

Findings	Recommendations	Responses Required
6. Signs and public information about the Park's closure time is inconsistent and confusing.	6. References to the Park's closure time on all park signs, brochures and City websites should be made consistent with the Park Code and Rec & Park Commission resolutions.	Rec & Park Rec & Park Commission
7. Shopping carts facilitate moving personal items into the Park and setting up encampments.	7. The San Francisco Park Code should ban shopping carts in GGP in order to discourage living in the Park and to reduce litter.	Rec & Park Rec & Park Commission Mayor

## Methodology

Research for this report included informational interviews with City employees who have first-hand knowledge of issues related to persons living in Golden Gate Park. We conducted more than 20 interviews, accompanied the SFPD as they encountered park dwellers (including one 4 a.m. survey of illegal camps), attended Rec & Park Department meetings, and researched media articles, editorials, online sites, and City reports.

## Appendix

### Excerpts from Park Code, San Francisco Municipal Code

(Full code can be found at [www.sfrecpark.org](http://www.sfrecpark.org)).

#### SEC. 3.02. SIGNS TO BE OBEYED.

No person shall willfully disobey the notices, prohibitions or directions on any sign posted by the Recreation and Park Commission or the Recreation and Park Department.

#### SEC. 3.12. CAMPING PROHIBITED.

No person shall construct or maintain or inhabit any structure, tent or any other thing in any park that may be used for housing accommodations or camping, nor shall any person construct or maintain any device that can be used for cooking, except by permission from the Recreation and Park Department or Commission. No person shall modify the landscape in any way in order to create a shelter, or accumulate household furniture or appliances or construction debris in any park.

#### SEC. 3.13. SLEEPING PROHIBITED DURING CERTAIN HOURS.

No person shall remain in any park for the purpose of sleeping between the hours of 8:00 p.m. and 8:00 a.m., except that special permission may be granted by the Recreation and Park Department to persons providing security services between said hours in any park or for other unusual events. A person cited under this section shall not be in violation of this section if: 1) he or she does not have an outstanding citation for violation of this section; and, 2) within 30 hours of issuance of the citation, her or she accepts Social Services offered by the city, another public entity, or a private, non-profit agency. For the purpose of this section, the term "Social Services" shall mean temporary or permanent housing, residential substance abuse treatment. Homeless Outreach Team Case Management services, or admission to a hospital or other residential facility for medical treatment. For purposes of this section, "outstanding citation" shall mean a citation that is not paid or that is under appeal.

#### SEC. 3.15 BUILDING MATERIALS

No person shall place, pile, deposit or leave any building material in any park without first having obtained a permit to do so from the Recreations and Parks Department.

## Endnotes

---

<sup>1</sup> Source: [www.sfrecpark.org](http://www.sfrecpark.org).

<sup>2</sup> Cecilia M. Vega, Heather Knight, S.F. Chronicle, "Crackdown in Golden Gate Park / Few homeless leave on deadline; city wants to offer help, services, 09/29/06

<sup>3</sup> Golden Gate Master Plan, [www.sfrecpark.org](http://www.sfrecpark.org)

<sup>4</sup> SFPD District Map, [www.sf-police.org](http://www.sf-police.org)

<sup>5</sup> Applied Survey Research, 2011 San Francisco Homeless Point-in-Time Count & Survey, p. 16

<sup>6</sup> Sara Gaiser, Bay City News, "Appeals Court: SF's Chronic Offenders Program Unconstitutional", 01/04/13

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
CIVIL GRAND JURY

orig: Leg Clerk #4  
C: COB, Leg Dep, BOS (directly)  
GAO check, cpage



June 24, 2013

Angela Calvillo  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 24 PM 1:21

Dear Ms. Calvillo,

The 2012 – 2013 Civil Grand Jury will release its report entitled, "Log Cabin Ranch: Planning for The Future, A Continuity Report," to the public on June 26, 2013. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. Cynthia Ming-mei Lee, this report is to be kept confidential until the date of release.

California Penal Code §933.5 requires a response to the Presiding Judge no later than September 30, 2013. For each finding in the report, you must either (1) agree with the finding; or (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation, your response must either indicate:

- 1) That the recommendation has been implemented, with a summary of how it was implemented;
- 2) That the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
- 3) That the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report; or
- 4) That the recommendation will not be implemented because it is not warranted or reasonable, with an explanation. (California Penal Code § 933 and §933.05)

Please provide your response to Presiding Judge Lee at the address below.

Very truly yours,

Martha M. Mangold, Foreperson  
2012 – 2013 Civil Grand Jury

400 McAllister Street, Room 008  
San Francisco, CA 94102-4512  
Phone: 415-551-3605

**Log Cabin Ranch:  
Planning for the Future**

A Continuity Report

June 2013



City and County of San Francisco  
Civil Grand Jury, 2012-2013



CIVIL GRAND JURY  
CITY AND COUNTY OF SAN FRANCISCO

Martha Mangold, Foreperson  
Fred A. Rodríguez, Foreperson Pro Tem  
Leslie Finlev, Recording Secretary  
Maria Martinez, Corresponding Secretary

Jon Anderson  
Jennifer Angelo  
Jeanne Barr  
Paul Cheng  
Jerry Dratler  
Hülda E. Garfolo  
D. Peter Gleichenhaus  
Shelly Hing  
Corinna Kaarlela  
Daniel Kreps  
Hilary Pedigo  
Theresa Sabella  
Suzanne Tucker  
Thomas Walker  
Stuart Williams

## THE CIVIL GRAND JURY

The Civil Grand Jury is a government oversight panel of volunteers who serve for one year.  
It makes findings and recommendations resulting from its investigations.

Reports of the Civil Grand Jury do not identify individuals by name.  
Disclosure of information about individuals interviewed by the jury is prohibited.  
California Penal Code, section 929

## STATE LAW REQUIREMENT California Penal Code, section 933.05

Each published report includes a list of those public entities that are required to respond to the Presiding Judge of the Superior Court within 60 to 90 days, as specified.

A copy must be sent to the Board of Supervisors. All responses are made available to the public.

For each finding the response must:

- 1) agree with the finding, or
- 2) disagree with it, wholly or partially, and explain why.

As to each recommendation the responding party must report that:

- 1) the recommendation has been implemented, with a summary explanation; or
- 2) the recommendation has not been implemented but will be within a set timeframe as provided; or
- 3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
- 4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

## Table of Contents

Issue .....	5
Summary .....	5
Background .....	6
Juvenile Justice Reform .....	6
Changes in Juvenile Rehabilitation .....	6
Diversion of Youths Away from Correctional Facilities .....	7
Realignment of State Detainees to Local Facilities .....	7
Reform at Log Cabin Ranch .....	8
The History of the Ranch .....	8
The Beginnings of Change .....	8
The ‘Missouri Model’ at the Ranch .....	8
Other Detention Facilities for Youth .....	9
Out-of-state Detention Facilities .....	9
In-state Group Homes .....	10
Nearby Regional County Facilities .....	10
The Cost and Effectiveness of Detention .....	10
Investigation .....	11
1. The Current State of the Ranch .....	11
2. Post-Release Programs and Recidivism .....	13
3. Development of a Master Plan for the Ranch .....	14
4. Partnerships with Community Organizations and other Jurisdictions .....	15
Findings and Recommendations Response Matrix: .....	17
Methodology .....	19
Bibliography .....	19
Endnotes .....	20

## Issue

Log Cabin Ranch (“the Ranch”) in rural San Mateo County is the San Francisco Juvenile Probation Department’s (JPD) post adjudication residential camp for young men from 14 to 18 years of age, most of whom have committed violent felonies. The Ranch was the subject of a 2010-11 Grand Jury report on JPD progress in implementing programmatic reforms and physical improvements. Today, the Ranch has an average monthly population of about 18 youths. It has deferred the development of a master plan for the future of Log Cabin Ranch.

There are other facilities for youthful detainees out-of-state and in regional group homes. The 2012-13 Civil Grand Jury asks these questions: Could more youth be served at the Ranch? What is the best use of JPD staff and City resources to effectively rehabilitate high-risk youth?

## Summary

While juvenile incarceration rates continue to trend downward, the smaller number of juvenile offenders in detention consists mostly of violence-prone felons who require intensive treatment programs. Residential facilities like Log Cabin are expensive. The cost per resident at the Ranch averages \$135,000, but successful rehabilitation of our in-risk youth (those presently involved with the juvenile and criminal justice system) is crucial and ultimately cost-effective. The Journal of Qualitative Criminology found that youth offenders who become adult offenders can cost society as much as \$1.7 million in crimes and incarceration over a lifetime.<sup>1</sup>

The 2010-11 Civil Grand Jury report, “Log Cabin Ranch: Moving Towards Positive Horizons,” described encouraging changes at a facility that had experienced decades of neglect. The Ranch had adopted the “Missouri Model,” a new system of rehabilitation emphasizing small groups, intensive therapy, minimal force and proximity to family. While some recommendations made in the report have been implemented, the City has deferred long-term strategic development of the Ranch.

In its report, the 2010-11 Jury recommended immediate funding for infrastructure needs. Across-the-board City budget cuts during the recent recession have continued to affect funding for necessary infrastructure renovation at the Ranch, but projects are slowly being funded as the City deliberates the future of the Ranch. Two years ago, that Jury also recommended immediate funding for additional cohorts at the Ranch. However, our finding is that, until the Juvenile Probation Department completes the pending needs assessment to determine future requirements, expansion is premature.

The JPD took a positive step this year by funding a program analyst to conduct a needs assessment of the Ranch, the initial stage of a master plan. The analysis will look at the

ideal population and ideal program models, at current and future capital needs, and personnel issues.

As the State of California continues to realign youthful prisoners into community treatment programs and detention facilities, JPD must reassess program options, collaboration with community organizations, and opportunities for regional cooperation.

#### 2012-2013 Civil Grand Jury Recommendations:

- Continue current efforts to develop Log Cabin Ranch as a viable disposition option for youthful offenders.
- Expand educational and vocational training for residents to prepare them for post-release success.
- Increase involvement of DCYF-funded community-based organizations providing services at the Ranch.
- Enhance training for all Ranch staff.
- Develop tracking systems for post-probationary youth that will provide data to evaluate the efficacy of programs both at the Ranch and after release. These efforts should be made in collaboration with the Adult Probation Department.
- Fund a master plan for Log Cabin Ranch to determine the programmatic and capital requirements for a viable facility.
- Explore possibilities for City partnerships with community and private organizations and charitable foundations to further the development of Log Cabin Ranch and Hidden Valley Ranch, with the objective of supporting at-risk and in-risk youth of San Francisco and their families.
- Explore sharing facilities with nearby counties for specific programs.

## Background

### *Juvenile Justice Reform*

#### **Changes in Juvenile Rehabilitation**

As previous Juries have reported, theories of rehabilitation for juvenile offenders have changed radically in the last several decades. The previous “reformatory” system for juvenile offenders, the model under which the Ranch was developed, borrowed from the adult system that emphasized the threat of incarceration, actual incarceration and punitive enforcement of behavior.

A 2006 report of the Justice Policy Institute cited numerous studies indicating that “detention [can have] a profoundly negative impact on young people’s mental and physical well-being, their education and their employment.” The impact of detention itself must be addressed in any treatment program. In the past, the group environment and services given to incarcerated juveniles often did not result in meaningful rehabilitation.<sup>2</sup>

## **Diversion of Youths Away from Correctional Facilities**

As the negative results of youth detention were acknowledged, it became clear that juvenile rehabilitation needed reform.<sup>3</sup> Two initiatives were put in place:

1. Young offenders would be screened at the time of apprehension to understand their background and the seriousness of their anti-social attitudes. If they were not considered to pose a threat to public safety and were not exhibiting self-destructive behavior, they would be diverted to community-based probationary programs designed to provide treatment specific to their needs. Such diversion programs on a national, state, and local level have reduced youth incarceration rates since 1995 by over 50 percent.<sup>4</sup>

San Francisco currently uses the Youth Assessment and Screening Instrument (YASI), an evidence-based risk-needs assessment to develop recommendations for appropriate placement and treatment options for youth. YASI is intended to ensure that the least restrictive treatment environment is chosen by:

- *Measuring both risk and strengths in juvenile populations as well as other high-risk youth.*
- *Measuring protective factors to help caseworkers build on the strengths of youth to buffer the negative impact of risk.*
- *Providing pre-screening functionality, critical for settings where triage based on risk principles is required.*
- *Including a case planning component designed to help case workers identify and monitor the priority targets for behavior change.*<sup>5</sup>

2. Generally, only juveniles considered a threat to public safety or with severe treatment needs receive an out-of-home placement disposition.

Out-of-home facilities providing rehabilitation for youths must be qualified to address the specific type and level of treatment that is indicated by the YASI analysis.

## **Realignment of State Detainees to Local Facilities**

Juvenile offenders who do not qualify for diversion programs require treatment in a secure facility. The failure of adult-style incarceration for juveniles is reflected in the statistics. The California Department of Corrections and Rehabilitation (CDCR) recently found an 80% re-arrest rate within three years of a youth's release from state Department of Juvenile Justice (DJJ) facilities (the former California Youth Authority).<sup>6</sup>

Senate Bill 81, enacted in 2007, requires most youthful offenders to be committed to county facilities, reserving those convicted of the most serious felonies and having the most severe treatment needs for DJJ. Governor Brown proposed closing all 15 of the state JJD facilities by 2015.<sup>7</sup> Due to a strong reaction by the counties, the plan was rescinded and four facilities will remain open to treat and educate the most violent juvenile offenders. San Francisco has committed an average of two to three youths to DJJ per year, avoiding this disposition due to poor outcomes.<sup>8</sup>

## **Reform at Log Cabin Ranch**

### **The History of the Ranch**

Log Cabin Ranch is an unfenced 24-hour residential camp for post-adjudication males on 630 rural acres owned by San Francisco County near La Honda in San Mateo. The property was acquired in the 1940s and the multi building compound has not been significantly updated since construction in 1953. Peak occupancy during its first decades was 84 young men. They spent half of their day in general academic studies and the remaining half working at true ranch activities, including dairy operations and horticulture.

Hidden Valley Ranch, just over the hill from Log Cabin, was opened in the 1960s. It provided a broad range of detention services but was closed many years ago. Only the gym has been renovated for Log Cabin residents' use. We are not aware of any plans to reopen Hidden Valley Ranch, although a group of City and community officials recently visited the facility.

By the 1990s, the population of Log Cabin Ranch had dwindled to 15-20 young men and the facility was neglected by a poorly run Juvenile Probation Department and by the City. The Ranch had a reputation as a bleak warehouse for juvenile offenders. Attorneys for both sides, as well as judges, were reluctant to send offenders to a run-down place with poor prospects for rehabilitation. It was dubbed "Last Chance Ranch." The courts wanted it shut down.<sup>9</sup>

### **The Beginnings of Change**

In December 2004, then-Mayor Gavin Newsom convened the Log Cabin and Hidden Valley Work Group to examine possible scenarios for the facilities' future. This group of city and community leaders produced a report in September 2005. Among its recommendations: "The City should commit to substantial capital and programmatic improvements at the [Log Cabin] Ranch both immediately and in the long term."<sup>10</sup>

In 2005 the Juvenile Probation Commission (JPC) appointed a new Chief Probation Officer for JPD, William P. Siffermann, who provided stable leadership and addressed many of the shortcomings of the department. He has tendered his resignation effective August 3, 2013. The City and JPC should ensure that the new Chief continue the reforms begun under Chief Siffermann. Vision, commitment to the position, and continuity of leadership are critical to the positive momentum that the department has experienced for the past eight years.

### **The 'Missouri Model' at the Ranch**

The Missouri Model of treatment for young offenders grew out of the 1992 Juvenile Detention Alternative Initiative, (JDAI), launched by the Annie E. Casey Foundation. It was designed to support the foundation's vision that all youth involved in the juvenile justice system should have opportunities to develop into healthy, productive adults as a result of policies, practices, and programs that maximize their chances for personal

transformation and minimize the risks they pose to their communities. Rehabilitation in small groups, constant therapeutic interventions and minimal force are key features of the Model.

*The state of Missouri has created a juvenile justice system that has proved so successful over the last 30 years it's known as the "Missouri Miracle." A number of practices combine to make Missouri's system unique: It's primarily made up of small facilities, generally designed for between 10 and 30 youths, located at sites throughout the state that keep young people close to their own homes.<sup>11</sup>*

The JPD implemented the Missouri Model for Log Cabin Ranch in 2009. The Model promotes proximity to families, allowing family therapy and support to be a significant part of the rehabilitative process.

*The result [of the Missouri Model] has been some of the best outcomes in the nation: fewer than 8 percent of the youths in the Missouri system return again after their release, and fewer than 8 percent go on to adult prison. One-third of the youths return to their communities with a high school diploma or GED, and another 50 percent successfully return to school.<sup>12</sup>*

The 2010-11 Jury report and an article in the Bay Citizen chronicled the positive changes in both the physical plant and the programming and rehabilitation efforts.

*... there's no denying that conditions at the ranch today bear little resemblance to the horror stories we've been hearing about the place for years.<sup>13</sup>*

The Jury learned that the Ranch currently uses a modified version of the Missouri Model tailored to the needs of the Ranch population and based on evidence-based practices in the field of juvenile rehabilitation.

## **Other Detention Facilities for Youth**

### **Out-of-state Detention Facilities**

Glen Mills School, a non-profit facility twenty miles from Philadelphia, PA, is a detention facility frequently chosen for high-risk offenders by the S.F. Unified Family Court. Glen Mills operates an 1800-acre campus serving young men between the ages of 15 and 18.

George Junior Republic, a non-profit facility in central New York State, also selected by the S.F. Court for disposition, serves about 400 young men of high-school age. It uses a behavior/education treatment model and provides treatment for mental abuse and emotional abuse or neglect. Special needs programs and drug and alcohol diagnosis/treatment are also provided.



## **In-state Group Homes**

The JPD and the Family Court use group homes within the state for specialized services. These are facilities with varied capacities that provide 24-hour non-medical care and supervision to children and older juveniles in a structured environment. Group homes provide social, psychological, and behavioral programs for troubled youths with mental disabilities but are usually not a placement option for violent offenders or those at risk of going AWOL.

## **Nearby Regional County Facilities**

Several counties continue to operate their own juvenile detention ranches.

Camp Wilmont Sweeney in Alameda County is a local, unlocked, 24-hour residential program for minors ranging in age from 15 through 18 who are ordered by the Juvenile Court to be committed to the Camp. The current population is approximately 70 youths in a large group environment, characterized by a "positive peer culture" and individualized treatment plans.<sup>14</sup>

Camp Glenwood, operated by San Mateo County, is an unfenced residential camp for detainees on 60 acres in La Honda, adjacent to Log Cabin Ranch. Glenwood was designed for a capacity of 60 youth; at the time of this report, there were just 22 residents. The camp was the subject of a 2008-09 San Mateo Civil Grand Jury investigation that recommended "evaluation of other models to successfully operate honor camps" and improvement in tracking youths after release.

Santa Clara County's James Ranch was described by the Center for Juvenile and Criminal Justice as "an innovative demonstration of what counties can achieve with perseverance and political will (and) cohesive strength of purpose. All staff members have completed intensive training on the Missouri model of rehabilitation. This enables them to immerse the residents in an encompassing therapeutic environment. Santa Clara County is now one of the most self-reliant counties in the State and provides services to its youth in the Ranch at an estimated cost of \$131,871, per ward per year"<sup>15</sup>

## ***The Cost and Effectiveness of Detention***

Intensive treatment models for in-risk youths who must be detained in secure facilities are costly. While the downsizing of the incarcerated population is a positive trend, the cost of secure detention rises as the population it serves decreases and more specialized services are needed.

The state facilities had a population of 10,122 youths at their peak in 1994. In 2010, due to a decline in crime rates and a reduction in detention for lesser offences, the California Department of Juvenile Justice (DJJ) population was reduced to 1,345 youths, but the cost per juvenile rose to \$220,000 (assuming the same nine-month stay), as the cost of these large institutions remained relatively fixed.<sup>16</sup> The Legislative Analyst's Office estimated the DJJ cost per year at \$179,400 for FY2011-12, primarily a result of the closure of facilities.

2012 expenditures for Log Cabin Ranch were \$2,600,000, with an estimated budget of \$3.2 million for FY 2013. There are approximately 18 employees (when fully staffed) and the facility can house 24 residents; there were 18 residents at the time of our report. Based on the current population at the Ranch, and assuming an average stay of nine months, the Jury calculates a cost at Log Cabin Ranch of at least \$135,000 per graduate.

Currently San Francisco has about 140 youth in various post-determination placements. Based on information from the first quarter of 2013 obtained from the Ranch, JPD and San Francisco's Department of Human Services, the costs of incarceration for juvenile offenders are set forth in the table below.

Placement	Number of juveniles	Approximate monthly cost before any state or federal reimbursement
Log Cabin Ranch	18	\$12,000 - \$15,000
DJJ	7	\$14,910 (\$179,400/year)
Group Homes including residential treatment facilities by state	80 - total	\$6,700 average
California	66	\$6,700
Arizona	5	\$6,700
Indiana	4	\$6,000
Michigan	1	\$6,700
Pennsylvania	2	\$8,600
Wyoming	2	\$6,700

The Jury understands that JPD has requested a cost-benefit analysis of Log Cabin Ranch, in-state group homes and out-of-state facilities by the Controller's Office to compare the Ranch with these other options.

## Investigation

### 1. *The Current State of the Ranch*

The effects of a bad reputation linger at the Ranch. Despite improved living conditions and hard work and dedication by senior staff to successfully implement the Missouri Model, many of those responsible for sentencing and placement of youth still believe that it is not the best choice. However, recent visits by those involved in the juvenile justice system seem to be having the positive effect of increased placements at the Ranch.

The Jury has heard criticisms from those involved in the juvenile justice system about the need for more vocational training. The Civilian Conservation Corps (CCC) and Urban Sprouts conduct regular sessions on building, gardening, food preparation and related projects; some Ranch graduates have been employed by the CCC after release. The Jury

agrees that vocational readiness is crucial to post-release success and that more resources are needed to ensure that the Ranch provides the necessary training. The Jury learned that the administration is hoping to reinstitute funding for an auto mechanic shop teacher to provide additional vocational training.

- In 2011, the Mayor's Office and the Violence Prevention and Intervention Unit of the Department of Children Youth and their Families (DCYF) published "*Youth Violence Prevention Initiative: Local Action Plan.*" In part, the Plan examined and identified programmatic recommendations for in-risk youth (those who have made formal contact with the juvenile justice system) in custody. The crucial role of CBOs in delivering culturally appropriate services to this vulnerable population was emphasized. Due to the Ranch's remote location, however, bringing these vital services there can be difficult. The DCYF could be instrumental in working with CBOs to provide such services.

Another criticism is that too much time is spent unproductively at the Ranch. Scheduling can be a challenge, as young men are adjudicated and arrive at the Ranch at different times throughout the academic year for an expected term of nine months. The staff considers this non-programmed time an opportunity to engage the residents in activities tailored to their individual needs.

A concern was also raised about the availability of psychological counseling, including substance abuse counseling. At the time of our report, two of four vacant staff positions had just been filled and the JPD was attempting to fulfill Civil Service requirements for hiring two additional counselors. The JPD was recently awarded a block grant of \$25,000 to implement program enhancements and \$100,000 to upgrade substance abuse counseling and provide staff training. During our visits to the Ranch, we met with therapists, educational counselors, teachers, and case planners and found them to be enthusiastic, engaged and dedicated.

All staff members need training in evidence-based practices, such as the Missouri Model, that focus on rehabilitation, skill building and counseling. The Ranch administration hopes to make this possible, especially with the recent hiring of several counselors.

**Finding 1:**

The Ranch has the potential to provide a nearby alternative to out-of-state placements and group homes. By strengthening core programs that equip the youth to pursue educational and vocational advancement, many of the young people sent to other counties or states could be sent to the Ranch.

**Recommendation 1.1:**

Continue current efforts to develop Log Cabin Ranch as a viable disposition option for youthful offenders.

**Recommendation 1.2:**

Expand educational and vocational training for residents to prepare them for post-release success.

**Recommendation 1.3:**

Increase the presence of DCYF-funded CBOs to provide a broader spectrum of services at the Ranch.

**Recommendation 1.4:**

Enhance training for all Ranch staff.

## **2. *Post-Release Programs and Recidivism***

Support services for graduates reentering the community and for their families are crucial to long-term success.

Statistics regarding employment, education, and recidivism rates for LCR graduates over the short term show positive results. The JPD provided these performance measures for the Ranch in the six-month period from January to June 2012:

- 18 residents graduated from the program
- 12 residents were employed or in paid internships within 60 days of release (66 percent)
- 17 residents were enrolled in school or a vocational program within 30 days of release (94 percent)

Performance measures from the Mayor's proposed budget show:

- The percentage of Ranch graduates enrolled in vocation or educational programs within 30 days of release is projected to decline to 75 percent for FY2013-14.
- The percentage of Ranch graduates who do not incur sustained charges for new law violations within the first year of services is projected to decline from an actual of 63 percent for FY2010-11, to a projected 60 percent for 2011-12 and a targeted 50 percent for 2012-13.<sup>17</sup>

However, these statistics only address post-release placement for one year and are not a measure of re-entry success. In order to evaluate the long-term effectiveness of programs, comprehensive statistics following the youth for a significant period of time after their release are required. Such tracking is not without challenges. Upon reaching the age of 18, an individual charged with a crime is no longer under JPD's jurisdiction but enters the adult criminal justice system. In addition, if a youth is arrested out of the county, SFJPD will not necessarily be advised.

The small sample size of offenders at the Ranch combined with the recent adoption of the Missouri Model makes the analysis of outcomes difficult. Bureaucratic obstacles can also be a hindrance to data gathering.

David Steinhart, Director of the Commonweal Juvenile Justice Program, has stated that, "Performance outcome measures are largely voluntary by counties – J[juvenile] J[justice] data systems in California are badly out of date, need renewal."<sup>18</sup>

An effort must be made to coordinate with California's adult criminal justice system and San Francisco's Adult Probation Department (APD). The Jury learned that JPD and APD are in the process of developing web-based case management systems. This will be an opportunity to give JPD the ability to gather data from both departments.

In January 2013, the Juvenile Collaborative Reentry Unit (JCRU) program, an expansion of a 3-year pilot program, was instituted to improve outcomes for youth returning from out-of-home placement, including Log Cabin Ranch. JCRU provides intensive aftercare planning and support throughout the duration of their probation, which can last up to a year. The program mandates ongoing structured educational, vocational, therapeutic, mentoring and other supportive services developed by a team of probation officers, support staff, social workers and case planners. All aftercare plans will be approved and monitored by the Reentry Court in collaboration with the youth and their families to help them during probation. The JCRU youth are tracked for six months after release from probation. The JPD intends to continue to consider them in any future analyses.

The JPD is to be commended for its efforts to make this program permanent and extend it to Log Cabin Ranch graduates.

**Finding 2:**

Long-term tracking of JPD youth would provide JPD and community support services with useful information by identifying programs that advance successful rehabilitation.

**Recommendation 2:**

Develop tracking systems for post-probationary youth that will provide data to evaluate programs both at the Ranch and after release. These efforts should be made in collaboration with the Adult Probation Department.

### **3. *Development of a Master Plan for the Ranch***

The 2011 Juvenile Probation Commission Resolution 09-002 concludes, "Resolved, that the Juvenile Probation Commission recommends that the Board of Supervisors advance the plan for the Log Cabin Ranch."

In March 2012, the Juvenile Probation Department addressed the Capital Planning Committee with a presentation outlining capital needs for Log Cabin and Hidden Valley.<sup>19</sup> The JPD requested funding for a master plan to guide decisions around future programmatic and capital needs.

The components of a master plan as outlined in the presentation include:

- Determination of the overall need for an expanded Log Cabin Ranch program;

- Which youths will most benefit from the Log Cabin Ranch program?
- How many San Francisco youth could be served annually?
- Where are those youth now?
- Assessment of programmatic needs and best practices that will best ensure positive outcomes for Log Cabin Ranch youth;
- Comprehensive assessment of existing Log Cabin Ranch facilities' conditions, measuring functionality, feasibility, life expectancy and degree of obsolescence;
- Evaluate the potential for facility expansion suitable to attract revenue for services provided to neighboring counties;
- Assessment of building and space requirements that would best support the long term operational needs of Log Cabin Ranch's new vision.

Juvenile incarceration rates statewide have dwindled. The reduction is a welcome result of both a decline in lesser juvenile offenses and extensive diversion efforts by most counties for misdemeanor offenses. However, facilities are still necessary for the high-risk juvenile offenders.

Jack Jacqua, co-founder of the Omega Boys Club, offered the previous Jury a vision of the Ranch at its highest potential:

“Log Cabin Ranch, well first of all it is not a jail. It is not a prison, and was never intended to be. This is 600 acres that can be developed into an incredible recovery center...getting boys away from the inner city, coming out here in this beautiful country area, gives them new energy to live life....just like they're somebody...and they have a future that's real.”

**Finding 3.1:**

Log Cabin Ranch has the potential to be a superior facility for San Francisco and regional juvenile commitments.

**Finding 3.2:**

The lack of a master plan leaves Log Cabin Ranch in a state of uncertainty and prevents a viable, long-term program.

**Recommendation 3:**

Fund a master plan for Log Cabin to determine the programmatic and capital requirements for a viable facility.

#### ***4. Partnerships with Community Organizations and other Jurisdictions***

In March of this year, Mayor Ed Lee led a delegation of leaders from the City's Real Estate, Capital Planning, and Juvenile Probation Departments and community-based organizations on a visit to Hidden Valley Ranch. The Jury understands that a similar group had toured the facility nearly a decade ago and that these organizations have an interest in finding a use for Hidden Valley. In our discussions with JPD staff, we learned

that JPD has discussed the possibility of utilizing Hidden Valley for development of programs that can support the objectives at the Log Cabin Ranch.

Dialogue and collaboration with community organizations has the potential to be a positive for Ranch youth, and charitable foundations can provide needed resources for program enhancement. The development of Hidden Valley could provide vocational learning opportunities for the Log Cabin residents and support post-release career opportunities and successful rehabilitation.

**Finding 4:**

Creating partnerships with community organizations, foundations and other jurisdictions to achieve efficiencies, increase programming, and share costs could benefit both San Francisco and the youth residing at Log Cabin Ranch.

**Recommendation 4.1:**

Explore possibilities with community organizations and charitable foundations to further the development of Log Cabin Ranch and Hidden Valley Ranch, with the objective of supporting both high-risk and at-risk youth of San Francisco and their families.

**Recommendation 4.2:**

Examine collaboration with regional counties to develop a comprehensive range of treatment programs to address the needs of high-risk and at-risk youth.

## Findings and Recommendations Response Matrix:

Findings	Recommendations	Responses Required
<p>1. The Ranch has the potential to provide a nearby alternative to out of state placements and group homes. By strengthening core programs that equip the youth to pursue educational and vocational advancement, many of the young people sent to other counties or states could be sent to the Ranch.</p>	<p>1.1 Continue current efforts to develop Log Cabin Ranch as a viable disposition option for youthful offenders.</p> <p>1.2 Expand educational and vocational training for residents to prepare them for post-release success.</p> <p>1.3 Increase involvement of DCYF-funded CBOs providing services at the Ranch.</p> <p>1.4 Enhance training for all Ranch staff.</p>	<p>Juvenile Probation Department District Attorney Public Defender</p> <p>Juvenile Probation Department</p> <p>Juvenile Probation Department Department of Children, Youth and Families</p> <p>Juvenile Probation Department</p>
<p>2. Long-term tracking of JPD youth would provide the JPD and community support services with useful information by identifying programs that advance successful rehabilitation.</p>	<p>2. Develop tracking systems for post-probationary youth in collaboration with the Adult Probation Department that will provide data to evaluate programs both at the Ranch and after release.</p>	<p>Juvenile Probation Department Adult Probation Department</p>
<p>3.1 Log Cabin Ranch has the potential to be a superior facility for San Francisco and regional juvenile commitments.</p> <p>3.2 The lack of a master plan leaves Log Cabin Ranch in a state of uncertainty and prevents a viable, long-term program.</p>	<p>3. Fund a master plan for Log Cabin Ranch to determine the programmatic and capital requirements for a viable facility.</p>	<p>Mayor Board of Supervisors</p>



Findings	Recommendations	Responses Required
<p>4. Creating partnerships with community organizations, foundations and other jurisdictions to achieve efficiencies, increase programming, and share costs could benefit both San Francisco and the youth residing at Log Cabin Ranch.</p>	<p>4.1 Explore possibilities with community organizations and charitable foundations to further the development of Log Cabin Ranch and Hidden Valley Ranch, with the objective of supporting both high-risk and at-risk youth of San Francisco and their families.</p> <p>4.2 Examine collaboration with regional counties to develop programs to address the needs of high-risk and at-risk youth.</p>	<p>Mayor Board of Supervisors</p> <p>Mayor Board of Supervisors</p>

## Methodology

The committee spoke with many people involved with the juvenile justice system in San Francisco. It interviewed employees of the county who work with incarcerated youth. It attended the meetings of the Juvenile Justice Commission, the Juvenile Probation Commission, and the Juvenile Justice Coordinating Committee. It interviewed staff members of CBOs serving the youth in the system, representatives of the legal community, SFUSD, DCYF and SFPD. The committee also visited Log Cabin Ranch, Glenwood Ranch, and the Youth Guidance Center. In addition, the jury has reviewed numerous websites, annual reports, articles, and media accounts.

## Bibliography

- 2004-2005 San Francisco Civil Grand Jury Report, *A New Chief of the Juvenile Probation Department: An Opportunity for Reform*, May 2005.
- 2010-2011 San Francisco Civil Grand Jury Report, *Log Cabin Ranch: Moving Toward Positive Horizons*, May 2011.
- Bundy, Trey, "Log Cabin Turns a Corner," *The Bay Citizen*, September 1, 2010.
- Barstow, David, "A New Form of Reform," *St. Petersburg Times*, January 28, 1996.
- Capital Planning Committee Presentation, *Log Cabin Ranch: Capital Needs*, March 19, 2012.
- Juvenile Probation Commission, *Juvenile Probation Department, FY2013-14 & FY2014-15: Budget Presentation*, February 13, 2013.
- Log Cabin & Hidden Valley Work Group Final Draft Report, September 2005
- Males, Mike, PhD, "San Francisco Youth, 2012: Our Least Violent Generation?" Center on Juvenile and Criminal Justice, December 2012, <http://www.cjcj.org/news/5998>.
- "The Missouri Approach," Annie E. Casey Foundation, <http://themissourimodel.org>.
- Noack, Mark, "Prisons Overflow, But Not Youth Camps," *Half Moon Bay Review*, February 22, 2012.
- Office of the Controller, *City and County of San Francisco Proposed Budget and Annual Appropriation Ordinance as of May 31, 2012*.
- San Francisco Mayor's Office, Department of Children, Youth and their Families, *Violence Prevention and Intervention Unit, Youth Violence Prevention Initiative: Local Action Plan*, July, 2011.
- Wright Edelman, Marian, "Juvenile Justice Reform: Making the Missouri Model and American Model," *Huffington Post*, March 15, 2010.

## Endnotes

1. Mark Cohen, "The Monetary Value of Saving a High-Risk Youth," *The Journal of Qualitative Criminology*, 13, (1) 5-33.
2. Barry Holman and Jason Ziedenberg, "The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities," Justice Policy Institute, November 28, 2006
3. Annie E Casey Foundation, "Juvenile Detention Alternatives Initiative: A Successful Approach to Comprehensive Reform," 2007
4. Ibid.
5. <http://www.orbispartners.com/assessment/yasj>
6. [http://www.cdcr.ca.gov/Juvenile\\_Justice/DJJ\\_History/index.html](http://www.cdcr.ca.gov/Juvenile_Justice/DJJ_History/index.html)
7. <http://jjie.org/case-for-phased-juvenile-justice-realignment-california/>
8. Marisa Lagos, "Governor now wants to keep juvenile lockups open", *San Francisco Chronicle* May 20, 2012
9. Superior Court of California, S.F. Civil Grand Jury, "A New Chief of the Juvenile Probation Department: An Opportunity for Reform," May 10, 2005
10. Log Cabin and Hidden Valley Work Group Final Draft Report, September, 2005
11. Marian Wright Edelman, "Juvenile Justice Reform: Making the Missouri Model an American Model," *Huffington Post*, March 15, 2010
12. "The Missouri Approach," Annie E. Casey Foundation, <http://themissourimodel.org>
13. Trey Bundy, "Log Cabin Turns a Corner," *The Bay Citizen*, September 1, 2010
14. <http://www.acgov.org/probation/ji.htm>
15. <http://www.cjcj.org/news/5362>
16. Berkeley Center for Criminal Justice, "A New Era in California Juvenile Justice: Downsizing the State Youth Corrections System," October, 2010
17. Mayor's 2013-2014 & 2014-2015 Proposed Budget, Performance Measures – Juvenile Probation, April, 2013, p.298
18. David Steinhart, "Realigning State Youth Corrections in California: Goals, Structure, Funding, Outcomes" (Presentation at the JDAI National Conference, Houston, April 26, 2012)
19. Capital Planning Committee Presentation, *Log Cabin Ranch: Capital Needs*, March 19, 2012.

BOS-11 (direct)  
orig: GAO Clerk  
C. COB, Leg. Dep.  
Leg. Clerk  
Cpage

# SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN FRANCISCO CIVIL GRAND JURY



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

June 28, 2013

Angela Calvillo  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102

Dear Ms. Calvillo,

The 2012 – 2013 Civil Grand Jury will release its report entitled, "*Building a Better Future at the Department of Building Inspection*," to the public on July 2, 2013. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. Cynthia Ming-mei Lee, this report is to be kept confidential until the date of release.

California Penal Code §933.5 requires a response to the Presiding Judge no later than October 16, 2013. For each finding in the report, you must either (1) agree with the finding; or (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation, your response must either indicate:

- 1) That the recommendation has been implemented, with a summary of how it was implemented;
- 2) That the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
- 3) That the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report; or
- 4) That the recommendation will not be implemented because it is not warranted or reasonable, with an explanation. (California Penal Code § 933 and §933.05)

Please provide your response to Presiding Judge Lee at the address below.

Very truly yours,

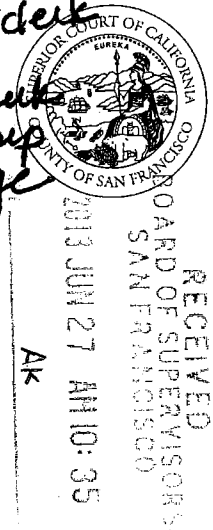
Martha M. Mangold, Foreperson  
2012 – 2013 Civil Grand Jury

400 McAllister Street, Room 008  
San Francisco, CA 94102-4512  
Phone: 415-551-3605

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 28 AM 11:31

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
CIVIL GRAND JURY

BOS-11 (direct)  
orig: GAB:clerk  
c: COB  
Leg Clerk  
Leg Dep  
cp page



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

June 27, 2013

Angela Calvillo  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102

Dear Ms. Calvillo,

The 2012 – 2013 Civil Grand Jury will release its report entitled, "Auditing the City Services Auditor: You Can Only Manage What You Measure," to the public on July 1, 2013. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. Cynthia Ming-mei Lee, this report is to be kept confidential until the date of release.

California Penal Code §933.5 requires a response to the Presiding Judge no later than October 3, 2013. For each finding in the report, you must either (1) agree with the finding; or (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation, your response must either indicate:

- 1) That the recommendation has been implemented, with a summary of how it was implemented;
- 2) That the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
- 3) That the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report; or
- 4) That the recommendation will not be implemented because it is not warranted or reasonable, with an explanation. (California Penal Code § 933 and §933.05)

Please provide your response to Presiding Judge Lee at the address below.

Very truly yours,

Martha M. Mangold, Foreperson  
2012 – 2013 Civil Grand Jury

400 McAllister Street, Room 008  
San Francisco, CA 94102-4512  
Phone: 415-551-3605

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SAN FRANCISCO  
CIVIL GRAND JURY

BOS-11 (sep) #5  
orig GAO clark, COB  
e- Leg Clerk, Leg Dep  
epage



June 25, 2013

Angela Calvillo  
City Hall, 1 Dr. Carlton B. Goodlett Place  
Room 244  
San Francisco, CA 94102

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

Dear Ms. Calvillo,

The 2012 – 2013 Civil Grand Jury will release its report entitled, "Use of Nonprofit Community-Based Organizations: Measuring Outcomes," to the public on June 27, 2013. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. Cynthia Ming-mei Lee, this report is to be kept confidential until the date of release.

California Penal Code §933.5 requires a response to the Presiding Judge no later than October 1, 2013. For each finding in the report, you must either (1) agree with the finding; or (2) disagree with it, wholly or partially, and explain why.

Further, as to each recommendation, your response must either indicate:

- 1) That the recommendation has been implemented, with a summary of how it was implemented;
- 2) That the recommendation has not been, but will be, implemented in the future, with a timeframe for implementation;
- 3) That the recommendation requires further analysis, with an explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report; or
- 4) That the recommendation will not be implemented because it is not warranted or reasonable, with an explanation. (California Penal Code § 933 and §933.05)

Please provide your response to Presiding Judge Lee at the address below.

Very truly yours,

A handwritten signature in cursive script that reads "Martha M. Mangold".

Martha M. Mangold, Foreperson  
2012 – 2013 Civil Grand Jury

400 McAllister Street, Room 008  
San Francisco, CA 94102-4512  
Phone: 415-551-3605

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 25 PM 1:57  
13

June 18, 2013

Mayor Edwin Lee  
City Hall  
One Carlton Goodlett  
San Francisco, CA  
94102

**Subject: Draconian Fees and Fines Mandated by the SFMTA, Paid by San Francisco Taxi Drivers**

Mayor Lee:

I am writing this letter to you and will be speaking before the Board of Supervisors, regularly, on the same subject. Taxi drivers and taxi medallion holders in this city have been subject to excessive and outrageous fines and fees orchestrated by the SFMTA Board.

Your director and the SFMTA Board has determined that San Francisco taxi drivers are to be harvested for fees, fines and catastrophic payments, when taxi drivers such as myself and others have none of the city entitlements that you and all the MTA staff enjoy. And, due to this inadequacy, we taxi drivers are being "skinned alive" with an ever increasing load of fees, fines and payments flowing to the SFMTA. Their draconian rules and regulations have only one purpose, enhanced cash flow to the SFMTA.

At present, San Francisco taxi drivers-although they abide by every road and transportation rule in this city-do not have unemployment, dental, medical, retirement insurance or grievance procedures, but we pay for your well endowed programs. It has been determined that the SFMTA has been extracting 26 million dollars a year from taxi drivers while they get nothing in return.

In public you have acknowledged the new APP technology; and you implied it is welcome. And, one previous mayor now sits on the board of an APP firm smiling like a halfwit. But, in reality, due to the mismanagement by the SFMTA of all city taxi business, we now have a free for all in the taxi business. Anyone can get into their own car, limousine, shuttle or small bus-and they do- and drive around to compete with draconian city regulated taxis. While they pay no fees or fines at all and the SFMTA gores us, drills and squeezes over regulated taxi drivers for more funds, it is anything goes...

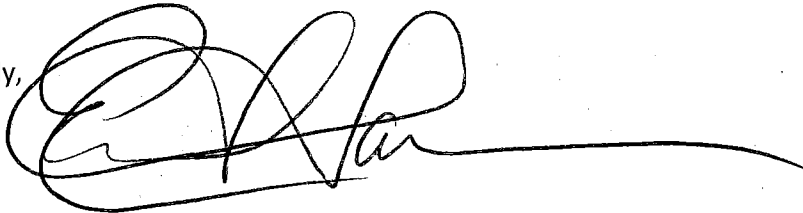
In the past eight years, as a taxi driver in San Francisco, I was on the Civil Service Registry and bumped from three Taxi Director posts by Mayor Newsom, so that he could put one of his own female ex-inner office workers in the post. But, the Civil Service the post never called for an attorney. It requested an Administrative Financial Analyst, one with financial skills and taxi background. I was the only taxi driver with an MBA in finance on the list, while Debra Johnson at the SFMTA threw out 25 applications of mine for posts at the SFMTA in finance, to appoint her friends, and friends of Nate Ford, the last SFMTA Director. This is your system.

At this moment, I am the Ramp Taxi Medallion holder for medallion 9015. I bought my own ramp for about \$30,000.00, in 2010. Actually, the owner of Royal Taxi bought it for me and I paid him back. The SFMTA made ramp van medallion holders buy non-commercial vans, which brake down constantly, to use for commercial transportation. This is expensive transportation to repair, but we do it.

Now, the SFMTA has produced a regulation that is geared toward the non-profits like SF Paratransit, MV Mobile and others, that get paid well for picking up wheel chairs, wheel chairs assigned to them, while we are fined \$4500.00, for not getting what is left. Some ramp vans comply by taking the same SF Paratransit riders each week, around town. This is the SFMTA system to harass ramp van holders so that they will turn in their ramp van medallion in and buy a more expensive medallion, with new fees that go to the SFMTA each month. Ramp van taxis are on a quota, to pick up leftover SF Paratransit wheelchairs, only-others which are non-paratransit do not count-because we now get fined for not picking up these SF Paratransit wheelchairs. This is the scheme. The SFMTA in four years has never thanked ramp van medallion holders for the job they do. The SFMTA or SF Paratransit does not supply us with fares or certified ramp van drivers. And, Ramp Van drivers now refuse to drive ramp vans, due to the fines and hassle and they make less money.

Mr. Mayor, I have moved back into my car to save rent to pay this fine by June 30, 2013. Also, as a United States veteran put me on your homeless housing list: The one available from the money you got from the US government to help veterans. Also, I will be back in two weeks, there are more SFMTA facts you may want to know. I think I will be speaking until an investigative journalist picks up this story or there are changes made that benefit me and all other ramp van taxi medallion holders that the SFMTA is manipulating. And, I thank you for your attention in this endeavor.

Sincerely,



Emil Lawrence MBA  
77 Van Ness Avenue  
Floor One, Unit 1304  
SF CA 94102  
415-513-7705 PCS Mobile  
[emilelawrence@yahoo.com](mailto:emilelawrence@yahoo.com)

cc: MTA, DA, CA, Board, Media, Cab Firms



Re. June 18 Bd of Supervisors Meeting.  
The change in agenda re  
Public Comment was very  
disheartening. I feel for  
health care cuts back but  
to preempt Public Comment  
was not up to your usual  
standards.

## **Board of Supervisors**

---

**To:** BOS-Supervisors  
**Subject:** Too Complacent for Too Long With NOETS

**From:** Marcelo Fonseca [mailto:mdf1389@hotmail.com]

**Sent:** Tuesday, June 18, 2013 11:58 AM

**To:** Board of Supervisors

**Subject:** Too Complacent for Too Long With NOETS

Mayor Edwin Lee  
Board of Supervisors  
City Attorney's Office  
SFPD Commission  
SFMTA Board  
CPUC Board

Numerous groups have submitted their final comments to the CPUC regarding the rule-making process on the New-Online-Enabled-Transportation-Services, referred to as NOETS. It's been said that CPUC's Administrative Law Judge Robert Mason will announce his ruling in the first week of July.

As we anxiously await the ruling, the streets of San Francisco continue to be the stage for these NOETS' unregulated and rapidly expanding activities. Uber, Uber X, Lyft and SideCar have multiplied at an unbelievable rate. NOETS' drivers and taxi drivers are fighting over dwindling fares, posing great danger to the public. A turf war of epic proportions has been ignored by all regulatory agencies and law enforcement.

Everybody and their brother is driving for a living now. Every hotel seems to have turned their taxi zones into permanent limo parking lots; every doorman seems to be negotiating rides with town car drivers; the public continues to be at risk as unmarked vehicles roam the streets soliciting rides with impunity.

To the disappointment and frustration of all taxi drivers, these RIDE-SELLING COMPANIES have been given special privileges by the CPUC in the name of innovation and competition. The CPUC has bought into the LIE of ride-sharing ... hook, line and sinker ... and the City of San Francisco is just going along with it. There is no one from the CPUC's Safety & Enforcement Division (SED) to investigate these activities. This KTVU Channel 2 special report on gypsy cabs was aired again on June 9th. Such an operation by SFPD is much appreciated and much needed on a regular basis. <http://www.ktvu.com/videos/news/special-report-gypsy-cabs-pose-threats-to/vqmTq/>

It is beyond my comprehension that these so-called NOETS provide fee-based transportation services within the City and County of San Francisco, nevertheless they are not under the SFMTA's jurisdiction.

Mayor Ed Lee, the City of San Francisco and the CPUC have failed us for being too complacent for too long with the NOETS' illegal activities, their venture capitalists and their slick PR campaigns.

A laissez faire approach to the glut of illegal transportation seems to have been adopted by all of you. Sadly enough and rightly expected, pessimism has become the cab drivers' riding companion as the CPUC does not give any importance to the taxi industry.

The SFMTA and the City of San Francisco have to use their enforcement measures against illegal transportation services and restore law and order. This rampant deregulation of the taxi industry should not be allowed.

As I write you this letter, sitting by the window of my 3rd floor Sunset District apartment, I can see the coming and going of the NOETS on Lincoln Avenue by the Golden Gate Park. Feeling disrespected and demoralized, consumed by anger and disillusion, I wonder what the future holds for us career cab drivers. In this sea of uncertainties about the outcome of this freak-show, there is one thing I know for sure. In the next elections, your complacency with and lack of action about the NOETS will be fresh in my memory, the memories of more than 7,000 taxi drivers and their relatives registered to vote in San Francisco and California.

Sincerely,

Marcelo Fonseca  
[mdf1389@hotmail.com](mailto:mdf1389@hotmail.com)  
415 - 238 - 7554

June 14, 2013

TO: STATE, CITY AND LOCAL OFFICIALS

NOTICE: PACIFIC GAS AND ELECTRIC COMPANY APPLIES TO INCREASE ELECTRIC GENERATION RATES IN 2014 (A.13-05-015)

BOS-11  
page

On May 31, 2013, Pacific Gas and Electric Company (PG&E) filed an application with the California Public Utilities Commission (CPUC) to request an increase of \$993 million in electric generation rates effective, January 1, 2014.

Every year, PG&E is required to estimate how much it will cost to purchase energy to meet its customers' electricity needs. The cost includes purchases of energy from hydroelectric, solar and other renewable sources. For 2014, PG&E estimates that the cost to purchase electric generation will be \$5.3 billion. In November 2013, PG&E will update this estimate. If the CPUC approves the request, PG&E will begin to recover its energy purchase costs through generation rates starting in 2014. PG&E does not profit from energy purchases; the cost of energy purchases is passed directly through to customers.

Throughout 2014, PG&E will track its actual costs to purchase energy against the amount collected from customers to cover those costs. At the end of the year, PG&E will increase or decrease generation rates to reflect any difference between the actual costs and the revenues collected from customers.

**How will PG&E's application affect me?**

This application primarily affects electric generation revenues and rates. Most of PG&E's customers receive bundled service, meaning they receive electric generation as well as transmission and distribution service from PG&E. This application impacts only the generation portion of electric rates.

If PG&E's request is approved, the average residential monthly bill (of 550 kilowatt-hours) will increase by \$5.25 a month—or 5.7 percent, from \$92.70 to \$97.95. Actual bill impacts will vary depending on your level of electricity usage. A chart presenting a more illustrative description of the impact of this application on total authorized electric revenues was included in a bill insert announcing this filing that was sent directly to customers in June and July.

**How will PG&E's application affect non-bundled customers?**

Direct Access (DA) and Community Choice Aggregation (CCA) customers receive only transmission and distribution service from PG&E. Since they do not receive electric generation from PG&E, their generation rates will not be affected by PG&E's proposed change in generation rates. However, DA and CCA customers are required to pay certain procurement-related charges. The impact of PG&E's application on DA and CCA customers is \$49 million, or an average increase of 7.9 percent. This increase is in addition to any charges that DA and CCA customers pay to the companies that provide their electricity.

Another category of non-bundled customers are "departing load" customers; they do not receive electric generation, transmission or distribution services from PG&E. However, like DA and CCA customers, they are required to pay certain charges. The impact of PG&E's application on departing load customers is \$2.4 million, or an average increase of 7.2 percent.

**How do I find out more about PG&E's application?**

You can view PG&E's application and exhibits online at [www.pge.com/RegCases](http://www.pge.com/RegCases). Select "2014 ERRA Forecast" from the Cases dropdown menu.

If you have questions about PG&E's application, please contact PG&E at 1-800-743-5000. For TDD/TTY (speech-hearing impaired), call 1-800-652-4712.

Para más detalles llame al 1-800-660-6789 • (詳情請致電) 1-800-893-9555

If you would like a copy of PG&E's application and exhibits, please write to PG&E at the address below:

Pacific Gas and Electric Company  
2014 ERRA Forecast Application  
P.O. Box 7442  
San Francisco, CA 94120

A copy of PG&E's application and exhibits are also available for review at the CPUC, 505 Van Ness Avenue, San Francisco, CA 94102, Monday-Friday, 8 a.m.-noon. PG&E's application (without exhibits) is available on the CPUC's website at [www.cpuc.ca.gov/puc](http://www.cpuc.ca.gov/puc).

**How does the CPUC's decision making process work?**

The CPUC's Division of Ratepayer Advocates (DRA) will review this application. The DRA is an independent arm of the CPUC, created by the California Legislature to represent the interests of all utility customers throughout the state, and to obtain the lowest possible rate for service that is consistent with reliable and safe service levels. The DRA has a multi-disciplinary staff with expertise in economics, finance, accounting and engineering. The DRA's views do not necessarily reflect those of the CPUC. Other parties of record may also participate.

The CPUC may hold evidentiary hearings where parties of record present their proposals in testimony and are subject to cross-examination before an Administrative Law Judge (ALJ). These hearings are open to the public, but only those who are parties of record may present evidence or cross-examine witnesses during evidentiary hearings. Members of the public may attend, but not participate in, these hearings.

After considering all proposals and evidence presented during the hearing process, the ALJ will issue a draft decision. When the CPUC acts on this application, it may adopt all or part of PG&E's request, amend or modify it, or deny the application. The CPUC's final decision may be different from PG&E's application.

If you would like to learn how you can participate in this proceeding or if you have comments or questions, you may access the CPUC's Public Advisor's website at [www.cpuc.ca.gov/PUC/aboutus/Divisions/CSID/Public+Advisor/](http://www.cpuc.ca.gov/PUC/aboutus/Divisions/CSID/Public+Advisor/) or as follows:

E-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)  
Mail: Public Advisor's Office  
505 Van Ness Avenue  
Room 2103  
San Francisco, CA 94102  
Call: 1-415-703-2074 or 1-866-849-8390 (toll-free)  
TTY 1-415-703-5282 or 1-866-836-7825 (toll-free)

If you are writing or emailing the Public Advisor's Office, please include the application number (A. 13-05-015). All comments will be circulated to the Commissioners, the assigned Administrative Law Judge and the CPUC staff.

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
213 JUN 19 PM 2:29

Date/ Time: 2013-06-19 09:34:25.2

Service Request  
Number: 2507933

### Request for City Services

#### CUSTOMER CONTACT INFORMATION:

Name: **Robert Schaezlein**  
Phone: **415-752-4426**  
Address: **1450 33rd Ave San Franicsco 94122**  
Email: **rschaezlein@msn.com**

#### DEPARTMENTS:

Department: \* **Board of Supervisors (BOS)**

Sub-Division:\* **Clerk of the Board**

#### PROPERTY ADDRESS:

<b>Point of Interest:</b>	
<b>Street Number:</b>	
<b>Street Name:</b>	
<b>Street Name 2:</b>	
<b>City:</b>	
<b>ZIP Code:</b>	
<b>X coordinate:</b>	
<b>Y coordinate:</b>	
<b>Latitude:</b>	
<b>Longitude:</b>	
<b>CNN:</b>	
<b>Unverified Address:</b>	<input type="checkbox"/>

#### ADDITIONAL LOCATION INFORMATION:

Location Description: **City wide**  
(e.g. 600-block of Market St. or in front of Main Library entrance)

#### REQUEST DETAILS:

Nature of Request: \* **Complaint**

#### ADDITIONAL REQUEST DETAILS:

Caller says that they have a problem with MTA planning to making bike riding more comfortable. Caller asks what does that mean? Caller then says that they want to spend \$600 Million for a small percentage of the population who ride bike. Caller says that spend that money on fixing Muni. Spend that money making transit work. San Francisco is supposedly trans first. and transit and to spend money on bikes and bike improvement does not make sense. Caller says that the bikes don't pay taxes where is this money coming from. Vehicle registration is a source of income and parking violation are a source of revenue but cyclist do not generate money. Caller says that they don't mind improving bike lanes and make the streets safe but the amount of money that they want to for a minority of residents is not cost effective. Caller says not everybody can ride a bike what about people with family with kids. Caller says the a lot of people who can't ride a bike because of disability. Caller says he cant take his kids on a bike with him he has a you daughter and it's not practical. Caller says they can bring his whole family down on his bike to do shopping in Union Square from the Sunset. Caller says if they purchase items with his family and pile all of them on bikes and go back to the Sunset is not realistic. Caller says that they senior mother who takes the bus a lot but as a senior his mother sometime needs to drive. Caller asks how will adding bike lanes and spending this much money on making bike riding more comfortable help people who are seniors or individuals who are not able to ride a bike. Caller believes the senior and disabled population is bigger than the bicycle population. Caller says that the reason for having parking meters on Sunday was to raise money for Muni and to spend \$600 Million on bikes for a minority of the population does not make sense. Caller says that MTA needs to think of transit as a priority and fix Muni. MTA also need to think of Majority not the minority of the population. MTA is not think of people with families and have young kids and need to take their kids to camp go shopping and run all sort of errands daily. MTA need to think of the disable, and seniors and other who can't tale a bike everywhere. Caller does not think spending \$600. million on Making bike riding more comfortable for cyclist is a good idea.

Additional Request  
Details: \*

**BACK**  
**OFFICE USE \*\*\*\*\***  
**ONLY**  
 Source  
 Agency   
 Request  
 Number:

**Responsible**

**Agency  
Request  
Number:**  
**Service  
Request  
Work  
Status:**  
**Work  
Status  
Updated:**  
**Media URL:**

Submit Cancel

---

**From:** Roland Salvato [rolandsalvato@hotmail.com]  
**Sent:** Wednesday, June 19, 2013 10:30 AM  
**To:** Farrell, Mark; Chiu, David; Wiener, Scott; Kim, Jane; Cohen, Malia; Mar, Eric (BOS); Campos, David; Avalos, John; Breed, London; Yee, Norman (BOS); Tang, Katy; Board of Supervisors  
**Cc:** HPC Andrew Wolfram; HPC Diane; HPC RSE Johns; HPC Karl Hasz; Stefani, Catherine; Eric (preservation consortium) Brooks  
**Subject:** Historic Landmarking of Buildings and Sites During Appeals - Solution

## **Land Use Committee Members and the Board of Supervisors Should Honor the HPC Recommendation that Landmarking Move Forward During the CEQA Appeals Process**

Supervisors:

### **Per HPC Resolution No. 706 at May 15, 2013 hearing:**

Be it further resolved that in March of this year, both the Planning Commission and the Historic Preservation Commission recommended approval of a similar Ordinance [BF 121019, Supervisor Wiener] that would amend local CEQA procedures. (HPC Resolution No. 704 and PC Resolution No. 18826) and **MOVED, in light of that recommendation, the Historic Preservation Commission recommends that the Board approve of certain portions, disapprove of certain portions of the proposed Ordinance [BF 130248, Supervisor Kim] that would complement and support the Commission's earlier recommendation, noting that this commission supports the Planning Commission recommendation and recommending that** and 1. Planning staff shall provide the HPC with an analysis that clarifies the differences between Supervisor Kim and Supervisor Wiener's Legislation regarding when an exemption appeal period ends, i.e. the difference between first approval and last approval; 2. the Legislation should allow Landmark designation to move forward while the appeal is pending; and 3. the Legislation should clarify the role of the HPC in the appeals process.

An example: What if the Emporium (now SF Center) had been appealed under CEQA and was going to be landmarked, but that landmarking stopped. It could still have been landmarked, but the construction end of it could have been studied further. Allowing landmarking would in many cases preserve older buildings so that the greenest possible alternative--not demolition--is considered, with appropriate use factored in.

Supervisors: The purpose of landmarking is NOT to block projects.

### **Consider moreover:**

- At its heart, the intent of CEQA is to provide as much info as possible to decision makers. Allowing nominations to proceed would advance this purpose by assuring that the appeal body and the BoS have all relevant info as early as possible in the process.
- Decisions about whether to demolish or significantly alter potential historic resources should be based on objective evidence of eligibility and the feasibility of less harmful alternatives, and not on whether the developer can block, stall or otherwise avoid the HPC from weighing in on a nomination. Demo decisions should be made on the merits and not based on who gets to the finish line first.



- Suspending nominations could lead to a duplicative and time-consuming process, especially if the HPC votes to designate a landmark after an appeal on this basis has been rejected. The appeal could be reopened based on significant new information.
- If forced to await the outcome of the appeal, the HPC would be under tremendous pressure to deny eligibility based on political, financial and other reasons that have nothing to do with objective evidence of landmark eligibility.
- If the appeal is based on alleged historic impacts, the HPC's opinion on landmark eligibility would be sought as soon as possible to justify (or refute) the legitimacy of the appeal. Under the Charter, of course, the HPC is the city's designated panel of experts on such matters -- the Charter explicitly gives the HPC to weigh in on CEQA impacts. If the HPC rejects the landmark nomination, the appeal will likely be resolved more expeditiously and with greater finality.

Please push to allow landmarking to proceed during a CEQA appeal.

email +  
hard copies

BOS-11 + Mayor Lee  
received sep. emails

directly from Constituent

**From:** Board of Supervisors  
**To:** Miller, Alisa  
**Subject:** FW: File # 120987 (Marina Degaussing Station Restaurant Proposal)  
**Attachments:** To Supervisor Farrell.pdf; To Supervisor Farrell.pdf

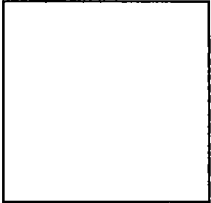
Alisa:  
Please note in the file that all eleven Supervisors and Mayor Lee received separate emails with the same attached letter.

Peggy Nevin  
Executive Assistant  
Clerk of the Board of Supervisors  
415-554-7703  
[peggy.nevin@sfgov.org](mailto:peggy.nevin@sfgov.org)

---

**From:** Ryan Weidenmiller [<mailto:rweidenmiller@gmail.com>]  
**Sent:** Wednesday, June 19, 2013 3:35 PM  
**To:** Farrell, Mark  
**Cc:** Board of Supervisors; [Philip.Ginsburg@sfgov.org](mailto:Philip.Ginsburg@sfgov.org); Commission, Recpark  
**Subject:** File # 120987 (Marina Degaussing Station Restaurant Proposal)

Dear Supervisor Farrell,



As a young resident of the Marina, I write to you to express my family's objection to the process and overall proposal to commercialize the Marina Green Park. **File # 120987 (Marina Degaussing Station Restaurant Proposal)**

I have enclosed a detailed letter highlighting important facts regarding this unique park.

I would be more than happy to speak with you regarding my views and the views of other Marina district homeowners should you have time, as this is a very important, and now controversial issue facing the City, residents, and the elected officials - particularly those at Park and Rec, and yourself as the elected Supervisor of my residential district.

Sincerely,

Ryan Weidenmiller, a young Marina Homeowner

## **Ryan David Weidenmiller**

**3737 Broderick Street, San Francisco, California 94123  
Phone: (415) 793-9269; email: [rweidenmiller@gmail.com](mailto:rweidenmiller@gmail.com)**

**June 19, 2013**

**Supervisor Mark Farrell  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102**

**RE: File# 120987 (Marina Degaussing Station Restaurant Proposal)**

**Dear Supervisor Farrell:**

**Last year, my wife, Joanna Riley Weidenmiller, and I bought a house in the Marina District on Broderick Street. We chose this particular home because of its proximity to the Golden Gate National Park/Chrissy Field, the Palace of Fine Arts, the maritime activities of the St. Francis Yacht Club, and the unobstructed views from the spacious Marina Green Park. We are a younger couple, in our early-to-mid 30's, and we ultimately chose this neighborhood because it would be a wonderful place to raise our children. In our opinion, our neighborhood, the Marina, is quite possibly the best place in the world for a family and we are very lucky and blessed to live two houses off Marina Boulevard. Currently, our dogs play on the Marina Green and Chrissy Field almost every day, and we allow them to do so knowing that they are safe and can cross Marina Boulevard in a generally safe manner (as there are not many stoplights for the already heavy traffic).**

**We write you to express our deep concern and strong opposition to the lack of proper procedure and policy the hopefuls of the Marina Degaussing Station Restaurant Proposal have undertaken in their blind grab for our valuable park space, and the seemingly initial complicit views to these questionable tactics (at best) by certain members of the Board of Supervisors.**

**We also ask that as an electorate of the denizens of San Francisco, that you consider the fact that this project will not only destroy the last meaningful free and open space along the Bay here in the City. We citizens of San Francisco have already developed or redeveloped the entire Bay Coast from the Dogpatch, to AT&T Park, to Fisherman's Wharf, to Fort Mason. We have little to no public space remaining along this coastline, and the Marina Green is one of our last sacred non-commercial park areas. It also provides for stunning non-commercial views of the Bay from Alcatraz to the Golden Gate Bridge, as well as, touch-football leagues, volleyball tournaments, finishing lines for races, and as a soccer field for young kids.**

**Large portions of Northern California were preserved and kept beautiful for generations by the actions of John Muir and Teddy Roosevelt. Just over ten years ago the entire City volunteered on Saturday mornings to plant trees and help create what are now the beautiful flats and beach of Chrissy Field. I remember this part clearly as many of my friends and co-workers participated in this volunteer program. It is almost unimaginable that just ten years later the politicians of San Francisco, aligned with small fraction of**

commercial interests, want to steer the direction of the City's Park in a completely different direction. What makes this situation even worse is that these proposed plans are to occur only 500 yards down the road from where thousands of citizens came to devote their hard work and personal time to the development of the open natural space of Chrissy Field.

We also kindly ask you to take a step back and listen to the residents of the Marina and view this subject in light of the strong conservation efforts of the great leaders before you.

This proposal, or any commercial proposal, for the Marina Green should be summarily dismissed as an ill-conceived plan, as it not only goes against the master plans of the City, but also against recent volunteer actions of the City's residents. Moreover, we find it hard for anyone to cite that the Marina 'homeowners' support this idea - as the clear majority of the homeowners we have spoke to strongly against this proposal and the petitions now circulating will show this fact. The short-term transient renters, which have proven to churn in every major economic cycle, are in many cases, apathetic to a large number of issues in this City, and are not true long-term guardians of this unique land, however, this trait has been exploited by those with hopes for commercial development on the Marina Green.

To continue the legacy of those before us that fought so hard to preserve open space in this unique part of the world, and to preserve this specific rare and unique shoreline for generations down the road, the only logical and sound action is for us to demolish the Degaussing Station and return the small, and now controversial, area to open park space.

I am happy to dedicate time and energy from my personal schedule to help in this effort. I would also welcome speaking with you personally regarding these issues, should you have time in your busy schedule to hear from a younger homeowner in the Marina District.

Sincerely,

  
Ryan Weidenmiller

Enclosures:

CC:

San Francisco Recreation and Park Commissioners  
[recpark.commission@sfgov.org](mailto:recpark.commission@sfgov.org)

San Francisco Rec and Park General Manager, Philip Ginsberg  
[Philip.ginsberg@sfgov.org](mailto:Philip.ginsberg@sfgov.org)

Clerk of the Board  
[Board.of.Supervisors@SFGov.org](mailto:Board.of.Supervisors@SFGov.org)

Box-11  
COB  
C-Page  
File #120987

**Ryan David Weidenmiller**  
3737 Broderick Street, San Francisco, California 94123  
Phone: (415) 793-9269; email: [rweidenmiller@gmail.com](mailto:rweidenmiller@gmail.com)

June 19, 2013

Supervisor David Chiu  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

RE: File# 120987 (Marina Degaussing Station Restaurant Proposal)

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 20 AM 10:43  
AK

Dear Supervisor Chiu:

Last year, my wife, Joanna Riley Weidenmiller, and I bought a house in the Marina District on Broderick Street. We chose this particular home because of its proximity to the Golden Gate National Park/Chrissy Field, the Palace of Fine Arts, the maritime activities of the St. Francis Yacht Club, and the unobstructed views from the spacious Marina Green Park. We are a younger couple, in our early-to-mid 30's, and we ultimately chose this neighborhood because it would be a wonderful place to raise our children. In our opinion, our neighborhood, the Marina, is quite possibly the best place in the world for a family and we are very lucky and blessed to live two houses off Marina Boulevard. Currently, our dogs play on the Marina Green and Chrissy Field almost every day, and we allow them to do so knowing that they are safe and can cross Marina Boulevard in a generally safe manner (as there are not many stoplights for the already heavy traffic).

We write you to express our deep concern and strong opposition to the lack of proper procedure and policy the hopefuls of the Marina Degaussing Station Restaurant Proposal have undertaken in their blind grab for our valuable park space, and the seemingly initial complicit views to these questionable tactics (at best) by certain members of the Board of Supervisors.

We also ask that as an electorate of the denizens of San Francisco, that you consider the fact that this project will not only destroy the last meaningful free and open space along the Bay here in the City. We citizens of San Francisco have already developed or redeveloped the entire Bay Coast from the Dogpatch, to AT&T Park, to Fisherman's Wharf, to Fort Mason. We have little to no public space remaining along this coastline, and the Marina Green is one of our last sacred non-commercial park areas. It also provides for stunning non-commercial views of the Bay from Alcatraz to the Golden Gate Bridge, as well as, touch-football leagues, volleyball tournaments, finishing lines for races, and as a soccer field for young kids.

Large portions of Northern California were preserved and kept beautiful for generations by the actions of John Muir and Teddy Roosevelt. Just over ten years ago the entire City volunteered on Saturday mornings to plant trees and help create what are now the beautiful flats and beach of Chrissy Field. I remember this part clearly as many of my friends and co-workers participated in this volunteer program. It is almost unimaginable that just ten years later the politicians of San Francisco, aligned with small fraction of

commercial interests, want to steer the direction of the City's Park in a completely different direction. What makes this situation even worse is that these proposed plans are to occur only 500 yards down the road from where thousands of citizens came to devote their hard work and personal time to the development of the open natural space of Chrissy Field.

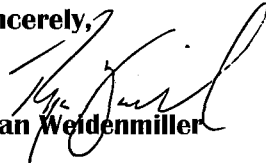
We also kindly ask you to take a step back and listen to the residents of the Marina and view this subject in light of the strong conservation efforts of the great leaders before you.

This proposal, or any commercial proposal, for the Marina Green should be summarily dismissed as an ill-conceived plan, as it not only goes against the master plans of the City, but also against recent volunteer actions of the City's residents. Moreover, we find it hard for anyone to cite that the Marina 'homeowners' support this idea - as the clear majority of the homeowners we have spoke to strongly against this proposal and the petitions now circulating will show this fact. The short-term transient renters, which have proven to churn in every major economic cycle, are in many cases, apathetic to a large number of issues in this City, and are not true long-term guardians of this unique land, however, this trait has been exploited by those with hopes for commercial development on the Marina Green.

To continue the legacy of those before us that fought so hard to preserve open space in this unique part of the world, and to preserve this specific rare and unique shoreline for generations down the road, the only logical and sound action is for us to demolish the Degaussing Station and return the small, and now controversial, area to open park space.

I am happy to dedicate time and energy from my personal schedule to help in this effort. I would also welcome speaking with you personally regarding these issues, should you have time in your busy schedule to hear from a younger homeowner in the Marina District.

Sincerely,



Ryan Weidenmiller

Enclosures:

CC:

San Francisco Recreation and Park Commissioners  
[recpark.commission@sfgov.org](mailto:recpark.commission@sfgov.org)

San Francisco Rec and Park General Manager, Philip Ginsberg  
[Philip.ginsberg@sfgov.org](mailto:Philip.ginsberg@sfgov.org)

Clerk of the Board  
[Board.of.Supervisors@SFGov.org](mailto:Board.of.Supervisors@SFGov.org)

OFFICE OF THE MAYOR  
SAN FRANCISCO



Orig: Cpage (Act)  
Bos-11, Aides: COB, 3 Dep.  
Dep. City Atty EDWIN M. LEE  
J. Elliott, Acful MAYOR

June 20, 2013

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

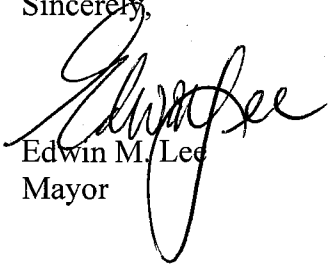
RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 20 AM 11:09  
b

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor London Breed as Acting-Mayor from the time I leave the State of California on Friday, June 21, 2013 at 4:50 p.m., until I return on Sunday, June 23, 2013 at 9:55 p.m.

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

Sincerely,

  
Edwin M. Lee  
Mayor

cc: Mr. Dennis Herrera, City Attorney  
All Members, Board of Supervisors

---

**From:** Youthcom [youthcom@sfgov.org]  
**Sent:** Thursday, June 20, 2013 1:35 PM  
**To:** Lee, Edwin (Mayor); BOS-Supervisors  
**Cc:** Calvillo, Angela; Maria Su; Young, Victor; Elliott, Jason; Wheaton, Nicole  
**Subject:** 2 Youth Commission actions: Support and statement on BOS file no. 130600, BOS file no. 130502  
**Attachments:** Youth Commission Actions (6-20-13).pdf

**YOUTH COMMISSION  
MEMORANDUM**

**TO:** Honorable Mayor Edwin M. Lee  
Honorable Members, Board of Supervisors

**CC:** Angela Calvillo, Clerk of the Board  
Maria Su, Director, Department of Children, Youth and their Families  
Victor Young, Committee Clerk, Board of Supervisors  
Jason Elliott, Director of Legislative & Government Affairs, Mayor's Office  
Nicole Wheaton, Commissions & Appointments, Mayor's Office

**FROM:** Youth Commission

**DATE:** Thursday, June 20, 2013

**RE:** 2 Youth Commission actions: Support and statement on BOS file no. 130600 [Hearing-Department of Children, Youth, and their Families' 2013-2016 Grant Awards]; BOS file no. 130502 [Hearing-Budget and Legislative Analyst's Report-Socioeconomic Equity]

---

At our regularly scheduled meeting on June 17, 2013 the Youth Commission voted to provide the following comment and recommendation to **BOS file no. 130600**:

The Youth Commission supports holding a hearing on the Department of Children, Youth, and their Families' 2013-2014 Grant Awards as proposed in file no. 130600.

The Youth Commission urges the Board of Supervisors to also consider the following during the hearing:

- What geographic, issue-areas, and demographics were most affected by not receiving the 2013-2016 Grant Awards.
- What support is given to programs who did not receive the grant awards this cycle, especially to programs who had previously received the funding? Is there consideration as to the possibility of irreparable harm to programs being defunded? Are there carry-over grants to help programs complete cohorts that are already underway? Is there an effort to connect these programs to other non-DCYF funded sources?

\*\*\*



At the same meeting, the Youth Commission also voted to provide the following comments to **BOS file no. 130502**:

The Youth Commission supports holding a hearing on the Budget and Legislative Analyst's Report – Socioeconomic Equity as proposed in file no. 130502.

The Youth Commission urges the Board of Supervisors to inquire in future socio economic equity reports the changes in youth population living in different districts and how this is affected by housing affordability and no fault evictions.

The Youth Commission recognizes the importance of the Socioeconomic Equity reporting in budgeting and legislative processes and recommends that the Department of Children, Youth, and their Families use a similar report in their granting process.

\*\*\*

If you have any questions about these items or anything related to the Youth Commission, please don't hesitate to contact our office at (415) 554-6446 or your Youth Commissioner.

San Francisco Youth Commission  
City Hall, Room 345 San Francisco, CA 94102  
Office: [\(415\) 554-7112](tel:4155547112) | Fax: [\(415\) 554-6140](tel:4155546140)  
<http://www.sfbos.org/index.aspx?page=5585>

[Sign up for our newsletter](#)

[Tell us what you think are important issues affecting youth in SF!](#)

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below:

<http://www.sfbos.org/index.aspx?page=104>

---

**From:** Chapin-Rienzo, Shanda on behalf of Reports, Controller  
**Sent:** Wednesday, June 19, 2013 1:25 PM  
**To:** Calvillo, Angela; Nevin, Peggy; BOS-Legislative Aides; BOS-Supervisors; Kawa, Steve; Howard, Kate; Falvey, Christine; Elliott, Jason; Campbell, Severin; Newman, Debra; sfdocs@sfpl.info; gmetcalf@spur.org; CON-EVERYONE; CON-CCSF Dept Heads; CON-Finance Officers; Garcia, Barbara; Wagner, Greg; Wood, David; Wilder, Gloria; Okubo, Anne; Ruggels, Michelle; Robinson, Jo  
**Subject:** Memorandum Issued: The Department of Public Health Adequately Monitors MedImpact's Prescription Claims but Needs Better Controls Over Its Use of MedImpact as a Fiscal Intermediary

The Office of the Controller's City Services Auditor Division (CSA) today issued a memorandum on its audit of the contract between the Department of Public Health (DPH) and MedImpact HealthCare Systems, Inc. (MedImpact) for pharmacy benefits management services. The audit found that DPH has sufficient controls to ensure formulary rates and claims charges are accurate and billed in accordance with contract terms but should improve its internal controls over its use of MedImpact as a fiscal intermediary, including implementing proper segregation of duties and establishing limits on the types and amounts of services it may purchase from MedImpact as a fiscal intermediary. Also, DPH should improve its review of fees charged for monthly billings and obtain and review MedImpact's annual audit report and final closing invoice as required by the contract.

To view the full memorandum, please visit our website at: <http://co.sfgov.org/webreports/details.aspx?id=1591>

This is a send-only e-mail address.

For questions about the memorandum, please contact Director of City Audits Tonia Lediju at [Tonia.Lediju@sfgov.org](mailto: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: Health Commission  
Barbara A. Garcia, Director of Health  
Department of Public Health

FROM: Tonia Lediju, Director of City Audits  
City Services Auditor Division 

DATE: June 19, 2013

SUBJECT: The Department of Public Health Adequately Monitors MedImpact's Prescription Claims but Needs Better Controls Over Its Use of MedImpact as a Fiscal Intermediary

---

### EXECUTIVE SUMMARY

The Department of Public Health (Public Health), Community Behavioral Health Services Division (CBHS), has sufficient controls to ensure formulary rates and claims charges are accurate and billed in accordance with contract terms. Prescription claims compose 97 percent of the total amounts invoiced under the \$27.1 million contract with MedImpact HealthCare Systems, Inc. (MedImpact) to provide pharmacy benefits management services for uninsured CBHS clients to access pharmacy services to support medication adherence, client wellness, and recovery. However, CBHS should improve its internal controls over its use of MedImpact as a fiscal intermediary, including implementing proper segregation of duties and establishing limits on the types and amounts of services it may purchase from MedImpact as a fiscal intermediary. Also, CBHS should improve its review of fees charged for monthly billings, and obtain and review MedImpact's annual audit report and final closing invoice as required by the contract.

Of the memorandum's eight recommendations, Public Health concurs with six, partially concurs with one, and does not concur with the remaining one.

### BACKGROUND, OBJECTIVE & METHODOLOGY

#### Background

The Contract Compliance Audit Program of the City Services Auditor Division (CSA). The City and County of San Francisco (City) spends more than \$2 billion yearly on the procurement of goods and services from vendors, much of it through contracts. Contract auditing is a control

mechanism intended to provide those responsible for government procurement with information and recommendations on contractual matters and the effectiveness and efficiency of contract administration and monitoring. To identify vulnerabilities in city contracts, CSA, part of the Office of the Controller (Controller), implemented a contract compliance audit program to assess the City's contract adherence and accuracy. The program consists of an ongoing, comprehensive audit process that allows CSA to select and audit up to eight contracts each year using a risk-based approach. CSA selected CBHS' contract with MedImpact to include in this year's process.

The Mission and Services of CBHS. CBHS provides access to behavioral health services for a broad population of San Francisco residents through the San Francisco Behavioral Health Plan (SFBHP). SFBHP is a managed care system that provides eligible city residents with access to mental health care and offers a full range of specialty behavioral health services provided by a network of community behavioral health programs, clinics, and private psychiatrists, psychologists, and therapists. Services are approved and provided based on individual clinical need. CBHS also offers pharmacy services through its centralized pharmacy, including:

- Behavioral health medications provided directly to CBHS clinics.
- Clinical psychopharmacology consultation to CBHS psychiatrists and staff.
- Support to a network of community pharmacies in the City to enhance clients' medication access.
- Administrative support to CBHS clinical pharmacists.

The MedImpact Contract. MedImpact is a privately-held pharmacy benefit management (PBM) company that delivers pharmaceutical and technology-related health care solutions. On October 1, 2008, the City, on behalf of Public Health, established an agreement with MedImpact in an amount not to exceed \$27.1 million for PBM services to provide uninsured CBHS clients access and choice for pharmacy services to support medication adherence and client wellness and recovery. The PBM services MedImpact provides include verifying prescriptions for eligibility, assuring compliance with medication formulary restrictions, and allowing CBHS to construct prescription benefits to optimize cost-effective medication use for uninsured clients. The contract will expire on June 30, 2013.

The contract requires MedImpact to maintain a network of pharmacies, electronically screen prescriptions for eligibility, and process payments for prescriptions written by CBHS and city-authorized psychiatrists for covered medications. The contract also requires MedImpact to serve as a fiscal intermediary for CBHS and process payments for related program expenses, services, materials, and equipment at the request of the City, using contract funds that have been designated for this purpose.

Under the contract, MedImpact provides online electronic claims adjudication for prescriptions and pays prescription claims to network pharmacies on behalf of CBHS.<sup>1</sup> As compensation for administrating CBHS's pharmacy network, MedImpact retains the difference, if any, between the

---

<sup>1</sup> Based on the contract, online electronic claims adjudication for prescriptions includes, but is not limited to: verifying, at the point of service and when a prescription is presented to the pharmacy to be filled, the eligibility of the patient, prescriber, medication, and payor; relaying approval or denial to the network pharmacies based on the eligibility screenings and the terms of the agreement; and processing the claims data and payments accordingly.

reimbursements paid to the participating pharmacies for claims and the reimbursement by MedImpact from the City for claims. MedImpact invoices CBHS biweekly for claims paid to pharmacies, fiscal intermediary services, members' plan file data fees, and certain administrative costs. The exhibit below shows all payments CBHS made under the contract to MedImpact since the inception of the contract through June 30, 2012.

<b>EXHIBIT Budgeted and Actual Payments for MedImpact Contract October 1, 2008, Through June 30, 2012</b>		
<b>Period</b>	<b>Budgeted Amounts</b>	<b>Actual Payments</b>
October 1, 2008, through June 30, 2009	\$3,948,146	\$3,569,814
July 1, 2009, through June 30, 2010	5,067,026	3,789,887
July 1, 2010, through June 30, 2011	5,067,026	3,758,850
July 1, 2011, through June 30, 2012	5,067,026	3,631,650
<b>Total</b>	<b>\$19,149,224</b>	<b>\$14,750,201</b>

Source: City's accounting system.

During the audit period of July 1, 2011, through June 30, 2012, CBHS authorized 27 payments to MedImpact, totaling \$3.6 million and representing 13 percent of the contract's total not-to-exceed amount. The audit analyzed 15 of these payments, totaling \$1.9 million and representing 53 percent of the total dollar value of payments remitted during fiscal year 2011-12.

This audit was conducted in accordance with generally accepted government auditing standards. These standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

### **Objectives**

The purpose of this audit was to:

- Evaluate the adequacy of Public Health monitoring procedures and internal controls over the administration of the MedImpact contract.
- Determine whether MedImpact complies with the contract's general provisions.
- Assess whether MedImpact accurately charges Public Health for services provided and/or reimbursable expenses claimed and whether the City properly paid the amounts.

## Methodology

The audit focused on payments CBHS remitted to MedImpact during July 1, 2011, through June 30, 2012. To conduct this audit, CSA:

- Reviewed and gained an understanding of the contract's terms and conditions.
- Interviewed CBHS personnel to understand billing, payment, and contract monitoring procedures.
- Extracted payment information from the City's accounting system to identify a sample of payments to MedImpact for testing.
- Selected 15 payments made to MedImpact.
- Traced the billing data on the sample invoices to approved contract rates and supporting documentation.

## RESULTS

### **Finding 1 – CBHS monitoring procedures adequately ensure that the formulary rates and claims rate charges MedImpact reported are billed in accordance with contract terms.**

CBHS's process for reviewing and monitoring usage amounts and formulary rates is sufficient to ensure compliance with contract terms and provisions. The claims rate charges MedImpact billed are a function of the quantity of prescriptions filled and applicable formulary rates. Prescription claims compose almost all (97 percent) of the total amount invoiced. As a result, CBHS staff intentionally focuses its review on assessing the type, volume, and price of prescription claims reported by MedImpact.

Because CBHS manages its own pharmacy and is knowledgeable of price differentiation between brand name and generic prescription drugs, staff can apply this knowledge when conducting the division's annual review of the usage and rates of the prescriptions reported by MedImpact. Through this review, CBHS identified retroactive billing errors and recovered \$222,053 in costs in fiscal year 2011-12. Also, CBHS holds biweekly conference calls with MedImpact to discuss and propose solutions to contract-related problems.

An analysis of a sample of fiscal year 2011-12 claim payments shows that formulary rates and usage amounts reported by MedImpact for clients' prescriptions agree to the applicable drug utilization reports and formulary rate sheets required by the contract. Based on the same sample, the amounts of claims paid are mathematically accurate.

**Finding 2 – CBHS does not segregate duties related to fiscal intermediary purchases and payments through the MedImpact contract, increasing the risk of unallowed or unapproved purchases.**

For fiscal intermediary purchases, one CBHS employee has too much control over the process, which increases the risk of unallowed or unapproved purchases. The same CBHS employee submits the request to MedImpact for payment to the vendor, receives the check from MedImpact, and remits the check to the vendor, which is an inadequate segregation of duties.

When CBHS needs goods or services that cannot be provided under an existing contract with an approved city vendor, the prescriber or CBHS pharmacy staff will order the goods or services directly from an unapproved vendor, and the CBHS billing clerk will submit a request for payment to MedImpact for the invoiced amount. MedImpact then provides CBHS a check made payable to the vendor for the invoiced amount. The check is received by the same CBHS billing clerk who requested the payment, who then mails the check to the vendor upon receipt of the goods or services. MedImpact then requests reimbursement for the amount it remitted on its next month's invoice.

The US General Accountability Office's *Standards for Internal Control in the Federal Government* state that:

Key duties and responsibilities need to be divided or segregated among different people to reduce the risk of error or fraud: This should include separating the responsibilities for authorizing transactions, processing and recording them, reviewing the transactions, and handling any related assets. No one individual should control all key aspects of a transaction or event.

Segregation of duties is critical to effective internal control because it reduces the risk of mistakes and inappropriate actions. Adequate segregation of duties reduces the likelihood that errors, both intentional and unintentional, will remain undetected by providing for separate processing by different individuals at various stages of a transaction and for independent reviews of work performed. CBHS, like all city departments and divisions, must safeguard taxpayer dollars and adhere to the City's purchasing laws and rules.

The City's *Payment Processing Guidelines*, issued by the Controller as Departmental Guideline No. 008-11, require the segregation of duties for each part of the payment process. Developing, documenting, and adhering to good internal controls to both administer and monitor the fiscal intermediary relationship is important for the prudent spending of public resources and to prevent misappropriation of city funds.

**Recommendation**

1. The Department of Public Health should segregate duties among different employees so no one employee can do more than one of the following related to fiscal intermediary purchases and payments through the MedImpact contract:
  - Submit payment requests
  - Receive and mail checks

**Finding 3 – CBHS uses the MedImpact contract for recurring purchases of the same goods and services, a purpose for which it is not intended.**

CBHS has used MedImpact as a fiscal intermediary for recurring purchases of the same types of goods and services, in some cases for as long as five years, which is not the intended purpose of the fiscal intermediary arrangement. According to the director of CBHS pharmacy services and the department's assigned deputy city attorney, the fiscal intermediary clause was included in the MedImpact contract to allow the division to obtain low-cost items needed to support the division's operations *that the division cannot purchase using an existing contract with another vendor*. However, the contract does not specify this intent; rather, the fiscal intermediary clause in the contract allows CBHS to use MedImpact to purchase almost any type of program-related expenses, services, materials, and equipment.

Thoroughly analyzing the fiscal intermediary purchase transactions by CBHS quarterly or yearly would determine the frequency of items purchased and whether it would be prudent to procure those items through existing contracts or negotiate better rates with current vendors. Of 15 MedImpact payments and their associated invoices tested, 10 (67 percent) included fiscal intermediary costs, totaling \$68,280. Those 10 invoices included 14 payments made to five different vendors for recurring purchases of goods or services. For example, 4 payments were made to the same vendor for monthly computer systems analysis and design services.

Because MedImpact pays certain vendors on behalf of CBHS, Public Health must have written procedures for division staff to carefully review and monitor expenditures to determine whether purchasing items outside the scope of the MedImpact contract complies with the contract provisions. Developing, documenting, and adhering to good internal controls to both administer and monitor the fiscal intermediary relationship is important for the prudent spending of public resources and to prevent misappropriation of funds.

The City's *Payment Processing Guidelines* require that departments certify that all transactions are valid, legal, and properly authorized. The guidelines also state that departments must adhere to all city payment policies and procedures and document their departmental policies and procedures. Formal written procedures requiring division staff to carefully review and monitor fiscal intermediary expenditures would enhance both accountability and consistency and can assist the division in determining whether purchasing items outside the scope of the MedImpact contract complies with contract provisions.

**Recommendation**

2. The Department of Public Health should develop and implement written policies and procedures on administering and monitoring fiscal intermediary expenditures. Procedures should include conducting quarterly or yearly trend analyses of amounts spent and should direct staff to consider whether the good or service could be procured through existing contracts or whether better rates with current, approved city vendors could be negotiated through the City's standard procurement process.



**Finding 4 – The MedImpact contract does not specify the types of goods and services it covers and does not limit the amount that can be spent through the use of a fiscal intermediary, increasing the risk of unallowed or unapproved purchases.**

Broad language in the fiscal intermediary clause of the MedImpact contract results in weak controls. The contract states that MedImpact is to “serve as a fiscal intermediary for CBHS and process payments for related program expenses, services, materials, and equipment at the request of the City, using contract funds that have been designated for this purpose.” The contract does not specify the types of goods and services that can be purchased or the amount(s) that can be spent through the use of MedImpact as a fiscal intermediary. As a result, CBHS has virtually unlimited ability to purchase goods and services outside of the standard city procurement process.

The Controller's *Contracting Guidelines* recommend the use of clear and focused language to define a contract's scope of services to prevent misinterpretation of contract outcomes and deliverables. Clearly stating the types of goods and services — and establishing limits on how much can be spent through the use of a fiscal intermediary — can help to ensure that only approved items are purchased and may help to eliminate uncertainty by reducing areas open to interpretation by both parties. With no limits on the goods or services that MedImpact may purchase as a fiscal intermediary for CBHS or the amount that can be spent, the City is more vulnerable to the misuse of public funds.

**Recommendation**

3. The Department of Public Health should determine and document the types of goods and services for which MedImpact may serve as a fiscal intermediary, state the maximum amount of fiscal intermediary expenditures allowed during the contract term, and incorporate such provisions into future contracts.

**Finding 5 – CBHS did not ensure that MedImpact complied with two of the contract's documentation requirements, reducing the City's ability to monitor MedImpact.**

CBHS did not enforce the contract provisions that require MedImpact to provide yearly both the audit report of its books of accounts and the final closing invoice. CBHS has not requested, and MedImpact has not provided, either of these documents since the contract's inception. The contract requires MedImpact to:

- Have its books of accounts annually audited by a certified public accountant and to provide Public Health with the audit report and the associated management letter within 180 calendar days following the end of MedImpact's fiscal year.
- Submit a final closing invoice no later than 45 calendar days following the end of each fiscal year of the agreement.

The contract requires CBHS to remit an initial payment amount not to exceed \$250,000 to MedImpact yearly. MedImpact reduces the initial payment by the monthly payments made by

CBHS each fiscal year. If MedImpact were to become insolvent, there is a risk that the City could not collect the remaining prepaid balance. Reviewing MedImpact's annual financial audit report and associated management letter could provide CBHS with reasonable assurance that MedImpact is financially stable and can fulfill its duties under the contract and that MedImpact addresses internal control weaknesses identified in a management letter, if any. Further, reviewing the final closing invoices could allow CBHS to reconcile the contractor's final claims under the contract to incurred costs reported by the division and identify any discrepancies.

Although not required by the contract, MedImpact provides CBHS with its *Service Organization Controls (SOC) 1 Report on MedImpact Healthcare Systems, Inc.'s Description of Its Claims Processing System and on the Suitability of the Design and Operating Effectiveness of Controls*, prepared by the company's independent auditor in accordance with attestation standards established by the American Institute of Certified Public Accountants. The report expresses the auditor's opinion on the fairness of the presentation of the description and on the suitability of the design and operating effectiveness of the controls to achieve the related control objectives stated in the description, based on the examination performed.

As CBHS's pharmacy benefit manager, MedImpact has access to records of plan enrollees' drug use and, sometimes, diagnostic data. Reviewing MedImpact's SOC 1 reports could provide CBHS with reasonable assurance that MedImpact has appropriate and effective internal controls surrounding the processing of claims. Such controls are the responsibility of MedImpact, but they can directly impact SFBHP and its enrollees. Although the use of third-party service providers, such as MedImpact, can aid management in attaining strategic objectives more efficiently, it can also present risks if not properly managed. Specifically, failure to manage these risks can expose the City to financial loss, litigation, and reputational damage. Robust oversight of MedImpact's processes and review of its available information could reduce these risks associated with the use of a third-party service provider.

## **Recommendations**

If the MedImpact contract is renewed, the Department of Public Health should:

4. Ensure that MedImpact provides the annual audit report, associated management letter, and final closing invoice as the contract requires.
5. Review the annual audit report and final closing invoice as part of its contract monitoring.
6. Require MedImpact to provide yearly a Service Organization Controls (SOC 1) Report prepared by its auditor and put this requirement in future contracts. The report should be reviewed by the appropriate staff to determine whether any significant control deficiencies exist that may impede MedImpact's ability to provide adequate claim-processing services.

**Finding 6 – CBHS does not verify all amounts invoiced before approval and payment, increasing the risk that the City overpays or underpays for services provided via the MedImpact contract.**

Although CBHS verifies the formulary rates<sup>2</sup> and usage volumes reported by MedImpact, the division does not obtain the supporting documentation needed to verify the accuracy and the completeness of rebates, members' plan file data fees, and mailing fees invoiced to the City.

No Verification of Rebates for Patented Drugs. Although CBHS tracks the use of brand name prescriptions and correlates the usage levels with the rebate amounts reported by MedImpact, the division does not obtain the level of information necessary to verify whether MedImpact correctly reduces the claims invoiced to the City by 90 percent of the associated rebates received, as required by the contract.

MedImpact and drug manufacturers enter into formal agreements to provide rebates to MedImpact's clients for drugs purchased by its members. MedImpact periodically reports the number of brand name (single-source, patented) medications filled by CBHS's enrollees to drug manufacturers, whereupon the manufacturers pay MedImpact, in the form of a rebate, an agreed-upon amount for each prescription filled. MedImpact reduces the amount invoiced to the City by any rebate proceeds received related to its pharmacy benefit plan, less 10 percent.

Three major PBMs have faced a total of six federal or multidistrict court cases involving pharmaceutical rebates. These cases have resulted in more than \$371.9 million in damages to states, plans, and patients so far. Because CBHS does not require MedImpact to disclose the amount of rebates it receives from drug manufacturers and does not verify those amounts, there is a risk that the rebate amount reported by MedImpact may be understated. To ensure that all required rebate dollars earned by the plan are being passed back to the City, CBHS must first know the total rebate amount received by MedImpact related to the plan. Without this information, it is impossible to know what percentage, if any, goes back to CBHS and its members as savings. Since rebates can substantially reduce the cost of the claims paid to MedImpact, if the correct amount is not reported, the City could overpay or underpay for services provided. Of the 15 invoices the audit examined, 2 (13 percent) included rebates, which totaled \$10,411.

CBHS's *Conflict of Interest Policy on Interactions between CBHS and the Pharmaceutical Industry* requires that CBHS provide quality, evidence-based client care, and create a treatment environment that is free from the undue influence of pharmaceutical and device industry manufacturers. In accordance with this policy, the division strives to prescribe medications based on each patient's needs and does not want to be incentivized by the availability of a rebate to promote the prescription of a certain medication when another may be better suited for the patient. As a result, and as noted in Finding 1, the division intentionally focuses its review on assessing the type, volume, and price of prescription claims reported by MedImpact because prescription claims compose almost the entire amount invoiced. While CBHS strives to prescribe medications based on patient needs, if the prescribed medication has an associated

---

<sup>2</sup> Formulary rates are prices associated with a list of medications covered under a member's medical coverage agreement.

rebate, then CBHS must ensure that the correct amount is reported and applied against the claims paid by MedImpact.

The CBHS pharmacy tracks the utilization of each type of medication prescribed, with a focus on brand name medications, as they are more costly than their generic counterparts. According to the CBHS pharmacy director, when a brand name medication's patent expires, the drug is converted to generic status and, as a result, no longer has an associated rebate. While prescribed generic medications do not provide for rebates, the cost of a generic drug is typically much less than the cost of a brand name drug that does provide a rebate.

Lack of Documentation for Nominal Fees. All of the 15 audited MedImpact invoices CBHS paid lacked the supporting documents for members' plan file data fees and mailing fees. CBHS paid \$756 in members' plan file data fees and \$212 for mailing related to the 15 invoices. Although these amounts represent only 0.04 percent of total amounts invoiced for the sample inspected, they could represent several thousand dollars over the course of the contract term.

*Plan File Data Fees.* In accordance with contract provisions, CBHS provides MedImpact a weekly file listing clients eligible for prescription services. If new enrollees require medication within seven days of the start of service, which commences once their names are added to the eligibility listing, the prescriber will fax or e-mail a request to MedImpact to add the client to the CBHS eligible member's plan file. In these cases, the contract allows MedImpact to charge a members' plan file data fee of \$1 per record to manually add the client's information to the eligibility listing. Although CBHS reviews the eligibility listing and monitors the number of enrollees, the division does not verify the timing of when new enrollees fill their first prescription and whether new enrollees require medication within seven days of being enrolled in the plan.

According to its staff, CBHS reviews for reasonableness the members' plan file data fees invoiced by MedImpact to ensure that the amounts reported do not significantly fluctuate. However, CBHS could not provide supporting documentation evidencing that such reviews were conducted. The 15 invoices that the audit examined indicate that amounts charged for members' plan file data fees average \$50 and vary only nominally.<sup>3</sup>

*Mailing Fees.* MedImpact is allowed to charge the City for mailing and shipping fees to cover the cost of mailing required documents. When the audit team requested support for shipping fees charged by MedImpact, CBHS was unaware of the current rate and could not provide support for the quantity charged. In response to the audit request, CBHS inquired with MedImpact management and subsequently reported that a flat rate of \$0.003 per transaction was established to provide clients with predictable and easy-to-understand postage fees, as opposed to tracking actual mailing costs, which, CBHS stated, was found to be cost-prohibitive. Based on this information, the audit verified that a rate of \$0.003 was applied by MedImpact on each of the 15 invoices tested. However, without having knowledge of the shipping rate applied by MedImpact, CBHS was unable to verify that all charges were accurate and appropriate before approving them for payment. Of the sample of 15 invoices, amounts charged for mailing fees average \$11 and varied insignificantly.<sup>4</sup>

---

<sup>3</sup> The standard deviation in the sample is \$17, or 34 percent of the average.

<sup>4</sup> The standard deviation in the sample is \$1, or 8 percent of the average.

The City's *Payment Processing Guidelines* require that invoices be reviewed for completeness and accuracy and that the invoice and supporting documents be filed systematically for later audit. Without supporting documents, CBHS cannot verify whether the amounts billed agree to the invoice or whether the services were actually received. As a result, CBHS cannot be assured that it has been charged correctly.

### **Recommendations**

The Department of Public Health should:

7. Require MedImpact to disclose the specific amount of rebates received in connection with the health plan.
8. Obtain the supporting documentation needed to verify all amounts on MedImpact's invoices, including rebate amounts deducted, members' plan file data fees, and mailing charges, before approving them for payment. Supporting documents should be filed systematically for later audits.

Public Health's response is attached. CSA will work with Public Health to follow up on the status of the recommendations in this memorandum. CSA extends its appreciation to you and your staff who assisted with this audit. If you have any questions or concerns, please contact me at (415) 554-5393 or [tonia.lediju@sfgov.org](mailto:tonia.lediju@sfgov.org).

cc: Public Health  
Gloria Wilder  
Greg Wagner  
Controller  
Ben Rosenfield  
Elisa Sullivan  
Nicole Doran  
Aaron Obenyah

## ATTACHMENT: DEPARTMENT RESPONSE

---



City and County of San Francisco

### San Francisco Department of Public Health

Barbara A. Garcia, MPA  
Director of Health

Date: June 10, 2013

To: Tonia Lediju, Director of City Audits  
Controller's Office

From: Gloria Lee Wilder, Director  
CBHS Pharmacy Services

RE: Controller's Audit of the Medimpact CBHS Pharmacy Benefits Management Contract

Thank you for your draft audit report on the CBHS Medimpact pharmacy benefits management contract. Attached is DPH's completed Recommendation and Response form.

If you have any questions, please contact me at [gloria.wilder@sfdph.org](mailto:gloria.wilder@sfdph.org) or 415-255-3703.

cc: Barbara Garcia

---

The mission of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.

We shall ~ Assess and research the health of the community ~ Develop and enforce health policy ~ Prevent disease and injury ~  
~ Educate the public and train health care providers ~ Provide quality, comprehensive, culturally-proficient health services ~ Ensure equal access to all ~

[barbara.garcia@sfdph.org](mailto:barbara.garcia@sfdph.org) - office 415-554-2526 fax 415 554-2710

101 Grove Street, Room 308, San Francisco, CA 94102

---

## AUDIT RECOMMENDATIONS AND RESPONSES

Recommendation	Response
<p>The Department of Public Health should:</p> <ol style="list-style-type: none"> <li>1. Segregate duties among different employees so no one employee can do more than one of the following related to fiscal intermediary purchases and payments through the MedImpact contract:                             <ul style="list-style-type: none"> <li>• Submit payment requests</li> <li>• Receive and mail checks</li> </ul> </li> </ol>	<p>DPH concurs and has already implemented segregation of duties for fiscal intermediary payments based on the audit recommendations. The CBHS Pharmacy Healthcare Billing Clerk submits payment requests; the CBHS Director of Pharmacy, after comparing the check against the Medimpact invoice, mails the check.</p>
<ol style="list-style-type: none"> <li>2. Develop and implement written policies and procedures on administering and monitoring fiscal intermediary expenditures. Procedures should include conducting quarterly or yearly trend analyses of amounts spent and should direct staff to consider whether the good or service could be procured through existing contracts or whether better rates with current, approved city vendors could be negotiated through the City's standard procurement process.</li> </ol>	<p>DPH concurs. DPH has updated and is in the process of implementing the CBHS Pharmacy policy and procedures on administering and monitoring fiscal intermediary expenditures as recommended.</p>
<ol style="list-style-type: none"> <li>3. Determine and document the types of goods and services for which MedImpact may serve as a fiscal intermediary, state the maximum amount of fiscal intermediary expenditures allowed during the contract term, and incorporate such provisions into future contracts.</li> </ol>	<p>DPH concurs and will amend the Medimpact contract as recommended by September 30, 2013.</p>
<ol style="list-style-type: none"> <li>4. If the contract is renewed, ensure that MedImpact provides the annual audit report, associated management letter, and final closing invoice as the contract requires.</li> </ol>	<p>DPH concurs. DPH will require a SSAE 16 (Statement on Standards for Attestation Engagements) to assess internal control for contractors that are service organizations, in lieu of an annual audit report and management letter.</p>

Recommendation	Response
<p>5. If the contract is renewed, review the annual audit report and final closing invoice as part of its contract monitoring.</p>	<p>DPH concurs. DPH has already implemented the recommendation by revised the MedImpact contract for the next renewal period to address concerns about financial risk. The contract requires a fidelity bond in the amount of the initial payment to mitigate financial risk.</p>
<p>6. If the contract is renewed, require MedImpact to provide yearly the Service Organization Controls (SOC 1) Report prepared by its auditor and put this requirement in future contracts. The report should be reviewed by the appropriate staff to determine whether any significant control deficiencies exist that may impede MedImpact's ability to provide adequate claim-processing services.</p>	<p>DPH concurs. See response to finding #4.</p>
<p>7. Require MedImpact to disclose the specific amount of rebates received in connection with the health plan.</p>	<p>DPH partially concurs. DPH will require Medimpact will continue to provide a quarterly rebate report listing qualified prescriptions and the rebate amount. However, DPH was informed by Medimpact that the rebate contracts between Medimpact and pharmaceutical manufacturers are available to DPH for view only at the Medimpact corporate offices in San Diego, California. For DPH, it is cost and resource prohibitive to make multiple trips per year to San Diego to verify rebate rates. DPH will continue to monitor and correlate rebates with brand medication utilization and brand patent expirations.</p>



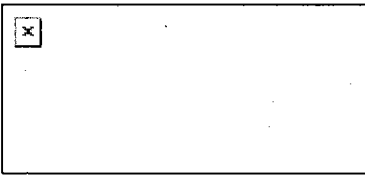
<b>Recommendation</b>	<b>Response</b>
<p>8. Obtain the supporting documentation needed to verify all amounts on MedImpact's invoices, including rebate amounts deducted, members' plan file data fees, and mailing charges, before approving them for payment. Supporting documents should be filed systematically for later audits.</p>	<p>DPH does not concur.</p> <p>For rebates, see response #7.</p> <p>For members' plan file data fees and mailing charges, DPH is electing to not obtain supporting documentation to verify each rate as the small dollar value does not warrant verification of each charge. DPH will continue to review charges for reasonableness and for any unusual deviations.</p>

File 130248, 121019  
130404  
c: BOS-11. upage

**From:** Board of Supervisors  
**To:** Miller, Alisa  
**Subject:** CEQA -- Local implementation and trailing legislation on appeals of modifications  
**Attachments:** SC SF Group CEQA Modifications Letter 06-20-2013.doc

**From:** Sue Vaughan [mailto:susan.e.vaughan@sonic.net]  
**Sent:** Thursday, June 20, 2013 11:09 AM  
**To:** Chiu, David

→ **Cc:** Board of Supervisors; Lee, Mayor; True, Judson; Rauschuber, Catherine; Mar, Eric (BOS); Pagoulatos, Nickolas; Farrell, Mark; Stefani, Catherine; Tang, Katy; Summers, Ashley; Breed, London; Johnston, Conor; Kim, Jane; Veneracion, April; Yee, Norman (BOS); Mormino, Matthias; Wiener, Scott; Power, Andres; Campos, David; Ronen, Hillary; Cohen, Malia; Bruss, Andrea; Avalos, John; Pollock, Jeremy; Redondiez, Raquel; Arthur Feinstein; Becky Evans; Eric Brooks; Karen Babbitt; Kathryn Phillips  
**Subject:** CEQA -- Local implementation and trailing legislation on appeals of modifications



San Francisco Group  
June 20, 2013

Honorable David Chiu  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, Ca. 94102-4689

Dear Supervisor Chiu:

Thank you for your hard work with us in the past few months to improve local implementation of the California Environmental Quality Act (CEQA). The Sierra Club is pleased that the proposed legislation makes public notification more robust and that the full Board of Supervisors retains its role in hearing CEQA appeals of projects, among other aspects of the legislation that the full Board will consider on June 25, 2013.

The Sierra Club endorses the CEQA legislation as currently proposed contingent upon the introduction of trailing legislation regarding project modifications. That legislation will implement a process for the televised appeal of Environmental Review Officer decisions on modifications of categorically exempt projects after the appeal period for first approvals has passed.

We respectfully request that the trailing legislation, matching the intent expressed by you at the last Land Use and Economic Development Committee meeting, be introduced at the full Board on June 25, 2013 (or as soon thereafter as possible) and heard at the Planning Commission and the Historical Preservation Commission in time for the legislation to be considered by the full Board of Supervisors on July 9, where it could be amended into the CEQA implementation legislation – presuming this legislation passes – at its second hearing at the Board.

Sincerely,



SIERRA  
CLUB

FOUNDED 1892

San Francisco Group  
June 20, 2013

Honorable David Chiu  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, Ca. 94102-4689

Dear Supervisor Chiu:

Thank you for your hard work with us in the past few months to improve local implementation of the California Environmental Quality Act (CEQA). The Sierra Club is pleased that the proposed legislation makes public notification more robust and that the full Board of Supervisors retains its role in hearing CEQA appeals of projects, among other aspects of the legislation that the full Board will consider on June 25, 2013.

The Sierra Club endorses the CEQA legislation as currently proposed contingent upon the introduction of trailing legislation regarding project modifications. That legislation will implement a process for the televised appeal of Environmental Review Officer decisions on modifications of categorically exempt projects after the appeal period for first approvals has passed.

We respectfully request that the trailing legislation, matching the intent expressed by you at the last Land Use and Economic Development Committee meeting, be introduced at the full Board on June 25, 2013 (or as soon thereafter as possible) and heard at the Planning Commission and the Historical Preservation Commission in time for the legislation to be considered by the full Board of Supervisors on July 9, where it could be amended into the CEQA implementation legislation – presuming this legislation passes – at its second hearing at the Board.

Sincerely,  
Susan Vaughan  
Secretary  
Executive Committee  
San Francisco Group  
SF Bay Chapter of the Sierra Club

CC:  
Mayor Ed Lee  
Clerk of the Board Angela Calvillo  
District Three Legislative Aide Judson True Judson  
District Three Legislative Aide Catherine Rauschuber  
Supervisor Eric Mar

Legislative Aide Nick Pagoulatos  
Supervisor Mark Farrell  
Legislative Aide Catherine Stefani  
Supervisor Katy Tang  
Legislative Aide Ashley Summers  
Supervisor London Breed  
Legislative Aide Conor Johnston  
Supervisor Jane Kim  
Legislative Aide April Veneracion  
Supervisor Norman Yee  
Legislative Aide Matthias Mormino  
Supervisor Scott Wiener  
Legislative Aide Andres Power  
Supervisor David Campos  
Legislative Aide Hillary Ronen  
Supervisor Malia Cohen  
Legislative Aide Andrea Bruss  
Supervisor John Avalos  
Legislative Aide Raquel Redondiez

**From:** Board of Supervisors  
**To:** BOS-Supervisors  
**Subject:** You have been informed. CCC

**From:** Lee Goodin [<mailto:lgoodin1@mindspring.com>]

**Sent:** Thursday, June 20, 2013 10:55 AM

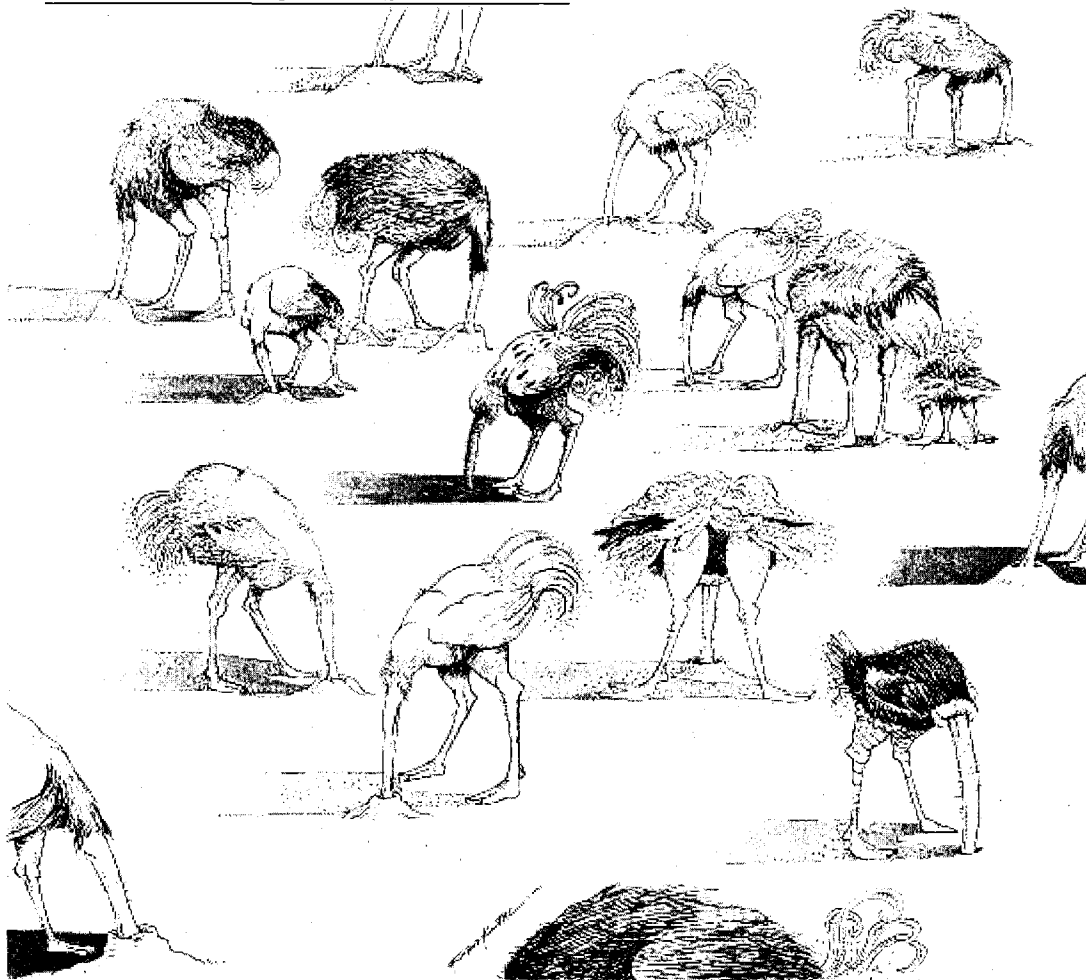
**To:** Board of Supervisors; Chiu, David; Campos, David; Mar, Eric (BOS); Avalos, John; Cohen, Malia; Farrell, Mark; Kim, Jane; Tang, Katy; Wiener, Scott; Yee, Norman (BOS); Breed, London; Lee, Mayor; MTABoard; [ed.reiskin@sfmta.com](mailto:ed.reiskin@sfmta.com); Funghi, John

**Cc:** Lance Carnes

**Subject:** You have been informed. CCC

1. Whether one supports or opposes the Central Subway, wasteful costs can be eliminated.
2. Bad City priorities are wasting millions of dollars that are needed to improve Muni service.
3. We can reverse Muni's poor on-time performance, shorter hours, breakdowns, accidents, missed runs, switchbacks and declining ridership.
4. By extracting the tunnel boring machines in Chinatown, we can save \$9 to \$13 million.
5. By **not digging** the empty tunnels from Chinatown to North Beach, we can save \$80 million.
6. Also, as revealed in recent reports and independent analysis, we need to prevent Central Subway cost overruns of \$400 million or more---because Muni needs the money more.

ARE YOU ONE OF THESE BIRDS??!!



CCC: You have been informed.

## Board of Supervisors

---

**From:** Lee Goodin [lgoodin1@mindspring.com]  
**Sent:** Friday, June 28, 2013 1:20 PM  
**To:** Board of Supervisors; Chiu, David; Campos, David; Mar, Eric (BOS); Avalos, John; Cohen, Malia; Farrell, Mark; Kim, Jane; Tang, Katy; Wiener, Scott; Yee, Norman (BOS); Breed, London  
**Cc:** Lance Carnes  
**Subject:** Constant Cranky Curmudgeon sez: You have been informed.

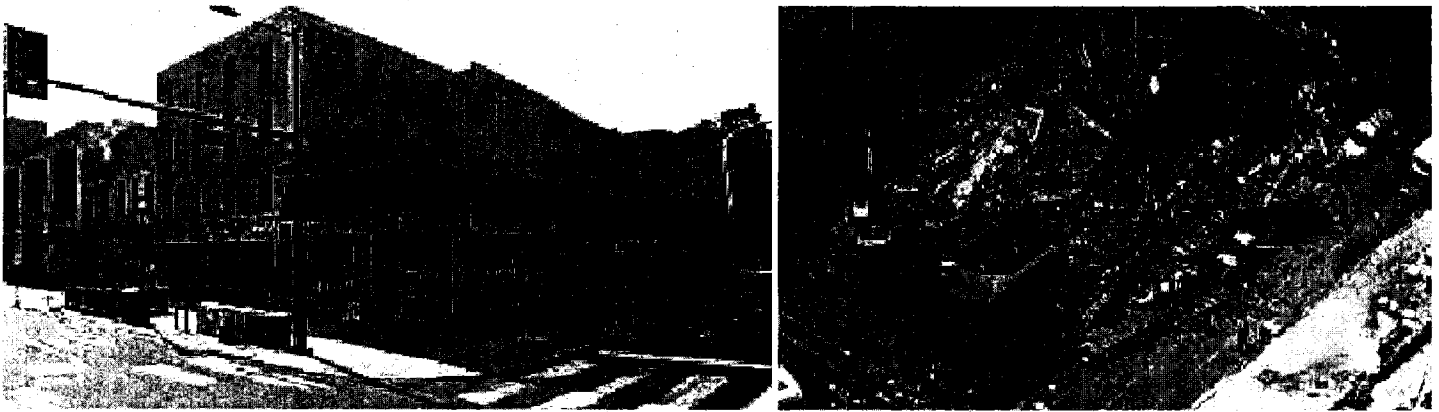
**Muni has a long-standing deficit of \$70 million, and the Central Subway is projected to have a \$400 million overrun by the 2018 completion date. In addition, the Muni system will be underfunded over the next 20 years. Spending \$70 to \$80 million for the Pagoda Option doesn't make sense, especially with the Chinatown Option as a low-cost alternative.**

**There has been steady opposition to the North Beach Variant, both the Mid-Columbus and Pagoda Options. Residents are not willing to endure years of excavation, dust, noise, thousands of truck trips through the neighborhood, business hardships, and more, with no foreseeable benefit. A North Beach subway station is at least 15–20 years from becoming a reality, assuming residents decide a subway station is the best transit alternative for the area.**

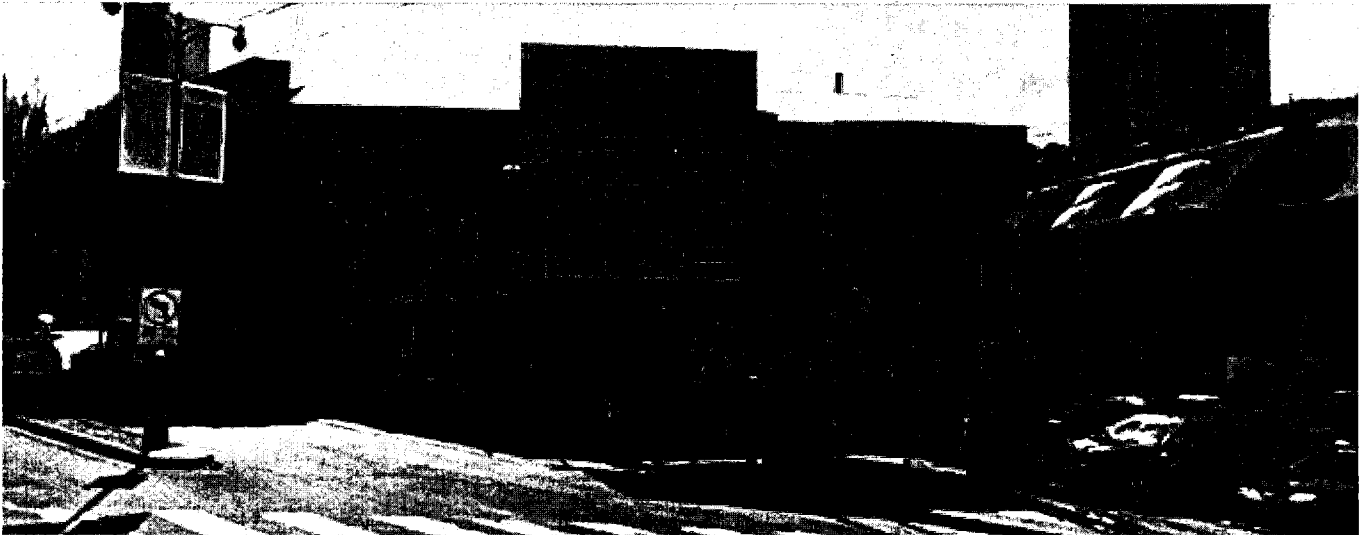


## Pagoda demolition vs Philly disaster

Howard Wong recently noted parallels between the early-June building demolition disaster in Philadelphia and the proposed Pagoda demolition. He notes that a tragedy like this can occur if demolition is rushed and engineering isn't properly done.



Philly: White building at left was demolished, crushing the smaller yellow building.



North Beach: Can the white building (Pagoda Theater) be safely demolished next to the smaller yellow building (Piazza Pellegrini)?

For Howard's analysis of the Pagoda demolition and other problems see his complaint.

**The extension of the Subway tunnels to Washington Square to make a "removal pit" will transform North Beach into something it mustn't be-- and permanently mar its traditional village feeling. With the extension of the Chinatown Subway into the very heart of historic North Beach, the special ambience of this fragile quarter will be greatly diminished.**

**---Lawrence Ferlinghetti & City Lights Books**



## Board of Supervisors

---

**From:** Lee Goodin [lgoodin1@mindspring.com]  
**Sent:** Friday, June 28, 2013 12:59 PM  
**To:** Board of Supervisors; Chiu, David; Campos, David; Mar, Eric (BOS); Avalos, John; Cohen, Malia; Farrell, Mark; Kim, Jane; Tang, Katy; Wiener, Scott; Yee, Norman (BOS); Breed, London  
**Cc:** Lance Carnes  
**Subject:** Constant Cranky Curmudgeon sez: You have been informed.

### Howard Wong, June 17, 2013

My Name: Howard Wong, AIA and SaveMuni.com

My Contact: phone/email

Property Address: 1731 Powell Street, Block/ Lot: 0101/ 004

Demolition Permit No.: 201302190452, Filed 02/19/2013

**PROBLEM:** The Demolition Permit should not be granted or released, until known dangers to surrounding buildings are fully analyzed---concealed by the Project Sponsor. Also, existing soil and geotechnical conditions have been misrepresented in this application.

- The Project Sponsor acknowledges that surrounding buildings are old, fragile and vulnerable---with shallow footings and brick foundations (See below---Barnard Impregilo Healy JV/ ARUP Report).
- No structural assessment of surrounding buildings has been done.
- In particular, the Pagoda Theater abuts (possibly tied to) a 1907 historic warehouse building.
- In past construction at the Pagoda Theater, a high water table and underground stream were found.
- According to the Project Sponsor's own engineers, additional soil test borings are necessary — but no new geotechnical report has been disclosed (after repeated Public Records Requests).
- The Demolition Work includes preparation work for Compensation Grouting---to address soil subsidence and potential danger to surrounding buildings. But no new geotechnical report has been done to prove that Compensation Grouting will be sufficient or adequate.
- In the ARUP Report, 3.1.3, Page 5: "The schematic demolition plans are intended only to start the permitting process and shall not be used for any other purpose."
- The BIHJV/ ARUP Report has cost exclusions, including new test borings, geotechnical analysis, additional building mitigations, hazardous materials and changes in site conditions.

See "ARUP Engineering Fee Proposal". See independent Geotechnical Reports: "Karp Report 1, 2 and 3", commissioned by SaveMuni.com.

<http://www.nonorthbeachdig.org/PagodaSiteProblems.html>

MISCELLANEOUS:

- o The 2008 Historic Resource Evaluation for the Pagoda Theater was for an Alteration, not a Demolition. [http://ec2-50-17-237-182.compute-1.amazonaws.com/docs/Decision\\_Documents/CatEx/CaseNo/2007.1117.pdf](http://ec2-50-17-237-182.compute-1.amazonaws.com/docs/Decision_Documents/CatEx/CaseNo/2007.1117.pdf)
- o The BIHJV/ ARUP Fee Proposal demonstrates that the Pagoda Project is going overbudget, requiring new SFMTA Board approvals and possible changes in work scope. From the 3-1-13 cost estimate by BIHJV/ ARUP, the Pagoda Theater Project's cost has increased from \$9.15 million to \$13.7 million--- and may increase further.
- o Demolition of the Pagoda Theater should not be granted since the feasibility of the entire project is still in flux. Demolition should not be allowed unless all permits for the entire project are secured. The Project Sponsor may demolish the Pagoda and then change or cancel the construction-portion of the project.

Regards, Howard Wong, AIA and SaveMuni.com

### **Howard Wong complaint, supplement**

TO: Department of Building Inspection

SUPPLEMENT: FILING OF COMPLAINT

DEMOLITION PERMIT FOR 1731 POWELL STREET (Pagoda Theater)

Property Address: 1731 Powell Street, Block/ Lot: 0101/ 004

Demolition Permit No.: 201302190452, Filed 02/19/2013

### **ILLEGAL PAGODA DEMOLITION BEING RUSHED!**

The adjacent restaurant owner has learned that demolition is imminent. The contractor shocked the restaurateur by saying that adjacent businesses would have to close during demolition of upper floors. Adjacent businesses can ill afford loss of income. The City and SFMTA have continued to conceal information from affected business/ property owners. The City and SFMTA have provided no engineering drawings or any review of demolition logistics.

And the Pagoda Theater Project is totally unnecessary!

Moreover, an independent Geotechnical Engineer warns of likely soil subsidence and damage to buildings within a one block radius.

### **RUSHED DEMOLITION = DEADLY CONSEQUENCES**

Demolition is not simple construction---and has demonstrable risks. Without full engineering, geotechnical reports and plans, the Pagoda Theater's rushed demolition is unwise and illegal. At minimum, surrounding business/ property owners should be allowed to review engineering and demolition drawings, as well as be

active participants in project planning. Thus far, neighboring businesses and property owners have been left in the dark.

ABC-NEWS: "Philadelphia Building Collapse Inspector Commits Suicide"

<http://abcnews.go.com/US/inspector-philadelphia-building-collapse-commits-suicide/story?id=19391204>

NBC10 PHILADELPHIA: "Philadelphia Building Collapse"

<http://www.nbcphiladelphia.com/news/local/Philadelphia-Building-Collapse-210270151.html>

USA TODAY: "6 dead, 14 hurt in Philadelphia building collapse"

<http://www.usatoday.com/story/news/nation/2013/06/05/pa-building-collapse-philadelphia/2391943/>

ASSOCIATED PRESS: "Woman buried for 13 hours in Philly building collapse loses both legs"

[http://www.pennlive.com/midstate/index.ssf/2013/06/philadelphia-building-collapse\\_4.html](http://www.pennlive.com/midstate/index.ssf/2013/06/philadelphia-building-collapse_4.html)

NBC10 PHILADELPHIA: "Deadly Building Collapse in Pictures"

<http://www.nbcphiladelphia.com/news/local/Philly-Building-Collapse-210250031.html>

Regards, Howard Wong, AIA, SaveMuni.com

---

**From:** Board of Supervisors  
**To:** BOS-Supervisors  
**Subject:** File #120987 Preserve Marina Green Open Space

From: Ron Mulcare [<mailto:rmulcare@earthlink.net>]  
Sent: Thursday, June 20, 2013 11:18 AM  
To: Lee, Mayor; Board of Supervisors; Farrell, Mark; Mar, Eric (BOS); Chiu, David; [Katie.Tang@sfgov.org](mailto:Katie.Tang@sfgov.org); Kim, Jane; Wiener, Scott; Campos, David; [Malia.Chhen@sfgov.org](mailto:Malia.Chhen@sfgov.org); Avalos, John; Yee, Norman (BOS); Breed, London  
Subject: File #120987 Preserve Marina Green Open Space

Dear Honorable Mayor Lee and Honorable Members of the Board of Supervisors

I am one of the original founders and incorporators of the Marina Community Association. I am also a current member of the Association. I have resided in the Marina 27 years and over that period I have devoted time and energy to matters that relate to the preservation and betterment of the Marina.

My wife and I are STRONGLY OPPOSED to the development of a restaurant or any other commercial development on the Marina Green. This is Open Space with substantial use of it as park and open space by all citizens of the City, not just Marina residents.

The degaussing station should be torn down!

Ron & Barbara Mulcare

## Board of Supervisors

---

**To:** BOS-Supervisors; Miller, Alisa  
**Subject:** Degaussing Station (File #120987)

**From:** Holm, Susan [mailto:sholm@wsgr.com]  
**Sent:** Tuesday, June 25, 2013 12:20 PM  
**To:** Farrell, Mark  
**Cc:** members@sfmca.org; Board of Supervisors; info@savemarinagreen.org  
**Subject:** Degaussing Station (File #120987)

Dear Mr. Farrell,

Further to my email of just a few minutes ago, I want you to be aware that while the MCA seems to assume that they speak for the entire Marina neighborhood, they most certainly do not speak for me, my husband, or a great many others I've spoken to recently about this proposal. In fact, we have lived in the Marina for two years (on Beach between Scott & Divisadero) and have never heard of the MCA before the Degaussing Station issue arose.

If you are in fact a representative of the entire Marina neighborhood and not just those represented by the MCA, then I encourage you to reach out for more complete feedback by holding a couple of town hall type meetings and/or having your staff do an outreach via U.S. mail not just to the entire neighborhood, and to your entire district.

This issue is far too important not to do a comprehensive and extensive outreach before any kind of decision is made on this that cannot be undone.

Thank you,  
Susan Holm

**Susan Holm** | Executive Assistant to Mr. Larry W. Sonsini, Chairman  
Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, CA 94304 USA  
[sholm@wsgr.com](mailto:sholm@wsgr.com) | Phone: 1.650.845.5960 | Mobile: 1.650.996.7288 | Fax: 1.650.493.6811

---

**From:** Holm, Susan  
**Sent:** Tuesday, June 25, 2013 11:36 AM  
**To:** 'members@sfmca.org'; 'mayoredwinlee@sfgov.org'; 'board.of.supervisors@sfgov.org'; 'mark.farrell@sfgov.org'; 'eric.l.mar@sfgov.org'; 'david.chiu@sfgov.org'; 'katie.tang@sfgov.org'; 'jane.kim@sfgov.org'; 'scott.wiener@sfgov.org'; 'david.campos@sfgov.org'; 'malia.cohen@sfgov.org'; 'john.avalos@sfgov.org'; 'norman.yee.bos@sfgov.org'; 'london.breed@sfgov.org'; 'info@savemarinagreen.org'  
**Subject:** Proposed Restaurant at the Marina Degaussing Station (File #120987)

RE: File #120987

As residents of the Marina we are compelled to weigh in on the controversy over the proposed restaurant at the degaussing station site on the Marina Green. Clearly, the main purpose of that entire stretch of waterfront, from Aquatic Park to the GG Bridge and beyond, is "activity" related. People (residents and tourists alike) go there to walk, jog, bike, sail, play in the sand, run their dogs, parasail, kite surf, and generally enjoy the fresh air and beautiful vistas.

Our first reaction to the idea of a restaurant at the degaussing station is that there are already plenty of eating establishments within a very short walk of the Marina Green. Anyone

who wishes to include a picnic or BBQ during their visit can easily find anything they need at the shops, delis and restaurants on Chestnut Street; the Beach Hut Cafe at Crissy Field Center; the Warming Hut; the Food Trucks (on Friday nights); the donut kiosk; Roundtable Pizza; and Safeway - to name but a few. And the finer restaurants on Chestnut and at Fort Mason are a great way to start or end a lovely day in the Marina if you are so inclined.

It is quite a stretch to see the "need" for yet another restaurant, particularly one modeled after Fisherman's Wharf's kitschy walk-up eateries with smelly crab pots and outdoor refrigeration. More distasteful is having such an establishment situated on the beautiful waterfront, in a totally non-commercial area, smack in the middle of pristine open space. In our opinion, it will be rather shocking to the senses and totally out of place. The mere idea of it seems to fly in the face of everything we, as a city, claim to stand for or want for our residents and visitors.

All of you -- our Board of Supervisors and our Mayor (past and present) - as well as the various neighborhood associations and just about anyone interested in any kind of political office in San Francisco advocate profusely that the open space in our fair City should be off limits to commercialization. And while that is a very admirable position to take, it happens, in this case to also be dictated by the City's own codes as well as agreements entered into by the City for this tiny sliver of land. I urge you to read through these agreements and codes for yourself and compare what you read to the proposal for this restaurant. We believe that your decision after doing so will be crystal clear.

In closing, it is often true that some things once done cannot be undone. Although we hear from the proponents of this restaurant that it will be the "only" one allowed on the Marina Green, history would suggest otherwise. It will, in all likelihood, be the catalyst for the expansion of a whole new "Fisherman's Wharf North." We all know that the revenue temptation will simply be too great and the precedent will have already been reset. We urge you to consider that if this eventuality is even remotely possible, it must be voted down. One of the most beautiful, pristine, and beloved waterfront areas of our City is at stake.

Thank you for taking the time to hear us out.

Dick and Susan Holm  
2028 Beach Street  
San Francisco, CA 94123

415-923-9237 (home)  
650-996-7288 (Sue's cell)  
650-224-3156 (Dick's cell)

This email and any attachments thereto may contain private, confidential, and privileged material for the sole use of the intended recipient. Any review, copying, or distribution of this email (or any attachments thereto) by others is strictly prohibited. If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.

---

**From:** Marvis Phillips [marvisphillips@gmail.com]  
**Sent:** Wednesday, June 19, 2013 5:40 PM  
**To:** Board of Supervisors  
**Cc:** Campos, David; Mar, Eric (BOS); Yee, Norman (BOS); Kim, Jane  
**Subject:** Concern over SB 635

SB 635 is a bad idea. If you just rely on law enforcement data alone, costs to SFPD will go up substantially. Costs to Emergency Medical will also rise, and Emergency Room costs will go through the roof from auto accidents, domestic violence, etc. The costs do not outweigh the noise annoyance and high-risk sex that comes from intoxicated people. San Francisco Police Department's Alcohol Liaison Unit and the 10 District Permit Officers will be overrun with compliance issues when existing laws spin out of control. It just does not make any physical/fiscal sense.

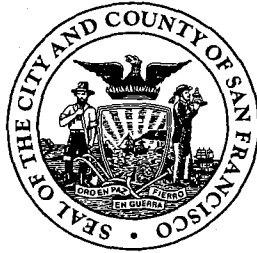
A resolution urging the Senate to reject Leno's SB 635 should be enacted on, and San Francisco should join the City of Los Angeles, City of Hermosa Beach, the County of Sacramento, as well as the California Narcotics Officers' Association, The California Police Chiefs Association, the Kern County Sheriff's Office, and the Los Angeles County Sheriff's Office in opposition to SB 635.

Sincerely,

Marvis J. Phillips,

a 29-year Community Watch Block Captain in the Tenderloin

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

---

---

MEMORANDUM

---

---

Date: June 20, 2013  
To: Linda Wong, Rules Committee Clerk  
From: *AC* Angela Calvillo, Clerk of the Board  
Subject: Results – Association of Bay Area Governments Executive Board  
(ABAG) Vacancy Notice

---

On June 30, 2013, there will be two vacancies (Seats 1 and 2) on the ABAG Executive Board due to the term expiration of Supervisors Cohen and Mar. Pursuant to an administrative policy, a questionnaire was sent to each Supervisor informing them of the vacancies on the ABAG Executive Board and requesting them to complete the questionnaire to indicate their interest in being appointed to ABAG for a two-year term, ending June 30, 2015.

The following responses were received:

Supervisor Mar and Supervisor Kim responded that they would like to be considered for the Member appointments to ABAG.

All other Supervisors declined the opportunity to be appointed to ABAG.

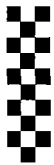
**Analysis**

Pursuant to the Board's Rules of Order, Section 6.5, "Before a Supervisor may be appointed to a first term of a second outside board or commission (excluding LAFCo and TA) every other Supervisor shall have been given the opportunity to serve on at least one outside board or commission."

Since all the other Supervisors declined, pursuant to the Board Rule, the names of Supervisor Mar and Supervisor Kim will be forwarded to the Rules Committee for consideration.

Please include this memo in the file.





BDS-11, page

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 JUN 21 AM 8:09

Carol Kunkle  
830 Moscow St  
San Francisco, CA. 94112  
(650) 922-5312

BY Fax

June 20, 2013

To: SF. Board of Supervisors:  
To: District 11 - John Avalos  
and All District members

I want to thank you for supporting our SF NERT Program. The program is to be commended on the way the class is taught through the San Francisco Fire Department. It has made me aware that is first in our great city by the bay - San Francisco.

In 1989 when most of you were starting to watch SF Giants World Series at Candlestick Park, I was working for the Giants as an Usher in the Upper Box 42. Can you imagine then, if we would have known what we have learned from our NERT training what kind of a day it would have been?? Certainly, we would have been under less stress, we are trained today as "can do the most good for the most people".

For this alone, please continue to support our SFFD - NERT program and let's be ready for the next big one!

Keep NERT in mind for the new budget.

Sincerely,

Carol Kunkle  
SFFD - NERT, Volunteer  
SFPD - ALERT, Volunteer

---

**From:** dianariver [dianariver@aol.com]  
**Sent:** Friday, June 21, 2013 6:07 AM  
**To:** Tang, Katy  
**Cc:** Board of Supervisors; Calvillo, Angela  
**Subject:** Thank you for Supporting the NERT program

Dear Supervisor Tang,

Thank you and the San Francisco Board of Supervisors for all of the work that you do to make San Francisco the wonderful city that it is.

And of those many aspects of your work, I want to thank you for your continued support of the San Francisco Fire Department's NERT program so that we may continue to train our citizens and those who work in San Francisco. To be resilient and know how to take care of ourselves so that we will be prepared before, during and after a disaster has occurred means that trained individuals, their families and their neighbors will not become a part of the problem.

Below I highlight some of the our Key Messages for you:

### Serving the City's Neighborhoods

- After a severe earthquake or other disaster, our first responders will be overwhelmed.
- The more we know about how to take care of ourselves in a disaster, the safer we will be and the quicker we will recover.
- The San Francisco Neighborhood Emergency Response Team is the only organization in San Francisco that provides free, hands-on training by first responders in how to be self-sufficient after a disaster.
- NERT training provides preparedness skills to people of all ages and physical conditions.
- NERT supports its graduates and neighborhood teams through continuing and advanced training, preparedness events, and team leadership development.

- 
- **Neighborhood Focus.** Neighbors and neighborhoods are key elements in disaster preparedness, training, and operations in the NERT program. NERT attracts and retains volunteers in part because teams organize themselves as *neighborhood*-based communities.
  - **Extend the abilities of our professional forces.** As a *Force Multiplier*, during disasters, NERT volunteers become first responders in their neighborhoods, and act as "eyes and ears" for the San Francisco Fire Department (SFFD) by reporting conditions around the city. NERT further assists the SFFD by doing light search and rescue, medical triage, and utility shut-off in affected neighborhoods. The presence of NERT allows professional first responders to focus on

areas that are most heavily impacted, providing a unique service to our City in a time of great need.

- **Message of Personal Preparedness.** NERT actively fosters personal preparedness in a way that *no other City program* does: through hands-on training. Personal preparedness is the first and most important goal of NERT. Each person and family that can care for itself after a disaster is one less that will need professional assistance. Such broad personal preparedness enables San Francisco to recover more quickly after a disaster. Through NERT, members are able to give back to the City, while helping family, friends, and neighbors.
- **Effective Training and Support by the SFFD.** The SFFD provides volunteers with basic and advanced disaster-response training, and reinforces these skills through citywide and smaller drills. Training is provided by professional first responders from the SFFD who, on a daily basis, perform the tasks that they train NERT volunteers to perform. From NERT's inception in 1990 to the present, the SFFD has provided outstanding support, training, and resources to the NERT program, ensuring NERT's growth into a nationally-recognized volunteer disaster response group. NERT's association with the SFFD allows volunteers to remain safe and effective in their disaster response efforts. SFFD instructors provide training, mentoring, and support to NERT members long after basic training ends.
- **Dedicated Program Coordinator.** NERT has flourished under the leadership of a dedicated Program Coordinator, who provides oversight, direction, and leadership to the program. The Program Coordinator also acts as NERT's spokesperson and liaison to other city agencies and preparedness organizations. Current Program Coordinator, Lt. Erica Arteseros has been recognized by the Neighborhood Empowerment Network as 2011's Most Empowering City Employee because of all the work she has done, like those who preceded her, with and for the residents of San Francisco.

Sincerely,

Diane Rivera

Coordinator Chair

San Francisco Neighborhood Emergency Response Team

KG6QLX

415-753-1443

<http://sf-fire.org/index.aspx?page=879>

---

**To:** BOS-Supervisors  
**Subject:** Three emails regarding the NERT Program  
**Attachments:** NERT funding; N.E.R.T.; Thank you for Supporting the NERT program

Supervisors:

Please see attached three emails received regarding the NERT Program.

---

**From:** Mark Hotsenpiller [bikemark@mac.com]  
**Sent:** Friday, June 21, 2013 8:08 AM  
**To:** scott.weiner@sfgov.org; Board of Supervisors; diane1rivera@aol.com  
**Subject:** NERT funding

Dear Scott,

I am one of the newest "NERTs" in the City, having graduated yesterday from the SFFD program. I am concerned that the funding might be cut during the budget planning process. It seems to be an extremely important program, as preparing SF citizens for emergencies should be a priority. Please maintain current levels of funding for the NERT program.

Many thanks to you for your diligent work as representative of District 8.

Mark Hotsenpiller  
469 Chenery  
SF 94131  
415.333.1085

---

**From:** Janice Bolaffi [bolaffi@pacbell.net]  
**Sent:** Friday, June 21, 2013 12:07 AM  
**To:** Board of Supervisors; Breed, London  
**Cc:** Diane Rivera  
**Subject:** N.E.R.T.

Dear Supervisors,

Unfortunately I am unable to attend your meeting due my recovering from a medical procedure. However, this short note pertains to my full support of the San Francisco's NERT Program.

By way of brief background, my son David and I are both certified graduates (1/16/13) of this outstanding program. The NERT training curriculum was a very informative series of interactive lectures that described and showed us precisely the multidisciplinary activities involved in a disaster and what role a member of NERT would play in such a disaster. That experience is invaluable to my family, neighbors and neighborhood. I am confident that each of you (as Supervisors) has participated in this program. However, if any of you are not a certified NERT, then by all means please enroll in this life saving program.

My recommendation to our Fire Department is that NERT be expanded from 6 weeks to 8 weeks.

In conclusion, the NERT Program and its lecturers can only be described in five words..."Class! Is Class! Is Class!". It deserves unanimously your full support and full funding. Thank you for your consideration.

Sincerely yours,

Andre Bolaffi, Ph.D.  
2331 Bush Street  
San Francisco, CA 94115  
(Western Addition)  
(415) 931-1091

---

**To:** BOS-Supervisors  
**Subject:** Support for NERT

**From:** Nancy Miller [<mailto:nlmiller@alumni.upenn.edu>]  
**Sent:** Saturday, June 22, 2013 12:55 PM  
**To:** Breed, London  
**Cc:** Board of Supervisors; [diane1rivera@aol.com](mailto:diane1rivera@aol.com)  
**Subject:** Support for NERT

Dear Supervisor Breed:

Thank you for your support of the NERT program, which provides residents with valuable training for disaster preparedness.

I've been a proud NERT for 20 years, and find the program to be a great example of citizens and government working together to improve lives for everyone in our wonderful city.

Thank you again for the Board of Supervisors' continued support for NERTs.

Respectfully,

Nancy Miller  
1329 Pierce St.  
San Francisco CA 94115

Orig: Leg Clerk, C-BOB-11  
COB, Leg Dep.  
cpage

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CITY ATTORNEY



DENNIS J. HERRERA  
City Attorney

JON GIVNER  
Deputy City Attorney

DIRECT DIAL: (415) 554-4694  
E-MAIL: jon.givner@sfgov.org

MEMORANDUM

TO: Angela Calvillo  
Clerk of the Board of Supervisors

FROM: Jon Givner  
Deputy City Attorney *JG*

DATE: June 20, 2013

RE: Appeal of the Historic Preservation Commission's Decision on a Major Permit to Alter relating to 706 Mission Street

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 20 PM 12:54  
PN

You have asked for our advice regarding whether the decision of the Historic Preservation Commission ("HPC") to approve a Major Permit to Alter for the property located at 706 Mission Street is appealable to the Board of Supervisors. You have forwarded for our review a letter from Thomas N. Lippe, on behalf of 765 Market Street Residential Owner's Association, received by the Clerk's Office on June 13, 2013. The Appellant provided a copy of HPC Motion No. 0197, approving the Major Permit to Alter at its meeting on May 15, 2013.

The work proposed under the Major Permit to Alter is part of a larger project on three parcels at the northwest corner of Third and Mission Streets, including rehabilitation of the Aronson Building and construction of a new, adjacent tower (the "Project"). On June 11, 2013, the Planning Commission introduced an ordinance to create a Yerba Buena Center Mixed-Use Special Use District and amend the Zoning Map to facilitate the Project (Board File No. 130570). The legislation is currently pending at the Board of Supervisors Land Use Committee, and requires Board of Supervisors approval.

Under the Planning Code, the HPC's decision on a Permit to Alter may be appealed to the Board of Appeals, "provided, however, that if the project requires Board of Supervisors approval or is appealed to the Board of Supervisors as a Conditional Use Authorization, the decision shall not be appealed to the Board of Appeals but rather to the Board of Supervisors, which may modify the decision by a majority vote." Planning Code § 1115. Because the Project would require at least one further approval from the Board of Supervisors, it is appealable to the Board of Supervisors.

Additionally, under the Planning Code, an appeal of a Permit to Alter must be filed within 30 days after the date of the final action by the HPC. See Planning Code § 1115. Here, the HPC acted on May 15, and the Appellants filed their appeal on June 13—within 30 days of the HPC's decision. Accordingly, the appeal of this Permit to Alter is both properly made to the Board of Supervisors and timely, and you should so inform the Appellant.

Please let us know if we may be of further assistance.

Cc: Rick Caldeira, Deputy Director, Clerk of the Board  
Joy Lamug, Clerk of the Board's Office  
Kate Stacy, Deputy City Attorney



**Memorandum**

TO: Angela Calvillo, Clerk of the Board of Supervisors  
DATE: June 20, 2013  
PAGE: 2  
RE: Appeal of the Historic Preservation Commission's Decision on a Major Permit to  
Alter relating to 706 Mission Street

---

Andrea Ruiz-Esquide, Deputy City Attorney  
Marlena Byrne, Deputy City Attorney  
Judy Boyajian, Deputy City Attorney  
Scott Sanchez, Zoning Administrator, Planning Department  
AnMarie Rodgers, Planning Department  
Tim Frye, Planning Department  
Jonas Ionin, Planning Department  
Lily Yegazu, Planning Department  
Kevin Guy, Planning Department

---

**From:** Board of Supervisors  
**To:** BOS-Supervisors  
**Subject:** Do not ruin the taxi industry in S.F.

---

**From:** Brigida Lembke [mailto:[yc592@att.net](mailto:yc592@att.net)]  
**Sent:** Friday, June 21, 2013 2:18 PM  
**To:** Board of Supervisors  
**Subject:** Do not ruin the taxi industry in S.F.

Dear fellow taxi industry members,  
S.F. Mayor Lee, and Conway, and his venture capitalist are quickly destroying the taxi industry in San Francisco. These venture capitalist along with the Mayor are also allowing other forms of industry to compete with well regulated industries that pay their fair share of taxes to the city of S.F. These venture capitalist are competing with other industries without following any regulations, or paying their fair share taxes, and fees to the city of S.F. In the last year or so renters in certain parts of S.F. have seen their rents go up by 100% due to the influence of the venture capitalist.

If they succeed in ruining the taxi industry the city of S.F. will loose over three hundred million dollars, not to mention the suffering of everyone in the taxi industry all because the Mayor values the political contributions he has received from the venture capitalist more than he cares about how much the city can receive from a well regulated taxi industry.

We in the industry must fight the Mayor, and the venture capitalist by letting the citizens of S.F. know what they stand to loose. financially, and the cost of human suffering if the Mayor, and his venture capitalist friends continue to let things run wild.

I am pleading with my peers in the taxi industry to write their supervisors, and the press to get them to understand what is happening in S.F. We are at war with the Mayor at present. Lets do something to win this war. Sincerely, Art Lembke

---

**From:** Board of Supervisors  
**To:** BOS-Supervisors; Young, Victor  
**Subject:** Central Subway Budget Hearing

---

**From:** BERNARD CHODEN [<mailto:choden@sbcglobal.net>]  
**Sent:** Friday, June 21, 2013 2:34 PM  
**To:** Board of Supervisors  
**Cc:** [sft-board-list@sonic.net](mailto:sft-board-list@sonic.net); Claire Zvanski; Aaron Goodman; Adam Scow; Larry Bush; Calvin Welch; Charles Marsteller  
**Subject:** Central Subway Budget Hearing

From: Bernie Choden

Summary of my testimony on the Central Subway budget hearing by the BOS budget committee on June 21, 2013.

The BOS needs to apply "Due Diligence" on the Central Subway budget prior to its approval utilizing a "Benefits/Costs" analysis as part of a Forensic Audit of the proposed budget;

1. Handicapped needs required by CEQA have been circumvented without due process and mitigation. For example, the people mover for the aged and handicapped between Union Sq. and Market St. that was a committed part of the approved program was excised without proper evaluation or public process with the disclaimer that street side benches, if provided, would ameliorate access along the 1,000 feet between points.
2. As a matter of urgent life/safety, the subway bore will be 80 feet below Market St. and be subject to hydraulic pressure, at that depth, with a result of water inundation in the certain event of a major earthquake. Subway trains caught in that event bring to memory the thousands of Berliners drowned in subway cars below the river Spree during W.W. II.

Needed is abeyance of budget approval until Forensic Analysis can ascertain whether this project, now almost \$400 millions in arrears and 20% over budget, should be continued. It appears that the city needs to cut its losses now in order to enable Muni to continue effectively and finance other public priorities.

The city has the means to finance its losses. Two expedient sources for mitigation are:

1. Foreshorten or eliminate existing capital programs amounting to approximately one half of the \$ 3 billion covered by the city's bond service. That amount for mitigation approximates \$ 100 millions/year.
2. Forensic Analysis of the Mayors Office budget indicates at least \$ 100 billions per year could be prioritized for mitigations.

Conclusions: Cut our losses, find alternatives and mitigate the damage.

---

**From:** Jimm Li [mailto:changemail.org]  
**Sent:** Thursday, June 20, 2013 8:12 PM  
**To:** Board of Supervisors  
**Subject:** I just signed "Make fiber broadband a priority for San Francisco"

Dear San Francisco Board of Supervisors,

I just signed Dana S's petition "[Make fiber broadband a priority for San Francisco](#)" on Change.org.

As other cities embrace high-speed fiber broadband, San Francisco is getting left behind. Our city has underutilized public fiber and several local Internet Service Providers eager to deploy gigabit speed broadband to businesses and households, yet this is stymied by rules and regulations that have not kept pace with technology. Deployment of fiber and ultra-high speed broadband provides a unique opportunity to create innovation and new jobs, extend public access and develop valuable infrastructure that would serve our city for decades to come. I encourage you to develop policy to encourage fiber deployment and make ultra fast broadband a priority for San Francisco.

Sincerely,  
Jimm Li San Francisco, California

---

There are now 8 signatures on this petition. Read reasons why people are signing, and respond to Dana S by clicking here:

<http://www.change.org/petitions/make-fiber-broadband-a-priority-for-san-francisco?response=9272c59f571d>



## Board of Supervisors

---

**From:** Laura Ku [mailto:changemail.org]  
**Sent:** Monday, June 24, 2013 10:04 PM  
**To:** Board of Supervisors  
**Subject:** I just signed "Make fiber broadband a priority for San Francisco"

Dear San Francisco Board of Supervisors,

I just signed Dana S's petition "[Make fiber broadband a priority for San Francisco](#)" on Change.org.

As other cities embrace high-speed fiber broadband, San Francisco is getting left behind. Our city has underutilized public fiber and several local Internet Service Providers eager to deploy gigabit speed broadband to businesses and households, yet this is stymied by rules and regulations that have not kept pace with technology. Deployment of fiber and ultra-high speed broadband provides a unique opportunity to create innovation and new jobs, extend public access and develop valuable infrastructure that would serve our city for decades to come. I encourage you to develop policy to encourage fiber deployment and make ultra fast broadband a priority for San Francisco.

Sincerely,  
Laura Ku San Francisco, California

---

There are now 9 signatures on this petition. Read reasons why people are signing, and respond to Dana S by clicking here:

<http://www.change.org/petitions/make-fiber-broadband-a-priority-for-san-francisco?response=9272c59f571d>



## Board of Supervisors

---

**From:** Kate Voss [mailto:changemail.org]  
**Sent:** Monday, June 24, 2013 10:14 PM  
**To:** Board of Supervisors  
**Subject:** I just signed "Make fiber broadband a priority for San Francisco"

Dear San Francisco Board of Supervisors,

I just signed Dana S's petition "[Make fiber broadband a priority for San Francisco](#)" on Change.org.

As other cities embrace high-speed fiber broadband, San Francisco is getting left behind. Our city has underutilized public fiber and several local Internet Service Providers eager to deploy gigabit speed broadband to businesses and households, yet this is stymied by rules and regulations that have not kept pace with technology. Deployment of fiber and ultra-high speed broadband provides a unique opportunity to create innovation and new jobs, extend public access and develop valuable infrastructure that would serve our city for decades to come. I encourage you to develop policy to encourage fiber deployment and make ultra fast broadband a priority for San Francisco.

Sincerely,  
Kate Voss San Francisco, California

---

There are now 10 signatures on this petition. Read reasons why people are signing, and respond to Dana S by clicking here:

<http://www.change.org/petitions/make-fiber-broadband-a-priority-for-san-francisco?response=9272c59f571d>



---

**From:** david flaherty [mailto:changemail.org]  
**Sent:** Thursday, June 27, 2013 3:09 PM  
**To:** Board of Supervisors  
**Subject:** I just signed "Make fiber broadband a priority for San Francisco"

Dear San Francisco Board of Supervisors,

I just signed Dana S's petition "[Make fiber broadband a priority for San Francisco](#)" on Change.org.

As other cities embrace high-speed fiber broadband, San Francisco is getting left behind. Our city has underutilized public fiber and several local Internet Service Providers eager to deploy gigabit speed broadband to businesses and households, yet this is stymied by rules and regulations that have not kept pace with technology. Deployment of fiber and ultra-high speed broadband provides a unique opportunity to create innovation and new jobs, extend public access and develop valuable infrastructure that would serve our city for decades to come. I encourage you to develop policy to encourage fiber deployment and make ultra fast broadband a priority for San Francisco.

Sincerely,  
david flaherty san francisco, California

---

There are now 13 signatures on this petition. Read reasons why people are signing, and respond to Dana S by clicking here:

<http://www.change.org/petitions/make-fiber-broadband-a-priority-for-san-francisco?response=9272c59f571d>



---

**From:** calvin ng [mailto:changemail.org]  
**Sent:** Thursday, June 27, 2013 12:11 AM  
**To:** Board of Supervisors  
**Subject:** I just signed "Make fiber broadband a priority for San Francisco"

Dear San Francisco Board of Supervisors,

I just signed Dana S's petition "[Make fiber broadband a priority for San Francisco](#)" on Change.org.

As other cities embrace high-speed fiber broadband, San Francisco is getting left behind. Our city has underutilized public fiber and several local Internet Service Providers eager to deploy gigabit speed broadband to businesses and households, yet this is stymied by rules and regulations that have not kept pace with technology. Deployment of fiber and ultra-high speed broadband provides a unique opportunity to create innovation and new jobs, extend public access and develop valuable infrastructure that would serve our city for decades to come. I encourage you to develop policy to encourage fiber deployment and make ultra fast broadband a priority for San Francisco.

Sincerely,  
calvin ng san francisco, California

---

There are now 12 signatures on this petition. Read reasons why people are signing, and respond to Dana S by clicking here:

<http://www.change.org/petitions/make-fiber-broadband-a-priority-for-san-francisco?response=9272c59f571d>





## Board of Supervisors

---

**From:** leane nguyen [mailto:changemail.org]  
**Sent:** Wednesday, June 26, 2013 2:55 PM  
**To:** Board of Supervisors  
**Subject:** I just signed "Make fiber broadband a priority for San Francisco"

Dear San Francisco Board of Supervisors,

I just signed Dana S's petition "[Make fiber broadband a priority for San Francisco](#)" on Change.org.

As other cities embrace high-speed fiber broadband, San Francisco is getting left behind. Our city has underutilized public fiber and several local Internet Service Providers eager to deploy gigabit speed broadband to businesses and households, yet this is stymied by rules and regulations that have not kept pace with technology. Deployment of fiber and ultra-high speed broadband provides a unique opportunity to create innovation and new jobs, extend public access and develop valuable infrastructure that would serve our city for decades to come. I encourage you to develop policy to encourage fiber deployment and make ultra fast broadband a priority for San Francisco.

Sincerely,  
leane nguyen san francisco, California

---

There are now 11 signatures on this petition. Read reasons why people are signing, and respond to Dana S by clicking here:

<http://www.change.org/petitions/make-fiber-broadband-a-priority-for-san-francisco?response=9272c59f571d>



## Board of Supervisors

---

**From:** Todd Stallings [mailto:changemail.org]  
**Sent:** Monday, July 01, 2013 11:22 AM  
**To:** Board of Supervisors  
**Subject:** I just signed "Make fiber broadband a priority for San Francisco"

Dear San Francisco Board of Supervisors,

I just signed Dana S's petition "[Make fiber broadband a priority for San Francisco](#)" on Change.org.

As other cities embrace high-speed fiber broadband, San Francisco is getting left behind. Our city has underutilized public fiber and several local Internet Service Providers eager to deploy gigabit speed broadband to businesses and households, yet this is stymied by rules and regulations that have not kept pace with technology. Deployment of fiber and ultra-high speed broadband provides a unique opportunity to create innovation and new jobs, extend public access and develop valuable infrastructure that would serve our city for decades to come. I encourage you to develop policy to encourage fiber deployment and make ultra fast broadband a priority for San Francisco.

Sincerely,  
Todd Stallings San Francisco, California

---

There are now 14 signatures on this petition. Read reasons why people are signing, and respond to Dana S by clicking here:

<http://www.change.org/petitions/make-fiber-broadband-a-priority-for-san-francisco?response=9272c59f571d>





File 130263

orig: LU clerk  
BOS-11, cpage

# SAN FRANCISCO PLANNING DEPARTMENT

RECEIVED  
SUPERVISORS  
SAN FRANCISCO

2013 JUN 24 PM 3:45

Ak

June 21, 2013

Ms. Angela Calvillo, Clerk  
Honorable Supervisor Wiener  
Board of Supervisors  
City and County of San Francisco  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Re: **Transmittal of Planning Department Case Number 2013.0160T:  
Castro Neighborhood Commercial District Use Size Limits  
Board File No. 13-0263  
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo and Supervisor Wiener,

On June 20, 2013, the San Francisco Planning Commission conducted a duly noticed public hearing at its regularly scheduled meeting to consider the proposed amendments to Planning Code Section 121.2 and to Section 715.21 to amend the use size restrictions in the Castro Street Neighborhood Commercial District. The amendments were introduced by Supervisor Scott Wiener. At the hearing, the Planning Commission recommended approval and adopted the attached Resolution No. 18911 to that effect.

The proposed amendments have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2). Pursuant to San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-page Documents," the Department is sending electronic documents and one hard copy. Additional hard copies may be requested by contacting Jessica Look at 575-6812.

Please find attached documents relating to the action of the Planning Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

AnMarie Rodgers  
Manager of Legislative Affairs

SOPHIE HAYWARD for ANMARIE RODGERS

cc:

Supervisor Scott Wiener

Jon Givner, Deputy City Attorney

Judith Boyajian, Deputy City Attorney

Jason Elliot, Mayor's Director of Legislative & Government Affairs

Attachments (two hard copies of the following):

Planning Commission Resolution

Planning Department Executive Summary



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 18911

HEARING DATE JUNE 20, 2013

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Project Name:* Amendments relating to the Castro NCD Use Size Limits

*Case Number:* 2013.0160T [Board File No. 13-0263]

*Initiated by:* Supervisor Weiner/ Introduced March 19, 2013

*Staff Contact:* Jessica Look, 415.575.6812

jessica.look@sfgov.org

*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs

anmarie.rodgers@sfgov.org, 415-558-6395

*Recommendation:* **Recommend Approval**

RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE THAT WOULD INITIATE AMENDMENTS TO THE SAN FRANCISCO PLANNING CODE BY 1) AMENDING SECTION 121.2 TO PROVIDE FOR A USE SIZE EXCEPTION FOR NEIGHBORHOOD SERVING NONPROFIT INSTITUTIONS IN THE CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT WITH A CONDITIONAL USE AUTHORIZATION, AND 2) AMENDING SECTION 715.21 TO MAKE REFERENCE TO THIS USE SIZE EXCEPTION; AND 3) MAKING FINDINGS INCLUDING ENVIRONMENTAL FINDINGS, AND FINDINGS OF CONSISTENCY WITH PLANNING CODE, SECTION 302 AND SECTION 101.1 AND THE GENERAL PLAN.

WHEREAS, on March 19, 2013, Supervisors Weiner introduced a proposed Ordinance under Board of Supervisors (hereinafter "Board") File Number 13-0263, which would amend Sections 121.2 and 715.21 of the Planning Code regarding a use size exception for neighborhood serving nonprofit institutions in the Castro Street Neighborhood Commercial District with a Conditional Use Authorization.

WHEREAS, The Planning Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on June 20, 2013; and,

WHEREAS, the proposed Ordinance has been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2); and

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, all pertinent documents may be found in the files of the Department, as the custodian of records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and

MOVED, that the Planning Commission hereby recommends that the Board of Supervisors **approve with modifications** the proposed ordinance and adopts the attached Draft Resolution to that effect.

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The continued, controlled expansion of neighborhood serving nonprofit institutions is important to the city in the provision of valuable and needed services to residents.
2. Nonprofit, neighborhood serving social services are already an existing and desired use in the Castro NCD and are consistent with the character of the Castro NCD.
3. Furthermore, the Castro NCD is a multi-purpose commercial district that provides not only goods and services to the immediate neighborhood, but to the outside of the district as well, therefore the District can accommodate this proposed use size
4. In addition, the proposed legislation will provide an opportunity for development of neighborhood supported social services that are necessary or desirable for, and compatible with, the local neighborhood and to the City of San Francisco.
5. This legislation will promote and support the accessibility of social services in the Castro.
6. Furthermore, the proposed legislation has the support of the Department, Supervisor Scott Wiener, Merchants of Upper Market (MUMC) and the San Francisco AIDS Foundation.
7. **General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

### **I. COMMERCE AND INDUSTRY ELEMENT**

**POLICY 1.1:** Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

**POLICY 4.2:** Promote and attract those economic activities with potential benefit to the City.

**OBJECTIVE 6:** MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

**POLICY 6.1:** Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

**OBJECTIVE 7:** ENHANCE SAN FRANCISCO'S POSITION AS A NATIONAL AND REGIONAL CENTER FOR GOVERNMENTAL, HEALTH, AND EDUCATIONAL SERVICES

**Policy 7.2:** Encourage the extension of needed health and educational services, but manage expansion to avoid or minimize disruption of adjacent residential areas.

*By allowing larger institutional uses/neighborhood serving nonprofits to exist in the Castro NCD, this would result in positive community and social benefit for residents and for those who come to the neighborhood to seek services. The proposed amendment does not cause adverse environmental and or negative economic effects and thus should be encouraged. The essential character of this neighborhood corridor will be maintained by encouraging and protecting uses which provide a necessary services to the area.*

## II. COMMUNITY FACILITIES ELEMENT

**OBJECTIVE 3: ASSURE THAT NEIGHBORHOOD RESIDENTS HAVE ACCESS TO NEEDED SERVICES AND A FOCUS FOR NEIGHBORHOOD ACTIVITIES.**

*One component contributing to the quality of the living environment is the availability of community services and facilities designed to meet the cultural, social and health needs of neighborhood residents. This proposed legislation would promote the development of providing needed and desired services to the community.*

**8. Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed amendments will not have a negative impact on neighborhood serving retail uses and will not impact opportunities for resident employment in and ownership of neighborhood-serving retail. It would in fact enhance future opportunities for residential employment and current institutional businesses.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed amendments will help preserve existing housing and neighborhood character by promoting institutional and social service needs that are desired by the community. The amendments will not impact existing housing.*

3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed amendments will have no adverse effect on the City's supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed amendments will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed amendments would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed Ordinance would not affect the preparedness against injury and loss of life in an earthquake is unaffected.*

7. That the landmarks and historic buildings be preserved;

*Landmarks and historic buildings would not be negatively impacted by the proposed amendments.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The City's parks and open space and their access to sunlight and vistas would be unaffected by the proposed amendments. Any development that is proposed would need to receive Conditional Use authorization, at which point impacts on sunlight access, to public or private property, would be reviewed.*

**8. Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby recommends that the Board ADOPT the proposed Ordinance as described in this Resolution and in the proposed Ordinance.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on June 20, 2013.

Jonas Ionin  
Acting Commission Secretary

AYES: Commissioners Antonini, Borden, Fong, Hillis, Moore, Sugaya, and Wu.

NOES: None.

ABSENT: None.

ADOPTED: June 20, 2103





# SAN FRANCISCO PLANNING DEPARTMENT

---

## Executive Summary Planning Code Text Change HEARING DATE: JUNE 20, 2013

*Project Name:* Castro NCD Use Size Limits  
*Case Number:* 2013.0160I [Board File No. 13-0263]  
*Initiated by:* Supervisor Weiner / Introduced March 19, 2013  
*Staff Contact:* Jessica Look, 415.575.6812  
jessica.look@sfgov.org  
*Reviewed by:* AnMarie Rodgers, Manager Legislative Affairs  
anmarie.rodgers@sfgov.org, 415-558-6395  
*Recommendation:* **Recommend Approval**

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PLANNING CODE AMENDMENT

The proposed Ordinance would initiate amendments to the San Francisco Planning Code by 1) amending Section 121.2 to provide for a use size exception for neighborhood serving nonprofit institutions in the Castro Street Neighborhood Commercial District (hereinafter "Castro NCD") with a Conditional Use Authorization, and 2) amending Section 715.21 to make reference to this use size exception; and 3) making findings including environmental findings, and findings of consistency with Planning Code, Section 302 and Section 101.1 and the General Plan.

#### The Way It Is Now:

The Castro NCD prohibits any non-residential use of 4,000 sq.ft. and above, including uses such as neighborhood serving nonprofits institutions.

#### The Way It Would Be:

The proposed ordinance would allow a neighborhood-serving nonprofit institution with a use size over 4,000 sq.ft. to apply for a Conditional Use Authorization in the Castro NCD. There would be no numerical cap or a sunset clause; rather it would permit these uses to be approved by the Planning Commission on a case-by-case basis. The regular CU criteria and processes apply. The Castro NCD runs roughly along Castro Street between Market St and 19<sup>th</sup> St. and on 18<sup>th</sup> between Diamond St. and Noe St.

## ISSUES AND CONSIDERATIONS

The intent of the amendments is to allow for a carefully vetted and community supported larger institutional uses to operate within the Castro NCD. Due to current non-residential use size limits, nonprofits, such as the San Francisco AIDS Foundation (SFAF), are unable to expand their services to meet the current and future demand of their clients.

SFAF currently operates in the Castro District at three separate social service facilities; Magnet<sup>1</sup>, Stonewall Project<sup>2</sup> and Stop Aids<sup>3</sup>. These separate facilities total to approximately 7,000 square feet. SFAF wishes to consolidate these three existing social service facilities into an existing leased single location at 470 - 474 Castro Street totaling approximately 10,000 square feet – with the potential to add a floor for an approximate total of 15,000 square feet. Currently, there is no off-street vehicular parking or loading, and none is proposed. This consolidation will allow for a more visible presence, greater efficiencies in service delivery and expansion of the range of services offered. To allow for this consolidation, the proposed zoning text change will need to be enacted and the project will proceed to obtain a Conditional Use Authorization and any other necessary entitlements, under Section 303, Section 121.2 and Section 715.21 to allow an institutional use to exceed 4,000 square feet in the Castro NCD.

Typically, the Department brings Planning Code test amendments to hearing with the associated entitlement requests; however, since the physical project is still being developed at this time, the project sponsor (SFAF) has requested that the entitlement and zoning text change hearings be presented to the Planning Commission separately. The project sponsor, along with support of Supervisor Wiener's office is also working actively to ensure that the Board of Supervisors will have the opportunity to consider the proposed ordinance before the Board's summer recess during the month of August. Proceeding with the rezoning in advance of the project entitlement is intended to minimize additional costs for this community based nonprofit.

## REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may recommend adoption, rejection, or adoption with modifications to the Board of Supervisors.

## RECOMMENDATION

The Department recommends that the Commission recommend *approval* of the proposed Ordinance and adopt the attached Draft Resolution to that effect.

## BASIS FOR RECOMMENDATION

The continued, controlled expansion of neighborhood serving nonprofit institutions is important to the city in the provision of valuable and needed services to residents. Nonprofit, neighborhood serving social

---

<sup>1</sup> Magnet provides free HIV and STD/STI testing as well as Hepatitis A & B vaccinations.

<sup>2</sup> The Stonewall Project is a family of programs dedicated to providing harm reduction-based counseling, treatment, and support services to gay men, transmen who have sex with men, and other men who have sex with men who are having issues with drugs and/or alcohol.

<sup>3</sup> The Stop AIDS Project was founded in 1984 by community members, this tradition of community-based and volunteer-driven health promotion continues to drive the Stop AIDS programming today.

services are already an existing and desired use in the Castro NCD and are consistent with the neighborhood character. Furthermore, the Castro NCD is a multi-purpose commercial district that provides not only goods and services to the immediate neighborhood, but to the outside of the district as well, therefore the District can accommodate this proposed use size. The Castro neighborhood is recognized both nationally and internationally as a prominent symbol of lesbian, gay, bisexual, and transgender (hereinafter "LGBT") activism and community. As such, this neighborhood serves as a regional mecca for the LGBT community. In addition, the proposed legislation will provide an opportunity for development of neighborhood supported social services that are necessary or desirable for, and compatible with, the local neighborhood and to the City of San Francisco. Finally, this legislation will promote and support the accessibility of social services in the Castro in that the larger use size would only be permitted by Conditional Use authorization when the Planning Commission determines that the proposed use is 1) either necessary or desirable; 2) compatible with the community; 3) meets the definition of "other large institution" as defined by Section 790.50 of the Planning Code; and 4) is operated by a nonprofit neighborhood-serving use.

The Department finds that the proposed legislation would be consistent with the City's General Plan policies and Section 101.1. Furthermore, the proposed legislation has the support of the Planning Department, Supervisor Scott Wiener, Castro Community Benefit District (Castro CBD), Merchants of Upper Market (MUMC), Castro/Eureka Valley Neighborhood Association (EVNA) and the San Francisco AIDS Foundation. In addition, the San Francisco AIDS Foundation has outreached to MUMC, Eureka Valley Neighborhood Association, Castro CBD and the Collingwood Neighbors Group. Finally, on May 20, 2013, the Small Business Commission voted 7-0 to recommend approval of this ordinance. Their recommendation is included in Exhibit C.

## **ENVIRONMENTAL REVIEW**

The proposal to amend Planning Code Sections 121.2 (Use Size Limits (Non-Residential), Neighborhood Commercial Districts), and 715.1 (Castro Street Neighborhood Commercial District Zoning Control Table) in the Castro NCD would result in no physical impact on the environment. The proposed amendment is exempt from environmental review under Section 15060(c)(2) of the CEQA Guidelines.

## **PUBLIC COMMENT**

As of the date of this report, the Planning Department has received four letters of support in regards to the proposed Ordinance from the Castro Community Benefit District (Castro CBD), Merchants of Upper Market & Castro (MUMC), Castro/Eureka Valley Neighborhood Association (EVNA) and a Castro homeowner.

<b>RECOMMENDATION:</b>	<b>Recommendation of Approval</b>
------------------------	-----------------------------------

1 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]

2  
3 **Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street**  
4 **Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit**  
5 **institution to exceed the use size limits with a Conditional Use Authorization; making**  
6 **environmental findings, Planning Code, Section 302, findings, and findings of**  
7 **consistency with the General Plan and the Priority Policies of Planning Code, Section**  
8 **101.1.**

9 NOTE: Additions are single-underline italics Times New Roman;  
10 deletions are ~~strike through italics Times New Roman~~.  
11 Board amendment additions are double-underlined;  
12 Board amendment deletions are ~~strikethrough normal~~;  
13 Ellipses indicate text that is omitted but unchanged.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Findings.

16 (a) The Planning Department has determined that the actions contemplated in this  
17 Ordinance comply with the California Environmental Quality Act (California Public Resources  
18 Code Section 21000 et seq.). Said determination is on file with the Clerk of the Board of  
19 Supervisors in File No. \_\_\_\_\_ and is incorporated herein by reference.

20 (b) Pursuant to Planning Code Section 302, this Board finds that these Planning Code  
21 amendments will serve the public necessity, convenience, and welfare for the reasons set  
22 forth in Planning Commission Resolution No. \_\_\_\_\_ and the Board incorporates such  
23 reasons herein by reference. A copy of Planning Commission Resolution No. \_\_\_\_\_ is  
24 on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_\_.

25 (c) This Board finds that these Planning Code amendments are consistent with the  
General Plan and with the Priority Policies of Planning Code Section 101.1 for the reasons set

1 forth in Planning Commission Resolution No. \_\_\_\_\_, and the Board hereby  
2 incorporates such reasons herein by reference.  
3

4 Section 2. The San Francisco Planning Code is hereby amended by amending  
5 Sections 121.2 and 715.1, to read as follows:

6 **SEC. 121.2. USE SIZE LIMITS (NON-RESIDENTIAL), NEIGHBORHOOD COMMERCIAL**  
7 **DISTRICTS.**

8 (a) In order to protect and maintain a scale of development appropriate to each district,  
9 nonresidential uses of the same size or larger than the square footage stated in the table  
10 below may be permitted only as conditional uses subject to the provisions set forth in Sections  
11 316 through 316.8 of this Code. The use area shall be measured as the gross floor area for  
12 each individual nonresidential use.

District	<i>Use Lot Size Limits</i>
North Beach	2,000 sq. ft.
Castro Street	
<u>Pacific Avenue</u>	
Inner Clement Street	2,500 sq. ft.
Inner Sunset	
Outer Clement Street	
Upper Fillmore Street	
Haight Street	
Polk Street	
Sacramento Street	
Union Street	
24th Street-Mission <u>NCT</u>	
24th Street-Noe Valley	

1	West Portal Avenue	
2	NC-1, NCT-1	3,000 sq. ft.
3	Broadway	
4	Hayes-Gough <u>NCT</u>	
5	<u>Upper Market Street</u>	
6	Upper Market Street <u>NCT</u>	
7	Valencia Street	
8	NC-2, NCT-2, SoMa <u>NCT</u> , Ocean Avenue, Glen Park <u>NCT</u>	4,000 sq. ft.
9	NC-3, NCT-3, Mission Street	6,000 sq. ft.
10	NC-S	

11 In addition to the criteria of Section 303(c) of this Code, the Commission shall consider  
 12 the extent to which the following criteria are met:

13 (1) The intensity of activity in the district is not such that allowing the larger use will be  
 14 likely to foreclose the location of other needed neighborhood-serving uses in the area.

15 (2) The proposed use will serve the neighborhood, in whole or in significant part, and  
 16 the nature of the use requires a larger size in order to function.

17 (3) The building in which the use is to be located is designed in discrete elements  
 18 which respect the scale of development in the district.

19 (b) In order to protect and maintain a scale of development appropriate to each district,  
 20 nonresidential uses which exceed the square footage stated in the table below shall not be  
 21 permitted, except that in the North Beach Neighborhood Commercial District this Subsection  
 22 121.2(b) shall not apply to a Movie Theater use as defined in Section 790.64 and except that in  
 23 the Castro Street Neighborhood Commercial District certain Large Institutions may by Conditional  
 24 Use Authorization exceed this Subsection 121.2(b) as described in the Specific Provisions for Section  
 25

1 715.21. The use area shall be measured as the gross floor area for each individual  
 2 nonresidential use.

District	Use Lot Size Limits
West Portal Avenue	4,000 sq. ft.
North Beach	
Castro Street	

7 **SEC. 715. CASTRO STREET NEIGHBORHOOD COMMERCIAL DISTRICT**  
 8 **ZONING CONTROL TABLE**

No.	Zoning Category	§ References	Castro Street Controls
...	<b>COMMERCIAL AND INSTITUTIONAL STANDARDS AND USES</b>		
...	Use Size <i>[Non-Residential]</i>	§ 790.130 § 121.2 § 790.50	P to 1,999 sq. ft.; <del>C# 2,000 sq. ft.</del> <i>C 2,000 sq. ft.</i> to 3,999 sq. ft.; NP# 4,000 sq. ft. & above § 121.2

21 **SPECIFIC PROVISIONS FOR CASTRO NEIGHBORHOOD COMMERCIAL DISTRICT**

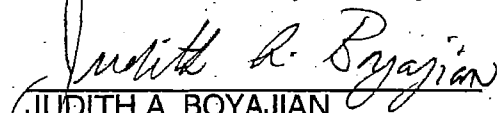
Article 7 Code Section	Other Code Section	Zoning Controls
...		<i>Use Size shall generally not exceed 4,000 square feet except that an</i>
§ 715.21	§ 121.1	<i>Institution, Other Large as defined in Section 790.50 that is operated</i>

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25		<p><i>by a non-profit and is neighborhood-serving may exceed 4,000 sq. ft.</i></p> <p><i>by Conditional Use Authorization.</i></p>
---	--	--

Section 3. Effective Date. This Ordinance shall become effective 30 days from the date of passage.

Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation, charts, diagrams, or any other constituent part of the Planning Code that are explicitly shown in this legislation as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the legislation.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By:   
JUDITH A. BOYAJIAN  
Deputy City Attorney

n:\legana\as2013\1300357\00835221.doc



**LEGISLATIVE DIGEST**

[Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]

**Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.**

Existing Law

Planning Code Section 121.2 establishes a 2,000 square foot size limit for permitted uses in the Castro Street Neighborhood Commercial District. Section 715.21 allows a use size between 2,000 and 3,999 square feet by Conditional Use Authorization and prohibits use sizes 4,000 square feet and above.

Amendments to Current Law

Planning Code Sections 121.2 and 715.21 are amended to allow a large neighborhood-serving non-profit institution to exceed the 4,000 square foot limit through a Conditional Use Authorization.

Background Information

The intent of the amendments is to allow for carefully-vetted and community-supported larger institutional uses within the Neighborhood Commercial District in order to provide services closer to resident populations.

BOS-11  
cp age

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 21 PM 3:26  
6

Department of Regulatory  
Affairs

Mailing Address:  
505 Parnassus Avenue, Box 0208  
San Francisco, CA 94143-0208

Physical Address:  
3330 Geary Boulevard, Suite 100  
San Francisco, CA 94143-1818

Tel: 415.353.8497  
Fax: 415.353.8645

University of California  
San Francisco

June 21, 2013

Angela Calvillo  
Clerk of the SF Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, Ca. 94102-4689

**RE: Relocation of a UCSF Medical Center Clinic**

Dear Ms. Calvillo,

UCSF Medical Center is providing notification to the San Francisco Board of Supervisors of a UCSF clinic change.

Lakeside Senior Medical Center  
2501 Ocean Avenue  
San Francisco, California 94132

Is changing their name and relocating to a new address, the change is noted below.

UCSF Center for Geriatric Care  
3575 Geary Boulevard, First Floor  
San Francisco, California 94118

At your convenience, we would like to request that this notification be distributed to each of the Board of Supervisors.

If you have any questions or need further information, please contact me at (415) 353-8628.

Sincerely,



Kathy Radics, RN, MPA  
Manager, Accreditation and Licensing  
UCSF Medical Center

cc: Diana Marana, District Administrator, SF CDPH District Office

**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Jacque Hostler-Carmesin**, Member  
McKinleyville

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

## Fish and Game Commission



*Bos-11 Elect.*  
*CPGE*  
**Sonke Møstrup**, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
www.fgc.ca.gov

June 18, 2013

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to sections 163 and 164, Title 14, California Code of Regulations, relating to the commercial herring fishery, which will be published in the California Regulatory Notice Register on June 21, 2013.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Mr. Ryan Bartling, Marine Region, Department of Fish and Wildlife, (707) 576-2877 has been designated to respond to questions on the substance of the proposed regulations.**

Sincerely,

*Sheri Tiemann*  
Sheri Tiemann  
Staff Services Analyst

Attachment

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 24 PM 3:19

**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 1050, 5510, 8389, 8550, 8552.1, 8553 and 8555, of the Fish and Game Code and to implement, interpret or make specific sections 713, 1050, 7850, 7850.5, 7852.2, 7881, 8043, 8053, 8389, 8550-8557, and 8559 of said Code, proposes to amend sections 163 and 164, Title 14, California Code of Regulations, relating to the commercial herring fishery.

**Informative Digest/Policy Statement Overview**

Sections 163 and 164, Title 14, CCR, specify that herring may be taken for commercial purposes only under a revocable permit, subject to such regulations as the Fish and Game Commission shall prescribe. Current regulations specify: permittee qualifications; permit application procedures and requirements; permit limitations; permit areas; vessel identification requirements; fishing quotas; seasons; gear restrictions; and landing and monitoring requirements.

Annual fishing quotas are necessary to provide for a sustainable fishery. The proposed regulatory changes in Sections 163 and 164 will establish the fishing quota and season dates and times that fishing operations are allowed for the 2013-2014 season in San Francisco Bay and Tomales Bay. Proposed regulatory changes will also amend regulations for the take of fresh fish herring to occur concurrently with the sac-roe fishery beginning on January 1 and ending on March 15. The Department is not recommending any change to the regulations for the Humboldt Bay or Crescent City Harbor herring fisheries.

The following is a summary of the changes proposed for Sections 163 and 164, Title 14, CCR:

- Set the San Francisco Bay quota between zero (0) and 10 percent of the 2012-2013 San Francisco Bay spawning biomass estimate for Pacific herring.
- The total amount of herring eggs on kelp that may be harvested by each permittee shall be based on the previous season's spawning biomass estimate for Pacific herring in San Francisco Bay.
- Set the dates of the herring fisheries in San Francisco Bay to generally open on January 1 at 5:00 p.m. and close on March 15 at noon.
- Amend and streamline regulations to allow the take of herring for commercial purposes for both sac-roe and fresh fish market fisheries under one quota and one season. All fish landed during the regular herring season could be sold for sac-roe or fresh fish purposes.
- Set the dates of the herring fishery in Tomales Bay from noon on December 26, until noon on February 22.
- Other editorial changes are proposed for clarity, e.g., changing references to the Department of Fish and "Game" to "Wildlife", office location changes, and other non-substantive changes.

### Benefits of the Regulation

The Commission anticipates benefits to the State's environment and the health and welfare of California residents. The proposed regulation changes are intended to set annual harvest quotas within a range that will maintain sustainable herring populations for their ecological values and commercial use. Maintaining a sustainable herring fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety as a result of the proposed regulation.

### Consistency with State or Federal Regulations

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate the commercial take of herring (sections 8550 and 8553, Fish and Game Code). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to the commercial take of herring. There are no comparable federal regulations for the commercial harvest of herring.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. The exact location of this meeting has not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register. Written comments must be submitted by August 5, 2013 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). All comments must be received no later than August 7, 2013, at the hearing. 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 Sheri Tiemann at the preceding address or phone number. **Mr. Ryan Bartling, Marine Region, Department of Fish and Wildlife, (707) 576-2877 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:**

The Department is providing the Commission analyses on three potential 2013-2014 quota options for San Francisco Bay ranging from zero to 10 percent of the 10-year average biomass estimate of 46,000 tons. The potential incremental changes to total State economic output for these three options, zero, 1,150, or a 3,450 ton quota, are \$(3,628,000), \$(2,071,000), and \$1,063,000, respectively, relative to 2012-2013 season's 2,854 ton quota and the ex-vessel price/ton. Thus any quota over 2,854 tons could potentially generate incremental increases in ex-vessel landing revenues to the fishers and increases to total economic output for the State. Conversely, an allowable quota less than 2,854 tons could result in adverse incremental impacts to Statewide economic output of \$3,628,000 and \$2,071,000 (in 2012 dollars), for zero and 1,150 ton 2013-2014 quotas, respectively. This is based on a total economic output multiplier of 1.899 used in calculating total economic output effects (direct, indirect, and induced) from California commercial herring fishery activity. There is a relationship between quota and economic impact which can be calculated for any quota amount by using the following formula:

$$[(\text{SF gill net quota} \times \text{ex-vessel } \$/\text{ton}) + (\text{HEOK quota} \times \text{\$/ton}) + (\text{fresh fish quota} \times \text{\$/ton})] \\ - \text{Incremental change in harvest quota value from the previous season} \times 1.899.$$

No adverse incremental economic impacts to businesses in California would occur under a quota allocation of 2,854 tons or more. Moreover, given the overriding market conditions for herring roe (declining demand overseas and lower prices), an allocation of 2,854 tons or more is not expected to affect the ability of California businesses to compete with businesses in other states.

No commercial herring fishing activity has taken place in Tomales Bay since 2007, in Humboldt Bay since 2005 and in Crescent City Harbor since 2002; thus no adverse incremental economic impacts to businesses would occur under a quota allocation of zero (0) to 30 tons, zero (0) to 60 tons, and zero (0) to 350 tons for Crescent City Harbor, Humboldt Bay, and Tomales Bay, respectively.

No adverse incremental economic impacts to fresh fish businesses in California would occur with a change to existing fresh fish regulations for herring.

(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:**

Any quota option over 2,854 tons will result in positive incremental contributions to employment for the State: for example, an increase of about five jobs for a quota of 3,450 tons. Conversely, a zero or 1,150 ton allowable quota could adversely impact as many as 207 or 180 jobs in the fishing industry and related industries. This is based on an employment multiplier of 9.125 jobs per each million dollar change in direct output from herring fishing activities, and a fleet of about 190 permittees for San Francisco Bay.

**Impacts to Small Business:** The Commission has determined that the amendments to sections 163 and 164, which establish a fishing quota from zero to 10 percent of the preceding year's spawning biomass, will affect small businesses. Most of the commercial herring industry consists of small businesses which are legally required to comply with the regulation and will possibly incur a detriment from the enforcement of the regulation.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a herring fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment through the continued sustainable management of California's herring resources.

**(c) Cost Impacts on a Representative Private Person or Business:**

The Agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. There are no new fees or reporting requirements stipulated under the proposed regulations.

**(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: June 11, 2013

Sonke Mastrup  
Executive Director



**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Jacque Hostler-Carmesin**, Member  
McKinleyville

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

## Fish and Game Commission



**BOS-11 (Electronically)**  
*C Page*  
Sonke Mastropieri, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
www.fgc.ca.gov

June 18, 2013


### TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to sections 300 and 313, Title 14, California Code of Regulations, relating to upland game bird hunting, which will be published in the California Regulatory Notice Register on June 21, 2013.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, 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  
2013 JUN 24 PM 3:19  
4

**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 200, 202, 203 and 355, Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 215, 220, 355, and 356 of said Code, proposes to amend Section 300, Title 14, California Code of Regulations, relating to Upland Game Birds.

**Informative Digest/Policy Statement Overview**

Current regulations in Title 14, California Code of Regulations (CCR) provide general hunting seasons for taking resident game birds under Section 300(a), and for migratory upland game birds under Section 300(b). The Department is recommending four regulation changes under these sections as follows:

1. Adjust annual number of sage-grouse hunting permits by zone.

Current regulations under subsection 300(a)(1)(D)4 provide a number of permits for the general sage-grouse season in each of 4 zones. These specific numbers are replaced by a range of numbers for the 2013 season as listed below. The final number will be proposed in June after spring lek counts are completed and annual data are analyzed.

Permit ranges for sage-grouse hunting in 2013:

East Lassen: 0-50 (two-bird) permits  
Central Lassen: 0-50 (two-bird) permits  
North Mono: 0-100 (one-bird) permits  
South Mono: 0-100 (one-bird) permits

This proposal also includes administrative changes to reflect the Department's name change and to update the web address where Internet applications for sage grouse are located.

2. Increase the possession limit to triple the daily bag limit for band-tailed pigeon, doves, common snipe, pheasant, quail, sooty/ruffed grouse, and chukar statewide.

Current regulations provide possession limits at double the daily bag for the following resident and migratory upland game birds: 300(a)(1)(A)(2) for pheasant; 300(a)(1)(B)(2) for quail; 300(a)(1)(C)(2) for chukar; 300(a)(1)(E)(2) for sooty/ruffed grouse; 300(b)(1)(A)(2) for band-tailed pigeon; 300(b)(1)(B)(2) for doves; and 300(b)(1)(C)(2) for common snipe. This proposal would increase possession limits to triple the daily bag for each of these species or groups of species as referenced in the above sections.

3. Establish an early archery season for pheasants.

Current regulations provide for a 44-day general pheasant season (300(a)(1)(A)(1) and 60-day archery pheasant season (300(a)(2)(A)(1). The general pheasant season was increased from 30 days to 44 days in the early 2000s. However, the 60-day archery season was not changed at the same time. The net result was a decrease from 30 days to 15 days of archery-only hunting. This proposal provides two options for additional quality archery-only pheasant hunting opportunity by establishing an early archery-only season. Option A is proposed by the

Department and provides an early archery season beginning the second Saturday in October extending for 23 days and eliminating the current late archery season. Option B provides an early archery season beginning the second Saturday in October and extending for 9 days, with a bag limit of 2 males per day, and maintaining the current late archery season.

4. Open Eurasian collared-dove season year-round in Imperial County.

Current regulations provide for a Eurasian collared-dove season during the same period as other doves with no bag or possession limits under section 300(b)(1)(B)1. This proposal opens the hunting season for Eurasian collared-doves year-round. Eurasian collared doves are a resident, non-native invasive species not covered under the Migratory Bird Treaty Act and may be regulated by the state outside the Federal frameworks.

Minor editorial changes are also provided for consistency and clarity.

### **Benefits of the Proposed Regulations**

Adoption of sustainable upland game seasons, bag and possession limits provides for the maintenance of sufficient populations of upland game to ensure their continued existence.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and 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 agency has the authority to promulgate upland game hunting regulations.

**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 Department of Consumer Affairs, 1625 North Market Boulevard, Sacramento, California, on Wednesday, June 26, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. The exact location of this meeting has not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register. Written comments must be submitted by August 5, 2013 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). All comments must be received no later than August 7, 2013, at the hearing. 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. **Dr. Eric Loft,**

**Chief, Wildlife Branch, Department of Fish and Wildlife, phone (916) 445-3555, 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. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. 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:**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

There are no economic or business impacts foreseen or associated with the proposed regulation change.

- (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 proposed upland game regulations will have positive impacts to jobs and/or businesses that provide services to hunters in 2013-2014. The best available

information is presented in the 2006 National Survey of Fishing, Hunting, and Wildlife associated recreation for California, produced by the U.S. Fish and Wildlife Service (USFWS) and National Census Bureau, which is the most recent survey completed. The report estimates that hunters spent about \$964,054,000 on hunting trip-related trips and equipment expenditures in California in 2011. Most businesses will benefit from these regulations, and those that may be impacted are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed regulations is to maintain or increase upland game populations, and subsequently, the long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. The proposed regulations are intended to provide additional recreational opportunity to the public.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment by the sustainable management of California's upland game resources.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(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: June 11, 2013

Sonke Mastrup  
Executive Director

**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 200, 201, 202, and 203, Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 215, 220, 355, and 356 of said Code, proposes to amend Section 313, Title 14, California Code of Regulations, relating to Upland Game Bird Stamp.

**Informative Digest/Policy Statement Overview**

Current regulation in Section 313, Title 14, California Code of Regulations (CCR), require the upland game bird stamp to be affixed to a hunter's license for taking resident game birds including Chinese spotted doves, ringed turtle doves, of the family Columbidae; California quail and varieties thereof, Gambel's or desert quail, mountain quail and varieties thereof, sooty, ruffed, and sage grouse, white-tailed ptarmigan, Hungarian partridges, red-legged partridges including the chukar and other varieties, ring-necked pheasants and varieties, and wild turkeys of the order Galliformes; and migratory game birds including common snipe, western mourning doves, white-winged doves, and band-tailed pigeons. The implementation of the Automated License Data System eliminated the requirement of physical stamps to be affixed to the hunter's license. The proposal would update the section to be consistent with Fish and Game Code Section 3682.1 and clarifies that any person who is hunting under the authority of a junior hunting license is exempt from obtaining an upland game bird hunting validation.

The benefits of the proposed regulations are concurrence with State law, sustainable management of the upland game bird resources, positive impacts to jobs and/or businesses that provide services to upland game bird hunters will be realized with the continuation of selling upland game bird hunting validations for the hunting season in 2013-2014.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The Commission has searched the California Code of Regulations and has determined that there are no other regulations that are neither inconsistent nor incompatible with the proposed regulations.

The Department's proposal is as follows:

Amend the current language to "Any licensed hunter taking resident game birds including Chinese spotted doves, ringed turtle doves, of the family Columbidae; California quail and varieties thereof, Gambel's or desert quail, mountain quail and varieties thereof, sooty, ruffed, and sage grouse, white-tailed ptarmigan, Hungarian partridges, red-legged partridges including the chukar and other varieties, ring-necked pheasants and varieties, and wild turkeys of the order Galliformes; and migratory game birds including common snipe, western mourning doves, white-winged doves, and band-tailed pigeons must have a current state upland game bird hunting validation in his or her possession. Any person hunting under the authority of a valid junior hunting license is exempt from this section."

**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 Department of Consumer Affairs, 1625 North Market Boulevard, Sacramento, California, on Wednesday, June 26, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. The exact location of this meeting has not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register. Written comments must be submitted by August 5, 2013 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). All comments must be received no later than August 7, 2013, at the hearing. 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. **Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Wildlife, phone (916) 445-3555, 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. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. 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:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (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 anticipates benefits to the health and welfare of California residents. The proposed regulation is intended to provide clarity to the hunting public.

The fees that hunters pay for licenses and stamps are used for conservation, which helps create a cleaner environment.

- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (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

Sonke Mastrup  
Executive Director

Dated: June 11, 2013

(Bos-11 Elect.)  
Cpage

**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Jacque Hostler-Carmesin**, Member  
McKinleyville

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



June 18, 2013

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 24 PM 3:19  
4

**TO ALL INTERESTED AND AFFECTED PARTIES:**

This is to provide you with a copy of the notice of proposed regulatory action relative to sections 163 and 164, Title 14, California Code of Regulations, relating to the commercial herring fishery, which will be published in the California Regulatory Notice Register on June 21, 2013.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Mr. Ryan Bartling, Marine Region, Department of Fish and Wildlife, (707) 576-2877 has been designated to respond to questions on the substance of the proposed regulations.**

Sincerely,

*Sheri Tiemann*  
Sheri Tiemann  
Staff Services Analyst

Attachment

**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 1050, 5510, 8389, 8550, 8552.1, 8553 and 8555, of the Fish and Game Code and to implement, interpret or make specific sections 713, 1050, 7850, 7850.5, 7852.2, 7881, 8043, 8053, 8389, 8550-8557, and 8559 of said Code, proposes to amend sections 163 and 164, Title 14, California Code of Regulations, relating to the commercial herring fishery.

**Informative Digest/Policy Statement Overview**

Sections 163 and 164, Title 14, CCR, specify that herring may be taken for commercial purposes only under a revocable permit, subject to such regulations as the Fish and Game Commission shall prescribe. Current regulations specify: permittee qualifications; permit application procedures and requirements; permit limitations; permit areas; vessel identification requirements; fishing quotas; seasons; gear restrictions; and landing and monitoring requirements.

Annual fishing quotas are necessary to provide for a sustainable fishery. The proposed regulatory changes in Sections 163 and 164 will establish the fishing quota and season dates and times that fishing operations are allowed for the 2013-2014 season in San Francisco Bay and Tomales Bay. Proposed regulatory changes will also amend regulations for the take of fresh fish herring to occur concurrently with the sac-roe fishery beginning on January 1 and ending on March 15. The Department is not recommending any change to the regulations for the Humboldt Bay or Crescent City Harbor herring fisheries.

The following is a summary of the changes proposed for Sections 163 and 164, Title 14, CCR:

- Set the San Francisco Bay quota between zero (0) and 10 percent of the 2012-2013 San Francisco Bay spawning biomass estimate for Pacific herring.
- The total amount of herring eggs on kelp that may be harvested by each permittee shall be based on the previous season's spawning biomass estimate for Pacific herring in San Francisco Bay.
- Set the dates of the herring fisheries in San Francisco Bay to generally open on January 1 at 5:00 p.m. and close on March 15 at noon.
- Amend and streamline regulations to allow the take of herring for commercial purposes for both sac-roe and fresh fish market fisheries under one quota and one season. All fish landed during the regular herring season could be sold for sac-roe or fresh fish purposes.
- Set the dates of the herring fishery in Tomales Bay from noon on December 26, until noon on February 22.
- Other editorial changes are proposed for clarity, e.g., changing references to the Department of Fish and "Game" to "Wildlife", office location changes, and other non-substantive changes.

### Benefits of the Regulation

The Commission anticipates benefits to the State's environment and the health and welfare of California residents. The proposed regulation changes are intended to set annual harvest quotas within a range that will maintain sustainable herring populations for their ecological values and commercial use. Maintaining a sustainable herring fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety as a result of the proposed regulation.

### Consistency with State or Federal Regulations

The proposed regulations are neither inconsistent nor incompatible with existing state regulations. Section 20, Article IV, of the State Constitution specifies that the Legislature may delegate to the Fish and Game Commission such powers relating to the protection and propagation of fish and game as the Legislature sees fit. The Legislature has delegated to the Commission the power to regulate the commercial take of herring (sections 8550 and 8553, Fish and Game Code). The Commission has reviewed its own regulations and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. The Commission has searched the California Code of Regulations and finds no other state agency regulations pertaining to the commercial take of herring. There are no comparable federal regulations for the commercial harvest of herring.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. The exact location of this meeting has not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register. Written comments must be submitted by August 5, 2013 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). All comments must be received no later than August 7, 2013, at the hearing. 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 Sheri Tiemann at the preceding address or phone number. **Mr. Ryan Bartling, Marine Region, Department of Fish and Wildlife, (707) 576-2877 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:**

The Department is providing the Commission analyses on three potential 2013-2014 quota options for San Francisco Bay ranging from zero to 10 percent of the 10-year average biomass estimate of 46,000 tons. The potential incremental changes to total State economic output for these three options, zero, 1,150, or a 3,450 ton quota, are \$(3,628,000), \$(2,071,000), and \$1,063,000, respectively, relative to 2012-2013 season's 2,854 ton quota and the ex-vessel price/ton. Thus any quota over 2,854 tons could potentially generate incremental increases in ex-vessel landing revenues to the fishers and increases to total economic output for the State. Conversely, an allowable quota less than 2,854 tons could result in adverse incremental impacts to Statewide economic output of \$3,628,000 and \$2,071,000 (in 2012 dollars), for zero and 1,150 ton 2013-2014 quotas, respectively. This is based on a total economic output multiplier of 1.899 used in calculating total economic output effects (direct, indirect, and induced) from California commercial herring fishery activity. There is a relationship between quota and economic impact which can be calculated for any quota amount by using the following formula:

$$[(\text{SF gill net quota} \times \text{ex-vessel } \$/\text{ton}) + (\text{HEOK quota} \times \text{\$/ton}) + (\text{fresh fish quota} \times \text{\$/ton})] \\ - \text{Incremental change in harvest quota value from the previous season} \times 1.899.$$

No adverse incremental economic impacts to businesses in California would occur under a quota allocation of 2,854 tons or more. Moreover, given the overriding market conditions for herring roe (declining demand overseas and lower prices), an allocation of 2,854 tons or more is not expected to affect the ability of California businesses to compete with businesses in other states.

No commercial herring fishing activity has taken place in Tomales Bay since 2007, in Humboldt Bay since 2005 and in Crescent City Harbor since 2002; thus no adverse incremental economic impacts to businesses would occur under a quota allocation of zero (0) to 30 tons, zero (0) to 60 tons, and zero (0) to 350 tons for Crescent City Harbor, Humboldt Bay, and Tomales Bay, respectively.

No adverse incremental economic impacts to fresh fish businesses in California would occur with a change to existing fresh fish regulations for herring.

(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:**

Any quota option over 2,854 tons will result in positive incremental contributions to employment for the State: for example, an increase of about five jobs for a quota of 3,450 tons. Conversely, a zero or 1,150 ton allowable quota could adversely impact as many as 207 or 180 jobs in the fishing industry and related industries. This is based on an employment multiplier of 9.125 jobs per each million dollar change in direct output from herring fishing activities, and a fleet of about 190 permittees for San Francisco Bay.

**Impacts to Small Business:** The Commission has determined that the amendments to sections 163 and 164, which establish a fishing quota from zero to 10 percent of the preceding year's spawning biomass, will affect small businesses. Most of the commercial herring industry consists of small businesses which are legally required to comply with the regulation and will possibly incur a detriment from the enforcement of the regulation.

The Commission anticipates benefits to the health and welfare of California residents. Providing opportunities for a herring fishery encourages consumption of a nutritious food.

The Commission does not anticipate any non-monetary benefits to worker safety.

The Commission anticipates benefits to the environment through the continued sustainable management of California's herring resources.

**(c) Cost Impacts on a Representative Private Person or Business:**

The Agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. There are no new fees or reporting requirements stipulated under the proposed regulations.

**(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

Sonke Mastrup  
Executive Director

Dated: June 11, 2013



**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Jacque Hostler-Carmesin**, Member  
McKinleyville

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

## Fish and Game Commission



*BOS-11 Electronically  
page*  
**Sonke Mastrup**, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
www.fgc.ca.gov

June 18, 2013

### TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action relative to sections 502 and 510, Title 14, California Code of Regulations, relating to waterfowl hunting, which will be published in the California Regulatory Notice Register on June 21, 2013.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

**Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.**

Sincerely,

*Sheri Tiemann*  
Sheri Tiemann  
Staff Services Analyst

Attachment

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 24 PM 3:19

**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 202 and 355 of the Fish and Game Code and to implement, interpret or make specific sections 202, 355, and 356 of said Code, proposes to amend Section 502, Title 14, California Code of Regulations, relating to waterfowl hunting.

**Informative Digest/Policy Statement Overview**

Current regulations in Section 502, Title 14, California Code of Regulations (CCR), provide definitions, hunting zone descriptions, season opening and closing dates, and establish daily bag and possession limits. In addition to the nine proposals contained herein, the U.S. Fish and Wildlife Service (Service), after analysis of waterfowl population survey and other data, may change federal regulations; if this occurs, changes in existing and proposed regulations in California may be necessary. Changes in federal regulations for season opening and closing dates, elimination or creation of special management areas, season length, and daily bag limits for migratory birds may occur. Items 2, 3, 5, and 8 require changes in the federal regulations and must be approved by the Pacific Flyway Council at its meeting on July 26, 2013. Item 9 (including the table below) provide a proposed range of season dates and bag limits for waterfowl. The Service will consider recommendations from the Flyway Council at their meeting on July 31 and August 1, 2013. At this time, the California Waterfowl Breeding Population Survey has not been conducted and the Service has not established federal regulation "frameworks" which will occur in August after the analysis of current waterfowl population survey, other data, input from the Flyway Councils and the public. Also, minor editorial changes are proposed to clarify and simplify the regulations and to comply with existing federal frameworks.

The benefits of the proposed regulations are concurrence with Federal law, sustainable management of the waterfowl resources, positive impacts to jobs and/or businesses that provide services to waterfowl hunters will be realized with the continuation of adopting waterfowl hunting seasons in 2013-2014.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and 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 agency has the authority to promulgate waterfowl hunting regulations.

The Department's proposals are as follows:

1. Modify the definition of White geese to include the blue phase of both Ross' and snow geese.
2. Increase the possession limit to triple the daily bag limit for brant, ducks, and geese in all zones.

3. Increase the white goose bag limit in all zones from 6 geese per day to 10 geese per day. This change will also result in an increase in the total bag limit from 8 per day to a total of 10 geese per day.
4. Increase the white goose season length in the Northeastern Zone to 107 days, split the season into two segments, and allow hunting for white geese after the last Sunday in January.
5. Increase the white-fronted goose season length in the Northeastern Zone to 107 days, split the season into two segments, and allow hunting for white-fronted geese after the last Sunday in January.
6. Amend the language in the Balance of State Zone Late Season goose hunt to "During the Late Season, hunting is not permitted on wildlife areas listed in Sections 550-552 EXCEPT Type C wildlife areas in the North Central and Central regions."
7. Amend the language in the North Coast and Imperial County Special Management areas Late Season goose hunt to "During the Late Season, hunting is only permitted on private lands with the permission of the land owner."
8. Increase the daily bag limit of white-fronted geese in the Sacramento Valley Special Management Area to 3.
9. Provide a range of waterfowl hunting season lengths (which may be split into two segments) between 38 and 107 days (including 2 youth waterfowl hunt days) for all hunting methods. A range of daily bag limits is also given for ducks in all zones. Federal regulations require that California's hunting regulations conform to those of Arizona in the Colorado River Zone and with Oregon in the North Coast Special Management Area. See table below for season and bag limit ranges.

## Summary of Proposed Waterfowl Hunting Regulations

AREA	SPECIES	SEASONS	DAILY BAG & POSSESSION LIMITS
<b>Statewide</b>	Coots & Moorhens	Concurrent w/duck season	25/day. 25 in possession
<b>Northeastern Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback, Scaup, and Dark and White Geese</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 females, 0-3 pintail, 0-3 canvasback, 0-3 redheads, 0-7 scaup. Possession limit double-triple the daily bag.
	Pintail Canvasback Scaup	Between 38 & 105 days	
	Geese	Regular Season Dark geese: 100 days White geese: 73 days Late Season White geese: 32 days Whitefronts: 5 days	8-10/ day, which may include: 6-10 white geese, 6 dark geese no more than 2 Large Canada geese. Possession limit double-triple the daily bag.
<b>Southern San Joaquin Valley Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 females, 0-3 pintail, 0-3 canvasback, 0- 3 redheads; 0-7 scaup. Possession limit double-triple the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	100 days	8-10/ day, which may include: 6-10 white geese, 6 dark geese. Possession limit double-triple the daily bag.
<b>Southern California Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback and Scaup.</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 hen mallards, 0-3 pintail, 0-3 canvasback, 0-3 redheads, 0-7 scaup. Possession limit double-triple the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	100 days	8-10/ day, which may include: 6-10 white geese, 3 dark geese. Possession limit double-triple the daily bag.
<b>Colorado River Zone</b>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 females or Mexican-like ducks, 0-3 pintail, 0-3 canvasback, 0- 3 redheads, 0-7 scaup. Possession limit double-triple the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	Between 101 & 105 days	6-10/day, up to 6-10 white geese, up to 3 dark geese. Possession limit double-triple the daily bag.
<b>Balance of State Zone</b> <i>Season may be split for Ducks, Pintail, Canvasback, Scaup and Dark and White Geese.</i>	Ducks	Between 38 & 105 days	4-7/day, which may include: 3-7 mallards no more than 1-2 females, 0-3 pintail, 0-3 canvasback, 0-3 redheads, 0-7 scaup. Possession limit double-triple the daily bag.
	Pintail Canvasback Scaup	Between 0 & 105 days	
	Geese	Early Season: 5 days (CAGO only) Regular Season: 100 days Late Season: 5 days (whitefronts and white geese)	8-10/ day, which may include: 6-10 white geese, 6 dark geese. Possession limit double-triple the daily bag.

### Summary of Proposed Waterfowl Hunting Regulations, Continued

SPECIAL AREA	SPECIES	SEASON	DAILY BAG & POSSESSION LIMITS
North Coast <i>Season may be split</i>	All Canada Geese	105 days except for Large Canada geese which can not exceed 100 days or extend beyond the last Sunday in January.	6/day, only 1 may be a Large Canada goose. Possession limit double-triple the daily bag. Large Canada geese are closed during the Late Season.
Humboldt Bay South Spit	All species	Closed during brant season	
Sacramento Valley	White-fronted geese	Open concurrently with general goose season through Dec 21	2-3/day. Possession limit double-triple the daily bag.
Morro Bay	All species	Open in designated areas only	Waterfowl season opens concurrently with brant season.
Martis Creek Lake	All species	Closed until Nov 16	
Northern Brant	Black Brant	From Nov 7 for 30 days	2/day. Possession limit double-triple the daily bag.
Balance of State Brant	Black Brant	From the second Saturday in November for 30 days	2/day. Possession limit double-triple the daily bag.
Imperial County <i>Season may be split</i>	White Geese	102 days	6/day. Possession limit double-triple the daily bag.
<b>YOUTH WATERFOWL HUNTING DAYS</b>	<b>SPECIES</b>	<b>SEASON</b>	<b>DAILY BAG &amp; POSSESSION LIMITS</b>
Northeastern Zone	Same as regular season	The Saturday fourteen days before the opening of waterfowl season extending for 2 days.	Same as regular season
Southern San Joaquin Valley Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Southern California Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
Colorado River Zone		The Saturday following the closing for waterfowl season extending for 2 days.	
Balance of State Zone		The Saturday following the closing of waterfowl season extending for 2 days.	
<b>FALCONRY OF DUCKS</b>	<b>SPECIES</b>	<b>SEASON</b>	<b>DAILY BAG &amp; POSSESSION LIMITS</b>
Northeastern Zone	Same as regular season	Between 38 and 105 days	3/ day, possession limit 6-9
Balance of State Zone		Between 38 and 107 days	
Southern San Joaquin Valley Zone		Between 38 and 107 days	
Southern California Zone		Between 38 and 107 days	
Colorado River Zone	Ducks only	Between 38 and 107 days	

**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 Department of Consumer Affairs, 1625 North Market Boulevard, Sacramento, California, on Wednesday, June 26, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. The exact location of this meeting has not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register. Written comments must be submitted by August 5, 2013 at the address given below, or by fax at (916) 653-5040, or by e-mail to . All

comments must be received no later than August 7, 2013, at the hearing. 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. **Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Wildlife, phone (916) 445-3555, 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. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. 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:**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (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 proposed waterfowl regulations will set the 2013-14 waterfowl hunting season dates and bag limits within the federal frameworks. Positive impacts to jobs and/or businesses that provide services to waterfowl hunters will be realized with the continuation of adopting waterfowl hunting seasons in 2013-14. This is based on a 2011 US Fish and Wildlife national survey of fishing, hunting, and wildlife associated recreation for California. The report estimated that migratory bird hunters contributed about \$169,115,000 to businesses in California during the 2011 migratory bird hunting season. The impacted businesses are generally small businesses employing few individuals and, like all small businesses, are subject to failure for a variety of causes. Additionally, the long-term intent of the proposed regulations is to maintain or increase waterfowl, subsequently, the long-term viability of these same small businesses.

The Commission anticipates benefits to the health and welfare of California residents. The proposed regulations are intended to provide additional recreational opportunity to the public.

The Commission anticipates benefits to the environment by the sustainable management of California's waterfowl resources.

(c) Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(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: June 11, 2013

Sonke Mastrup  
Executive Director



**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 Section 355, Fish and Game Code and to implement, interpret or make specific sections 355 and 3700 of said Code, proposes to amend Section 510, Title 14, California Code of Regulations, relating to State Duck Stamp.

**Informative Digest/Policy Statement Overview**

Current regulations in section 510, Title 14, California Code of Regulations (CCR), require the state duck stamp to be affixed to a hunter's license for taking ducks, geese, or brant. The implementation of the Automated License Data System (ALDS) eliminated the requirement of physical duck stamps to be affixed to the hunter's license. The proposal would update the section to be consistent with Fish and Game Code section 3700.1 clarifying that any person who is hunting under the authority of a junior hunting license is exempt from obtaining a duck validation.

The benefits of the proposed regulations are in concurrence with Federal law, sustainable management of the waterfowl resources, positive impacts to jobs and/or businesses that provide services to waterfowl hunters will be realized with the continuation of selling duck stamp validations for the waterfowl hunting season in 2013-2014.

The Commission does not anticipate non-monetary benefits to the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity and the increase in openness and transparency in business and government.

The Commission has searched the California Code of Regulations and has determined that there are no other regulations that are neither inconsistent nor incompatible with the proposed regulations.

The Department's proposal is as follows:

Amend the current language to "Any adult license holder taking ducks, geese, or brant must have a current state duck validation in his or her possession. Any person hunting under the authority of a valid junior hunting license is exempt from this section."

**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 Department of Consumer Affairs, 1625 North Market Boulevard, Sacramento, California, on Wednesday, June 26, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held on Wednesday, August 7, 2013, at 8:30 a.m., or as soon thereafter as the matter may be heard. The exact location of this meeting has not yet been determined. When this information is available, a continuation notice will be sent to interested and affected parties. The continuation notice will also be published in the Regulatory Notice Register. Written comments must be submitted by August 5, 2013 at the address given below, or by fax at (916) 653-5040, or by e-mail to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov). All comments must be received no later than August 7, 2013, at the hearing. 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. **Dr. Eric Loft, Chief, Wildlife Branch, Department of Fish and Wildlife, phone (916) 445-3555, 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. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. 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:**

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations are intended to provide additional recreational opportunity to the public. The response is expected to be minor in nature.

- (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 anticipates benefits to the health and welfare of California residents. The proposed regulation is intended to provide clarity to the hunting public.

(c) Cost Impacts on a Representative Private Person or Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

(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

Sonke Mastrup  
Executive Director

Dated: June 11, 2013

## Board of Supervisors

---

**To:** BOS-Supervisors  
**Subject:** Civic Center Historic District Sun June 23 2013 1:00 pm  
**Attachments:** image.jpg; image.jpg

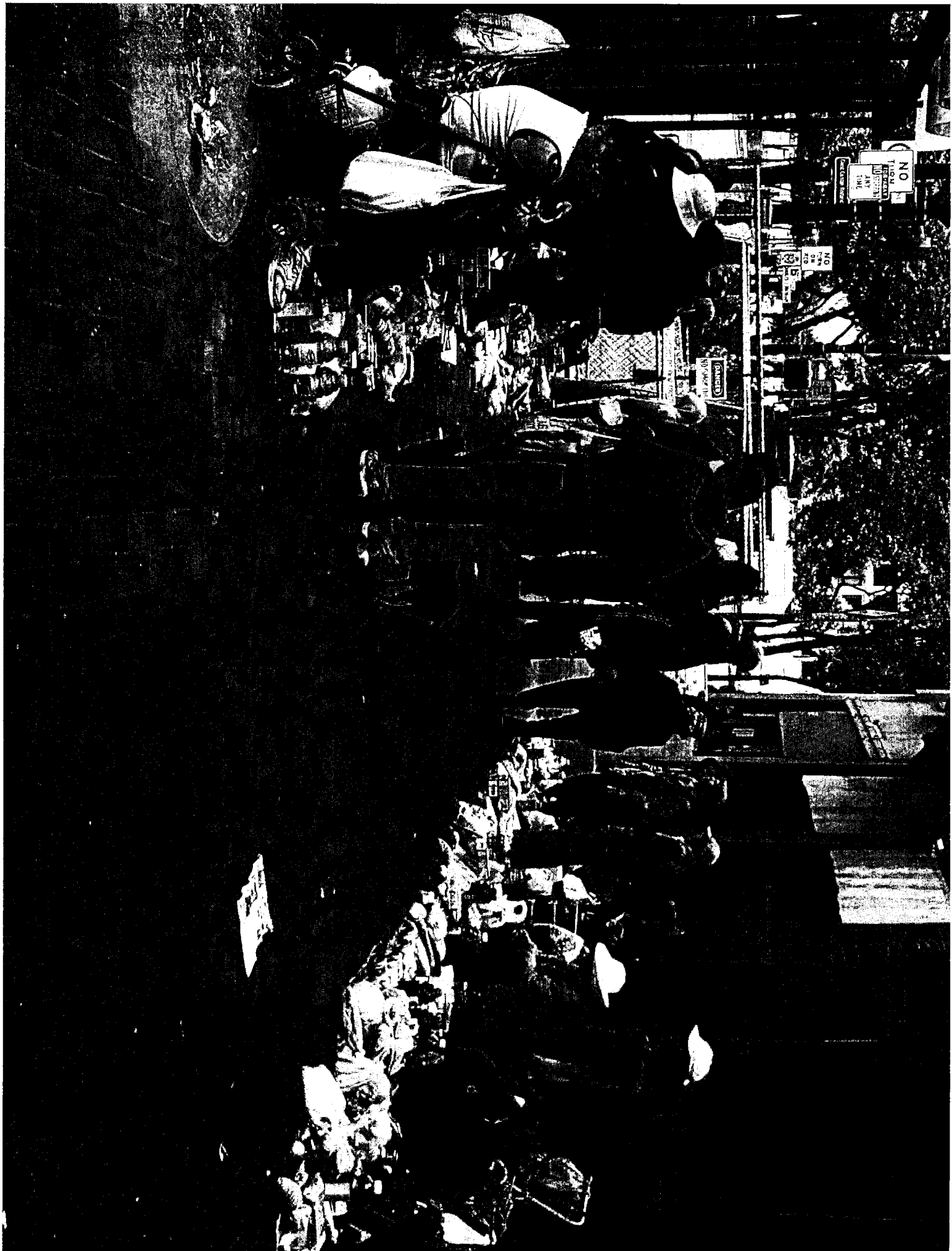
---

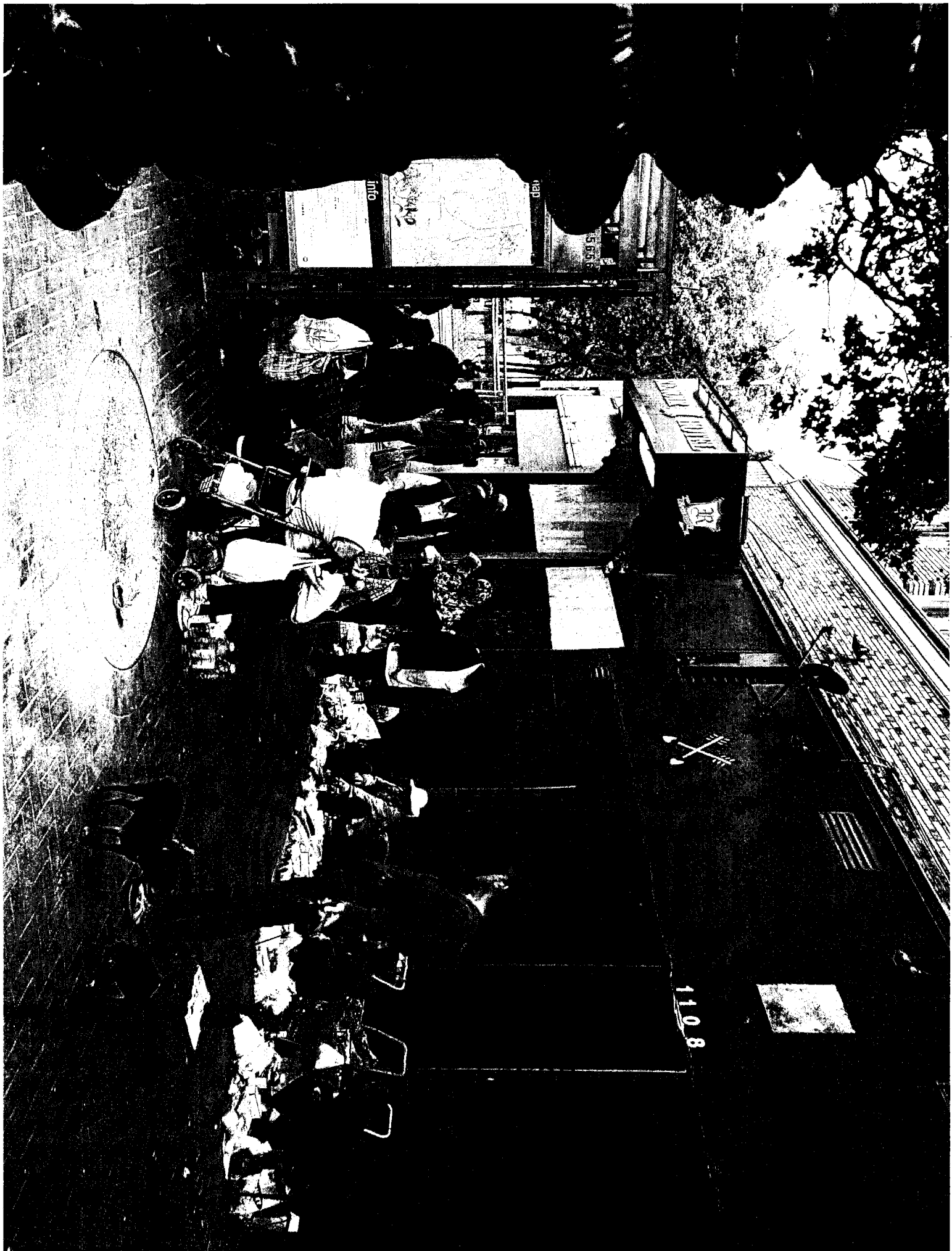
**From:** B G Ward [<mailto:mr.bryantology.guy@gmail.com>]  
**Sent:** Sunday, June 23, 2013 12:54 PM  
**To:** [scott.weiner@sfgov.org](mailto:scott.weiner@sfgov.org)  
**Cc:** Board of Supervisors  
**Subject:** Civic Center Historic District Sun June 23 2013 1:00 pm

Why is this okay? And why?

Signed,

Curious SF Resident





## Board of Supervisors

---

**From:** Theresa Di Maggio [mailto:changemail.org]  
**Sent:** Saturday, June 22, 2013 9:37 PM  
**To:** Board of Supervisors  
**Subject:** 25 more people signed: Crystal Chapman, Catherine Pachuashvili...

25 people recently add their names to Wild Equity Institute's petition "Restore Sharp Park". That means more than 500 people have signed on.

There are now 725 signatures on this petition. Read reasons why people are signing, and respond to Wild Equity Institute by clicking here:

<http://www.change.org/petitions/restore-sharp-park?response=9272c59f571d>

Dear San Francisco Board of Supervisors,

Sharp Park Golf Course is owned by San Francisco but located in Pacifica, California. With a glut of golf courses around the Bay Area, I would like to see you work to transform Sharp Park from a money-losing, endangered species-killing golf course into a new National Park that provides recreational amenities everyone can enjoy. By partnering with the National Park Service, San Francisco can redirect the money it saves back to neighborhood parks and community centers, and we all get a new National Park! Please support the restoration of Sharp Park so valuable species can thrive and all people can enjoy the beautiful gifts nature has to offer.

Sincerely,

701. Crystal Chapman Temple Terrace, Florida
702. Catherine Pachuashvili tbilisi, Georgia
703. Alice-Eira Nager Watertown, New York
704. Kaavya Ashok Pillai , India
705. Jaime Miller santa rosa, California
706. Pam Boland Grovetown, Georgia
707. Piotr Klimowicz Piekary Śląskie, Poland
708. ondine fogelberg Farmington Hills, Michigan
709. Karen Busey Madeira Beach, Florida
710. Amber Souders Kenai, Alaska
711. Beth White Tallahassee, Florida
712. Elizabeth Tronstein Berkeley, California
713. Bryson Wiese NY, New York
714. Rachel Carter Pacifica , California
715. Christina McKay North Ridgeville, Ohio
716. Andy Ryman Geneseo, Illinois
717. Filomena Viana melksham, New York
718. Susan Carter Pacifica, California
719. Panorea White Los Angeles, California
720. United Squadron Portland, Oregon
721. Katie Husband Fareham, District Of Columbia
722. D Baum Ottawa, Illinois
723. Ella Reeves Vancouver, California

724. Danielle Tran Calgary, Canada

725. Theresa Di Maggio roanoke, Virginia





## Board of Supervisors

---

**To:** BOS-Supervisors  
**Subject:** Parking between the crack of the sidewalk in S.F.

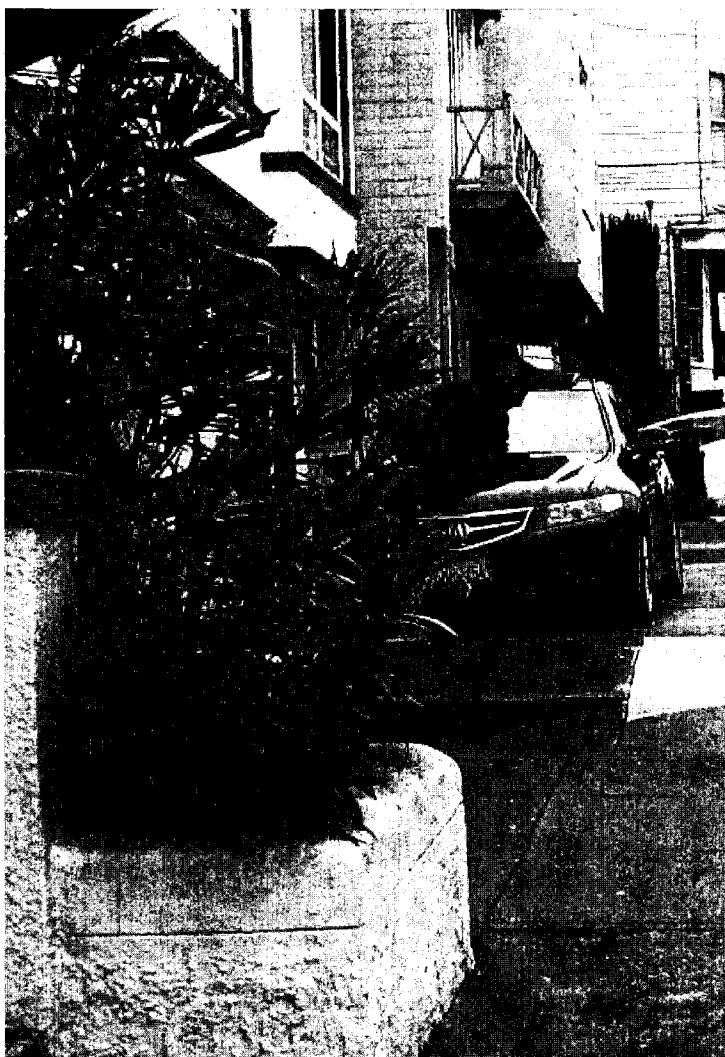
**From:** MaryLou Corrigan [<mailto:marylouc@me.com>]

**Sent:** Tuesday, June 25, 2013 11:39 AM

**To:** Joe Eskenazi; [editor@westsideobserver.com](mailto:editor@westsideobserver.com); Elizabeth Stampe; Wiener, Scott; [seamus37@icloud.com](mailto:seamus37@icloud.com); Board of Supervisors; [news-tips@nytimes.com](mailto:news-tips@nytimes.com); Chiu, David; [edit@7x7.com](mailto:edit@7x7.com); [editor@fogcityjournal.com](mailto:editor@fogcityjournal.com); [editor@westsideobserver.com](mailto:editor@westsideobserver.com); [mdenike@sfxaminer.com](mailto:mdenike@sfxaminer.com); Joshua Sabatini; [tips@7x7.com](mailto:tips@7x7.com); CW Nevius; Eve Batey; Johnston, Conor; Militello, Lea; [tips@sfist.com](mailto:tips@sfist.com)

**Subject:** Parking between the crack of the sidewalk in S.F.

Additional parking can be found in San Francisco on the space between where the sidewalk ends and your house; an area known as the "set back." SFMTA will not ticket because the vehicle because it is not on the sidewalk.



And though parking on a "set back" is a violation of the S.F. Planning Code:

San Francisco Planning Code: Article 1.2.

Section 132, which regulates building setbacks, says that "no motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such area, except as specified in Section 136."

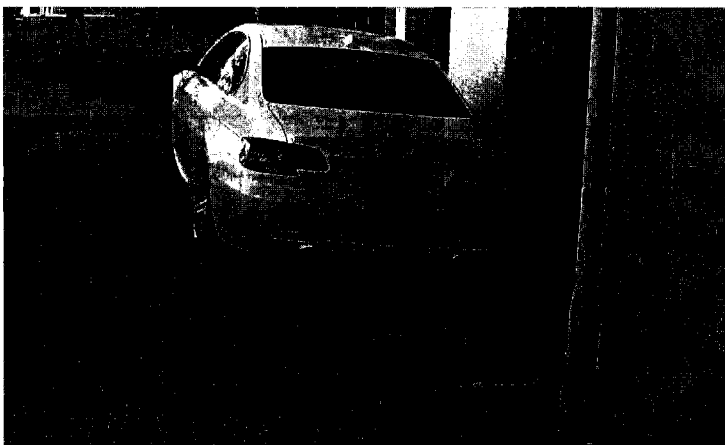
Section 136 specifies, among other allowable obstructions, an exception that garages can exist within the setback "if their top surfaces are developed as usable open space," and that driveways can exist but "in no case shall parking be allowed in the setback."

The Planning Department has a paucity of means to enforce the law or cite offenders.

June 24, 2013

Dear Mr. C.

Thank you for the email. The Planning Department (which is separate from the Department of Building Inspection) does enforce the requirements of Planning Code Section 132, which prohibits unscreened parking within the required front setback (basically, in someone's front yard). We have an active complaint on file for the subject



Notice of Complaint to the property owner on June 10, 2013. The case has been assigned to Rachna of our Code Enforcement Team (copied on this email).

Please understand that we have limited enforcement resources and a substantial complaint backlog. We also do not have the ability to issue on-the-spot citations, so the enforcement process can be quite lengthy.

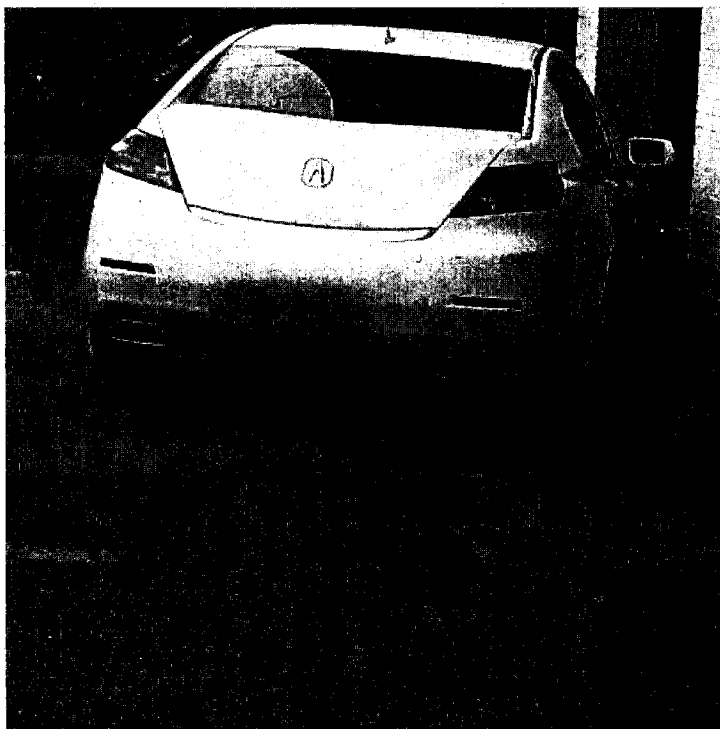
Please let us know if you have any other questions.

Regards,  
Scott F. Sanchez Zoning Administrator



property ( 11 th Avenue) and issued a Notice of Complaint to the property owner on June 10, 2013. The case has been assigned to Rachna of our Code Enforcement Team (copied on this email). Please understand that we have limited enforcement resources and a substantial complaint backlog. We also do not have the ability to issue on-the-spot citations, so the enforcement process can be quite lengthy.

Regards,  
Scott F. Sanchez Zoning Administrator  
[scott.sanchez@sfgov.org](mailto:scott.sanchez@sfgov.org)



Their Notice of Complaint hasn't stopped this family from finding additional parking.

Which City Agency do I turn to next?

Seamus

P.S. I asked a San Francisco Fire Department Official if this type of parking did not constitute the blocking or impeding of a fire exit? I was told "No" as there is another means of egress in the back of the building.



---

**From:** Chapin-Rienzo, Shanda on behalf of Reports, Controller  
**Sent:** Tuesday, June 25, 2013 1:04 PM  
**To:** Calvillo, Angela; Nevin, Peggy; BOS-Legislative Aides; BOS-Supervisors; Kawa, Steve; Howard, Kate; Falvey, Christine; Elliott, Jason; Campbell, Severin; Newman, Debra; sfdocs@sfpl.info; gmetcalf@spur.org; CON-EVERYONE; CON-CCSF Dept Heads; CON-Finance Officers; Ed.Reiskin@sfmta.com; Boomer, Roberta; Bose, Sonali; Bose, Sonali; Farhangi, Shahnam; Funghi, John; Hoe, Albert; Hoe, Albert; Jenny Vodvarka; Sakelaris, Kathleen; Richard.redmond@sfmta.com; Lien Luu  
**Subject:** Report Issued: SFMTA: Overhead Rates of Two Central Subway Project Management Consultants Must Be Reduced

The Office of the Controller's City Services Auditor Division (CSA) today issued a report on its desk review of three consultants' overhead rates under the Central Subway Partners agreement. The consultants used these overhead rates for their program management and construction management work on the San Francisco Municipal Transportation Agency (SFMTA) Central Subway Project in calendar year 2011. The review found that two of the consultants had included unallowable costs in their overhead rate calculations and must reduce their 2011 rates substantially. When the final contract cost review occurs, SFMTA will determine the amounts the consultants must reimburse the City as a result of these overhead rate reductions.

To view the full report, please visit our Web site at: <http://co.sfgov.org/webreports/details.aspx?id=1594>

This is a send-only e-mail address.

For questions about the report, please contact Director of City Audits Tonia Lediju at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

Follow us on Twitter [@sfcontroller](https://twitter.com/sfcontroller)

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

---

**From:** Chapin-Rienzo, Shanda on behalf of Reports, Controller  
**Sent:** Wednesday, June 26, 2013 1:05 PM  
**To:** Calvillo, Angela; Nevin, Peggy; BOS-Legislative Aides; BOS-Supervisors; Kawa, Steve; Howard, Kate; Falvey, Christine; Elliott, Jason; Campbell, Severin; Newman, Debra; sfdocs@sfpl.info; gmetcalf@spur.org; CON-EVERYONE; CON-CCSF Dept Heads; CON-Finance Officers; Cisneros, Jose; Marx, Pauline; Durgy, Michelle  
**Subject:** Reports Issued: TTX: Quarterly Reviews of the Schedule of Cash, Investments, and Accrued Interest Receivable as of September 30, 2012, and December 31, 2012

The City and County of San Francisco (City), Office of the Treasurer and Tax Collector (Treasurer), coordinates with the Office of the Controller's City Services Auditor Division (CSA) to conduct quarterly reviews and an annual audit of the City's investment fund.

CSA today issued two reports of the quarterly reviews of the Schedule of Cash, Investments, and Accrued Interest Receivable as of September 30, 2012, and as of December 31, 2012.

CSA has engaged Macias Gini & O'Connell LLP (Macias) to perform these services. Based on its reviews, Macias is not aware of any material modifications that should be made to the schedules in order for them to be in conformity with generally accepted accounting principles.

To view the full report, please visit our website at:

<http://sfcontroller.org/Modules/ShowDocument.aspx?documentid=4381>

<http://sfcontroller.org/Modules/ShowDocument.aspx?documentid=4380>

This is a send-only e-mail address.

For questions about this report, please contact Director of City Audits Tonia Lediju at [tonia.lediju@sfgov.org](mailto:tonia.lediju@sfgov.org) or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

Follow us on Twitter [@sfcontroller](https://twitter.com/sfcontroller)

**City and County of San Francisco**

**Office of the Controller – City Services Auditor**

**OFFICE OF THE TREASURER  
AND TAX COLLECTOR:**

**Quarterly Review of the Schedule of  
Cash, Investments, and Accrued  
Interest Receivable as of  
September 30, 2012**



*June 26, 2013*

**OFFICE OF THE CONTROLLER  
CITY SERVICES AUDITOR**

The City Services Auditor Division (CSA) was created in the Office of the Controller through an amendment to the Charter of the City and County of San Francisco (City) that was approved by voters in November 2003. Charter Appendix F grants CSA broad authority to:

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

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

CSA conducts its audits in accordance with the Government Auditing Standards published by the U.S. Government Accountability Office (GAO). These standards require:

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

For questions regarding the report, please contact Director of City Audits Tonia Lediju at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393, or CSA at 415-554-7469.

CSA Team:               Elisa Sullivan, Audit Manager, CSA  
Review Consultants: Macias Gini & O'Connell LLP





CITY AND COUNTY OF SAN FRANCISCO  
OFFICE OF THE CONTROLLER

Ben Rosenfield  
Controller

Monique Zmuda  
Deputy Controller

June 26, 2013

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

Dear Mr. Cisneros:

The Office of the Controller's City Services Auditor Division (CSA) presents the review report of the Schedule of Cash, Investments, and Accrued Interest Receivable of the Office of the Treasurer and Tax Collector (Treasurer) of the City and County of San Francisco (City) as of September 30, 2012. The schedule presents the total cash, investments, and accrued interest receivable under the control and accountability of the City's Treasurer.

**Results:**

	<u>September 30, 2012</u>
<b>Cash and Investments</b>	
Cash in Bank	\$660,416,301
Investments and Accrued Interest Receivable	<u>4,974,439,636</u>
<b>Total Cash and Investments</b>	<b>\$5,634,855,937</b>

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

Based on this review, Macias Gini & O'Connell LLP is not aware of any material modifications that should be made to the Schedule of Cash, Investments, and Accrued Interest Receivable as of September 30, 2012, in order for it to be in conformity with generally accepted accounting principles. However, as explained in Note II.B. to the schedule, investments are recorded as of the settlement date and management has not presented the risk disclosures required under Governmental Accounting Standards Board (GASB) Statement No. 40, *Deposit and Investment Risk Disclosures – an amendment of GASB Statement No. 3*.

CSA appreciates the assistance and cooperation of Treasurer staff during the review. For questions regarding the report, please contact me at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393 or CSA at 415-554-7469.

Respectfully,

  
Tonia Lediju  
Director of City Audits

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

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

Independent Accountant's Review Report and  
Schedule of Cash, Investments, and  
Accrued Interest Receivable

September 30, 2012



**Certified Public Accountants.**



**Certified Public Accountants.**

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

Sacramento

Oakland

LA/Century City

Newport Beach

San Diego

Seattle

**Independent Accountant's Review Report**

The Honorable Mayor Edwin M. Lee  
The Honorable Members of the Board of Supervisors  
San Francisco, California

We have reviewed the accompanying Schedule of Cash, Investments, and Accrued Interest Receivable (Schedule) of the City and County of San Francisco's (City) Office of the Treasurer and Tax Collector (Treasurer) as of September 30, 2012. A review includes primarily applying analytical procedures to management's financial data and making inquiries of the Treasurer's management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the Schedule as a whole. Accordingly, we do not express such an opinion.

The Treasurer's management is responsible for the preparation and fair presentation of the Schedule in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the Schedule.

Our responsibility is to conduct the review in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. Those standards require us to perform procedures to obtain limited assurance that there are no material modifications that should be made to the financial statements. We believe that the results of our procedures provide a reasonable basis for our report.

Based on our review, with the exception of the matter described in the following paragraph, we are not aware of any material modifications that should be made to the Schedule as of September 30, 2012 in order for them to be in conformity with accounting principles generally accepted in the United States of America.

As explained in Note II.B. to the Schedule, investments are recorded as of the settlement date rather than the trade date and management has not presented the risk disclosures required under Governmental Accounting Standards Board Statement No. 40, *Deposit and Investment Risk Disclosures—an amendment of GASB Statement No. 3*. The amount by which this departure would affect the Schedule is not reasonably determinable.

*Macias Gini & Connell LLP*

Walnut Creek, California  
June 19, 2013

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

**SCHEDULE OF CASH, INVESTMENTS, AND ACCRUED INTEREST RECEIVABLE  
SEPTEMBER 30, 2012**

Cash:

Cash in Bank - Investment Pool	\$ 453,462,256
Cash in Bank - Separately Managed Account	206,954,045
Subtotal Cash	<u>660,416,301</u>

Investments from investment pool:

U.S. Treasury Notes	827,870,550
Federal Agencies	3,490,105,327
Temporary Liquidity Guarantee Program	25,107,250
Commercial Paper	79,754,856
Negotiable Certificates of Deposit	374,505,411
Public Time Deposits	960,000
Corporate Medium Term Notes	73,505,368
State and Local Government Agencies	90,715,610
Total investments from investment pool	<u>4,962,524,372</u>

Investments from separately managed account:

SFRDA South Beach Harbor Refunding Bond	5,690,000
---	-----------

Interest Receivable - Investment Pool

6,225,264

Total Cash, Investments, and Accrued Interest Receivable	<u>\$ 5,634,855,937</u>
--	-------------------------

See Independent Accountant's Review Report and  
Accompanying Notes to Schedule of Cash, Investments, and Accrued Interest Receivable.

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

NOTES TO THE SCHEDULE OF CASH, INVESTMENTS,  
AND ACCRUED INTEREST RECEIVABLE  
SEPTEMBER 30, 2012

**I. General**

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

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

**II. Summary of Significant Accounting Policies**

***A. Cash and Deposits***

The California Government Code requires California banks and savings and loan associations to secure the City's deposits not covered by federal deposit insurance by pledging government securities, letters of credit or first deed mortgage notes as collateral. The fair value of pledged securities will range between 105 and 150 percent of the City's deposits, depending on the type of security pledged. Pledging letters of credit issued by the Federal Home Loan Bank of San Francisco must have a fair value of at least 105 percent of the secured public deposits. Pledging first deed mortgage notes must have a fair value of at least 150 percent of the secured public deposits. Government securities must equal at least 110 percent of the City's deposits. The collateral must be held at the pledging bank's trust department or another bank, acting as the pledging bank's agent, in the City's name. For deposits not covered by federal deposit insurance, all of the banks with funds deposited by the Treasurer secure deposits with sufficient collateral.

***B. Investments***

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

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

NOTES TO THE SCHEDULE OF CASH, INVESTMENTS,  
AND ACCRUED INTEREST RECEIVABLE  
SEPTEMBER 30, 2012

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

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

<u>Investment Type</u>	<u>Cost</u>	<u>Fair Value</u>
Investments from investment pool:		
U.S. Treasury Notes	\$ 814,260,885	\$ 827,870,550
Federal Agencies	3,448,960,538	3,490,105,327
Temporary Liquidity Guarantee Program	25,253,750	25,107,250
Commercial Paper	79,704,250	79,754,856
Negotiable Certificates of Deposit	375,000,000	374,505,411
Public Time Deposits	960,000	960,000
Corporate Medium Term Notes	74,575,775	73,505,368
State and Local Government Agencies	91,228,386	90,715,610
Total investments from investment pool	<u>4,909,943,584</u>	<u>4,962,524,372</u>
Investments from separately managed account:		
SFRDA South Beach Harbor Refunding Bond	<u>5,690,000</u>	<u>5,690,000</u>
Total investments	<u>\$ 4,915,633,584</u>	<u>\$ 4,968,214,372</u>

# City and County of San Francisco

Office of the Controller – City Services Auditor

## OFFICE OF THE TREASURER AND TAX COLLECTOR:

Quarterly Review of the Schedule of  
Cash, Investments, and Accrued  
Interest Receivable as of  
December 31, 2012



June 26, 2013



**OFFICE OF THE CONTROLLER  
CITY SERVICES AUDITOR**

The City Services Auditor Division (CSA) was created in the Office of the Controller through an amendment to the Charter of the City and County of San Francisco (City) that was approved by voters in November 2003. Charter Appendix F grants CSA broad authority to:

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

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

CSA conducts its audits in accordance with the Government Auditing Standards published by the U.S. Government Accountability Office (GAO). These standards require:

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

For questions regarding the report, please contact Director of City Audits Tonia Lediju at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393, or CSA at 415-554-7469.

CSA Team:                   Elisa Sullivan, Audit Manager, CSA  
Review Consultants: Macias Gini & O'Connell LLP



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

**Ben Rosenfield**  
**Controller**

**Monique Zmuda**  
**Deputy Controller**

June 26, 2013

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

Dear Mr. Cisneros:

The Office of the Controller's City Services Auditor Division (CSA) presents the review report of the Schedule of Cash, Investments, and Accrued Interest Receivable of the Office of the Treasurer and Tax Collector (Treasurer) of the City and County of San Francisco (City) as of December 31, 2012. The schedule presents the total cash, investments, and accrued interest receivable under the control and accountability of the City's Treasurer.

**Results:**

	<u>December 31, 2012</u>
<b>Cash and Investments</b>	
Cash in Bank	\$437,733,499
Investments and Accrued Interest Receivable	<u>5,647,144,711</u>
<b>Total Cash and Investments</b>	<b>\$6,084,878,210</b>

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

Based on this review, Macias Gini & O'Connell LLP is not aware of any material modifications that should be made to the Schedule of Cash, Investments, and Accrued Interest Receivable as of December 31, 2012, in order for it to be in conformity with generally accepted accounting principles. However, as explained in Note II.B. to the schedule, investments are recorded as of the settlement date and management has not presented the risk disclosures required under Governmental Accounting Standards Board (GASB) Statement No. 40, *Deposit and Investment Risk Disclosures – an amendment of GASB Statement No. 3*.

CSA appreciates the assistance and cooperation of Treasurer staff during the review. For questions regarding the report, please contact me at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393 or CSA at 415-554-7469.

Respectfully,

  
Tonia Lediju  
Director of City Audits

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

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

Independent Accountant's Review Report and  
Schedule of Cash, Investments, and  
Accrued Interest Receivable

December 31, 2012



**Certified Public Accountants.**



**Certified Public Accountants.**

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

Sacramento

Oakland

LA/Century City

Newport Beach

San Diego

Seattle

### Independent Accountant's Review Report

The Honorable Mayor Edwin M. Lee  
The Honorable Members of the Board of Supervisors  
San Francisco, California

We have reviewed the accompanying Schedule of Cash, Investments, and Accrued Interest Receivable (Schedule) of the City and County of San Francisco's (City) Office of the Treasurer and Tax Collector (Treasurer) as of December 31, 2012. A review includes primarily applying analytical procedures to management's financial data and making inquiries of the Treasurer's management. A review is substantially less in scope than an audit, the objective of which is the expression of an opinion regarding the Schedule as a whole. Accordingly, we do not express such an opinion.

The Treasurer's management is responsible for the preparation and fair presentation of the Schedule in accordance with accounting principles generally accepted in the United States of America and for designing, implementing, and maintaining internal control relevant to the preparation and fair presentation of the Schedule.

Our responsibility is to conduct the review in accordance with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. Those standards require us to perform procedures to obtain limited assurance that there are no material modifications that should be made to the financial statements. We believe that the results of our procedures provide a reasonable basis for our report.

Based on our review, with the exception of the matter described in the following paragraph, we are not aware of any material modifications that should be made to the Schedule as of December 31, 2012 in order for them to be in conformity with accounting principles generally accepted in the United States of America.

As explained in Note II.B. to the Schedule, investments are recorded as of the settlement date rather than the trade date and management has not presented the risk disclosures required under Governmental Accounting Standards Board Statement No. 40, *Deposit and Investment Risk Disclosures—an amendment of GASB Statement No. 3*. The amount by which this departure would affect the Schedule is not reasonably determinable.

*Macias Gini & Cunniff LLP*

Walnut Creek, California  
June 19, 2013

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

**SCHEDULE OF CASH, INVESTMENTS, AND ACCRUED INTEREST RECEIVABLE  
DECEMBER 31, 2012**

Cash:	
Cash in Bank - Investment Pool	\$ 223,395,529
Cash in Bank - Separately Managed Account	214,337,970
Subtotal Cash	<u>437,733,499</u>
Investments from investment pool:	
U.S. Treasury Notes	1,025,614,350
Federal Agencies	3,865,155,224
Commercial Paper	79,925,708
Negotiable Certificates of Deposit	274,806,935
Public Time Deposits	960,000
Corporate Medium Term Notes	52,310,804
State and Local Government Agencies	90,335,934
Money Market Funds	250,000,000
Total investments from investment pool	<u>5,639,108,955</u>
Investments from separately managed account:	
SFRDA South Beach Harbor Refunding Bond	5,100,000
Interest Receivable - Investment Pool	<u>2,935,756</u>
Total Cash, Investments, and Accrued Interest Receivable	<u>\$ 6,084,878,210</u>

See Independent Accountant's Review Report and  
Accompanying Notes to Schedule of Cash, Investments, and Accrued Interest Receivable.

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

NOTES TO THE SCHEDULE OF CASH, INVESTMENTS,  
AND ACCRUED INTEREST RECEIVABLE  
DECEMBER 31, 2012

**I. General**

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

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

**II. Summary of Significant Accounting Policies**

***A. Cash and Deposits***

The California Government Code requires California banks and savings and loan associations to secure the City's deposits not covered by federal deposit insurance by pledging government securities, letters of credit or first deed mortgage notes as collateral. The fair value of pledged securities will range between 105 and 150 percent of the City's deposits, depending on the type of security pledged. Pledging letters of credit issued by the Federal Home Loan Bank of San Francisco must have a fair value of at least 105 percent of the secured public deposits. Pledging first deed mortgage notes must have a fair value of at least 150 percent of the secured public deposits. Government securities must equal at least 110 percent of the City's deposits. The collateral must be held at the pledging bank's trust department or another bank, acting as the pledging bank's agent, in the City's name. For deposits not covered by federal deposit insurance, all of the banks with funds deposited by the Treasurer secure deposits with sufficient collateral.

***B. Investments***

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

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

NOTES TO THE SCHEDULE OF CASH, INVESTMENTS,  
AND ACCRUED INTEREST RECEIVABLE  
DECEMBER 31, 2012

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

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

<u>Investment Type</u>	<u>Cost</u>	<u>Fair Value</u>
Investments from investment pool:		
U.S. Treasury Notes	\$ 1,013,676,471	\$ 1,025,614,350
Federal Agencies	3,827,093,302	3,865,155,224
Commercial Paper	79,704,250	79,925,708
Negotiable Certificates of Deposit	275,000,000	274,806,935
Public Time Deposits	960,000	960,000
Corporate Medium Term Notes	53,241,757	52,310,804
State and Local Government Agencies	91,177,638	90,335,934
Money Market Funds	250,000,000	250,000,000
Total investments from investment pool	<u>5,590,853,418</u>	<u>5,639,108,955</u>
Investments from separately managed account:		
SFRDA South Beach Harbor Refunding Bond	<u>5,100,000</u>	<u>5,100,000</u>
Total investments	<u>\$ 5,595,953,418</u>	<u>\$ 5,644,208,955</u>





MEMORANDUM

BOS-11 (direct)  
COB, B+F Clerk  
CPages  
Sorry.

TO: Mayor Edwin Lee  
Members, Board of Supervisors

FROM: Ben Rosenfield, Controller

DATE: June 26, 2013

SUBJECT: General Fund Revenue Update

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 26 PM 4:29  
PN

Since the introduction of the proposed budget on June 1, 2013, additional information on the City's General Fund revenue outlook has become available.

- **Current Year Projection.** The Controller's Office now projects a \$4.2 million increase in projected General Fund resources available at the end of the current fiscal year. These resources are certified and are available for appropriation.
- **State Budget Public Health Revenue Impacts.** Given the State's plans for implementation of the Affordable Care Act (ACA) in the adopted State budget, significant losses of local realignment revenue assumed in the proposed budget will occur over the coming two years. As a result, the Controller's Office has placed \$17 million of expenditures on reserve in both fiscal years of the proposed two-year budget. These revenue losses will likely require future policy decisions and budget reallocations by the Mayor and the Board as more information becomes available.

**Current Year Projection**

Given current information, the Controller's Office projects a \$4.2 million improvement in current year ending balance, as summarized in Table 1 below. The \$7.4 million increase in projected property tax revenue noted in Table 1 below is due to the reduction of current year revenues required to be set aside to correct prior year allocations of tax increment to the Redevelopment Agency for parcels in the Mission Bay North and South project areas versus the level assumed in our prior projections. Additionally, receipts of revenue through May and June to date indicate payroll tax revenues will be \$7.8 million higher than projected in the Nine-Month Report. These improvements are offset by significant reductions in property transfer tax revenues, which we now project will be \$14.6 million below our last projection. Transfer tax receipts were \$9.9 million in May, or approximately \$9.5 million below projections, and June receipts are projected to be approximately \$5 million below projections.

These revised revenue projections will reduce the required deposit to the Budget Stabilization Reserve by \$0.9 million and increase required General Fund baseline contributions by \$0.1 million. Given year end settlement activity, the Controller's Office also projects \$2.8 million in surplus balance in funds appropriated to pay for litigation expenses.

**Table 1. General Fund Revenue Estimate (\$M)**

<b>Source/Use</b>	<b>Amount</b>
Property Tax	7.4
Payroll Tax	7.8
Transfer Tax	(14.6)
<b>Revenue</b>	<b>0.6</b>
Increased Baseline Contributions	(0.1)
Decreased Budget Stabilization Reserve Deposit	0.9
<b>Reserve &amp; Baseline Contributions</b>	<b>0.8</b>
<b>Net Revenue Changes</b>	<b>\$ 1.4</b>
Year End Litigation Reserve Projection	2.8
<b>Total Available General Fund Resources</b>	<b>\$ 4.2</b>

### **State Budget Public Health Revenue Impact**

As discussed in the FY 2013-14 and FY 2014-15 Revenue Letter, the State budget assumes savings as a result of ACA implementation. The State currently provides realignment funding to counties for indigent health care. However, as of January 1, 2014 under the ACA a portion of the existing indigent population will now be eligible for Medi-Cal or other coverage. Because of this new eligibility, the State budget includes \$300 million in FY 2013-14 and \$900 million in FY 2014-15 of savings from reductions to public health realignment allocations to counties.

This loss of realignment funds will total \$17 million for FY 2013-14 currently assumed in the Department of Public Health (DPH) budget. Losses for FY 2014-15 will be formula-driven, but will likely range between \$17 million and \$48 million. A portion of these decreases will be offset by increased Medi-Cal reimbursements, and the final amounts will be determined using a formula tied to financial performance under the ACA. The timing and magnitude of these revenue increases is extremely difficult to estimate at this time.

Due to the uncertainty around revenue available to offset DPH's state realignment revenue reductions and as authorized by the Charter, the Controller's Office has placed \$17 million of DPH expenditures on reserve in both FY 2013-14 and FY 2014-15 pending updated revenue projections in the first half of FY 2013-14. We will provide regular updates to the Mayor and Board of Supervisors as additional information about the financial impacts of the ACA becomes available, but future policy choices, financial trade-offs, and budget reallocations will likely be required.

around the northeastern quadrant of the city... improve inter-city and intra-regional transit service and would ease vehicular traffic flow above ground.")

C. Excessive parking planned for the Geary-Van Ness intersection decreases the campus total just 18%. 990 parking spaces (including the existing Sutter--Franklin building)-- about double spaces previously used for a hotel (405), and the Sutter-Franklin offices (uses likely to generate less turn-over).

will attract auto circulation to the confluence of Highway 101 and Golden Gate Transit with Muni's busiest transit lines--near preferential streets for transit and auto commuting.

Garage use-- short-term and peak-hours-- will encourage congestion at various intersections on Van Ness, Geary, Polk, Franklin, Gough, Sutter, Post, OFarrell, and other corridors. The pedestrian environment will be affected.

2. The Development Agreement should be deferred-- pending disclosure of a contract for CPMC to fund a "Lower Polk Community Benefits District" (shown at \$1.1 million for the 2012 Development Agreement that was not approved).

Absence from the "term sheet," the agenda and files for 2013 Planning Commission and BOS hearings was reported to the Planning Commission and BOS Land Use Committee.

Last May "a contract" was reported signed. \$2.46 million seemed to be what CPMC will pay.

For several years, presiding officers (and city employees) seemed to be asking for \$2.5 million to be paid to "Lower Polk Neighbors." From meetings I attended, and others attending meetings, I heard vague reports.

Written information about the contract, and any detail about a CBD plan, were not offered. Status was reported at many Lower Polk Neighbors meetings, by Supervisor Chiu or other city officials, by the officers presiding, by CPMC's representative.

The agreement ("contract signed" in 2013) raises concerns:

Involvement of city officials in this negotiation.

Purpose for CPMC funds to replace city allocations formerly used for CBD formation.

"Seed money" negotiated for CPMC to commit to an organization (allegedly representing residents) in return for the endorsement transmitted by city employees and a few individuals for projects on the agendas for officials to approve-- subject to the Brown Act and the Sunshine Ordinance.

CEQA required documenting impacts for the Nob Hill area, and mitigating physical impacts--but mitigation was framed as "the community" agreeing to support the project for "community benefits" irrelevant to reducing the physical impacts.

Cash amounts were negotiated with a few individuals--

Decisions were out of the public view, without effective participation by a community affected by environmental impacts and alleged "community benefit."

\$2.5 million to approve CPMC's original plan was requested by a few city employees and Lower Polk Neighbors chair-- with minimal information for community members. But funding a "Lower Polk Community Benefit District" requires a vote of property owners and actions by Planning and BOS.

If approved a CBD will pass through fees property owners decide to assess themselves-- raising residential and commercial rents.

A CBD was rejected when city funds were invested to solicit support from property owners. Now CPMC offers to fund an unpopular idea.

In summary:

The Brown Act applies to the CPMC agreement-- and CEQA applies to any mitigation offered to "justify" the CPMC project.

No process for approving an agreement to accept funds to initiate a CBD, no details on the terms of CPMC's agreement were shown in the BOS agendas, or the Development Agreement proposed for BOS vote, or even in LPN meetings.

Linda Chapman  
516-5063

<<http://us-mg6.mail.yahoo.com/neo/launch?.rand=1f3h7tu4hjp4v#>> <<http://us-mg6.mail.yahoo.com/neo/launch?.rand=1f3h7tu4hjp4v#>> <<http://us-mg6.mail.yahoo.com/neo/launch?.rand=1f3h7tu4hjp4v#>> <<http://us-mg6.mail.yahoo.com/neo/launch?.rand=1f3h7tu4hjp4v#>>

---

**From:** Chapin-Rienzo, Shanda on behalf of Reports, Controller  
**Sent:** Thursday, June 27, 2013 1:55 PM  
**To:** Calvillo, Angela; Nevin, Peggy; BOS-Legislative Aides; BOS-Supervisors; Kawa, Steve; Howard, Kate; Falvey, Christine; Elliott, Jason; Campbell, Severin; Newman, Debra; sfdocs@sfppl.info; gmetcalf@spur.org; CON-Media Contact; CON-EVERYONE; CON-CCSF Dept Heads; CON-Finance Officers; Herrera, Luis; Blackman, Sue; Hudson, Mary  
**Subject:** Report Issued: City Services Benchmarking Report: Public Libraries

The Office of the Controller has issued its third in a series of benchmarking reports. The purpose of the City Services Benchmarking Report is to share comparative city service data from San Francisco and other peer jurisdictions. This report focuses on operating finances, staffing, and library usage at public libraries. Utilizing publicly available data for FY 2011 from the Public Library Data Service, an annual survey conducted by the Public Library Association, the City and County of San Francisco is compared to eight cities: San Francisco (City/County), Los Angeles, Oakland, San Jose, Boston, Washington D.C., Philadelphia and Seattle.

The report includes measures in five areas: population and registered borrowers, financial and staffing, library usage, branch libraries, and library holdings.

To view the full report, please visit our website at: <http://co.sfgov.org/webreports/details.aspx?id=1595>

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](http://www.sfgov.org/controller/performance)) under the Performance Reports section.

For more information please contact:

Office of the Controller  
City Services Auditor Division  
Phone: 415-554-7577  
Email: [michelle.schurig@sfgov.org](mailto:michelle.schurig@sfgov.org)

Thank you.

Follow us on Twitter [@sfcontroller](https://twitter.com/sfcontroller)

**City and County of San Francisco**

**Office of the Controller – City Services Auditor**

**City Services Benchmarking Report:  
Public Libraries**



June 27, 2013

## **CONTROLLER'S OFFICE**

### **CITY SERVICES AUDITOR**

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

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

#### **Project Team:**

Peg Stevenson, Director  
Michelle Schurig, Project Lead  
Kyle Burns, Analyst



# City and County of San Francisco

## Office of the Controller - City Services Auditor

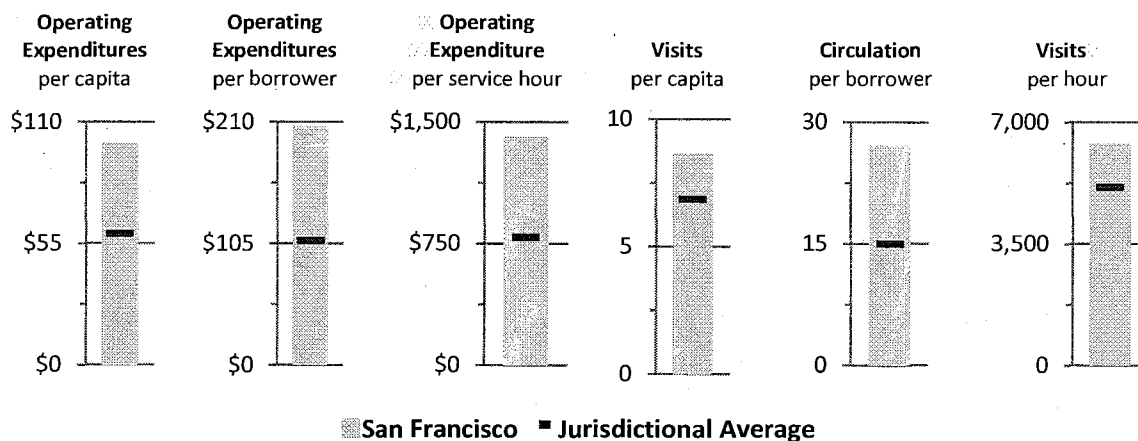
City Services Benchmarking Report: Public Libraries

June 27, 2013

### Purpose

Appendix F, Section 101 of the City and County of San Francisco Charter requires that the City Services Auditor (CSA) monitor the level and effectiveness of services provided by the City and County of San Francisco. Specifically, CSA shall review performance and cost benchmarks and conduct comparisons of the cost and performance of San Francisco City government with other cities, counties and public agencies performing similar functions. This report, which includes data from 2011, provides a benchmarking analysis for public libraries. Eight cities were compared. These are San Francisco (City/County), Los Angeles, Oakland, San Jose, Boston, Washington D.C., Philadelphia, and Seattle.

## Highlights



- San Francisco's expenditures for library services are typically higher than the average of the other jurisdictions reviewed. As illustrated above, San Francisco reports almost twice the average in operating expenditures per capita, borrower, and service hour compared to other jurisdictions.
- San Francisco reports higher than average library usage in visits per capita and per hour and circulation per borrower (see above).
- San Francisco reports the highest program attendance per capita while offering an above average number of programs per capita, but is below the average for program attendance per \$1,000 of expenditures (see page 18).
- San Francisco has the most branch libraries per square mile, one branch for every 1.8 square miles. San Francisco is at the average for branches per 100,000 in population, with .56 per square mile (see page 20).



# TABLE OF CONTENTS

## Contents

Scope of the Report.....	5
Findings.....	8
A..... Population and Registered Borrowers.....	8
B..... Financial and Staffing.....	9
C..... Library Usage.....	14
D..... Branch Libraries.....	20
E..... Library Holdings.....	21
Areas for Future Research.....	22



Photo courtesy of SFPL

## **Scope of the Report**

This report is part of a broad effort by the Controller's Office to conduct benchmarking, performance management, and best practices comparisons of San Francisco's services. For more information, visit the Controller's website at [www.sfcontroller.org/index.aspx?page=75](http://www.sfcontroller.org/index.aspx?page=75).

The Public Libraries Benchmarking Report is the third in a series of reports to compare San Francisco's services, expenditures and performance levels relative to other jurisdictions. The report utilizes publically available data for fiscal year (FY) 2011 from the Public Library Data Service (PLDS).<sup>1</sup> The PLDS is an annual survey conducted by the Public Library Association. It captures self-reported data on staffing, finances, output measures, interlibrary loaning, and technology provisions, from public libraries throughout the United States and Canada.

This report provides comparative data in the following categories:

- Population and Registered Borrowers
- Library Usage
- Library Holdings
- Financial and Staffing
- Branch Libraries

The eight cities included in this report are: San Francisco (City/County), Los Angeles, Oakland, San Jose, Boston, Washington D.C., Philadelphia and Seattle. Cities were selected because, with the exception of Los Angeles, and Philadelphia, they are a similar population size and they all include a main or central library.

The **San Francisco Public Library**, located in the City and County of San Francisco, consists of a main library and 27 branch libraries across the city. In addition to the Library's collection of 3.4 million items in various formats and over 50 languages, it offers free access to computers, multiple technologies, and educational, literary, and recreational programming.

The **Los Angeles Public Library**, located in Los Angeles, California, serves residents of Los Angeles. The library has 72 branches and a central library. It is a department of the City of Los Angeles and is governed by the Board of Library Commissioners, which sets policies and is a strong library advocate with the public and elected officials. Los Angeles voters recently approved a ballot initiative that increases dedicated spending for the Los Angeles Public Library system by \$50 million over the next few years without raising taxes.

The **Oakland Public Library**, located in Oakland, California, is a part of the City of Oakland and includes a Main Library and 16 branch libraries, a Second Start Adult Literacy Program, the Tool Lending Library, and the African-American Museum and Library. The Oakland Public Library Board of Trustees is responsible for setting overall policy and overseeing library finances. The Board is composed of five trustees who are appointed by the Mayor for five year terms and two ex-officio members, the Superintendent of Schools and the Mayor.

---

<sup>1</sup> Public Library Data Service (PLDS). (n.d.). *PLDS and Plometrics*. Retrieved June 13, 2013, from American Library Association: <http://www.ala.org/pla/publications/plds>

The **San José Public Library**, located in San José, California in the Bay Area, is the largest public library system between San Francisco and Los Angeles. In 2011, it received the National Medal for Museum and Library Service, the nation's highest honor for a library. The main library, King Library, is the only co-managed, city-academic library in the nation; jointly operated with one library card and one computer system. The library holds the world's largest archive on John Steinbeck and the largest collection of Ludwig van Beethoven materials outside of Europe.

The **Boston Public Library**, located in Boston, Massachusetts, was founded in 1848. It was the first publicly supported municipal library in America, the first public library to lend books, the first to have a branch library, and the first to have a children's room. The Boston Public Library has a Central Library, 25 branches, a literacy center, map center, business library, neighborhood-based services, and a website filled with digital content and services.

The **D.C. Public Library**, located in Washington D.C., was created by an act of Congress in 1896. The library has a central library and 25 branches. The library is an independent agency of the District of Columbia municipal government, managed by a Chief Librarian who is selected and reviewed by a Board of Library Trustees. The Board of Library Trustees is appointed by the Mayor, subject to review and approval by the Council of the District of Columbia.

The **Free Library of Philadelphia**, located in Philadelphia, Pennsylvania, is the tenth largest public library system in the United States. Besides the Parkway Central Library in downtown Philadelphia, the system also operates 53 neighborhood library locations in the city's many neighborhoods. The governance of the library is unique among public libraries across the nation, as it is neither a city agency nor nonprofit organization. The library is governed by both an independent city agency managed by its own board of directors. The Free Library features the Edwin A. Fleisher Collection of Orchestral Music, which is the world's largest lending library of orchestral performance sets.

The **Seattle Public Library**, located in Seattle Washington, was founded in 1890. It includes a Central Library, Mobile Services and 25 branches. In 2009, the Seattle Public Library completed ten years of building renewal and expansion, which renovated or replaced all 22 branches that were in the system as of 1998, added four new branch libraries, and built the Central Library. In 2012, the Seattle Public Library was awarded the top rating among large libraries for the third year in a row in the Library Journal Index of Public Library Service 2012.

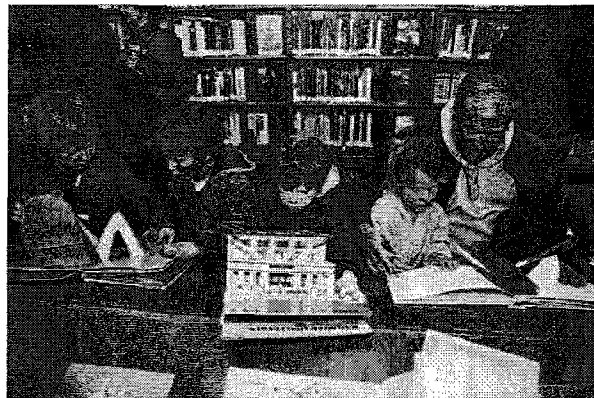


Photo courtesy of SFPL

## Jurisdictional Overview for Key Measures

Jurisdiction	Legal Population*	Service Area (Miles <sup>2</sup> )	Operating Expenditures	Registered Borrowers	Holdings	Branches	Annual Circulation
San Francisco, CA	812,820	48	\$81,423,656	394,453	2,675,622	27	10,707,477
Los Angeles, CA	3,792,621	470	\$85,444,942	1,231,764	6,459,552	72	15,144,804
Oakland, CA	413,783	53	\$22,652,676	229,145	1,417,416	17	2,282,657
San Jose, CA	958,789	180	\$33,348,655	737,153	2,270,646	18	13,560,762
Boston, MA	617,594	89	\$43,094,795	510,966	16,140,023	26	3,534,412
Washington, D.C.	617,996	68	\$37,341,119	329,313	1,832,116	24	3,059,432
Philadelphia, PA	1,547,297	135	\$79,624,419	584,775	5,043,943	52	7,189,582
Seattle, WA	614,000	84	\$49,581,169	456,534	2,403,693	26	10,932,677

\*The number of people who reside within the legal service area of the library. The legal service area of a library is the population within the boundaries of the geographic area the library was established to serve.<sup>2</sup>

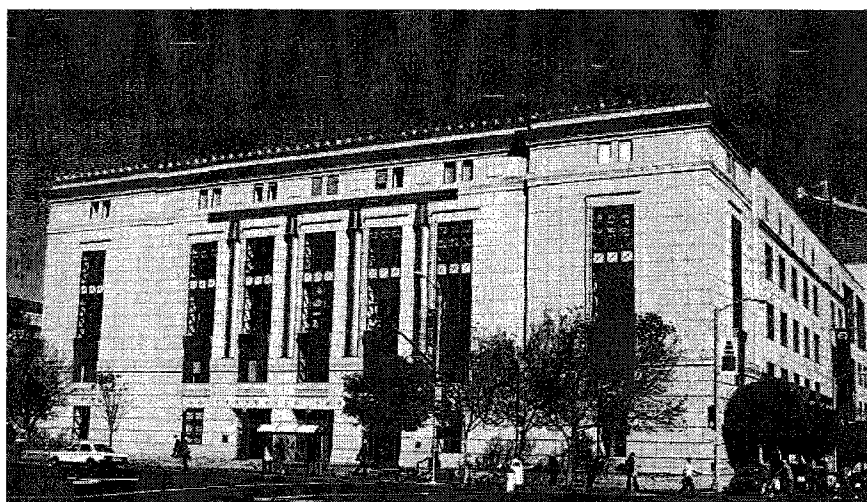


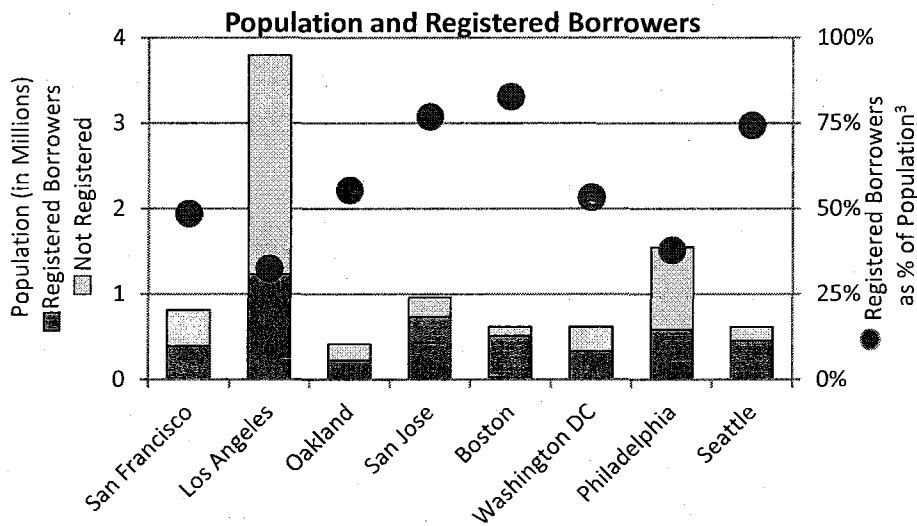
Photo courtesy of SFPL

<sup>2</sup> *The Library Research Service Definition of Terms*. (n.d.). Retrieved June 13, 2013, from The Library Research Service: <http://www.lrs.org/data-tools/public-libraries/definition-of-terms/>

# Findings

## A. Population and Registered Borrowers

Libraries register users to provide borrowing privileges for physical materials, digital resources, and other library benefits such as access to online research tools. Libraries work to register as many people as possible to provide the public with all the benefits the libraries have to offer. Please note: any resident of California is allowed to register as a borrower with the San Francisco Public Library, meaning that not all registered borrowers are residents of their jurisdiction. This is also the case with the other jurisdictions examined. Libraries will periodically purge registrations to remove non-active borrowers from the system. All jurisdictions included in this report purged their library registrations within the last three years to ensure more accurate counts of borrowers.



- For registered borrowers as a percentage of the population, San Francisco (49%) is lower than the jurisdictional average (58%).
- Boston (83%) has the highest amount of registered borrowers as a percentage of population.
- Los Angeles (32%) and Philadelphia (38%) have the fewest registered borrowers as a percentage of population; these two cities also have the largest populations of the observed jurisdictions.

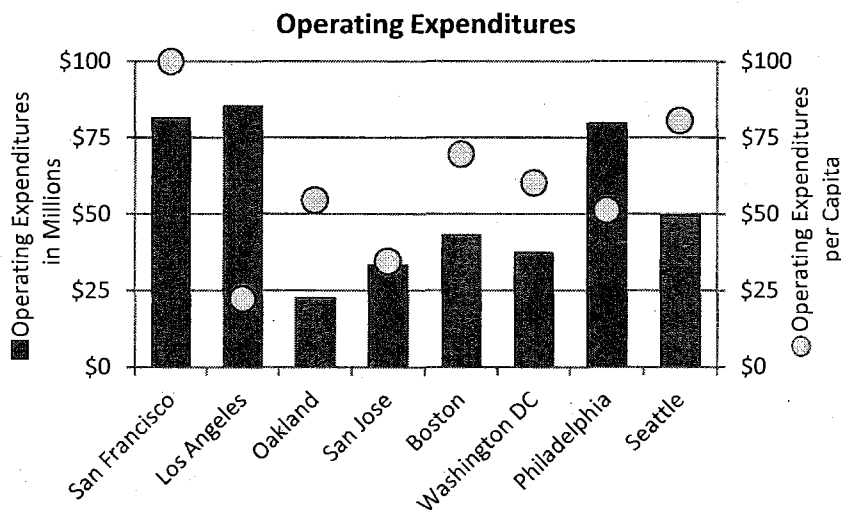
<sup>3</sup> Registered borrowers as a percentage of the population is a calculation of the number registered borrowers divided by the total population of the jurisdiction (registered borrowers/population \* 100%).

## B. Financial and Staffing

Income and expenditure measures continue to provide operational insights for many libraries and are included in the PLDS report and library statistical reports. Operating finances are defined as follows: “the current and recurrent income for and cost necessary to the provision of library services, such as personnel, library materials, binding supplies, repair or replacement of existing furnishings and equipment, and costs incurred in the operation and maintenance of the physical facility.”<sup>4</sup>

The average income and expenditures for public libraries decreased in FY2011. According to the 2010–2011 Public Library Funding & Technology Access Study (PLFTAS), more public libraries reported fiscal decreases for the third consecutive year. The largest impact was experienced by urban libraries (55 percent of total); nearly 30 percent of urban libraries reported a decrease in service hours.<sup>5</sup>

In FY2010, California received \$30.4 million in state-level support for public library programs, which provided per capita allocations, support for interlibrary loans, and literacy instruction; this funding was reduced by 50 percent in FY2011. Additional state-level cuts to public libraries were introduced in Governor Brown’s first budget in FY2012, which eliminated all funding for public library programs and made a \$1.1 million cut to the State Library administration budget.<sup>4</sup>

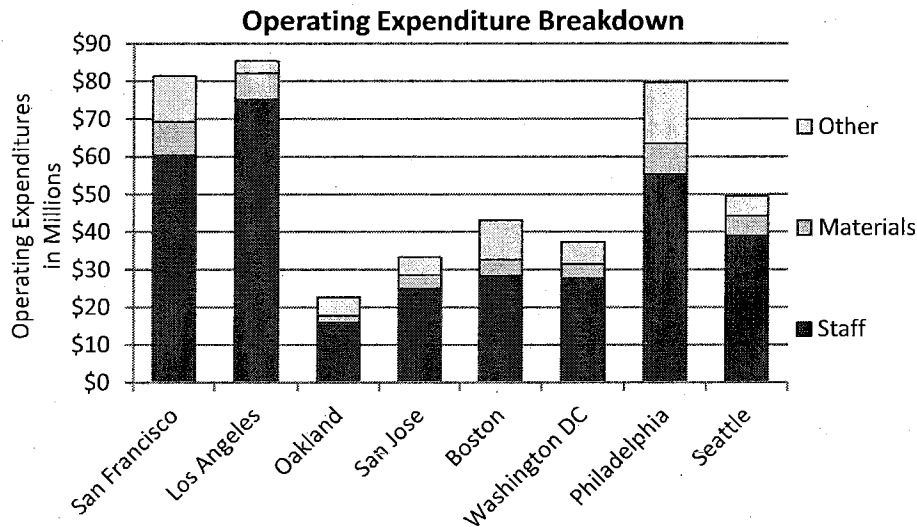


- San Francisco has the highest operating expenditures per capita at \$100.17, far higher than the average of the selected jurisdictions at \$59.33. Los Angeles has the lowest operating expenditures per capita at \$22.53.
- Only Los Angeles (\$85.4 million) has higher total operating expenditures than San Francisco (\$81.4 million). However, Los Angeles has a population that is more than four times larger than San Francisco.
- Oakland (\$22.7 million) has the lowest overall operating expenditures, but has higher per capita expenditures (\$54.75) than Los Angeles (\$22.53), San Jose (\$34.78), and Philadelphia (\$51.46).

<sup>4</sup> Public Library Association. (2012). *PLDS Questionnaire Worksheet*. Retrieved June 19, 2013, from [pla.countingopinions.com: https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf](https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf)

<sup>5</sup> *Public Library Funding and Technology Access Study, 2010-11*. (n.d.). Retrieved June 17, 2013, from American Library Association: [http://www.ala.org/research/initiatives/plftas/2010\\_2011](http://www.ala.org/research/initiatives/plftas/2010_2011)

Operational expenditures can be broken into three major categories: staff, material, and other expenditures. As a percentage of operating expenditures, staff expenditures make up the largest portion. If staff expenditures are extremely high, it may indicate that other aspects of library operations lack adequate funding, and, if extremely low, it may indicate a lack of professionally trained library staff.<sup>6</sup> Staff expenditures are defined as the sum of all staff expenditures for salaries, wages, and benefits divided by the sum of all operating expenditures for staff, materials, and other purposes. Material expenditures include print material, CDs and DVDs, electronic and any other materials.<sup>7</sup>



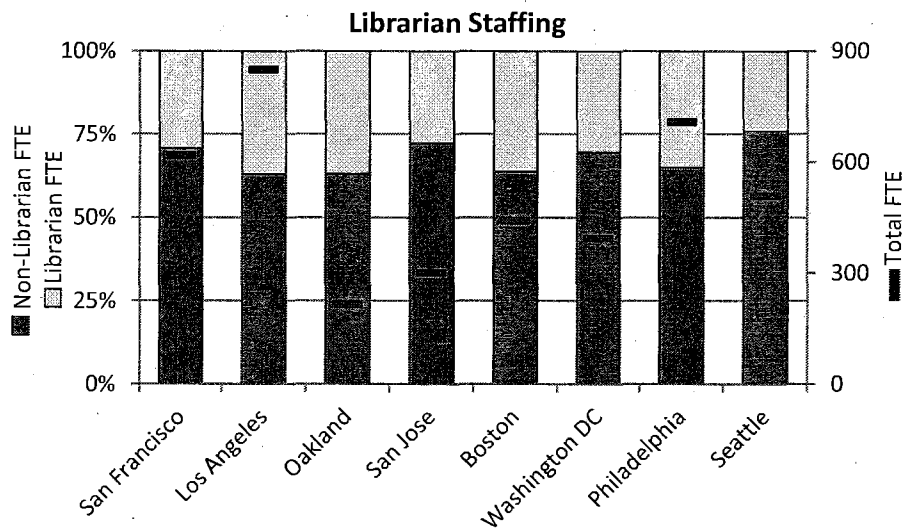
- Los Angeles utilizes the highest percentage (88%) of their operating expenditures for staff. Boston utilizes the lowest percentage (65%) of their operating expenditures for staff.
- For staff expenditures, San Francisco (74%) spends equal to the average of the jurisdictions.
- San Francisco (\$9 million) utilizes the highest amount for material expenditures; Philadelphia (\$8.2 million) utilizes the second highest amount for material expenditures.
- Philadelphia and San Francisco have the highest operating expenditures for non-staff, \$24.3 million and \$21.1 million respectively.

<sup>6</sup> *The Library Research Service Definition of Terms*. (n.d.). Retrieved June 13, 2013, from The Library Research Service: <http://www.lrs.org/data-tools/public-libraries/definition-of-terms/>

<sup>7</sup> Public Library Association. (2012). *PLDS Questionnaire Worksheet*. Retrieved June 19, 2013, from [pla.countingopinions.com: https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf](http://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf)

Neither the American Library Association (ALA) nor the Public Library Association (PLA) sets standards for staffing public libraries. Instead, the ALA and PLA advocate an outcome-based assessment process based on community needs to determine library staffing levels. For example, a library serving a community with many young families may need a library with different facilities and services than a library serving a similar size population with a high percentage of empty-nesters and retirees.<sup>8</sup>

An official librarian title requires a master's degree through an ALA accredited program. Currently there are only 63 accredited programs in the United States and Canada.<sup>9</sup> There are eight core competencies: Foundations of the Profession, Information Resources, Organization of Recorded Knowledge and Information, Technological Knowledge and Skills, Reference and User Services, Research, Continuing Education and Lifelong Learning, and Administration and Management.<sup>10</sup>



- San Francisco has 617 total FTEs, 29 percent (181 FTEs) with the librarian title, fewer total FTEs than only Los Angeles (849) and Philadelphia (708).
- Los Angeles (37%) and Oakland (37%) have the highest percentage of FTEs with the librarian title.
- Seattle (24%) has the lowest percentage of FTEs with the librarian title; San Francisco (29%) is the third lowest.

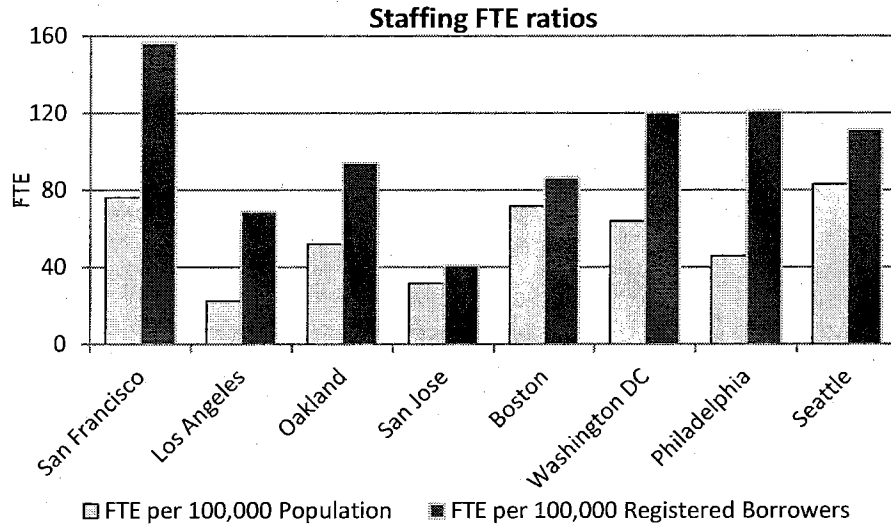
<sup>8</sup> *Public Library Staffing Measures*. (n.d.). Retrieved June 17, 2013, from American Library Association (ALA): [http://wikis.ala.org/professionaltips/index.php?title=Public\\_Library\\_Staffing\\_Measures](http://wikis.ala.org/professionaltips/index.php?title=Public_Library_Staffing_Measures)

<sup>9</sup> *ALA Accredited Programs*. (2013). Retrieved June 13, 2013, from [www.ala.org/accreditedprograms/](http://www.ala.org/accreditedprograms/)

<sup>10</sup> ALA. (2009, January 27). *Core Competencies of Librarianship*. Retrieved June 13, 2013, from [www.ala.org: http://www.ala.org/educationcareers/sites/ala.org.educationcareers/files/content/careers/corecomp/corecompetences/finalcorecompstat09.pdf](http://www.ala.org/educationcareers/sites/ala.org.educationcareers/files/content/careers/corecomp/corecompetences/finalcorecompstat09.pdf)



Since there are no standards related to the amount of staffing a library has, it is interesting to examine staffing ratios to gain insight to the number of staff compared with libraries' legal service area population and number of registered borrowers. It should be noted that the type of staff can vary between libraries, for example the San Francisco Public Library has over 60 job classes staffed, including, but not limited to, managers, information services staff, clerks, accountants, curators, carpenters, book repairers, truck drivers, custodial staff, etc.



- San Francisco (157) has the highest number of FTEs per 100,000 registered borrowers.
- Seattle (83) has the highest number of FTEs per 100,000 in population; San Francisco has the second highest level with 76 FTEs per 100,000 in population.
- San Jose (41) has the fewest FTEs per 100,000 registered borrowers; San Jose also has one of the highest observed rates of registered borrowers with registrations equal to 77 percentage of the population.

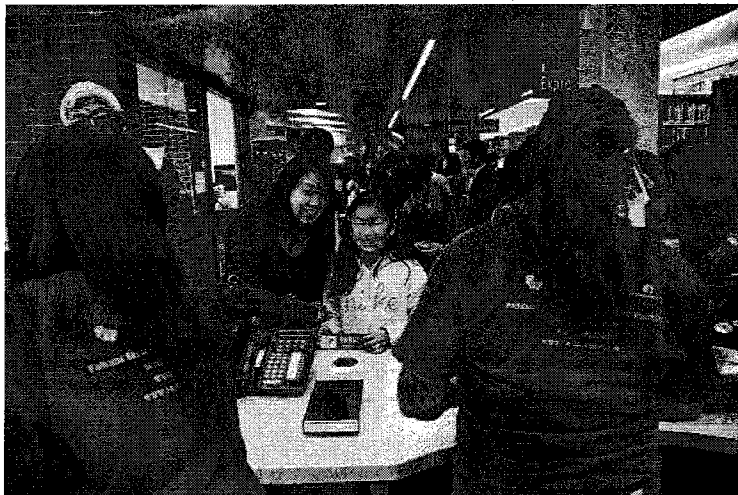
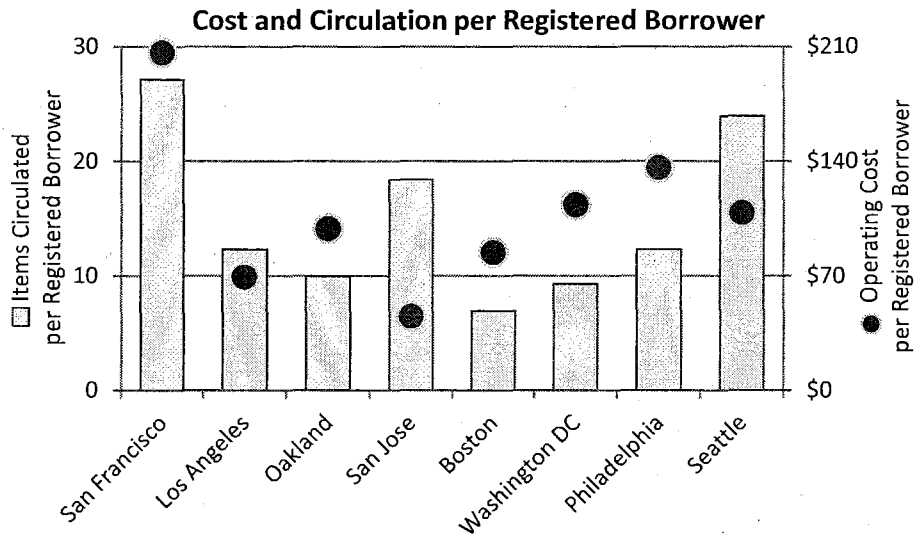


Photo courtesy of SFPL

Registered borrowers are a core group of library users because they are the only users with borrowing privileges. All library circulation is attributed to registered borrowers. The below shows the items circulated per registered borrower compared with the operating costs per registered borrower, demonstrating a comparison of cost and usage for core services and users. Items circulated include print materials, CDs and DVDs, and other items.



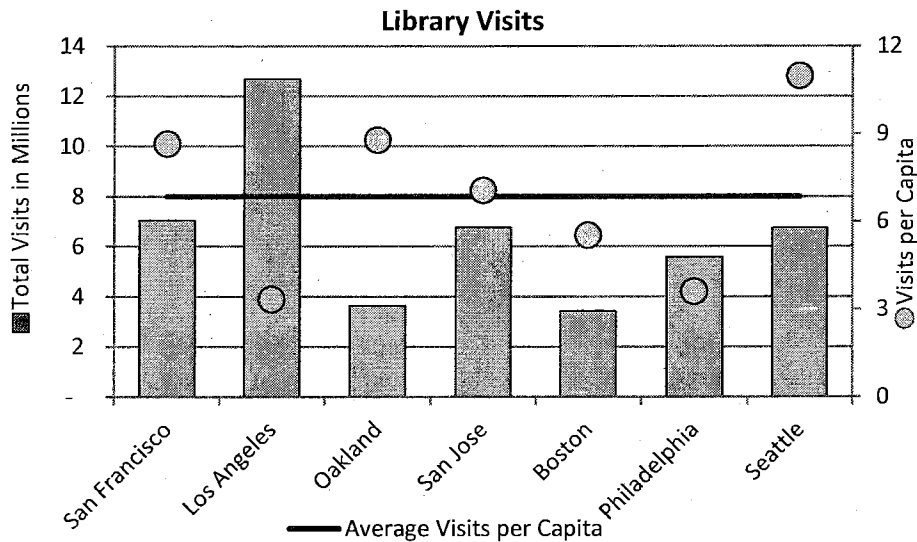
- San Francisco has the highest circulation per registered borrower (27.2), but also has the highest level of operating expense per registered borrower (\$206.00).
- San Jose (18.4) is above average for circulation per registered borrower with the lowest operating cost per registered borrower (\$45.24).
- Washington, D.C. (9.3) is below average for circulation per registered borrower, but above the average for cost per registered borrower (\$113.39).

### C. Library Usage

The following measures provide an indication of library usage. Library visits per capita, circulation per capita, reference transactions, and program attendance per 1,000 can be used to develop an annual profile of library use.

**Library visits per capita** relates to the total number of persons entering the library for any purpose during the year.<sup>11</sup> It is attendance at the library during a typical week multiplied by 52 (weeks per year) divided by the library's legal service area population. A typical week is one during which the library is open during its regular hours (no holidays) and which is neither extraordinarily busy nor slow.<sup>12</sup>

Because library visits per capita indicates the average number of library visits per person served, it is a better measure of public awareness and use of the library than registration per capita.



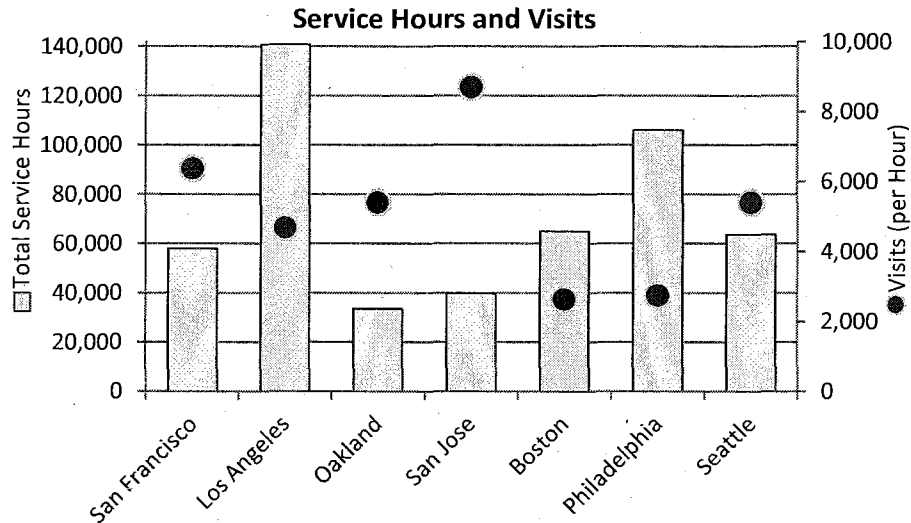
- Los Angeles with the largest population has the highest number of total visits (12.7 million), but the fewest visits per capita (3.3). Philadelphia has the second largest population has the second fewest visits per capita (3.6).
- San Francisco (8.7) has the third highest visits per capita trailing both Seattle (11) and Oakland (8.8).
- Boston (3.4 million) has the fewest total visits.
- Washington D.C. did not provide data for library visits.

<sup>11</sup> Public Library Association. (2012). *PLDS Questionnaire Worksheet*. Retrieved June 19, 2013, from [pla.countingopinions.com: https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf](https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf)

<sup>12</sup> *The Library Research Service Definition of Terms*. (n.d.). Retrieved June 13, 2013, from The Library Research Service: <http://www.lrs.org/data-tools/public-libraries/definition-of-terms/>

The availability of open hours at libraries is important to meet the needs of library users. Library systems with more branches such as Los Angeles will likely have a higher number of service hours offered making it important to measure the amount of visits per service hour.

San Francisco service hours were low in Fiscal Year 2011 due to the closure of several branch libraries for renovations and other improvements. Additionally, San Francisco has recently worked on a major initiative to update service hours to better meet the needs of the public. This process included extensive surveying, library usage analysis, and public hearings. In Fiscal Year 2014, the San Francisco service hours, shown below, will increase to over 70,000 hours from the Fiscal Year 2011 amount of 58,000 hours as a result of the reopening of branches and addition of new service hours.



- San Jose (8,704) has the highest amount of visits per hour while offering the second fewest total service hours (39,882).
- San Francisco (57,884) is below the average (72,355) for total service hours, but is above average for visits per hour (6,380).
- The three libraries offering the most service hours, Los Angeles, Philadelphia, and Boston, have the fewest visits per hour.
- Washington D.C. did not provide data on service hours and visits.

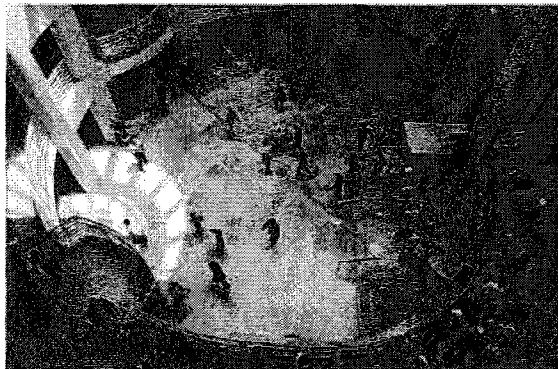
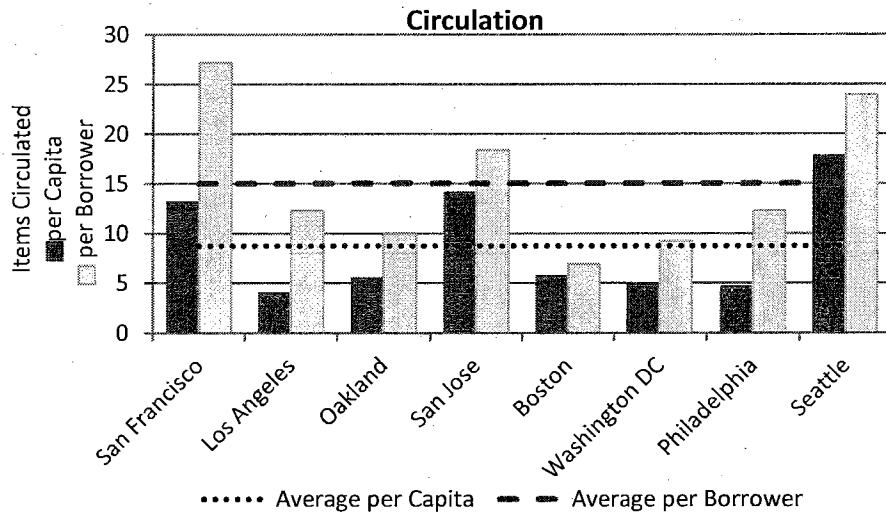


Photo courtesy of SFPL

**Circulation per capita** relates to the number of library materials in all formats that are checked out for use outside the library. Interlibrary loan transactions include only those items that are borrowed for users.<sup>13</sup> Circulation per capita represents the annual circulation divided by the library's legal service area population, and indicates the average number of loans made to each resident annually. Lower circulation per capita can be a result of lower materials expenditures and volumes held per capita. It is also likely to lead to more interlibrary loans per 1,000 circulation.<sup>14</sup>

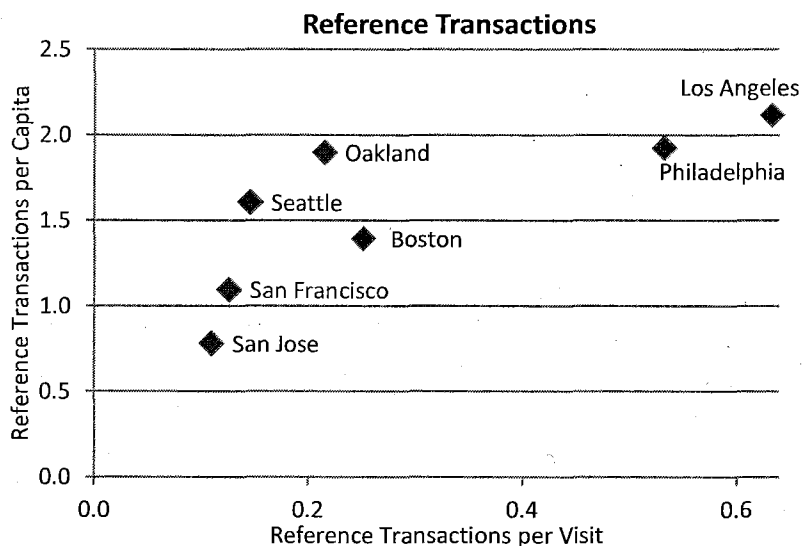


- San Francisco (27.2) has the highest amount of circulation per registered borrower. Boston (6.9) has the lowest per borrower circulation rate.
- Seattle (17.8) has the highest circulation per capita: San Jose (14.1) has the second highest.
- Los Angeles, Oakland, Boston, Washington D.C., and Philadelphia are all below the average for both circulation per capita (8.7) and per borrower (15).

<sup>13</sup> Public Library Association. (2012). *PLDS Questionnaire Worksheet*. Retrieved June 19, 2013, from [pla.countingopinions.com: https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf](https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf)

<sup>14</sup> *The Library Research Service Definition of Terms*. (n.d.). Retrieved June 13, 2013, from The Library Research Service: <http://www.lrs.org/data-tools/public-libraries/definition-of-terms/>

A **reference transaction** “is an information contact that involves the knowledge, use, recommendations, interpretation, or instruction in the use of one or more information sources by a member of the library staff. It includes information and referral services. Information sources include print and non-print materials or records and, through communication or referral, other libraries or institutions, and people inside or outside of the library.<sup>15</sup>”



- Los Angeles has both the highest amount of reference transactions per capita and per visit, 2.1 and 0.63, respectively. Philadelphia has the second highest amounts. Los Angeles and Philadelphia have the largest populations and also the highest amounts of total reference transactions.
- San Jose and San Francisco have both the fewest number of reference transactions per capita and per visit.

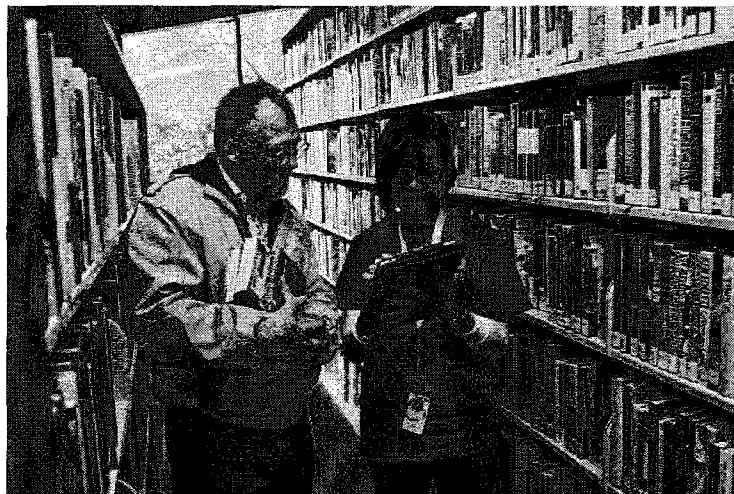
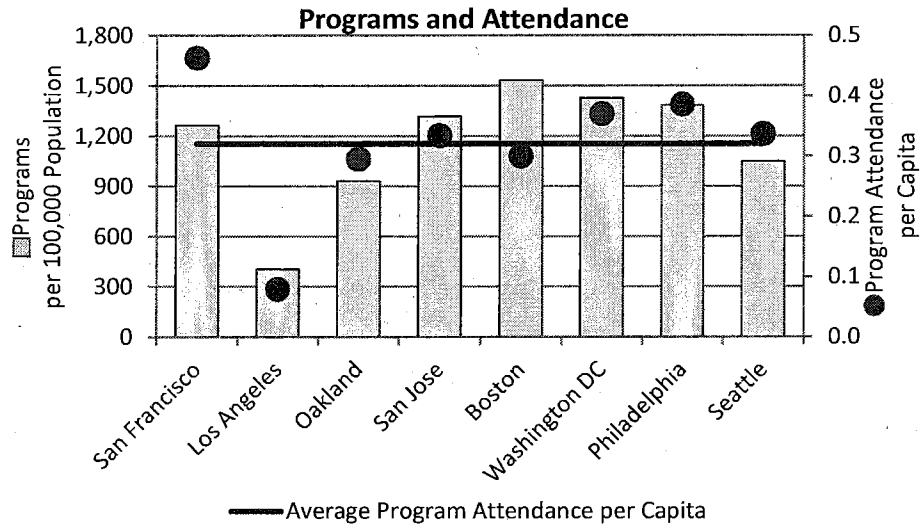


Photo courtesy of SFPL

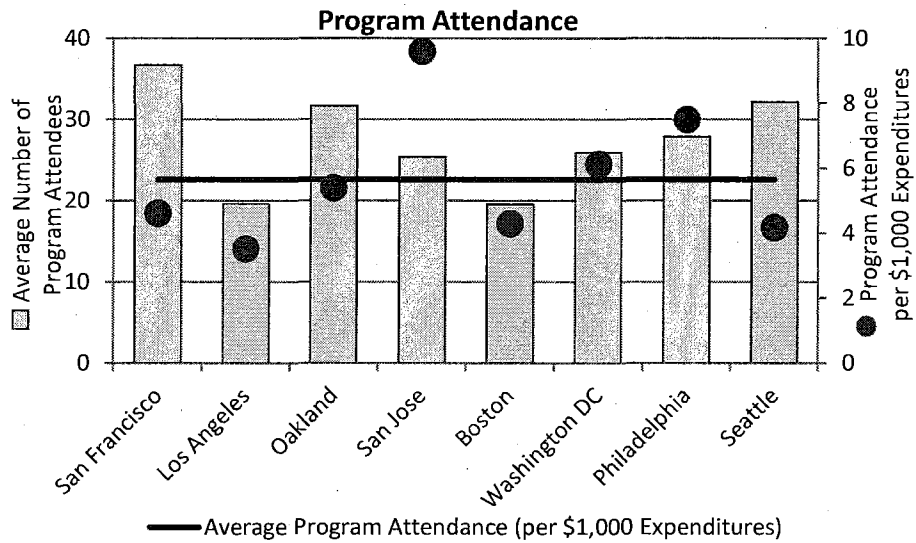
<sup>15</sup> Public Library Association. (2012). *PLDS Questionnaire Worksheet*. Retrieved June 19, 2013, from [pla.countingopinions.com: https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf](https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf)

**Program attendance per 100,000** relates to the number of attendees per 100,000 of the library's legal service population who attended a library program during the year.<sup>16</sup> It is program attendance divided by the library's legal service area population in one-hundred thousands.



- San Francisco (0.46) has the highest program attendance per capita while offering slightly more programs per 100,000 in population than the average (0.32).
- Los Angeles has both the fewest programs per 100,000 in population (406) and program attendance per capita (0.08).
- Boston (1,534) offers the most programs per 100,000 in population, but is below the average (0.32) with a level of 0.30 program attendance per capita.

<sup>16</sup> *The Library Research Service Definition of Terms.* (n.d.). Retrieved June 13, 2013, from The Library Research Service: <http://www.lrs.org/data-tools/public-libraries/definition-of-terms/>



- San Francisco (36.7) has the highest average number of program attendees, but is below average (5.7) for program attendance related to expenditures with 4.6 attendees for every \$1,000 in expenditures.
- San Jose has the highest program attendance per \$1,000 in expenditures; 9.61 attendees for every \$1,000 spent.
- Boston (19.6) and Los Angeles (19.6) have the fewest average number of program attendees. Los Angeles also has the lowest attendance for \$1,000 in expenditures at 3.5 attendees.

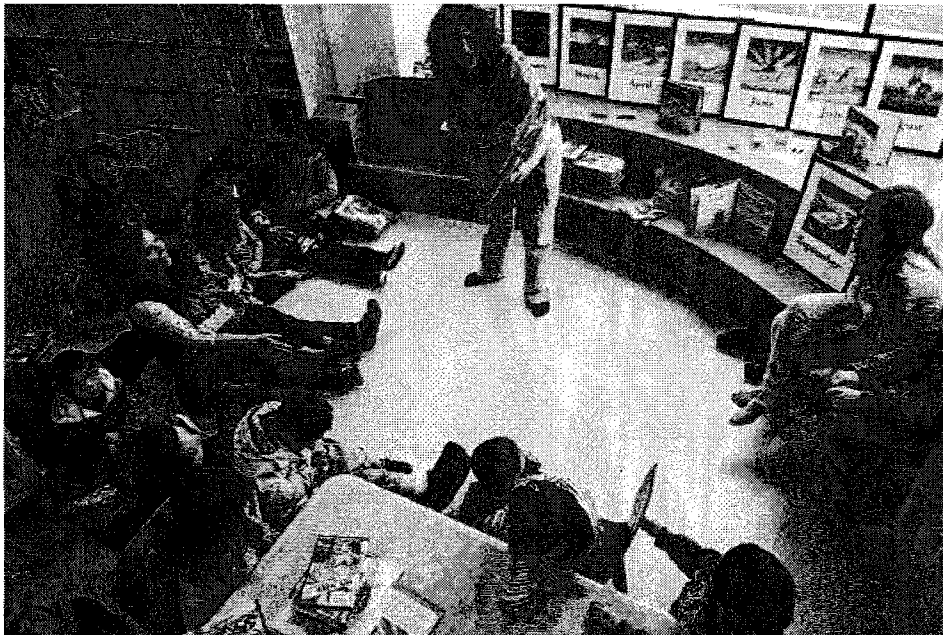
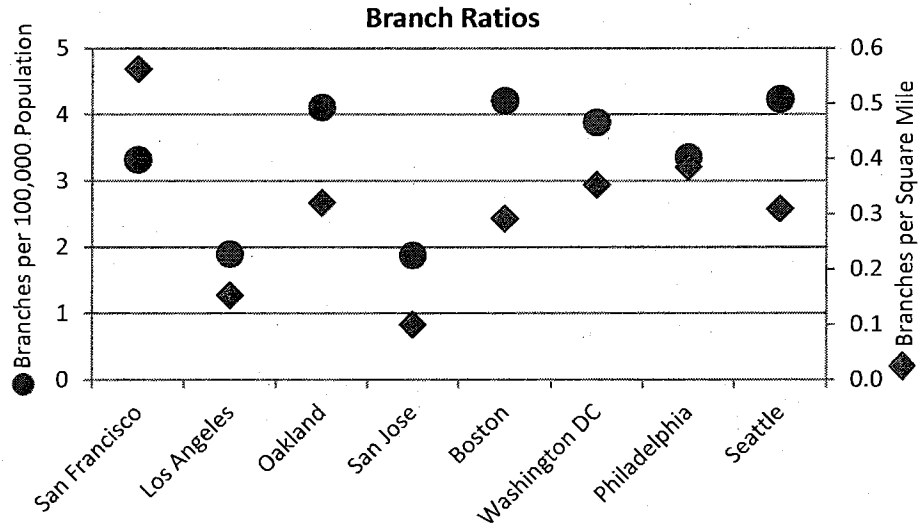


Photo courtesy of SFPL



## D. Branch Libraries

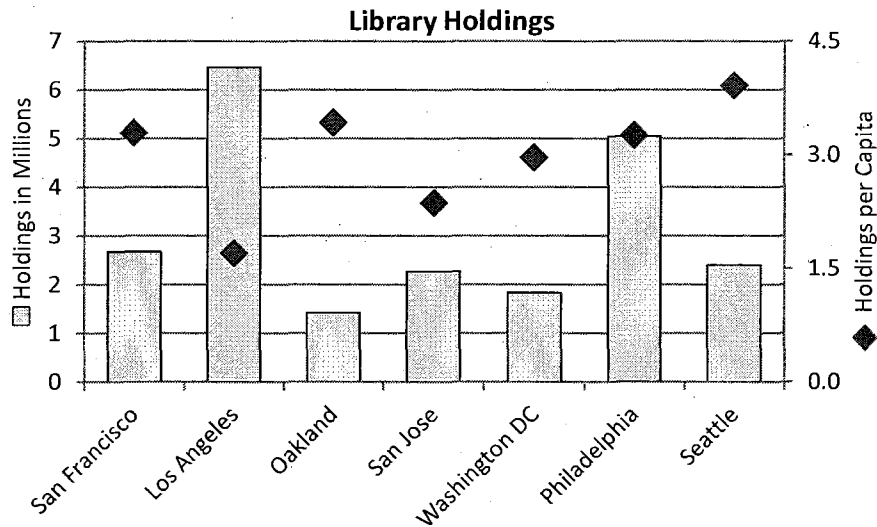
Branch libraries provide many benefits to communities, the most obvious being improved proximity to library services. The impacts of proximity to services reach far beyond simply convenience. For example, San Francisco has a transit first policy that discourages increases in automobile traffic with the proximity of libraries supporting this policy. Branch libraries can also improve quality of services by tailoring their offerings to specific neighborhoods or populations. Please note: the data reported below does not include main or central libraries, only branch libraries.



- San Francisco has the most branch libraries per square mile; one branch for every 1.8 square miles. San Francisco has the fewest number of square miles (48) in its service area compared to the other jurisdictions.
- Seattle (4.2) and Boston (4.2) have the highest number of branch libraries per 100,000 in population.
- San Jose has the fewest number of branch libraries per square mile (0.1) and also per 100,000 in population (1.9).

## E. Library Holdings

The amount of library holdings is defined as “the number of catalogued items (number of items, not number of titles), including print materials (including periodicals), electronic books, audio materials, and video materials acquired as part of the collection and catalogued, whether purchased, leased, licensed, or donated as gifts.<sup>17</sup>”



- Boston has the highest amount of library holdings (16.1 million) and also the highest library holdings per capita (26.1), but was not included in the above chart due to scaling issues. The Boston Public Library has the second largest number of holdings in the United States behind only the Library of Congress.<sup>18</sup>
- Seattle (3.9) has the second highest holdings per capita, of the selected jurisdictions, behind Boston.
- San Francisco (2.7 million) is below average for total holdings, but above the average for holdings per capita (3.3). Boston was excluded from the averages since it was an outlier.
- Oakland (3.4) is behind only Seattle and Boston for holdings per capita: Oakland (1.4 million) has the fewest total holdings.

<sup>17</sup> Public Library Association. (2012). *PLDS Questionnaire Worksheet*. Retrieved June 19, 2013, from [pla.countingopinions.com: https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf](https://pla.countingopinions.com/docs/pla/2012SurveyWPDF.pdf)

<sup>18</sup> ALA. (2012, October). *The Nation's Largest Libraries*. Retrieved June 19, 2013, from [www.ala.org: http://www.ala.org/tools/libfactsheets/alalibraryfactsheet22](http://www.ala.org/tools/libfactsheets/alalibraryfactsheet22)

## Areas for Future Research

---

The measures included in this report are indicators of the quality, quantity and cost of library services and present a starting point for comparison; the data represents a high level snapshot of city library services.

Future benchmarking work could be used to develop a deeper understanding of library services and usage. Some of the following measures were not included in this report because the data were not available at this time; however, they are likely to be subjects of future research by the Controller's Office:

- Comparative analysis of the use of technology in libraries. More Americans are going to libraries for access to essential technology services not found elsewhere in the community; including free computer and Internet access, technology training, and assistance with job-seeking and e-government services. It will be important to keep monitoring the use of technology; this data can assist library directors and library IT staff advocate for technology resources.<sup>19</sup>
- Comparative analysis of youth engagement in library programs; youth engagement is important to community vitality and an opportunity to increase the number of lifelong library partners and users. It also serves as an indicator of the interactions between libraries and schools.
- Analysis of how well library services are serving diverse populations and underserved populations. This analysis would explore equity of access to library services and how libraries are responding to community needs, for example, to immigrant populations with limited English language capabilities.
- Continue to monitor the impact of increased service hours compared to other cities, especially given that, in FY2013 and FY2014, San Francisco added 1,370 additional services hour per week.
- Comparative analysis to determine how well libraries are meeting the unique needs of their legal service area's library user population.

---

<sup>19</sup> ALA. (n.d.). *Public Library Funding and Technology Access Study, 2011-12*. Retrieved June 25, 2013, from ALA: [http://www.ala.org/research/plftas/2011\\_2012](http://www.ala.org/research/plftas/2011_2012)



SAN FRANCISCO  
CHAMBER OF COMMERCE

BOS-11  
✓ cpage

June 28, 2013

Honorable David Chiu  
President, San Francisco Board of Supervisors  
1. Carlton B. Goodlett Place  
City Hall  
San Francisco, CA 94102

RE: San Francisco Family Friendly Workplace Ordinance

Dear Supervisor Chiu:

The Small Business Advisory Council, the voice of Small Business for the San Francisco Chamber of Commerce, respectfully expresses our concerns with the recently proposed Family Friendly Workplace Ordinance. We applaud you for your efforts in assisting those employees who are parents and caregivers; however the legislation as currently written will only serve as an additional burden on employers.

Many small businesses in San Francisco already work to accommodate their employees' schedules as best they can – often incurring higher costs through the retraining or hiring of additional employees. If a request is denied it is due to the specific needs of the business or project. Requiring an employer to demonstrate "undue hardship" creates too high a burden on employers already doing the right thing.

Additionally, requiring employee schedules to be posted two weeks in advance and being held responsible to compensate employees if those schedules change fails to take into consideration the day-to-day workings of small business owners. Many businesses rely on such flexibility to accommodate changes in orders, project delays and other external factors. Removing flexibility of scheduling will cost employers who now risk incurring a loss in business compounded by additional wages guaranteed two weeks previous.

The Small Business Advisory Council appreciates your goal of wanting to provide employees with predictable work schedules and the right to ask for a flexible schedule and is pleased you are engaged in dialogue with the business community. We hope that either agreements can be reached on amendments that target this ordinance to a "right to ask" or that action on this measure be continued so more meaningful discussions can occur later this summer.

Sincerely,

Mark Klaiman  
Small Business Advisory Council Co-Chair

Michelle Horneff-Cchen  
Small Business Advisory Council Co-Chair

CC: Supervisor Eric Mar, Supervisor Malia Cohen, Clerk of the Board of Supervisors for distribution to Full Board

RECEIVED SUPERVISORS  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 28 AM 11:16  
H



CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF CHILD SUPPORT SERVICES

617 Mission Street, San Francisco, CA 94105-3503 Tel. (415) 356-2700  
Child Support Automated Information System 1-866-901-3212



EDWIN M. LEE  
MAYOR

KAREN M. ROYE  
DIRECTOR

July 1, 2013

Honorable Edwin Lee  
Mayor, City and County of San Francisco  
City Hall, Room 200

Angela Calvillo, Clerk of the Board  
Board of Supervisors  
City Hall, Room 244

Ben Rosenfield, Controller  
City Hall, Room 316

RE: Adopted Budget for FY 2013-14 and FY 2014-15

I hereby certify, in conformance with San Francisco Charter Section 9.115 and San Francisco Administrative Code Section 3.14, that the funding provided in the budget for FY 2013-14 and FY 2014-15 as adopted by the Board of Supervisors is adequate for my department to meet service levels as proposed to the Board.

I anticipate that I shall make no requests for supplemental appropriations barring unforeseen circumstances.

Karen M. Roye, Department Head

cc: Kate Howard, Mayor's Budget Director  
Leo Levenson, Controller's Budget and Analysis Director

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 28 AM 10:01

**From:** Board of Supervisors  
**To:** BOS-Supervisors  
**Subject:** Full Protection of Benefits for Retirees

**From:** MARK [mailto:jamzenski@gmail.com]  
**Sent:** Friday, June 28, 2013 12:34 PM  
**To:** Board of Supervisors  
**Cc:** reccsf@ntt.net  
**Subject:** Full Protection of Benefits for Retirees

Dear Clerk of the Board:

I am emailing you to share my concerns, that the Board of Supervisors for SF continue to honor its prior contractual obligations with City retirees. I do support, along with the POB organization, Supervisor Farrell's proposed charter amendment, only as written as of May 20 2013.

I am a retired City Employee (32.5 years, in a variety of Departments and in a variety of capacities – Health, SFUSD, MTA, PUC). We retirees served the City and its citizens diligently, for many years. The BOS should neither remove or abrogate earned, promised remuneration, for those whose careers are over, and whose contributions are complete. That would be absolutely unfair. To attack our retiree benefits to compensate for poor political and administrative/management decisions of your prior peers, is unfair and disingenuous.

Please do not penalize those who have left City service, for the malfeasance, poor direction, and reprehensible budget/decision making, that has occurred, in the past, from time to time, at the policy level. (This is not to say that all such decision making was and is always flawed - that isn't what I'm saying). Please do not blame or apply retribution for the mistakes of your past policy level peers, on those who did not have a choice in this process, and who served the City well and diligently. If you must make adjustments, do so, going forward, with better budget decision making, and sound application of common sense.

Also, please consider a tighter reorganization of City functionality – reducing the number of extraneous Commissions, or combining them more appropriately (do we really need Commissions on Aging, Status of Women, and Children? As a progressive, I understand the focus here, but organizationally think it achievable in a leaner fashion). Couldn't one Human Services Commission provide oversight?

Additionally, you might consider more thorough training and application of best business practices, early on, for all employees, including managers (and all elected officials, too). Yes, there are costs, but the benefits obtained downstream warrant consideration. One area that I found woefully inadequate, throughout my career, was the level of training and organizational integration, afforded employees (at any time, during their careers, and utterly inadequate as new employee orientation).

Perhaps such training could occur, in advance, through City College, for potential future public servants, or through matriculation of current SF employees. Perhaps with a programmatic approach, Ca State reimbursement might be viable for funding.

Governance, which provides for a wide array of services does not have the option of focusing narrowly, in comparison, let's say, to private sector manufacturing. So, adequate training becomes requisite – and shouldn't be an afterthought, as it was throughout my career in Civil Service.

Adequate pedagogy required consistent curriculum, and professional instruction. The City has failed at configuration control – developing a compendium of written procedures, reviewed and updated by diverse City professionals, continually, over time, which would be the core of all City and Departmental activities – and by which one manages, trains employee, and implements and evaluates work – where employees could offer up amended procedures, considered by a overarching review groups (FYI, there was a nascent effort in this regard at Muni, under the aegis of the Safety Dept – though it was mostly ignored and avoided by MTA policy makers and leadership, despite the state PUC mandate; interestingly, had the utility PG&E had adequate configuration control, they might have avoided the San Bruno disaster, as well – I add this thought for emphasis).

Feel free to follow up with me on these notions, if you would like, but don't try to mitigate poor decision making and budgeting problems on the backs of those who already gave their all. Thanks you for your consideration of these words.

Sincerely

Mark Goldstein, retired MTA ('10)

Cell; 925-330-6929

Date: June 27, 2013  
To: Clerk of the Board of Supervisors  
CC: Controller's Office Operations Unit  
From: Lovely Lindsley, Fund Accountant  
San Francisco Public Library-Finance Department  
Subject: Grant Budget Revision

BOS-11, COB  
Budget Clerk  
Upage  
File 130535

Grant name: RES 90-12 Teen Center Learning Lab at Main Library and Citywide Framework

In accordance with Administrative Code Section 10.170-1(F), this memo serves to notify the Board of Supervisors of a Federal or State grant line item budget revision in excess of 15% requiring funding agency approval.

We have attached copies of budget revision submitted to the funding agency.

Thank you.

Attachment: E-mail, FAMIS Screen Shots, Revised Budget Documents

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 JUN 27 PM 4:17  
AK





# BUDGET FORM – PAGE THREE

## 7. Student Support (for Laura Bush 21<sup>st</sup> Century Librarians program only)

Item	Basis/Method of Cost Computation	\$ Grant Funds	\$ Cost Sharing	\$ Total
SUBTOTALS				

## 8. Other Costs

Item	Basis/Method of Cost Computation	\$ Grant Funds	\$ Cost Sharing	\$ Total
Student Stipends (adjusted)	\$12/hr x 997 hrs	\$11,964.00		\$11,964.00
SUBTOTALS		\$11,916.00		\$11,916.00

## 9. Total Direct Costs

	\$ Grant Funds	\$ Cost Sharing	\$ Total
TOTALS (Add subtotals of items 1 - 8)	\$99,679.52	\$341,404.52	\$441,084.04

## 10. Indirect Costs

Read the instructions about Indirect Costs before completing this section. Check the appropriate box below and provide the information requested:

Current indirect cost rate(s) have been negotiated with a federal agency (for item A, indicate the name of the agency and date of agreement expiration; complete item B).

Applicant chooses a rate not to exceed 15% of direct costs (complete item B).

Indirect cost proposal has been submitted to a federal agency but not yet negotiated (for item A, indicate the name of the agency and date of proposal; complete item B).

Item A: Name of federal agency:

Expiration Date:

Proposal Date:

Item B:

Rate	\$ Base	\$ Grant Funds	\$ Cost Sharing	\$ Total
	% of			
	% of			
	% of			
SUBTOTALS				

## 11. Total Project Costs

	\$ Grant Funds	\$ Cost Sharing	\$ Total
PROJECT COST TOTALS (Direct and Indirect for Budget Period)	\$99,679.52	\$341,404.52	\$441,084.04
PROJECT COST TOTALS (Excluding Student Support)	\$99,679.52	\$341,404.52	\$441,084.04

# BUDGET FORM – PAGE ONE

- a. Legal name (5a from Face Sheet): San Francisco Public Library
- b. AMENDED BUDGET DUE TO BUDGET CHANGE REQUEST
- c. Requested Grant Period from: 1/1/2012 Requested Grant Period Through: 6/30/2013
- d. If this is a revised budget, indicate application/grant number:

## Section A: Detailed Budget

a. Year:  1  2  3  4 b. Budget Detail for the Period From: 1/1/2012 Through: 6/30/2013

### 1. Salaries and Wages

Name/Title of Position	No.	Method of Cost Computation	\$ Grant Funds	\$ Cost Sharing	\$ Total
Teen Services Specialist	1	Hrly rate 39.9 x 20 hrs/78 wks		\$62,244.00	\$62,244.00
Chief of Youth Services	1	Hrly rate 65 x 4hrs/78 wks		\$20,280.00	\$20,280.00
Teen Librarians	2	hrly rate 36 x 8 hrs/78 wks		\$22,482.72	\$22,482.72
Deputy City Librarian	1	hrly rate 75.21 x 2 hrs/78 wks		\$11,732.76	\$11,732.76
Digital Initiatives Mngr	1	hrly rate 38 x 4 hrs/78 wks		\$11,856.00	\$11,856.00
Chief Information Officer	1	hrly rate 65 x 2 hrs/78 wks		\$10,140.00	\$10,140.00
Public Relations Officer	1	hrly rate 39.4 x 1 hr/78 wks		\$3,073.20	\$3,073.20
Chief Financial Officer	1	hrly rate 60.6 x 1 hr/78 wks		\$4,726.00	\$4,726.00
Facilities Manager	1	hrly rate 65 x 1 hr/78 wks		\$5,070.00	\$5,070.00
Teen Center Librarian II	1	hrly rate 39.9 x 30 hr/44 wks		\$52,688.00	\$52,688.00
SUBTOTALS				\$204,273.48	\$204,273.48

### 2. Fringe Benefits

Rate	% of	\$ Salary Base	\$ Grant Funds	\$ Cost Sharing	\$ Total
44	% of	\$204,273.48		\$89,063.24	\$89,063.24
44	% of				
44	% of				
SUBTOTALS				\$89,063.24	\$89,063.24

### 3. Consultant Fees

Name or Type of Consultant	No. of Days	Daily Rate of Compensation	\$ Grant Funds	\$ Cost Sharing	\$ Total
Mary Harlan		\$70/\$50 per hour (for 387 hrs)	\$26,900.00	\$10,000.00	\$36,900.00
SUBTOTALS			\$26,900.00	\$10,000.00	\$36,900.00

# BUDGET FORM – PAGE TWO

## 4. Travel

From/To	No. Persons	No. Days	\$ Subsistence costs	\$Transportation costs	\$ Grant Funds	\$ Cost Sharing	\$ Total
SFO-Chicago	3	3	\$900.00	\$1,725.00	\$1,500.00	\$1,125.00	\$2,625.00
SFO-Chicago or DC	3	3	\$900.00	\$1,725.00	\$1,500.00	\$1,125.00	\$2,625.00
SFO-Chicago/DC	3	3	\$900.00	\$1,725.00	\$1,000.00	\$1,625.00	\$2,625.00
SFO-DC	5	3		\$9,133.72	\$9,133.72		\$9,133.72
SUBTOTALS					\$13,133.72	\$3,875.00	\$17,008.72

## 5. Supplies and Materials

Item	Basis/Method of Cost Computation	\$ Grant Funds	\$ Cost Sharing	\$ Total
additional equipment (adjusted)				
6 macbook laptops	6 @ \$1200 each	\$7,200.00		\$7,200.00
4 ipads	4 @ \$600 each	\$2,400.00		\$2,400.00
3 iTouches	3 @ 300 each	\$900.00	\$0.00	\$948.00
Canon EOS Rebel Camera	\$800, \$100 mic, case + tax		\$976.50	\$976.50
Scanner	Canon CanoScan \$130 + tax		\$141.05	\$141.05
Apple MacBook Pro (qty. 4)	\$1200 ea., \$100accessries, tax		\$2,800.00	\$2,800.00
USB Microphone (qty. 1)	\$250 + tax		\$271.25	\$271.25
Printing & Publicity	\$250/month x 18 months		\$4,500.00	\$4,500.00
Refreshments/teen events	16 events x \$200/event	\$2,200.00	\$1,000.00	\$3,200.00
SUBTOTALS		\$12,700.00	\$9,688.80	\$22,388.80

## 6. Services

Item	Basis/Method of Cost Computation	\$ Grant Funds	\$ Cost Sharing	\$ Total
Bay Area Video Coalition	112 hrs wages and admin costs	\$17,095.00	\$10,000.00	\$27,095.00
Cal Academy of Sceinces	112 hrs wages and admin costs	\$12,308.80	\$14,504.00	\$26,812.80
KQED	112 hrs staff costs	\$5,578.00		\$5,578.00
SUBTOTALS		\$34,981.80	\$24,504.00	\$59,485.80

## BUDGET FORM: Section B, Summary Budget

	\$ IMLS	\$ Cost Share	\$ TOTAL COSTS
1. Salaries and Wages		\$204,273.48	\$204,273.48
2. Fringe Benefits		\$89,063.24	\$89,063.24
3. Consultant Fees	\$26,900.00	\$10,000.00	\$36,900.00
4. Travel	\$13,133.72	\$3,875.00	\$17,008.72
5. Supplies and Materials	\$12,700.00	\$9,688.80	\$22,388.80
6. Services	\$34,981.80	\$24,504.00	\$59,485.80
7. Student Support			
8. Other Costs	\$11,964.00		\$11,964.00
<b>TOTAL DIRECT COSTS (1-8)</b>	<b>\$99,679.52</b>	<b>\$341,404.52</b>	<b>\$441,084.04</b>
9. Indirect Costs			
<b>TOTAL COSTS (Direct and Indirect)</b>	<b>\$99,679.52</b>	<b>\$341,404.52</b>	<b>\$441,084.04</b>

### Project Funding for the Entire Grant Period

1. Grant Funds Requested from IMLS	<b>\$99,679.52</b>
2. Cost Sharing:	
a. Applicant's Contribution	<b>\$341,404.52</b>
b. Kind Contribution	
c. Other Federal Agencies*	
d. TOTAL COST SHARING	<b>\$341,404.52</b>
3. TOTAL PROJECT FUNDING (1+2d)	<b>\$441,084.04</b>
Percentage of total project costs requested from IMLS	<b>23 %</b>

\*If funding has been requested from another federal agency, indicate the agency's name:

**AMENDED BUDGET JUSTIFICATION DUE TO BUDGET CHANGE REQUEST**

**1. Salaries and Wages**

The San Francisco Public Library will commit significant staff resources to oversee, manage, and facilitate the planning process for developing a Learning Lab/Teen Center, program/curriculum framework, and a network of service providers. Positions/staff that will dedicate time to this project include:

**Teen Services Specialist:** The Teen Specialist will act as project manager for the first 8 months as a new Teen Center manager position is being developed, approved, and recruited; the Teen Specialist will remain on the project as co-lead throughout completion. Responsibilities include convening the initial design camp and master workshops on building a vision, recruiting youth for subsequent phases, facilitating meetings with partners, shaping activities with youth, and engaging library staff.

Cost sharing: \$62,244 (20 hours/week; 18 months)

**Chief of Youth Services:** The Chief of Youth Services will oversee the planning process, supervise project managers, and align system wide teen services goals to support the development of media learning spaces, programs, and partnerships.

Cost sharing: \$20,280 (4 hours/week; 18 months)

**Teen Librarians:** Two public service teen librarians will participate in the program, assisting the project manager(s) with specific project activities and outcomes. Tasks will include: assisting with community engagement, planning youth activity platforms and events/pilots, and involving library youth patrons and program partners in workshops and events.

Cost sharing: \$22,482.72 (8 hours/week; 18 months)

**Deputy City Librarian:** The Deputy City Librarian oversees public services and will act as administrative lead to manage the consultant contracts, ensure the planning project is completed, and implement a strategy for long-term program sustainability, including staffing and operational support.

Cost sharing: \$11,732.76 (2 hours/week; 18 months)

**Digital Initiatives Manger:** The Digital Initiatives Manager will play a key role in each phase as it relates to technology needs, visioning future service models, shaping the online sharing and engagement platforms, and the design of the physical learning lab.

Cost sharing: \$11,856 (4 hours/week; 18 months)

**Chief Information Officer:** The Chief Information Officer oversees the Library's Information Technology division. He will participate in the planning process, advising on key issues related to Library technology and service models, online learning platforms and the design of the learning lab, ensuring that the project is a priority and is supported through the long range technology planning.

Cost sharing: \$10,140 (2 hours/week; 18 months)

**Public Relations Officer:** The PR officer will support the project manager(s) by providing publicity and outreach tools, facilitating community engagement and partner collaboration.

Cost sharing: \$3073.20 (1 hour/week; 18 months)

**Chief Financial Officer:** The CFO will address financial contracts and funding issues, ensuring appropriate use and reporting of grant funds.

Cost sharing: \$4,726 (1 hour/week; 18 months)

**AMENDED BUDGET JUSTIFICATION DUE TO BUDGET CHANGE REQUEST**

**Facilities Manager:** The Facilities Manager will engage with consultants and project staff regarding space usage and planning, consulting with the building a vision team and with the design team.

Cost sharing: \$5,070 (1 hour/week; 18 months)

**Librarian II Manager:** The Library will develop a new Librarian II Teen Center Manager position to co-lead the final 12 months of the planning process, build the program and services for a new Teen Center space, then continue as manager of the Teen Center/Learning Lab. The Librarian II would be added to the Library's fiscal year 2012-13 budget in July 2012 and recruited to begin in September 2012. Direct management of the Learning Lab project will constitute at least 75% of the Librarian II's duties through the grant period.

Cost sharing: \$52,688 (30 hours/week; 10 months)

**2. Fringe Benefits:**

The allocation of \$89,063.24 for fringe benefits is calculated based upon the San Francisco City and County standard rate of 43.6% of salary/wages. These costs would also be covered by the San Francisco Public Library as cost-sharing.

**3. Consultant Fees:**

To facilitate the planning process, the Library will engage The Third Teacher (TTT) to run ideation sessions with stakeholders. TTT is "an education design consultancy within Cannon Design which helps learning communities better serve 21<sup>st</sup> century learners." Planning and documentation will include four overlapping phases, commencing in January 2012 and concluding in June 2013:

- Building the vision for space, technology, and service needs;
- Online community engagement to develop the space and platform;
- Developing the framework for partner collaboration and learning;
- Conceptual design of the Teen Center Learning Lab at the Main Library.

Mary Ann Harlan will facilitate several engagement and design activities, involving youth leaders, SFPL staff, partner organization staff and youth participants, and representatives from other collaborator organizations. Activities will include:

- Youth-led prototype design camp
- Three master design workshops, engaging youth and adults, at different phases of planning
- Piloting an online platform for discovery and collaboration

Consultant fee estimates total \$36,900; (average per day rate of \$1538.50 by 26 days). The SFPL will contribute \$10,000 of funding (grant from the Friends of the San Francisco Public Library), and request \$30,000 in grant funds for facilitation and consultancy services.

**Note: Original consultant, Third Teacher was replaced by Mary Ann Harlan. Original budget was \$40,000. The revised budget is \$36,900 as \$3,100 was previously transferred to Travel Budget. This transfer was within the 10% budget change threshold.**

**AMENDED BUDGET JUSTIFICATION DUE TO BUDGET CHANGE REQUEST**

**4. Travel:**

SFPL estimates costs for two travel commitments (to visit Chicago's YouMedia space and two other required meeting) for at least 3 individuals (staff and youth leaders) each trip, as follows:

\$275 per person/airfare (x9) = \$2,475

\$100 per person/per night lodging (3 nights) (x9) = \$2,700

\$100 per person/per diem food and other expenses (3 days) (x9) = \$2,700

\$9,133.72 to fund 5 people (Partners)

Total anticipated costs = \$17,008.72

SFPL will supply \$3,875 and requests \$13,133.72 in grant funds to cover these costs.

**Note: Original Travel Budget was \$7,875. The revised budget is \$17,008.72 as \$9,133.72 was previously transferred from Materials and Supplies for \$6,033.72 and Consulting Services for \$3,100. These transfers were within the 10% budget change threshold.**

**5. Supplies and Materials:**

An important element of the SFPL grant proposal is the ability to pilot and test the use of technologies to create a dynamic, interactive learning environment, online and in a physical space. To this end, SFPL requests grant funding totaling \$12,700 to purchase basic equipment to be used by the teen project leaders and event participants. Additional items will be purchased using operational funds (\$5,500 for printing and publicity, refreshments) and a \$4,000 grant from the Friends of the San Francisco Public Library to support this project.

Equipment specified is detailed below:

- **Macbook Air Laptops (6):** Lightweight Laptops will equip the Teen Learning Lab staff as well as youth board members with portable workstations for developing content, engaging in off-site design activities and field research, showcasing youth work on outreach events, and virtually collaborating with other learning lab sites or library branches.
- **iTouch (3):** Pocket-sized devices will equip youth board members with portable data-capturing abilities, for field research, youth engagement, and design challenges during outreach events.
- **iPad2 (4):** Teens will make and share pictures, audio, HD video, video chat, and use social networks across various locations city-wide, to shape, document, and share their vision for the Learning Lab.
- **Scanner:** Teens will capture two dimensional artwork and inspiration from magazines and their own works rendered on the page, "napkin sketches," canvas, and film to add to the design brainstorm.
- **Apple MacBook Pro (4):** Lightweight and powerful Mac laptops will equip the teen Learning Lab design cohort with portable workstations for sound recording, image creation, video editing, and the conduit to share their findings in the virtual collaboration space that will be central to the design process.
- **USB microphone.** Teens will capture high quality audio for podcasting, audio journalism, and music, giving voice to the needs that will be addressed in the future Learning Lab.
- **Digital Cameras (2):** Small, lightweight, portable cameras will enable teens to quickly capture pictures and HD video -- imagery that inspires them, testimonials, needs and desires for the Learning Lab -- to bring in to inform the learning design workshop sessions. Teens and mentors will be able to use the camcorders to document master workshops and activities.

**AMENDED BUDGET JUSTIFICATION DUE TO BUDGET CHANGE REQUEST**

- **Refreshments:** Basic refreshments will be provided at each design workshop (4) and teen event (12) throughout the planning process. At an estimated \$200 per event, 16 major events planned will total \$3,200. SFPL requests \$2,200 from grant funding and will supply \$1,000 through operation fund.

**Note: Original Materials & Supplies budget was for \$17,922.52. \$6,033.72 was previously transferred to Travel Budget which was within the 10% budget change threshold. Once the transfer of \$10,500 from the Stipend budget for purchase of Technology items is approved, the revised budget will be \$22,388.80.**

**6. Services**

Grant funding is requested to support the involvement of three project partner organizations in collaborator meetings (30 hours), hosting/developing 4 teen events each (40 hours), and participating in design camp and master workshop activities (42 hours):

**Bay Area Video Coalition (BAVC):** \$17,095 in grant funds is requested to support 112 hours of staff time for design camp, master workshops, collaborator meetings and monthly events. \$10,000 will be allocated from cost-sharing to support equipment and marketing costs. Additionally, BAVC will lend its expertise in youth development, program strategy, skills-based curriculum, and connecting neighborhood-based organizations to the project. Staff will create a pipeline for youth leaders and ambassadors who will participate in the design and planning process and act as mentors in the eventual youth-driven Learning Lab programming, and provide expertise in the design and implementation of community training, production, and distribution components of the Learning Lab. Cost breakdown attached.

**California Academy of Sciences:** \$12,308.80 of grant funds and \$14,504.00 of cost-sharing will be allocated to support 112 hours of staff time for design camp, master workshops, collaborator meetings and monthly events. Additionally, CAS will provide content in science and technology and STEM skill building support, as well as opportunities for career exploration in the sciences; provide a venue and a platform for sharing what is produced, and link its teen program participants to the opportunities available through the Learning Lab. They will also provide access to lab participants to its programs, with access to the CAS' 25 million specimens, collections, and 38,000 live creatures in its rainforest and aquarium, and access to immersive exhibitions. The Academy's researchers, educators, and science visualization team all represent teaching resources that will be available for Lab programs. Cost breakdown attached.

**KQED:** \$5,578 in grant funds is requested to support 112 hours of staff time for design camp, master workshops, collaborator meetings and monthly events. As part of this project, KQED will adapt its Media Making for STEM Learning toolkit and curriculum to the lab context utilizing evaluation data from the planning process, create a staff/mentor training protocol for implementing the curriculum, and identify a system for linking content produced by lab teens and contests and showcases on [kqed.org](http://kqed.org).

**8. Other Costs**

**Youth Advisory Board:** \$11,964. A team of youth leaders will be selected to participate in planning activities, from an initial Youth Design Camp, 3 master workshops, and 12 pilot/planning events that will be organized by and with youth. One goal of the program is to develop youth mentors who will work in the Learning Lab (and associated program spaces), recruiting and teaching youth, informing program options, and forming a growing



**AMENDED BUDGET JUSTIFICATION DUE TO BUDGET CHANGE REQUEST**

cohort of engaged and technologically literate teens. Grant funds are requested in order to fund eighteen student stipends at \$12/hour, 4-6 hrs a month, for 12 months of the program.

**Note: Original budget was \$22,464. The revised budget will be \$11,964 after a transfer of \$10,500 to Materials and Supplies for the purchase of Technology items is approved.**

**9. Total Direct Costs**

SFPL requests \$99,679.52 in grant funding to support the development of a Teen Center/Learning Lab at the Main Library, creation of an online platform for sharing content across organizations, and providing the framework for a citywide/regional network of collaborators to link programs serving youth. Although our goals are far-reaching, SFPL has prioritized this work and committed \$341,404.52 through cost-sharing, the majority of which is achieved through dedicating time of several staff in leadership positions, to ensure that this project is successful. The total cost (grant funded and cost shared) is estimated at \$441,084.04.

Following the planning phases, the SFPL is further committed to identifying capital funds to construct a Teen Center in the Main Library. The planning work described in this grant application is essential to these efforts, providing a programmatic and conceptual roadmap for the design of the physical space.

**10. Indirect Costs**

SFPL is not requesting support for indirect costs.

**11. Total Project Costs**

Total project costs are estimated at \$441,084.04. Of this, \$99,679.52 is requested in grant funds and \$341,404.52 is committed by the SFPL and partner organizations through cost sharing.

FAML6220 V5.1  
LINK TO:

CITY AND COUNTY OF SAN FRANCISCO--NFAMIS  
GRANT SUMMARY INQUIRY

06/27/2013  
3:31 PM

BALANCE (Y,M,Q,A) : A                    CURR/PRIOR PRD :                    CURRENCY CODE :  
FISCAL MO/YEAR : 12 2013 JUNE 2013                    GRANT END DATE: 12/31/2013  
GRANT : LBLEAR LEARNING LABS IN LIBRARIES AND MUSEUMS  
GRANT DETAIL : 12                    FY 2012-2013 NLG LIBRARY LEARNING LABS  
CHARACTER :  
OBJECT CODE :  
FUND TYPE :  
FUND :  
SUBFUND :

---

S	SUBOBJ	DESCRIPTION	BUDGET	ACTUAL	PREENC/ENC	BALANCE
	44931	FEDERAL GRANTS PAS	99,680	40,085		-59,595
		REVENUE TOTAL	99,680	40,085		-59,595
	02100	TRAVEL-BUDGET	13,134			13,134
	02103	AIR TRAVEL - EMPLO		2,238		-2,238
	02104	AIR TRAVEL - NON-E		3,063		-3,063
	02105	NON-AIR TRAVEL - E		3,791		-3,791
	02106	NON-AIR TRAVEL - N		3,309		-3,309
	02761	SYSTEMS CONSULTING	26,900	12,153	14,747	
	02783	STIPENDS	22,464	8,316		14,148
	02799	OTHER PROFESSIONAL	34,982	13,203	21,779	
	04699	FOOD	2,200	756	1,444	
		EXPENDITURE TOTAL	99,680	46,829	37,971	14,880
		REVENUE LESS EXPEN		-6,744	-37,971	-44,715

## Lovely Lindsley

---

**From:** Sandra Toro [SToro@imls.gov]  
**Sent:** Thursday, June 27, 2013 3:25 PM  
**To:** Maureen Singleton; Lovely Lindsley  
**Cc:** Kathy Mitchell; Jill Bourne; Mary Hudson; Robert Horton; Tim Carrigan  
**Subject:** RE: Stipend Budget Change, IMLS Grant, LG-48-12-0406-12 Learning Labs in Libraries & Museums

Hi Maureen,

I am writing to inform you that I am approving your proposed budget changes as noted and described in your emails dated June 21, 2013 and June 27, 2013. These changes include a reduction in the amount of Consultant Fees; additional costs for Travel as well as Supplies and Materials; and a reduction in Other Costs, including the amount of money allotted for stipends for members of the Youth Advisory Board. I have noted my approval of these changes in our grants management system.

We look forward to your continued work on this project and to learning more about your successes.

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

Very best regards,

Sandy

Sandra Annette Toro, Ph.D.  
Senior Program Officer  
Office of Library Services  
Institute of Museum and Library Services  
1800 M Street NW, 9<sup>th</sup> Floor  
Washington, D.C. 20036-5802  
202-653-4662  
storo@imls.gov

---

**From:** Maureen Singleton [mailto:msingleton@sfpl.org]  
**Sent:** Thursday, June 27, 2013 4:06 PM  
**To:** Sandra Toro; Lovely Lindsley  
**Cc:** Kathy Mitchell; Jill Bourne; Mary Hudson; Robert Horton; Tim Carrigan  
**Subject:** RE: Stipend Budget Change, IMLS Grant, LG-48-12-0406-12 Learning Labs in Libraries & Museums

Hi Sandy,

Please find below the answers to your questions:

1. San Francisco City & County purchasing policies and procedures require that we conduct a competitive bid solicitation process for professional services and select the most responsive bidder. Mary Ann Harlan was deemed the most responsive bidder for the SFPL Teen Center program. I have attached an excerpt from our contract with Ms. Harlan that describes her experience. Please let me know if you need anything else.
2. Here are the five partners that we are requesting travel reimbursement for:
  - a. Ingrid Dahl (BAVC)
  - b. Elizabeth Babcock (CAS)
  - c. Matt Ganucheau (CAS)
  - d. Robin Mencher (KQED)

e. Mathew Williams (KQED)

3. We were able to achieve the same Teen Center program planning goals with fewer Youth Advisory Board hours. We'd like to reallocate those monies to acquire additional technology items that will be used in ongoing Youth Advisory Board work and to incorporate into the digital media programming at the Teen Center.

Thanks for your time and help!

Maureen Singleton  
Ph: 557.4248  
[MSingleton@sfpl.org](mailto:MSingleton@sfpl.org)

---

**From:** Sandra Toro [<mailto:SToro@imls.gov>]  
**Sent:** Thursday, June 27, 2013 11:08 AM  
**To:** Maureen Singleton; Lovely Lindsley  
**Cc:** Kathy Mitchell; Jill Bourne; Mary Hudson; Robert Horton; Tim Carrigan  
**Subject:** RE: Stipend Budget Change, IMLS Grant, LG-48-12-0406-12 Learning Labs in Libraries & Museums

Hi Maureen,

Thank you again for submitting these materials for our review. I expect that we will be able to approve these changes. However, can you please (quickly and briefly) answer the following questions as soon as you are able?

- 1) Why was the original consultant replaced? Also, can you please provide a 2-page resume for the new consultant, Mary Ann Harlan?
- 2) Who are the five partners that will be supported in terms of travel?
- 3) Can you please provide some information about the change in time allocated for the Youth Advisory Board participants, which resulted in a reduced stipend amount?

Thank you in advance!

Sandy

Sandra Annette Toro, Ph.D.  
Senior Program Officer  
Office of Library Services  
Institute of Museum and Library Services  
1800 M Street NW, 9<sup>th</sup> Floor  
Washington, D.C. 20036-5802  
202-653-4662  
[storo@imls.gov](mailto:storo@imls.gov)

---

**From:** Maureen Singleton [<mailto:msingleton@sfpl.org>]  
**Sent:** Friday, June 21, 2013 7:55 PM  
**To:** Sandra Toro; Lovely Lindsley  
**Cc:** Kathy Mitchell; Jill Bourne; Mary Hudson; Robert Horton  
**Subject:** RE: Stipend Budget Change, IMLS Grant, LG-48-12-0406-12 Learning Labs in Libraries & Museums  
**Importance:** High

Hi Dr. Toro,

Please find attached the San Francisco Public Library's revised budget request. In this proposed budget request we have moved monies from stipends to materials and supplies. The specific documents included in this email are noted below:

- ? Original Budget Documents:
  - o IMLS Summary Budget November 2011 (Original Budget)
  - o IMLS Detailed Budget Final November 2011(Original Budget)
  - o IMLS Budget Justification November 2011(Original Budget)
- ? Revised Budget Documents:
  - o IMLS Summary Budget (Amended 062113)
  - o IMLS Detailed Budget Final (Amended 062113)
  - o IMLS Budget Justification (Amended 062113)
- ? IMLS Grant Narrative

Please let me know if you have any questions or concerns. I look forward to working with you on this and appreciate your time and help. Have a great day!

---

Maureen Singleton  
Chief Financial Officer  
San Francisco Public Library  
100 Larkin Street, 6th Floor  
San Francisco, CA 94102  
Ph: 415.557.4248  
Email: [MSingleton@sfpl.org](mailto:MSingleton@sfpl.org)

---

**From:** Sandra Toro [<mailto:SToro@imls.gov>]  
**Sent:** Tuesday, June 04, 2013 2:10 PM  
**To:** Lovely Lindsley  
**Cc:** Kathy Mitchell; Jill Bourne; Mary Hudson; Maureen Singleton; Robert Horton  
**Subject:** RE: Stipend Budget Change, IMLS Grant, LG-48-12-0406-12 Learning Labs in Libraries & Museums

Hi Lovely,

It has come to my attention that NLG funds cannot be used to cover travel costs to the Champions of Change award ceremony. Therefore, that budget change you described would not be allowable. I apologize for any inconvenience.

Thanks,

Sandy

---

**From:** Sandra Toro  
**Sent:** Monday, June 03, 2013 3:54 PM  
**To:** 'llindsley@sfpl.org'  
**Cc:** Kathy Mitchell; 'jbourne@sfpl.org'; 'maryhudson@sfpl.org'; 'msingleton@sfpl.org'  
**Subject:** Stipend Budget Change, IMLS Grant, LG-48-12-0406-12 Learning Labs in Libraries & Museums

Hi Lovely,

Your message about budget changes was forwarded to me. I'm happy to help facilitate these changes. As you may know, program officers must approve any changes that are more than 10% of awarded funds, over the life of the grant. We

look at allowability of expenses and reasonableness of cost. We also make sure that any new activities are within scope of original project.

Currently, Jill Bourne, Mary Hudson, and Maureen Singleton are the only authorized officials with whom we can communicate about the grant. Please ask one of them to send me an email stating that you are an authorized official who can communicate with IMLS program officers about the award.

Once this has been done, please use the forms from your original proposal and submit a revised narrative, individual year budgets, budget summary, and budget justification.

If you have any questions, please do not hesitate to let me know.

Thanks and best regards,

Sandy

Sandra Annette Toro, Ph.D.  
Senior Program Officer  
Office of Library Services  
Institute of Museum and Library Services  
1800 M Street NW, 9<sup>th</sup> Floor  
Washington, D.C. 20036-5802  
202-653-4662  
[storo@imls.gov](mailto:storo@imls.gov)

From: Lovely Lindsley [<mailto:llindsley@sfpl.org>]

Sent: Friday, May 31, 2013 5:50 PM

To: Kathy Mitchell

Cc: Allison Boals; Jill Bourne; Maureen Singleton

Subject: Stipend Budget Change, IMLS Grant, LG-48-12-0406-12 Learning Labs in Libraries & Museums

Hi Kathy,

Hope that my e-mail finds you well. My name is Lovely Lindsley with the San Francisco Public Library, Finance Department. I'm writing you to request transfer of our o/s stipend budget relating to the IMLS grant Learning Labs in Libraries and Museums. We started with a \$22,464 Stipend Budget for the Youth Advisory Board. To date, we had spent about \$8,316 and anticipating to spend additional \$3,600 until the end of the grant period (June 30, 2013). With the balance of \$10,548 we would like to distribute them as follows:

Travel, \$5,700

Technology, \$4,848

An additional \$3,200 is needed for travel to send two of our key project staff to the Champions of Change award ceremony in Washington, DC, which recognizes the IMLS grant project work which focused on forming robust youth learning in San Francisco. An additional \$2,500 for travel is also needed to attend the ALA conference to promote SF Learning Lab Project, learn more of the connected learning principles and be able to visit Youmedia space in Chicago. The \$4,848 technology budget enhancement is to purchase several laptops which would be used for the teen center pilot and satellite projects around the City.

We hope that above justification will merit your approval and consideration to make this project much more successful than it is right now.

Have a good day and looking forward to your positive response.

Thank you for your time and assistance.

Best regards,  
Lovely

Lovely Lindsley

Finance Office  
San Francisco Public Library  
100 Larkin Street, San Francisco, CA 94102  
DL 415-557-4247  
FAX 415-437-4830

---

Official SFPL Use Only  
Official SFPL use only

Email secured by Check Point

---

Official SFPL Use Only

**Official SFPL use only**

---

Official SFPL Use Only

**Official SFPL use only**



City and County of San Francisco

# San Francisco Department of Public Health

Barbara A. Garcia, MPA  
Director of Health

BOS-11  
page

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 JUN 28 AM 10:09

Date: June 27, 2013

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Anne Okubo, Deputy Financial Officer, Department of Public Health

RE: Increases in Contracts during Fiscal Year 2012-13

Attached is the annual report of increases in contracts for the Department of Public Health. If you have any questions on this report, please contact me at 554-2857.

Attachment

cc: Gregg Wagner, Chief Financial Officer, DPH



The mission of the San Francisco Department of Public Health is to protect and promote the health of all San Franciscans.

We shall ~ Assess and research the health of the community ~ Develop and enforce health policy ~ Prevent disease and injury ~  
~ Educate the public and train health care providers ~ Provide quality, comprehensive, culturally-proficient health services ~ Ensure equal access to all ~

barbara.garcia@sfdph.org – office 415-554-2526 fax 415 554-2710

101 Grove Street, Room 308, San Francisco, CA 94102



Department of Public Health  
Increases in Contracts During Fiscal Year 2012-13

Agency	BOS Resolution	Not-to-Exceed Amount	Contract Budget*	Increase FY 10-11	Increase FY 11-12 (Revised)	Increase FY 12-13	Increase to Date	Sources and Uses for Increase in FY 12-13
Alternative Family Services	563-10	\$11,057,200	\$9,730,336	\$0	\$100,000	\$236,153	\$336,153	Sources: reallocated general fund and Medi-Cal. Uses: cost of doing business; increase in outpatient and therapeutic visitation services
Asian American Recovery Services	563-10	11,025,858	9,702,755					
Baker Places	563-10	69,445,722	61,112,235			198,206	198,206	Sources: general fund and Medi-Cal. Uses: cost of doing business
Bayview Hunters Point Foundation for Community Improvement	563-10	27,451,857	24,157,634		676,986	55,000	731,986	Sources: general fund and Medi-Cal. Uses: cost of doing business
Central City Hospitality House	563-10	15,923,347	14,012,545					
Conard House	563-10	37,192,197	32,729,133		203,957	121,658	325,615	Sources: general fund and Medi-Cal. Uses: cost of doing business
Edgewood Center for Children and Families	563-10	29,109,089	25,615,998	95,505	61,552	941,180	1,098,237	Sources: reallocated general fund and Medi-Cal. Uses: cost of doing business, increase in day treatment and outpatient services
Family Service Agency	563-10	45,483,140	40,025,163			111,382	111,382	Sources: reallocated general fund and Medi-Cal. Uses: cost of doing business, increase in day support service and early childhood mental health services
HealthRIGHT 360 (formerly Walden House)	563-10	54,256,546	47,745,760	18,400		45,797	64,197	Sources: general fund and Medi-Cal, workorder. Uses: cost of doing business, increase for DCYF workorder for children's community response network
Hyde Street Community Service	563-10	17,162,210	15,102,745	6,000		52,420	58,420	Sources: general fund and Medi-Cal. Uses: cost of doing business
Instituto Familiar de la Raza	563-10	14,219,161	12,512,862	31,320	168,861	20,592	220,773	Sources: general fund and Medi-Cal. Uses: cost of doing business
Progress Foundation	563-10	92,018,333	80,976,133			285,316	285,316	Sources: general fund and Medi-Cal. Uses: cost of doing business
Regents of the University of California	563-10	74,904,591	65,916,040		907,256	1,740,144	2,647,400	Sources: reallocated general fund and Medi-Cal. Uses: cost of doing business, increase in SPR and forensic services
Richmond Area Multi-Services	563-10	34,773,853	30,600,991	85,144	1,321,424	562,079	1,968,647	Sources: general fund and Medi-Cal. workorder, Prop 63. Uses: cost of doing business, increased services due to new funding

Department of Public Health  
Increases in Contracts During Fiscal Year 2012-13

Agency	BOS Resolution	Not-to-Exceed Amount	Contract Budget*	Increase FY 10-11	Increase FY 11-12 (Revised)	Increase FY 12-13	Increase to Date	Sources and Uses for Increase in FY 12-13
San Francisco Study Center	563-10	11,016,593	9,694,602	31,207	472,121	665,954	1,169,282	Sources: general fund and Medi-Cal, Prop 63 and grants. Uses: cost of doing business, additional services due to new funding
Seneca Center	563-10	63,495,327	55,875,888	70,750		1,638,048	1,708,798	Sources: reallocated general fund and Medi-Cal. Uses: cost of doing business, increase in foster care and juvenile probation services
Westside Community Mental Health Center	563-10	43,683,160	38,441,181			133,000	133,000	Sources: general fund and Medi-Cal. Uses: cost of doing business
San Francisco AIDS Foundation	301-11	19,685,910	17,323,601					
Netsmart New York	134-12	31,786,819	27,972,401					
Addiction, Research and Treatment dba BAART	188-12	26,043,065	22,917,897			92,796	92,796	Sources: general fund and Medi-Cal. Uses: cost of doing business
Asian American Recovery Services	190-12	113,859,922	100,196,731					
Community Awareness and Treatment Services	315-12	35,699,175	31,415,274			62,273	62,273	Sources: general fund and Medi-Cal. Uses: cost of doing business
MedImpact Healthcare Systems, Inc.	441-12	17,575,376	15,466,331					
Tides Center	37-13	40,508,317	35,647,319			1,212,076	1,212,076	Sources: reallocated general fund and Medi-Cal. Uses: cost of doing business, rate increase to compensate for loss of rental income

\*Total contract not-to-exceed amount less 12% contingency authorization

## Board of Supervisors

---

**To:** BOS-Supervisors  
**Subject:** U.S. Mayors Demand Change to Federal Policy, End to Crackdown on Medical Marijuana in Their Cities

**From:** [patnlisa@sbcglobal.net](mailto:patnlisa@sbcglobal.net) [mailto:[patnlisa@sbcglobal.net](mailto:patnlisa@sbcglobal.net)]

**Sent:** Wednesday, June 26, 2013 10:25 AM

**To:** Falvey, Christine; Lee, Mayor; Tsang, Francis; Lily Madjus; Ang, Lisa; Lu, Shih-Wei; Taylor, Adam; Campos, David; Chiu, David; Gillett, Gillian; Hsieh, Frances; True, Judson; Lim, Victor; Wiener, Scott; Bruss, Andrea; Veneracion, April; Avalos, John; Blackstone, Cammy; Stefani, Catherine; Board of Supervisors; Cohen, Malia; ERIC MAR 1; Farrell, Mark; Ronen, Hillary; John Avalos; Tang, Katy; Kim, Jane; Breed, London; Cohen, Malia; Mar, Eric (BOS); Kelly, Margaux; Mormino, Matthias; Hamilton, Megan; Pagoulatos, Nickolas; Yee, Norman (BOS); Redondiez, Raquel; Scanlon, Olivia; Sheila Chung Hagen 9; Angulo, Sunny

**Cc:** Derenzo Tony; Ferejohn Chris; Freeman, Michael; Han John; Hogarth Paul; Jeserich Mitch; Randy Shaw; Rijo Lemiem; Thomas Luke; Alvarenga Kimberly; Ammiano Tom; Ammiano Tom; Barbara Boxer; Bass Karen; Leno Mark; Leno Mark; Mesick Tara; nancy pelosi; [pelosi.updates@mail.house.gov](mailto:pelosi.updates@mail.house.gov); Torrico Alberto; Brooks Eric; Campbell Maurice; Grande Oscar; Monge-Irizarry Meshah; Ratcliff Mary; Ratcliff Willie; Sabir Wanda; Schwarz Alicia; Sumchai.MD Ahimsah; bruce brugmann; Jones Steve; Marke Bieschke; Rebecca Bowe; Yael Chanof

**Subject:** U.S. Mayors Demand Change to Federal Policy, End to Crackdown on Medical Marijuana in Their Cities

*WHERE'S ED. WHICH SIDE ARE YOU ON.*

--- On Tue, 6/25/13, Pat Monk <[patnlisa@sbcglobal.net](mailto:patnlisa@sbcglobal.net)> wrote:

From: Pat Monk <[patnlisa@sbcglobal.net](mailto:patnlisa@sbcglobal.net)>

Subject: U.S. Mayors Demand Change to Federal Policy, End to Crackdown on Medical Marijuana in Their Cities

<http://americansforsafeaccess.org/article.php?id=7654>

## Board of Supervisors

---

**From:** Robbins, Susannah  
**Sent:** Wednesday, June 26, 2013 11:54 AM  
**To:** Robbins, Susannah  
**Cc:** Board of Supervisors; Farrell, Mark; Stefani, Catherine; Yee, Norman (BOS); Campos, David; Breed, London; Tang, Katy; Cohen, Malia; Avalos, John; Wiener, Scott; Mar, Eric (DPH); Kim, Jane; Chiu, David; Lee, Edwin (Mayor); Kawa, Steve; Bob Morales; Denise Bradley Tyson; Don Canady; Jon Rubin; Katie Cruz; Lorrae Rominger; Marlene Saritzky; Melanie Blum; Peter Bratt; Villy Wang  
**Subject:** Interesting Article About Study on Drama TV leaving LA

Hello,

I thought you all might be interested in reading this. Once again, productions are found to be leaving California to follow the incentives. To me, it shows the importance of our Scene in San Francisco Rebate program, and making sure that it can be used to its fullest potential in order to make it cost effective for productions to film in our City.

These productions provide jobs to local crew and background extras, create local spending, and contribute to worldwide recognition of our City, which in turn helps generate tourism.

<http://www.hollywoodreporter.com/news/tv-pilot-production-increases-as-574337>

Susannah Greason Robbins  
Executive Director  
San Francisco Film Commission  
City Hall, Room 473  
San Francisco, CA 94102  
415-554-6642 (direct line)  
415-554-6301 (fax)