

Petitions and Communications received from May 11, 2010, through May 17, 2010, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 25, 2010.

From concerned State of Arizona and Arizona-based businesses until Arizona repeals Senate Bill 1070. File No. 100256, 60 letters (1)

From concerned citizens, submitting opposition to expanding parking meter hours to Sunday. 29 letters (2)

From Office of the Controller, submitting their Interim Report on alternatives to San Francisco's Business Tax. (3)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (4)
Jamie Cantwell, leaving
David Noyola, leaving
Judson True, assuming

From Capital Planning Committee, recommending proposed legislation regarding the Soft-Story Building Seismic Retrofit General Obligation Bond. Copy: Each Supervisor, Budget and Finance Clerk (5)

From Planning Department, regarding notice of availability of and intent to adopt a Mitigated Negative Declaration for 1 Loraine Court – San Francisco Columbarium. Copy: Each Supervisor, Land Use Committee Clerk (6)

From concerned citizens, submitting support for the proposed legislation concerning the sit/lie law. File No. 100233, 5 letters (7)

From Michael Crandell, submitting opposition to the proposed legislation concerning the sit/lie law. File No. 100233 (8)

From Randick O'Dea & Tooliatos, regarding the acquisition of real property by eminent domain in Alameda County, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project, the New Irving Tunnel Project. File No. 100221, Copy: Each Supervisor (9)

From dogparkaccess@aol.com, requesting that entry into Golden Gate Dog Park be opened during all events. (10)

From Tomazu Nakada, urging the Board of Supervisors to help keep Sharp Park open. (11)

From Aaron Goodman, regarding the proposed Parkmerced development. (12)

From Lawrence Feigenbaum, urging the Board of Supervisors to charge an entry fee to out-of-town visitors (only) to allow the Botanical Gardens to continue to flourish and not be allowed to go into ruin through lack of funds. (13)

From concerned citizens, regarding the Municipal Transportation Authority Budget. 4 letters (14)

From concerned citizens, urging the Mayor and Board of Supervisors to fund the Mission Learning Center. 7 letters (15)

From Nina Sparer, submitting support for the community slate nominees of the San Francisco Medical Cannabis Task Force. File No. 100422 (16)

From concerned citizens, regarding medical cannabis dispensaries in San Francisco. 2 letters (17)

From Clifford McBride, requesting the Board of Supervisors pass legislation requiring night clubs to hire one private security guard per their 100 patrons to either walk and/or drive a 3 to 5 block radius of their club. (18)

From concerned citizens, regarding the recent Bay to Breakers race. 2 letters (19)

From John Won, regarding the increasing litter problem in San Francisco. (20)

From Zoe Taleporos, regarding the "Art on Market Street Kiosk Poster Series" Contest. (21)

From Ivan Pratt, regarding HIV patients and medical reform. (22)

From concerned citizen, concerning the Medrive Medical Cannabis Club at 1933 Mission Street. (23)

From US Army Corps of Engineers, submitting a public notice that the San Francisco Public Utilities Commission has applied for a Department of the Army permit to permanently fill 0.45 acres and temporary impact 1.03 of San Mateo creek to construct a new stilling basin at the toe of the Lower Crystal Springs Dam to replace the existing undersized stilling basin. (24)

From Barry Stevens, urging the Board of Supervisors to ensure that the "CPMC" Master Plan meet the needs of the surrounding communities. (25)

From concerned citizens, urging the Board of Supervisors to protect Supportive Housing services in the FY2010-2011 Budget. 3 postcards (26)

From Barbara Ann May, urging the Board of Supervisors to keep the Arboretum free to all San Francisco residents and help keep Louis Restaurant at the Cliff House open.
(27)

Board of
Supervisors/BOS/SFGOV
05/17/2010 11:27 AM

To BOS Constituent Mail Distribution,
cc
bcc
Subject your position on arizona - Joseph Bauchens

From: bauchens@comcast.net [mailto:bauchens@comcast.net]
Sent: Friday, May 14, 2010 6:17 AM
To: SFCVB PR Department
Subject: your position on arizona

We originally planned to hold our annual family get together in San Francisco this summer. Four family's for a week going to ballgames, eating at restaurants, seeing the sights, enjoying the nightlife.

I have convinced my family members to pick another city.

You really should mind your own business as to what another State decides is best for it and it's citizens.

Joseph Bauchens
Philadelphia

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

①



Michael Miller
<fdorian@att.net>
05/12/2010 01:38 PM

To MTABoard@sfmta.com
cc Gavin.Newsom@sfgov.org, Board.of.Supervisors@sfgov.org
bcc
Subject Extended Meters

As a long time merchant on Hayes Street we are opposed to this kind of revenue raising tactic as it will cause loss of business and congestion in neighborhoods without meters. Think of the loss of sales taxes and business taxes

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

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Jeff Adachi/PUBDEF/SFGOV@SFGOV, Jenny Louie/DPH/SFGOV@SFGOV, Jim Burrue/SFERS/SFGOV@SFGOV, John St.Croix/ETHICS/SFGOV@SFGOV, John X Chan/ETHICS/SFGOV@SFGOV, Julian Low/MAYOR/SFGOV@SFGOV, Kan Htun/ARTSCOM/SFGOV@SFGOV, Karen Roye/DCSS/SFGOV@SFGOV, Katharine Petrucione/RPD/SFGOV@SFGOV, Kenneth Bukowski/SFPD/SFGOV@SFGOV, Laura Marshall/DOSW/SFGOV@SFGOV, msingleton@sfpl.org, myuen@sftc.org, Marcia Bell/LAWLIBRARY/SFGOV@SFGOV, Mary Fitzpatrick/CON/SFGOV@SFGOV, Maureen Gannon/SFSD/SFGOV@SFGOV, Maurilio Leon/ASRREC/SFGOV@SFGOV, MMcLoughlin@asianart.org, Monique Zmuda/CON/SFGOV@SFGOV, nelsishans@famsf.org, Newlin Rankin/TTX/SFGOV@SFGOV, Noelle Simmons/DHS/CCSF@CCSF, Pamela J Levin/DBI/SFGOV@SFGOV, Pauline Marx/TTX/SFGOV@SFGOV, PFlorence@sfgwater.org, Phil Arnold/DHS/CCSF@CCSF, Robert.Carlson@sfdpw.org, Sandra Eng/CSC/SFGOV@SFGOV, September Jarrett/OCDHH/MAYOR/SFGOV@SFGOV, Sonali.Bose@sfmta.com, Stephen Gelman/ADMSVC/SFGOV@SFGOV, Sue Wong/JUV/SFGOV@SFGOV, Susan Keller/ADMSVC/SFGOV@SFGOV, Susana Martinez/CTYATT@CTYATT, Tajel Shah/TTX/SFGOV@SFGOV, Tamar Dorfman/OCDHH/MAYOR/SFGOV@SFGOV, Tamara Foster/DCYF/SFGOV@SFGOV, Taylor Emerson/ADMSVC/SFGOV@SFGOV, Tina Olson/SFPORT/SFGOV@SFGOV, TRydstrom@sfgwater.org, Valerie Inouye/DPH/SFGOV@SFGOV, William Lee/DEM/SFGOV@SFGOV

Cc: BOS-Legislative Aides/BOS/SFGOV
Date: 05/11/2010 01:41 PM
Subject: San Francisco Business Tax
Sent by: Maura Lane

The Controller's Office has issued an Interim Report on alternatives to San Francisco's business tax. The report may be downloaded here. For questions, please contact Ted Egan at 415-554-5268.

<http://co.sfgov.org/webreports/details.aspx?id=1126>

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City and County of San Francisco

Office of the Controller - Office of Economic Analysis

Improving San Francisco's Business Tax: An Analysis of Two Alternatives

Interim Report

Comments welcome by May 25, 2010. Please send comments to:
controllertaxstudy@sfgov.org. Final report will be published May 27.



May 11, 2010



City and County of San Francisco

Office of the Controller - Office of Economic Analysis

Improving San Francisco's Business Tax: An Analysis of Two Alternatives

May 11, 2010

Main Conclusions

At the request of the Mayor and the President of the Board of Supervisors, the Controller's Office has led a working group examining alternatives to San Francisco's business tax. The City levies a 1.5% tax on the payroll of most companies doing business in San Francisco that have over \$250,000 in payroll. However, this represents only 6,000 out of 80,000 businesses registered in the city: sole proprietorships, non-profits, banks, insurance companies, and many small businesses pay no taxes.

San Francisco is the only city in California that bases its entire business tax on payroll. The economic effect of the tax is to raise labor costs and discourage job creation. While the payroll tax has grown substantially over the past ten years, it is highly unstable. In 2009, for example, payroll tax dropped by over 12% compared with the previous year.

Because of these shortcomings of the payroll tax, the Controller's Office created two alternative business tax systems. The first, a progressive payroll tax option, changes the payroll tax from a flat 1.5% rate into two tiers: an upper tier taxed at 1.5%, and a lower tier taxed at 1.2%. This reduction in the payroll tax is offset by a new 1.395% tax on the gross receipts of commercial property renters. The second, a gross receipts option, eliminates the payroll tax completely and charges different gross receipts rates for different sectors of the economy. It includes the 1.395% gross receipts tax on commercial rent. Both proposals also include a new tax credit; all businesses would be able to reduce their tax burden by \$1,500. This is the equivalent of reducing taxable payroll by \$100,000 under the current tax system.

The Controller's Office believes that the two proposals outlined in this report have the advantage of fostering economic growth, raising a small amount of revenue for the City, and generating the vast majority of that revenue from employers that are not currently paying the payroll tax.

In addition, tax systems are often evaluated based on their economic efficiency, administrability, stability, and equity. The impacts of the current tax, and the two alternatives, on these four criteria are outlined in the table below.

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INTRODUCTION AND BACKGROUND

Introduction and Purpose of This Report

Like many cities in California, San Francisco levies a tax on private businesses to fund public services. The impact of this tax on public finances and the broader city economy has been the subject of vigorous debate for many years. In the Fall of 2009, the Controller's Office began a review of the City's business tax, at the request of the Mayor and the President of the Board of Supervisors.

An important assumption underlying this review is that the City's current business tax system is economically inefficient, and needlessly harmful to job creation and economic growth. This opinion appears to be broadly held in San Francisco, in both business and government circles. If this is true, it should be possible to devise a better business tax that is less damaging to the economy. The creation of a better business tax has been the key purpose and function of this review.

The review was conducted as a working group process, initially consisting of staff from the Offices of the Controller, City Attorney, Treasurer and Tax Collector, and Economic and Workforce Development. The working group reviewed legal options, the prevalence of different types of business tax systems in other California cities, and staff research on the fiscal and economic impacts of alternative taxes.

The group was then broadened to include perspectives from outside City government, including the San Francisco Chamber of Commerce, San Francisco Planning and Urban Research Association (SPUR), and the Human Services Network. On the basis of their feedback, the Controller's Office devised two potential alternatives to the current business tax, which are detailed in this report.

Tax policy often involves a trade-off between the competing goals of promoting economic development and funding public services. This trade-off involves political, not economic decisions. It is explicitly **not** the purpose of this report to recommend one side or the other of this trade-off. The shift to a better tax system could be designed to hold the City's revenue constant, and stimulate economic growth by lowering the effective tax burden on business. Alternatively, a better system could be designed to generate tax revenue without harming the economy.

This report does not argue for one side or the other. It presents two alternative tax systems. Both of these alternatives, we believe, have three significant advantages over the current business tax system:

- They are less harmful to the economy than the current

tax system.

From an economic point of view, a tax on payroll raises the cost of labor to businesses, and discourages hiring. In earlier reports, the Office of Economic Analysis has estimated that the City's 1.5% payroll tax could depress employment in San Francisco by 1%, or about 5,500 jobs. In addition, it is likely that a portion of the payroll tax is passed on from businesses to San Francisco workers, depressing their wages and spending within the City, and further constraining economic growth.

The Business Tax Lawsuit

Prior to April 23, 2001, the City imposed an alternative-measure tax pursuant to which a business's tax liability was calculated as a percentage of either its gross receipts or its payroll expense, whichever amount was greater. Between 1999 and 2001, approximately 325 businesses filed either claims and/or lawsuits, arguing that the alternative-measure tax violated the Commerce Clause of the United States Constitution. In 2001, the City entered into a settlement agreement resolving most of these lawsuits and claims for considerably less than the total amount of outstanding claims.

Concurrently with the settlement of the lawsuits, the City repealed the alternative-measure tax in 2001. Payment on the lawsuit settlement, and the loss of business tax revenue associated with the repeal of the gross receipts tax, cost the City approximately \$30 million in the first year. Under California's Proposition 218, any attempts to raise a local tax must be approved by the voters. General-purpose tax measures may be passed with a simple majority vote only when they are placed on the November ballot of an even-numbered year. Since 2000 there have been several attempts to raise business tax revenue by getting voter approval; until 2008, all had failed.

In 2000, Proposition I would have replaced the revenue lost from the gross receipts tax by raising the payroll tax rate to as high as 1.7%, with the actual rate fluctuating based on the revenue growth rate. In 2002, Proposition L would have raised the real property transfer tax rate, which is paid by sellers of real estate when it is sold. Prop L proposed to raise the rate on large commercial properties, to make up the business tax revenue when the gross receipts tax was repealed. In 2004, Proposition K would have imposed a small, uniform gross receipts tax rate of 0.1%, in addition to the payroll tax.

All three of these failed proposed measures were tax rate increases that did not address any of the perceived weaknesses of the payroll tax system. In 2008, Proposition Q did modify the City's business tax system, by closing the so-called "partnership loophole" that allowed profits taken by

EVALUATING BUSINESS TAX SYSTEMS

The EASE Criteria

When the City of Los Angeles revised its business tax, it produced a voluminous study of potential alternatives. These alternatives were evaluated against a set of criteria called the EASE system, which is a common way to assess different approaches to taxation.

The EASE criteria suggest that four factors be weighed in considering any tax system:

- Efficiency: how does the tax affect the economy?
- Administrability: how straightforward and inexpensive is it to administer, collect, and audit the tax?
- Stability: to what extent does the tax generate predictable cash flows that make budgeting easier?
- Equity: is the tax fair?

The payroll tax can be evaluated against these four criteria, which can also point to better alternatives for the City.

Economic Efficiency of the Payroll Tax

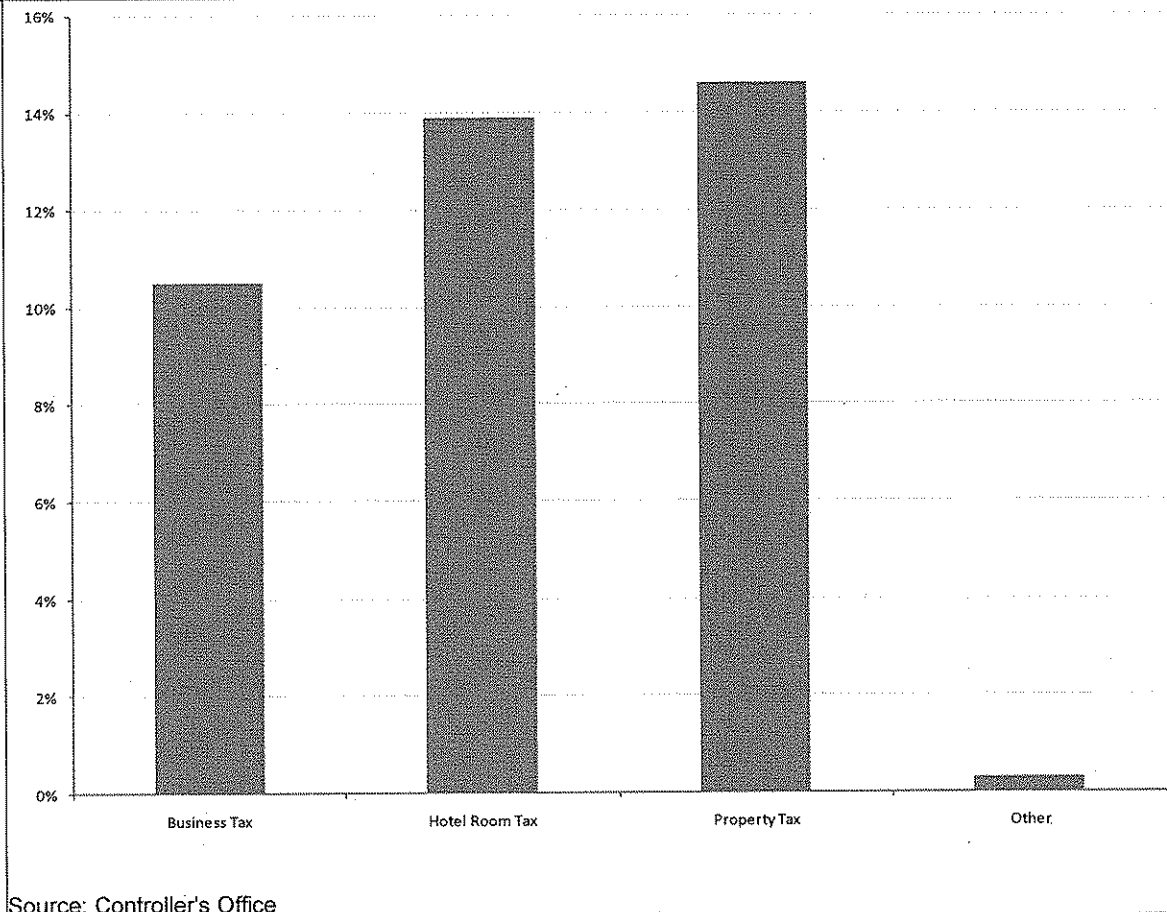
Economic efficiency refers to the economy of raising a given level of tax revenue by the government. Economists generally believe most taxes create inefficiencies, or "dead-weight" loss, in the economy. This has nothing to do with the relative efficiency of public- vs. private-sectors operations. This inefficiency is caused by the fact that people and businesses that are levied a tax have an incentive to change their behavior to minimize their tax payments, and this change in behavior distorts markets.

The inefficiencies in the payroll tax are easily and widely understood. The 1.5% tax on payroll raises the cost of employing a worker in San Francisco. Based on the simple economic principle that the markets want less of things that cost more, higher labor costs translate into less job creation. Furthermore, the *incidence*, or actual burden, of the tax falls on both the business and the worker. Reducing the income of both reduces spending in San Francisco, depressing the economy.

The final chapter of this report details the expected economic impact of the shift away from the current payroll tax to either of the proposed alternatives. It goes into greater detail about the inefficiencies of the payroll tax, and why a switch to either of alternatives can be expected to be good for the city's economy.

Administrability of the Payroll Tax

A second important criterion for judging a tax system is the cost and risk associated with administering the tax. Every tax requires resources to administer, collect, and audit, from both the City and the business tax payers. Different taxes,

FIGURE 1**Average Annual Growth Rate of General Fund Revenue Sources, 2004-2008.**

Source: Controller's Office

While the revenue growth favored the City's finances as it emerged from the recession of the early 2000s, the volatility of business tax revenue creates budgetary challenges. In 2009, for example, the Controller's Office projects that the payroll tax declined by over 12% versus 2008. Employment in the San Francisco area, on the other hand, declined by only 5% in 2009. Since 1987, in fact, total payroll in San Francisco has grown, on average, but has been highly sensitive to economic swings. Total employment has been much less volatile, but the city has seen little if any net job growth since 1987.

about the same, and are payers with different abilities to pay taxed accordingly?

2. Does tax payment have a nexus, or a correspondence between the tax payment and the use of services funded by the tax?

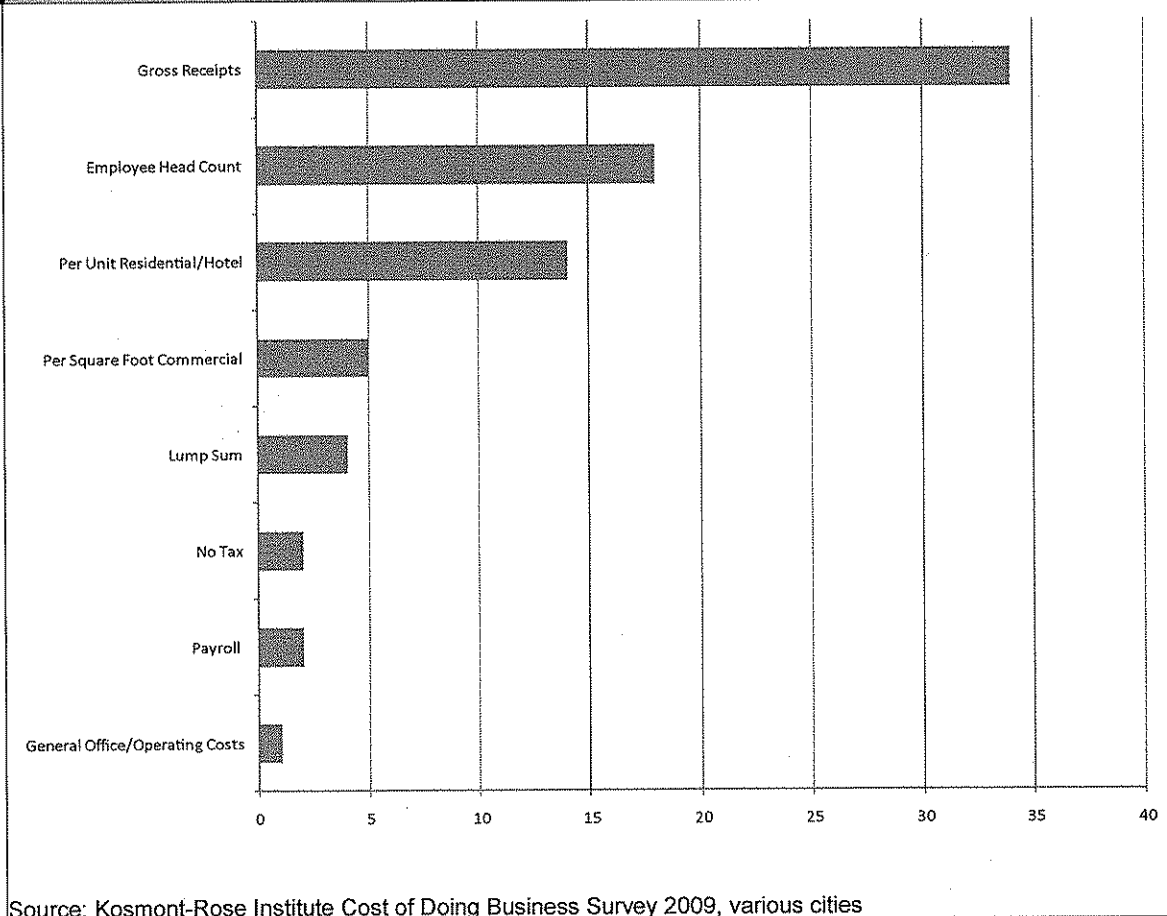
Under the first principle, ability to pay, the payroll tax in theory is an equitable tax in some respects. The best measure of a business's ability to pay is its profitability, but a tax on business profits can be complicated to administer within a single city. Although payroll is not the same as gross profit, it is probably roughly proportional to gross profit in a service-based economy. Thus, for many industries, payroll is not a bad proxy for ability to pay.

In practice, however, the fact that 74,000 of 80,000 registered businesses do not pay the payroll tax means that it is an inequitable tax by any standard. Financial corporations are highly profitable at the moment, but cannot be taxed. Some non-profits have substantial retained earnings, but are not taxed under the City's current system.

The small business exemption is sometimes pointed to as evidence of progressivity in the business tax. In fact, size is likely a poor predictor of profitability or ability to pay. While many small neighborhood businesses have low volumes and profit margins, many other small businesses, in technology and advanced service sectors, are extremely profitable. Moreover, industries with low payrolls but high gross receipts, such as real estate, may be very profitable despite relatively low payroll.

Features of a Better Business Tax

San Francisco's payroll tax system suffers from many shortcomings as a local business tax. It is widely acknowledged to discourage job creation, and likely also lowers wages in the city somewhat. The tax has also proven itself to be unstable, which exacerbates the City's budget challenges during downturns. Finally, it is a very narrowly-based tax that does not directly correspond to business' ability to pay, or use of City services.

FIGURE 3**Frequency of Business Tax Structures Among California's Fifty Largest Cities**

Source: Kosmont-Rose Institute Cost of Doing Business Survey 2009, various cities

Gross Receipts Tax

Gross receipts is by far the most common business tax base among California's largest cities. Thirty-four out of the fifty largest cities in the state charge a gross receipts tax on the majority of their businesses.

In almost every case, gross receipts rates vary by industry sector. This is necessary to equalize the tax burden across industries. An industry with a very low margin (ratio of profit to gross receipts), such as wholesale trade, should not be taxed at the same rate as a high-margin industry such as professional services, if the desire is to equalize the tax burden.

Although it seems like a simple concept, in practice defining gross receipts for the purposes of business taxation is somewhat complex. A review of the largest cities in California that charge gross receipts does reveal some similarity in what is meant by the term. As detailed in Table

Many cities that levy a gross receipts tax also include gross receipts on the rental income from commercial properties. Among the thirty-four cities that levy gross receipts taxes, thirty-one include a tax on commercial rent². Among large California cities, the uniform practice is to levy the tax on the lessor of commercial property (the person who receives the payment). In New York City, however, the tax is levied on the rental expense of businesses, not their commercial landlords.

It is common, but by no means universal, for the gross receipts rate on commercial rent to exceed the rate levied on most other sectors of the economy. For example, in Oakland, the commercial property gross receipts rate of 1.395% is higher than it is for any other sector. The same is also true for Fremont, Anaheim, and Sacramento, but not Santa Ana, Los Angeles, Fresno, or Stockton.

Employee Head Count Tax

Eighteen of the largest fifty cities in California charge businesses based on their number of employees. In comparison with San Francisco's payroll tax, an employee head count tax is more regressive. If the City made a revenue-neutral shift from a payroll tax to an employee head count tax, the rate would have to be set such that businesses which hired lower-income workers paid more and those which hired higher-income workers paid less. The working group was of the opinion that these incentives were not a good policy direction for San Francisco.

Per Unit / Square Foot Taxes

Several cities levy a tax on the amount of real estate that a business operates or utilizes, such as a per-room tax on hotels, a per-unit tax on apartments, or a per-square foot tax on commercial occupancy. The latter tax is a regressive form of the gross receipts tax on commercial rent, and was rejected by the working group on that basis. The per-room tax is a regressive version of the City's existing hotel tax, and was rejected for that reason. The per-unit apartment tax, like other potential taxes on residential real estate, was rejected as outside of the scope of business tax reform.

Other Taxes

Beyond these taxes, some cities charge businesses a simple lump sum business registration fee, and others charge no business tax at all. These do not provide good models for San Francisco's tax reform.

Another tax on business that is not normally considered alongside a gross receipts or payroll tax is the utility user tax.

² A typical definition of commercial rent for the purposes of this tax may be found in the City of Oakland: "Every person engaged in the business of renting or letting a building, structure, or other property for commercial/industrial purposes, or a portion of such building, structure or property within the city for a purpose other than dwelling, sleeping, or lodging to a tenant shall pay a business tax of thirteen dollars and ninety-five cents (\$13.95) for each one thousand dollars (\$1,000.00) of gross receipts or fractional part thereof."

OUTLINE OF TWO ALTERNATIVES

Features of the Two Alternatives

The shortcomings of the payroll tax, and the practices of other large cities in California, suggest that an alternative tax system could be devised that would have three advantages over the current system:

- Creates incentives for job creation and economic growth, compared to the current tax system.
- Offers a more stable and diversified source of revenue.
- Broadens the base of taxpayers, particularly incorporating employers that the City is not currently taxing.

As detailed in this section, these objectives may be advanced through either a moderate, or a complete, move away from the payroll tax.

Progressive Payroll Option

A Progressive Payroll option would be a moderate shift away from the current payroll tax, and consists of the following changes to the current tax system:

- Creating a two-tiered payroll tax structure, in which businesses report their payroll expense on workers who earn more than \$85,000 per year, and less than \$85,000 per year. The \$85,000 cut-off would be indexed to inflation and rise each year.
- On the upper tier, levy the current payroll tax rate of 1.5%.
- On the lower tier, levy a lower rate of 1.2%.
- Levy a 1.395% tax on the local gross receipts of commercial real estate lessors.
- Allow all businesses to deduct \$1,500 from their annual business tax expense. This would be the equivalent of exempting \$100,000 of their payroll from the payroll tax. The credit would be indexed to inflation and increase each year.

Gross Receipts Option

The Gross Receipts option consists of the following changes to the current tax system:

- Eliminate the payroll tax, for every type of business except corporate headquarters.
- Reduce the payroll tax rate to 1.4% on corporate headquarters.
- Levy a 1.395% tax on the local gross receipts of commercial real estate lessors.
- Levy a tax on the global gross receipts of all other

affect all commercial property for rent in the city.

The implication of this passing-through of the tax to tenants is that every business which rents property in San Francisco will see their rents rise somewhat, and thus will indirectly contribute to the City's business tax base. In this way, the business tax will be able to indirectly incorporate contributions from sectors that are not currently taxed. Of course, existing payers will also see their rents rise under both proposals—but they will also see their direct tax burden decline.

In fact, in both proposals, the Controller's Office believes that the vast majority of new revenue generated will come from employers that are currently not paying the business tax. The tax on commercial rent is the only local tax, we believe, that will provide a sufficiently broad pass-through to create this impact: simply because essentially every San Francisco business with employees needs commercial real estate.

In both proposals, the tax on rent is intended to be placed on the lessor, and then passed on through market forces to the commercial tenant. It is possible, and likely equivalent in terms of the economic impact, to place the tax on the tenant. This is how rents are taxed in New York City, for example. In this case, however, the City would still not be able to indirectly broaden the tax base to include financial corporations and any other employer that is not covered by the business tax.

Fiscal Impacts of the Progressive Payroll Option

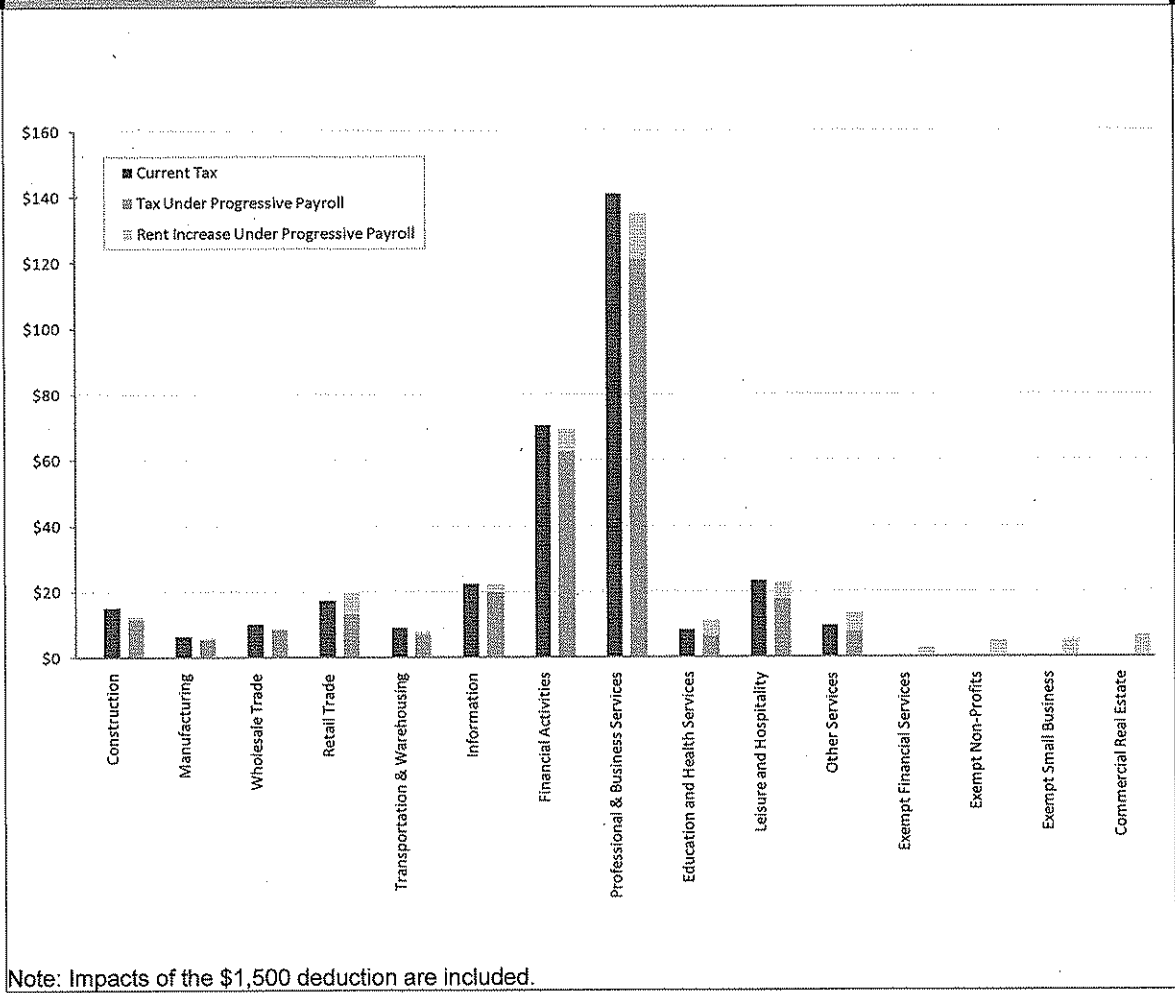
The second significant feature of the progressive payroll tax is the restructuring of the payroll tax into a two-tiered system, in which the upper tier pays the current payroll tax rate (1.5%), and the lower tier pays a rate of 1.2%. It is important to stress that this is truly a progressive tax, in that the payroll tax affecting lower-earning workers is lower than the rate on higher-earning workers. Since there is reason to believe that the payroll tax depresses worker earnings as well as company profit, the progressive payroll tax both encourages the hiring of, and raises the take-home pay of, workers who make less than \$85,000.

The third key feature of the progressive payroll proposal is the addition of a basic deduction of \$1,500 from the business tax. This feature is added to both plans to help offset the impact of higher rents on small businesses. While all business taxpayers would benefit from the change, as a percentage of the total tax payment it would benefit smaller businesses the most. The existing small business exemption, which exempts businesses with less than \$250,000 from paying the tax entirely, would remain in place.

The latest available estimate of 2009 payroll tax revenue is

sectors are not paying payroll tax. They would continue to not pay tax directly, but their rents would rise as they indirectly contributed to the gross receipts tax on commercial rent. The green bars to the right of the chart indicate the new revenue generated from new payers by the progressive payroll tax package.

FIGURE 4 Tax and Rent Payments Under the Current Payroll Tax and Proposed Progressive Payroll Option, by Sector (\$ million)



Fiscal Impacts of the Gross Receipts Option

The Gross Receipts option differs from the progressive payroll option in that it features a near-complete elimination of the payroll tax. The payroll tax would be replaced with a gross receipts tax, at varying rates, for every sector except administrative headquarters. Those establishments would

TABLE 4

Projected Fiscal Impact of the Gross Receipts Option

	Commercial Rent Tax Revenue	Gross Receipts Tax Revenue	Total
Current Payroll Tax Payers:			
Construction	\$844,663	\$15,216,025	\$16,060,688
Manufacturing	\$467,197	\$6,221,744	\$6,688,941
Wholesale Trade	\$543,525	\$10,600,185	\$11,143,710
Retail Trade	\$6,658,419	\$11,177,398	\$17,835,817
Transportation & Warehousing	\$518,917	\$8,169,830	\$8,688,747
Information	\$2,177,527	\$21,268,119	\$23,445,645
Financial Activities	\$6,548,964	\$68,699,596	\$75,248,560
Professional & Business Services	\$14,213,867	\$129,985,946	\$144,199,813
Education and Health Services	\$4,752,739	\$3,446,689	\$8,199,429
Leisure and Hospitality	\$4,699,359	\$18,954,103	\$23,653,462
Other Services	\$5,689,223	\$3,971,788	\$9,661,010
Total Revenue	\$47,114,399	\$297,711,422	\$344,825,821
Less Cost of \$1,500 deductible			-\$13,289,808
Sub-total: Current Payroll Tax Payers			\$331,536,013
Difference vs. 2009 Payment (\$332.4M)			-\$863,987
% Change vs. 2009 Payment			-0.3%
Exempt from Payroll Tax:			
Exempt Financial Services	\$2,503,263	\$0	\$2,503,263
Exempt Transportation	\$51,892	\$0	\$51,892
Exempt Non-Profits	\$4,603,413	\$0	\$4,603,413
Exempt Small Business	\$4,920,384	\$0	\$4,920,384
Sub-total: Exempt from Payroll Tax	\$12,078,951	\$0	\$12,078,951
Other Sectors:			
Commercial Real Estate	\$6,577,039	\$0	\$6,577,039
Sole Proprietors	\$0	\$0	\$0
Businesses in Federal Enclaves	\$0	\$2,500,000	\$2,500,000
Sub-total: Other Sectors	\$6,577,039	\$2,500,000	\$9,077,039
Grand Total	\$65,770,388	\$297,711,422	\$352,692,003
Difference vs. 2009 Payment (\$332.4M)			\$20,292,003
% Change vs. 2009 Payment			6.1%

Figure 5 below graphically illustrates the impact by sector in the gross receipts option versus the current system. Again, the net new revenue is effectively generated by rent tax that is passed through to tenants that are not paying the payroll tax now, together with an estimated 10% of the tax that will remain with the commercial real estate sector, and not be passed through.

IMPACTS ON SPECIFIC BUSINESSES

Introduction

The previous chapter detailed the two alternative business tax proposals, and discussed their impact on the City's tax revenues.

In that chapter, detail was provided on the tax impact the Controller's Office believes each alternative would have on specific industry sectors. In this chapter, sample pro-formas for individual businesses are presented, which suggest the tax impacts each proposal could have on different types of business. The information in these pro-formas does not originate with actual businesses or City statistics; they are hypothetical examples. Nevertheless, the cost structures of these examples do reasonably represent the situation of an average business in these industries within San Francisco.

As emphasized in the previous chapter, the two proposals were not designed to lower the tax burden for every business. The reader will note that some businesses pay more taxes under each proposal, and some pay less. The pro-formas are presented to help illustrate how each of the two alternatives would affect a typical business.

Pro-formas were created for the following examples:

- Graphic Design Firm with 2 employees
- Dentist's Office with 10 employees
- Hardware Store with 18 employees
- Restaurant with 30 employees
- Grocery Wholesaler with 58 employees
- Software company with 75 employees
- Hotel with 350 employees
- Commercial Bank with 700 employees
- Corporate Headquarters with 2,000 employees

TABLE 5

Tax Impact of the Two Alternatives on a Small Graphic Design Firm

Graphic Design Firm
 NAICS: 54143
 Sector: Business & Professional Services

Information about the company:

Number of Employees:	2
Annual Gross Receipts:	\$575,000
Total Annual Payroll	\$175,000
Payroll for Workers Over \$85,000	\$95,000
Payroll for Workers Under \$85,000	\$80,000
Annual Rent	\$18,000

Current Tax

	<u>Tax Paid</u>
Tax on Total Payroll, @1.5%	\$0 (exempt)

Progressive Payroll Tax Option

	<u>Tax Paid</u>
Payroll tax on workers > \$85,000, taxed at 1.5%	\$0 (exempt)
+ Payroll tax on workers < \$85,000, taxed at 1.2%	\$0 (exempt)
- Deduction	\$1,500
Progressive Payroll Tax	\$0
+ 90% of Rent tax passed through, @1.395%	\$226
Total Progressive Payroll Tax + Rent Increase	\$226
Gain (Loss) vs. Current Tax	(\$226)

Gross Receipts Tax Option

	<u>Tax Paid</u>
Gross receipts tax @ 0.700%	\$0 (exempt)
- Deduction	\$1,500
Gross Receipts Tax	\$0
+ 90% of Rent tax passed through, @1.395%	\$226
Total Gross Receipts Tax + Rent Increase	\$226
Gain (Loss) vs. Current Tax	(\$226)

TABLE 6

Tax Impact of the Two Alternatives on a Dentist's Office

Dentist's Office	
NAICS: 6212	
Sector: Education & Health Services	
Assumptions about the business:	
Number of Employees:	10
Annual Gross Receipts:	\$1,200,000
Total Annual Payroll	\$450,000
Payroll for Workers Over \$85,000	\$225,000
Payroll for Workers Under \$85,000	\$225,000
Annual Rent	\$105,000
<u>Current Tax</u>	<u>Tax Paid</u>
Tax on Total Payroll, @1.5%	\$6,750
<u>Progressive Payroll Tax Option</u>	<u>Tax Paid</u>
Payroll tax on workers > \$85,000, taxed at 1.5%	\$3,375
+ Payroll tax on workers < \$85,000, taxed at 1.2%	\$2,700
- Deduction	\$1,500
Progressive Payroll Tax	\$4,575
+ 90% of Rent tax passed through, @1.395%	\$1,318
Total Progressive Payroll Tax + Rent Increase	\$5,893
Gain (Loss) vs. Current Tax	\$857
<u>Gross Receipts Tax Option</u>	
Gross receipts tax @ 0.250%	\$3,000
- Deduction	\$1,500
Gross Receipts Tax	\$1,500
+ 90% of Rent tax passed through, @1.395%	\$1,318
Total Gross Receipts Tax + Rent Increase	\$2,818
Gain (Loss) vs. Current Tax	\$3,932

Hardware Store

The example hardware store detailed below is relatively large by the standards of the nearly 400 such stores in San Francisco. Like the Dentist Office, it benefits from the modified small business exemption, but also from its relatively low rent compared to the average for the retail trade sector. In addition, hardware has somewhat lower gross receipts per dollar of payroll than other branches of the retail trade sector, so the store's savings under the gross receipts option are more substantial.

TABLE 8

Tax Impact of the Two Alternatives on a Restaurant

Restaurant	
NAICS: 7221	
Sector: Leisure & Hospitality	
Assumptions about the business:	
Number of Employees:	30
Annual Gross Receipts:	\$2,750,000
Total Annual Payroll	\$900,000
Payroll for Workers Over \$85,000	\$90,000
Payroll for Workers Under \$85,000	\$810,000
Annual Rent	\$250,000
<u>Current Tax</u>	<u>Tax Paid</u>
Tax on Total Payroll, @1.5%	\$13,500
<u>Progressive Payroll Tax Option</u>	<u>Tax Paid</u>
Payroll tax on workers > \$85,000, taxed at 1.5%	\$1,350
+ Payroll tax on workers < \$85,000, taxed at 1.2%	\$9,720
- Deduction	\$1,500
Progressive Payroll Tax	\$9,570
+ 90% of Rent tax passed through, @1.395%	\$3,139
Total Progressive Payroll Tax + Rent Increase	\$12,709
Gain (Loss) vs. Current Tax	\$791
<u>Gross Receipts Tax Option</u>	
Gross receipts tax @ 0.35%	\$9,625
- Deduction	\$1,500
Gross Receipts Tax	\$8,125
+ 90% of Rent tax passed through, @1.395%	\$3,139
Total Gross Receipts Tax + Rent Increase	\$11,264
Gain (Loss) vs. Current Tax	\$2,236

Grocery Wholesale

The hypothetical grocery wholesaler detailed below, with 58 employees, would be among the very largest among San Francisco's 200+ companies in the industry. The business pays more with the gross receipts option, but experiences a significant tax savings with the progressive payroll option. This is both because the majority of its workforce earns less than \$85,000 per year; the firm also benefits from the modified small business exemption, which is taken from the upper tier.

TABLE 10

Tax Impact of the Two Alternatives on a Software Company

Software company	
NAICS: 5112	
Sector: Information	
Assumptions about the business:	
Number of Employees:	75
Annual Gross Receipts:	\$30,000,000
Total Annual Payroll	\$9,000,000
Payroll for Workers Over \$85,000	\$6,750,000
Payroll for Workers Under \$85,000	\$2,250,000
Annual Rent	\$900,000
<u>Current Tax</u>	<u>Tax Paid</u>
Tax on Total Payroll, @1.5%	\$135,000
<u>Progressive Payroll Tax Option</u>	<u>Tax Paid</u>
Payroll tax on workers > \$85,000, taxed at 1.5%	\$101,250
+ Payroll tax on workers < \$85,000, taxed at 1.2%	\$27,000
- Deduction	\$1,500
Progressive Payroll Tax	\$126,750
+ 90% of Rent tax passed through, @1.395%	\$11,300
Total Progressive Payroll Tax + Rent Increase	\$138,050
Gain (Loss) vs. Current Tax	(\$3,050)
<u>Gross Receipts Tax Option</u>	
Gross receipts tax @ 0.300%	\$90,000
- Deduction	\$1,500
Gross Receipts Tax	\$88,500
+ 90% of Rent tax passed through, @1.395%	\$11,300
Total Gross Receipts Tax + Rent Increase	\$99,800
Gain (Loss) vs. Current Tax	\$35,201

Hotel

The large (350 person) hotel profiled below is a major beneficiary under both proposed alternatives, because, like many hotels in San Francisco, it does not rent its property. The business experiences a major savings under the progressive payroll option in particular.

TABLE 12

Tax Impact of the Two Alternatives on a Commercial Bank

Commercial Bank	
NAICS: 52211	
Sector: Financial Services	
Assumptions about the business:	
Number of Employees:	700
Annual Gross Receipts:	\$560,000,000
Total Annual Payroll	\$90,000,000
Payroll for Workers Over \$85,000	\$50,000,000
Payroll for Workers Under \$85,000	\$40,000,000
Annual Rent	\$6,125,000
<u>Current Tax</u>	<u>Tax Paid</u>
Tax on Total Payroll, @1.5%	\$0 (exempt)
<u>Progressive Payroll Tax Option</u>	<u>Tax Paid</u>
Payroll tax on workers > \$85,000, taxed at 1.5%	\$0 (exempt)
+ Payroll tax on workers < \$85,000, taxed at 1.2%	\$0 (exempt)
- Deduction	\$1,500
Progressive Payroll Tax	\$0
+ 90% of Rent tax passed through, @1.395%	\$76,899
Total Progressive Payroll Tax + Rent Increase	\$76,899
Gain (Loss) vs. Current Tax	(\$76,899)
<u>Gross Receipts Tax Option</u>	
Gross receipts tax @ 0.275%	\$0 (exempt)
- Deduction	\$1,500
Gross Receipts Tax	\$0
+ 90% of Rent tax passed through, @1.395%	\$76,899
Total Gross Receipts Tax + Rent Increase	\$76,899
Gain (Loss) vs. Current Tax	(\$76,899)

Corporate Headquarters

The largest sample business in this series of pro-formas is a 2,000 employee corporate headquarters. Corporate headquarters were the primary driver of the San Francisco economy until the 1990s. Several remain, though the vast majority employ fewer than 1,000 people in the city. Under both proposals, the establishment would pay less in taxes; it particularly benefits from progressive payroll, because a relatively high percentage of its workforce earns less than \$85,000 per year.

Summary of Impacts

The pro-formas detailed in this section are summarized in Table 14 below. In that table, the tax savings or increased tax and rent payment is expressed as a percentage of the total gross receipts of each business⁵.

A tax savings is shown as a positive number, while a negative number indicates an increase in the sum of taxes and increased rent. Higher expected rent payments are figured into these totals; most businesses will see their taxes decline so much that it offsets higher rents, and they experience a net savings.

Both commercial banks and the small graphic design firm are exempt from taxes, and can be expected to pay more in rent. The rent burden for the commercial bank is no more than 0.01% of the business's gross receipts with either option. The biggest beneficiary of the group is the dentist's office, which is large enough to pay payroll tax under the current system, but receives a large reduction in tax due to the credit in both proposals.

TABLE 14 Summary of the Pro Forma Analysis		
	Progressive Payroll: Gain/Loss vs. Current as % of gross receipts	Gross Receipts: Gain/Loss vs. Current as % of gross receipts
Graphic Design Firm, 2 employees	-0.04%	-0.04%
Dentist's Office, 10 employees	0.07%	0.33%
Hardware Store, 18 employees	0.01%	0.06%
Restaurant, 30 employees	0.03%	0.08%
Grocery Wholesaler, 58 employees	0.01%	-0.02%
Software company, 75 employees	-0.01%	0.12%
Hotel, 350 employees	0.07%	0.04%
Commercial Bank, 700 employees	-0.01%	-0.01%
Corporate Headquarters, 2000 employees	0.04%	0.03%

⁵ For the corporate headquarters, it is shown as a percentage of payroll costs.

swaying business location decisions, and that other cost factors such as labor, rent, and access to markets and suppliers are more significant.

According to this line of reasoning, a local business tax increase is unlikely to significantly affect job creation because other factors are more important. There are merits to both sides of this argument, but again, a change in tax policy does not have to be the single largest impact to still have a noticeable economic impact.

Third, the economic impact of a new tax policy, like any other policy, does not depend on the overall state of the economy. A tax increase may feel particularly painful when the economy is in a recession, but this does not mean that the economic impact of the policy *per se*—the number of jobs it costs, for example—is necessarily worse at that time.

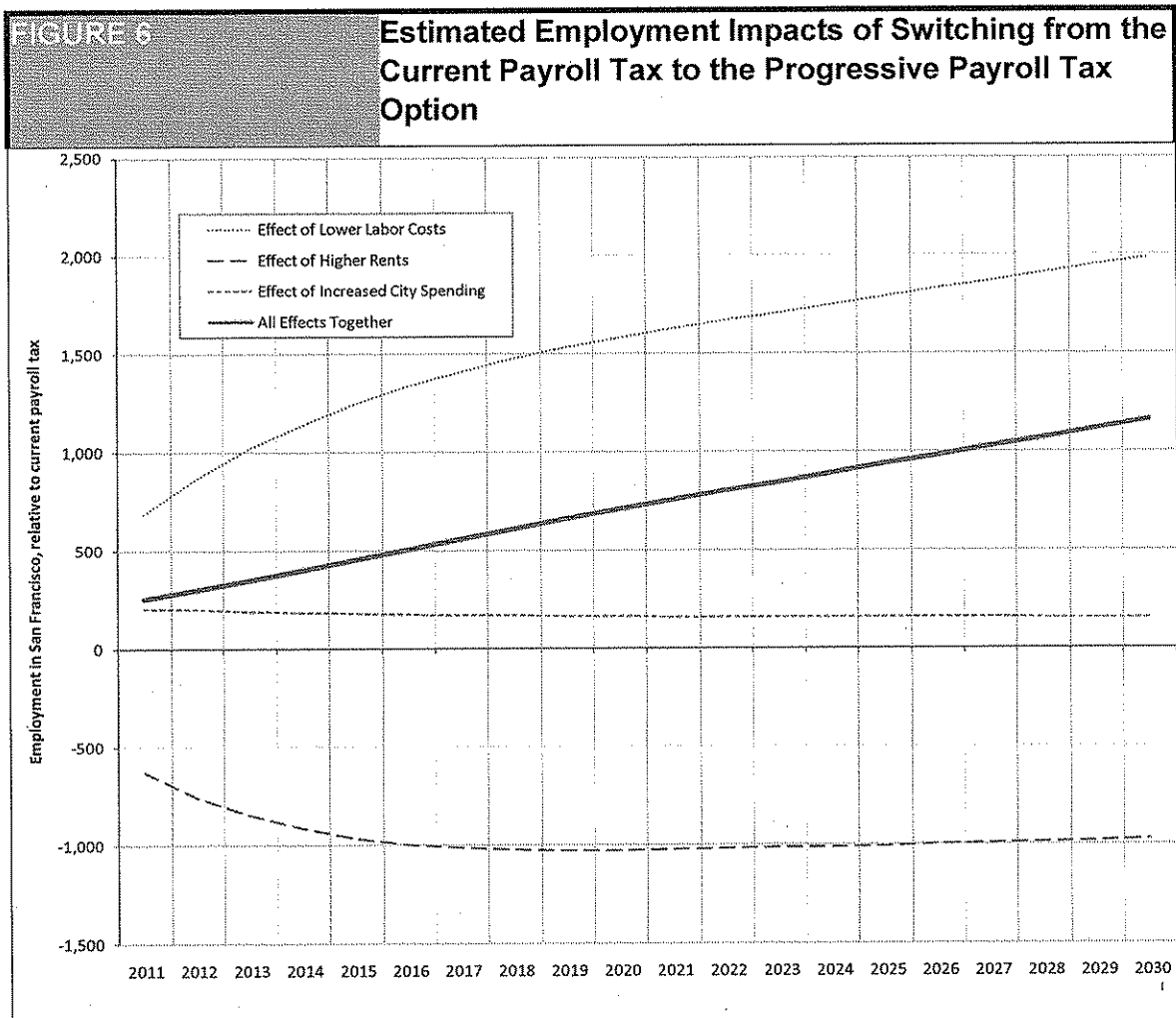
On the other hand, during good times a tax increase can be justified by the argument that the economy will continue to grow despite the tax increase. This may be true, but it is not the same as arguing that the tax increase had no negative impact on its own terms.

Fourth, taxes are one means by which government services are paid for, by residents and businesses. In principle, a complete economic analysis requires linking the analysis of tax changes to changes in the government spending that the tax supports. If the tax pays for investments in local business inputs that create value for the economy in the long term—like education, infrastructure, public health, and amenities that improve the quality of life—then the tax increase could increase competitiveness and create a positive economic impact in the long run.

In practice, however, linking a tax change to the long-term impact of its expenditure is extremely challenging. For example, almost all of San Francisco's business tax revenue is allocated to the City's General Fund. As discussed in an earlier chapter, the General Fund has experienced a substantial growth in revenue over the past ten years. The City has not, however, generally invested these funds into infrastructure that would generate long-term economic development. Fundamentally, the impact of changes to tax rates is simply not connected to political decisions about how to adjust budgets. As a practical matter, then, the impacts of a tax increase have to be analyzed independently of the long-term impacts of the expenditure on competitiveness.

is shared between the property owner and the business. The income that is lost to the business does diminish local reinvestment and harms the economy, but the income that is lost to the property owner is generally capital gains that would not be spent or reinvested locally. Therefore, the multiplier effects of this tax are less. The overall economic impact of this tax, while negative, is not as negative as the current payroll tax.

The model also shows a net job increase of approximately 200 per year because of the higher City revenue generated by the progressive payroll option. If the payroll tax was cut to make the policy completely revenue-neutral to the City, this economic impact would disappear, but the positive impact of reducing labor costs would be even more striking.



Economic Impact of Switching to the Gross Receipts Option

The economic impact of the gross receipts option is qualitatively different than the progressive payroll option. The total economic impact is the aggregation of four individual effects, two positive and two negative.

CONCLUSIONS AND NEXT STEPS

Summary of Findings

This report has attempted to advance the policy debate in San Francisco concerning business taxes. The City's current payroll tax system has been widely acknowledged to discourage job creation and economic growth. This research has suggested that San Francisco can improve its business tax system by incorporating common elements found in other large cities in California, such as the taxation of gross receipts.

Because its cost can readily be passed through to commercial tenants, a gross receipts tax on commercial rent would have the fiscal advantages of indirectly broadening the base of business taxpayers. Such a shift also helps to move the City's tax base away from a tax on labor costs, which discourages hiring and depresses spending in the local economy. Based on the best available economic data, the Controller's Office has constructed two alternative taxes that will both create revenue and generate a positive economic impact.

Moreover, by moving away from a pure payroll tax, the City would diversify the revenue streams within its business tax, which would promote stability.

Administration Concerns

While the two alternatives do seem to offer improvements on three of the EASE criteria: efficiency, stability, and equity, the challenge of administering a new tax system should not be underestimated. The addition of a gross receipts tax on commercial rent would involve administering two different types of business taxes simultaneously. A switch to the gross receipts option would involve classifying businesses into over ten sectors and applying a different rate to each. It would also place new administrative burdens on taxpayers. In a progressive payroll structure, they would be required to report additional detail to the City regarding their payroll in the upper and lower brackets, although this information is generally tracked for federal tax purposes. In a gross receipts system, they would have to understand the applicable definitions of gross receipts and any apportionment issues, and could have additional compliance costs.

The City's costs are difficult to quantify at this point, and may only become clear if and when actual legislation to change the business tax system is drafted. In practice, the Office of the Treasurer and Tax Collector absorbs the costs of administering taxes from the tax revenue. It is important to appreciate therefore that actual revenue from a new business tax system would be slightly less than what is outlined here.

STAFF CONTACTS

Ted Egan, Chief Economist

Shyamali Choudhury, City Hall Fellow

Comments on this draft report are welcome. Please send your comments to:

ControllerTaxReport@sfgov.org

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: May 11, 2010

To: Members of the Board of Supervisors

From: Angela Calvillo, Clerk of the Board *AC*

Subject: Form 700

This is to inform you that the following individuals have submitted a Form 700 Statement:

Jamie Cantwell, Leaving
David Noyola, Leaving
Judson True, Assuming

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAY 12 AM 11:00
BY AN

4



Capital Planning Committee

BSS-11
C2R
B/F clerk
cpage

Edwin M. Lee, City Administrator, Chair

MEMORANDUM

May 10, 2010

To: Supervisor David Chiu, Board President

From: Edwin M. Lee, City Administrator and Capital Planning Committee Chair

Copy: Members of the Board of Supervisors
Angela Calvillo, Clerk of the Board
Capital Planning Committee

Regarding: Recommendation on the Soft Story Building Seismic Retrofit G.O. Bond (\$39,140,000)

BY AK

2010 MAY 11 PM 12:07

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SAN FRANCISCO

In accordance with Section 3.21 of the Administrative Code, on May 3, 2010, the Capital Planning Committee (CPC) reviewed the following action item scheduled to be introduced at the Board of Supervisors next Tuesday, May 11. The CPC's recommendation on this item is set forth below as well as a record of the members present.

1. Board File Number TBD: Soft Story Building Seismic Retrofit General Obligation Bond (\$39,140,000)

Recommendation:

The CPC recommends this item as a policy matter for the Board of Supervisors by a vote of 9-0, with one abstention. The CPC noted the following considerations as part of its recommendation:

- a) The units expected to be improved by the proposed bond (the "Bond") are privately-owned and therefore not a part of the City's ten-year Capital Plan. The Capital Plan places a priority on addressing seismic and accessibility needs for public assets, and this proposed Bond provides similar public benefit by improving the accessibility and seismic safety of affordable housing in San Francisco;
- b) The City should require that units improved by the Bond remain designated as affordable housing for the duration of the Bond's repayment term (typically 25 years) and preferably the useful life of the seismic improvements (as much as 50-75 years) so that the full public benefit is realized;
- c) Voter approval of the Bond may lead to a slight increase in property tax rates. Since this Bond is outside the scope of the Capital Plan, its impact would not be considered as part of the Plan's financial constraint to issue new bonds only as old

5

bonds are retired so that property tax rates do not rise above FY2006 levels.

Committee members or representatives in favor include Edwin Lee, City Administrator; Toks Ajike, Recreation & Parks Department; Brad Benson, Port of San Francisco; Darton Ito, San Francisco Municipal Transportation Agency; Ed Reiskin, Department of Public Works; Ben Rosenfield, Controller's Office; Todd Rydstrom, San Francisco Public Utilities Commission; Greg Wagner, Mayor's Budget Office; and Jackson Wong, San Francisco International Airport.

David Noyola of Supervisor Chiu's Office abstained.

BOS-11
COR



SAN FRANCISCO PLANNING DEPARTMENT

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SAN FRANCISCO

2010 MAY 13 PM 3:13

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

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: May 12, 2010
Case No.: 2009.0457E
Project Title: One Loraine Court – San Francisco Columbarium
Zoning: RH-1 Use District (Residential-House, One-Family)
40-X Height and Bulk District
Block/Lot: 1084/002,1132/001
Project Sponsor: The Neptune Society of Northern California
c/o Stewart Enterprises Inc.
Contact: J. Gregg Miller, Jr., Project Sponsor's Representative – (415) 983-1557
Staff Contact: Jeanie Poling – (415) 575-9072
Jeanie.Poling@sfgov.org

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 approximately 45,000-square-foot project site is located at One Loraine Court and is occupied by the San Francisco Columbarium (City Landmark No. 209), a repository for cremated human remains, and by a single-story office and support building, landscaping, outdoor walls containing niches, and a parking lot. The proposed project would involve the construction of three single-story buildings (niche enclosures) to the east and west of the existing Columbarium that would contain approximately 5,300 niches for the permanent keeping of cremation ashes, including 300 niches for pet remains. The proposed project would include the planting of dense hedges of redwood trees around the northwest corner of the project site that would screen the new structures from the view of adjacent residences. No changes are proposed in the existing Columbarium building. A previously approved project (1996) proposed the construction of three open-air structures, containing 5,900 outdoor niches. This 1996 project was not fully implemented. Only approximately 400 of the 5,900 outdoor niches were constructed, because it was subsequently determined that outdoor niches are less economically viable than enclosed niches. Under the currently proposed project, the existing 400 outdoor niches built under the 1996 project would remain, and together with these niches, the current proposal would result in a total of about 5,700 niches outside the existing Columbarium, or about 200 fewer niches than were approved in 1996.

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 **June 1, 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. (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.) An appeal requires the Planning





SAN FRANCISCO PLANNING DEPARTMENT

COB, LU Clerk
Leg. Dep, C page

May 12, 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/PMND Notice of Availability to Board of Supervisors
1 Loraine Court – San Francisco Columbarium
Planning Department File No. 2009.0457E

Dear Ms. Calvillo:

Enclosed please find 12 copies of the Notice of Availability for the 1 Loraine Court – San Francisco Columbarium project for distribution to the Board of Supervisors. This document is being distributed pursuant to the San Francisco Administrative Code Chapter 31.

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 575-9072.

Sincerely,

Jeanie Poling
Environmental Planner

enclosures

BY _____
AK

2010 MAY 13 PM 3:13

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO



Board of
Supervisors/BOS/SFGOV
05/10/2010 04:40 PM

To David Chiu/BOS/SFGOV, Ross Mirkarimi/BOS/SFGOV, Staff
Dufty/BOS/SFGOV, Gail Johnson/BOS/SFGOV,
cc
bcc
Subject Fw: F: 100233 Sit Lie Ordinance - Please Supprt

----- Forwarded by Board of Supervisors/BOS/SFGOV on 05/10/2010 04:43 PM -----



Alan <aldunton@yahoo.com>

05/07/2010 12:22 AM

To board.of.supervisors@sfgov.org
cc gavin.newsom@sfgov.org
Subject F: 100233 Sit Lie Ordinance - Please Supprt

Hello Ross and other supervisors,

San Francisco is a great city, one of the finest in the world, but we have a huge problem with people who hang around on sidewalks all day. These people generally do nothing except beg for money, harass people who pass by, and litter. Please support the proposed sit lie ordinance so that San Francisco can take back its streets! People who live and work in the city -- and pay property taxes -- are tired of feeling like second-hand citizens at the mercy of this quasi-criminal element. Please stop catering to the minority who offer nothing to the city except profanity, annoyance, and garbage.

Regards,

Alan Dunton
SF Resident, Homeowner, and Voter
950 Steiner Street #5

7

Board of
Supervisors/BOS/SFGOV
05/11/2010 06:02 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Daly Fails to Kill Civil Sidewalks Law



AEvans604@aol.com
05/10/2010 11:09 PM

To board.of.supervisors@sfgov.org
cc
Subject Daly Fails to Kill Civil Sidewalks Law

Dear Friends and Neighbors,

Chris Daly failed to kill the mayor's proposed Civil Sidewalks Law (formerly known as the Sit-Lie Law) at a marathon six-hour meeting of the supes' Public Safety Committee on Monday (May 10). Aided by David Campos, a foul-mouthed Daly relentlessly attacked the measure and its supporters.

At the end of day, the committee's three members (David Chiu, Ross Mirkarimi, and Bevan Dufty) agreed to continue the item until May 24.

Daly's failure was all the more remarkable because the proponents of the law did a poor job in defending it. Nicolas King, the mayor's point person on the issue, hemmed and hawed during his presentation and had difficulty mustering facts to answer objections.

Assistant Chief Kevin Cashman and Commander James Dudley of SFPD were misinformed in regard to a crucial General Order of the Police Commission.

It was apparent that Mayor Gavin Newsom had not properly coordinated the efforts by his own office, the police, and the District Attorney. He will have to do better the next time, or the measure will fail at the supes later this month and possibly at the ballot box in November.

An example of the confusion involved General Order 6.11 of the Police Commission, whose deficiencies the Civil Sidewalks Law aims to correct.

This General Order limits the initiative that police may use on their own when trying to disperse people who are obstructing sidewalk: "Officers shall make reasonable efforts to identify, but at least, must describe person(s) who were obstructed by the part to be arrested or cited."

David Campos, in grilling Assistant Chief Cashman, got him to admit that this provision does not literally require a formal civilian complaint in order to clear sidewalk obstructions, as the police have repeatedly maintained.

However, Assistant D.A. Paul Henderson later pointed out (after Campos had left the room) that the courts have interpreted these words to require a formal civilian complaint. The mayor had failed to have Cashman and Henderson compare notes on the matter before their testimonies.

In a long diatribe against the measure, Daly scoffed at the change of name of the ordinance from Sit-Lie Law to Civil Sidewalks Law. He said the change was a ploy by the Chamber of Commerce. "You can sugar-coat shit, but it doesn't make it taste good," he loudly exclaimed.

In fact, however, I was the one who suggested the name change because the old name doesn't say anything about the purpose of the law. I have no connection with the Chamber of Commerce.

Daly also scoffed at the public safety crisis that developed in the Haight and which first led to the call for this law. "Haight Street is small potatoes," he proclaimed.

Daly, Campos, and Chiu each delivered lengthy criticisms of the measure, and each then left the chamber for extended periods before anyone could make responses to their points. Members of the public, who had to compete for limited seating, enjoyed no such privilege during the long, grueling meeting.

I, for one, believe that most of the objections to the current text of the measure could be addressed by changing its thrust. Instead of prohibiting all sitting and lying, while listing certain exceptions, it should prohibit sitting and lying in conjunction with a few specific, enumerated activities (such as panhandling or disturbing the peace) and allow everything else.

In any case, whatever the actual text, it will face an uncertain fate on May

24 unless Gavin Newsom can pull himself away from his current bid to become Lt. Governor of California and take enough time to exert effective leadership as Mayor of San Francisco.

Yours for rationality in politics,

Arthur Evans

* * * *

Board of
Supervisors/BOS/SFGOV
05/11/2010 06:03 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Daly is a Gift To Civil Sidewalks Supporters



AEvans604@aol.com
05/11/2010 08:48 AM

To board.of.supervisors@sfgov.org
cc
Subject Daly is a Gift To Civil Sidewalks Supporters

Dear Friends & Neighbors,

The emergence of Chris Daly as the face of the opposition to the Civil Sidewalks Law is good news to the measure's supporters. Daly will bring people over to the support side just because he's Daly.

That was evident at yesterday's meeting of the Public Safety Committee. I had gone into the meeting fully expecting the committee to vote the law down. That expectation increased as I watched the poor performance of the mayor's operatives. I was quite surprised by the result at the end – continuing the matter until later in the month.

The continuance happened because of Daly's testosterone fit at the meeting. Two members of the committee who are opposed to the law (David Chiu and Ross Mirkarimi) didn't want to be associated in the public mind with Daly's outburst. The vote to continue was a means for them to put some immediate distance between themselves and Daly before killing the measure later.

Daly is radioactive. Everything he touches, sets off Geiger counters. Everybody at City Hall is aware of this fact except Daly himself.

Opponents of the measure did better when Gabriel (formerly Robert) Haaland was the face of the opposition. Haaland is rational, self-controlled, and low-keyed. He comes across very well on TV. He is effective in reaching intelligent people who have not yet made up their minds on the issue.

Daly, by contrast, is irrational, out-of-control, and threatening. He has the manner of a 12-year-old boy who is experiencing his first testosterone surges. He turns off independent thinkers who are pondering the merits of measures.

I doubt that Haaland will be able to reassert his role as head of the opposition parade, now that Daly has muscled his way into that position. The media will focus on Daly, and he will act like Godzilla in front of them. He can't help himself.

On a personal note, Daly and I happened to cross paths yesterday in the corridor of City Hall. I said "Good morning, Chris." He looked at me and yawned vigorously.

I considered myself lucky. At least he didn't yell "Fuck you, bitch!" into my face. That's his usual response to anyone who questions his methods.

Yours for rationality in politics,

Arthur Evans

* * * *



"Leslie Luhmann"
<lcluhmann@gmail.com>

05/10/2010 08:19 PM

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

cc

bcc

Subject sit/lie ordinance

I live in Los Gatos but come up to San Francisco regularly to work and dine and shop. It has become increasingly unpleasant to do so with the people lying in doorways, sidewalks, etc. I would love to see the sit/lie proposal passed. It would be nice to walk around the city without being accosted by these people. I urge you to consider this proposal, it's important for everyone's well being!

Regards,
Leslie Luhmann



Bentmax@aol.com
05/11/2010 02:28 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject sit/lie

What's the problem, pass the sit/lie ordinance.

Dale Bentson
Cow Hollow



Alfredo Pedroza
<alfredopedroza.sf@gmail.com>

05/12/2010 02:31 PM

To Board.of.Supervisors@sfgov.org, Eric.L.Mar@sfgov.org,
Michela.Alioto-Pier@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Ross.Mirkarimi@sfgov.org,
cc info@mlcsf.org

bcc

Subject Please support childhood literacy and FUND Mission Learning Center!

Dear Mayor Newsom and Members of the Board of Supervisors:

Mission Learning Center (MLC) has been providing literacy programs to poor and extremely poor San Francisco children who have fallen behind in their reading abilities for the past 38 years. This program works, I am a living example, as a graduate of the program almost 25 years ago!

This program is provided at no cost to child's family and all the students are referred to the program by teachers in the San Francisco Unified School District. These are children with parents who are struggling to put food on the table and a roof over their heads, children whose parents may not have had a formal education and who do not speak English.

MLC's reading programs work and show measurable results: children advance on average two grade levels in their reading ability in just seven months. Mission Learning Center literacy programs for children have a high one-to-five instructor-to-student ratio, so each child receives focused attention. The program at Leonard R Flynn Elementary ensures close school district collaboration.

While MLC's focus is clearly on developing reading skills, they view literacy in a broader sense by encouraging children, parents, and the community to "read the world", to understand and appreciate all that life has to offer, and to provide opportunities for each individual to reach his or her own unique potential.

Please fund Mission Learning Center because child by child, family by family, Literacy strengthens our community!

Thank you!

Alfredo Pedroza

Mission Learning Center Graduate

Mission Learning Center Board of Directors

BSOS-11
CORS

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 MAY 14 PM 4:22

To: San Francisco Board of Supervisors, San Francisco City Hall

From: Michael Crandell, P.O. Box 423803, San Francisco, CA 94142

Date: 5/14/10 (Amended).

BY AK

Re: Opposition to the Proposed No-Sit/No-Lie Ethnic-Cleansing Ordinance.

This is to voice opposition to the no-sit/no-lie ordinance currently proposed by Mayor Newsom, and any policy which criminalizes and persecutes the poor and homeless. I have been very concerned about the issue of homelessness and the human and civil rights of those who are forced to dwell in the cold, damp, grime, and danger of the streets, persecuted by mercenary out-of-towner police and the privileged who direct, empower, and fund this persecution. Discriminatory policies like the proposed ordinance are simply another manifestation of bigotry and ethnic cleansing. Being forced to live on the sidewalks or other public areas is a human rights issue, and the homeless have the right to live there without harassment if they have nowhere else to go. Homelessness is a symptom of a misguided and exclusive system which excludes and criminalizes persons based on income, class, or desirability. People do not "get" jobs, they are given them, unless they create their own businesses, and as long as an unjust and exclusive system prevails, its victims should not be blamed, targeted, or persecuted.

What is being proposed is an inhuman policy of one arrogant, callous, and entitled group against another misfortunate, helpless, and voiceless group, which seeks to eradicate them and deprive them of their (inalienable) human rights. It's their way of sending them to concentration camps for disposal. Hostility towards certain groups is fostered by society and within bureaucratic institutions. Already, every night in the Tenderloin patrol cars prowl through the streets stalking their prey and rooting them out of doorways and improvised shelters, forcing them to move along or detaining them and dumping their possessions. No rest or pity is granted the unwanted and unemployed. Imagine the surprise of the sleeping as they are awakened by piercing sirens directed at them by blue bullies in warm'n'cozy high-tech patrol cars while those regarded as vermin are swept from the streets. But after a night's round-up at least these mighty hunters can return to their adoring suburban families and home-sweet-homes instead of an alley or a cell like their captives. One can even observe how much they actually enjoy persecuting their victims and having the chance to brutalize, cuff, club, or taser them. At least it's one legalized way to assuage one's insecurities or take out one's aggressions. But one cannot claim to just be doing one's job. One actually has a choice whether to comply with the inhumanity ordered by a segment of society or to refuse, resign, and turn in one's badge. It is sad that few make the latter choice, preferring paycheck to principle, persecution to pity.

In marked contrast to the unfortunate treatment of the destitute, we observe the arrogance, privilege, entitlement, and wastefulness of our City bureaucracy as Gavin's gluttons engorge themselves. The Mayor maintains privileged (generally administrative) bureaucrats who routinely abuse the public trust and City funds, but who's activities and positions go unquestioned and are protected by the Mayor. The Mayor and his circle of Stalinettes respond with hostility and retaliation to reports exposing these self-indulgent practices in which those with the highest paychecks in the nation turn their departments into their own personal day-spa paid for by struggling citizens. Bureaucracy becomes their own possession, its power to abuse as they please even as a personal or corporate weapon, baubles for the mayoral-appointee harem. They make up their own reasons to throw parties and sequel-parties for themselves at public expense, such as Human Resource Department's initiation of a new personnel/payroll system as cited in a 8/15/08 report to the Board of the lavish 2/15/08 event for which no accounting or justification was ever made. The existence and cost to the public of events like this party, as well as its sequels, and the annual August, October, and December DHR parties, staff family/friend parties, make-work seminars, quasi-religious (Franklin-Covey) workshops, discriminatory indoctrinations vilifying the homeless, yoga, tai-chi, stair-climbs, ballgames, fund-drives, hula-moolah collections, salad days, and wasteful meetings go hidden from the public. Those



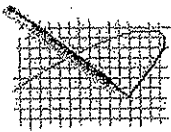
who expose and oppose the arrogance and gluttonous self-indulgence of bureaucracy are considered threats to bureaucratic privilege and entitlement, and are targeted, suppressed, and eliminated for their conscience, pluralism, and free speech, being subjected to ruthless and sinister retaliation also at significant public expense, just as misfortunate fellow citizens are criminalized and persecuted. Bureaucratic hiring and promotion is not based on talent, experience, and integrity, but on conformity with the values and intentions of bureaucratic groupism (or gangism), which include self-interest, self-indulgence, and malice, turning bureaucracy into the malignancy it currently represents. Why should Mayor Newsom be allowed to vilify others when he and the members of his own circle are the greater offenders? He exhibits a double standard which seeks to maintain privilege for his circle, group, or class, and attacks and seeks to eradicate the underprivileged and misfortunate. Gavin Newsom evinces hypocrisy, elitism, corruption, and bigotry as some of his fundamental values.

So instead of criminalizing and persecuting the homeless, please devote your energies to creating a just and equitable system which recognizes the worth of all human beings. For example, instead of hiring more overly-compensated commuting persecutors of the poor, why not reduce all public sector pay to below private sector minimums and hire the people you would persecute. Instead of polarizing society into highly-paid predatory haves and little or no paid have-nots, create an inclusive society and inclusive public sector which insures a place for everyone who cannot find one in the private sector. The public sector thereby becomes low-cost workfare with real, permanent jobs, work experience, job training, and the abode of the dedicated and altruistic who value public service above higher pay. The lower pay would create a natural emigration from public to private sectors for the many seeking more lucrative livelihoods and maintain a natural balance between the two systems in which the public sector might expand during lean times while the private sector expands during abundant times. One has an obligation to taxpayers to keep taxes as low as possible, yet a responsibility to see that everyone is welcomed by society and is able to be self-sufficient. This should also reduce crime. City bureaucrats might indignantly protest, but, as cited above, one observes that many City bureaucrats do not merit the comparatively higher pay they currently receive (including and perhaps especially the administrative), and a lower pay scale would reduce arrogance and drive out power-seeking malpractitioners, while fostering virtues such as sharing, equality, respect, and concern. A system of universal employment is advocated that observes inclusivity for all persons and alienates none. Further, if one includes a universal retirement program and universal healthcare, making available the same system for those in both the public and private sectors, there would be no advantage to preferring the public sector, and this would support business by relieving them of this expense and responsibility. One could also create a quantity of City or state owned marketplaces, shop spaces, or offices (like City Malls) in which space is leased to businesses at a minimal profit, which would help to foster free enterprise since leases are otherwise prohibitively high. Modest, low-cost, permanent public housing could also be operated at a minimal profit. An ideal system is one in which different systems cooperate to the benefit of each other and to the entire population. However, if minimal government is preferred, then one would have to accept and legalize (as well perhaps as regulate) homeless encampments, shanty towns, and sidewalk living since everyone could probably not be accommodated, as well as legalize sidewalk marketing.

It is recommended that the members of the Board embrace higher purpose and greater morality, and support human rights despite how popular and commonplace the disdain directed against the misfortunate may be, and despite the advocacy of inhumanity proposed by the Mayor and his fellow elitists. So a "No" vote is advocated on the proposed ordinance which attacks, criminalizes, and persecutes the poor, and it is advised that the Board come up with a more just solution to poverty, such as I have suggested, or better.

Thank you for your consideration.

Attachment: 8/15/08 report, Appreciation for DHR Project eMerge Party Expenses.



Gavin
Newsom/MAYOR/SFGOV
08/15/2008 02:49 PM

To: Micki Callahan/DHR/SFGOV@SFGOV
cc
bcc
Subject: Fw: Appreciation for DHR-Project eMerge Party Expenses.

History: This message has been forwarded.

FYI

-----Forwarded by Gavin Newsom/MAYOR/SFGOV on 08/15/2008 02:50PM -----

To: Gavin Newsom/MAYOR/SFGOV@SFGOV, Aaron Peskin/BOS/SFGOV@SFGOV, Jake McGoldrick/BOS/SFGOV@SFGOV, Michela Alioto-Pier/BOS/SFGOV@SFGOV, Carmen Chu/BOS/SFGOV@SFGOV, Ross Mirkarimi/BOS/SFGOV@SFGOV, Chris Daly/BOS/SFGOV@SFGOV, Bevan Dufty/BOS/SFGOV@SFGOV, Tom Ammiano/BOS/SFGOV@SFGOV, Sophie Maxwell/BOS/SFGOV@SFGOV, Gerardo Sandoval/BOS/SFGOV@SFGOV
From: Michael Crandell/WC/DHR/SFGOV
Date: 08/15/2008 02:00PM
Subject: Appreciation for DHR Project eMerge Party Expenses.

Now that nurses are being laid off, SFGH's Occupational Medicine Clinic is closing, homeless restrooms and showers are closing, and Laguna Honda cuts are planned, we have enough to pay for more worthwhile events like DHR's mandatory all-staff Project eMerge 2/13/08 Kickoff Party at Brooks Hall where DHR and other departmental participants feasted on a catered breakfast of prepared fruit, muffins, bagels, and beverages (of course, once the homeless were cleared out of the doorways). Project eMerge will combine payroll and personnel functions into one system, and that's something to celebrate. Why simply implement a new payroll/personnel system when it can be turned into a gala haute-couture event? And yes, a professional photographer was on hand to capture every exciting moment on film.

Party participants were even presented with logoed pens and magnets. The new logo appears to be of contracted professional design, but it is not understood why it must be so gender-biased and why other genders should not be represented too. After a general introduction featuring DHR Director Micki Callahan, participants were assigned to introduce their neighbor to the others at their logo-ballooned and enclothed table as an exercise in communication, including some fun fact about their neighbor. Then they went on to flow chart the detailed steps of their Sunday Laundry (yes, complete with detergent, whites and colors, dry, fold, and more!). What better way to illustrate that Project eMerge design will involve development of sequential processes and subprocesses? Then participants were enjoined to list questions and hopes for the project, to give talented Project staff some clue as to how to proceed. And finally an exciting raffle was held to conclude the memorable event with prizes for the attending winners.

DHR thanks the citizens of San Francisco for their generosity and for SFGH and Public Health sacrifice of expendible staff, clinical operations, and homeless services which helped to fund the event. In fact, it might be recommended that DHR staff be served a catered breakfast and lunch everyday as part of their routine or even as a benefit, in order to insure good staff nutrition and encourage dedicated service to those funding the meals. Perhaps the

closure of more clinics and discontinuation of more homeless services might be in order to better fund DHR activities and provide DHR staff with the perks and privileges that are so richly deserved.

In order to better thank the citizens of San Francisco and staff of SFGH, itemization of costs associated with the celebration were requested from the Project administration. However, no response has yet been received. Even so, appreciation is expressed. We know how difficult it may be for some to keep up with their taxes and hold onto their homes, particularly the elderly or those on low or fixed incomes. So their sacrifice is the more appreciated.

DHR is fortunate to have other programs as important, that help us better serve the community. We have DHR sponsored runs, walks, stair climbs, ball games, competitions, health society events, exercise programs, social events, yoga, tai chi, and more, all organized with funds generously provided by our supportive public. We have worktime classes or workshops in Franklin-Covey quasi-religious training (complete with planner, texts, notebooks, DVDs, and even "talking sticks" or hand-size totems) which allows education in character or morals for those staff who may have neglected or declined such training prior to employment with the City. We also have discrimination meetings which (curiously) appear actually to guide us in the practice of discrimination, as it appears our human resource professionals (as DHR titles its staff) may still be trying to think through the principles involved. In 2007 they banned colored Christmas lights, allowing whites only, interestingly imposing a kind of segregation in an unusual attempt to make Christmas somehow less discriminatory. But it's all a learning experience. Learning, experimenting, hit-or-miss, success/failure are aspects of working too. We have informative department-wide meetings at which our quarterly employees of the year are selected and announced, and awarded cash prizes. These meetings sometimes include various presentations, such as one which informed us that DHR is an upscale City within a forboding and menacing City, that warn of the dangers surrounding us, but that with the removal of surrounding squalid low cost tenements and their inhabitants and the creation of more malls and shopping centres, the situation will improve for DHR's deserving commuters. Please also visit our online DHR newsletter sometime and see our party photos, lists of social events, health tips, and try out the favorite healthy recipes published in every issue. Struggling taxpayers and the needy or working poor should receive encouragement from the fact that their tax contributions for our newsletters have enabled DHR staff to eat better, think about fitness more, and have made our workdays more entertaining and enjoyable. And since the recipes come from our Human Resource Professionals, you know they have to be good. Consistent with the DHR approach, even our former sister division, Health Service, has been able to increase its administration from 2 to 8, fund many style-conscious corporate publications, and even provide massages for employees. Corporate gloss and free-bees work wonders in helping to pacify enrollees and divert attention from the fact that they've increased their insurance and medical costs to fund these extras and get them past the budget committees.

Abundant thanks are expressed to our Mayor and Board of Supervisors who are so generous to DHR and make possible its many fun and delicious programs. DHR would not enjoy these privileges without the continued favor of elected officials. We look forward to future Project eMerge celebrations (whatever the undisclosed costs may be). Keep the good times emerging!

02/13/2008 04:04 PM

To
Michael Crandell/WC/DHR/SFGOV@SFGOV

cc

Subject
Re: Project eMerge.

Hi Michael -
Thank you for your note. I will get back to you very soon.

Jan

++++
Jan Crosbie-Taylor
Project eMerge, Change Management
(415) 554-2337
25 Van Ness Ave, Suite 345, San Francisco, CA 94103
Department of Human Resources
City & County of San Francisco
jan.crosbie-taylor@sfgov.org
Michael Crandell/WC/DHR/SFGOV

Michael Crandell/WC/DHR/SFGOV
02/13/2008 03:18 PM

To
Jan Crosbie-Taylor/DHR/SFGOV@SFGOV

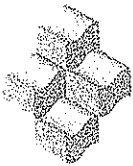
cc

Subject
Project eMerge.

Thank you for inviting us to the mandatory 2/13/08 Project eMerge kickoff event.
Some questions which occurred are listed below.

What was the cost of the kickoff event?
What was the cost of the breakfast (including fruit, pastries, bagles, muffins, beverages, table cloths, utensils, caterer, set up, and clean up, etc.)?
What was the cost of the pens, magnets, and balloons with logo (including helium and preparation)?
Who created the logo?
Was there a cost associated with logo creation (i.e. an independent firm)? If so, what cost (and what firm)?
Who was the professional photographer and what was the cost of hiring the photographer and related photographic services?
What was the cost of 3 hours of all-DHR and non-DHR staff time for the kickoff event (including over-schedule and transit)?

Please let us know.
Thank you for your assistance.



RANDICK O'DEA
&
TOOLIATOS LLP
ATTORNEYS AT LAW

BOS-11,

File 100221 +
100222

May 17, 2010

Honorable Mayor Gavin Newsom
Honorable Board of Supervisors
City and County of San Francisco
c/o Ms. Angela Calvillo
Clerk of the Board
Room 224
City Hall
1 Dr. Carlton S. Goodlett Place
San Francisco, CA 94102

*Re: Agenda Items No. 27 and 28,
Board of Supervisors, City and County of San Francisco Meeting Agenda,
Tuesday, May 18, 2010, 3:00 p.m
Our File No.: G0592.002*

Dear Mayor Newsom and Supervisors:

I am writing on behalf of my client, Mrs. Carolyn Garcia and her sons, Michael and James. This firm represents Mrs. Garcia with reference to the proposed condemnation of a portion of the property owned by Mrs. Garcia for purposes of utilization as a temporary construction easement in conjunction with the Water System Improvement Project CUW35901, and the New Irvington Tower Project ("Project"). Stated succinctly, my clients oppose the acquisition by the City and County of San Francisco ("City") of the temporary construction easement for purposes of placement of equipment and storing of material removed in the course of tunneling from the Sunol area to the Fremont area.

BACKGROUND

The Garcia's property is located at 6503 Calaveras Road, Sunol, CA 94586. It has been in the family for almost 40 years. The total parcel is approximately 15 acres in size. The property is mostly unimproved but includes a family residence, a barn and workshop and the business office for the family business, Tri-Valley Excavating. Title to the property rests in the name of Stanley A. Garcia and Carolyn Marie Garcia, Trustees of the Garcia Family Trust, UTD October 11, 1994. Sadly, Stanley Garcia passed away in 2009, and Carolyn Maria Garcia is the sole successor trustee. Michael and James have been assisting their mother in dealing with the present situation. Mrs. Garcia cannot attend the hearing on March 18, 2010, at 3:00 p.m.



The Garcia property abuts on its northern edge the existing City Hetch Hetchy pipeline and tunnels. As your writer understands it, the current project is intended to run a second pipeline to increase the provision of water to the resident and customers of the San Francisco Public Utility Commission. By the action proposed, the city wishes to impose a 2.9 acre Temporary Construction Easement ("TCE") at the northern end of the Garcia property. Initially, it was understood that the purpose of the TCE was simply for placement and storage of contractor equipment and for temporary storage of spoils removed in the tunneling process. The Garcias were first approached on this proposal in 2009. However, when the project was put out to bid by the City, Jim and Mike Garcia found themselves in a unique position in that their company was invited to bid as an excavation subcontractor on the Project. As a result of this, they discovered that the actual implementation of the TCE was to be far different than originally understood.

The proposed TCE is roughly rectangular in shape and is aligned lengthwise in a generally east west direction. The northern edge abuts property owned by the City. This City property includes the existing water pipelines and other equipment. The Garcia property is not level. It starts at a low point in the east and slopes upward to the western edge. The elevation of the existing pipelines is below the surface of the Garcia property, and due to the upslope as one moves westward, the natural terrain contour is approximately 30 feet higher than the existing pipelines. Following initial contact with City representatives, it was only on reviewing Project plans that it was discovered that the selected contractor will have to dig out the easement area to a depth of 30 feet at the western edge tapering to perhaps as little as 5 to 10 feet on the eastern edge. In addition, to prevent slides, the specifications call for the installation of "nails" into the excavated western wall. These devices are individually drilled into the side of the mountain some 30 feet, are filled with concrete, and a concrete retaining wall will be installed and affixed to the concrete nails on top. Far in excess of what was originally understood.

There have been a series of discussions between Mike and Jim Garcia (representing their mother) and representatives of the City. This has included at least one on-site meeting. Unfortunately, as the Garcia sons have investigated this matter further, the prospect of the property being burdened by the TCE and the attendant construction activity has made the picture only bleaker. Specifically, the bid documents in later issued addenda have been modified to reflect the expectation that at least 4500 tons of hazardous material may be unearthed in the tunneling process.¹ This has been discussed with City representatives, with the rejoinder that this amount constitutes less than 1% of the total amount of earth which will be removed in the tunneling process. The Garcia's response to this is, "Ok, this may be only 1%, but it will inevitably be placed on our property subject to further disturbance when and if properly removed off site". In short, though it may seem like a small item to the City, it is a major concern to the Garcias who would rather that their property never be exposed to hazardous materials.

Over the period of time in which discussions have taken place, different proposals of how the TCE would be treated and, on expiration of the term, restored to the before condition have been

¹ Cf San Francisco Water Department Contract WD-2581, Addendum No. 5, Dated 3/25/10, 01027, Applications for Payment... Bid Item 15; and Document 00410, Schedule of Bid Prices, Item 13, p. 2.

advanced. Initially, the proposal included the retaining wall and the possibility that the entire floor of the "pit" would be surfaced in some fashion utilizing either crushed rock and/or blacktop and/or concrete. On termination this would all be removed. The final approach is at this point remains unclear to my clients. In the most recent proposal (by letter dated April 6, 2010, SFPUC), an approach described as "scarifying" would be utilized to grind up the cement retaining wall and/or the bottom surface of the pit and then simply mixed with the presumably (hopefully?) native soil when returned to the Garcia property. Any way it might be assessed, the landscape and terrain of the Garcia property will suffer severe impacts.

As part of the City's condemnation process, on November 20, 2009, in a letter to Mrs. Garcia, the City delivered a Summary Appraisal required under California Government Code Section 7267.2. A copy of that Summary Appraisal is attached hereto, marked **Exhibit "A"** and incorporated herein by reference. The final page was signed by (name indecipherable), designated, "Right Of Way Manager SFPUC", dated 11-20-09. The total listed appraisal amount was \$123,800. The appraisal indicated an anticipated length of use of approximately 4.25 years.

After the Garcia sons had discovered some of the TCE use details as discussed above, an on site meeting occurred on or about February 25, 2010. Thereafter, a revised Appraisal Summary Statement was delivered to Mrs. Garcia. This second Summary Appraisal is attached hereto, marked **Exhibit "B"**, and incorporated herein by reference. The final appraisal amount for the TCE listed in **Exhibit "B"** reflects a date of valuation as March 24, 2010, and a new amount for "just compensation" as \$78,700. In contrast to the first version, there is no amount set for severance damages: "The Amount of Any Other Compensation." As can be seen by a review of **Exhibit "B"**, the Summary Appraisal is submitted in the name of, "City and County of San Francisco", but it is **unsigned**, and the lines indicating title or capacity of the individual who produced the Summary Appraisal are totally **blank**.

DISCUSSION

1. **The Summary Appraisal dated March 24, 2010, presented to the Garcias is defective in that it is unsigned and unattributed contrary to the requirements of law.**

As a review of **Exhibit "B"** will reflect, the Summary Appraisal Statement served on the Garcias (with a copy to your writer) on April 6, 2010, is unsigned. Proper presentation of a Summary Appraisal Statement is a mandatory prerequisite to the adoption of a resolution of necessity. (cf. Cal. Gov't Code Sec. 7267.2) It is black letter law that in order for a party to be held to the burden of vouching for or honoring the obligations undertaken in a written document, it must be subscribed by the author. In the present situation, the fact that a Revised Summary Appraisal was presented indicates that the value of the TCE for condemnation purposes is a moving target. Although there is some disagreement amongst condemnation law legal authorities as to whether or not the best practice is for the Summary Appraisal Statement to be signed by the actual, qualified appraiser or by a member of the Agency staff,² there is no disagreement but that the

² cf. Rypinski, Richard G., *Eminent domain*, 2002 Ed., Solano Press Books; Chap. 4, Page 39, Chap. 8, Page 73; Mateoni, Norman E., and Veit, Henry, *Condemnation Practice in California*. Third Ed., CEB, Section 8.30-2, Page 466.

Summary Appraisal **must be signed**. In the present situation, reliance by this Board on the unsigned, revised Summary Appraisal as meeting the statutory requirements of Government Code Section 7267.2 would invalidate any subsequent action by this Board to move forward and vote for a resolution of necessity.

2. The resolution of necessity should not be adopted because the requisite showing of “public use” and “necessity” cannot be met.

To proceed successfully in a condemnation effort, the City must show both that the burdened property will be put to a public use and that the proposed project is a necessity which on balance will outweigh private harm. The Garcias maintain that in the present case neither requirement can be established. Specifically, the City cannot demonstrate the requisite degree of necessity to inflict the required destruction to the property to use it for storage of equipment and excavation spoils. The City owns a great deal of real property in the immediate area. To suggest that the City “needs” to utilize the TCE on the Garcia property as it has no available alternative doesn’t make sense. The California law on condemnation simply does not stand for the proposition that convenience equates to necessity. Nor, for that matter does reduced expense constitute the requisite necessity. Owning a great deal of unimproved real estate suggests strongly that the City has plenty of its own property available in the immediate vicinity for use as an equipment staging area and storage site for the tunneling spoils. The resulting private good to the Garcias is substantial in that without imposition of the TCE, their property will not be exposed to possible contamination from hazardous substances, the native soil will be left undisturbed and not later subject to increased improvement and/or construction costs, and the noise and construction activity will remain further away and therefore less burdensome.

3. The Summary Appraisal in addition to being defective is also insufficient and should not be used as the basis for the City to pass a resolution of necessity authorizing the City to go forward with obtaining the TCE from the Garcias.

The Garcias contend that the Summary Appraisal is simply deficient in that it provides for no severance damages. Your writer does not intend to set forth a lengthy discussion of California condemnation law and severance damages here. However, a review of **Exhibits “A” and “B”** show that on page 2 of 5, where the calculation of “just compensation for acquisition” is depicted, there is a category designated “The amount of any other compensation:”. Your writer’s understanding is that this would be the location in the document where severance damages conceded by the City, if any, would be set forth. In the second Summary Appraisal dated March 24, 2010, this category is left blank. Given the above recited information concerning potential contamination with hazardous materials, the extent and depth of disturbance of the native soil and the fact that in large measure there are other locations in the immediate area available to the City, it doesn’t make sense to suppose that there will be no severance damages to the Garcia property, if the TCE is required.

CONCLUSION


Therefore, in conclusion, it is respectfully submitted that the proposed action of adopting a resolution of necessity for the purpose of acquiring the TCE from the Garcias is totally

The Honorable Board of Supervisors
May 17, 2010
Page 5

inappropriate and should not go forward. Sound procedure and policy also should dictate that readily available, alternative means and methods should be explored. Thank you for this opportunity to comment on behalf of my clients.

Respectfully Submitted,

RANDICK O'DEA & TOOLIATOS, LLP

By 
Michael E. Kyle

MEK/es

Encl.

cc: Mrs. Garcia
Mr. Michael Garcia
Mr. Jim Garcia

**APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)**

BASIC PROPERTY DATA

PROPERTY OWNER: Stanley A. Garcia and Carolyn Marie Garcia, Trustees of the Garcia Family Trust, dated October 11, 1994

SFPUC PROJECT: New Irvington Tunnel Project

PROPERTY ADDRESS: 6503 Calaveras Road, Sunol, CA 94586

DATE PROPERTY ACQUIRED BY OWNER: 3 years +

ZONING: A (Agriculture)

PRESENT USE: Agricultural/Open Space

HIGHEST AND BEST USE: Current Use

TOTAL PROPERTY AREA: 15.84 acres

PROPERTY RIGHTS PROPOSED TO BE ACQUIRED: Temporary Construction Easement (TCE)
2.97 acres (129,328 square feet)

INCLUDING ACCESS RIGHTS? YES _____ NO X

DATE OF THIS VALUATION: August 28, 2009

BASIS OF VALUATION

The just compensation being offered by the City and County of San Francisco acting through the San Francisco Public Utilities Commission, ("City") is not less than the City's approved appraisal of the fair market value of the property interests proposed to be acquired ("Subject Property"). The fair market value of the Subject Property is based on a fair market value appraisal prepared according to accepted appraisal procedures. Where appropriate, sales of comparable properties and income data are used. Sales of comparable properties are included in this Summary below. The appraiser has given full and careful consideration to the highest and best use of the property and to all factors affecting its value, including, but not limited to, zoning, development potential and the income the property is capable of producing.

California Code of Civil Procedure Section 1263.320 defines fair market value as follows:

- a.) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- b.) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

EXHIBIT A

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

Value of the entire property – Fee simple (Underlying land only): \$1,030,000
(\$65,000 x 15.84 acres = \$1,029,600)

Value of the property interests being acquired:

- A. Fee Simple Land and included Improvements: \$ N/A
- B. Improvements Pertaining to the Realty: \$ 9,330
- C. Permanent Easements: \$ N/A
- D. Temporary Construction Easement: \$ 78,100

(129,328 s.f. x \$1.49/s.f. X 10% = \$19,270 per year
X 4.25 years x annual discount rate of 3% = \$78,058)

\$ 87,430(rounded)
(Sum of items A – D)

The appraiser has concluded that no permanent damages will result by reason of the proposed acquisition or planned construction; however, due to the removal of the existing fencing and need to re-secure the property, the Appraiser has determined that damages have occurred. Additionally, there will be a need for site restoration once the TCE has expired – including the removal of gravel and correction of any grade differences.

Cost new of similar fencing system less improvements already valued:
(804 linear feet x \$16.58/s.f. – 70% = \$3,999)

Cost to regrade and remove gravel estimated at \$0.25/s.f.
(129,328 s.f. X \$0.25/s.f. = \$32,332)

The amount of any other compensation: - Damages \$ 36,330

CITY APPROVED JUST COMPENSATION FOR ACQUISITION: \$ 123,800

CONSTRUCTION CONTRACT WORK (No cost to owner)

Any disturbed site improvements, other than those already compensated for, will be relocated, repaired or replaced as a cost of the project.

**APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION**
(Pursuant to Government Code Section 7267.2)

APPROACHES TO VALUE:

Considering the concluded highest and best use of the subject as its current use (Agricultural with one single family residence) the Sales Comparison Approach was considered most appropriate. The Cost Approach and Income Approach were not considered applicable to this appraisal.

- 1. The Sales Comparison approach is based on the consideration of comparable land and improved property sales.

Indicated value by Sales Comparison Approach \$ 78,100 (TCE)

See attached sheet for principal transactions.

- 2. The cost approach is based in part on a replacement cost new of improvements less depreciation. Cost information is obtained from cost service publications and/or knowledgeable vendors.

Total Replacement Cost New	\$	<u> N/A</u>
Depreciation from all causes	\$	<u> N/A</u>
Value of Improvements in Place	\$	<u> N/A</u>

Land (estimated by direct sales comparison)	\$	<u> N/A</u>
Indicated value by Cost Approach	\$	<u> N/A</u>

- 3. The income approach is based on an analysis of income and expenses to the property.

Overall Capitalization Rate		<u> N/A</u>
Net Operating Income	\$	<u> N/A</u>
Indicated value by Income Approach	\$	<u> N/A</u>

SUMMARY OF THE BASIS FOR JUST COMPENSATION

Narrative summary of the valuation process supporting compensation:

The subject property consists of 15.84 acres. The appraiser used the sales comparison approach in order to value the larger parcel in the before condition. The appraiser looked at agricultural land in the immediate area and compared these to the subject property. A conclusion as to the unit value of the property was reached and applied to the appropriate portions of the acquisition parcel. Due to the scarcity of agricultural land sales, the appraiser expanded his search to neighboring unincorporated areas of Alameda and Contra Costa Counties.

The comparables used are shown in the table below.

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

Agricultural Land Sales Comparison

Comp. No.	Address	Sale Price	Recording Date	Size Acres Sq. Ft.	Zoning	Price / Acre
AG-01	7345 Cedar Mountain Drive Livermore/Alameda County, CA 099A-1610-012	\$1,325,000	11/20/08	18.50 714,882	PD/Agricultural	\$71,622
AG-02	8615 Mines Road Livermore/Alameda County, CA 099A-2435-015	\$1,000,000	11/14/08	16.53 720,047	Agricultural	\$60,496
AG-03	24555 Palomares Road Castro Valley/Alameda County, CA 085A-2500-006	\$848,000	09/30/08	10.97 477,853	Agricultural	\$77,302
AG-04	12400 Morgan Territory Road Livermore/Contra Costa County, CA 006-250-001-2	\$1,325,000	01/16/08	20.08 874,685	Agricultural	\$65,986
Subject	6503 Calaveras Road Sunol, CA APN: 096-0080-004	N/A	DOV = 4/28/09	15.84 689,990	Large Parcel Agriculture	N/A

The unadjusted unit prices range from \$60,496 to \$77,302 per acre. Comparable AG-04 required the least overall adjustment and was considered to be similar to the subject property. After considering each of the comparables and the subject property's development restrictions, the Appraiser concluded the subject value to be \$65,000 per acre.

This unit value was applied to the portion of the property required for a temporary construction easement area. Since the easement area will be required for a 51 month term, the appraiser discounted the net present value of the anticipated rental rate. A rate of 3% was applied for discounting purposes. The appraiser also estimated damages due to the need to re-secure the property after construction of the project and site restoration including potential re-grading and removal of gravel.

An owner-occupant of a residential property containing four (4) units or less has a right to review the appraisal on which the written offer to purchase is based.

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

Appraisal Summary and Offer of Just Compensation
Authorized and Approved for Presentation:

City and County of San Francisco

By: 

Title: Right of Way Manager SFPHC

Date: 11-20-09

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

BASIC PROPERTY DATA

PROPERTY OWNER: Stanley A. Garcia and Carolyn Marie Garcia, Trustees of the Garcia Family Trust, dated October 11, 1994

SFPUC PROJECT: New Irvington Tunnel Project

PROPERTY ADDRESS: 6503 Calaveras Road, Sunol, CA 94586

DATE PROPERTY ACQUIRED BY OWNER: 3 years +

ZONING: A (Agriculture)

PRESENT USE: Agricultural/Open Space

HIGHEST AND BEST USE: Current Use

TOTAL PROPERTY AREA: 15.84 acres

PROPERTY RIGHTS PROPOSED TO BE ACQUIRED: Temporary Construction Easement (TCE)
2.97 acres (129,328 square feet)
Permanent Subsurface Soil Nail Easement
492 square feet

INCLUDING ACCESS RIGHTS? YES _____ NO X

DATE OF THIS VALUATION: March 24, 2010

BASIS OF VALUATION

The just compensation being offered by the City and County of San Francisco acting through the San Francisco Public Utilities Commission, ("City") is not less than the City's approved appraisal of the fair market value of the property interests proposed to be acquired ("Subject Property"). The fair market value of the Subject Property is based on a fair market value appraisal prepared according to accepted appraisal procedures. Where appropriate, sales of comparable properties and income data are used. Sales of comparable properties are included in this Summary below. The appraiser has given full and careful consideration to the highest and best use of the property and to all factors affecting its value, including, but not limited to, zoning, development potential and the income the property is capable of producing.

California Code of Civil Procedure Section 1263.320 defines fair market value as follows:

- a.) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- b.) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

EXHIBIT B

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

Value of the entire property – Fee simple (Underlying land only): \$1,030,000
(\$65,000 x 15.84 acres = \$1,029,600)

Value of the property interests being acquired:

A. Fee Simple Land and included Improvements: \$ N/A

B. Improvements Pertaining to the Realty: \$ N/A

C. Permanent Easements: \$ 550

(492 s.f. x \$1.49/s.f. x 75%)

D. Temporary Construction Easement: \$ 78,100

(129,328 s.f. x \$1.49/s.f. X 10% = \$19,270 per year
X 4.25 years x annual discount rate of 3% = \$78,058)

\$ 78,700(rounded)
(Sum of items A – D)

The appraiser has concluded that no permanent damages will result by reason of the proposed acquisition or planned construction. The appraiser has concluded that on a unit basis, the value of the remainder is the same – consequently there are no damages as a result of the project.

The amount of any other compensation: \$ N/A

CITY APPROVED JUST COMPENSATION FOR ACQUISITION: \$ 78,700

CONSTRUCTION CONTRACT WORK (No cost to owner)

SFPUC will repair or replace in a like-kind fashion all improvements located within the acquisition area as a cost of the project. The site will be restored to a similar condition at the termination of the temporary construction easement term as a cost of the project. The gunnite wall constructed during the project will be redistributed on the property soil through a scarification process.

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

APPROACHES TO VALUE:

Considering the concluded highest and best use of the subject as its current use (Agricultural with one single family residence) the Sales Comparison Approach was considered most appropriate. The Cost Approach and Income Approach were not considered applicable to this appraisal.

1. The Sales Comparison approach is based on the consideration of comparable land and improved property sales.

Indicated value by Sales Comparison Approach \$ 78,700 (TCE ad PE)

See attached sheet for principal transactions.

2. The cost approach is based in part on a replacement cost new of improvements less depreciation. Cost information is obtained from cost service publications and/or knowledgeable vendors.

Total Replacement Cost New	\$ <u>N/A</u>
Depreciation from all causes	\$ <u>N/A</u>
Value of Improvements in Place	\$ <u>N/A</u>
Land (estimated by direct sales comparison)	\$ <u>N/A</u>
Indicated value by Cost Approach	\$ <u>N/A</u>

3. The income approach is based on an analysis of income and expenses to the property.

Overall Capitalization Rate	<u>N/A</u>
Net Operating Income	\$ <u>N/A</u>
Indicated value by Income Approach	\$ <u>N/A</u>

SUMMARY OF THE BASIS FOR JUST COMPENSATION

Narrative summary of the valuation process supporting compensation:

The subject property consists of 15.84 acres. The appraiser used the sales comparison approach in order to value the larger parcel in the before condition. The appraiser looked at agricultural land in the immediate area and compared these to the subject property. A conclusion as to the unit value of the property was reached and applied to the appropriate portions of the acquisition parcel. Due to the scarcity of agricultural land sales, the appraiser expanded his search to neighboring unincorporated areas of Alameda and Contra Costa Counties.

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

The comparables used are shown in the table below.

Agricultural Land Sales Comparison

Comp. No.	Address	Sale Price	Recording Date	Size Acres Sq. Ft.	Zoning	Price / Acre
AG-01	1196 Kilkare Road Sunol/Alameda County, CA 096-0533-007-03 & 096-0533-008-03	\$325,000	01/14/10	5.08 221,285	RDR	\$63,976
AG-02	7345 Cedar Mountain Drive Livermore/Alameda County, CA 099A-1610-012	\$1,325,000	11/20/08	18.50 714,882	PD/Agricultural	\$71,622
AG-03	8615 Mines Road Livermore/Alameda County, CA 099A-2435-015	\$1,000,000	11/14/08	16.53 720,047	Agricultural	\$60,496
AG-04	24555 Palomares Road Castro Valley/Alameda County, CA 085A-2500-006	\$848,000	09/30/08	10.97 477,853	Agricultural	\$77,302
AG-05	12400 Morgan Territory Road Livermore/Contra Costa County, CA 006-250-001-2	\$1,325,000	01/16/08	20.08 874,685	Agricultural	\$65,986
Subject	6503 Calaveras Road Sunol, CA APN: 096-0080-004	N/A	DOV = 3/24/10	15.84 689,990	Large Parcel Agriculture	N/A

The unadjusted unit prices range from \$60,496 to \$77,302 per acre. Comparable AG-04 represents the upper end of the range and required downward adjustments due to superior market conditions, greater development potential and smaller size compared to the subject. It also required downward adjustment to reflect the costs associated with a barn on the property at the time of sale. Comparables AG-01 and AG-05 required the least net adjustment. After considering each of the comparables and the subject property's development restrictions, the Appraiser concluded the subject value to be \$65,000 per acre.

This unit value was applied to the portion of the property required for a temporary construction easement area. Since the easement area will be required for a 51 month term, the appraiser discounted the net present value of the anticipated rental rate. A rate of 3% was applied for discounting purposes. The appraiser also estimated damages due to the need to re-secure the property after construction of the project and site restoration including potential re-grading and removal of gravel. The permanent subsurface soil nail easement will preclude building and digging and thus nearly any income producing uses in the easement area. The parcel may still be used for access and grazing. However, the easement restrictions have a significant impact on the utility of the larger parcel and therefore, the easement is considered to cause a diminution in value of 75% of the fee value.

APPRAISAL SUMMARY STATEMENT
SUMMARY OF THE BASIS FOR JUST COMPENSATION
(Pursuant to Government Code Section 7267.2)

An owner-occupant of a residential property containing four (4) units or less has a right to review the appraisal on which the written offer to purchase is based.

Appraisal Summary and Offer of Just Compensation
Authorized and Approved for Presentation:

City and County of San Francisco

By: _____

Title: _____

Date: _____

Board of
Supervisors/BOS/SFGOV
05/17/2010 11:31 AM

To BOS Constituent Mail Distribution,
cc
bcc
Subject GG Park Access to DOG PARK during EVENTS 2nd time



dogparkaccess@aol.com
05/14/2010 12:00 PM

To Gloria.Koch-Gonzalez@sfgov.org,
Gavin.Newsom@sfgov.org,
Board.of.Supervisors@sfgov.org, Eric.L.Mar@sfgov.org,
Carmen.Chu@sfgov.org, Lorraine.Banford@sfgov.org
cc
Subject Re: GG Park Access to DOG PARK during EVENTS 2nd
time

Yes - We citizens who deal with the people at Bay to Breakers (drunk and sober), literally moving our cars with theirs so they can park, parking in our driveways, people circling cars at stop signs physically rocking the cars back and forth demanding rides (yes, this has happened to me personally 2 years in a row!) know well this is an extraordinary event. "Most people" agree to that.

However, the confusion is that one hand of government doesn't know what the other hand is doing. There are so many events with closures that it is becoming a sizable issue for residents. Closures north & south and east to west on city streets are common and crippling. We still request the 2010 Master Calendar of closures for this area and still request that some policy is made so that seniors can get to the dog park, especially those who have difficulty walking or are disabled, hence, parking in the senior center is again, exclusive.

Please consider allowing cars with dogs to go around the barrier after checking in with the guard so that they may drive to the dog park. This in no way inhibits or endangers any race participants.

We look forward to your, or other, response.

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

From: Gloria Koch-Gonzalez <Gloria.Koch-Gonzalez@sfgov.org>
To: dogparkaccess <dogparkaccess@aol.com>; Gavin Newsom <Gavin.Newsom@sfgov.org>; Board of Supervisors <Board.of.Supervisors@sfgov.org>; Eric L Mar <Eric.L.Mar@sfgov.org>; Carmen Chu <Carmen.Chu@sfgov.org>; Lorraine Banford <Lorraine.Banford@sfgov.org>
Sent: Thu, May 13, 2010 1:48 pm
Subject: Re: Fwd: GG Park Access to DOG PARK during EVENTS 2nd time

36 and Fulton will be closed. Look for parking at the Senior Center parking area. Bay to Breakers is an extraordinary event and most San Franciscans understand it is not a regular day in the life of the city.

From: dogparkaccess

Sent: 05/13/2010 11:29 AM AST

To: Gavin Newsom; Board of Supervisors; Eric Mar; Carmen Chu; Gloria Koch-Gonzalez; Lorraine Banford

Subject: Fwd: GG Park Access to DOG PARK during EVENTS 2nd time

No response from any city agency has been received. Again please find a letter and 3 pages of signatures from concerned citizens. Please have someone respond. Bay to Breakers is this weekend does not use access between the entrance at 36th Avenue & Fulton and the dog park driveway (which is well away from

10

the race participants)

Have instructions been given to the guards assigned to 36th Avenue & Fulton to allow cars with dogs, especially those with disability tags, to enter the dog park area?

Thank you for your time,
dogparkaccess@aol.com

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

From: dogparkaccess@aol.com

To: gavin.newsom@sfgov.org; board.of.supervisors@sfgov.org; Eric.L.Mar@sfgov.org;
Carmen.chu@sfgov.org; gloria.koch-gonzalez@sfgov.org; lorraine.banford@sfgov.org

Sent: Sat, May 8, 2010 3:14 pm

Subject: GG Park Access to DOG PARK during EVENTS

Please find attached a letter and three (3) pages of signatures demonstrating citizens' concerns regarding ACCESS to the GG Park Dog Run during event closures, which have become extremely numerous and disruptive.

Responses can be made to dogparkaccess@aol.com for public posting.

We look forward to your responses.

Board of
Supervisors/BOS/SFGOV
05/10/2010 04:44 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Sharp Park



Tomazu Nakada
<thnakada@hotmail.com>
05/07/2010 09:56 AM

To <board.of.supervisors@sfgov.org>
cc
Subject Sharp Park

Dear Supervisors,

Sharp Park is the work of history's greatest golf architect, Alister MacKenzie. It provides healthy, outdoor recreation for women and men, seniors and juniors, of all races, cultures, and means. The golf course has positive cash-flow, and returns money annually to the city budget. It has been home for golfers and wildlife, together, for 78 years. Help keep this wonderful public facility open

Thank you,

Tomazu Nakada
668 Guerrero St.
SF, CA. 94110

Hotmail has tools for the New Busy. Search, chat and e-mail from your inbox. [Learn more.](#)

11



Aaron Goodman
<amgodman@yahoo.com>
05/11/2010 12:27 PM

To linda.avery@sfgov.org, board.of.supervisors@sfgov.org
cc
bcc
Subject Parkmerced May 6th "Informational Hearing" - Response to
Comments - A.Goodman

History: This message has been forwarded.

1 attachment



100506_plancomresponse.pdf

Please find the memo attached regarding the May 6th "Informational" hearing on Parkmerced at the SF Planning Dept.

These are rebuttal and enforcement comments to the public comment and commissioner comments given at the initial hearing.

I hope future hearings will go further in depth, on the primary issues, of transportation, rental housing, open-space, and preservation, and not just "gloss-over" with accolades the issue of sustainable development presented one-sided by the developer team.

Sincerely

Aaron Goodman
amgodman@yahoo.com

12



lawrence feigenbaum
<figby5@yahoo.com>
05/12/2010 09:20 PM

To board.of.supervisors@sfgov.org, Carmen.Chu@sfgov.org,
Chris.Daly@sfgov.org, David.Campos@sfgov.org,
Eric.L.Mar@sfgov.org, jake.McGoldrick@sfgov.org,

cc

bcc

Subject SF Botanical Gardens Fees

We are hoping that you will see fit to allow the SF Botanical Gardens to charge entry fees to out-of-town visitors (only) so that our wonderful & world-famous gardens will continue to flourish & not be allowed to go into ruin through lack of funds. Thank you!!!

Marian & Larry Feigenbaum 65 Parker Ave. 94118

13



Sprague Terplan
<spragueterplan@yahoo.com>
>

05/12/2010 09:18 AM

To board.of.supervisors@sfgov.org
cc Dave Snyder <dsnyder@sfrtu.org>

bcc

Subject The Muni (SFMTA) Budget - Public Comment

To the San Francisco Board of Supervisors:

Please accept my comments for today's Budget and Finance Committee meeting in this form. I am unable to attend the meeting this afternoon.

As a Muni rider and a citizen of San Francisco, I believe that the Board should reject the MTA's budget proposal for the following reasons:

- The SFMTA has not seriously pursued relatively
- popular cost saving measures, like bus stop consolidation
- and greater use of signal override technology (transit priority
- at traffic signals). Both of these measures would speed up Muni
- service and thereby enable Muni to get more bang for its buck.
- The SFMTA head, Nathaniel Ford, promised that with 10% service
- reductions Muni service would become more reliable. This has not
- been the case. At 8 o'clock this morning, the 22 Fillmore outbound
- had more than a 30 minute gap in service. This is not an isolated incidence.
- Monday's am commute was similarly unreliable. Too infrequent and
- overcrowded service on the 22 line has now become even worse!
- Many revenue generating measures continue to be ignored. Most significant
- is the unwillingness to implement evening meter operation. In the vicinity of
- AT & T Park, meters could be bringing revenue into the MTA's coffers every
- evening (and on Sundays) when there is a home game. San Jose operates its
- parking meters late into the evening on the streets around the HP Pavillion.
- Why forego this?

Many of the members of the Board of Supervisors have been very active in encouraging and enabling good public transit. Please be more active in ensuring that San Francisco truly becomes a transit first city.

Thank you,

Sprague Terplan
1161 Hayes Street # 7
San Francisco CA 94117

14

Board of
Supervisors/BOS/SFGOV
05/17/2010 01:11 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject We need you, the Board of Supervisors, to be our voices



"Anthony B. An, Ph.D."
<tonyanbusiness@gmail.com
>
05/17/2010 12:03 AM

To board.of.supervisors@sfgov.org
cc
Subject We need you, the Board of Supervisors, to be our voices

Dear Honorable Members of the Board of Supervisors,

I am writing you to urge you two things:

- 1) REJECT the MTA budget that cuts service, increases fares, and keeps MUNI in the deep sinking hole (yes, I have already read the SFMTA Performance Audit Response).
- 2) Make a law to PROHIBIT the SFMTA Board of Directors and Executive Director/CEO to use city vehicles except regular MUNI buses like we do or drive their own cars (no parking for them either!).

The SFMTA Board of Directors and Mr. Ford show their incompetents based on the budget they submitted and the lousy MUNI service that all SF residents are fed up with. It's ridiculous when they get the second highest pay in the nation regardless their performance, yet, they collect millions of overtime pay each year. The budge offers no solution to the crisis to solve the problems and lack of common sense. And, every time the deepest cut goes to the MUNI riders, as if we don't have a voice.

They are wrong, because we are the one who elected you guys to be our voices. It's time for them to hear our MUNI riders through you, the Board of Supervisors.

A simple example to show why these MTA leaders are out of touch and have no common sense: everybody knows how close bus stops are and how they make the bus slower than a cow in the City - it stops almost EVERY block no matter how flat and how short a block is! Yet, after years of "study," none of them even looks into this simple solution to speed MUNI up and save fuel.

The reason they have no common sense is probably none of them ride MUNI to commute. Therefore, we should become a mandatory for them to take MUNI to commute unless they want to take their personal cars, but without free personal parking spaces, just like every other citizens! That way, they might have better understanding how bad MUNI is now!

Sincerely,

Board of
Supervisors/BOS/SFGOV
05/11/2010 05:54 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject HOT TIPS FROM WITHIN ON MTA



jamine larson
<jamlarson32@gmail.com>
05/10/2010 12:44 PM

To Angela.Calvillo@sfgov.org, board.of.supervisors@sfgov.org
cc hillary.ronen@sfgov.org, david.campos@sfgov.org
Subject HOT TIPS FROM WITHIN ON MTA

HELLO,

DO DISTRIBUTE THIS EMAIL AND ATTACHED FILE TO ALL MEMBERS OF
SUPERVISORS
BEFORE MID WK.

DATA FROM HR AND CONTROLLER OFFICE CONFIRMED EXCESSIVE PAY AND
REPETITIVE
PROMOTIONS TO CERTAIN MANAGEMENT MEMBERS OF SFMTA EVEN DURING
MAYOR NEWSOM'S CALL FOR FREEZE AND DURING PREVIOUS YEARS OF SFMTA
BUDGET
CRISIS.

WE NEED ANSWERS

VERY CONCERNED, JL,



dat.doc

Board of
Supervisors/BOS/SFGOV

05/14/2010 11:34 AM

To BOS Constituent Mail Distribution,

cc

bcc

Subject SFMTA and MOU Memorandum of Understanding
"give-aways".....



Aaron Goodman
<amgodman@yahoo.com>

05/13/2010 10:45 AM

To board.of.supervisors@sfgov.org

cc

Subject SFMTA and MOU Memorandum of Understanding
"give-aways".....

San Francisco Board of Supervisors;

I strongly urge you to look again at the SFMTA's negotiations with the city and institutions such as SFSU-CSU and the MOU negotiated for the SFSU Masterplan. Per the legal decision City of Marina vs. CSU institutions must pay there "fair-share" of transportation costs based on impact. The MOU negotiated ignored the overall impact of transit use by SFSU on MUNI and BART and the need to link the systems along 19th Ave. I think the amount was \$175,000.00 negotiated with studies when things get worse... With the recent issuance by the MOEWD on the Parkmerced project we are seeing ANOTHER MOU on the proposed dead-ending and re-route by a private developer through a residential neighborhood, vs. direct routing along 19th Ave. to Daly City BART as a priority. With the SFSU shuttle at 136% capacity, and per Parkmerced's study and transit study by planning the increased population and problems associated with transit along 19th ave. I would be VERY hesitant in signing MOU's with Parkmerced Investors LLP prior to really reviewing and vetting the ROUTE

proposed through the district for the eventual M-Line connection and Tier 5 Level funding being discussed by Peter Albert of the SFMTA... It is critical as Mr. Albert states to get the route, and funding locked in, and serving the best future interests of the communities and city. If the first glass-slipper suitor seems tight, and just a wee bit in a hurry to get to the ball, perhaps we should review these negotiations, and decisions a bit more, and ensure that the financial aspect of these changes is reviewed especially the MOU's prior to further efforts to sell the system down the river.....METNA's Marc Christensen pointed out the fact that there neighborhood was practically "ignored" by the map-drawing outline of the 081281 19th Ave Study. This along with major cut-backs on transit in Parkmerced and METNA to Daly City Bart, and ongoing concerns of only "cut-backs" being discussed is not transit first planning. We need to ensure future transit proposals are significant, and well vetted for future needs of the SW portion of SF along 19th Ave., Sunset Blvd. Brotherhood Way, and through MULTIPLE DISTRICTS IN SF.....

Plan accordingly to the future, but dont negotiate to fast in the funding, or routing... you may find you have poured concrete in the wrong place sooner than you think....

Sincerely

Aaron Goodman
amgodman@yahoo.com



"Estela Garcia, DMH"
<egarcia@ifrsf.org>

05/14/2010 04:28 PM

Please respond to
"Estela Garcia, DMH"
<egarcia@ifrsf.org>

To Board.of.Supervisors@sfgov.org, Eric.L.Mar@sfgov.org,
Michela.Alioto-Pier@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Ross.Mirkarimi@sfgov.org,

cc

bcc

Subject Support for childhood literacy and FUND Mission Learning
Center

Dear Mayor Newsom and Members of the Board of Supervisors:

Mission Learning Center (MLC) has been providing literacy programs to poor and extremely poor San Francisco children who have fallen behind in their reading abilities for the past 38 years.

This program is provided at no cost to child's family and all the students are referred to the program by teachers in the San Francisco Unified School District. These are children with parents who are struggling to put food on the table and a roof over their heads, children whose parents may not have had a formal education and who do not speak English.

MLC's reading programs work and show measurable results: children advance on average two grade levels in their reading ability in just seven months. Mission Learning Center literacy programs for children have a high one-to-five instructor-to-student ratio, so each child receives focused attention. The program at Leonard R Flynn Elementary ensures close school district collaboration.

While MLC's focus is clearly on developing reading skills, they view literacy in a broader sense by encouraging children, parents, and the community to "read the world", to understand and appreciate all that life has to offer, and to provide opportunities for each individual to reach his or her own unique potential.

Please fund Mission Learning Center because child by child, family by family, Literacy strengthens our community!

Sincerely,

15

Estela Garcia, DMH
Executive Director
Instituto Familiar de la Raza, Inc.
2919 Mission Street
San Francisco, CA 94110
www.ifrsf.org

DISCLAIMER: This electronic transmission is strictly confidential and intended solely for the addressee. If you are not the intended addressee, you must not disclose, copy or take any action in reliance of this transmission. If you have received this e-mail in error, please notify the sender immediately by reply e-mail and permanently delete this e-mail and any attachments without reading, forwarding or saving them. Thank you.



Mary Nelson
<nelsonmaryt@yahoo.com>
05/12/2010 05:25 PM

To Board.of.Supervisors@sfgov.org, Eric.L.Mar@sfgov.org,
Michela.Alioto-Pier@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Ross.Mirkarimi@sfgov.org,

cc

bcc

Subject Please Fund Mission Learning Center!

Mayor Newsom and Members of the Board of Supervisors -

I am proud to serve as a Board of Directors member for Mission Learning Center (MLC). We have been providing literacy programs to disadvantaged San Francisco children who have fallen behind in their reading abilities for the past 38 years. This program is provided at no cost to a child's family and all the students are referred to the program by teachers in the San Francisco Unified School District. These are children with parents who are struggling to put food on the table and a roof over their heads, children whose parents may not have had a formal education and who do not speak English. MLC's reading programs work and show measurable results: children advance on average two grade levels in their reading ability in just seven months. Mission Learning Center literacy Programs for children have a high one-to-five instructor-to-student ratio, so each child receives focused attention. The program at Leonard R Flynn Elementary ensures close school district collaboration.

I am certain this budget cycle involves some very tough decisions. However, I can personally assure you that with a very small budget MLC manages to deliver benefits in young children that are exponentially greater than the cost. Please will you add back the small funding request made by MLC to DCYF?

I can be reached at any time for questions at nelsonmaryt@yahoo.com.
Kind regards,
Mary Nelson



k.cliffe@comcast.net
05/14/2010 09:54 AM

To gavin.newsom@sfgov.org, david.campos@sfgov.org, bevan
dufty <bevan.duffy@sfgov.org>, chris daly
<chris.daly@sfgov.org>, david chiu
cc Clerk of the Board <board.of.supervisors@sfgov.org>,
tutorialed@aol.com

bcc

Subject MEPI (Mission/24th St afterschool tutorial agency)

Dear Mayor and Supervisors

I am writing to request that you restore funding for this agency. It is a community and neighborhood treasure providing much needed educational support for the children in our neighborhood.

I am a social worker and have lived in the Inner Mission for 25 years. I have seen both professionally and socially the value this agency has contributed to our community. I was a social worker at UCSF for 34 years and had reason to offer MEPI as a resource referral for many an overworked and worried parent. Many parents in our neighborhood are desperate for the kind of support this agency can offer...please reciprocate and continue to support MEPI.

Sincerely

Karen Cliffe LCSW



Laurie Halabaso
<lauriejh@gmail.com>
05/12/2010 03:16 PM

To Board.of.Supervisors@sfgov.org, Eric.L.Mar@sfgov.org,
Michela.Alioto-Pier@sfgov.org, David.Chiu@sfgov.org,
Carmen.Chu@sfgov.org, Ross.Mirkarimi@sfgov.org,

cc

bcc

Subject Fund Mission Learning Center Literacy Programs

Dear Mayor Newsom and Members of the Board of Supervisors:

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Please fund Mission Learning Center because child by child, family by family, Literacy strengthens our community!

Thank you!
Laurie Halabaso

Board of
Supervisors/BOS/SFGOV
05/17/2010 01:08 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Fw: Kids should never be last.



ifitefire4u@aol.com
05/16/2010 06:04 PM

To Board.of.Supervisors@sfgov.org
cc
Subject Kids should never be last.

Please support childhood literacy and FUND Mission Learning Center.

**Chuck Farrugia
283 Gambier St
SF CA 94134**

Board of
Supervisors/BOS/SFGOV

05/17/2010 12:47 PM

To BOS Constituent Mail Distribution,

cc

bcc

Subject Please Fund Mission Learning Center



Eric Bingham
<ewbingham@gmail.com>

05/15/2010 01:50 PM

To Board.of.Supervisors@sfgov.org

cc

Subject Please Fund Mission Learning Center

Dear Mayor Newsom and Members of the Board of Supervisors:

Mission Learning Center (MLC) has been providing literacy programs to poor and extremely poor San Francisco children who have fallen behind in their reading abilities for the past 38 years.

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Please fund Mission Learning Center because child by child, family by family, Literacy strengthens our community!

Thank you,
Eric Bingham
Mission Learning Center Board of Directors

Board of
Supervisors/BOS/SFGOV
05/10/2010 03:28 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject File 100422: Support the Medical Cannabis Task Force!



Nina Sparer
<nsparer@hotmail.com>
05/05/2010 09:51 PM

To <board.of.supervisors@sfgov.org>,
<michela.alioto-pier@sfgov.org>,
<catherine.stefani@sfgov.org>, <david.campos@sfgov.org>,
<eric.l.mar@sfgov.org>, <cassandra.costello@sfgov.org>,
<david.chiu@sfgov.org>, <chris.daly@sfgov.org>,
<ross.mirkarimi@sfgov.org>, <john.avalos@sfgov.org>,
<sophie.maxwell@sfgov.org>, <beaven.duffy@sfgov.org>,
<boe.hayward@sfgov.org>
cc

Subject Support the Medical Cannabis Task Force!

May 5, 2010

To the Honorable Members of the San Francisco Board of Supervisors:

My name is Nina Sparer, and I am writing today to urge you to support the community slate nominees for the San Francisco Medical Cannabis Task Force, chosen democratically by the San Francisco Medical Cannabis Working Group. The working group, working under the auspices of Supervisor Campos' office, represents a broad spectrum of the San Francisco medical cannabis community. The purpose of this group was to help formulate legislation to form a 13-member San Francisco Medical Cannabis Task Force. The Board passed this ordinance recently. The Task Force will advise the Board of Supervisors and the city government's various departments on how best to ensure that San Francisco's medical cannabis laws are functioning smoothly and effectively.

Through a thoughtful and democratic process, the Working Group selected a slate of 13 nominees for the task force, each one representing a different part of the medical cannabis community. I am urging you to support this slate when it comes before the Board for confirmation. These vetted activists are a dynamic and highly dedicated group of people, who will well represent not only the best interests of the medical cannabis community but also the citizens of San Francisco as well. I would like to add that gender representation is 6 women to 7 men on this task force, and will truly embody the range of perspectives necessary for effective and intelligent interfacing.

I hope you will support the working group's recommended slate:

- Seat 1: Community Organizer Seat: Stephanie Tucker
- Seat 2: Patient Advocate: Shona Gochenaur (Axis of Love)
- Seat 3: Patient Advocate: David Goldman (SF-Americans for Safe Access)
- Seat 4: Representative from a Hospice: Mary Schroeder (Maitri)
- Seat 5: Medical Cannabis Dispensary Owner: Martin Olive (The Vapor Room)
- Seat 6: Medical Cannabis Dispensary Owner: Raymond Gamley (The Divinity Tree)
- Seat 7: Delivery Service Owner: Kevin Reed (The Green Cross)
- Seat 8: Drug Policy Organization Rep: Sarah Shrader (Americans for Safe Access--national office)
- Seat 9: Attorney with a background in MCD issues: Patrick Goggin
- Seat 10: Cultivator to low-income patients: Albert Blais
- Seat 11: Cultivator for dispensaries: Stewart Rhoads
- Seat 12: Long-term activist with over 15 years involvement: Michelle Aldrich (NORML)
- Seat 13: Rep from a neighborhood group from a district, which contains an MCD: Maureen Burns

Sincerely,

16

Nina

Nina Sparer
nsparer@hotmail.com

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. Get busy.



Stuart Milligan
<stuartmilligan@yahoo.com>
05/15/2010 11:12 AM

To sfpd.commission@sfgov.org
cc sfpdcommunityrelations@sfgov.org,
gavin.newsom@sfgov.org, board.of.supervisors@sfgov.org,
letters@sfexaminer.com
bcc
Subject please forward to Petra DeJesus (regarding medical
cannabis)

Please forward to Petra DeJesus:

Ms. DeJesus,

I just read the "Commissioner criticizes dispensary crime report" story in the 5-14-10 issue of the SF Examiner, which describes how you don't like the fact that the police aren't thrilled with the medical cannabis dispensaries in the city. My opinion is that the police themselves know where the crime is originating from, and that it is irresponsible of you to try to force them to like it. Everybody, and I mean everybody, knows that the medical cannabis industry was started by fooling the public into thinking that the law which started all of this was designed to do something other than to start the process of legalizing marijuana for general use. The vast majority of medical cannabis is used for recreation. It's legal status has led the way to making marijuana acceptable and therefore much more easily available to children, so that now a much larger percentage of schoolkids are walking zombies, stoned as often as they can be, held back from smoking 16 hours a day only by a lack of money. I've seen it in my 18 year old son's friends, so why are you so intent on propping up this industry?

Your problem, I think, is that you've lost touch with the commission's job of helping the community as a whole; instead, you're in your lawyer mode, doing what you do best, using the tactic that if it's technically legal, it's good and right and should be protected with all the zest that a good lawyer should use to protect her client. That works in a courtroom, where you're trying to get money for a client, or where you're trying to keep a client out of jail; but it's not appropriate for your position as a police commissioner. Remember, the police are not the enemy; individual police officers and commanders may be errant, but the police as a whole are very good at keeping the peace, and they do it by knowing what's going on on the streets. Don't hamstring them by forcing them to like something that we all know contributes to crime and to sucking the souls from our children's lives.

Stuart Milligan, 1816 47th Ave., San Francisco, CA, 94122, ph: 415-664-6288,
email: stuartmilligan@yahoo.com

17



Janet Weiss MD
<thetoxdoc@yahoo.com>
05/10/2010 02:40 PM

To board.of.supervisors@sfgov.org
cc
bcc

Subject Medical Marijuana

History: This message has been forwarded.

1 attachment



Letter.doc

Dear SF Board of Supervisors-

SF has shown great leadership in the issue of Medical Marijuana, balancing the needs of neighbors and qualified patients. While many factions have their own agendas, San Francisco has been successful in zeroing in on the important issues and avoiding the potholes that other jurisdictions have fallen into.

However, one issue that has not been addressed is Quality Assurance and Safety of this medication, which arguably, should be fully protected by the Health and Safety Code, as it is fundamentally no different from other consumer goods - foods, drugs, cosmetics and dietary supplements.

Please consider the attached, and perhaps send it on to your newly created Medical Marijuana Task Force.

Sincerely,

Janet Weiss MD
Medical Director
Steep Hill Lab

Board of
Supervisors/BOS/SFGOV
05/17/2010 12:52 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Crime



CLIFFORDMCBRIDE976
<cliffordmcbride976@comcast.net>
05/16/2010 06:25 AM

To board.of.supervisors@sfgov.org
cc
Subject Crime

To The Board of Supervisors; I'm writing today to request you pass an ordinance requiring that the clubs in the city hire 1 private security per their 100 patrons to either walk and or drive a 3 to 5 block radius of their club. The reason is a spike in vandalism as well as hit and runs in the area of the clubs. I realize it is probably not the patrons vandalizing; however, it is the increased amount of vehicles in the area caused by the clubs that attract the morally bankrupt people that do. I do believe it is the patrons of the club doing the hit and runs though. I have lived across from the End-Up for about 13 years with very few problems until recently my cars as well as my neighbors have been vandalized numerous times, and in the past 12 months my car has been hit 3 times costing me \$500. each time. We've contacted our local police and neighborhood services asking for more patrolling and help. I also see in the news other areas with bigger problems than ours as they are shooting people ~ my hope is that by requiring the clubs to hire private security to work with police will greatly assist in getting this spike in crime resolved and maybe save a few lives as well. Thank you.

Always Cliff

18

Board of
Supervisors/BOS/SFGOV

05/17/2010 01:07 PM

To BOS Constituent Mail Distribution,

cc

bcc

Subject A disgrace



Tyson Tate
<tyson@tysonate.com>

05/16/2010 05:40 PM

To info@ingbaytobreakers.com

cc dpw@sfdpw.org, board.of.supervisors@sfgov.org

Subject A disgrace

Another year, another Bay to Breakers that leaves glass, trash, urine, beer, and graffiti all through the middle of San Francisco. I'm no party pooper (really!). I'm happy to put up with the city shutting down my street all day and allowing loud music in the morning and through the day. That's fine with me.

Up until now.

If I came up to the front of your apartment, pissed on your doorstep and broke glass bottles on your sidewalk, you'd be pissed too. If I dumped trash all over your local park, you'd be pretty angry. What's preventing you guys from cleaning up after yourself? What's preventing you from learning from your past mistakes? It's getting worse and worse, and you've made barely any effort to fix the problem, at all. Putting a few portable toilets along the route and getting a handful of volunteers to clean up did as much to solve the problem as sticking some Scotch tape on the hole in the Titanic.

Just now, I rode my bike from my apartment on Alamo Square park (still covered in trash) down Hayes (glass, trash, urine everywhere), to Fell (same), along the panhandle (yup, more trash and glass everywhere), and through Golden Gate park (I'll give you one guess).

Alam Square park is in a sad, sad state of affairs right now. I'm afraid to walk on the grass without shoes now. There's broken glass everywhere.

What does it take for you guys to get the hint? Do you listen to the people to live along the route at all? Why don't the people who have to put up with the rolling trash dispenser that is Bay to Breakers have a say in this mess?

Where's the effort?

What an embarrassment to the city.

-Tyson



Clare Cooke
<cardamom@mindspring.com
>

05/17/2010 10:29 AM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Disaster in District 7 on Fell Street - Bay to Breakers

Hi-

I am a property owner at 1118-1120 Fell Street in San Francisco, between Scott and Divisadero Streets. Despite the fact that our block is not on the parade route for Bay to Breakers, the block is closed for traffic control during the event. **I SPENT THE ENTIRE DAY CHASING MEN OFF MY STOOP WHO WERE PEEING AND PUKING ON MY HOME!!!** Not only was it disgusting, but I literally was captive in my house from 10am-7pm, when I finally asked the last of the revelers to leave my stoop. Worse yet, when asking these men -- all over 30 years old, btw -- to NOT use my property as a toilet or party pit-stop, I was yelled at and called names. I finally resorted to pouring soapy water over people's heads to force them to move! My neighbor at the end of the block came out her front door to find a man DEFECATING on her door stoop. This is totally unacceptable! Believe me, I'm supportive of this \$\$-generating event and similar parties in the City, but the event has become more like Mardi Gras than the B-2-B we have enjoyed over the last 20 years of living in the city.

I'm not an unreasonable person. I even let 5 adults who asked nicely use my bathroom, simply because they had the decency to ask before dropping trou and unleashing on my home. **This was the worst year yet for our block!** Despite promises of toilets and enforcement, I and my neighbors had a terrible day dealing with this. Unless portable toilets are placed on our block -- or better yet -- in the middle of Fell Street so they are completely visible to the obliterated and beer-soaked idiots who can't figure out where to wag their weenies.

Therefore, I respectfully request that the money next year be allocated to setting up portable toilets on my block - and all closed streets - and to have private security or police stationed along the block to enforce the supposed laws against public urination and to prevent trespassers on private property. I am certain that if any of the supervisors or public officials lived on my block, they would find this completely outrageous and unacceptable as well. With more than half a million dollars in the purse for the victors of the race, certainly ING and the City can scratch up some cash to pay for protecting homeowners from the Golden Showers Brigade. Perhaps we should rename the event to Pee to Pukers? That would be a more accurate description of my experience and that of my neighbors this year.

Please email me a detailed plan for how this problem will be resolved in the future.

Thank you,
Clare Campbell

1118 Fell Street
San Francisco, CA 94117
415 971-3780
cardamom@mindspring.com

Board of
Supervisors/BOS/SFGOV
05/17/2010 11:34 AM

To BOS Constituent Mail Distribution,
cc
bcc
Subject S.F. Anti-Litter Situation As Of May 2010



John C Won
<john.won@gmail.com>
05/14/2010 02:52 PM

To gavin.newsom@sfgov.org, board.of.supervisors@sfgov.org
cc John WON <john.won@gmail.com>
Subject S.F. Anti-Litter Situation As Of May 2010

QUOTE:

"Mayor orders sweep of litterbugs / 400 city workers to be deputized to ticket S.F. scofflaws, assess fines of \$80-\$1,000

February 11, 2005|By Rachel Gordon, Chronicle Staff Writer
San Francisco Mayor Gavin Newsom declared war on dirty streets Thursday, saying he will deputize hundreds of city workers to hunt down litterbugs and to punish them with hefty fines.

"I think it's time to recognize that litter comes from someone," said Newsom. "You have got to change people's behavior."

That will be a mighty task, given that city street-cleaning crews removed 23,451 tons of trash from city streets last year -- a 35 percent increase from the year before."

Hon. San Francisco Mayor Gavin Newsom and S.F. City Supervisors.

I live in Pacific Height Area. There are so many litters in the S.F. streets now days.

People throw coffee cups, juice/beer bottles, fast food boxes, cigarette butts, and papers etc. on the S.F. streets and street curve.

Mostly, littering is worse near food serving and other business area.

Business owners need to be encouraged to sweep the litters in front of their business location if there are litters on the street.

Such proactive and kind acts will save thousands of dollars for the S.F. city cleaning budget.

Many people believe that the street curve serve as trash or litter

20

collection place because trash will be picked up and cleaned by the street sweepers later within a week. Wrong Idea?!

Therefore, the S.F. street curve look not nice.

It is so sad to see some very few S.F. people behave repeatedly like uncivilized ones living in the under developed poor countries.

In San Francisco, we may need just like Anti-litter law enforced in Singapore in Asia.

All responsible S.F. citizens need to participate in the street cleaning campaign every day- 365 days per year for years to come. Also, News media should help for this campaign.

Many sightseeing guests from other U.S. cities and towns plus foreigners should get better impression about the beautiful S.F. city.

I truly love awesome and clean S.F. city building and its impressive surrounding amenities.

Thank you for your kind attention on the matter.

Respectfully,

John C. Won

S.F. CA 94118

415-359-0807(H)

415-889-3889(C)

PS: Graffiti on buildings and street structures look ugly in San Francisco.

Board of
Supervisors/BOS/SFGOV
05/11/2010 05:58 PM

To BOS Constituent Mail Distribution,
cc
bcc
Subject Call for Artists - Art on Market Street Kiosk Poster Series



Zoe.Taleporos@sfgov.org
05/10/2010 06:24 PM

To board_of_supervisors@ci.sf.ca.us
cc
Subject Call for Artists - Art on Market Street Kiosk Poster Series



San Francisco Arts Commission

Public Art Program

2010/2011 Art on Market Street Kiosk Poster Series CALL FOR ARTISTS

Issued: May 4, 2010

APPLICATION DEADLINE: MONDAY, JUNE 7, 2010, 5:00 PM
Late applications will not be accepted.

ELIGIBILITY

Eligibility is open to professional, practicing artists working primarily in any two-dimensional media and residing in the nine San Francisco Bay Area counties: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

ART ON MARKET STREET KIOSK POSTER SERIES OVERVIEW

The Art on Market Street Program, which has commissioned new artwork by Bay Area artists on an annual basis since 1992, includes a kiosk poster series and other temporary projects that take place on San Francisco's main thoroughfare. For the kiosk poster series, the Art on Market Street Program commissions three consecutive three month poster exhibitions annually. The series consists of a set of six original and related designs that are professionally reproduced and printed as four sets of posters, 68 inches high by 47 1/4 inches wide, for installation in 24 kiosks on Market Street between Van Ness and the Embarcadero. All artists' designs must be approved by the Arts Commission and are expected to be appropriate for a broad public audience.

ARTWORK BUDGET

21

The total budget for the design and printing of the posters series is a not-to-exceed amount of \$13,000, to include \$6,000 for design and all prep work for six original designs, and up to \$7,000 for printing by a professional printer. The printer's fee does not typically include prep work so you will probably need to take care of that before the final poster designs go to the printer. The printer must agree to this maximum fee of \$7,000 in writing prior to printing, and the artist is responsible for paying the printer directly.

APPLICATION REQUIREMENTS

Please do not submit a proposal. Application materials will not be returned.

A. Hard Copies

Please make certain your name, email and phone number is on each page submitted. All applications must include the following items on 8.5" by 11" plain white paper:

1. A one-page cover letter with a description of your reasons for your interest in the Art on Market Street Program. Include a brief general comment about how you would develop a specific proposal. Please do not submit a specific proposal and do not submit proposed poster designs.

2. A resume of past relevant work, not to exceed three pages.

3. An accurate annotated image list which must correspond to the numbers in order of the images on the CD.

B. 10 Images on a PC compatible CD

1. A PC compatible CD with no more than 10 images of your 2-dimensional artwork.

2. Each image should be no larger than 1000 x 1000 pixels, 72 dpi and 1 MB jpegs only.

3. Each jpeg must be titled with the artist's name and a number that corresponds to the annotated image list. (For example: JenJones001, JenJones 002.)

4. Do not submit a Power Point.

SELECTION PROCESS

After the deadline, the Arts Commission will select and pay a short-list of artists a fee of \$350 to each prepare a specific proposal for the 20010/2011 Art on Market Street Program.

A. The Arts Commission must approve all artists and artwork proposals. The Arts Commission reserves the right to not accept any applications or proposals, to directly solicit additional artists and proposals, and to reissue the RFQ at any time.

B. Commissioned projects continue at the discretion of the Arts Commission and may be cancelled at any time

POLICIES

A. Required Forms and Contracts: Artists selected by the Arts Commission to prepare proposals shall be required to become city vendors. Selected artists whose proposals are approved by the Arts Commission for implementation must enter into contract with the Arts Commission to proceed with final design and printing of their approved proposals.

B. Equal Benefits Ordinance: The City and County of San Francisco, in its effort to provide equality of opportunity and equality of benefits, requires that all entities receiving public monies comply with Section 12B of the Administrative Code, relative to provision of equal benefits to registered domestic partners and demonstration of good faith efforts to hire San Francisco based subcontractors.

C. Americans with Disabilities Act: The selected artist(s) will be required to comply with American with Disabilities Act requirements in addition to related federal, state and local codes and will be encouraged to develop artwork(s) sensitive to programmatic as well as physical accessibility issues in cooperation with the Arts Commission and disabled communities.

All information contained herein does not constitute either an expressed or implied contract, and these provisions are subject to change.

SUBMIT APPLICATIONS TO:

Art on Market Street Program
San Francisco Arts Commission
25 Van Ness, Suite 240
San Francisco, CA 94102

CONTACT:

Zoe Taleporos, Public Art Program Associate
Phone: 415/252.3215
Email: zoe.taleporos@sfgov.org

For more information visit www.sfartscommission.org/pubartcollection

*The San Francisco Arts Commission is the City agency that champions the arts in San Francisco.
We believe that a creative cultural environment is essential to the City's well-being.
Our programs integrate the arts into all aspects of City life.*

San Francisco Arts Commission: sfartscommission.org
Twitter: twitter.com/SFAC
Facebook: facebook.com/sfartscommission
Youtube: youtube.com/ArtsCommission
Flickr: flickr.com/photos/sfac

To unsubscribe, visit [this link](#)



Ivan E Pratt
<prattbuddhahood@gmail.com>
m>

05/12/2010 12:51 PM

To board.of.supervisors@sfgov.org
cc
bcc

Subject What the Board of Supervisors Should know About HIV
Patients and Medical Reform

San Francisco Board of Supervisors,

What my San Francisco City, Federal and State Government
representative should know about an individual Medical Insurance
Problem that contradicts the existing medical insurance reformation:

MEDICARE INFORMATION QUALIFICATIONS May 12 2010

DATE: 12 MAY 2010 TIME:10:56 AM

TO: Mr. Brody tucker, MSW, ASW, San Francisco Department of Public
Health Tom Waddell Health Center, 50 Lech Walesa (Ivy Street), S.F. ,
CA. 94102, Phone voice: 415 355 7521, Fax: 415 355 7408, Email:
Brody.Tucker@sfdph.org

FROM: IVAN EDGAR PRATT, Tom Waddell Clinic patient/client, Phone: 415 346
7885,

Email: IEP55@juno.com

SUBJECT: Investigating Medicare Qualifications at Sixty-Five Years of Age

Brody,

Just to let you know that I'm on this situation of Medicare
Qualifications. Your message said that since I am not sixty-five
years of age, that I would not qualify for Medicare Anyhow. Also your
further remark implied that you sought counsel on my situation, and
that Medi-Cal was considered a lot better than Medicare as a medical
insurance program (I imagine these medical insurance programs exist,
even though there has been a so-called Medical Insurance Reform during
the President O'Obama's administration claiming that Medical Reform has
been legislated by U.S. Congress).

Since I am sixty-three this July 2, 2010, and I have a life-threatening
disease in the medical condition called 'Apnea' along with an 'HIV',
and high blood pressure condition; which Dr. Christopher Nguyen M.D.
has verified by way of my participation with a sleep program at San
Francisco General Hospital. I do not qualify for Medicare because I
am not sixty-five years of age, and hence I cannot achieve an 'Apnea'
breathing apparatus to treat my sleep deprivation problems caused by
my 'Apnea' condition. Of course, if you are living with and managing
an 'Apnea' condition causing sleep deprivation, and sleep is vital to
the management of an HIV condition, the difference of three in my
present age of sixty-two, and qualifying for Medicare at the age of
sixty-five is not really a medical reformation instigated by the
legislation of the United States Congress in the Presidential Barack
O'Obama administration.

MEDICARE: Medicare Information,
WebPage: <http://www.ssa.gov/pubs/10043.html>

Having read the above information on the 'Medicare Insurance Plan' it
does not seem like a reformation in medical insurance for United
States Citizens who don't have medical insurance, or can meet any of

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'Medicares' medical insurance qualifications.

Since, I, Ivan Edgar Pratt, is living with Four medical conditions 1. HIV, 2. Apnea , 3. High Blood Pressure (a potential for radical heart disease and stroke), 4. Bipolar condition which contributes to distress (distress being a mental condition that exacerbates high blood pressure, HIV, and Apnea); by all appearances the Medicare Existing policy in the recently legislated Medical Insurance Reform is not flexible enough to make exception to the eclectic existence of exceptional medical conditions in Ivan Edgar Pratt, patient at Tom Waddell Clinic, primary care doctor Dr. Christopher T. Nguyen, M.D. 415 355 7477.

Since these medical condition are still in existence as true varifiable medical problems with Ivan Edgar Pratt, the question is, "what is the alternative for care in IVAN EDGAR PRATT's medical condition in contrast to the recently Legislated Federal Governments Medical Reformation - which is a very justifiable question.

THANKYOU,

IVAN EDGAR PRATT, "XERISCAPE / BUDDHA, INC." IEP55@juno.com, Internet direct quote and paraphrase transcription "Medicare Information Qualifications May 12, 2010" information, Sustainable Systems Environmental Ecology, WebPage: http://www.brookscole.com/cgi-brookscole/course_products_bc.pl?fid=M20b&product_isbn_issn=0534376975&discipline_number=22

Merritt College Ecology Department & Matriculations, Sierra Club Membership, WebPage: <http://www.sierraclub.org> WebPage: <http://www.ecomeritt.org/>, NAM MYOHO RENGE KYO, WebPage: <http://www.sgi-usa.org>



Mcd Patient
<mcdpatient@yahoo.com>
05/12/2010 05:15 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject Help with Medthrive MCD

Of limited mobility, and was extemly delighted to have open they but they do not care about their customers. Couple days ago I was assaulted & robbed of my medication within 10 feet outside MEDTHRIVE at 1933 Mission St. in the evening about 8pm... This club is in blatent violation of

SEC. 3308. OPERATING REQUIREMENTS FOR MEDICAL CANNABIS DISPENSARY.

(m) The medical cannabis dispensary shall provide and maintain adequate security on the premises, including lighting and alarms reasonably designed to ensure the safety of persons and to protect the premises from theft.

Please help!
mcdpatient@yahoo.com

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US Army Corps
of Engineers®

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 30317S

DATE: 12 May 2010

RESPONSE REQUIRED BY: 12 June 2010

Regulatory Division
1455 Market Street
San Francisco, CA 94103-1398

PROJECT MANAGER: Bob Smith Phone: (415) 503-6792/E-mail: robert.f.smith@usace.army.mil

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1. INTRODUCTION: The San Francisco Public Utilities Commission (SFPUC), 1155 Market street, Suite 600, San Francisco, California 94103 (Contact: Debbie Craven-Green, [415] 934-5756) has applied for a Department of the Army permit to permanently fill 0.45 acres and temporarily impact 1.03 of San Mateo creek to construct a new stilling basin at the toe of the Lower Crystal Springs Dam (LCSD) to replace the existing undersized stilling basin. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

that Lower Crystal Springs Dam could not pass the PMF without overtopping and possibly damaging the structure. The DSOD order requires that the SFPUC take one of three actions:

- Demonstrate that the dam as it currently exists can safely pass the PMF;
- Construct hydraulic improvements that would enable the dam to safely pass the PMF; or
- Adopt further restrictive operating procedures that would enable the dam (as it currently exists) to safely pass the PMF.

2. PROPOSED PROJECT: Lower Crystal Springs Dam is located on San Mateo Creek in unincorporated San Mateo County, California, as shown in Figure 1. It is about 12 miles south of the city of San Francisco and 3 miles west of the city of San Mateo. The dam forms Crystal Springs Reservoir, which lies west of Interstate 280 and has a surface area of 1,300 acres at a current surface elevation of 283.8 feet. The lands underlying LCSD and Crystal Springs Reservoir and most of the lands draining to the reservoir are owned by the City and County of San Francisco as part of the Peninsula watershed, which is managed by the SFPUC.

Until one of these actions is taken, the DSOD requires that the SFPUC limit the maximum normal water surface elevation in Crystal Springs Reservoir to 283.8 feet. This is equivalent to storage of 18.5 billion gallons of water, or approximately 84% of the reservoir's historical capacity. Before the limitation was imposed, the DSOD had approved storage of water up to an elevation of 291.8 feet, equivalent to a capacity of 22.15 billion gallons.

The objectives of the proposed project are to:

The overall project purpose is to bring the LCSD into compliance with Division of Safety of Dams (DSOD) requirements. The basic project purpose is to retrofit the dam to accommodate the Probable Maximum Flood (PMF). The PMF is the largest flood that can be reasonably expected to occur at the dam as a result of runoff from the upstream watershed. To comply with the requirement, floodwater from the PMF must pass over the dam to the stream below without endangering the dam's structural integrity. In 1983, the DSOD determined

- Complete the modifications to the existing facilities in compliance with the DSOD directive;
- Restore the historical storage capacity of Crystal Springs Reservoir;
- Improve the SFPUC's water supply delivery capability;
- Help meet the SFPUC's dry-year delivery needs;
- Facilitate planned shutdown of individual facilities for regular maintenance without interrupting customer services;
- Maximize capture of local runoff from the Peninsula Watershed; and

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- Increase water storage on the Peninsula.

The LCSD Improvement project includes a number of improvements that would enable the dam to pass the Probable Maximum Flood (PMF). The spillway would be widened and its crest would be reshaped and permanently raised to an elevation 291.8 feet to restore the historical capacity of the reservoir (Figures 3 and 4). The parapet walls would be raised by about nine feet to elevation 302 feet, and a new stilling basin would be constructed at the downstream toe of the dam (Figures 3 and 5). In addition, due to the proposed increase in reservoir operating levels, the LCSD project also includes another component located along the Pulgas Discharge Channel about 4 miles south of the LCSD that would involve raising an existing water sampling station by about 5 feet to prevent it from being inundated.

The following project components may have temporary and/or permanent impacts on waters of the U.S.

Stilling Basin

Under the proposed project, the existing 102-foot wide by 32-foot long stilling basin at the toe of Lower Crystal Springs Dam would be demolished. A new concrete stilling basin would be built as shown in Figures 3 and 5. The new stilling basin would be 154 feet wide extending along the toe of the dam and 125 feet long. The floor of the basin would be 10 feet thick and would be anchored to bedrock. Wing walls would guide water flowing down the face of the dam into the stilling basin, and side walls would confine water within the basin. A line of concrete sill blocks perpendicular to the direction of water flow would be built within the stilling basin near its downstream end. Within the 125-foot long stilling basin, the 20-foot section of the basin downstream of the concrete sill blocks would contain grouted riprap. The riprap would be sealed into place with concrete poured between the rocks to hold it in place. The concrete sill blocks and the grouted riprap would dissipate energy and slow the flow of water before it enters

San Mateo Creek. Similar to the existing stilling basin, the new stilling basin would prevent damage to the foundation of the dam as well as prevent damage to the downstream creek.

Creek Bank Protection

Immediately downstream of the new stilling basin, additional grouted riprap would be installed on the bottom and along the sides of the San Mateo Creek channel. The grouted riprap in the creek channel would extend for 20 linear feet beyond the downstream end of the stilling basin. Combined with the 20 feet of grouted riprap in the new stilling basin, this additional creek bank protection would result in a total of 40 linear feet of grouted riprap.

Temporary Access Road

A temporary construction road for construction vehicles and equipment to enter or exit the stilling basin site would be constructed near the location of the existing 60-inch outlet pipe. Vegetation including trees would be cleared along a 200-foot long corridor through the riparian area and stream channel near the toe of the dam between the existing access road near the Crystal Springs Pump Station and the site of the new stilling basin for installation of this temporary access road. Mature trees would be saved where it is feasible. The temporary engineered fill gravel road would be built in the cleared corridor; it would be about 35 feet wide at the base and 14 feet wide at the top requiring about 600 cubic yards of engineered fill.

Demolition and Excavation

The stilling basin excavation would start at the upper limit of each abutment and proceed into the stilling basin. It is anticipated the work would be performed concurrently at both abutments. The excavation would be performed using tracked excavators (one at each abutment). Temporary shoring of the excavated face would be accomplished by installing soil nails and shotcrete as the excavation proceeds. This work would require drill rigs, air compressors, concrete pumps, and concrete transit trucks.

The existing stilling basin would be broken up using an excavator with a concrete breaker mounted on its arm. Broken concrete would be removed using an excavator or front-end loader, loaded into trucks, and hauled away to a disposal site in a timely manner.

The excavation would extend to bedrock. The material to be removed is expected to consist of sand and clay with some rock. Any rock encountered above the bottom elevation of the foundation would be removed using a rock breaker. A tracked front-end loader might be used to remove material from the excavation and load it into trucks. Clean excavated material suitable for use as fill would be stockpiled at Areas 1 and 4 for later use by the Crystal Springs/San Andreas Transmission Upgrade project. If construction of the Crystal Springs/San Andreas Transmission Upgrade project overlaps with construction of the proposed project then clean excavated material from the stilling basin would not be stockpiled but would be used directly as fill for the foundation of the new Crystal Springs Pump Station. Unusable excavated material would be trucked to a disposal site.

It is possible that controlled detonations (blasting) may be needed during excavation, depending on the types of rock materials encountered or scheduling requirements. Due to the critical need to complete the majority construction of the dam improvements during the dry season, the contractor would need a contingency plan if conventional excavation methods are inadequate to meet the schedule. Controlled detonations (blasting) would be used as a last resort in the event of unforeseen conditions, such as if all other demolition methods prove to be insufficient for the types of rock materials encountered or if needed to meet the scheduling requirements. If the project encounters very hard rock or concrete during demolition and excavation for the stilling basin, blasting would speed up the demolition process. Controlled blasting is a demolition method used to remove approximate 3-foot layers of rock or concrete. If blasting were required, the contractor

would first drill 1.5-inch diameter holes in a particular pattern determined by the blasting specialist. The holes would be filled with a specified amount of explosives and wired for detonation. Once the area is prepared, a chain link fence and a blast mat (rubber belting) would be placed over the area. Warning horns would sound before detonation. Blasting is usually over in a matter of seconds. The contractor is expected to use up to 150 pounds of explosives per blast and anywhere from 0.5 to 9 pounds per 8 millisecond delay. Once the blast is over an all clear horn is sounded. Concrete or rock can then be removed using an excavator.

It is assumed that if necessary, blasting would occur during normal work hours between 7 a.m. and 5 p.m. Typically, there would be one to two blasts per day, although if the contractors determined it were necessary to conduct blasting during two work shifts, there would be two to three blasts per day. A potential schedule would be drill before 7 a.m. and blast after 7 a.m., excavate and drill and blast before 5 p.m. and after 5 p.m. excavate and drill. Approximately 100 to 150 cubic yards of concrete can be removed a day when blasting is used.

Dewatering

Prior to construction of the new stilling basin, the existing stilling basin area, Pool 1¹, and the intervening shallow channel/marsh section would be dewatered through the use of pumps. To minimize the potential for groundwater seepage into the basin, the contractor may also need to extract some groundwater in the immediate vicinity of the stilling basin. Prior to dewatering operations, Pool 1 would be isolated from the creek channel at the downstream end to prevent water from seeping back into the pool. The pumped water would be treated by settling, filtration or other means prior to

¹ At the toe of Lower Crystal Springs Dam, San Mateo Creek contains two pools where the creek widens and deepens. Pool 1 is located downstream of the existing stilling basin where the existing 60-inch reservoir outlet pipe discharges, and Pool 2 is located downstream of Pool 1 where the ten existing facility outfall pipes are located.

discharge into San Mateo Creek in compliance with the turbidity discharge limits of the San Francisco Bay Regional Water Quality Control Board (SFRWQCB). For all dewatering operations, the pump's intake would be fitted with screens meeting CDFG and NMFS criteria, to prevent effects to listed species. Qualified and permitted fish biologists would remain on site during the initial dewatering and be available to rescue any fish found in Pool 1 prior to complete dewatering and relocate them to a suitable location within San Mateo Creek downstream of the construction site.

The sides of the excavation pit for the new stilling basin would be shored during construction, and all groundwater that surfaces in the stilling basin excavation sites (e.g., through weep holes in the shoring) would be pumped and treated prior to discharge to San Mateo Creek. The discharge would occur in accordance with requirements from the SFRWQCB.

Construction

Construction equipment and materials would be brought to the stilling basin site using the temporary access road that would extend into the creek channel. The floor of the basin would be formed with concrete. Forms for concrete for the wing walls and side walls of the stilling basin would be erected and reinforcing steel fixed in place. Concrete trucks would deliver ready-mixed concrete to the end of the access road, and it would be placed into the forms using boom-type concrete pumps. Alternatively, concrete trucks could deliver concrete to Skyline Boulevard near the dam abutments and concrete would be piped into place from the top of the dam. Riprap would be moved into place using an excavator or crane and then grouted in place. Clean fill would be backfilled around the completed stilling basin structure.

Demobilization and Site Restoration

All temporary buildings and equipment used during construction would be removed from the site. Staging and Storage Areas 2 and 3 would be

restored to their pre-construction condition. The temporary access road would be removed in its entirety and the 200-foot long corridor would be returned to pre-project conditions to the extent feasible. All disturbed areas would be graded to restore their natural contours and seeded to minimize erosion. Restoration of riparian and wetland areas would comply with permit requirements of the federal and state resource agencies. Fill material would remain stockpiled at Areas 1 and 4, awaiting use during construction of the Crystal Springs/San Andreas Transmission Upgrade project.

The proposed construction activities would produce approximately 22,000 cubic yards of excavated material consisting of soil, rock, and organic matter. An estimated 15,400 cubic yards of excavated material would be suitable for use as fill and would be stockpiled at Areas 1 and 4. The remaining 6,600 cubic yards of unusable excavated material would be trucked to an off-site disposal site. Stockpiled material would be used as backfill around the stilling basin and in the course of the construction of the Crystal Springs/ San Andreas Transmission Upgrade project. If unused, the stockpiled material would also be trucked to an off-site disposal site.

Demolition at the top and toe of the dam would produce about 1,300 cubic yards of broken concrete. Some of the concrete would be broken to drain rock size and used to fill depressions in the top of the dam. About 950 cubic yards of broken concrete would be trucked to the landfill or recycled.

Elevating Water Quality Sampling Station #5 on Pulgas Discharge Channel:

Water from the Hetch Hetchy Aqueduct enters Crystal Springs Reservoir at its south end through the Pulgas Discharge Channel. Sampling Station #5 is mounted over the channel at elevation 287.5 feet, and the SFPUC uses it to measure the quality of the water flowing through the channel. This sampling station was built at the time the DSOD restrictions were set, and it would need to be modified to continue proper functioning under the proposed project. With the proposed project, the maximum normal water surface elevation in Crystal Springs Reservoir would be 287.8 feet, but when large storms occur over the watershed, the water surface elevations could be as high as 291.8 feet. Portions of the sampling station would be inundated at times under future, project conditions. As part of the proposed project, the SFPUC would raise the existing sampling station by about 5 feet to approximately elevation 292.5 feet (Figure 6).

Implementation of the LCSD project would result in unavoidable temporary and permanent impacts to waters of the U.S., including wetlands. Construction of the new stilling basin will result in approximately 1.03 acres of temporary impacts associated with construction access and staging at the toe of LCSD and the Sampling Station #5 at the Pulgas Discharge Channel. Construction of the new stilling basin will result in approximately 0.45 acres of permanent impacts to waters of the U.S. within San Mateo Creek.

Work Outside of Corps Jurisdiction

Skyline Boulevard Bridge: Skyline Boulevard, a county road, crosses LCSD on a bridge. The bridge traverses the crest of the dam and is supported on piers mounted on the top of the dam. Owned by the county of San Mateo, the bridge is currently in disrepair and seismically unsafe and will be demolished by the County prior to the LCSD project. After the demolition of the bridge by San Mateo County, they would demobilize its

construction site. The bridge would be rebuilt by the County after completion of the LCSD project.

Parapet Wall and Spillway: The proposed improvements at the top of the dam are shown in Figure 3. The existing parapet wall extends from the north and south extremities of Lower Crystal Springs Dam to the existing spillway in its center. About 60 feet of the parapet wall would be demolished on each side of the spillway. The remaining parapet wall would be strengthened by increasing its thickness, and raised by about nine feet to a top elevation of 302 feet. The existing training walls that confine flow within the spillway and the supporting structure for the stoplogs would be demolished.

The opening of the spillway on the upstream side of the dam would be widened from its current 88 feet to 208 feet. The existing stoplog system would be replaced by a new concrete dam crest that would permanently maintain the dam crest at elevation 291.8 feet. The new spillway would be of the ogee type, that is, it would have a curved shape designed to promote efficient flow of water, which would minimize the risk of structural damage to the dam. New training walls would be built to confine water within the new spillway and guide it over the dam. Other spillway modifications would include construction of two new bridge piers and installing access cat-walks for operations and maintenance. A cross-section through the new spillway is shown in Figure 4. It is expected that construction activities for these improvements would occur on land, from either side of the dam or from temporary access structures on the dam, but if determined to be necessary, the SFPUC or its contractor may conduct work from barges in the reservoir.

Drainage Improvements on the Top of the Dam: LCSD was built using large interlocking concrete blocks. The tops of the blocks are not set at a uniform elevation and so depressions exist in the top of the dam. Rainwater, storm water runoff, and water from hillside seeps have accumulated in one

large depression creating a permanent artificial pond near the south end of the dam. The pond currently provides breeding habitat for California red-legged frogs, a federally listed species. The presence of the listed species makes maintenance of portions of the dam extremely difficult. Prior to construction activities related to the proposed dam improvements, red-legged frogs present on the top of the dam would be trapped and relocated to suitable habitat in accordance with approved protocols. The pond and the rest of the top of the dam would be permanently drained by filling depressed areas with crushed concrete and/or gravel and constructing drainage channels that drain to the downstream face of the dam, so as to enable future maintenance of the top of the dam.

Operation of the Reservoir

During the construction period, the SFPUC would continue to operate the reservoir similar to existing practices, although the ability to release or spill water to San Mateo Creek over the spillway would be interrupted. Since the majority of the construction is scheduled for the dry season and there are typically no releases or spills during current operations, this is not expected to affect system wide operations or customer deliveries. Furthermore, during construction of the spilling basin, SFPUC operators would take extreme precautions to prevent any spills over the dam that could threaten the structural integrity of the dam. Thus, reservoir levels during the construction period may be a few feet lower than the current maximum operating level of 283.8 feet.

The post-construction operating goals for Crystal Springs Reservoir would be similar to the current goals: the SFPUC would try to keep the reservoir as full as possible without exceeding the maximum normal operating level, to avoid uncontrolled spills (i.e., water over the spillway), and to minimize releases to San Mateo Creek (i.e., controlled releases through the release valves at the dam). However, with the project in place, the reservoir would be considered to be full when the water

surface elevation reaches 287.8 feet, four feet higher than the current normal maximum value of 283.8 feet.

Post-construction operations of Crystal Springs Reservoir would be similar to current operations except that average annual water storage and the average annual water surface elevation would both increase. The post-construction average storage would be 17.8 billion gallons, 2.4 billion gallons more than the current DSOD-restricted average storage level of 15.4 billion gallons. The post-construction average annual water surface water elevation would be about 281.8 feet, 6.6 feet higher than the current elevation of 275.3 feet. During the winter, the SFPUC would continue to keep storage in Crystal Springs Reservoir about 2 billion gallons below the maximum normal storage capacity; this winter flood reservation enables the SFPUC to capture local runoff and prevent flooding.

Seasonal water storage patterns and water surface elevation fluctuations in the future with the proposed project in place are expected to be similar to those that occurred in the recent past since about 2002. The maximum storage and water surface elevation would occur in spring, and the minimum storage and water surface elevation would occur in the fall. With the proposed project in place, it is expected that the water surface elevation would be between the 286.5- and 274.0-foot contours about 80 percent of the time. Water level fluctuation with the proposed project in place is expected to be about the same as under the existing condition because overall operating goals would be the same.

As it does currently, the SFPUC would allow the reservoir level to exceed the maximum normal water surface elevation occasionally. Water surface elevations would exceed 287.8 feet for short durations (up to 14 days) and would be as high as elevation 291.8 feet during the rainy season (November through April). Such exceedences would be expected to occur about one year in three and no more than two to three times in a single year.

Exceedances could occur any time in the rainy season but would primarily occur after March 1 when the SFPUC begins eliminating the winter flood reservation as the rainy season ends.

During the first three years after construction is completed, the SFPUC would implement an interim operating protocol in order to reduce impacts on the California red-legged frog and San Francisco garter snake. To allow sufficient time for these species to adapt to the four-foot increase in maximum normal operating water levels, the SFPUC would gradually increase the water elevations in the reservoir over a period of no less than three years. The maximum normal water surface elevation for the reservoir would be limited to an increase of one foot each year following an initial increase of one foot (to 284.8 feet) on the first April 15 following substantial completion of construction. The following year on April 15, the maximum normal water surface elevation for the reservoir would be 285.8 feet. The following year on April 15, the maximum normal water surface elevation for the reservoir would be 286.8 feet. Finally, no less than three years following substantial completion, the maximum normal water surface elevation for the reservoir would become 287.8 feet, its long-term value. During this period of no less than three years, the SFPUC would avoid exceedances of the maximum normal water surface elevation. The winter flood reservation would be kept in place later in the spring during the three-year period of interim operations than it would be under the future long-term operating protocols to reduce the risk of a late winter/early spring exceedance of the maximum normal water surface elevation.

Post-construction maintenance activities at Lower Crystal Springs Dam and Crystal Springs Reservoir would be generally similar to current maintenance activities but improved access would enable better maintenance of the top of the dam. SFPUC would maintain and repair structures, including painting and physical repairs as necessary. In addition, the stilling basin would be cleaned twice a year. This

maintenance would involve pumping standing water from the stilling basin to a storage tank located away from the creek channel for settling before release back to San Mateo Creek. All discharges would conform to applicable water quality standards. Sediment and any other debris in the dry basin would be removed and hauled to an approved disposal site.

Mitigation

The SFPUC proposes to provide compensatory mitigation for wetland and habitat loss at a site on the north east side of the San Andreas Reservoir (Figure 10). Construction of the mitigation site is anticipated to occur in the summer/fall of 2010, and would therefore provide compensation for the project at least two years in advance of LCSO impacts, therefore a 1:1 replacement ratio for the 0.45 acre impact is being proposed. The San Andreas Reservoir mitigation site is approximately 6 acres in size. The site plan would establish up to four wetland features, totaling up to 4.8 acres, and several small riparian enhancements along an existing fire access road. San Francisco garter snakes and California red-legged frogs are known to occur in San Andreas Reservoir and the freshwater emergent wetlands immediately east of the site. The creation of wetlands in this area would provide additional breeding and foraging habitat for the California red-legged frog, and would provide additional foraging habitat for the San Francisco garter snake. The remaining acreage at the site would be mitigation for other SFPUC projects currently being permitted.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations

(33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. The Corps is currently conducting Section 7 consultations with both agencies since construction of the new stilling basin would have temporary impacts to central California coast steelhead and/or its habitat within San Mateo Creek. Construction of the new stilling basin and post-project operation of Crystal Springs Reservoir would have temporary and permanent impacts to fountain thistle, Marin western flax, California red-legged frog and San Francisco garter snake.

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. No Corps permit will be granted until the applicant obtains the required water quality certification. The Corps may assume a waiver of water quality certification if the State fails or refuses to act on a valid request for certification within 60 days after the receipt of a valid request, unless the District Engineer determines a shorter or longer period is reasonable for the State to act.

Those parties concerned with any water quality issue that may be associated with this project should write

to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612 by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is water dependent.

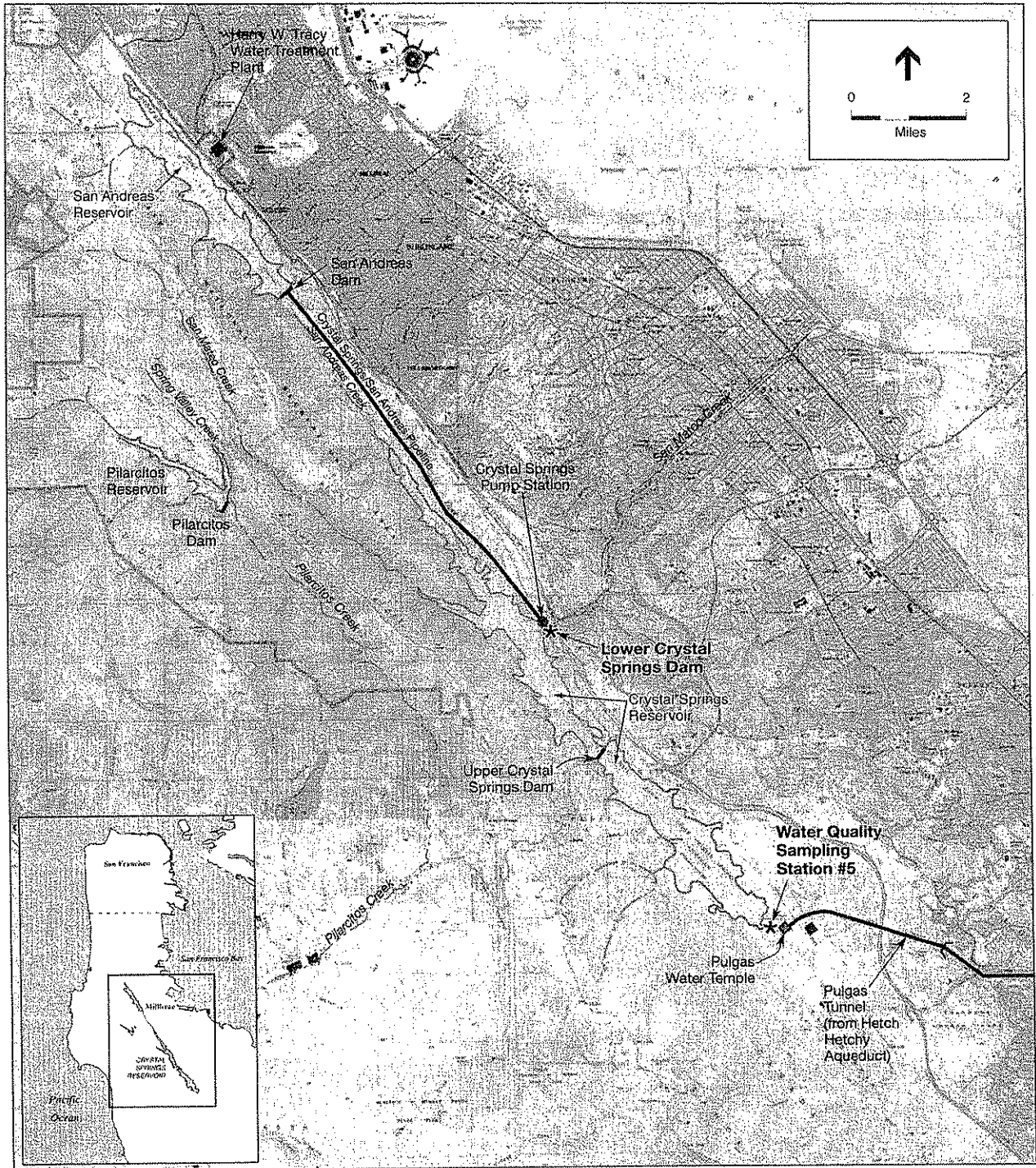
National Historic Preservation Act of 1966 (NHPA): A Corps of Engineers archaeologist is currently conducting a cultural resources assessment of the permit area, involving review of published and unpublished data on file with city, State, and Federal agencies. If, based upon assessment results, a field investigation of the permit area is warranted, and cultural properties listed or eligible for listing on the National Register of Historic Places are identified during the inspection, the Corps of Engineers will coordinate with the State Historic Preservation Officer to take into account any project effects on such properties.

4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water

quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Division, 1455 Market Street, San Francisco, California 94103-1398. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Bob Smith of our office at telephone (415) 503-6792 or E-mail: robert.f.smith@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.



* Proposed Project

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
Location: San Mateo County, CA
Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis

Figure 1
Lower Crystal Springs Dam Improvements Project –
USACE File #303175,
Project Location

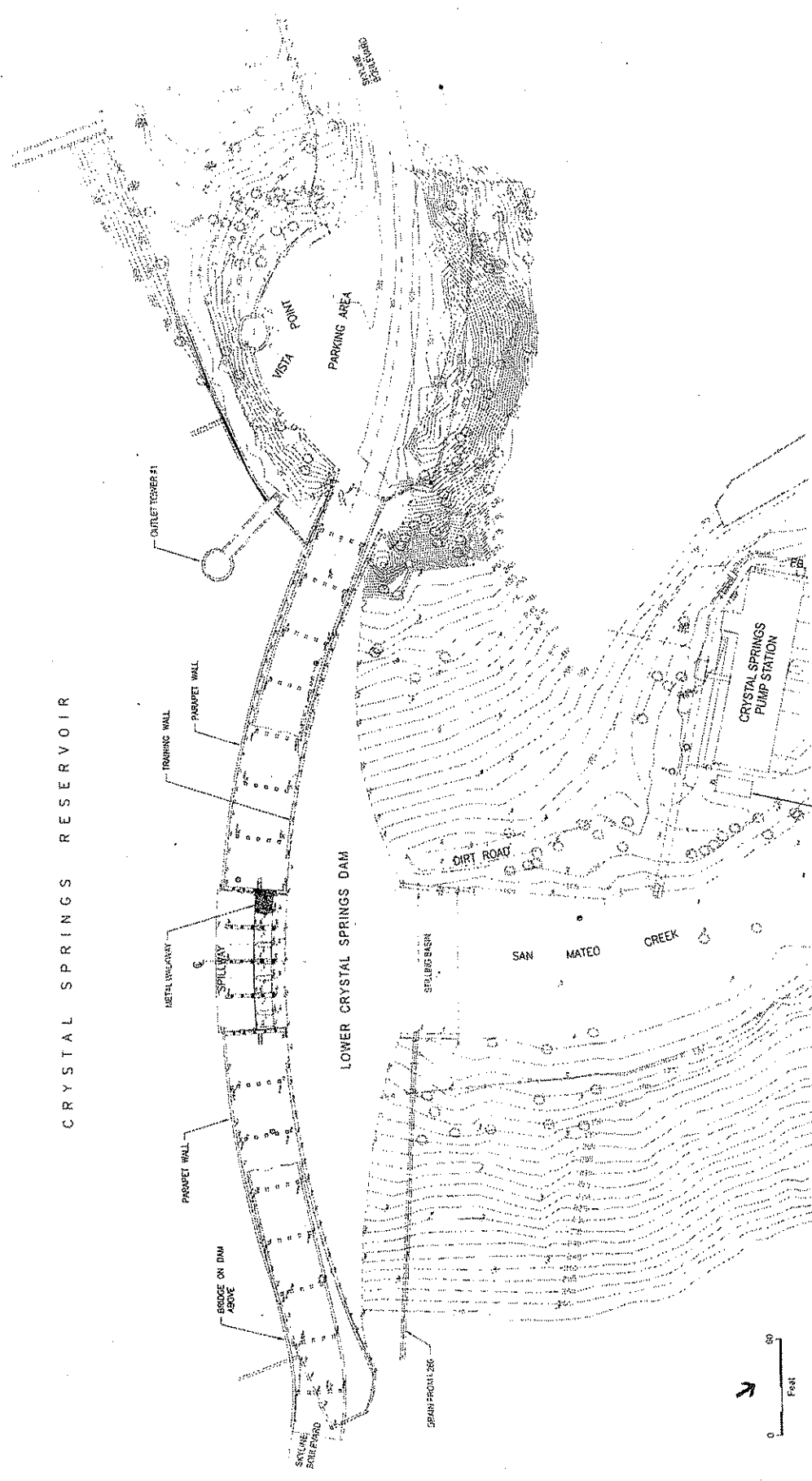
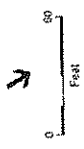
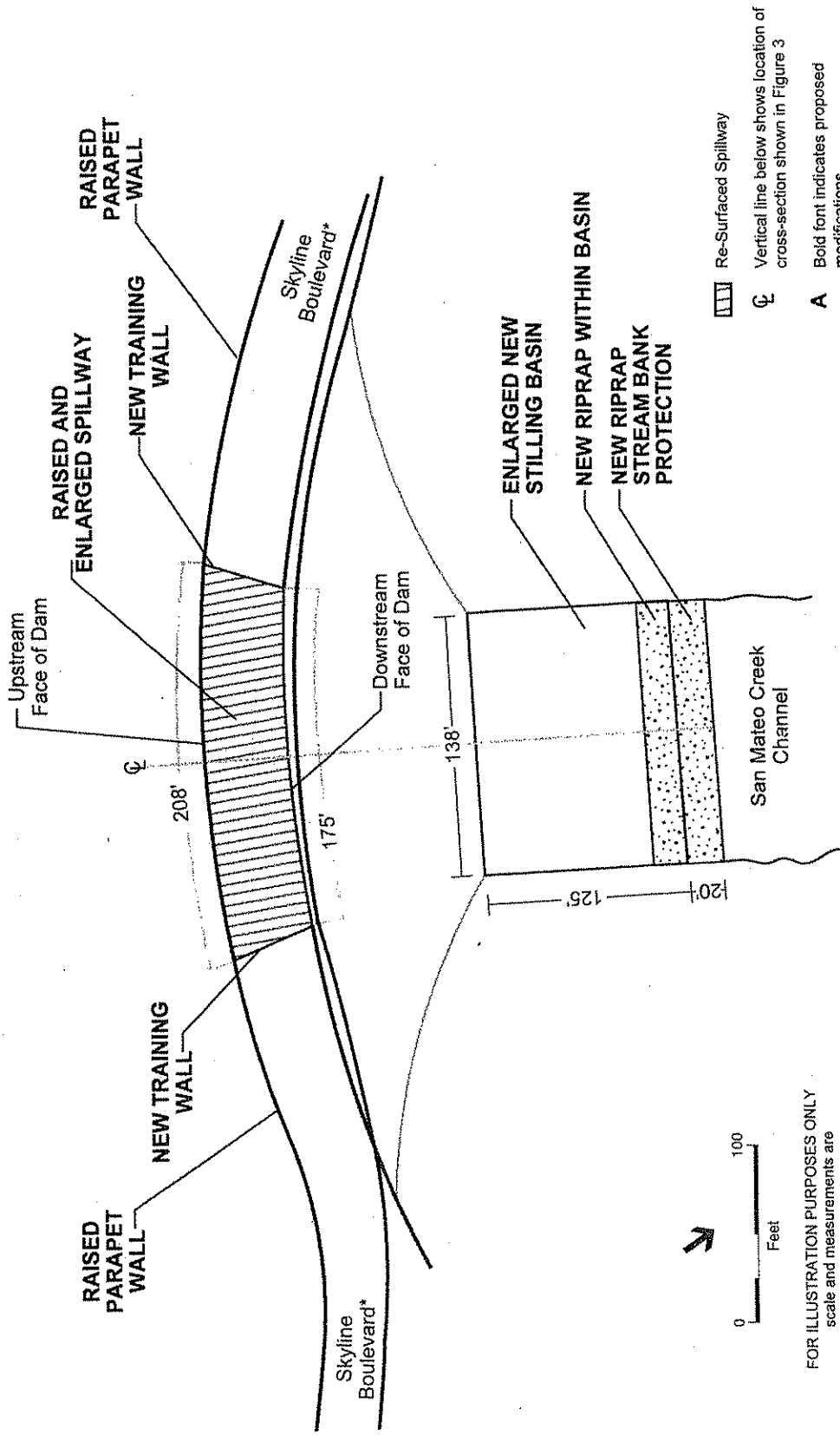


Figure 2
 Lower Crystal Springs Dam Improvements Project – USACE File #303175,
 Lower Crystal Springs Dam, Existing Conditions

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
 Location: San Mateo County, CA
 Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis



Crystal Springs Reservoir



FOR ILLUSTRATION PURPOSES ONLY
 scale and measurements are
 approximated

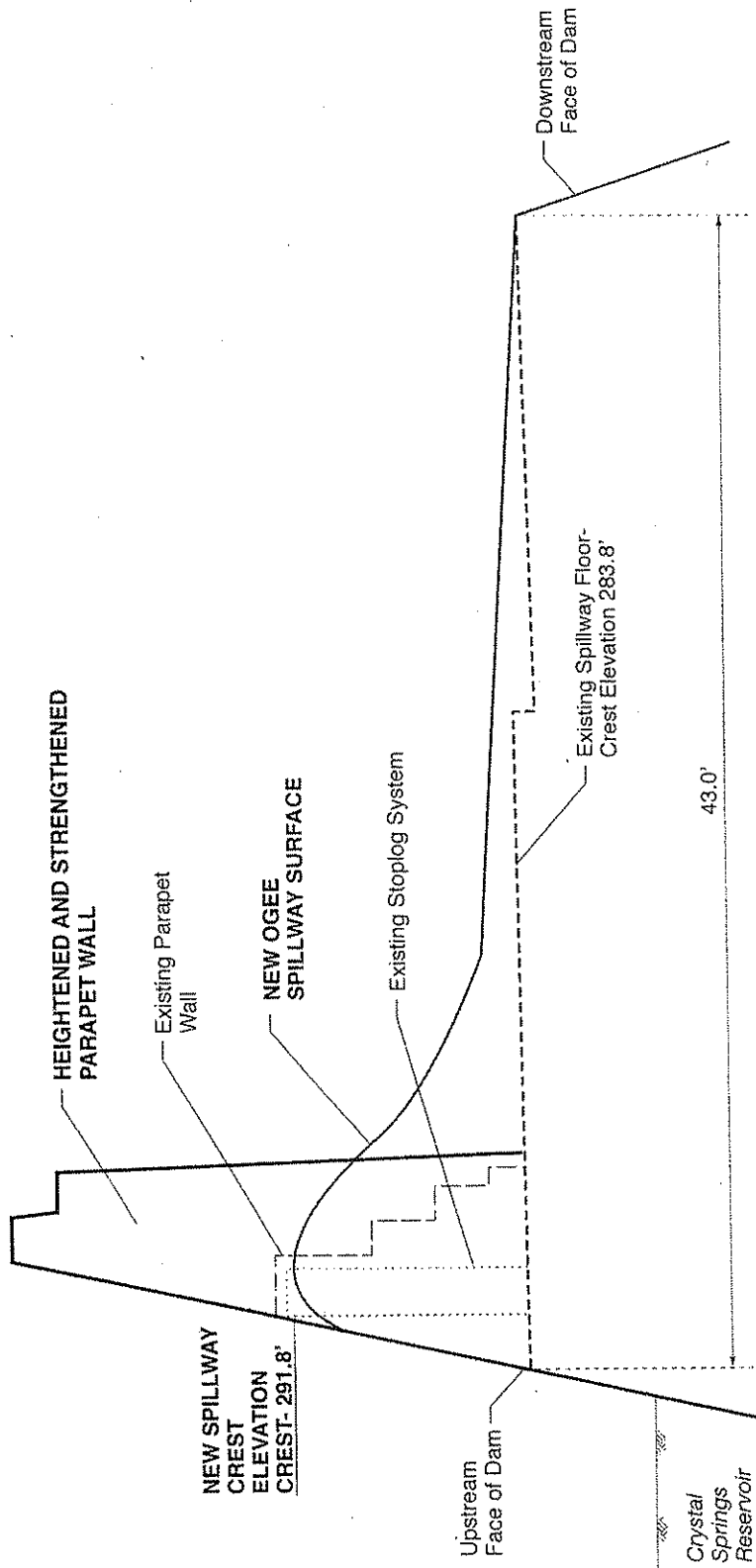


- Re-Surfaced Spillway
- Vertical line below shows location of cross-section shown in Figure 3
- A** Bold font indicates proposed modifications

*Skyline Boulevard Bridge Not Shown

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
Location: San Mateo County, CA
Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis

Figure 3
Lower Crystal Springs Dam Improvements Project -- USACE File #30317S,
Proposed Modifications to Lower Crystal Springs Dam, Plan View

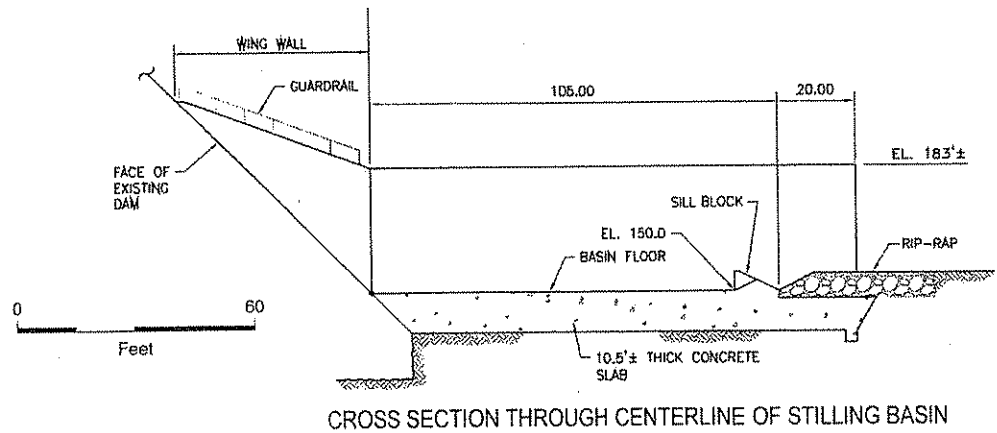
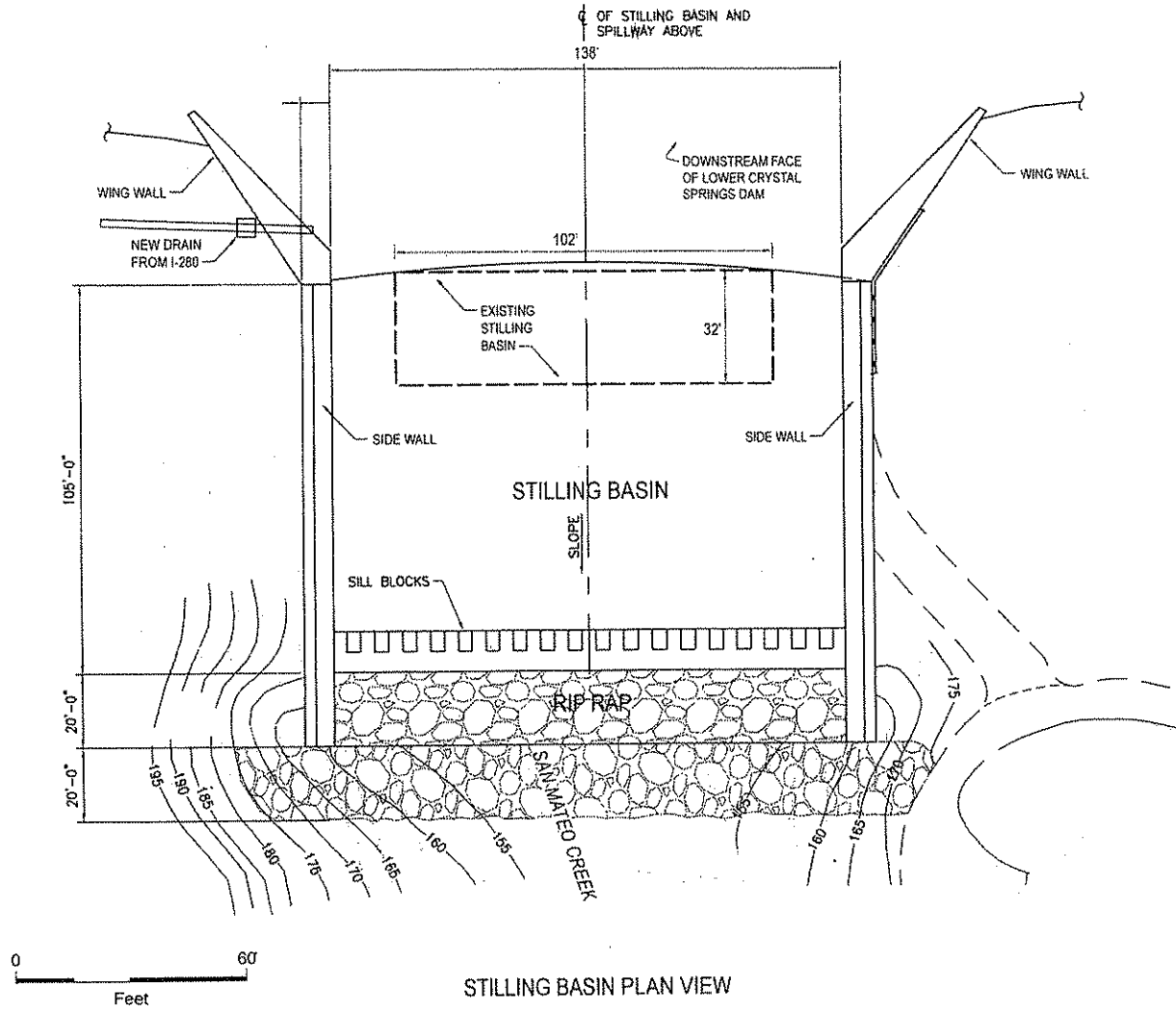


A Bold font indicates proposed modifications

FOR ILLUSTRATION PURPOSES ONLY
 scale and measurements are
 approximated

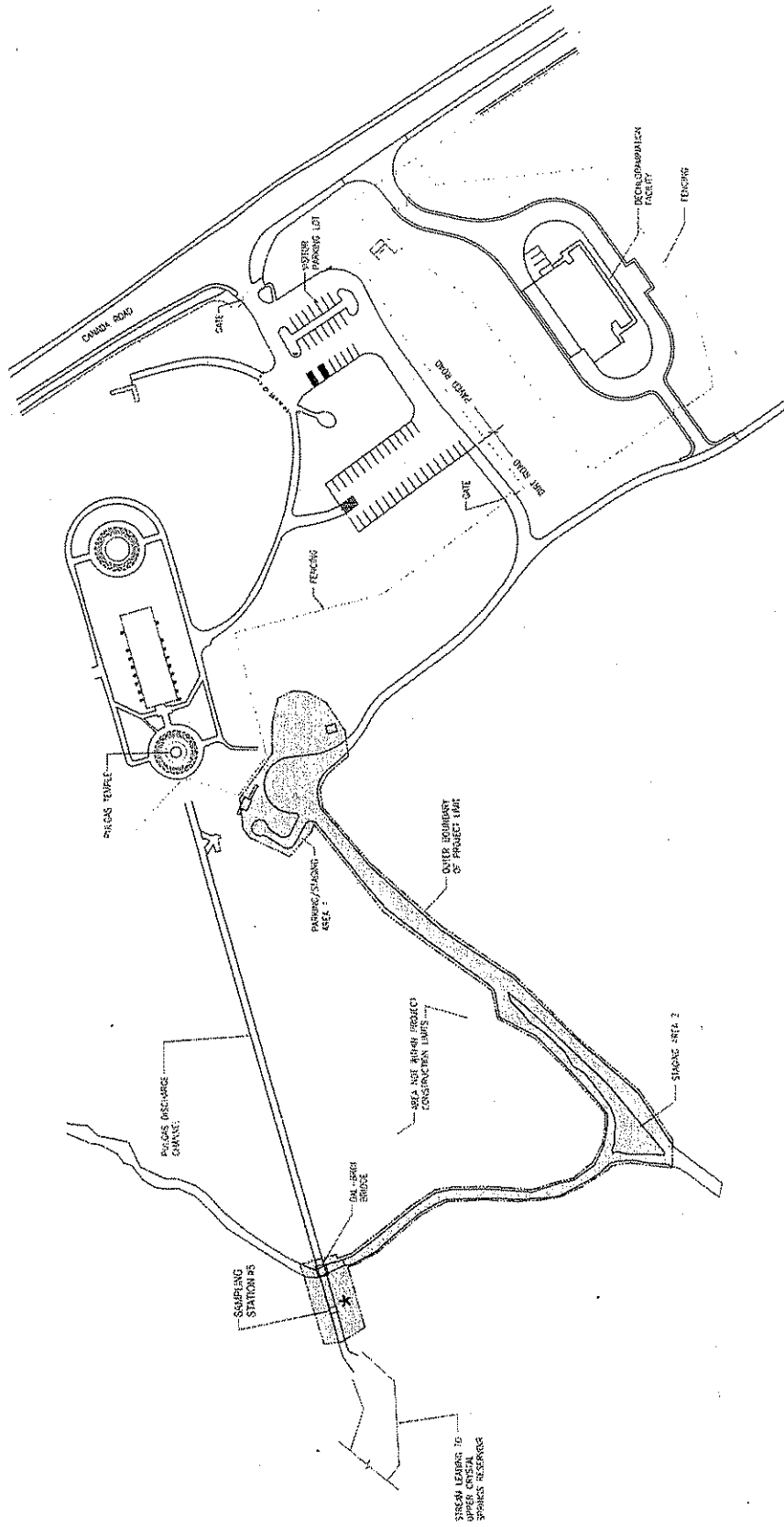
Figure 4
Lower Crystal Springs Dam Improvements Project – USACE File #30317S,
Proposed Spillway Modifications, Cross-section View

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
Location: San Mateo County, CA
Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis



Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
Location: San Mateo County, CA
Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis

Figure 5
Lower Crystal Springs Dam Improvements Project –
USACE File #30317S,
Proposed Stilling Basin Modifications,
Plan and Cross-section Views



Not to Scale

* Proposed Project
 [Shaded Box] Staging and Construction Limits

Figure 6
Lower Crystal Springs Dam Improvements Project – USACE File #303175,
Water Quality Sampling Station #5, Staging and Storage Areas

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
Location: San Mateo County, CA
Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis

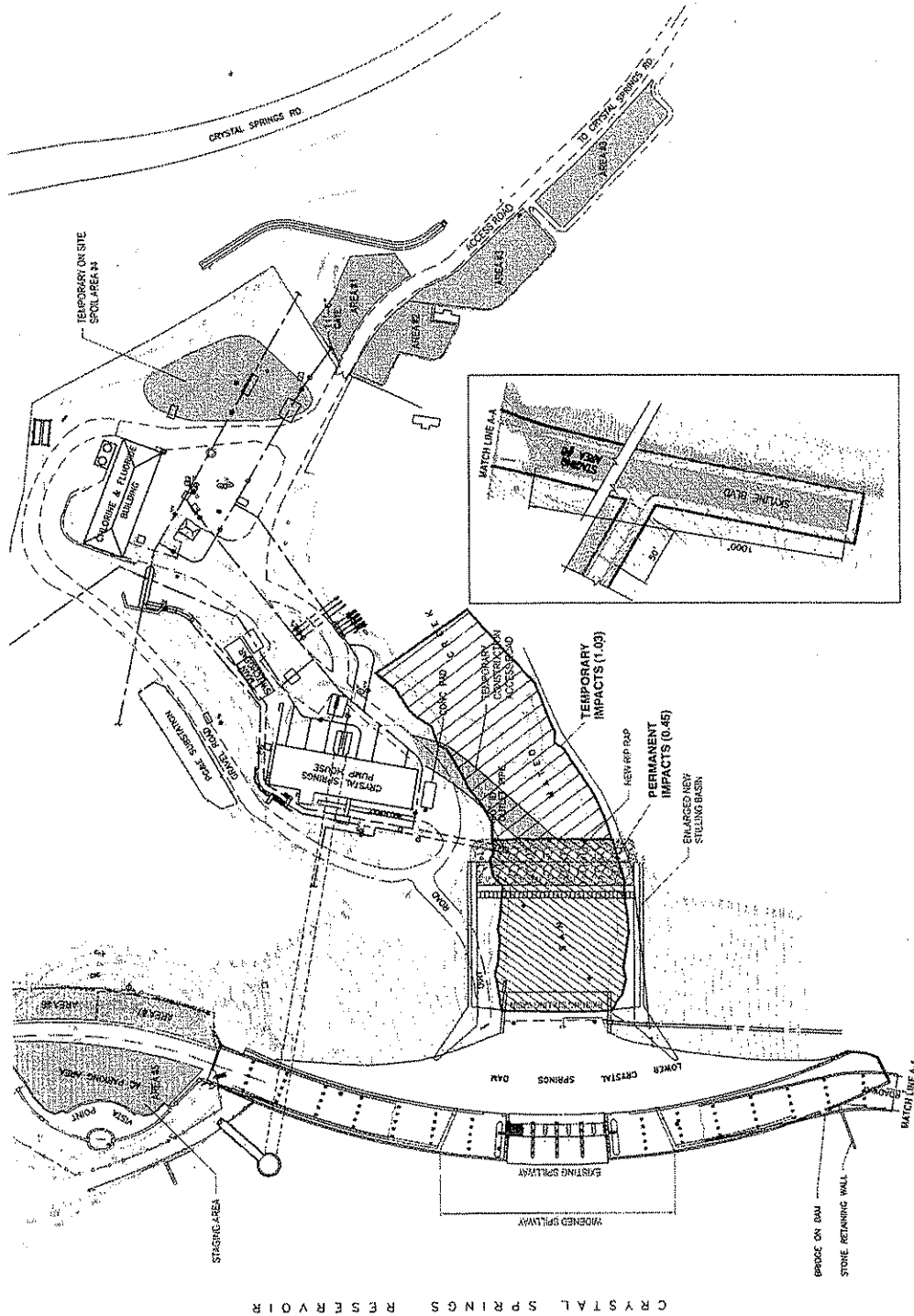


Figure 7
 Lower Crystal Springs Dam Improvements Project – USACE File #303175,
 Staging and Storage Areas

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
 Location: San Mateo County, CA
 Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 8th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis

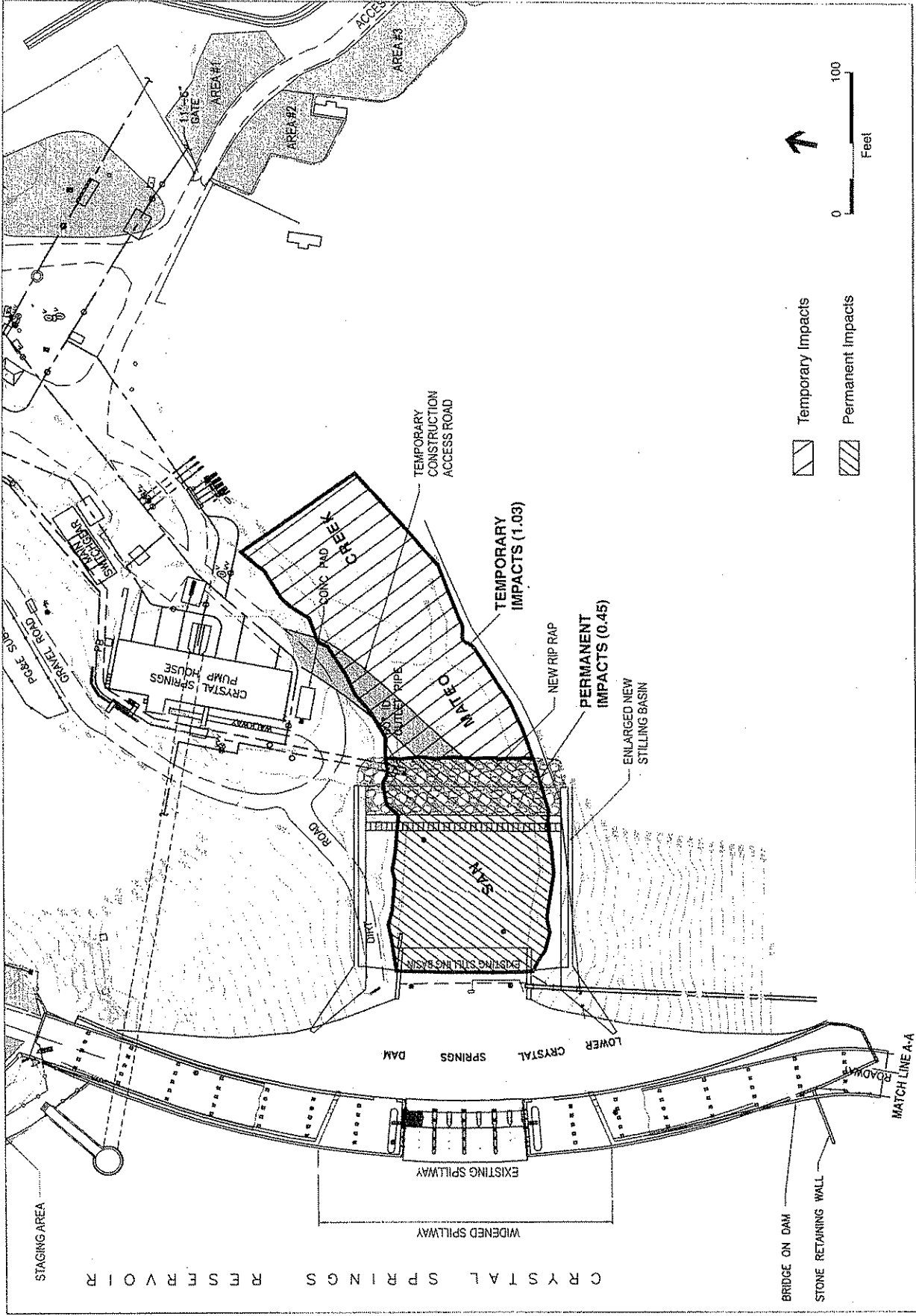
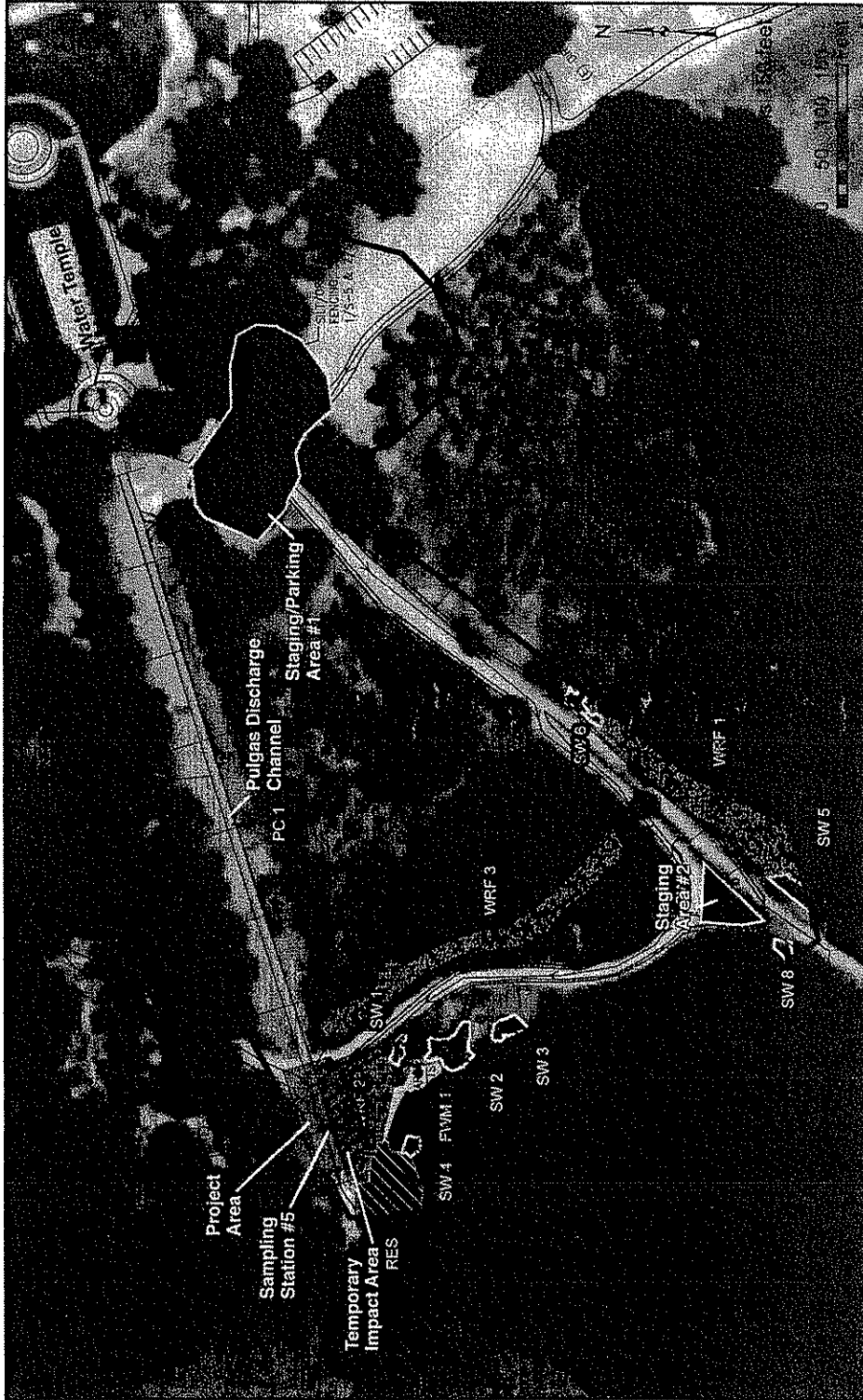


Figure 8
Lower Crystal Springs Dam Improvements Project – USACE File #30317S,
Corps Jurisdictional Impacts

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
Location: San Mateo County, CA
Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
 Contact: Anastasio Mavroudis



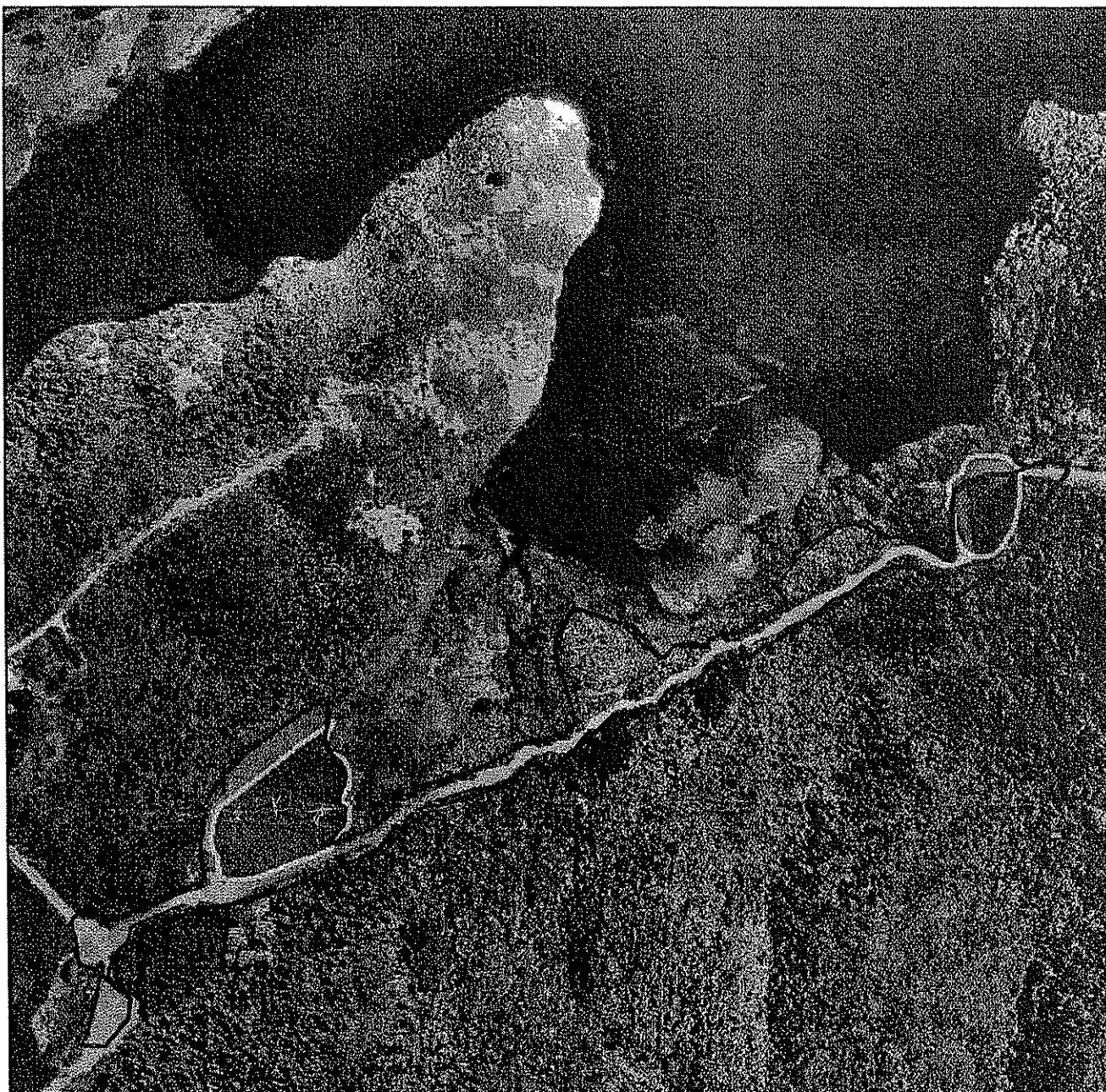
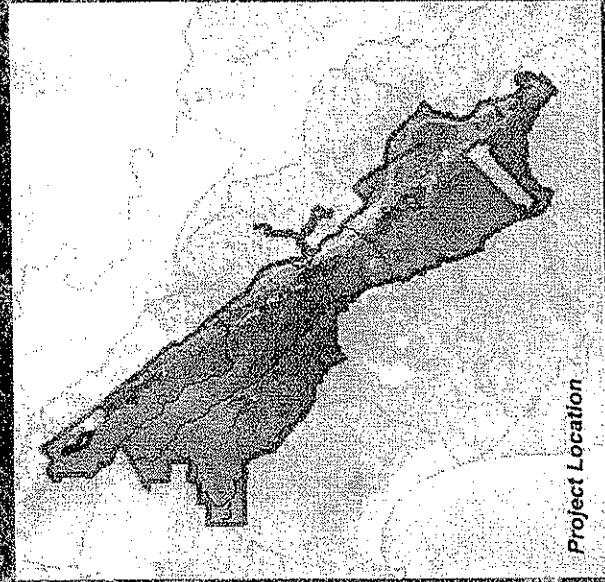
- Soil data point
- Estimated Project Boundary
- Potential Jurisdictional Wetlands & Waters
 - Freshwater Marsh (FWM)
 - Perennial Stream (PC)
 - Open Water (RES)
 - Seasonal Wetland (SW)
 - Willow Riparian (WRF)

Purpose: Meet Division of Safety of Dams (DSOD) requirements and restore the historical capacity of Crystal Springs Reservoir.
Location: San Mateo County, CA
Applicant: San Francisco Public Utilities Commission, 1155 Market Street, 6th Floor, San Francisco, CA 94103
Contact: Anastasio Mavroudis

Figure 9
Lower Crystal Springs Dam Improvements Project – USACE File #303175,
Jurisdiction Impacts at Sampling Station #5

**San Andreas Reservoir
2010 Habitat Reserve Program**

 Project Boundary



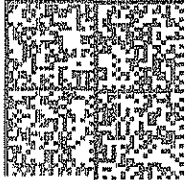
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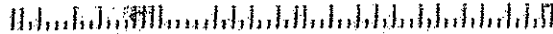
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25

Dear Supervisors:

Please stand up for the Central City. Ensure that the CPMC "Master Plan" meet the needs of the surrounding communities.

The CPMC plan must:

- 1) **Establish** legally binding, permanent commitments to increase health access for all un/underinsured in San Francisco, while protecting vital neighborhood hospitals.
- 2) **Comply** with and exceed all legal housing obligations and protect tenants and businesses displaced by the project
- 3) **Create** real opportunities for Central City residents by hiring from surrounding communities, and respecting all employees' right to organize with a union of their choice.
- 4) **Strengthen** our community's existing health and youth services hit hard by budget cuts
- 5) **Compromise** with immediate neighbors around noise and height issues.

Signature: [Handwritten Signature] Date: 5/11/16

Address: 147 Taylor Hill 508

Email or phone: BRAND@NHTKALBUCA.COM



The Good Neighbor Coalition <http://goodneighborsanfrancisco.wordpress.com>

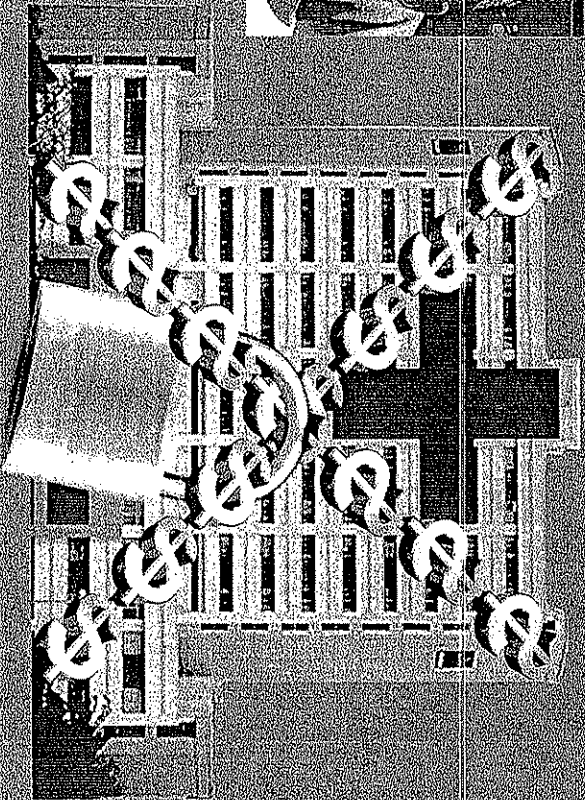
**San Francisco
Board of Supervisors**

1 Dr. Carlton B. Goodlett Place

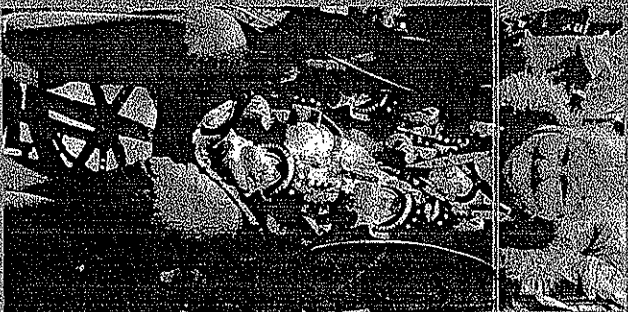
San Francisco, CA 94102

AK
607 468 51 551 8197
0 3/11/16

UNLOCK HEALTHCARE



CPMC - Locking out the Central City?



Dear Board of Supervisors:

The Supportive Housing Employment Collaborative (SHEC) helps people in my community return to the workforce.

This budget cycle, please protect this important resource that saves the City money by moving people towards meaningful work.

Sincerely,

Yumiko Masuzawa

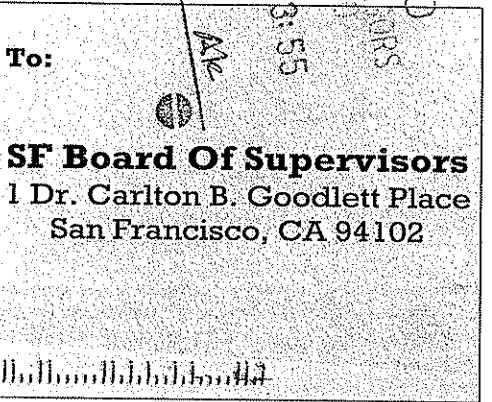
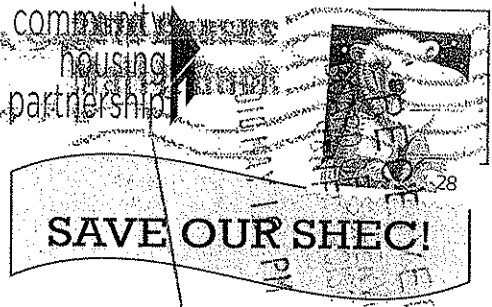
Street Address:

4336 California St. #5

Phone: SF CA 94118

Email: (415) 387-5843

yumasu@sfboardofsupervisors.com



Sincerely,

Yumiko Masuzawa

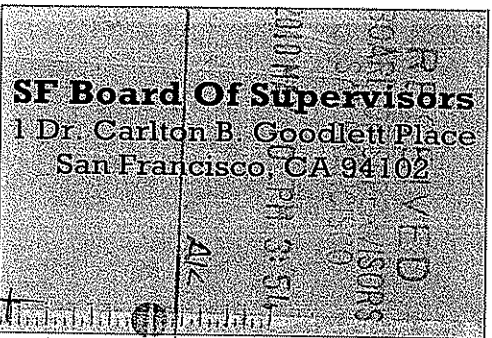
Street Address:

4336 California St. #5 SF CA

Phone: (415) 387-5843 94118

Email:

yumasu@sfboardofsupervisors.com



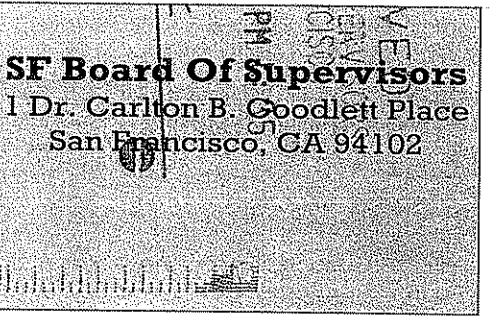
Sincerely,

NEVINE DAVIS

Street Address: 604 Ellis St. Apt. 501

Phone:

Email: info@torog.com

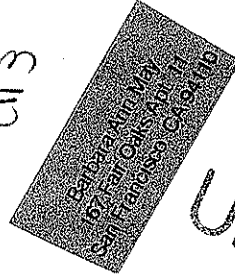


26

OUR ARBORETUM
HAS ALWAYS BEEN
A SACRED SPACE
TO ALL OF US

SAN FRANCISCO
PLEASE DO ALL
YOU CAN TO KEEP
IT FREE TO PUBLIC

AND LOUIS RESTAURANT
AT CLIFF HOUSE IS
ALSO PART OF ALL
OF OUR LIVES - PLEASE SAVE IT!



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