
Petitions and Communications received from November 3, 2009, through November 9 2009, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on November 17, 2009.

From Office of Labor Standards Enforcement, submitting notice that the Office of Labor Standards Enforcement has joined the Sweatfree Purchasing Consortium effective November 3, 2009. Copy: Each Supervisor (1)

From Office of the Controller, submitting an audit report concerning Japan Airlines Company. Japan Airlines has an airline lease and use agreement from the Airport Commission to use the landing facilities at SF International Airport for its air transportation business. (2)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from 8:49 a.m., November 3, 2009, until 11:59 p.m., November 8, 2009. Supervisor Carmen Chu will serve as Acting-Mayor. Copy: Each Supervisor, City Attorney (3)

From Department of Public Works, submitting quarterly report of the Department of Public Works Adopt-A-Tree account for the period July 1, 2009, through September 30, 2009. (4)

From Department of Public Works, submitting quarterly report of the Department of Public Works Defective Sidewalk Repair Revolving account for the period July 1, 2009, through September 30, 2009. (5)

From Department of Public Health, submitting the Charity Care Report for FY 2008. (6)

From the Sweatfree Procurement Advisory Group, submitting copy of letter sent to the Office of Contracts Administration regarding officially recommending to the Board of Supervisors that textiles and related items be the next category of goods to be covered under the Sweatfree Contracting ordinance. (7)

From Department of Elections, regarding emergency planning for the November 3, 2009, Municipal Election. (8)

From Office of the Controller, submitting an audit report concerning Southwest Airlines. Southwest Airlines has an airline lease and use agreement from the Airport Commission to use the landing facilities at SF International Airport for its air transportation business. (9)

From Department of Public Works, regarding the Bond Accountability Report and Second Bond Sale. (10)

From Department of Human Services, submitting resolution on behalf of the Long-Term Care Coordinating Council responding to the current crisis in home and community based long-term services and support in San Francisco. (11)

From T-Mobile, submitting notification letter regarding placement of three cellular site antennas at 1897-22nd Street. (12)

From State Fish and Game Commission, submitting notice of proposed emergency regulatory action relating to the incidental take of California tiger salamander. (13)

From Office of the Controller, submitting the annual report for the Whistleblower Program for FY 2008-2009. (14)

From Golden Gate University School of Law, Student Animal Legal Defense Fund, proposing a ban on shark products in San Francisco. (15)

From James Corrigan, regarding parking privileges for San Francisco Firefighters. (16)

From concerned citizens, submitting support for proposed solutions to avoid the lay-offs of City employees. 4 letters (17)

From students at San Francisco Community School, urging the Board of Supervisors to find money in the budget to keep their school secretary. 11 letters (18)

From Wayne Chubin, urging the Board of Supervisors to find money in the budget to keep their school secretary at Longfellow and other schools. (19)

From Darien Werfhorst, protesting the displacement of the Cantonese bilingual secretary at Monroe Elementary School. (20)

From concerned citizens, submitting support for the expansion of Redwood Park to 555 Washington Street. 14 letters (21)

From SF Public Golf Alliance, calling for an independent investigation of Nancy Wuerfel's allegations of irregularities in golf fund accounting. (22)

From Brian Lee, regarding the recent proposals to change the planning and permit process at the Planning Department. (23)

From Frankl Duhl, urging the Board of Supervisors not to lay-off any clerical staff at San Francisco City College or San Francisco Unified School District. (24)

From Chuck Fulton, submitting support for proposed legislation regarding banning smoking in more public areas. (25)

From Marilyn Russ, regarding Mayor Newsom. (26)

From Dr. Ahimsa Sumchai, regarding establishing West Portal Community Benefit Business District and the air quality at the Hunters Point Shipyard. (27)

From Neil Signo, regarding the hotel strike in San Francisco. (28)

From Bernard Marque, submitting opposition to expanding the days and hours for parking meters in San Francisco. (29)

From Ed Devine, regarding the proposed changes to the No. 18 Muni bus route. (30)

From Dr. Ahimsa Sumchai, regarding the Center of Disease Control seasonal influenza summary update report. (31)

From concerned citizens, regarding Sharp Park Golf Course. 2 letters (32)

From Jeff Miller, submitting letter on behalf of 25 Bay Area conservation organizations requesting an extension of the comment period for the Calvareras Dam Replacement Project . Copy: Each Supervisor (33)

From Jason Lunberg, submitting support for the appointment of David Waggoner as member to the Police Commission. (34)

From Michael Burlacu, regarding H1N1. (35)

From Charles J. Vella, Ph.D., regarding public health budget. (36)

BOS 11

GENERAL SERVICES AGENCY
OFFICE OF LABOR STANDARDS ENFORCEMENT
DONNA LEVITT, MANAGER



COB

November 4, 2009

Mayor Gavin Newsom
City & County of San Francisco
City Hall Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Mayor Newsom:

Pursuant to Section 16.6 of the San Francisco Administrative Code, I write to inform you that the Office of Labor Standards Enforcement (OLSE) has joined the Sweatfree Purchasing Consortium ("Consortium") effective November 3, 2009.

OLSE finds that membership in the Consortium is in the interest and for the benefit of the City & County of San Francisco. As you know, the City has been a leader in addressing sweatshop labor in the purchase of garments, adopting one of the first and strongest sweatfree ordinances in the country. Further, the City took early leadership in sponsoring the formal collaboration of state and local governments as a means to share expertise and build the movement. Joining the Sweatfree Purchasing Consortium is the continuation of our ongoing commitment to the cause.

Thank you for your continued leadership on this issue. Please feel free to contact me should you have any suggestions or questions.

Sincerely,

Donna Levitt
Manager

cc: Members, Board of Supervisors
Ben Rosenfield, Controller
Bjorn Claeson, Sweatfree Purchasing Consortium

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 NOV -5 PM 1:34
BY DR

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City and County of San Francisco

Office of the Controller – City Services Auditor

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SUPERVISORS
TECHNICIAN

NOV - 4 - PM 1:42

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(2)

AIRPORT COMMISSION:

Compliance Audit of
Japan Airlines Company, Ltd.



November 4, 2009

(2)

**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

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

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

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

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

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

Audit Team: Helen Storrs, Audit Manager
Renato Lim, Associate Auditor



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

November 4, 2009

San Francisco Airport Commission
P.O. Box 8097
San Francisco International Airport
San Francisco, CA 94128

President and Members:

The Controller's Office, City Services Auditor, presents its report concerning the audit of Japan Airlines Company, Ltd. (Japan Airlines). Japan Airlines has an airline lease and use agreement from the Airport Commission of the City and County of San Francisco to use the landing facilities at the San Francisco International Airport for its air transportation business.

Reporting Period: July 1, 2006, through June 30, 2008

Fees Paid: \$3,099,044

Results:

Japan Airlines reported 1,537 revenue aircraft landings for the audit period, but did not report 11 landings and under reported the maximum landing weights on 135 of those landings. As a net result of these errors, Japan Airlines underpaid \$32,058 in landing fees and owes \$13,722 in accrued interest, for a total of \$45,780 due the Airport.

Japan Airlines' response and the Airport's response are attached to this report. The Controller's Office, City Services Auditor, will follow up on the status of the recommendations made in this report.

Respectfully submitted,

Robert Tarsia
Deputy Audit Director

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

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INTRODUCTION

Audit Authority

The Office of the Controller (Controller) has authority under the San Francisco Administrative Code, Chapter 10, Article 1, Section 10.6-2 to audit, at regular intervals, all leases of city-owned real property where rent of \$100,000 or more a year is to be paid to the City and County of San Francisco (City). In addition, the City Charter provides the Controller, City Services Auditor (CSA), with broad authority to conduct audits. We conducted this audit under that authority and pursuant to an audit plan agreed to by the Controller and the Airport.

Background

Japan Airlines Company, Ltd. (Japan Airlines) has an airline lease and use agreement from the Airport Commission (Commission) of the City to use the landing facilities at the San Francisco International Airport (SFO) for its air transportation business. The agreement, which commenced on July 1, 1981, requires Japan Airlines to submit to the Airport Department (Airport) a monthly report showing Japan Airline's actual revenue aircraft landings by aircraft type and other landing data necessary to calculate the landing fees. The Airport charges Japan Airlines a landing fee based on the maximum landing weight of its revenue aircraft landings at SFO. These landings are those for which Japan Airlines has received or made a monetary fee or charge. For every 1,000 pounds of aircraft landed, the Commission sets a fee that it may change annually. During our audit period, the Airport's fee per 1,000 pounds was \$3.336 for fiscal year 2006-07 and \$3.01 for fiscal year 2007-08.

Scope and Methodology

The purpose of this audit was to determine whether Japan Airlines complied with the reporting and payment provisions of its lease and use agreement. The audit covered the period from July 1, 2006, through June 30, 2008.

The audit team conducted this audit by:

- Examining the applicable terms of Japan Airline's agreement and the adequacy of its procedures for recording, summarizing, and reporting revenue aircraft landings.

- Testing whether Japan Airlines accurately reported its revenue aircraft landings and the maximum landing weights of its aircraft landed at SFO.
- Verifying whether Japan Airlines had any outstanding landing fee payments due to the Airport for the audit period.

This performance audit was conducted in accordance with generally accepted government auditing standards. These standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

AUDIT RESULTS

**Japan Airlines Underpaid
Its Landing Fees by
\$32,058**

Japan Airlines reported 1,537 revenue aircraft landings, for which it paid \$3,099,044 in landing fees to the Airport for the period July 1, 2006 through June 30, 2008.

Due to errors in preparing monthly reports to the Airport, Japan Airlines under reported 11 revenue aircraft landings and under reported the maximum landing weights on 135 revenue aircraft landings. As a net result of these errors, Japan Airlines underpaid the Airport \$32,058 in landing fees and owes \$13,722 in accrued interest due under its agreement with the Airport, for a total of \$45,780 due the Airport.

The exhibits below show Japan Airlines' reported landings and fees paid (Exhibit 1) and the calculation of the net underpaid landing fees (Exhibit 2) based on the number of audited landings.

EXHIBIT 1				
Number of Reported Landings and Landing Fees Paid				
July 1, 2006, Through June 30, 2008				
Period	Number of Landings	Total Landing Weight (in lbs)	Rate per 1,000 lbs (\$)	Landing Fees Paid
July 1, 2006, through June 30, 2007	898	565,740,000	3.336	\$1,887,309
July 1, 2007, through June 20, 2008	639	402,570,000	3.01	1,211,735
Total	1,537	968,310,000		\$3,099,044

Source: Airport reports on landing fees and aircraft landings.

EXHIBIT 2**Calculation of Net Underpaid Landing Fees
July 1, 2006, Through June 30, 2008**

Month/Aircraft Type	Official Landing Weights (lbs)	Reported Landings	Audited Landings	(Under) Reported Landings	Rate per 1,000 lbs	(Under) Paid Fees
September 2006 B747-200F	630,000	77	78	(1)	\$ 3.336	\$ (2,102)
October 2006 B747-200F	630,000	67	77	(10)	3.336	(21,017)
Underpaid Total:		144	155	(11)		\$(23,119)
Month/Aircraft Type	Official Landing Weights (lbs)	Reported Landing Weights (lbs)	(Under) Reported Landing Weights (lbs)	Number of Reported Landings	Rate per 1,000 lbs	(Under) Paid Fees
September 2007 B747-400F	652,000	630,000	(22,000)	29	\$ 3.01	\$ (1,920)
October 2007 B747-400F	652,000	630,000	(22,000)	31	3.01	(2,053)
November 2007 B747-400F	652,000	630,000	(22,000)	36	3.01	(2,384)
December 2007 B747-400F	652,000	630,000	(22,000)	38	3.01	(2,516)
April 2008 B747-400F	652,000	630,000	(22,000)	1	3.01	(66)
Underpaid Total:				135		\$ (8,939)
Grand Total:						\$(32,058)

Source Auditor's analysis.

Recommendations

The Airport should require Japan Airlines to:

1. Pay \$45,780 for underpaying its landing fees by \$32,058 during the audit period and \$13,722 in accrued interest, calculated through July 2009, on the underpaid amount. The Airport should assess additional interest after July 2009 until paid by Japan Airlines.
2. Report actual maximum landing weights on all revenue landing aircraft, as required by its lease and use agreement.
3. Report the correct number of landings on each Monthly Air Traffic Activity Report, as required by its lease and use agreement.

ATTACHMENT A: AIRPORT'S RESPONSE



San Francisco International Airport

P.O. Box 8097
San Francisco, CA 94128
Tel: 650.821.5000
Fax: 650.821.5005
www.flysfo.com

October 21, 2009

AIRPORT
COMMISSION
CITY AND COUNTY
OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

TERRY MAZZOLA
PRESIDENT

LINDA S. CRAYTON
VICE PRESIDENT

CARVE ITO

ELEANOR JOHNS

RICHARD J. RUGGERI
MAYOR

JOHN L. MARTIN
AIRPORT DIRECTOR

Mr. Robert Tarsia
Deputy Audit Director
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Subject: Japan Airlines Company, Ltd.

Dear Robert:

Thank you for your report on the audit of Japan Airlines Company, Ltd. which covers the period July 1, 2006 through June 30, 2008. We accept your findings and will implement your recommendations upon receipt of the final report.

A copy of the "Audit Recommendation and Response Form" is attached for your reference.

If you have any questions, please feel free to call me at (650) 821-4525.

Sincerely,

A handwritten signature in cursive script that reads "Diane Artz".

Diane Artz
Senior Property Manager
Aviation Management

Attachment

Recommendation	Responsible Agency	Response
The Airport should require Japan Airlines to:		
1. Pay \$45,780 for underpaying its landing fees by \$32,058 during the audit period and \$13,722 in accrued interest, calculated through July 2009, on the underpaid amount. The Airport should assess additional interest after July 2009 until paid by Japan Airlines.	Airport	Airport concurs on the recommendation to invoice Japan Airlines Company, Ltd. for \$32,058 for the underpayment of landing fees during the audit period, and \$13,722 in accrued interest, calculated through July 2009. Airport will invoice upon receipt of final audit report.
2. Report actual maximum landing weights on all revenue landing aircraft, as required by its lease and use agreement.	Airport	Airport concurs with the recommendation, and will advise Japan Airlines Company, Ltd. to report actual maximum landing weights on all revenue landing aircraft as required by its lease and use agreement.
3. Report the correct number of landings on each Monthly Air Traffic Activity Report, as required by its lease and use agreement.	Airport	Airport concurs with the recommendation and will advise Japan Airlines Company, Ltd. to report the correct number of landings on each Monthly Air Traffic Activity Report as required by its lease and use agreement.

ATTACHMENT B: JAPAN AIRLINES' RESPONSE



Japan Airlines International
P.O. Box 280025
San Francisco International Airport
San Francisco, CA 94128-0025

October 28, 2009

Mr. Robert Tarsia, Deputy Audit Director
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Mr. Tarsia:

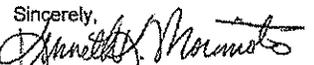
We have completed our review of the San Francisco Airport Commission's Draft Report for the Compliance Audit of Japan Airlines Company, Ltd. (Reported period of July 1, 2006 through June 30, 2008).

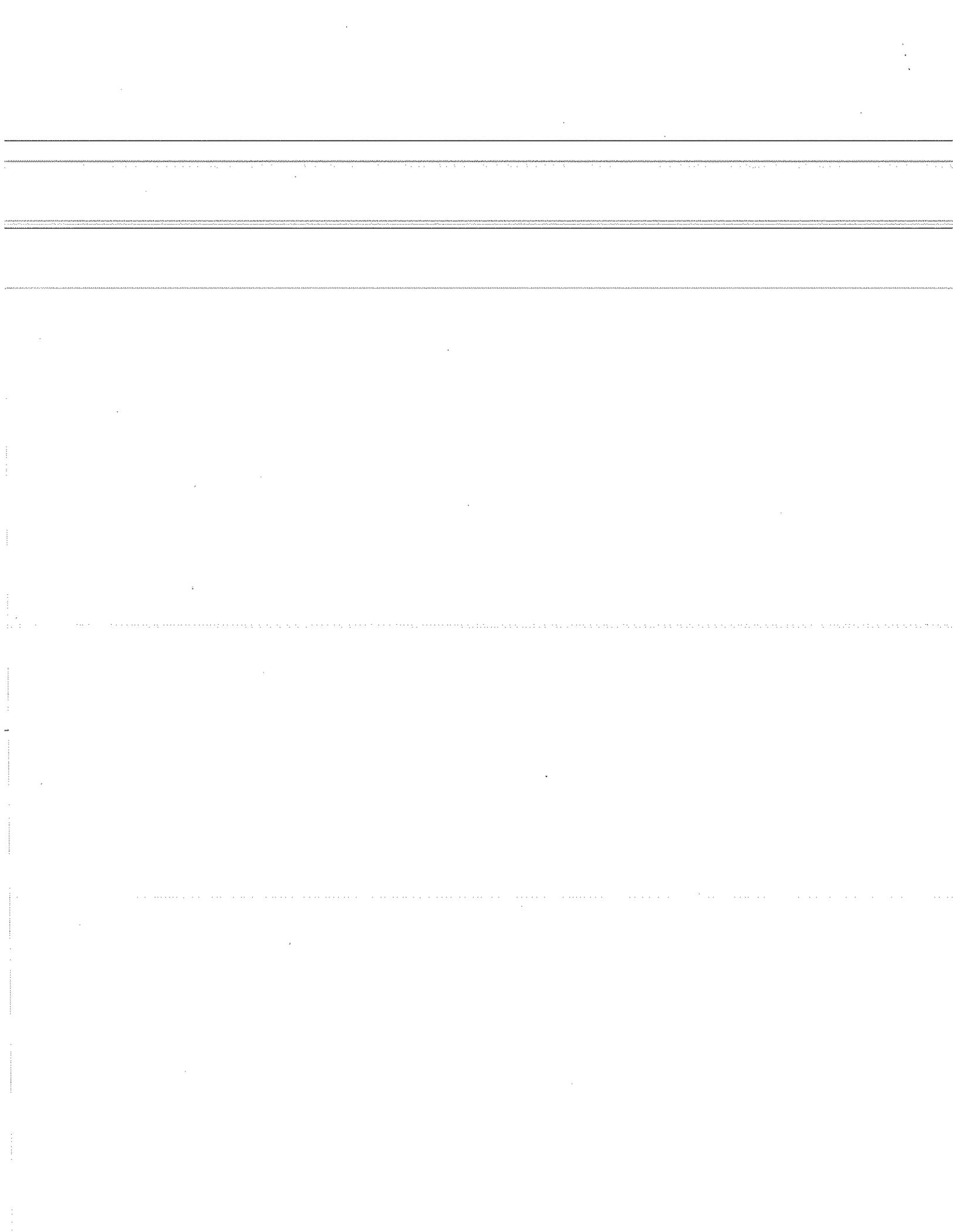
After examining our landing fee reports for payment during the aforementioned period, we have concluded that your findings for (1) Under Reported Landings for 11 flights (Sep-Oct 2006) and (2) Under Reported Landing Weights for 135 flights (Sep-Dec 2007 and Apr 2008) found in Exhibit 2 are accurate and correct.

We sincerely offer our deepest apologies for our reporting/payment inaccuracies with the following explanations which we believe may have caused the discrepancies.

- (1) Our computer generated monthly flight movement reports in September 2006 and October 2006 may have been manually miscounted hence resulting in the under reporting landings discrepancy.
- (2) During the period of September 2007 through December 2007, we introduced the cargo freighter aircraft type (B747-400F) several days a week to complement the standard cargo freighter aircraft (B747-200F). We believe we failed to differentiate the official landing weight for each type of aircraft type operated during this period thereby resulting in the under reported landing weight discrepancy. Our scheduled cargo freighter flight operation was suspended after December 2007.
In April 2008, we operated one extra section cargo freighter flight but applied the wrong official landing weight for that aircraft type again resulting in the under reported landing weight discrepancy.

In order to prevent any future discrepancies of this nature, we are committed to carefully review all our flight operation data before reporting submission. Your kind understanding is greatly appreciated.

Sincerely,

Kenneth K. Morimoto
Staff V.P. & Station Manager
Japan Airlines International Co., Ltd.
San Francisco International Airport
P.O. Box 280025
San Francisco, CA 94128-0025





✓ ops done
BOS
city atty
m & c
RE

November 3, 2009

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 NOV - 3 AM 10:15
BY RE

(3)

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor Carmen Chu as Acting-Mayor from the time I leave the state of California at 8:49AM on Tuesday, November 3, 2009, until 11:59PM Sunday, November 8, 2009.

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

Sincerely,

Gavin Newsom
Mayor, City and County of San Francisco

cc: Mr. Dennis Herrera, City Attorney

(3)



Department of Public Works
Office of the Director
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4645

Gavin Newsom, Mayor
Edward D. Reiskin, Director

October 26, 2009

4

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors
City and County of San Francisco
Room 244, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4845

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 NOV -2 PM 3:03
BY [Signature]

Subject: Report of the Department of Public Works
Adopt-A-Tree Account

Dear Ms. Calvillo:

Pursuant to Section 10.100-227 of the Administrative Code, attached is the Quarterly Report of the Department of Public Works Adopt-A-Tree Account for the period July 1, 2009 through September 30, 2009.

Very truly yours,

Edward D. Reiskin
Director of Public Works

Attachment: As noted

CC: Liz Lerma, BUF
Carla Short, BUF
Robert Carlson, DDFMA
Jocelyn Quintos
Nini Leigh
Sreed Pisharath

4

Department of Public Works
Adopt - A - Tree Fund
Quarterly Report
September 30, 2009

Beginning Fund Balance - July 1, 2009	\$223,859.54
Revenues	73,946.48
Expenditures	(5,744.93)
Ending Fund Balance - September 30, 2009	<u>292,061.09</u>

City and County of San Francisco



Phone: (415) 554-6920
Fax: (415) 554-6944
TDD: (415) 554-6900
http://www.sfdpw.com

Department of Public Works
Office of the Director
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4645

Gavin Newsom, Mayor
Edward D. Reiskin, Director

October 26, 2009

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors
City and County of San Francisco
Room 244, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4845

Subject: Quarterly Report of the Department of Public Works
Defective Sidewalk Repair Revolving Account

Dear Ms. Calvillo:

Pursuant to Section 707 of the Public Works Code, attached is the Quarterly Report of the Department of Public Works Defective Sidewalk Repair Revolving Account for the period July 1, 2009 through September 30, 2009.

Sincerely,

Edward D. Reiskin
Director of Public Works

Attachment: As noted

CC: Robert Quan, BSM
Robert Carlson, DDFMA
Jocelyn Quintos
Nini Leigh
Sreed Pisharath

5

BY RE

2009 NOV -2 PM 3:03

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SAN FRANCISCO

5

Department of Public Works
Defective Sidewalk Repair Account
Revolving Fund (Fund Type 2S)
Quarterly Report
September 30, 2009

	<u>Sidewalk Abatements</u>
Beginning Cash Balance June 30, 2009	\$151,556
Cash Balance - September 30, 2009	<u><u>\$151,556</u></u>

Frances Culp/DPH/SFGOV

To Board of Supervisors/BOS/SFGOV@SFGOV

11/05/2009 06:14 PM

cc Anne Kronenberg

bcc

Subject Charity Care Report, FY 2008

History:

This message has been forwarded.

Dear Ms. Calvillo, Clerk of the Board:

Attached please find the charity care report for fiscal year 2008. This report was presented to the Health Commission on November 3, 2009. This is the eighth annual charity care report and is the vehicle by which the Department of Public Health (DPH) and the city's not-for-profit hospitals meet the requirements put forth by the Board of Supervisors in 2001 through the Charity Care Ordinance (#163-01).

As you will see in this report, all hospitals in San Francisco willingly participate in this project, including the required hospitals (CPMC, St. Luke's, Saint Francis and St. Mary's, and Chinese Hospital) and the voluntary hospitals (Kaiser Permanente, UCSF, SFGH). The required hospitals reported close to \$18.1 million in charity care expenditures for FY 2008, representing a 17% increase since last year and 34% since 2005. Required and voluntary hospitals combined reported \$123.1 million in charity care expenditures, an increase of 13% since 2007 and 31% since 2005.

We will submit a hard copy version of this report to your office tomorrow. We would greatly appreciate it if you would please make the report available to each of the Supervisors. In addition, all charity care reports, including this one, can be found here on the DPH public website: <http://www.sfdph.org/dph/files/reports/PolPlanRpts.asp>

Best,

Frances Culp
Senior Health Program Planner
San Francisco Department of Public Health
101 Grove St., Room 330
San Francisco, CA 94102
415-554-2795
Frances.Culp@sfdph.org



FINAL - CCRreport 2008 Attachment B.pdf FINAL - CCRreport 2008.pdf FINAL - CCRreport 2008 Attachment A.pdf

6

6

SWEATFREE PROCUREMENT ADVISORY GROUP

October 23, 2009

Bill Jones, Acting Director of Purchasing
 Purchasing/Office of Contracts Administration
 1 Dr. Carlton B. Goodlett Place
 City Hall, Room 430
 San Francisco, CA 94102

Dear Mr. Jones:

The San Francisco Sweatfree Procurement Advisory Group is responsible for evaluating the implementation, administration and enforcement of the city's Sweatfree Contracting Ordinance. As you are aware, Section 12U.6 of the Sweatfree Contracting Ordinance directs the Advisory Group to "determine whether contracts for any goods, in addition to apparel and garments, should be targeted for enforcement." Pursuant to this section of the ordinance, the Advisory Group has reviewed various product categories to possibly target for enforcement.

Currently, the Sweatfree Contracting Ordinance covers only apparel, garments, and corresponding accessories, materials, supplies or equipment but not sheets, linens, towels or other types of textiles. The Advisory Group is hereby notifying you of our decision to officially recommend to the Board of Supervisors that textiles and related items be the next category of goods to be covered under the ordinance for the following reasons:

- First, and most importantly, the Worker Rights Consortium, the City's independent sweatshop monitor, has informed us that human rights and labor violations – similar to those in apparel and garment manufacturing facilities – have been discovered in the textile industry.
- Second, we learned from Office of Labor Standards Enforcement's research several other cities such as Los Angeles, Milwaukee, Minneapolis, New York, and Toledo; states such as Illinois, New Jersey and Vermont; and other public entities such as schools and universities have included linens and other types of textiles in their Sweatfree policies.
- Third, it has recently come to our attention that the Office of Contract Administration (OCA) plans to issue a bid solicitation for a contract valued at approximately \$500,000 for sheets, blankets and other linens for Laguna Honda Hospital. It is our understanding that this contract will not be a purchase order under the City's agreement with Novation and, therefore, would fall under the ordinance if the law covered this product category.
- Fourth, it would be relatively easy to apply the rating system that your staff has successfully developed under the ordinance to textiles since these products are very similar to apparel and other garments, which are already covered under the law.

The Advisory Group urges OCA to work with the Board of Supervisors to develop an amendment adding textiles and related items to the Sweatfree Contracting Ordinance. Under the amendment, textiles would be defined as all items of cloth that are produced by weaving,

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 BOARD OF SUPERVISORS
 CITY OF SAN FRANCISCO
 2009 OCT 23 PM 4:10
 BY [Signature]

(7)

(7)

knitting, sewing, felting or similar production processes. Our intention is to cast a wide net and draft the amendment to include, but not be limited to, sheets, pillows, pillowcases, blankets, comforters, towels, bath mats, mattress covers, table linens, cloth napkins, cleaning cloths, draperies, upholstery, rugs, carpets, and entrance mats.

We are also asking OCA, if necessary, to delay issuing the Laguna Honda Hospital bid solicitation for the purchase of linens and related items until the amendment to the ordinance is enacted into law. We realize that it may take a while to amend the Ordinance, although we are working with the Board of Supervisors to expand the scope of the ordinance to cover textiles purchases as quickly as possible so that you would not need to delay this solicitation. In the event that the upcoming Laguna Honda Hospital contract to purchase linens cannot be delayed because it would impact the hospital's regularly scheduled opening, we would encourage OCA to include Sweatfree Contracting Ordinance language in the bid solicitation documents and ask bidders to submit information such as factory location voluntarily.

It is our understanding that OCA and the Office of Labor Standards Enforcement support the Advisory Group's recommendation to choose textiles as the next product category to be added to the ordinance. We look forward to hearing from you about your plans for applying the Sweatfree contracting requirements to this upcoming bid solicitation. Please let us know if you have any questions or concerns about our recommendation or if there is any assistance we can provide to advance this important policy change.

Sincerely,



Alicia Culver, Chair

On behalf of the Sweatfree Procurement Advisory Group
Chair Alicia Culver, Sarah Leiber Church, Chris Honigsberg, Galen Leung, Conrad MacKerron, Riddhi Mehta, Marily Mondejar, Jason Oringer, and Monique Zmuda.

cc: Member of Board of Supervisors:
David Chiu, President, District 3
Michaela Alioto-Pier, Supervisor, District 2
John Avalos, Supervisor, District 11
David Campos, Supervisor, District 9
Carmen Chu, Supervisor, District 4
Chris Daly, Supervisor, District 6
Bevan Dufty, Supervisor, District 8
Sean Elsbernd, Supervisor, District 7
Eric Mar, Supervisor, District 1
Sophie Maxwell, Supervisor, District 10
Ross Mirkarimi, Supervisor, District 5
Mayor Gavin Newsom
Nancy Kirshner-Rodriguez, Director of Governmental Affairs, Mayor's Office
Naomi Kelly, Director of Purchasing/OCA
Donna Levitt, Manager, Office of Labor Standards Enforcement



John Arntz
Director

RECEIVED
BOARD OF SUPERVISORS
2009 NOV - 2 AM 11:37
BY [initials]

Memorandum

To: Honorable Gavin Newsom, Mayor
Honorable Members, Board of Supervisors

From: John Arntz, Director of Elections

Date: October 22, 2009

RE: Emergency Planning for November 3, 2009 Municipal Election

The Department of Elections (Department) has completed its emergency planning for the November 3, 2009 Municipal Election. The Department has updated its emergency planning to incorporate elements from the Department of Emergency Management's "Guidance for Continuity of Operations and Emergency Operations Planning." The plan is attached to this memorandum.

If the Department is evacuated from City Hall on Election Day, the Department will establish a voting center at the Veterans' Memorial Building located at 401 Van Ness Avenue and a call center at 311 Customer Service Center located at 1 South Van Ness Avenue.

In response to the Mayor's Directive 09-04 *Influenza Prevention*, the Department organized viewings for all personnel of the video produced by the Department of Public Health (DPH) educating people on how to avoid catching and spreading the influenza virus. We are monitoring the DPH website for information on the incidences of H1N1 and vaccine availability in the City, and updating personnel when appropriate. We are also providing hand sanitizer and sanitizing wipes throughout the Department.

As well, the Department has recruited additional back-up pollworkers, who may be dispatched as replacements for unplanned pollworker absences due to influenza. We have included information on flu prevention during our pollworker training classes and will supply each polling place with hand sanitizer and sanitizing wipes for both pollworkers and voters to use.

Finally, please note that unless an order from the Governor suspends the election, the Department must ensure that voting continues regardless of the circumstances.

cc: Dennis Herrera, City Attorney
Ben Rosenfield, Controller
Edwin Lee, City Administrator

Emergency Preparations for November 3, 2009 Election

~~Steve Kawa, Chief of Staff, Mayor's Office~~

~~Greg Wagner, Budget Director, Mayor's Office~~

~~Amy Brown, Director, Real Estate Division, General Services Agency~~

~~Angela Calvillo, Clerk of the Board of Supervisors~~

~~Allen Kennedy, Chief Deputy, Sheriff's Office~~

~~Ellen Brin, Captain, Sheriff's Office~~

~~Rohan Lane, City Hall General Manager, General Services Agency~~

~~Mollie Lee, Deputy City Attorney~~

~~Elections Commission~~

DEPARTMENT OF ELECTIONS

EMERGENCY PLAN

Updated October 29, 2009

SECTION 1: MAYOR'S AUTHORITY AND DUTIES OF CITY PERSONNEL IN EMERGENCIES

SECTION 2: LEVELS OF EMERGENCY RESPONSE

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SECTION 18: AVAILABILITY OF DEPARTMENT PERSONNEL AND COMMUNICATION TO CITY'S EMERGENCY OPERATIONS CENTER (EOC)

**SECTION 19: PROVISIONS FOR OPERATIONAL CAPABILITY WITHIN 12 HOURS AND
SUSTAINING OPERATIONS FOR 30 DAYS**

SECTION 20: TRAINING STRATEGY FOR DEPARTMENTAL STAFF

SECTION 21: PROTECTION AND RECOVERY OF VITAL RECORDS

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SECTION 23: PROCEDURES FOR SHORT-TERM EARTHQUAKE PREDICTIONS

PREFACE

In an emergency, the Mayor looks to each department to organize, manage, and execute emergency actions necessary to protect lives and property and restore basic public services. To do this, each department is required to maintain an emergency plan that provides for the protection of staff, continuity of critical department functions, and support for the overall City response under the City's *Emergency Operations Plan*. This Plan is organized according to the City's emergency plan template.

NOTE: During a state of emergency only the Governor under Government Code Section 8571 can suspend the Department's duty to conduct an election.

SECTION 1

MAYOR'S AUTHORITY AND DUTIES OF CITY PERSONNEL IN EMERGENCIES

- A. The Mayor has the authority to organize City personnel during emergency situations, and,
- May require emergency service of any City officer, employee, or citizen.
 - May requisition necessary personnel or material of any City department or agency.
 - May assign City employees, regardless of civil service class, any duties that they are capable of performing safely.
- B. City Personnel are also responsible to know the following:
- No supervisor is authorized to release any employee from work in the event of an emergency without the approval of the department head after consultation with the Mayor. Employees who leave without such authorization may be subject to disciplinary measures.
 - During an emergency, the City is organized under the Standardized Emergency Management System and all employees should be trained on and familiar with the basics of the system.
 - Emergency Response Districts (Fire Battalion District Stations) are equipped with emergency communications, including HAM radios, and Battalion Fire Chiefs have the authority to direct employees in emergency work if the employee can not communicate with their department operations center.
- C. In an emergency during normal working hours, all employees should initially:
- Remain at work to be available to assist in emergency response and recovery.
 - Take appropriate safety precautions.
 - If away from their work-stations, return as soon as possible for instructions.
- D. In an emergency outside normal working hours:
- Employees with emergency assignments should respond according to their pre-established emergency response instructions.
 - All other employees are expected to report to work at their normal shift, unless they have been called out for emergency duty or informed over the Emergency Alert System or other media that the Mayor has directed that non-essential employees not report to work.

SECTION 2

LEVELS OF EMERGENCY RESPONSE

The City measures its responses to emergencies by the degree of alert created by an emergency:

- Shelter in Place – Heightened security measures in effect; building may be closed to public; building may be closed to all but essential employees.
- Full Evacuation – Immediate evacuation of all personnel from building

“Essential employees” are defined as those employees with emergency response assignments or who are necessary for the performance of critical department functions as explained in Section 5.

SECTION 3

COMMUNICATION METHODS AFTER EVACUATIONS FROM CITY FACILITIES

It is important that during and/or after an emergency that you have the capacity to communicate with evacuated employees. Adequate communications will ensure that accurate information and clear instructions will be transmitted. Each department emergency plan should include procedures for communicating with and instructing employees and should outline a system to accomplish this communication link.

The methodologies to be used could include:

- Cellular telephones.
- 800 MHZ radio system during Election Day.
- Department Voice-mail system.
- Text Messaging
- Home Phones

SECTION 4

PROTECTION AND RECOVERY OF VITAL RECORDS

The Department daily creates back up tapes of the database containing voter records and stores these tapes in a fire-proof safe in the Department. The Department weekly sends a back up of the voter database to a facility in Sacramento so that the voter records are not secured in one location. The last weekly backup file for each month is retained at the Sacramento facility for one month.

SECTION 5

IMPLEMENTATION OF THIS PLAN

The Department will periodically hold drills during various times in the election cycle so that all personnel are familiar with the Department's emergency plans.

SECTION 6

EMERGENCY PROCEDURES FOR FACILITIES ON ELECTION DAY DURING SHELTER IN PLACE

I. Heightened security: In the event of the adoption of "Shelter in Place" security levels in City Hall, the Department will request of the Sheriff's Office that voters be allowed to enter and exit City Hall through the Grove Street entrance. The Department will also request the presence of additional Sheriff's deputies in the areas of the Department's early voting counter and front counter.

II. Evacuation of the public from City Hall: In the event of an evacuation of the public, all voters and members of the public will be instructed to leave the building, and informed of the location of the alternate operational sites the Department will use so that public observation of election activities can continue to take place.

Specifically, an evacuation of the public requires that the following steps be taken:

A. Voting Counter

- Voters and any observers must be informed of the emergency, told to evacuate, and informed of the location of the alternate site at which voting will occur
- Vote-by-mail ballots will be secured, and the pre-prepared emergency cart (stocked with voting supplies) transported to the site for emergency voting
- Emergency voting station will be organized at the alternate site, and voting materials provided
- Polling place signs will be posted at the entrances to City Hall (Grove Street, Van Ness Avenue, McAllister Street and Dr. Carlton B. Goodlett Place) relocating voters to the alternate temporary site.
- The emergency voting alternate temporary site will be the front counter of the Veterans Memorial (401 Van Ness Avenue) located in the main lobby. Rooms 212 and 213 have also been reserved for operations such as data entry if needed.

B. Front Counter

- Members of the public and any observers will be informed of the emergency, told to evacuate, and informed of the alternate site at which Department functions will occur
- An explanatory message will be posted on the public phone line

C. Computer Room

- Observers must be informed and told to evacuate the building
- Ballot-processing must stop and all ballots and processing equipment must be secured

If the Director of Elections determines that ballot processing and tabulation shall take place at an alternate site:

- Ballot-processing equipment and ballots must be moved to the alternate site
- Observers and the public must be informed of the move of the ballot processing operation to an alternate site
- Vote tabulation will be performed using tabulation-capable laptop computer, prepared by the Department's Management Information System and the City's General Services Agency.

D. Vote-by-mail Ballot Extraction Personnel

- Extraction must be stopped and ballots secured

If the Director of Elections determines that vote-by-mail ballot extraction shall take place at an alternate site:

- Vote-by-mail ballots must be collected and transported to a secure alternate site
- Extraction crew will reassemble at the alternate site and resume the extraction process

Alternate site: The alternate site for extracting vote-by-mail ballots from their envelopes is Brooks Hall located underneath the Bill Graham Civic Auditorium.

During an evacuation of the public from City Hall, the Department's Voter Services Division operations *not* involved with the voting counter, the Voter Outreach Division and Front Counter informational phone banks, the poll-worker and driver dispatch operations, and the Election Center staff **will continue their Election-Day functions in City Hall**. All drivers and field election deputies will be contacted and informed of the heightened security measures at City Hall.

SECTION 7

EMERGENCY PROCEDURES FOR CITY HALL ON ELECTION DAY DURING FULL EVACUATION

In the event of a full evacuation of City Hall, the following steps *in addition to* the steps outlined for Stages 2 and 3 security levels would need to be taken:

A. Evacuation of All Personnel: employees in all divisions must evacuate immediately and should assemble at the Department's emergency assembly site on Civic Center Plaza where roll will be taken.

B. Voter Outreach and Front Counter Phone Banks

- Pre-recorded emergency explanation message, in multiple languages where appropriate, will be posted on phone bank lines while phone numbers are forwarded to the alternate site

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- Phone bank numbers will be forwarded to phones at the alternate site.
 - Phone banks will be reestablished at the alternate site.
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C. Election Center Personnel

- “Resolved” and “open” problem-tracking sheets will be collected and taken to alternate site by the problem resolution team
- Emergency pack (containing pens, PAIR forms, clip boards, Election Center monitor binders and dedicated cell phones) will be taken to the alternate site by the Election Center monitors
- Individual information and resource binders will be taken by Election Center staff to alternate site
- Election Center phone lines will be routed to a dedicated group of cell phones (contained in emergency pack) by personnel from the Department of Technology — in the interim, pre-recorded emergency explanation message will be posted on the Election Center phone lines
- All files previously backed up on disks and in hard copy will be collected and taken to alternate site by the Election Center monitors
- Dedicated laptops, with which the IT Division is capable of dialing in from a remote location for access to the Department’s server and the Data Information Management System (DIMS, election-specific software) will be taken to the alternate site by IT staff

E. Alternate site

The alternate site for the Election Center is the 311 facility located on 1 South Van Ness Avenue. If the decision is made to relocate to the 311 site, dispatch drivers will be used to transport Election Center staff.

F. Standby Poll-worker Dispatch

On Election Day, Pollworker Division staff in the South Light Court will inform standby poll-workers to safely exit City Hall and where to reconvene.

- Drivers and standby pollworkers will be evacuated and directed to the designated alternate site, where staff will re-organize standby pollworkers and resume pollworker and driver dispatch operations
- Resolved and outstanding problem tracking sheets will be collected and taken to alternate site
- Emergency pack (containing pens, PAIR forms, clip boards, and dedicated cell phones) will be taken to the alternate site
- All files previously backed up on disks and in hard copy will be collected and taken to the alternate site by dispatch monitor
- Any drivers in the field must be called, notified of the emergency, asked to give reports of their safety and instructed to remain in the field awaiting further instruction or report to the alternate site

Alternate site: The alternate site for Election Day pollworker dispatch is Brooks Hall, in the basement of Bill Graham Civic Auditorium. Should Brooks Hall become unavailable, the pollworker dispatch operation can take place in the Civic Center plaza outside City Hall

SECTION 8

GENERAL PROCEDURES FOR EMERGENCIES

The Department of Elections currently operates from three sites, City Hall, Brooks Hall (located underneath Bill Graham Civic Auditorium; where the Department stages ballots for use at the polling places), and its warehouse on Pier 48. On Election Day, the Department also stages up to 561 polling places throughout the City. All Department staff are trained in emergency procedures that include information on evacuation, fire, bomb threat, earthquake, and air contamination safety. The Department's computer room remains code-key locked at all times with restricted access.

Evacuation Procedures

Evacuation of Operations in City Hall

In the event of an evacuation of City Hall, staff are to evacuate the building in a calm manner through the nearest exit. Staff are to reassemble at the DOE assembly site on Civic Center Plaza as designated by City Hall Building Services. Prior to evacuating, Campaign Services will retrieve and carry the daily staff sign-in sheet and the DOE Emergency Bag; this bag includes emergency supplies such as a flashlight, a first aid kit and staff emergency contact information. If time permits, the Campaign Services Division is responsible for initiating the "Send Calls" function for the main phone line (554-4375) which will route all calls to voice-mail. Once in a safe location, Campaign Services will call the voice-mail and change the greeting to reflect the evacuation.

Should any members of the public be in the office when an alarm sounds, staff will inform them they are to evacuate the building immediately.

Once outside and in the assigned location on Civic Center Plaza, the appointed Emergency Coordinator will hold a sign stating "48". Division Managers will forward the daily staff sign-in sheets to the Emergency Coordinator who will then take roll. Managers will assist in the taking of roll of their staff from the sign-in sheets kept in their divisions. Staff will await approval from emergency personnel and/or the DOE Emergency Coordinator before re-entering City Hall.

Evacuation of Brooks Hall

In the event of an evacuation of Brooks Hall, staff needs to secure ballots by locking all gates when evacuating. Personnel are to evacuate to the Department's meeting area on the Civic Center Plaza.

Evacuation of Pier 48

In the event of an emergency that physically threatens Pier 48, all personnel must evacuate the site. The Department will need to locate an alternate site in which ballots and election materials from the polls can be delivered after the close of voting. The Warehouse Manager or lead staff will call 911 if the emergency is a situation that threatens human life or property and demands immediate attention and next will contact management staff at City Hall. The Warehouse Manager or lead staff will take attendance using the attendance

sign in/out log. An emergency instruction sheet with contact numbers will be attached to the attendance log and additional copies posted in the work area. Staff will await approval from emergency personnel before re-entering the warehouse.

Emergencies affecting one or more polling places

In the event of an emergency affecting one or more polling places, relocation and/or consolidation of polling places may be required. Under such circumstances, the following procedures must be observed:

- Under instruction from and in communication with the Precinct Services Division in the Election Center, district drivers (field support personnel) will identify new accessible polling places or sites for possible polling place consolidation
- With assistance from nearby field election deputies and the pollworkers of any affected polling places, district drivers will post signage advising voters of the relocation or consolidation, and directing them to new sites.
- At least two poll workers, field election deputies or district drivers must remain with the ballots from each polling place at all times, and monitor that the ballots are securely transferred to the new polling place locations.
- Election Center staff will contact the Department's liaison at the Sheriff's department, so that all Sheriff's deputies whose ballot- and roster-of-voters-collection routes are impacted by polling place relocations or consolidations and are informed of the new locations.

Emergency Training

The Department of Elections staff are provided with the following safety tips for specific emergencies.

Earthquake

In case of an earthquake staff are instructed to:

1. Drop to the floor, staying away from windows, hanging objects, and tall furniture. Do not rush for the door or use the elevator.
2. If possible, take cover under a steady piece of furniture, like a desk or table.
3. Hold onto the furniture and be prepared to move with it. Stay where you are until the ground stops shaking.
4. Be prepared for aftershocks.

Staff working in City Hall should expect to remain in City Hall until further instruction is given.

Staff working Pier 48 should evacuate to their designated sites as soon as the ground stops shaking. The on-site Manager is to contact the Director or Deputy Director for further instruction. Staff working at Pier 48 must move away from racks, tall shelving, skylights and evacuate to their designated site at Parking Lot A. The on-site Manager is to contact the Director or Deputy Director for further instruction.

Air Contamination

In case of a chemical or radiation disaster staff are instructed to “shelter in place” unless other emergency instructions are given. This means staff should close all windows and doors, pull blinds and curtains, and turn off air conditioners and ventilators if possible.

Staff working at Pier 48 are to either evacuate the area immediately and/or “shelter in place” in the office trailer.

Power Outage

In the event of a power outage, staff are to turn off all appliances and computers. Flashlights are located throughout the Department in each division.

Staff are to remain at their respective worksites until further notice is given.

SECTION 9

INCREASED SECURITY DURING EMERGENCIES

Following are the Department of Elections procedures for addressing the need for increased security.

Standard security measures: All staff and visitors are required to sign in and out; all staff and visitors are required to wear City- or Department-issued ID badges. Visitors are those non-employees who enter the Department’s offices beyond the front desk and are to be escorted at all times. The Department’s computer room remains locked by a code-key lock.

Heightened security measures: Only individuals who have prescheduled appointments may enter the Department. Public access will be restricted to the front desk area. The door between the lobby and Campaign Services area is to be closed at all times. The doors of City Hall rooms 43A and 59 and all doors leading from the Department into the main hallways are to remain closed at all times.

Building is closed to the public, all employees retained: All appointments and deliveries are to be cancelled. Staff assigned to City Hall will be instructed by the Director or Deputy Director to remain in City Hall. Staff working in the field will be notified of the building’s closure and are to remain at their respective sites until further notice.

Building closed to public, only essential employees admitted: The DOE Director or Deputy Manager will call Division Managers. Division Managers will then contact all staff. Personnel essential to performing critical Departmental functions in the case of an emergency will be told when and where to report. Staff who, during an emergency, are not essential to critical Departmental functions will be instructed not to report to work until further notice.

Immediate evacuation of all personnel from the building: In the event of an evacuation of City Hall, staff are to evacuate the building in a calm manner through the nearest exit. Staff are to reassemble at the DOE assembly site in Civic Center Plaza as designated by City Hall Building Services. Prior to evacuating, Campaign Services will retrieve and carry the daily staff

sign-in sheet and the DOE Emergency Bag; this bag includes emergency supplies such as a flashlight, a first aid kit and staff emergency contact information. If time permits, the Campaign Services Division is responsible for initiating the "Send Calls" function for the main phone line (554-4375) which will route all calls to voice mail. Once in a safe location, Campaign Services will call the voice-mail and change the greeting to reflect the evacuation.

Should any members of the public be in the office when an alarm sounds, staff will inform them they are to evacuate the building immediately.

Once outside and in the assigned location in Civic Center, the appointed Emergency Coordinator will hold a sign stating "48". Campaign Services will forward the daily staff sign-in sheet to the Emergency Coordinator who will then take roll. Staff will await approval from emergency personnel and/or the DOE Emergency Coordinator before re-entering City Hall.

SECTION 10

IDENTIFICATION OF ESSENTIAL FUNCTIONS

Within an election cycle, Election Day functions are considered "essential". These functions directly enable voting and vote processing on Election Day, and cannot be interrupted for any period of time. The table below outlines the continuity of operations plan for essential Department functions. It includes the responsible division, the main manager who oversees the function, the order of succession in that manager's absence, the main site of the activity, and potential alternative sites.

ELECTION DAY: The following are functions of the Department of Elections that are to resume immediately following an emergency.

Function	Description	Division	Main	Succession	Site	Alt. Site
Election Center	Coordinating all Election Day activities through the Incident Reporting Information System (IRIS) database. Communicating between polling places, field staff, and City Hall staff; dispatching poll workers, voting machines, etc.	Administrative	Deputy Director II	Election Center Monitors (2)	City Hall	311 Center
Election Center IT Support	Support for IRIS, hardware and network.	Management of Information Systems (MIS)	MIS Manager	Database Analyst, Programmer Analyst and Information System Administrator	City Hall	Veterans Memorial Building > Facility with Internet access

Function	Description	Division	Main	Succession	Site	Alt. Site
Poll-worker Dispatch	Dispatching backup pollworkers to precincts per request. Efforts are coordinated with the Driver Dispatch.	Poll-worker	Deputy Director II	Training Supervisor > Pollworker Coordinator	City Hall	Bill Graham Auditorium > Veterans Memorial Building
Field Election Deputy (FED) deployment	Coordinating deployment of FEDs to their territories.	Poll-worker	Deputy Director II	Training Supervisor > FED Program Supervisor	City Hall / Pier 48	311 Center / Brooks Hall
Ballot Deployment	Preparing and distribute back-up ballots for Polling Place use. Coordinate with the Driver Dispatch	Ballot Distribution	Ballot Distribution Manager	Ballot Distribution Supervisor	City Hall / Brooks Hall	Bill Graham Auditorium > Veterans Building > Pier 48
Logic and Accuracy Testing	Preparation and testing of Edge units before they are issued out as replacements for polling place units.	Logic and Accuracy	Logic and Accuracy Manager	MIS Manager	City Hall	Veterans Building > Bill Graham > Brooks Hall
Polling Place Locations	Support for facilities being used as voting locations	Precinct Services	Precinct Services Manager	Poll Locating Supervisor and Database Supervisor	City Hall	311 Center
District Lead Staff	Troubleshooting field staff assigned to supervisory district territories and supplied with additional voting equipment.	Precinct Services	Precinct Services Manager	Poll Locating Supervisor and Database Supervisor	City Hall	311 Center
Supply Station Staff	5 location across the City supplied with additional voting equipment (3 being 15ft trucks)	Precinct Services	Precinct Services Manager	Poll Locating Supervisor and Database Supervisor	City Hall / 5 satellite supply stations	311 Center / mobile supply stations
Signage Posting	Posting signage notifying voters of polling place relocation	Precinct Services	Precinct Services Manager	Poll Locating Supervisor and Database Supervisor	City Hall	311 Center
Public Phone Bank	Assisting callers with Election Day questions on vote by mail, voter information pamphlet, registration, polling place location, pollworkers etc.	Campaign Services	Campaign Services Manager	Campaign Services Lead	City Hall	311 Center

Function	Description	Division	Main	Succession	Site	Alt. Site
Public Outreach	Informing the general public, target groups as well as the Chinese- and Spanish-speaking communities on the continuation of the election through the mainstream and ethnic media in case of an emergency on E-Day.	Outreach	Outreach Manager	Outreach Supervisor	City Hall	311 Center
Early Voting Counter	Central voting location for voters of San Francisco	Voter Services	Voter Services Manager	Voter Services Supervisor > Voter Services Lead	City Hall	Bill Graham > Veterans Building
Early Voting IT Support	Support for the Election Management System, hardware and network.	MIS	Data-base Analyst	Information Systems Admin > MIS Manager > Programmer Analyst	City Hall	Bill Graham > Veterans Building
Deputy Sheriff Training	Training Deputy Sheriffs to collect ballots and election materials on election night after the polls are closed.	Poll-worker	Deputy Director II	Training Supervisor > Trainer	Pier 48	Brooks Hall
Memory Pack Collection	Coordinating with MIS Division, the Department of Parking and Traffic, and Sheriff to collect memory packs for election day results, include creation of collection routes, procurement of space and set-up.	Ballot Distribution	Ballot Distribution Manager	Ballot Distribution Supervisor	City Hall	Pier 48
Results Tally and Reporting	Upload memory packs and results cartridges, ensuring accuracy of data, producing print and web reports.	MIS	MIS Manager and Data-base Analyst	Programmer Analyst and Information Systems Admin	City Hall	Pier 48
Vote-by-Mail (VBM) Ballot Collection	Coordinate pick up of VBM ballots with Sheriff and USPS at Evans Street post office at close of polls.	Ballot Distribution	Ballot Distribution Manager	Ballot Distribution Supervisor > Ballot Processing Lead	City Hall (return site from post office)	Bill Graham > Veterans Building > Pier 48
Processing Center	Receiving and inventorying voted ballots and other election materials on election night.	Admin / Warehouse	Deputy Director I	Warehouse Manager > Logic and Accuracy Manager	Pier-48	Bill Graham > Brooks Hall
Processing Center IT Support	Support for Tiger Eyes Inventory System, hardware and network	MIS	Information Systems Admin	MIS Manager > Database Analyst and Programmer Analyst	Pier 48	Bill Graham > Brooks Hall

Function	Description	Division	Main	Succession	Site	Alt. Site
Contacting staff and relaying reporting information	Contacting staff in an emergency. Coordinating staff in emergency response efforts as needed.	Admin	Deputy Director I	Purchasing Clerk > Administrative Assistant	City Hall	311 Center

SECTION 11
IDENTIFICATION OF CRITICAL FUNCTIONS

The Department of Elections operates under four work periods in a typical election cycle. They are:

- Pre-election preparation;
- Election Day;
- Post-election canvass; and
- Off-election.

The number of functions that each Department division performs that should be considered “critical” depends on the work period. Election Day functions are essential and cannot be interrupted for any period of time; they are outlined in the previous section. Other Departmental functions are considered critical according their proximity to the election.

The following information outlines by division the critical functions that must resume as soon as possible after an emergency. In cases where critical functions must be resumed within a certain period of time to ensure the continuity of Departmental operations, that time period is specified by days prior to or after Election Day (E- or E+). It also includes the order of succession in the event of the division manager’s absence, the main site of the activity, and potential alternative sites.

Administrative Division

The Administrative Division addresses payroll, finances, human resources, supplies and equipment, and infrastructure needs of the Department.

Critical functions:

Function	Description	Time Period	Succession
Payroll and personnel	Recording and reporting staff salaries, wages, etc.	Year-round	Payroll and Personnel Clerk > Purchasing Clerk
Budget maintenance	Preparing and maintaining the Department’s annual budget.	Year-round	Purchasing Clerk and Administrative Assistant

Function	Description	Time Period	Succession
Supply procurement and vendor communication	Ordering and arranging payment for all Department supplies and services.	Year-round	Purchasing Clerk and Administrative Assistant

The Administration Division functions should resume immediately after an emergency, regardless of work period. Because the Administration Division is responsible for contacting vendors and staff and ordering supplies, its staff may need to be part of the post-emergency assessment.

Possible alternative sites for the Administrative Division: In the event of an evacuation from City Hall, vital records will be transferred to Brooks Hall. The processing of payroll information and procurement of supplies can continue as long as records exist and access to the City's databases is available.

Ballot Distribution Division

The Ballot Distribution Division receives, inventories, and processes ballots prior to and after Election Day (California Elections Code Sections 13100-13121).

Critical functions:

Function	Description	Time Period	Succession
Developing Ballot Order	Collaborate with division managers to create ballot order for the election	E-80 through E-67	Ballot Distribution Supervisor
Coordinating the vote by mail production with vendor	Coordinating with vendor on ballot production and mailing including ordering envelopes and inserts and monitoring ballot deliveries.	E-120 through E-7	Ballot Distribution Supervisor
Hiring election workers to staff ballot processing, distribution, and Canvass.	Recruiting election workers to staff ballot processing to ensure ballots are counted.	E-60 through E+28	Ballot Distribution Supervisor
Prepare ballots for distribution	Preparing ballots for distribution to pollworkers, FED prior to E-day, and election day back up supply.	E-28 through E-7	Ballot Distribution Supervisor > Ballot Prep and Dist. Lead
Processing VBM and Election Day ballots at the central counting location	Processing vbm, provisional, Auxillary, and Edge remake ballots	E-11 through E+28	Ballot Distribution Supervisor > Ballot Processing Leads
Remake ballots	Duplicate ballots that can not be process by the 400-C machine, including all Edge votes.	E-11 through +28	Ballot Distribution Supervisor > Ballot Remake Lead
Managing Canvass	Conducting the official post-election Canvass as required by law for certification of election.	E+1 through E+28	Canvass Supervisor > Canvass Leads
Conducting special elections	Managing and conducting special elections as required (ex. Retirement Board Election, Health Service Board Election, Business Improvement Districts)	As needed	Ballot Distribution Supervisor

Vote-by-mail ballot distribution functions should be resumed 1-3 days after an emergency during the election preparation and post-election canvass periods. If ballots are damaged, replacement ballots are to be ordered immediately (California Elections Code Section 13101). In the event of an emergency that requires the evacuation of City Hall, all vote-by-mail ballots must be stored in an alternate secure location (Brooks Hall). Vote-by-mail ballot requests can continue to be satisfied from an alternate location as long as ballots and the voter database are available. The canvass should resume as soon as possible so it is completed by the legally mandated deadline (California Elections Code Section 15301). If the canvass cannot continue at Pier 48, Brooks Hall could be used as an alternate site.

Precinct ballot distribution functions should be resumed 1-3 days after an emergency during the election preparation period. If ballots are damaged, replacement ballots must be ordered immediately. In the event of an emergency that requires the evacuation of Brooks Hall, where all precinct ballots are stored, an alternate location must be secured and ballots transferred to this alternate location. If an emergency evacuation occurs during the period when ballots are picked up by polling place inspectors (starting 5 days before the election), modified distribution procedures must be adopted and pollworkers notified of the alternate pick-up location.

Possible alternative sites for the Ballot Distribution Division: Bill Graham Civic Center, the Veterans Memorial Building, and the Department's warehouse on Pier 48.

During the post-election period, Canvass functions should be resumed 1-3 days after an emergency. However, if the emergency is severe and the resumption of activities cannot begin during this period, the Department may seek relief from the legally mandated 28-day deadline from the Superior Court. In the event that an evacuation of Pier 48 is required, an alternate location is to be secured and ballots transported as soon as possible. The Canvass can continue from an alternate site as long as access to the ballots is available.

Possible alternative sites for the Canvass: Bill Graham Civic Auditorium and Brooks Hall.

Campaign Services

The Campaign Services Division receives and processes candidate and ballot measure paperwork and maintains documents filed with the State's Fair Political Practices Commission (FPPC). (California Government Code Section 85200 and California Elections Code Section 10220)

Critical functions:

Function	Description	Time Period	Succession
Observer Escort/ Front counter	Assisting observers on department tours and assisting voters by distributing election material, issuing court orders for registration, issuing potential candidate paperwork, selling maps and CDs of voter database.	E-Day and year - round	Campaign Services Supervisor > Campaign Services Lead
Public Phone Bank	Assisting callers with questions on vote by mail, voter information pamphlet, registration, polling place location, pollworkers etc.	E-Day and year - round	Campaign Services Supervisor > Campaign Services Lead

Function	Description	Time Period	Succession
Media Liaison	Media liaison responding to media requests on update on election day. Coordinating with Director for interviews.	E-Day and year - round	Director of Elections
FPPC Filings	Filing campaign and financial disclosure information; reporting information to Fair Political Practices Commission in accordance with Political Reform Act	Year-round	Campaign Services Supervisor > Campaign Services Lead
Candidate Filings	Issuing declaration of intention forms, signatures in lieu forms, and nomination paper petition forms to potential candidates. Advising candidates on important requirements and deadlines.	Year-round	Campaign Services Supervisor > Campaign Services Lead
Initiative Filings	Advising public, proponents, and legislators on the process of submitting measures: Charter amendments, ordinances, declarations of policy, and/or recalls.	Year-round	Campaign Services Supervisor > Campaign Services Lead

If the emergency overlaps in time with legally mandated filing deadlines, Campaign Services functions should resume as soon as possible and no later than 1-3 days after an emergency. In the event that an emergency requires the evacuation of City Hall, an alternate location must be located and relevant election files transported. Candidates are to be notified of the alternate location via telephone.

On Election Day, if City Hall must be evacuated, an alternate location for the phone bank must be secured immediately and the incoming calls transferred as soon as possible. In the meantime, a recorded message will be recorded by Campaign Services staff member providing information to callers.

Possible alternative sites for Campaign Services functions: Bill Graham Civic Center, and the Veterans Memorial Building.

Possible alternative site for the public information phone bank: 311 Center.

Logic and Accuracy Division (L&A)

The L&A Division tests the voting machines to ensure they accurately count votes, and prepares them for deployment prior to each election.

Critical functions:

Function	Description	Time Period	Succession
L&A testing of Polling Places and early voting equipment.	Testing of all voting equipment to be used for the Election.	E-56 to E-7	MIS Manager with support from Warehouse Manager

If an emergency overlaps in time with the L&A testing calendar, L&A testing should resume as soon as possible after an emergency in order to complete the testing by the legally required deadline (California Elections Code Section 15000). L&A testing can continue at an

alternate site as long as the precinct-based and vote-by-mail ballot optical scan voting equipment are available.

~~Possible alternative sites for L&A testing: The Veterans Memorial, Bill Graham Civic Center, or Brooks Hall.~~

Management of Information Systems Division (MIS)

MIS addresses the technological needs of the Department such as e-mail, server access and data ports.

Critical functions:

Function	Description	Time Period	Succession
Network Management	Managing the network infrastructure and maintaining Department servers	Year-round	MIS Manager>IS Admin>DB Analyst and Programmer Analyst
Voter Database Management	Managing the Department's voter information database (DIMS)	Year-round	DB Analyst> MIS Manager and Programmer Analyst
Application Administration	Programming and support for Department applications	Year-round	MIS Manager and Programmer Analyst>IS Admin and DB Analyst
IT/Help Desk Support	General IT troubleshooting	Year-round	IS Admin>MIS Manager>DB Analyst and Programmer Analyst

Most MIS Division functions should resume immediately after an emergency, regardless of work period. Because the MIS Division is responsible for the Department's network and retention of all electronic information, as well as the voter database, staff are to be involved in the post-emergency assessment. They will also be critical in transferring network access and database information to alternate work sites.

Possible alternative sites for MIS: The Veterans Memorial Building or any building with Internet access.

Outreach Division

The Voter Outreach Division is responsible for providing bilingual election information to San Francisco's minority language communities.

Critical functions:

Function	Description	Time Period	Succession
Identify and register qualified electors	Voter registration through outreach events, including presentations and tabling events.	Year Round	Outreach Supervisor

Function	Description	Time Period	Succession
Disseminate election information to the general public and target communities through various methods.	Utilization of various outreach mechanism to disseminate election information, including: brochure and poster distribution, community presentations, tabling events, ethnic and mainstream media outreach, newspaper advertising, and eNewsletters.	E-92 through E-1	Outreach Supervisor

In the event of an emergency, the Voter Outreach Division's functions should be resumed as soon as possible. The Voter Outreach Division will disseminate pertinent information to the City's minority language community through community contacts and the ethnic media. Relevant information could include: the continuation of an election, the postponement of an election, the cancellation of an election, and changes in polling place locations.

Pollworker Division

The Pollworker Division is responsible for recruiting and training pollworkers and Field Election Deputies (FEDs) prior to each election (California Elections Code Section 12304).

Critical functions:

Function	Description	Time Period	Succession
Developing pollworker training manual and training curriculum	Updating Pollworker Manual to reflect procedures for the type of election, current election law and departmental procedures. Developing class curriculum for each type of pollworker (clerk, inspector, high school student pollworker, bilingual clerk, FED).	E-125 through E-46	Training Supervisor > Trainer
Managing training class schedule and training database	Procuring training rooms to accommodate training classes held during the month preceding election. Updating training database with class locations, date and time, trainers' assignment.	E-141 through E-13	Training Supervisor > Trainer
Facilitating pollworker training classes	Conducting training classes including procurement and organization of class materials, classroom and equipment set-up.	E-31 through E-2	Training Supervisor > Trainer
Recruiting pollworkers	Recruiting pollworkers to staff city's polling places to ensure voter assistance on election day.	E-71 through E-1	Training Supervisor > Pollworker Coordinator
Assigning pollworkers to polling places	Assigning pollworkers to polling places while ensuring bilingual requirements mandated by federal and state law are met.	E-36 through E-1	Training Supervisor > Pollworker Coordinator
Scheduling pollworkers to training classes	Scheduling pollworkers to classes according to the information provided on the Availability Letters. Given prior working experience, pollworkers are scheduled to either Experienced or New classes.	E-38 through E-18	Training Supervisor > Pollworker Coordinator

Function	Description	Time Period	Succession
Processing pollworker stipends	Verifying stipend amount against Payroll Sheets collected on election day and making necessary changes/adjustments in DIMS.	E-13 through E+1	Training Supervisor > Pollworker Coordinator
Hiring and assigning Field Election Deputies (FEDs)	Hiring FEDs to monitor and assist polling places on election day and provide communication between the field and the Department on election day. Each FED is given a territory comprised of several polling places.	E-43 through E-14	Training Supervisor > FED Program Supervisor

Training functions should be resumed as soon as possible after an emergency during the election preparation period. In the event of an emergency, alternate training sites and replacement trainers must be identified as soon as possible. The Pollworker Division must have access to the training database (DIMS) in order to contact pollworkers about changes in training locations and for recruitment of replacement trainers.

Possible alternative sites for pollworker training: Bill Graham Civic Center, Pier 48, the Veterans Memorial Building, San Francisco City College class rooms, and San Francisco Unified School District class rooms.

Pollworker recruitment functions should be resumed 1-3 days after an emergency during the election preparation period (California Elections Code Section 12304). All pollworkers should be notified that the election will still be held and their availability confirmed. In the event of a citywide emergency, replacement pollworkers must be identified and confirmed as soon as possible. The Pollworker Division can continue to contact pollworkers about changes in training class locations and to recruit replacement pollworkers as long as access to the voter registration database and the training database is available.

Possible alternative sites for the pollworker recruitment division: Bill Graham Civic Center, the Veterans Memorial Building.

Precinct Services

The Precinct Services Division locates and equips 561 polling places prior to each election (California Elections Code Sections 12280-12281). When allowed under Section 12241 of the California Elections Code, the Department may reduce the number of active polling places through precinct consolidation.

Critical functions:

Function	Description	Time Period	Succession
Delivery of Voting Equipment	Delivering, scanning and setting up voting equipment at each polling place	E-6 thru E-1	Poll Locating Supervisor and Database Supervisor
Retrieval of Voting Equipment	Retrieving and scanning voting equipment from each polling place	E+1 thru E+5	Poll Locating Supervisor and Database Supervisor

Function	Description	Time Period	Succession
Maintaining Precinct Boundary	Maintaining precinct boundary maps and databases CAEC §12220 - 12262	Up until E-88	Poll Locating Supervisor and Database Supervisor
Maintaining Accessible Polling Places	Locating and maintaining accessible polling location for each of the precincts CAEC §12280 - 12288	Year round	Poll Locating Supervisor and Database Supervisor
Maintaining Street Index	Assuring the street ranges are current and assigned to the correct precinct. Updating file with new streets or changes.	Year round	Poll Locating Supervisor and Database Supervisor

Precinct Services Division functions should resume 1-3 days after an emergency during the election preparation period. In the event that an emergency requires the evacuation of City Hall, an alternate site should be secured and DIMS transferred. The locating of polling places, consolidation of precincts and assignment of the mail-ballot precincts can continue from an alternate location. Should the emergency warrant, the Precinct Services Division will contact all polling place property owners to evaluate the condition of the polling sites and their availability for the election. Access to DIMS or a printout of data is needed for contact information. During critical election times a contact list is updated weekly and kept off site.

Publications

The Publications Division is responsible for creating and monitoring the delivery of each election's ballots and Voter Information Pamphlets (VIP) (San Francisco Municipal Election Code 500).

Critical functions:

Function	Description	Time Period	Succession
Administer the Ballot Simplification Committee	Create and distribute all documentation required for and resulting from meetings to draft digests of all local ballot measures	Beginning approximately E-106 (for notice, agendas, preparation of materials, etc.); meetings E-99 to E-85 deadline	Elections Clerk > most experienced Junior Clerk
Ballot production	Compile all information to be included on trilingual ballot; proofread; supervise production of all ballots, including audio and touchscreen formats	Approximately E-92 through E-39	Elections Clerk > most experienced Junior Clerk
Voter Information Pamphlet production	Compile all information to be included in English and translated Voter Information Pamphlets; proofread; supervise production of all versions, including accessible formats; distribute copies as needed; monitor delivery issues	Approximately E-99 through E-18	Elections Clerk > most experienced Junior Clerk
Public notices	Compile all information and translations for newspaper notices required by elections code (CAEC and SFMEC), place in official newspaper and Chinese / Spanish newspapers via newspaper group	E-127 through E-7	Elections Clerk > most experienced Junior Clerk

Publications functions should be resumed 1-3 days after an emergency during the election preparation period. In the event of an emergency, vital records must be recovered and an alternate site is to be identified equipped with computers and ideally with access to the Department's server and e-mail. ~~Depending on the stage of election preparation, the~~ Publications Division may require access to its vendor's ballot layout software and a vendor representative.

Voter Service Division

The Voter Services Division maintains the City's voter roll, administers vote-by-mail voting, and performs signature verification of election materials (California Elections Code Sections 2180 – 2226 and 3000 – 3024).

Critical functions:

Function	Description	Time Period	Succession
Maintenance of Voter Roll	Purge the voter rolls of deceased individuals, duplicate registrations, individuals of have moved out of county and individuals in prison or on parole for the conviction of a felony. CAEC § 2203-2213	Year-round	Voter Services Supervisor
Voter registration	Enter voter registration cards into the database. CAEC § 2107	Year-round	Voter Services Supervisor > Lead
Administer Vote-by-Mail Voting	Sort, scan, upload and verify signatures on returned voted ballots. CAEC § 3019, 3009	E-29 through E+28	Voter Services Supervisor > Lead
Mail Process	Process incoming mail and re-direct mail to other election offices.	Year-round	Lead > Election Clerk
Signature-in-lieu & Nomination papers	Process and verify signatures on signature-in-lieu and Nomination papers. CAEC § E061, 8105-8106, 8022, 8041,8061,8100.	E-158 through E-88	Lead > Election Clerk
State and Local Petitions	Process and verify signatures on state and local petitions CAEC§ 9030-9031 and 9114-9115	Year-round	Lead > Election clerks
Rosters	Reconcile voter changes/requests	E+13 through E+27	Supervisor > Lead
Vote-by-mail application requests	Process vote by mail ballot application requests. CAEC.§ 3001	E-60 through E-7	Supervisor > Lead
Early Voting	Satellite location for early voting EC §3018	E-29 through E-day	Lead > Election Clerks
Provisional ballots	Process Provisional ballots of voters who's name do not appear of the roster. This includes tallying and verifying signatures. E.C. §14310	E+1 through E+10	Voter Services Supervisor > Election Clerks

During the election preparation and Canvass periods, if the emergency overlaps with legally mandated filing deadlines, Voter Services functions should be resumed as soon as possible and no later than 1-3 days after an emergency. An alternate site must be identified as

soon as possible and DIMS and network access transferred. Signature verification, voter registration, the processing of petitions, nomination papers, provisional and vote-by-mail ballots, and rosters can be continued at an alternate site as long as computers and envelope scanners are available.

As a convenience to voters, the Voter Services Division conducts an early voting program at City Hall 28 days prior to an election. During this period, if City Hall is evacuated, an alternate site must be secured and ballots, voting booths and voting supplies and DIMS transferred as soon as possible. If ballots are damaged, replacement ballots must be ordered immediately. Signs are to be placed outside of City Hall directing voters to the alternate site. Early voting can continue at an alternate site as long as ballots and the voter database are available.

Possible alternative sites for Voter Services functions: Bill Graham Civic Center and the Veterans Memorial Building.

Warehouse Division

The Warehouse Division oversees the activities conducted at the Department’s Pier 48 warehouse, including the storage and distribution of the voting machines, the preparation of polling place supplies, the rental of Election Day vehicles, and the election night Processing Center.

Critical functions:

Function	Description	Time Period	Succession
Voting equipment inventory, storage, maintenance and distribution.	Accounting for all voting equipment at and outside the pier. Following charging procedures and schedules for the Edge units and card activators and assisting in the equipment distribution during the election cycle.	Year-round	Deputy Director I > L&A Manager > Warehouse Lead
Storage and destruction of critical election materials.	Ensuring that all critical election materials are stored and destroyed properly. Please refer to CAEC 17301 and 17303	Year -round	L&A manager > Warehouse Lead > Election Clerks
Inventory, ordering and assembly of supplies needed for an election.	Establish an accurate count of supplies we have in house and make the proper requisition of materials and supplies needed to run an election.	E-81 through E-11	Deputy Director > L&A Manager > BD Manager > Warehouse Lead > Election Clerks
Rental items such as vehicles, hand trucks, tower lights and lease of additional warehouse space.	These rental items are needed every election for supply delivery, ballot pick up, processing voting materials and additional parking & working space.	E-8 through E+3	Warehouse lead > Election Clerks > Purchasing clerk

Warehouse functions should be resumed 1-3 days after an emergency during the election preparation period. If voting machines are damaged, replacement machines must be obtained immediately, either through the voting systems vendor or from other counties that use the same system. In the event of an emergency that prevents the continued use of the Pier 48 warehouse, the Department may attempt to recover undamaged election supplies and/or replace election supplies and relocate to alternate warehouse facilities.

Possible alternative sites for the Warehouse Division: Brooks Hall or any available City warehouse sites.

SECTION 12

DELEGATION OF AUTHORITY IN AN EMERGENCY

In the event of an emergency, all decisions regarding Departmental operations in an emergency situation should be made by the Director of Elections. If the Director of Elections is not available to make decisions, full authority transfers to the Deputy Directors. In the event that neither the Director nor the Deputy Directors are available to make decisions, authority should transfer to the most senior staff who are available.

For the order of succession within each division, refer to the tables in Sections 11 and 12.

SECTION 13

EMPLOYEE RESPONSIBILITIES IN AN EMERGENCY

As part of its effort to increase emergency awareness, the Department of Elections has produced a memorandum to notify employees of general emergency procedures, responsibilities, and some basic safety guidelines. The following information is included:

Employees are responsible for knowing that the Mayor:

- May require emergency service of any City officer, employee, or citizen.
- May requisition necessary personnel or material of any City department or agency.
- May assign City employees, regardless of civil service class, any duties that they are capable of performing safely.

Supervisors are also responsible for knowing that:

- No supervisor is authorized to release any employee from work in the event of an emergency without the approval of the department head after consultation with the Mayor.

In the event of an emergency outside normal working hours:

- All other employees are expected to report to work at their normal shift, unless they have been called out for emergency duty or informed over the Emergency Alert System or other media that the Mayor has directed that non-essential employees not report to work.

SECTION 14

COMMUNICATING METHODS AFTER AN EVACUATION FROM CITY FACILITIES

The Department's Administration Division maintains an updated telephone list of employee contact numbers, including cell phone numbers, which can be used in an emergency to contact

staff. The human resources analyst is to provide this list to the Director, Deputy Director and Division Managers in case of evacuation.

SECTION 15

ESSENTIAL FOR DEPARTMENT OR CITY OPERATIONS

In the event of an emergency, the following staff are to meet to perform a damage assessment, begin system restoration, secure alternate work sites and determine which operations should or can continue based on the nature of the emergency

- Director
- Deputy Director
- Senior Staff

Based on the assessment made, Director, Deputy Director, and Senior Staff will contact essential staff in each division.

SECTION 16

PROCEDURES FOR RECALLING ESSENTIAL PERSONNEL

The Department's Administration Division has a complete listing of employees and their telephone numbers, including their emergency contact numbers. Based on the assessment made, the Director, Deputy Director, and Senior Staff will contact Division Managers who will in turn, contact essential Division personnel. When contacted, the Department will inform essential personnel where and when to report to work.

The Administration Division will create a voice-mail stating which employees should report to work, where and when.

SECTION 17

IDENTIFICATION OF ALTERNATE WORK SITES AND/OR REPORTING LOCATIONS

The Department of Elections has three work sites: City Hall, Brooks Hall in the basement of Bill Graham Civic Auditorium, and Pier 48. Plans regarding the evacuation of these sites and the reassembly locations is set forth in Section 1 above.

Depending on which Elections work site has been evacuated, an alternate facility may need to be utilized. These alternate facilities include: Bill Graham Civic Center, Brooks Hall, the Veterans Memorial Building, and the Department's warehouse on Pier 48. The Director of Elections maintains the contact numbers for these facilities and will initiate contact to request the use of the site in the event of an emergency.

SECTION 18

AVAILABILITY OF DEPARTMENT PERSONNEL AND COMMUNICATION TO CITY'S EMERGENCY OPERATIONS CENTER (EOC)

Once all employees are contacted, the Department will provide the following information to the Situation Status Unit of the Plans Section at the City's Emergency Operations Center (EOC) at 1011 Turk Street (Telephone Number -- 415-558-2716, or 415-558-2759, or 415-558-2765; in addition the Mayor's Emergency Telephone System or METS Number is 415-351-7790, or 415-351-7739).

- The number of employees who reported or where contacted
- The number of personnel unable to report
- Location and number of employees performing critical work for the department
- Location and number of employees available for general emergency relief work for the City

The Department's Emergency Coordinator is responsible for compiling this information and transmitting it to the City's EOC. If the Emergency Coordinator is unable to contact EOC, the Director will contact EOC, and, if needed, in the Director's place the Deputy Director will contact the EOC. When necessary, Senior Managers may also contact EOC. If the Department of Elections has personnel available for assignment as Disaster Service Workers, given a large Citywide emergency event, this information can also be communicated to the Situation Status Unit of the Plans Section at the EOC (see above telephone numbers). The Situation Status Unit will relay this information to a Department of Human Resources representative at the EOC.

SECTION 19

PROVISIONS FOR OPERATIONAL CAPABILITY WITHIN 12 HOURS AND SUSTAINING OPERATIONS FOR 30 DAYS

To be determined by the Mayor and/or the Secretary of State.

SECTION 20

TRAINING STRATEGY FOR DEPARTMENTAL STAFF

Each Division in the Department of Elections maintains a binder that includes basic safety and emergency information and a copy of this plan. It also distributes memoranda to notify employees of general emergency procedures and employee responsibilities in an emergency. In addition, quarterly emergency preparedness and procedures meetings and physical drills are to be performed.

SECTION 21

PROTECTION AND RECOVERY OF VITAL RECORDS

Information from the Department of Election's server is backed up every night. Once each week, a back up tapes is sent to an offsite data storage facility in Sacramento. Each month, one

backup tape is retained at the offsite facility and replaced at the end of the succeeding month. All voter registration files, election systems, software files and all other files on the server, are contained in the back up tapes. These files will enable the Department to remain operational in an emergency.

Payroll, personnel, budget and contract information is maintained in the City's database system. Assuming this system is functional, information can be accessed from a remote location with the assistance of the City's Department of Technology.

SECTION 22

STRATEGY FOR NON-STRUCTURAL HAZARD MITIGATION

The Department of Elections operates from three locations: City Hall, Brooks Hall, and a warehouse at Pier 48. Fire extinguishers are available at each site. Each location is equipped with flashlights, a first aid kit and water.

In addition, quarterly emergency preparedness and procedures meetings and physical drills are to be performed.

SECTION 23

PROCEDURES FOR SHORT-TERM EARTHQUAKE PREDICTIONS

If the Governor's Office of Emergency Services should issue a warning about a greater than normal chance of an earthquake in the immediate future, Department staff will proceed as follows:

All Division Managers will review basic safety procedures and evacuation guidelines with their staff and check the emergency supplies.

City Hall – All emergency lighting and kits will be checked. Staff will be reminded of basic safety procedures and evacuation guidelines. Employees will utilize the sign-in sheet when leaving the department for more than 15 minutes at a time.

Brooks Hall – All emergency lighting and kits will be checked. Work will be transferred to City Hall, if possible. If work continues at this facility, the staff are to avoid areas where items are stored and could fall or shift in an earthquake. Site Manager is to utilize a sign-in sheet when leaving the area for more than 15 minutes at a time.

Pier 48 – Staff are to be instructed to avoid storage aisles where items could shift and fall in an earthquake. The large garage door entrance, located at the end of the parking lot, is to be opened to expedite evacuation. All vehicles are to be fueled up and moved to the outdoor parking lot. Site Manager is to utilize a sign-in sheet when leaving the area for more than 15 minutes at a time.

City and County of San Francisco

Office of the Controller – City Services Auditor

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

RECEIVED
CITY SERVICES AUDITORS
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AIRPORT COMMISSION:

9

Compliance Audit of
Southwest Airlines Co.



November 2, 2009

9

**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

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

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

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

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

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

Audit Team: Elisa Sullivan, Audit Manager
Rob Malone, Associate Auditor



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

November 2, 2009

San Francisco Airport Commission
P.O. Box 8097
San Francisco International Airport
San Francisco, CA 94128

President and Members:

The Controller's Office, City Services Auditor, presents its report concerning the audit of Southwest Airlines Co. (Southwest). Southwest has an airline operating permit from the Airport Commission of the City and County of San Francisco to use the landing facilities at San Francisco International Airport (SFO) for its air transportation business.

Reporting Period: July 1, 2007, through June 30, 2009

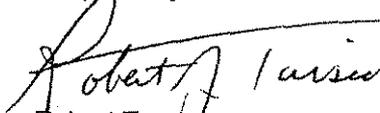
Fees Paid: \$8,149,095

Results:

Southwest correctly reported 22,014 landings and paid all landing fees due for the audit period. As a result, this report contains no recommendations.

The responses from the Airport and Southwest are attached to this report.

Respectfully submitted,


Robert Tarsia
Deputy Audit Director

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

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INTRODUCTION

Audit Authority

The Office of the Controller (Controller) has authority under the San Francisco Administrative Code, Chapter 10, Article 1, Section 10.6-2 to audit, at regular intervals, all leases of City-owned real property where rent of \$100,000 or more a year is to be paid to the City and County of San Francisco (City). In addition, the City Charter provides the Controller, City Services Auditor (CSA), with broad authority to conduct audits. We conducted this audit under that authority and pursuant to an audit plan agreed to by the Controller and the Airport.

Background

Southwest Airlines Co. (Southwest) has an airline operating permit (permit) from the Airport Commission (Commission) of the City to use the landing facilities at San Francisco International Airport (SFO) for its air transportation business. The permit, which commenced on May 1, 2007, requires Southwest to submit to the Airport Department (Airport) a monthly report showing Southwest's actual revenue aircraft landings by aircraft type and other landing data necessary to calculate the landing fees. The Airport charges Southwest a landing fee based on the maximum landing weight of its revenue aircraft landings at SFO. These landings are those for which Southwest has received or made a monetary fee or charge. For every 1,000 pounds of aircraft landed, the Commission sets a fee that it may change annually. During the audit period, the Airport's fee per 1,000 pounds was \$3.01 for fiscal year 2007-08, and \$3.00 for fiscal year 2008-09.

Scope and Methodology

The purpose of this audit was to determine whether Southwest complied with the reporting and payment provisions of its permit. The audit covered the period from July 1, 2007, through June 30, 2009.

To conduct this audit, the audit team reviewed the applicable terms of Southwest's permit and the adequacy of its procedures for recording, summarizing, and reporting revenue aircraft landings. The audit team tested whether Southwest accurately reported its revenue aircraft landings and the maximum landing weights of its aircraft landed at SFO, and also verified whether Southwest had any outstanding landing fee payments due to the Airport for the audit period.

This performance audit was conducted in accordance with generally accepted government auditing standards. These standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

AUDIT RESULTS

Southwest Accurately Reported All Landings and Correctly Paid All Landing Fees From July 1, 2007, through July 30, 2009, Southwest reported 22,014 revenue aircraft landings, for which it paid \$8,149,095 in landing fees to the Airport. The exhibit below shows Southwest's reported landings and fees paid.

EXHIBIT		Number of Reported Landings and Landing Fees Paid July 1, 2007, Through July 30, 2009		
Period	Number of Landings	Total Landing Weight (in lbs)	Rate per 1,000 lbs	Landing Fees Paid
July 1, 2007 – June 30, 2008*	8,258	1,020,894,000	\$3.01	\$3,072,891
July 1, 2008 – July 30, 2009	13,756	1,692,068,000	\$3.00	5,076,204
Total	22,014	2,712,962,000		\$8,149,095

*Note: Southwest began operations in August 2007.

Source: Airport reports on landing fees and aircraft landings.

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ATTACHMENT A: AIRPORT'S RESPONSE



San Francisco International Airport

PO Box 8007
San Francisco, CA 94128
Tel: (415) 831-5000
Fax: (415) 831-5005
www.sfo.gov

October 27, 2009

Mr. Robert Tarsia
Deputy Audit Director
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Subject: Audit of Southwest Airlines Co.

Dear Robert:

The Airport agrees with the Audit Report of Southwest Airlines Co. ("Southwest") for the Reporting Period of July 1, 2007, through June 30, 2009, for total Fees Paid in the amount of \$8,149,095.00 and that Southwest correctly reported 22,014 landings and correctly paid all land fees due for the audit period.

The Airport commends Southwest for its diligence and thoroughness in reporting and maintaining accurate landing data.

If you should have any additional questions, please do not hesitate to give me a call at (650) 821-4525.

Sincerely,

Teresa Rivor
Senior Property Manager
Aviation Management

cc: Gary Franzella

AIRPORT
COMMISSION
CITY AND COUNTY
OF SAN FRANCISCO
GARY FRANZELLA
GARY
LARRY MAZZOLA
PRESIDENT
CHRIS CHASTEN
VICE PRESIDENT
CAROL LEO
ELI ANGELO PIPPA
RICHARD J. GUGLIEMINI
JOHN C. MARTIN
AIRPORT DIRECTOR

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ATTACHMENT B: SOUTHWEST'S RESPONSE



Robert Alderete
Station Manager
San Francisco International Airport
P.O. Box 280147
San Francisco, CA. 94128
Office: (650) 534-1115
Fax: (650) 534-1116

October 21, 2009

Robert Tarsia
Deputy Audit Director
City Hall, Room 476
1 Dr. Carlton B. Goodlett Place
San Francisco, CA. 94102

Mr. Tarsia,

I have received my copy of the audit of Southwest Airlines by the Controller's Office, City Services Auditor. I was very pleased to see that we correctly reported our landings during the audit period. Your office was very easy to work with and very gracious in all our interactions. If I can be of any further assistance please don't hesitate to ask.

Regards,

R. Alderete

Robert Alderete
Station Manager
Southwest Airlines
San Francisco International Airport

City and County of San Francisco



Ronald Alameida
Project Manager
30 Van Ness, 5th Floor
San Francisco, CA 94102

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Department of Public Works
Edrad S. Sweiss, PE, PLS
City Engineer & Deputy Director for Engineering
Architecture Bureau
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Engineering Bureau
Peg Divlne

Gavin Newsom, Mayor
Edward D. Reiskin, Director

Project Management Bureau
Edgar A. Lopez
Street Use and Mapping Bureau
Barbara L. Moy

Date: October 9, 2009

To: Angela Calvillo, Clerk of the Board of Supervisors
Ben Rosenfield, City Controller
Jose Cisneros, City Treasurer
Nadia Sesay, Director of the Mayor's Office of Public Finance
Ken Bruce, Budget Analyst

From: Ronald Alameida, Program Manager
Department of Public Works
Project Management Bureau

Project: SFGH Rebuild Program

RE: Bond Accountability Report and Second Bond Sale

10

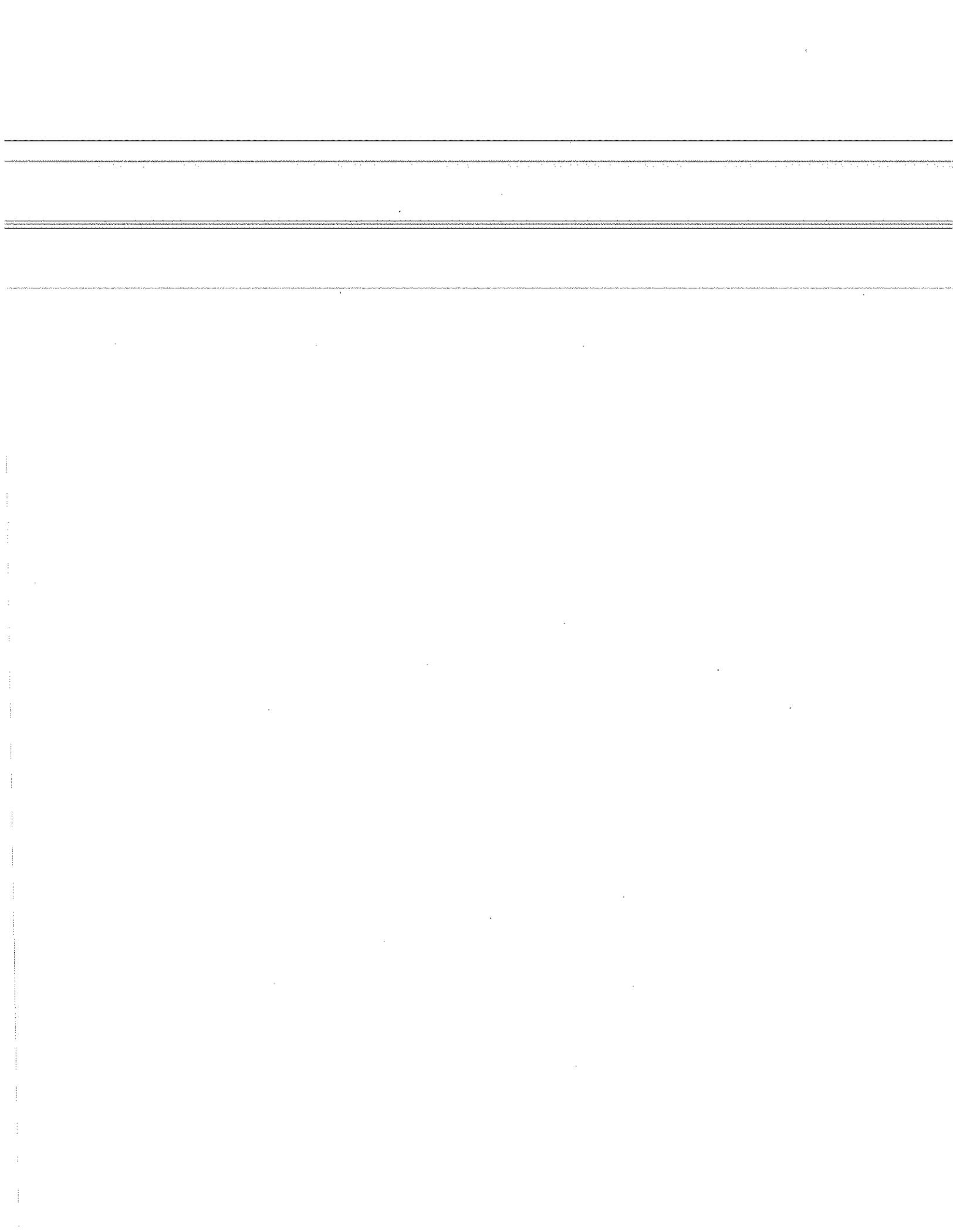
The Department of Public Health and the Department of Public Works hereby request for the approval for the sale and appropriation of \$298,290,000 in General Obligation Bonds. This will be the 2nd bond issuance, as a portion of the \$887,400,000 in General Obligation Bonds approved by the voters in November 2008. The proceeds for the 2nd Bond Sale would be used to fund the following scope through the scheduled 3rd Bond Sale in January 2011: (1) Construction of the Site Utilities Relocation Phase, (2) Design and Construction of the Service Building Modifications and (3) Design and Construction of the New San Francisco General Hospital Trauma Center. Approximately \$5,155,298 would be reserved for Finance Costs.

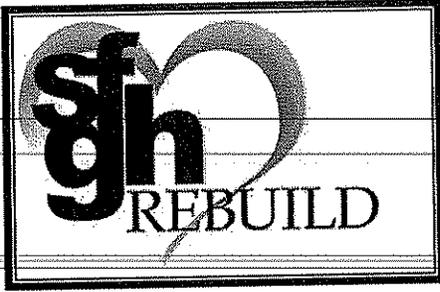
Attached, please find a copy of a Bond Accountability Report for the San Francisco General Hospital Rebuild Program's 1st Bond Sale¹. Should you have any questions or comments, please feel free to contact me at 695-3861.

Attachment: (1) Bond Accountability Report dated October 1, 2009
(Via email electronic)

¹ 1st Bond Sale in the amount of \$136,000,000 was sold in March 2009

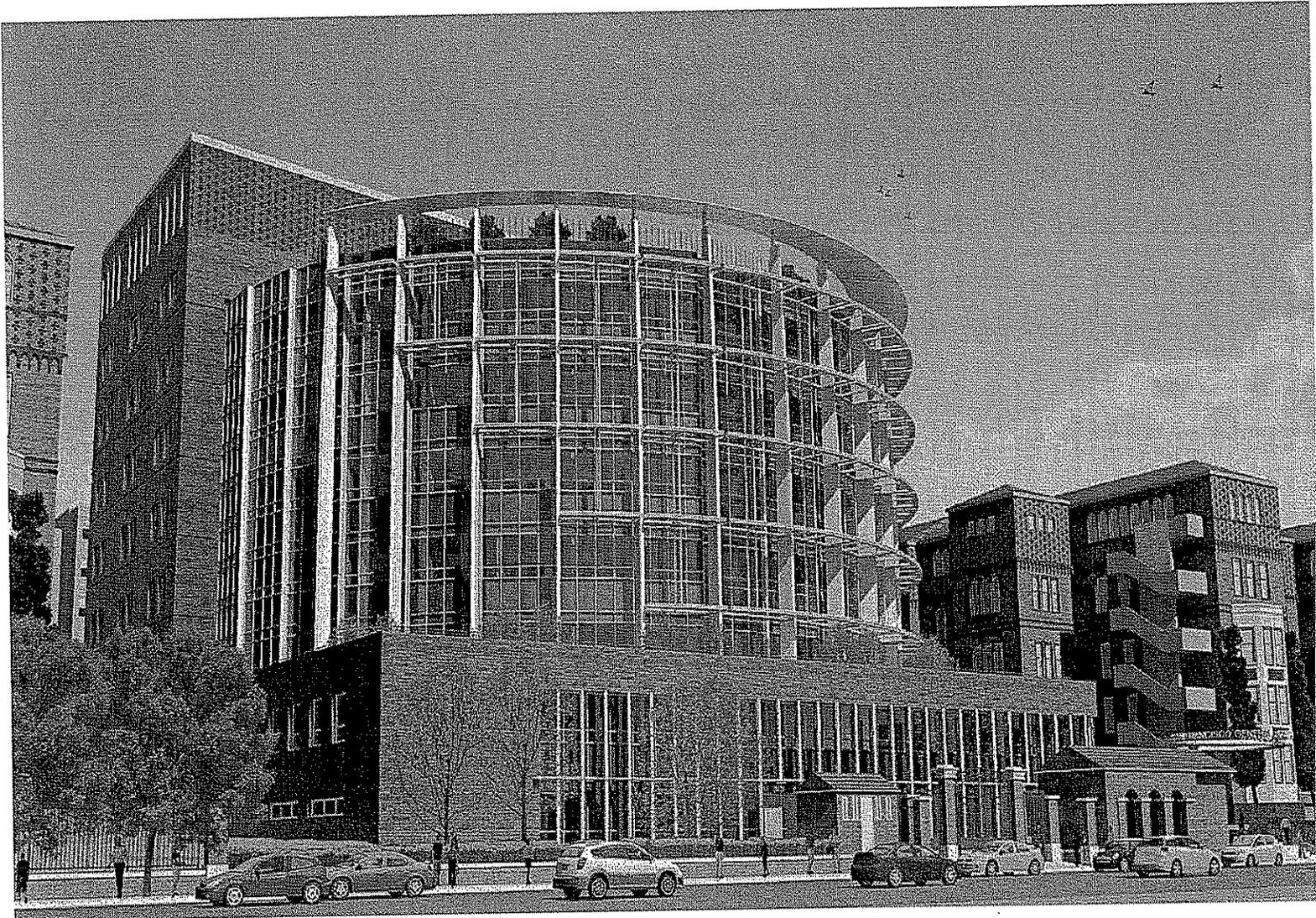
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Bond Accountability Report & Second Bond Sale

October 1, 2009





Bond Accountability Report & Second Bond Sale
October 1, 2009

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Bond Accountability Report & Second Bond Sale

October 1, 2009

EXECUTIVE SUMMARY

Bond Sale Plan

In March 2009, the Department of Public Health and Department of Public Works sold its first series of General Obligation Bonds in the amount of \$136,000,000. The Proceeds from the sale are used for (1) Repayment of Pre-Bond Funding in the amount of \$28.8 million, (2) Design of the three components (see Program Components section) of the San Francisco General Hospital Rebuild Project ("SFGH Rebuild"), (3) Site Preparation and Logistics Setup, and (4) Construction activities for the Site Utilities Phase.

In January 2010, the Department of Public Health and Department of Public Works seek to sell a second series of general obligation bonds (2nd Bond Sale) totaling approximately \$298,290,000. The Proceeds from the 2nd Bond Sale will be used to support the following activities: (1) Construction of the Site Utilities Component, (2) Design and Construction of the Service Building Modifications and (3) Design and Construction of the New SFGH Hospital (Increments 1 – 6).

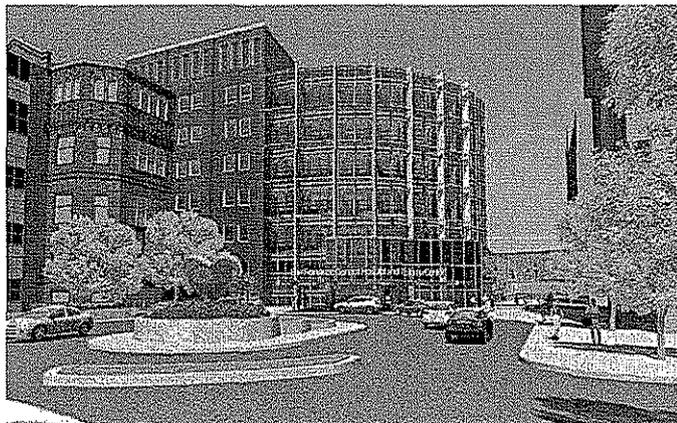
A factored estimate for the proposed sale (2nd Bond Sale) is summarized as follows:

SITE UTILITIES	13,126,844
SERVICE BUILDING MODIFICATION	5,549,345
NEW SFGH HOSPITAL	279,613,811
TOTAL	298,290,000

Program Summary

San Francisco General Hospital Rebuild Program

The existing general acute-care hospital at the San Francisco General Hospital Medical Center (SFGHMC) currently does not meet Senate Bill (SB) 1953 seismic safety requirements, which mandates that all general acute care patients be relocated from any non-conforming hospital to a compliant hospital by 2013. If the SFGHMC does not meet the state-mandated goals, SFGH will face closure, and the City and County of San Francisco will lose the only



Trauma Center that serves all San Franciscans. The SFGH Rebuild Team has successfully met the criteria set by SB 306 securing a January 1, 2020 deadline; however, the SFGH Rebuild Program continues to be structured towards an operational date of January 1, 2015. This schedule will provide for a ne seismically compliant acute care hospital five years earlier than the current deadline.



Bond Accountability Report & Second Bond Sale

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On November 4, 2008, the voters overwhelmingly passed Measure A, which approved the City's ever largest general obligation bond (\$887.4M), to rebuild SFGH. The new acute care hospital will be located on the San Francisco General Hospital Campus ("SFGH" or "Campus"), located at 1001 Potrero Avenue (Assessor's Block 4154, Lot 001), west of the existing hospital and is nine stories tall (includes two basement levels). The new hospital has a total gross building area of 422,144 SF and will provide a total of 284 general acute care beds.



The design of the new hospital will be consistent with the City and County of San Francisco's objectives to be environmentally responsible and is currently targeted to achieve a LEED Gold Certification rating.

The new Acute Care Hospital Building will be comprised of two main forms – a rectangular diagnostic and treatment podium on the lower floors and interlocking circular forms that

comprise the patient bed tower. The form of the patient bed tower directly corresponds to the operational organization of the various nursing units to provide centralized observation, support and control. In addition to these main forms, a rectangular vertical mass that culminates at the penthouse joins the two circles together and ties the forms together with the podium level. This element also houses all the vertical components of the elevators and utility systems.

The exterior façade of the building will be a combination of brick cladding, glass curtain wall and built-up sunshade elements. The materials will connect the building to the surrounding building context while expressing the modernity of the SFGH & Hospital Rebuild Project.

Overall Space Program Area

Comparison with the existing hospital & proposed new facility		
	Existing Beds ¹	New Beds
ICU beds	30	38
Step-Up Beds (Flex up to ICU)	0	20
Step-Up Beds (Flex down to Med/Surg)	24	28
Medical/Surgical Beds	158	148
Medical Surgical Forensic Beds	10	4
LDRP Beds	12	9
Postpartum Beds	12	13
Pediatrics Beds/swing Beds	3	12
NICU Bassinets	3	12
Total Acute Care Beds	252	284

¹ Existing bed counts refer to the number of beds in the existing Hospital-Building 5



Bond Accountability Report & Second Bond Sale

October 1, 2009

Baseline Budget & Funding

Baseline Budget

TOTAL PROJECT BUDGET		\$887,400,000	
1 PURCHASE, CONSTRUCTION, & MOBILIZATION		\$728,260,000	82.07%
1.1 Not Used		\$0	0.00%
1.2 Hospital Construction Contract		\$717,100,000	80.81%
1.3 Furniture/Equipment/Telecommunications/Computers		\$0	0.00%
1.4 Temporary Relocation Construction		\$1,100,000	0.12%
1.5 Art Enrichment		\$7,060,000	0.80%
1.6 DTIS wiring		\$3,000,000	0.34%
2 PROJECT CONTROL		\$139,250,000	15.69%
2.1 DPH Department Oversight and Management		\$9,304,307	1.05%
2.2 DPW Project Management		\$10,756,388	1.21%
2.3 Other City Services		\$1,050,000	0.12%
2.4 Environmental & Regulatory Approval		\$21,444,000	2.42%
2.5 A/E Services		\$96,695,305	10.90%
3 OTHER PROGRAM COSTS		\$10,650,977	1.20%
4 FINANCE COSTS		\$9,239,023	1.04%

Funding Plan

<u>Source</u>	<u>Amount</u>
General Obligation Bonds	\$887,400,000

<u>Sale Schedule</u>	
1 st Bond Sale	\$136,000,000
2 nd Bond Sale	\$298,290,000

Project Schedule

	<u>Start</u>	<u>Finish</u>
Site Utilities Relocation (Design/Permitting)	12/2007	07/2009
Site Utilities Relocation (Construction)	08/2009	03/2010
Service Building Modifications (Design/Permitting)	06/2007	08/2010
Service Building Modifications (Construction)	09/2010	09/2011
New SFGH Hospital (Design/Permitting)	06/2007	03/2011
New SFGH Hospital (Construction)	12/2009	11/2014



Bond Accountability Report & Second Bond Sale

October 1, 2009

Accountability Measures

The 2008 San Francisco General Hospital Rebuild Program has a comprehensive series of accountability measures including public oversight and reporting by the following governing bodies:

1. The Public Health Commission which will review the status and progress of the Rebuild on a recurring basis with comprehensive reports on cost, schedule, and design of the facility. Reports are presented by the San Francisco General Hospital CEO, DPH Program Director, and the DPW Project Manager. The Rebuild team's most recent report to the Health Commission was on September 15, 2009.
2. The Citizens' General Obligation Bond Oversight Committee (CGOBOC) which reviews, audits and reports on the expenditure of bond proceeds in accordance with the expressed will of the voters. CGOBOC submits reports and audits to the Public Health Commission, Board of Supervisors and to the Mayor's Office. DPW and DPH will present annually to the CGOBOC and will prepare quarterly progress reports to the Committee. The Rebuild team's most recent report to the Committee was on September 10, 2009.
3. The Rebuild Steering Committee reviews the project on a monthly basis with reports on project expenditures and schedule, and where required, discussion on functional issues that arise during the course of the design process. The Steering Committee is chaired by the San Francisco General Hospital CEO and is made of the team members from DPW and DPH.
4. The Department of Public Health's website has a dedicated link for the SFGH Rebuild which is updated regularly with project information and contains a schedule of community meetings and other major milestones. The Rebuild website is updated regularly to provide the most accurate information to the Public. The website link is <http://www.sfdph.org/dph/RebuildSFGH/>.
5. The Department of Public Health with the Department of Public Works holds regularly scheduled public Town Hall meetings on the SFGH campus to inform the public on the progress of the project. The most recent meeting was held on August 6, 2009.
6. 60 days prior to the issuance of any portion of the bond authority, the Public Health Department must submit a bond accountability report to the Clerk of the Board, the Controller, the Treasurer, the Director of Public Finance, and the Budget Analyst describing the current status of the Rebuild and whether it conforms to the expressed will of the voters. The report before you is intended to satisfy the reporting requirement.



Bond Accountability Report & Second Bond Sale

October 1, 2009

PROGRAM COMPONENTS

Site Utilities Relocation

Design & Permitting: December 2007 – July 2009

Construction: August 2009 – March 2010

The SFGH Rebuild Program includes site preparation activities involving site utility relocations and replacements allowing for the continual operations of the non-hospital buildings adjacent to the site. The Project site is traversed by an existing utility tunnel serving Buildings 30, 40 and 9. The segment of the tunnel traversing the Project Site will be removed in the course of building excavation phase after the utilities required for Buildings 30, 40 and 9 are rerouted or replaced. The permitting and inspections of this work is primarily under the jurisdiction of the City and County of San Francisco. The Site Utilities Relocation / Replacement component of the Project will be implemented first and concurrent with the review and permitting process for the program components under the jurisdiction of the Office of Statewide Healthcare Planning and Development (OSHPD). The Project associated with this component will also provide the utility infrastructure necessary to link the new acute care building to the existing service building.

Increment 1 – Shoring & Excavation

Design & Permitting: June 2007 – December 2009

Construction: December 2009 – October 2010

The design and construction of the new acute care building on the SFGH Campus is under the jurisdiction of OSHPD and will be structured in multiple increments. The first increment is the design, permitting and construction of the shoring and excavation for the acute care building including the necessary site excavations, combined shoring / permanent base isolation moat wall, and tunnel structure removal. The utilization of an incremental review and permitting process has allowed the City to best address the schedule constraints of the project by allowing for earlier initiation of construction than otherwise afforded by the conventional permit process.

Increment 2 – Steel Framing

Design & Permitting: June 2007 – December 2009

Bidding & Fabrication: September 2009 – June 2011

Construction: June 2011 – April 2012

The second increment is the design, permitting and construction of the structural steel frame for the acute care building. The utilization of OSHPD's Phased Plan Review for incremental review and permitting has allowed the City to best address the schedule constraints of the project by allowing for earlier bidding, fabricating and installation of the structural frame.



Bond Accountability Report & Second Bond Sale

October 1, 2009

Increment 3 – Mat Foundation

Design & Permitting: June 2007 – December 2009

Construction: February 2011 – March 2011

The third increment is the design, permitting and construction of the mat foundation for the acute care building. The utilization of OSHPD's Phased Plan Review for incremental review and permitting has allowed the City to best address the schedule constraints of the project by allowing the installation of the foundation system along parallel but earlier timeframe than the design, permitting and construction of the structural steel frame for the acute care building thus further compressing the construction duration.

Increment 4 – Core & Build-out

Design & Permitting: June 2007 – April 2011

Construction: May 2011 – November 2014

The fourth increment of the design and construction of the new acute care building under the jurisdiction of OSHPD is the remaining build-out of the floors including the building exterior sun shading system, floor slabs, roof, mechanical and electrical systems, interior partitions and finishes. This increment of the Project will also provide and install all fixed medical equipment and systems planned for the new acute care hospital; as well as, establish a minimum level of Silver Certification in the Leadership in Energy and Environmental Design (LEED) Green Building Rating System™.

Increment 5 - Medical Equipment

Design & Permitting: December 2009 – February 2011

Installation: September 2011-September 2014

The fifth increment for OSHPD Phased Plan Review anticipates further design and permitting for major medical equipment with emerging technology at the latter stages of the Program timeline. Medical Equipment are currently identified and included in Increment 4. Increment 5 will be activated by later stage Major Equipment selections as required.

Increment 6 - Curtain Wall & Exterior Precast Panels

Design & Permitting: June 2007 – April 2011

Construction: May 2012 – March 2013

The sixth increment of the design and construction of the new acute care building under the jurisdiction of OSHPD is the exterior wall cladding systems including glass & aluminum curtainwall and skylight systems, brick clad concrete precast panels and metal panel cladding. Contracts have been executed for Curtain Wall and Pre-Cast Systems. Both subcontractors are participating in design coordination meetings and submitting shop drawings for FCA to review. Increment 6 is on track for OSHPD submittal in December 2009 with both construction documents and subcontractor's engineered shop drawings concurrently, thus avoiding Deferred Approvals with OSHPD – which historically have caused much delay cost and schedule issues on traditionally delivered projects



Bond Accountability Report & Second Bond Sale

October 1, 2009

Service Building Modification

Design & Permitting: April 2008 – August 2010

Construction: September 2010 – September 2011

The provision of building utilities such as emergency power, steam and chilled water will be from new equipment added to the existing Service Building on the SFGH Campus. The necessary modifications and additions to the Service building will be a under separately permitted project under the jurisdiction of OSHPD. The Service Building Modification including equipment additions for the SFGH Rebuild Program will be implemented concurrently with the separately funded Emergency Generator Project. Originally the Emergency Generator Project addressing campus issues was advanced independently and ahead of the SFGH Rebuild timeline. Since the Emergency Generator Project did not advance through City funding approval processes as anticipated by SFGH

Furniture, Fixtures & Equipment (FF&E)

Design & Coordination: June 2007 – December 2011

Procurement & Installation: August 2009 – December 2014

Furniture, Fixtures & Equipment Component of the Program addresses the coordination, procurement and installation of FF&E items required for acute care operations of the hospital. FF&E fundraising opportunities are under development with the SFGH and SFGH Foundation as many FF&E items are not bond eligible thus requiring SFGH to find alternative funding sources.



Bond Accountability Report & Second Bond Sale

October 1, 2009

PROGRAM BUDGET & SCHEDULE

Budget Summary

SFGH REBUILD BUDGET SUMMARY	TOTAL PROGRAM		FUND SOURCES			EXPENDITURES/ENCUMBRANCES		
	Baseline Budget May 2008	Appropriations September 31, 2009	Prop A General Obligation Bonds- 1st Bond Sale	Other	Total Sources	Expenditures September 31, 2009**	Encumbrances September 31, 2009	Balance September 31, 2009
PURCHASE CONSTRUCTION & MOBILIZATION	728,260,000	51,984,828	51,984,828	0	51,984,828	1,042,447	40,473,764	10,265,618
HOSPITAL CONSTRUCTION CONTRACT	717,100,000	51,142,389	51,142,389	0	51,142,389	878,239	40,262,033	10,002,117
TEMPORARY RELOCATION CONSTRUCTION	1,100,000	0	0	0	0	0	0	0
ART ENRICHMENT	3,000,000	608,510	608,510	0	608,510	134,005	8,005	466,500
DTIS WIRING	7,060,000	233,929	233,929	0	233,929	30,203	203,726	-1
PROJECT CONTROL	139,250,000	69,831,446	69,831,446	0	69,831,446	42,984,678	13,140,001	13,706,767
DPH DEPARTMENT OVERSIGHT AND MANAGEMENT	9,304,307	4,682,662	4,682,662	0	4,682,662	1,368,399	337,212	2,977,051
DPW PROJECT MANAGEMENT	10,756,388	2,678,010	2,678,010	0	2,678,010	2,190,662	0	487,348
CITY SERVICES	1,050,000	1,033,900	1,033,900	0	1,033,900	347,802	284,790	401,308
ENVIRONMENTAL & REGULATORY APPROVALS	21,444,000	5,971,506	5,971,506	0	5,971,506	3,233,274	386,913	2,351,319
A/E SERVICES	96,695,305	55,465,368	55,465,368	0	55,465,368	35,844,541	12,131,086	7,489,741
OTHER PROGRAM COSTS	10,650,977	6,654,506	6,654,506	0	6,654,506	0	0	6,654,506
FINANCE COSTS	9,239,023***	7,529,220	7,529,220	0	7,529,220	7,085,014	0	444,206
CONTROLLER'S AUDIT FUND		257,715	257,715	0	257,715	0	0	257,715
CGOBOG AUDIT FUND		128,857	128,857	0	128,857	0	0	128,857
UNDERWRITER'S DISCOUNT		1,147,209	1,147,209	0	1,147,209	1,147,209	0	0
COSTS OF ISSUANCE		500,668	500,668	0	500,668	443,034	0	57,634
PREMIUM ON ISSUANCE*		5,494,771	5,494,771	0	5,494,771	5,494,771	0	0
TOTALS	887,460,000	136,000,000	136,000,000	0	136,000,000	51,112,339	53,613,765	31,274,096

NOTES:

*EXCLUDES UNDERWRITER'S DISCOUNT OF \$1,147,209

**EXPENDITURES ARE BASED ON FAMIS: LABOR EXPENDITURES, AS OF 9/18/09 AND NON-LABOR EXPENDITURES, AS OF 10/1/09.

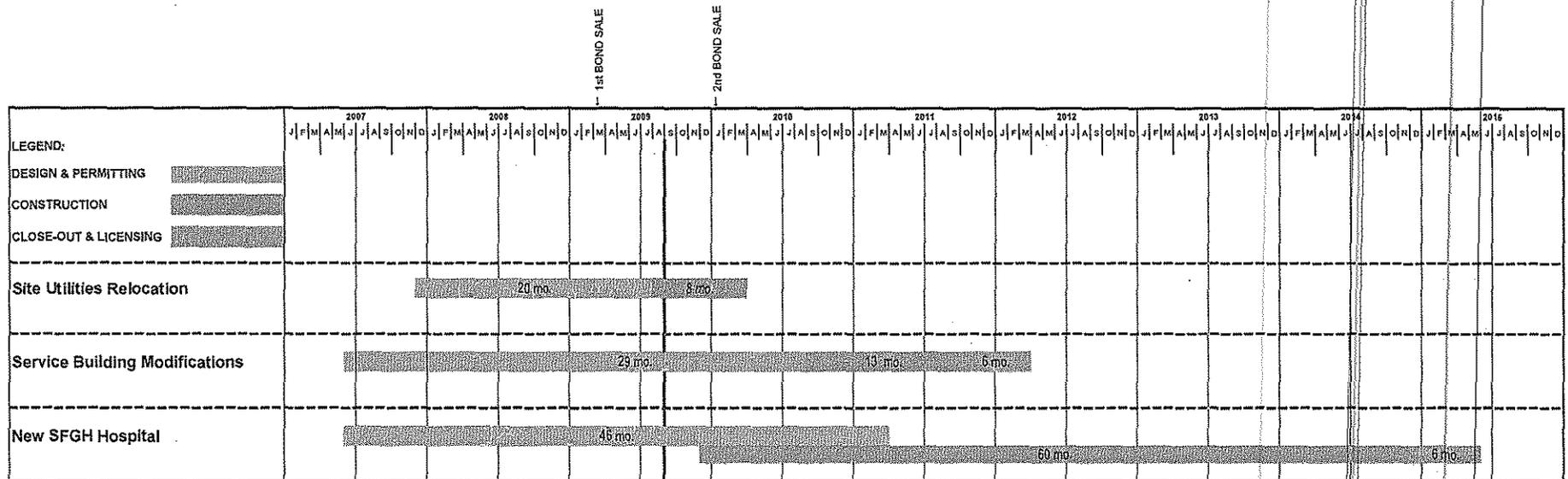
***THE FINANCE COST OF \$9,239,023 INCLUDES COSTS OF ISSUANCE, BOND INSURANCE, UNDERWRITERS DISCOUNT, AND GOBOG FEES.



Bond Accountability Report & Second Bond Sale

October 1, 2009

Program Schedule





Bond Accountability Report & Second Bond Sale

October 1, 2009

1ST BOND SALE REVENUE DETAILS

First Bond Sale \$136,000,000

Budgeted Revenue:		\$136,000,000
Sources:	Bond Proceeds Par Amount	\$131,650,000
	Premium on Issuance	\$6,641,980
	Interest Revenue	\$725,765
Total Actual Revenue:		\$137,870,536²
Expenses:	Bond Account for Debt Service	\$6,641,980
	Cost of Issuance	\$500,668
	Internal Audit	\$386,572
Total Expenses:		\$7,529,220

² Total Actual Revenue per FAMIS System (based on Premium, less Underwriter's Discount of \$1,147,209)

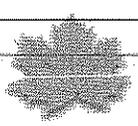


Bond Accountability Report & Second Bond Sale

October 1, 2009

2ND BOND SALE BREAKDOWN

1. PURCHASE, CONSTRUCTION, & MOBILIZATION	
HOSPITAL CONSTRUCTION CONTRACT	235,241,555
TEMPORARY RELOCATION CONSTRUCTION	366,667
ART ENRICHMENT	2,912,000
DTIS WIRING	1,000,000
2. PROJECT CONTROL	
DPH DEPARTMENT OVERSIGHT & MGT.	2,279,579
DPW PROJECT MANAGEMENT	1,591,400
CITY SERVICES	503,705
ENVIRONMENTAL & REGULATORY APPROVALS	3,315,577
A/E SERVICES	43,261,584
3. OTHER PROGRAM COSTS	2,662,635
4. FINANCE COSTS	5,155,298
2nd BOND SALE ESTIMATE	298,290,000



To: BOS Constituent Mail Distribution,
 Cc:
 Bcc:
 Subject: Policy Memo from Long Term Care Coordinating Council for BOS members

From: Bill Haskell/DHS/CCSF@CCSF
 To: Angela Calvillo/BOS/SFGOV@SFGOV
 Cc: marie@glueconsulting.org, smori@kimochi-inc.org
 Date: 11/09/2009 11:44 AM
 Subject: Policy Memo from Long Term Care Coordinating Council for BOS members

(11)

To: Angela Calvillo
 Clerk, Board of Supervisors

From: Marie Jobling and Sandy Mori, Co-Chairs
 Long Term Care Coordinating Council

Re: Resolution of the Long Term Care Coordinating Council responding to the crisis in home and community based long term services and support in San Francisco

On behalf of the Long Term Care Coordinating Council (LTCCC), we are forwarding to you the resolution adopted at the last LTCCC meeting on Thursday, October 8, 2008, responding to the current crisis in home and community based long term services and support in San Francisco. Please provide this LTCCC policy memorandum including the resolution to all members of the Board of Supervisors (BOS) before its meeting on Tuesday, November 10, 2009.



LTCCC memo to BOS - 110909.doc

Thank you.

Bill Haskell
 Facilitator, Long Term Care Coordinating Council
 Department of Aging and Adult Services
 1650 Mission Street - 5th Floor
 (415) 355-6782

(11)

LONG TERM CARE COORDINATING COUNCIL

Guiding the development of an integrated system of home, community-based, and institutional long term care services for older adults and adults with disabilities

November 9, 2009

Policy Memorandum

To: Angela Calvillo
Clerk, Board of Supervisors

From: Marie Jobling and Sandy Mori, Co-Chairs
Long Term Care Coordinating Council

Re: Resolution of the Long Term Care Coordinating Council responding to the crisis in home and community based long term services and support in San Francisco

On behalf of the Long Term Care Coordinating Council (LTCCC), we are forwarding to you the resolution adopted at the last LTCCC meeting on Thursday, October 8, 2008, responding to the current crisis in home and community based long term services and support in San Francisco.

Please provide this LTCCC policy memorandum including this resolution to all members of the Board of Supervisors before its meeting on Tuesday, November 10, 2009.

LTCCC RESOLUTION NO. 1 – 100809

WHEREAS, the Long Term Care Coordinating Council (LTCCC) has approved and sent to the City's policymakers the Living with Dignity Strategic Plan, which sets a clear roadmap for what is needed to make improvements in community-based long term care services;

WHEREAS, this year's state budget includes unprecedented cuts in home and community-based long term care and supportive services;

WHEREAS, the LTCCC has committed itself to advocating against the new destructive state Long Term Care program cuts;

WHEREAS, the City and County of San Francisco (CCSF) has recently convened an Alzheimer's Dementia Summit, highlighting the recommendations of an Expert Panel, which outline how the need is growing for the very services the state budget has reduced or eliminated;

WHEREAS, the impacts of these state budget reductions will have both human and financial impacts for years to come to seniors, persons with disabilities and their hands-on care providers who make up nearly 20% of the City's population;

WHEREAS, under the Americans with Disabilities Act, the Supreme Court's Olmstead Decision, and the terms of the CCSF Chambers Lawsuit Settlement, the City and County of San

Francisco is obligated to provide community-based services to keep people out of institutions and living in the community; now, therefore, be it

~~RESOLVED, that the City and County of San Francisco dedicate a portion of the City's Reserves in Fiscal Year 2009-2010 proportional to the number of seniors and persons with disabilities impacted to maintain the current level of home and community-based services, aggressively leveraging state and federal dollars when possible; and~~

FURTHER RESOLVED, that the City and County of San Francisco dedicate a fair and reasonable proportion of the City's budget reserve to create alternative local programs to preserve these direct consumer services, where no state and federal funding is currently available to be leveraged and that the fair and reasonable amount dedicated to implement these recommendations be at least \$5 million; and

FURTHER RESOLVED, that HSA/Department of Aging and Adult Services (DAAS) assist these programs to effectively tap Jobs Now and other federal stimulus dollars to help keep homecare and other low income workers serving existing and expected new IHSS and other program recipients; and

FURTHER RESOLVED, that the Mayor, with assistance from DAAS, convene key public services departments to address how they can help mitigate the impacts (increased isolation, untreated behavioral health problems, etc.) before they require more expensive 911 and paramedical services, and greater use of other emergency health and mental health services; and

FURTHER RESOLVED, that the Mayor, in partnership with the San Francisco Department of Public Health and Healthy San Francisco, work to assure IHSS providers and other non-profit workers who are losing jobs as a result of these cuts, are given counseling and immediate access to the San Francisco's on-going health care coverage; and

FURTHER RESOLVED, that the Mayor and Board of Supervisors, in conversation with the Controller's Office, begin to identify a new and more stable source of local revenue to support these programs; and

FURTHER RESOLVED, that the City charge its lobbyists with advocating for state and federal legislation that supports IHSS and other home and community-based services; and

FURTHER RESOLVED, that the LTCCC continue to advocate, including providing support letters, for home and community based long term care services that are impacted by budget cuts in keeping with the goals of the Living with Dignity Strategic Plan.

T-Mobile

T-Mobile West Corporation
a subsidiary of T-Mobile USA Inc.
Engineering Development
1855 Gateway Boulevard, 9th Floor
Concord, California 94520

RECEIVED
BOARD OF SUPERVISORS
CITY OF SAN FRANCISCO
2009 NOV -6 AM 11:06
R

October 27, 2009

Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RE: T-Mobile West Corporation as successor in interest to Omnipoint Communications, Inc. d/b/a T-Mobile (U-3056-C) Notification Letter for T-Mobile Site No. SF23285E

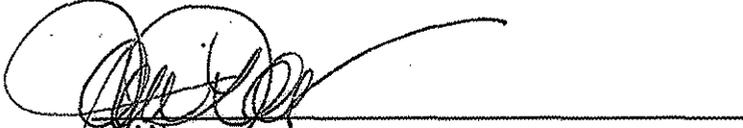
12

This letter provides the Commission with notice pursuant to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California (CPUC) that with regard to the project described in Attachment A:

- (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- (b) No land use approval is required because

A copy of this notification letter is being sent to the local government agency identified below for its information. Should there be any questions regarding this project, or if you disagree with the information contained herein, please contact Joni Norman, Senior Development Manager, for T-Mobile, at (925) 521-5987, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at (415) 703-2699.

Sincerely,



Joni Norman
Sr. Development Manager
T-Mobile West Corporation
a subsidiary of T-Mobile USA Inc.

Enclosed: Attachment A

cc: City of San Francisco, Attn: City Manager, 1 Carlton B. Goodlett Place, San Francisco, CA 94102
City of San Francisco, Attn: City Clerk, 1 Carlton B. Goodlett Place, San Francisco, CA 94102
City of San Francisco, Attn: City Planning Director, 1 Carlton B. Goodlett Place, San Francisco, CA 94102

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ATTACHMENT A

1. Project Location

Site Identification Number: SF23285E

Site Name: PGE CAP 22nd/Carolina

Site Address: 1897 22nd St, CA 94107

County: San Francisco

Assessor's Parcel Number: ROW 4097-026

Latitude: 37° 45' 26.36" N

Longitude: 122° 23' 58.82" W

2. Project Description

Number of Antennas to be installed: 3

Tower Design: Antennas to be mounted on top of existing PG&E utility wood pole.

Tower Appearance: Existing Joint Pole in ROW

Tower Height: 41 feet

Size of Buildings: Portion of existing utility pole

3. Business Addresses of all Governmental Agencies

City of San Francisco
Attn: City Planning Director
1 Carlton B. Goodlett Place
San Francisco, CA 94102

City of San Francisco,
Attn: City Clerk
1 Carlton B. Goodlett Place
San Francisco, CA 94102

City of San Francisco,
Attn: City Manager
1 Carlton B. Goodlett Place
San Francisco, CA 94102

4. Land Use Approvals

Date Zoning Approval Issued: Personal Wireless Services Facility Approval issued 10/22/09

Land Use Permit #: PWSF 09WR-0060

If Land use Approval was not required:

COMMISSIONERS
Jim Kellogg, President
Concord
Richard Rogers, Vice President
Carpinteria
Michael Sutton, Member
Monterey
Daniel W. Richards, Member
Upland
Donald Benninghoven, Member
Santa Barbara

ARNOLD SCHWARZENEGGER



Governor

JOHN CARLSON, JR.
EXECUTIVE DIRECTOR
1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-3040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA
Fish and Game Commission

RECEIVED
DEPT. OF SUPERVISORS
SACRAMENTO
2009 NOV - 6 AM 11:02
RC
13

November 5, 2009

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed emergency regulatory action relating to incidental take of California tiger salamander.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachments

13

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

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 240, and 2084, of the Fish and Game Code (FGC) and to implement, interpret or make specific sections 200, 202, 205, 240, 2080, 2084, and 2085 of said Code, proposes to re-adopt Section 749.4, Title 14, California Code of Regulations (CCR), relating to incidental take of California tiger salamander during candidacy period.

Informative Digest/Policy Statement Overview

The sections below describe laws relating to listing species under CESA, the effect of this emergency regulation, a description of related federal law, and a policy statement overview.

A. Laws Related to the Emergency Regulation - Listing under CESA

1. Petition and Acceptance

FGC Section 2070 requires the Commission to establish a list of endangered species and a list of threatened species. Any interested person may petition the Commission to add a species to the endangered or threatened list by following the requirements in Fish and Game Code Sections 2072 and 2072.3. If a petition is not factually incomplete and is on the appropriate form, it is forwarded to the Department for evaluation.

FGC Section 2073.5 sets out the process for accepting for further consideration or rejecting a petition to list a species and, if the petition is accepted, a process for actually determining whether listing of the species as threatened or endangered is ultimately warranted. The first step toward petition acceptance involves a 90-day review of the petition by the Department to determine whether the petition contains sufficient information to indicate that the petitioned action may be warranted. The Department prepares a report to the Commission that recommends rejection or acceptance of the petition based on its evaluation.

FGC Section 2074.2 provides that, if the Commission finds that the petition provides sufficient information to indicate that the petitioned action may be warranted, the petition is accepted for consideration and the species that is the subject of the petition becomes a "candidate species" under CESA. CESA prohibits unauthorized take of a candidate species, just as it prohibits such take of threatened and endangered species, from the time the Commission notifies interested parties and the general public of its acceptance of the petition. FGC Section 86 states "Take" means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. Killing of a candidate, threatened, or endangered species under CESA that is incidental to an otherwise lawful activity and not the primary purpose of the activity constitutes take under state law. (*Department of Fish and Game v. Anderson-Cottonwood Irrigation District* (1992) 8 Cal.App.4th 1554; see also *Environmental Protection and Information Center v. California Dept. of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 (in the context of a Permit under FGC 2081 subd. (b), the California Supreme Court states, "'take' in this context means to catch, capture or kill," citing FGC, § 86.)).

FGC Section 2085 provides that once the Commission gives notice pursuant to FGC Section 2074.4 that it has designated a species a candidate under CESA, all activities, whether new or ongoing, that cause incidental take of the candidate species are in violation of CESA unless the

take is authorized in regulations adopted by the Commission pursuant to FGC Section 2084 or the Department authorizes the take through the issuance of a Permit under FGC Section 2081 or by other means authorized by CESA.

2. Status Review and Final Action on the Petition

The Commission's acceptance of a petition initiates a 12-month review of the species' status by the Department, pursuant to FGC Section 2074.6. This status review helps to determine whether the species should be listed as threatened or endangered. Unlike the Department's initial evaluation, which focuses largely on the sufficiency of information submitted in the petition, the 12-month status review involves a broader inquiry into and evaluation of available information from other sources. The Commission is required to solicit data and comments on the proposed listing soon after the petition is accepted, and the Department's written status report must be based upon the best scientific information available.

Within 12 months of the petition's acceptance, the Department must provide the Commission a written report that indicates whether the petitioned action is warranted (FGC Section 2074). The Commission must schedule the petition for final consideration at its next available meeting after receiving the Department's report (FGC Section 2075). In its final action on the petition, the Commission is required to decide whether listing the species as threatened or endangered "is warranted" or "is not warranted"; if listing is not warranted in the Commission's judgment, take of the former candidate species is no longer prohibited under CESA (FGC Section 2075.5).

B. Effect of the Emergency Action

Section 749.4, Title 14, CCR regulation would authorize and provide for take of California tiger salamander during its candidacy subject to the following terms and conditions:

(a) Take Authorization

Subject to the terms and conditions prescribed by this section, the Commission authorizes take of California tiger salamander during the candidacy period where such take is incidental to an otherwise lawful activity.

(1) Incidental Take Authorized Pursuant to the Federal Endangered Species Act

Incidental take of California tiger salamander is authorized where such take is consistent with and otherwise authorized pursuant to the Federal Endangered Species Act (16 U.S.C. § 1531 et seq.).

(2) Lake or Streambed Alteration Agreements

Incidental take of California tiger salamander is authorized where: (i) take occurs as the result of an activity covered by a lake or streambed alteration agreement issued by the Department of Fish and Game pursuant to Fish and Game Code section 1602, subdivision (a)(4)(B); (ii) the take occurs only within the area specifically covered by the lake or streambed agreement; and (iii) the agreement holder is in compliance with the terms and conditions prescribed by the agreement at the time incidental take occurs.

(3) Agricultural Activities

Incidental take of California tiger salamander as a result of routine and ongoing agricultural operations on land in an existing agricultural use is authorized as set forth in this paragraph.

(A) For purposes of this paragraph "routine and ongoing agricultural operations" shall have the same meaning as defined by California Code of Regulations, Title 14, section 786.1, subdivision (b), except routine and ongoing agricultural operations shall not include: (i) the conversion of agricultural land to a nonagricultural use, excluding the conversion of land in existing agricultural use to conserve, restore, protect, or enhance fish or wildlife habitat; (ii) the conversion of rangeland or natural lands to more intensive agricultural uses, including but not limited to, the conversion of rangeland or natural lands to permanent crops, dry land farming, row crops, and/or any cultivated row crops unless the alterations to the land were commenced before the candidacy period; (iii) the use of toxic or suffocating gases to control ground-burrowing rodents; (iv) the improvement, upgrade, or construction of new roads; or (v) the intentional introduction into a stock pond of species that may prey on California tiger salamander adults, larvae, or eggs.

(B) For purposes of this paragraph "agricultural use" shall mean the use of land for the purpose of producing an agricultural commodity for a personal or commercial purpose.

(b) Additions, Modification, or Revocation

(1) Incidental take of California tiger salamander from activities not addressed in this section may be authorized during the candidacy period by the Commission pursuant to Fish and Game Code section 2084, or by the Department on a case-by-case basis pursuant to Fish and Game Code Section 2081, or other authority provided by law.

(2) The Commission may modify or repeal this regulation in whole or in part as provided by law, including modification or repeal based on a determination that any activity or project may cause jeopardy to the continued existence of California tiger salamander.

C. Existing, Comparable Federal Regulations or Statutes

The Federal Endangered Species Act (FESA) (16 U.S.C. Section 1531 et seq.) includes a listing process that is comparable to the listing process under CESA. California tiger salamander is listed as an endangered species under FESA in Santa Barbara and Sonoma Counties and threatened in other parts of central California.

FESA Section 4(d) (16 USC Section 1533 (d)) is similar in some respects to Section 2084. Section 4(d) authorizes the National Marine Fisheries Service (NMFS) or the United States Fish and Wildlife Service (FWS) to issue protective regulations prohibiting the take of species listed as threatened. These regulations, also called "4(d) rules," may include any or all of the prohibitions that apply to protect endangered species and may include exceptions to those

prohibitions. The 4(d) rules give the NMFS and the FWS the ability to craft comprehensive regulations to apply to particular activities that may result in a take of a threatened species, in a manner similar to the Commission's authority to prescribe terms and conditions pursuant to Section 2084 during the species' candidacy period.

Similarly, the Migratory Bird Treaty Act provides for protection of migratory birds with a definition of "take" which includes all portions of the FGC Section 86 definition of "take". In addition, the Act provides for the Secretary of the Interior to adopt regulations determining the extent to which "take" will be allowed.

D. Policy Statement Overview

The objective of this regulation is to allow specified activities to continue on an interim basis, subject to the measures in the regulation designed to protect California tiger salamander, while the Department focuses its efforts on further evaluating the status of the species. The Department's evaluation of the species during the candidacy period will result in the status report described in Section A.2 above. The status report provides the basis for the Department's recommendation to the Commission before the Commission takes final action on the petition and decides whether the petitioned action is or is not warranted.

The regulations as proposed in strikeout-underline format are attached to this notice. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Section 240 Finding

Pursuant to the authority vested in it by FGC Section 240 and for the reasons set forth in the attached "Statement of Facts Constituting Need for Emergency Action," the Commission expressly finds that the adoption of these regulations is necessary for the immediate preservation of the general welfare. The Commission specifically finds that the adoption of these regulations will allow activities that may affect California tiger salamander to continue during the candidacy period as long as those activities are conducted in a manner consistent with the protections specified in these regulations.

Public Comments on Proposed Emergency Regulations

The Commission readopted this emergency regulation at its November 4, 2009 meeting.

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. It is anticipated that the emergency regulation will be filed with the OAL on or about November 12, 2009. After submission of the proposed emergency to OAL, OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

In order to be considered, public comments on proposed emergency regulations must be submitted in writing to the Office of Administrative Law, 300 Capitol Mall, Room 1250,

Sacramento, CA 95814; AND to the Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814, or via fax to (916) 653-5040 or via e-mail to fgc@fgc.ca.gov. Comments must identify the emergency topic and may address the finding of emergency, the standards set forth in sections 11346.1 and 11349.1 of the Government Code and Section 240 of the Fish and Game Code. Comments must be received within five calendar days of filing of the emergency regulations. Please refer to OAL's website (www.oal.ca.gov) to determine the date on which the regulations are filed with OAL.

Impact of Regulatory Action

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) Costs/Savings in Federal Funding to the State:

The Commission has determined that adoption of Section 749.4, Title 14, CCR as an emergency regulation pursuant to FGC Section 2084, will not result in costs or savings in federal funding to the State.

(b) Nondiscretionary Costs/Savings to Local Agencies:

The Commission has determined that adoption of Section 749.4, Title 14, CCR as an emergency regulation pursuant to FGC Section 2084, will likely provide cost savings to local agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take by Permit on a project-by-project basis which is both time-consuming and costly to local agencies seeking take authorization.

(c) Programs Mandated on Local Agencies or School Districts:

The Commission has determined that the adoption of Section 749.4 Title 14, CCR as an emergency regulation does not impose a mandate on local agencies or school districts.

(d) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4; and
(e) Effect on Housing Costs:

The Commission has determined that the adoption of Section 749.4, Title 14, CCR as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) Costs or Savings to State Agencies

The Commission has determined that adoption of Section 749.4, Title 14, CCR as an emergency regulation pursuant to FGC Section 2084, will likely provide cost savings to state agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take by Permit on a project-by-project basis which is both time-consuming and costly for both the Department in processing and authorizing Permits and other state agencies seeking take authorization.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Dated: November 5, 2009

John Carlson, Jr.
Executive Director

FISH AND GAME COMMISSION
REQUEST FOR SECOND READOPTION OF EMERGENCY
REGULATIONS

Emergency Action to Readopt Section 749.4, Title 14, CCR,
Re. ~~Special Order Relating to Incidental Take of California tiger salamander~~
(Ambystoma californiense) During Candidacy Period

Request for Readoption of Emergency Regulation:

The Fish and Game Commission ("Commission") requests to readopt Section 749.4, Title 14, California Code of Regulations ("CCR") [Office of Administrative Law (OAL) file numbers 2009-0213-01E and 2009-0817-01EE]. The Findings of Emergency for OAL file 2009-0213-01E containing the following information: Statement/Finding of Emergency; Authority and Reference Citations; Informative Digest; Fiscal Impact Statement; Standard Form 399, is hereby incorporated by reference. The objective of this regulation is to allow specified activities to continue on an interim basis, subject to the measures in the regulation designed to protect California tiger salamander, while the Department of Fish and Game ("Department") focuses its efforts on further evaluating the status of California tiger salamander.

Emergency Regulation in Effect to Date:

On February 5, 2009, the Commission accepted a petition to list California tiger salamander as threatened or endangered under the California Endangered Species Act ["CESA"; Fish and Game Code ("FGC"), Section 2050 et seq.], thereby designating the California tiger salamander a candidate species. On that same date, the Commission adopted an emergency regulation pursuant to FGC Section 2084 to provide coverage for the take of California tiger salamander during its candidacy period ("2084 regulation"). The 2084 regulation was approved by OAL and became effective on February 23, 2009. Pursuant to Government Code ("GC") Section 11346.1, subdivisions (e) and (h), emergency regulations are effective for 180 days. OAL may approve two readoptions, each for a period not to exceed 90 days. On August 6, 2009, the Commission readopted the emergency regulation with minor modifications. The readopted emergency regulation was approved by OAL and became effective August 24, 2009. (See OAL File 2009-0817-01EE.) In the absence of a second readoption, the 2084 regulation will expire on November 24, 2009.

Statement of Emergency:

Pursuant to FGC sections 2080 and 2085, take of a candidate species is prohibited, unless: (1) the take is authorized in a regulation adopted by the Commission pursuant to FGC Section 2084; or (2) the Department authorizes the take through incidental take permits issued on a project-by-project basis pursuant to FGC Section 2081. Therefore, in the absence of a 2084 regulation, individuals engaged in otherwise lawful activities including activities authorized under the Federal Endangered Species Act, activities

~~covered by a lake or streambed alteration agreement issued by the Department of Fish and Game pursuant to FGC Section 1602, subdivision (a)(4)(B), and routine and ongoing agricultural activities on land in an existing agricultural use that may result in take of California tiger salamander would have to obtain a permit from the Department in order to avoid liability and potential criminal violations of CESA for actions or activities that result in take of the candidate species.~~

The issuance of individual permits authorizing incidental take can be a complicated, lengthy, and expensive process, and the Commission finds that it is not feasible for the Department to issue incidental take permits on a project-by-project basis for the above-referenced activities that will otherwise be prohibited during the California tiger salamander's candidacy period. The Department has determined that, with the measures outlined in the readopted 2084 regulation, the species will not become immediately at risk of extinction. For these reasons, readoption of the 2084 regulation is necessary to allow the activities described above. This regulation will ensure appropriate interim protections for California tiger salamander within the area covered by the petition while the Department continues its 12-month review of the status of the candidate species.

Given that the emergency circumstances that necessitated the original 2084 regulation are continuing and unchanged, the Commission requests that the previous Finding of Emergency and Supplement to Statement of Emergency Action be incorporated to supplement this justification.

Compliance with Readoption Criteria

(1) Same or Substantially Equivalent:

Pursuant to GC Section 11346.1, subdivision (h), the text of a readopted regulation must be the "same or substantially equivalent" to the text of the original emergency regulation. The language for the readopted 2084 emergency regulation (OAL File 2009-0817-01EE) is substantially equivalent to the language of the original 2084 emergency regulation (OAL File 2009-0213-01E). The text of both regulations provide coverage for the take of California tiger salamander subject to certain conditions for the following activities: activities authorized under the Federal Endangered Species Act, activities covered by a lake or streambed alteration agreement issued by the Department of Fish and Game pursuant to FGC Section 1602, subdivision (a)(4)(B), and routine and ongoing agricultural activities on land in an existing agricultural use. Minor technical modifications were made to the text of the original 2084 regulation to provide clarification and became law during the previous readoption, effective August 24, 2009. Specifically, in OAL File 2009-0817-01EE, language in subdivision (a)(2)(ii) was modified to clarify that under Section 749.4, subdivision (a)(2), take may only occur within an area specifically covered by a lake or streambed agreement. The text of the proposed second readopted 2084 regulation is identical to the text of the first readopted 2084 regulation in OAL File 2009-0817-01EE.

(2) Substantial Progress:

GC Section 11346.1, subdivision (h) specifies that the emergency rulemaking agency must demonstrate that it is making "substantial progress and has proceeded with due diligence" to comply with the standard rulemaking provisions. The Commission has complied with this requirement by proceeding with due diligence to determine whether or not listing the California tiger salamander as a threatened or endangered species is warranted. The Commission's forthcoming final decision regarding the status of the California tiger salamander obviates the need for permanent 2084 measures.

Pursuant to FGC sections 2080 and 2085, take of a candidate species is prohibited, unless: (1) the take is authorized in a regulation adopted by the Commission pursuant to FGC Section 2084 or (2) the Department authorizes the take through incidental take permits issued on a project-by-project basis pursuant to FGC Section 2081. Therefore a 2084 regulation is an appropriate mechanism to authorize take of a candidate species. However, a species is only a "candidate" until the Commission decides whether listing the species as threatened or endangered "is warranted" or "is not warranted" (FGC Section 2075.5). This determination immediately follows the conclusion of the 12-month review of the species' status by the Department (FGC Section 2074.6). After that point, the species is either protected under CESA by virtue of its listed status or is no longer protected under CESA because it is not listed and is no longer a candidate for listing.

If the Commission decides that listing the California tiger salamander "is warranted," the former candidate species then becomes a listed species and all activities resulting in take of California tiger salamander currently covered by the 2084 regulation will require an Incidental Take Permit (ITP) pursuant to FGC Section 2081 or another form of take coverage. ITPs are authorized for certain activities if specified criteria are met, including minimization and full mitigation of the impacts of the take. ITPs are issued on a project-by-project basis to ensure the mitigation and minimization measures are narrowly tailored to the individual project and protective of the species covered.

If the Commission decides that listing the California tiger salamander "is not warranted," take of the former candidate species would no longer be prohibited under CESA. Absent protected status, no mechanism would be needed to authorize take of California tiger salamander.

In summary, the Commission has complied with this requirement by diligently pursuing its determination of whether or not listing of California tiger salamander is warranted. The inherent temporary nature of a 2084 regulation makes pursuing its permanent status unnecessary.

**FISH AND GAME COMMISSION
STATEMENT OF EMERGENCY
ACTION**

Emergency Action to Add Section 749.4, Title 14, CCR,
~~Re: Special Order Relating to Incidental Take of California tiger salamander~~
(*Ambystoma californiense*) During Candidacy Period

I. Statement of Facts Constituting Need for Emergency Action:

The Fish and Game Commission ("Commission") is the decision-making body that implements the California Endangered Species Act ("CESA"). As described in greater detail below, CESA authorizes the Commission to establish lists of threatened and endangered species, and to add or remove species from the lists if it finds, upon receipt of sufficient scientific information, that the action is warranted. Pursuant to Section 2084 of the Fish and Game Code ("FGC"), the Commission may authorize, subject to the terms and conditions it prescribes, the taking of any candidate species while the Department of Fish and Game ("Department") and Commission evaluate whether the species should be listed as threatened or endangered under CESA. The Commission has relied on the authority in Section 2084 to permit take of candidate species on six previous occasions: in 1994 for the southern torrent salamander; in 1994 for the coho salmon south of San Francisco; in 1997 and 1998 for the spring-run chinook salmon; in 2000 for coho salmon throughout its range in California; in 2002 for the Xantus's murrelet; and in 2008 for the longfin smelt.

On June 11, 2001, the Commission received a petition from the Center for Biological Diversity (Center) to list the California tiger salamander as an endangered species under the California Endangered Species Act. The Commission scheduled consideration of the petition and the Department evaluation report for its December 7, 2001 meeting in Sacramento. On this date, the Commission formally rejected the petition. (Cal. Reg. Notice Register 2002, No. 9-Z, p. 469.)

The Commission received a second petition from the Center to list the California tiger salamander. On December 2, 2004, the Commission rejected this petition finding, among other things, that there was insufficient information about California tiger salamander population trends and abundance and that the petition unpersuasively relies on the loss of native wetland habitat to indicate declines in California tiger salamander populations. (Cal. Reg. Notice Register 2004, No. 52-Z, p. 1754.)

On February 28, 2005, the Center filed a petition for writ of mandate in the superior court, appealing the Commission's decision. On December 14, 2006, the trial court directed the Commission to enter a decision accepting the petition. On September 2, 2008, the Third District Court of Appeal upheld the Superior Court's decision. (*Center for Biological Diversity v. California Fish and Game Commission* (2008) 166 Cal.App.4th 597.) On February 5, 2009, the Commission formally accepted the petition.

FGC sections 2080 and 2085 prohibit the take of candidate species, unless: (1) the take is authorized in a regulation adopted by the Commission pursuant to Section 2084; (2) the Department authorizes the take through incidental take permits (Permits) issued on a project-by-project basis; or (3) the take is authorized through a federal incidental take permit or incidental take statement and the Department makes a determination that the federal authorization is consistent with CESA (Consistency Determination).

Because the Commission has designated California tiger salamander as a candidate species, individuals engaging in activities authorized by the emergency regulation would, in the absence of this emergency regulation, need to obtain a Permit or a consistency determination based on federal authorization to avoid liability and potential criminal violations of CESA for take of California tiger salamander.

However, since the issuance of individual Permits authorizing incidental take is a complicated and lengthy process, the Commission finds specifically that it is not feasible for the regulated community to obtain and the Department to issue Permits or Consistency Determinations on a project-by-project basis for the numerous activities that would otherwise be prohibited during the California tiger salamander's candidacy period. Without this emergency regulation, prospective permittees, many of whom already have the necessary federal entitlements pursuant to the Federal Endangered Species Act (16 U.S.C. § 1531 et seq.) to proceed with their approved projects, would be subject to CESA's take prohibition without, by any reasonable measure, an ability to obtain the necessary State authorization during the candidacy period. As a practical matter, activities that result in the take of California tiger salamander would be prohibited and could not be implemented pending final action by the Commission on the listing petition, an action whereby California tiger salamander may or may not be listed as endangered or threatened under CESA. As a result, many projects that are planned or underway that provide great economic and other benefits to the permittees, their employees, their local communities, and the State of California would face long delays or be canceled entirely. The Commission finds this result constitutes an emergency under the APA requiring immediate action, especially against the backdrop of the economic crisis currently faced by the State of California.

Furthermore, the Department has issued streambed alteration agreements pursuant to FGC sections 1601 and 1603 in the past year within the range of the California tiger salamander. Many of the activities authorized by these agreements are about to commence or have already commenced, and already provide take minimization and mitigation measures for the California tiger salamander. Renegotiating these agreements to obtain a Permit or Consistency Determination would unnecessarily delay these streambed alterations and could unduly burden the agreement holder. In many cases, the delays would cause agreement holders to cancel their projects entirely, resulting in great social and economic harm to the agreement holders, their employees, their local communities, and the State of California. The Commission finds these impacts constitute an emergency under the APA requiring immediate action.

Finally, without this emergency regulation, many routine and ongoing agricultural operations on land in an existing agricultural use would be delayed or cancelled entirely

while awaiting the necessary State CESA authorization. These delays and cancellations would cause great economic harm to persons already lawfully engaged in such activities, their employees, their local communities, and the State of California. Adoption of this emergency regulation would minimize these hardships while providing safeguards to protect the California tiger salamander, including but not limited to, restrictions on the conversion of agricultural land to a nonagricultural use or a more intensive agricultural use. The Commission finds the impacts to routine and ongoing agricultural operations on land in an existing agricultural use caused by designating the California tiger salamander as a candidate species constitute an emergency under the APA requiring immediate action.

For these reasons, the immediate adoption of this emergency regulation are necessary to allow numerous projects to continue within the area affected by the candidacy while ensuring appropriate interim protections for California tiger salamander while the petition is under review. This regulation includes conditions designed to protect the species for all of the activities covered. The Department believes the activities permitted under this regulation will result in very limited take and will not likely jeopardize the continued existence of the species. This regulation will ensure appropriate interim protections for California tiger salamander while the Department conducts a 12-month review of the status of the candidate species.

II. Express Finding of Emergency

Pursuant to the authority vested in it by FGC Section 240 and for the reasons set forth above in the "Statement of Facts Constituting Need for Emergency Action," the Commission expressly finds that the adoption of this regulation is necessary for the immediate preservation of the general welfare. The Commission specifically finds that the adoption of this regulation will allow activities that may affect California tiger salamander to continue during the candidacy period as long as those activities are conducted in a manner consistent with the protections specified in this regulation.

III. Authority and Reference Citations

Authority: FGC Sections 200, 202, 205, 240, and 2084.
Reference: FGC Sections 200, 202, 205, 240 and 2084.

IV. Informative Digest

The sections below describe laws relating to listing species under CESA, the effect of this emergency regulation, a description of related federal law, and a policy statement overview.

A. Laws Related to the Emergency Regulation - Listing under CESA

1. Petition and Acceptance

FGC Section 2070 requires the Commission to establish a list of endangered species and a list of threatened species. Any interested person may petition the Commission to add a species to the endangered or threatened list by following the requirements in Fish and Game Code Sections 2072 and 2072.3. If a petition is not factually incomplete and is on the appropriate form, it is forwarded to the Department for evaluation.

FGC Section 2073.5 sets out the process for accepting for further consideration or rejecting a petition to list a species and, if the petition is accepted, a process for actually determining whether listing of the species as threatened or endangered is ultimately warranted. The first step toward petition acceptance involves a 90-day review of the petition by the Department to determine whether the petition contains sufficient information to indicate that the petitioned action may be warranted. The Department prepares a report to the Commission that recommends rejection or acceptance of the petition based on its evaluation.

FGC Section 2074.2 provides that, if the Commission finds that the petition provides sufficient information to indicate that the petitioned action may be warranted, the petition is accepted for consideration and the species that is the subject of the petition becomes a "candidate species" under CESA. CESA prohibits unauthorized take of a candidate species, just as it prohibits such take of threatened and endangered species, from the time the Commission notifies interested parties and the general public of its acceptance of the petition. FGC Section 86 states "Take" means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. Killing of a candidate, threatened, or endangered species under CESA that is incidental to an otherwise lawful activity and not the primary purpose of the activity constitutes take under state law. (*Department of Fish and Game v. Anderson-Cottonwood Irrigation District* (1992) 8 Cal.App.4th 1554; see also *Environmental Protection and Information Center v. California Dept. of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 (in the context of a Permit under FGC 2081 subd. (b), the California Supreme Court states, "'take' in this context means to catch, capture or kill," citing FGC, § 86.)).

FGC Section 2085 provides that once the Commission gives notice pursuant to FGC Section 2074.4 that it has designated a species a candidate under CESA, all activities, whether new or ongoing, that cause incidental take of the candidate species are in violation of CESA unless the take is authorized in regulations adopted by the Commission pursuant to FGC Section 2084 or the Department authorizes the take through the issuance of a Permit under FGC Section 2081 or by other means authorized by CESA.

2. Status Review and Final Action on the Petition

The Commission's acceptance of a petition initiates a 12-month review of the species' status by the Department, pursuant to FGC Section 2074.6. This status review helps to determine whether the species should be listed as threatened or endangered. Unlike the Department's initial evaluation, which focuses largely on the sufficiency of information submitted in the petition, the 12-month status review involves a broader

inquiry into and evaluation of available information from other sources. The Commission is required to solicit data and comments on the proposed listing soon after the petition is accepted, and the Department's written status report must be based upon the best scientific information available.

Within 12 months of the petition's acceptance, the Department must provide the Commission a written report that indicates whether the petitioned action is warranted (FGC Section 2074). The Commission must schedule the petition for final consideration at its next available meeting after receiving the Department's report (FGC Section 2075). In its final action on the petition, the Commission is required to decide whether listing the species as threatened or endangered "is warranted" or "is not warranted"; if listing is not warranted in the Commission's judgment, take of the former candidate species is no longer prohibited under CESA (FGC Section 2075.5).

B. Effect of the Emergency Action

Section 749.4, Title 14, CCR regulation would authorize and provide for take of California tiger salamander during its candidacy subject to the following terms and conditions:

(a) Take Authorization

Subject to the terms and conditions prescribed by this section, the Commission authorizes take of California tiger salamander during the candidacy period where such take is incidental to an otherwise lawful activity.

(1) Incidental Take Authorized Pursuant to the Federal Endangered Species Act

Incidental take of California tiger salamander is authorized where such take is consistent with and otherwise authorized pursuant to the Federal Endangered Species Act (16 U.S.C. § 1531 et seq.).

(2) Lake or Streambed Alteration Agreements

Incidental take of California tiger salamander is authorized where: (i) take occurs as the result of an activity covered by a lake or streambed alteration agreement issued by the Department of Fish and Game pursuant to Fish and Game Code section 1602, subdivision (a)(4)(B); (ii) the take occurs within the area specifically covered by the lake or streambed agreement; and (iii) the agreement holder is in compliance with the terms and conditions prescribed by the agreement at the time incidental take occurs.

(3) Agricultural Activities

Incidental take of California tiger salamander as a result of routine and ongoing agricultural operations on land in an existing agricultural use is authorized as set forth in this paragraph.

(A) For purposes of this paragraph "routine and ongoing agricultural operations" shall have the same meaning as defined by California Code of Regulations, Title 14, section 786.1, subdivision (b), except routine and ongoing agricultural operations shall not include: (i) the conversion of agricultural land to a nonagricultural use, excluding the conversion of land in existing agricultural use to conserve, restore, protect, or enhance fish or wildlife habitat; (ii) the conversion of rangeland or natural lands to more intensive agricultural uses, including but not limited to, the conversion of rangeland or natural lands to permanent crops, dry land farming, row crops, and/or any cultivated row crops unless the alterations to the land were commenced before the candidacy period; (iii) the use of toxic or suffocating gases to control ground-burrowing rodents; (iv) the improvement, upgrade, or construction of new roads; or (v) the intentional introduction into a stock pond of species that may prey on California tiger salamander adults, larvae, or eggs.

(B) For purposes of this paragraph "agricultural use" shall mean the use of land for the purpose of producing an agricultural commodity for a personal or commercial purpose.

(b) Additions, Modification, or Revocation

(1) Incidental take of California tiger salamander from activities not addressed in this section may be authorized during the candidacy period by the Commission pursuant to Fish and Game Code section 2084, or by the Department on a case-by-case basis pursuant to Fish and Game Code Section 2081, or other authority provided by law.

(2) The Commission may modify or repeal this regulation in whole or in part as provided by law, including modification or repeal based on a determination that any activity or project may cause jeopardy to the continued existence of California tiger salamander.

C. Existing, Comparable Federal Regulations or Statutes

The Federal Endangered Species Act (FESA) (16 U.S.C. Section 1531 et seq.) includes a listing process that is comparable to the listing process under CESA. California tiger salamander is listed as an endangered species under FESA in Santa Barbara and Sonoma Counties and threatened in other parts of central California.

FESA Section 4(d) (16 USC Section 1533 (d)) is similar in some respects to Section 2084. Section 4(d) authorizes the National Marine Fisheries Service (NMFS) or the United States Fish and Wildlife Service (FWS) to issue protective regulations prohibiting the take of species listed as threatened. These regulations, also called "4(d) rules," may include any or all of the prohibitions that apply to protect endangered species and may include exceptions to those prohibitions. The 4(d) rules give the NMFS and the FWS the ability to craft comprehensive regulations to apply to particular activities that may result in a take of a threatened species, in a manner similar to the Commission's authority to prescribe terms and conditions pursuant to Section 2084 during the species' candidacy period.

Similarly, the Migratory Bird Treaty Act provides for protection of migratory birds with a definition of "take" which includes all portions of the FGC Section 86 definition of "take". In addition, the Act provides for the Secretary of the Interior to adopt regulations determining the extent to which "take" will be allowed.

D. Policy Statement Overview

The objective of this regulation is to allow specified activities to continue on an interim basis, subject to the measures in the regulation designed to protect California tiger salamander, while the Department focuses its efforts on further evaluating the status of the species. The Department's evaluation of the species during the candidacy period will result in the status report described in Section IV.A.2 above. The status report provides the basis for the Department's recommendation to the Commission before the Commission takes final action on the petition and decides whether the petitioned action is or is not warranted.

V. Specific Agency Statutory Requirements

The Commission has complied with the special statutory requirements governing the adoption of emergency regulations pursuant to FGC Section 240. The Commission held a public hearing on this regulation on February 5, 2009, and the above finding that this regulation is necessary for the immediate preservation of the general welfare meets the requirements of Section 240.

VI. Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

(a) Costs/Savings in Federal Funding to the State:

The Commission has determined that adoption of Section 749.4, Title 14, CCR as an emergency regulation pursuant to FGC Section 2084, will not result in costs or savings in federal funding to the State.

(b) Nondiscretionary Costs/Savings to Local Agencies:

The Commission has determined that adoption of Section 749.4, Title 14, CCR as an emergency regulation pursuant to FGC Section 2084, will likely provide cost savings to local agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take by Permit on a project-by-project basis which is both time-consuming and costly to local agencies seeking take authorization.

(c) Programs Mandated on Local Agencies or School Districts:

The Commission has determined that the adoption of Section 749.4 Title 14, CCR as an emergency regulation does not impose a mandate on local agencies or school districts.

(d) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4;
and

(e) Effect on Housing Costs:

The Commission has determined that the adoption of Section 749.4, Title 14, CCR as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) Costs or Savings to State Agencies

The Commission has determined that adoption of Section 749.4, Title 14, CCR as an emergency regulation pursuant to FGC Section 2084, will likely provide cost savings to state agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take by Permit on a project-by-project basis which is both time-consuming and costly for both the Department in processing and authorizing Permits and other state agencies seeking take authorization.

REGULATORY LANGUAGE

Section 749.4, Title 14, CGR, is added to read:

749.4 Incidental Take of California Tiger Salamander (*Ambystoma californiense*) During Candidacy Period.

This regulation authorizes take of California Tiger Salamander (*Ambystoma californiense*), subject to certain terms and conditions, during the species' candidacy for listing as an endangered or threatened species pursuant to the California Endangered Species Act (Fish & G. Code, § 2050 et seq.).

(a) Take Authorization

Subject to the terms and conditions prescribed by this section, the Commission authorizes take of California tiger salamander during the candidacy period where such take is incidental to an otherwise lawful activity.

(1) Incidental Take Authorized Pursuant to the Federal Endangered Species Act

Incidental take of California tiger salamander is authorized where such take is consistent with and otherwise authorized pursuant to the Federal Endangered Species Act (16 U.S.C. § 1531 et seq.).

(2) Lake or Streambed Alteration Agreements

Incidental take of California tiger salamander is authorized where: (i) take occurs as the result of an activity covered by a lake or streambed alteration agreement issued by the Department of Fish and Game pursuant to Fish and Game Code section 1602, subdivision (a)(4)(B); (ii) the take occurs only within the area specifically covered by the lake or streambed agreement; and (iii) the agreement holder is in compliance with the terms and conditions prescribed by the agreement at the time incidental take occurs.

(3) Agricultural Activities

Incidental take of California tiger salamander as a result of routine and ongoing agricultural operations on land in an existing agricultural use is authorized as set forth in this paragraph.

(A) For purposes of this paragraph "routine and ongoing agricultural operations" shall have the same meaning as defined by California Code of Regulations, Title 14, section 786.1, subdivision (b), except routine and ongoing agricultural operations shall not include: (i) the conversion of agricultural land to a nonagricultural use, excluding the conversion of land

in existing agricultural use to conserve, restore, protect, or enhance fish or wildlife habitat; (ii) the conversion of rangeland or natural lands to more intensive agricultural uses, including but not limited to, the conversion of rangeland or natural lands to permanent crops, dry land farming, row crops, and/or any cultivated row crops unless the alterations to the land were commenced before the candidacy period; (iii) the use of toxic or suffocating gases to control ground-burrowing rodents; (iv) the improvement, upgrade, or construction of new roads; or (v) the intentional introduction into a stock pond of species that may prey on California tiger salamander adults, larvae, or eggs.

(B) For purposes of this paragraph "agricultural use" shall mean the use of land for the purpose of producing an agricultural commodity for a personal or commercial purpose.

(b) Additions, Modification, or Revocation

(1) Incidental take of California tiger salamander from activities not addressed in this section may be authorized during the candidacy period by the Commission pursuant to Fish and Game Code section 2084, or by the Department on a case-by-case basis pursuant to Fish and Game Code Section 2081, or other authority provided by law.

(2) The Commission may modify or repeal this regulation in whole or in part as provided by law, including modification or repeal based on a determination that any activity or project may cause jeopardy to the continued existence of California tiger salamander.

Note: Authority cited: Sections 200, 202, 205, 240 and 2084, Fish and Game Code. Reference: Sections 200, 202, 205, 240, 2080, 2084 and 2085, Fish and Game Code.

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

CP page



Whistleblower Program

Office of the Controller - City Services Auditor

Whistleblower Program Annual Report:
July 1, 2008 to June 30, 2009

October 27, 2009

Background

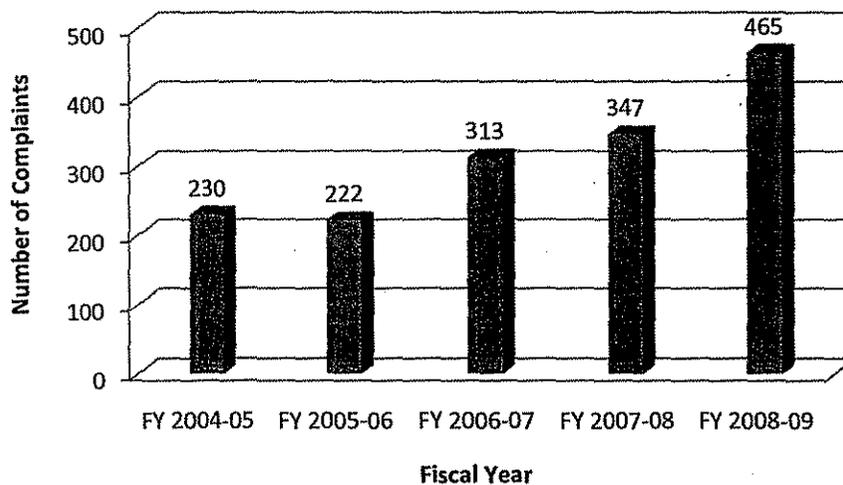
Proposition C (Prop C), passed by the voters in November 2003, instructed the Office of the Controller (Controller) to administer a whistleblower and citizen complaint hotline telephone number and website, and to publicize the hotline and website through public advertising and communications to City and County of San Francisco (City) employees. Specifically, Prop C requires the Controller to receive and track complaints on the quality and delivery of government services, wasteful and inefficient City government practices, misuse of government funds and improper activities by City government officials, employees, and contractors. The Whistleblower Program evaluates and forwards complaints received to the appropriate Agency. Prop C also instructs the Controller to investigate and attempt to resolve the complaints when appropriate.

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Complaints Received

The Whistleblower Program received 465 new complaints in fiscal year (FY) 2008-09, a 24 percent increase from FY 2007-08. Prior years' complaints are summarized in the figure below (Exhibit 1).

EXHIBIT 1 Whistleblower Program Complaints Received by Fiscal Year



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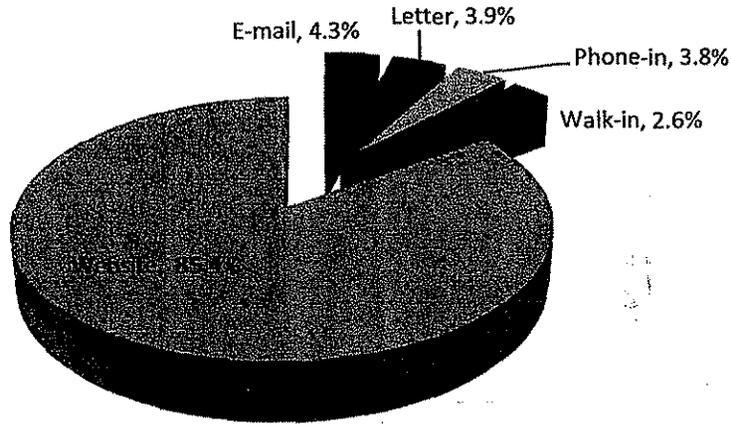
Contact the Controller's Office Whistleblower Program
Whistleblower Hotline: 3-1-1 / TTY: 415-701-2323
Outside of area code 415: 415-701-2311 / TTY: 415-701-2323
Online: www.sfgov.org/whistleblower
E-mail: whistleblower@sfgov.org

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Sources of Contact

In FY 2008-09, 397 complaints (85.4 percent) were submitted through the Whistleblower Program website (Exhibit 2). This number includes complaints reported through the 3-1-1 Customer Service Center. All other complaints were submitted through the following: via e-mail to whistleblower@sfgov.org (4.3 percent); letters sent to the Controller's Office in care of the Whistleblower Program (3.9 percent); direct calls to the Controller's Office front desk (3.8 percent); and walk-ins to the Controller's Office (2.6 percent).

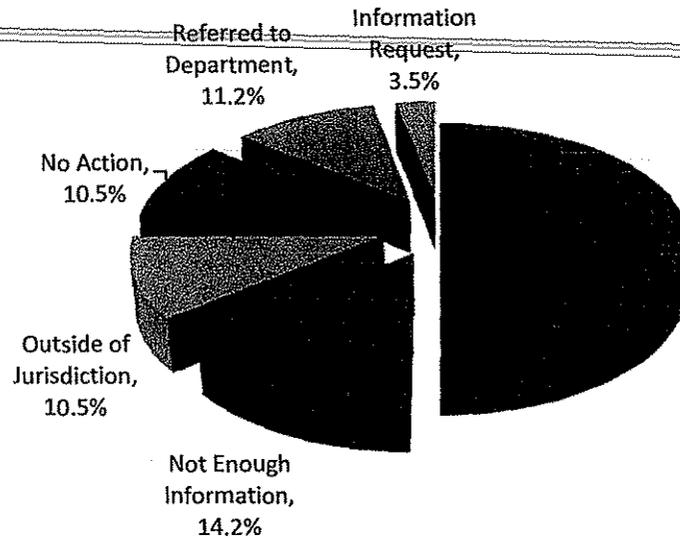
EXHIBIT 2 Sources of Complaints Received



Actions Taken

The Whistleblower Program may take a lead role in conducting certain investigations. However, the majority of investigations are coordinated in collaboration with management of the department associated with the complaint. In these circumstances, department management takes the lead role in the investigation, and where appropriate, the Whistleblower Program provides direction and guidance. Investigations are conducted in consultation with department management, the City Attorney's Office, and Department of Human Resources, as appropriate. This coordinated approach utilizes the expertise of all involved departments and allows for the leveraging of resources to ensure allegations are resolved in a timely manner.

Department management is required to report to the Whistleblower Program on any action(s) taken. The Whistleblower Program reviews departmental actions and investigative findings. Based on this review, a determination is made on the adequacy of the information provided, and whether additional action is required prior to the Whistleblower Program closing the complaint.

EXHIBIT 3**Actions Taken on Complaints Received**

- In FY 2008-09, the Whistleblower Program facilitated the investigation of 50.1 percent (233) of all complaints received (Exhibit 3).
- The remaining 49.9 percent (232) of complaints were categorized as follows:
 - Not Enough Information (14.2 percent) – These complaints lack information necessary to perform an investigation (i.e. department, date, vehicle number).
 - Referred to Another Department (11.2 percent) – These complaints fall within the jurisdiction of another agency, such as the Office of Citizen Complaints or the Ethics Commission.
 - No Action (10.5 percent) – No complaint was specifically conveyed.
 - Outside of Jurisdiction (10.5 percent) – These complaints are concerns about management decisions, or state or federal government agencies.
 - Information Requests (3.5 percent) – These inquiries are from individuals who request information on City departments or services.

Summarized Details of Select Complaints

The complaints described in this section are official and confidential information. The Controller's Office acquired the data in confidence; specific details are not disclosed to the public to preserve this confidentiality.

Complaint Allegation	Resolution
Allegation that a City employee authorized and recorded their own overtime pay. The complaint alleged that the employee was falsely reporting the number of overtime hours worked.	The investigation did not substantiate the allegation of falsely approving and recording overtime pay. However, the accused employee is no longer eligible for overtime until all other eligible employees have an opportunity to work overtime hours.
Allegation that a City employee was viewing pornography on their work computer.	With assistance from the City Attorney's Office, the complaint was found to have merit and confirmed. The employee was subsequently terminated.
Allegation that a City employee was using a City vehicle to leave work early and perform personal business. Complainant alleged that the employee's supervisors were aware of this situation.	This complaint was found to have merit and confirmed. The employee received a 30-day suspension and was required to reimburse the City for the time they were not at work. The employee's supervisors were counseled to monitor the global positioning system (GPS) activity of this employee's vehicle.
Allegation that a City employee was not working a full work week.	The complaint was found to have merit and confirmed. The employee was disciplined and placed under more direct management supervision for a 12 month period. The Department's employee handbook was updated to address issues identified by this complaint.
Allegation that a City employee was operating a vehicle with a dog in the vehicle.	This complaint was found to have merit. The driver was counseled by their supervisor and issued a reminder that animals are not allowed in City vehicles.

City and County of San Francisco Charter, Section F and the City's Whistleblower Program in Campaign and Governmental Conduct Code, Sections 4.100-4.135 offer confidentiality to complainants, complaints and investigations interest because there is a necessity for preserving the confidentiality of the information that outweighs the necessity for disclosure in the interest of justice.

City and County of San Francisco Charter, Section F1.110(b) makes confidential all drafts, notes, audits, reports and investigations of the Controller. Complaints currently under investigation are confidential under this provision and will not be disclosed. Grounds for disclosure apply to all complaints, whether currently under investigation or whether the investigation has been closed.

Whistleblower Program Frequently Asked Questions

Why did the City and County of San Francisco establish the Whistleblower Program?

The Whistleblower Program was created on behalf of San Francisco citizens and government employees to help make City government more accountable through the prevention and investigation of suspected waste, fraud, and abuse.

What is the impact of the Whistleblower Program on City government?

When fraud is allowed to continue, it jeopardizes the level of service local government can provide its residents.

- **Someone's Watching:** The Whistleblower Program has a deterrent effect, for both internal and external sources of fraud, waste, and abuse.
- **Someone Cares:** A public message of 'zero tolerance' for fraud, waste, and abuse is sent to citizens and City employees by allocating resources to the Whistleblower Program.
- **Beneficial Contacts:** Interaction with the District Attorney's Office, City Attorney's Office, Police Department, and state and federal data sources help forge alliances beneficial to the pursuit of reducing fraud, waste, and abuse from government.

What can I report to the Whistleblower Program?

Any kind of fraud or misconduct can be reported, with certain exceptions, which are noted below. You may report any City and County of San Francisco manager, employee, contractor, or vendor who may be committing fraud, or any practice or act you observe that results in the waste or abuse of City and County resources.

Some misconduct complaints if reported to the Whistleblower Program, including criminal acts, recipient welfare fraud, claims for child support, or allegations of child abuse are referred by the Whistleblower Program to other agencies for investigation.

What information should a complaint include?

When reporting suspected fraud, please provide as much information and detail as possible, including who, what, when, where, why, and how. A complainant should provide complete and specific information regarding the allegation, including the person involved, the time and date(s) of occurrence, and a detailed description of the violation to the investigators. Complaints with limited details cannot always be investigated.

When should I submit a complaint?

A complaint should be submitted immediately after you believe a reportable offense has occurred.

How can I submit a complaint?

Complaints can be submitted through one of the following ways:

- **Phone:** 3-1-1 or 415-701-2311, TTY: 415-701-2323 (*3-1-1 will also take non-whistleblower complaints and answer questions regarding other City services and issues*)
- **Online:** www.sfgov.org/whistleblower
- **E-mail:** whistleblower@sfgov.org
- **Mail:** Whistleblower Program, Rm.316, 1 Dr. Carlton B. Goodlett Pl, San Francisco, CA 94102

What happens when I submit a complaint?

Each submitted whistleblower complaint is assigned a unique tracking number. An initial assessment is done to determine whether the case has merit and how it should be handled. Complaints are referred to appropriate parties for follow-up action. Submission of a complaint to the Whistleblower Program only ensures that the complaint will be reviewed for possible investigation.

May I remain anonymous when filing a complaint?

Yes, you may remain anonymous.

Will anyone, including the suspect(s) find out that I reported the fraud?

If you request your identity remain confidential, the Whistleblower Program will not identify you to anyone. However, if the investigation results in criminal prosecution, it is possible our records may be subpoenaed by the court.

How does the Whistleblower program protect my confidentiality?

City and County of San Francisco Charter, Section F1.107(c) requires the Board of Supervisors to enact and maintain an ordinance protecting the confidentiality of whistleblowers and protecting City officers and employees from retaliation for filing a complaint with, or providing information to the Controller's Office, Ethics Commission, District Attorney's Office, City Attorney's Office, or a City department or commission about improper governmental activity. The City Attorney's Office has advised that the Controller's Office has a duty to maintain the confidentiality of the identity of whistleblowers even in the absence of such an ordinance.

If I give my telephone number or email address, will an investigator contact me?

Possibly. If you provide contact information, an investigator may call you if they need additional information regarding your allegation.

Can I check on the status of the investigation?

Yes, you may check the status of your case by going to the Whistleblower Program website and selecting "Check Status of Complaint." You will then need to enter your assigned tracking number. You may check to see if a case is open or closed. However, no specific details of any ongoing investigation will be provided. In addition, you cannot receive a copy of the investigative report – this information is considered confidential.

How long does it take for a case to be investigated?

Investigations vary from a couple of weeks to several months depending on the complexity of the case.

What will happen to the person I am reporting?

If an allegation is confirmed, the suspect(s) could be disciplined. Disciplinary action is determined by the department for which the suspect works and is confidential. Discipline can include dismissal, suspension, reprimand, etc. However, if the suspect(s) is criminally prosecuted, the case becomes a public record.

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Golden Gate University School of Law



Holly Trief, President - htrief@gmail.com
Jerry Shindelbower, Vice President - jshindelbower@gmail.com
Jessica Tung, Treasurer - Jessica.y.tung@gmail.com
Michele Quarry, Secretary - michelequarry@gmail.com

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November 4, 2009

Dear Ms. Calvillo and Members of the Board,

The Golden Gate University School of Law Student Animal Legal Defense Fund is proposing a ban on shark products in San Francisco.

A huge industry has developed around the use of shark products as a way of improving human health, despite the lack of any scientific evidence to support it. Shark oil has been touted as an immune system booster, and shark cartilage as cancer preventive. Shark products such as teeth and jaws are often sold at tourist shops despite the fact that in many countries, it is illegal to catch sharks. Squalene oil harvested from shark liver is used in cosmetic products such as creams and lotions. There are sustainable alternatives to the use of squalene oil from sharks. In 2008, Unilever decided to remove shark squalene from its cosmetic brands, including Pond's and Dove and to replace it with a plant-based version.

Sharks have been shown to contain potentially dangerous levels of methylmercury. Sharks consistently rank among the very highest of all mercury-tainted seafood. Mercury is toxic to humans and is especially dangerous for pregnant women, fetuses, and young children. Mercury has also been associated with lowered male fertility rates.

Additionally, the discovery of other contaminants in sharks, including hydrogen peroxide and the carcinogen formaldehyde (which are believed to be used as bleaching or finishing agents) are equally concerning. Without the establishment of better processing methods and testing of products, there is no way for a consumer to know whether the shark products are contaminant free.

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In Europe and Australia, the restaurant demand for "rock salmon" (spiny dogfish) as fish and chips has devastated this local shark's population and it is considered to be critically endangered. Historically, sharks have been overfished in the San Francisco bay area as well.

The high demand for shark fins in recent decades has resulted in the precipitous decline of shark populations throughout the world. An analysis of the shark fin trade in Asia estimated that between 26 and 73 million sharks are killed annually worldwide for their fins. Sharks reproduce very slowly and bear few young compared to other fish and are especially vulnerable to overexploitation. About one-third of all shark species are considered endangered by the International Union for Concerned Scientists. Other studies show populations of key shark species in areas such as the mid-Atlantic to be as much as 99% below the level of just a couple of decades ago. There are no international regulations and few national regulations worldwide to restrain the unsustainable destruction of shark populations.

Sharks are apex predators and play an integral and important factor in maintenance of healthy marine ecosystems. They maintain the health of the species below them in the food chain and thereby the oxygen production system of the ocean. In addition to finning, large numbers of sharks are killed as bycatch of the fishing industry, caught up in commercial fishing lines and in particular via tuna fishing. SF Gate stated in its 2004 article, "The huge expansion of industrial fishing capacity powered by "cheap" oil is also at the heart of the collapsing fishery crisis. Long-line fishing is not only extremely inefficient, killing leatherback sea turtles and other endangered marine species, it is also a major contributor of climate-warming carbon dioxide gases".

As you are aware, HR 81, the Shark Conservation Act of 2009 has been passed by the House of Representatives and is now before the Senate. This bill seeks to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks. It directs the Secretary of Commerce to list a nation in the biennial report on international compliance if the nation's fishing vessels are or have been engaged in fishing activities that target or incidentally catch sharks and the nation has not adopted a shark conservation program, including measures to prohibit removal of any of the fins of a shark and discarding the carcass at sea. It also makes it a prohibited act to land a fin that is not naturally attached to a carcass or land a carcass without fins naturally attached.

The adoption of a local ban, if enacted, would enable the County to have an impact on the market for shark products and in so doing protect a number of species in danger of extinction as well as protect the health of county residents. This law would be known as the shark product prohibition law of 2009 and would make it illegal for any person or establishment to sell or manufacture any shark containing products.

Respectfully,
Golden Gate University School of Law
Student Animal Legal Defense Fund

Dr. Holly Troy, VMD
Michele Quann

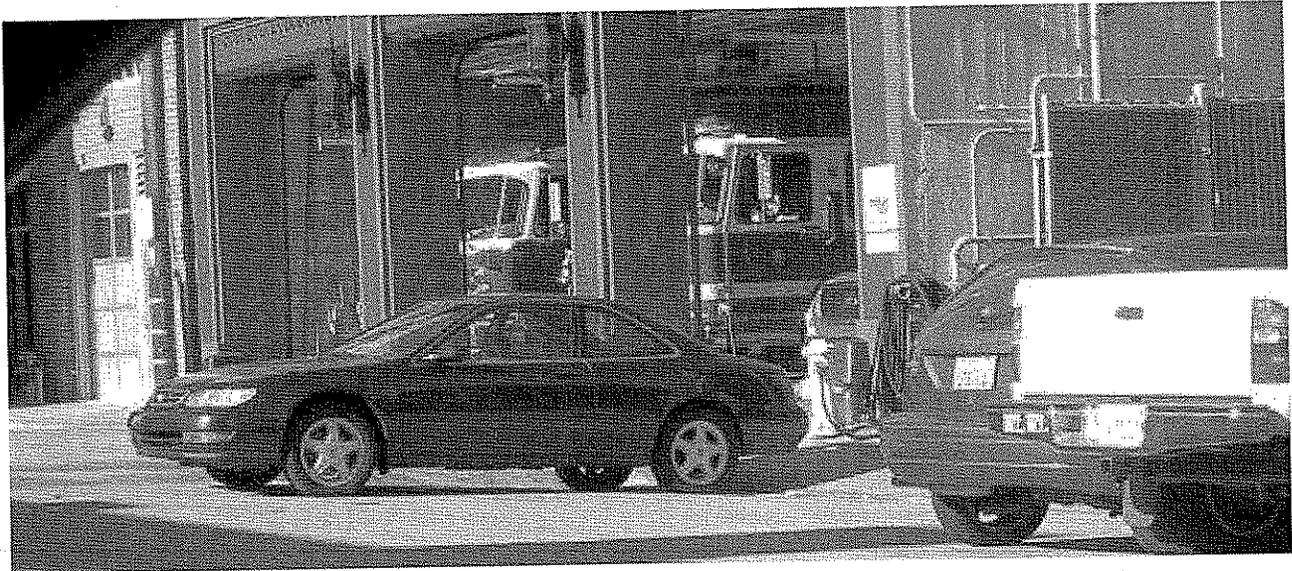


JAMES CORRIGAN
<marylouc@mac.com>
11/03/2009 09:39 AM

To board.of.supervisors@sfgov.org
cc Fire Commission <Fire.Commission@sfgov.org>,
judson.true@sfmta.com
bcc

Subject ~~Speaks volumes to the fire safety practices of the SFFD.~~
Free Parking for S.F. Firefighters- 24/7/365- over Best and
Safest Practices

16



Dear San Francisco Board of Supervisors:

In order to gain the proper perspective, I want you to imagine that this dark automobile at 36 Bluxome was just parked there by an ordinary citizen or taxpayer of San Francisco.

That it does not belong to a San Francisco firefighter or that DPT has not ticketed similar firefighters' private autos for violations that have parked in the same spot over the course of many years.

Some of those violations of the Vehicle and Traffic Code are:

- TC 38A.....Parking in a "red zone". \$75.00
- VC 22500D.....Parking within 15 Ft. of a Firehouse. \$75.00
- VC 22500F.....Impeding sidewalk making it a hazard to the blind. \$75.00
- VC 22500L.....Impeding wheelchair accessibility on sidewalk.
- VC 22514.....Blocking a fire hydrant.....\$75.00

Within the first hour after the civilian parked there, the drone of Public Safety slogans of the SFFD would be heard from Station # 8 and SFFD Headquarters.

In very short order, this car would be towed by the ever vigilant and "we treat everyone the same way," Department of Parking and Traffic.

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An ordinary taxpayer's vehicle would be ticketed and towed because these are the words of the SFFD:

A) Chief Gardner would say, as he said on September 18, 2009 : "The red zone in front of Firehouses has some effect on our response times.

It stops vehicles from parking and blocking our doors. It also allows the drivers to their morning checks of the apparatus with out blocking traffic."

or

B) As Chief Hayes-White writes on October 22, 2009:

"The Department is not authorized to grant permission to employees to park personally owned vehicles in red zones in front of Fire Stations. As Deputy Chief Gardner has stated to you in the past, the red zones are to be used for Department apparatus in the course of daily operations. I directed Deputy Chief Gardner to remind members of the Department of the restrictions of California Vehicle Code (CVC) Section 22500, Prohibited Stopping, Standing, or Parking. Deputy Chief Gardner has advised and reminded all members of the details of CVC 22500, specifically sub-section (d), prohibiting vehicles to be parked within 15 feet of the driveway entrance to any Fire Station. Any individual who parks a private vehicle in these red zones is doing so at his or her own risk."

or

D) *from a letter from T/Asst Deputy Chief Lorrie A. Kalos requesting "red zones" from DPT in front of a S.F. Firehouse:*

"The request is due to the fact that the Engine Company needs sufficient space in which to back up and turn around when leaving or returning to quarters. ...firehouse is experiencing a problem with vehicles blocking the area in front of the Station which HINDERS OUR RESPONSE TIME from that Station."

or

E) From a Matier & Ross Column when the Port wanted to put in a JC Decaux, pay toilet near an Embarcadero firehouse:

From, Matier & Ross April 22, 2002

"The bad news: The new home for the big green, double wide, state-of-the-art rest room is on the sidewalk right in front of the firehouse at Pier 22 1/2 -- which firefighters say will block their view of traffic along the Embarcadero when they have to rush out on 911 calls.

And fire trucks sometimes have to shoot down the sidewalk to make left turns onto the Embarcadero when traffic is backed up. That'll be a lot harder to do with a big toilet in the way."

<http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2002/04/22/BA175404.DTL>

MY POINT: *The SFFD tells you that private vehicles are not permitted to park in "red zones" of*

firehouses. Yet, on a daily basis, at many of our firehouses your own eyes can see that this is false, not true, aka, a lie.

POINT I TAKE AWAY: The SFFD states that the long time practice of the 5 P.M. Cocktail hour within our firehouses, has come to an end.

*That each day several hours of drills take place in our firehouses. Etc. Etc.
We cannot see inside our firehouses like we can observe the "red zones."
That means we must take the SFFD at its word.*

When DPT says they issue tickets fairly, we no longer have to take their word. We know better.

That's the problem when someone lies or deceives, they no longer have our trust.

Sincerely yours,

James J. Corrigan



Lisa Kovacevich
<lkovac@pacbell.net>

11/05/2009 08:37 AM

To Board.of.Supervisors@sfgov.org

cc

bcc

Subject no layoff's

17

PLEASE STOP THE MADNESS!

SUPPORT JOHN AVALOS AND CHRIS DALY'S PROPOSED SOLUTIONS TO
AVOID THE LAY-OFFS AND STOP THE "BUMPING!"

Lisa Kovacevich

17



tammie winter
<tammiewinter@hotmail.com>

11/04/2009 07:34 PM

To <bevan.dufty@sfgov.org>, <david.chiu@sfgov.org>,
<sophie.maxwell@sfgov.org>, <newsom@sfgov.org>,
<chris.daly@sfgov.org>, <sean.elsbernd@sfgov.org>

cc

bcc

Subject

PLEASE STOP THE MADNESS!
SUPPORT JOHN AVALOS AND CHRIS DALY'S PROPOSED SOLUTIONS TO AVOID THE
LAY-OFFS AND STOP THE "BUMPING!"

Thank you!
Tammie Winter

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

17



Janna White
<jannabwhite@gmail.com>
11/04/2009 09:11 AM

To Board.of.Supervisors@sfgov.org

cc

bcc

Subject sfusd school secretaries!

PLEASE STOP THE MADNESS!
SUPPORT JOHN AVALOS AND CHRIS DALY'S PROPOSED
SOLUTIONS TO AVOID THE LAY-OFFS AND STOP THE "BUMPING!"

17



Leslie Clark
<write2leslie@gmail.com>
11/03/2009 10:16 AM

To Board.of.supervisors@sfgov.org
cc
bcc
Subject Please Stop the Clerical Layoffs

Board.of.supervisors@sfgov.org

November 3, 2009

To Whom It May Concern:

Please STOP the layoffs of scores of employees in the Civil Service classification of Clerk Typist (1424), Sr. Clerk Typist (1426) and Secretary (1446).

City College of San Francisco has functioned on a skeleton staff for years. The staff remaining are dedicated experts who truly understand our incredibly diverse student population, their cultures, and how Mission campus operates. Ninety six percent of the staff to lose their jobs are people of color, 79% are women. One woman just purchased her first condominium, and then got the news of her impending layoff. All are permanent long-term workers.

Mission campus will be devastated by the loss of these core positions because the remaining DPH senior member replacements do not to meet the desirable qualifications necessary for many of the college staff positions. Furthermore, the replacement workers have no experience with our student population, nor how the college operates. What is more, the timing of the layoffs, during our primary registration of over 4000 students in for Spring semester, could not be worse to lose all of our experienced Admissions staff.

The people of San Francisco, in their wisdom helped finance a new community resource in the

17

~~Mission district, a thriving campus for learning. We built this wonderful edifice, only to rip out its core clerks who helped make this new campus grow by cherry picking Civil Service classifications? The elimination of the classification of these positions will have a domino effect that will hurt our community of students, faculty, and most importantly, our staff who have helped build the best resource in the Mission district of San Francisco for learning. Please stop the layoffs. Do not eliminate our clerk and secretary classification positions.~~

Sincerely,

Leslie E. Clark

CCSF ESL Instructor

Mission Campus

November 2, 2008

Dear Board of Supervisors,

We want our school secretary, Ivy, to be able to stay and keep her job at our San Francisco Community School. Please try to find other money and ways so that no one needs to lose their job. Then Ivy can stay in our school.

Thank you very much for your help.

Sincerely,
Tiffany Chen.

(18)

November 2, 2009

Dear Board of Supervisors,
We want our School Secretary,
Ivy, to stay in our school to
cap her job in our school and we
wish she never lose her job in our
school in San Francisco Community
School. Please try to get money so
she can stay in our school
and please make other people stay
in their work and jobs.

Thank you very much for your
help. Sincerely Yesenia J.

November 21, 2009

Dear Board of ~~Education~~ ~~of~~ ~~the~~ ~~City~~ ~~of~~ ~~Chicago~~
We want our school secretary,
Ivy, to be able to stay and keep
her job at our school. If community
school. Please try to find other ways
and ways so that no one needs to
lose their job. Then Ivy can stay
in our school. Thank you very much
for your help!

Sincerely,
Abe Feldman

November 2, 2009

Dear Board of Supervisors,
We want our school
secretary, Ivy, to be able to
stay and keep her job at our
school S.F. Community, Please! try
to find other money and ways
so that no one needs to lose
their jobs. Then Ivy can stay
in our school.

Thank you very
much for your help.

Sincerely,

Jazmine Liezl Z.
Bindoy

November 2, 2009

Dear Board of Supervisors,

We want our school secretary,
Ivy, to be able to stay and keep her
job at our school. S.F. Community. Please try
to find other money and ways so that
no one needs to lose their job. Then Ivy
can stay in our school.

Thank you very much
for your help.

Sincerely,
Reah T. Cruzado

November 2, 2009

Dear Board of Supervisors,
We want our School Secretary,
Ivy, to be able to stay and
keep her job at School S.F.
Community School. Please try to
find other money and ways
so that no one needs to
lose their job. Then Ivy can
stay in our school.

Thank you very much for
your help.

Sincerely,
Natare Chavez B'12

November 2nd, 2009

Dear Board of Supervisors,
We want our school secretary,
Ivy, to be able to stay and keep
her job at our school S.F. Community
School. Please try to find
other money and ways so that
no one needs to lose their
job. Then Ivy can stay in our
school.

Thank you very much for your
help.

Sincerely,
Lena Yang

November 2, 2009

Dear Board of Supervisors,
we want our school secretary, Ivy, to be able to stay and keep her job at our school S.F. community school. Please try to find other money and ways so that no one needs to lose their job then Ivy can stay in our school.

Thank you very much for your help.

Sincerely,

Randy Aspis

November 21 2009

Dear Bord of supervisors,

We Want our school secretary, Ivy to be able to stay and keep her job at S.F. community school. Please try to find other money and ways so that no one needs to lose their jobs. Then Ivy can stay in our school.

Thank you very much for your help.

Sincerely,
Eduardo Garcia

November 2, 2009.

Dear Board of Supervisors,

We want our school secretary,
Ivy, to be able to stay and keep
her job at our school S.F. Community
School. Please try to find
other money and ways so that
no one needs to lose their
job. Then Ivy can stay in our
school.

Thank you very much for your
help.

Sincerely,
Amen Colvin

11-2-09

Dear Board of Supervisors,

We want our school secretary, Ivy, to be able to stay and keep her job at our school San Francisco Community. Please try to find other money and ways so that no one needs to lose their job. Then Ivy can stay in our schools.

Thank you very much
for your help

Sincerely,

Lucas Haas



"Chubin, Wayne"
<ChubinW@sfusd.edu>

11/06/2009 10:08 AM

To "Bevan.Dufty@sfgov.org" <Bevan.Dufty@sfgov.org>,
"David.Chiu@sfgov.org" <David.Chiu@sfgov.org>,
"Sophie.Maxwell@sfgov.org" <Sophie.Maxwell@sfgov.org>,

cc
bcc

Subject Retain the secretaries at Longfellow and other schools

(19)

I am a new teacher at Longfellow Elementary. Our secretary Sandra, with her knowledge and experience, has been of invaluable help to me to be an effective teacher. Please support the proposed solution of John Avalos and Chris Daley to avoid the layoffs and the "bumping".

Sincerely,
Wayne Chubin

(19)



Darien Dumanis
<darienwerfhorst@yahoo.co
m>

11/03/2009 07:09 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Displacement of Monroe School Secretary

20

Ladies and Gentlemen,

I am writing to protest the displacement of our Cantonese Bilingual secretary Midie Lau, at Monroe Elementary in the Excelsior.

As a school with 30% native Cantonese speakers who are largely newcomers to this country, Midie provides a welcoming face to these new citizens, students and all members of this community. She is familiar with our school and its culture. In addition, she is very skilled at making do with a very limited budget (paid mostly by parents like myself this year) to order the office supplies that our school needs. Our ability to function as a school would be greatly diminished without her.

I understand that the City Clerk who replaces her will have seniority over Midie in terms of years of service, and that this person also deserves to keep their job. This person, however, will not know the history of our school, nor have earned the trust of our Cantonese speaking families.

I would ask the Supervisors to focus on what is best for the children of the SF school district, who are already challenged enough with decreasing funding, and often status as non-English speakers and low socioeconomic status.

I realize that union regulations probably require you to displace Midie for a city clerk, but I would ask you in this case to put aside what is expedient and of interest to adults, and ask you to do the best for the children of Monroe, and all schools in SF who may be in danger of losing their experienced, invaluable, and beloved staff like our own Midie Lau.

Regards,

Darien Werfhorst
Parent and former Co-President
Monroe Elementary

20

C-Pages

Anthony Galletta
1385 Clay Street, Apt 21
San Francisco, CA 94109

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2005 NOV - 2 AM 11:06
BY

San Francisco Planning Commission
1660 Mission St, Suite 500
San Francisco, CA 94103

Re: **555 Washington Project**

Dear Commissioners:

Please support the 555 Washington Project so we can bring jobs and much needed tax revenue to the city. More city revenues will bring relief from service cuts and tax hikes. This project will also boost business for local merchants in the area by bringing them new customers. Please consider the economy in your decision, because it impacts local people.

What is not to like? We see no reason not to cheer a new public park that is >40% larger than the current Redwood Park, and will be open on weekends. Only those who resist any high-rise out of habit would oppose this residential building that is less than half the size of the Transamerica Pyramid next door.

The new expanded 1/2 acre park created by tearing down existing buildings is a good thing for our dense neighborhoods. Many people will like this architecture next to the Pyramid.

The bigger park open on weekends plus major economic benefits certainly outweigh any concerns of naysayers. I hope you will vote in favor of this given the many overall benefits to the City.

Signed,



Cc: San Francisco Board of Supervisors

21



Peter Pap
<peter@peterpap.com>

11/03/2009 08:52 PM

To Peter Pap <peter@peterpap.com>

cc

bcc Board of Supervisors/BOS/SFGOV

Subject 555 Washington project

21

Dear City Hall representatives,

I am a Jackson Square merchant that hopes this passes.

Please support the 555 Washington Street proposal for a new green building on the Transamerica block. It will create a community walking distance to jobs and transit, increase open space by more than 80%, and bring more residents and vitality to the nearby neighborhoods.

Expanding Redwood Park and opening it to the public on weekends/holidays will also be good for the neighborhood and merchants. The new homes will provide more customers for local merchants; the City should do what it can to provide an economic boost for small businesses during these tough economic times.

The new residential building will be less than half the size of the Transamerica Pyramid, and it is well matched with the height of other nearby buildings in the Financial District, including taller structures in Embarcadero Center. The proposed height is reasonable for Downtown and enhances the skyline with its attractive design.

I urge you to support the 555 Washington Street proposal.
Insert your name and Jackson Square address.

Thanks and if you need additional project information, you can visit the project website at <<http://www.555washingtonsf.com/>>

Thank you, Peter Pap

Peter Pap
Peter Pap Oriental Rugs Inc.
www.peterpap.com
peter@peterpap.com

21

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 NOV -4 AM 11:36

BY 

September 24, 2009

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

Dear Supervisors,

This letter is to indicate my approval of the proposal for the new public park in the Transamerica Pyramid Block and 555 Washington homes.

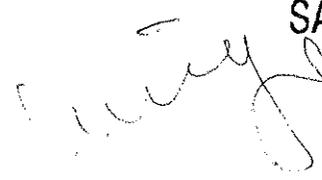
As a neighborhood small business, I naturally always support a vibrant community for small businesses. Adding more residents to the area as this proposal does just that, because it means more customers from the new families and their out-of-town visitors and friends. Businesses in the area whether small or medium-sized will employ San Franciscans, and that's great.

Located next to the Jackson Square Historic District, the new homes and renovation of the existing block will help us keep the historic buildings in Jackson Square viable and prevent deterioration at a time of economic distress and falling property values. The building that 555 Washington replaces is of no particular architectural note; we will be happy to see the attractively designed slender tower with a twist take its place next to the Transamerica Pyramid.

Finally, we support the larger public park, including the opening of the park on weekends and holidays. And to have it maintained forever at no expense to the City of San Francisco is great!

Sincerely yours,

WILDFLOWER CAFE
411 SANSOME STREET
SAN FRANCISCO, CA 94111
(415) 956-4906



October 26, 2009

Daniel Lee
1478 California
San Francisco, CA 94109

RECEIVED
BOARD OF SUPERVISORS
CITY OF SAN FRANCISCO
2009 NOV -2 PM 2:27
BY PC

President Ron Miguel and Members,
San Francisco Planning Commission
1660 Mission Street, Suite 500
San Francisco, CA 94103

SUBJECT: Redwood Park / 555 Washington

Dear President Miguel and Commissioners:

I urge you to support revitalization of the Transamerica Block including the 555 Washington proposal.

The proposal adds life to the neighborhood. New homes here enhance public safety and provide an economic boost to local merchants.

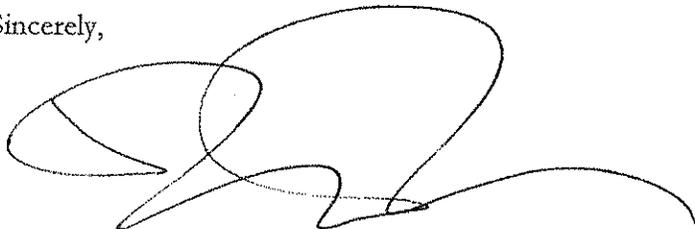
The proposal also increases open space by more than 80%. The park will be open to the public 7 days a week – it is currently closed weekends and holidays -- with maintenance permanently provided at no cost to the City. All redwoods will be preserved with new trees added.

I agree with the Neighborhood Parks Council and the Presidio Parks Trust that the proposal for Redwood Park to be expanded and permanently protected as San Francisco's newest public park has merit. And I agree with environmentalists who say it creates sustainable, energy-efficient homes in a new "green" building.

At less than half the height of the adjacent Transamerica Pyramid, the plan for a slender 400 foot residential building at 555 Washington that fits within the context of the downtown skyline also has merit.

This project has my support.

Sincerely,



Sarah Duffy
928 Taylor Street #3
San Francisco, CA 94108

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2005 NOV -2 PM 2:28

BY

RC

The Honorable Commissioners
San Francisco Planning Commission
1660 Mission Street, Suite 500
San Francisco, CA 94103

RE: Redwood Park / 555 Washington

Dear President Miguel and Commissioners:

I support a new public park and revitalization of the Transamerica Block as part of the 555 Washington proposal. I agree with the Neighborhood Parks Council and the Presidio Parks Trust that the proposal for Redwood Park to be expanded and permanently protected as San Francisco's newest public park makes sense.

At less than half the height of the adjacent Transamerica Pyramid, the plan for a slender 400 foot residential building at 555 Washington that fits within the context of the downtown skyline has merit. The proposal adds vitality to the neighborhood while creating sustainable, energy-efficient homes in a new "green" building. New homes here enhance public safety and provide an economic boost to local merchants, while the proposal also increases open space by 80%. The redwoods will be preserved with new trees added. The park will be open to the public 7 days a week with maintenance permanently provided at no cost to the City.

This project has my support.

Sincerely,

Sarah Duffy

CC: San Francisco Board of Supervisors

Sandy Cameron ♦ 1177 California Street, #401 ♦ San Francisco, CA 94108

The Honorable Commissioners
San Francisco Planning Commission
1660 Mission Street, Suite 500
San Francisco, CA 94103

RE: Redwood Park / 555 Washington

Dear President Miguel and Commissioners:

I support a new public park and revitalization of the Transamerica Block as part of the 555 Washington proposal. I agree with the Neighborhood Parks Council and the Presidio Parks Trust that the proposal for Redwood Park to be expanded and permanently protected as San Francisco's newest public park makes sense.

At less than half the height of the adjacent Transamerica Pyramid, the plan for a slender 400 foot residential building at 555 Washington that fits within the context of the downtown skyline has merit. The proposal adds vitality to the neighborhood while creating sustainable, energy-efficient homes in a new "green" building. New homes here enhance public safety and provide an economic boost to local merchants, while the proposal also increases open space by 80%. The redwoods will be preserved with new trees added. The park will be open to the public 7 days a week with maintenance permanently provided at no cost to the City.

This project has my support.

Sincerely,

Sandy to Cameron

CC: San Francisco Board of Supervisors

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2009 NOV -2 PM 2:29



"alexis168@yahoo.com"
<alexis168@yahoo.com>

11/01/2009 07:41 PM

To david.chiu@sfgov.org

cc board.of.supervisors@sfgov.org, c_olague@yahoo.com

bcc

Subject Redwood Park/555 Washington

Dear President Miguel and Commissioners:

I support a new public park and revitalization of the Transamerica Block as part of the 555 Washington proposal. I agree with the Neighborhood Parks Council and the Presidio Parks Trust that the proposal for Redwood Park to be expanded and permanently protected as San Francisco's newest public park makes sense.

At less than half the height of the adjacent Transamerica Pyramid, the plan for a slender 400 foot residential building at 555 Washington that fits within the context of the downtown skyline has merit. The proposal adds vitality to the neighborhood while creating sustainable, energy efficient homes in a new "green" building. New homes here enhance public safety and provide an economic boost to local merchants, while the proposal also increase open space by 8-%. The redwoods will be preserved with new trees added. The park will be open to the public 7 days a week with maintenance permanently provided at no cost to the City.

this project has my support.

Sincere A Tsang



Anthony Kwan
<zbk8@yahoo.com>

11/01/2009 06:58 PM

To david.chiu@sfgov.org

cc board.of.supervisors@sfgov.org, rm@well.com,
c_olague@yahoo.com

bcc

Subject 555-Washington

President Chiu and Supervisors:

True environmentalists know that cities are good places to build housing. We don't drive SUVs and live in big ranch houses.

Please support more park space, more affordable housing and money for social services for the homeless by supporting 555 Washington.

Thank You

Anthony Kwan



Alexis Kwan
<lexitoy@yahoo.com>
11/01/2009 06:46 PM

To david.chiu@sfgov.org

cc board.of.supervisors@sfgov.org, rm@well.com,
c_olague@yahoo.com
bcc

Subject Redwood Park

Dear President Chiu:

I hope you will support a bigger Redwood Park forever, and "green building" at 555 Washington. More housing near jobs is needed, and I like that project provide 43 affordable homes. We also need more parks in our district and more open space.

Sincerely,

Alexis
Park lover in the city of San Francisco



Eric Matthews
<wisdom_child@hotmail.com>
>

10/31/2009 05:23 PM

To <david.chiu@sfgov.org>

cc <board.of.supervisors@sfgov.org>,
<c_olague@yahoo.com>, <rm@well.com>

bcc

Subject: Bigger Redwood Park

I support 555 Washington proposal with high-rise housing because it brings a bigger park (and a public park) to the most park deprived neighborhood in San Francisco. The new jobs and business merchants are good too.

Thank you
Eric

Northbeach park lover

New Windows 7: Find the right PC for you. [Learn more.](#)



Victoria Watts
<dymepeace_81@hotmail.com>

10/31/2009 05:19 PM

To <david.chiu@sfgov.org>

cc <board.of.supervisors@sfgov.org>, <c_olague@yahoo.com>, <rm@well.com>

bcc

Subject Support for 555 Washington

President Chiu and Supervisors,

True environmentalists know that cities are good places to build housing. We don't drive SUVs and live in big ranch houses. Please support more park space, more affordable housing and money for social services for the homeless by supporting 555 Washington, Sincerely

Victoria 1388 California St. 94109

c-pages



Jennifer Gordon
<jennifergordonad1@yahoo.com>

To david.chiu@sfgov.org

cc board.of.supervisors@sfgov.org, c_olague@yahoo.com

10/31/2009 03:11 PM

bcc

Subject 555 washington

Desr supervisor,

A bigger, better Redwood Park is good for the city. Building housing downtown instead of suburbs is good for the environment. Please support the 555 washington proposal,

Sincerely,

Jenifer Gordon

San Francisco resident



Bryan James
<bryan-james@att.net>

11/03/2009 01:49 PM

To Gavin.Newsom@sfgov.org

cc David.Chiu@sfgov.org, joy.navarrete@sfgov.org,
recpark.commission@sfgov.org,
board.of.supervisors@sfgov.org

bcc

Subject 555 Washington Street Project

Regarding the 555 Washington Street Project, I have worked in Jackson Square for 25 years and am ADAMANTLY opposed to this monstrosity being erected right across the street from the most historic and unique neighborhood in San Francisco.

Sincerely,
Bryan James



"Richard H. Harris"
<Richard@erskinetulley.com>

To <Recpark.commission@sfgov.org>,
<gavin.newsom@sfgov.org>,
<board.of.supervisors@sfgov.org>

11/04/2009 04:17 PM

cc

Please respond to
<Richard@erskinetulley.com>

bcc

Subject SF Public Golf Alliance Call for Independent Investigation of
Nancy Wuerfel's Allegations of Irregularities in Golf Fund
Accounting

22

<<...>>

Mayor Gavin Newsom
San Francisco Recreation & Park Commissioners
San Francisco Board of Supervisors

Please see the attached letter, regarding PROSAC member Nancy Wuerfel's allegations of irregularities in
Rec & Park Golf Fund accounting practices.

SF Public Golf Alliance calls for independent investigation of these allegations.

Thank you.

-- Richard Harris
SF Public Golf Alliance
415-392-5431, ext.203

22



Brian Lee
<leebr45@gmail.com>

11/02/2009 09:52 PM

To "gavin.newsom" <gavin.newsom@sfgov.org>
"board.of.supervisors" <board.of.supervisors@sfgov.org>

cc

bcc

Subject: Proposed Changes to Planning Process

23

Dear Mayor Newsom & Members of the Board,

I am a resident of North Beach, writing about the recent proposals to change the planning and permit process. I think changing the process to make it harder to oppose developers is a bad idea. The current planning process that the developers complain about still leaves room for abuse by unscrupulous developers. I'm speaking from experience after observing the ordeal my parents went through last year.

My parents were involved last November in a Discretionary Review dispute with a very large developer who purchased the property next to theirs. The developer proposed to expand his property and build a wall right across several legal windows on my parent's house. My parents are reasonable people, but he ignored all of their requests to give them even a little space, and insisted it was his right to board up their windows. My parents had no choice but to engage a lawyer for the DR process.

My parents' lawyer discovered in the project file that the developer had been repeatedly denied approval of his plans, on the grounds that the building was historically significant. There are numerous e-mail exchanges between the planner and her supervisor, repeating the denials, and citing intense pressure being applied by the developer and his representatives. The last of these e-mails is dated October 4, 2007. Then the trail ends.

Suddenly, the planner had a change of heart. There is no explanation for the change of opinion. There is no change to the plans. But suddenly those changes that were considered destructive before were OK. As of Oct. 4, 2007, there was nothing that the planner would not do for the developer.

For example, I contacted her during the DR process to find out why the regulation regarding matching setback (Planning code Section 101) was not being enforced. She told me the design WAS set back (even though it obviously extended to the property line) and that she had no jurisdiction to help me. As I said, suddenly she would deny them nothing. Even though there was an obvious violation of the code, she refused to enforce it. She continued to recommend that the plan be approved over all objections.

If not for the Commissioners, the developer would have been granted carte blanche to execute an invasive development plan. In fact, I would like to commend the Commissioners for taking the action they did. They required the developer to set back his property away from my parents' -- which was all they had been asking him all along.

However, if the planning process is changed so that only the planning staff decide what can or cannot be appealed, the system would be completely open to abuse. In my parent's case, something happened that was not on the up-and-up. While there is no e-mail trail, something happened to make the planner change her mind. But she gave no evidence or statement as to why that opinion was changed.

23

~~It's not right if the planners can be pressured, influenced or otherwise
made to suspend the rules in favor of unscrupulous developers with power
and money. If anything, MORE safeguards need to be put into place to
make sure that everybody has to play by the rules. I urge you not to
take away the ability of residents to enforce their rights.~~

best regards,
-Brian Lee
832 Lombard Street



"Frank Duhl"
<fduhl@ccsf.edu>
11/05/2009 03:29 PM

To <board.of.supervisors@sfgov.org>
cc
bcc
Subject bumping of City College and SFUSD clerical staff

24

Dear Supervisors:

I am an instructor in Child Development at City College. I also run a family childcare center in the Mission/Noe Valley neighborhood. Both of my sons went to SFUSD, and currently my granddaughter is at Monroe School.

I am very upset about the bumping of City College and SFUSD clerical staff. I read in the paper that the Budget and Finance Committee recommended that the full board spend the money to rescind the pink slips. I urge you to vote to do just that and to make sure that in the future one department is not able to reduce its budget deficit by sending the problem onto another department.

Since you, the supervisors, are charged with looking out for the interests of all San Franciscans, I trust that you will not support such unfair labor practices as reclassifying hundreds of people who are contributing to the health of San Franciscans in order to then hire people who will be paid less. Besides this being totally anti-worker, this makes no sense if you want the jobs to get done well.

To replace a clerical worker at City College or SFUSD with one from Public Health just based on classification undermines the service that the clerical worker is doing at Public Health and the good work that the bumped worker is doing at City College or SFUSD.

Thank you for caring about our City,

Frank Duhl
32 Alvarado St.
San Francisco, CA 94110
415 647-6298

Frank Duhl
Instructor, Child Development
City College of San Francisco

24



chuck fulton
<chuckfulton@earthlink.net>

To board.of.supervisors@sfgov.org

11/07/2009 07:55 PM

cc

bcc

Subject Eric Mar

Please respond to
chuck fulton
<chuckfulton@earthlink.net>

25

Dear Supervisor Mar-

I read about your work in banning smoking in more public areas. I want you to know that I support you 100%. I'm 60 years old and have always been a nonsmoker. (I was also a distance runner for 25 years.) I really resent how smokers make ashtrays out of our sidewalks. But what bothers me the most is having to walk behind someone who's smoking. I feel all smokers should have a designated area on each block - like the northwest corner, for example - and that's the only place that they can legally smoke. They will no longer be allowed to pollute the air for nonsmokers as they walk down the street. This way, nonsmokers could avoid the designated sections of the blocks and no longer have to breathe their smelly cancer-laden air. Please keep working on making people stupid enough to smoke to be the ones who pay the consequences instead of the nonsmokers.

Thank you-
Chuck Fulton

25



Marilyn Russ
<marilynruss80@yahoo.com>

To Board.of.Supervisors@sfgov.org

cc

11/04/2009 02:00 PM

bcc

Subject Mayor Newsom

26

Ladies and Gentlemen:

Are you going to do anything about the appalling behavior of our current mayor? Running off to Hawaii to "lick his wounds" after realizing the State of California was not interested in him as Governor is childish and inappropriate behavior for a public servant (I believe he forgot that he is a public servant). This city needs someone who will devote all their efforts to the serious problems we have and not become a public embarrassment.

I am a native San Franciscan and have never seen such a disaster as this Mayor. It is time for all of you to confront him on his behavior. The ideal result would be that he has the sense to resign.

Thank you for your attention.

Sincerely,

Marilyn Russ

26



"Dr. Ahimsa Sumchai"
<asumchai@live.com>

11/07/2009 11:49 AM

To Sean Elsbernd <sean.elsbernd@sfgov.org>, Board
Supervisors <board_of_supervisors@ci.sf.ca.us>, Ahimsa
Sumchai <ahimsa.sumchai@ucsf.edu>, Gavin Newsom

cc

bcc

Subject To District 7 Supervisor Sean Elsbernd re: West Portal
Community Business District and Federal Air Monitor at
Hunters Point Shipyard

27

AHIMSA PORTER SUMCHAI, M.D.

From: asumchai@live.com

To: sean.elsbernd@sfgov.org; board_of_supervisors@ci.sf.ca.us; angela.calvillo@sfgov.org

Subject: To District 7 Supervisor Sean Elsbernd re: West Portal Community Business District
and Federal Air Monitor at Hunters Point Shipyard

Date: Sat, 7 Nov 2009 11:39:12 -0800

Dear Supervisor Elsbernd,

As my district Supervisor I would first like to thank you for your recent appearance at the San Francisco Chamber of Commerce and West Portal Merchants Association meeting regarding the establishment of a Community Benefits District (CBD) for the West Portal Commercial Strip.

As a West Portal Tenant at 319 West Portal Avenue, I would like to offer feedback on the composition of a Board of Directors for a proposed West Portal Avenue CBD.

I feel very strongly that the proposed CBD Board of Directors be comprised, not only of property owners, whose property assessments would fund the activities of the CBD, but tenants and business owners - like myself- who would ultimately pay for CBD activities due to the anticipated "pass through" of assessment fees by property owners to businesses, merchants and tenants.

West Portal tenants, business owners and merchants cannot be relegated to the status of simple "pockets and purses" in the formation of a CBD Board of Directors. The proposed CBD structure must be representative of the spectrum of business interests and their valuable financial contribution to the upkeep of the West Portal merchant strip.

To accomplish this, the proposed Board of Directors of the West Portal Community Benefits District must include not only property owners, but the tenants, merchants and business owners occupying, leasing and renting those properties who will ultimately fund the activities of the CBD and who outnumber the small group of real estate interests who own property on the commercial strip.

Secondly, I have been- since April of 2009- in direct communication with Director Lisa Jackson of the Federal EPA and EPA Federal Facilities Director Mr. John Reeder advocating for the siting of a federal air monitor at one of the 15 public and private schools and daycare centers located within a one mile radius of the Hunters Point Shipyard - a federal superfund site.

27

~~As you are well aware, both the Bay Area Air Quality Management District and the San Francisco Department of Public Health have documented a series of on-going exceedences in toxic asbestos containing dust generated by grading and construction activities at the Lennar redevelopment site on former Parcel A. As recently as August of 2009 the BAAQMD verified four exceedences to shut down level at the Lennar site and in mid-October an astronomical elevation in asbestos was sensed and confirmed at air monitor HV11. The level was 410,000 structures per cubic cm!~~

The production of toxic air contaminants was identified as a significant and unmitigated environmental impact in the Bayview Hunters Point Redevelopment plan. The BVHP plan was adopted with a statement of overriding considerations. The financial and economic benefits were sited under CEQA as an overriding consideration to the serious negative health and environmental impacts seen in the air quality and transportation plan of the Final EIR.

In anticipation of efforts to accelerate development activities at both the shipyard and the Bayview plan, I would like to invite you and the members of the San Francisco Board of Supervisors in supporting my heartfelt appeal to the Federal Environmental Protection Agency to site an air monitor, under the Obama plan to monitor the nation's schools, at one of the 15 public and private schools and daycare centers situated within a one mile radius of the Hunters Point Shipyard in the second round of sitings. The United States Navy at the Hunters Point Shipyard has identified these schools and day care centers, as well as wildlife and ecological niches to be "sensitive receptors" in potential adverse impact of redevelopment activities.

The production of toxic air contaminants during redevelopment activities in Southeastern San Francisco will impact not only this region, but the air quality of the entire 9 county Bay Area. Please join me in supporting a resolution to the full Board of Supervisors calling for the Federal EPA to site an air monitor protective of the health and safety of school children in the district with the largest childhood population and the highest incidence of cardiopulmonary diseases, chronic hospitalizations and adult and pediatric asthma.

AHIMSA PORTER SUMCHAI, M.D.

Windows 7: Unclutter your desktop. [Learn more.](#)



"Neil Signo, A+ Network+"
<neil_signo@yahoo.com>

11/03/2009 11:10 PM

To viewer comments <news@ktvu.com>

cc board.of.supervisors@sfgov.org, youthvote@sfgov.org

bcc

Subject SF Hotel Strike - are these employees earning more than
\$60K with college?

28

SF Mayor & Supervisors;

Just a comment about those employee strikes. What age range and compensation range are they talking about?

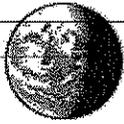
I remember being under 21 and working at Macys' San Mateo. The fellow workers older claimed 'the world owes me for being here', 'better you than me working Star Trek night'...

And I remember it all started by 'if the University student does good, the high school teachers pay goes up, including the remedial students social status'.

=
Lets just put it this way. If the person lives in the same city they should be hired first for jobs without college degrees. In fact throw out the young over 21 to 100, non-disabled, degreed working so carefree to 'screwup' a busy university student.

28

C Pages



imarque
<imarque@yahoo.com>

To board.of.supervisors@sfgov.org

cc

11/03/2009 01:20 PM

bcc

Subject Quality of Life Issues

29

As a long-time Sunset District resident, I am absolutely opposed to expanding the days and hours for parking meters. This is another quality of life issue that will make living in the city that much more expensive and frustrating. If you seek added revenue, I suggest that you ticket the myriad of cars that can be found parking nightly on sidewalks, obstructing pedestrian passage. I have called Parking Enforcement numerous times when encountering this problem to no avail. They simply do not come, even though on an given night, hundreds of cars could be cited. What could be easier?

Furthermore I object to the proposal of adding parking meter in the Golden Gate Park. The park was designed as a refuge from the pressures of city life. Putting in parking meters will just add stress and costs on the public, thereby removing what little pleasure the public derives from our park.

Bernard Marque

29

Ed Devine
1706 - 46th Avenue
San Francisco CA 94122-3912

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2009 NOV -6 PM 12:27

NOVEMBER 6, 2009

BY 

TO: THE MAYOR AND BOARD OF SUPERVISORS OF THE
CITY AND COUNTY OF SAN FRANCISCO. (30)

SUBJECT: PROPOSED CHANGES TO THE NO. 18 BUS ROUTE
SCHEDULED TO BECOME EFFECTIVE DEC. 5, 2009.

LADIES AND GENTLEMEN,

I REITERATE MY OPPOSITION TO ANY CHANGE IN THE NO. 18 BUS
ROUTE FOR THE REASONS SET FORTH IN MY LETTER OF
OCT. 30, 2009. BRIEFLY, THE ADVERSE EFFECT ON THE
EMPLOYEES OF THE CLIFF HOUSE, LOUIS RESTAURANT,
THE SEAL ROCK INN, AND THE FORT MILLY VETERANS
HOSPITAL.

TOURISM IS THE LIFE-BLOOD OF SAN FRANCISCO.
THEY VISIT THESE PLACES. ALSO THE DAILY RIDERS
TO THEIR EMPLOYMENT VIA THE 18 BUS LINE AND
THOSE PATIENTS OF THE VETERAN'S HOSPITAL AND THE UCSF
CLINICS ON DIVISADERO AND SUTTER.

IF YOU WANT TO RECOVER REAL MONEY, JUST LOOK
AT THOSE PERSONS WHO ACCESS THE REAR
DOORS OF MUNI BUSES. THOSE UGLY HARD-
RIDING ARTICULATE ONES ON THE 38 BUS LINE AND
14 BUS LINE JUST TO NAME TWO.

PLEASE USE YOUR CLOUT TO STOP SOMETHING THAT'S
"NOT BROKEN."

SINCERELY,

Ed Devine
1706 - 46th Avenue
San Francisco CA 94122-3912


(415) 682-9898 (30)

31



"Dr. Ahimsa Sumchai"
<asumchai@live.com>
11/04/2009 11:28 AM

To: Mesha <communityfirstcoalition@yahoo.com>, Parkside Listserv <home@prosf.org>, Board Supervisors <board_of_supervisors@ci.sf.ca.us>, San Francisco
cc
bcc

Subject: CDC - Seasonal Influenza (Flu) - Weekly Report: Influenza Summary Update

58% of people tested did not have seasonal or swine flu!

AHIMSA PORTER SUMCHAI, M.D.

- > From: ahimsa.sumchai@ucsf.edu
- > To: asumchai@live.com
- > Subject: CDC - Seasonal Influenza (Flu) - Weekly Report: Influenza Summary Update
- > CC: ahimsa.sumchai@ucsf.edu
- > Date: Wed, 4 Nov 2009 12:59:41 -0500

> The following link found at the Centers for Disease Control and Prevention (<http://www.cdc.gov>) has been sent by ahimsa.sumchai@ucsf.edu.

- > CDC - Seasonal Influenza (Flu) - Weekly Report: Influenza Summary Update
- > <http://www.cdc.gov/flu/weekly/>

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

31

32



Cindy Abbott
<cala3319@gmail.com>

11/09/2009 11:12 AM

To: recpark.commission@sfgov.org, Gavin.newsom@sfgov.org,
Sean.elsbernd@sfgov.org, board.of.supervisors@sfgov.org,
Cmoffice@ci.pacifica.ca.us, astissier@co.sanmateo.ca.us,
cc: barietta2006@yahoo.com, Richard@erskinetulley.com

bcc

Subject: Please Support the SF Recreation and Park Department
Findings re Sharp Park

Dear San Francisco Board of Directors, Pacifica City Officials, and San Mateo County Officials,
I am writing today to request your support and endorsement of the recently released San Francisco Recreation and Park Department findings regarding the Sharp Park Golf Course located in Pacifica. The recommendation that parties "pursue a course which restores Laguna Salada -- the most critical habitat for our protected species -- while preserving golf at Sharp Park, a very popular and long standing recreational use" is a balanced conclusion that supports the goal of ensuring a viable habitat for the San Francisco Garter Snake and the California Red Legged Frog, while also maintaining a diverse mix of affordable recreational activities on the coast.

As a resident of West Sharp Park for the past thirteen years, I am fortunate to be able to take advantage of Pacifica's beautiful coastline and variety of existing hiking opportunities. I regularly walk the coastal path that foots the golf course and up the restored trails to Mori Point. From these vantages it is clear that the course is utilized by a variety of golf enthusiasts and removing golf from the area would be a loss.

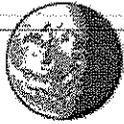
I am also viewing the situation through the lens of one deeply concerned with the environment and protection of all species. I would not want to see golf maintained at the expense of the SFGS and CRLF. I have been reassured by the degree of research and review that went into the SFRPD recommendation that lead to the findings that relocating the 12th hole will accomplish the goal of enhancing the habitat that is critical to the survival of the SFGS and CRLF here on the coast.

I hope you will lend your support to the SFRPD recommendation as presented by Philip Ginsburg on November 6, 2009.

Thank you.

Cindy Abbott
51 Salada Avenue
Pacifica, CA 94044

32



Barbara Beth
<babethsemail@yahoo.com>

11/08/2009 09:09 PM

To: board.of.supervisors@sfgov.org

cc

bcc

Subject: Please support the Restoration of Sharp Park and a the
creation of a new National Park

P.O. Box 191443

San Francisco, CA 94119

November 8, 2009

San Francisco Board of Supervisors

1 Dr. Carlton B. Goodlett Place

San Francisco, CA 94102

To: San Francisco Board of Supervisors;

I am writing you to ask your support and vote for restoring the Sharp Park golf course in Pacifica, California back to wetlands and a park everyone can enjoy and benefit from. Please help make Sharp Park a national park.

For one, there are just way too much golf courses in the Bay Area and not enough golfers to support them. Bay Area Residents want hiking not golf.

Another point, 95% of the Bay Area's wetlands has been destroyed to development and because our way of life, we have increased the natural species extinction rate ten times. I think it is time to give back to nature and restore the wetlands and protect the endangered species in Sharp Park.

The Sharp Park golf course is very unsustainable. It should never have been built on wetlands and the natural sand barrier should never have been destroyed. Therefore, part of the golf course floods every year for part of the year. The maintenance of the golf course is killing endangered species, the San Francisco garter snake and the red-legged frog (both of which have been on the property way before the golf course – the SF garter snake follows the red-legged frog.) Furthermore, the golf course spends millions of dollars watering the course with drinkable water rather than recycled water. Also, the golf course is considered a substandard golf course and the

~~operating costs are much more than is taken in, so the golf course is loosing money every year. It doesn't make sense to keep Sharp Park as a golf course.~~

~~Sharp Park as a national park will be so much better for the environment, the community and the economy. The wetlands will be restored, which we need more of. The wetlands are filled with~~
biodiversity, they also clean the water and they work as nature's natural sponges by soaking up floodwaters. Flood control will come with restored wetlands. The Bay Area has 33 endangered species because of habitat loss through human development and our way of life. We must protect the SF Garter snake and the red-legged frog as well as their habitat, in order for their survival.

Sharp Park as a national park will provide hiking, bird watching, education, history, a visitor's center, and money. Yes, Sharp Park as a national park will improve the economy in Pacifica, as well as the shopping areas around Sharp Park and provide jobs. In addition, the money that is saved from restoring Sharp Park to wetlands it once was and a wonderful park everyone can use and enjoy can go to make other Bay Area golf courses better. This will help golf in the long run. Yes, Sharp Park has been there for 70 years but the wetlands and the endangered species have been there much longer and there are many more golf courses at comparable rates the golfers can go to. If Sharp Park stays a golf course it will be privatized and the rates to play golf will increase. Not what the golfers want. Sharp Park as a restored wetland and park and a new national park will bring many more benefits to the community than the current unsustainable, money loosing, substandard golf course it currently is. As a San Francisco resident who loves going to the beaches of Pacifica, I would love to go to Pacifica's new national park. Please support and vote yes for restoring Sharp Park and making it a new national park. Restoring Sharp Park makes sense. Thank you for your time.

Sincerely,

Barbara Beth

Jeff Miller BC-11

November 2, 2009

Sent via e-mail on 11/2/09 and via certified mail on 11/3/09

Bill Wycko, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Robert Smith
Regulatory Division
U.S. Army Corps of Engineers
1455 Market Street
San Francisco, CA 94103

Ron Miguel
Commission President
San Francisco Planning Commission
600 DeHaro Street
San Francisco, CA 94107

Ed Harrington
General Manager
San Francisco Public Utilities Commission
1155 Market Street, 11th Floor
San Francisco, CA 94103

San Francisco Public Utilities Commission
City Hall, Room 400
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

✓ San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 224
San Francisco, CA 94102

**Re: Extension of Comment Period for Calaveras Dam Replacement Project
Comments; Request for Additional Public Hearing**

The undersigned 25 Bay Area conservation organizations formally request that the San Francisco Planning Department extend the public comment period on the Draft Environmental Impact Report for the Calaveras Dam Replacement Project for at least a thirty (30) day period, until December 20, 2009. The comment period currently closes on November 20, 2009, a 45 day comment period.

The groups also request that the U.S. Army Corps of Engineers extend the public comment period on the project (Corps project number 29979), also currently set to end November 20, and hold a public hearing on the application for a federal permit.

RECEIVED
SAN FRANCISCO PLANNING COMMISSION
2009 NOV -3 AM 11:06
BY

33

Due to the extreme complexity and large scope of the Calaveras Dam project, the highly technical nature of much of the material in the EIR, and considerable controversy over biological impacts of the project and the adequacy of proposed mitigations, the public cannot reasonably be expected to read and understand, let alone provide informed comment on the EIR and the Corps permit within the 45-day time period.

The EIR is over 1,600 pages long and many of the impact conclusions in the document rely on literally hundreds of technical reports and biological surveys, many of which have never been published or released to the public.

We also request that the Corps hearing and at least one additional public hearing by the Planning Department be held on the EIR in the Sunol/Pleasanton area so that Sunol, Pleasanton, and Livermore residents, who will be most affected by the dam replacement project, will have an opportunity to ask questions of the Planning Department, the Corps, and the project proponent and provide public comment on the project.

The Alameda Creek Alliance formally made these requests to the San Francisco Planning Department on October 7. The Planning Department, in a letter of October 15, refused to extend the comment period or provide a public hearing near the communities most affected by the project – a decision counter to the principles of public participation, democracy, and full disclosure.

Alameda Creek Alliance

P.O. Box 2626
Niles, CA 94536

Beyond Searsville Dam

3130 Alpine Road Suite #288-411
Portola Valley, CA 94028

Center for Biological Diversity

352 California Street, Suite 600
San Francisco, CA 94104

Citizens Committee to Complete the Refuge

453 Tennessee Lane
Palo Alto, CA 94306

Clean Water Action

111 New Montgomery Street, Suite 600
San Francisco, CA 94105

Close to Home: Exploring Nature in the East Bay

3758 Grand Ave. #38
Oakland, CA 94610

Diablo Valley Fly Fishermen

P.O. Box 4988
Walnut Creek, CA 94596

Friends of the Arroyos

16 Rockrose Street
Livermore, CA 94551

Friends of the River

915 20th Street
Sacramento, CA 95814

Golden West Women Flyfishers

790 27th Avenue
San Francisco, CA 94121

Grizzly Peak Flyfishers

P. O. Box 153
El Cerrito, CA 94530

Guadalupe-Coyote Resource Conservation District

888 North First Street, Room 204
San Jose, CA 95008

Lake Merritt Institute

568 Bellevue Avenue
Oakland, CA 94610

Mission Peak Fly Anglers

P. O. Box 7263
Fremont, CA 94537

Nature in the City

PO Box 170088
San Francisco CA 94117-0088

Northern California Council Federation of Fly Fishers

728 Gull Avenue
Foster City, CA 94404

Peninsula Fly Fishers

2010 Palmer Drive
Pleasanton, CA 94588

Pilarcitos Creek Advisory Committee

3921 East Bayshore Road

Palo Alto, CA 94303

Regional Parks Association

P. O. Box 9127

Berkeley, CA 94709

Restore Hetch Hetchy

P. O. Box 3538

Sonoma, CA 95370

Salmon Protection and Watershed Network

P. O. Box 400

Forest Knolls, CA 94933

Salmon and Steelhead Restoration Group

1596 Ivy Creek Circle

San Jose, CA 95121

Sierra Club

2530 San Pablo Avenue, Suite I

2530 San Pablo Avenue, Suite I

Tri-City Ecology Center

P. O. Box 674

Fremont, CA 94537

Tuolumne River Trust

111 New Montgomery Street, Suite 205

San Francisco, CA 94105



Jason Lundberg
<jasonlundberg@yahoo.com

To board.of.supervisors@sfgov.org

cc

>
11/04/2009 10:17 PM

bcc

Subject Statement of Support for David Waggoner

→ Police Commission ←

Dear Board of Supervisors:

I first met David Waggoner on the very first day of law school. He was the very first person I met. I am not sure what he thought of me but I thought he was a very smart guy. I was pleased that he was my first impression of everyone I was to deal with for the next several years.

David and I stayed connected over the next several years. I always found him to be a very clear spoken individual who was always genuinely concerned about people around him. The most remarkable thing about him was that I never felt his concern was clouded in a political bias but was rather out of heartfelt concern that was always objective.

I have not stayed in touch with David over the last several years but when it was presented to me that he was interested in serving on this commission my first thought was perfect. I cannot imagine someone more better suited for this position than David Waggoner. Please seriously consider him for this post, as I believe this City would benefit from his service.

I am available to discuss this recommendation at your leisure.
My numbers are (415) 296-8844 and (415) 244-5686. Thank you.

Regards,
Jason Lundberg

34



Micheal Burlacu
<info@burlacuyoga.ca>

11/07/2009 05:49 PM

To gavin.newsom@sfgov.org

cc board.of.supervisors@sfgov.org

bcc

Subject FW: Prevent Swine Flu

35

Dear Mr. Newsom,

I made a list of efficient methods to avoid H1N1 infection for my friends, students (formers students) and some of my colleagues (Yoga instructors and advanced Yoga practitioners).

If you consider it useful for people living in your community please feel free to share the information with them.

Ways to avoid H1N1 infection (Swine Flu) – using simple and efficient methods.

Human swine influenza – is a respiratory illness that affects the nose, throat and lungs.

These are measures recommended by health care professionals for general population. Paragraphs marked with an asterisk (*) are recommended to Yoga practitioners. Yoga methods have the advantage of cleaning the entire respiratory tract, including the lungs and that of using the mind to fight the H1N1 virus (and all kinds of viruses and diseases).

1. Wash hands often, especially before eating or touching your mouth, nose or face.
2. Keep common surfaces disinfected.
3. Gargle twice a day with warm salt water or Listerine.
4. Boost your natural immunity with foods that are rich in Vitamin C and Zinc to boost absorption.
5. Drink as many warm liquids (tea, coffee, etc.) as you can. They wash off proliferating viruses (including the H1N1 flu virus) from the throat into the stomach where they cannot survive, proliferate or do any harm.
6. Clean your nostrils at least once every day with warm salt water.
 - *6.1. For Yoga practitioners, Jala Neti or Sutra Neti (only for advanced practitioners) to clean nasal cavities.
 - *7. Kapalbathi (breathing technique) – Very useful to clean the lungs and respiratory tract (and more).
 - *8. Clean your mind (of bad thoughts) and balance the brain and the energy of your body (for Yoga practitioners, Alternate Nostril Breathing - Nadi Sodhana, Anuloma Viloma). Your clean and balanced mind will assist your body to fight viruses (and all kinds of diseases).

35

9. Owners of houses and buildings equipped with central ***air conditioning units*** , could use special filters to kill the virus.

*9.1. Burn incenses to purify the air inside your house.

~~This page does not replace professional medical advice. Please consult your doctor for medical advice.~~

*Beginner Yoga practitioners are encouraged to also consult their qualified instructors for guidance with using the Yoga methods described above.

Namaste,

Michael Burlacu
Yoga Siromani, R.Y.T., B.Sc.
www.burlacuyoga.ca



"Charles J. Vella"
<charlesvella@comcast.net>

11/07/2009 04:53 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Public Health vote

36

Dear Supervisor Dufty

Please fully fund public health in upcoming Tuesday budget vote.
As a health care professional, this is an important support vote.

Charlie
District 8

Charles J. Vella, Ph.D.
Director, Neuropsychology
Kaiser Permanente Medical Center
San Francisco, CA

36