FILE NO. 130698

Petitions and Communications received from July 1, 2013, through July 8, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 16, 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, regarding the following appointment by the Mayor: (1)
Cass Calder Smith - Arts Commission

From Office of the Controller, City Services Auditor Division, submitting Annual Work Plan for FY2013-2014. (2)

From State Fish and Game Commission, submitting revisions to the Notice of Proposed Rulemaking regarding commercial herring fishing. Copy: Each Supervisor. (3)

From James Chaffee, regarding the San Francisco Public Library gift fund. File No. 130544. Copy: Each Supervisor, Clerk of the Board. (4)

From Office of the Sheriff, submitting notification of 12B Waiver request for Rapid Notify, Inc. (5)

From Public Utilities Commission, submitting notification of 12B Waiver request for the Department of General Services for the purchase of gas. (6)

From Gina Jausoro, regarding Marina Degaussing Station. File No. 120987. Copy: Each Supervisor. (7)

From Charlie Apodaca, regarding protection of benefits for retirees. File No. 130481. Copy: Each Supervisor. (8)

From Bhanu Vikram, regarding exercise bars in parks. Copy: Each Supervisor. (9)

From Sid Castro, regarding rideshare vehicle insurance. Copy: Each Supervisor. (10)

From Sam Lee, regarding San Francisco General Hospital pharmacy. Copy: Each Supervisor. (11)

From Warren Foster, regarding the San Francisco Housing Authority. Copy: Each Supervisor. (12)

From concerned citizens, submitting responses to Appeal of the Historic Preservation Commission. File No. 130664. 2 letters. Copy: Each Supervisor, Clerk of the Board, Deputy City Attorney, Legislation Clerk. (13)

From Metropolitan Transportation Commission, submitting Plan Bay Area newsletter. (14)

From Clerk of the Board, the following departments have submitted their reports regarding Sole Source Contracts for FY2012-2013: (15)
Board of Supervisors
Residential Rent Stabilization and Arbitration Board

From Clerk of the Board, submitting a report on all Watch Law (USA Patriot Act) requests during FY2012-2013. (16)

From Clerk of the Board, submitting annual gift report for FY2012-2013. (17)

From a concerned citizen, regarding fireworks. Copy: Each Supervisor. (18)

From Department of the Environment, submitting annual gift report for FY2012-2013. (19)

From Department of Technology, concerning relocation of Public Safety Radio Operations. Copy: Each Supervisor. (20)

From Library Users Association, regarding the San Francisco Public Library budget. Copy: Each Supervisor. (21)

From Tes Welborn, regarding an economic impact report analysis of formula retail developments. Copy: Each Supervisor. (22)

*(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. 554-5227

MEMORANDUM

Date: July 3, 2013

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board for

Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following body:

- Cass Calder Smith, Arts Commission, term ending January 15, 2017

Under the Board's Rules of Order Section 2.18.3, a Supervisor may request a hearing on an appointment by notifying the Clerk in writing.

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within 30 days of the appointment as provided in Charter Section 3.100(18).

Please notify me in writing by **12:00 p.m., Wednesday, July 10, 2013,** if you would like to request a hearing on the above appointment.

Attachments

OFFICE OF THE MAYOR
SAN FRANCISCO

Orig: Rules Clerk
C: COB, Leg Dep.
Dep. City Attny
Cpage, acfile

EDWIN M. LEE
MAYOR

July 1, 2013

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 JUL -2 PM 4:40

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

Dear Ms. Calvillo,

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

Cass Calder Smith to the Arts Commission, for a term ending January 15, 2017

I am confident that Cass Calder Smith, an elector of the City and County, will serve our community well. Attached herein for your reference are his qualifications to serve.

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

Sincerely,

Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO

EDWIN M. LEE
MAYOR

Notice of Appointment

July 1, 2013

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

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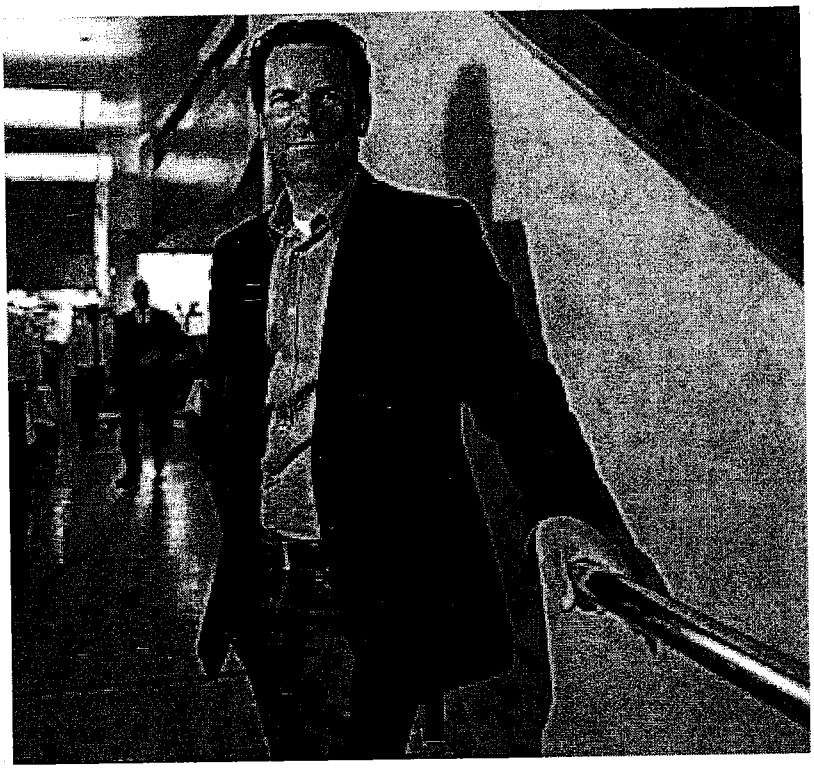
Edwin M. Lee
Mayor

CASS CALDER SMITH – CCS ARCHITECTURE



Principal, CEO
San Francisco
415-864-2800 x309 / 212-274-1121 x409
cass@ccs-architecture.com

Cass Calder Smith established the architectural firm that bears his name in 1990. Born in 1961, Smith earned his Bachelor and Master of Architecture from the University of California, Berkeley. A native of New York City, he has lived in California since 1972 and now splits his time between both coasts. As the son of an Academy-Award winning filmmaker and a California landscape painter and designer, his early years were influenced by both Greenwich Village intellectuals and rural California artisans.

Smith is recognized internationally for his architectural and interior design projects. Firmly based in the modernist idiom, Smith draws inspiration from history's great architects and cities as well as the epic filmmakers of the last century. Bold imagery and intricate detail are characteristic of his designs balanced with experience and common sense.

Smith and his work have won numerous awards and have been recognized in The New York Times, Architectural Record, Metropolitan Home, Metropolis, Dwell, Interior Design and Abitare, among others.

OFFICE OF THE MAYOR
SAN FRANCISCO

EDWIN M. LEE
MAYOR

Orig: Rules Clerk
C: COB, Leg Dep.
Dep. City attny
Cpage, acfile

July 1, 2013

RECEIVED
BOARD OF SUPERVISORS
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Sincerely,

Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO

EDWIN M. LEE
MAYOR

Notice of Appointment

July 1, 2013

San Francisco Board of Supervisors
City Hall, Room 244
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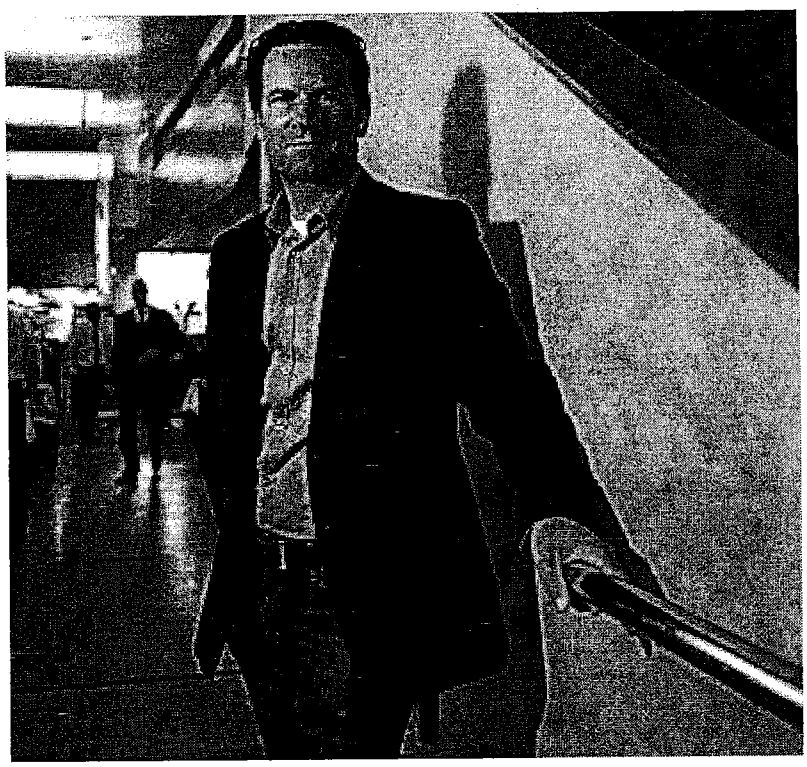
Sincerely,

Edwin M. Lee
Mayor

CASS CALDER SMITH – CCS ARCHITECTURE



Principal, CEO
San Francisco
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From: McGuire, Kristen on behalf of Reports, Controller
Sent: Monday, July 01, 2013 2:27 PM
To: Calvillo, Angela; Nevin, Peggy; BOS-Supervisors; BOS-Legislative Aides; Howard, Kate; Kawa, Steve; Falvey, Christine; Elliott, Jason; Campbell, Severin; Newman, Debra; sfdocs@sfpl.info; CON-EVERYONE; CON-CCSF Dept Heads; CON-Finance Officers
Subject: ISSUED: City Services Auditor Annual Work Plan for Fiscal Year 2013-2014

The City Services Auditor Annual Work Plan for Fiscal Year 2013-2014 was issued on July 1, 2013.

To view the work plan, please visit our website at: http://co.sfgov.org/webreports/details.aspx?id=1596

For questions regarding the above, please contact CSA Audits Director, Tonia Lediju at tonia.lediju@sfgov.org, 415 554-5393. Or, CSA City Performance Director, Peg Stevenson at peg.stevenson@sfgov.org, 415 554-7522. Or, you may contact the Controller's Office City Services Auditor Division directly at 415 554-4542.

This is a send-only email address.

Follow us on Twitter @sfcontroller

(2)

City and County of San Francisco

Office of the Controller – City Services Auditor

CITY SERVICES AUDITOR

ANNUAL WORK PLAN, FISCAL YEAR 2013-2014

July 1, 2013

Introduction

The City Services Auditor (CSA) develops its Annual Work Plan by considering audits and other responsibilities mandated by the City Charter and municipal codes, the results of a limited risk assessment, and input from City management, leadership, and stakeholders. The Work Plan may change during the fiscal year as circumstances dictate. Quarterly reassessment of risk, requests from City leadership, changes within City organizations or operations, and available CSA staff resources can result in changes to the plan.

Mission

The mission of the Office of the Controller (Controller's Office) of the City and County of San Francisco is to ensure the City's financial integrity and promote efficient, effective, and accountable government. The Controller's Office's vision is to be a model for good government and to make the City a better place.

The City Services Auditor was created within the Controller's Office through a 2003 Charter amendment that envisions a broad effort to measure, audit, and report on San Francisco's public services and government performance. The mandate is to analyze the City's public service delivery, compare and benchmark San Francisco to best practices nationwide, provide information to citizens in new ways, and help drive improvements in City government. The City Services Auditor is among the most ambitious voter-approved efforts of its kind in local government.

Authority

CSA has broad authority for:

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

Resources

CSA is funded through a commitment of two tenths of one percent of the City's annual budget. In fiscal year 2013-2014, approximately $12.9 million is budgeted for the City Services Auditor functions under this Charter requirement, plus an additional $5 million allocated from bond sales. CSA has approximately 42 filled full time equivalent staff including auditors, performance analysts, project managers, and operations staff. CSA conducts its work pursuant to professional auditing and analysis standards which require competence, integrity, objectivity, and independence.

CSA performs a variety of important services for city government. Our audit group has a wide range of expertise in performance auditing and financial and compliance auditing, and a growing ability to audit large data sets and information technology systems. Our performance group does evaluation, business process analysis, policy analysis, and organizational development and implementation. We are able to procure expert professional services where needed and manage technical and consultant contracts efficiently on behalf of other city departments. Where multiple city agencies or the city as a whole have similar needs or challenges, we work to deliver common solutions and reduce duplication of effort.

Fiscal Year 2012-2013 Accomplishments

AUDITS UNIT

During fiscal year 2012-2013, the Audits Unit completed or made significant progress on many of its initiatives. For example, the Audits Unit successfully:

- Developed two citywide monitoring programs: a cash disbursements program and an inventory and materials management program. In FY14 CSA will begin to conduct the first set of cash disbursement and inventory audits.

- Provided quality assurance through citywide monitoring programs. The unit successfully conducted seven cash transactions, five contract compliance, and four payroll audits.

- Enhanced our capital programs and completed 17 capital audits and assessments, including six construction contract close-out assessments, two change order audits involving the Water System Improvement Program and the 2008 Parks Bond Program, a performance audit of the San Francisco General Hospital's Rebuild Project's operational controls, two job order contract program audits of the San Francisco Public Utilities Commission and Department of Public Works, the construction project risk assessment, and a construction procedures benchmarking study.

- Promoted the Whistleblower Program to City employees via department email blast and new employee orientation at the Department of Human Resources. The Whistleblower Program implemented changes to its website to provide complainants with additional guidance on filing complaints and on the investigation process. In addition, the Whistleblower Program launched a redesigned online complaint form. In FY 13, the Whistleblower Program issued an annual report and four quarterly newsletters.

- Conducted three large performance audits including the Department of Public Health's purchasing system, San Francisco Municipal Transportation Agency's (SFMTA) transit operator timekeeping system, and an audit of the transit operator hiring, training, and worker safety.

CITY PERFORMANCE UNIT

During fiscal year 2012-2013, the City Performance and Operations Units' highlights include:

- Conducted the City Survey, a biennial citywide survey asking San Francisco residents' opinions about services they experience every day – streets, parks, MUNI, libraries, and schools – and to measure perceptions of quality of life ranging from public safety to Internet access.

- Built and launched SFOpenBook, a new interactive web portal for analyzing data on City spending and revenues. Users can create their own reports by department, services, etc.

- Analyzed the Police Department's Uniform Crime Reports to improve accuracy, completeness and integration with the citywide public safety data warehouse. In FY14 this work will continue.

- Worked with the Department of Public Health to prepare for major new service demands in FY14 as the Affordable Care Act brings access to health coverage for many more citizens.

- With the Municipal Transportation Agency, completed the next stages of implementing the Transportation Effectiveness Project—a redesign of MUNI to speed up and improve transit citywide. The plan's environmental clearance is nearing completion and pilot projects are now in place to test improvements to routes, services, street designs and passenger facilities.

- Launched a series of benchmarking reports comparing San Francisco's public services to peer jurisdictions. First reports were on streets, the jail and jail population, and library services.

Fiscal Year 2013-2014 Priority Initiatives

1. Capital Improvement Audit Program

CSA provides audit, oversight, and technical assistance services related to the City's significant portfolio of capital improvement programs. In FY14 CSA work includes: change order audits at multiple departments, citywide contractor performance evaluation audits, and an audit of San Francisco General Hospital (SFGH) Rebuild's Architect and Engineer firm's progress billings. The City Performance Unit will do summary-level reporting on scope, schedule and budget achievement in the General Obligation Bond programs, and work to bring new asset management systems and software tools into citywide use.

2. Municipal Transportation Agency (MTA) Audits and Projects

CSA will conduct the fourth in a series of division-level audits with a performance audit of the Agency's taxi & accessible services. Additionally, CSA will perform a revenue audit of the MTA's parking meters. CSA will continue to support the Transit Effectiveness Project (TEP) – a program of transit service and capital improvement recommendations designed to improve the transit system's travel speed, reliability and safety. A key TEP milestone is expected in FY14 with the completion of the TEP Environmental Impact Report (EIR) the under the California Environmental Quality Act. CSA also is underway, working with the Mayor's Office, MTA, DPW and the Planning Department in FY14 on the WalkFirst Investment Strategy—an effort to deliver a prioritized list and map of pedestrian safety projects ready for capital investment. These deliverables will be supported by data analysis, public outreach, and required review, if any, under the California Environmental Quality Act.

3. Performance Program

CSA's Performance Program's ongoing efforts include: citywide performance data collection and reporting, supporting a Mayor's Office initiative to monitor and improve performance of major city departments through a dashboard and issuing periodic reports benchmarking San Francisco to peer municipalities. New efforts for FY14 will focus on making current data visualization systems and tools available citywide and on adding more information and data sets to the Controller's transparency web portal where we currently have SFOpenbook for revenue, expense and budget data, the Government Barometer for performance data, and plan to add labor and employment data.

4. Wellness Program Design

The Controller's Office is working with the Health Services System, Human Resources Department, Mayor's Office, and labor organizations to develop a comprehensive wellness program for City employees. Like any large employer, wellness in the City workforce is essential to better health outcomes, improved productivity and better public services, and to controlling the growth of employee benefits costs. A five year plan and implementation roadmap will be produced in FY14.

5. Technology

CSA provides project management and technical assistance on strategic information technology projects with citywide implications. In FY14, possible project efforts include new data visualization systems and tools, asset management systems and tools, and new mobile technology solutions arising from an assessment of mobile projects in city agencies that is now underway.

6. Quality Assurance through Auditing Programs

CSA will continue its annual audit programs of Cash Transactions, Contract Compliance, Payroll Audits, Construction Contract Close-outs, and Information Technology. CSA will test eight or more cash collection locations across the City to assess the oversight of cash handling on a citywide basis, as well as, audit payroll practices to ensure adherence to adopted labor contracts and policies. Additionally, CSA developed new monitoring programs including Cash Disbursements and Citywide Inventory and Materials Management programs and will conduct these audits this fiscal year.

7. Whistleblower Program.

CSA will continue to provide best in class service, by advising and working with other counties and municipalities to develop and implement process changes designed to continually enhance the effectiveness of the Whistleblower Program.

8. Contract Oversight

CSA will continue working to enhance the quality and efficiency of City contracting. Our FY14 work includes contract audits and a performance audit of the City's contracting and procurement services. The City Services Auditor will continue to work collaboratively with the Office of Contract Administration and Department of Technology to establish enterprise agreements for key software solutions across the City and County of San Francisco. The objective of the program is to streamline procurement processes and save the City substantial sums of money over the lifetime of the agreement. CSA's ongoing Nonprofit Monitoring and Capacity Building program maintains fiscal and compliance standards, coordinates City monitoring of non-profit contractors, and provides training and technical assistance for contractors and City staff. In FY14, this program will expand its efforts to provide practical training and assistance to organizations serving disadvantaged areas of San Francisco.

9. Public Health

In FY14 the Department of Public Health (DPH) and the City are underway with an ambitious effort to integrate all public health services—primary care, mental health, specialty care, and all the clinics, hospitals and programs in order to better compete and provide care under the federal health care reform (the Affordable Care Act - ACA). Working with CSA, DPH has engaged Health Management Associates (HMA), a health care consultant experienced in public health, hospital, managed care and health markets to assist in the redesign of San Francisco's programs and systems. Critical goals for DPH include participating effectively in an expanded managed care market and developing metrics and tools to manage the clinics and hospitals in the new ACA environment. In FY14 CSA will also assist in planning for the opening of the new SFGH as it moves toward completion. CSA will be conducting a performance audit of the DPH's controls over its billings, collections and reimbursements.

10. Public Safety

CSA will work on a series of projects to improve the delivery of public safety services during the fiscal year. The projects involve four departments that together account for approximately 65% of the City's public protection budget. The four departments include: Police, Sheriff, Department of Emergency Management and Juvenile Probation. For the Police Department CSA will analyze district station boundaries using census, calls for services and crime data to help plan for the relocation of the Southern Station and Police Administration to new sites. CSA will also work with the Sheriff's Department on a program evaluation of in-custody programs such as educational, vocational and behavioral training and therapy efforts in the jails. CSA is also concluding a scheduling and staffing analysis for the Department of Emergency Management's Division of Emergency Communications (DEC). Lastly, CSA will work with the Juvenile Probation Department on requirements and design for its new electronic case management system.

Conclusion

The table on the following page lists a variety of the audits and projects that are planned for fiscal year 2013-2014. CSA's total workplan included many additional smaller initiatives and continuous programs and additional detail is available on request. Throughout the fiscal year, we publish our audit reports, performance reports and technical assistance project summaries on the Controller's website at http://www.sfcontroller.org/. The public is invited to subscribe to reports issued by our office, search our database of reports, and use publicly available financial and performance data on our website.
The Controller's City Services Auditor strives to provide excellent audit, analytical and technical assistance services to City departments, leadership, and citizens. We invite your comments and feedback on our work at any time.

Controller- City Services Auditor Major Planned Audits and Projects FY13-14

Department	Project Name
Citywide/Multiple Departments	Cash Disbursements Audit Program (2 Audits)
Citywide/Multiple Departments	Cash Transactions Assessment Program (8 Audits)
Citywide/Multiple Departments	City Hall Fellows Program
Citywide/Multiple Departments	Citywide Nonprofit Monitoring and Capacity Building Program
Citywide/Multiple Departments	Citywide Performance Measurement Program
Citywide/Multiple Departments	Construction Change Order Audits (3 Audits)
Citywide/Multiple Departments	Construction Contract Close-out Assessments Program (3 Audits)
Citywide/Multiple Departments	Contract Compliance Audit Program (5 Audits)
Citywide/Multiple Departments	Contractor Performance Evaluation Audit
Citywide/Multiple Departments	Department of Public Health Controls Over Billing Collections, and Reimbursements
Citywide/Multiple Departments	Employment Practices
Citywide/Multiple Departments	Health Benefit Reform Measure Analysis
Citywide/Multiple Departments	Information Technology Projects Audits Program (3 Audits)
Citywide/Multiple Departments	Payment Card Industry Compliance Audit
Citywide/Multiple Departments	Payroll Audits Program (3 Audits)
Citywide/Multiple Departments	Walkfirst - Pedestrian Investment Strategy
Citywide/Multiple Departments	Whistleblower Program
Controller/General Fund	Assessment of San Francisco County Jail Programs
Controller/General Fund	City Procurement Audit
Controller/General Fund	Emergency Communications Department Staffing and workload analysis
Controller/General Fund	Juvenile Probation Department Case Management System
Controller/General Fund	Property Tax Process Improvement
Controller/General Fund	Police Department District Station Boundaries
Human Services Agency	Housing and Homeless: Baseline Audit of Shelter+Care and HOPWA
Human Services Agency	Public Administrator: Audit of Inventory/Property Management of Assets
Human Services Agency	Review of Supporting Housing Program
Municipal Transportation Agency	Transit Effectiveness Project
Municipal Transportation Agency	Parking Meter Revenue Audit
Municipal Transportation Agency	Performance Audit of the Taxi and Accessible Service Division
Public Health	Audit of San Francisco General Hospital Rebuild's Architect & Engineer Firm's Progress Billings.
Public Health	Affordable Care Act Readiness and Implementation
Public Library	Branches Resource Analysis
Public Works	Capital Project Reporting Systems Improvements
Public Works	Earthquake Safety and Emergency Response Bond Construction Management Controls
Recreation and Parks	Park Inspections

Bos-11 page

STATE OF CALIFORNIA
Edmund G. Brown Jr., Governor

Fish and Game Commission

Sonke Mastrup, Executive Director
1416 Ninth Street, Room 1320
Sacramento, CA 95814
(916) 653-4899
(916) 653-5040 Fax
www.fgc.ca.gov

July 3, 2013

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of the revisions being made to the Notice of Proposed Rulemaking (OAL File Number Z-2013-0611-08) regarding the Commercial Herring Regulations, which was published in the California Regulatory Notice Register on June 21, 2013. The revisions affect the Economic Impact of Regulatory Action.

Sincerely,

Sheri Tiemann
Staff Services Analyst

Attachment

(3)

TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations

In the June 21, 2013 edition of the California Regulatory Notice Register (Register 2013, No. 25-Z, p. 914), the California Fish and Game Commission published a notice to amend sections 163 and 164, Title 14, CCR, regarding Commercial Herring Fishing. Revisions are being made to the Notice of Proposed Rulemaking (OAL File Number Z-2013-0611-08) as follows:

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, 2,300, or a 4,600 ton quota, are $(3,784,000), $(659,000), and $2,473,000, 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 fishermen 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 $3,784,000 and $659,000 (in 2012 dollars), for zero and 2,300 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:

[(Proposed Quota $) - (Prior Quota $)] x 1.8996 = "total economic output <u>impact</u> in $"

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 35 jobs for a quota of 4,600 tons. Conversely, a zero or 2,300 ton allowable quota could adversely impact as many as 243 or 9 jobs in the fishing industry and related industries. This is based on an employment multiplier of 26.7 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.

FISH AND GAME COMMISSION

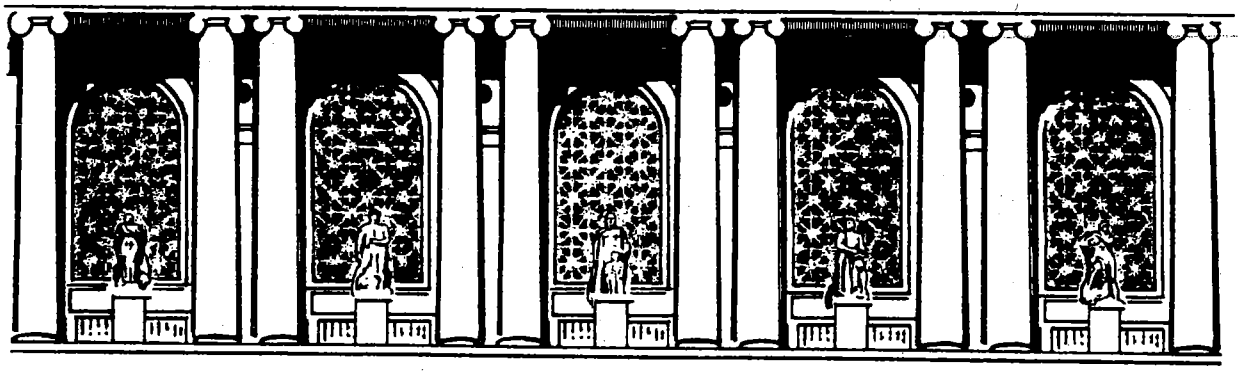
Sonke Mastrup
Executive Director

Dated: June 24, 2013

BOS-11
COB
c page
File 130544

THE PVBLIC LIBRARY OF THE CITY AND COVNTY OF SAN FRANCISCO
FOVNDED A.D. MDCCCLXXVIII ERECTED A.D. MDCCCCXVI
MAY THIS STRVCTVRE THRONED ON IMPERISHABLE BOOKS BE MAINTAINED AND CHERISHED FROM GENERATION TO GENERATION FOR THE IMPROVEMENT AND DELIGHT OF MANKIND

AK



The Original Library Movement

July 8, 2013

James Chaffee
63 Stoneybrook Avenue
San Francisco, CA 94112

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

Re: San Francisco Public Library Gift Fund (New)
File No. 130544, Petitions & Communications

Dear Supervisor:

As I am sure you are aware the provision for public comment has been increasingly debased by the Board of Supervisors under the current regime. Actually it is democratic traditions that have suffered as City Hall has become a swap meet with public assets being spread out for the corporate interests to pick over. The bargains are a windfall to the business interests and the harm comes to each member of the public an almost imperceptible dime at a time.

I delivered the attached complaint to the Sunshine Ordinance Task Force last week. This involves another attempt to bury even the minimal accountability that approval by the Board of Supervisors provides. It provides an exemption from disclosure gifts made, by its terms, "by non-profit organizations whose sole purpose is to support the activities of the San Francisco Public Library."

When there are continuing scandals about the refusal to provide records to support claims, a complete reversal of what contemporaneous reporting showed, a scandal regarding the City Librarian's Discretionary Fund, a pending investigation by the Fair Political Practices Commission, and the Branch Library Improvement Program is wrapping up, is the time when the public should be protected by calls for accountability. Yet an exemption for this outrageous theft is buried without public comment.

Very truly yours,

James Chaffee
cc: Interested citizens & media

(1)

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2013 JUL -2 PM 4:09

SUNSHINE ORDINANCE TASK FORCE
1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102
Tel. (415) 554-7724; Fax (415) 554-7854
http://www.sfgov.org/sunshine

SUNSHINE ORDINANCE COMPLAINT FORM

Please identify the City Official(s) and/or Employee(s) against whom the complaint is being made: Board of Supervisors

Please identify the Officials' and/or Employees' Board, Commission, Task Force, Department or other type of agency.

Name of the Custodian of Records tasked with providing the requested information:

- ☐ Alleged violation of public records access
- ☐ Alleged failure to provide information in a timely manner in accordance with the provisions of the Sunshine Ordinance
- ☒ Alleged violation of a public meeting — Budget and Finance Committee
- ☒ Please indicate date of meeting if known — June 19, June 21, 2013

Sunshine Ordinance Section(s): Gov. Code §54954.3(a), and Admin. Code §67.15(a)
(If known, please cite specific provision(s) being violated)

Please describe the alleged violation. Use additional paper if needed. Please attach any relevant documentation which supports your complaint.

Failing to provide opportunity for public comment. Taking action without public comment.

(Full description attached.)

Do you want a public hearing before the Sunshine Ordinance Task Force? ☒ yes ☐ no

(*Optional*)[1]
Name: James Chaffee Address: 63 Stoneybrook Ave., San Francisco, CA 94112

Telephone No.: 415-584-8999 E-Mail Address: chaffeej@pacbell.net

Date: July 2, 2013 Complainant Signature

I request confidentiality of my personal information. ☐ yes ☒ no
I request to remain anonymous ☐ yes ☒ no

[1] NOTICE: PERSONAL INFORMATION THAT YOU PROVIDE IS SUBJECT TO DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT AND THE SUNSHINE ORDINANCE, EXCEPT WHEN CONFIDENTIALITY IS SPECIFICALLY REQUESTED. COMPLAINANTS MAY BE ANONYMOUS AS LONG AS THEY PROVIDE A RELIABLE MEANS OF CONTACT WITH THE SOTF (PHONE NUMBER, FAX NUMBER, OR E-MAIL ADDRESS).

Memorandum

To: Sunshine Ordinance Task Force
From: James Chaffee
Date: July 2, 2013
Subject: Attachment to Complaint
Failure to Provide Public Comment

There are essentially two issues. The first is taking action without providing for public comment. The second is the failure to provide public comment that meets the standard of the open government laws.

I. Taking Action without Public Comment – Violation of Government Code §54954.3(a) and Admin. Code §67.15(a)

Both the Brown Act and the Sunshine Ordinance require that an opportunity for public comment be provided. The Sunshine Ordinance states at §67.15(a), "Every agenda for regular meetings shall provide an opportunity for members of the public to directly address a policy body" and except for the Board of Supervisors "before or during the committee's consideration of the item." Similarly, Government Code §54954.3(a) states, "Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item."

At the meeting of Board of Supervisors' Budget & Finance Committee of June 19, the committee took up two library related items; Item 5, "Ordinance amending the Administrative Code to reduce video and digital video disc fees and to increase reproduction of photographs for commercial purposes" and, Item 6, "Ordinance amending the Administrative Code to create a San Francisco Public Library gift fund and to amend the grant accept and expend procedure."

The only provision for public comment on Items 5 and 6 was "The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m." A meaningful excerpt of the agenda is attached as exhibit A.

Yet the chair of the committee, called for a vote and the committee unanimously passed those two items. The Deputy City Attorney in attendance then told the committee after their action that it was "preliminary." Indeed, under Government Code §54952.6, "'action taken' means a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or a negative decision." There is no allowance made for "preliminary." The Deputy City Attorney did not say the action was illegal, that it was inoperative, and that in needed to be rescinded.

It may seem technical and has no practical meaning whether it was preliminary or inoperative, when it was going to be ratified later anyway. On the contrary, it sends the signal that it is the public comment requirement that is technical and has no practical meaning.

II. Improper Provision for Public Comment – Violation of Government Code §54954.3(a) and Admin. Code §67.15(a)

Those same sections quoted above apply to this violation. The Sunshine Ordinance references at §67.15(a), "directly address a policy body on items of interest to the public. Government Code §54954.3(a) states, "directly address the legislative body on any item of interest to the public."

When the meeting of Budget & Finance Committee of June 21, took place there were 24 items on the agenda including the "Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015," the "Annual Salary Ordinance - FYs 2013-2014 and 2014-2015," as well as 22 other items. An examination of the minutes of that meeting demonstrate that there was one public comment period and all of the speakers were presumed to be speaking on every item. I have provided a meaningful excerpt from the minutes of June 21, attached as exhibit B, which demonstrates that fact. The comment on the budget is the same list of people beginning with Jefferson Fellows and ending with Debbie Lerman. Those same list of speakers spoke on: (1) the Department of Children, Youth and their Families' 2013-2016 Grant Awards, (2) the Treasure Island Development Authority Budget, the Office of Community Investment and Infrastructure Budget – FY 2013-2014 - Not to Exceed $58,600,000, (3) Lease and Management Agreement – Botanical Garden Society – Waiving Fees, (4) Health Code

– Patient Rates, (5) Administrative Code – Library Gift Fund, (6) Suspend Deposit to Stabilization Reserve, and 18 other items.

Because the agenda for June 21 was entitled "Public Comment for the Annual Budget for FY2013-2014 and FY2014-2015 for all Departments," attached as exhibit C, I did not understand that there were items on the agenda on which action would be taken. I thought that the purpose of the meeting was the improper public comment. There is no indication that the items are "action" or "discussion" as appear on many agenda and that appears to be required by Admin Code §67.7(a). The title seems to indicate that the agenda items are for public comment and this is a misdirection.

At the meeting of June 19, the committee addressed the budget one department at a time, asked questions of the departments, asked questions of their Budget Analyst and then conducted their own discussions and deliberations department by department. To meaningfully inform and influence the committee the public needs to be heard at the same time that other facts and ideas are being considered.

Many people forget that the opportunity to speak is not for the benefit of the speaker, it is the public that benefits by its representatives having all of the facts and ideas before them during its deliberations. This does not happen if the committee's deliberation is finished before the public speaks. That is why it states "before or during." It is true the committee takes up the budget again, but many departments are not called back because the committee was "finished" before the public spoke.

Fortunately, the Sunshine Ordinance Task Force has already taken a position that this procedure is improper. On March 22, 2005, the Task Force voted unanimously that the "bundling" of items for public comment was an illegal mechanism that deprived the public of its public comment rights. I have attached the meaningful section of the minutes of that meeting as exhibit D and the resulting letter to the Board of Supervisors dated March 25, 2005, as exhibit E.

The neglect of the public's right to testify has been diminished over the years to the point where the conduct of the Budget and Finance Committee is a travesty and openly flouts the open government laws. This is especially true with Item 5, the Library Gift Fund which itself is an attempt to remove the forum for supervisorial approval and public discussion that is supposed to provide accountability.

*Revised 6/18/13

City and County of San Francisco

Meeting Agenda

Budget and Finance Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Mark Farrell, Eric Mar, John Avalos, London Breed, Scott Wiener

Clerk: Victor Young (415) 554-7723

Wednesday, June 19, 2013 **10:00 AM** **City Hall, Legislative Chamber, Room 250**

Rescheduled Meeting

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Budget and Finance Committee on Wednesday, June 19, 2013, at 1:00 p.m., has been RESCHEDULED to Wednesday, June 19, 2013, at 10:00 a.m.

If a quorum of the Board of Supervisors is present, it constitutes a Special Meeting of the Board of Supervisors. The Clerk shall make a note of it in the minutes, and discussion shall be limited to items noticed on this agenda.

AGENDA CHANGES

REGULAR AGENDA

1. **130565** **[Official Advertising - The Examiner - FY2013-2014]**
Resolution designating The Examiner to be the official newspaper of the City and County of San Francisco for all official advertising for FY2013-2014. (Office of Contract Administration)

5/31/13; RECEIVED FROM DEPARTMENT.

6/11/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

2. **130566** **[Outreach Advertising and Neighborhood Outreach Advertising - FY2013-2014]**
Resolution designating Small Business Exchange to be the outreach newspaper of the City and County for the African American, Chinese, and Hispanic communities; Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual, and Transgender Community; Central City Extra to be the neighborhood outreach newspaper of the City and County for the Central City Neighborhood; Northside Publications/Marina Times to be the neighborhood outreach newspaper of the City and County for the Northern San Francisco Neighborhood; and West Portal Monthly to be the neighborhood outreach newspaper of the City and County for the West Portal Neighborhood; to provide outreach advertising for FY2013-2014. (Office of Contract Administration)

5/31/13; RECEIVED FROM DEPARTMENT.

6/11/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

3. 130535 [Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2013, for the FYs ending June 30, 2014, and June 30, 2015.

(Fiscal Impact)

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/17/13; CONTINUED.

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m.

The following departments are scheduled to appear before the Budget and Finance Committee on June 19, 2013:

**Treasure Island Development Authority*
**City Administrator*
Retirement System
Health Service System
Department of Human Resources
Civil Service Commission
Public Library
Law Library
Fire Department
Department of Emergency Management
Police Department
Public Defender
District Attorney
Superior Court
Sheriff
Adult Probation

**Departments scheduled to appear before the Budget and Finance Committee on June 17, 2013, and were continued to June 19, 2013.*

4. 130536 [Annual Salary Ordinance - FYs 2013-2014 and 2014-2015]
Sponsor: Mayor
Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2014, and June 30, 2015, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

(Fiscal Impact)

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/17/13; CONTINUED.

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m.

The following departments are scheduled to appear before the Budget and Finance Committee on June 19, 2013:

**Treasure Island Development Authority*
**City Administrator*
Retirement System
Health Service System
Department of Human Resources
Civil Service Commission
Public Library
Law Library
Fire Department
Department of Emergency Management
Police Department
Public Defender
District Attorney
Superior Court
Sheriff
Adult Probation

**Departments scheduled to appear before the Budget and Finance Committee on June 17, 2013, and were continued to June 19, 2013.*

5. 130539 [Administrative Code - Library Fines and Fees]
Sponsor: Mayor
Ordinance amending the Administrative Code to reduce video and digital video disc fees and to increase reproduction of photographs for commercial purposes.

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/11/13; REFERRED TO DEPARTMENT.

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m.

6. 130544 [Administrative Code - Library Gift Fund and Grant Accept and Expend Procedure]
Sponsor: Mayor
Ordinance amending the Administrative Code to create a San Francisco Public Library gift fund and to amend the grant accept and expend procedure.

(Fiscal Impact)

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m.

7. 130546 [Fire Code - San Francisco Fire Department Fines and Fees]
Sponsor: Mayor
Ordinance amending the Fire Code to increase the fees for certain Fire Department services, and making environmental findings.

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/11/13; REFERRED TO DEPARTMENT.

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m.

8. 130550 [Police Code - Street Artist Certificate Fee]
Sponsor: Mayor
Ordinance amending the Police Code Article 24, Section 2404.1, to increase the fee for a Street Artist Certificate in accordance with the applicable Consumer Price Index when necessary in order to ensure recovery of the costs of administering and enforcing the provisions of the Street Artists Ordinance; and making environmental findings.

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/11/13; REFERRED TO DEPARTMENT.

The chair intends to entertain a motion to continue File No. 130550 to June 20, 2013, at 10:00 a.m.

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m.

9. 130551 [Police Code - Police Emergency Alarm Ordinance]
Sponsor: Mayor
Ordinance amending the Police Code to transfer administration of the Police Emergency Alarm Ordinance from the Department of Emergency Management to the Tax Collector and clarify license renewal and appeal procedures.

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

The public comment legally required under California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption shall occur on Friday, June 21, 2013, at 10:00 a.m.

City and County of San Francisco
Meeting Minutes
Budget and Finance Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Mark Farrell, Eric Mar, John Avalos, London Breed, Scott Wiener

Clerk: Victor Young (415) 554-7723

Friday, June 21, 2013 **10:00 AM** **City Hall, Legislative Chamber, Room 250**

Special Meeting

Present: 5 - Mark Farrell, Eric Mar, John Avalos, London Breed, and Scott Wiener

MEETING CONVENED

The meeting convened at 10:10 a.m.

Public Comment for the Annual Budget for FY2013-2014 and FY2014-2015 for all Departments

REGULAR AGENDA

130535 [Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2013, for the FYs ending June 30, 2014, and June 30, 2015.
(Fiscal Impact)

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

06/17/13; CONTINUED. Heard in Committee. Speakers: Cynthia Goldstein, Executive Director (Board of Appeals); Harvey Rose (Budget and Legislative Analyst's Office); Dennis Herrera, City Attorney (City Attorney's Office); Robert Collins, Deputy Director (Rent Board); Melanie Nutter, Director (Department of the Environment); Todd Ruffo and Rana Simmons (Office of Economic and Workforce Development); Susanna Robinson; Kate Howard (Mayor's Office); John Rahaim, Director (Planning Department); Ben Rosenfield, Controller (Controller's Office); Emily Murase, Director (Department on the Status of Women); Tiffany Bohee, Executive Director (Successor Agency to the Redevelopment Agency); Tom Hui, Director (Department of Building Inspection); Marc Touitou, Director, and Ron Vincent (Department of Technology); Teresa Sparks, Executive Director (Human Rights Commission); Mohammed Nuru, Director, and Samon Stock (Department of Public Works); Angela Calvillo, Clerk of the Board (Board of Supervisors); Phimy Troung, Director (Youth Commission); Gigi Witley, Director, and Brian Cheu (Mayor's Office of Housing and Community Development); John St. Croix, Director (Ethics Commission); John Arntz, Director (Department of Elections); provided an overview and responded to questions raised throughout the discussion.

Treasure Island Development Authority and City Administrator presentations continued to July 19, 2013.

Continued to June 19, 2013.

06/19/13; CONTINUED. Heard in Committee. Speakers: Kate Howard (Mayor's Office); Greg Suhr, Chief and Maureen Gannon (Police Department); Ben Rosenfield, Controller (Controller's Office); Harvey Rose and Severin Campbell (Budget and Legislative Analyst's Office); Joyce Hicks, Director (Office of Citizen Complaints); Marian Saez, Director (Treasure Island Development Authority); Naomi Kelly, City Administrator (City Administrator's Office); Female Speaker; Micki Callahan, Director (Department of Human Resources); Lisa Ghotbi and Greg Sass (Health Service System); Jennifer Johnston, Executive Director (Civil Service Commission); George Gascon, District Attorney (District Attorney's Office); Luis Herrera, City Librarian (Public Library); Jon Givner (Deputy City Attorney); Marcia Bell (Law Library); Joanne Hayes-White, Chief (Fire Department); Anne Kronenberg, Director (Department of Emergency Management); Jeff Adachi, Public Defender (Public Defender's Office); Michael Yeun, Executive Officer (Superior Court); Ross Mirkarimi, Sheriff; Wendy Still, Chief Probation Officer (Adult Probation); provided an overview and responded to questions raised throughout the discussion.

Continued to June 20, 2013.

06/20/13; CONTINUED. Heard in Committee. Speakers: Jay Huish Director (Retirement System); Jose Cisneros Treasure/Tax Collector (Treasurer/Tax Collector's Office); Jay Xu, Director, and Mark McGlaughlin (Asian Arts Museum); Michele Gutierrez and Colin Baily, Director (Fine Arts Museum); Tom DeCainey, Executive Director (Art's Commission); Gregory Farrington, Executive Director (Academy of Sciences); Beth Murray, Executive Director (War Memorial); Phil Ginsburg, General Manager, Katharine Petrucione, and Nicolas Kinsey (Recreation and Park Department); Kate Howard (Mayor's Office); Jon Givner (City Attorney's Office); Harvey Rose (Budget and Legislative Analyst's Office); Karen Raye, Executive Director (Child Support Services); Bill Siffermann, Chief (Juvenile Probation); Laurel Klomook, Director (Children and Families Commission); Trent Rhorer, Director, and Anne Hinton (Human Services Agency); Barbara Garcia, Director, and Greg Wagner (Department of Public Health); Maria Su, Director (Department of Children, Youth and Families); provided an overview and responded to questions raised throughout the discussion.

Heard in Committee. Speakers: Jefferson Fellows; Ryan (Larkin Street Youth Services); Bernard Scholden; Vera Haile; Janice Morse; Jessica Layman; Amy Fong; Matt Jones; Ashley Saks; Emma Jenkins; Damien; Ronald Whiner; Mr. Jones; Perry Pumella; Clementine P.; Stefanie Martinez; Gail Geary; Elashay; I.W. Kline; Margaret Johnson; Kate Hopkey (San Francisco Village); Tom Davis; Jenny Collins; Windselin Westwood; Sonia Guerrera; Pat Coney; Male Speaker; Female Speaker; Mr. Tracy; Ann Tockin; Laurie Berstein; Brian Baysinger; Cathy Mordine; Michael Hampton (Hospitality House); Gail Hillman (Community Housing Partnership);

Margaret Bear; April; Winnie Yu; Female Speaker; Yo Hiyei; Antana Chiu; Reverend Arnold Taverson; Jesus; Dr. Harold Pierre; Gil Briem; Jennifer Friedenbock; Layton Collins; Deborah Eldemen; Korpin Moore; Chris Vector; Mary Bams; Janet Roy; Christy Tillason; Bob Barlenwell; Rico (Magic Zone); Krystal Earl; Tanika Shinyay (African American Culture Conference); Nicola Higgins; Jaden Magina; Tessa Capi; Female Speaker; Rashza Shelton; Cindy Lay; Kyla Leigan; Female Speaker; Nora Mattlitch; Rose Marymen; Sheena Bolman; Male Speaker; Sylvia Lindsay; Eunice Duval; Celine Day; Female Speaker; Ron Gullmen; Donna Chan; Patricia Thomas; Joni Chi ; Alice Rice; Matthew Snowbor; Male Speaker; Aaron Yin; Theresa Molina; Lucia Kimbal; Maria Afilas; Araceli Lara; Maria; Alicia Gomez (SRO Program); Dana Liba; Rachel Borei (Excelsior Teen); Erica Maybow; Aly Quintos; Lordes; Raquel Cardinas; Dayna Fernandez; Cecil Lebron; Female Speaker; Clarissa; Dennis Masoni; Dave Eldritch; Female Speaker; Dennis Anginori; Roslyn; Catherine Howard; Female Speaker; Lori Lieberman; Harry Parizeau; Emma (Alliance for Girls); Jessica, Female Speaker, Olivia and Denise (Oasis for Girls); Female Speaker; Marva Sanchez; Helena Brook; Kata Goss; Jason Gavin; David Stumple; Ron; Andre Robinson; Bradley Wheatmyer; Joan; Clarence Bryant (Golf Alliance); Karen O'Malley; Alma Creale; Sean Trivy; Nichols; Lacey Johnson; Kaitlin; Chris Daly; David; Emma Gerald; Peter Maziach; Nat Goldstein; Male Speaker; Jorge; Shelly; Eddie Young; Jackie Flynn; Male Speaker; Alex; Jeong Song; Female Speaker; Mr. James; Jacklyn Zimmer Jones; Laura Propley; Laurie Egee; Walter Paulson; Ben Hagenty; Female Speaker; John Boyd; Josh Blane; John Priest; Laura Gusman; Brenda Story; Mark Anthony; Anna Curbatinez; Rezine; Eden Gap; Mr. David; Fernado; Mr. Rodriguez; Natalie Naler (Local 3); James Bou; Jappie Goplet; Jane Bosio; Hailey; Charles Gough; Amy Zarith; Linda Zeal; Elliot Larkin; Ms. Davis; Keith Maffer; Greg Dotson; Mr. Williams; Male Speaker; Sue Ann Ship; Ms. Pitts; Bob Hanningberg; Ernestine; Male Speaker; Larry Pitts; Monica Martin; Harrison Mak; Mr. Gonzalez; Paul Terett; Lane Boren; Big Rich; Veronica Smite; Peter Camerez; Eric Filter (St. Francis Living Room); Edmond Larry; Mike Techsala (Wraparound Project); Male Speaker (Wraparound Project); Cal Richard(Espiscopal Services); Angelica Capayo; Raymond Castillo; Angela; Mariam Marine (translated); Charlie; Male Speaker; Mr. Medina; Debbie Lerman; provided information on the matter.

Continued to June 24, 2013.

CONTINUED to June 24, 2013, by the following vote:

Ayes: 5 - Farrell, Mar, Avalos, Breed, Wiener

130539 [Administrative Code - Library Fines and Fees]
Sponsor: Mayor
Ordinance amending the Administrative Code to reduce video and digital video disc reproduction of photographs for commercial purposes.

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

06/11/13; REFERRED TO DEPARTMENT. Refereed to the Planning Department for determination of environment impact.

06/19/13; CONTINUED. Heard in Committee. Speakers: Luis Herrera, City Librarian (Public Library); provided an overview and responded to questions raised throughout the discussion.

Continued to June 21, 2013.

Heard in Committee. Speakers: Jefferson Fellows; Ryan (Larkin Street Youth Services); Bernard Scholden; Vera Haile; Janice Morse; Jessica Layman; Amy Fong; Matt Jones; Ashley Saks; Emma Jenkins; Damien; Ronald Whiner; Mr. Jones; Perry Pumella; Clementine P.; Stefanie Martinez; Gail Geary; Elashay; I.W. Kline; Margaret Johnson; Kate Hopkey (San Francisco Village); Tom Davis; Jenny Collins; Windselin Westwood; Sonia Guerrera; Pat Coney; Male Speaker; Female Speaker; Mr. Tracy; Ann Tockin; Laurie Berstein; Brian Baysinger; Cathy Mordine; Michael Hampton (Hospitality House); Gail Hillman (Community Housing Partnership); Margaret Bear; April; Winnie Yu; Female Speaker; Yo Hiyei; Antana Chiu; Reverend Arnold Taverson; Jesus; Dr. Harold Pierre; Gil Briem; Jennifer Friedenbock; Layton Collins; Deborah Eldemen; Korpin Moore; Chris Vector; Mary Bams; Janet Roy; Christy Tillason; Bob Barlenwell; Rico (Magic Zone); Krystal Earl; Tanika Shinyay (African American Culture Conference); Nicola Higgins; Jaden Magina; Tessa Capi; Female Speaker; Rashza Shelton; Cindy Lay; Kyla Leigan; Female Speaker; Nora Mattlitch; Rose Marymen; Sheena Bolman; Male Speaker; Sylvia Lindsay; Eunice Duval; Celine Day; Female Speaker; Ron Gullmen; Donna Chan; Patricia Thomas; Joni Chi ; Alice Rice; Matthew Snowbor; Male Speaker; Aaron Yin; Theresa Molina; Lucia Kimbal; Maria Afilas; Araceli Lara; Maria; Alicia Gomez (SRO Program); Dana Liba; Rachel Borei (Excelsior Teen); Erica Maybow; Aly Quintos; Lordes; Raquel Cardinas; Dayna Fernandez; Cecil Lebron; Female Speaker; Clarissa; Dennis Masoni; Dave Eldritch; Female Speaker; Dennis Anginori; Roslyn; Catherine Howard; Female Speaker; Lori Lieberman; Harry Parizeau; Emma (Alliance for Girls); Jessica, Female Speaker, Olivia and Denise (Oasis for Girls); Female Speaker; Marva Sanchez; Helena Brook; Kata Goss; Jason Gavin; David Stumple; Ron; Andre Robinson; Bradley Wheatmyer; Joan; Clarence Bryant (Golf Alliance); Karen O'Malley; Alma Creale; Sean Trivy; Nichols; Lacey Johnson; Kaitlin; Chris Daly; David; Emma Gerald; Peter Maziach; Nat Goldstein; Male Speaker; Jorge; Shelly; Eddie Young; Jackie Flynn; Male Speaker; Alex; Jeong Song; Female Speaker; Mr. James; Jacklyn Zimmer Jones; Laura Propley; Laurie Egee; Walter Paulson; Ben Hagenty; Female Speaker; John Boyd; Josh Blane; John Priest; Laura Gusman; Brenda Story; Mark Anthony; Anna Curbatinez; Rezine; Eden Gap; Mr. David; Fernado; Mr. Rodriguez; Natalie Naler (Local 3); James Bou; Jappie Goplet; Jane Bosio; Hailey; Charles Gough; Amy Zarith; Linda Zeal; Elliot Larkin; Ms. Davis; Keith Maffer; Greg Dotson; Mr. Williams; Male Speaker; Sue Ann Ship; Ms. Pitts; Bob Hanningberg; Ernestine; Male Speaker; Larry Pitts; Monica Martin; Harrison Mak; Mr. Gonzalez; Paul Terett; Lane Boren; Big Rich; Veronica Smite; Peter Camerez; Eric Filter (St. Francis Living Room); Edmond Larry; Mike Techsala (Wraparound Project); Male Speaker (Wraparound Project); Cal Richard(Espiscopal Services); Angelica Capayo; Raymond Castillo; Angela; Mariam Marine (translated); Charlie; Male Speaker; Mr. Medina; Debbie Lerman; provided information on the matter.

6/21/13 - Amended on Page 1, Line 4, after 'to increase' add 'fees for scanning of photographs at higher resolutions and'.

AMENDED on Page 1, Line 4, after 'to increase' add 'fees for scanning of photographs at higher resolutions and' by the following vote:

Ayes: 5 - Farrell, Mar, Avalos, Breed, Wiener

Ordinance amending the Administrative Code to reduce video and digital video disc fees and to increase fees for scanning of photographs at higher resolutions and reproduction of photographs for commercial purposes.

RECOMMENDED AS AMENDED

130544 [Administrative Code - Library Gift Fund]

Sponsor: Mayor

Ordinance amending the Administrative Code to create a San Francisco Public Library gift fund and to amend the grant accept and expend procedure.
(Fiscal Impact)

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

06/19/13; CONTINUED. Heard in Committee. Speakers: Luis Herrera, City Librarian (Public Library); provided an overview and responded to questions raised throughout the discussion.

Continued to June 21, 2013.

Heard in Committee. Speakers: Jefferson Fellows; Ryan (Larkin Street Youth Services); Bernard Scholden; Vera Haile; Janice Morse; Jessica Layman; Amy Fong; Matt Jones; Ashley Saks; Emma Jenkins; Damien; Ronald Whiner; Mr. Jones; Perry Pumella; Clementine P.; Stefanie Martinez; Gail Geary; Elashay; I.W. Kline; Margaret Johnson; Kate Hopkey (San Francisco Village); Tom Davis; Jenny Collins; Windselin Westwood; Sonia Guerrera; Pat Coney; Male Speaker; Female Speaker; Mr. Tracy; Ann Tockin; Laurie Berstein; Brian Baysinger; Cathy Mordine; Michael Hampton (Hospitality House); Gail Hillman (Community Housing Partnership); Margaret Bear; April; Winnie Yu; Female Speaker; Yo Hiyei; Antana Chiu; Reverend Arnold Taverson; Jesus; Dr. Harold Pierre; Gil Briem; Jennifer Friedenbock; Layton Collins; Deborah Eldemen; Korpin Moore; Chris Vector; Mary Barns; Janet Roy; Christy Tillason; Bob Barlenwell; Rico (Magic Zone); Krystal Earl; Tanika Shinyay (African American Culture Conference); Nicola Higgins; Jaden Magina; Tessa Capi; Female Speaker; Rashza Shelton; Cindy Lay; Kyla Leigan; Female Speaker; Nora Mattlitch; Rose Marymen; Sheena Bolman; Male Speaker; Sylvia Lindsay; Eunice Duval; Celine Day; Female Speaker; Ron Gullmen; Donna Chan; Patricia Thomas; Joni Chi ; Alice Rice; Matthew Snowbor; Male Speaker; Aaron Yin; Theresa Molina; Lucia Kimbal; Maria Afilas; Araceli Lara; Maria; Alicia Gomez (SRO Program); Dana Liba; Rachel Borei (Excelsior Teen); Erica Maybow; Aly Quintos; Lordes; Raquel Cardinas; Dayna Fernandez; Cecil Lebron; Female Speaker; Clarissa; Dennis Masoni; Dave Eldritch; Female Speaker; Dennis Anginori; Roslyn; Catherine Howard; Female Speaker; Lori Lieberman; Harry Parizeau; Emma (Alliance for Girls); Jessica, Female Speaker, Olivia and Denise (Oasis for Girls); Female Speaker; Marva Sanchez; Helena Brook; Kata Goss; Jason Gavin; David Stumple; Ron; Andre Robinson; Bradley Wheatmyer; Joan; Clarence Bryant (Golf Alliance); Karen O'Malley; Alma Creale; Sean Trivy; Nichols; Lacey Johnson; Kaitlin; Chris Daly; David; Emma Gerald; Peter Maziach; Nat Goldstein; Male Speaker; Jorge; Shelly; Eddie Young; Jackie Flynn; Male Speaker; Alex; Jeong Song; Female Speaker; Mr. James; Jacklyn Zimmer Jones; Laura Propley; Laurie Egee; Walter Paulson; Ben Hagenty; Female Speaker; John Boyd; Josh Blane; John Priest; Laura Gusman; Brenda Story; Mark Anthony; Anna Curbatinez; Rezine; Eden Gap; Mr. David; Fernado; Mr. Rodriguez; Natalie Naler (Local 3); James Bou; Jappie Goplet; Jane Bosio; Hailey; Charles Gough; Amy Zarith; Linda Zeal; Elliot Larkin; Ms. Davis; Keith Maffer; Greg Dotson; Mr. Williams; Male Speaker; Sue Ann Ship; Ms. Pitts; Bob Hanningberg; Ernestine; Male Speaker; Larry Pitts; Monica Martin; Harrison Mak; Mr. Gonzalez; Paul Terett; Lane Boren; Big Rich; Veronica Smite; Peter Camerez; Eric Filter (St. Francis Living Room); Edmond Larry; Mike Techsala (Wraparound Project); Male Speaker (Wraparound Project); Cal Richard(Espiscopal Services); Angelica Capayo; Raymond Castillo; Angela; Mariam Marine (translated); Charlie; Male Speaker; Mr. Medina; Debbie Lerman; provided information on the matter.

6/21/13 - Amendment of the whole bearing a new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:

Ayes: 5 - Farrell, Mar, Avalos, Breed, Wiener

Ordinance amending the Administrative Code to create a San Francisco Public Library gift fund. (Fiscal Impact)

RECOMMENDED AS AMENDED

Ayes: 5 - Farrell, Mar, Avalos, Breed, Wiener

130545 [Business and Tax Regulation Code - Hotel Tax Allocations]

Sponsor: Mayor

Ordinance amending the Business and Tax Regulation Code to remove certain allocations of the Hotel Tax and eliminate obsolete provisions.
(Fiscal Impact)

06/04/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

06/17/13; CONTINUED. Heard in Committee. Speakers: Ben Rosenfield, Controller (Controller's Office); Kate Howard (Mayor's Office); provided an overview and responded to questions raised throughout the discussion.

Continued to June 21, 2013.

Heard in Committee. Speakers: Jefferson Fellows; Ryan (Larkin Street Youth Services); Bernard Scholden; Vera Haile; Janice Morse; Jessica Layman; Amy Fong; Matt Jones; Ashley Saks; Emma Jenkins; Damien; Ronald Whiner; Mr. Jones; Perry Pumella; Clementine P.; Stefanie Martinez; Gail Geary; Elashay; I.W. Kline; Margaret Johnson; Kate Hopkey (San Francisco Village); Tom Davis; Jenny Collins; Windselin Westwood; Sonia Guerrera; Pat Coney; Male Speaker; Female Speaker; Mr. Tracy; Ann Tockin; Laurie Berstein; Brian Baysinger; Cathy Mordine; Michael Hampton (Hospitality House); Gail Hillman (Community Housing Partnership); Margaret Bear; April; Winnie Yu; Female Speaker; Yo Hiyei; Antana Chiu; Reverend Arnold Taverson; Jesus; Dr. Harold Pierre; Gil Briem; Jennifer Friedenbock; Layton Collins; Deborah Eldemen; Korpin Moore; Chris Vector; Mary Barns; Janet Roy; Christy Tillason; Bob Barlenwell; Rico (Magic Zone); Krystal Earl; Tanika Shinyay (African American Culture Conference); Nicola Higgins; Jaden Magina; Tessa Capl; Female Speaker; Rashza Shelton; Cindy Lay; Kyla Leigan; Female Speaker; Nora Mattlitch; Rose Marymen; Sheena Bolman; Male Speaker; Sylvia Lindsay; Eunice Duval; Celine Day; Female Speaker; Ron Gullmen; Donna Chan; Patricia Thomas; Joni Chi ; Alice Rice; Matthew Snowbor; Male Speaker; Aaron Yin; Theresa Molina; Lucia Kimbal; Maria Afilas; Araceli Lara; Maria; Alicia Gomez (SRO Program); Dana Liba; Rachel Borei (Excelsior Teen); Erica Maybow; Aly Quintos; Lordes; Raquel Cardinas; Dayna Fernandez; Cecil Lebron; Female Speaker; Clarissa; Dennis Masoni; Dave Eldritch; Female Speaker; Dennis Anginori; Roslyn; Catherine Howard; Female Speaker; Lori Lieberman; Harry Parizeau; Emma (Alliance for Girls); Jessica, Female Speaker, Olivia and Denise (Oasis for Girls); Female Speaker; Marva Sanchez; Helena Brook; Kata Goss; Jason Gavin; David Stumple; Ron; Andre Robinson; Bradley Wheatmyer; Joan; Clarence Bryant (Golf Alliance); Karen O'Malley; Alma Creale; Sean Trivy; Nichols; Lacey Johnson; Kaitlin; Chris Daly; David; Emma Gerald; Peter Maziach; Nat Goldstein; Male Speaker; Jorge; Shelly; Eddie Young; Jackie Flynn; Male Speaker; Alex; Jeong Song; Female Speaker; Mr. James; Jacklyn Zimmer Jones; Laura Propley; Laurie Egee; Walter Paulson; Ben Hagenty; Female Speaker; John Boyd; Josh Blane; John Priest; Laura Gusman; Brenda Story; Mark Anthony; Anna Curbatinez; Rezine; Eden Gap; Mr. David; Fernado; Mr. Rodriguez; Natalie Naler (Local 3); James Bou; Jappie Goplet; Jane Bosio; Hailey; Charles Gough; Amy Zarith; Linda Zeal; Elliot Larkin; Ms. Davis; Keith Maffer; Greg Dotson; Mr. Williams; Male Speaker; Sue Ann Ship; Ms. Pitts; Bob Hanningberg; Ernestine; Male Speaker; Larry Pitts; Monica Martin; Harrison Mak; Mr. Gonzalez; Paul Terett; Lane Boren; Big Rich; Veronica Smite; Peter Camerez; Eric Filter (St. Francis Living Room); Edmond Larry; Mike Techsala (Wraparound Project); Male Speaker (Wraparound Project); Cal Richard(Espiscopal Services); Angelica Capayo; Raymond Castillo; Angela; Mariam Marine (translated); Charlie; Male Speaker; Mr. Medina; Debbie Lerman; provided information on the matter.

RECOMMENDED by the following vote:

Ayes: 5 - Farrell, Mar, Avalos, Breed, Wiener

City and County of San Francisco

Meeting Agenda

Budget and Finance Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Mark Farrell, Eric Mar, John Avalos, London Breed, Scott Wiener

Clerk: Victor Young (415) 554-7723

Friday, June 21, 2013 **10:00 AM** **City Hall, Legislative Chamber, Room 250**

Special Meeting

If a quorum of the Board of Supervisors is present, it constitutes a Special Meeting of the Board of Supervisors. The Clerk shall make a note of it in the minutes, and discussion shall be limited to items noticed on this agenda.

Public Comment for the Annual Budget for FY2013-2014 and FY2014-2015 for all Departments

NOTE: This shall constitute the opportunity for public comment pursuant to California Government Code Section 54954.3 and San Francisco Administrative Code Section 67.15(a) prior to adoption of all items on this agenda.

AGENDA CHANGES

REGULAR AGENDA

1. 130600 **[Hearing - Department of Children, Youth, and Their Families' 2013-2016 Grant Awards]**
Sponsors: Mar; Breed
Hearing on the selection processes and potential impacts of the Department of Children, Youth, and Their Families' 2013-2016 Grant Awards.

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

6/13/13; REFERRED TO DEPARTMENT.

2. 130535 **[Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]**
Sponsor: Mayor
Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2013, for the FYs ending June 30, 2014, and June 30, 2015.

(Fiscal Impact)

6/4/13; RECEIVED AND ASSIGNED to the Budget and Finance Committee.

March 22, 2005

SUNSHINE ORDINANCE TASK FORCE

MINUTES

Tuesday, March 22, 2005

4:00 p.m., City Hall, Room 408

Task Force Members

Seat 1	Erica Craven	Seat 8	Garrett Jenkins (Chair)
Seat 2	Richard Knee	Seat 9	David Parker
Seat 3	Sue Cauthen	Seat 10	Alexandra Nickliss (Vice-Chair)
Seat 4	Vacant	Seat 11	Marjorie Ann Williams
Seat 5	Heather Sterner		
Seat 6	Doug Comstock	Ex-officio	Gloria Young
Seat 7	David Pilpel	Ex-officio	Vacant

Call to Order: The meeting was called to order at 4:00 p.m.

Roll Call: Present: Craven, Knee, Cauthen, Sterner, Comstock, Pilpel, Jenkins, Parker, Nickliss, Williams.

Agenda Changes: Item 2 heard out of order.

Deputy city Attorney: Ernest Llorente

Clerk: Victor Young

1. Election of Chair:
   Nominations: Doug Comstock (Cauthen/Jenkins)
   Appointing Doug Comstock as chair of the Sunshine Ordinance Task Force.
   Ayes: Craven, Knee, Cauthen, Sterner, Comstock, Pilpel, Jenkins, Parker, Nickliss, Williams.

2. Approval of minutes of February 22, 2005.
   Amended and continued to next meeting.

3. Discussion of staffing the SOTF Administrator position.
   Speakers: Gloria L. Young, Clerk of the Board, spoke on the Office of the Clerk of the Board absorbing the duties of the Administrator and support provided is the equivalent of a fulltime position.

Exhibit D - 1

4. Report from Complaint Committee meeting of March 8, 2005

Member Cauthen made the report.

05-011 Recommendation to approve jurisdiction of complaint filed by Dr. Ahimsa Porter Sumchai against Supervisor Maxwell for alleged inadequate proper noticing of the December 6, 2004 Land Use Committee meeting pertaining to the 14 items relating to the Hunters Point Shipyard; and inadequate public comment.

Speakers: Dr. Ahimsa Porter Sumchai.

Motion to grant jurisdiction. (Cauthen/Knee)

Ayes: Craven, Knee, Cauthen, Sterner, Comstock, Pilpel, Jenkins, Parker, Nickliss, Williams.

05-013 Recommendation to approve jurisdiction of complaint filed by Joseph Engler against the San Francisco Police Department regarding alleged willfully refusing to provide public documents.

Speakers: none.

Motion to grant jurisdiction. (Cauthen/Jenkins)

Ayes: Craven, Knee, Cauthen, Sterner, Comstock, Pilpel, Jenkins, Parker, Nickliss, Williams.

5. 05-011 Public Hearing, complaint filed by Dr. Ahimsa Porter Sumchai against Supervisor Maxwell for alleged inadequate proper noticing of the December 6, 2004 Land Use Committee meeting pertaining to the 14 items relating to the Hunters Point Shipyard; and inadequate public comment.

Dr. Ahimsa Porter Sumchai, complainant

Madeleine Licavoli, Deputy Clerk, Board of Supervisors

Motion to find that there was no violation of the Sunshine Ordinance. However, pursuant to Sunshine Ordinance 67.3(c) a letter shall be directed to the Board of Supervisors urging them to refrain from "bundling" of legislative matters at Board and Committee Meetings. (Knee/Cauthen)

Ayes: Craven, Knee, Cauthen, Sterner, Comstock, Pilpel, Parker, Williams

Absent: Nickliss

Excused: Jenkins

6. 05-013 Public Hearing, complaint filed by Joseph Engler against the San Francisco Police Department regarding alleged willfully refusing to provide public documents.

Speakers: Joseph Engler, complainant, and Lt. Doug Groshong, Police Department

Motion to find that the Police Department may have violated 67.24(c) of the Sunshine Ordinance by its over broad application of Penal Code 832.7 and 832.8, which prohibits the release of Police Personnel Records, in this case when the release of some of the information would not specifically harm any job applicant to the Police Department. The Task Force urges the Police Department to apply Penal Code 832.7 and 832.8 as narrowly as possible. The people have the right to know the qualification and education of those in all City departments. (Parker/Knee)

Ayes: Craven, Knee, Cauthen, Sterner, Comstock, Parker, Williams; Noes. Pilpel; Absent: Nickliss; Excused: Jenkins

7. Report from Compliance & Amendments Committee meeting of March 9, 2005.

Member Knee made the report.

Exhibit D - 2

SUNSHINE ORDINANCE
TASK FORCE

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

March 25, 2005

The Honorable Members of the Board of Supervisors
#1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Subject: Board of Supervisors and Committee Meetings Public Comment Segment

Dear Board Members:

Pursuant to the Sunshine Ordinance Sec.67.3(c), the Sunshine Ordinance Task Force, urges the Board of Supervisors to refrain from the "bundling" of legislative matters at Board and Committee meetings. When related legislative matters are "bundled" together at the meetings, it prevents the public from providing testimony on each item. Three minutes per member of the public for all bundled items is not an adequate amount of time to address such important matters.

A complaint, filed against Supervisor Maxwell, was heard at the March 22, 2005 Sunshine Ordinance Task Force meeting for alleged inadequate public comment during the December 6, 2004 Land Use Committee meeting for fourteen Bayview Hunters Point Shipyard Redevelopment legislative items. The Task Force found that Supervisor Maxwell did not violate the Sunshine Ordinance but during the hearing heard testimony about the conduct of the Land Use Committee.

While no complaint was filed against the Land Use Committee hearing these items, evidence show there may have been a violation of the Sunshine Ordinance by "bundling" the fourteen legislative items during the December 6, 2004 Land Use Committee meeting.

We are troubled by such policy practice and request the Board members to consider each legislative item as a separate item to afford adequate public comment. We also encourage the Board to entertain a discussion on this matter and hopefully develop a policy to address the Sunshine Ordinance concerns.

Thank you for your consideration and support in this matter.

Sincerely,

Doug Comstock
Chair, Sunshine Ordinance Task Force

C: Gloria Young, Clerk of the Board
Ted Lakey, Deputy City Attorney
Cheryl Adams, Deputy City Attorney
Ernie Llorente, Deputy City Attorney
Sunshine Ordinance Task Force Members
Dr. Ahimsa Porter Sumchai

City and County of San Francisco

OFFICE OF THE SHERIFF

Ross Mirkarimi
Sheriff
(415) 554-7225

June 17, 2013
Reference # 2013-128

To: Angela Calvillo, Clerk of the Board of Supervisors

From: Ross Mirkarimi RM
Sheriff

Re: Waiver Request – Rapid Notify, Inc.

Pursuant to the San Francisco Administrative code Chapters 12B & 14B attached is a copy the Waiver Request Form (HRC Form 201) sent to the Human Right Commission on 6/7/12.

The Sheriff's Department is requesting a waiver from Administrative Code Chapters 12B and 12C requirement for Rapid Notify, Inc.

This is a one year subscription fee which allows access to Rapid Notify a proprietary emergency telecommunication system for San Mateo County. The System is fully automated and pre-programmed with all residential and business telephone numbers in that county. This will allow the Sheriff to initiate automated emergency telephone calls, to residents and business of San Mateo County, with emergency information (prisoner escapes, etc.) related to the San Francisco County Jails, located in San Bruno.

If you have any questions about this request, please contact Mylan Luong at (415) 554-7236. Thanks you for your consideration of this matter.

City and County of San Francisco

OFFICE OF THE SHERIFF

Ross Mirkarimi
Sheriff
(415) 554-7225

June 17, 2013
Reference# 2013-129

To: Theresa Sparks,
Human Rights Commission

From: Ross Mirkarimi
Sheriff

Re: Waiver Request – Rapid Notify, Inc.

The Sheriff's Department is requesting waiver from Administrative Code Chapters 12B and 12C requirement for Rapid Notify, Inc.

This is a one year subscription fee which allows access to, Rapid Notify, a proprietary emergency telecommunication system for San Mateo County. The System is fully automated and pre-programmed with all residential and business telephone numbers in that county. This will allow the Sheriff to initiate automated emergency telephone calls, to residents and business of San Mateo County, with emergency information (prisoner escapes, etc.) related to the San Francisco County Jails, located in San Bruno

If you have any questions about this request, please contact Mylan Luong at (415) 554-7236. Thanks you for your consideration of this matter.

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number:

➤ **Section 1. Department Information**

Department Head Signature: _____

Name of Department: Sheriff

Department Address: 1 Dr Carton B. Goodlett Place, Rm#456, San Francisco, CA

Contact Person: Mylan Luong

Phone Number: 554-7236 Fax Number: 554-7050

➤ **Section 2. Contractor Information**

Contractor Name: Rapid Notify, Inc. Contact Person:

Contractor Address: 26041 Cape Dr., Suite 220, Laguna Niguel, CA 92677

Vendor Number (if known): 76003 Contact Phone No.:949 582-3020

➤ **Section 3. Transaction Information**

Date Waiver Request Submitted: 06/17/13 Type of Contract: Service

Contract Start Date: 7/1/13 End Date: 6/30/14 Dollar Amount of Contract: $12,075.00

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

☒ Chapter 12B

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

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

☒ A. Sole Source

☐ B. Emergency (pursuant to Administrative Code §6.60 or 21.15)

☐ C. Public Entity

☒ D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 06/17/13.

☐ E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on:

☐ F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:

☐ G. Local Business Enterprise (LBE) (for contracts in excess of $5 million; see Admin. Code §14B.7.I.3)

☐ H. Subcontracting Goals

HRC ACTION

12B Waiver Granted: _____ 14B Waiver Granted: _____
12B Waiver Denied: _____ 14B Waiver Denied: _____

Reason for Action: _____

_____

HRC Staff: _____ Date: _____

HRC Staff: _____ Date: _____

HRC Director: _____ Date: _____

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.

Date Waiver Granted: _____ Contract Dollar Amount: _____

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number: 6907
06-26-13P04:54 RCVD

➤ **Section 1. Department Information**

Department Head Signature: _____

Name of Department: Sheriff

Department Address: 1 Dr Carton B. Goodlett Place, Rm#456, San Francisco, CA

Contact Person: Mylan Luong

Phone Number: 554-7236 Fax Number: 554-7050

➤ **Section 2. Contractor Information**

Contractor Name: Rapid Notify, Inc. Contact Person:

Contractor Address: 26041 Cape Dr., Suite 220, Laguna Niguel, CA 92677

Vendor Number (if known): 76003 Contact Phone No.:949 582-3020

➤ **Section 3. Transaction Information**

Date Waiver Request Submitted: 06/17/13 Type of Contract: Service

Contract Start Date: 7/1/13 End Date: 6/30/14 Dollar Amount of Contract: $12,075.00

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

☒ Chapter 12B

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

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

☒ A. Sole Source

☐ B. Emergency (pursuant to Administrative Code §6.60 or 21.15)

☐ C. Public Entity

☒ D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 06/17/13.

☐ E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on:

☐ F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:

☐ G. Local Business Enterprise (LBE) (for contracts in excess of $5 million; see Admin. Code §14B.7.I.3)

☐ H. Subcontracting Goals

HRC ACTION

12B Waiver Granted: √ 14B Waiver Granted: _____
12B Waiver Denied: _____ 14B Waiver Denied: _____

Reason for Action: Renewal of proprietary emergency notification system related to San Bruno jail.

MB ~~HRC~~ Staff: Tonra Winchester Date: 6-27-13

MB ~~HRC~~ Staff: Maria Cordero Date: 6-27-13

HRC Director: _____ Date: 6.27.13

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.

Date Waiver Granted: _____ Contract Dollar Amount: _____

San Francisco
Water Power Sewer
Services of the San Francisco Public Utilities Commission

525 Golden Gate Avenue, 7th Floor
San Francisco, CA 94102
T 415.554.0725
F 415.554.1854
TTY 415.554.3488

MEMORANDUM

TO: Tamra Winchester
San Francisco Human Rights Commission

FROM: David Robinett, Manager, Retail Services

DATE: July 2, 2013

SUBJECT: **Waiver Justification**
Department of General Services (Vendor 07615)

Attached is the Waiver Request Form (HRC Form 201) for Department of General Services for the purchase of gas. We are in the process of setting up the blanket/PO for fiscal year 2013/2014 and would like to get this waiver submitted for your review and approval in order to proceed with the PO.

General Services is a government bulk purchasing arrangement.

Please call me at 415 554-0735 if you have any questions.

Thank you.

(6)

BPU 111300 0041

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number: 6482
Rec'd 6-7-12 -TW

➤ **Section 1. Department Information**

Department Head Signature: John Doyle, Acting AGM 6/7/12
Barbara Hale, AGM Power Enterprise

Name of Department: San Francisco Public Utilities Commission, - Power

Department Address: 1155 Market Street, 4th Floor, San Francisco, CA

Contact Person: David Roblnett/Lisa Contreras

Phone Number: 415/554-2453 Fax Number: 415/554-1854

➤ **Section 2. Contractor Information**

Contractor Name: ~~Dept. of General Services~~ Contact Person: Marshall Clark

Contractor Address: PO Box 989053, MS-407, West Sac. CA 95798-9053

Vendor Number (If known): 17615 02 Contact Phone No.:916/375-5990

Received 6-6-12 Office of AGM Power

➤ **Section 3. Transaction Information**

Date Waiver Request ~~Submitted~~: 06/05/12 (7-1-12) TW Type ~~of Contract~~: Gas Aggregation Program (6-30-13) TW

Contract Start Date: ~~July 2012~~ End Date: ~~June 2013~~ Dollar Amount of Contract: $8,864,018

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

☒ Chapter 12B

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

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

☐ A. Sole Source

☐ B. Emergency (pursuant to Administrative Code §6.60 or 21.15)

☐ C. Public Entity

☐ D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 6-21-12

☒ E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on:

☐ F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:

☐ G. Local Business Enterprise (LBE) (for contracts in excess of $5 million; see Admin. Code §14B.7.I.3)

☐ H. Subcontracting Goals

HRC ACTION

12B Waiver Granted: ✓ 14B Waiver Granted: _____
12B Waiver Denied: _____ 14B Waiver Denied: _____

Reason for Action: Purchase of gas through government bulk purchasing agreement

HRC Staff: Tomra Winchester Date: 6-22-12

HRC Staff: _____ Date: _____

HRC Director: _____ Date: 6.25.12

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.

Date Waiver Granted: _____ Contract Dollar Amount: _____

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number:

➤ **Section 1. Department Information**

Department Head Signature: [signature] 7/1/13
Barbara Hale/Assm Power

Name of Department: San Francisco Public Utilities Commission, - Power

Department Address: 525 Golden Gate Avenue, San Francisco, CA

Contact Person: David Robinett/Lisa Contreras

Phone Number: 415/554-2453 Fax Number: 415/554-1854

➤ **Section 2. Contractor Information**

Contractor Name: Dept. of General Services Angie/sam Contact Person: Marshall Clark

Contractor Address: PO Box 989053, MS-407, West Sac. CA095798-9053

Vendor Number (if known): 17615 Contact Phone No.:916/375-5990

➤ **Section 3. Transaction Information**

Date Waiver Request Submitted: 06/28/13 Type of Contract: Gas Aggregation Program

Contract Start Date: July 2013 End Date: June 2014 Dollar Amount of Contract: $7,513,581.66

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

☒ Chapter 12B

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

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

Received
7.1.13
Office of AGM
Power

☐ A. Sole Source

☐ B. Emergency (pursuant to Administrative Code §6.60 or 21.15)

☐ C. Public Entity

☐ D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on:

☒ E. Government Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on:

☐ F. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on:

☐ G. Local Business Enterprise (LBE) (for contracts in excess of $5 million; see Admin. Code §14B.7.I.3)

☐ H. Subcontracting Goals

HRC ACTION

12B Waiver Granted: _____ 14B Waiver Granted: _____
12B Waiver Denied: _____ 14B Waiver Denied: _____

Reason for Action: _____

HRC Staff: _____ Date: _____

HRC Staff: _____ Date: _____

HRC Director: _____ Date: _____

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types D, E & F.

Date Waiver Granted: _____ Contract Dollar Amount: _____

Board of Supervisors

To: BOS-Supervisors; Miller, Alisa
Subject: Marina Degaussing station file 120987

From: GinaJausoro@aol.com [mailto:GinaJausoro@aol.com]
Sent: Monday, July 01, 2013 2:40 PM
To: Lee, Mayor; Board of Supervisors; Farrell, Mark; Kim, Jane; Wiener, Scott; Campos, David; Cohen, Malia; Avalos, John; Yee, Norman (BOS); london.breen@sfgov.org
Subject: Marina Degaussing station file 120987

Hello:
What a great time to be a San Franciscan! Congratulations to all of you for your excellent work to even the playing field for all people regardless of gender. That said, there is some work that needs to done on other issues, now that we have put the major work behind us to ensure equal rights for everyone: I'm talking about the Marina Green.

Frankly I was not sure how I felt about this restaurant coming in, but after attending a meeting last week at the St. Francis Yacht Club, I learned the real facts, and quite frankly, I am shocked to hear details of some of the dealings of this idea almost flying under the radar completely to being a done deal. It sounded downright shady, right out of the olden days, of 'the squeaky wheel gets greased.'

Why did you pass this without notifying anyone of the potential issues here? I hear that there are people including our supervisor, who are anxious to get a bus line down to the Marina Green, among other things. In order to do that, the city charter requires a commercial entity there, meaning this restaurant. Then we were told that our supervisor, Mr. Farrell, asked people to come up with alternatives. How can you have an alternative when the building is a tear-down?

We were told that the building, called the degaussing station, is going to be moved right onto the green. The reality is that this building should be scrapped. We now all know and completely understand that the plan is to tear it down, save one wall or part of a wall to 'preserve' the building. Also, oh yes, the square footage would be doubled to include outside seating. Why? This building cannot be moved because it's seismically unsafe. Additionally, we were told that we, the taxpayers, have to foot the bill to make the new place ADA compatible because it's on park land.

We were also told that initially the plan was, and it almost was allowed to become, a simple cafe in this location, but at the last minute someone bullied someone else into allowing this restaurant which is going to be high priced, and which will serve beer and wine. (Their excuse, when asking about the prices, was that $3 oysters would be served. Okay. Who is going to buy just one $3 oyster? Seriously.)

We were told the restaurant hours would only be until nine p.m., but when they clean up, it's eleven, okay midnight even. Additionally, you'd have all the free parking taken away from the people there to enjoy the green, who DON"T need to drink or eat. If people want to eat and drink, Chestnut is three blocks away. Do we need a bunch of drunks coming to the Marina Green? For generations, people, including kids who play organized sports there, have peacefully co-existed; not once since I have lived here, have I ever seen anyone drunk and obnoxious. Why do you want to change that?

I also heard that someone bragged that the Marina Green is going to become a tourist destination, just as the term 'fisherman's wharf' is now, because this restaurant, which apparently already has a Marina Green logo, is going to sell hats/mugs/shirts, in order to maximize profits as so is designated? One little old lady stood up at the meeting and told a story about how her dad fought against Lombard Street allowing hotels, that it would become blighted if it was allowed to happen. He was promised it would only be one hotel. Look how many dumps are there now: No one wants to walk along Lombard, businesses have a hard time staying open in fact, as we all know.

Therefore, If you allow this one restaurant, if you look at the verbage of this issue, it has been written so the door is now officially open to allow many businesses. The place could and most likely would become another Fisherman's Wharf. I know you are trying to clean the place up, but short of bulldozing those blighted shops, it cannot be saved to where locals like us want to go over there. Tourists don't know any better, we all know that. So really, I ask again, why can't people walk three blocks to Chestnut to eat and drink? What's the point?

(7)

We were also told that this would come before a full board vote with little to no notice so that people who are against this cannot make it to the meeting. If that happens, then I will fully realize that in this city, the squeaky wheel truly does get greased.

C'mon, do the right thing, tear down the building and restore that open space, keep it a park for everyone to enjoy. If you have a restaurant there, that's the tipping point for the commercialization of the Marina Green, one of our City's gems that should be kept that way, GREEN. Mr. Farrell, let it go. Something has to be in it for you, because no one in their right mind, after hearing all the facts, would let this degaussing station morph into a restaurant of any sort. There are no alternatives. Tear the darn building down and call it a day.

Thank you,
Gina Jausoro

Thank you,

BOS-11
cpage

File 130481

June-28/2013

To Bd of Supervisors

My name is Charlie Apodaca I (goyrold)

Am Retired from Juvi ct. San Francisco, I was a Janitor for 18yrs

And I would like to ask the Supervisor to that they support Retirees' FULL protection of Health Care and pension Benefits -

thanks you!

Charlie Apodaca
P.O. Box 40676
S.F. CA-94140

Charlie Apodaca
phone
650-991-1874

(8)

From: Board of Supervisors
To: BOS-Supervisors
Subject: Exercise Bars in Parks...
Attachments: Exercise Bars 1.jpg; Exercise Bars 2.jpg; Exercise Bars 3.jpg

From: Bhanu Vikram [mailto:bhanu1vikram@gmail.com]
Sent: Wednesday, July 03, 2013 11:52 AM
To: Lee, Mayor; RPDInfo; info@colemanadvocates.org; feedback@sfparksalliance.org; Board of Supervisors
Subject: Exercise Bars in Parks...

Dear All,

I am hereby writing to request that exercise bars be put in all the parks of San Francisco. Here is a thrilling video of what I am talking about: https://www.youtube.com/watch?v=twlBJnBvpSY

Most San Francisco parks lack exercise equipment. Most parks seem to have kids play grounds, but not much for the youth and the adults.

While they only take a little space, exercise bars are also the cheapest investment a city can make in improving its parks.

Kindly help install exercise bars in all parks.
Thank you all.

Best,
Bhanu Vikram

(9)

From: Board of Supervisors
To: BOS-Supervisors
Subject: Breaking News: Uber, Lyft, sidecar increase to their Insurance policy

From: AT&T Online Services [mailto:sidxd6@sbcglobal.net]
Sent: Wednesday, July 03, 2013 4:58 PM
To: Mark Gruberg; Marcelo Fonseca #1389; Inna Novik; Shawn Nguyen - De 1407; Iosif Basis; Bill Funcannon; Michael-Inna's Worker; Jamshid E. Khajvandi; Cheryl F. Boyd; Tom Scog; Hayashi, Christiane; Keith R. Raskin; Sa Ary (Yellow Cab 9037); Sf Taxi Cab Talk; Lee, Mayor; Board of Supervisors; Royal Taxi; mailto:Edwin Santiago; Lonnie Pasquini #1300
Subject: Breaking News: Uber, Lyft, sidecar increase to their Insurance policy

Everyone:

Each Uber, Lyft, Sidecar etc, now must have the equivalent to Limo Insurance to operate ($4,000/year or $333/month)! Yea!!! Score one for the Taxis!

Sid Castro
Royal Taxi

Sent from Yahoo! Mail on Android

(10)

From: Board of Supervisors
Subject: waste money in sfgh pharmacy
Attachments: scan0003.pdf

-----Original Message-----
From: sam lee [mailto:sfghmoney@gmail.com]
Sent: Wednesday, July 03, 2013 1:43 PM
To: whistleblower; Board of Supervisors; AvalosStaff; scott.weiner@sfgov.org; Cohen, Malia; Campos, David; Yee, Norman (BOS); Kim, Jane; Breed, London; Tang, Katy; Farrell, Mark; Chiu, David; Lee, Mayor
Subject: waste money in sfgh pharmacy

1- IT department (computer pharmacy dept): 1 pharmacist supervisor (Eugenio Ocampo), 1 clinical pharmacist (Justin class 2454), 1 pharmacist (Angela class 2450), 2 pharmacy technicians (Craig & Roseana). Eventhough they have some funds for cpoe (computerized physician order entry), but it does not mean that they can have 3 pharmacists ($200,000 per year + benefit for each pharmacist), 2 techs ($130,000 each). All they need is a computer software engineer to be incharge for all computer related problems. What's the point of having a clinical pharmacist in IT dept??? nothing to do with his clinical knowleges. If you look at their resumes, none of them has computer experiences...Sometimes, they even pull Tony (unit dose pharmacist class 2450) to help them out .Besides, the hospital has its own IT dept.
Why not using it?
2-qa (quality assurance) dept: pharmacy supervisor (Julie Russell), 3 pharmacy technicians (Joel, Vanita & Kimberly). All they do is checking all the temp logs, signature logs, iv label logs. One clerk is enough to do their job. How can they check inpatient pharmacy staffs' works when Joe & Kimberly have no inpatient experiences!
3-Around Oct 2011, Elaina Tinloy was hired as a pharmacy consultant after the previous pharmacy director Fred Hom was fired . After a few months, she became city employee regardless of her past record in Kaiser (she got fired from sf kaiser).
4-You probably remember the scandal of mis-using patients' fund in Laguna Honda a few years ago. After that, Sharon Kotabe (CHN pharmacy
director) retired but she still comes back to work under "consultant".
There's no way you can find out the record because the money has been spent under "vendor" account.
5-Graveyard pharmacist always has 10hrs schedule but recently pharmacy supervisor accomodated personal preferences by letting Bryan Mar have 11.5hrs schedule so he only works 7 nights per 2 weeks instead of 8 nights.
In other word, city has to pay another pharmacist to cover 1 more night and there's no need for Bryan Mar to come in early while other graveyard pharmacists have 10hrs schedule. If you look at Bryan Mar's salary, you will be shocked because he made so much money in overtime.
6-There are too many clinical pharmacists (class 2454)hired eventhough number of beds in SFGH is still the same. 14 yrs ago, there was only 4 clinical pharmacists but now there are more than 25 . City has to pay each one $200,000 per year plus benefit. Not mentioning that there's $10,000 retention bonus. With this economy, there will be no problem in hiring. Who approved that bonus money? What do they do after they round with medical team a few hours in the morning? Drug monitoring, checking patients' profile do not take the whole day. No one knows whether they round with doctors or not! There's no clinical service after 3:30pm, no replacement when they call in sick or on vacation, especially in infectious dept, oncology dept , hiv dept or pain management. That means their service is not important. Another waste money case in OR/Pacu dept. 2 clinical pharmacist (Mirna, Quyen) dont even have their office to work..Probably the office may be available by the end of July but nothing guaranteed.

(11)

Clinical pharmacists makes so many mistakes in chemo that the supervisor had to pull Kim Nguyen (class 2450) to cover chemo. More Clinical pharmacists covers iv dept but they keep making mistakes. Last month, the iv room fail to meet state standard (too dirty)..TPN was contracted out, more premix iv bags has been ordered, that means less work in iv area. How come there's no elimination in staffing?

Now there's more opening jobs for clinical pharmacists. It may seem too early to get ready for a new hospital. Let's compare number of clinical pharmacists (clast 2454) at sfgh vs ucsf or oakland medical center or Santa Clara county. I'm sure sfgh clinical pharmacist number is at least double or even triple. It's time to interview some pharmacy technicians or staff pharmacists (class 2450) to find out the truth. Here's the attachment compared 2001 pharmacist schedule vs 2013 schedule. The ones w/ asterisk are clinical pharmacists (class 2454). You will see a dramatic increase in number of pharmacists. 3 clinical pharmacist in 2001 and now 25 clinical pharmacists. Only a few of these positions funded by government but someone needs to look at how much money sfgh gets fr goverment vs how much sfgh spends on these jobs. *25 positions in class 2454 means roughly 25x$200,000= 5 millions per year...not mentioning IT department and too many pharmacy supervisors too.* I hope these are helpful to save city money.

BOS-11
Cpage

July 3, 2013
San Francisco Board of Supervisors
1 Dr. Carlton Goodlet Place # 244
San Francisco, CA 94102

RE: San Francisco Housing Authority

I have dealt with The San Francisco Housing Authority for over 20 years. The same problem exists after each appointment as nothing changes. The current commissioners sit, look, and repeat. The San Francisco Housing Authority is the sinking ship that no one seems to really care about. As you know in business to make a profit we do not have to be friends. The lack of d desire and follow thru is rampant within The San Francisco Housing Authority with failure to return calls and follow up on scheduled meetings.

Violations by Section 8 participants continue with no removals from the program. Drug dealing at locations all over the city. Security for seniors is basically nonexistent Conditions of property that reeks of rehabilitation. Tenants reside on Section 8 properties that do not pay their percentages of the rent. There is no landlord committee to bring all components of the program together. I have suggested this over 3 Commission hearings. But you have also handicapped San Francisco Housing Authority with no legal representation.

Staff that cannot succeed because of the workloads put on the authority on a daily basis. Because of the poor review of existing violators many independent landlords refuse to accept Section 8 vouchers. When this happens many Section 8 participants that might make good tenants lose their vouchers and are out of the program. There needs to be a regular program where inspections of all residences under payments by The San Francisco Housing Authority are randomly checked for illegal activity, maintain the units and unlawful occupancy will result in termination of your certificate.

Under the current budget the program cannot and will not survive. An example of costs would be a 200.00 dollar window replacement going to 800.00 dollars with Union Costs. Why not let apprentices do the work or start a training program for Section 8 participants to learn to make repairs. Learn to work within and also save money and get people back into the work force. Section 8 has instead of temporary subsidy become lifetime. I can understand disabled persons and their needs. It now seems that the program has been overrun with people who have given up with no desire to re-enter the workplace.

With the next appointment try to ask of Nicole McCray Dickerson just what can we do to make The San Francisco Housing Authority work for San Francisco.

Sincerely,

Warren Foster
703 Market Street #812
S.F. CA, 94103

(12)

File 130664

COX CASTLE NICHOLSON

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Orig: Leg Clerk
C: BOS-11 (electronically)
CoB, Dep City Attny Cpage

July 1, 2013

BY PERSONAL DELIVERY AND EMAIL

File No. 56238

Board President David Chiu and Members of the Board of Supervisors
c/o Ms. Angela Calvillo
Clerk of the Board of Supervisors
City & County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

RECEIVED
BOARD OF SUPERVISORS
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2013 JUL -1 PM 12: 20
BY

Re: Project Sponsor's Response to Appeal of Historic Preservation Commission Motion No. 0197

Dear President Chiu and Supervisors:

We write on behalf of 706 Mission Street Co. LLC ("Project Sponsor") in response to the Notice of Appeal of May 15, 2013, Historic Preservation Commission Article 11 Determination; Motion No. 0197 (the "Appeal"), submitted by 765 Market Street Residential Owner's Association, Friends of Yerba Buena, Paul Sedway, Ron Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins (collectively, "Appellants") on June 13, 2013. The Appeal pertains to the 706 Mission Street – The Mexican Museum and Residential Tower Project ("Project"). For the reasons detailed below, the Appeal should be denied, and we respectfully request that the Board of Supervisors ("Board") uphold the Historic Preservation Commission's ("HPC") approval of Motion No. 0197 and the Major Permit to Alter for the Project.

I. Summary

The HPC properly granted a Major Permit to Alter for the Project. The HPC is the City and County of San Francisco's ("City's") expert body with delegated authority to make decisions regarding historic resources, such as the decision at issue here. The Appeal concerns the narrow issue of whether the Project complies with Article 11 of the Planning Code. In that regard, the Appeal is meritless and raises no new Article 11 issues not already considered and rejected by the HPC.

In addition, the HPC properly adopted California Environmental Quality Act ("CEQA") Findings (the "CEQA Findings") for the Major Permit to Alter and those CEQA Findings are supported by substantial evidence. To the extent that the Appeal uses the CEQA Findings to raise policy issues related to the height of the Project, the Appeal is not the proper forum to address those policy issues. The Board will have an opportunity to consider the full merits of the Project when it considers the Project Sponsor's proposed legislative approvals establishing a Special Use District and amending the City's Height Map for the Project.

Finally, the adequacy of the Environmental Impact Report ("EIR") for the Project is not the proper subject of the Appeal. The Board unanimously upheld the Planning Commission's certification of the EIR on May 7, 2013, and the Board need not revisit its prior decision.

(13)

II. The HPC Properly Granted a Major Permit to Alter for the Project.

The HPC is the City's expert body delegated with authority to make decisions regarding historic resources, including alterations of Significant Buildings and new construction in Conservation Districts. Section 4.135 of the City's Charter requires that HPC members "be persons specially qualified by reasons of interest, competence, knowledge, training and experience in the historic, architectural, aesthetic, and cultural traditions of the City." (San Francisco Charter § 4.135.) As such, the HPC's decision to approve the Project's Major Permit to Alter reflects significant expertise and special qualifications related to historic resources.

The Board has jurisdiction over appeals of HPC decisions on Permits to Alter in those cases where Board approval of the project is otherwise required. (Planning Code § 1115.) Here, the Project requires Board approval of legislation creating a Special Use District and amending the City's Height Map for the Project. The Board will have an opportunity to consider the full merits of the Project in connection with these legislative approvals. The Appeal of the HPC's decision to issue a Major Permit to Alter concerns only the narrower issue of whether the Major Permit to Alter complies with Article 11 of the Planning Code.

The HPC unanimously approved the Major Permit to Alter for the Project on May 15, 2013. This approval authorized the interior and exterior rehabilitation and seismic upgrade of the Aronson Building, which is designated as a Category I (Significant Building) within the New Montgomery-Mission-Second Street Conservation District ("NMMS Conservation District"). The approval also authorized the construction of a new 480-foot tall tower (with 30-foot mechanical penthouse)[1] adjacent to and physically connected to the Aronson Building, which tower would be located partially within the NMMS Conservation District. In approving the Permit to Alter, the HPC unanimously found that "the proposed work is compatible with the exterior character-defining features of the subject building and meets the requirements of Article 11."

The Appeal raises no new Article 11 issues not already considered and rejected by the HPC at its May 15, 2013, hearing on the Project's Major Permit to Alter. Many of these issues were also raised in Appellants' appeal of the Planning Commission's certification of the Final EIR for the Project. The Board rejected each of those issues, and unanimously upheld the Planning Commission's certification of the EIR on May 7, 2013. As discussed in more detail below, and as the HPC and the Board already have determined, none of these issues withstand scrutiny.

First, Appellants allege the tower impermissibly increases the height of the Aronson Building by more than one story in violation of Planning Code Section 1111.6(c)(6), which provides that any additions to the height of Category I Significant Buildings "shall be limited to one story above the height of the existing roof, shall be compatible with the scale and character of the building,

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[1] The HPC's May 15, 2013, approval of the Major Permit to Alter authorized the construction of a 520-foot tall tower (with 30-foot mechanical penthouse). The Project Sponsor subsequently reduced the tower height to 480-feet tall (with 30-foot mechanical penthouse). The HPC's conditions of approval for the Project's Major Permit to Alter specifically contemplated and accounted for this reduction in height. (*See* Motion No. 0197, Condition of Approval #21 ("Any reduction of the overall height and massing of the proposed tower adjacent to the Aronson Building shall be reviewed and approved by Department of Preservation staff provided that all other conditions of approval outlined in this motion are met.").)

and shall in no event cover more than 75 percent of the roof area." Appellants' claim is without merit. The Project will not increase the height of the Aronson Building by more than one story. The only vertical addition to the Aronson Building is a rooftop solarium, which will be one story in height in compliance with Section 1111.6(c)(6).[2]

Appellants have suggested, both to the HPC and in the Appeal, that the proposed tower is an addition to the Aronson Building, when in fact the tower is more appropriately characterized as "related new construction" because, among other things, it will be constructed adjacent to and not on top of the Aronson Building and will appear as a separate building. (Historic Resource Evaluation Response, p. 14.) This characterization is also consistent with Page & Turnbull's May 3, 2013, memorandum entitled "706 Mission Street Project: New Construction Within the New Montgomery, Mission, & Second Street Conservation District" (the "Page & Turnbull Memorandum") (attached hereto as Exhibit A), which explains that the tower "will be built adjacent to the original walls of the Aronson Building." Based on the evidence, the HPC properly concluded that the Project is not a greater than one-story addition that would violate Section 1111.6(c)(6).

Second, Appellants allege the tower is not compatible in scale with the Aronson Building pursuant to Section 1111.6(c)(6). This provision of Section 1111.6(c)(6) applies to additions, and as noted above, the tower is not an addition to the Aronson Building. Nevertheless, the EIR evaluated the tower's compatibility with the Aronson Building, and concluded that the Project, including the tower, would not result in a substantial adverse change in the significance of the Aronson Building. (Draft EIR at pp. IV.D.54-IV.D.55.) The proposed location of the tower - on a non-character-defining, mid-block elevation that has no ornamental detail or historic fenestration - would not obscure or result in the removal of any character-defining features. Furthermore, while the tower would be clearly differentiated from the Aronson Building in its modern contemporary design vocabulary, the tower would relate to the Aronson Building through setbacks, change of building plane and materials, and related floor plates at lower levels. Based on the EIR analysis and other evidence in the record, the HPC properly found that the tower would "be compatible with the character of the [Aronson Building]." (HPC Motion No. 197.)

Third, Appellants allege the tower is not compatible in scale and design with NMMS Conservation District in violation of Section 1113(a). This Section requires that any new construction or alteration of an existing structure in the NMMS Conservation District be "compatible in scale and design" with the conservation district "as set forth in Sections 6 and 7 of the Appendix." Section 6 of Appendix F sets forth the architectural features that characterize NMMS Conservation District, including the characteristic massing and composition, scale, materials and color, detailing, and ornamentation. Section 7 of Appendix F sets forth the standards of review

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[2] The HPC found that the rooftop solarium is "compatible with the size, scale, color, material and character of the Aronson Building and surroundings, and will not destroy significant features of the building[.]" (HPC Motion No. 197.) The HPC also found that "the new addition on the rooftop will be minimally visible from the public right-of-way as it will be one-story in height over the roof level ... and cover less than 75% of the roof area." (HPC Motion No. 197.)

for new construction and major alterations with the NMMS Conservation District to ensure consistency with these characteristics.

The HPC found that the Project would be compatible with the NMMS District, and this finding is supported by substantial evidence. (HPC Motion No. 0197.) The EIR evaluates the tower's compatibility with the NMMS Conservation District, and EIR concludes that the tower would not obstruct or detract from any existing visual relationship between the Aronson Building and the NMMS Conservation District, and that the tower would be consistent with the existing pattern of contemporary high-rise towers at the edges of the NMMS Conservation. (Draft EIR at pp. IV.D.55-IV.D.56.) The tower's compatibility with the NMMS Conservation District is further analyzed in the Page & Turnbull Memo, which concludes that the tower would be compatible with the characteristics set forth in Section 6 and standards set forth in Section 7 of Appendix F:

> While the proposed tower is contemporary in style and taller than other contributing buildings within the Conservation District, it is consistent with Article 11's standards for compatibility. ... The tower's setting is one that includes a number of existing towers in the immediate vicinity both inside and outside of the Conservation District's boundaries, and additional towers are contemplated in the Conservation District by the Transit Center District Plan. The proposed tower fits within its local contextual setting of a mix of historical buildings and contemporary towers in the downtown core area of the City, and is consistent and compatible with the Conservation District pursuant to Article 11.

(Page & Turnbull Memo at p. 7.) While Section 6(b) of Appendix F notes that more than two-thirds of the *contributing* buildings in the NMMS Conservation District are three to eight stories in height, the NMMS Conservation District includes many non-contributing towers. As detailed in the Page & Turnbull Memorandum, the NMMS Conservation District includes seven existing towers of heights up to 484 feet, two of which are located in the immediate vicinity of the proposed tower. Furthermore, five additional towers of heights of up to 600 feet are proposed within the NMMS Conservation District boundaries under the recently adopted Transit Center District Plan. Based on the evidence, the HPC properly concluded that tower is compatible with the NMMS Conservation District.

Fourth, Appellants allege that the tower violates the Planning Code because "the alteration is not consistent with and appropriate for the effectuation of the purposes" of Article 11. The purposes of Article 11 include:

- The protection, enhancement, and perpetuation of structures and subareas of special architectural, historical, and aesthetic character which contribute to the urban environment;

- The maintenance and improvement of a healthy economy for the City by enhancing both property values and the City's attractiveness as a place to do business;

- The protection and improvement of the City's attractiveness to tourists and other visitors, and the stimulus to business provided thereby; and

- The enrichment of the educational, cultural, aesthetic and spiritual life of the inhabitants of the City by fostering knowledge of the heritage of the City's past and retaining the quality of the City's urban environment.

(Planning Code § 1101(c).) The Project and tower are consistent with and effectuate these purposes. The Project protects and rehabilitates the historic Aronson Building, thereby promoting the fundamental purpose of Article 11 – to protect, enhance, and perpetuate structures of particular historical importance in C-3 Districts. The HPC found that "the proposed additions and alterations respect the character-defining features of the subject building", and that the Project, including the tower, "will not cause the removal, alteration or obstruction of any character-defining features of the Aronson Building." (HPC Motion No. 0197.) The HPC also found that the tower will be compatible with the size, scale, color, material, and character-defining features of the Aronson Building and its surroundings, including the Conservation District. (HPC Motion No. 0197.)

The Project will also enhance property values and the overall attractiveness of the City by rehabilitating the Aronson Building and by replacing what is currently a vacant, underutilized lot with a contemporary tower, designed by an internationally renowned architect. For the same reason, the Project will improve the City's attractiveness to visitors and other persons. The Project will also enrich the education, cultural, aesthetic and spiritual life of the City by completing the Yerba Buena cultural and arts district and replacing a vacant, underutilized lot with a contemporary new structure that will be the permanent home for The Mexican Museum and its important collection. Based on the evidence, the HPC properly found that the Project is consistent with the purposes of Article 11.

Fifth, Appellants allege the tower does not comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties and Rehabilitation (the "Secretary's Standards"). As HPC staff explained in detail in its Permit to Alter Case Report for the May 15, 2013, hearing, and as set forth in HPC Motion No. 0197 approving the Permit to Alter, the tower fully complies with each of the Secretary's Standards. The Historic Resource Evaluation Response ("HRER"), which is part of the EIR, also concludes that "the proposed tower to be constructed at the west side of the Aronson Building complies with the Standards and would not cause a substantial adverse impact to the Aronson Building[.]" (HRER p. 14.)

Furthermore, at the May 15, 2013, hearing, the HPC added conditions of approval to further ensure the tower's consistency with Article 11 and the Secretary's Standards, including requiring that "[t]he Project Sponsor shall continue to work with Department Preservation staff on the design of the tower base in order to ensure compatibility with the adjacent Aronson Building, the New Montgomery-Mission-Second Street Conservation District, and surrounding context." The HPC also required that the "final design of the tower base shall return to the Architectural Review Committee of the Historic Preservation Commission for review and comment" prior to approval of the architectural addendum. These conditions of approval provide additional assurance

that the tower will be consistent with Article 11 and the Secretary's Standards. Based on the evidence, the HPC properly found that the Project is consistent with the Secretary's Standards.

In sum, the HPC, the City's expert body in the evaluation of historic resources and the implementation of Article 11, correctly concluded based on substantial evidence in the record that the Project is fully compliant with Article 11. For these reasons, the Appeal lacks merit.

III. The HPC Properly Adopted CEQA Findings That Are Supported by Substantial Evidence.

The HPC adopted CEQA Findings for the Project as part of its approval of the Major Permit to Alter on May 15, 2013. Appellants endeavor to use the Appeal of the CEQA Findings to address policy issues related to the height of the Project. As discussed above, the Board will have an opportunity to consider fully these policy issues in connection with its consideration of the Project Sponsor's proposed legislative approvals creating the Special Use District and amending the City's Height Map for the Project.

Contrary to Appellant's claims, and as discussed in more detail below, the HPC's CEQA Findings were properly adopted and are supported by substantial evidence in the record.

First, the HPC properly adopted findings regarding the Project's potential impacts to historic resources. Consistent with the Board's unanimous decision to uphold the Planning Commission's certification of the EIR, the HPC found that the Project would not cause a substantial adverse change in the significance of the Aronson Building. This finding is supported by the EIR and administrative record. (See Draft EIR at pp. IV.D.54-IV.D.55.) According to the EIR, the tower is designed to read as an entirely separate building, and would be constructed immediately to the west of the Aronson Building, an elevation that has been previously altered with a 1978 annex, which would be removed. The proposed location of the tower - on a non-character-defining, mid-block elevation that has no ornamental detail or historic fenestration - would not obscure or result in the removal of any character-defining features. Furthermore, while the tower would be clearly differentiated from the Aronson Building in its modern contemporary design vocabulary, the tower would relate to the Aronson through setbacks, change of building plane and materials, and related floor plates at lower levels. For these reasons and others set forth in the record, the HPC properly found that the Project would not result in a substantial adverse change to the significance of the Aronson Building historical resource.

The HPC also found that the Project would not cause a substantial adverse change in the significance of nearby historic resources. This finding is also supported by the EIR and administrative record. (See Draft EIR at pp. IV.D.55-IV.D.57.) The Aronson Building is a contributing resource to the Aronson Historic District and the NMMS Conservation District. The EIR concluded that the Project would neither block any views of the Aronson Building as seen from these historic districts, nor alter physical relationships between the Aronson Building and these historic districts. The Project also includes exterior rehabilitation and demolition of non-historic annexes that would enhance the Aronson Building's historic architectural character and thereby strengthen its contribution to historic district districts. The EIR explained that while the visual

setting of the Aronson Building would be altered, the juxtaposition of low-scale historic buildings viewed against a back drop of contemporary high-rise towers is already a characteristic of the NMMS Conservation District. The Project would also not obstruct any features of nearby individual historical resources, such as St. Patrick Church or the Jessie Street Substation. For these reasons and others set forth in the record, the HPC properly found that the Project would not result in a substantial adverse change to the significance of nearby historical resources.

The HPC also found that the Project would not have a cumulatively considerable contribution to a significant cumulative impact on historic resources. This finding is also supported by the EIR and administrative record. (Draft EIR at p. IV.D.58.) The EIR concluded that, given the distance between the Project site and other anticipated construction projects, including the proposed 17-story addition to the Palace Hotel and the expansion of the San Francisco Museum of Modern Art, and given the scale of existing intervening development which limits visual interaction between the Project and other anticipated projects, the effect of the Project on historic resources combined with the effects of other cumulative development would not contribute to any cumulative impairment of the historic setting. For these reasons and others set forth in the record, the HPC properly found that the Project would not have a cumulatively considerable contribution to a significant cumulative impact on historic resources.

Second, the HPC properly adopted findings regarding potential cumulative shadow impacts related to the Project, which are supported by substantial evidence. Consistent with the Board's unanimous decision to uphold the Planning Commission's certification of the EIR, the HPC found that the Project would make a cumulatively considerable contribution to significant cumulative shadow impacts on parks, outdoor recreation facilities, and other public areas. The HPC found that there is no feasible mitigation measure that would reduce the Project's contribution to this cumulative impact to a less than cumulatively considerable level, "because any theoretical mitigation [i.e., a significant reduction in the height of the tower] that would address the cumulatively considerable contribution to shadow impact ... would fundamentally alter the project's basic design and programming parameters." (CEQA Findings at p. 23.) Furthermore, even if the Project's shadow impacts on Union Square were eliminated entirely, the Project would still shadow other open spaces and public areas. (CEQA Findings at p. 24.) In addition, the Project has already undergone several design changes and reductions in height in order to reduce shadow impacts.

The CEQA Findings also explain that "rather than treat a substantial reduction in height as a mitigation measure, the EIR analyzed a reduction in height in two separate alternatives." (CEQA Findings at p. 24.) In these alternatives analyzed – the Existing Zoning Alternative, which would include an approximately 196-foot tall tower, and the Reduced Shadow Alternative, which would include an approximately 351-foot tall tower – the HPC found that these alternatives would not eliminate the cumulatively considerable contribution to significant cumulative shadow impacts. While the reduced building heights under these alternatives would not create net new shadow on Union Square, shadow from these alternatives would still reach some of the same open spaces and sidewalks that would be shadowed by the Project, and contribute to a cumulatively significant shadow impact. (CEQA Findings at pp. 28, 35.)

The HPC further found that the Existing Zoning Alternative and the Reduced Shadow Alternative would be infeasible, which findings are supported by substantial evidence. (CEQA Findings at pp. 28-30, 34-37.) The infeasibility findings were based in part on financial infeasibility (because Project costs plus developer targeted return would not exceed Project revenues for either of the alternatives), but also on other policy factors, including the fact that both alternatives would fail to provide all of the public benefits that would be generated by the Project, and the fact that the alternatives would result in reduced residential density on the Project site. The reduced size of the alternatives also would reduce fiscal and employment benefits offered by the Project.

The height of the Project has been reduced from the original proposal of 605 feet, to 520 foot project analyzed in the EIR, and now to 480 feet without any corresponding reduction in the public benefits that the Project Sponsor is required to provide. Any further reductions in the height of the Project would jeopardize the Project's ability to feasibly provide the planned public benefits, particularly when consideration is given to dynamic factors such as the risks of changing market conditions and the risk of challenges to project approvals, which are not considered in the feasibility analysis contained in the EPS Report.

As required by CEQA, the EIR considered a reasonable range of alternatives. The EIR need not consider every conceivable height iteration of the Project. (14 Cal. Code Regs. § 15126.6(a) ("An EIR need not consider every conceivable alternative to a project").) Nor must an EIR consider every conceivable variation of alternatives identified. (*Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477). By arguing that there are economically feasible alternative tower heights lower than 510 feet but higher than 351 feet that should have been included as project alternatives in the EIR, Appellants are effectively asking the City to identify as project alternatives every height increment between 351 feet and 510 feet in order to determine the exact economically feasible "breakpoint" for the Project. CEQA does not require such an exercise. Instead, CEQA only requires that a lead agency evaluate a reasonable range of alternatives. A range of alternatives that includes every height increment between 351 feet and 510 feet is not reasonable. *See Village Laguna of Village Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3rd 1022, 1028 (finding that a range of alternatives that included various dwelling unit counts was reasonable, but that because there were "literally thousands of 'reasonable alternatives,'" it would be unreasonable to include every variation of units counts as alternatives, such as a "20,001 home alternative").

In sum, the HPC properly adopted CEQA Findings for the Project, and the CEQA Findings are supported by substantial evidence in the record. The Board will have an opportunity to consider the policy issues associated with the height of the Project in connection with the proposed legislative approvals for the Project.

IV. The Adequacy of the EIR, Which the Board Unanimously Upheld, Is Not the Proper Subject of this Appeal.

Appellants attempt to use the Appeal to ask the Board to revisit its prior decision affirming the Planning Commission's certification of the EIR. Appellants previously challenged the

adequacy of the EIR by appealing the Planning Commission's certification of the EIR to the Board. On May 7, 2013, the Board unanimously voted to affirm the Planning Commission's certification of the Final EIR, after finding that the Final EIR was adequate, accurate, and objective, and fully complied with CEQA.

Nonetheless, for purposes of responding in full to Appellants' Notice of Appeal, we address each of the EIR adequacy issues that Appellants raise.

First, the EIR did not identify the HPC as having permitting jurisdiction or identify the Major Permit to Alter as a discretionary approval for the Project because the NMMS Conservation District had not yet been expanded to include the Aronson Building within its boundaries. The Project now requires a Major Permit to Alter in light of the fact that in 2012, the Aronson Building was designated a Category I Significant Building under Article 11 and because the lot on which the Aronson Building is located (APN Block 3706, Lot 093) was added to the expanded NMMS Conservation District. The list of approvals in the EIR captures those approvals that were then known to the City. This is sufficient for purposes of CEQA. (14 Cal. Code Regs. Section 15124(d)(1) (project description to include intended uses of the EIR "to the extent that the information is known to the Lead Agency").) The EIR nonetheless treated the Aronson Building as a historic resource and analyzed the impacts of the Project on the Aronson Building and nearby historic resources, including the proposed expanded boundaries of the NMMS Conservation District. (Draft EIR IV.D.44- IV.D.45; IV.D.55- IV.D.57.) The Final EIR also noted that the Aronson Building has been designated a Category I Significant building and that the boundaries of the NMMS Conservation District had been expanded to include the Aronson Building. (Final EIR III.I.19; III.I.22.)

Second, the EIR evaluated the Project's consistency with the Planning Code. Appellants previously raised the issue of the Project's alleged inconsistency with Article 11 in the EIR appeal, and this issue was rejected by the Board. As described above, The Planning Department and the HPC also determined that there are no inconsistencies between the Project and the applicable standards and requirements under Article 11, and that the Project will not result in any significant impacts to historic resources.

Third, the EIR's cumulative impact analysis compares the Project's potential historic resource impacts to existing conditions and in light of past, present, and reasonably foreseeable future projects in the vicinity of the Project. This approach is consistent with the requirements of CEQA. (14 Cal. Code Regs. §§ 15125(a), 15130.) Appellants claim that "the cumulative impact analysis impermissibly compares the Project to the "already degraded setting." Because CEQA requires the cumulative analysis to consider existing conditions and past, present, and future projects, analyzing the existing setting (degraded or not), is proper.

Fourth, the EIR evaluates the Project's potential impacts to historic resources from a number of different analytical perspectives. In addition to evaluating the Project's consistency with the existing pattern of contemporary high-rises, the EIR also evaluates whether the Project would obstruct or detract from any existing visual relationship between the Aronson Building and the NMMS Conservation District, and concludes that the Aronson Building would not obstruct or

detract from any such visual relationship, and would continue to relate to the historic architectural character of the early twentieth-century commercial buildings in the NMMS Conservation District. The EIR also notes that the rehabilitation program and demolition of non-historic annexes under the Project would enhance the Aronson Building's historic architectural character and thereby strengthen its contribution to the Conservation District. In light of all of these analytical perspectives, the EIR concludes that the Project would not materially impair the ability of the NMMS Conservation District to convey its historic significance and would not result in a substantial adverse change in the significance of any of the historic districts to which the Aronson Building contributes.

Fifth, Appellants argue the EIR should be recirculated because the Planning Commission and the Recreation and Park Commission, in amending the absolute cumulative limit ("ACL") for Union Square to accommodate the Project, "added back" to the ACL the shadow eliminated from Union Square as a result of the 1996 Macy's department store project. The amendment to the ACL for Union Square to include the Macy's shadow adjustment does not require recirculation because the use of the Macy's shadow adjustment does not constitute new information showing new or substantially more severe impacts, or showing a feasible alternative or mitigation measure considerably different from those considered in the EIR. (14 Cal. Code Regs. § 15088.5(a).) Contrary to Appellants assertions, the baseline for analyzing shadow impacts in the EIR is not the ACL. The baseline is the existing shadow. Thus, the EIR analysis was adequate and recirculation is not required.

In conclusion, as previously determined by the unanimous vote of the Board, the EIR adequately analyzes the Project's potential environmental impacts, including impacts to historic resources. Furthermore, there is no new information regarding the Project's impacts or mitigation measures that would require recirculation of the EIR.

* * *

We respectfully request that the Board of Supervisors uphold the Historic Preservation Commission's unanimous approval of the Major Permit to Alter for the Project.

Sincerely,

Cox, Castle & Nicolson, LLP

By Margo N. Bradish /SBB
Margo N. Bradish

CC:
Mr. Sean Jeffries, Millennium Partners
Marlena Byrne, Esq., San Francisco City Attorney's Office
Susan Cleveland-Knowles, Esq., Esq., San Francisco City Attorney's Office
Ms. Lily Yegazu, San Francisco Planning Department

Mr. Tim Frye, San Francisco Planning Department
Mr. Kevin Guy, San Francisco Planning Department
Ms. Debra Dwyer, San Francisco Planning Department
Tom Lippe, Esq., Lippe Gaffney Wagner LLP
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7/1/13

Exhibit A

Page & Turnbull Memorandum

MEMORANDUM

DATE	May 3, 2013	PROJECT NO.	08197
TO	Lily Yegazu	PROJECT	706 Mission
OF	San Francisco Planning Dept. 1650 Mission, Ste. 400 San Francisco, CA 94103	FROM	Elisa Skaggs
CC	J. Turnbull, M. Bradish, S. Birkey, S. Hood, K. Gonsar, J. Ishihara	VIA	Email

REGARDING: 706 Mission Street Project :New Construction Within the New Montgomery, Mission, & Second Street Conservation District

PURPOSE OF MEMORANDUM

This memorandum supplements our analysis of the new construction adjacent to the Aronson Building and within a portion of the New Montgomery, Mission, & Second Street Conservation District ("Conservation District") for purposes of evaluating the compatibility of the new construction with the Conservation District pursuant to Article 11 of the San Francisco Planning Code.

SUMMARY OF PROJECT

As discussed on pages II.19-20 of the Draft EIR ("DEIR"), as part of the proposed project, the historically important Aronson Building would be restored and rehabilitated, and the existing non-historic additions and rooftop mechanical penthouse removed. With the proposed project, the Aronson Building would house residential lobby space and retail/restaurant space on the ground floor. The Mexican Museum would occupy the second and third floors and possibly some of the retail space on the ground floor of the Aronson Building. The fourth through tenth floors of the Aronson Building have been designated as either residential or office flex space. The tenth floor of the Aronson Building could be occupied by residential amenity space, in lieu of either residential or office flex space. The roof of the Aronson Building would include outdoor amenity open space and a solarium for residential use. Building services would occupy a small portion of each floor, both above and below grade.

The proposed project would demolish the non-historic additions on the west and north sides of the Aronson Building (the "West Annex" and the "North Annex", respectively). The proposed project

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would also include the construction of a 47-story tower west of, adjacent to, and physically connected to the existing 10-story Aronson Building, a portion of which would be located on what is currently the Aronson Building lot, within the footprint of the existing West Annex and adjacent vacant site area. Because the Conservation District includes the Aronson Building lot (Block 3706, Lot 093), this portion of the tower (which has a footprint of approximately 3,490 square feet) would be located within the Conservation District's boundary. The total tower footprint is 12,990 square feet.

As discussed in the DEIR, The Mexican Museum would occupy the ground through fourth floors of the proposed tower, residential uses would occupy the fifth through forty-seventh floors, and storage and building services including storage space for The Mexican Museum would occupy the basement levels. New connections between the tower and the existing Aronson Building would be established for programmatic and structural requirements, while still maintaining a visual separation between the buildings through the exterior tower façade design and tower setback fronting Mission Street.

NEW MONTGOMERY, MISSION & SECOND STREET CONSERVATION DISTRICT

In 2012, the name of the New Montgomery-Second Street Conservation District was changed to the New Montgomery, Mission & Second Street Conservation District and its boundaries were expanded to include a number of properties, including the Aronson Building lot (Block 3706, Lot 093). (*See* DEIR, IV.D.44-45; RTC III.I.9) The general boundaries of the Conservation District are Market Street to the north, Second Street to the east (including the properties along the east side of Second Street), Tehama Street to the south, and Third Street to the west. The only property within the Conservation District to the west of Third Street is the Aronson Building lot, thus the Aronson Building is at the outer edge of the Conservation District.

The historic resources in the Conservation District were constructed primarily between the years of 1906 and 1933. Article 11 notes the Conservation District's significance as related to the reconstruction of downtown San Francisco after the 1906 Earthquake and Fire. The contributing resources are also noted to present a "collection of masonry commercial loft buildings that exhibit a high level of historic architectural integrity...." (Art. 11, Appendix F, Section 5) A variety of architectural styles can be found in the Conservation District ranging from Renaissance-Baroque to Gothic Revival styles.

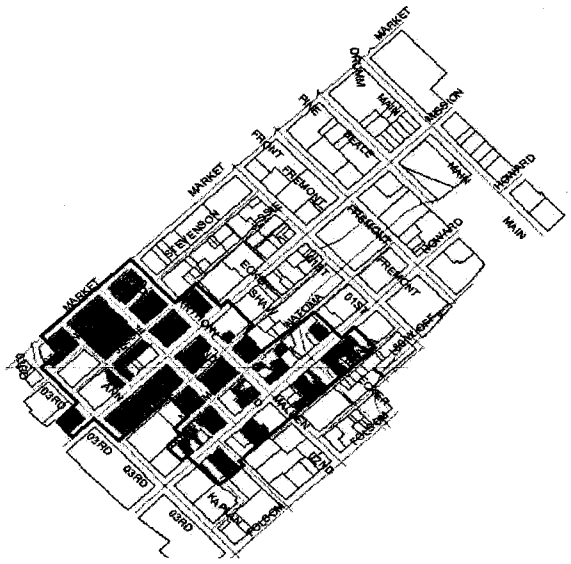

Figure 1: Boundaries of New Montgomery, Mission & Second Street Conservation District
KVP Consulting

The size and scale of the contributing buildings in the Conservation District vary though most are between five and eight stories. Examples include:

- Palace Hotel, 9 stories
- Sharon Building, 9 stories
- Telephone and Telegraph Tower, 26 stories
- Williams Building, 8 stories
- Aronson Building, 10 stories

The Conservation District also includes a number of non-contributing towers. Examples include:

- St. Regis, 42 stories
- UC Berkeley Extension SOMA Center/Paramount Residences, 43 stories
- 90 New Montgomery, 15 stories
- 33 New Montgomery. 20 stories

ANALYSIS OF NEW CONSTRUCTION'S COMPATIBILITY WITH THE NEW MONTGOMERY, MISSION & SECOND STREET CONSERVATION DISTRICT

As proposed, the tower footprint is approximately 12,990 square feet. The Aronson Building lot is approximately 15,459 square feet. The proposed tower will occupy approximately 23% of that lot. Approximately 27% of the tower footprint will be within the Conservation District.

Article 11 of the Planning Code states that construction of new buildings in the Conservation District shall be compatible with Conservation District in general, and that emphasis should be placed on compatibility with those buildings in the area where the new construction will be located. (Section 1113(a); Art. 11, Appendix F, Sections 6 & 7).

The buildings within the Conservation District that are in the area where the proposed tower will be constructed are:

1. The Hearst Parking Center garage at Third and Jesse Streets: 9 stories in height and is a full block building. The building is not a contributor to the Conservation District and is contemporary in style.
2. UC Berkeley Extension SOMA Center/Paramount Residences at Third and Mission streets: 43 stories in height and occupies about two-thirds of the block. The building is not a contributor to the Conservation District and is contemporary in style.
3. St. Regis Hotel & Residences at Third and Mission streets: 42 stories in height and is contemporary in style.Not a contributor.
4. Williams Building at Third and Mission streets: 8 stories in height and is a contributor to the Conservation District.
5. Aronson Building at Third and Mission Streets: 10 stories in height and is a contributor to the Conservation District.

Pursuant to Appendix F to Article 11, Section 7 (a), the features of new construction that are to be considered for compatibility with the Conservation District are composition and massing, scale, materials and colors, and detailing and ornamentation. The proposed tower would be compatible with the standards set forth in Section 7 of Appendix F.

Composition and Massing (Section 7(b)(1)): Buildings within the Conservation District are generally built to the property line and occupy the entire parcel. They are square or rectangular in plan and their primary facades face the street. Both horizontal and vertical orientations are common in the Conservation District but in the case of the two contributing buildings nearest the proposed tower, the Williams Building and the Aronson Building, both have a vertical orientation. The masonry materials common within the Conservation District

express mass and weight. Most contributors to the Conservation District have either a two-part or three-part vertical composition.

The proposed tower is generally rectangular in plan and its primary façades face Mission Street and Jessie Square. It has a vertical orientation, similar to both the Aronson Building and the Williams Building. The proposed tower would have stone as one of its primary cladding materials that would express weight and mass, a common feature in the Conservation District. The proposed tower has a two-part composition with a clear base and shaft.

Article 11 notes that contributing buildings in the Conservation District "are often divided into bays which establish a steady rhythm...which breaks the façade into discrete segments." (Article 11, Appendix F, Section 6). The shaft of the proposed tower consists of alternating planes of glass and stone that effectively break the façade. The tower shares several common composition and massing features with buildings located in the Conservation District and is generally compatible with regard to composition and massing.

Scale (Section 7(b)(2)): Article 11 acknowledges that heights of contributing buildings within the Conservation District vary and range from the two-story Burdette Building at 90 Second Street to the 26-story Telephone and Telegraph Tower at 140 New Montgomery. Within the immediate vicinity of the proposed tower, the contributing Aronson Building and the Williams Building are 10 and 8 stories in height, respectively. There are also several non-contributing high-rise towers located within the Conservation District, including the St. Regis Hotel & Residences (42 stories, 484 feet), which is located less than half a block down Mission Street from the project site, and the UC Berkeley Extension SOMA Center/Paramount Residences (43 stories, 420 feet), which is located directly across Third Street from the project site.

Article 11, Appendix F, Section 7 (b)(2) states that scale "can be accomplished in a variety of ways, including: a consistent use of size and complexity of detailing with regard to surrounding buildings..." The proposed tower addresses compatibility of scale through composition and architectural articulation. The two-part composition of the tower includes a four-story base that would maintain a pedestrian environment and relate to the scale of smaller immediately adjacent buildings within the Conservation District. The vertical planes of the tower would break the façade of the building into smaller sections and effectively reduce the scale of the tower.

Furthermore, the tower would be located in a setting of existing towers, including existing towers within the Conservation District, so that the proposed tower could be said to be placed into a neighborhood of towers. As shown on the map of the Conservation District attached as Exhibit A,

the Conservation District includes 7 existing towers of heights up to 484 feet, two of which are located in the immediate vicinity of the proposed tower. Furthermore, the recently adopted Transit Center District Plan contemplates the development of 5 additional towers within the Conservation District of heights of up to 600 feet in height. (Exhibit A) The proposed tower is compatible with the scale of the Conservation District and the variety of heights of contributing and non-contributing buildings within the Conservation District.

Materials and Colors (Section 7(b)(3)): Masonry is the predominant building material in the Conservation District. Masonry materials typically found in the Conservation District include brick, terra cotta and stone. Light or medium earth tones prevail in the Conservation District. The proposed tower will be clad in glass and stone. The stone is proposed to be light in tone. The proposed tower will therefore be compatible with the predominant materials and colors in the Conservation District.

Detailing and Ornamentation (Section 7(b)(4)): Detailing and ornamentation on buildings within the Conservation District range from classical ornamentation in the commercial office buildings to minimal ornamentation on the warehouse buildings. The two contributors to the Conservation District near where the tower will be built, the Aronson Building and Williams Building, are classical in ornamentation. The proposed tower is contemporary in design, however it responds to the Aronson Building through its compositional organization and detailing. The tower's Mission Street entry is scaled to a similar height as the Aronson Building's original extant entry on Mission Street. The vertical planes of the proposed tower also respond to the vertical organization and rhythm of the Aronson Building. The base of the tower is compatible with the organization of the Aronson and Williams Buildings which both demonstrate a well-articulated base.

STANDARDS 9 & 10

The *Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings* ("*Secretary's Standards*") are consistent with Article 11, Appendix F, and the proposed tower conforms to the *Secretary's Standards*.

Standard 9 states, "New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."

As discussed in the memo to Pilar LaValley, Planning Department Staff, [dated May 3, 2013], the proposed tower has been conceived and designed as adjacent and related new construction. As

discussed in the EIR, the construction of the tower will not remove or destroy historic materials that characterize the Aronson Building. (DEIR IV.D.54-55) The design of the proposed tower is contemporary and differentiated from the Aronson Building; however, as described above, the design of the tower addresses compatibility in composition and massing, scale, materials and colors, and detailing and ornamentation. The tower design is consistent with Standard 9.

Standard 10 states, "New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property would be unimpaired."

The proposed tower will be built adjacent to the original walls of the Aronson Building. Its original form and massing will remain intact. If the tower is removed in the future, the form and integrity of the Aronson Building would be unimpaired, and its original form and massing could continue to remain intact. Conversely, the construction of the proposed tower adjacent to the Aronson Building will provide seismic strength to the historic resource. Without the construction of the proposed tower, seismically upgrading the Aronson Building would require a more invasive approach and the removal of much more historic fabric in order to accommodate an internal bracing system. Furthermore, the proposed tower would be constructed in the location of an existing non-historic addition, and replacing the existing non-historic addition with the proposed tower would not result in the loss of any character-defining features. Similarly, if the proposed tower were removed in the future, its removal would not result in the loss of character-defining features. The proposed tower is consistent with Standard 10.

CONCLUSION

Approximately 27% of the tower's footprint would be located within the Conservation District. While the proposed tower is contemporary in style and taller than other contributing buildings within the Conservation District, it is consistent with Article 11's standards for compatibility. The proposed tower is compatible in composition and massing, and in materials and color. The tower's scale provides strong base elements and proportions that relate well to the Aronson Building, and the vertical scale is broken down through the multiple vertical planes rather than one solid face. Detailing is simple and contemporary but generally responds to the organization of the Aronson Building. The tower's setting is one that includes a number of existing towers in the immediate vicinity both inside and outside of the Conservation District's boundaries, and additional towers are contemplated in the Conservation District by the Transit Center District Plan. The proposed tower fits within its local contextual setting of a mix of historical buildings and contemporary towers in the downtown core area of the City, and is consistent and compatible with the Conservation District pursuant to Article 11.

Exhibit A

Map of Conservation District

[Attached]

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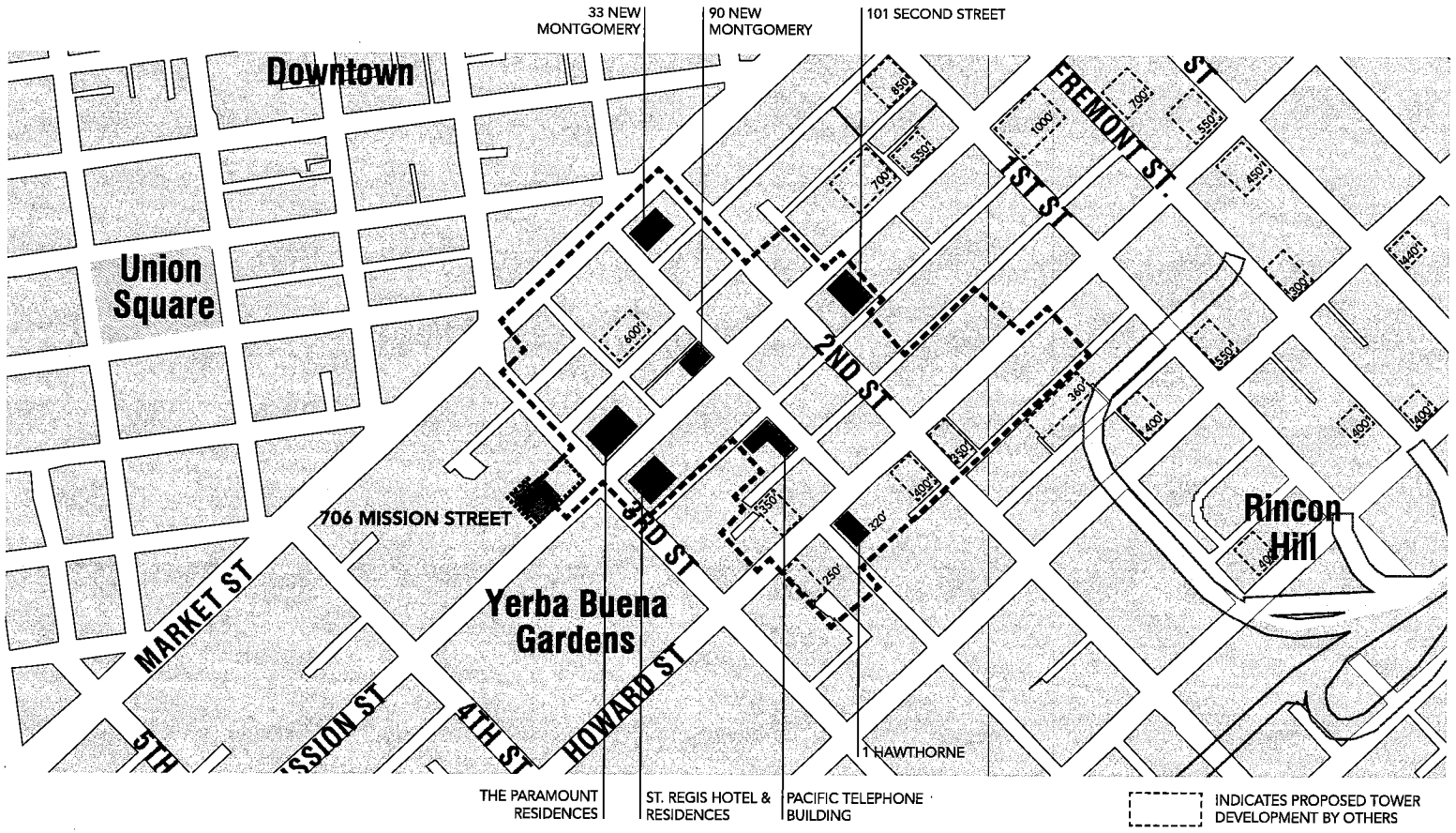
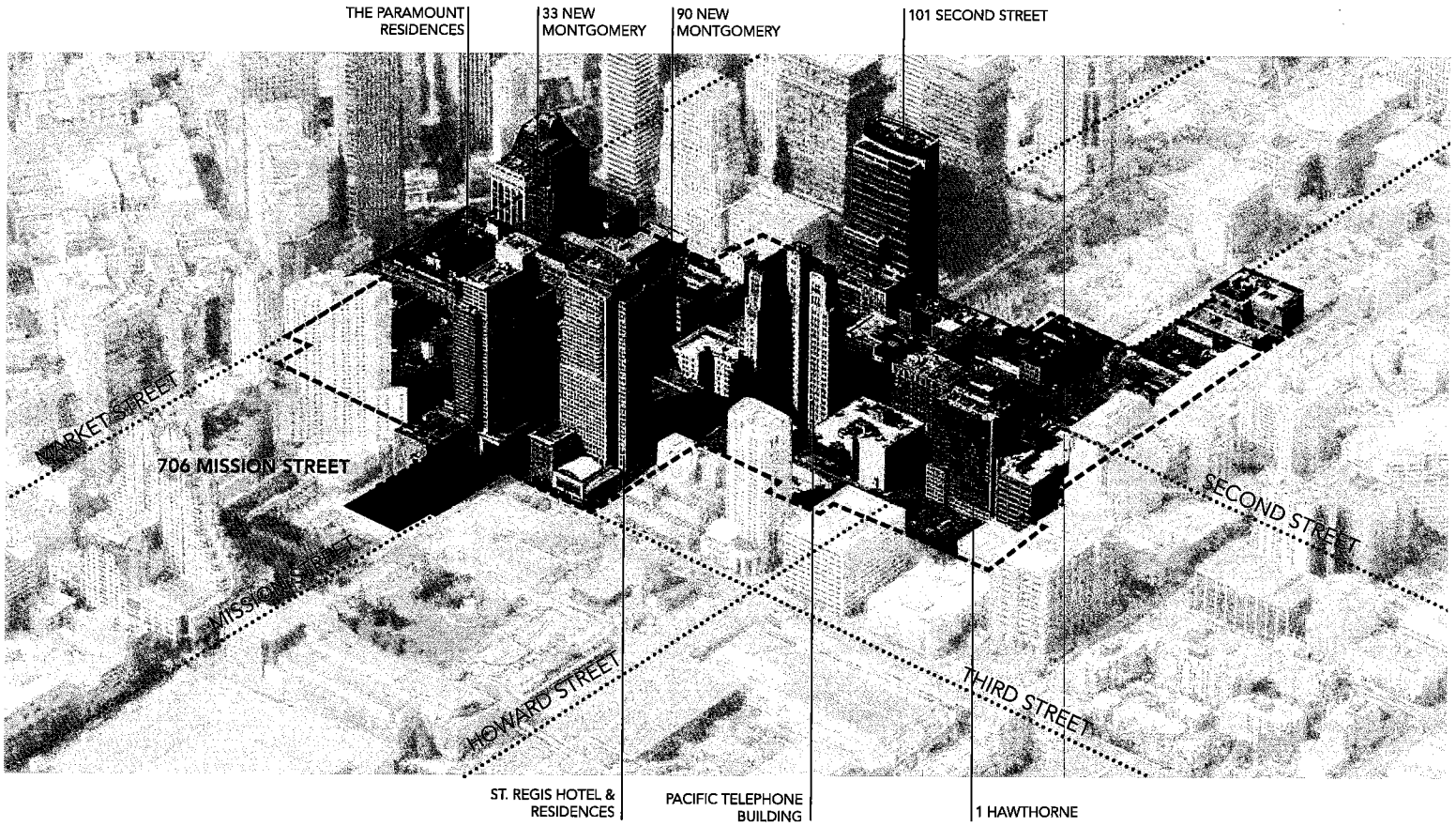
NEW MONTGOMERY – MISSION – SECOND STREET CONSERVATION DISTRICT



This map shows the boundaries of the New Montgomery - Mission - Second Street Conservation District and the height and location of existing and proposed towers within the Conservation District.

NEW MONTGOMERY – MISSION – SECOND STREET CONSERVATION DISTRICT



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Thomas N. Lippe
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June 28, 2013

Ms. Angela Calvillo
Clerk of the Board of Supervisors
City of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: **Appeal of May 15, 2013 Historic Preservation Commission Article 11 Determination; Motion No. 0197.**

Dear Ms. Calvillo:

This office represents the 765 Market Street Residential Owner's Association ("ROA"), Friends of Yerba Buena ("FYB"), Paul Sedway, Ron Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins (collectively "Appellants"), regarding the 706 Mission Street - Residential Tower and Mexican Museum Project ("the Project").

I am writing in response to your letter dated June 21, 2013 requesting, 11 days prior to the hearing on this appeal, "the names of interested parties to be notified of the hearing." Your letter does not define "interested parties" or cite to any ordinance providing a definition. Nevertheless, the interested parties of which I am aware include:

1. My clients listed in the first paragraph of this letter.

2. Millennium Partners (the applicant).

3. Tenants and Owners Development Corporation (an appellant on the prior appeal of the EIR).

4. Yerba Buena Neighborhood Consortium (an appellant on the prior appeal of the EIR).

Thank you for your attention to this matter.

Very Truly Yours,

Tom Lippe

Thomas N. Lippe

\\Lgw-server\tl\706 Mission\Administrative Proceedings\LGW Docs\BOS HPC Art 11 Appeal\LGW 024 062813 Notice of Parties.wpd

Subject: Plan Bay Area Enters Home Stretch

From: MTC Public Information [mailto:info@mtc.ca.gov]
Sent: Friday, July 05, 2013 06:56
To: Calvillo, Angela
Subject: Plan Bay Area Enters Home Stretch

Plan BayArea e-Newsletter

July 2013

In This Issue

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Plan Bay Area Enters Home Stretch

As Plan Bay Area enters the home stretch, policy makers from MTC and ABAG are considering suggested changes to the draft document based on comments received during the spring round of public outreach. Key meeting dates remaining:

Friday, July 12, 2013, 9:30 a.m. - MTC Planning Committee and ABAG Administrative Committee

Location: Joseph P. Bort MetroCenter, Auditorium, 101 8th Street, Oakland

(14)

Staff will present revisions to the Plan and Final EIR and request referral for consideration by the full boards of the ABAG Executive Board and MTC Commission. Staff will also recommend that the Committee refer the 2013 Transportation Improvement Program (TIP) and the Air Quality Conformity Analysis on the Plan and TIP to the Commission for approval.

Thursday, July 18, 2013, 6:30 p.m. - Special Meeting of the Metropolitan Transportation Commission and ABAG Executive Board

Location: Oakland Marriott City Center, West Hall, 1001 Broadway, Oakland

MTC and ABAG boards are scheduled to vote on the Final Plan, Final EIR, Regional Housing Need Allocation, Air Quality Conformity Analysis and Transportation Improvement Program (TIP).

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Over 600 Comments Received from Agencies, Stakeholders and Individuals

Attendees discuss aspects of Plan Bay Area at an open house that preceded a public hearing in Santa Rosa. (Photo by Noah Berger)

From public agencies to stakeholders, neighborhood groups and concerned individuals, over 600 comments on the draft plan poured in by mail and email, via an online interactive Plan Bay Area Town Hall, and in person at outreach meetings in every county.

A compilation and analysis of the comments, along with the results of a public opinion survey, can be viewed here.

The public comments and recommendations for revising the Plan were reviewed at meetings in June and are slated for further consideration in July, culminating in adoption of the plan, scheduled for the special joint MTC-ABAG evening meeting on July 18 (see details above).

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Just What Is Plan Bay Area?

Plan Bay Area looks forward to the year 2040 and charts a course for the Bay Area's first-ever Sustainable Communities Strategy, accommodating needed growth within our nine counties while at the same time decreasing greenhouse gas emissions from cars and light trucks.

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Grants Provide $7.5 Million for Open Space Preservation

Up to $7.5 million is up for grabs through the brand-new Priority Conservation Grant Program, initiated by MTC in partnership with the California Coastal Conservancy and the Association of Bay Area Governments. The program aims to protect the Bay Area's rural open space from development threats and to enrich the natural value of the land.

Proposed projects should preserve or enhance natural habitats, provide bicycle and pedestrian access, or support the agricultural economy. Act fast - letters of interest are due July 19. Note that for every $1 awarded by the Priority Conservation Grant Program, applicants are required to provide a $3 match from another source.

Local governments, congestion management agencies, tribal governments, water/utility districts, resource conservation districts, park and open space districts, land trusts and other land protection nonprofits are eligible to apply. Check the MTC website for more on the program, and the Coastal Conservancy site for information on the application process and eligibility.

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Plan Bay Area is a joint effort led by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) in partnership with the Bay Area's other two regional government agencies, the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC). For more information, visit our website.

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BOARD of SUPERVISORS

City Hall
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 28, 2013

To: Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Sole Source Contracts for Fiscal Year 2012-2013

Pursuant to Administrative Code Section 67.24(e)(3)(iii) [Sunshine Ordinance] City departments are required to provide the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year.

The Board of Supervisors/Clerk of the Board's Office did not enter into any sole source contracts during Fiscal Year 2012-2013.

C: Office of Contract Administration

CITY AND COUNTY OF SAN FRANCISCO

RESIDENTIAL RENT STABILIZATION AND ARBITRATION BOARD

EDWIN M. LEE
MAYOR

DELENE WOLF
EXECUTIVE DIRECTOR

DATE: July 3, 2013

TO: Clerk of the Board

FROM: Robert Collins, Deputy Director

SUBJECT: **Sole Source Contracts for Fiscal Year 2012-2013**

Pursuant to Sunshine Ordinance Section 67.24(e), the department is providing the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year.

Term	Vendor	Amount	Reason
FY12-13	UC-CEB	$1,000.00	Contract for the acquisition or use of periodicals, trade journals, newspapers, online research services that are unavailable from another source.
FY12-13	Titan Outdoor LLC	$27,083.25	PER BOS RESOLUTION 284-09 (FILE NO. 090633) DATED 5/1 9/2009, Provided Titan Outdoor LLC exclusive transit advertising services on SFMTA properties from July 1, 2009 to June 30, 2014.

415-252-4600 25 Van Ness Ave. •Room 320• San Francisco CA 94102-6033 • sfrb.org FAX 415-252-4699

From: Collins, Robert
Sent: Wednesday, July 03, 2013 12:07 PM
To: Board of Supervisors
Cc: Wolf, Delene
Subject: Sole Source Contracts for Fiscal Year 2012-2013
Attachments: Sole Source Contracts FY12-13 RNT.pdf

Pursuant to Sunshine Ordinance Section 67.24(e), the department is providing the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year.

This information is also available on our web site [http://www.sfrb.org/index.aspx?page=217]. Please contact us if you have any questions.

Thank you,
Robert
--
robert collins / deputy director / san francisco rent board / 415.252.4628 / sfrb.org

BOARD of SUPERVISORS

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

MEMORANDUM

Date: July 3, 2013

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Watch Law Requests (USA Patriot ACT)

Chapter 2, Article IV, Section 2.20(f) of the Administrative Code requires the Clerk of the Board of Supervisors to prepare an annual report on all Watch Law (USA Patriot Act) requests received by the Board of Supervisors during the prior fiscal year.

The Board of Supervisors did not receive any Watch Law requests during the Fiscal Year 2012-2013.

BOARD of SUPERVISORS

City Hall
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: July 1, 2013

To: Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Gifts

Section 10.100-305(c) of the Administrative Code requires departments to furnish to the Board of Supervisors annually within the first two weeks of July a report showing gifts received, the nature or amount of said gifts, and the disposition thereof. Additionally, section 67.29-6 of the Sunshine Ordinance of 1999 requires disclosure of any money, goods, or services worth more than $100 for the purpose of carrying out or assisting City functions.

The Office of the Clerk of the Board of Supervisors did not receive any gifts in Fiscal Year 2012-2013.

From: Board of Supervisors
To: BOS-Supervisors
Subject: fireworks

From: Carol-O [mailto:imtreble@snakebite.com]
Sent: Friday, July 05, 2013 2:36 AM
To: Board of Supervisors
Subject: fireworks

I drive for SF Green Cab and worked last night, the 4th of July. I cannot believe the number of illegal fireworks being set off in the mission district! Trying to drive around Bryant, Harrison and the 20's was terrifying!! It was like a war zone. Every time I turned to avoid yet another group I would turn into someone setting off a m80 or worse. At 25th & Harrison a young man was trying to stomp out a fire smack in the center of the intersection. The fire was about 3 feet high and it appeared his pant leg caught fire while morons on the sidewalk laughed.

It is my understanding these fireworks are not legal. I know dynamite and firecrackers are not legal. All of this is unacceptable. However, the fact that I was traveling directly behind a patrol car on Bryant and the officers could have cared less is outrageous. At Dolores park people were setting off fireworks that shot high into the sky and there sat THREE patrol cars & a park police car doing NOTHING!!

At this point it is quite clear that San Francisco PD & the District Attorney have chosen NOT to enforce certain laws. I would like to know how I find out which laws they are not going to enforce so that I can determine what I need to do to protect myself. Driving in the mission last night was terrifying, dangerous and unnecessarily tramatizing. Those who are responsible for keeping the city safe are NOT doing their job.

Carol-O

'Those who are able to see beyond the shadows and lies of their
culture will never be understood, let alone believed, by the masses.'
- Plato

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From: Fish, Monica
Sent: Friday, July 05, 2013 3:58 PM
To: Calvillo, Angela
Cc: Nevin, Peggy; Assmann, David; Buerkle, Rachel
Subject: Department of the Environment Gift Report for Fiscal Year 2012-13
Attachments: Dept of Environment ANNUALGift REPORT for BOS FY 12 13 v 7 4 13.pdf; Transmittal to Clerk of the Board 070513.pdf

Dear Angela,

See attached gift report and transmittal memo. If you have any questions, you can reach me at 415-355-3709. Hope all is well at the Board of Supervisors office. Happy July 4th weekend!

Monica Fish, Commission Secretary
San Francisco Department of the Environment
1455 Market Street, Suite 1200, San Francisco, CA 94103
Monica.Fish@sfgov.org T: (415) 355-3709

SF Environment SFEnvironment.org Newsletter Facebook Twitter

Please consider the environment before printing this email.

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GIFTS TO THE DEPARTMENT OF THE ENVIRONMENT
FISCAL YEAR 2012-13

The Department received the following gifts during the fiscal year:

Date Received by the City	Donor Name	Type of Business	Donor's Financial Interest involving City, if any	Nature of Gift	Estimated Value	Use of Gift by City
7/2013 (est)	Webcor Builders	Commercial Construction	Completion of commissioning for SFPUC Headquarters Preconstruction for Moscone Expansion Construction of SF General Hospital	Living Wall	$ 15,000	SF Environment Offices
7/2013 (est)	Rana Creek	Ecological Design	None	Living Wall	$ 15,000	SF Environment Offices
9/2012	Lutron Electronics, Inc.	Manufacture & sales of lighting controls systems and shades	None	Automatic Window Shades	$ 22,385	SF Environment Offices
9/2012	Lutron Electronics, Inc.	Manufacture & sales of lighting controls systems and shades	None	Meals/Lodging	$ 400	Staff member to attend a lighting controls seminar in Irvine, CA, 9/20-9/22/12
9/2012	Associated Lighting Representatives	Manufacturer's Representative in the Lighting Industry	None known	Travel Expense	$ 178	Staff member to attend a lighting controls seminar in Irvine, CA, 9/20-9/22/12
3/13	Lucid Technologies	Computer Software, Network Design, Web Applications	None	Energy Monitoring Software	$ 17,715	SF Environment Offices
3/13	Finelite	Energy Efficient Systems	None	LED Task Lamps	$ 26,500	SF Environment Offices

GIFTS TO THE DEPARTMENT OF THE ENVIRONMENT
FISCAL YEAR 2012-13

The Department received the following gifts during the fiscal year:

Date Received by the City	Donor Name	Type of Business	Donor's Financial Interest involving City, if any	Nature of Gift	Estimated Value	Use of Gift by City
3/13	Honeywell	Energy Efficiency	Service Systems Agreements at One South Van Ness, and Moscone Center, and SF International Airport	Energy Monitoring Software	$ 18,000	SF Environment Offices
5/13	CitiBank	Banking	None	Cash	$ 12,500	Mayor's EarthDay Breakfast
11/12	CH2MHill	Engineering & Construction	Engineering and Water Quality Services for PUC; Rail Vehicle Projects for MTA ; Energy Watch Services for SFEnvironment	Cash	$ 10,000	SF Environment Offices - Furniture
2/13	CH2MHill	Engineering & Construction	As above	Cash	$ 10,000	SF Environment Offices - Furniture
5/13	Golden State Warriors	Sports Team	None	Cash	$ 1,000.00	Mayor's EarthDay Breakfast
4/13	AT&T	Communications Provider	Phone and internet services for various City departments.	Cash	$ 2,500.00	Mayor's EarthDay Breakfast
4/13	Blue Shield of California	Health Insurance		Cash	$ 2,500.00	Mayor's EarthDay Breakfast

To: BOS-Supervisors
Subject: Relocation of Public Safety Radio Operations
Attachments: PS Move Memo.pdf

From: Galvis, Teresa
Sent: Tuesday, July 02, 2013 01:46
To: gonzalo.gonzalez@sfgov.org; Adams, Blair; Counter, Dave; Cox, Pat; Fitzpatrick, Mary; Fox, Travis; Fudym, Bella; Giffin, Susan; Goldwyn, Norman; Gorman, Zihong; Hardy, David; Kearney, Susan; Kuner, Vakil; Lewis, Brent; Mora, Jesus; Naizghi, Ephrem; Neumayr, Geoff; Riley, Dale; Salmon, Ken; Shah, Tajel; Sutton, Mitch; gov.org; mliang@sfpl.org; Alfaro, Nancy; Arntz, John; Bell, Marcia; Bohee, Tiffany; Callahan, Micki; Calvillo, Angela; charshultz@sbcglobal.net; Chu, Carmen; Cisneros, Jose; Collins, Tara; DeCaigny, Tom; Dick-Endrizzi, Regina; Dodd, Catherine; ed.reiskin@sfmta.com; Falvey, Christine; Fong, Jaci; Garcia, Barbara; Gascon, George; gfarrington@calacdemy.org; Ginsburg, Phil; Goldstein, Cynthia; Hart, Amy; Hayes-White, Joanne; Herrera, Luis; Hicks, Joyce; Hinton, Anne; Hong, Karen; Howard, Kate; Hui, Tom; Huish, Jay; Johnson, Carla; Johnston, Jennifer; jxu@asianart.org; Katz, Rebecca; Kelly, Jr, Harlan; Kelly, Naomi; Kronenberg, Anne; Lee, Olson; maria@dcyf.org; Martin, John (SFO); mgutierrez@famsf.org; Mirkarimi, Ross; Moyer, Monique; Murase, Emily; Murray, Elizabeth; Noguchi, John; Nuru, Mohammed; Nutter, Melanie; Pon, Adrienne; Rahaim, John; Rhorer, Trent; richardcarranza@sfusd.edu; Rosenfield, Ben; Roye, Karen; Rufo, Todd; Saez, Mirian; Schulman, Kary; Sesay, Nadia; Siffermann, William; Sparks, Theresa; St.Croix, John; Still, Wendy; Suhr, Greg; susannah.greason.robbins@sfgov.org; Torres, Joaquin; tscott-skillman@ccsf.edu; Updike, John; Wolf, Delene
Cc: German, David; Galvis, Teresa
Subject: Relocation of Public Safety Radio Operations

Good afternoon,

Attached please find a memorandum from Marc Touitou, CIO of the City and Director of the Department of Technology concerning the pending move of the Public Safety Radio Operations.

Thank you.

Teresa Galvis
Executive Secretary
Office of the CIO
City and County of San Francisco
One South Van Ness, 2nd Floor
San Francisco, CA 94103
Tel. (415) 581-4090

(20)

City & County of San Francisco
Department of Technology
Powered by Innovation

One South Van Ness Avenue, 2nd Floor
San Francisco, CA 94103-0948
Office: 415-581-4001 • Fax: 415-581-4002

Date: July 1, 2013

To: Department Heads
IT Managers
Telephony Managers

From: Marc Touitou, CIO

Subject: Relocation of Public Safety Radio Operations

The Department of Technology – Public Safety Radio Division will move from its present location of 901 Rankin Street to 1800 Jerrold by the end of August.

During the last three weeks of August, staff will be involved in move and facility preparations. We anticipate a shut down of operations (except break/fix) during the two days before the final move and two days after. Please be aware, the move may impact timelines on various PS projects. We are working to adjust our schedules in advance of the move, and after to try to avoid any service impacts. Staff will be in contact with individual departments to discuss their needs and establish priority scheduling.

Our new location is adjacent to the City's Central Shops repair facility. It is hoped your staff will see efficiencies and less down time for service vehicles due to the close proximity of the two operations. We will send out updates on the move closer to the relocation date.

Please note, contact phone numbers for Public Safety will remain the same.

For operational inquires please contact Joseph John at:
joseph.john@sfgov.org
415-550-2912

Direct move questions to David German at:
david.german@sfgov.org
415-581-3986

We look forward to serving the departments and City's needs at our improved facilities after the move.

cc: Ken Bukowski
Jaci Fong
Tom Fung
Naomi Kelly
John Updike

From: Board of Supervisors
To: BOS-Supervisors
Subject: Library's Evasive and Misleading Testimony June 19, 2013 at Budget and Finance Committee Meeting of FY 2013-2014

From: Library Users Association [mailto:libraryusers2004@yahoo.com]
Sent: Monday, July 08, 2013 11:41 AM
To: Board of Supervisors
Subject: Library's Evasive and Misleading Testimony June 19, 2013 at Budget and Finance Committee Meeting of FY 2013-2014

Dear Clerk of the Board:

Please distribute the attached letter to each Supervisor.

Thank you.

Peter Warfield
Executive Director
Library Users Association
415/7 5 3 - 2 1 8 0

Contents provided below should you have difficulty opening the attached Word document.

Library Users Association

P.O. Box 170544, San Francisco, CA 94117-0544
Tel./Fax (415) 753-2180

July 8, 2013

Each Supervisor and Clerk of the Board
Board of Supervisors
City Hall
San Francisco, CA
By email: Board.of.Supervisors@ sfgov.org

Subject: **Library's Evasive and Misleading Testimony June 19, 2013 at Budget and Finance Committee Meeting on FY 2013-2014**

Dear Supervisors:

We are grateful that several of the Supervisors at the Budget and Finance Committee meeting of June 19, 2013, asked during the S.F. Public Library portion of the hearing some of the questions that we have been concerned with recently, particularly with regard to the inadequate funding proposed for portions of the institution's budget for library open hours and books and print materials budget.

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But the responses given by City Librarian Luis Herrera were less than forthright – and downright misleading.

When Supervisor Eric Mar asked about the issue of evening hours – the library wanted to eliminate some existing 8-9pm evening hours from branches currently open until 9pm – Mr. Herrera misleadingly evaded the issue, saying many branches have hours past 8pm. In fact, NO EVENING HOURS HAVE BEEN ADDED TO THE EXISTING SCHEDULE for branches closing at 9pm (currently 42 times per week) or the Main Library – neither later closing times nor additional days of the week; and in fact three branches are still to receive CUTS to evenings and in one case Saturday morning (Marina, Noe Valley, Park).

When Supervisor London Breed attempted to separate the Books budget from the "Books and Materials" budget, in an attempt to learn what was happening to that budget – Books frozen, along with periodicals for children and teens, as approved by the Library Commission in February – Mr. Herrera repeatedly gave an answer for books and materials. The combined books and materials budget is going up because of very large increases in such things as e-resources.

We are concerned that as a result of this testimony and the way that material has been presented to the public, you and the public are not getting forthright information about the Library's budget.

Sincerely yours,

Peter Warfield

Executive Director, Library Users Association

From: Board of Supervisors
To: BOS-Supervisors
Subject: Do Walmart, Target and Home Depot Hurt the Economy?

-----Original Message-----
From: email@addthis.com [mailto:email@addthis.com] On Behalf Of tesw@aol.com
Sent: Monday, July 08, 2013 8:57 AM
To: Board of Supervisors
Subject: Do Walmart, Target and Home Depot Hurt the Economy?

Dear Supervisors, Please add an Economic Impact Report to analysis of Big Box and other Formula Retail proposed developments.

Thanks,
Tes Welborn

http://www.truth-out.org/news/item/17424-do-walmart-target-and-home-depot-hurt-the-economy#.UdrhW7t_C4w.email

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