

Petitions and Communications received from January 25, 2011, through January 31, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on February 8, 2011.

From Human Services Agency, regarding the Human Services Care Fund. Copy: Each Supervisor, Budget and Finance Committee Clerk (1)

From concerned citizens, submitting opposition to the appointment of Richard Johns to the HPC. File No. 101511, Copy: Each Supervisor, 9 letters (2)

From concerned citizens, regarding the sidewalk sitting ban. 17 letters (3)

From Elton Pon, submitting support for proposed agreement lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession in Golden Gate Park. File No. 101416 (4)

From James Corrigan, regarding labor negotiations currently taking place. (5)

From Joe Cappelletti, submitting opposition to adding a local surcharge to every drink purchased in San Francisco. (6)

From Arts Commission, submitting FY2010-2011 Second Quarterly Expenditures Report. (7)

From State Department of Mental Health, regarding the community placement of a person committed as a sexually violent predator. Copy: Supervisor Wiener, City Attorney (8)

From Police Department, submitting request for release of reserved funds for the COPS Hiring Recovery Program. Copy: Budget and Finance Committee (9)

From James Chaffee, regarding the public library. (10)

From Rainbow Grocery Cooperative, submitting support for proposed resolution opposing the sale of KUSF radio station. File No. 110100 (11)

From Ivan Pratt, regarding public housing and the Redevelopment Agency. (12)

From Office of the Controller, submitting its audit report on the PUC's management of the Water System Improvement Program. (13)

From Abdalla Megahed, regarding the current situation in Egypt. Copy: Each Supervisor (14)

From concerned citizens, regarding the proposed agreement lease with Stow Lake Boathouse, LLC, for the operation of the Stow Lake Boathouse Concession in Golden Gate Park. File No. 101416, 5 letters (15)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement: (16)

Bevan Dufty, Supervisor - leaving

Sondra Angulo, Legislative Aide - assuming

Megan Hamilton, Legislative Aide - assuming

From Office of the Controller, regarding proposed Charter Amendment concerning increasing the compensation of Board of Education Members. File No. 101403, Supervisors Kim, Elsbernd, Farrell (17)

From Office of Citizen Complaints, submitting 2010 Annual Statistical Report. (18)

From concerned citizens, submitting support for keeping the Haight Ashbury Neighborhood Council's Recycling Center open. File No. 101490, 2 letters (19)

From Sue Vaughan, urging the Board of Supervisors to refer proposed legislation regarding handbills back to committee. File No. 101522 (20)

From Gerald Cauthen, regarding Caltrain operation. (21)

From Ace Washington, regarding Ace Washington's contributions to San Francisco. Copy: Each Supervisor (22)

From Branch Library Improvement Program, submitting the 2010 Fourth Quarterly Report. (23)

City and County of San Francisco



Edwin M. Lee, Mayor

BOS-11, page B/F Clerk  
Human Services Agency

Department of Human Services  
Department of Aging and Adult Services

Trent Rhorer, Executive Director

MEMORANDUM

January 28, 2011

TO: Angela Calvillo, Clerk of the San Francisco Board of Supervisors  
Ben Rosenfield, Controller of the City and County of San Francisco

THROUGH: Human Services Commission

FROM: Trent Rhorer, Executive Director  
Phil Arnold, Deputy Director for Administration

SUBJECT: **Human Services Care Fund: FY10-11 2<sup>nd</sup> Quarter Update and  
FY11-12 Annual Projection**

This memo is intended to notify the Board of Supervisors and the Office of the Controller that pursuant to Administrative Code Sections 10.100-77(c) and (e), the Human Services Commission has approved the Human Services Agency's revised FY10-11 savings projections and FY11-12 annual projection for the Human Services Care Fund.

The FY10-11 savings in homeless CAAP aid payments resulting from the implementation of *Care Not Cash* is now projected at \$13,683,414, which is roughly twelve thousand more than previously estimated. The projected savings are six thousand dollars less than the budgeted amount for FY10-11.

The projected amount for the Human Services Care Fund for next fiscal year (FY11-12) is \$13,654,750.

(memo continued on next page)

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2011 JAN 28 PM 3:02  
BY RC

1

The actual CAAP homeless caseload for the second quarter was used to update the projections for the remainder of FY10-11 (shown in the table below). Current projections estimate that Care Fund savings will be around twelve thousand more than was previously projected for FY10-11 (due to a greater than expected decline in the homeless CAAP caseload during the quarter).

Month	Previous Quarterly Update (Q1 FY10-11)	Current Quarterly Update (Q2 FY10-11)	Difference
Jul-10	\$1,141,316	\$1,141,316	\$0
Aug-10	\$1,141,528	\$1,141,528	\$0
Sep-10	\$1,138,728	\$1,138,728	\$0
Oct-10	\$1,138,838	\$1,140,548	\$1,709
Nov-10	\$1,138,838	\$1,138,296	(\$542)
Dec-10	\$1,138,838	\$1,140,428	\$1,590
Jan-11	\$1,138,838	\$1,140,428	\$1,590
Feb-11	\$1,138,838	\$1,140,428	\$1,590
Mar-11	\$1,138,838	\$1,140,428	\$1,590
Apr-11	\$1,138,838	\$1,140,428	\$1,590
May-11	\$1,138,838	\$1,140,428	\$1,590
Jun-11	\$1,138,838	\$1,140,428	\$1,590
<b>Total FY10-11</b>	<b>\$13,671,116</b>	<b>\$13,683,414</b>	<b>\$12,298</b>

NOTE: Shaded figures are *actuals* (versus *projections*).

The FY10-11 budgeted amount for the Human Services Care Fund is \$13,689,505. As shown below, current projections are roughly six thousand less than this budgeted amount.

**FY10-11 Human Services Care Fund  
Budget Comparison**

FY10-11 Budget	\$13,689,505
Current Projections	\$13,683,414
Amount Over-Funded	\$6,091

The projected amount for the Human Services Care Fund for next fiscal year (FY11-12) is \$13,654,750 (about twenty-nine thousand dollars less than current projections for this fiscal year).

Month	Care Fund Projections
Jul-11	\$1,137,896
Aug-11	\$1,137,896
Sep-11	\$1,137,896
Oct-11	\$1,137,896
Nov-11	\$1,137,896
Dec-11	\$1,137,896
Jan-12	\$1,137,896
Feb-12	\$1,137,896
Mar-12	\$1,137,896
Apr-12	\$1,137,896
May-12	\$1,137,896
Jun-12	\$1,137,896
<b>Total FY11-12</b>	<b>\$13,654,750</b>

BOS-11 <sup>COB</sup>  
File 101511 <sup>page</sup>



**Fw: PLEASE VOTE FOR A HISTORIAN NOT A LAWYER!!**  
Angela Calvillo to: Rick Caldeira

01/25/2011 11:59 AM

file

Angela Calvillo  
Clerk of the Board

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----- Forwarded by Angela Calvillo/BOS/SFGOV on 01/25/2011 11:34 AM -----

From: Jamie Cherry <jamie@cherry.com>  
To: <Judson.true@sfgov.org>, <Carmen.Chu@sfgov.org>, <Eric.L.Mar@sfgov.org>,  
<Ross.Mirkarimi@sfgov.org>, <david.campos@sfgov.org>, <scott.wiener@sfgov.org>,  
<Malia.Cohen@sfgov.org>, <John.Avalos@sfgov.org>, <angela.calvillo@sfgov.org>  
Cc: David.Chiu@sfgov.org  
Date: 01/25/2011 11:25 AM  
Subject: PLEASE VOTE FOR A HISTORIAN NOT A LAWYER!!

Dear Supervisors,

I am a constituent of the 3rd district where we have lots of historic buildings. Slowly, I am watching the essence of our city being eroded.

Please do not vote for Richard Johns for Seat (4). This is a seat reserved for a true Historian, not a lawyer. He does not have the credentials for the Historian seat. We need a qualified Historian with experience, and who understands the Secretary of the Interior's Professional Qualifications Standards for history. Simply, Mr. Johns does not have the qualifications for this position and therefore should not be confirmed to this post important seat.

Thank you,

Jamie Cherry  
San Francisco Citizen

2

Bos-11 <sup>page</sup> COB  
File 101511



Fw: HPC Seat 4  
Angela Calvillo to: Rick Caldeira

01/24/2011 06:03 PM

File please

Angela Calvillo  
Clerk of the Board

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----- Forwarded by Angela Calvillo/BOS/SFGOV on 01/24/2011 06:04 PM -----

From: "Dennis Leuer" <dleuer@bamlaw.com>  
To: <angela.calvillo@sfgov.org>  
Date: 01/24/2011 03:02 PM  
Subject: HPC Seat 4

Dear Supervisor Calvillo:

Please reject the nomination of Mr. Johns for Seat 4 on the HPC because of his lack of the necessary professional qualifications.

Sincerely,

Dennis Leuer

Dennis O. Leuer  
Bancroft & McAlister LLP  
505 Montgomery St. Ste. 1100  
San Francisco CA 94111-6529  
Phone: (415) 291-7237  
Fax: (415) 291-7200  
Cell: (415) 370-0393

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We are required by U.S. Treasury regulations to inform you that any tax advice contained in this communication may not be used for the purpose of (i) avoiding any tax penalties, or (ii) recommending any tax-related matter to any other person.

BOS-11 COB  
File 101511



**Fw: RE HISTORIC PRESERVATION COMMISSION**  
Angela Calvillo to: Rick Caldeira

01/24/2011 05:25 PM

File

Angela Calvillo  
Clerk of the Board

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----- Forwarded by Angela Calvillo/BOS/SFGOV on 01/24/2011 05:26 PM -----

From: Denise D Anne <ddanne1@sbcglobal.net>  
To: undisclosed recipients ;  
Date: 01/23/2011 05:43 PM  
Subject: RE HISTORIC PRESERVATION COMMISSION

---

Dear Citizen Representatives:

Please do not undermine the standards set for the Historic Preservation Commission by appointing a person who should have such rigorous standards so that the public can be served by knowledgeable people.

All the best,

Denise D'Anne  
351 Guerrero St.  
San Francisco, CA 94103  
415-431-4172



To: BOS Constituent Mail Distribution, Linda Wong/BOS/SFGOV,

Cc:

Bcc:

Subject: The new appointment to the Historic Preservation Commission (HPC) File 101511

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From: Karen Ulring <kulring@earthlink.net>  
To: board.of.supervisors@sfgov.org, Carmen.Chu@sfgov.org, David.Campos@sfgov.org,  
David.Chiu@sfgov.org, Eric.L.Mar@sfgov.org, Jane.Kim@sfgov.org, John.Avalos@sfgov.org,  
Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Ross.Mirkarimi@sfgov.org,  
Scott.Wiener@sfgov.org, Sean.Elsbernd@sfgov.org, DavidTornheim@hotmail.com  
Date: 01/25/2011 08:35 AM  
Subject: The new appointment to the Historic Preservation Commission (HPC)

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Supervisors,

I learned that tomorrow is the date the Board of Sup will be voting on Gavin Newsom's appointment of Richard Johns to the HPC. Clearly he does not meet the criteria for this appointment as required by Prop J. The appointee should be a historian with relevant experience in Bay Area history and preservation. Mr Johns is a real estate lawyer, not a historian. So you would be going against the very criteria that Prop J has spelled out.

Yes, Mr. Johns was a president of the Sf Museum and Historical Society, but that does not make him a historian.

As a SF City Guide who so values the architecture of our fair city, I can assure you that most visitors come to SF to enjoy the beautiful Victorian architecture we have worked so hard to preserve. Let's ensure that our HPC continues to respect the architecture that defines us, and that the appointments to the HPC meet the criteria of Prop J.

I thank you for listening and considering these thoughts and issues as you vote on this appointment.

Karen Ulring  
SF City Guide



appointment to HISTORIC PRESERVATION COMMISSION

Fey Adelstein

to:

board.of.supervisors, Carmen.Chu, David.Campos, David.Chiu, Eric.L.Mar, Jane.Kim, John.Avalos, Malia.Cohen, Mark.Farrell, Ross.Mirkarimi, Scott.Wiener, Sean.Elsbernd

01/26/2011 09:01 AM

Show Details

Dear Supervisors,

I ask you to vote against the appointment of Richard Johns to the Historic Preservation Commission. My understanding is that he does not qualify for the appointment, and his past employment shows that he has advocated for developers/development. Therefore his candidacy should be rejected today. Instead, HPC should appoint someone who has worked to preserve historic buildings (not on tearing them down).

Thank you,  
Fey Adelstein

File 201511

Appointment of Richard Johns to HPC

Katherine Petrin

to:

board.of.supervisors@sfgov.org, Carmen.Chu@sfgov.org, David.Campos@sfgov.org,  
David.Chiu@sfgov.org, Eric.L.Mar@sfgov.org, Jane.Kim@sfgov.org, John.Avalos@sfgov.org,  
Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Ross.Mirkarimi@sfgov.org,  
Scott.Wiener@sfgov.org, Sean.Elsbernd@sfgov.org

01/25/2011 12:22 PM

Show Details

Honorable President Chiu and Supervisors,

I am writing with regard to the pending appointment to the Historic Preservation Commission. In accordance with the letter and spirit of Proposition J passed by the voters in 2009, I urge you to select a commissioner that meets the required profile, that is, a trained historian who meets the Secretary of the Interior's Professional Qualifications, and has specialized training and/or demonstrated experience in the field of architectural history. In my professional opinion, the pending candidate, Mr. Johns, does not meet these requirements. I urge you to vote accordingly. Thank you for your attention.

Regards,

Katherine Petrin

Katherine T. Petrin

Senior Associate

**ARCHITECTURAL RESOURCES GROUP, INC**

Architects Planners Conservators

Pier 9, The Embarcadero, Suite 107 | San Francisco, CA 94111

415.421.1680 x243 | 415.421.0127 fax | [katherine@argsf.com](mailto:katherine@argsf.com)

Bos-11 Copy  
File 101511



Fw: Kim Rules Committee backs Willie [BOS File No. 101511]  
Angela Calvillo to: Rick Caldeira

01/25/2011 10:11 AM

File

Angela Calvillo  
Clerk of the Board

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----- Forwarded by Angela Calvillo/BOS/SFGOV on 01/25/2011 10:09 AM -----

From: Cynthia Servetnick <cynthia.servetnick@gmail.com>  
To: Supervisor David Chiu <David.Chiu@sfgov.org>, jane.kim@sfgov.org, "Sean.Elsbernd" <Sean.Elsbernd@sfgov.org>, Mark.Farrell@sfgov.org, Supervisor David Campos <david.campos@sfgov.org>, "Carmen.Chu" <Carmen.Chu@sfgov.org>, "Supervisor Eric L. Mar" <Eric.L.Mar@sfgov.org>, Supervisor Ross Mirkarimi <Ross.Mirkarimi@sfgov.org>, Supervisor John Avalos <John.Avalos@sfgov.org>, scott.wiener@sfgov.org, Malia.Cohen@sfgov.org  
Cc: Angela.Calvillo@sfgov.org  
Date: 01/25/2011 12:19 AM  
Subject: Kim Rules Committee backs Willie [BOS File No. 101511]

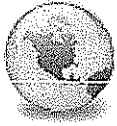
F.Y.I.

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

From: **sfpreservationconsortium** <[sfpreservationconsortium@yahoo.com](mailto:sfpreservationconsortium@yahoo.com)>  
Date: Tue, Jan 25, 2011 at 12:12 AM  
Subject: [SF Preservation Consortium] Kim Rules Committee backs Willie  
To: [sfpreservationconsortium@yahoogroups.com](mailto:sfpreservationconsortium@yahoogroups.com)

Kim Rules Committee backs Willie  
(Hubby to 'financial valet' appointed)  
(1-24-11)


Eight years ago Matt Smith did a piece on Eleanor Johns (<http://www.sfweekly.com/2003-05-28/news/making-scents-at-sfo/>) in which he traced her 25 years association with Willie Brown (she's presently the Executive Director of his Willie L. Brown Jr. Institute. Smith tagged Johns as Brown's "financial valet" and things haven't changed. That's why I watched with interest as D-6's Jane Kim chaired the first meeting of the Class of 2010 Rules Committee which was considering the appointment of Johns' husband, Richard to the City's Historical Preservation Committee. It was a particularly telling vote because the last incarnation of the committee (last month) chaired by D-9's David Campos had rejected Johns' appointment as inappropriate because he did not possess the qualifications (Historian) called for in the Charter. In a 2-1 vote (Mar joining Campos with Alioto-Pier dissenting) the last committee listened to the many experts who testified that although Richard Johns is just one hell



## Preservation

Verna Shaheen to: board.of.supervisors, Carmen.Chu,  
David.Campos, David.Chiu, Eric.L.Mar,  
Jane.Kim, John.Avalos, Malia.Cohen,

01/25/2011 09:08 AM

	Verna Shaheen	Preservation

Dear Board: I am disappointed to learn of the recent action by Ms Kim regarding appointing an attorney onto the Preservation Commission who clearly does not reflect the mission of that Commission. There is an obvious conflict if he is accustomed to representing big developers. He should not be seeking such a post. You must see to it that the spirit of the Commission, its guidelines for members, and its goals of protecting our limited and precious supply of significant architecture that makes our city what it is in many ways. Thank you for your vigilance. Verna Shaheen 1600 Vallejo St #1 SF 94123 415-771-3544



**Fw: Interpretation of the Charter, Qualifications for Seat 4 , HPC**  
Angela Calvillo to: Rick Caldeira

01/25/2011 10:06 AM

File please

Angela Calvillo  
Clerk of the Board

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----- Forwarded by Angela Calvillo/BOS/SFGOV on 01/25/2011 10:07 AM -----

From: Judith Hoyem <jhoyem@sbcglobal.net>  
To: david.chiu@sfgov.org, Judson.true@sfgov.org, Carmen.Chu@sfgov.org, Eric.L.Mar@sfgov.org, Ross.Mirkarimi@sfgov.org, Mark.Farrell@sfgov.org, david.campos@sfgov.org, scott.wiener@sfgov.org, Malia.Cohen@sfgov.org, John.Avalos@sfgov.org, angela.calvillo@sfgov.org, Sean.Elsbernd@sfgov.org, Jane.Kim@sfgov.org  
Cc: Judith Hoyem <jhoyem@sbcglobal.net>  
Date: 01/24/2011 10:43 PM  
Subject: Fwd: Interpretation of the Charter, Qualifications for Seat 4 , HPC

---

Honorable Supervisors,

We in the SF Preservation Community have come to learn that City Attorney Byrne has made a mistaken interpretation of the description of the minimum qualifications for Historian, Seat 4, for the Historic Preservation Commission. In the following letter (below) addressed to Ms. Byrne, I have documented the nature of that error. In doing so, I have made the case for appointing an individual to this Seat who meets the qualifications of the Sec'y of the Interior's Professional Qualification Standards for historian.

Please do read the letter forwarded below. I hope that you will find the analysis compelling and that you will agree that a highly qualified professional historian is required for Seat 4 and that consequently you will not confirm Mr. John's nomination to Seat 4 but will recommend that he be considered for Seat 5 or Seat 7 when one of them becomes vacant.

In addition, when I spoke before the Rules Committee on this matter last Thursday, January 20, I read aloud the Sec'y's Standards for historian, which state, in part, . . . a graduate degree in History or a closely related field of study (see Academic Background for History) . . . OR An undergraduate degree in History or a closely related field of study (see Academic Background for History). There was some question of what constitutes a "closely related field." According to the attached document that describes in detail the Standards: "ACADEMIC BACKGROUND FOR HISTORIAN Closely related fields: For this Standard, the professional degree is typically awarded in History, American History, or Public History. Relevant training can be obtained in programs of American Studies, American Civilization, Historical or Cultural Geography, Anthropology, Ethnohistory, and Historic Preservation, providing that course work is offered in historical research methods and techniques.

Mr. John's undergraduate degree was in English. His professional degree was in Law. His resume does not indicate training in an academic field related to History. Regrettably he does not meet the qualifications for Seat 4.

If you confirm Mr. John's to Seat 4, there will no longer be a Seat on the Commission reserved for a professional historian, which would undermine the integrity of the Commission.

Please uphold the letter and the spirit of Proposition J and the Charter for a highly professional and expert Historic Preservation Commission, which will follow through on its mandate to protect the historic resources of the City of San Francisco.

Please do not confirm the nomination of Richard John's to the Historic Preservation Commission in Seat 4.

Begin forwarded message:

**From:** Judith Hoyem <jhoyem@sbcglobal.net>

**Date:** January 24, 2011 7:40:41 PM PST

**To:** Marlana.byrne@sfgov.com

**Cc:** Sunny.Angulo@sfgov.org, Jane.Kim@sfgov.org, Cynthia Servetnick <Cynthia.Servetnick@gmail.com>

**Subject: RE: Interpretation of the Charter, Qualifications for Seat 4 , HPC**

To: Marlana Byrne, City Attorney

Dear Ms. Byrne,

---

With all due respect for your interpretation of the following words in the SF Charter pertaining to the Historic Preservation Commission, Seat 4, Historian,

"an historian meeting Secretary of the Interior's Professional Qualifications Standards for history with specialized training **and/or** demonstrable experience in North American or Bay Area history,"

it seems that you contend that the Charter intends or allows a choice in filling Seat 4 between either the "Sec'y of the Interior's Professional Qualification Standards for history with specialized training" OR "demonstrable experience in North American or Bay Area history." But that cannot be, as these two possible choices would be in no way comparable. Moreover to make that interpretation would render the statement ungrammatical: meeting standards or meeting demonstrable experience? The choice is not between meeting standards or having other experience. It is between having training AND/OR having experience in . . . . In what? In North American or Bay Area history, which are sub-areas in the general field of historical research and methodology. This area of focus is in addition to the Professional Qualification Standards and in no way could stand instead of those Standards in establishing minimum qualifications for the Seat.

The framers of Proposition J that established this section of the Charter intended to create a highly qualified professional Commission. A seat for an historian was specifically created in order to have the benefit of an historian's training in methodology and research. That is why the Sec'y of the Interior's Professional Qualification Standards were included as minimum qualifications. If lesser qualifications were acceptable there would have been no need to mention the Sec'y of the Interior's Standards.

Please see the full description of the Professional Qualification Standards for historian:

<http://www.nps.gov/history/local-law/gis/html/introduction.html> Please scroll down to the bottom to see the description of historian. That section is excerpted and attached to this e-mail



for your convenience. NPS History Quals.cwk (WP).pdf

Please note the following excerpt:

*(Note: Pursuant to 36 CFR part 61 a person meeting this Standard is required as part of the core staff for each State*

*Historic Preservation Office (SHPO) and as part of each State*

*Review Board. Expertise described by this standard is also*

*needed for Tribal Preservation Office staff or consultants of*

*tribes that have executed a Memorandum of Agreement to implement Section 101(d) of the National Historic Preservation*

*Act. It also may be needed for consultants hired with HPF grant funds and for members of Certified Local Government*

*Commissions.*) (My underlining)

The authors of Proposition J felt that necessity and so specified that level of expertise in describing the qualifications for Seat 4, Historian.

I would also like to refer you to the following document.

<http://www.nps.gov/history/local-law/gis/html/introduction.html>

Note the following excerpts:

**APPLICABILITY**

It should be emphasized that the Historic Preservation Professional Qualification Standards that follow are, in most instances, advisory in nature and may thus be used by anyone hiring personnel or consultants or appointing advisory boards or commissions. Because use of the Standards can help ensure appropriate, informed decisions about protecting and preserving our nation's historic and archeological resources, NPS strongly encourages their adoption and implementation. (my underlining: And so they are adopted by the Charter. )

And, further on

Third, Section 101(c)(1)(B) and Section 301(13) of the Act requires that State programs encourage CLG Review Commissions to include individuals who are professionally qualified, to the extent that such individuals are available in the community. The State may specify the minimum number of Commission members that must meet the Standards and decide which, if any, of the disciplines listed in the Standards need to be represented on the Commission. Professionally well-qualified individuals in the field of history are definitely available in the community ( e.g., James Buckley, Robert Cherny).

I request a second review by others in the City Attorney's Office of the meaning of the Charter's statement of minimum qualifications for Seat 4.

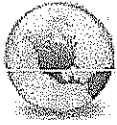
Sincerely yours,

Judith Hoyem

Member, SF Preservation Consortium  
Board Member, Friends of 1800

---





**Overturn San Francisco's Discriminatory Sidewalk Sitting Ban**  
Shannon Barnette to: Board.of.Supervisors  
Please respond to Shannon Barnette

01/31/2011 03:12 AM

View: (Mail Threads)

Greetings,

As you know, after the San Francisco Board of Supervisors voted 8-3 against a measure to ban sitting on city sidewalks in June 2010, Mayor Gavin Newsom took Proposition L, better known as the sit-lie ordinance, to the ballot.

Supporters, especially businesspeople in the Haight-Ashbury neighborhood, said it would curb loitering and aggressive panhandling. But since the police acknowledge that enforcement will be "complaint-driven," opponents are sure it will be unfairly used against homeless people.

Penalties for repeat offenders include 30-day jail sentences and \$500 fines. Officials can go ahead and add to that jail sentence, since \$500 might as well be \$1,000,000 for many of the city's homeless. It makes no sense to put people in jail, costing taxpayers money, because they can't pay a fine.

Please take action once again to end this discriminatory sidewalk sitting ban.

Shannon Barnette  
Columbus, OH

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/overturn\\_san\\_franciscos\\_discriminatory\\_sidewalk\\_sitting\\_ban](http://www.change.org/petitions/overturn_san_franciscos_discriminatory_sidewalk_sitting_ban). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.

3

\*\*\*Press Release \*\*\* City One Step Away from Revitalizing Stow Lake Boathouse  
SF Recreation and Parks

to:

board.of.supervisors

01/26/2011 03:00 PM

Please respond to elton.pon

Show Details

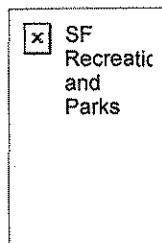
File 101416  
orange

Security:

To ensure privacy, images from remote sites were prevented from downloading. Show Images

History: This message has been forwarded.

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### City One Step Away From Revitalizing, Protecting StowLake Boathouse

BOS Budget and Finance Committee Recommends Approval of Lease with New Operator

For Immediate Release

January 26, 2011

**Contact:** Elton Pon  
**Phone:** 415-831-2782  
**E-Mail:** elton.pon@sfgov.org

**SAN FRANCISCO--** The San Francisco Board of Supervisors' Budget and Finance Committee voted today to recommend to the full Board the approval of a lease agreement with award-winning concessionaire Ortega Family Enterprises to rejuvenate and operate the historic Stow Lake Boathouse in Golden GatePark.

The full Board of Supervisors will consider the item on February 1.

Ortega Family Enterprises (d/b/a "Stow Lake Boathouse, LLC") will invest \$233,000 toward capital improvements to the popular but deteriorating boathouse with the overall goal of improving the visitor experience at the facility.

A new, indoor café area will be created from the existing boat repair area to allow visitors a spot to enjoy a snack and take in the charming ambience of StowLake. The café would recreate the atmosphere of the boat maintenance facility by incorporating boat repair memorabilia, historic

4

photographs of Stow Lake Boathouse, and furniture created from reclaimed materials from fallen piers and old boats.

The Ortega family will also provide healthy, local sustainable food options to the public, as well as traditional StowLake favorites like pink popcorn. Menu items will remain affordable, ranging from \$1 to \$11.75, with most items available from \$4.95 to \$8.95.

Ortega will also purchase a new fleet of boats, valued at \$152,000, to replace the existing aging fleet.

The new lease would run for a 15-year term, beginning in March of 2011, with a potential five-year extension. The vendor would provide a minimum annual rent of \$160,000 to the City, with projected revenue to the City of \$200,000.

"Ortega is an ideal partner to return the boathouse to its former glory," said Phil Ginsburg, general manager of the San Francisco Recreation and Park Department. "They have the expertise to rehabilitate such a treasured building and understand the importance of retaining the charm that visitors have come to know and love."

Ortega Family Enterprises has more than 20 years of experience working in public parkland and 22 years of accident-free boat and kayak rental management experience. It is a family-run enterprise that emphasizes environmental sustainability and best practices in all phases of its business and has a proven track record of turning around underperforming park concessions and maximizing their potential, including concessions at four National Park Service locations: Bandelier National Monument, Carlsbad Caverns National Park, White Sands National Monument and Muir Woods National Monument in the Bay Area.

In 2009, the Ortega family won the Marin Conservation Council's Green Business Award for its renovation and rejuvenated operation of the historic Muir Woods concession. They incorporated sustainable construction materials, implemented a trash disposal system that recycles and composts 90 percent of waste, and achieved significant electric and water savings.

The Committee's recommendation follows the Recreation and Park Commission's approval of the lease back in December.

###

#### **Forward email**



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SF Recreation and Parks | McLaren Lodge-Golden Gate Park | 501 Stanyan Street | San Francisco | CA | 94117



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Where to make budget cuts. Here is the fat not the muscle.

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From: JAMES CORRIGAN <marylouc@mac.com>  
To: board.of.supervisors@sfgov.org  
Date: 01/27/2011 08:48 AM  
Subject: Where to make budget cuts. Here is the fat not the muscle.

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Dear Members of the San Francisco Board of Supervisors:

The shocking article below prompts me to ask, "What can be done?"

Am I correct in assuming that S.F. Supervisors have little or no influence on the labor negotiations that are currently taking place

with the Firefighters Local # 798 for their new, 4 year contract beginning July 1 of this year?

It is my impression that Supervisors can merely "Approve" or "Disapprove" the new MOU's when they come before the Board when they are completed.

If I am wrong, please tell me what members of the Board may contribute to these labor discussions.

Could you please provide me the names of those in City government who are negotiating with firefighters Local #798 during these negotiations?

Thank you in advance for answering my questions,  
Jim Corrigan

## Premium pay nets city workers millions in bonuses for just doing their jobs

**A A**Comments (1)By Peter Jamison Wednesday, Jan 26 2011

<http://www.sfweekly.com/2...rs-bonuses-budget-wages/>

### 2010 TOTAL PREMIUM PAY BY CITY AGENCY

FIRE DEPARTMENT.....  
**\$20.4m**  
AIRPORT COMMISSION .....\$1.6m  
WATER DEPARTMENT .....\$2.2m  
SHERIFF'S DEPARTMENT .....\$4 m  
MUNICIPAL TRANSPORTATION AGENCY.....\$4.4m

5

PUBLIC UTILITIES COMMISSION .....\$4.8m  
DEPARTMENT OF PUBLIC HEALTH.....\$8.5m  
POLICE  
DEPARTMENT.....\$15.5m



**Alcohol Tax**  
Joe Cappelletti to: Board.of.Supervisors  
Cc: jason

01/26/2011 09:44 AM

View: (Mail Threads)

It seems like everything you buy is getting more expensive, with a fee here and an added tax there. That will not change anytime soon with San Francisco now considering adding a local surcharge to every drink you purchase. That's right. A surcharge on every drink on every tab, bill, and receipt. Even worse, this new fee would be in addition to the taxes you already pay every time you purchase a drink. Is not it expensive enough to live in San Francisco without having to pay another new tax every time you want to buy a six pack, a bottle of wine, or have a drink at your local bar?

Please vote against the San Francisco alcohol tax!

Thank you. Joe Cappelletti

6




SAN FRANCISCO ARTS COMMISSION

COB  
Cpage

GAVIN NEWSOM  
MAYOR

LUIS R. CANCEL  
DIRECTOR OF  
CULTURAL AFFAIRS

MEMORANDUM

TO: Clerk of the Board   
FROM: Luis R. Cancel, Director of Cultural Affairs  
DATE: November 02, 2010  
SUBJECT: FY 2010-11 Second Quarter Report

PROGRAMS

CIVIC ART COLLECTION  
CIVIC DESIGN REVIEW  
COMMUNITY ARTS  
& EDUCATION  
CULTURAL EQUITY GRANTS  
PERFORMING ARTS  
PUBLIC ART  
STREET ARTISTS LICENSES

ARTS COMMISSION GALLERY  
401 VAN NESS AVENUE  
415.554.6080

[WWW.SFARTSCOMMISSION.ORG](http://WWW.SFARTSCOMMISSION.ORG)

[ARTSCOMMISSION@SFGOV.ORG](mailto:ARTSCOMMISSION@SFGOV.ORG)

In pursuance to the FY 2010-11 Annual Appropriation Ordinance and the Controller's "High Level Financial Reports for December - 2010", please see the attached Report with the explanation for the Arts Commission for the first quarter ending December 31, 2010.

cc: Mayor's Office  
Controller's Office  
Director of Finance, Arts Commission

Attachment: Report (2 pages)

BY AK

RECEIVED  
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2010 JAN 26 AM 11:18



CITY AND COUNTY OF  
SAN FRANCISCO

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ARTS COMMISSION										
FY 2010-11 QUARTERLY REPORT - EXPENDITURE										
Quarter Ending: December 31, 2010										
CHARACTER		FY10-11 Budget	FY10-11 2nd Qtr Actual	% FY Elapsed	Spend Rate	EXPLANATION				
<b>Subfund: 1G AGF AAA General Fund Non-Project</b>										
001	Salaries	321,103	176,155	48.66%	54.86%	The spending rate is 6.2% higher in salary and 19.36% higher in benefit. The budget was set with 10.56% attrition and savings on salary, which was far above the City's agencies average rate of 5% to 6%. The excess in spending rate was mainly due to the unattainable attrition and saving on salary set at the budget preparation time. Payment to WC Teachers started late and will be used up at year end. Billing from other performing departments will be at the same as budget.				
013	Mandatory Fringe Benefits	115,785	78,758	48.66%	68.02%					
021	Non Personal services	71,000	18,652	50.00%	26.27%					
081	Services of Other Depts	200,580	92,000	50.00%	45.87%					
	Subfund :1G-AGF-AAA Totals	708,468	365,565		51.60%					
<b>Subfund: 1G AGF AAP General Fund Annual Project</b>										
001	Salaries	141,401	81,443	48.66%	57.60%	The spending rate is 14.01% higher in salary and 5.16% higher in benefit. The budget was set with attrition and savings on salary, Most of the employees are getting maximum step 5 salary, which results in less savings. The deficit will be abated to other surplus at the year end close to stay within the budget.				
013	Mandatory Fringe Benefits	59,521	32,560	48.66%	54.70%					
021	Non Personal services	2,099,649	2,047,404	50.00%	97.51%	The majority of this amount is payment to the SF Symphony for the City concerts series. 100% of which was fully paid in the 2nd quarter.				
038	City Grant Programs	2,819,355	1,006,040	50.00%	35.68%	City's grant to the Cultural Centers, Arts Organizations and Neighborhood Art grants will are in line with the budget at the year end.				
060	Capital Outlay	37,000	-	50.00%	0.00%	Work in progress.				
06F	Facilities Maintenance	27,750	-	50.00%	0.00%	Work in progress. Expense not billed by DPW yet.				
081	Services of Other Depts	292,383	68,279	50.00%	23.35%	DPW work order will be utilized and liquidated as per work order amount upon job completion. Spending rate depends upon DPW work rate, but does not exceed the work order amount in the year end.				
086	Expenditure Recovery	(441,229)	(220,615)	50.00%	50.00%	As per Budget rate.				
	Subfund :1G-AGF-AAP Totals	5,035,830	3,015,111		59.87%					



**Quarter Ending: December 31, 2010**

**Quarter Ending: December 31, 2010**

CHARACTER		FY10-11 Budget	FY10-11 2nd Qtr Actual	FY10-11 Year End Projection	EXPLANATION
<b>Subfund: 1G AGF AAA GF Non-Project Controlled</b>					
60127	Civic Design Fee	39,659	20,600	39,659	Expected to achieve the revenue at year end.
<b>Subfund: 1G AGF AAP GF Annual Project</b>					
12210	Hotel Room Tax	1,516,000	758,000	1,516,000	Expected to achieve the full revenue at year end. The Controller's office records the revenue monthly based on the Hotel Tax collected for the month.
9501G	ITI FR 1G-General Fund	55,000	27,500	55,000	GFTA grant will be fully received .
		1,571,000	785,500	1,571,000	

District 8 - Suprienna  
City Atty, cpage



CALIFORNIA DEPARTMENT OF  
**Mental Health**

State of California  
Jerry Brown, Governor  
Health & Human Services Agency

Forensic Services  
1600 9<sup>th</sup> Street, Room 250  
Sacramento, CA 95814

Office#: (916) 654-1720  
Fax#: (916) 654-2111

Date

January 26, 2011

Number of pages including cover sheet: 6

To: Angela Calviloo  
Clerk of the Board  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
Phone: (415) 554-5184  
Fax: (415) 554-5163

From: Audrey Larkin  
Department of Mental Health, CONREP/Forensics  
916-653-8789 Office  
916-654-2111 Fax

Comments: Community Notification Listing for Paul George. A hard copy will follow.

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**CAUTION:** The information contained in this transmittal is **CONFIDENTIAL** and therefore protected under the provisions of California Welfare and Institutions Code Section 5328. Persons disclosing confidential information without proper authority may be subject to legal action and civil damages.

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2011 JAN 26 AM 9:45  
BY [Signature]

(P)



CALIFORNIA DEPARTMENT OF

## Mental Health

1600 9th Street, Sacramento, CA 95814  
(916) 654-1720

January 25, 2011

TO: Chief of Police, San Francisco  
District Attorney for San Francisco County  
Sheriff for San Francisco County  
Attorney, Brendan Conroy  
City Attorney for San Francisco County  
Clerk of the Board for San Francisco County  
Sex Offender Unit of San Francisco

Dear Sir or Madam:

This will serve as official notice, under Welfare and Institutions Code 6609.1 regarding a Department of Mental Health (DMH) recommendation made to the San Francisco County Superior Court for the community placement of a person committed as a sexually violent predator under Welfare and Institutions Code 6600 et seq. The specifics of the recommendation are as follows:

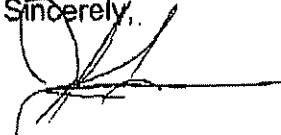
<b>Name of patient:</b>	Paul George
<b>Proposed placement address:</b>	3646 16 <sup>th</sup> Street, Unit B San Francisco, CA 94114
<b>Date of commitment</b>	September 1999
<b>County from which committed</b>	San Francisco
<b>Proposed placement date</b>	Placement date subject to final approval of the committing court.
<b>Next court hearing location and date</b>	March 8, 2011 Judge Mary Morgan San Francisco Superior Court Department 26 850 Bryant Street San Francisco, CA 94103

Page 2  
January 25, 2011

Agencies receiving this notification may provide written comments to the court and the DMH regarding the proposed placement, location and conditions of release. If appropriate, alternative locations are to be suggested, please identify the one agency within the community of placement authorized to make such suggestions, if any. Written comments to the DMH should be sent to my attention at the following address:

Department of Mental Health  
Forensic Services Branch  
1600 Ninth St. Room 250  
Sacramento, CA 95814

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Lucas', with a long horizontal line extending to the right.

ROBERT LUCAS  
Chief, Forensic Services  
Long Term Care Services

Cc: Cynthia Radavsky, DMH  
Richard DaBell, DMH  
Alan Stillman, Liberty Healthcare  
Jennifer Turner, DMH  
Catherine Hickinbotham, DMH

**Paul George – Community Notification Listing****District Attorney, City and County of San Francisco**

Hall of Justice  
George Gascón  
850 Bryant Street, Room 322  
San Francisco, CA 94103  
Office: (415) 553-1752  
Fax: (415) 553-9054

**Sheriff for San Francisco County**

Michael Hennessey  
City Hall, Room 456  
1 Dr. Carlton Goodlett Place  
San Francisco, CA 94102  
Office: (415) 554-7225  
Fax: (415) 554-7050

**Brendan, Conroy, Attorney**

255 Kansas Street, Suite 340  
San Francisco, CA 94103  
Office: (415) 565-9600 Ext 3324  
Fax: (415) 565-9601

**Chief of Police, City of San Francisco**

Hall of Justice  
850 Bryant Street, Suite 525  
San Francisco, CA 94103  
Office: (415) 553-1551  
Fax: (415) 553-1554

**Clerk of the Board**

Angela Calviloo  
City Hall, Room 244  
1 Dr. Carlton Goodlett Place  
San Francisco, CA 94102  
Office: (415) 554-5184  
Fax: (415) 554-5163

**City Attorney**

Dennis Herrera  
Office of the City Attorney  
City Hall, Room 234  
1 Dr. Carlton Goodlett Place  
San Francisco, CA 94102  
Office: (415) 554-4748  
Fax: (415) 554-4715

**Sex Offender Unit**

Lieutenant Dan Leydon  
850 Bryant Street, Room 436  
San Francisco, CA 94103  
Office: (415) 553-1361  
Fax: (415) 553-9265



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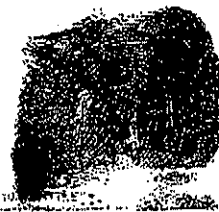
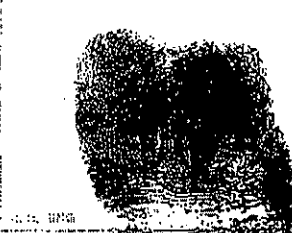
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GAVIN NEWSOM  
MAYOR

POLICE DEPARTMENT  
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE  
850 BRYANT STREET  
SAN FRANCISCO, CALIFORNIA 94103-4603



GEORGE GASCÓN  
CHIEF OF POLICE

January 24, 2011

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

Re: Release of Reserve for COPS Hiring Grant – File No. 091169 and  
Ordinance No. 233-09

Ms. Calvillo:

The San Francisco Police Department requests that the following item be added to the Budget and Finance Committee agenda: "Project Update for the Department of Justice COPS Hiring Recovery Project (CHRP) and Request to Release Grant Funds from Budget and Finance Committee Reserve."

On November 3, 2009 the Board of Supervisors approved Ordinance No. 23309, File No. 091169, authorizing SFPD to hire fifty officers for a 3-year period. The Budget and Finance Committee initially released \$2,450,000 and placed the remainder on reserve, and then released \$900,000 (File No. 100170, dated March 10, 2010), leaving the remaining \$13,212,750 on reserve. The San Francisco Police Department requests the release of the remaining \$13,212,750 from reserve to enable SFPD to seek reimbursement of all grant expenditures in a timely manner. See attached ARRA Federal Report which provides a project update. If you have any questions, please contact my office at (415) 553-1029.

Sincerely,

Albert Pardini  
Assistant Chief of Police  
Office of Administration

Attachment: CHRP Project Status Report as of 12/31/10

cc: Supervisor Carmen Chu  
Victor Young, Budget Committee

9

orig - B&F Committee  
Jay # cpage

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BY FC

## **CHRP Project Status Report as of 12/31/10**

Project Name: COPS Hiring Recovery Program 2009  
Project Recipient: San Francisco Police Department  
Total Number of Full-time Officers Funded: 50  
Grant Amount: \$16,562,750  
DOJ Award #: 2009RJWX0019  
Project Start Date: 7/1/09  
Project End Date: 6/30/12

### **Award Description:**

The COPS Hiring Recovery Program (CHRP) provides funding directly to law enforcement agencies to hire and/or rehire career law enforcement officers in an effort to create and preserve jobs, and to increase their community policing capacity and crime prevention efforts.

### **Reported to FederalReporting.gov (for Period Ending 12/31/10):**

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#### Quarterly Activities/Project Description:

Currently there are 31 officers who are part of the CHRP program (25 academy class and 6 laterals). All except one of the academy class officers have completed field training; one is on modified duty (medical) and has yet to enter field training. The six lateral officers completed field training on December 25, 2010. All of the 31 officers will be on probation for one year from the end of field training and will receive monthly written evaluations until their probationary year has ended.

#### Description of Jobs Created:

**Academy Class:** At the beginning of September 2010 there were 29 officers remaining from the 227<sup>th</sup> academy class. During the quarter, 4 resigned or did not pass field training. Twenty-five officers now remain – twenty-four completed field training and are assigned to the stations and one is on modified duty.

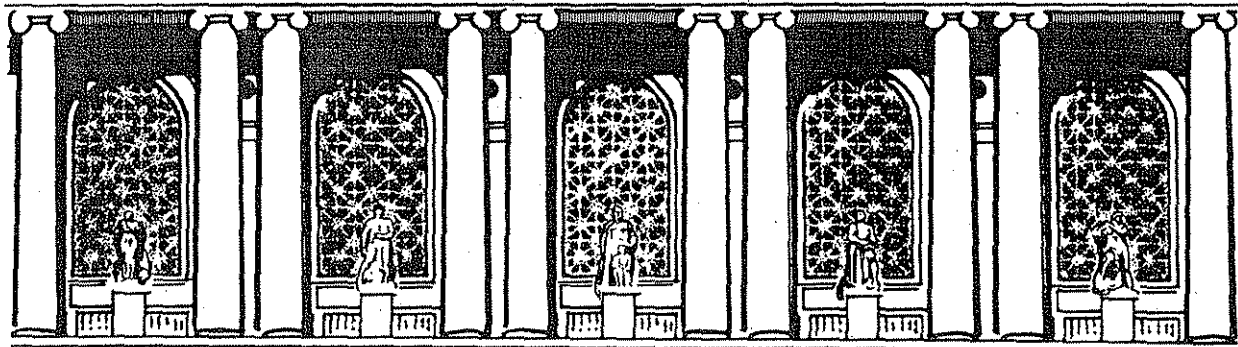
**Laterals:** Eight laterals were initially hired in August 2010. One was released and one resigned, leaving six lateral hires. These laterals completed field training on December 25, 2010 and have been assigned to the stations. There will be two additional lateral classes that will start from March to May 2011 in order to fill the remaining slots.



THE PUBLIC LIBRARY OF THE CITY AND COUNTY OF SAN FRANCISCO

FOUNDED A.D. MDCCCLXXXVIII ERECTED A.D. MDCCCXXVI

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



The Original Library Movement

January 25, 2011

James Chaffee

63 Stoneybrook Avenue  
San Francisco, CA 94112

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

Re: San Francisco Public Library – Historical Context of the Civic Scandal

Dear Supervisor:

As we welcome the new supervisors it is time to remind ourselves of the historical context of the on-going use of the San Francisco Public Library to facilitate the destruction of democracy. I have been actively concerned about the San Francisco Public Library for a number of years. I have been concerned both because it is the people's university and the most democratic of our institutions. It is also the most extreme example of how the public is disenfranchised and the interests of private money is allowed to pervert our public purposes and divert public benefit into a benefit for the few who are already wealthy.

As you are probably aware, the influence of corporate money on our public policy has been a record of irresponsibility and influence peddling that has disturbed thoughtful citizens for a number of years. It is at least arguable that the recent changes in electoral policy including term limits, district elections, limits on campaign contributions and regulation of "soft money" are all attempts to minimize the role that corporate interests play in our public affairs.

Nowhere is the deleterious effect of corporate interest more obvious and more pronounced than in the San Francisco public library. As the poster child for the dangers of corporate influence, the following are just a few examples of the campaign that has converted our public library from a crucial democratic institution to serving the interests of fund-raising influence peddlers.

Let's take a review of the recent history:

- ◆ The New Main Library was built with the promise to the voters that it would provide for 40 years of growth in the book collection. Rather famously not only was the New Main full the day it opened but hundreds of thousands of volumes were discarded and hundreds of thousands more stored in substandard and destructive conditions in Brooks Hall.
  - ◆ The architects for the New Main were a partnership of an international firm, Pei, Cobb, Freed & Partners and a local firm, Simon, Martin-Vegue, Winkelstein Moris. The managing partner of the local firm was also president of the Library Foundation, a private fund-raising group.
  - ◆ A Memorandum Of Understanding (MOU) was signed with the Library Foundation that would set that private group up in the space rental business so that private parties could be held in the library for a fee and the fee be collected by the Foundation. The MOU called for the library to get a share of the profits but the library never made a dime.
- 
- ◆ The architects were ultimately sued for incompetence and the case was settled in mediation with the City and County of San Francisco receiving \$1.5 million. Although normally such settlements would go into the general fund, the library claimed that money for itself. This is analogous to your teenage son wrecking the family car and then the teenager getting the insurance money.
  - ◆ There was a Post-Occupancy Evaluation done of the building which revealed in a reference survey that it takes four times longer to find something in the library than comparable urban main libraries. A survey of library searches called the "fill rate survey" revealed that only 38% of the library's patrons found what they wanted. This compared to 71% in the old main, a figure that was already below the national average for comparable institutions. In one of the greatest scandals of all, the library administration stopped taking the fill rate survey -- a management tool that had been in place for decades.
  - ◆ In order to protect itself from a controversy regarding the appraisal of accreditation organizations, the library administration basically capitulated by voluntarily downgrading themselves from a "research" library to a "popular" library.

- ◆ The Library Foundation dissolved and transferred its assets to a new organization called the Friends & Foundation of the San Francisco Public Library. The old MOU with the former organization that called for profit sharing for space rentals if there were any has expired and the new organization has never had an agreement with the City. The new organization had net assets of over \$20 million at one point. That organization, the "Friends" had annual expenses last year of \$5,738,276, of which \$373,332 was the donation to benefit the public library. That organization has space rental in the new main for free if their donations total \$300,000.
  - ◆ The Library Commission has unilaterally passed a resolution that bestows on the new Friends & Foundation the right to sell naming opportunities, plaques, franchises and commercial partnerships with no guarantee that the library will receive any percentage or minimum of those proceeds. In a comparable situation at Candlestick Park the board of supervisors oversaw an agreement to assure that the public benefit was protected. Nothing has been done at the library to protect the public interest. The record of their free ride on the Branch Library Improvement Program will be the subject of future letters.
- 
- ◆ When interviewed for book by Nicholas Basbanes, Dr. Kevin Starr, the California State Librarian and distinguished historian said, "[San Francisco built] what amounts to a reverse paradigm of what a great library should be. . . . It got mongered by the notion that the new building should be a sort of mall for computers rather than a great library." Later he said, "These people disestablished a distinguished collection."

I could go on at some length but these are the highlights of the background that you need to understand the San Francisco Public Library. At every juncture the library was managed by the "public-private partnership" and every time the public resources were over budget and mismanaged while the private resources became a formidable war chest for their influence peddling.

The librarians are outraged of course. From their point of view it is like getting kidnaped and then finding out that your parents have more affection for the kidnappers than they do for you.

For myself, I have been involved in attempting to monitor this outrageous destruction of a crucial democratic public resource for a number of years. I can tell you that those who have an economic interest in being a parasite on the body politic do not harbor any scruples about eliminating public debate and taking the offensive against anyone like myself who would advocate for openness and public accountability.

When Jim Wheaton, the distinguished director of the First Amendment Project, described the San Francisco Public Library as "no better than the Nixon White House" that is a mere shadow of what it is like for an unaffiliated member of the public like myself. Even I have not had to bear the worst of it. When a distinguished librarian spear-headed a staff petition to bring an early warning of the space problems in the New Main to the Library Commission, he was fired and it took a legal process lasting five years to get finally get reinstated.

The above is the barest introduction to the on-going scandal of the refusal of the City of San Francisco to deal with the conversion of the vital public asset of the library to an income stream for private interests. These problems would not be solved in a moment even if the city developed the will to do so. It is my hope that you will begin to appreciate the seriousness of these problems, and that you will develop an interest yourself in the San Francisco Public Library.

---

Very truly yours,



James Chaffee

cc: Interested Citizens and Media

#110100

1745 Folsom Street  
San Francisco, CA 94103  
Phone: 415.863.0620  
Fax: 415.863.8955  
Web: www.rainbow.coop

Worker-Owned Cooperative

DATE \@ "MMMM d, yyyy" January 24, 2011

San Francisco Board Of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689

Dear Supervisors,

Rainbow Grocery Cooperative Inc. would like to express our support for stopping the sale of KUSF 90.3fm. KUSF is an invaluable voice for the people of San Francisco. The diversity and eclecticism of San Francisco is reflected in the unique programming of KUSF. KUSF programming serves both the community at large and underserved communities and constituencies with quality and diverse shows that deliver news, information, culture and music like the daily Chinese and weekly Polish, Turkish, Italian, French, German and Armenian shows. This programming coincides with Rainbow Grocery Cooperative, Inc.'s mission statement of "creating a diverse, non-discriminatory multilingual environment". In this age of unlimited media consolidation from corporations outside of San Francisco, we should be protecting the few outlets we have. It is part of our culture. We should hold on to it.

AUTOTEXTLIST Sincerely, Rainbow Grocery Cooperative

● Page PAGE \\* Arabic \\* MERGEFORMAT 2  
TIME \@ "MMMM d, yyyy" January 24, 2011



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Public Housing Advocation Information

From: Ivan E Pratt <prattbuddhahood@gmail.com>  
To: Brody Tucker <Brody.Tucker@sfdph.org>, reiko <reiko@cyberhedz.com>, IVAN E PRATT <IEP55@juno.com>, masmith <masmith@php.ucsf.edu>, Michael Pacheco III <hoikeikeala@yahoo.com>, "board.of.supervisors" <board.of.supervisors@sfgov.org>, info <info@thevolunteercenter.net>, rfreeman <rfreeman@peralta.edu>, Chughes <Chughes@ymcasf.org>, sgiangel <sgiangel@earthlink.net>, Edward Evans <edwevans@gmail.com>, Gavin Newsom <gavin@gavinnewsom.com>, info <info@gavinnewsom.com>, AlexanderTenantsAssociation-owner <AlexanderTenantsAssociation-owner@yahoogroups.com>, Michael Nulty <sf\_district6@yahoo.com>, Chi Wolf <chiwolf@hotmail.com>, david\_villalobos <david\_villalobos@sbcglobal.net>, mhann <mhann@tndc.org>, media@gavinnewsom.com, FoodFairy <FoodFairy@aol.com>, heidi <heidi@studycenter.org>, sro <sro@thclinic.org>, "christopher.nguyen" <christopher.nguyen@dph.sf.ca.us>, regimeadows <regimeadows@ymail.com>, goldoor5 <goldoor5@yahoo.com>, "richard.montantes" <richard.montantes@sfdph.org>, ecomerritt <ecomerritt@peralta.edu>, elaine <elaine@elainezamora.com>, Daniel Miller <daniel@spiralgardens.org>, "Morelli, Julie" <morellij@medsfgh.ucsf.edu>, Mark Kaplan <rockwellproperties@gmail.com>  
Date: 01/24/2011 08:51 PM  
Subject: Public Housing Advocation Information

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~~CALIFORNIA'S GOVERNMENT FINANCED HOUSING IN A POOR ECONOMY January 24 2011~~

WHAT DO THE PEOPLE THINK OF PUBLIC AFFORDABLE FEDERALLY FUNDED HOUSING IN THE FUTURE OF A POOR ECONOMY IN CALIFORNIA?

I recently received a report from 'California Housing' Karen Naungayan at Housing California, entitled 'Tell Your State Legislators: Reform Redevelopment, Don't Eliminate!'. The report went on to say, direct quote, "Governor Brown's budget proposal includes the elimination of redevelopment agencies to redirect funding to schools, courts, and other local services. On February 7, 2011, the legislature will hold a hearing to consider this part of the budget proposal. This proposed elimination is particularly frightening, because, right now housing-bond funds that spur affordable-home production and create jobs are running dry, and there is no identified replacement. California still has no dedicated funding for the state Housing Trust Fund.

☐ Use our ready-made e-mail to contact your state legislators before the February 7, 2011, hearing. Feel free to tailor your e-mail to explain why redevelopment dollars for affordable homes are critical in your community.

☐ Share your redevelopment story with Housing California! If you have information on a redevelopment project that fell through (or may fall through) due to a lack of redevelopment funding, please contact Housing California's Nathan Cataline.

I live in a HUD SRO Low Income Housing in San Francisco's Tenderloin Area. I live with HIV, Asthma, cardio pulmonary complications; and I'm sixty-three years of age. What is Government Funded Housing for me? Well it's very self-explanatory, judging from my above statement of health issues. There is no way that a man like myself, who is



sixty-three years of age with medical complications is going to be able to provide housing for himself by way of attaining some sought of career in Information Technology as a career. Public housing in San Francisco's Tenderloin Area is imperative for the average citizen of the Tenderloin Area, in that the consensus demographics of the average person in San Francisco's Tenderloin, which has a large population of HUD SRO Low Income Housing citizens fits my description in age and related health matters and is dependent on funded low income government housing.

I don't think any further elaboration's are needed in this question of why I think publicly government funded low income housing is needed - simple and sweet explanation.

Reform Redevelopment, Don't Eliminate!

Tell Your State Legislators:

Reform Redevelopment, Don't Eliminate

WebPage:

<https://secure3.convio.net/hca/site/Advocacy?cmd=display&page=UserAction&id=135>

Sciences Directly Appropriate for Environmental Studies/Social Advocation:

Yahoo Group: Buddha Virtue Within: Sustainable Ecology Exclamation And Forum,  
WebPage: <http://groups.yahoo.com/group/buddhavirtuewithin/>

---

IVAN EDGAR PRATT, "XERISCAPE / BUDDHA, INC." IEP55@juno.com, Internet direct quote and paraphrase transcription "Californias Government Financed Housing in a Poor Economy January 24, 2011" 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](http://www.brookscole.com/cgi-brookscole/course_products_bc.pl?fid=M20b&product_isbn_issn=0534376975&discipline_number=22)

Merritt College Ecology Department & Matriculations,

WebPage: <http://www.ecomerritt.org/>,

Social psychology, WebPage: [http://en.wikipedia.org/wiki/Social\\_psychology](http://en.wikipedia.org/wiki/Social_psychology)

Sierra Club Membership, WebPage: <http://www.sierraclub.org>,

Geophysics, WebPage: <http://en.wikipedia.org/wiki/Geophysics> ,

Astrophysics, WebPage: <http://en.wikipedia.org/wiki/Astrophysics> ,

NAM MYOHO RENGE KYO, WebPage: <http://www.sgi-usa.org>

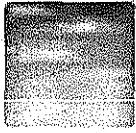
Reference Bibliography: Science Direct - Forest Ecology and

Management, Volume 260, issue 3,

Pages 239-428 (30 June 2010),

WebPage: <http://www.sciencedirect.com/science/journal/03781127>

NAM MYOHO RENGE KYO, WebPage: <http://www.sgi-usa.org>



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:

Subject: Issued: SFPUC: The PUC Followed Best Practices in Managing Its Water System Improvement Program Construction Contracts for the Tesla Water Treatment Facility and the East/West Transmission Main and the Contractors Complied with Contract Terms

From: Controller Reports/CON/SFGOV  
To: Angela Calvillo/BOS/SFGOV@SFGOV, BOS-Supervisors/BOS/SFGOV, BOS-Legislative Aides/BOS/SFGOV, Steve Kawa/MAYOR/SFGOV@SFGOV, Greg Wagner/MAYOR/SFGOV@SFGOV, Tony Winnicker/MAYOR/SFGOV@SFGOV, Starr Terrell/MAYOR/SFGOV@SFGOV, Francis Tsang/MAYOR/SFGOV@SFGOV, Jennifer Entine Matz/MAYOR/SFGOV@SFGOV, ggiubbini@sftc.org, Severin Campbell/BudgetAnalyst/SFGOV@SFGOV, Debra Newman/BudgetAnalyst/SFGOV@SFGOV, sfdocs@sfpl.info, gmetcalf@spur.org, Department Heads/MAYOR/SFGOV, Tara Collins/CTYATT@CTYATT, home@prosf.org, CON-EVERYONE/CON/SFGOV, CON-Media Contact/CON/SFGOV, EHarrington@sfwater.org, TRYdstrom@sfwater.org, mcarlin@sfwater.org, HKelly@sfwater.org, jlabonte@sfwater.org, HEIwin@sfwater.org, NHom@sfwater.org, peter@rangerspipelines.com, kjslota@pcl.com  
Date: 01/27/2011 10:27 AM  
Subject: Issued: SFPUC: The PUC Followed Best Practices in Managing Its Water System Improvement Program Construction Contracts for the Tesla Water Treatment Facility and the East/West Transmission Main and the Contractors Complied with Contract Terms  
Sent by: Richard Kurylo

The Office of the Controller, City Services Auditor (CSA), presents its audit report on the PUC's management of its Water System Improvement Program construction contracts for the Tesla Water Treatment Facility and East/West Transmission Main and on the contractors compliance with contract terms. The audit found that The SFPUC's project management and delivery processes followed industry best practices and SFPUC's policies and procedures. The contractors, PCL Civil Constructors, Inc. and Ranger Pipelines, Inc. were compliant with contract provisions, requirements, and cost terms.

To view the full report, please visit our website at:  
<http://co.sfgov.org/webreports/details.aspx?id=1244>

This is a send-only email address.

For questions regarding this report please contact: Tonia Lediju, Director of Audits, at [tonia.lediju@sfgov.org](mailto:tonia.lediju@sfgov.org), or 415-554-5393 or call the Audits Unit's main line at 415-554-7469.

Thank you.

13

# City and County of San Francisco

Office of the Controller – City Services Auditor

## **SAN FRANCISCO PUBLIC UTILITIES COMMISSION:**

**The PUC Followed Best Practices in Managing Its Water System Improvement Program Construction Contracts for the Tesla Water Treatment Facility and the East/West Transmission Main and the Contractors Complied With Contract Terms**



January 27, 2011

**CONTROLLER'S OFFICE  
CITY SERVICES AUDITOR**

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

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

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

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

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

CSA Audit Team: Paige Alderete, Audit Manager  
Donna Crume, Associate Auditor

Audit Consultants: Sjoberg Evashenk Consulting, Inc.



# City and County of San Francisco

## Office of the Controller - City Services Auditor

**Public Utilities Commission:**

**January 27, 2011**

**The PUC Followed Best Practices In Managing Its Water System Improvement Program Construction Contracts for the Tesla Water Treatment Facility & East/West Transmission Main and the Contractors Complied with Contract Terms.**

### **Purpose of the Audit**

The City Services Auditor (CSA) engaged Sjoberg Evashenk Consulting, Inc (SEC) to assess whether two contractors, PCL Civil Constructors, Inc., (PCL) and Ranger Pipelines, Inc., (Ranger) have complied with their WSIP construction contracts with the San Francisco Public Utilities Commission (SFPUC). PCL was awarded the contract to build the Tesla Water Treatment Facility (Tesla) and Ranger was awarded the contract to build the East/West Transmission Main (East/West). The auditors evaluated whether SFPUC followed best practices in their project and construction management and contract administration, as well as assessed the functionality and impact of SFPUC's new Construction Management Information System (CMIS) on the management of Tesla.

### **Highlights**

The contractors for the two San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) construction projects reviewed, PCL Civil Constructors, Inc. for the Tesla Water Treatment Facility (Tesla) and Ranger Pipelines, Inc. for the East/West Transmission Main (East/West), were compliant with contract provisions, requirements, and cost terms. The SFPUC's project management and delivery processes followed industry best practices and staff appeared committed and diligent in delivering projects in accordance with SFPUC policies and procedures. For example:

- Progress payments and change orders were supported and well documented.
- Project schedules and progress were formally tracked.
- SFPUC followed industry best practices regarding well documented processes, clear project history, change management controls, project manager continuity, and transparency and accountability.

To assist in its construction management, SFPUC has developed a Construction Management Information System (CMIS) that provides a number of valuable management tools to enhance project and contract oversight. However, several concerns by a limited number of users were raised regarding the functionality of CMIS, including the following:

- CMIS appears to be labor and time intensive for contractors, has limited functionality due to the number of licenses assigned, and requires the dedication of a computer terminal solely to CMIS.
- SFPUC could do a better job of responding to CMIS user concerns, including reporting capabilities.

### **Recommendations**

Although no significant issues were found regarding the management of the Tesla and East/West projects, the audit report includes two recommendations that could help improve SFPUC's management of the remaining WSIP construction projects.

The PUC should:

- In general, not use change orders in lieu of issuing Requests For Bids (RFBs). Although the East/West Phase II change order decision was openly conveyed and appropriately approved, in other instances SFPUC may achieve greater benefits through a competitive procurement.
- Determine whether the CMIS operational concerns expressed by SFPUC and contractor staff are applicable to the other 20 WSIP construction projects underway. If similar issues are identified, SFPUC should remediate the CMIS system deficiencies or increase training if the problems are user-related.

*Copies of the full report may be obtained at: Controller's Office • City Hall, Room 316*

*• 1 Dr. Carlton B. Goodlett Place • San Francisco, CA 94102 • 415.554.7500 or at <http://www.sfgov.org/controller>*

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**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
**Controller**

Monique Zmuda  
Deputy Controller

January 27, 2011

San Francisco Public Utilities Commission  
1155 Market Street, 11th Floor  
San Francisco, CA 94103

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

President, Members, and Mr. Harrington:

The City Services Auditor (CSA) engaged Sjoberg Evashenk Consulting, Inc. (SEC) to assess whether two contractors, PCL Civil Constructors, Inc. (PCL) and Ranger Pipelines, Inc. (Ranger) complied with their Water System Improvement Program (WSIP) construction contracts with the San Francisco Public Utilities Commission (SFPUC). PCL was awarded the contract to build the Tesla Water Treatment Facility (Tesla), and Ranger was awarded the contract to build the East/West Transmission Main (East/West). The auditors evaluated whether the SFPUC followed best practices in project and construction management and contract administration, as well as assessed the functionality and impact of SFPUC's new Construction Management Information System (CMIS) on the management of Tesla.

There were no issues related to contract or cost compliance for either Ranger or PCL. The SFPUC's project management and delivery processes followed industry best practices, and staff appeared committed and diligent in delivering projects in accordance with policies and procedures. The SFPUC has further developed CMIS, a system that provides a number of valuable management tools to further enhance project and contract oversight. Despite the many value-added features of CMIS, several concerns were raised regarding the functionality of CMIS. However, this feedback is limited; if the SFPUC finds these issues to be widespread throughout the other 20 WSIP projects currently utilizing CMIS, it should consider possible remediation.

The audit report includes two recommendations for the SFPUC to improve its management of the remaining WSIP construction projects. The SFPUC's response to the audit report is included as Appendix A. The Controller's Office, City Services Auditor, will work with the SFPUC to follow-up on the status of the recommendations in this report.

Respectfully submitted,

  
Tonia Lediju  
Audit Director

cc: Mayor  
Board of Supervisors

Civil Grand Jury  
Budget Analyst  
Public Library



**City and County of San Francisco**  
**Office of the Controller – City Services Auditor**

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**San Francisco Public Utilities Commission**

The PUC Followed Best Practices in Managing its Water System Improvement Program Construction Contracts for the Tesla Water Treatment Facility and East/West Transmission and the Contractors Complied with Contract Terms

January 27, 2011



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## Table of Contents

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<b>INTRODUCTION .....</b>	<b>1</b>
Objectives, Scope and Methodology .....	1
<b>AUDIT RESULTS.....</b>	<b>5</b>
Section I     Contractors Were Compliant with Contract Provisions, Requirements, and Cost Terms .....	5
Section II    Construction Management Policies and Procedures Followed Industry Best Practices .....	9
Section III   While the CMIS Offers Many Valuable Features, Several User Concerns Need Further Discussion.....	11
Section IV    Recommendations.....	14
<b>APPENDIX A – THE SFPUC’S RESPONSE .....</b>	<b>16</b>

## Introduction

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In November 2002, San Francisco voters approved Local Measure A, which allowed the City to finance improvements to its half-century-old water system through the issuance of revenue bonds. With a current program budget of nearly \$4.6 billion, the San Francisco Public Utilities Commission (SFPUC) embarked on a mission to repair, replace, and seismically retrofit reservoirs, pump stations, tanks, pipelines, valves, tunnels, dams, and treatment facilities across the Bay Area, and beyond, and anticipates all 86 projects to be completed by the end of 2015.

The two projects covered under this review represent a large-scale regional project—the construction of a water treatment plant near the City of Tracy—and a local, smaller scale project involving the installation of a new 4.5-mile transmission main in the western part of the City and County of San Francisco. To achieve these improvements, SFPUC entered into two construction contracts with 1) PCL Civil Constructors, Inc. (PCL) and 2) Ranger Pipelines, Inc. (Ranger).

The PCL contract is an \$81.4 million design-build contract, which was executed in October 2008 to deliver a fully functional, turn-key Water Treatment Facility (Tesla) slated for completion in 2012. As of August 31, 2010, SFPUC has reimbursed the contractor \$69.5 million which includes \$1.5 million in change orders and correlates to approximately 85 percent of work completed and 84 percent of the current construction budget consumed. According to SFPUC, the Tesla Facility will be the largest ultraviolet water disinfection plant in California and will treat up to 315 million gallons of water per day.

The Ranger contract built the East/West Transmission Main (East/West) that allows water to be moved from the east side of the city into the Sunset system in the event of a Peninsula pipeline failure or other emergency. SFPUC engaged the construction services of Ranger Pipelines in January 2007, with construction starting in February 2007 and substantial completion achieved by May 2009. As such, the project is considered closed-out. Over the life of the contract, Ranger Pipelines was paid approximately \$23.2 million, which is \$3.2 million or 16 percent more, than the initial contract value of \$19.9 million.

## Objectives, Scope and Methodology

Sjoberg Evashenk Consulting (SEC) was engaged by the City and County of San Francisco City Services Auditor (CSA) to conduct a performance audit of two construction contracts that are part of the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program (WSIP). The focus of this audit was to assist the SFPUC and the Controller's Office in determining whether the two contractors—Ranger and PCL—have complied with cost and certain other provisions of their contracts with SFPUC and whether the contractors and SFPUC have developed and employed sound project management, construction management, and contract administration policies and procedures comparable to industry best practices. As part of the audit, SEC was also tasked with assessing the functionality and impact of SFPUC's new Construction Management Information System (CMIS) on construction and project management activities.

To meet the audit objectives, we performed procedures that generally encompassed but were not limited to the following activities:

- ≈ Met with project staff including but not limited to construction managers, project managers, field contract administrators, regional construction managers, and regional project managers to gain a general understanding the projects.
- ≈ Reviewed SFPUC agenda and minutes pertaining to the award of both contracts.
- ≈ Gathered and reviewed WSIP quarterly reports (Fiscal Year 2009-2010, Quarter 3 & 4 and Fiscal Year 2010-2011, Quarter 1) to gain an understanding of the scope and impact of the Tesla and East/West projects at the program level.
- ≈ Using quarterly reports, contract documents and SFPUC commission agendas, researched timelines for major project phases including planning, environmental, design, bid and award, construction, and close-out.
- ≈ Analyzed SFPUC contract documents with Ranger (WD-2476) and PCL (DB-116) including the final executed agreement, design criteria, general conditions, employment requirements and subcontracting goals.
- ≈ Reviewed project schedules and budget, identified how program and project management tracks and reports on project schedules and budgets and determined whether current progress is compared to an established baseline, baseline revisions are tracked and explained, and a "history" of project costs and schedules is maintained.
- ≈ Reviewed change orders, change management, and progress payment logs to identify a sample of change orders and payment applications for testing ensuring a cross-section of large and small dollar values, services provided in different periods, and various types of expenditures and change orders payments are included in the initial sample. The progress payments and change orders selected were:

	Tesla	East/West
<b>Payment Applications</b>	#1, #9, #13, #17, #21	#1, #3, #6, #15, #22
<b>Change Orders</b>	#3, #3a, #23, #38	#2, #4, #6

- ≈ On the completed East/West project, documented the final contract price; for the Tesla project, identified the contract value to-date (as of 8/31/10) by applying the following steps:
  - Obtained the agreed-upon original contract value for both contractors and traced the initial contract price to the underlying schedule of bid prices used to determine the initial contract value.
  - Ensured that the schedule of bid prices was accurately loaded into CMIS (for Tesla) or Excel spreadsheets (for East/West) and agreed with the initial statement of values as shown on the first progress payment.
  - Identified the initial contingency balance and any additional allowances (that were not part of the schedule of bid prices).

- Confirmed all approved progress pay applications reconciled to actual payments as recorded in the City's Financial Accounting and Management Information System—FAMIS.
  - For the Tesla project, through reviews of CMIS reports and discussion with project staff, determined pending change orders, claims, or liens that may increase the final project cost.
- ≈ For each payment application selected, tested and analyzed whether:
- All expenditures claimed during the invoice period were a component of the schedule of value/bid prices and traced all line items to underlying support such as subcontractor or vendor invoices, certified payroll records, and receipts.
  - Designated, adequate level SFPUC staff or representatives at the appropriate level reviewed and approved the payments.
  - Evidence existed that the contractor's monthly submittal of the "walk-around sheet"/schedule of bid prices was reviewed by appropriate field staff and agreed-upon progress amounts were adequately reflected in final applications for payments.
  - Contractor was in compliance with the minimum compensation ordinance for all staff billed to the project.
  - Contractually-set LBE subcontracting goals were met by the contractors (7 percent for Tesla and 9 percent for East/West).
- ≈ For each change order selected, determined whether change order processing procedures employed were compliant with SFPUC's Construction Change Management Procedures and industry best practices.
- ≈ Assessed the basis for change order pricing and analyzed each change order tested for evidence of SFPUC review, negotiation, and approval. Reviewed project meeting minutes, schedules, and communication to determine whether SFPUC reasonably anticipated the change and whether adequate measures were taken to ensure minimal change order impact on project schedule and budget.
- ≈ Conducted site-walks ("windshield tours") of both projects.
- ≈ Evaluated whether project management, construction management, and contract administration policies and procedures used by SFPUC—whether automated or manual—were consistent with internal policies as well as available industry standards such as PMBOK, City of Los Angeles Project Delivery Manual, CIP Benchmarking Studies, California Department of General Services State Administrative Manual, CMAA Standards of Practice, Caltrans Construction Manual, Caltrans Project Management Handbook, and other relevant guidance.
- ≈ Identified SFPUC's processes and procedures for monitoring and reporting on project progress and determine what actions are taken to address project issues through review of daily QA inspection or site reports/logs, meeting minutes, or other pertinent correspondence and documentation. Inquired about practices employed to resolve

disputes and clear incomplete items (punch list items) during the project's close-out phase.

- ≈ Attended a CMIS orientation session presented by the system's developer and learned about design, implementation, and usage of CMIS.
- ≈ Compared and contrasted manual and CMIS payment application and change management processes.
- ≈ Inquired about duplication of efforts for data storage (scanning documents versus maintaining hard copies) and attempted to estimate average time needed by project staff to submit and maintain data in CMIS compared to the manual process.
- ≈ Obtained a listing of all CMIS users along with their security/access levels to the system and based on staff roles and responsibilities for the two projects under review, conducted a cursory review of staff access granted versus required to fulfill their duties and determined whether functions are appropriately segregated and feasible for the level of work performed.
- ≈ Interviewed both contractors and SFPUC project and construction management staff to obtain their perspectives on the CMIS and its impact on project and construction management.

We conducted this audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We limited our review and analyses to those areas described in the "Objectives, Scope and Methodology" section of the report. The audit issues resulting from these analyses were presented and discussed with SFPUC representatives prior to completion of audit fieldwork. Exit conferences were held on January 13, 2011 and SFPUC and contractor comments were considered prior to finalizing this report. The SFPUC response to the audit can be found in Appendix A. The contractors—Ranger and PCL—chose not to submit a response.

## AUDIT RESULTS

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When San Francisco voters approved Local Measure A in 2002 to fund the Water System Improvement Program (WSIP), the program's original \$3.6 billion budget envisioned 80 projects to be completed by 2016. As of the latest program revision in 2009, the program grew to 86 projects worth \$4.6 billion—all of which are anticipated to be delivered by the end of 2015, slightly ahead of the initial schedule. To-date, 43 of the 86 projects have been completed or are in the closeout stage. With the Construction Management Information System (CMIS) only recently implemented at the end of 2008, only two of the 43 completed projects have utilized CMIS thus far.

The two construction projects covered by our review represented a combined \$104.6 million or 2.3 percent of the entire program's budget of nearly \$4.6 billion. At the time of our review, the \$81.4 million Tesla Water Treatment Facility design-build project was still undergoing construction while the \$23.2 million East/West Transmission Main project has been closed out. In addition, since the CMIS was only employed for the Tesla project and the East/West project followed a manual, pre-CMIS process, the conclusions reached in this report should not be extrapolated and used as sole measurement of performance for other WSIP projects.

### Section I – Contractors Were Compliant with Contract Provisions, Requirements, and Cost Terms

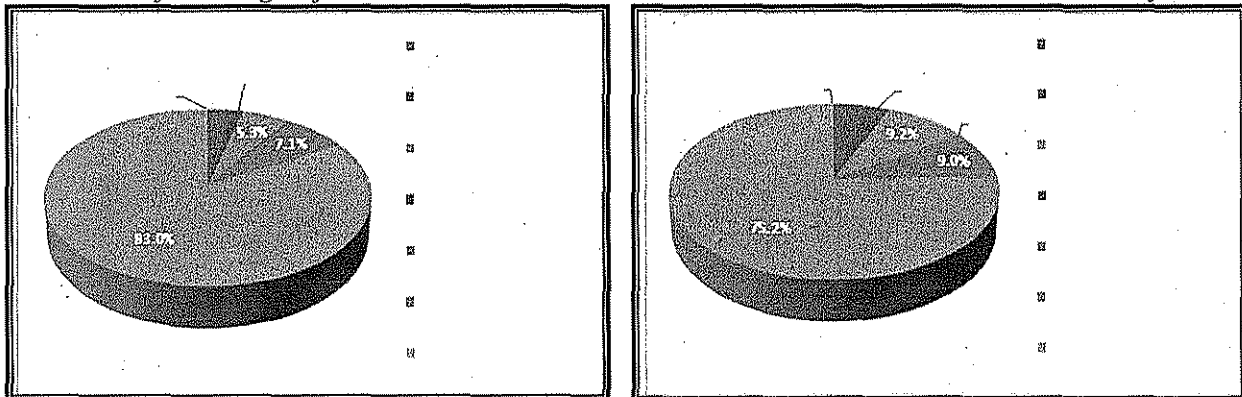
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Both contractors—Ranger and PCL—complied with all cost and contract terms reviewed. Specifically, we found that both the Tesla and East/West projects had progress payments, certified payroll records and contractor mark-ups that were properly approved and reconciled. Change orders were negotiated with the contractors and vetted amongst San Francisco Public Utilities Commission (SFPUC) project staff. Moreover, the initial schedule of values and percentage of completion reporting for both contracts fulfilled the contract terms and conditions. Also, project schedules were well documented and updated monthly by the contractors allowing SFPUC to efficiently monitor the projects' progress and deliverables. In addition, Ranger exceeded its Local Business Enterprise (LBE) goal. While the Tesla project is still on-going, we found that proposed sub-contractor LBEs have been utilized by PCL as outlined in their agreement with the SFPUC. Lastly, payment amounts approved by construction management staff agreed with actual amounts paid to the contractor as recorded in the City's Financial Accounting and Management Information System (FAMIS).

#### **Progress Payments Reviewed Complied with Contract Cost Terms**

As with most projects involving improvements of existing infrastructure or facilities, the construction phase typically consumes most of a project's budget and requires concentrated effort by project and construction management teams to ensure contractors deliver a product that meets the owner's needs. The construction budgets for both projects reviewed represented 83 and 75 percent of the entire project, as shown in Table 1. Thus, managing costs to a baseline budget during construction is critical to the financial success of a project and requires, amongst other elements, close reviews of contractor progress payment requests.

*Table 1: Project Budgets for East/West Transmission Main and Tesla Water Treatment Facility*



Source: WSIP Quarterly Reports Fiscal Year 2009-2010, 3<sup>rd</sup> Quarter (July 2009 Approved Program Budget Data).

We found that for both projects, construction management staff employed a multi-step process to determine the monthly value of work completed by the contractor. Specifically, all bid items from the contractor's schedule of bid prices were correctly imported into the initial schedule of values, which served as the primary tool in evaluating monthly progress and determining progress payment percentages. Toward the end of the month, prior to the contractor submitting the application for payment, construction management staff and the contractor would conduct a "walk-around" of the schedule of values to discuss and observe the percentage of work complete and eligible for payment. Only after completing the "walk-around" contractors would submit the monthly progress payment request, thus reducing the risk of disputes and errors in the actual progress payment application.

With construction management staff following a deliberate process to review and scrutinize the value for each bid item activity, we found that progress payment applications contained adequate support for amounts claimed during the invoice period and bid item allowances and lump sum costs were supported by underlying invoices and receipts. For instance, the Ranger contract provided a lump sum of \$98,000 for bonding whereas the actual bond cost to the contractor was \$103,157; SFPUC authorized the payment only in the amount of the agreed-upon lump sum. Similarly, bid item allowances were paid based on actual costs up to the allowance amount. Also, payment applications were accompanied by certified payroll records and both contractors met minimum wage payment requirements. Moreover, other contract cost provisions such as contractor's markup for overhead and profit were correctly calculated and applied to applicable bid items and payment retention amount reductions occurred in accordance with contract terms.

Finally, upon receipt of the contractor's application for payment, we noted various levels of project and construction management staff reviewing and approving the application prior to the application being forwarded to SFPUC's Contract Administration Bureau (CAB) for further payment processing—all steps followed were consistent with SFPUC construction management procedures and enhanced controls over the processing of contractor payments.



## Change Orders Were Well Documented

WSIP Construction management Procedures define change orders as:

*"A written instrument prepared by the City and issued after the effective date of the Agreement and executed in writing by the City and Contractor, stating their agreement upon all of the following:*

- (i) a change in the Work;*
- (ii) the amount of the adjustment in the Contract Sum, if any;*
- (iii) the extent of the adjustment in the Contract time, if any; and*
- (iv) a modification to any other Contract term or condition."*

SFPUC's change management policy further requires thorough processing and tracking of potential change orders whether initiated by contractors through a change order request (COR) or requested by SFPUC by use of a proposed change order (PCO). As evidenced by our review of a sample of change orders, we found that change order records contained detailed documentation supporting the final approved change order. For instance, we noted that SFPUC's requested changes included a formal cost estimate request by SFPUC, which was followed by the contractor's quote, and subsequent cost evaluation and negotiation correspondence between SFPUC and the contractor to arrive at a change order amount agreeable to all parties.

As shown in Table 2, change orders for the Tesla project currently represent a low 1.9 percent increase to the original contract while the change orders for the East/West project increased contractor payments by 16.3 percent. Moreover, all change orders exceeding a threshold of 10 percent were submitted to the Commission for formal approval and execution of contract modifications. Since the Tesla change order percentage is currently at less than 10 percent, additional approval by the Commission has not been required. All Tesla change orders we reviewed were accepted by the contractor and approved by adequate level SFPUC staff including the construction manager, project managers, and regional managers. In contrast, while East/West change orders were also approved as required, a series of changes pushed the original contract value beyond the 10 percent threshold. The East/West change orders were presented to and formally adopted by the Commission.

*Table 2: Change Order Reporting*

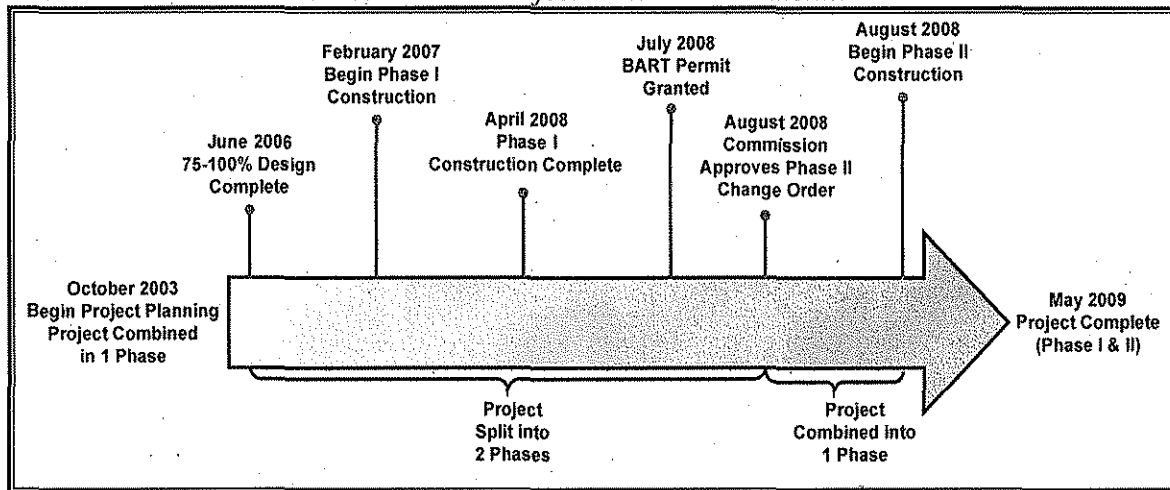
	Original Contract Value	Current/Final Change Order Value	No. of Change Orders	Current/Final Contract Value	Change Order Percentage
<b>Tesla</b>	\$81,420,562	\$1,538,080	38	\$82,958,642	1.9%
<b>East/West</b>	\$19,929,348	\$3,246,040	7	\$23,175,388	16.3%

*Note: Numbers utilized for the Tesla project represent amounts as of August 31, 2010.*

Specifically, as illustrated in Table 3, although the East/West project was initially envisioned to be completed in one phase, various circumstances including encroachment permitting delays—some of which outside of SFPUC's control—prompted the SFPUC to separate the project into two phases when design was approximately 75-100 percent complete in June 2006. However, when permitting problems were resolved at the same time Phase I achieved final completion in 2008, SFPUC decided to add Phase II to the existing Phase I contract through change orders rather than re-bidding the work via a formal Request for Bid (RFB) process. Utilizing a separate

RFB for a second phase rather than a change order would have assured open competition, expanded opportunities and assured that the SFPUC received the best price and value for the services needed. Moreover, a separate RFB also promotes greater transparency in governmental purchasing. However, although the change orders related to Phase II were significant and increased the Ranger contract value from \$19,929,348 to \$23,175,388.34 or 16.3 percent, all appropriate reviews occurred, the change orders and contract modifications were approved by the Commission, and decisions made were documented in WSIP-wide quarterly reports throughout the duration of the project.

*Table 3: East/West Transmission Main Project Phase I & II Timeline*



We found that SFPUC chose to utilize the change order process to amend the original contract rather than issuing a separate RFB due to various reasons including:

- ≈ Caltrans and BART permitting delays did not allow the under-freeway tunneling section (Phase II) to be bid out at the same time construction work for the remaining sections of the transmission main (Phase I) was ready to be procured;
- ≈ Phase I was completed one year ahead of schedule but funding for the Phase I contract was not exhausted;
- ≈ Costs associated with competitively bidding for Phase II, mobilization of a new crew, and further inconveniencing residents were assumed greater than procuring Phase II through the existing contract with Ranger by use of change orders; and
- ≈ Risk that BART could potentially require new permits and consequently further delay the completion of Phase II.

Thus, combining both phases was determined to be the most efficient and effective way to complete all work related to the East/West Transmission Main and ultimately, combining the phases allowed the SFPUC to complete essentially two projects at only slightly higher costs and schedule delays than the original Phase I budget and timeline.

## **Project Schedules and Progress Were Formally Tracked**

Like project costs, schedules are another significant component of any construction project as schedule variances, if not adequately monitored, can negatively impact a project's progress and cause budget challenges. Depending on the size of a project, multiple schedules with varying levels of details may be required to plan and track a project. For instance, a general phase-level schedule would capture start and finish dates for planning, environmental review, right-of-way, design, bid and award, construction, and close-out while a task-level schedule would provide further detail on the specific phases (e.g. 35, 65, 95, 100 percent design). During construction, schedules serve as a project management tool since a detailed schedule identifies a critical path with activities tied-in to contract milestones and allows project management to plan and prioritize activities that must occur in sequence. For example, equipment must be procured before it can be installed and tested, or restoration and landscaping work has to occur during close-out.

For the two projects we reviewed, we found that contractors submitted schedule updates at least monthly or provided more frequent look-ahead schedules as required by the contract. The monthly schedule submittals contained sufficient detail to allow SFPUC to effectively track and monitor project progress and deliverables. We also noted that change orders were incorporated into the monthly schedules showing added time for change order work, and the baseline schedule was well planned in accordance with standard scheduling practices. Specifically, the baseline schedule contained work breakdown structures, work phases, and addressed all activities at different work stations. Moreover, progress was tracked against the baseline schedule which remained unchanged throughout the project (in contrast to a moving baseline) and actual progress was appropriately pegged against that baseline.

## **Section II – Construction Management Policies and Procedures Followed Industry Best Practices**

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We found several best practices in use on the two construction contracts reviewed. Underlying these best practices was a set of comprehensive WSIP construction management processes and procedures guiding construction management staff in the day-to-day administration of contractor work, including detailed steps to compile meeting minutes, inspect and monitor contractor work, or track change orders. Each written business process was further enhanced and supplemented by flowcharts and applicable forms for quick reference.

Moreover, aside from the WSIP construction management procedures, the SFPUC also maintained a "Capital Improvement Program Procedures Manual", which like other governmental project delivery-type manuals described all phases of a project from project initiation to conceptual phase engineering, detail design, contracting, project controls, and consultant management. SFPUC policies also require a more specific project management plan to be crafted by the project manager that outlines each project's particular project scope, schedules, budgets, quality assurance, and controls. The project management plan further identifies project staff and describes the responsibilities of the various SFPUC bureaus involved in the project. When CMIS was implemented in December 2008, existing construction management procedures were enhanced and amended to address the unique ways that the new

system should be used to maintain appropriate construction management oversight. A prior review conducted on behalf of the SFPUC Revenue Bond Oversight Committee in December 2009 determined that the SFPUC construction management and project management policies and procedures were consistent with leading industry practices as well.

In addition to best practices developed from our firm's years of experience auditing and reviewing billion dollar private and public construction projects, our observations include best and leading practices deemed critical by several industry and professional associations, including but not limited to, the Construction Management Association of America's Construction Management Standards of Practice (2010 Edition), the California Department of General Services State Administrative Manual (SAM), the City of Los Angeles Bureau of Engineering Project Delivery Manual, Caltrans Construction Manual (various versions), and the California Multi-Agency Annual CIP Benchmarking Study (various editions).

Industry best practices begin with SFPUC project and construction management policies and procedures. The SFPUC's policies and procedures are comprehensive, detailed and serve as the basis for managing projects through all phases from initiation to close-out. The practices highlighted below were in evidence on both the Tesla and East/West projects—irrespective of the fact that one project was managed following the CMIS and the other using SFPUC's former, more manual construction management approach. Specifically, we found that SFPUC staff followed industry guidelines addressing the following areas:

- ≈ Well documented processes
- ≈ Clear project history
- ≈ Change management controls
- ≈ Project manager continuity
- ≈ Transparency and accountability

**Well Documented Processes**—all project progress payments and change orders reviewed not only contained adequate support but approval signatures were present and payments and change orders were logged in change management and progress payment reports. We also found that project files, both hard and electronic, were well maintained, accessible, and could easily be produced upon request.

**Clear Project History**—the existence of written progress meeting minutes facilitated the understanding of a decision's evolution as the history of decisions made was included in all meeting minutes. The SFPUC meeting minutes reviewed on the two projects were clear and contained not only action items for the upcoming meeting but also addressed the status of prior meeting action items, thus ensuring all outstanding discussions are followed-through and resolved. Further, project history from inception to close-out is also publicly presented in quarterly program reports which contain timelines of critical decisions and changes made at the project as well as program level.

**Change Management Controls**—the detailed change management practices followed by construction management staff in negotiating change orders is evidenced by very low change

order reporting percentages for the Tesla project that even exceeded the internal maximum change order goal of 7 percent set by the City and County of San Francisco Department of Public Works. Specifically, Tesla's current change order percentage reporting of 1.9 percent with approximately 85 percent of the project complete is significantly lower than industry benchmarks. Also, as discussed earlier in this report, although the final change order percentage for the both Phase I and Phase II of the East/West project was 16.3 percent, the Phase I portion itself only had a minimal 0.5 percent change order reporting. The increase to 16.3 percent was due to Phase II being added as a change order.

In contrast, various cities across California reported target change order percentages between 5 and 15 percent, although one entity will increase its cap to 25 percent. The change order percentage was typically expected to be lower for new construction and higher for remodeling or renovation projects due to greater risks related to unforeseen conditions when "breaking down walls." Thus, the change order percentages reported for the Tesla and East/West projects are well within industry thresholds. Moreover, the change order categories employed by SFPUC including differing site condition, error, omission, client request, value engineering, and acceleration agreed with standard industry classifications such as change in scope, error/omission, and unforeseen conditions.

Additionally, change orders were appropriately initiated through proposed change orders or change order requests, adequately negotiated, and pending and finalized change orders were tracked in change management logs, which contrasted contractor proposed values and final city approved change order amounts.

**Continuity of Project Manager**—although often difficult to achieve, the "cradle-to-grave process" with one project manager responsible and knowledgeable about all phases of a project including PS&E (Plans, Specifications, and Estimates), environmental, design, construction, and close-out ensures overall project knowledge is maintained throughout the life of a project. On the East/West project, the project manager was involved from the project development and planning stages through completion. Similarly for the Tesla project, which is currently at the 85 percent complete stage, one assigned project manager has been involved in the project from the very beginning.

**Transparency and Accountability**—SFPUC and SFPUC consultant staff demonstrated commitment and diligence in following SFPUC policies and procedures to ensure SFPUC's interests are protected. Multiple levels of oversight and reporting equally encouraged individual accountability. We saw evidence of these commitments at various staff levels, as well as, SFPUC's public reporting in program-wide quarterly and other reports.

### **Section III – While the CMIS Offers Many Valuable Features, Several User Concerns Need Further Discussion**

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Although we only reviewed two projects under this audit and only one project was managed using CMIS, we did find that SFPUC's use of this automated system offers additional valuable features that were not readily or easily available under the previous, more manual construction management approach. These features enhance the ability of project and construction managers,

and SFPUC executives to fully understand, monitor, control and manage individual projects using user-friendly screen tools. Further and more importantly, because CMIS captures data across all WSIP projects (currently 21 projects are using CMIS but the system has the ability to house up to 34 projects concurrently) and has a wide variety of robust reporting and analytical tools, this new system will allow SFPUC executives and decision makers the ability to compare and contrast projects across the entire program. These features include developing performance metrics, identifying anomalies needing corrective action, measuring system-wide schedule and budget data, and finding areas where additional staff training is needed.

### CMIS Benefits

We found that CMIS enhances SFPUC's ability to manage and report on projects and much of the data can be utilized for a variety of reports. Unlike the traditional manual construction management approach, CMIS allows for easier access to project information at either summary, snap-shot or detailed levels. This occurs through an easy to navigate master screen, with numerous links and portals.

In some respects, CMIS automates previous manual processes such as the recording of project decision history by "date-stamping" changes and agreements reached, for instance, the change management log. However, the fact that this data is retrievable, can be captured in a variety of regular or ad-hoc reports, and provides a system-wide view of all WSIP projects makes it vastly superior in time and cost to manual data analysis, and project monitoring and oversight. We saw that the CMIS captures a variety of performance metrics including turnaround time for project documents such as requests for information, substitution, value engineering change proposals, and submittals; as well as change order management measures such as current change order percentages and trends.

The system's functionality improves accountability by providing management with oversight and monitoring tools such as a variety of ad-hoc reports which were either too cumbersome to compile in a manual system or took significant staff time and effort to produce. Added CMIS benefits include improving consistency in processes and management of projects since all users employ the same platform to enter and retrieve information, as well as allowing closer real-time tracking of project activity including schedules, costs, and progress.

### CMIS Issues for SFPUC's Consideration

Despite the many value-added features of CMIS, we received some feedback regarding concerns on the use of CMIS. This feedback is limited to users' experience from one CMIS project, discussions with one stakeholder who has experienced both the manual and automated processes, and some SFPUC project and construction management staff. If the SFPUC finds these issues are widespread through the other 20 WSIP projects currently utilizing CMIS, they should consider possible remediation. The concerns mentioned by SFPUC and contractor staff include:

- ≈ WSIP Construction Management Policies require hard-copies to be kept in addition to the electronic scanned in documents. Keeping two sets of identical records creates redundancies and duplication of efforts and there could be incremental costs associated with keeping hard copies, such as storage space or extra staff needed to scan in documents. While SFPUC acknowledges the redundancies, we were also informed that

the City Attorney opined only hard copies can serve as legally binding contract record. In addition, since only construction phase related documents are captured in CMIS, project files maintained by other divisions such as engineering, environmental, or project management are still kept in hard copy and/or stored in a separate data warehouse. Moreover, retaining hard copies allows staff to access records in the event the CMIS is down or otherwise inaccessible. As such, SFPUC decided not to completely eliminate hard copies at this time.

- ≈ There appears to be a trade-off between daily, working level reports and management-level reports and needs. Specifically, construction management and contractor staff were not always satisfied with the system's reporting capability and while some regional level staff appeared pleased with the system as it provided them "everything they needed," others were not. For instance, project level staff expressed the need for more detailed month-end reports to track actual progress payment amounts and owner requested change orders, which apparently is more onerous or not possible to generate from CMIS at this point.
- ≈ In one instance, the contractor initially was assigned only one license which backlogged day-end data processing and effort to obtain a second license, although ultimately successful, appeared challenging. However, SFPUC indicated that depending on the size of the project, contractors may be allocated up to four licenses but typically only one to two licenses are provided initially. Also, the non-proprietary nature of the CMIS software requires SFPUC to pay approximately \$2,000 for each license, which may be an additional impediment to having more users in the system.
- ≈ Contractors have to dedicate one computer terminal for CMIS as it appears to conflict with other applications. Also, the system tends to time-out if left inactive even for a short time, forcing users to re-login and re-enter data that was not previously saved. While SFPUC is aware of some accessibility issues such as system slowness due to anti-virus protection software, remote Citrix access versus faster T-1 lines, or use of different internet explorer versions, the system time-out problem might require further research since the pre-set time-out of 1 hour does not appear to work for all users as some reported 10 to 30 minute time-out intervals.
- ≈ Users were also concerned with labor intensive data inputting and slow processing, as exemplified by files needing to be uploaded individually and numerous "clicks" required to navigate the system. For instance, the cumbersome file upload caused users to copy pictures into a word document first and then upload the word document into CMIS rather than uploading the original "jpeg" picture file. By using a word document, users can upload more pictures at once but at the same time, picture meta-data embedded in the jpeg format is lost when copied to word. However, we learned that uploading pictures through a word document is discouraged unless the word document contains call-outs and added descriptions of the photos taken and enhances the information shared, which is not possible in the raw picture file.

Another example surrounds the adding of change orders to the CMIS. Specifically, for the Tesla project, bid items are numbered A through E, while change orders are recorded in the "F" category. However, when new change orders are added to CMIS, they are

automatically added to the “C” bid item group first and must then be manually moved to the “F” category, requiring additional manual time and effort.

- ≈ Currently, no automated link between progress payments recorded in CMIS and the financial system—FAMIS exists, which requires project staff to research FAMIS to obtain information on whether the CMIS approved payment has indeed been processed by the Controller. However, some project staff also do not have access to FAMIS and thus have to rely on an external department for providing contractor payment updates, which often complicates contractor payment reconciliations. We also learned that often times, rather than waiting for feedback from the Controller, field staff would receive the payment confirmation via a scanned-in payment record submitted by the contractor. Thus, it appears some improvements could be made to close the loop on progress payments amongst City departments.
- ≈ While contractors’ access to the CMIS is limited to certain functions within the payment application and change management modules as required to complete their work, we learned that some of the functions do not appear to correctly capture inputted data. For example, one contractor indicated that certain fields such as retainage is not automatically updated by the system based on payment request amounts but must be manually inputted, which could increase the risk of data entry errors. Related to the retainage rate, it appears that system rounding principles lead to incorrectly calculated/rounded retainage rates which however can be manually adjusted. SFPUC is aware of the problem and accepts that minimal rounding discrepancies cannot always be avoided. However, rounding errors do not necessarily represent contractor under or overpayments as there is always a “true-up” when the contract is closed-out and final payments or adjustment are determined.
- ≈ For one project, there appeared to be a lack of SFPUC resolution to user concerns regarding system functionality. However, we also learned that at the regional level, SFPUC has organized CMIS trouble-shoot meetings where users from multiple projects gathered to discuss issues and lessons learned. While these user-group meetings have not regularly occurred in the past, according to SFPUC, more frequent user-group meetings are planned starting January 2011.

All these concerns, if not addressed, could potentially increase the risk of users creating alternative, work-around solutions that are outside of the system and SFPUC’s oversight. Additionally, on future projects, contractor and consultants might consider increasing their bid amounts to absorb additional staff or equipment needs, or not propose on City work at all. More importantly, however, an automated system should not be more cumbersome than a manual process.

## Section IV – Recommendations

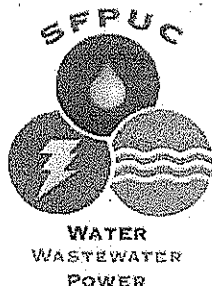
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Although as described in the report’s previous sections, no significant issues were identified related to the SFPUC or contractors’ responsibilities on the two projects reviewed, there are two areas that we believe warrant the SFPUC’s attention and consideration. Consequently, we recommend that SFPUC:



1. In general, not use change orders in lieu of issuing formal Request for Bids (RFBs). Although the East/West Phase II change order decision was openly conveyed and appropriately approved, in other instances, SFPUC may achieve greater benefits through a competitive procurement.
2. Determine whether the CMIS operational concerns expressed by some SFPUC and contractor staff are applicable to the other 20 WSIP projects underway. If similar issues are identified, SFPUC should undertake the needed steps to remediate or otherwise correct the system deficiencies, or increase training if the problems are user-related.

## Appendix A – The SFPUC’s Response



## SAN FRANCISCO PUBLIC UTILITIES COMMISSION

OFFICE OF THE GENERAL MANAGER  
1155 Market St., 11th Floor, San Francisco, CA 94103 • Tel. (415) 554-3155 • Fax (415) 554-3161 • TTY (415) 554-3488



January 20, 2011

EDWIN M. LEE  
MAYOR

FRANCESCA VIETOR  
PRESIDENT

ANSON MORAN  
VICE PRESIDENT

ANN MOLLER CAEN  
COMMISSIONER

ART TORRES  
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VINCE COURTNEY  
COMMISSIONER

ED HARRINGTON  
GENERAL MANAGER

Tonia Lediju, Audit Director  
Office of the Controller, City Services Auditor Division  
City Hall, Room 476  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Subject: Management's Responses to Audit of WSIP Construction Contracts for  
Tesla Water Treatment Facility and East/West Transmission Main.

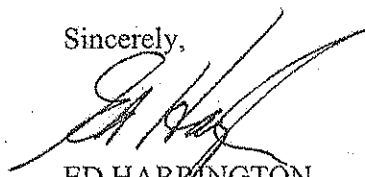
Dear Ms. Lediju,

Thank you for providing your audit report of the Water System Improvement Program (WSIP) Construction Contracts for Tesla Water Treatment Facility and East/West Transmission Main. We appreciate the time and effort that you and your staff, including Sjoberg Evashenk Consulting, Inc., have dedicated to the completion of this audit.

Attached for your review and consideration are SFPUC Management's responses to the recommendations detailed in the report. We concur with your recommendations and have provided additional clarification and will address outstanding items.

If you have any questions or need additional information, please do not hesitate to contact me at (415) 554-1600.

Sincerely,



ED HARRINGTON  
General Manager

cc: Michael Carlin, Deputy General Manager  
Todd L. Rydstrom, AGM Business Services and Chief Financial Officer  
Harlan Kelly, Jr., AGM Infrastructure  
Julie Labonte, Director, Water System Improvement Program  
Harvey Elwin, Deputy Director, Construction Management Bureau  
Nancy L. Hom, Director Assurance & Internal Controls

**San Francisco Public Utilities Commission  
Construction Management Bureau  
Water System Improvement Program**

**Responses to City Services Auditor (CSA) Audit Recommendations**

**Section IV – Recommendations**

**Recommendation 1.**

In general, not use change orders in lieu of issuing formal Request for Bids (RFBs). Although the East/West Phase II change order decision was openly conveyed and appropriately approved, in other instances, SFPUC may achieve greater benefits through a competitive procurement.

**Response**

In general, we are in agreement with the audit recommendation regarding the use of Request For Bid (RFBs) in lieu of change orders.

The SFPUC believes that the issuance of the change order for the tunneling portion of this project was the most efficient and cost effective way to complete all of the related pipeline work. Although the audit report does mention several justifications and factors, we would like to elaborate more on the specific circumstances and reasons that triggered using the change process to complete the pipeline.

1. Interdependent schedule

The East-West pipeline is connected to a new Alemany Pump Station which was concurrently under construction. Completion of the pipeline was needed before the summer of 2009 in order for the new Alemany Pump Station could be functionally tested and the station completed. Several Peninsula projects also depended on the system ability to pump water from the east side of the city to the west. Without timely completing the 300 ft of pipeline through tunneling under the BART and I-280, SFPUC could not put Alemany Pump Station on line and subsequently other peninsula projects could have been delayed.

2. BART permit

The original project plan was to have the 4.5 miles of the East West Main under one contract. The project needed two permits from BART (only 70 ft of pipeline is under BART) and Caltrans for the 300 ft pipe to pass under both right-of-ways. The team successfully obtained the permit from Caltrans during the design phase. After 2 years of design review, BART engineering and real estate required deeper depth for the tunnel and construction during non-operation time (1 am to 4:30 am). BART also asked for execution of a memorandum of understanding that includes all the right of way and construction perimeters as a condition of permit. At that point, it was clear we could not include the tunneling portion of the work as a part of first contract.

3. Change Order

BART's requirement for a short duration of tunneling, delayed the design work for the Phase II of the project, since it required additional geotechnical work in order to devise the tunneling depth and method. BART permit was obtained in summer of 2008 after extensive geotechnical investigation that resulted in an accepted trenchless method that met the construction window that BART required. Considering the facts that advertising and awarding a new contract would have taken at least 8 months and the pipeline could not be in service in the summer of 2009, Ranger Pipeline completed Phase I work ahead of time, less than 1% of the contingencies were expended for Phase I, and a mobilized contractor at the site would have less impact on the neighborhood; SFPUC decided to pursue the change order process in lieu of advertising for public bids. As a result, both phases of project completed by the end of May 2009 and the pipeline was in service in time

**Recommendation 2.**

Determine whether the CMIS operational concerns expressed by some SFPUC and contractor staff are applicable to the other 20 WSIP projects underway. If similar issues are identified, SFPUC should undertake the needed steps to remediate or otherwise correct the system deficiencies, or increase training if the problems are user-related.

**Response**

In general, we are in agreement that we should determine whether the concerns that were expressed by some of the project and contractor staff are reflected by other projects' staff.

The Users Group meeting, scheduled for February 14, 2011, will provide users the opportunity to express concerns. If similar issues are identified, SFPUC will correct the system to the extent that is practicable and will increase training for user-related problems.

RECEIVED  
MAYOR'S OFFICE

11 JAN 31 AM 10:58

BOS-11  
cpage

January 31, 2011


To San Francisco Mayor Ed Lee and President of  
Board of Supervisors David Chiu,

Tomorrow will be a long day. I have invited the  
Egyptian people to talk. I am going to give a copy  
of this letter to the Mayor and the Board President.

I would like to thank the Mayor and the Board  
President for keeping the peace and cool with my  
Egyptian people, who have escaped and run away  
from my country, and from our dictator president.

I am an example of them. I ran from the country  
40 years ago, but I never give up.

I am going to help the Board President by trying  
to control them.

  
Abdalla Megahed  
Community Activist

BY AK

2010 JAN 31 AM 11:10

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

14



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: File 101416 Boathouse Lease

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From: Pinky Kushner <pinkykushner@mac.com>  
To: Board.of.Supervisors@sfgov.org  
Date: 01/31/2011 11:44 AM  
Subject: Boathouse Lease

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Dear Supervisors,

I am adding my voice to the demand to send the Boathouse lease back to RPD to see better terms.

In our financial crisis we need to hold RPD accountable. The department's "excuse" for not getting reasonable rent is that the Boathouse will be "renovated" by the Lessee. The Lessee plans, however, to destroy the interior of a functioning BOAT house and put in an expensive commercial kitchen. We don't want that. We want reasonable repairs and top rent. Top rent means more gardeners, more maintenance people, and fewer fee increases. The time is NOW for RPD to make reasonable proposals and not continually putting in "capital improvements" only to give away these improved facilities for a dime.

More than 3,000 people signed the petition to KEEP the Boathouse for boats. Do not disappoint these people. Over and over again, they say they want a Boathouse, not a cafe.

Tell RPD to do it over and get it right.

Thank you.

Pinky Kushner  
1362 6th Avenue  
Sierra Club San Francisco Group

15



To: BOS Constituent Mail Distribution,

Cc:

Bcc:

Subject: Fw: Stowe Lake Boathouse - deny lease renewal - 2- 1- 11 BOS meeting FILE 101416

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From: "Kathy Howard" <kathyhoward@earthlink.net>  
To: <Board.of.Supervisors@sfgov.org>  
Date: 01/31/2011 11:34 AM  
Subject: Stowe Lake Boathouse - deny lease renewal - 2- 1- 11 BOS meeting

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Clerk of the Board – please forward to all Supervisors

Board of Supervisors:

I am writing in concern about the lease renewal for the Stow Lake Boathouse. It appears, from public testimony and other information that has been forwarded to me, that:

1. RPD is not getting the most rent that they could receive for this property. I attended a public meeting a few months ago, in which the Ortega vendor offered much more rent than is currently being listed. Why hasn't this offer been followed up? RPD has claimed that they are changing vendors in an effort to be fiscally responsible, but this sheds doubts on this statement.
2. The Wireless proposal – is wireless really necessary? Will this serve the seniors and families with small children, who will not be able to get seating due to the number of people who will 'camp out' in the indoor seating area, using the wireless connection? This is what happens now at many coffee shops in the City.
3. Extended hours – why would the hours be extended? If the hours are extended, will this involve more outdoor lighting, with the concurrent negative impact on the environment?

The truth on these matters seems to change with each hearing. Please refer this project back to the Recreation and Park Department for further review and public input, and a confirmation of the final nature of this lease.

Thank you.

Sincerely,

Katherine Howard  
1243 42<sup>nd</sup> Avenue, SF  
710-2402





To:  
Cc:  
Bcc:  
Subject: Fw: Stow Lake Boathouse Lease FILE 101416

From: "Christine Hall" <Pacifichris01@sbcglobal.net>  
To: <David.Chiu@sfgov.org>, <Carmen.Chu@sfgov.org>, <Ross.Mirkarimi@sfgov.org>, <Jane.Kim@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Scott.Wiener@sfgov.org>, <David.Campos@sfgov.org>, <Malia.Cohen@sfgov.org>, <John.Avalos@sfgov.org>, <Mark.Farrell@sfgov.org>, <Eric.L.Mar@sfgov.org>  
Cc: <Board.of.Supervisors@sfgov.org>  
Date: 01/31/2011 11:11 AM  
Subject: Stow Lake Boathouse Lease

**Dear Supervisors:**

Tomorrow you will vote on whether or not to accept Ortega Family Enterprises as the new leaseholder on the Stow Lake Boathouse. As a longtime regular walker at Stow Lake, I am highly alarmed that the Ortega lease proposal is silent on a number of sensitive issues whose handling will make a critical difference to the welfare of both wildlife and human visitors to the lake. The fact that the Recreation & Parks Department has failed to pay any attention to these issues in evaluating the submitted bids places a serious responsibility on you to ensure that any lease awarded will address the community's concerns in the following regards:

- **Nighttime lighting** – Any use of the boathouse for nighttime activities would require outside lighting that could be deadly to nesting birds and in particular to the precious Great Blue Heron colony opposite the boathouse, as well as to other park wildlife. The new lease should absolutely forbid it.
- **Alcohol sales** – Although it seems obvious that sales of alcohol at a lakeside/boating location would be foolish and dangerous in the extreme, the silence of the proposed lease on this subject, as well as the prevalence of alcohol sales at other park restaurants, is ominous. Particularly given RPD's focus on revenue enhancement, it is worrisome that alcohol sales may be planned at Stow Lake, again posing hazards to both humans and wildlife.
- **Parking lot expansion** – The possibility of expanding the boathouse parking lot, with associated tree and vegetation removal, is a very real one given RPD's plan to promote increased attendance at the new café. This destructive possibility is extremely worrisome to the community and should be explicitly forbidden in the lease.
- **Wi-Fi access** – While Project Manager Nick Kinsey stated at the Budget & Finance Committee hearing last week that he knew of no plans to provide Internet access at the new café, a flyer distributed by the Ortegas at a recent community hearing stated unequivocally that Internet access would be provided. Mr. Kinsey's dishonesty in this matter should be cause for

concern and specific additional questioning by all Supervisors. The addition of electronic devices, antennas or open networks at the boathouse would be an unnecessary environmental and aesthetic disturbance and needs to be prohibited by the lease. (Fundamentally, why would the leaseholders wish to encourage people to visit a beautiful outdoor recreation area and stare at their computer screens?)

- Education against bird-feeding – Expanded food sales will inevitably increase the already hazardous practice of feeding bread and other “human” food to wildlife, but the proposed lease mentions no specific plans by the Ortegas to discourage café customers from taking their purchases outside to feed to the birds. Most people are apparently unaware that feeding bread and other snacks to birds causes malnutrition, bone diseases, and attacks by bird predators who are attracted by leftover food on the ground. It is notable that RPD has so far at Stow Lake provided no education to the public whatsoever on this important issue and has made no effort to ensure its inclusion in the new lease. It is therefore incumbent upon our Supervisors to do so.
- Rent negotiations – Although I and many other attendees at a recent Recreation & Parks Commission hearing heard Mr. Ortega offer increased rent for the boathouse, and although a slightly increased rent was suddenly offered at last week’s Budget & Finance Committee hearing, it is unclear why this issue was left largely unexplored by all Committee members except Supervisor Mirkarimi, who did an outstanding job of questioning RPD staff about this and other peculiarities in the proposed lease. *It seems clear that the Board of Supervisors needs to postpone a decision on this lease until the many ambiguities and omissions in the current proposal are fully and responsibly explored.*
- Historic preservation – Most basically, in view of the fact that the Historic Preservation Commission has not yet ruled on preservation of the historic boathouse, including its widely treasured boat hoist, approval of this or any other lease proposal should be postponed until the HPC has ruled. If the proposed construction is allowed to proceed, it will then be too late to accommodate the careful consideration of the HPC.

In sum, the community’s oft-voiced concerns in the above areas have gone ignored in the lease proposal that will come before you tomorrow. Breezy assurances by RPD that they will honor these concerns are clearly not sufficient to protect the lake environment and wildlife from aggressive development.

One shocking example from the Budget & Finance Committee hearing was Project Manager Kinsey’s declared interest in protecting “the herons on Strawberry Hill,” even though the heron colony has never been located on Strawberry Hill, but (for some 15 years) on the island opposite the boathouse.

I hope very much that in scrutinizing the Ortega proposal, and in postponing a

**decision until all questions have been fully explored, you will be the park stewards that the community is counting on you to be.**

**Sincerely,**

**Christine Hall  
1256 Stanyan Street  
San Francisco 94117  
415.564.0916**



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Fw: 2/1/11 BofS meeting FILE 101416

From: SWeil46117@aol.com  
To: Board.of.Supervisors@sfgov.org  
Date: 01/31/2011 08:35 AM  
Subject: Re: 2/1/11 BofS meeting

---

Dear Clerk of the Board,  
Good Morning! Please confirm receipt of this letter.  
Thank you,  
Sandy Weil

To: Nick Kinsey, Dept. of Parks and Recreation, Project Manager Stow Lease 1/31/11

Cc: Clerk of The Board (Please include on the record for the 2/1/11 Board of Supervisors meeting)

Re: Explanation of Your Lies to the Budget and Finance Committee on 1/26/11, A Written Response Demanded Prior to the Proposed Full Board of Supervisors Vote on the Stow Lake lease set for 2/1/11

Dear Mr. Kinsey:

---

Please provide the following answers in writing.

**#1) Explain why you did not answer Supervisor Mirkarimi's question, regarding if this was the best deal that you could have made in the Stow Lake lease negotiation process in regard to rent, when you were present at both public meetings when Mr. Ortega had offered \$315,000 guaranteed annual rent? (One meeting, you basically even stopped him talking about an alternative plan that he was willing to offer for the higher rent.)**

**#2) Explain why when Supervisor Mirkarimi asked you about the free Wireless Internet being provided at Stow Lake you responded that you weren't aware of that proposal? In writing, handed out by you and your staff titled, Benefits of Stow Lake Revitalization Project, (of which we have a complete copy that included a colored drawing on the back side, and an article about Stow Lake from the Examiner stapled to it) In this document it states, "For the visitors' convenience, the indoor space will also feature a single stall bathroom, free wireless Internet and extended hours."**

**#3) Explain why when Supervisor Mirkarimi asked you about the future hours of operation at Stow Lake Boathouse you responded that they would be the same? In writing, handed out by you and your staff titled, Benefits of Stow Lake Revitalization Project, it states, "For the visitors' convenience, the indoor space will also feature a single stall bathroom, free wireless Internet and extended hours."**

We look forward to your public reply in writing, to these very important issues **prior to the vote** of Stow Lake lease of the Board of Supervisors. Our group stands against this flawed lease as it is currently written, due to: low rent, unknown costs to the City because of a change of use to the building, no description of how the parties pay for any future changes (legal costs, architectural plans) to the unknown costs in the lease ex: seismic and ADA, no hours of operation noted in the lease, no protection in the lease against night-time hours or alcohol sales, and numerous other concerns. All of these concerns should be fixed in the lease prior to the Board of Supervisors adopting this lease. Doing so otherwise, would be a major, costly disservice to our City and the wildlife of Stow Lake.

Thank you.

Sandy Weil, Save The Stow Lake Boathouse Coalition 1032 Irving #515, SF, CA 94122  
Email: [savestowlake@aol.com](mailto:savestowlake@aol.com)      [sweil46117@aol.com](mailto:sweil46117@aol.com)

---



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Stow Lake Boathouse Testimony by Mr. Kinsey of RPD File 101416

*CPA  
File 101416*

---

From: Pinky Kushner <pinkykushner@mac.com>  
To: Nicholas.Kinsey@sfgov.org  
Cc: Board.of.Supervisors@sfgov.org, John.Avalos@sfgov.org, David.Campos@sfgov.org  
Date: 01/31/2011 09:31 AM  
Subject: Stow Lake Boathouse Testimony by Mr. Kinsey of RPD

---

To: Nick Kinsey, RPD, Project Manager for the Stow Lease 1/31/11

Cc: Clerk of The Board (Please include on the record for the 2/1/11 Board of Supervisors meeting)

Re: Testimony to the Budget and Finance Committee on 1/26/11, A Written Response Requested Prior to the Proposed Full Board of Supervisors Vote on the Stow Lake lease set for 2/1/11

Dear Mr. Kinsey:

Please provide the following answers in writing.

- 1) Explain why Recreation and Park did not take Mr. Ortega's offer of \$315,000 guaranteed annual rent.**
- 2) Explain why you did not reveal that Mr. Ortega had offered \$315,000 in your testimony to Supervisor Mirkarimi's question about the rent.**
- 3) Explain what your answer was/is to Supervisor Mirkarimi's question regarding the hours of operation at Stow Lake Boathouse.**

The Sierra Club is very concerned that RPD is not getting fair rent for the Boathouse. The Sierra Club is also very concerned that the hours of operation will be extended into the evening/night hours and thereby disturb the heron rookery.

Sincerely,  
Pinky Kushner  
Sierra Club San Francisco Group  
1362 6th Avenue  
San Francisco, CA 94122  
415 731-9486



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Please forward to each member of the Board, Thank you.

---

From: sandy weil <sweil46117@aol.com>  
To: Board.of.Supervisors@sfgov.org  
Date: 01/28/2011 01:29 AM  
Subject: Please forward to each member of the Board, Thank you.

---

## PRESS RELEASE

# RPD DECEIVES BUDGET & FINANCE COMMITTEE

## What Action Will Board of Supervisor's Take?

**Could the Recreation and Parks Department (RPD) have negotiated more guaranteed annual rent from the concessionaire recently chosen to operate Stow Lake Boat House?**

---

Board of Supervisor Mirkarimi should continue to be uneasy after Wednesdays vote at the Budget and Finance Committee. Many unanswered questions remain as to how RPD negotiated with the new concessionaire, Mr. Ortega.

Supervisor Mirkarimi directed important questions to RPD project manager, Mr. Kinsey, as to whether or not RPD was receiving the best, negotiated rent possible. Mr. Kinsey, shared that capital improvements were the focus of this projects Request for Qualifications (RFQ) and not rent. Kinsey went on to say the new rent is more than the current tenant is paying and believes RPD is getting a good deal. Harvey Rose, the Budget Analyst noted in his report, RPD has no way of evaluating if RPD may have received more rent, because RPD did not to include rent in the RFQ and instead prioritized capital improvements and food.

### **Was critical financial information selectively filtered by RPD?**

It would be of interest to the public, to question, RPD staff, Mr. Kinsey and Mr. Ginsberg as to **all of the various offers of rent made to the City by Mr. Ortega**. It has been brought to the attention of the Board of Supervisors, that Mr. Ortega said he would provide the City \$315,000 in guaranteed annual rent by altering his original bid. This \$315,000 rent offer was made at a public meeting, which took place at the Hall of Flowers, 11/8/10 - 1pm, AND again in front of the RPD Commission on 12/2/10.

**Could RPD have received more rent and negotiated a better deal** while still having the **NEEDED** capital improvements made to keep the boathouse from degrading further?

A possible plan, which would have:

- > provided the NECESSARY capital improvements to the building,
- > brought in MUCH MORE RENT,
- > included a small indoor seating space,
- > kept the boat repair where the public wants it, and
- > made some changes to the quality of the food

**Did RPD do a disservice to the City because they have their mind set on a large cafe and gift shop, or because there are back room deals happening?**

Mr. Ortega originally was providing \$140,000 in guaranteed rent and miraculously the night before the Budget and Finance meeting, RPD renegotiated the rent and an extra \$20,000 appeared.

**Questions must be asked. Could the rental revenue have been more?**

**Is the glitz of a large indoor café and gift shop worth \$155,000 in lost guaranteed revenue to the City?** (315K offered by Ortega - 160K accepted by RPD)

An additional concern is Mr. Kinsey's statement to the Committee about having no knowledge in regard to the future of free Internet service being provided at the Stow Lake site for the convenience of visitors. At a community meeting, lead and organized by RPD and Mr. Kinsey, a document provided clearly states, "For the visitors' convenience, the indoor space will also feature ...free wireless Internet and extended hours." Changing the character of the Stow Lake Boathouse is a main concern of members of the public opposing the current plan RPD has put forth. Internet access would not be conducive to the Golden Gate Parks Master Plan, which prioritizes recreation.

Members of the audience in attendance at the Budget and Finance Committee, requested to include numerous protections in the lease on behalf of the wildlife, the public and City funds. The Committee reviewed a list of lease problems, which included unknown costs, as well as solutions to those problems, that was presented by the Save The Stow Lake Coalition.

**The rent revenue issue remains the most critical question in front of the Budget & Finance Committee and the full Board, which must be answered.**

It seems, RPD management may have "misinformed", "misrepresented", "avoided the facts", or "lied" to the RPD Commission, the public, and now the Board of Supervisors. RPD must be held accountable. **Will members of the Board of Supervisors immediately take the appropriate action and question RPD staff, in public, prior to the Stow Lake Boathouse lease being heard by the full Board?**

#### CONTACTS:

Sandy Weil 415/407-8740

Email: [sweil46117@aol.com](mailto:sweil46117@aol.com)

Suzanne Dumont 415/999-6823

Email: [zangsf1@gmail.com](mailto:zangsf1@gmail.com)

**Save The Stow Lake Boathouse Coalition**



BOARD of SUPERVISORS



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

Date: January 31, 2011

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board *A. Calvillo*

Subject: Form 700

---

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

Bevan Dufty – Supervisor - Leaving

Sondra Angulo – Legislative Aide – Assuming

Megan Hamilton – Legislative Aide - Assuming

16



CITY AND COUNTY OF SAN FRANCISCO  
OFFICE OF THE CONTROLLER

File 101493

cc: Kim,  
Elsbernd,  
Farrell

Ben Rosenfield  
Controller

Monique Zmuda  
Deputy Controller

January 31, 2011

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

RE: File 101493 – Charter amendment increasing the compensation of members of the Board of Education to \$50,000 annually and providing City of San Francisco health and pension benefits

Dear Ms. Calvillo,

Should the proposed charter amendment be approved by the voters, in my opinion, there would be an increased cost to government beginning in fiscal year 2012-2013 of approximately \$485,000 annually for salaries and benefits for San Francisco Unified School District (SFUSD) Board Members. This cost would grow over time with increases in the Consumer Price Index and with increases in the City's costs for health and retirement benefits.

The proposed amendment would specify that members of the San Francisco Unified School District Board of Education be paid a salary of \$50,000 annually beginning July 1, 2012, with annual adjustments after that date using the Consumer Price Index. Board of Education members would also be provided with fulltime City health and retirement benefits. Currently, Board members received a stipend of \$500 per month, and do not receive health and retirement benefits.

The amendment would require that SFUSD Board members complete a two-day training course when they take office and ten hours of professional development every year thereafter. The Controller's Office would recommend controls for the reimbursement of SFUSD member expenses and the Board would be required to comply with those controls.

Funding would come from the City's General Fund. This funding would be suspended for years in which a parcel tax funding the School District is in place, and could be suspended if the SFUSD Board does not comply with training and expense control requirements specified in the amendment.

Sincerely,

  
Ben Rosenfield  
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2011 JAN 31 AM 11:28  
BY: [initials]

17



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: OCC's Annual Statistical Report - 2010

---

From: Pamela Thompson/OCC/SFGOV  
To: Matthew Goudeau/MAYOR/SFGOV@SFGOV, Board of Supervisors/BOS/SFGOV@SFGOV  
Date: 01/31/2011 10:50 AM  
Subject: OCC's Annual Statistical Report - 2010

---

Attached is an electronic copy of the OCC's Annual Statistical Report for 2010. Please let me know if you will also need a hard copy. Because we are complying with sending electronic copies only, I will only send a hardcopy if you request it. Please let me know if you will need a hardcopy.



OCC\_2010.pdf

Thanks,

Pamela Thompson  
Executive Assistant  
Police-Office of Citizen Complaints  
25 Van Ness Avenue #700  
San Francisco, CA 94102  
415-241-7721  
[www.sfgov.org/occ](http://www.sfgov.org/occ)



To: John Avalos/BOS/SFGOV, Eric L Mar/BOS/SFGOV, Sean Elsbernd/BOS/SFGOV, Gail Johnson/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: GG Park Recycling Center FILE 101491

---

From: "Darcie." <Darcie@mpadesign.com>  
To: <Board.of.Supervisors@sfgov.org>  
Date: 01/31/2011 10:15 AM  
Subject: GG Park Recycling Center

---

I recently heard that the Golden Gate Park Recycling Center was soon to be closed. I just wanted to say that I would like it to stay if possible. It is a great resource for many city dwellers (who frequently don't own vehicles).

Thanks for taking this into consideration, and have a great day.

Sincerely,  
Darcie DeLashmutt  
Senior Associate

---

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f.415.434.4665  
darcie@mpadesign.com  
www.mpadesign.com



To: John Avalos/BOS/SFGOV, Eric L Mar/BOS/SFGOV, Sean Elsbernd/BOS/SFGOV, Gail Johnson/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: Fw: HANC Recycling Center eviction **FILE 101491**

---

From: "Scott Mulholland" <scott@mpadesign.com>  
To: <Board.of.Supervisors@sfgov.org>  
Date: 01/31/2011 09:33 AM  
Subject: HANC Recycling Center eviction

---

I am writing in my support of the HANC Recycling Center. My understanding is that they are being evicted because the city no longer sees a need for a recycling center in the city and has other plans for the site. We own a house in the Richmond district and use the recycling center often. Every time we get a package or anything with a box, our curbside recycling container isn't big enough to handle it so we end up taking it to the recycling center.

The city's plan to close the recycling center seems unrealistic unless they allow for full cardboard boxes to be picked up along with curbside.

Scott Mulholland, RLA, LEED AP  
Senior Associate

---

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[www.mpadesign.com](http://www.mpadesign.com)

10 1522



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Please send Item 11 back to committee or table it all together FILE 101522

---

From: susan vaughan <susan\_e\_vaughan@yahoo.com>  
To: Eric Mar <Eric.L.Mar@sfgov.org>, mark farrell <mark.farrell@sfgov.org>, david chiu <david.chiu@sfgov.org>, carmen chu <carmen.chu@sfgov.org>, ross mirkarimi <ross.mirkarimi@sfgov.org>, jane kim <jane.kim@sfgov.org>, sean elsbernd <sean.elsbernd@sfgov.org>, scott wiener <scott.wiener@sfgov.org>, david campos <david.campos@sfgov.org>, malia cohen <malia.cohen@sfgov.org>, john avalos <john.avalos@sfgov.org>, Angela Calvillo <board.of.supervisors@sfgov.org>  
Date: 01/30/2011 10:43 PM  
Subject: Please send Item 11 back to committee or table it all together

---

Dear Supervisors,

I am urging you to send Item 11 back to committee -- or to withdraw it all together -- at your regularly scheduled board meeting on Tuesday, Feb. 1. This legislation regulating the distribution of handbills will require people walking precincts to 'attach' political literature to wherever it is being delivered.

However, as a veteran precinct walker, there are many factors beyond my control. I am a conscientious precinct walker, and I make every effort to secure the literature. But I cannot guarantee that a gale force wind will not rip through San Francisco and destroy my efforts. Nor can I can guarantee that a residents -- or building owners or managers -- will not decide to toss the literature into the street themselves, thereby destroying my efforts. Yet, it is the low-budget campaign that cannot afford mailers that will suffer legal consequences.

Please reconsider this legislation.

Thank you.

Sue Vaughan  
District 1



Board Agenda 02-01-11.pdf Handbill Distribution Leg 02-01-11.pdf

20

Caltrain Summit, Unintended Consequences

Cautn1

to:

Ross.Mirkarimi, Sean.Elsbernd, david.chiu, david.campos, john.avalos, eric.l.mar, Carmen.Chu,

board.of.supervisors

01/30/2011 01:39 PM

Show Details

| Dear Supervisors,

| Maintaining a viable Caltrain operation is of critical importance to the three West Bay Counties and to the Region at large. On the Peninsula they are beginning to worry about Caltrain's financial plight (see below)....which is good. On the other hand, while Caltrain has many adherents, there are also many Peninsula residents who regard the 18-northbound traffic lanes leading into San Francisco County as easier and more convenient.

| By yielding to pressures from Peninsula spokespeople to put the San Francisco congestion pricing plan on ice, the SF Board of Supervisors may unwittingly have made it more difficult to raise the funds needed to save Caltrain.

| If Caltrain goes, San Francisco County will ultimately be one of the big losers. It is my belief that if the Congestion Pricing Plan were repackage, with greater attention paid to fairness and logic, it could be "sold"....because of the dismal consequences of doing nothing.

Gerald Cauthen, PE

| Subj: January 29, 2011 Summit on Caltrain's Bleak Future Attracts Hundreds

| The "Summit" was sponsored by Friends of Caltrain, a grassroots organization of residents and civic leaders. It featured a brief statement by Congresswoman Jackie Speier, followed by other speakers, panel discussions and breakout sessions.

| The session, which occurred at SamTrans headquarters in San Carlos, tackled Caltrain's dismal financial situation. The Joint Powers Authority (Caltrain's parent agency) faces a \$30 million deficit starting beginning in Fiscal 2011/2012 (from July 1, 2011).

| Jackie Speier may have made the most telling comment when she said: "I think that eventually we'll have to come up with a dedicated tax for Caltrain – you can count on me to support that,"

21

305-11

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2011 JAN 25 PM 3:56

BY

Re

Whereas San Francisco has experienced a great loss in the African American population for various reasons that have included the experience of marginalization, and

Whereas the experiences of this community have included racial discrimination and lack of access to critical economic opportunities that build and strengthen communities, and

Whereas there has long been the need for advocacy on behalf of the African American community in San Francisco, and

Whereas Ace Washington seeing the need for advocacy has volunteered his time and resources to provide that advocacy for over twenty years, and

Whereas in 1987 Ace Washington began to work with community members enabling them to re-organize and reinstate WAPAC (a Western Addition neighborhood advocacy group) to monitor and enforce affirmative action activities that would assure that African Americans were included on city, state and federally funded projects and

Whereas in 1990 Ace Washington informed City Supervisors of the deplorable conditions that Hayes Valley public housing tenants mostly African Americans endured through protests, informing news media and a tour, and

Whereas the result of his advocacy led to consideration by the housing authority to rebuild the Hayes Valley and other housing sites providing tenants with safe, decent and sanitary housing, and

Whereas Ace Washington has written articles focusing on issues of interest to the African American community for local neighborhood based publications that have included, the Sun Reporter, San Francisco Post, Western Edition, SF Bayview, and

Whereas Ace Washington has produced radio shows that focused on critical issues affecting the African American communities in San Francisco on KPOO a community based station serving San Francisco, and

Whereas Ace Washington has served the San Francisco community through his video and photo documentaries of hundreds of public and official meetings when their agenda items potentially impacted the African American community, and

Whereas Ace Washington has produced various community news shows highlighting community issues on public access television for over twenty years, now

Therefore be it resolved that in recognition of his civic engagement, advocacy, activism and deep commitment to social justice for African Americans in San Francisco, that on behalf of the City and County of San Francisco and also on behalf of the Western Addition neighborhoods Ace Washington is commended for his service.

22



From: "Vasche, Amber" <Amber.Vasche@sfdpw.org>  
To:  
Date: 01/29/2011 09:16 AM  
Subject: BLIP Quarterly Report - 4th Quarter 2010 (October - December)

---

Good morning,

The Branch Library Improvement Program's "2000 Branch Library Improvement Bond Quarterly Report" for the Fourth Quarter of 2010 (October - December) is now available.

Please find a copy of the report attached. For additional information about BLIP activities, visit our website at [www.sfpl.org/blip](http://www.sfpl.org/blip).

If you would like to receive our Quarterly Reports in another format, would like to add someone to our distribution list, or have any questions, please let us know.

Thank you for your interest in the Branch Library Improvement Program.

Amber Vasché  
Branch Library Improvement Program (BLIP)  
Project Management Bureau  
City & County of San Francisco  
Department of Public Works  
30 Van Ness, 4th Floor  
San Francisco, CA 94102  
(415) 557-4667  
[Amber.Vasche@sfdpw.org](mailto:Amber.Vasche@sfdpw.org)  
[www.sfpl.org/blip](http://www.sfpl.org/blip)



Q4 2010\_BLIP Quarterly Report.pdf

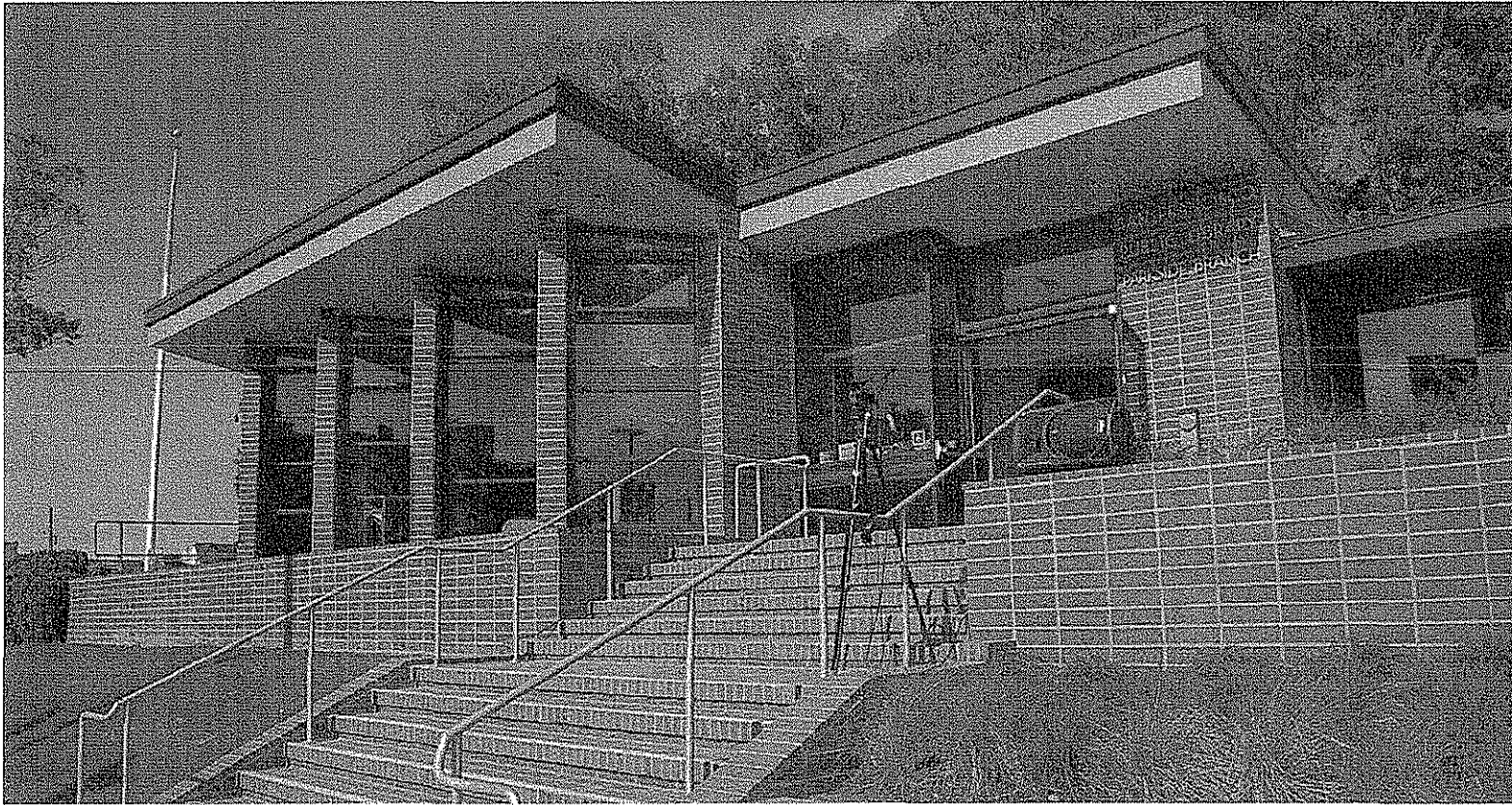


# 2000 Branch Library Improvement Bond

## QUARTERLY REPORT

Fourth Quarter 2010

October - December



Parkside Branch Library

Opening Day Photo November 6, 2010



**BRANCH LIBRARY**  
IMPROVEMENT PROGRAM

*Building better libraries for stronger communities*

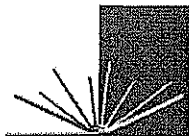
<p style="text-align: center;"><b>Table of Contents</b>  <b>Quarterly Report</b>  <b>October – December 2010</b></p>
--

Executive Summary.....	1
• Program Budget.....	2
• Project Status.....	2
Program Background.....	3
• Program Summary.....	3
• Budget Summary.....	3
• Program Management Activities.....	4
Program Scope of Work.....	5
Exhibits.....	6
• Exhibit 1 - Program Schedule.....	7
• Exhibit 2 - Program Budget Reports: Revenue Plan.....	10
• Exhibit 3 - Program Budget Reports: Expenditures.....	11
• Exhibit 4 - Program Budget Reports: Cash Flow Projections.....	13
<hr/>	
BLIP in Action.....	14
• Photos of the Parkside Library Grand Opening Celebration!.....	14
• Photos of Projects in Construction.....	15
• Renderings of Future Projects.....	18



*San Francisco Public Library*

Luis Herrera  
City Librarian



**BRANCH LIBRARY**  
IMPROVEMENT PROGRAM

Lena Ch'en, AIA  
Bond Program Manager



Edward D. Reiskin  
Director

<p style="text-align: center;"><b>Executive Summary</b> <b>Quarterly Report</b> <b>October - December 2010</b></p>
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The Branch Library Improvement Program (BLIP) is pleased to report great progress in building and renovating branch libraries throughout San Francisco. This past quarter, we managed eight projects in construction: Parkside, Park, Presidio, Merced, Anza, Visitacion Valley, Ortega, and Golden Gate Valley; one project, Bayview, in the pre-construction services phase, and one project, North Beach, undergoing an Environmental Impact Report (EIR) process. On November 6, 2010, the Parkside Branch Library held its grand reopening celebration: this is the first San Francisco branch library designed and built to silver certification standards under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system.

The BLIP has received \$112,901,580 in GO bond proceeds and interest and as of this quarter, has a combined expended and encumbered amount of \$102,723,466. It is anticipated that the remaining balance of \$10,178,114 will be expended by July 2011. All library projects are fully funded except for the North Beach project, which we anticipate funding from a future second sale of Lease Revenue Bonds after the EIR is certified. There were no budget changes this quarter.

In 2005, Ordinance 264-05 established the Visitacion Valley Community Facilities and Infrastructure Fee and Fund "to mitigate the impacts from residential development on public infrastructure in Visitacion Valley including libraries, streets...". This quarter, the Board of Supervisors approved the first reading of the supplemental appropriation request for \$2,169,200 from the Visitacion Valley Infrastructure Fund. Upon final approval and Mayoral signature, \$1,012,896 will be available for immediate transfer to the BLIP, and \$1,156,304 will be placed on a Controller's reserve until additional funds are received by the City. The appropriated funds will replace Library Preservation Funds previously advanced to the Visitacion Valley project budget. The supplanted Library Preservation Funds will then be moved to the Program Reserve for use by other projects.

For the Bayview project, the Construction Manager/General Contractor (CM/GC) previously awarded to Liberty Builders was rescinded, and awarded to KCK Builders, a neighborhood based local contractor and pre-construction services have begun. For North Beach project, the Planning Commission considered comments on the draft EIR and the Board of Supervisors rejected landmark legislation. Both of these important milestones enable us to move closer to building a new branch library.

In November, the City's Controller's office issued findings on two audits: 1) "DPW BLIP: DPW Needs to Ensure Contract Terms are Consistent with Actual Practices and Procedures", and 2) "Strengthened Program Management Required for Branch Library Improvement Program to Avoid Further Budget Increases". The findings demonstrated that DPW has successfully implemented changes. Comments from the Controller's report included, "The review and resulting memorandum indicates that the controls implemented by the Branch Library Improvement Program are adequate to ensure the accuracy of financial reporting as well as efficient and transparent project management."

The Park and Presidio Branch Libraries reached Final Completion and the library is moving in books, furniture, and materials with an anticipated opening of February 26<sup>th</sup> for the Park branch and late March for the Presidio branch.

## Program Budget

- Baseline Program Budget: \$133,265,000  
Current Program Budget: \$188,910,119  
Projected Program Budget: \$201,486,492
- The current Program Budget \$188,910,119 is funded from the following sources:

City Prop. A Bonds	\$105,865,000
Interest Proceeds	7,036,580
Lease Revenue Bond	34,056,156
Rents Realized	340,172
City ESP Bonds	2,400,000
State Prop. 14 Bonds	9,710,784
Library Preservation Fund	11,501,427
Developer Impact Fees Advanced for Vis Valley	2,000,000
Friends of the Library	16,000,000

- A total of \$144,636,825 has been *expended or encumbered* as of December 31, 2010:

City Prop. A Bonds	\$97,818,779
Bond Interest & Rents	4,904,687
Lease Revenue Bond	17,375,370
City ESP Bonds	2,400,000
State Prop. 14 Bonds	9,710,376
Library Preservation Fund	11,284,066
Friends of SFPL	1,143,547

- Actual *expenditures* through December 31, 2010 of \$136,623,941 are as follows:

City Prop. A Bonds	\$96,971,491
Bond Interest & Rents	4,778,408
Lease Revenue Bond	11,207,459
City ESP Bonds	2,400,000
State Prop. 14 Bonds	9,710,376
Library Preservation Fund	10,431,875
Friends of SFPL	1,124,332

- Funding anticipated from the following sources:

2 <sup>nd</sup> Sale, Lease Revenue Bonds	\$12,576,373
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## Project Status

- The following project is in Design:

North Beach	Design Development completed  EIR in progress
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- The following project is in Pre-Construction:

Bayview	CM/GC contract rescinded and re-awarded
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- The following projects are in Construction:

Park	Opening Feb. 26 <sup>th</sup> !
Presidio	99% Complete
Merced	91% Complete
Visitacion Valley	88% Complete
Anza	86% Complete
Ortega	71% Complete
Golden Gate Valley	53% Complete

- The following project reopened this quarter:

Parkside	Reopened November 6 <sup>th</sup> !
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## Program Background 2000 – 2010

### Program Summary

- Voters approved the Branch Library Improvement Bond in November 2000.
- The Branch Library Improvement Program consists of 24 branch library projects and a Support Services Center – 16 renovations, four leased facilities to be replaced with City-owned buildings, three branches to be replaced with new buildings, and the construction of the brand-new Mission Bay branch.
- The goals of the BLIP are to increase public safety through seismic strengthening and hazardous materials abatement; increase accessibility by conforming with the Americans with Disabilities Act (ADA); improve infrastructure through modernization and code compliance upgrades; and improve public library service through reconfigured interior spaces, adaptations for technology and, where possible, expansion.
- On July 22, 2008, the City & County of San Francisco Board of Supervisor's passed the Green Building ordinance. The final 10 projects will achieve a LEED Silver rating or greater.
- Proposition D passed by 74.5% which extended the Library Preservation Fund and allows the City to issue revenue bonds for branch improvements.
- In May 2009, \$34,056,156 of Lease Revenue Bonds was allocated to the BLIP as part of the first sale for 6 libraries and program wide services, including the cost of bond issuance.
- In February 2010, \$1,683,967 from G.O. Bond Interest and \$59,800 from Rents were allocated to the BLIP.
- To complete the BLIP, a total of approximately \$48,400,000 in Lease Revenue Bonds are anticipated to be sold. The first sale of \$34,056,156 sold successfully on March 17, 2009.

### LIBRARY PRESERVATION FUND:

- The Board of Supervisors approved transfers from the Library Preservation Fund reserves into the Branch Library Improvement Program in FY 03/04, FY 05/06, FY 06/07, FY 07/08, & FY 08/09.
- In FY 08/09, \$2,000,000 in Library Preservation Funds was advanced for anticipated developer impact fees for the new Visitacion Valley library.
- The Board of Supervisors approved the first reading of the supplemental appropriation request for \$2,169,200 of developer impact fees. Upon final approval, \$1,012,896 will be transferred to the Visitacion Valley project budget, and \$1,012,896 of the advanced Library Preservation Funds will be returned to the Program Reserve for use by other projects.

### Budget Summary

- Program budget reports are presented monthly to the Commission. Budget changes were last approved in May 2010 for Parkside, Glen Park, Marina, West Portal, Western Addition and the Program Reserve.

### GO & REVENUE BONDS:

- A total of \$105,865,000 in Proposition A General Obligation Bonds have been sold in four bond sales and appropriated by the Board of Supervisors.

### GRANTS:

- The State awarded two March 2000 Proposition 14 grants totaling \$9.7 million for the Richmond and Ingleside projects for furniture and construction.

## Program Management Activities

### OUTREACH:

- To date, library and management staff have sponsored or attended 649 public meetings to update neighborhoods, merchant groups, legislative bodies and other organizations.
- Monthly presentations are made to the Library Commission.

### SCHEDULES:

- Baseline project schedules established in October 2001 are reflected along with Current Approved schedules in the Program Schedule (See Exhibit 1).
- Program schedule reports for active projects are presented monthly to the Commission. Schedule changes were last approved in October 2010 for Visitacion Valley.

### DESIGN TEAMS:

- Five design teams were selected for renovation projects in 2002 through a competitive RFQ process. Contracts have been certified with Carey & Co. for Noe Valley, Tom Eliot Fisch / Field Paoli for Marina, Thomas Hacker Architects for West Portal and Parkside, Fougeron Architecture for Sunset, and Leddy Maytum Stacey for North Beach.
- Two design teams were selected for the new Ingleside and Portola branches in 2002 through a competitive RFQ process. Contracts have been certified with Fougeron Architecture /Group 4 for Ingleside and Stoner Meek / Noll & Tam Architects for Portola.
- Three design teams were selected through a competitive RFQ process in 2007: Tom Eliot Fisch/Paulett Taggart for Park & Presidio; Field Paoli/ Joseph Chow & Associates for Golden Gate Valley; and Thomas Hacker Architects for Bayview.
- Bureau of Architecture services have been negotiated for Excelsior, Richmond, Visitacion Valley, Ortega, Western Addition, Bernal Heights, Potrero, Ortega, Merced, and Anza.

### TEMPORARY SERVICES:

- Three bookmobiles have been purchased and are serving the Parkside, Anza, Merced, Golden Gate Valley, Park and Presidio communities while their branches are under construction.
- Mini Ortega offers library services on site during the construction of the new branch.

### PUBLIC ART:

- An art enrichment master plan was presented to the Library Commission in 2002 and revised in September 2008. Public art has been installed in Glen Park, Mission Bay, Ingleside, Portola, Potrero & Richmond. Artists have been selected for Ortega, Bayview, and Visitacion Valley and a committee formed for the North Beach art selection.

### MOU:

- A Memorandum of Understanding has been completed between the Department of Public Works & San Francisco Public Library.
- Major revisions to the MOU were completed in 2008 and updates were presented to the Library Commission in November 2008 and December 2009.

### BLIP AWARDS:

- AIA Special Achievement Award (3/5/09).
- Governor's Historic Preservation Award for the Noe Valley Branch Library restoration (11/21/08).
- California Preservation Foundation Design Award for the Noe Valley Branch Library restoration (9/19/09).
- Historic Restoration Award from the American Public Works Association for the restoration of the Richmond Branch Library (2/25/10).
- 2010 DPW Employee Recognition Award for the Bernal Heights Branch Library renovation (5/21/10).

## Scope of Work

The bond program includes 7 site acquisitions, new construction of 8 branch libraries, and renovation and/or expansion of 16 existing branches and a support services center. Renovations will include some or all of the following: seismic strengthening, hazardous material abatement, Americans with Disabilities Act conformance, code compliance, electrical and mechanical upgrades, technology improvements, and reconfiguration of interior spaces.

	Renovation and/or Expansion	Site Acquisition	New Construction	Opening Date for Completed Projects
Anza	•			
Bayview		•	•	
Bernal Heights	•			Jan. 30, 2010
Eureka Valley	•			Oct. 24, 2009
Excelsior	•			July 9, 2005
Glen Park		•	•	Oct. 13, 2007
Golden Gate Valley	•			
Ingleside		•	•	Sept. 12, 2009
Marina	•			Aug. 4, 2007
Merced	•			
Mission Bay		•	•	July 8, 2006
Noe Valley	•			March 8, 2008
North Beach*			•	
Ortega			•	
Park	•			
Parkside	•			Nov. 6, 2010
Portola		•	•	Feb. 28, 2009
Potrero	•			March 6, 2010
Presidio	•			
Richmond	•			May 16, 2009
Sunset	•			Mar. 31, 2007
Visitation Valley		•	•	
West Portal	•			Feb. 10, 2007
Western Addition	•			Feb. 2, 2008
Support Center	•	•		Feb. 2005

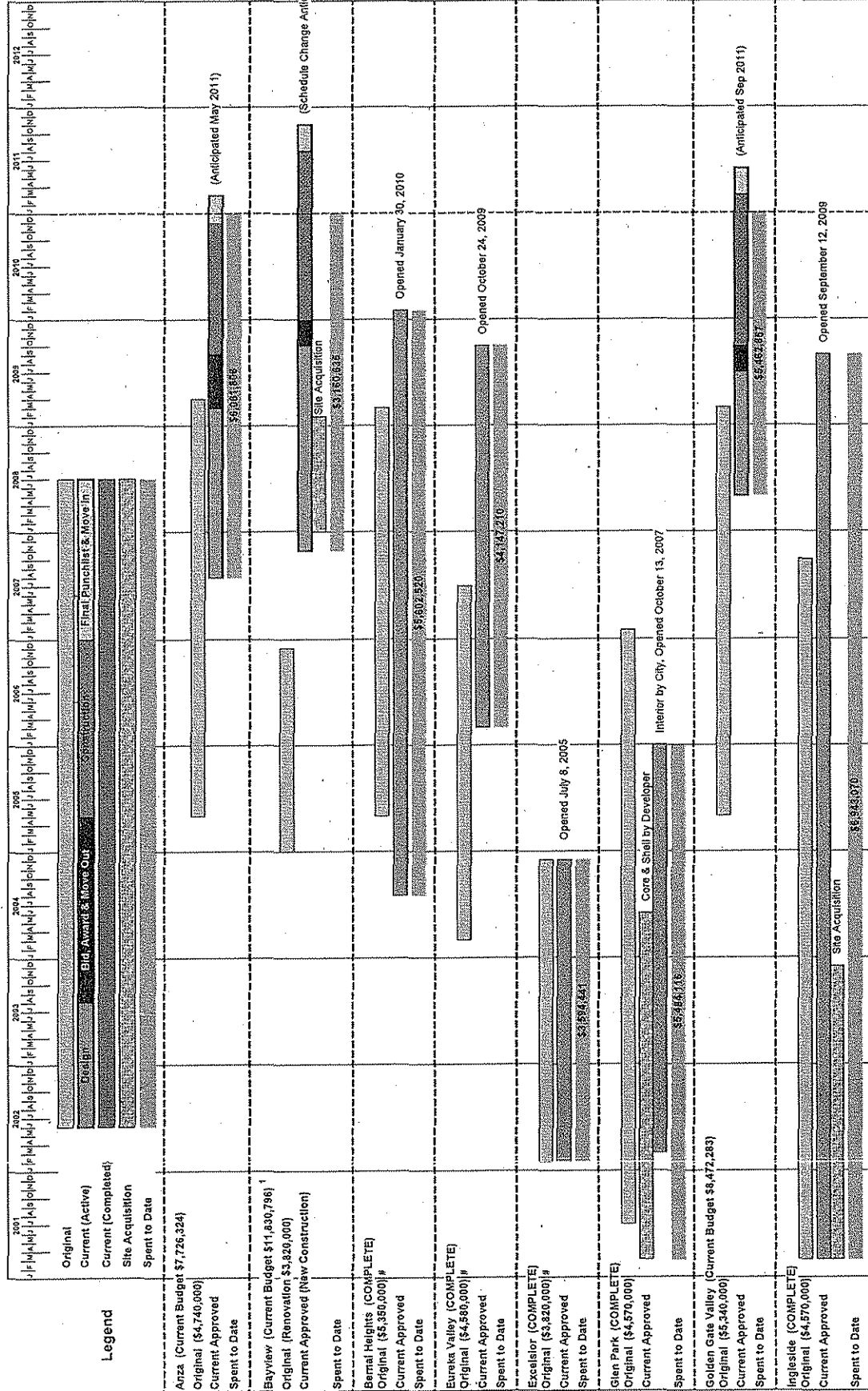
\* Pending EIR



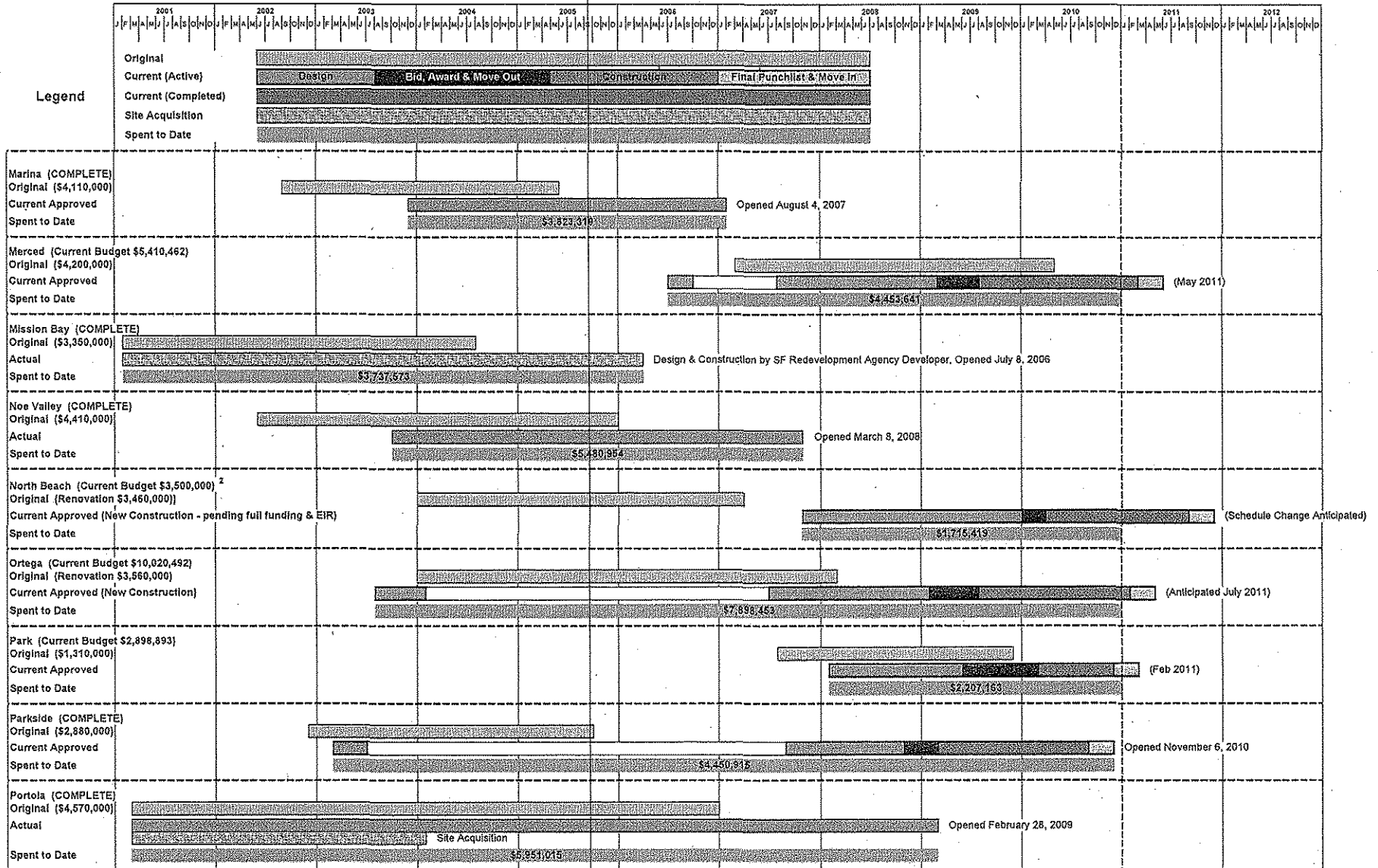
# EXHIBITS

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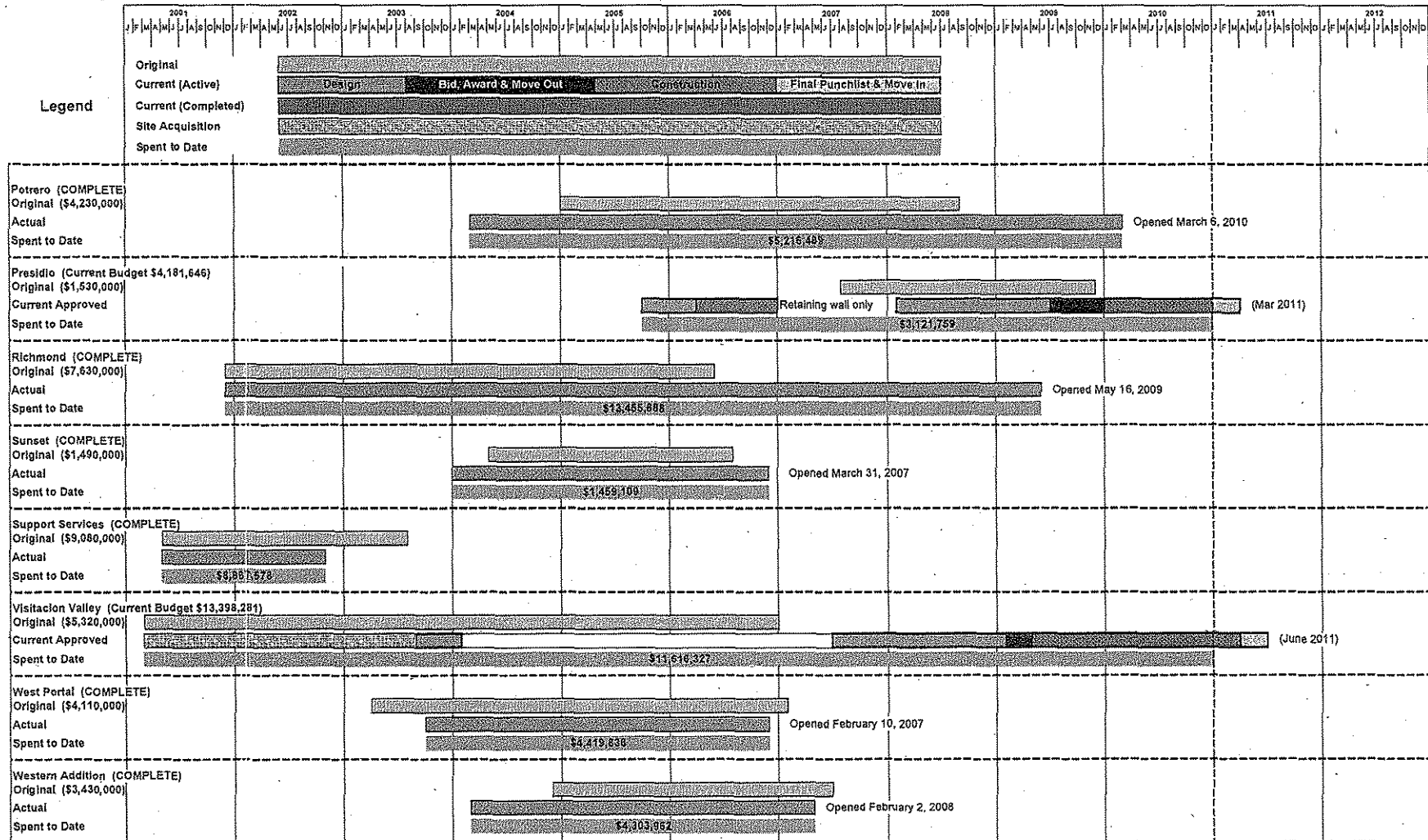
## Exhibit 1 - Program & Budget Schedule



# Exhibit 1 - Program & Budget Schedule



## Exhibit 1 - Program & Budget Schedule



**Notes:**

1. Bayview: Revised schedule to be adopted upon completion of the Construction Manager/General Contractor (CM/GC) process.
2. North Beach: Revised schedule to be adopted upon completion of the Environmental Impact Review (EIR) process.

## Exhibit 2 - Program Budget Reports: Revenue Plan

Branch	Baseline Budget (10/01)	Approved Budget (5/10)	City Prop. A Bonds	Lease Revenue Bond (RB)	Library Preservation Fund	State Prop. 14 Bonds	Other Funds	Total All Sources
<b>Site Acquisitions / New Construction</b>								
Bayview	3,820,000	11,830,796	2,499,060	5,809,810	1,226,705	-	2,295,221 (3,6)	11,830,796
Glen Park	4,570,000	5,484,116	5,214,590	-	269,526	-	-	5,484,116
Ingleside	4,570,000	7,034,000	2,636,502	-	640,605	3,751,943	4,950 (3)	7,034,000
Mission Bay	3,350,000	3,737,573	3,736,025	-	1,548	-	-	3,737,573
North Beach (Partially Funded)	3,460,000	3,500,000	931,400	2,317,500	232,500	-	18,600 (3)	3,500,000
Ortega	3,560,000	10,020,492	890,442	8,293,192	836,858	-	-	10,020,492
Portola	4,570,000	6,190,800	5,550,306	-	120,300	-	520,194 (3)	6,190,800
Visitation Valley	5,320,000	13,398,281	10,475,991	-	342,000	-	2,580,290 (3,4,5)	13,398,281
Support Services	9,080,000	8,867,578	8,794,422	-	-	-	73,156 (3,4)	8,867,578
<b>SUBTOTAL</b>	<b>42,300,000</b>	<b>70,063,636</b>	<b>40,728,738</b>	<b>16,420,502</b>	<b>3,670,042</b>	<b>3,751,943</b>	<b>5,492,411</b>	<b>70,063,636</b>
<b>Renovations</b>								
Anza	4,740,000	7,726,324	5,104,901	1,587,443	525,350	-	508,630 (3)	7,726,324
Bernal Heights	5,350,000	5,743,000	5,199,912	-	280,210	-	262,878 (3)	5,743,000
Eureka Valley	4,580,000	4,422,000	3,687,924	-	153,925	-	580,151 (3)	4,422,000
Excelsior	3,820,000	3,594,441	3,594,441	-	-	-	-	3,594,441
Golden Gate Valley	5,340,000	8,472,283	808,684	7,184,733	287,550	-	191,316 (3)	8,472,283
Marina	4,110,000	3,823,319	3,823,319	-	-	-	- (3)	3,823,319
Merced	4,200,000	5,410,462	336,950	4,142,571	694,034	-	236,907 (3)	5,410,462
Noe Valley	4,410,000	5,480,954	5,472,454	-	8,500	-	-	5,480,954
Park	1,310,000	2,898,893	2,852,043	-	46,850	-	-	2,898,893
Parkside	2,880,000	4,699,217	4,205,190	-	265,710	-	208,317	4,699,217
Potrero	4,230,000	5,426,847	4,603,371	-	212,998	-	610,478 (3)	5,426,847
Presidio	1,530,000	4,181,646	4,126,896	-	54,750	-	-	4,181,646
Richmond	7,630,000	13,711,500	2,770,301	-	2,582,358	5,958,841	2,400,000 (1)	13,711,500
Sunset	1,490,000	1,459,109	1,449,109	-	10,000	-	-	1,459,109
West Portal	4,110,000	4,419,838	4,419,838	-	-	-	-	4,419,838
Western Addition	3,430,000	4,303,962	3,342,966	-	960,966	-	-	4,303,962
<b>SUBTOTAL</b>	<b>63,160,000</b>	<b>85,773,795</b>	<b>55,798,329</b>	<b>12,914,747</b>	<b>6,103,201</b>	<b>5,958,841</b>	<b>4,998,677</b>	<b>85,773,795</b>
<b>Program-Wide Services &amp; Costs</b>								
Library Program Costs	800,000	780,000	764,982	-	-	-	15,018 (3)	780,000
Program Consultants	750,000	1,165,000	1,165,000	-	-	-	-	1,165,000
Program Management	3,600,000	7,158,372	5,965,975	1,158,372	-	-	34,025 (3)	7,158,372
Real Estate Dept	120,000	235,281	235,281	-	-	-	-	235,281
Art Enrichment Program	-	362,000	281,324	-	70,000	-	10,676 (3)	362,000
Temporary Services & Moving	4,360,000	522,559	422,559	-	100,000	-	-	522,559
Furniture & Equipment Reserve	15,000,000	16,273,200	-	-	273,200	-	16,000,000 (2)	16,273,200
Bond Financing Costs	1,500,000	2,202,455	344,227	1,005,655	-	-	852,573 (3)	2,202,455
Debt Service Reserve	-	2,471,797	-	2,471,797	-	-	-	2,471,797
Program Reserve	1,675,000	1,902,024	158,585	85,083	1,284,984	-	373,372 (3)	1,902,024
<b>SUBTOTAL</b>	<b>27,805,000</b>	<b>33,072,668</b>	<b>9,337,933</b>	<b>4,720,907</b>	<b>1,728,184</b>	<b>-</b>	<b>17,285,664</b>	<b>33,072,668</b>
<b>TOTAL</b>	<b>133,265,000</b>	<b>188,910,119</b>	<b>105,865,000</b>	<b>34,056,156</b>	<b>11,501,427</b>	<b>9,710,784</b>	<b>27,776,752</b>	<b>188,910,119</b>

(1) Earthquake Safety Program funds remaining for Branch Libraries (\$2,400,000)

(2) Private donations from Friends of the Library (\$16,000,000)

(3) Bond interest proceeds appropriated (\$1,873,481; \$3,679,132)

(4) Rents received & appropriated (\$128,342; \$152,030; \$59,800)

(5) Advance for Developer Impact Fees (\$2,000,000)

(6) Bond interest proceeds to be appropriated pending Controller's release of reserve (\$1,683,967)

### Exhibit 3 - Program Budget Reports: Expenditures

Branch	Category	Current Budget (5/10)	Actual Expenditures & Encumbrances 12/31/2010 *
Anza	Soft Costs	3,180,205	2,084,911
	Construction Costs	4,546,119	3,976,895
	<b>SUBTOTAL</b>	<b>7,726,324</b>	<b>6,061,806</b>
Bayview	Site Acquisition	1,170,795	1,170,795
	Soft Costs	3,814,983	1,949,840
	Construction Costs	6,845,018	40,000
	<b>SUBTOTAL</b>	<b>11,830,796</b>	<b>3,160,635</b>
Bernal Heights (Complete)	Soft Costs	1,930,840	1,790,360
	Construction Costs	3,802,560	3,802,560
	Moving Costs	9,600	9,600
	<b>SUBTOTAL</b>	<b>5,743,000</b>	<b>5,602,520</b>
Eureka Valley (Complete)	Soft Costs	1,708,293	1,433,503
	Construction Costs	2,705,207	2,705,207
	Moving Costs	8,500	8,500
	<b>SUBTOTAL</b>	<b>4,422,000</b>	<b>4,147,210</b>
Excelsior (Complete)	Soft Costs	1,404,296	1,404,296
	Construction Costs	2,163,497	2,163,497
	Moving Costs	26,648	26,648
	<b>SUBTOTAL</b>	<b>3,594,441</b>	<b>3,594,441</b>
Glen Park (Complete)	Site Acquisition	3,343,537	3,343,537
	Soft Costs	644,425	644,425
	Construction Costs	1,491,694	1,491,694
	Moving Costs	4,460	4,460
	<b>SUBTOTAL</b>	<b>5,484,116</b>	<b>5,484,116</b>
Golden Gate Valley	Soft Costs	4,308,627	2,025,050
	Construction Costs	4,163,656	3,437,807
	<b>SUBTOTAL</b>	<b>8,472,283</b>	<b>5,462,857</b>
Ingleside (Complete)	Site Acquisition	1,839,205	1,839,205
	Soft Costs	1,244,753	1,153,823
	Construction Costs	3,950,042	3,950,042
	<b>SUBTOTAL</b>	<b>7,034,000</b>	<b>6,943,070</b>
Marina (Complete)	Soft Costs	1,000,787	1,000,787
	Construction Costs	2,814,812	2,814,812
	Moving Costs	7,720	7,720
	<b>SUBTOTAL</b>	<b>3,823,319</b>	<b>3,823,319</b>
Merced	Soft Costs	2,169,821	1,670,373
	Construction Costs	3,240,641	2,783,268
	<b>SUBTOTAL</b>	<b>5,410,462</b>	<b>4,453,641</b>
Mission Bay (Complete)	Site Acquisition	3,736,025	3,736,025
	Moving Costs	1,548	1,548
	<b>SUBTOTAL</b>	<b>3,737,573</b>	<b>3,737,573</b>
Noe Valley (Complete)	Soft Costs	1,192,863	1,192,863
	Construction Costs	4,279,591	4,279,591
	Moving Costs	8,500	8,500
	<b>SUBTOTAL</b>	<b>5,480,954</b>	<b>5,480,954</b>
North Beach (Partially Funded)	Soft Costs	3,500,000	1,715,419
	Construction Costs	-	-
	<b>SUBTOTAL</b>	<b>3,500,000</b>	<b>1,715,419</b>
Ortega	Soft Costs	3,777,334	2,518,552
	Construction Costs	6,243,158	5,379,901
	<b>SUBTOTAL</b>	<b>10,020,492</b>	<b>7,898,453</b>
Park	Soft Costs	1,352,130	823,163
	Construction Costs	1,546,763	1,384,000
	<b>SUBTOTAL</b>	<b>2,898,893</b>	<b>2,207,163</b>
Parkside (Complete)	Soft Costs	1,510,019	1,342,437
	Construction Costs	3,189,198	3,108,478
	<b>SUBTOTAL</b>	<b>4,699,217</b>	<b>4,450,915</b>
Portola (Complete)	Site Acquisition	1,288,274	1,288,274
	Soft Costs	1,452,988	1,213,204
	Construction Costs	3,449,538	3,449,537
	<b>SUBTOTAL</b>	<b>6,190,800</b>	<b>5,951,015</b>

\* Data from FAMIS as of January 3, 2011

Branch	Category	Current Budget (5/10)	Actual Expenditures & Encumbrances 12/31/2010 *
Potrero (Complete)	Soft Costs	1,621,995	1,411,637
	Construction Costs	3,796,952	3,796,952
	Moving Costs	7,900	7,900
	<b>SUBTOTAL</b>	<b>5,426,847</b>	<b>5,216,489</b>
Presidio	Soft Costs	1,518,598	843,594
	Construction Costs	2,663,048	2,278,165
	<b>SUBTOTAL</b>	<b>4,181,646</b>	<b>3,121,759</b>
Richmond (Complete)	Soft Costs	3,338,416	3,082,604
	Construction Costs	10,355,914	10,355,914
	Moving Costs	17,170	17,170
	<b>SUBTOTAL</b>	<b>13,711,500</b>	<b>13,455,688</b>
Sunset (Complete)	Soft Costs	491,612	491,612
	Construction Costs	957,497	957,497
	Moving Costs	10,000	10,000
	<b>SUBTOTAL</b>	<b>1,459,109</b>	<b>1,459,109</b>
Support Services (Complete)	Site Acquisition	8,686,551	8,686,551
	Moving Costs	181,027	181,027
	<b>SUBTOTAL</b>	<b>8,867,578</b>	<b>8,867,578</b>
Visitation Valley	Site Acquisition	2,200,405	2,200,405
	Soft Costs	3,709,825	2,507,388
	Construction Costs	7,488,051	6,908,534
	<b>SUBTOTAL</b>	<b>13,398,281</b>	<b>11,616,327</b>
West Portal (Complete)	Soft Costs	1,007,966	1,007,966
	Construction Costs	3,403,124	3,403,124
	Moving Costs	8,748	8,748
	<b>SUBTOTAL</b>	<b>4,419,838</b>	<b>4,419,838</b>
Western Addition (Complete)	Soft Costs	1,313,372	1,313,372
	Construction Costs	2,980,126	2,980,126
	Moving Costs	10,464	10,464
	<b>SUBTOTAL</b>	<b>4,303,962</b>	<b>4,303,962</b>

**Program-Wide Services & Costs**

Library Program Costs	780,000	604,848
Program Consultants	1,165,000	1,123,320
Program Management	7,158,372	6,439,106
Real Estate Dept	235,281	235,281
Art Enrichment Fund	362,000	356,318
Moving & Interim Services	522,559	465,511
Furniture & Equipment Reserve	16,273,200	1,143,547
Bond Financing Costs	2,202,455	1,633,037
Debt Service Reserve	2,471,797	-
Program Reserve	1,902,024	-
<b>SUBTOTAL</b>	<b>33,072,688</b>	<b>12,000,968</b>
<b>TOTAL</b>	<b>188,910,119</b>	<b>144,636,825</b>

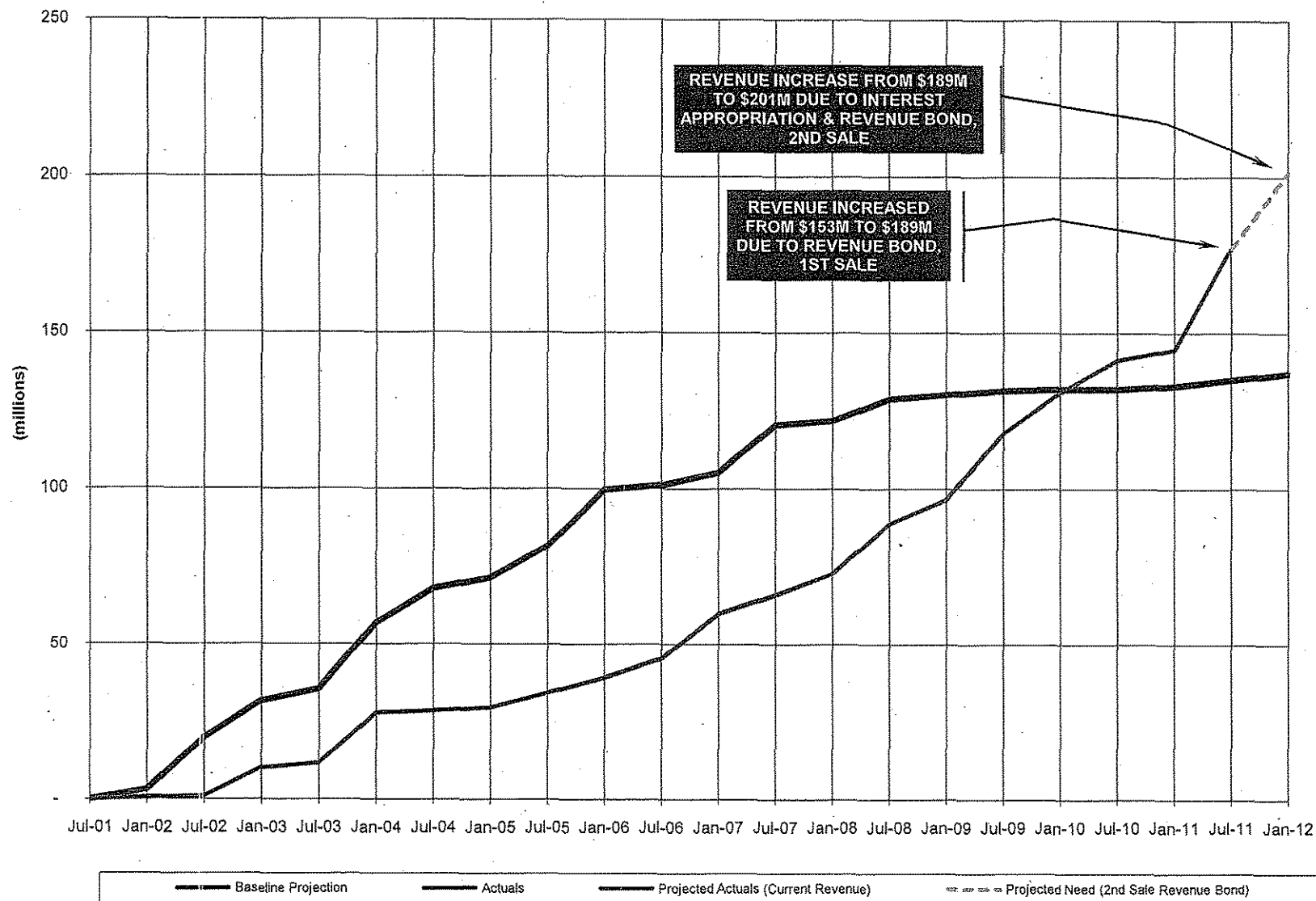
\* Data from FAMIS as of January 3, 2011

## Exhibit 4 - Program Budget Reports:

### Cash Flow Projections

Baseline, Actuals and Projected Actuals

Expenditures and Encumbrances



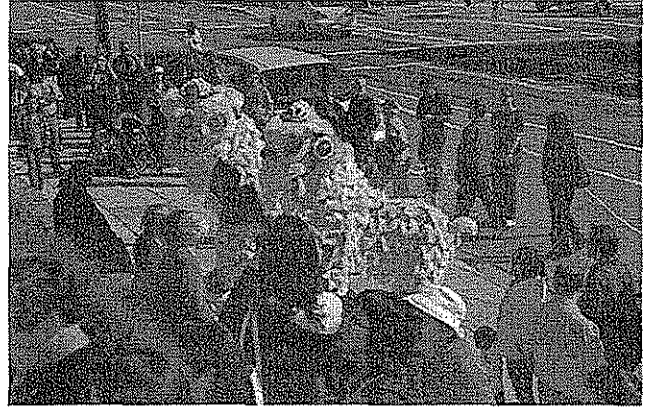


## BLIP in Action

### Parkside Branch Library, Opening Day November 6, 2010



Opening Ceremony/Ribbon Cutting



Celebration Activities



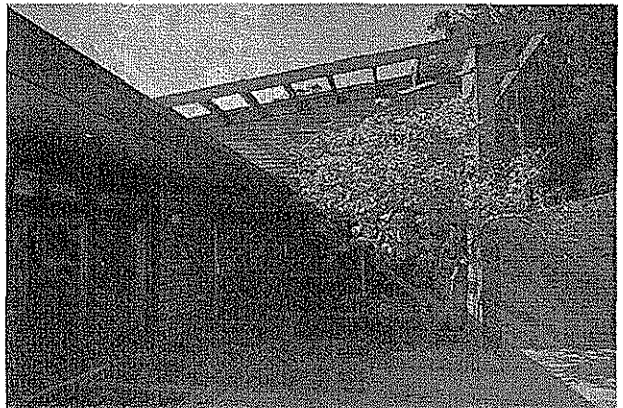
Children's Computer Area



Children's Reading Room

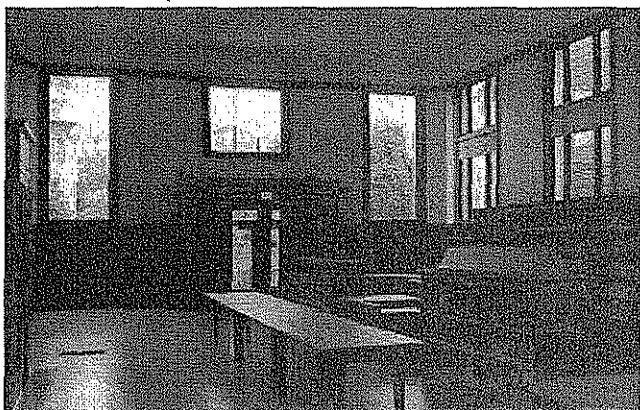


Teen Reading Room

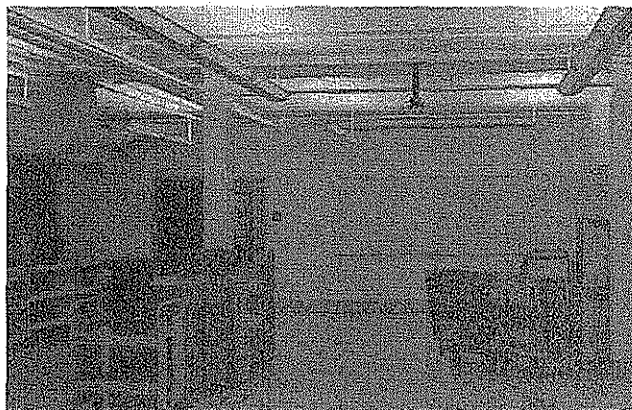


North Patio

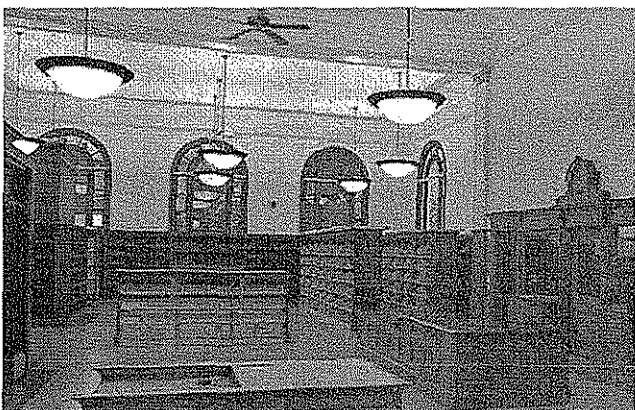
## Photos of 7 Projects under Construction



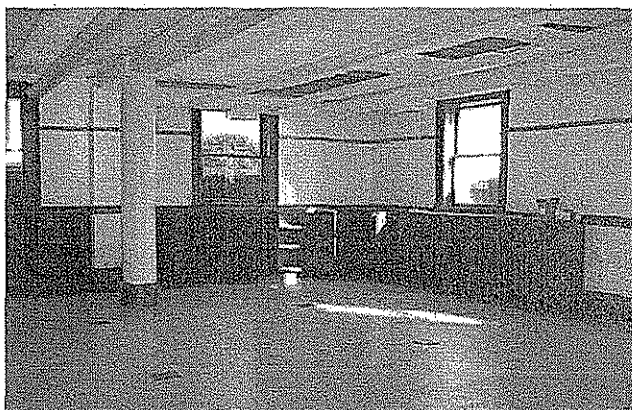
Park Branch Library – Main Reading Room



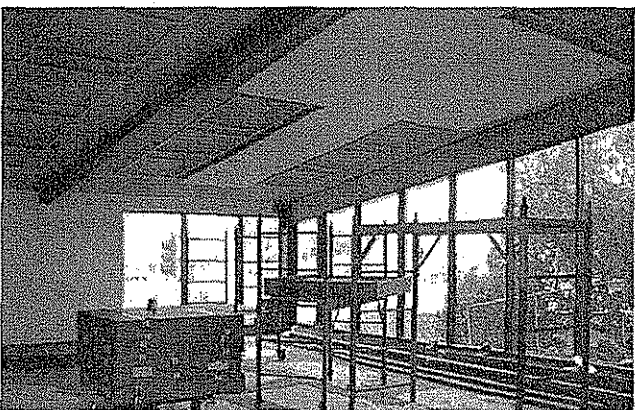
Park Branch Library – Community Room



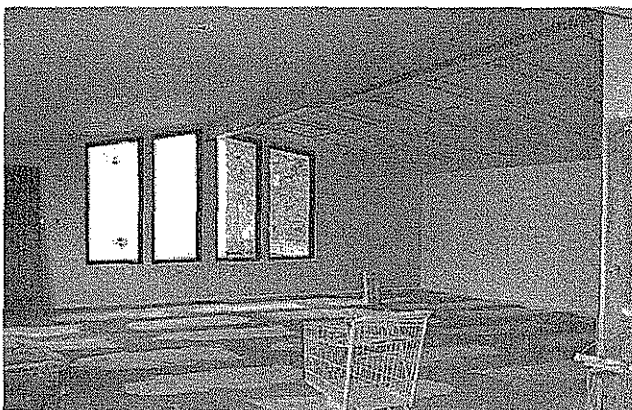
Presidio Branch Library – Main Reading Room



Presidio Branch Library – Community Room

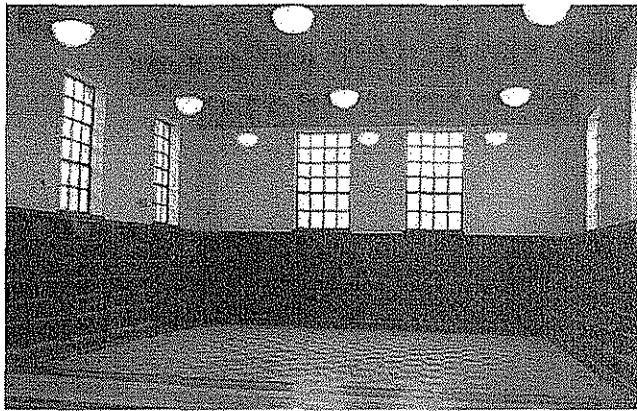


Merced Branch Library – Adult Reading Room

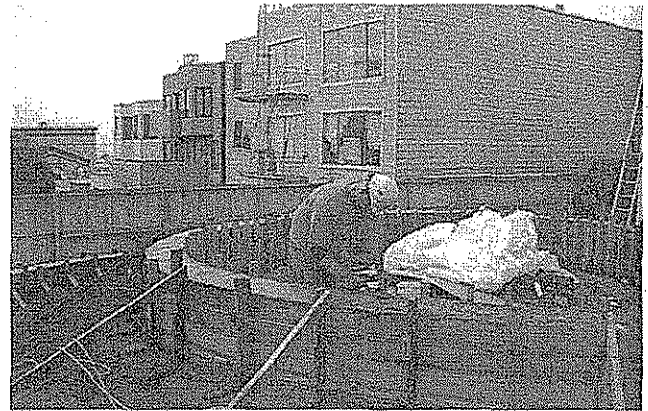


Merced Branch Library – Children's Reading Room

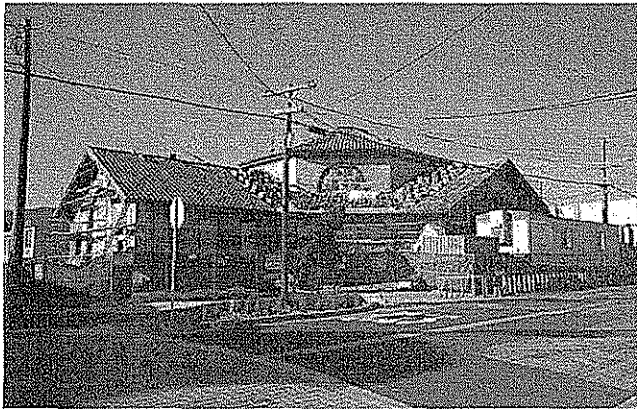




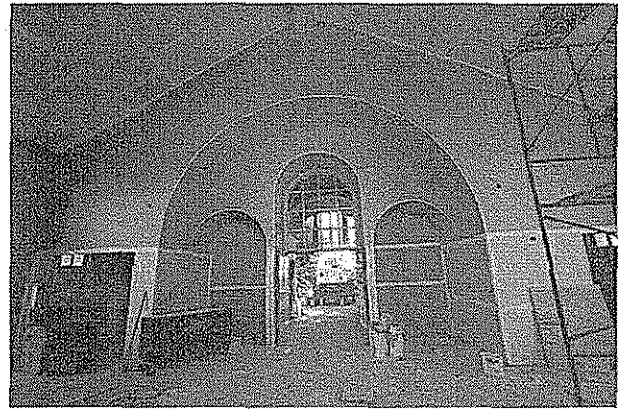
Anza Branch Library - Main Reading Room



Anza Branch Library - Site Work



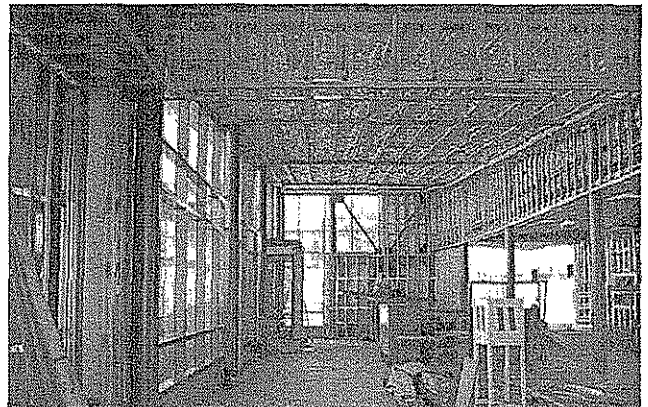
Visitacion Valley Branch Library – Exterior View



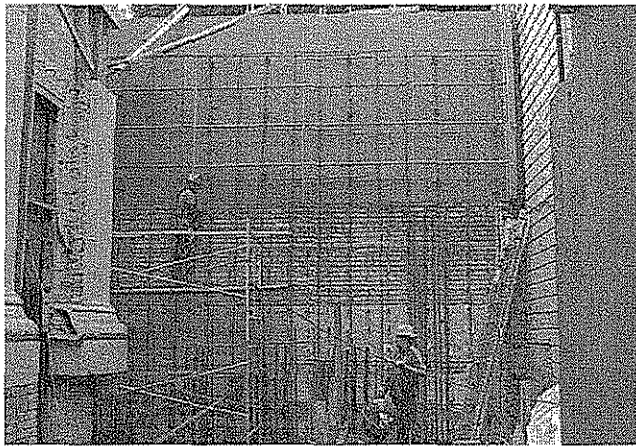
Visitacion Valley Branch Library – Program Room



Ortega Branch Library – Exterior View



Ortega Branch Library – Teen Reading Room

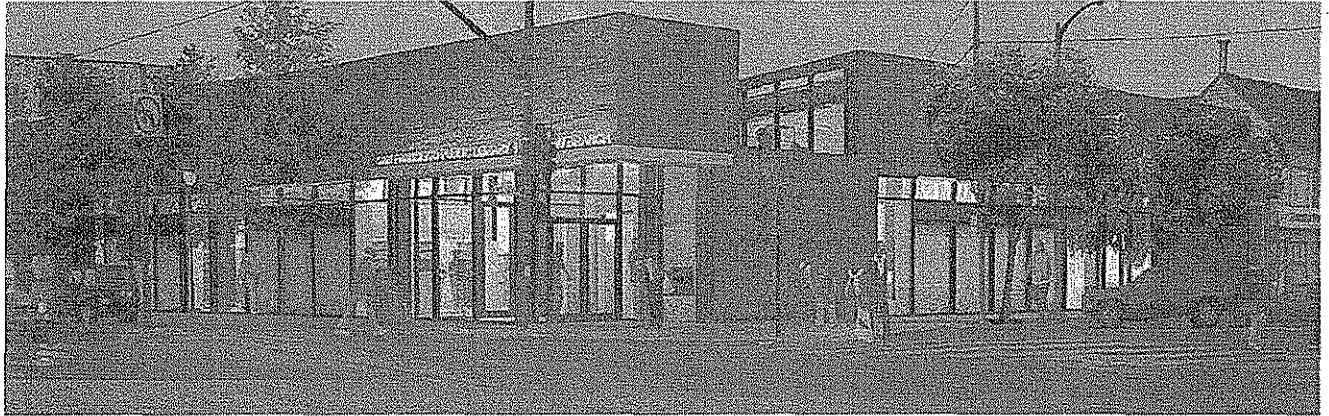


Golden Gate Valley Branch Library - New Addition



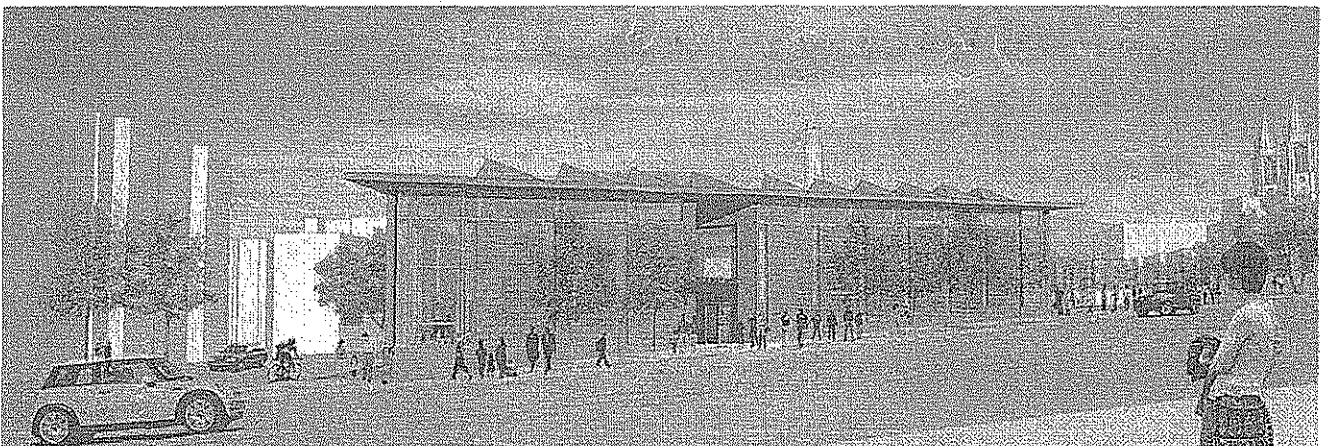
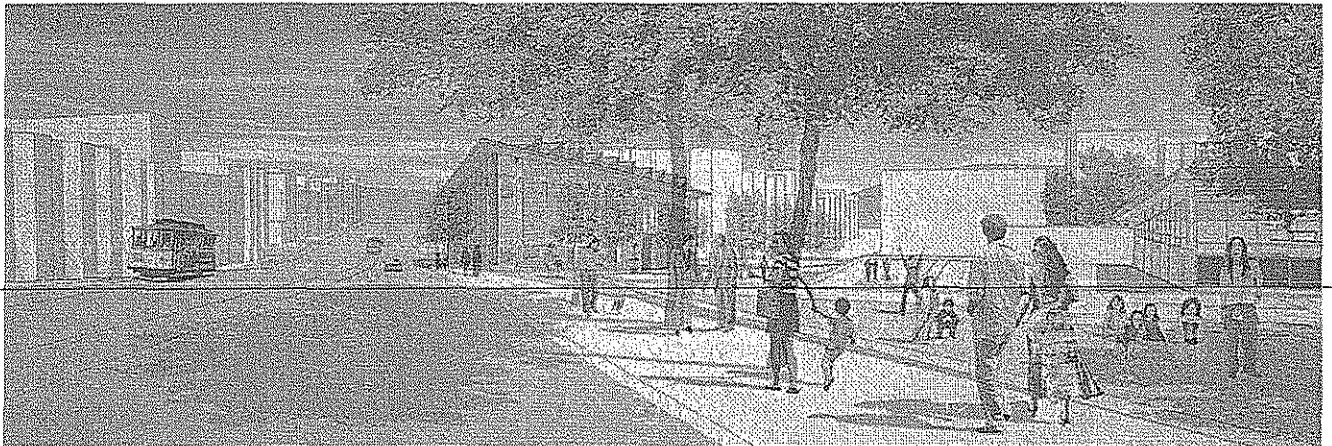
Golden Gate Valley Branch Library - Solar Panels

### Rendering of 1 Project in Bid/Award Phase



Bayview Branch Library - New Construction

### Renderings of 1 Project under Design



North Beach Branch Library - New Construction

