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Petitions and Communications received from January 5, 2010, through January 15, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on January 26, 2010.

From Office of the Controller, submitting results of the follow-up review for audit of the Human Services Agency's Family and Children's Services Division. Copy: Each Supervisor, Budget and Finance & Government Audit & Oversight Committee Clerks (1)

From Office of the Controller, submitting the financial review report for the South of Market Cultural Center. Copy: Each Supervisor (2)

From Office of the Controller, submitting the financial review report for the Mission Cultural Center for Latino Arts. Copy: Each Supervisor (3)

From Housing Authority, submitting notice that the public housing wait list is closed. Copy: Each Supervisor (4)

From Department of Public Health, submitting a status report for the San Francisco Health Care Security Ordinance. (5)

From Office of the Clerk of the Board, submitting Form 700 Statement of Economic Interest for Sarah Ballard, Legislative Aide, leaving. (6)

From Municipal Transportation Agency, submitting the Overtime Justification Report for March 7, 2009 through October 30, 2009. Copy: Each Supervisor (7)

From concerned citizens, regarding public comment at Board meetings. 2 letters (8)

From concerned citizens, requesting an extension of the public comment period for the Draft Environmental Impact Report on Candlestick Point/Hunters Point Shipyard Phase II. 22 letters (9)

From Arthur Evans, commenting that the so-called medical cannabis dispensaries have turned into wholesale distribution points for subsidiary dealers. (10)

From Steve Price, submitting support for restoring Sharp Park. (11)

From James Chaffee, regarding the Sunshine Ordinance Task Force. (12)

From Michael McGinnis, regarding Muni bus service. (13)

From Department of Public Works, submitting status of repairing potholes at the intersection of Webster and Grove Streets. (Reference No. 20100105-002) (14)

From Department of Public Works, submitting status of removing graffiti from utility boxes at various locations in District 5. (15)

From State Department of Public Health, regarding the funding application approval agreement for FY2009-2010. (16)

From Planning Department, submitting notice of availability of the Glen Park Community Plan Study. Copy: Each Supervisor (17)

From State Department of Parks and Recreation, submitting notice that the Armour & Co. Building was placed on the National Register of Historic Places. Copy: Each Supervisor (18)

From State Department of Parks and Recreation, submitting notice that the Four Fifty Sutter Building was placed on the National Register of Historic Places. Copy: Each Supervisor (19)

From Ahimsa Sumchai, regarding Hunters Point Shipyard air quality. (20)

From Department of Public Works, submitting status of removing graffiti from various locations in District 5. (21)

From Gerri Hayes, regarding proposal to legalize marijuana in California. (22)

From Alan Attlee, regarding the health risks of full body scanners. (23)

From Frank Woods, regarding proposed art gallery at 1969 California Street. (24)

From concerned citizens, regarding the Masonic Center. 2 letters (25)

From Office of the Mayor, requesting the Capital Planning Committee establish and chair a subcommittee known as the Street Resurfacing Finance Working Group. Copy: Each Supervisor (26)

From the Port, submitting the Contracting Activity Report for the reporting period of October 1, 2009 to December 31, 2009. Copy: Each Supervisor (27)

From Planning Department, submitting notice of the availability of and intent to adopt a Mitigated Negative Declaration for 4199 Mission Street. Copy: Each Supervisor (28)

From Planning Department, submitting resolution recommending the Board of Supervisors approve the Mills Act Historical Property Contract for 155-178 Townsend Street. File No. 090263, Copy: Budget and Finance Committee Clerk (29)

From Office of the Mayor, submitting notice that Mayor Newsom will be out of state from January 19, 2010 until January 21, 2010. Supervisor Carmen Chu will serve as Acting Mayor. (30)

From Office of the Controller, submitting copy of letter sent to the Filipino Community Center regarding grant for the City of San Francisco Emergency Aid Relief Program of 2010. (31)

From Office of the Controller, submitting copy of letter sent to the Samoan Community Development Center regarding grant for the City of San Francisco Emergency Aid Relief Program of 2010. (32)

From Arthur Evans, submitting support for a Sit-Lie Law in San Francisco. (33)

From Jack Sargent, submitting support for proposed legislation to discourage honking in San Francisco. (34)

From Evelyn Adler, regarding the new mandated composting law in San Francisco. (35)

From Robin Chiang, regarding the restoration of the Copra Crane in Islais Creek. (36)

From Mike Les, regarding green newspaper racks in San Francisco. (37)

From James Corrigan, regarding S.F. firefighters and the parking laws in San Francisco. (38)

From Office of the Controller, submitting the Comprehensive Annual Financial Report for FY2008-2009. (39)



BDS-11
BF comm clerk
GAO comm clerk

Clerk of the Board
From: Office of the Controller
City Services Auditor

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller
Monique Zmuda
Deputy Controller

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[Signature]

AUDIT FOLLOW-UP MEMORANDUM

DATE: January 7, 2010

TO: Debby Jeter, Deputy Director, Family & Children's Services Division
Human Services Agency

FROM: Tonia Lediju, Director of Audits, City Services Auditor [Signature]

SUBJECT: Results of Follow-up Review for Audit of HSA's Family and Children's Services Division

EXECUTIVE SUMMARY

The Controller's City Services Auditor (CSA) Division issued an audit report on February 1, 2006, entitled, *Family and Children's Services Does Not Have a Structured Program to Attain and Sustain Compliance with Laws and Regulations*. CSA has completed a follow-up on the status of the recommendations from the 2006 report. In response to our follow-up, the San Francisco Human Services Agency (HSA), Family and Children's Services Division (FCS), indicated that it has fully implemented 11 (69 percent) and partially implemented 5 (31 percent) of the 16 recommendations in the report.

CSA selected 9 recommendations to assess evidence of FCS's implementation. Of those recommendations, CSA has determined that 6 are fully implemented and 3 are partially implemented. As a result of the audit recommendations being implemented, FCS operations should be more efficient, effective, transparent, and compliant with City laws and policy. Details of the implementation status of the 9 recommendations addressed in depth by this follow-up are included in Attachment A. The response of FCS to this follow-up is included as Attachment B.

BACKGROUND & METHODOLOGY

The CSA audit assessed the compliance of FCS with state law concerning its duty to protect children and public resources in two areas: relative assessments (Welfare and Institutions Code sections 309(d), 319 and 362.7) and monthly contacts by social workers (Welfare and Institutions Code 16501.1(k)). The main findings of the 2006 audit were that FCS did not:

- Comply with requirements for timely and complete relative and non-related extended family member (NREFM) home assessments. Only 47 percent of approvals were timely and complete.

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- Have policies or consistent practices for conducting and documenting monthly contacts between social workers and the children they supervise.

For the follow-up, CSA met with key HSA and FCS personnel and obtained documentary evidence to verify the extent of implementation of the recommendations made in the 2006 audit report.

RESULTS

In its 2006 response to the audit report, FCS concurred with 11 of the 16 recommendations and partially concurred with 5 of the recommendations.

In response to CSA's current follow-up, FCS reported to CSA implementation progress for each recommendation as of July 2009, indicating that FCS had:

- Fully implemented 11 of the recommendations.
- Partially implemented 4 of the recommendations.
- Not implemented 1 of the recommendations.

Of the 9 recommendations for which CSA performed follow-up work:

- 6 have been fully implemented.
- 3 have been partially implemented.

Recommendations 1-3 and 6: Establish and monitor staff compliance with laws and regulations. Respond to changes in law and regulation.

To respond to changes in law, regulations, or procedures, FCS has assigned staff responsibility for monitoring changes and notifying appropriate program managers. The follow-up found FCS efforts to implement new regulations to be timely and complete.

Addressing relative/NREFM home assessments specifically, FCS has established clear policies and procedures for relative/NREFM home assessments. The policies were supported by several accompanying forms created to assist social workers in correctly completing assessments. Similarly, policies and procedures for documenting monthly social worker visits with children they supervise were found to be complete, up-to-date, and well supported by accompanying procedural forms.

FCS policy and procedures for relative/NREFM home assessments adhere to state requirements by requiring supervisory review before a home can be approved for placement. Supervisory review and approval of potential homes is guided by a state form (SOC-815) to verify and document compliant assessments. The form summarizes results of criminal records checks on adults in the home and verifies that the home meets physical safety standards. However, FCS does not conduct formal quality assurance reviews of relative/NREFM home approval documentation after the supervisor has approved or not approved the home for placement.

Conclusion: Recommendations 1, 2, and 6 have been implemented. Recommendation 3 has been partially implemented.

Recommendations 5, 9a, and 9c: Establish and enforce a clear policy that quality assurance reviews are a top priority of FCS, which is to use available data systems (Business Objects and Safe Measures) to the fullest extent possible.

FCS has greatly expanded its use of quality assurance (QA) reports to inform and change its practices. According to the current FCS director, it is her philosophy to infuse the use of QA reporting throughout the division to improve practices. FCS reviews performance data, such as compliance with monthly social worker visits, using several overlapping systems and measures, which include quarterly data from the Child Welfare Services Outcomes System distributed by University of California, Berkeley, Safe Measures web-based reports, and Business Objects reports.

However, FCS distributes and reviews this QA information on an ad-hoc basis, and lacks policies for responding to QA reports. FCS does not formally respond to its QA reports via corrective action plans as anticipated in the implementation plan from the 2006 audit.

Conclusion: Recommendation 9c has been implemented. Recommendations 5 and 9a have been partially implemented.

Recommendations 8a and 8c: Create full and timely documentation in CWS/CMS

Child Welfare Services/Case Management System (CWS/CMS) is a Microsoft Windows application that links all 58 counties in California and state administrators to a common database. CWS/CMS has 11 functional components designed to reflect the processes employed by child welfare workers in investigating, servicing, and managing a child welfare case. CWS/CMS is considered one of the largest databases in the nation outside of those used by the military.¹

FCS has made great strides in shifting from paper files to broader use of CWS/CMS. Using survey and focus group results, FCS eliminated 155 paper forms and adapted another 70 forms for use as electronic templates, uploadable to CWS/CMS.

In addition to expanding utilization of the CWS/CMS database, FCS has strengthened its efforts towards systematic and consistent documentation in CWS/CMS. Inconsistent documentation practices in CWS/CMS can lead to un-attributable performance indicator results; that is, results that are as likely to reflect documentation practices as they are to reflect actual performance. To improve documentation consistency, FCS created a position responsible for managing the coordination of CWS/CMS entry fields and QA performance measures.

Conclusion: Recommendations 8a and 8c have been implemented.

We would like to extend our appreciation to you and all your staff who spent time working with us and answering our questions. If you have any questions or concerns about this letter, please call Andrew Murrell at (415) 554-7647, or e-mail him at

Andrew.Murrell@sfgov.org.

¹ See Child Welfare Services/Case Management System (CWS/CMS) overview, last accessed 7/15/09, <http://www.dss.cahwnet.gov/cfsweb/PG1328.htm>

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ATTACHMENT A: FINDINGS AND RECOMMENDATIONS

Audit Report Rec #	Recommendation	Status per FCS	Auditor's Follow-up Work	Results
1	Establish a specific mandate to attain a 100 percent compliance rate for NREFM assessments.	<ul style="list-style-type: none"> • A series of mandatory Relative/NREFM trainings were completed with all PSW's in 2007. A new handbook, revised forms, and revised Relative/NREFM packets were developed to aid in compliance measures. • The Foster Care Eligibility unit and the Relative/NREFM unit implemented a weekly SOC 815 tracking report, which is utilized to monitor and ensure full compliance. • Compliance data has been regularly shared at management and supervisors. • A relative/NREFM manager was hired to oversee on-going compliance. 	<p>Interviewed Relative/NREFM Unit Manager on 5/21/09.</p> <p>Reviewed the following reports:</p> <ul style="list-style-type: none"> • NREFM Monthly Statistics, April 2009 • Case Deadlines Report of Valencia Office, extract date 5/10/2009 • NREFM Assessment Due, May & June 2009 • NREFM Reassessment Due In 30-60-90 Days Report, data extract of 5/12/2009 <p>Results of state audit of Relative/NREFM home approvals for 2004, indicating State never made results available.</p>	<p>Implemented</p> <p>Mandate for 100 percent compliance was established by the HSA/FCS Policy Statement.</p> <p>Compliance with timely assessments is monitored prospectively through the Case Deadlines Report and retrospectively through the Monthly Statistics Report. Both reports cover only the timeliness of assessments and not the completeness.</p>
2	Foster accountability by clearly demonstrating to staff, in both policy and procedures, that 100 percent compliance is FCS' goal. Documents provided to the NREFM unit must be complete, accurate, and timely.	<p>In 2007, the Relative/NREFM unit, as well as PSW's, were informed about the expectation of 100% compliance and trained to obtain 100% compliance.</p> <p>Staff have been trained to policies and procedures, which support 100% compliance and are available on the intranet.</p> <p>The CWS/CMS system tracks relative/NREFM compliances, and monthly reports inform workers of upcoming due dates and validate timely completion.</p>	<p>Interviewed Relative/ NREFM Unit Manager on 5/21/09.</p> <p>Reviewed Relative/NREFM Home Approval Procedures, Section 52-14, FCS Handbook, Revision date 12/2/08, pp. 1-12.</p> <p>Reviewed associated forms including:</p> <ul style="list-style-type: none"> • Criminal Records Exemption Request (1093, 10/08) • Criminal Background Checks Checklist (Packet 1800A, 8/07) • Home Approval Checklist (Packet 1800B, 12/07) • Relative/NREFM Placement Checklist (Packet 1800C, 8/07) 	<p>Implemented</p> <p>FCS demonstrated in its policy statement on Relative/NREFM home assessments that 100 percent compliance is its goal. The division has fostered compliance with consistently updated policies and procedures for assessment and by creating forms to assist the home approval process. The division also uses several reports to evaluate the timeliness of assessments prospectively and retrospectively.</p> <p>Supervisors use the state audit review tool to streamline and guide their review process. FCS does not conduct regular, formal quality assurance reviews of paperwork that supports completed Relative/NREFM</p>

Audit Report Rec #	Recommendation	Status per FCS	Auditor's Follow-up Work	Results
			<ul style="list-style-type: none"> • Caregiver Information Sheet (1705, 5/04) Reviewed following reports: <ul style="list-style-type: none"> • NREFM Monthly Statistics, April 2009 • Case Deadlines Report, Valencia Office, extract date 5/10/2009 • NREFM Assessment Due, May & June 2009 • NREFM Reassessment Due In 30-60-90 Days Report, data extract 5/12/2009, sorted by NREFM staff and child welfare worker 	home approvals, including the SOC 815. FCS reported conducting, informal, annual reviews of the supporting paperwork for selected Relative/NREFM placements. However, no records were reviewed during this follow-up.
3	Require that performance evaluations for staff, supervisors, section managers, and program managers convey FCS' goal of 100 percent NREFM compliance.	As with all work related performance, the timely and accurate completion of relative/NREFM approvals is considered in evaluation reports. CWS/CMS logs, as well as SAFE Measures reports, are utilized by supervisors and managers to track monthly 100% compliance. No changes to evaluation forms were necessary to fully implement this recommendation. FCS went from 30% completed annual performance appraisals at the time of the initial audit to 94-96% over the last two years.	5/19/09 & 6/3/09 email correspondence with Performance Evaluation Coordinator for FCS. Reviewed performance evaluation template.	Partially implemented Completing assessments is a key job duty for staff in the Relative/NREFM Unit. If employees underperform or excel in their jobs, FCS reports, this will be reflected in their performance evaluations. For supervisors and managers, however, there is no quality assurance review process on Relative/NREFM placements (see #2 above). Thus, there is limited information on their performance related to 100 percent NREFM compliance.

Audit Report Rec #	Recommendation	Status per FCS	Auditor's Follow-up Work	Results
5	<p>Establish and enforce a clear policy that quality assurance reviews are a top priority of FCS. Communications from the Quality Assurance unit should be addressed immediately, including any needed changes in procedures to effect accurate and timely NREFM assessments. Procedures should be monitored regularly to ensure continued effectiveness.¹</p>	<p>FCS is in full agreement and compliance with the importance and critical necessity of quality assurance. To align with and track daily practice and performance, the CMS/CWS data system, is fully utilized. Using SAFE Measures, county-specific CWS outcome reports from U.C. Berkeley, and Safe Measures tools, FCS achieves full caseload QA, as opposed to spot checking or random reviews.</p> <p>Utilization of electronic data enables FCS to oversee QA in a heightened environment of C-CFSR² accountability and responsibility that is monitored and overseen by management and supervisors.</p>	<p>Interviewed HSA Director of Planning and HSA Planning and Evaluation Analyst on 6/8/09.</p> <p>Reviewed the following:</p> <ul style="list-style-type: none"> • San Francisco Foster Care Demographics 1998-2008 • San Francisco Foster Care Reentries Analysis, draft report of 4/20/09 • Adoptions/case closures analysis memo of 8/29/07 • CWS Outcomes Measures (AB636)1 – Third Quarter, 2008, memo of 4/15/09 • CWS Outcomes Measures (AB636) – Second Quarter, 2008, memo of 1/14/09 • Template and samples from San Luis Obispo County's Monthly Measures Program • CWS/CMS Business Objects report list, sent 6/9/09 • System Improvement Plan for San Francisco of 4/07³ 	<p>Partially implemented</p> <p>FCS has expanded use of both external Quality Assurance (QA) reporting via the California-Child and Family Services Review (C-CFSR)³ and internal QA reporting via ad-hoc reports and processes with HSA Planning and Evaluation.</p> <p>Several internal initiatives show an effective relationship between data reporting and program changes to improve results. In particular, the adoptions/case closures analysis is an example of QA reporting that identifies an area of negative performance results, coupled with FCS leadership targeting program changes to improve results.</p> <p>However, FCS lacks policies for responding to internal QA reviews. The division does not formally respond to analyses such as the adoptions/case closures analysis with corrective action plans, as anticipated in the audit.</p>
6	<p>Adopt a means of addressing any future changes in the law, regulations or procedures, and make a continued effort to monitor its compliance with these requirements</p>	<p>A team of project managers have been assigned to track, review, analyze, and recommend policy and procedural changes necessitated by state and federal legislative and regulatory changes.</p>	<p>Reviewed Management Team (SAC) agendas from 2/24/09, 3/24/09, and 4/28/09 meetings.</p>	<p>Implemented</p> <p>To respond to changes in law, regulations, or procedures, FCS has assigned staff to monitor and respond to such changes.</p>

¹ Quality assurance efforts are a product of overlapping areas of responsibility within the Human Services Agency (HSA): Planning and Evaluation prepares and presents ad-hoc business objects reports to FCS management, Information Technology prepares ongoing reports in business objects, and the FCS management team develops correction action plans to respond to findings.

² The C-CFSR requires California counties to develop in partnership with their community and prevention partners a System Improvement Plan (SIP) every three years. Counties, in partnership with the state, use quarterly data reports to track progress toward targets established in the SIP. The process is a continuous cycle in which the county systematically attempts to improve outcomes.

³ Last accessed 7/13/09, available: <http://www.sfhsa.org/asset/ReportsDataResources/FCSSIP2007Final.pdf>

Audit Report Rec #	Recommendation	Status per FCS	Auditor's Follow-up Work	Results
		<p>The project managers, in coordination with the management team, work alongside the HSA planning department, the City Attorney's offices, and supervisors in ensuring that all ACL's and ACIN's are implemented accurately, efficiently and timely. Monthly SAC meetings and management meetings include discussions of new ACL's and ACIN's.</p> <p>Quarterly all staff meetings further compliment the communication protocols, to ensure reinforcement of required changes in policy and procedures.</p>	<p>Reviewed and treated as case studies recent regulation changes 1) requiring Supplemental Security Income (SSI) screening for all children-in-care, and 2) eliminating monthly contact waivers beginning in October 2011.</p> <p>Interviewed Relative/NREFM Unit Manager on 5/21/09.</p> <p>Reviewed SSI materials including:</p> <ul style="list-style-type: none"> • Amended Contract • Contract Actuals 2008-09, 2009-10 • Memo to Human Services Commission announcing PCG contract, dated 5/16/08 • Quarterly Report of PCG services for Jan-Mar 2009 • Announcement of PCG services in FCS Supervisor Newsletter, dated 4/10/09 <p>Reviewed Contact Requirements, Section 51-3 of Family and Children Services Handbook, Revision of 12/2/08, pp. 1-6.</p>	<p>This system for responding to changes was tested by reviewing the division's responses to two recent changes in state regulations: SSI screening for all youth in care, and the elimination of monthly contact requirement waivers. In both cases, the division's response was found to be timely and complete.</p>

Audit Report Rec #	Recommendation	Status per FCS	Auditor's Follow-up Work	Results
8a)	<p>Since certain data and reports input into the CWS/CMS on-line system are acceptable and even used by state auditors in their monitoring practices, this should be the preference whenever possible. Documents and reports maintained in this system should not be unnecessarily duplicated in the manual case files.</p>	<p>As FCS handbooks are developed, instructions related to CWS/CMS entries are included, as well as instructions related to the retention of documents within case folders.</p> <p>The "Guide to NREFM Compliance Audit" distributed by the California Department of Social Services (CDSS) was utilized in creating the FCS Relative/NREFM handbook, training materials, forms, and brochures. All components of the State guide are integrated into our practice and procedures.</p> <p>FCS is actively working on system and cultural changes shifting from hard-copy records to computer files. An extensive review of agency forms has resulted in a substantial reduction of duplicative records.</p> <p>Also refer to #5 above..</p>	<p>Interviewed HSA Director of Planning and HSA Planning and Evaluation Analyst on 6/8/09.</p> <p>Reviewed:</p> <ul style="list-style-type: none"> • CWS Outcomes Measures (AB636)1 – Third Quarter, 2008, memo dated 4/15/09 • CWS Outcomes Measures (AB636) – Second Quarter 2008, memo dated 1/14/09 • Quick Guide for Entering Referrals, undated • Email from Senior Projects Manager reporting results of survey and focus groups review of paper and electronic forms at FCS 	<p>Implemented</p> <p>FCS is actively shifting from paper files to CWS/CMS when possible. Using survey and focus group results, FCS eliminated 155 outdated or duplicative paper forms, and adapted another 70 forms for use as electronic templates.</p> <p>Given the complexity of CWS/CMS, expanding use of the fields must be paired with strategies for more consistent data entry practices. Without consistent CWS/CMS use, performance indicator results are as likely to reflect documentation practices as they are to reflect actual performance.</p> <p>The division's recent hire of a supervisor responsible for bridging state outcome reporting requirements with documentation practices in CWS/CMS is an important step toward more consistent use of CWS/CMS.</p>
8c)	<p>Timely input is important to accuracy and compliance. Prompt input into CWS/CMS will facilitate the monitoring process, allowing for a meaningful use of Safe Measures as a monitoring tool. For example, some counties have had success with deadlines of input within three or five business days of the visit.</p>	<p>Managers, supervisors, and workers have received training on Safe Measures. Safe Measures is being utilized to track 100% caseload compliance. Adherence is monitored by the management team and Deputy Director through monthly reports, reviews, and discussions at management meetings.</p>	<p>Interviewed HSA Director of Planning and HSA Planning and Evaluation Analyst on 6/8/09.</p> <p><u>From Child Welfare Dynamic Report System,</u>⁴ reviewed:</p> <ul style="list-style-type: none"> • Child Abuse and Neglect Referrals by Time to Investigation (Immediate Response Type) - San Francisco. 	<p>Implemented</p> <p>FCS employees document their work in CWS/CMS promptly. Evidence of implementation is seen in the compliance results:</p> <ul style="list-style-type: none"> • 90 percent or better monthly visit compliance for every month over the last two years.

⁴ Accessed 7/16/09, http://cssr.berkeley.edu/ucb_childwelfare/default.aspx

Audit Report Rec #	Recommendation	Status per FCS	Auditor's Follow-up Work	Results
			<ul style="list-style-type: none"> • Monthly Social Worker Visits with Children (2C) - San Francisco. • Template and samples from San Luis Obispo County's Monthly Measures Program. • Contact Requirements, Section 51-3 of Family and Children Services Handbook, Revision of 12/2/08, pp. 1-6. 	<ul style="list-style-type: none"> • Compliance with timely investigations (both immediate and 10-day) is at 90 percent or better for every quarter but one since the first quarter of 2005-06. <p>FCS policy is to have all social worker contacts recorded "within three (3) business/working days of the date that the contact took place (including the date of the contact)."</p>
9a)	Require all supervisors and managers to use Safe Measures to monitor the compliance with face-to-face contacts by child welfare workers.	<p>The Deputy Director has provided clear and consistent guidance and written policy on the importance and requirement of utilizing Safe Measures to oversee agency objectives and individual social worker performance.</p> <p>Mandatory training has been provided to managers, supervisors, and line staff.</p>	<p>Interviewed:</p> <ul style="list-style-type: none"> • CWS Policy Manager on 5/21/09 • HSA Director of Planning and HSA Planning and Evaluation Analyst on 6/8/09. • FCS Director and CWS Policy Manager on 8/20/09. 	<p>Partially implemented</p> <p>FCS supervisors and managers received Safe Measures training and are expected to use the system during supervision, though usage is not currently monitored by FCS.</p> <p>Monthly Measures is a new program for Safe Measures use that FCS will introduce during fiscal year 2009-10. Monthly Measures, a successful practice from San Luis Obispo County, provides several program- or function-specific templates that are filled out each month using reports available in Safe Measures. Results are discussed during individual supervision, as well as in unit, regional, and divisional meetings.</p> <p>Monthly Measures will give supervisors direct responsibility for regularly accessing and responding to Safe Measures quality assurance reports, thereby increasing the frequency with which they use such reporting.</p>

Audit Report Rec #	Recommendation	Status per FCS	Auditor's Follow-up Work	Results
9c)	Allocate the Business Objects licenses and use this software to its full potential to support FCS managers in making timely and effective decisions on compliance matters.	<p>FCS works cooperatively and consistently with the HSA Planning units and IT division in the creation of and utilization of Business Objects reports.</p> <p>Beyond simply producing reports, the HSA Planning unit collaborates as a team, alongside FCS, problem-solving and creating frameworks for the effective utilization of Business Objects.</p>	<p>Interviewed:</p> <ul style="list-style-type: none"> • HSA Director of Planning and HSA Planning and Evaluation Analyst on 6/8/09. • FCS Director and CWS Policy Manager on 8/20/09. <p>Reviewed CWS/CMS Business Objects report list, sent 6/9/09.</p>	<p>Implemented</p> <p>FCS reports that it has six Business Objects licenses that are fully used by analysts and support staff throughout HSA. Business Objects reporting is used for a variety of needs including regular reporting of compliance information, problem-solving analyses such as the "Adoptions/case closures analysis" cited in Recommendation 5, and ad-hoc reporting requests, of which there are an estimated 10-12 each week.</p> <p>A new version of Business Objects will make licenses much more available throughout HSA to create and refresh Business Objects reports. Once trained, any user will be able to create and post refreshable reports that can be used by all FCS managers and supervisors to monitor operations and outcomes.</p>

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ATTACHMENT B: FCS'S RESPONSE

City and County of San Francisco



Gavin Newsom, Mayor

Human Services Agency

Department of Human Services
Department of Aging and Adult Services

Trent Rhorer, Executive Director

December 29, 2009

Ms. Tonia Lediju, Director of Audits
City Services Auditor
1 Dr. Carlton B. Goodlett Place, Rm 316
San Francisco, CA 94102-4694

Re: Response to the December 1, 2009 draft memorandum from the Office of the Controller entitled, "Results of Follow-Up Review for Audit of HSA's Family and Children's Services Division."

Dear Ms. Lediju:

We would like to thank the Controller's City Services Auditor Division (CSA) for your assistance in reviewing our agency's successful performance related to the CSA February 2006 audit report.

Starting with the 2001 California Child Welfare System and Accountability Act (AB 636), which went into effect in 2004, the child welfare system has experienced unprecedented reform. At the core of this reform is data management enabling outcome reporting helping counties to effectively and consistently address system design, policy and procedural effectiveness, and monthly outcome tracking. The University of California at Berkeley has played an integral role in establishing the web-based California Dynamic Report System. This system enables leaders within Family & Children's Services (FCS) to create customized quarterly reports to track areas of improvement and needed enhancement.

Based upon requirements in AB636, each county child welfare agency is required by the state to create a county-specific System Improvement plan or SIP. The SIP is a roadmap for counties to view the relationship between their programmatic strategies and their individual performance. Individual performance is assessed, in part, by the use of Safe Measures. SAFE Measures is a web-based data tool that enables child welfare leaders to create customized reports drawn from twice weekly data matching. Becoming operational in San Francisco Family and Children's Services in 2007, the effective use of the web-based tool has revolutionized the meaningful understanding of performance through quality assurance and provided a forum to focus on the accountability of the agency, its units, and its individual staff members.

Data management, utilizing the Safe Measures web-based tool, has become a consistent auditing tool used to evaluate performance and refine process. Child Welfare Services managers, supervisors, and staff have received extensive training on the use of Child Welfare Services/Case Management System (CWS/CMS) and how to access and analyze regular reports drawn from the system. The management team has become the monthly auditing authority by reviewing CWS/CMS reports in management team meetings with the Deputy Director, discussing the implications of the data, and formulating system improvement tasks to be carried out during the following month. Though continuous process

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improvement measures, informed through monthly data, the management team is able to immediately address performance gaps and administer corrective action plans. Data management has become a comfortable and reliable tool creating an atmosphere of quality assurance and accountability.

As the Controller's City Services Auditor Division audit was conducted in February 2006, prior to the availability and use of enhanced data reporting and accountability within the Family and Children's Services division, a few of the recommendations made in that time frame were noted as either partially implemented or not implemented. With the implementation of data management focused specifically on quality assurance within the agency beginning in 2007, Family and Children's Services believes it has surpassed the intent of the Controller's office recommendations in process and policy. Recommendations from the 2006 Controller's office, which were found to be partially implemented or not implemented with the follow-up audit, are out of date based upon the enhanced capability of the department to utilize data management to achieve quality assurance. Though the specific recommendations may not have been implemented as written in 2006, our department firmly believes that we have surpassed the quality assurance intent of those recommendations. Accountability within the agency today exceeds the expectations of the 2006 audit recommendations by instituting continuous process improvement through the effective oversight and use of performance data.

Audit Report Findings and Recommendations – Response to results

- #2: *Foster accountability by clearly demonstrating to staff, in both policy and procedures, that 100 percent compliance is FCS' goal. Documents provided to the NREFM unit must be complete, accurate, and timely.*

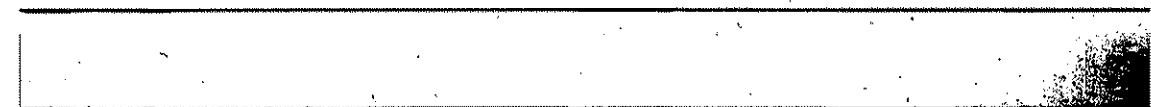
This recommendation was found to be implemented. However, in the text under "results" it is noted that "FCS does not conduct regular, formal quality assurance reviews of paperwork that supports completed Relative/NREFM home approvals.... FCS reported conducting informal annual reviews..."

FCS uses 100% supervisor reviews of all relative/NREFM approvals to ensure full compliance. In addition, a social worker specialist randomly reviews cases at least once per year to further validate compliance. Relative/NREFM supervisors use the CMS system, including Safe Measures, to oversee consistent and accurate completion of home approvals. FCS conducts 100% quality assurance reviews of all relative/NREFM cases using formal, consistent and fixed rules of review supported and documented through the use of a review tool filed in each case.

- #3: *Require that performance evaluations for staff, supervisors, section managers, and program managers convey FCS' goal of 100% percent NREFM compliance.*

This recommendation was found to be partially implemented. It is noted by the reviewer that "there is no quality assurance review process" for supervisors and managers.

FCS uses Safe Measures to track unit and division performance. These data tools are used consistently and reviewed during supervisor and management meetings, as well as individual



conferences. Supervisors and managers are held to the expectation that their staff is taking all necessary actions to achieve 100% relative/NREFM compliance. This expectation is regularly reinforced.

#5: *Establish and enforce clear policy that quality assurance reviews are a top priority for FCS.*

This recommendation was found to be partially implemented. It was noted by the reviewer that "FCS lacks policies for responding to internal QA reviews. The division does not formally respond to analyses... with corrective action plans...".

FCS requires supervisors and workers to utilize Structured Decision Making (SDM) tools. SDM tools provide a framework for making objective and reliable decisions. Using defined and consistent decision-making criteria, measurable practice standards, as well as clearly identified and reinforced staff expectations, FCS proactively responds to quality assurance, as opposed to waiting for mistakes that would require corrective action plans. In addition, staff is required to attend Administrative Reviews, facilitated by a Program Director, prior to taking actions on specific difficult or marginal cases. FCS front-loads quality assurance practices and policies to prevent after-the-fact corrective actions. Quality assurance is a top priority for FCS and we do believe that the intent of this 2006 recommendation has been fully achieved.

#9a: *Require all supervisors and managers to use Safe Measures to monitor the compliance with face-to-face contacts by child welfare workers.*

This recommendation was found to be partially implemented. It was noted by the reviewer that "FCS supervisors and managers received Safe Measures training and are expected to use the system during supervision, though usage is not currently monitored by FCS".

FCS requires all supervisors and managers to use Safe Measures to monitor compliance with face-to-face contacts, as well as other case management activities. This recommendation has been fully implemented. Usage of Safe Measures is monitored and usage reinforced during supervisor and manager meetings, as well as individual conferences. The reviewer supports use of a new tool, Monthly Measures. FCS has begun implementation of Monthly Measures and will be seeking full implementation in the department during the 10-11 fiscal year. This new tool will enable usage to be monitored by FCS. However, this has not been available until recently and not a part of the original 2006 recommendation and therefore, should not be considered in validating our current compliance.

Family and Children's Services has appreciated the opportunity to focus on the agency's efficient, effective, transparent, and compliance with City laws and policies. We proudly serve the citizens of San Francisco and have great respect for the importance and process of ensuring accountability. We want to especially thank Andrew Murrell from the Controller's office, who has been gracious and professional in his interactions with our agency and his thoughtful analysis of our system designs, policies, and procedures. Family and Children's Services will continue its aggressive and consistent

promotion and achievement of accountability within the agency in it's pursuit towards the safety, permanency, and well-being of the children within our community.

Sincerely,



Debby Jeter, Deputy Director
Human Services Agency
Family & Children's Services

City and County of San Francisco

Office of the Controller – City Services Auditor

RECEIVED *Bas 11 page*
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 JAN -5 PM 1:02

BY RC

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

SAN FRANCISCO ARTS COMMISSION:

**SOMArts Properly Used Grant
Funds But the Arts Commission
Needs to Clarify Provisions of the
Grant Agreement**



January 5, 2010

2

City and County of San Francisco

Office of the Controller – City Services Auditor

Pros-11
page

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SAN FRANCISCO ARTS COMMISSION:

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2010 JAN -5 PM 1:03
BY

**The Mission Cultural Center for
Latino Arts Properly Used Grant
Funds But the Arts Commission
Needs to Clarify Provisions of the
Grant Agreement**



January 5, 2010

3

BOS-11
Cpage

SAN FRANCISCO HOUSING AUTHORITY

440 TURK STREET • SAN FRANCISCO, CALIFORNIA 94102 • (415) 554-1200



December 29, 2009

Re: Closing of the Public Housing Wait List

Dear Community Partner:

At its December 10, 2009, regularly scheduled meeting, the San Francisco Housing Authority (SFHA) Commission authorized the executive director to close the Housing Authority's public housing waiting list as outlined in the SFHA's July 2008 *Admissions and Continued Occupancy Policy (ACOP)*.

Currently, the SFHA manages 6,262 units (family and senior/disabled) of public housing. As of January 14, 2009, the public housing waiting list was 29,977. On any given day, the total number of vacant units throughout the SFHA's property management portfolio is 104 units. On average, a family waits approximately ten years to move from the bottom of the waiting list to the top of the waiting list in order to be offered an available vacant unit.

On the matter of closing a public housing waiting list, the Code of Federal Regulations 24 CFR 982.206 (2) (c) states: "*If the PHA (Public Housing Agency) determines that the existing waiting list contains an adequate pool for use of available program funding, the PHA may stop accepting new applications, or may accept applications meeting criteria adopted by the PHA.*" As such, the Authority will be closing its Public Housing Waitlist.

The SFHA is sending this letter to San Francisco community based organizations, government agencies, elected officials, and housing advocacy groups. It will also place a classified advertisement in the Public Notice section of the San Francisco Chronicle, various special language newspapers and other media outlets.

The SFHA anticipates closing the waiting list at the close of business January 31, 2010.

Sincerely,

Linda Burnett
Acting Eligibility Director.

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2010 JAN - 4 PM 3: 15
BY: [Signature]

4



Gavin Newsom
Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 JAN -4 AM 8:41

BY PC

Tangerine M. Brigham
Deputy Director of Health
Director of Healthy San Francisco

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

January 4, 2010

Angela Calvillo
Clerk of the Board
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

~~RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO~~

Re: San Francisco Health Care Security Ordinance

Dear Ms. Calvillo:

Enclosed please find a status report on the above-referenced matter as required by Section 14.4(h) of the San Francisco Health Care Security Ordinance. The report provides an update on the development and implementation of the Employer Spending Requirement and the Healthy San Francisco Program.

If you have any questions regarding this report, please do not hesitate to contact either Ms. Joannie Chang at 554.4791 for aspects concerning the Employer Spending Requirement or myself at 554.2779 for aspects concerning the Healthy San Francisco Program.

Sincerely,

Tangerine Brigham
Deputy Director of Health
Director of Healthy San Francisco

5

BOARD of SUPERVISORS



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

Date: January 7, ~~2009~~ 2010
To: Members of the Board of Supervisors
From: Angela Calvillo, Clerk of the Board *ACalvillo*
Subject: Form 700

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

Sarah Ballard – Legislative Aide - Leaving

6

- Gavin Newsom | Mayor
- Tom Nolan | Chairman
- Dr. James McCray Jr. | Vice-Chairman
- Cameron Beach | Director
- Shirley Breyer Black | Director
- Malcolm Heinicke | Director
- Jerry Lee | Director
- Bruce Oka | Director
- Nathaniel P. Ford Sr. | Executive Director/CEO

2010 JAN -8 AM 10: 08

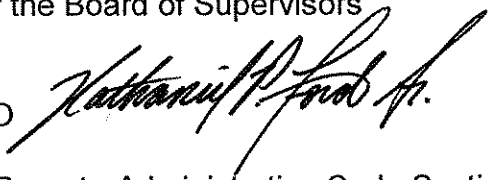
BY PC

MEMORANDUM

DATE: January 7, 2010

TO: Honorable Members of the Board of Supervisors

FROM: Nathaniel P. Ford Sr.
Executive Director/CEO



Subject: Overtime Justification Report - Administrative Code Section 18.13-1
San Francisco Municipal Transportation Agency for March 7, 2009 through
October 30, 2009

Pursuant to Administrative Code Section 18.13-1, the San Francisco Municipal Transportation Agency (SFMTA) is submitting herewith the San Francisco Municipal Railway (Muni), Department of Parking and Traffic (DPT), and the Division of Taxicab Overtimes (DOTO) overtime justification report for its employees who worked overtime in excess of 16 percent of the regularly scheduled straight time for the period March 7, 2009 through October 30, 2009. This report excludes transit operators and transit supervisors. Our last report submitted on May 9, 2009 covering the period November 1, 2008 through March 6, 2009 stated that 112 employees reached the threshold. As of October 30, 2009, SFMTA had 330 employees who met the overtime reporting criteria set forth in the Administrative Code.

Overtime assignments are made on a voluntary basis and are based on seniority, specific job knowledge and availability. Most of the 330 employees are categorized as service critical employees who are responsible for service delivery. Employees who volunteer for overtime are rotated in order to equitably distribute opportunities to work overtime. Certain employees make themselves available to a greater degree than others. Therefore, what could be perceived as disparity among overtime earners actually represents greater willingness and ability to work required overtime assignments by certain employees. SFMTA managers exercise tight controls to ensure that there are no overtime abuses.

The SFMTA employees who exceeded the 16 percent threshold worked overtime due to the following:

Administration Division

The Payroll section is currently operating with 12 payroll clerks instead of 14. With the reduction in staff, overtime is and will be unavoidable to process pay every two weeks in a timely manner. The entire SFMTA payroll staff works overtime to ensure completion of work needed for payroll closing using multiple payroll systems such as Trapeze, TESS, and DETS.

Prior to converting the transit operators timekeeping system to Trapeze from BMIS, payroll staff had until close of business Tuesday during payroll closing week to complete corrections and auditing of transit operator payroll. After the implementation of Trapeze, payroll staff has to complete the work by noon on Tuesday of payroll closing week and would need to work on Saturday or Sunday prior to the closing week to ensure that the process is completed by noon on Tuesday. Trapeze is a great system for data extraction but requires staff to spend more time coding and entering data than the previous payroll system.

Specific actions to be taken by the Payroll section to address overtime include:

- Hiring two additional payroll clerks to offset using overtime to ensure all SFMTA's employees are paid on time and accurately without errors; and
- Monitor overtime usage to ensure that all overtime is absolutely necessary.

Finance Division

Revenue Collection and Sales:

Twenty-six Revenue staff exceeded 16 percent of their regular work hours for the time period between March 7, 2009 and October 30, 2009.

Factors that continue to impact overtime usage in the Revenue section include:

- Long-term leave and vacancies of four staff members in service critical areas such as revenue collection and revenue processing that could not be backfilled;
- Coverage of seasonal special events such as seasonal line sales at cable car turnarounds, transfer sales for baseball and football games, and sales at Bay to Breakers, SF Pride, Pink Saturday, Fourth of July Parade, Outside Lands Music Festival and Love Fest; and

- Muni cash fare increase on July 1, 2009 created a 50 percent swell in the volume of currency (bills) processed and overtime hours were utilized to ensure cash collections were deposited in a timely manner.

Overtime use is expected to decrease significantly due to the following:

- Return of two staff members previously on extended leave;
- Reduced seasonal special event coverage;
- Reallocation of resources through the shift bid process to increase permanent staffing in the Processing unit; and
- Monitoring and restricting overtime usage.

Customer Service Center (CSC) / Citations & RPP Section:

Eight staff exceeded 16 percent of their regular work hours for the time period between March 7, 2009 and October 30, 2009.

Overtime was incurred in the following functional areas:

- Significant increase in the number of customers being served by the Customer Service Windows Cashiering staff impacting the team's availability to process other regular tasks during normal business hours; and
- Special and annual project work by the Customer Service Accounting staff such as year-end close, audits, and two vendor reconciliation projects while continuing to provide regular back office services for the Customer Service Center.

Overtime usage is expected to decrease due to the following:

- Additional Accounting staff and windows clerks;
- Cross-training of staff;
- Implementation of efficient and effective business processes; and
- Monitoring and restricting overtime usage.

Muni Transit Operations Division

The Transit Operations Division's overtime is related to front line service delivery and is attributed to the related components required to meet service demands including but not limited to maintenance and vehicle repair, transit supervision of the bus and rail systems, infrastructure maintenance and operations support and control functions.

For the reporting period of March 7, 2009 to October 30, 2009, 232 employees are reported with overtime hours in excess of 16 percent which represents approximately less than 20 percent of the overall non-Transit Operators and non-Transit Supervisors workforce within Muni's Transit Operations Division. In some cases, it is cheaper to pay overtime than hire full time employees (FTEs) with benefits. Overtime in the Transit Operations Division will more than likely increase due to budget deficit, reduction in maintenance positions, and an aging vehicle fleet. Additionally, without the use of overtime, fleet availability will be negatively impacted.

Other factors contributing to the Transit Operations staff overtime usage include:

- Unique vehicles requiring special maintenance repairs, rebuilding propulsion units, generators and other electrical parts for Electric Transit Inc. (ETI) trolley cars, light rail vehicles and motor coaches components overhauls;
- Graffiti removal and clean-up to meet service demands and to ensure clean, safe, and reliable transportation for patrons;
- 24 hours per day seven days per week staff availability to handle emergencies such as facility maintenance, overhead line, track and all other emergencies;
- LRV Maintenance to provide rail service delivery to meet Prop E goals and key performance measures for vehicle availability and reliability; and
- Coverage for special events such as football and baseball games, Professional Golfers Association (PGA) tournaments, Outside Lands Music Festival, Fleet week, construction re-rail, and all events requiring additional vehicles.

Plans to reduce overtime usage within Transit Operations include:

- Restore funding, fill vacancies, and increase staff to appropriate levels for select positions (i.e., storekeeper, transit power line supervisor, track maintenance worker supervisor, station agents, transit car cleaner, train controller);

- Stock requisite parts to ensure timely rehab and preventive maintenance efforts;
- Reduce special events coverage and support; and
- Exercise controls to ensure that there are no overtime abuses.

Safety, Security and Enforcement Division

Overall number of staff with overtime hours greater than 16 percent of regularly scheduled straight time increased from 31 to 35 from previous report. The Safety, Security and Enforcement Division will continue to monitor staff overtime to ensure individual percentages fall within the 16 percent or less wherever possible without significantly impacting coverage.

Security:

The Security section had two employees incurring overtime greater than 16 percent for this reporting period. Due to extreme shortage of supervisory staff on extended and short term medical leave, one employee worked overtime to complete special report requests and special events assignments such as Bay to Breakers, Fourth of July, Pride Weekend, Outside Lands Music Festival, Kaboom, Bay Bridge closures, Fleet Week, SF Giants games, Opera at the Park, as well as the re-railing project at Church and Duboce. This employee has been informed to cut overtime unless approved by management. The second employee's overtime percent of 46 percent is a variance resulting from the employee working only 37 total hours (24 regular hours and 13 overtime hours) before going out on medical leave.

Two Security staff exceeded 16 percent of their regular work hours for the time period between March 7, 2009 and October 30, 2009 due to:

- Long-term medial leave of one Security employee who worked only 24 regular hours and 13.50 overtime hours which inflated the overtime percentage to 56.25 percent;
- Extreme shortage of supervisory staff due to short-term and extended long-term medical leave that could not be backfilled requiring one employee to work overtime to perform acting supervisory and administrative responsibilities; additionally

- Coverage of seasonal special events such as Bay to Breakers, Fourth of July, Pride Weekend, Outside Lands Music Festival, Kaboom, Bay Bridge closures, Fleet Week, SF Giants games, Opera at the Park, and the Church-Duboce re-railing project.

Overtime use for the Security section is expected to decrease due to the following:

- Return to full time duty of three employees previously on short-term and long-term medical;
- Reduced coverage of seasonal special events coverage; and
- Restriction of overtime usage without compromising fare inspection services and the requirement of obtaining overtime pre-approval.

Enforcement:

Fifty three Enforcement staff exceeded 16 percent of their regular work hours for the time period between March 7, 2009 and October 30, 2009. Majority of the Parking Control Officers (PCOs) demonstrates minimal desire to work overtime and most agree to work overtime for special assignments only or are drafted by inverse seniority for the least desirable assignments resulting in the select few willing to work overtime to go over the 16 percent range.

Factors that continue to impact overtime usage in the Enforcement section include:

- Seasonal special events coverage such as Bay to Breakers, Fourth of July, Pride Weekend, Outside Lands Music Festival, Kaboom, Carnival, Fleet Week, SF Giants and 49ers games, Cherry Blossom Parade, President Cup Golf Tournament, Opera at the Park, Oracle Week, SF Marathon, Nike Marathon, and six Sunday Streets; and
- Construction projects, pilot programs and unplanned events such as the re-railing project at Church and Duboce, Market Street Pilot, two Bay Bridge closures, anti-war demonstrations, all ISCOTT monthly approved street closures, unplanned street closures due to fires, bomb threats, power outages, water main breaks, etc., and the approved two hours daily overtime (weekdays only) for 15-20 PCOs to provide full range of enforcement meter coverage from mid-August through October 2009.

Without using overtime, the Enforcement section will be faced with the additional challenge of providing requested services due to the layoff of 24 PCOs on January 24, 2010 and the defunding of all vacant PCO positions.

Overtime use in the Enforcement section is expected to decrease due to the following:

- Less special events coverage in the winter months by PCOs;
- January 31, 2010 scheduled end of the Market Street pilot program; and
- Evaluate options and alternative solutions to reduce the number of fixed post assignments.

Please contact Sonali Bose, Chief Financial Officer/Director of Finance and Information Technology, at 415.701.4617 if you have any questions regarding this report.

Sincerely,

Nathaniel P. Ford Sr.
Executive Director/CEO

Overtime use in the Enforcement section is expected to decrease due to the following:

- Less special events coverage in the winter months by PCOs;
- January 31, 2010 scheduled end of the Market Street pilot program; and
- Evaluate options and alternative solutions to reduce the number of fixed post assignments.

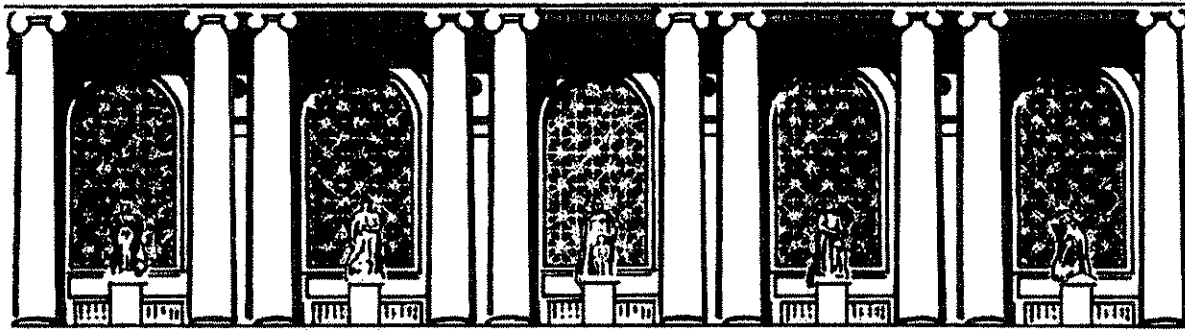
Please contact Sonali Bose, Chief Financial Officer/Director of Finance and Information Technology, at 415.701.4617 if you have any questions regarding this report.



THE PUBLIC LIBRARY OF THE CITY AND COUNTY OF SAN FRANCISCO

FOUNDED A.D. MDCCCLXXVIII ERRECTED A.D. MDCCCXCVI

MAY THIS STRUCTURE THRONED ON IMPERISHABLE BOOKS BE MAINTAINED AND CHERISHED FROM GENERATION TO GENERATION FOR THE IMPROVEMENT AND DELIGHT OF MANKIND



The Original Library Movement
January 12, 2010

James Chaffee
63 Stoneybrook Avenue
San Francisco, CA 94112

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

Re: "Public Comment Should Be a Full Agenda Item"

Dear Supervisor:

Under the new president of the Board of Supervisors, David Chiu, public comment has been subjected to ever increasing contempt. Now it is no longer even a numbered agenda item. It turns out that this is simply the culmination of the disparagement of public comment that the current president, David Chiu, has implemented.

Up until November 24, 2009, public comment was numbered along with other items and it is clear that the change is to forestall any criticism that public comment is no longer treated like other agenda items. It has always been the policy of the Board that agenda items are taken in order and that an agenda item once begun is not interrupted until it is finished. But under David Chiu public comment is no longer given that respect.

Even in the best of circumstances, making use of public comment is burdensome and highly problematic. A member of the public seeking to use his right to petition the government by addressing his public representatives has no way to estimate when his opportunity might come up. Having to wait through long meetings and always being prepared at a moment's notice must represent a barrier to public comment for any number of people. One of the principles of democracy is to provide what is called "accessibility," in other words, to make it easier for the public to participate not harder. As an example, monied or "important" interests are given what is called a "special order" i.e., a time specific for an item to be given priority. If anything, it would

seem that public comment -- as a citizen's right to petition the government -- should be accorded at least that same status.

Over the past year, under David Chui, there have been instances where public comment was begun, then stopped at a particular time, peremptorily by the president, without a vote of his fellow supervisors for a timed "special order" item, when with respect to the regular agenda a timed "special order" item is heard when the previous item is completed. The remaining public speakers who had lined up had to return to their seats while another item was taken.

There was another occasion when the president, David Chui, called public comment when there was no one to give it. The chamber had been closed because of the overflow crowd on a specific item had occupied every seat. Mr. Chui called public comment in that circumstance and did not wait to inquire if those waiting outside wished to speak. No one spoke.

In a third occasion, it was 3:25 and he decided to call a recess rather than begin public comment five minutes before a 3:30 special order. His attitude was apparently that those who had come for public comment deserved no more consideration than to just wait. The implication is that they are only public speakers anyway. How is public comment so demeaned unless he demeans it?

It should not be forgotten public comment is now afforded two minutes. The Board's agenda states the public "may address the board for up to three minutes," although the Sunshine Ordinance actually states that the public "shall be permitted to be heard once for up to three minutes." The Board president knows that he needs this little distortion of the truth to suppress complaints and make himself look reasonable. There is no question that David Chiu has opened new frontiers of anti-democratic contempt.

The agenda item "public comment" should be taken in its proper order and taken with its proper respect. If you are a public speaker, please state as part of your comment, "Public Comment Should Be a Full Agenda Item."

Very truly yours,



James Chaffee



Richard Knee
<rak0408@earthlink.net>
01/12/2010 01:41 AM

To James Chaffee <chaffeej@pacbell.net>
cc Bevan.Dufty@sfgov.org, board.of.supervisors@sfgov.org,
Carmen.Chu@sfgov.org, Chris.Daly@sfgov.org, David
Campos <David.Campos@sfgov.org>, David Chiu
bcc

Subject Re: Chaffee -- Letter to Supervisors -- "Public Comment
Should Be a Full Agenda Item"

Here is the relevant section in the Sunshine Ordinance:

SEC. 67.15. PUBLIC TESTIMONY.

(a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address a policy body on items of interest to the public that are within policy body's subject matter jurisdiction, provided that no action shall be taken on any item not appearing on the agenda unless the action is otherwise authorized by Section 67.7(e) of this article. However, in the case of a meeting of the Board of Supervisors, the agenda need not provide an opportunity for members of the public to address the Board on any item that has already been considered by a committee, composed exclusively of members of the Board, at a public meeting wherein all interested members of the public were afforded the opportunity to address the committee on the item, before or during the committee's consideration of the item, unless the item has been substantially changed since the committee heard the item, as determined by the Board.

(b) Every agenda for special meetings at which action is proposed to be taken on an item shall provide an opportunity for each member of the public to directly address the body concerning that item prior to action thereupon.

(c) A policy body may adopt reasonable regulations to ensure that the intent of subdivisions (a) and (b) are carried out, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. Each policy body shall adopt a rule providing that each person wishing to speak on an item before the body at a regular or special meeting shall be permitted to be heard once for up to three minutes. Time limits shall be applied uniformly to members of the public wishing to testify.

(d) A policy body shall not abridge or prohibit public criticism of the policy, procedures, programs or services of the City, or of any other aspect of its proposals or activities, or of the acts or omissions of the body, on the basis that the performance of one or more public employees is implicated, or on any basis other than reasonable time constraints adopted in regulations pursuant to subdivision (c) of this section.

(e) To facilitate public input, any agenda changes or continuances shall be announced by the presiding officer of a policy body at the beginning of a meeting, or as soon thereafter as the change or continuance becomes known to such presiding officer. (Added by Ord. 265-93, App. 8/18/93; amended by Proposition G, 11/2/99)

Board of
Supervisors/BOS/SFGOV
01/08/2010 01:26 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Fw: Please extend comment period for Lennar
Candlestick/Hunters Point Development Project.

--- Forwarded by Board of Supervisors/BOS/SFGOV on 01/08/2010 01:26 PM ----



Wendy Bardsley
<wendy@mutantfactory.com>
01/07/2010 05:21 PM

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

This is a very complex project as we all know. The present comment period is completely inadequate, almost as bad as no comment period at all. Is there some political influence at play here?

Please extend the comment period so some serious consideration can be given to it.

Thanks,
Wendy

9



Vicki Olds
<volds@studioreflex.com>
01/09/2010 02:38 PM

To Board.of.Supervisors@sfgov.org
cc
bcc

Subject extend review period for Candlestick/Hunters Pt. Project

Dear SF Board of Supervisors;

I grew up in the Bay Area; was educated in Europe; born in Korea; and since 1984 have been a resident of the 94118 zip code and have established a successful design/communications business.

In my spare time I help a couple non-profits publish their newsletter and volunteer in national political campaigns, as well as serving as the Vice PResident of the CA Alpine Club. I'm also an active Save The Bay, Nature Conservancy and Sierra Club member.

I know I can speak for hundreds of people when I say to you that the Candlestick/Hunters Pt. Project proposal is a rotten egg. Bad for the environment and future generations of Bay Area citizens.

Please extend the comment period to February 12, 2010 so these environmental organizations may have adequate time to research and respond intelligently, thoroughly and honestly.

Thank you!
Happy New Year.

Truly,

Vicki Olds
415-221-2830
--

+++

s t u d i o r e f l e x
communications design,
graphic identity and project management tales
s i n c e 1 9 8 4

vicki olds
designer/producer
studio reflex
534 sixth avenue
san francisco
ca 94118

<http://www.studioreflex.com>
...go to the edge of the universe
and look around

ph: 415.221.2830 / fx: 415.221.2847

* One light year equals 5,878,000,000,000 miles.

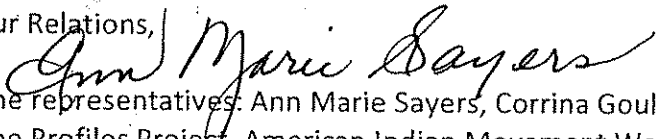
9

resources to appropriately evaluate the project's impact on our heritage and patrimony. *The likelihood of disturbing many Native American burial sites is very high. Without consultation and mitigation, this is a continuation of cultural genocide.*

The 700 acre size and the natural shoreline this development impacts, and the Ohlone heritage within the project site combine to make this an excellent opportunity for San Francisco to acknowledge the difficulty of our shared history. Our people would welcome an opportunity to work together with the City in a process that honors its original people and acknowledges our continuing presence.

Please do the right thing, extend the comment period and include the Ohlone in the planning.

All Our Relations,

A handwritten signature in cursive script that reads "Ann Marie Sayers". The signature is written in black ink and is positioned over the typed name of the signatory.

Ohlone representatives: Ann Marie Sayers, Corrina Gould, Charlene Sul, Rosemary Cambra
Ohlone Profiles Project, American Indian Movement West, International Indian Treaty Council,
United Native Americans

Comments on Draft EIR Candlestick Point/Hunters Point Shoreline Plan, Phase II
by Ann Marie Sayers, Tribal Chairperson Indian Canyon Nation

January 12, 2010

Bill Wycko
Environmental Review Officer
Planning Department
1650 Mission Street Ste 400
San Francisco CA 94102

This DEIR including the mitigation process it proposes was developed without Ohlone consultation or input. The plan dramatically breaks with professional standards, common practices and normal expectations I have developed over the last three decades in my professional work with EIR mitigation. Even more seriously, the plan breaks California state law. The plan consolidates unprecedented power in the Environmental Resource Officer, a veritable czar over Ohlone concerns. Key decisions about Ohlone patrimony are left in this individual's hands. Professional standards, common practice and state law require inclusion of Ohlone Most Likely Descendants about what happens to our ancestral burials, cultural artifacts and sacred sites.

On page III J-30 of the Draft Environmental Impact Report, it states that the Bayview Hunter's Point Area Plan amended the SF General Plan in 2006. Therefore, Senate Bill 18 applies to this project.

Senate Bill 18 requires:

#65092: Public notice to California Native American Indian Tribes on the Native American heritage Commission list.

#65351 requires that local planning agencies provide **opportunities for involvement** for California Native American Tribes on the contact list of the Native American Heritage Commission in the preparation or amendment of the General Plan.

#65560 and #65562.5 require local governments to **conduct meaningful consultation** with California Native Tribes on the contact list maintained by the Native American Heritage Commission.

As an Ohlone on the Native American Heritage Commission list, I was not consulted. So far as I know, there was no consultation with any Ohlone Most Likely Descendants (MLD).

As the tribal chairperson of Indian Canyon, Mutsun Band of Costanoan/Ohlone people, my main concerns are:

1. The mitigation plan that the EIR proposes has not included Ohlone in its development and also does not specifically include Ohlone oversight during the mitigation, as SB 18 requires.
2. The plan does not require a Memorandum of Understanding with Ohlone descendents.
3. The plan does not address what will happen when burials are disturbed. Where and how will the burials be re-interred ceremonially? THIS IS, WITHOUT QUESTION, A TRIBAL DECISION!
4. With cultural materials, when they are found, will there be a center to display the items and educate the public about the original people of the project area? An answer to this question, with consent from the Ohlone people, is required before the DEIR can be accepted.

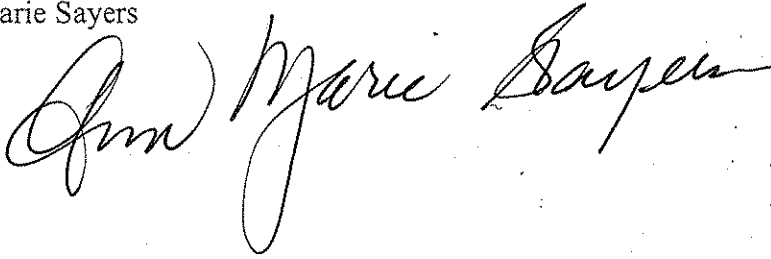
The DEIR reads as if none of these issues are of concern or interest to San Franciscans or the Planning

Department. The behavior of the Planning Department has been to act as if there were no Ohlone descendents. This disenfranchises my people. It constitutes a continuation of the cultural genocide of the Ohlone descendants.

We would love to share more of the history and significance of Ohlone tribal renewal if you want to go forward by including us in the planning process. That will require more time to respond to the DEIR.

Noso-n (in breath so it is in spirit.)

Ann Marie Sayers

A handwritten signature in cursive script that reads "Ann Marie Sayers". The signature is written in black ink and is positioned below the typed name.

STATE OF CALIFORNIA

Tribal Consultation Guidelines

SUPPLEMENT TO GENERAL PLAN GUIDELINES

April 15, 2005

GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

III. Basic Requirements of SB 18

This section provides a brief summary of the statutory requirements of SB 18. Later sections of the Supplement provide additional detail regarding these requirements and offer advice to local governments on how to fulfill the notification and consultation requirements of SB 18. (Please refer to Section IV and Section V of these guidelines for additional information regarding the responsibilities outlined below.)

Responsibilities of OPR

Government Code §65040.2(g) requires the Governor's Office of Planning and Research (OPR) to amend the *General Plan Guidelines* to contain advice to local governments on the following:

Consulting with tribes on the preservation of, or the mitigation of impacts to, cultural places.

Procedures for identifying through the Native American Heritage Commission (NAHC) the appropriate California Native American tribes with whom to consult.

Procedures for continuing to protect the confidentiality of information concerning the specific identity, location, character, and use of cultural places.

Procedures to facilitate voluntary landowner participation to preserve and protect the specific identity, location, character, and use of cultural places.

Responsibilities of Local Governments

SB 18 established responsibilities for local governments to contact, provide notice to, refer plans to, and consult with tribes. The provisions of SB 18 apply only to city and county governments and not to other public agencies. The following list briefly identifies the contact and notification responsibilities of local governments, in sequential order of their occurrence.

Prior to the adoption or any amendment of a general plan or specific plan, a local government must notify the appropriate tribes (on the contact list maintained by the NAHC) of the opportunity to conduct consultations for the purpose of preserving, or mitigating impacts to, cultural places located on land within the local government's jurisdiction that is affected by the proposed plan adoption or amendment. Tribes have 90 days from the date on which they receive notification to request consultation, unless a shorter timeframe has been agreed to by the tribe (Government Code §65352.3).⁶

Prior to the adoption or substantial amendment of a general plan or specific plan, a local government must refer the proposed action to those tribes that are on the NAHC contact list and have traditional lands located within the city or county's jurisdiction. The referral must allow a 45 day comment period (Government Code §65352). Notice must be sent

⁶ SB 18 added this new provision to state planning law. It applies to any amendment or adoption of a general plan or specific plan, regardless of the type or nature of the amendment. Adoption or amendment of a local coastal program by a city or county constitutes a general plan amendment.

regardless of whether prior consultation has taken place. Such notice does not initiate a new consultation process.⁷

Local governments must send notice of a public hearing, at least 10 days prior to the hearing, to tribes who have filed a written request for such notice (Government Code §65092).⁸

Under SB 18, local governments must consult with tribes under two circumstances:

On or after March 1, 2005, local governments must consult with tribes that have requested consultation in accordance with Government Code §65352.3. The purpose of this consultation is to preserve, or mitigate impacts to, cultural places that may be affected by a general plan or specific plan amendment or adoption.

On or after March 1, 2005, local governments must consult with tribes before designating open space, if the affected land contains a cultural place and if the affected tribe has requested public notice under Government Code §65092. The purpose of this consultation is to protect the identity of the cultural place and to develop treatment with appropriate dignity of the cultural place in any corresponding management plan (Government Code §65562.5).

Responsibilities of NAHC

The NAHC is charged with the responsibility to maintain a list of California Native American tribes with whom local governments must consult or provide notices (as required in Government Code §65352.3, §65352, and §65092). The criteria for defining “tribe” for the purpose of inclusion on this list are the responsibility of the NAHC. The list of tribes, for the purposes of notice and consultation, is distinct from the Most Likely Descendent (MLD) list that the NAHC maintains.

Upon request, the NAHC will provide local governments with a written contact list of tribes with traditional lands or cultural places located within a city’s or county’s jurisdiction. These are the tribes that a local government must contact, for purposes of consultation, prior to adoption or amendment of a general plan or specific plan. The NAHC will identify the tribes that must be contacted, based on NAHC’s understanding of where traditional lands are located within the State.

For more information on the NAHC’s roles and responsibilities, contact the NAHC. (See also Part F: Additional Resources)

⁷ Government Code §65352 was amended by SB 18 to include tribes among the entities to whom the proposed action must be referred. The term “substantial amendment” has been in the statute for many years and was not modified by SB 18.

⁸ Government Code §65092 was modified by SB 18 to include certain tribes as “persons” that are eligible to request and receive notices of public hearing. “Person” now includes a California Native American tribe that is on the contact list maintained by the NAHC.

For Immediate Release
Jan. 12, 2010

Contact: Mishwa Lee
cell: (415) 606-9541

Ohlone people ask SF Planning Department to follow the law and protect ancient village sites at Candlestick Point/Hunters Point Shipyard.

Ohlone representatives are calling for an extension in the Draft EIR Comment Period and inclusion in the Planning Process.

Who: Ohlone representatives: Ann Marie Sayers, Carmen Sandoval, Anthony Sul, Francisco Da Costa, Rosemary Cambra, and Espinola Jackson; International Indian Treaty Council, American Indian Movement West, United Native Americans, Ohlone Profiles Project, Indian People Organized for Change, POWER (People Organized to Win Employment Rights), GreenAction for Health and the Environment.

Where: San Francisco City Hall, Polk St. steps, between McAllister and Grove

What: Welcome & Blessing by Ohlone, Press Conference, delivery of letters to Planning Dept. on last day of public comment period on Candlestick Point/Hunters Point Shipyard

When: Tuesday Jan. 12, 2010 at 12 noon

SAN FRANCISCO, CA— In 2006, San Francisco Board of Supervisors amended the General Plan to allow for development of the Hunters Point Shipyard. According to California Senate Bill 18 - Tribal Consultation Guidelines, signed in law on September 29, 2004, local Ohlone tribal members whose names are listed with the Native American Heritage Commission are to be included in the planning process of any such development. It now appears that none of the Ohlone representatives were contacted so that they could be involved in the planning process.

'We are wondering why no contact was made with Ohlone people.' said Neil MacLean. *'We want the SF Planning Dept. to follow Senate Bill 18 which requires them to include Ohlone people in the planning process.'*

Tuesday January 12th is the deadline for public comment on the draft EIR for the Phase II of the Candlestick Point/Hunters Point Shipyard. Ohlone and their supporters will be turning in their comments and asking for an extension to allow them to meet with the planning department and provide input into the planning for the development of the 700 acres, the largest undeveloped area of San Francisco in recent years.

'This is an important opportunity to work together to protect these ancient historical sites, honor our ancestors and insure that development pressures do not further damage critical Ohlone Indigenous sites,' said Ohlone representative Corrina Gould.

'The sites affected by the development are extremely significant and are believed to be burial or ceremonial sites.' said Ohlone Chairperson AnnMarie Sayers ***'In addition to protecting these sites, we also want to work with the local community to protect their health, the land and the fragile Bay marine environment.'***

At the Press Conference, Ohlone representatives, along with the American Indian Movement and the International Indian Treaty Council will deliver letters to the Mayor, the Board of Supervisors and the City Attorney, asking them for the extension for public response to the draft EIR to allow for Ohlone input.

The draft EIR states that there are at least 4 and probably 5 Ohlone village sites within the development boundaries and another 16 that are within one-quarter mile of the project. According to Ohlone representatives this is an important opportunity to work with the city to create an Ohlone Cultural Center and protect their historic sites, which may be 6,000 years old.

Ohlone organizers of the Press Conference would also like to work with the Bayview Hunters Point community to protect the unique characteristics of the neighborhood and allow for the protection and restoration of the important environmental resources. The economic vitality of the neighborhood also depends on the health of the people in the neighborhood.

'The area, including the Shipyard, must be cleaned up so that it can support healthy living and working conditions,' said Mishwa Lee, a Bayview resident and Ohlone supporter. ***'We want this land to be a healthy place for the future generations, just as the Ohlone ancestors lived to protect their lands and waters for our generation.'***

Media Contacts:

- Mishwa Lee, Bayview/Hunters Point resident and Ohlone supporter (415) 606-9541
- Neil MacClean, Ohlone Profiles Project (415) 515-8430
- Ann Marie Sayers, Ohlone Chairperson (831)-637-4238
- Jaron Browne, POWER (415) 377-2822

Ohlone Press Conference

January 12, 2010

12noon – 12:30

- I. Mary Jean Robertson – KPOO Radio (MC)
- II. Ann Marie Sayers – Ohlone Chairwoman
- III. Rosemary Cambra – Mawakma Ohlone
- IV. *Corrina Gould – Ohlone representative (if present)*
- V. *Catherine Herrera – Ohlone representative (if present)*
- VI. Morning Star Gali – International Indian Treaty Council
- VII. Anthony Sul – song *Alex Toaina*
- VIII. Quana Brightman – United Native Americans
- IX. ~~Mark Angue~~ *Mark Angue* - American Indian Movement West
- X. Representative from the Human Rights Commission
- XI. Francisco Da Costa and or Espinola Jackson
- XII. Mishwa Lee – POWER
- XIII. Marie Harrison – GreenAction for Health and the Environment
- XIV. Vallery Tulier
- XV. *Carmen Saldava*
Ann Marie Sayers – closing

Board of
Supervisors/BOS/SFGOV
01/13/2010 04:15 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Fw: The Ohlone met on the steps of City Hall to protest the
Draft, EIR linked to Hunters Point Shipyard and
Candlestick Point.

----- Forwarded by Board of Supervisors/BOS/SFGOV on 01/13/2010 04:16 PM -----



Francisco Da Costa
<fdc1947@gmail.com>
01/13/2010 08:53 AM

To John Rahaim <john.rahaim@sfgov.org>, Stanley Muraoka
<Stanley.Muraoka@sfgov.org>, Fred Blackwell
<fred.blackwell@sfgov.org>, Bill Wycko
<bill.wycko@sfgov.org>, Joy Navarrete
<Joy.Navarrete@sfgov.org>, "Gavin. Newsom"
<gavin.newsom@sfgov.org>, Michael Cohen
<michael.cohen@sfgov.org>, Tiffany Bohee
<tiffany.bohee@sfgov.org>, Ron Miguel <rm@well.com>,
Linda Avery <Linda.Avery@sfgov.org>, Lawrence Badiner
<larry.badiner@sfgov.org>, Espanola Jackson
<EspanolaJackson@sbcglobal.net>, Rosemary Cambra
<muwekma@muwekma.org>, Matt Dorsey
<Matt.Dorsey@sfgov.org>, David Chiu <David.Chiu@sfgov.org>, SFBOS
BOS <board.of.supervisors@sfgov.org>, BOS BOS
<supervisors@sfgov.org>, SecretaryState Bowen
<Secretary.Bowen@sos.ca.gov>

cc

Subject The Ohlone met on the steps of City Hall to protest the Draft,
EIR linked to Hunters Point Shipyard and Candlestick
Point.

I am informing you that the Ohlone and the Tribal Chair of the Muwekma Ohlone met on the steps of SF City Hall to protest the Draft, EIR linked to Hunters Point Shipyard and Candlestick Point.

This is not the last time you will hear about this issue.

The SF Planning Department has not followed protocol and one blatant example is California Senate Bill 18. It was simply wrong - NOT to outreach to the Muwekma Ohlone that have Patrimonial Jurisdiction and others on the list provided by similar processes followed - before:

<http://www.indybay.org/newsitems/2010/01/12/18635068.php>

Francisco Da Costa



aevans604@aol.com
01/09/2010 05:02 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject "Medical Marijuana" Enables Addiction in the Haight

Dear Friends & Neighbors,

I know from taking care of people who have died from AIDS that marijuana has helpful medical qualities. Patients who need it for that purpose should be able to get it without any hassles.

However, the so-called "medical marijuana" system that the board of supes has imposed on SF is a scam. In practice, the supes' system allows medical authorization cards to be freely sold to anyone who wants one, for whatever reason.

The result is that the so-called "medical cannabis dispensaries" have turned into wholesale distribution points for subsidiary dealers.

These dealers resell their "medical marijuana" on the streets, especially in at-risk neighborhoods. They use the profits from their sales to buy hard drugs for themselves. The supes' system serves to enable their addiction.

The recent public-safety crisis in the Haight has highlighted this practice. A gripping eye-witness account appears in post made by John Marino, who lives by Golden Gate Park, on a website maintained by the *SF Bay Guardian* (link below).

Take a look at these eye-opening excerpts from his post:

* * * * *

I live on Fulton Street between Stanyan Street and Arguello Boulevard.

10

Across the street is the North Ridge of Golden Gate Park.

That portion of the park has been for many years, at least the 15 that I have lived here, the 'shooting gallery' where drugs, hard drugs, are traded and injected.

Six years ago, a tent was erected by 'homeless' people within the canopy of the shrubbery... There was a very brisk drug trade in the neighborhood...

'Drug drops' were a nightly occurrence along the length of the stone wall on the Park's periphery. All of this activity supported the 'homeless' population that had taken residence in the doorways of homes and businesses on Haight Street...

The most cynical abuse was the fact that the city's liberal attitude allowing compassionate use of marijuana for medical purposes was providing an income for drug addicts.

The money they received by selling their 'stash' of medical marijuana to school children of all ages, tourists and other visitors to the Haight and Golden Gate Park was spent on hard drugs.

*** * * * ***

John Marino wrote this post in support of a proposed sit-lie law. It's aimed at reclaiming public spaces from the public addicts and alcoholics who now colonize them. The proposed law was attacked Bruce Brugmann, publisher of the *Guardian* .

So far, the Haight's supe, Ross Mirkarimi, has not responded to residents' requests to know his position on the proposed sit-lie law.

By the way, Mirkarimi is the principal architect of the supes' "medical-marijuana" system.

To read John Marino's post in full, go to the link below and

then scroll down almost the entire way:

http://www.sfbg.com/blogs/bruce/2009/12/editorial_sitting_on_the_sidew.htm

Yours for rationality in government,

Arthur Evans

* * * * *



steve price
<price@lexicon-branding.com>
>

01/09/2010 05:07 PM

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

cc

bcc

Subject File 091307 Restore Sharp Park

To the San Francisco Board of Supervisors,

**As a tax-paying, voting member of our society,
I hope you will reject the all-golf alternative and
build a better public park at Sharp Park! We need a new
national park at Sharp Park, not an infrequently used golf
course that threatens two endangered species,
the California Red-Legged Frog and the San Francisco Garter Snake.**

Thank-you!

Best regards,

Steve Price
Lexicon Branding
30 Liberty Ship Way, Suite 3360
Sausalito, CA 94965
P: 415-332-1811
F: 415-332-2528
price@lexicon-branding.com

Recent Credentials: *Booklet* (Nokia) | *SkyRoom* (Hewlett-Packard) | *Wisp* (Colgate) | *Venza* (Toyota)

Language & Cultural Evaluations:

http://www.lexicon-branding.com/linguistic_global_talk_cultural_language_evaluation.html

Lexicon on NBC:

http://www.nbcbayarea.com/around_town/shopping/Febreze-Dasani-Scion-The-Man-Who-Made-it-All-Up.html

11



"James Chaffee"
<chaffeej@pacbell.net>
01/04/2010 09:29 PM

To <Bevan.Dufty@sfgov.org>,
<board.of.supervisors@sfgov.org>,
<Carmen.Chu@sfgov.org>, <Chris.Daly@sfgov.org>, "David
cc
bcc
Subject Chaffee -- Open Letter to the Sunshine Ordinance Task
Force -- Sunshine Undercut

January 4, 2010

Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Open Letter to the Task Force – Sunshine Undercut

Dear Sirs:

I wish to report to the Task Force the outrageous extent to which the Task Force allows its own work to be undercut and its effectiveness to be essentially thrown away by a combination of sabotage and inattention.

First, it should be understood that for a member of the public to have the focus, persistence and vigilance that is required to gather the evidence for a complaint to the Task Force is going to be the exception rather than the rule. Most individual members of the public have other pressures on their time. Contributing to public affairs by participating in civic activism is already an investment of time and energy that is exceptional. For citizens to find that access to documents and participation is blocked by violations of the law is especially frustrating. Confronted with such barriers, one must muster the trust and commitment necessary to bring the evidence to the Sunshine Ordinance Task Force. Bringing a Sunshine Complaint represents another set of barriers, including attending numerous meetings, and facing the discouragement from those who consider participation to be limited to the "City Hall Family."

Second, after overcoming those obstacles, to find that the Sunshine Ordinance Task Force allows its function to be diminished and obscured to the extent that it does, effectively discourages rather than promotes democracy.

An example that brings the failures of the Sunshine Ordinance Task Force into sharp relief is its action on December 1, 2009. On that date, by a unanimous vote of the members present, 9 to zero, the Task Force voted that the complaint in File No. 09033, Sue Cauthen v. Library Commission, was a willful violation and should be referred to the Ethics Commission for enforcement as a possible official misconduct. This case involved blatant abuse of a member of the public by the president of the Library Commission.

12

Early in the morning, on December 7, 2009, assuming that there was to be some transmittal of this determination to both the Ethics Commission and the Library Commission, I made an Immediate Disclosure Request of the clerk of the Sunshine Ordinance Task Force for “any communication sent to the affected Department or policy body that is distributed from the president of the Task Force or from your office, or any public record that reflects such communication.”

At the end of the day, two days later, on December 9, I received the response from the clerk of the Task Force that, “I am in the process of creating documents that would be responsive to your request. I do not have any document responsive to your request at present.”

Just past the close of business, 5:30 p.m., on December 9, I sent an inquiry stating, “Is it possible for you to consider this request open and respond on a “rolling” basis consistent with section 67.25(d) of the Sunshine Ordinance? In the alternative, should I follow up with periodic requests?” I also requested that the clerk include my cc-list in any response.

On December 10, without responding to any of my questions, and without including the cc-list, the clerk sent an e-mail that stated, “I will send you a copy when it is ready.”

As of this date, January 4, 2010, a full 34 days after the Task Force’s original action, the clerk has failed to provide any documents in response to my request. Furthermore, there is no letter of communication or order of determination on the Administrator’s Log for tomorrow’s meeting of January 5, 2010, which log presumably lists all activities of the Administrator since December 1, 2009. (It goes without saying that one cannot look in the minutes. There are no minutes of the Task Force posted since October 27, 2009.)

Do I need to outline all of the ramifications of this failure? The ramifications operate on several levels. The most important level is that the principle of Sunshine itself is that “Publicity is . . . a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants.” How are these problems every to be corrected if no one knows about them? The rationalization behind “Sunshine” is to expose the abuses of secrecy to the light of day. This cannot happen if the Task Force conceals its rulings. In addition, there will be no exposure of the Task Force’s ruling if they are not distributed to active citizens, such as myself, who might make them available to a wider distribution, send them to reporters or media outlets, as well as concerned citizens, such as the Sunshine Posse.

Just as important a factor is that enforcement means “timely” enforcement. It doesn’t do a victim of Sunshine abuses any good if there is no enforcement until everyone agrees that all of the issues are moot and there is no longer any interest in the underlying issue. Accountability delayed ends up being no accountability at all. Indeed, in this case, the abusive Library Commissioner will probably be reelected president without anyone being able to document the action of the Task Force.

Just as important as the above factor, is that not only can violators of the Sunshine Ordinance be ever more brazen in their contempt, secure in the knowledge that there is no enforcement, but

they can effectively state that the Sunshine Task Force is just as bad as we are, so compliance with Sunshine must be impractical, not cost effective, or both. Therefore, the claim, "Why should we care?" Indeed.

What is the defense of the Task Force? Do referrals to the Ethics Commission for willful misconduct fall through the cracks because they don't rise to the level of the clerk's awareness? No, the answer is that actual enforcement of open government requirements, no matter how brazen and illegal, represents "trouble" for the "City Hall Family" that thrives on the secrecy that goes with influence peddling and bureaucratic abuses.

Very truly yours,

James Chaffee

cc: Interested citizens and media

Board of
Supervisors/BOS/SFGOV
01/05/2010 01:48 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Fw: Muni bus service - 12 Outbound

----- Forwarded by Board of Supervisors/BOS/SFGOV on 01/05/2010 01:48 PM -----



Michael McGinnis
<sfmikey54@yahoo.com>
01/04/2010 05:40 PM

To <board.of.supervisors@sfgov.org>
cc
Subject Muni bus service - 12 Outbound

Someone needs to examine the practices of the Muni system very closely.

The 12 outbound – since the Dec 5 changes – does not run on the published schedule. Using nextbus to schedule my arrival at California and Sansome to catch the 4:45 PM Outbound bus – nextbus said – arriving 12 minutes. After waiting for a few minutes, I checked again – the notification went to arriving 25 minutes.

This has happened on at least 4 different days over the past 3 weeks.

What's the issue? Need more drivers? The bus is turning around (isn't nextbus run off of gps?) Or is nextbus just pulling our legs to make us believe that Muni service is being provided?

Isn't muni particularly funded by federal transportation money? If so, it should be revoked if all Muni is doing is fooling the public.

Sincerely
Michael McGinnis
Soma – 5th and Folsom area – work California and Montgomery

13

Sansome St & Sacramento St	Pacific Ave & Powell St
12:26 pm	12:33 pm
12:46 pm	12:53 pm
01:06 pm	01:13 pm
01:26 pm	01:33 pm
01:46 pm	01:53 pm
02:06 pm	02:13 pm
02:27 pm	02:33 pm
02:47 pm	02:53 pm
03:07 pm	03:13 pm
03:27 pm	03:33 pm
03:47 pm	03:53 pm
04:07 pm	04:13 pm
04:27 pm	04:33 pm
04:46 pm	04:53 pm
05:06 pm	05:13 pm
05:26 pm	05:33 pm

Board of
Supervisors/BOS/SFGOV
01/11/2010 05:00 PM

To Rana Calonsag/BOS/SFGOV, Lolita Espinosa/BOS/SFGOV,
cc
bcc
Subject Fw: BOARD OF SUPERVISORS INQUIRY # 20100105-002
Webster / Grove

----- Forwarded by Board of Supervisors/BOS/SFGOV on 01/11/2010 05:01 PM -----



"Roberts, Kingsley"
<Kingsley.Roberts@sfdpw.org>
01/11/2010 09:35 AM

To Board of Supervisors <Board.of.Supervisors@sfgov.org>
cc
Subject FW: BOARD OF SUPERVISORS INQUIRY # 20100105-002
Webster / Grove

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

From: Roberts, Kingsley
Sent: Monday, January 11, 2010 8:53 AM
To: BOS - Chamber Room 250
Cc: McDaniels, Chris; Mulkerrin, Martin; Mirkarimi, Ross; Rodis, Nathan; Lee, Frank W; Nuru, Hameed; Nuru, Mohammed
Subject: RE: BOARD OF SUPERVISORS INQUIRY # 20100105-002 Webster / Grove

Ladies & Gentlemen,

We filled potholes in the intersection of Webster & Grove on December 22, 2009.

Kingsley Roberts
Assistant Superintendent
Department of Public Works, BSSR
2323 Cesar Chavez
San Francisco, CA 94124
Phone: 415-695-2087
Fax: 415-695-2097

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

From: McDaniels, Chris
Sent: Friday, January 08, 2010 4:20 PM
To: Mulkerrin, Martin
Cc: Roberts, Kingsley
Subject: FW: BOARD OF SUPERVISORS INQUIRY # 20100105-002

Take appropriate action and report back.

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

From: Rodis, Nathan

14

Sent: Friday, January 08, 2010 3:53 PM
To: McDaniels, Chris
Cc: Nuru, Mohammed
Subject: FW: BOARD OF SUPERVISORS INQUIRY # 20100105-002

Chris,

Please respond directly to the Board of Supervisors and copy Supe. Mirkarimi. Please use the reference number in your reply title, and copy Frank W. Lee and myself because we are tracking these requests.

Thank you!

Nathan Rodis
Assistant to the Director's Office
Department of Public Works
1 Dr. Carlton B. Goodlett Place
City Hall, Room 348
San Francisco, CA 94102
Ph: (415) 554-6932 Fax: (415) 554-6944

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

From: Board of Supervisors
Sent: Friday, January 08, 2010 9:52 AM
To: Reiskin, Ed
Subject: BOARD OF SUPERVISORS INQUIRY

BOARD OF SUPERVISORS INQUIRY
For any questions, call the sponsoring supervisor

TO: Edward Reiskin
Public Works

FROM: Clerk of the Board
DATE: 1/8/2010
REFERENCE: 20100105-002
FILE NO.

Due Date: 2/6/2010

This is an inquiry from a member of the Board of Supervisors made at the Board meeting on 1/5/2010.

Supervisor Mirkarimi requests the following information:

Requesting the Department of Public Works to report on the status of repairing potholes at the following location: Intersection Webster & Grove, North side of street.

Please indicate the reference number shown above in your response, direct the original via email to Board.of.Supervisors@sfgov.org and send a copy to the Supervisor(s) noted above.

Your response to this inquiry is requested by 2/6/2010



"Vaing, Jonathan"
<Jonathan.Vaing@sfdpw.org
>
01/09/2010 01:46 PM

To Board of Supervisors <Board.of.Supervisors@sfgov.org>
cc "Black, Sue" <SBlack@sfgwater.org>, "Brown, Vallie"
<Vallie.Brown@sfgov.org>, "Galbreath, Rick"
<Rick.Galbreath@sfgov.org>, "Galli, Phil"
bcc

Subject RE: BOARD OF SUPERVISORS INQUIRY # 20091208-005

Here's the status of removing graffiti from utility poles at the following locations:

Metal Poles:	
NWC Post & Pierce	SR# 994987 (Abated 12-15-09)
SEC Golden Gate & Scott	SR# 989882 (Abated 12-15-09)
In front of 367 Haight	SR# 994988 (Abated 12-15-09)

Jonathan C. Vaing
SF-DPW Graffiti Unit
Operation Supervisor I
(415) 695-2181
FAX: (415) 641-2640

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

From: Rodis, Nathan
Sent: Monday, December 14, 2009 2:08 PM
To: Vaing, Jonathan
Cc: Nuru, Mohammed; Stringer, Larry
Subject: FW: BOARD OF SUPERVISORS INQUIRY # 20091208-005

Jonathan,

Please respond directly to the Board of Supervisors and copy Supe. Mirkarimi. Please use the reference number in your reply title, and copy Frank W. Lee and myself because we are tracking these requests.

Thank you!

Nathan Rodis
Assistant to the Director's Office
Department of Public Works
1 Dr. Carlton B. Goodlett Place
City Hall, Room 348
San Francisco, CA 94102
Ph: (415) 554-6932 Fax: (415) 554-6944

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

From: Board of Supervisors
Sent: Friday, December 11, 2009 4:06 PM
To: Reiskin, Ed
Subject: BOARD OF SUPERVISORS INQUIRY

BOARD OF SUPERVISORS INQUIRY
For any questions, call the sponsoring supervisor

15

TO: Edward Reiskin
Public Works

FROM: Clerk of the Board
DATE: 12/11/2009
REFERENCE: 20091208-005
FILE NO.

Due Date: 1/10/2010

This is an inquiry from a member of the Board of Supervisors made at the Board meeting on 12/8/2009.

Supervisor Mirkarimi requests the following information:

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northwest corner Post & Pierce
Southeast corner Golden Gate & Scott
In front of 367 Haight

Please indicate the reference number shown above in your response, direct the original via email to Board.of.Supervisors@sfgov.org and send a copy to the Supervisor(s) noted above.

Your response to this inquiry is requested by 1/10/2010



MARK B HORTON, MD, MSPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



ARNOLD SCHWARZENEGGER
Governor

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

December 7, 2009

Ms. Twila Brown, RN, MPH
MCAH Director
San Francisco County
30 Van Ness Avenue, Suite 260
San Francisco, CA 94102

Dear Ms. Brown:

ALTERNATE YEAR AGREEMENT FUNDING APPLICATION (AFA) APPROVAL,
ALLOCATION AGREEMENT#200938 – FY 2009/2010

The Maternal, Child and Adolescent Health (MCAH) Division of the California Department of Public Health (CDPH) approves your Agency's Alternate Year 09/10 AFA, including the attached Scope(s) of Work (SOW) and Budget(s) for administration of MCAH related programs.

To carry out the program(s) outlined in the enclosed SOW(s) and Budget(s), during the period of July 1, 2009, through June 30, 2010, the MCAH Division will reimburse expenditures up to the following amounts:

Maternal, Child and Adolescent Health	\$1,066,756
Black Infant Health Program	\$405,042

The availability of Title V Funds and State General Funds is contingent upon funds appropriated in the final FY 09/10 Budget Act. Reimbursement of invoices is subject to compliance with all federal and state requirements pertaining to CDPH MCAH related programs and adherence to all applicable regulations, policies and procedures. CDPH MCAH policies and procedures can be accessed at www.cdph.ca.gov/programs/mcah.

Please ensure that all necessary individuals within your Agency are notified of this approval and that the enclosed documents are carefully reviewed. This approval letter constitutes a binding agreement.

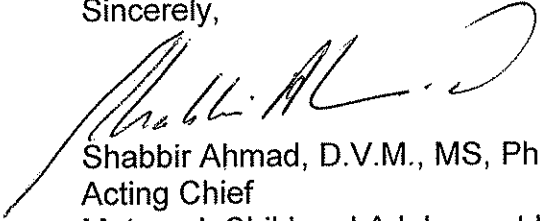
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN 11 PM 4:17
BY *PC*

16

Ms. Brown
Page 2
December 7, 2009

If any of the information contained in the enclosed SOW(s) and Budget(s) is incorrect or different from that negotiated, please contact your Contract Manager, O. B. Ray at (916) 650-0411 or OB.Ray@cdph.ca.gov within 14 calendar days from the date of this letter. Non-response constitutes acceptance of the enclosed documents.

Sincerely,



Shabbir Ahmad, D.V.M., MS, Ph.D.
Acting Chief
Maternal, Child and Adolescent Health Division

Enclosures

cc: Ms. Gloria Young
Chair, Board of Supervisors
San Francisco County
30 Van Ness Avenue, Suite 260
San Francisco, CA 94102

O. B. Ray
Contract Manager
Maternal, Child and Adolescent Health Division
1615 Capitol Avenue, MS 8305
P.O. Box 997420
Sacramento, CA 95899-7420

Katee Schaffer, R.N., M.S.N.
Nurse Consultant III
Maternal, Child and Adolescent Health Division
1615 Capitol Avenue, MS 8305
P.O. Box 997420
Sacramento, CA 95899-7420

Janet Baisden, MSW, LCSW
Maternal, Child and Adolescent Health Division
1615 Capitol Avenue, MS 8305
P.O. Box 997420
Sacramento, CA 95899-7420

Central File

305-11



SAN FRANCISCO PLANNING DEPARTMENT

January 6, 2010

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Subject: Distribution of Initial Study Notice of Availability to Board of Supervisors
Glen Park Community Plan Project; Department File No. 2005.1004E

Dear Ms. Calvillo:

Enclosed please find 12 copies of the Notice of Availability of the Glen Park Community Plan Initial Study for distribution to the Board of Supervisors. Please note that this document does not pertain to any item calendared before the Board, but is being distributed pursuant to the San Francisco Administrative Code Chapter 31.

If you have any questions related to this project's environmental evaluation, please call me at 575-9032.

Sincerely,

Lisa Gibson
Senior Environmental Planner

enclosures

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN - 7 PM 4:38
BY

17



SAN FRANCISCO PLANNING DEPARTMENT

To: Responsible Agencies, Trustee Agencies, and Interested Parties

January 6, 2010

RE: CASE NO. 2005.10004E: Glen Park Community Plan
STATE CLEARINGHOUSE NO. 2009072013
NOTICE OF AVAILABILITY OF AN INITIAL STUDY

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

This notice is to inform you of the availability of the Initial Study for the Glen Park Community Plan Project, described below. The Planning Department previously determined that this project could have a significant effect on the environment, and required that an Environmental Impact Report (EIR) be prepared. An Initial Study has now been prepared to provide more detailed information regarding the impacts of the proposed project and to identify the environmental issues to be considered in the Draft EIR. The Initial Study is either attached or is available upon request from Lisa Gibson, whom you may reach at (415) 575-9032 or at the above address. The report may also be viewed on-line at <http://mea.sfplanning.org>. This notice is being sent to you because you have been identified as potentially having an interest in the project or the project area.

Project Description. The *Draft Glen Park Community Plan (Community Plan)* describes proposed transportation improvements and zoning amendments that emerged from a community planning process led by the San Francisco Planning Department in 2003 in the Glen Park neighborhood. The plan area is bounded generally by Chenery Street to the north; Roanoke Street to the east; San Jose Avenue and Bosworth Street to the south; and Elk Street to the west. The plan area also includes the Glen Park BART Station.

The *Community Plan* would be adopted as an area plan under the *San Francisco General Plan*. In addition, implementation of the *Community Plan* would involve modification of zoning districts and height and bulk controls in the *San Francisco Planning Code (Planning Code)*. A new Glen Park Neighborhood Commercial Transit District (NCT) would be created and applied in the plan area to reflect the area's proximity to abundant transit service. This district would incorporate parcels currently zoned as Neighborhood Commercial (small-scale NC-2), as well as the BART parking lot (currently zoned as Public [P]), and a lot on Kern Avenue (currently zoned for Residential - One Family [RH-1]).

For the purposes of environmental review, the Initial Study evaluates feasible transportation improvements, including improvements to pedestrian, transit, and bicycle circulation and accessibility; infill development at two sites; and potential development of a linear greenway. The transportation improvements analyzed in this document are a result of a study commissioned by the San Francisco Municipal Transportation Agency (SFMTA) to examine the improvements identified in the *Glen Park Draft Community Plan*. Transportation-related stakeholders, such as SFMTA, SF Planning, Caltrans, and BART, rated the effectiveness of the different improvements at achieving the intended objectives, affirmed the findings regarding feasibility, and recommended a set of feasible improvements for consideration in the Initial Study. These include any or all of the following:

- Roundabout along Bosworth Street and Arlington Street;
- Improved access between Glen Park BART Station and J-Church Muni stop;
- Improved Muni access to the Glen Park BART Station via a bus loop and new concourse entry on the south side of the station;

- Better access to the Glen Park BART Plaza near Bosworth Street and Diamond Street;
- Improved pedestrian linkages to infill development (at the Glen Park BART Station parking lot); and
- Other traffic calming, streetscape, and pedestrian improvements throughout.

The potential infill development analyzed in this Initial Study includes two sites: 1) the Glen Park BART Station parking lot on the north side of Bosworth and Arlington Streets, and 2) five parcels on the northwest corner of Diamond Street and Bosworth Street. The infill development would consist of mixed-used development, including residential and commercial uses. In total, the two infill development sites would accommodate a maximum of 137 residential units, approximately 23,495 square feet of commercial space, and 148 off-street parking spaces. The proposed greenway would consist of a linear open space running from Glen Canyon Park to downtown Glen Park located parallel to Bosworth Street, and would include a possible creek daylighting (bringing Islais Creek to the surface), creation of a stormwater wetland, incorporation of walkways, and possible incorporation of bike lanes.

A Notice of Preparation of an EIR was issued on July 1, 2009 and one scoping meeting was held on July 16, 2009. Based on the comments received, the Planning Department has determined that preparation of an Initial Study would be appropriate to "focus" the scope of the EIR. Preparation of an Initial Study or EIR does not indicate a decision by the City to approve or to disapprove the project.

Written comments will be accepted until the close of business on February 4, 2010. Written comments should be sent to Bill Wycko, Environmental Review Officer, San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

If you work for an agency that is a Responsible or a Trustee Agency, we need to know the views of your agency as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR when considering a permit or other approval for this project. We will also need the name of the contact person for your agency. If you have questions concerning attached materials and the environmental review process, please contact **Lisa Gibson** of the Planning Department at (415) 575-9032. Documents relating to the proposed project can be viewed at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

January 4, 2010
Date


Bill Wycko
Environmental Review Officer

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN - 8 PM 2: 52
BY _____

January 4, 2010

San Francisco County Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4689

RE: Armour & Co. Building Listing on the
National Register of Historic Places

Dear Board of Supervisors:

I am pleased to notify you that on December 22, 2009, the above-named property was placed on the National Register of Historic Places (National Register). As a result of being placed on the National Register, this property has also been listed in the California Register of Historical Resources, pursuant to Section 4851(a)(2) of the Public Resources Code.

Placement on the National Register affords a property the honor of inclusion in the nation's official list of cultural resources worthy of preservation and provides a degree of protection from adverse affects resulting from federally funded or licensed projects. Registration provides a number of incentives for preservation of historic properties, including special building codes to facilitate the restoration of historic structures, and certain tax advantages.

There are no restrictions placed upon a private property owner with regard to normal use, maintenance, or sale of a property listed in the National Register. However, a project that may cause substantial adverse changes in the significance of a registered property may require compliance with local ordinances or the California Environmental Quality Act. In addition, registered properties damaged due to a natural disaster may be subject to the provisions of Section 5028 of the Public Resources Code regarding demolition or significant alterations, if imminent threat to life safety does not exist.

If you have any questions or require further information, please contact the Register Unit at (916) 653-6624.

Sincerely,

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Enclosure: National Register Notification of Listing

18

December 31, 2009

The Director of the National Park Service is pleased to send you the following announcements and actions on properties for the National Register of Historic Places. For further information contact Edson Beall via voice (202) 354-2255, or E-mail: <Edson_Beall@nps.gov> This and past Weekly Lists are also available here: <http://www.nps.gov/history/nr/nrlist.htm>

Our physical location address is:

National Park Service 2280, 8th floor
National Register of Historic Places
1201 "I" (Eye) Street, NW,
Washington D.C. 20005

WEEKLY LIST OF ACTIONS TAKEN ON PROPERTIES: 12/21/09 THROUGH
12/24/09

KEY: State, County, Property Name, Address/Boundary, City, Vicinity, Reference
Number, NHL, Action, Date, Multiple Name

CALIFORNIA, SAN BERNARDINO COUNTY,
California Theatre, The,
562 W. 4th St.,
San Bernardino, 09001116,
LISTED, 12/22/09

CALIFORNIA, SAN FRANCISCO COUNTY,
Armour & Co. Building,
1050 Battery St.,
San Francisco, 09001117,
LISTED, 12/22/09

CALIFORNIA, SAN FRANCISCO COUNTY,
Four Fifty Sutter Building,
450 Sutter St.,
San Francisco, 09001118,
LISTED, 12/22/09

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov



RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN - 8 PM 2:53
BY _____

January 4, 2010

San Francisco County Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4689

RE: Four Fifty Sutter Building Listing on the
National Register of Historic Places

Dear Board of Supervisors:

I am pleased to notify you that on December 22, 2009, the above-named property was placed on the National Register of Historic Places (National Register). As a result of being placed on the National Register, this property has also been listed in the California Register of Historical Resources, pursuant to Section 4851(a)(2) of the Public Resources Code.

Placement on the National Register affords a property the honor of inclusion in the nation's official list of cultural resources worthy of preservation and provides a degree of protection from adverse affects resulting from federally funded or licensed projects. Registration provides a number of incentives for preservation of historic properties, including special building codes to facilitate the restoration of historic structures, and certain tax advantages.

There are no restrictions placed upon a private property owner with regard to normal use, maintenance, or sale of a property listed in the National Register. However, a project that may cause substantial adverse changes in the significance of a registered property may require compliance with local ordinances or the California Environmental Quality Act. In addition, registered properties damaged due to a natural disaster may be subject to the provisions of Section 5028 of the Public Resources Code regarding demolition or significant alterations, if imminent threat to life safety does not exist.

If you have any questions or require further information, please contact the Register Unit at (916) 653-6624.

Sincerely,

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Enclosure: National Register Notification of Listing

19

December 31, 2009

The Director of the National Park Service is pleased to send you the following announcements and actions on properties for the National Register of Historic Places. For further information contact Edson Beall via voice (202) 354-2255, or E-mail: <Edson_Beall@nps.gov> This and past Weekly Lists are also available here: <http://www.nps.gov/history/nr/nrlist.htm>

Our physical location address is:

National Park Service 2280, 8th floor
National Register of Historic Places
1201 "I" (Eye) Street, NW,
Washington D.C. 20005

WEEKLY LIST OF ACTIONS TAKEN ON PROPERTIES: 12/21/09 THROUGH
12/24/09

KEY: State, County, Property Name, Address/Boundary, City, Vicinity, Reference
Number, NHL, Action, Date, Multiple Name

CALIFORNIA, SAN BERNARDINO COUNTY,
California Theatre, The,
562 W. 4th St.,
San Bernardino, 09001116,
LISTED, 12/22/09

CALIFORNIA, SAN FRANCISCO COUNTY,
Armour & Co. Building,
1050 Battery St.,
San Francisco, 09001117,
LISTED, 12/22/09

CALIFORNIA, SAN FRANCISCO COUNTY,
Four Fifty Sutter Building,
450 Sutter St.,
San Francisco, 09001118,
LISTED, 12/22/09



Ahimsa Sumchai MD
<asumchai@live.com>
01/05/2010 02:27 PM

To Board Supervisors <board_of_supervisors@ci.sf.ca.us>, San Francisco Examiner <letters@sfexaminer.com>, Health commission <health.commission@sfdph.org>, Mitch Katz
cc
bcc
Subject Shipyard air quality claims fly in face of DEIR

AHIMSA PORTER SUMCHAI, M.D.

From: asumchai@live.com
To: asumchai@live.com
Subject: Shipyard air quality claims fly in face of DEIR
Date: Tue, 5 Jan 2010 14:25:51 -0800

AHIMSA PORTER SUMCHAI, M.D.

From: asumchai@live.com
To: jdiaz@sfchronicle.com; jconte@sfchronicle.com; pbronstein@sfchronicle.com; forum@sfchronicle.com; home@prosf.org; communityfirstcoalition@yahoogroups.com; rolandgarret@aol.com; marie@greenaction.org; editor@sfbayview.com; m26sf@aol.com
Subject: Shipyard air quality claims fly in face of DEIR
Date: Tue, 5 Jan 2010 14:23:01 -0800

Dear Editors,

My Conte's premise that based on an EPA report shipyard dust has been minimized and poses to threat to human health is contradicted by the findings of the Candlestick Point-Hunters Point Shipyard Phase II DEIR which documents as a significant environmental effect in its NOA that, "The proposed project would result in significant unavoidable adverse environmental impacts to air quality." Additionally, Impact AQ-4 in the Executive summary states clearly as a significant unmitigated impact that, "Operation of the project would violate BAAQMD CEQA significance thresholds for mass criteria pollutant emissions from mobile and stationary sources and contribute substantially to an existing and projected air quality violation at full buildout.

I am in possession of a letter from the Obama Department of Health & Human Services

ATSDR dated 12-11-09 which documents that "any exposure to the community may be thought to increase the cancer risk for residents."

Additionally, DPH, EPA and ATSDR have failed to apply the gold standard of testing. Biomonitoring is the new science of detecting toxins in human body fluids. Despite the known presence of lead, mercury, chromium, nickel, PCB's and ionizing radiation in shipyard dust, DPH has never applied biomonitoring to residents, workers or children exposed to toxic shipyard dust.

AHIMSA PORTER SUMCHAI, M.D.

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

Hotmail: Free, trusted and rich email service. [Get it now.](#)

Hotmail: Powerful Free email with security by Microsoft. [Get it now.](#)

Board of
Supervisors/BOS/SFGOV
01/11/2010 04:48 PM

To Rana Calonsag/BOS/SFGOV, Lolita Espinosa/BOS/SFGOV,
cc
bcc
Subject Fw: BOARD OF SUPERVISORS INQUIRY # 20091215-007

----- Forwarded by Board of Supervisors/BOS/SFGOV on 01/11/2010 04:48 PM -----



"Vaing, Jonathan"
<Jonathan.Vaing@sfdpw.org
>
01/09/2010 03:12 PM

To Board of Supervisors <Board.of.Supervisors@sfgov.org>
cc "Black, Sue" <SBlack@sfgov.org>, Board of Supervisors
<Board.of.Supervisors@sfgov.org>, "Brown, Vallie"
<Vallie.Brown@sfgov.org>, "Galbreath, Rick"
<Rick.Galbreath@sfgov.org>, "Galli, Phil"
<Phil.Galli@sfdpw.org>, "Hines, Timothy"
<Timothy.Hines@sfdpw.org>, "Lee, Frank W"
<Frank.W.Lee@sfdpw.org>, "Nuru, Mohammed"
<Mohammed.Nuru@sfdpw.org>, "Pollock, Jeremy"
<Jeremy.Pollock@sfgov.org>, "Reiskin, Ed"
<Ed.Reiskin@sfdpw.org>, "Rodis, Nathan"
<Nathan.Rodis@sfdpw.org>, "Stringer, Larry"
<Larry.Stringer@sfdpw.org>
Subject RE: BOARD OF SUPERVISORS INQUIRY # 20091215-007

Here's status of removing graffiti from the public property at the following locations:

Utility Boxes:

Northeast corner Linden & Buchanan SR# 989880 (Abated 12-15-09)
Northeast corner 7th Avenue & Irving SR# 995002 (Abated 12-15-09)

Bush Shelter:

SEC Geary & O'Farrell (STREET DO NOT CROSS)
SWC Buchanan & Haight SR# 989886 (sent to 311)
SEC Buena Vista East & Haight SR# 995012 (sent to 311)
Fillmore & Haight (all 4 bus stops,) SR# 989313 (sent to 311)

Emergency Boxes:

NEC Golden Gate & Scott SR# 989882 (Abated 12-15-09)

Jonathan C. Vaing
SF-DPW Graffiti Unit
Operation Supervisor I
(415) 695-2181
FAX: (415) 641-2640

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

From: Rodis, Nathan
Sent: Friday, December 18, 2009 4:08 PM
To: Vaing, Jonathan

21

Cc: Nuru, Mohammed; Stringer, Larry
Subject: FW: BOARD OF SUPERVISORS INQUIRY # 20091215-007

Jonathan,

Please respond directly to the Board of Supervisors and copy Supe. Mirkarimi. Please use the reference number in your reply title, and copy Frank W. Lee and myself because we are tracking these requests.

Thank you!

Nathan Rodis
Assistant to the Director's Office
Department of Public Works
1 Dr. Carlton B. Goodlett Place
City Hall, Room 348
San Francisco, CA 94102
Ph: (415) 554-6932 Fax: (415) 554-6944

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

From: Board of Supervisors
Sent: Thursday, December 17, 2009 3:48 PM
To: Reiskin, Ed
Subject: BOARD OF SUPERVISORS INQUIRY

BOARD OF SUPERVISORS INQUIRY
For any questions, call the sponsoring supervisor

TO: Edward Reiskin
Public Works

FROM: Clerk of the Board
DATE: 12/17/2009
REFERENCE: 20091215-007
FILE NO.

Due Date: 1/16/2010

This is an inquiry from a member of the Board of Supervisors made at the Board meeting on 12/15/2009.

Supervisor Mirkarimi requests the following information:

Requesting the Department of Public Works to report on the status of removing graffiti from the public property at the following locations:

Utility Boxes
Northeast corner Linden & Buchanan
Northeast corner 7th Avenue & Irving

Bush Shelter
Southeast corner Geary & O'Farrell
Southwest corner Buchanan & Haight
Southeast corner Buena Vista East & Haight
Fillmore & Haight (all 4 bus stops, graffiti & grime)

Emergency Boxes
Northeast corner of Golden Gate & Scott

Please indicate the reference number shown above in your response, direct the original via email to Board.of.Supervisors@sfgov.org and send a copy to the Supervisor(s) noted above.

Your response to this inquiry is requested by 1/16/2010

Board of
Supervisors/BOS/SFGOV
01/12/2010 12:03 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Fw: Tom Ammiano proposal for legalizing...

Complete a Board of Supervisors Customer Service Satisfaction form by clicking [HERE](#).

----- Forwarded by Board of Supervisors/BOS/SFGOV on 01/12/2010 12:04 PM -----



Gerri Hayes
<gerjhay@hotmail.com>
01/12/2010 07:50 AM

To board of supervisors SUPERVISORS
<board.of.supervisors@sfgov.org>
cc
Subject Tom Ammiano proposal for legalizing...

Hello,

I just wanted to take a moment to express my opinion on Tom Ammiano's proposal to legalize marijuana and to thank him for sponsoring a bill that finally makes sense.

It makes sense to have a law that is consistent and even handed.

To me, it makes sense because it seems like a discriminatory practice to say one person can have the (smoke) the herb, which is a plant from nature and penalize others for smoking it in the privacy of their homes.

This bill, if passed has another plus to it; it will bring in revenue to help the economy get back on its feet.

Please pass this email on to Mr. Ammiano.

Thanks for taking the time to read one citizen's opinion.

Have a wonderful and blessed day, Gerri Hayes 🌸 🌸 🌸

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

22



Alan Attlee
<a_c_attlee@yahoo.com>
01/12/2010 11:33 AM

To board.of.supervisors@sfgov.org
cc eallday@sfchronicle.com, dbulwa@sfchronicle.com
bcc
Subject SFO/ health risks of full body scanners

Dear SF Board of Supervisors,

Please exercise due diligence in investigating and acting upon the health risks of full body security scanners. There is a rush to deploy these devices even though there is no evidence that they are safe.

In fact there is evidence to the contrary:

Boian S. Alexandrov (and colleagues) at the Center for Nonlinear Studies at Los Alamos National Laboratory in New Mexico showed that these terahertz waves could "...unzip double-stranded DNA, creating bubbles in the double strand that could significantly interfere with processes such as gene expression and DNA replication."

Until such devices have been FDA approved, it is the duty of the San Francisco Board of Supervisors to oppose their deployment at SFO.

-Alan Attlee

23



Frank Woods
<fmwoods@mindspring.com>

01/04/2010 02:55 PM

To <board.of.supervisors@sfgov.org>, "Woodskh@aol.com"
<Woodskh@aol.com>, Frank Woods
<fmwoods@mindspring.com>

cc

bcc

Subject ATTN: Michela Alioto-Pier

Dear Supervisor Michela Alioto-Pier:

It has come to my attention that on Tuesday, Jan. 5, your committee will hold a hearing on the permit, previously approved by the Planning Commission, for an art gallery in the home of Anthony Meier at 1969 California Street.

As you undoubtedly know, this is a gallery that Mr. Meier has maintained for over 5 years in this location and for which he has, within the last 3 years, received a permit to run. There has been no disruption through either foot traffic or automobile traffic caused by having this facility in our neighborhood.

I should point out that Mr. Meier is an internationally recognized art dealer with a very fine reputation and a high-quality collection of personal art.

Apparently, in the past few months, some of Mr. Meier's neighbors have resorted to Gestapo-like tactics, placing graffiti slurs on his Willis-Polk designed home and attempting to harm his dogs by putting chicken bones in his backyard.

Despite these despicable actions, Mr. Meier continues to live up to the conditions of the permit approved by the Planning Commission and there is no justifiable reason why that permit should be overturned.

The gallery is definitely an asset to our neighborhood, representing as it does the highest level of quality and integrity as well as accruing sizeable cultural benefits for our wonderful city.

Given all this, I sincerely hope that your committee will see fit to reaffirm Mr. Meier's previously granted permit, allowing him to continue unharmed with his cultural activities.

Best regards,

Frank M. Woods
3570 Jackson Street, SF 94118

24



"Lara L. DeCaro"
<ldecaro@decarolaw.com>
01/07/2010 02:21 PM

To <rm@well.com>, <c_olague@yahoo.com>,
<plangsf@gmail.com>, <Wordweaver21@aol.com>,
<bill.lee@flysfo.com>, <mooreurban@speakeasy.net>,
cc <Linda.avery@sfgov.org>,
<board.of.supervisors@sfgov.org>

bcc

Subject In Support of The Masonic Center

Dear All,

As a long time San Francisco resident *and neighbor* of the Masonic, I have been attending concerts at the Masonic for many years. The Masonic has been on Nob Hill for more than 50 years and has always been used as a venue for graduations, concerts, exhibition shows and more. There are no issues with parking or traffic on event dates that affect the local residents, and event attendees are respectful of our neighborhood. Live Nation is an experienced event provider and will undoubtedly work to maintain that status quo. The Masonic also provides invaluable jobs in these uncertain times. It absolutely needs to remain a central part of our community.

As a neighbor and supporter of the Masonic, I strongly urge the Board of Appeals to uphold the Letter of Determination issued by the Planning Department to allow the Masonic to continue to serve the community as a vital cultural venue in San Francisco. **KEEP THE MASONIC OPEN AND STAFFED AS PLANNED.**

Sincerely,

Lara L. DeCaro
1107 Mason Street
San Francisco, CA 94108

25



"michael schwartz"
<mschwartz@radiocentralcoa
st.com>

01/07/2010 04:13 PM

To <board.of.supervisors@sfgov.org>

cc <David.Chiu@sfgov.org>

bcc

Subject Support for the Masonic Center.

Dear President Fung and Commissioners,

As a Bay Area resident, I would like to continue to have the Masonic open. The Masonic Center has been on Nob Hill for more than 50 years and has always been used as a venue for graduations, concerts, exhibition shows and more.

I urge the Board of Appeals to uphold the Letter of Determination issued by the Planning Department to allow the Masonic to continue to serve the community as a vital cultural venue in San Francisco.

Sincerely,

mjs

Michael Schwartz/ KPIG Radio 1510 AM Mapleton Communications National Sales
94105 415.PIG.1510 p 415.495.1510 f

28 2nd Street Suite 501 San Francisco CA

BDS-11

Office of the Mayor
City & County of San Francisco



Gavin Newsom

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 JAN 11 AM 9:49

BY _____
rc

January 8, 2010

Edwin M. Lee
City Administrator, City and County of San Francisco
Chair, Capital Planning Committee
1 Dr. Carlton B. Goodlett Place, Room 352

Dear Ed:

As you are aware, the City and County of San Francisco's average Pavement Condition Index for all street segments has steadily declined over the last twenty years due to historic underinvestment. Over the past several years, we have begun to take steps to improve the conditions of our streets, including creating a 10-Year Capital plan and allocating tens of millions of dollars to street resurfacing in annual budgets. Despite these efforts, the Department of Public Works now estimates that over the next ten years the City's PCI score will fall from a current average score of 63 to an average of 53 (well below the threshold score for repaving) without a new revenue source.

As DPW reported in September, a total of \$751 million is needed to improve the condition of our streets. The total amount needed just to prevent the current condition from worsening is \$515 million, just less than half of which (\$247 million) is expected to come from existing federal, state, and local sources. DPW and the Capital Planning Program have therefore identified twelve revenue options, a citizen task force, and five long-term legislative advocacy strategies for meeting this funding shortage. Implementing any of these identified options will require a full exploration and discussion of each option's associated strengths, weaknesses, opportunities, and costs.

We write to you today to request that the Capital Planning Committee (CPC) establish and chair a subcommittee known as the Street Resurfacing Finance Working Group to prepare a specific set of proposals or recommendations to the Mayor, the Board of Supervisors, and the CPC for financing the repaving and/or reconstruction of the City's public streets and rights of way.

The Working Group should represent the following stakeholder interests:

City Stakeholders: the Mayor's Office of Public Policy and Finance, the Mayor's Budget Office, the Board of Supervisors, the Department of Public Works, the Municipal Transportation Agency, the San Francisco County Transportation Authority, and the Capital Planning Committee as chair;

San Francisco Stakeholders: bicycle, pedestrian, motor vehicle and/or transit advocacy organizations; business associations or chambers of commerce; property owners associations; neighborhood associations; and good government advocates.

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We hereby request that the Working Group convene its first meeting no later than February 12, 2010 and that the Working Group deliver a final report with recommendations to the Capital Planning Committee by May 12, 2010.

Our offices are committed to identifying a long-term sustainable solution to this critical infrastructure need and remain available to assist as needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line. The signature is stylized and somewhat abstract.

Gavin Newsom
Mayor

A handwritten signature in black ink, appearing to read "David Chiu", written over a horizontal line. The signature is in a cursive style.

David Chiu
President

CC: Board of Supervisors
Capital Planning Committee



MEMORANDUM

January 5, 2010

TO: MEMBERS, PORT COMMISSION
Hon. Rodney Fong, President
Hon. Stephanie Shakofsky, Vice President
Hon. Kimberly Brandon
Hon. Ann Lazarus
Hon. Michael Hardeman

FROM: Monique Moyer
Executive Director *M Moyer*

SUBJECT: Accept Second Quarter Contracting Activity Report - Fiscal Year 2009/10 for the October 1, 2009 to December 31, 2009 Reporting Period

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN 14 PM 3:16
BY *[Signature]*

DIRECTOR'S RECOMMENDATION: Informational Item – No Action Required

INTRODUCTION

The purpose of this report is to provide regular reporting of the Port's contracting activities as legally required by the City and County of San Francisco through its Administrative Code or based upon policies and practices adopted by the San Francisco Port Commission. Background information on these requirements is provided at the end of this report as Exhibit 1.

The contracting detail section of this report includes a compilation of: 1) 2nd Quarter of Fiscal Year 2009-10 contracting activities; 2) projected upcoming contracting activities; and 3) Local 21 staffing changes. The 2nd Quarter Reporting Period is October 1, 2009 through December 31, 2009.

This report also includes a summary of the Port's contracting activities along with impact to the Port of San Francisco relative to four (4) legislative actions pending with the Board of Supervisors concerning contracting activities. The following key milestones lead up to these pending legislative changes:

1. October 2008 - Mayor Newsom directs departments to identify means of stimulating local economy
2. February 2009 – Mayor Newsom unveils local economic stimulus plan, which includes accelerated capital spending and support for local businesses

This Print Covers Calendar Item No. **8A**

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3. March 2009 – Board President Chiu introduces legislation to strengthen local business enterprise and non-discrimination in contracting ordinance
4. October 2009 – Supervisors Chu, Maxwell, and Chiu introduce legislation to enhance public works contracting ordinance.
5. December 2009 – revised legislation package that included four separate ordinance revisions was introduced at the Board of Supervisors' Land Use Committee meeting.

SUMMARY

The following summarizes details of this report and pending legislative changes.

2nd Quarter, FY 2009/10 Contracting Activities – Summary of Detailed Report

The San Francisco Human Rights Commission has established a 20% local business enterprise (LBE) subcontracting goal on all Port contracts. Based upon the nature of the Port being a maritime oriented facility, the contract work is often highly specialized. Therefore, it is not always possible to achieve this goal on every contract and there are some contracts where the Port is able to exceed the LBE subcontracting goal. However, the Port has consistently exceeded its LBE subcontracting goal and achieved 25.8% LBE subcontracting participation during this reporting period.

Total contracting activity for the 2nd Quarter of Fiscal Year 2009/10 is as follows:

Type of Transaction	Number of Transactions	Total Dollar Amount	LBE Dollar Amount (sub)	LBE %
As-needed CSOs	6	\$400,057	\$114,251	28.5%
Construction	2	\$1,694,348	\$432,341	25.5%
Professional Services	2	\$938,245	\$235,618	25.1%
General Services*	n/a	n/a	n/a	n/a
TOTAL	10	\$3,032,650	\$782,210	25.79%
<i>LBE Exempt Contracts</i>	4	\$2,842,956	\$212,978	7.49%

*The only general services contracts awarded were through the Computer Store for Information Technology transactions. These Port transactions are handled between the Office of Contract Administration and the Human Rights Commission. Neither agency was able to provide the Port with specifics as to the actual transactions awarded and utilization of LBEs.

The Port not only supports local small businesses through the LBE subcontracting goal, but also provides opportunities for local small business growth through joint venture with prime consultants/contractors. As such, local business participation is even higher than the HRC subcontracting goal. During this quarter, the Port awarded two construction contracts in the amount of \$1,694,348 to local firms as a prime/general contractor, one of which is a minority owned business. In addition, the engineering contract awarded in the amount of \$728,300 was a joint venture with a local minority owned firm with participation in the amount of \$211,556. This LBE prime level dollar participation is not included in the above statistics.

The following is a list of the proposed four legislative actions to be heard at the Board of Supervisors' Land Use Committee on January 11, 2010 and describes the applicable impact to the Port for each key aspect of the legislation.

1. **Ordinance Amendment to Administrative Code Section 21.5 to allow the City Purchaser to permit informal solicitation for contracts for commodities and services up to \$100,000 and for those contracts utilizing federal grant funds where authorized and to update Purchaser's authority to set aside contracts for local small businesses consistent with Administrative Code Section 14B.7(k) which established a Pilot Set-Aside Program under the Human Rights Commission.**

Impact to the Port:

- a. Consideration of a Port Policy to increase the current requirement for Port Commission authorization to award (non-construction/public works related) professional services contracts from \$50,000 to \$100,000, thereby delegating award of contracts under \$100,000 to the Executive Director;
- b. Permanently sets forth Citywide policy for establishing contracts set aside for competitive award to Micro-LBEs.
- c. Requires more detailed annual and quarterly review of upcoming contracts to plan set-aside contracting.

2. **Ordinance Amendment to Administrative Code Chapter 6, Public Works Contracting (Economic Stimulus Measures for Capital Project Acceleration)**

The following aspects of the Amendment to Administrative Code Chapter 6 are intended to expedite the contracting process and facilitate greater opportunities for local businesses to receive city contracts. Some changes clarify or serve as clean-up of existing Ordinance language.

Change 1 (Definition of Department Head contracting authority)

Impact to the Port:

- a. The Executive Director at the Port may consider a formal administrative policy or Administrative Directive to designate Deputy Directors who are authorized to execute contract documents on her behalf which includes not only contracts, but change orders, modifications to contracts, contract service orders, progress payments and certificates of completion.
- b. The written designation either in a formal administrative policy or Administrative Directive must identify the individual deputy director name and full title, the scope of the authorization to execute contract documents and the term of the designation.

Note: The Port already has in place an informal procedure with regards to the above. However, the above formalizes the procedure as policy.

Change 2 (Increases dollar threshold amounts for formal bidding)

Impact to the Port:

- a. Requires more detailed annual and quarterly review of upcoming contracts to allow for contracting efficiencies as a result of the increase in threshold amount for sealed competitive bidding from \$100,000 to \$400,000.

Change 3 Impact to the Port:

- a. Conformance of language between Chapter 6 and 14B of the City's Administrative Code result in no administrative impact other than to clarify to legislation.

Change 4 Impact to the Port:

- a. Clarity and conformance between 14B requirements and state law concerning performance and payment bonds at \$25,000 can be incorporated into bid documents to improve clarity and opportunities for small businesses seeking contracts under \$25,000 which are likely to be set-asides.

Change 5 Impact to the Port:

- a. Changes Administrative Code Section 6.22(J) to allow early release of retention to HRC Certified LBE subcontractors on multi-year (more than two years) construction projects if the general contractor makes such a request certifying that the work has been satisfactorily completed and without reducing liabilities or responsibilities of the general contractor.
- b. Increases contract administration to calculate and monitor retention funds.

Change 6 Impact to the Port:

- a. Changes Administrative Code Section 6.40 to increase the threshold amount for competitive bidding professional design service agreements from \$25,000 to \$100,000. This does not impact the Port as virtually all of the Port's professional design services contracts in this dollar range are issued under the as-needed contracting legislation in Administrative Code Section 6.64.

Change 7 Impact to the Port:

- a. No Impact as information updates agency titles for the Municipal Transportation Agency.

Change 8 Impact to the Port:

- a. These changes to Job Order Contracts (JOC) do not directly impact the Port as the Department of Public Works and other larger departments administer these contracts.

3. **Ordinance amending Administrative Code Chapter 14B, Local Business Enterprise and Non-Discrimination in Contracting Ordinance, to add a new Section 14B.19 establishing uniform procedures to attain project LBE goals for design-build and integrated project delivery contracts.**

Impact to the Port:

This amendment will impact the Port specifically for the new Cruise Terminal Project that is being managed by the Department of Public Works. The amendment requires establishment of subcontracting goals and provides procedures for monitoring compliance. The expected outcome is greater local business participation by utilizing the San Francisco Human Rights Commission (HRC) in requiring specific goals and applying monitoring for compliance.

Financial cost impact to pay for additional HRC staffing.

4. Ordinance amending the San Francisco Administrative Code sections 14B.2, 14B.3, 14B.7, 14B.8, 14B.13 to reflect the following changes and impact to the Port of San Francisco.

Change 1 Impact to the Port:

Each fiscal year, requires the Port to each year set aside not less than 50% of public works/construction contracts worth \$400,000 or less and not less than 50% of other contracts worth \$100,000 or less for Micro-Local Business Enterprise Set Aside Program.

- a. Establish an annual projection of contracts in construction and non-construction categories.
- b. Identify projects/contracts for set-aside goal.
- c. Establish quarterly updates of contracts and set-asides.
- d. This program may increase contract administration as the Port's current practice of consolidating smaller construction projects will no longer be available. Thus, certain efficiencies will be lost.
- e. This program will require more effort for Port staff in developing scopes of work for competitively bidding among Micro-LBEs to assure successful delivery of required services.
- f. Set-asides for professional services will need to be reviewed to confirm no impacts to LBE participation under the as-needed professional services contracts.

Change 2 Impact to the Port:

Permits the Port to designate Job Order Contracts, without limitation as to dollar value, as set aside for the Micro-Local Business Enterprise Set Aside Program in order to satisfy the department's 50% requirement (for set-asides).

- a. The Port of San Francisco does not have a Job Order Contract established. Thus, it is unclear as to whether or not use of the Department of Public Works Job Order Contract would count towards the Port's Micro-Local Business Enterprise Set-Aside Program.
- b. The Port may wish to establish its own Job Order Contract program either independently or supplemental to the Department of Public Works program to address the set-aside requirement for construction contracts

worth \$400,000 or less. This option could reduce contract administration expense over the long term.

Change 3 Impact to the Port:

Requires the Port to report quarterly during the year 2010 and thereafter yearly to the Board of Supervisors on the contracts set aside for the Micro-Local Business Enterprise Set Aside Program, and to cooperate with HRC's requests for information to fulfill its reporting requirements.

- a. The Port of San Francisco currently provides quarterly reports on its contracting activities and therefore additional reporting can be incorporated.

Change 4 Impact to the Port:

Requires Micro-LBEs that subcontract any portion of a set-aside contract to perform at least 25% of the contract work

- a. This aspect of the proposed change seems contradictory to intent of providing opportunities to local businesses if the majority of the work is going to be subcontracted out to potentially non-local businesses.
- b. Potentially develops firms to compete for larger Port projects.

Change 5 Impact to the Port:

Creates a SBA-LBE category, in addition to the Small and Micro-LBE categories, that gives contractors with income set with reference to Small Business Administration limits a bid preference of 2% on contracts between \$5 million and \$20 million.

- a. Currently the Port has at least three projects estimated with costs within the range applicable to this contracting change totaling \$36,600,000. Therefore, this change could cost the Port \$732,000. (This does not include the Cruise Terminal project that is being managed by the Department of Public Works.)
- b. Additional contract administration time for incorporating SBA certified local business requirements.

Change 6 Impact to the Port:

Allows contractors who achieve total LBE participation in excess of 35% of their established LBE subcontracting and subconsulting goals are to be excepted from satisfying good faith outreach requirements.

- a. This will reduce the enormous amount of paperwork that contractors and consultants must include with their responses to solicitations.
- b. Less storage costs for records retention.
- c. Less contractor/consultant costs due to reduced overhead expense in responding city solicitations.

CONTRACTING DETAIL

I. 2nd Quarter, FY 2009/10 Contracting Activities:

The Port of San Francisco has met the 20% Local Business Enterprise (LBE) participation goal for its contracts with the participation level at 25.79% for this quarter.

Contract/Project	Awarded to	Award Amt	LBE Amt	LBE %
Professional Services Contracts				
Pier 43 Bay Trail Link Project	Gerwick/SDE JV	\$728,300	\$192,999	26.5%
Pier 35 Substructure Repair Project (Phase 2)	Forell/Elsesser	\$209,945	\$42,619	20.3%
Construction Services Contracts				
401 Terry Francois ADA	Gold Spring Construction	\$297,600	\$69,340	23.3%
Pier 45 Drainage Improvement	A & B Construction	\$1,394,348	\$363,000	26.03%
As-Needed CSOs				
Contract/Project	Awarded to	Award Amt	LBE Amt	LBE %
Utility Mapping/BAE Electrical (CSO Mod)	TEF/Winzler & Kelly JV	\$40,844	\$37,403	91.58%
Pier 45 Drainage	C+D/FE Jordan JV	\$54,525	\$6,332	11.61%
Portwide Demolition/Fill	URS/AGS JV	\$15,392	\$5,250	34.11%
Pier 35 Superstructure	Winzler & Kelly/SDE JV	\$264,295	\$65,265	24.69%
On-Call Scoping & Technical Assistance	Winzler & Kelly/SDE JV	\$25,000	0	0
TOTALS		\$400,056	\$114,250	28.5%

Contracts Exempt from LBE Requirements				
Contract/Project	Awarded to	Award Amt	LBE Amt	LBE %
Security Fence Change Order (Federal)	Crusader Fence	\$5,805	0	0
Fire Protection Change Order (Admin Code 6.65)	Sabah International	\$8,345	\$281	3.3%
Shoreside Power (Sole Source)	Cochran Inc.	\$1,900,000	0	0
Security Lighting (Federal)	Bay Area Lightworks (Federal)	\$928,806	\$212,696	22.90%
TOTALS		\$2,842,956	\$212,978	7.49%

\$200,000 As-Needed Contracting Authorization

During this reporting period, one Contract Service Order exceeded the \$200,000 project dollar threshold amount. However, the Port Commission and Executive Director authorized the transaction last year. The Contract Service Order modification was delayed due to the construction contract being delayed as the project had to be re-bid. That project was the Pier 45 Drainage Improvements. The Contract Service Order modification had to be handled as a new Contract Service Order under the new as-needed contracts to allow sufficient time for the construction work to be completed with continuity in the design team.

OTHER SIGNIFICANT EVENTS

A contract orientation workshop was held with the three as-needed engineering consultants to assure compliance with the terms and conditions of the contract and expedite proper processing of Contract Service Orders and invoices. Each firm was provided a reference handbook with examples on how to complete and process contract documents for the as-needed contracts. Representatives from the engineering division attended the orientation workshop as well.

The elevator/escalator maintenance contract was awarded to a certified local business through Department of Public Works contracting pool for such services.

II. Projected Contracting Activities for the Upcoming Year:

As-Needed Contracts (CSOs)	Description of Work	Port Project	Estimated Dollar Value of Work
Engineering	Cost Estimating Services	Pier 19 Roof Repair	\$10,000
Engineering	Design Services and RFP Specification Development for System Integrator	Port-wide CCTV/ACS	\$300,000
Environmental	Technical Support	Wharf J-10	TBD
Real Estate Economics & Related Services	Transportation Planning	Jefferson Street Improvements	\$5,000
Real Estate Economics & Related Services	Signage Graphics Design	Blue Greenway	\$45,000

Formal Professional Services	Description of Work	Port Project	Estimated Dollar Value of Work
As-Needed Contract	Environmental Consulting Services	Port-wide	\$3,000,000

Construction Services	Description of Work	Port Project	Estimated Dollar Value of Work
Sidewalk Improvement Project	Remove a portion of sidewalk and reconstruct roadway.	Pier 33	\$200,000
Roofing	Bulkhead and shed	Pier 19	\$2,000,000
Marine Structural	Various structural repairs	Hyde St. Harbor & Jefferson Streets	\$1,900,000
Shoreline Improvements & Protection	Demolish portions and restore shoreline	Mission Bay/Bayfront Park (GO Bond Project)	\$2,063,000
Public Promenade	Seawall and pier repairs	Pier 43	\$6,000,000
Wharf Development	Brannan Street Wharf	Piers 34/36	\$23,800,000
Pre-development	Site grading and paving of roadway	Piers 90-94 Backlands	\$6,800,00
Substructure Deck Repair	Seismic strengthening and repair of concrete deck	Pier 50 Valley	TBD

General Services	Description of Work	Port Project	Estimated Dollar Value of Work
Security Services	Unarmed Guards	Port-wide	\$250,000 annually
Information Technology	Computerized Maintenance Management System	Port-wide	\$900,000 (total budget)
Information Technology	Upgrade of PROPworks system	Port-wide	\$200,000

III. Local 21 Staffing Activity Changes for Fiscal Year 2009/10 – 2nd Quarter

Staffing Activity for Fiscal Year 2009/10
2nd Quarter, 10/1/09 – 12/30/09

Class/Title	Activities
1652 Accountant	Vacancy due to employee promotional transfer to another city department effective 10/5/09
1241 Personnel Analyst	Vacancy due to retirement; PCS appointment made effective 12/7/09
9395 Property Manager	Vacancy due to release of PCS employee

RECOMMENDATION

The above report is submitted to meet the requirements stated in the report Background attached hereto. Port Staff requests the Port Commission's acceptance of this report.

Prepared by: Norma Nelson, Contract Administrator/Manager
For: John Woo, Interim Deputy Director
Finance & Administration

✓ cc: Clerk, Board of Supervisors
Local 21, IFPTE Representative Ging Louie
Department of Public Works, Peg Divine
Human Rights Commission, Theresa Sparks

Exhibit 1: Report Background

EXHIBIT 1

BACKGROUND

The purpose of this report is to comply with legal and policy mandates for the City and County of San Francisco and Port Commission. These legal and policy requirements are primarily based upon the following:

1. "As-Needed" contracting requirements as promulgated by Section 6.64 of the San Francisco Administrative Code, Port Commission Resolution 03-50 and a Letter of Agreement with Local 21 International Federation of Professional and Technical Employees Association (IFPTE). (Effective April 2005, a \$200,000 limit was imposed via City ordinance for use of as-needed contract services per each single public works project; not including general planning or non-construction related professional services such as real estate economics as-needed contracts.)
2. Local 21 Union for the IFPTE and the City and County of San Francisco Department of Public Works requested that the Port include the following additional information in the subject quarterly reports, as it applies to the use of as-needed professional service contracts:
 - Contracting activity for the current reporting period;
 - Anticipated contracting activity for the upcoming quarter; and
 - Estimated staffing numbers and projects related to the as-needed contract services.
3. San Francisco Administrative Code Section 14(b) requires all departments and contract awarding authorities to report to the Mayor on their progress in the preceding fiscal year toward the achievement of the LBE goals and their steps to ensure non-discrimination against MBEs (Minority Business Enterprises), WBEs (Women Business Enterprises) and OBEs (Local businesses other than MBE or WBE).

The Port of San Francisco has been assigned by the San Francisco Human Rights Commission (HRC) an overall Local Business Enterprise (LBE) subcontracting participation goal of 20%. This means that 20% of all of the contracted work procured by the Port of San Francisco must be awarded to Local Business Enterprises or the contractor must have demonstrated a good faith effort to do so.

In the award of leases, franchises, concessions, and other contracts not subject to the discount provisions of Administrative Code Section 14(b), contract awarding authorities such as the Port shall utilize the good faith effort steps to maximize opportunities for LBE participation, as deemed practicable to do so. At the minimum, contract awarding authorities should notify LBEs that are certified to perform the work contemplated in a contract and solicit their interest in the contract. These good faith effort steps are described in each solicitation

for a Port lease, franchise, concession and other contracts such as development agreements.

4. San Francisco Administrative Code Section 12B requires that all contracting agencies of the City, or any department thereof, acting for or on behalf of the City and County shall include in all contracts and property contracts executed or amended in any manner or as to any portion thereof, a provision obligating the contractor not to discriminate on the basis of the fact or perception of a person's race, color, creed, religion, national origin, ancestry, age, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome, HIV status (AIDS/HIV status), weight, height, association with members of classes protected under this chapter or in retaliation for opposition to any practices forbidden under this chapter against any employee of, any City employee work with, or applicant for employment with such contractor and shall require such contractor to include a similar provision in all subcontracts executed or amended thereunder.

Definitions

1. *As-needed Professional Service Contracts* include professional service contracts procured on a request for qualifications basis to establish a pool of Master Agreements in which work is contracted under task orders or Contract Service Orders (CSOs), as needed to complete work required on an immediate basis that cannot otherwise be performed by existing City and County of San Francisco staff. The Port has twelve as-needed contracts that have a total authorized contracting capacity of \$8,150,000.
2. *Professional Service Contracts* procured through a *formal* contracting process - contracts valued greater than \$29,000.
3. *Professional Service Contracts* procured through an *informal* contracting process - contracts valued at less than \$29,000.
4. *Construction Service Contracts*
- public works/construction contract means a contract for the erection, construction, renovation, alteration, improvement, demolition, excavation, installation, or repair of any public building, structure, infrastructure, bridge, road, street, park, dam, tunnel, utility or similar public facility that is performed by or for the City.
5. *Information Technology Contracts*
- acquisition of computer hardware, software, peripherals and appropriate network, consulting, maintenance, training and support services, as well as any successor contracts.
6. *General Services Contracts*
- an agreement for those services that are not professional services. Examples of "general services" include: janitorial, security guard, pest control, parking lot attendants and landscaping services.

Other Contracting Activity

In addition to the above contracting activity, the Port has been engaged in a number of development agreements, leasing evaluations, renewals, and new leases.

Steps to Assure Non-Discrimination against MBEs, WBEs and OBEs

To assure that MBEs, WBEs and OBEs are not discriminated against in Port contracting opportunities, the Port has implemented the following standard procedures:

- Request information from the San Francisco Human Rights Commission as to the availability of MBEs, WBEs and OBEs certified as offering services required on Port projects. Such information includes availability statistics in percentages for MBEs, WBEs and OBEs. In addition, the Port has requested the MS Excel database of such certified firms to assure inclusion as project opportunities become available.
- Availability statistics in percentages are included in advertising for all formally procured contracts.
- Outreach through Minority, Women and Local media
- Direct mailing, faxing and e-mailing of procurement opportunity notices
- Identifying set-aside opportunities exclusively for Micro-LBE firms
- Working with Port staff to eliminate barriers to MBEs, WBEs and OBEs gaining access to Port contracting opportunities. Such barriers include qualifications based upon prior knowledge/experience on the project or past work with existing consultants.
- Hold prime consultants accountable for actions that impede the success of MBE, WBE and OBE firm's success on contracts such as the withholding of essential information required to perform subcontracted work by notifying the San Francisco Human Rights Commission to perform investigations, when deemed appropriate.

Steps to Assure Non-Discrimination in employment for all contracts and property contracts.

Pursuant to the 12B Ordinance, the San Francisco Human Rights Commission has promulgated rules and regulations for the implementation of the nondiscrimination provisions of 12B.

The various forms required as conditions of being awarded a goods/services/public works contract, development agreement, lease or concession are included in all advertisements for such contracts and incorporated into the finalized contract documents. The San Francisco Human Rights Commission actively participates in the selection process to assure compliance with these requirements and conducts investigations as deemed necessary to assure such compliance.



SAN FRANCISCO PLANNING DEPARTMENT

BOS-11
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BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN 13 PM 2:48

Notice of Availability of and Intent to Adopt a Mitigated Negative Declaration

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

Date: January 13, 2010
Case No.: 2007.0463E
Project Title: 4199 Mission Street
Zoning: NC-2 (Small-Scale Neighborhood Commercial) Zoning District
 40-X Height and Bulk District
Block/Lot: 5869/014
Staff Contact: Andrea Contreras – (415) 575-9044
 Andrea.Contreras@sfgov.org

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

To Whom It May Concern:

This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a Preliminary Mitigated Negative Declaration, containing information about the possible environmental effects of the proposed project. The Preliminary Mitigated Negative Declaration documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a Mitigated Negative Declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

Project Description: The project site (Assessor's Block 5869, Lot 014) is located at 4199 Mission Street, in San Francisco's Excelsior neighborhood, on the northeast corner of the intersection of Mission and Ney Streets. The proposed project would include demolition of the existing gasoline service station and associated structures, removal of two underground storage tanks, and construction of a four-story, approximately 40-foot-tall mixed-use building. The proposed approximately 31,480 gross-square-feet (gsf) building would include 12 residential units (approximately 18,210 sf) on the second through fourth floors, approximately 1,990 sf of ground-floor retail, 6,030 sf of common and circulation space, 3,355 sf of open space, and a 15-space ground-floor parking garage (approximately 5,250 sf) with ingress and egress from Ney Street. The 9,899-square-foot project site is located within the Small-Scale Neighborhood Commercial (NC-2) Zoning District and 40-X Height and Bulk district. The proposed project would be *Planning Code* compliant. The project would be subject to approval of demolition and construction permits to remove the on-site gas station and construct the new building.

If you would like a copy of the Preliminary Mitigated Negative Declaration or have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 20 calendar days following publication of the Preliminary Mitigated Negative Declaration (i.e., by close of business on February 2, 2010) any person may:

- 1) Review the Preliminary Mitigated Negative Declaration as an informational item and take no action.
- 2) Make recommendations for amending the text of the document. The text of the Preliminary Mitigated Negative Declaration may be amended to clarify or correct statements and/or expanded to include additional relevant

issues or cover issues in greater depth. One may recommend amending the text without the appeal described below. -OR-

- 3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a check for \$500 payable to the San Francisco Planning Department.¹ An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Bill Wycko, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of \$500.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on February 2, 2010.** The appeal letter and check may also be presented in person at the Planning Information Counter on the first floor at 1660 Mission Street, San Francisco.

In the absence of an appeal, the Mitigated Negative Declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the Preliminary Mitigated Negative Declaration.

¹ Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.



SAN FRANCISCO PLANNING DEPARTMENT

January 13, 2010

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

Subject: Distribution of Initial Study Notice of Availability to Board of
Supervisors
4199 Mission Street; Department File No. 2007.0463E

Dear Ms. Calvillo:

Enclosed please find 12 copies of the Notice of Availability of the 4199 Mission Street Preliminary Mitigated Negative Declaration for distribution to the Board of Supervisors. Please note that this document does not pertain to any item calendared before the Board, but is being distributed pursuant to the San Francisco Administrative Code Chapter 31 requirements.

If you have any questions related to this project's environmental evaluation, please call me at 575-9044.

Sincerely,

Andrea Contreras
Environmental Planner

enclosures

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BY

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BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN 13 PM 2:48

File 090263 Bail Johnson

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BOARD OF SUPERVISORS
SAN FRANCISCO

JAN 14 PM 3:13



**SAN FRANCISCO
PLANNING DEPARTMENT**

BY PC

January 7, 2010

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Re: **Transmittal of Planning Department
Case Number 2009.0476U: Mills Act Historical
Property Contract Application for 178 Townsend Street**

Historic Preservation Commission Recommendation: Approval

Dear Ms. Calvillo,


On December 16, 2009, the San Francisco Historic Preservation Commission (hereinafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance;

The proposed Resolution relative to Planning Dept. Case Number 2008.1277U would authorize the City and County of San Francisco to enter into a Mills Act Historic Property Contract with certain owners of 166-178 Townsend Street pursuant to Chapter 71 of the Administrative Code.

The proposed changes have been determined to be categorically exempt from environmental review under the California Environmental Quality Act Section 15060(c)(2).

At the December 16th hearing, the Commission adopted Resolution Number 640 to recommend that the Board of Supervisors approve the Mills Act Historical Property Contract for 166-178 Townsend Street.

Please find attached documents relating to the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

John Rahaim
Director of Planning

Attachments (one copy of the following):
Historic Preservation Commission Resolution No. 640
Historic Preservation Commission Executive Summary for Case No. 2009.0476U

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HISTORIC PRESERVATION COMMISSION

Case No. 2009.0476U
166-178 Townsend Street
Assessor's Block 3788, Lot 012
Resolution No. 640

SAN FRANCISCO

HISTORIC PRESERVATION COMMISSION

RESOLUTION #640

ADOPTING FINDINGS RECOMMENDING TO THE BOARD OF SUPERVISORS APPROVAL OF THE MILLS ACT HISTORICAL PROPERTY CONTRACT, REHABILITATION PROGRAM, AND MAINTENANCE PLAN FOR 166-178 TOWNSEND STREET.

PREAMBLE

WHEREAS, in accordance with Article 1.9 (commencing with Section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code, the City and County of San Francisco may provide certain property tax reductions, such as the Mills Act Historical Property Contract program; and

WHEREAS, the Mills Act Historical Property program authorizes local governments to enter into contracts with owners of private historical property who assure the rehabilitation, restoration, preservation and maintenance of a qualified historical property; and

WHEREAS, Ordinance No. 191-96 amended the San Francisco Administrative Code by adding Chapter 71 to implement California Mills Act, California Government Code Sections 50280 *et seq.*; and

WHEREAS, in 2005 Martin Building Company filed entitlement permits to construct an addition within the footprint of the existing building and develop the site for a mixed-use retail and commercial project; and

WHEREAS, this original 2005 submittal received a Certificate of Appropriateness on August 22, 2008 by the former Landmarks Preservation Advisory Board. The project also required Conditional Use Authorization from the Planning Commission, which was approved on September 4, 2008 and Variances from Planning Code Sections 134, 140, and 151, which were approved by the Zoning Administrator on September 30, 2008; and

WHEREAS, in addition to the entitlements listed above, the project sponsor applied to participate in the Mills Act Historical Property Contract program. The Historic Preservation Commission ("HPC") heard the application, based on the 2005-2008 project on February 4, 2009. The HPC recommended approval of the contract to the Board of Supervisors; and

WHEREAS, the Budget & Finance Committee considered the Mills Act contract for 178 Townsend on May 13, 2009, where the Committee continued the item, requesting additional valuation information from

HISTORIC PRESERVATION COMMISSION

Case No. 2009.0476U
166-178 Townsend Street
Assessor's Block 3788, Lot 012
Resolution No. 640

the Assessor's Office concerning which portions of the project should be included in the contract; and

WHEREAS, On July 2, 2009, the project sponsor submitted substantial revisions to the 2005-2008 project. The July 2009 project received a Certificate of Appropriateness from the HPC on September 2, 2009 (see Motion No. 0026), a Conditional Use Authorization from the Planning Commission on September 3, 2009 (see Motion No. 17944), and Variances from the Zoning Administrator on September 3, 2009; and

WHEREAS, a revised Mills Act Historical Property Contract application based on the modified project was filed with the Department on December 3, 2009; and

WHEREAS, the Planning Department has reviewed the Mills Act Historical Property Contract application, historical property contract, rehabilitation program, and maintenance plan for 166-178 Townsend Street, which are located in Case Docket No. 2009.0476U. The Planning Department recommends approval of the Mills Act Historical Property contract, rehabilitation program, and maintenance plan; and

WHEREAS, at a duly noticed public hearing held on December 16, 2009, the HPC reviewed documents, correspondence and heard oral testimony on the Mills Act Historical Property Contract application, historical property contract, rehabilitation program, and maintenance plan for 166-178 Townsend Street, which are located in Case Docket No. 2009.0476U; and

MOVED, that the Commission hereby recommends that the Board of Supervisors recommends *approval of the proposed Mills Act Historical Property Contract* and adopts the attached Draft Resolution to that effect.

FINDINGS

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

1. 166-178 Townsend Street is a qualified historic property because it is designated as a contributory building to a historic district designated under Article 10 of the Planning Code – the South End Historic District;
2. The property's current tax assessed value is \$389,356, below the \$5,000,000 assessment for commercial properties;
3. A 10-year Rehabilitation and Maintenance Plan has been submitted and is adequate (see materials dated 12/02/09 in Department File No. 09-0476U);
4. The work proposed for the subject property and in the Rehabilitation and Maintenance Plan meets the Secretary of the Interior's Standards for the Treatment of Historic Properties;

HISTORIC PRESERVATION COMMISSION

Case No. 2009.0476U
166-178 Townsend Street
Assessor's Block 3788, Lot 012
Resolution No. 640

5. The property owner will ensure that a portion of the Mills Act tax savings will be used to finance the preservation, rehabilitation, and maintenance of 166-178 Townsend Street; and
6. The Draft Mills Act Historical Property contract for 166-178 Townsend Street is adequate and sufficient.
7. **General Plan Compliance.** The proposed Ordinance is, on balance, consistent with the following Objectives and Policies of the General Plan:

I. URBAN DESIGN ELEMENT

THE URBAN DESIGN ELEMENT concerns the physical character and order of the city, and the relationship between people and their environment.

GOALS

The Urban Design Element is concerned both with development and with preservation. It is a concerted effort to recognize the positive attributes of the city, to enhance and conserve those attributes, and to improve the living environment where it is less than satisfactory. The Plan is a definition of quality, a definition based upon human needs.

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

POLICY 1.3

Recognize that buildings, when seen together, produce a total effect that characterizes the city and its districts.

OBJECTIVE 2

CONSERVATION OF RESOURCES WHICH PROVIDE A SENSE OF NATURE, CONTINUITY WITH THE PAST, AND FREEDOM FROM OVERCROWDING.

POLICY 2.4

Preserve notable landmarks and areas of historic, architectural or aesthetic value, and promote the preservation of other buildings and features that provide continuity with past development.

POLICY 2.5

Use care in remodeling of older buildings, in order to enhance rather than weaken the original character of such buildings.

POLICY 2.7

Recognize and protect outstanding and unique areas that contribute in an extraordinary degree to San Francisco's visual form and character.

The goal of the proposed Mills Act Historical Property Contract is to provide incentives for property

HISTORIC PRESERVATION COMMISSION

Case No. 2009.0476U
166-178 Townsend Street
Assessor's Block 3788, Lot 012
Resolution No. 640

owners who have significant historic resources to maintain and preserve them for future generations of San Franciscans. The proposed Mills Act Historical Property Contract for 166-178 Townsend Street will assist in the rehabilitation and preservation of a contributory structure in the South End Historic District.

8. The proposed project is generally consistent with the eight General Plan priority policies set forth in Section 101.1 in that:

- a. The existing neighborhood-serving retail uses will be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses will be enhanced:

The proposed Mills Act Historical Property Contract would not impact existing neighborhood-serving retail uses or opportunities for employment in or ownership of such businesses.

- b. The existing housing and neighborhood character will be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods:

The proposed Mills Act Historical Property Contract will strengthen neighborhood character by assisting in the funding of the preservation of a contributing structure to the South End Historic District.

- c. The City's supply of affordable housing will be preserved and enhanced:

The proposed Mills Act Historical Property Contract will help in the financing and construction of affordable residential units at 178 Townsend Street.

- d. The commuter traffic will not impede MUNI transit service or overburden our streets or neighborhood parking:

The proposed Mills Act Historical Property Contract will not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

- e. A diverse economic base will be maintained by protecting our industrial and service sectors from displacement due to commercial office development. And future opportunities for resident employment and ownership in these sectors will be enhanced:

The proposed Mills Act Historical Property Contract would not adversely affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors.

- f. The City will achieve the greatest possible preparedness to protect against injury and

HISTORIC PRESERVATION COMMISSION

Case No. 2009.0476U
166-178 Townsend Street
Assessor's Block 3788, Lot 012
Resolution No. 640

loss of life in an earthquake:

Preparedness against injury and loss of life in an earthquake is unaffected by the proposed Mills Act Historical Property Contract. Any construction or alteration associated would be executed in compliance with all applicable construction and safety measures.

g. That landmark and historic buildings will be preserved:

The proposed Mills Act Historical Property Contract incentivizes the preservation of a contributory building within the South End Historic District.

h. Parks and open space and their access to sunlight and vistas will be protected from development:

The proposed Mills Act Historical Property Contract will not impact the City's parks and open space.

THEREFORE BE IT RESOLVED that the Historic Preservation Commission hereby recommends that the Board of Supervisors approve the Mills Act Historical Property Contract, rehabilitation program, and maintenance plan for the historic building located at 166-178 Townsend Street.

BE IT FURTHER RESOLVED that the Historic Preservation Commission hereby directs its Recording Secretary to transmit this Resolution, the Mills Act historical property contract, rehabilitation program, and maintenance plan for 166-178 Townsend Street, and other pertinent materials in the case file 2009.0476U to the Board of Supervisors.

I hereby certify that the foregoing Resolution was ADOPTED by the Historic Preservation Commission on December 16, 2009.



Linda Avery
Recording Secretary

AYES: Chase, Damkroger, Hasz, Martinez, Buckley, Matsuda

NOES: Wolfram

ABSENT:

ADOPTED: December 16, 2009



SAN FRANCISCO PLANNING DEPARTMENT

Mills Act Historical Property Contract HISTORIC PRESERVATION COMMISSION CASE REPORT

Hearing Date: December 16, 2009
Filing Date: December 3, 2009
Case No.: 2009.0476U
Project Address: 166-178 Townsend Street
Zoning: SLI (Service/Light Industrial)
65-X Height and Bulk District
Block/Lot: 3788/012
Applicant: Katie O'Brien
Martin Building Co.
14 Mint Plaza, 5th floor
San Francisco, CA 94103
Staff Contact Pilar LaValley – (415) 575-9084
pilar.lavalley@sfgov.org
Reviewed By Tina Tam – (415) 558-6325
tina.tam@sfgov.org

PROPERTY DESCRIPTION

The subject property (166-178 Townsend Street) is located on Lot 012 of Assessor's Block 3788, in the SLI (Service/Light Industrial) zoning district and a 65-X height and bulk district. The parcel is located on the north side of the street at the intersection of Clarence Place and Townsend Street.

The subject property, historically known as the California Electric Light Building Station B building, is a contributing resource within the Article 10 South End Historic District. The subject building was originally constructed in 1888 as a three-story rectilinear front volume (approximately 50'-0" tall) that was articulated by brick pilasters, arched window openings, a simple brick cornice, and a flat roof. In 1906, the building was severely damaged by the earthquake, which caused the partial collapse of the engine room (front volume). Although visible architectural elements from the original 1899 structure remain, the building was substantially rebuilt in 1908 using a different structural system and in an altered design. As a result of the earthquake damage, the building was reduced in height and a stepped gable parapet was constructed to cap the front volume (the former engine room). Physical evidence for this change includes the cornice along the Clarence Place façade. The brick above this band of simple corbelled brickwork was evidently cut off and what had been a belt course on the earlier three-story section turned into the cornice for the existing one-story building. The building has recently been used as a valet parking garage.

In 2005, Martin Building Company filed entitlement permits to construct an addition within the footprint of the existing building and develop the site for a mixed-use retail and commercial project.

The project submitted in 2005 provided for up to 85 dwelling units and ground floor retail space. The addition would fit within the footprint of the existing building and be setback approximately 40 feet from the Townsend Street façade. The original project included a 72-space partially below-grade parking garage, a five-story structure containing residential and retail uses, street improvements along Clarence Place, and the rehabilitation of the existing exterior walls and fenestration.

This original 2005 submittal received a Certificate of Appropriateness (with conditions) on August 22, 2008 by the former Landmarks Preservation Advisory Board. The project also required Conditional Use Authorization from the Planning Commission, which was approved on September 4, 2008 and Variances from Planning Code Sections 134, 140, and 151, which were approved by the Zoning Administrator on September 30, 2008.

In addition to the entitlements listed above, the project sponsor applied to participate in the Mills Act Historical Property Contract program. The Historic Preservation Commission ("HPC") heard the application, based on the 2005-2008 project on February 4, 2009. The HPC recommended approval of the contract to the Board of Supervisors. The Budget & Finance Committee considered the Mills Act contract for 178 Townsend on May 13, 2009, where the Committee continued the item, requesting additional valuation information from the Assessor's Office concerning which portions of the project should be included and/or excluded in the contract.

On July 2, 2009, the project sponsor submitted substantial revisions to the 2005-2008 project. The modified project will provide up to 94 dwelling units, 45 at or partially-below grade off-street parking spaces, and ground floor retail and daycare space within a new addition. The approximately 59,000 square foot, six-story addition would fit within the footprint of the existing building and rise to 62-feet in height. The 3rd through 5th floors would be setback at least 37-feet from the Townsend Street façade and the new 6th floor would be setback an additional 23-feet from the Townsend Street façade and 11-feet from the Clarence Place elevation.

The July 2009 project received a Certificate of Appropriateness from the HPC on September 2, 2009 (see Motion No. 0026), a Conditional Use Authorization from the Planning Commission on September 3, 2009 (see Motion No. 17944), and Variances from the Zoning Administrator on September 3, 2009.

A revised Mills Act Historical Property Contract application based on the modified project was filed with the Department on December 3, 2009.

MILLS ACT HISTORICAL PROPERTY CONTRACT REVIEW PROCESS

Once a Mills Act Historical Property Contract application is received, the matter is referred to the Historic Preservation Commission ("HPC") for review and recommendation on the contract application, historical property contract, proposed rehabilitation program, and proposed maintenance plan. The HPC shall conduct a public hearing on the Mills Act Historical Property Contract application and contract and make a recommendation for approval or disapproval to the Board of Supervisors .

The Board of Supervisors ("BOS") will hold a public hearing to review and approve or disapprove the Mills Act Historical Property Contract application and contract. The BOS will review the HPC recommendation, information provided by the Assessor's Office, and any other information the Board



requires in order to determine whether the City should execute a historical property contract for the subject property.

The Board of Supervisors has full discretion to determine whether it is in the public interest to enter into a Mills Act Historical Property contract and may approve, disapprove, or modify and approve the terms of the contract. Upon approval, the Board of Supervisors shall authorize the Director of Planning and the Assessor's Office to execute the historical property contract.

MILLS ACT HISTORICAL PROPOERTY CONTRACT REVIEW PROCEDURES

The HPC is requested to review and make recommendation on the following:

1. Whether the property meets the Mills Act Historical Property Contract policy criteria;
2. The draft Mills Act Historical Property Contract between the property owner and the City and County of San Francisco;
3. The proposed rehabilitation program; and
4. The proposed maintenance plan.

The HPC may also comment in making a determination as to whether the public benefit gained through restoration, continued maintenance, and preservation of the property is sufficient to outweigh the subsequent loss of property taxes to the City.

APPLICABLE PRESERVATION STANDARDS

Ordinance No. 191-96 amended the San Francisco Administrative Code by adding Chapter 71 to implement the California Mills Act, California Government Code Sections 50280 *et seq.* The Mills Act authorizes local governments to enter into contracts with private property owners who will rehabilitate, restore, preserve, and maintain a "qualified historical property." In return, the property owner enjoys a reduction in property taxes for a given period. The property tax reductions must be made in accordance with Article 1.9 (commencing with Section 439) of Chapter 3 of Part 2 of Division 1 of the California Revenue and Taxation Code.

Mills Act Historical Property Contracts are for a minimum of ten years. The contract automatically renews each year on its anniversary date and a new ten-year term becomes effective. The contract runs (essentially in perpetuity) with the land. The City must monitor the provisions of the contract until its expiration and may terminate the Mills Act Historical Property contract at any time if it determines that the owner is not complying with the terms of the contract or the legislation. Termination due to default immediately ends the contract term.

San Francisco Administrative Code Chapter 71, Section 71.2, defines a "qualified historic property" as one that is not exempt from property taxation and is one of the following:

1. Individually listed in the National Register of Historic Places;
2. Listed as a contributor to an historic district included on the National Register of Historic Places;



3. Designated as a City landmark pursuant to San Francisco Planning Code Article 10;
4. Designated as contributory to an historic district designated pursuant to San Francisco Planning Code Article 10; or
5. Designated as significant (Categories I or II) or contributory (Categories III or IV) to a conservation district designated pursuant to San Francisco Planning Code Article 11.

In addition to the qualifications listed above, the project/subject property should also meet the following policy criteria:

1. The property meets the property tax value assessments, as determined by the Assessor's Office and the Planning Department;
2. If the property does not meet the pre-contract assessments, it qualifies for an exemption from these limits;
3. The maintenance and rehabilitation plan is detailed and sufficient;
4. The proposed work to be conducted under the maintenance and rehabilitation plan meets the Secretary of the Interior's *Standards for the Treatment of Historic Properties* and/or the California Historic Building Code; and
5. The property owner will ensure that a portion of the Mills Act tax savings will be used to finance the preservation, rehabilitation, and maintenance of the property.

PUBLIC/NEIGHBORHOOD INPUT

The Department has not received any public comment regarding the Mills Act Property Contract.

STAFF ANALYSIS

As detailed in the Mills Act Historical Property Contract application, the Project Sponsor proposes to rehabilitate and restore the Townsend Street and Clarence Place façades and front two bays of the 1908 post-and-beam wood truss system as part of the broader proposed project. The retained pitched roofline will have a new roof, damaged and deteriorated brick will be repaired and/or replaced in-kind, non-historic infill will be removed, and appropriate new doors and windows will be installed. In addition, as part of the structural rehabilitation of the building and evolution of seismic building codes, a concrete sheer wall structural system will be installed without altering the existing exterior historic fabric or finishes.

As a result of restoration and rehabilitation of the subject building's historic façades and portion of existing roof that generally meet the Secretary of Interior's *Standards for Rehabilitation* and for *Restoration*, 166-178 Townsend Street remains a contributing resource to the South End Historic District designated pursuant to San Francisco Planning Code Article 10.

The Project Sponsor, Planning Department Staff, and the Office of the City Attorney have negotiated the attached draft historical property contract, which includes a draft rehabilitation program and draft maintenance plan for the historic building. Department staff believes that the draft historical property



contract, rehabilitation program, and maintenance plan are adequate. The rehabilitation program details proposed rehabilitation and restoration of the exterior of the historic property. The maintenance plan involves a cycle of annual inspections and maintenance and a longer-term maintenance cycle to be performed as necessary. The attached draft historical property contract will help the Project Sponsor mitigate these expenditures and will induce the Project Sponsor to maintain the property in excellent condition in the future.

PLANNING DEPARTMENT RECOMMENDATION

The Planning Department recommends that the Historic Preservation Commission adopt a resolution recommending approval of the Mills Act historical property contract, rehabilitation program, and maintenance plan for 166-178 Townsend Street. In particular, the Department finds that:

- 166-178 Townsend Street is a qualified historic property because it is designated as a contributory building to a historic district designated under Article 10 of the Planning Code – the South End Historic District;
- The property's current tax assessed value is \$389,356, below the \$5,000,000 assessment for commercial properties;
- A 10-year Rehabilitation and Maintenance Plan has been submitted and is adequate (see materials dated 12/02/09 in Department File No. 09-0476U);
- The work proposed for the subject property and in the Rehabilitation and Maintenance Plan meets the Secretary of the Interior's *Standards for the Treatment of Historic Properties*;
- The property owner will ensure that a portion of the Mills Act tax savings will be used to finance the preservation, rehabilitation, and maintenance of 166-178 Townsend Street; and
- The Draft Mills Act Historical Property contract for 166-178 Townsend Street is adequate and sufficient.

HISTORIC PRESERVATION COMMISSION ACTIONS

Review and adopt a resolution:

1. Recommending to the Board of Supervisors the approval of the proposed Mills Act Historical Property Contract between the property owner and the City and County of San Francisco;
2. Approving the proposed Mills Act rehabilitation program for 166-178 Townsend Street;
3. Approving the proposed Mills Act maintenance plan for 166-178 Townsend Street; and
4. Commenting on the "value" of the Mills Act contract for 166-178 Townsend Street to assist the Board of Supervisors in making a determination as to whether the Mills Act contract



reducing property taxes in exchange for the rehabilitation, continued maintenance, and preservation of the property is appropriate and beneficial.

Attachments:

- Attachment A: Draft Resolution recommending approval of the Mills Act historical property contract, rehabilitation program, and maintenance plan, to the Board of Supervisors
- Attachment B: Historic Preservation Motion 0026, dated September 2, 2009
- Attachment C: Planning Commission Motion 17944, dated September 3, 2009
- Attachment D: Draft Mills Act historical property contract
- Attachment E: Project Sponsor Submission, including Rehabilitation and Maintenance Plan

DRAFT DRAFT DRAFT

Recording Requested by, and
when recorded, send notice to:
Director of Planning
1660 Mission Street
San Francisco, California 94103-2414

**CALIFORNIA MILLS ACT
HISTORIC PROPERTY AGREEMENT
166-178 TOWNSEND STREET
("CALIFORNIA ELECTRIC LIGHT COMPANY STATION B")
SAN FRANCISCO, CALIFORNIA**

THIS AGREEMENT is entered into by and between the City and County of San Francisco, a California municipal corporation (hereinafter called the "City") and 178 Townsend Properties, LLC (hereinafter called the "Owner").

RECITALS

Owner is the owner of the property located at 166-178 Townsend Street, in San Francisco, California (Block 3788, Lot 012). The building located at 166-178 Townsend Street is designated as a contributory structure to the South End Historic District pursuant to Article 10 of the Planning Code and is also known as the "The California Electric Light Company Station B" (hereinafter called the "Historic Property").

Owner desires to execute a rehabilitation and ongoing maintenance project for the Historic Property. Owner's application calls for the rehabilitation and restoration of the Historic Property according to established preservation standards, which it estimates will cost approximately Six Million Two Hundred Sixty Thousand Dollars (\$6,260,000) **[SUBJECT TO REVISION/CONFIRMATION WITH OWNER]**. (See Rehabilitation Plan, Exhibit A.)

The State of California has adopted the "Mills Act" (California Government Code Sections 50280-50290, and California Revenue & Taxation Code, Article 1.9 [Section 439 et seq.]) authorizing local governments to enter into agreements with property owners to reduce their property taxes, or to prevent increases in their property taxes, in return for improvement to and maintenance of historic properties. The City has adopted enabling legislation, San Francisco Administrative Code Chapter 71, authorizing it to participate in the Mills Act program.

Owner desires to enter into a Mills Act Agreement with the City to help mitigate its anticipated expenditures to restore and maintain the Historic Property. The City is willing to enter into such Agreement to mitigate these expenditures and to induce Owner to restore and maintain the Historic Property in excellent condition in the future.

NOW, THEREFORE, in consideration of the mutual obligations, covenants, and conditions contained herein, the parties hereto do agree as follows:

1. Application of Mills Act. The benefits, privileges, restrictions and obligations provided for in the Mills Act shall be applied to the Historic Property during the time that this Agreement is in effect commencing from the date of recordation of this Agreement.

2. Rehabilitation of the Historic Property. Owner shall undertake and complete the work set forth in Exhibit A ("Rehabilitation Plan") attached hereto according to certain standards and requirements. Such standards and requirements shall include, but not be limited to: the Secretary of the Interior's Standards for the Treatment of Historic Properties ("Secretary's Standards"); the rules and regulations of the Office of Historic Preservation of the California Department of Parks and Recreation ("OHP Rules and Regulations"); the State Historical Building Code as determined applicable by the City; all applicable building safety standards; and the requirements of the San Francisco Historic Preservation Commission ("HPC"), the San Francisco Planning Commission, and the San Francisco Board of Supervisors, including but not limited to any Certificates of Appropriateness approved under Planning Code Article 10. The Owner shall proceed diligently in applying for any necessary permits for the work and shall apply for such permits not less than six (6) months after recordation of this Agreement, shall commence the work within six (6) months of receipt of necessary permits, and shall complete the work within three (3) years from the date of receipt of permits. Upon written request by the Owner, the Zoning Administrator, at his or her discretion, may grant an extension of the time periods set forth in this paragraph. Owner may apply for an extension by a letter to the Zoning Administrator, and the Zoning Administrator may grant the extension by letter without a hearing. Work shall be deemed complete when the Director of Planning determines that the Historic Property has been rehabilitated in accordance with the standards set forth in this Paragraph. Failure to timely complete the work shall result in cancellation of this Agreement as set forth in Paragraphs 13 and 14 herein.

3. Maintenance. Owner shall maintain the Historic Property during the time this Agreement is in effect in accordance with the standards for maintenance set forth in Exhibit B ("Maintenance Plan"), the Secretary's Standards; the OHP Rules and Regulations; the State Historical Building Code as determined applicable by the City; all applicable building safety standards; and the requirements of the HPC, the San Francisco Planning Commission, and the San Francisco Board of Supervisors, including but not limited to any Certificates of Appropriateness approved under Planning Code Article 10.

4. Damage. Should the Historic Property incur damage from any cause whatsoever, which damages fifty percent (50%) or less of the Historic Property, Owner shall replace and repair the damaged area(s) of the Historic Property. For repairs that do not require a permit, Owner shall commence the repair work within thirty (30) days of incurring the damage and shall diligently prosecute the repair to completion within a reasonable period of time, as determined by the City. Where specialized services are required due to the nature of the work and the historic character of the features damaged, "commence the repair work" within the meaning of this paragraph may include contracting for repair services. For repairs that require a permit(s), Owner shall proceed diligently in applying for any necessary permits for the work and shall apply for such permits not less than sixty (60) days after the damage has been incurred, commence the repair work within one hundred twenty (120) days of receipt of the required permit(s), and shall diligently prosecute the repair to completion within a reasonable period of time, as determined by the City. Upon written request by the Owner, the Zoning Administrator, at his or her discretion, may grant an extension of the time periods set forth in this paragraph. Owner may apply for an extension by a letter to the Zoning Administrator, and the Zoning Administrator may grant the extension by letter without a hearing. All repair work shall comply with the design and standards established for the Historic Property in Exhibits A and B attached hereto and Paragraph 3 herein. In the case of damage to twenty percent (20%) or more of the Historic Property due to a catastrophic event, such as an earthquake, or in the case of damage from any cause whatsoever that destroys more than fifty percent (50%) of the Historic Property, the City and Owner may mutually agree to terminate this Agreement. Upon such termination, Owner shall not be obligated to pay the cancellation fee set forth in Paragraph 14 of this Agreement. Upon such termination, the City shall assess the full value of the Historic Property without regard to any restriction imposed upon

the Historic Property by this Agreement and Owner shall pay property taxes to the City based upon the valuation of the Historic Property as of the date of termination.

5. Insurance. Owner shall secure adequate property insurance to meet Owner's repair and replacement obligations under this Agreement and shall submit evidence of such insurance to the City upon request.

6. Inspections. Owner shall permit periodic examination of the exterior and interior of the Historic Property by representatives of the HPC, the City's Assessor, the Department of Building Inspection, the Planning Department, the Office of Historic Preservation of the California Department of Parks and Recreation, and the State Board of Equalization, upon seventy-two (72) hours advance notice, to monitor Owner's compliance with the terms of this Agreement. Where access is required to areas not generally accessible to the public, such examination shall occur during regular business hours. Owner shall provide all reasonable information and documentation about the Historic Property demonstrating compliance with this Agreement as requested by any of the above-referenced representatives.

7. Term. This Agreement shall be effective upon the date of its recordation and shall be in effect for a term of ten years from such date ("Initial Term"). As provided in Government Code section 50282, one year shall be added automatically to the Initial Term, on each anniversary date of this Agreement, unless notice of nonrenewal is given as set forth in Paragraph 10 herein.

8. Valuation. Pursuant to Section 439.4 of the California Revenue and Taxation Code, as amended from time to time, this Agreement must have been signed, accepted and recorded on or before the lien date (January 1) for a fiscal year (the following July 1-June 30) for the Historic Property to be valued under the taxation provisions of the Mills Act for that fiscal year.

9. Termination. In the event Owner terminates this Agreement during the Initial Term, Owner shall pay the Cancellation Fee as set forth in Paragraph 14 herein. In addition, the City Assessor shall determine the fair market value of the Historic Property without regard to any restriction imposed on the Historic Property by this Agreement and shall reassess the property taxes payable for the fair market value of the Historic Property as of the date of Termination without regard to any restrictions imposed on the Historic Property by this Agreement. Such reassessment of the property taxes for the Historic Property shall be effective and payable six (6) months from the date of Termination.

10. Notice of Nonrenewal. If in any year after the Initial Term of this Agreement has expired either the Owner or the City desires not to renew this Agreement that party shall serve written notice on the other party in advance of the annual renewal date. Unless the Owner serves written notice to the City at least ninety (90) days prior to the date of renewal or the City serves written notice to the Owner sixty (60) days prior to the date of renewal, one year shall be automatically added to the term of the Agreement. The San Francisco Board of Supervisors shall make the City's determination that this Agreement shall not be renewed and shall send a notice of nonrenewal to the Owner. Upon receipt by the Owner of a notice of nonrenewal from the City, Owner may make a written protest. At any time prior to the renewal date, City may withdraw its notice of nonrenewal. If in any year after the expiration of the Initial Term of the Agreement, either party serves notice of nonrenewal of this Agreement, this Agreement shall remain in effect for the balance of the period remaining since the execution of the last renewal of the Agreement.

11. Payment of Fees. Within one month of the execution of this Agreement, City shall tender to Owner a written accounting of its reasonable costs related to the preparation and approval of the Agreement as provided for in Government Code Section 50281.1 and San Francisco Administrative Code Section 71.6. Owner shall promptly pay the requested amount within forty-five (45) days of receipt.

12. Default. An event of default under this Agreement may be any one of the following:

- (a) Owner's failure to timely complete the rehabilitation work set forth in Exhibit A in accordance with the standards set forth in Paragraph 2 herein;
- (b) Owner's failure to maintain the Historic Property in accordance with the requirements of Paragraph 3 herein;
- (c) Owner's failure to repair any damage to the Historic Property in a timely manner as provided in Paragraph 4 herein;
- (d) Owner's failure to allow any inspections as provided in Paragraph 6 herein;
- (e) Owner's termination of this Agreement during the Initial Term;
- (f) Owner's failure to pay any fees requested by the City as provided in Paragraph 11 herein;
- (g) Owner's failure to maintain adequate insurance for the replacement cost of the Historic Property; or
- (h) Owner's failure to comply with any other provision of this Agreement.

An event of default shall result in cancellation of this Agreement as set forth in Paragraphs 13 and 14 herein and payment of the cancellation fee and all property taxes due upon the Assessor's determination of the full value of the Historic Property as set forth in Paragraph 14 herein. In order to determine whether an event of default has occurred, the San Francisco Board of Supervisors shall conduct a public hearing as set forth in Paragraph 13 herein prior to cancellation of this Agreement.

13. Cancellation. As provided for in Government Code Section 50284, City may initiate proceedings to cancel this Agreement if it makes a reasonable determination that Owner has breached any condition or covenant contained in this Agreement, has defaulted as provided in Paragraph 12 herein, or has allowed the Historic Property to deteriorate such that the safety and integrity of the Historic Property is threatened or it would no longer meet the standards for a Qualified Historic Property. In order to cancel this Agreement, City shall provide notice to the Owner and to the public and conduct a public hearing before the Board of Supervisors as provided for in Government Code Section 50285. The Board of Supervisors shall determine whether this Agreement should be cancelled.

14. Cancellation Fee. If the City cancels this Agreement as set forth in Paragraph 13 above, Owner shall pay a cancellation fee of twelve and one-half percent (12.5%) of the fair market value of the Historic Property at the time of cancellation. The City Assessor shall determine fair market value of the Historic Property without regard to any restriction imposed on the Historic Property by this Agreement. The cancellation fee shall be paid to the City Tax Collector at such time and in such manner as the City shall prescribe. As of the date of cancellation, the Owner shall pay property taxes to the City without regard to any restriction imposed on the Historic Property by this Agreement and based upon the Assessor's determination of the fair market value of the Historic Property as of the date of cancellation.

15. Enforcement of Agreement. In lieu of the above provision to cancel the Agreement, the City may bring an action to specifically enforce or to enjoin any breach of any condition or covenant of this Agreement. Should the City determine that the Owner has breached this Agreement, the City shall give the Owner written notice by registered or certified mail setting forth the grounds for the breach. If the Owner does not correct the breach, or if it does not undertake and diligently pursue corrective action, to the reasonable satisfaction of the City within thirty (30) days from the date of receipt of the notice, then the City may, without further notice, initiate default procedures under this Agreement as set forth in Paragraph 13 and bring any action necessary to enforce the obligations of the Owner set forth in this Agreement. The City

does not waive any claim of default by the Owner if it does not enforce or cancel this Agreement.

16. Indemnification. The Owners shall indemnify, defend, and hold harmless the City and all of its boards, commissions, departments, agencies, agents and employees (individually and collectively, the "City") from and against any and all liabilities, losses, costs, claims, judgments, settlements, damages, liens, fines, penalties and expenses incurred in connection with or arising in whole or in part from: (a) any accident, injury to or death of a person, loss of or damage to property occurring in or about the Historic Property; (b) the use or occupancy of the Historic Property by the Owners, its Agents or Invitees; (c) the condition of the Historic Property; (d) any construction or other work undertaken by Owners on the Historic Property; or (e) any claims by unit or interval owners for property tax reductions in excess those provided for under this Agreement. This indemnification shall include, without limitation, reasonable fees for attorneys, consultants, and experts and related costs that may be incurred by the City and all indemnified parties specified in this Paragraph and the City's cost of investigating any claim. In addition to Owners obligation to indemnify City, Owner specifically acknowledges and agrees that it has an immediate and independent obligation to defend City from any claim that actually or potentially falls within this indemnification provision, even if the allegations are or may be groundless, false, or fraudulent, which obligation arises at the time such claim is tendered to owner by City, and continues at all times thereafter. The Owners' obligations under this Paragraph shall survive termination of this Agreement.

17. Eminent Domain. In the event that a public agency acquires the Historic Property in whole or part by eminent domain or other similar action, this Agreement shall be cancelled and no cancellation fee imposed as provided by Government Code Section 50288.

18. Binding on Successors and Assigns. The covenants, benefits, restrictions, and obligations contained in this Agreement shall be deemed to run with the land and shall be binding upon and inure to the benefit of all successors and assigns in interest of the Owner.

19. Legal Fees. In the event that either the City or the Owner fails to perform any of its obligations under this Agreement or in the event a dispute arises concerning the meaning or interpretation of any provision of this Agreement, the prevailing party may recover all costs and expenses incurred in enforcing or establishing its rights hereunder, including reasonable attorneys' fees, in addition to court costs and any other relief ordered by a court of competent jurisdiction. Reasonable attorneys fees of the City's Office of the City Attorney shall be based on the fees regularly charged by private attorneys with the equivalent number of years of experience who practice in the City of San Francisco in law firms with approximately the same number of attorneys as employed by the Office of the City Attorney.

20. Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of California.

21. Recordation. Within 20 days from the date of execution of this Agreement, the City shall cause this Agreement to be recorded with the Office of the Recorder of the City and County of San Francisco.

22. Amendments. This Agreement may be amended in whole or in part only by a written recorded instrument executed by the parties hereto in the same manner as this Agreement.

23. No Implied Waiver. No failure by the City to insist on the strict performance of any obligation of the Owner under this Agreement or to exercise any right, power, or remedy arising out of a breach hereof shall constitute a waiver of such breach or of the City's right to demand strict compliance with any terms of this Agreement.

24. Authority. If the Owner signs as a corporation or a partnership, each of the persons executing this Agreement on behalf of the Owner does hereby covenant and warrant that such entity is a duly authorized and existing entity, that such entity has and is qualified to do business in California, that the Owner has full right and authority to enter into this Agreement, and that each and all of the persons signing on behalf of the Owner are authorized to do so.

25. Severability. If any provision of this Agreement is determined to be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each other provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

26. Tropical Hardwood Ban. The City urges companies not to import, purchase, obtain or use for any purpose, any tropical hardwood or tropical hardwood product.

27. Charter Provisions. This Agreement is governed by and subject to the provisions of the Charter of the City.

28. Signatures. This Agreement may be signed and dated in parts

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as follows:

CITY AND COUNTY OF SAN FRANCISCO:

By: _____
Phil Ting
Assessor-Recorder

DATE: _____

By: _____
John Rahaim
Director of Planning

DATE: _____

APPROVED AS TO FORM:
DENNIS J. HERRERA
CITY ATTORNEY

By: _____
Marlena G. Byrne
Deputy City Attorney

DATE: _____

178 TOWNSEND PROPERTIES LLC

By: _____
Patrick M. McNerney, President
Martin McNerney Development, Inc., its Manager

DATE: _____

OWNERS' SIGNATURE(S) MUST BE NOTARIZED.
ATTACH PUBLIC NOTARY FORMS HERE.

Office of the Mayor
City & County of San Francisco



a page, Cheryl A
BOS-11 Renee C
COB, Leg Dep, ML
Gavin Newsom

January 14, 2010

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

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 12:56PM on Tuesday, January 19, 2009, until 11:55PM Thursday, January 21, 2010.

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN 15 PM 2:56
BY 

30

File, COB
page



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

January 12, 2010

Terry Valen
Filipino Community Center
4681 Mission Street
San Francisco, CA 94112

Dear Mr. Valen:

Enclosed is the grant for the City of San Francisco Emergency Aid Relief Program of 2010. Within 60 days after expenditure of these grant funds, or within one year of the receipt of grant, please provide a report describing the detail of the expenditures, the number of people positively impacted by your grant fund program, and benefit of the grant program to your community.

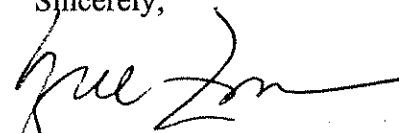
Please address this correspondence to the offices below:

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

Monique Zmuda
Deputy Controller
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 316
San Francisco, CA 94102

If you should have any questions, please call me at (415) 554-7500 or email me at monique.zmuda@sfgov.org.

Sincerely,


Monique Zmuda
Deputy Controller

Cc: Ben Rosenfield, Controller
Angela Calvillo, Clerk of the Board of Supervisor
Supervisor Chris Daly

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 JAN 12 PM 3:53
BY

31

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT

BANK OF AMERICA N.T. & S.A.
San Francisco, CA

CITY AND COUNTY OF SAN FRANCISCO

PAYABLE AT ANY BANK IF PRESENTED WITHIN NINETY DAYS

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1600 -03842131
DATE

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01/12/2010

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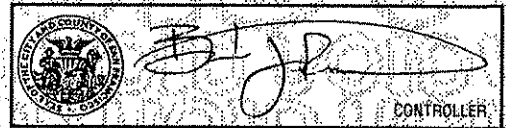
FIFTY THOUSAND DOLLARS AND NO CENTS

AMOUNT

\$ *****50,000.00

TO THE
ORDER OF

C.C.P.D.G.
ATTN: ROSALINDA C. TABLANG
35 EXAMINER ST. BARANGAY WEST TRIANGLE
QUEZON CITY
PHILIPPINES



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01/12/2010

1600 03842131

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01/12/2010

50,000.00

C.C.P.D.G.
ATTN: ROSALINDA C. TABLANG
35 EXAMINER ST. BARANGAY WEST TRIANGLE
QUEZON CITY
PHILIPPINES

File COB
page



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

January 12, 2010

Patsy Tito
Samoan Community Development Center
2055 Sunnydale Avenue, Room 100
San Francisco, CA 94134

Dear Ms. Tito:

Enclosed is the grant for the City of San Francisco Emergency Aid Relief Program of 2010. Within 60 days after expenditure of these grant funds, or within one year of the receipt of grant, please provide a report describing the detail of the expenditures, the number of people positively impacted by your grant fund program, and benefit of the grant program to your community.

Please address this correspondence to the offices below:

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

Monique Zmuda
Deputy Controller
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 316
San Francisco, CA 94102

If you should have any questions, please call me at (415) 554-7500 or email me at monique.zmuda@sfgov.org.

Sincerely,

Monique Zmuda
Deputy Controller

Cc: Ben Rosenfield, Controller
Angela Calvillo, Clerk of the Board of Supervisor
Supervisor Chris Daly

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BANK OF AMERICA, N.T. & S.A.
San Francisco, CA

CITY AND COUNTY OF SAN FRANCISCO

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01/12/2010

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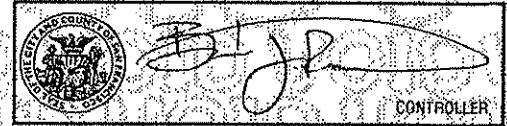
FIFTY THOUSAND DOLLARS AND NO CENTS

AMOUNT

\$ *****50,000.00

TO THE
ORDER OF

SAMOAN COMMUNITY DEVELOPMENT CENTER INC
2055 SUNNYDALE AVE #100
SAN FRANCISCO CA 94134



⑈6003842617⑈ ⑆121000358⑆ 14990⑈80080⑈

43958 01 01/12/2010 1600 03842617

DOCUMENT NUMBER	DOC REF NUMBER	AMOUNT
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RCO1000023202		25,000.00
ES.#221-09#AMERICAN SAMOA-DEPT OF EDUCATION		

01/12/2010

50,000.00

SAMOAN COMMUNITY DEVELOPMENT CENTER INC
2055 SUNNYDALE AVE #100
SAN FRANCISCO CA 94134



aevans604@aol.com
01/12/2010 10:23 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject Proposed Sit-Lie Law Gains Ground

Dear Friends and Neighbors,

Police brass are consulting with City Attorney Dennis Herrera for the purpose of drawing up a proposed sit-lie law, Capt. Teresa Barrett of Park Station announced at a community meeting Tuesday night (1/12).

The measure would allow police to direct people to move along who were lying or sitting on sidewalks for extended periods of time. It would only apply to certain at-risk neighborhoods that have a history of abusive behavior by street thugs.

Police Chief George Gascón is also working on getting support for the measure from certain supes, said Capt. Barrett. After the legal language is worked out with the City Attorney, the item will be submitted to the board of supes for its consideration.

Commander Jim Dudley explained that the ordinance is needed because of a loophole in current law. As things now stand, the police cannot, on their own, direct people who block sidewalks to move along. Police must have a civilian who is prepared to make a formal complaint and fill out the paperwork for a citizen's arrest. Many people are reluctant to do so for fear of retaliation.

A sit-lie law would allow police to intervene directly, without having to obtain a formal civilian complaint. A half dozen or so cities, including Berkeley, now have such a law on the books, where they have made at-risk neighborhoods safer, said Commander Dudley.

Supe Ross Mirkarimi, who represents the Haight at the supes, was absent again at tonight's meeting. But this time, he at least sent his legislative aide, Vallie Brown. She said that Mirkarimi was "trying to figure out why they [the police] need this law."

Many in the audience complained that Mirkarimi had failed to respond to

e-mails inquiring about his position on the measure. Brown said the supe needed more time to consider the matter. "He has advocated for police patrols and community policing," she added.

I pointed out that I had been pleading with Mirkarimi for months to have his Public Safety Committee hold hearings about the growing problem with bullying street people in the Haight and elsewhere, but to no avail.

I noted that Mirkarimi had already had plenty of time to reflect on the matter and that he had failed to do his duty as a supe. The crowd of about 40 people broke out into loud applause. In response, Brown repeated that "He's really looking at it." Laughter rippled through the audience.

Chief Barrett remarked that many of the street thugs who come to the Haight are transients who have homes outside the city. When they are held accountable for their behavior here, "they go back to their home towns." Otherwise, they take over space and regard it as their turf.

Capt. Barrett also noted that "there are numerous shelter beds [for the homeless] unused every day. People refuse to use them."

The measure will likely face a dicey outcome at the supes, in view of Mirkarimi's indecisiveness. But if the supes falter, the proposal will go before the voters. They will likely approve it by a large margin, just as they did when the supes tried to block Gavin Newsom's Care Not Cash measure.

Yours for rationality in government,

Arthur Evans

* * * * *



Jack Sargent
<jsargent8591@gmail.com>
01/13/2010 11:07 AM

To board.of.supervisors@sfgov.org
cc
bcc
Subject honking ordinance

Over the last year I have noticed a trend in the increase in honking by drivers in the city. This has reduced the productivity of the workplace at my downtown office, because of the annoying sound. Several years ago I was in New York City and saw many signs around the city indicating there was a fine for those that honked. I think that this would be a good idea to implement in San Francisco. This may help lead towards more courteous driving habits. It seems that San Francisco drivers have developed bad habits, and are not very careful, because the city has had a high number of pedestrians killed by drivers. What is the best way to proceed with the process to implement an ordinance that prohibits honking?

Jack Sargent

34



badler1867@sbcglobal.net

01/07/2010 04:38 PM

Please respond to
badler1867@sbcglobal.net

To board.of.supervisors@sfgov.org

cc

bcc

Subject composting fees

The new mandated composting ordinance has become a burden which I do not think was considered by the Board when it was enacted.

I have a ten unit building housing only fifteen people and we are at the minimums set for garbage collection. The problem is that I am unable to haul the cans out to the street for collection and therefore pay a key fee to Sunset Scavenger. The key fee for the once a week compost collection is \$3.28 per week and that adds up to \$170.56 a year.

That charge is considerable for a free program that is mandated by law.

I have been negotiating with Sunset Scavengers to reduce my bill. They tell me even though the black and blue cans are not full they must pick them up twice a week and cannot offer me smaller containers as a way of reducing my overall bill because the ordinance on garbage collection sets the limits.

Surely there must be a way to fix this problem as I am certain others face the same issue.

Is the composting material being sold? Is the money being returned to the rate payers as a reward for composting?

I would appreciate any help that can be offered to us as residents of San Francisco.

Evelyn Adler

35



Robin Chiang
<rchiang@designbythebay.com>

01/07/2010 12:47 PM

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

cc

bcc

Subject Good News from Islais Creek

Hi All:

With so much bad news these days I wanted to share some really good news with you! The Copra Crane in Islais Creek will be restored.

Last year, as sponsored by Supervisor Maxwell, the Board of Supervisors approved the Port Commission's acceptance of the transfer of the historic Copra Crane from the Copra Crane Labor Landmark Association (CCLLA).

This year, by summer, thanks to the hard work of SF Port's David Beaupre and BCDC's Brad McCrea along with members of the CCLLA, the Copra Crane will be restored.

Background:

16 years ago, San Francisco's pioneering labor historian and long term union activist Archie Green met with Julia Viera of Friends of Islais Creek and brought together environmentalists, artists and union members to save the historic crane. Through the ILWU they formed the CCLLA (comprised mainly of ILWU retirees). They envisioned 3 years for outreach, fundraising, documentation and restoration. Similar to many community-driven projects in San Francisco the project turned out to be a bit more challenging—the main issue being fundraising. The ILWU and associated union retirees have remained optimistic and supportive throughout. Julia retired from community service at age 79, but remains in touch. Archie passed away last year shortly after presenting at the meeting in which the Port Commission voted unanimously to accept the transfer and before David Beaupre secured the grant from BCDC. BCDC's grant will fund the core of the restoration and donated labor and materials will help complete the project based on the structural engineering drawings and calculations donated by Rex MacCardell.

You will be notified of the date when the Copra Crane will be removed from its pier (to be picked up by another crane!) for restoration.

Happy new year to everybody.

Robin Chiang
Volunteer Executive Director
FRIENDS OF ISLAIS CREEK

36



Mike Les
<m_les@comcast.net>
01/07/2010 10:53 AM

To <board.of.supervisors@sfgov.org>
cc
bcc
Subject Green newspaper racks

Dear Supervisors,

How do we go about removing those huge green empty newspaper racks all over the downtown area? The vast majority of the individual boxes in these gigantic green racks are **permanently empty**. Many are labeled with the names of defunct publications, or those that no longer circulate in the city. Many boxes are vandalized. Many are damaged. Many are used as storage lockers by drug dealers and bums.

Also, what about the tall green cylinder-shaped newspaper stands downtown that several years ago had an attendant inside selling papers but now have been abandoned? Some are locked, but others are open — doors flapping in the wind.

Finally, there are flower stands downtown that apparently have been abandoned. One in front of Westfield mall, and another near the Powell cable car stop.

These ugly, derelict structures are impediments to pedestrian movement. Please let me know if I can do anything as a resident, and what steps you as supervisors are willing and able to take to remove them.

Regards,

Mike Les
(415) 440-1022

37

Board of
Supervisors/BOS/SFGOV
01/08/2010 01:08 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Fw: Ethics violation?

----- Forwarded by Board of Supervisors/BOS/SFGOV on 01/08/2010 01:08 PM -----



JAMES CORRIGAN
<marylouc@mac.com>
01/05/2010 05:15 PM

To board.of.supervisors@sfgov.org
cc
Subject Ethics violation?



Dear S.F. Board of Supervisors:

Each day, and I mean everyday, S.F. firefighters' abuse the Parking laws of San Francisco and are not ticketed by DPT Enforcement Officers due to signs on their car's dashes or windows.

The upper left picture, taken on the 1600 block of Powell St., shows 4 private vehicles at 10:15 A.M. on January 5, 2010 parked at expired meters and the black car is parked in a "red zone."

The upper right picture is of the same 4 vehicles, still parked at expired meters and taken at 3:15 P.M. some 5 hours later.

No tickets, No revenue for the City, no turnover for the commercial establishments in the 1300 block of Powell St. in Chinatown.

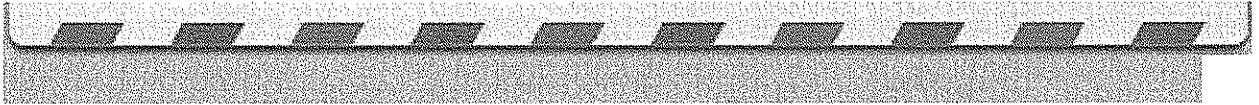
38

Tomorrow, on-coming firefighters' vehicles will replace these four and the drought of revenue continues.

This is just as slimy a practice as those who fraudulently use a Handicap stickers.

I believe both high ranking officials of the SFFD and the DPT are in an ethics code violation by supplying free parking to some city-employees.

Sincerely yours,
James J. Corrigan



   
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CITY AND COUNTY OF SAN FRANCISCO
**COMPREHENSIVE ANNUAL
FINANCIAL REPORT**



FOR THE YEAR ENDED JUNE 30, **2009**

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

