Petitions and Communications received from June 21, 2011, through July 1, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on July 12, 2011.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

From Ike Shehadeh, regarding the Board of Appeals decision on Ike's Place at 3506 - 16th Street. Copy: Each Supervisor (1)

From Peter Warfield, regarding the Library's proposed FY2011-2012 Budget, opposing the Library's elimination of printed and mailed notices, and his immediate disclosure request from the Library. 4 letters (2)

*From concerned citizens, regarding saving the Sharp Park Wetlands. Approximately 200 letters (3)

From concerned citizens, regarding the Booker T. Washington Special Zoning District. 7 letters (4)

*From concerned citizens, submitting support for the Commission on Animal Control and Welfare's humane pet acquisition proposal in defense of animals. Approximately 925 letters (5)

From Department on the Environment, submitting the 2010 Resources Conservation Ordinance Annual Report. (6)

From Clerk of the Board, the following individual has submitted a Form 700 Statement: Doyle Johnson, Sunshine Ordinance Task Force - Leaving (7)

*From Department on the Status of Women, submitting the 2010 Family Violence in San Francisco Annual Report. (8)

From Office of Contract Administration, regarding FY2011-2012 Official Advertising term contract to both the Examiner and the Chronicle. Copy: Each Supervisor (9)

From San Francisco County Civil Grand Jury, submitting the "Hunters Point Shipyard: A Shifting Landscape" Civil Grand Jury Report. Copy: Each Supervisor, GAO Committee Clerk (10)

From concerned citizens, urging the Board to protect funding for Art and Cultural Organizations. 8 letters (11)

From Betty Dy, regarding the cost of the wheelchair ramp in City Hall. (12)

From Mark Douglas, regarding a skateboard park at the Waller Street location in Golden Gate Park. (13)

From Howard Wong, regarding lessons learned from Zurich's public transit system. (14)

From Coalition on Homelessness, urging the Board to restore all funding to homeless programs. 2 letters (15)

From David Ellis, urging the Board to support upgrading San Francisco's technology infrastructure. (16)

From Lee Goodin, regarding the homeless in Fisherman's Wharf/North Beach neighborhood. (17)

From SF Labor Council, submitting resolution regarding the CityBuild Program. Copy: Each Supervisor (18)

From H. Bernstein, submitting petition urging the Board to support the land swap that will allow the construction of the Performing Arts Center at City College. Copy: Each Supervisor (19)

From District Attorney's Office, submitting request for waiver of Administrative Code Chapter 12B for Chevron. (20)

From Department of Children, Youth, and Their Families, submitting public notice of availability of funds. Copy: Each Supervisor (21)

From concerned citizens, submitting opposition to proposed Charter Amendment regarding the change to the make-up of the Health System Board. 2 letters (22)

From Marvis Phillips, submitting support for outsourcing services for the Police Department's Project SAFE Program. (23)

From Alberto Castillio Abello, urging the Board to reinstate funding to health and human service programs. Copy: Each Supervisor (24)

From California Nurses Association, regarding current and upcoming collective bargaining negotiations between multiple Sutter Health Hospitals and the California Nurses Association. Copy: Each Supervisor (25)

From State Fish and Game Commission, submitting notice of proposed regulatory action relative to inspection of facilities for restricted species. Copy: Each Supervisor (26)

From concerned citizens, submitting opposition to the Planning Department's decision that the AT&T Network "Lightspeed" Upgrade Project is exempt from environmental review. File No. 11035, 2 letters (27)

From Office of the Controller, regarding municipal code authorized fee increases. Copy: Each Supervisor (28)

From Department of Human Resources, submitting request for waiver of Administrative Code Chapter 12B for Holiday Inn Fisherman's Wharf. (29)

From James Chaffee, regarding a complaint against the Library Commission to be heard at the Ethics Commission on July 11, 2011. (30)

From Police Department, submitting request for waiver of Administrative Code Chapter 12B for Chevron. (31)

From Recreation and Park Department, regarding the long-term plans for Camp Mather. (32)

*From San Francisco County Civil Grand Jury, submitting the "Log Cabin Ranch Moving Towards Positive Horizons" Civil Grand Report. Copy: Each Supervisor, GAO Committee Clerk (33)

From Lynn Manzione, urging the Board to end the sidewalk Sit-Lie Ordinance. (34)

From Patrick Monette-Shaw, regarding the San Francisco's Whistleblower Program. (35)

From concerned citizens, submitting support for eliminating the $2,000,000 in service fees charged to City College. 2 letters (36)

From Mei Au, regarding health insurance benefits. (37)

From Patrick Yarnevic, regarding various issues. (38)

From concerned citizens, regarding the North Beach Public Library and Joe DiMaggio Playground Master Plan. 6 letters (39)

From concerned citizens, submitting support for the reappointment of Jim Meko to the Entertainment Commission. File No. 110798, 5 letters (40)

From Richard Lang, submitting support for the Haight Ashbury Neighborhood Recycling Center. (41)

From concerned citizens, regarding the Parkmerced Project. 2 letters (42)

From Coalition on Homelessness, regarding the proposed initiative ordinance on homeless shelters. File No. 110776 (43)

From State Fish and Game Commission, submitting notice of proposed emergency regulatory action relating to the mountain yellow-legged frog. Copy: Each Supervisor (44)

From Charles Farnsworth, submitting support for saving Sharp Park Golf Course. Copy: Each Supervisor (45)

*From San Francisco County Civil Grand Jury, submitting the "Central Subway Too Much Money For Too Little Benefit" Civil Grand Report. Copy: Each Supervisor, GAO Committee Clerk (46)

From Peter Biocini, submitting support for eliminating the $2,000,000 in service fees charged to City College. (47)

From Jonathan, submitting support for the Planning Department's decision that the AT&T Network "Lightspeed" Upgrade Project is exempt from environmental review. File No. 110345 (48)

From Marvis Phillips, submitting support for putting a plaque in U.N. Plaza marking the site of the former AIDS/ARC Vigil. File No. 110752 (49)

From KT, submitting opposition to banning pet sales in San Francisco. (50)

From Police Department, regarding request to conduct random noise tests at 1787 Union Street. (51)

From Clerk of the Board, the following departments have submitted their FY2010-2011 Sole Source Contracts: (52)
Board of Appeals
Board of Supervisors
District Attorney
Ethics Commission
Mayor's Office on Disability
Retirement
Rent Board

BOS-11
1 copy, Leg Dep.
1 page

FOREVER SHEHADEH INC. DBA IKE'S PLACE APPEAL

TO SAN FRANCISCO BOARD OF SUPERVISORS

BOARD OF APPEALS APPEAL # 10-131

To the Supervisors of the Board of Supervisors of the City and County of San Francisco:

Mr. David Chiu, President,
Mr. Scott Wiener,
Mr. John Avalos,
Mr. David Campos,
Ms. Carmen Chu,
Ms. Malia Cohen,
Mr. Sean Elsbernd,
Mr. Mark Farrell,
Ms. Jane Kim,
Mr. Eric Mar,
Mr. Ross Mirkarimi

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUN 23 PM 1:20
BY

Ms. Angela Calvillo, Clerk of the Board
Legislative Chamber, Room 244
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
City and County Of San Francisco

Respectfully submitted by Appellant Ike's Place, 3489 16th Street, San Francisco, CA 94114
Dated June 21, 2011

Appellant requests the Board of Supervisors to eliminate the daily fines of $150 assessed by the Board of Appeals on May 25, 2011 regarding Ike's Place former store at 3506 16th Street, San Francisco (see **Exhibit A** attached). Appellant opposes the penalty assessment and Notice of Violation from the Planning Department on the grounds that:

(a) Appellant filed and processed the Conditional Use Application requested by the City Planning Department;

(b) Appellant was in de facto compliance with the conditions that the City would have imposed, had Appellant been given the opportunity to complete the process and obtain the conditional use permit; and

(c) Appellant promptly searched for and found new temporary premises for its business at great financial hardship in order to avoid going out of business.

1

Appellant should be given a reasonable grace period without penalties in order to permit it to relocate its business without going out of business. Ike's Place was forced to move into expensive temporary premises because the Planning Department requested that Appellant obtain a conditional use permit for its store at 3506 16th Street. Ike's Place filed the requested permit application in a timely manner, but was blocked by its landlord.

Ike's Place would have obtained the conditional use permit on the same terms for its new location at 3489 16th Street. However, Ike's Place landlord at 3489 16th Street blocked Ike's Place from processing its conditional use application.

STATEMENT OF FACTS

Ike's Place is a small business employing 40-50 loyal employees in the Castro District which was forced to temporarily operate at 2247 Market Street due to the landlord's improper blocking actions. Ike's Place obtained conditional use approval in December 2010 for its new home at 3489 16th Street, San Francisco.

Ike's Place has high payroll and overhead expenses which is burdensome in a particularly difficult economic environment. Moreover, due to the Planning Department's actions, Ike's Place has absorbed extraordinary costs of moving and expensive rent since September 2010. In view of Ike's Place's financial hardship, Appellant is unable to pay the penalties sought by the Planning Department.

GRANDFATHERING AND NEIGHBORHOOD PLANNING

3506 16th Street 282 Sanchez Street was and is occupied by a full service restaurant known as Daimaru Restaurant. The utilities for 3506 16th Street were billed to and paid by 282 Sanchez. In the past, the restaurant at 282 Sanchez included the premises at 3506 16th Street. Accordingly, from a planning standpoint, 3506 16th Street should be grandfathered for the adjoining full service restaurant designation.

On June 2, 2010, Ike's Place filed its conditional use application for 3506 16th Street, San Francisco that the Planning Department requested and attempted to process the application. However, Ike's Place conditional use application and other City applications were blocked completely by the deceptive and contradictory actions by its landlord, Denman Drobisch.

The Landlord and Sublandlord originally approved Ike's Place's conditional use and building permit applications, but later blocked those same permits in order to regain the premises for his own purposes. Landlord and Sublandlord both consented to Ike's Place lease and occupancy and gave written consent to complete City required improvements in the Premises (see **Exhibit B** attached). Abruptly, landlord's attorney wrote to the Planning Department and revoked landlord's consent through no fault of Ike's Place.

Landlord's attorney stated to Ike's Place in March 2010 that landlord Drobisch would not block Ike's Place's applications to the City, then in June 2010 inexplicably blocked Ike's corrective applications to the City Planning, and Building Departments. Moreover, as evidence of landlord's perverse practices, the landlord allowed a multitude of building code violations to persist at the residential units of his building (see **Exhibit C** attached).

Ike's Place generously and voluntarily agreed to close down its business for one day to allow landlord to complete building repairs completely unrelated to Ike's Place. Notwithstanding Ike's Place's goodwill efforts, landlord consistently took hostile measures against Ike's Place. For example, at a meeting to resolve concerns, landlord took the opportunity to ambush Sublandlord and tenant Ike's Place by serving 3 day notices.

The landlord frustrated Ike's Place's efforts to comply with all City requests. Ike's Place installed ventilation equipment to comply with City requests, but was blocked from completion by landlord's attorney from upgrading the building electrical panel, correcting building deficiencies and completing the installation of the ventilation system. In June, 2010, the building owner's attorney demanded that Ike's Place cease all construction improvements at 3506 16th Street.

Ike's Place made its best efforts to comply with all City requirements at 3506 16th Street. Ike's Place participated in hearings before the San Francisco Police Department and received favorable treatment by the San Francisco Building and Health Department.

Ike's Place spent over $30,000 to comply with the City Health and Building Department concerns. In addition, Ike's Place voluntarily cut back its hours of operation, took various expensive measures, including implementing its good neighbor policy, installed an expensive ventilation system, adopted its HAACP (Hazard Analysis & Critical Control Points) Standard Operating Procedures Manual and undertook several measures to comply with City requests. As a result of all these corrective activities, Ike's Place incurred substantial improvement costs and suffered substantial losses.

Appellant fully intended to obtain the conditional use permit at 2506 16th Street, but landlord denied appellant. Ike's Place was blocked by the landlord from processing its conditional use permit application when landlord's attorney wrote to the Planning Department demanding withdrawal of Ike's Place application. The Planning Department wrote on July 13, 2010:

> ***"On June10, 2010, the property owner's attorney wrote a letter stating that the property owner does not authorize the operator's application for a Conditional Use Authorization. Without the letter of authorization, the application is incomplete. At the property owner's request, the Conditional Use Authorization was withdrawn and the application was closed on June 11, 2010."***

In short, Ike's Place was prevented by the landlord from complying with the Planning Department's request for corrective action through no fault of its own.

The Code Enforcement Planner did not visit or inspect Ike's Place premises before writing the Enforcement Notification dated April 21, 2010 and Notice of Violation dated July 13, 2010 letters. The Planning staff erred because the staff misunderstood the exact nature and operation of Ike's Place business which is similar to the prior business which Ike's Place purchased from the previous owner. When the landlord revoked his authorization, the Planning Department should have granted Ike's Place a reasonable penalty-free period to relocate it business.

It is essential for the Board of Supervisors to appreciate that Ike's Place in fact was in full compliance with the conditions in Conditional Use approvals issued in December 2010 for Ike's Place new location at 3489 16th Street.

It is important to understand that similarly acceptable conditions were applied to Dinosaurs' Restaurant conditional use approval in January 2010 at 3518 16th Street (on the same block as 3506 16th Street). Based upon the standard Planning conditions, conditional use approval in all likelihood would have been granted, had the landlord not blocked the application. It should be noted also that 3506 16th Street had been previously occupied by late night bars, including raucous, noisy Jackhammer Bar and Dick's Bar, which were much more intensive and intrusive uses than Ike's sandwich shop. See report regarding Jackhammer Bar attached as **Exhibit D.**

As a matter of law, Ike's Sublandlord (due to his cancer) failed to appear in court so the San Francisco Superior Court granted default judgment against Ike's Sublandlord. As a result, Ike's Place was effectively deprived from defending Landlord's unlawful detainer action. After several expensive court proceedings, Ike's Place was required to find a new San Francisco home.

In addition to Appellant's good faith compliance efforts, Ike's Place promptly embarked upon a detailed, intensive search for alternative premises at the same time it was pursuing the conditional use application. This search ultimately resulted in Ike's Place finding its new flagship store at 3489 16th Street, San Francisco.

Ike's Place met and cooperated with the Planning Department staff regarding its premises at 3506 16th Street. Ike's Place received approval for its new store at 3489 16th Street at a Planning Commission hearing in December 2010.

Ike's Place was placed in an impossible situation by landlord's inconsistent and improper actions. Ike's Place filed the application that the Planning Department asked for and made the changes requested by the Police, Health and Building Departments. The landlord's attorney blocked Ike's Place from completing the necessary improvements.

Ike's Place should not be penalized for the recalcitrant landlord's unreasonable blocking actions. Appellant promptly filed the Conditional Use application, took several expensive corrective actions, was in de facto compliance and expeditiously sought alternative premises to relocate in the manner recommended by the Planning Department.

It is important for the Board of Appeals to understand that in December 2010, Ike's Place has agreed to all the conditions for the conditional use permit issued for its new store at 3489 16th Street. In point of fact, Ike's Place had been complying with those same conditions at 3506 16th Street.

It is unseemly and offensive for the landlord to assert a Planning Code violation that he himself improperly triggered, leaving Ike's Place without a remedy. Landlord cannot rely upon his own unclean hands.

REQUEST TO THE BOARD OF SUPERVISORS

It is respectfully submitted that Appellant should be allowed a penalty-free grace period in order to permit Appellant to relocate its business, which it has achieved, at great expense. Appellant should not be punished for Planning Code matters that Appellant was unlawfully prevented from curing.

On the grounds of undue financial hardship, de facto conditional use compliance and economic and employment benefits to the City, Appellant Ike's Place hereby requests the Board of Supervisors to eliminate the $250 daily Planning penalties. Appellant made its best efforts to comply with the Planning Department requests by expeditiously filing the conditional use application and concurrently searching for and finding new premises to relocate its store.

RESPECTFULLY SUBMITTED:

APPELLANT:

FOREVER SHEHADEH INC. dba IKE'S PLACE:

By: _____
IKE SHEHADEH
President

June 21, 2011

EXHIBIT A

City and County of San Francisco | Board of Appeals

AFFIDAVIT OF SERVICE

Ike's Place, Appellant
c/o Ike Shehadeh, Agent for Appellant
14962 Norton Street
San Leandro, CA 94579

I, Victor F. Pacheco, Legal Assistant for the Board of Appeals, hereby certify that on this 7th day of **June, 2011**, I served the attached **Notice(s) of Decision & Order** for **Appeal No(s).** 10-131, Ike's Place **vs.** ZA, **subject property at** 3506-16th St. aka 282 Sanchez St. on the appellant(s) by mailing a copy via U.S. mail, first class, to the address above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed in San Francisco, California.

6/07/2011
Date

Victor F. Pacheco

cc: DBI BID (if applicable), DBI CPB (if applicable), Planning Dept. (if applicable), and Redevelopment Agency (if applicable)

OTHER PARTIES
OR CONCERNED CITIZENS:

Denman Drobisch, Subject Property Owner
c/o Arlene Helfrich, Attorney for S.P.O.
775 East Blithedale Street #202
Mill Valley, CA 94941

BOARD OF APPEALS, CITY & COUNTY OF SAN FRANCISCO

Appeal of
IKE'S PLACE,)
Appellant(s))
)
vs.)
)
ZONING ADMINISTRATOR,)
Respondent

Appeal No. 10-131

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT on Dec. 03, 2010 the above named appellant(s) filed an appeal with the Board of Appeals of the City and County of San Francisco from the decision or order of the above named department(s), commission, or officer.

The substance or effect of the decision or order appealed from is a Notice of Violation and Penalty dated July 13, 2010, regarding an allegation of illegal commercial activities at 3506 – 16th Street aka 282 Sanchez Street.

JURISDICTION GRANTED NOV. 17, 2010

FOR HEARING ON Jan. 26, 2011

Address & Tel. of Appellant(s):	Address & Tel. of Other Parties:
Ike's Place, Appellant c/o Ike Shehadeh, Agent for Appellant 14962 Norton Street San Leandro, CA 94579	Denman Drobisch, Subject Property Owner c/o Arlene Helfrich, Attorney for S.P.O. 775 East Blithedale Street #202 Mill Valley, CA 94941

NOTICE OF DECISION & ORDER

The aforementioned matter came on regularly for hearing before the Board of Appeals of the City & County of San Francisco on May 25, 2011.

PURSUANT TO § 4.106 of the Charter of the City & County of San Francisco and Article 1, § 14 of the Business & Tax Regulations Code of the said City & County, and the action above stated, the Board of Appeals hereby **GRANTS THE APPEAL AND ORDERS**

that the subject Notice of Violation & Penalty by the Zoning Administrator is **MODIFIED** as follows: a) that the daily penalty amount shall be reduced to $150 (one-hundred fifty dollars).

BOARD OF APPEALS
CITY & COUNTY OF SAN FRANCISCO

Kendall Goh, President

Last Day to Request Rehearing: June 06, 2011
Request for Rehearing: None
Rehearing: None
Notice Released: June 07, 2011

Cynthia G. Goldstein, Executive Director

If this decision is subject to review under Code of Civil Procedure § 1094.5, then the time within which judicial review must be sought is governed by California Code of Civil Procedure § 1094.6.

CITY & COUNTY OF SAN FRANCISCO
BOARD OF APPEALS
1650 MISSION STREET, ROOM 304
SAN FRANCISCO, CA 94103

SAN FRANCISCO CA 941
08 JUN 2011 PM 2-T

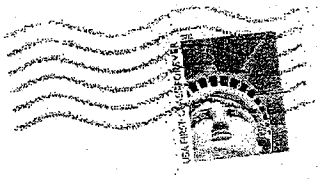

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EXHIBIT B

(illegible) (illegible) (illegible) (

1660 Mission Street
San Francisco, CA 94103-2414

NOTICE OF VIOLATION

EXHIBIT C

COMPLAINT: 201049867

OWNER/AGENT: DROBISCH DENMAN S
MAILING ADDRESS: DROBISCH DENMAN S
PO BOX 470727
SAN FRANCISCO CA

94147

DATE: 11-JUN-10

LOCATION: 3506 16TH ST
BLOCK: 3559 **LOT:** 008
NOTICE TYPE: COMPLAINT

BUILDING TYPE: APT **USE TYPE:** R2

YOU ARE HEREBY ORDERED TO COMPLY WITH THE FOLLOWING REQUIREMENTS:

ITEM		DESCRIPTION
1	THIS NOTICE INCLUDES VIOLATIONS FOR THE AREAS NOTED.	ALL VIOLATIONS LISTED BELOW ARE LOCATED IN UNIT #3502 16th Street UNLESS OTHERWISE NOTED.
2	REPAIR DAMAGED CEILING (1001-b,d HC)	In bedroom in south east corner of apartment near windows, ceiling is damaged - repair.
3	REPAIR WINDOW SASH CORDS (1001(h) HC)	In bedroom in south east corner of apartment, sash cords are broken on all three windows. Provide sash cords and repair, replace and/or adjust as needed so these windows operate correctly, can be latched and provide adequate seal.
4	REPAIR DAMAGED WALL (1001-b HC)	In bathroom, wall is damaged under window. Repair in approved manner.
5	REPAIR WINDOW SASH FRAME (1001(h),708 HC)	In bathroom, sash cords are missing from window and bottom of frame is deteriorated. Provide sash cord and repair, replace and/or adjust as needed so this window is in good condition, operates correctly, can be latched and provides adequate seal.
6	PROVIDE SMOKE DETECTORS (907, 908, 911 HC, 907.3.2.1 SFFC)	In unit #3502, there are no smoke detectors. Provide smoke detectors in all bedrooms, one in the hallway near bedrooms and one on the lower level (entry area). Locate on ceiling or on wall according to manufacturers specifications. Note: smoke detectors can be battery powered or hard wired.
7	REPAIR WINDOW SASH (703, 1001-b,h HC)	In livingroom off kitchen, lower sash of right window is damaged by wood rot. Repair or replace and adjust as needed so this window is in good condition, operates correctly, can be latched and provides adequate seal.
8	REPLACE BROKEN GLAZING (1001-b HC)	In livingroom off kitchen at left window, window glazing is broken on top sash. Replace broken window glazing.
9	REPAIR DAMAGED CEILINGS (1001b HC)	In livingroom off kitchen, ceiling is damaged. Remove damaged ceiling material and replace in approved manner.
10	REPAIR DAMAGED CEILINGS AND WALLS (1001-b HC)	In kitchen (both rooms), ceiling and walls are damaged in several locations. Repair damaged walls and ceilings in approved manner.
11	REPLACE BROKEN GLAZING (1001-b HC)	In kitchen, above sink, window glazing is broken. Replace broken glazing.

COMPLAINT: 201049867

2	REPAIR FLOORING (1001-b HC)	In kitchen, floor is soft near door between stove area and sink room. Remove damaged and weak flooring and replace in approved manner, then replace floor covering so floor surface is cleanable.
3	LEAD HAZARD WARNING: Disturbing lead based paint can be EXTREMELY DANGEROUS to dwelling occupants and visitors, particularly to young children, pregnant women, pets, and to people performing work on the premises. Section 3423 of the San Francisco Building Code regulates work that disturbs or removes lead based paint in the interior or exterior of pre-1979 buildings. Informational packets available at (415) 558-6088 provide information on notification, performance standards, handling, containment and cleanup requirements for projects involving lead-based paint . You can contact the San Francisco Childhood Lead Poisoning Prevention Program at: (415) 554-8930 for free advice. IF YOU CAUSE LEAD DUST TO BE CREATED, YOU COULD BE LIABLE FOR ANY ILLNESS CAUSED BY THE DUST. Ordinance #446-97.	
4	PROVIDE REQUIRED EXTERIOR DOOR HARDWARE (706.b HC)	Door between kitchen sink room and rear stairway does not have adequate hardware. The only latch/lock is a surface mounted dead latch lock without handles and keyed cylinder is painted over so it can not be opened from the exterior after door is closed. Provide deadlatch lock with handles on both sides that can be set to lock when closed and can be unlocked from the exterior with a key.
5	REPAIR OR REPLACE DOOR JAMB (706, 1001-b HC)	At door between kitchen sink room and rear stairway, door jamb is damaged at strike area. Repair or replace door jamb so that security is provided and door operates correctly.
6	PAINT (1001b,1301 HC)	Repaint all areas where paint is removed or damaged or where surfaces are repaired.
7	PROVIDE HEAT TO EACH OCCUPIED HABITABLE ROOM FOR 13 HRS BETWEEN 5:00 A.M. AND 11:00 A.M. AND BETWEEN 3:00 P.M. AND 10:00 P.M. CAPABLE TO MAINTAINING A MIN. ROOM TEMP. OF 68 DEGREES F. (20 DEGREES C.). (701c HC)	There is no permanently installed heater in unit # 3502. Have a heating professional provide calculations to quantify heating requirements, then install approved heating sources to meet the heating requirements. Note: all required heat sources must be permanently installed. Plumbing, Building and /or electrical permit(s) are required for heating system installation.
8	INSPECTOR COMMENTS	It is the property owner's responsibility to be present or direct his/her representative to attend, the reinspection as scheduled on this Notice of Violation for the purpose of providing entry to the Inspector to all areas cited within this Notice. It is the responsibility of the property owner to provide tenants with notification, as required by California Civil Code Section 1954 (San Francisco Housing Code Section 303(b)), if any dwellings, apartment units or guest rooms are to be accessed during reinspection(s).

NOTICE OF VIOLATION

COMPLAINT: 201049867

19 INSPECTOR COMMENTS

Repairs cited in this Notice require Building, Plumbing and / or Electrical permits. It is the responsibility of the owner to obtain (or have others obtain) any required permits before beginning work that requires permit(s).

THIS CASE CAN NOT BE ABATED UNTIL THE HOUSING INSPECTOR MAKES A FINAL INSPECTION TO VERIFY THAT ALL VIOLATIONS HAVE BEEN CORRECTED AND ALL REQUIRED PERMITS HAVE BEEN OBTAINED AND FINALIZED. ON REINSPECTION DAY, PRESENT TO THE HOUSING INSPECTOR THE JOB CARD, PERMIT APPLICATION AND PERMITS INDICATING THAT ALL REQUIRED WORK UNDER PERMIT IS COMPLETE. PRIOR TO REINSPECTION BY HOUSING INSPECTOR, CALL BUILDING, ELECTRICAL AND/OR PLUMBING INSPECTOR(S) FOR REQUIRED INSPECTION(S).

ALL ITEMS MUST BE COMPLETED WITHIN 30 DAYS. **REINSPECTION DATE :** 15 July 2010 01:15 PM

IT IS RECOMMENDED THAT THE OWNER/OWNERS REPRESENTATIVE CONFIRM REINSPECTION DATE/TIME.

CONTACT HOUSING INSPECTOR : David Herring AT 415-558-6212

FOR EVERY INSPECTION AFTER THE INITIAL RE-INSPECTION, A $170.00 FEE WILL BE CHARGED UNTIL THE VIOLATIONS ARE ABATED. SFBC 108.8

City and County of San Francisco
1660 Mission Street, 6th Floor, San Francisco, California 94103-2414
(415)558-6220 Fax No. (415) 558-6249 Email: DBIHIDComplaints@sfgov.org
Website: www.sfgov.org/dbi

NOTICE OF VIOLATION WARNINGS!

TO THE PROPERTY OWNER(S), THEIR SUCCESSORS, AND ALL OTHER PERSONS HAVING ANY INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY AND COUNTY OF SAN FRANCISCO PLEASE TAKE NOTICE:

COMPLIANCE WITHIN SPECIFIED TIME FRAME REQUIRED: The described premises were inspected by inspector(s) of the Department of Building Inspection. As a result of the inspection(s), violations were found to exist and were listed in the Notice of Violation mailed to the owner(s). ACCORDINGLY, the owner(s) of the above described property are required, within the time frame set forth in this Notice, to make application (if required) for the necessary permits, to correct the conditions diligently and expeditiously, and to complete the work within the specified time on the attached NOTICE(S).

COST OF CODE ENFORCEMENT WILL BE BORNE BY THE PROPERTY OWNER: Section **102A.3** of the San Francisco Building Code provides that in addition to the civil penalties described therein, the Department of Building Inspection's costs, including preparation, inspections, appearances at hearings and all attendant costs for this code enforcement action shall be assessed upon the property owner, at an accrued hourly rate set forth in Section **110A.**, Tables **IA-G**, and **IA-K** of the San Francisco Building Code, if the owner of record does not complete the authorized corrective action for all code violations cited in the Notice(s) of Violation, and has a final inspection by the inspector to verify complete code compliance related to said Notice(s) prior to the issuance of an Order of Abatement on the property by the Department of Building Inspection. The property owner will be notified by letter of the imposition of the Assessment of Costs following issuance and recordation of an Order of Abatement. Failure to pay the Assessment of Costs shall result in tax lien proceedings against the property owner pursuant to Sections **102A.3**, **102A.16**, **102A.17**,**102A.18** et seq., **102A.19** et seq.,and **102A.20** of the San Francisco Building Code.

REFERRAL TO STATE FRANCHISE TAX BOARD: Section **17274** and **24436.5** of the Revenue and Taxation Code provide, interalia, that a taxpayer who derives rental income from housing determined by the local regulatory agency to be substandard by reason of violation of state or local codes dealing with housing, building, health and/or safety, cannot deduct from state personal income tax and bank and corporate income tax, deductions for interest, depreciation of taxes attributable to such substandard structure where substandard conditions are not corrected within six (6) months after Notice of Violation by the regulatory agency. If corrections are not completed or being diligently and expeditiously and continuously performed after six (6) months from the date of this Notice of Violation, notification will be sent to the Franchise Tax Board as provided in Section **17274(c)** of the Revenue and Taxation Code.

PUBLIC NUISANCES & MISDEMEANORS: Section **102A** of the San Francisco Building Code and Sections **204**, **401** and **1001(d)** of the San Francisco Housing Code provide that structures maintained in violation of the Municipal Code are public nuisances and as such are subject to the code enforcement action delineated therein. Section **204** of the Housing Code provides that any person, the owner(s) or his authorized agent who violates, disobeys, omits, neglects or refuses to comply with the Housing Code, or any order of the Director, made pursuant to this Code, shall be guilty of a misdemeanor, upon conviction thereof punishable by a fine not exceeding **$1,000.00**, or by imprisonment not exceeding six (6) months, or by both fine and imprisonment, and shall be deemed guilty of a separate offense for every day such violations continue.

PERMIT REQUIREMENTS: Any required permit application must be applied for within the time limit set forth in the attached Notice(s). Permit applications are to be filed with the requisite plans, drawings, and specifications at the Central Permit Bureau, Department of Building Inspection, at 1660 Mission Street, 1st Floor. A post card will be mailed to you by the Central Permit Bureau when the building permit is ready to be picked up. Pursuant to Sections **107A.5**, and **110A**, Table **1A-K** of the San Francisco Building Code investigation fees, are charged for work begun or performed without permits or for work exceeding the scope of permits. Such fees may be appealed to the **Board of Permit Appeals within 15 days of permit issuance at 1660 Mission Street, 3rd floor, Room 3036 at (415) 575-6880.**

NOTIFICATION TO BUILDING TENANTS: Pursuant to Sections **17980.1** and **17980.6** of the California Health & Safety Code, when issuing a Notice of Violation the local jurisdiction shall post a copy of the Notice in a conspicuous place on the property and post or send a copy to each residential unit affected.

PROPERTY OWNER/LESSOR MAY NOT RETALIATE AGAINST TENANT/LESSEE FOR MAKING A COMPLAINT: Pursuant to Section 17980.6 of the California Health & Safety Code, the property owner may not retaliate against the tenant/lessee for exercising rights under the Section **1942.5** of the California Civil Code.

REINSPECTION FEES: For every inspection, after the initial re-inspection, a **$170.00** fee will be charged until the violations are abated pursuant to Sections **108A.8** and **110A**, Table **IA-G** of the San Francisco Building Code.

VIOLATIONS OF WORK PRACTICES FOR LEAD-BASED PAINT DISTURBANCE: Section **3423** of the San Francisco Building Code regulates work that disturbs or removes lead paint. Failure to comply with these requirements may result in a penalty not to exceed **$500.00** per day plus administrative costs as provided by Section **3423.8** of this Code.

UPON COMPLETION OF ALL WORK: Contact the designated Housing Inspector for a final inspection, unless otherwise specified. Please contact the Housing Inspection Services Division if you have any questions. If you want more information on the overall code enforcement process you may request a copy of the Department brochure entitled *What You Should Know About the Department of Building Inspection Code Enforcement Process* or download the document from the Department website.

City and County of San Francisco
Department of Building Inspection

Gavin Newsom, Mayor
Vivian L. Day, C.B.O., Director

May 5, 2010

EXHIBIT C

FINAL NOTICE

NOTICE TO ABATE PLUMBING NUISANCE
PLUMBING INSPECTION DIVISION

Denman S. Drobisch
P.O. Box 470727
San Francisco, CA 94147

RE: 3506 – 16th Street
Complaint #201030888

Dear Sir/Madam:

Your attention is called to a notice in regard to a nuisance at 3506 – 16th Street being upon or originating some premises owned, occupied or controlled by you, and caused by a defective plumbing, in which you are directed to place premises in a sanitary condition.

This is a follow-up of my letter, "Notice to Abate Plumbing Nuisance" dated 1/21/10.

You are doing illegal plumbing work, gas piping installed without a plumbing permit or inspection. This is in violation of the San Francisco Plumbing Code Section 103.1.

You are again directed to **AT ONCE** put the above-described premises in sanitary condition under the penalty of the law, by complying with requirements laid down in previous Notice.

Plumbing inspector's office hours are from 7:30 to 8:00 am and 3:00 to 4:00 pm. The telephone number is 558-6029.

Sincerely,

Michael Jurado
Plumbing Inspector

EXHIBIT D

[illegible] Year Seven
[illegible]@gmail.com

[illegible] Posts

...Holy Goodness.
...Joe's Favorites)

The First Time I Got Mugged

San Francisco, July 1995

It was my first night out by myself since I'd moved to San Francisco to be with Mark, a month earlier. I bounced around the Castro a bit, dropping in at The Midnight Special, Badlands and Detour, before heading over to The Jackhammer, which was somewhat on the outer edge of the Castro, at 16th Street and Sanchez.

The Jackhammer was packed as usual, even on a Wednesday night. It was Mark's favorite bar, he was friends with most of the staff, and had taken me there several times already during my first month in The City. I sat at the bar for an hour or so, and chatted with the bartender until he gave last call at 1:30AM. San Francisco, for all its gay fame, is still an early town.

From Jackhammer, I headed south on Sanchez Street, intended to turn right on 18th and suffer up that hill to Corbett Street, where we lived. I had gotten about a block and half from the door of the bar, when I noticed two very large men cross over from the east side of Sanchez seemingly on an intercept course with me, on the west side.

The street was rather poorly lit, I could see the men in silhouette only. My first thought was to turn around and head back for the safety of the bar. My second thought was to walk out into the middle of the street, where the light was brighter. Unfortunately, I also had a third thought flash into my mind.

"This is *THE CASTRO*. I am *safe*. This faggot ain't gonna turn tail and run, not this time, not now that I'm finally on *home turf*."

I was just processing how satisfied my third thought made me feel, as the men passed me on the shadowy sidewalk, when that thought was literally knocked out of my head by the fist of the closest man.

"Give it up, nigger! Give it up! We will FUCK YOU UP, nigger!"

The man speaking was brandishing a shiny silver handgun, with an impossibly long barrel. Later, it would occur to me that his gun looked like the type a circus clown might use, the kind that shoots out a flag that says "Bang!" I was dizzy from the blow to my temple and I staggered a bit as I jammed my hands down into both my front pockets, from which I produced all their contents and held them out. I never carry a wallet when I go to bars, usually just a small cardholder for my ID, and ATM card and some cash.

The second guy grabbed everything from both of my hands, then pulled something out his pocket and pointed it at me. Mace. Instinctively, I closed my eyes and jerked my head back and I felt the liquid hit the base of my neck, but none got in my eyes, mouth or nose. A moment later, I reopened my eyes and my two assailants were already retreating, back the way they came, not hurrying at all. I stood there for a minute and watched their murky figures turn east on 18th Street, towards the Mission District.

I turned and ran back to Jackhammer, but the door was

locked. Already. But by luck, there was a payphone just to the right of the door. I dialed 911, and in 5 minutes an SFPD squad car arrived. Both cops, female. One black, one Latina. Gotta love SF.

The cops were all business, not very sympathetic. They asked me twice why I didn't turn around when I saw the guys coming. Then they asked me to describe my attackers.

"Um, they were both tall, about 6'2" or 6'3". And they were really heavy, like over 300 pounds each. And I think they were...um, Asian," I said, suddenly struck by the oddness of my description.

The cops however, didn't bat an eye. They shared a look and said "Samoan."

As it turned out, The Castro had been suffering from a series of muggings perpetrated by Samoan gang members. Later, I also learned that Samoans tend to be rather large people, a trait shared by many Pacific Islanders.

The cops were finishing up their report when an ambulance arrived, siren blaring. It being almost 3am, the noise brought dozens of residents to their doors, to my great embarrassment. Apparently, the blow to my head and my almost-macing meant that an ambulance had to be summoned, whether I requested one or not.

I sat in the back of the ambulance and the EMTs took all my vitals, as the black cop sat next to me finishing her report. I watched her tick a box that said "Assault, simple" and another one that said "Robbery, personal." I spotted another box further down on her form and pointed at it.

"Hey, I want you to report this as a "hate crime", too."

She shook her head, "Not unless he called you "faggot" or something like that. I'd have to show that the reason they targeted you was because you are gay."

"But he called me *nigger*, isn't *that* a hate crime?"

"Only if you are black."

"You're kidding!" I replied, dumbfounded.

She shook her head, "It's the way they all talk these days. I can't single you out."

She finished up her report by asking me some very detailed questions about the weapon. I know nothing about handguns, and I could tell that she was frustrated.

"Was it a revolver?"

"I don't know."

"Did it have a clip?"

I said, "Honey, all I can tell you is that it looked very big and very long."

She nodded, "Well, they always look big when they are pointing at your face."

I seized on the dick-joke opportunity, "Tell me something I *don't* know!"

She leaned into me and let out a whoop, "Well, it's a good thing you have a sense of humor about this!"

A few minutes later, the ambulance left, the cops left, and

Mark arrived to take me home. The total take for the robbers? About $24 cash, my ATM card, my library card, and my Muni card. About six months later, I got an ambulance bill from the city, $125. Worse than the mugging.

New! Share this on Facebook: Share

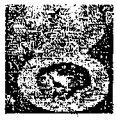
posted by Joe 34 comments

B J Keefe says... Monday, August 15, 2005 8:47:00 AM

the first time?

reply

David says... Monday, August 15, 2005, 8:48:31 AM



I don't know how I would react to a mugging. The worst I've ever had to experience was someone breaking into my gym locker and taking my watch and the cash in my wallet. You are to be commended for your poise and levelheaded nature.

reply

Doug says... Monday, August 15, 2005, 8:49:37 AM

First and only time I got mugged was in NYC after coming out of a check cashing store on Houston Street. I know, you're supposed to steer clear of them. But it was necessary and the check was only $20 (and I had no other cash), which is why I had to spend most of the mugging trying to convince the guy (by showing him my receipt) that the $20 was all I'd gotten from the place. Since he seemed to have no weapon and we were standing in a fairly populated street, I refused to give up my wallet and ATM card and then leaped into the nearest store. Very odd experience. No violence, no injuries, just very heated negotiating.

reply

Patrick says... Monday, August 15, 2005, 8:49:42 AM

I got mugged in the Boston Common walking to my car from a gay bar across town.

The asshole pointed a big knife at me and kept saying, "Give me the Movado! Give me the Movado!"

I had no idea what the hell he was talking about until he reached over and grabbed my watch from my wrist. Apparently, the birthday present I got earlier that month was worth something.

I'm astounding with that kind of fashion sense from a distance. I was robbed by a gay mugger.

reply

Dave says... Monday, August 15, 2005, 8:50:42 AM

The first time I was mugged, I was living in Houston, TX. It was 1981... a hot "muggy" summer night and I had just left the Numbers, a large, very popular dance club.

B.egger

Library Users Association

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

June 20, 2011

Honorable Board of Supervisors
Particular Attention: Budget and Finance Committee, Members -- Sups. Carmen Chu (Chair), Ross Mirkarimi (Vice Chair), Jane Kim, Scott Wiener, David Chiu
City Hall
San Francisco, California

By email: board.of.supervisors @sfgov.org

Subject: ***Library Budget's Bad Priorities -- Please Ask Questions, and Insist on Priority for Books and Open Hours***

Dear Supervisors:

The Library's proposed Budget for Fiscal Year 2011-2012, which is to be heard at the Budget and Finance Committee Wednesday, June 22, 2011, is badly out of whack with regard to priorities because it does not give priority to books (and materials) and open hours.

In addition, the budget materials provided to date raise questions about what is happening with regard to important particular elements, and we ask you to insist on the priorities as well as get clear answers to questions about what is planned.

Priorities:

Books and materials are being de-emphasized instead of given priority.

In February, 2011, the library administration proposed a budget that would ***cut funding for books and materials by $500,000 – even as the overall budget would increase by more than $2 million.*** Thanks in part to efforts by Library Users Association, which publicized the relevant figures, the Library Citizens Advisory Committee voted unanimously, 12-0, to advise the Supervisors to review the budget's priorities. In addition, the Library Commission in February voted to eliminate the book budget cuts. Unfortunately, a budget that increases other areas while providing a zero increase for books and materials has the effect of inappropriately de-emphasizing books.

2

Facilities, by contrast was to receive a substantial increase, including a substantial sum (apparently some $289,000) for a system that management boasted at the Library Commission and LCAC meetings would alert headquarters if the heating, ventilation, and air conditioning system (HVAC) in any branch was not working – as though the library workers couldn't use the telephone to report problems.

Questions:

Despite the Library Commission's vote, the Mayor's Proposed Budget shows "Communications, Collections & Adult Services" being reduced by $561,779, or 7% (page 330). Is this reduction entirely related to non-book items? ***There is no separate item shown for books and materials.***

Additionally, "Information Technology" is increasing by $1,042,679 or 23% and "Library Administration is increasing by more than $1 million, or 11%, while "Technical Services" is being cut $295,636 or 5% without further explanation in budget materials. What exactly is all this for?

Finally, we are concerned that the just-released Harvey Rose report says "The Department's proposed FY2011-12 budget has increased by $3,377,252 largely due to: Equipment and other costs associated with three Branch Library openings scheduled to occur in FY 2011-12." (Page 18) What happened to the Friends of SFPL longstanding commitment to provide $16 million for furniture, fixtures, and equipment (FF&E)? We have been assured within the last year that their contribution has been adequate to fulfill their pledge to provide this aspect for the new and renovated branches.

Please ask the necessary questions to clarify these matters and to re-set the library's priorities.

Thank you.

Sincerely yours,

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

BOS-11

Library Users Association

P.O. Box 170544, San Francisco, CA 94117-0544
Tel./Fax (415) 753-2180
Wednesday, June 22, 2011

Honorable Board of Supervisors
Particular Attention: Budget and Finance Committee, Members -- Sups. Carmen Chu (Chair), Ross Mirkarimi (Vice Chair), Jane Kim, Scott Wiener, David Chiu
City Hall
San Francisco, California

By email: board.of.supervisors @sfgov.org

Subject: ***Library's Elimination of Printed and Mailed Notices: Bad Policy And Unlikely to Save the Promised $100,000 per Year***

Dear Supervisors:

San Francisco Public Library's unfortunate plan to unequivocally:

> "eliminate the printed notices that are mailed to library users for Reserved and Overdue items," that is scheduled to start July 1, 2011

will hurt patrons and the library's effectiveness in getting books returned. In addition it was never approved by the Library Commission, which in fact expressed serious concerns, and ***appears unlikely to save as much for the library's budget as the claimed $100,000 per year.***

The plan will most heavily affect those with the least resources of personal and private access to email, smartphones, and telephones -- and is likely to result in an increase of library books not returned when some patrons find themselves in trouble and afraid or unwilling to come back to a system that has thrown them into unexpected difficulties with overdues and even billed books and materials.

The claimed budget savings of $100,000 per year, stated at a Library Commission meeting, have been unsubstantiated by any specific statistics such as cost and number of mailings. In fact, the library has delayed our attempts to obtain "specific information that supports this statement" which we requested June 17, the day after the Commission meeting at which the claims were made.

As of this morning, June 22, 2011, we have received not a single document or explanation substantiating this claim.-- just a note June 21 that the library requires up to two weeks to fulfill the request. A response was required under law by the previous day, and it seems hard to believe that nothing at all could be found to date as even partial fulfillment of our request.

Deputy City Librarian Jill Bourne said at the Commission meeting that there had been 3,000 notices sent per month, and the number has recently been reduced to 1,500. To save the claimed $100,000 would require the current level of mailings to cost about $6 each and the former level to cost $3, sums that appear to us unrealistically high.

In addition, the Library Commission was never given this print notices elimination as a goal or plan to approve. In fact, several commissioners expressed strong concerns after we raised the issue in public comment June 16. While the City Librarian said he would look into the matter, no commitment was made to end or delay implementation.

We ask you to help stop this unfortunate elimination of printed notice mailing -- which also has serious potential privacy impacts -- and to question closely the budgetary justification.

Thank you.

Sincerely yours,

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

Library Users Association

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

Tuesday, June 21, 2011

Honorable Board of Supervisors
Particular Attention: Budget and Finance Committee, Members -- Sups. Carmen Chu (Chair), Ross Mirkarimi (Vice Chair), Jane Kim, Scott Wiener, David Chiu
City Hall
San Francisco, California

By email: board.of.supervisors @sfgov.org

Subject: ***Library Provides No Requested Budget Documents Since Friday, June 17***

Dear Supervisors:

Library Users Association requested budget-related information from the San Francisco Public Library on Friday, June 17, 2011 at approximately mid-day in an attempt to better understand its proposed budget for FYI 2011-12.

Despite the fact that our "Immediate Disclosure Request" requires a response by the end of the next business day, we received a reply only this afternoon (second business day) -- and not a single document as of 4 pm. The reply said the library would take an extension of two weeks to reply, by July 1, although it might reply sooner. An additional request made Monday, June 20, also has resulted in no documents being provided.

We believe this underscores the urgency of your asking probing questions and insisting on clear answers at the budget hearings that begin in the Budget and Finance Committee tomorrow, June 22. We have earlier today sent a letter suggesting some of the questions that need answers.

Thank you for your attention to this.

Sincerely yours,

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

Library's Budget Tales 6-22-11 do not square with its budget - please probe again...
Library Users Association
to:
Carmen.Chu, ross.mirkarimi, jane.kim, scott.wiener, david.chiu, board.of.supervisors
06/28/2011 01:48 PM
Please respond to libraryusers2004
Show Details

Dear Budget and Finance Committee, including Sups. Carmen Chu (Chair), Ross Mirkarimi (Vice Chair), Jane Kim, Scott Wiener, David Chiu:

Please see attached letter regarding Library's proposed FY 2011-12 Budget and its plan to eliminate printed notices for patrons regarding Overdues and Reserves.

Thank you.

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

Library Users Association

P.O. Box 170544, San Francisco, CA 94117-0544
Tel./Fax (415) 753-2180
June 27, 2011

Honorable Board of Supervisors
Attention: Budget and Finance Committee, Members -- Sups. Carmen Chu (Chair), Ross Mirkarimi (Vice Chair), Jane Kim, Scott Wiener, David Chiu
City Hall
San Francisco, California

By email: board.of.supervisors @sfgov.org

Subject: ***Library "Storytime!" at Budget and Finance Meeting 6-22-11 Protected Its Real, Non-Book/Material Priorities, and a Bad Plan to Eliminate Print Notices for Patrons -- Please Probe Again***

Dear Supervisors:

At the Budget and Finance Committee meeting last week, the Library's 'Stortyime' made a hash out of reality, and we ask you to insist that the Library budget and other plans actually reflect what was said.

A. Books & Materials, Hours. City Librarian Luis Herrera said, "We continue to focus on our core mission, which is books and materials, maintaining service hours...." ***Yet, in fact, the library's proposed budget provides for no increase in books and materials, and no increase in any scheduled hours. Meantime, the current proposed budget provides $3.3 million in increased expenditures on other priorities.***

Indeed, the library administration earlier this year tried to get Library Commission approval for a $500,000 cut in the books and materials budget. After vigorous opposition expressed by Library Users Association and others, the Library Commission voted not to approve any cut.

Service hours have seen no change since plans were made to increase them four years ago at several branches, in the Fall of 2007.

B. Regarding the Library's plan to eliminate sending printed Notices to patrons regarding Overdues and Reserves, Mr. Herrera said "there is still an option for folks that want to receive mail notices to have that." But in fact, the flyers prepared by the library show no such option at all.

Additionally, in discussion at the Library Commission June 16 following our public comment, Deputy City Librarian Jill Bourne said that patrons would be switched automatically from paper notices to email or telephone notification, depending on what information is in their records. The library is making it almost impossible for patrons to choose paper, and it appears many will be switched without ever knowing the switch has occurred. The potential for problems, confusion, and other difficulties is enormous -- not to speak of the potential of the library not having some of its books and materials returned when email and telephone information is non-existent or out of date.

And the claimed $100,000 savings have been unsupported by any documents or even explanation. Our request for information more than a week ago has resulted in no financial details being provided -- except that a requested contract shows a cost of about 50 cents per notice. Ms. Bourne's statement to the Commission June 16 was that 3,000 notices per month sent to patrons have now been reduced to 1,500. That would come to an annual cost of $18,000 originally, now reduced to $9,000 -- not $100,000.

C. Bond Program. A question was asked about how the North Beach Branch Library replacement would be funded, and the City Librarian said he hoped it could be paid for with savings from other projects. But ***the library could save itself and the City at least $5 million if it were to stay with its original plan to renovate the branch rather than replace it with a new building.*** That is the DPW-reported estimate of the cost difference between renovation and replacement. And if the library were to use other funding that the Librarian alluded to, it would hurt the operating budget -- for books & materials, and hours, and other ongoing expenses. ***There is no free money.***

We hope that you and other Supervisors may open a discussion about library priorities, recognizing that you have many issues to deal with in a limited time; and we particularly hope that you may insist that the library allow patrons a clear choice to continue receiving mailed notices rather than switching them to email or telephone notification by default on July 1.

Thank you for your attention to this.

Sincerely yours,

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

Restore Sharp Park into a National Park
Kay HelpSaveAnimals to: Board.of.Supervisors 06/21/2011 11:59 AM
Please respond to Kay HelpSaveAnimals

View: (Mail Threads)

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

Greetings,

Sharp Park Golf Course is owned by San Francisco but located in Pacifica, California. With a glut of golf courses around the Bay Area, we are working to transform Sharp Park from a money-losing, endangered species-killing golf course into a new National Park that provides recreational amenities everyone can enjoy. By partnering with the National Park Service, San Francisco can redirect the money it saves back to neighborhood parks and community centers, and we all get a new National Park! Let us collectively support the restoration of Sharp Park so valuable species can thrive and all people can enjoy the beautiful gifts nature has to offer.

Kay HelpSaveAnimals
Sax., Germany

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/restore-sharp-park. To respond, email responses@change.org and include a link to this petition.

3

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110675: 800 Presidio Ave - BTWCC Project: Hearing Date: June 21, 2011 Special Order 4:00 pm

From: Paul Maestre <paul.maestre@gmail.com>
To: John.Avalos@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org, Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Sean.Elsbernd@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org, Ross.Mirkarimi@sfgov.org, Scott.Wiener@sfgov.org, mayoredwinlee@sfgov.org, Board.of.Supervisors@sfgov.org
Date: 06/20/2011 11:32 PM
Subject: 800 Presidio Ave - BTWCC Project: Hearing Date: June 21, 2011 Special Order 4:00 pm

Dear Supervisors:

The current proposal for the Booker T. Washington building is completely out-of-proportion for our neighborhood and it will forever change the character of it. As a neighborhood, we are not against the concept of a modest building for at-risk youth, but rather, we only want your support for a building that is within the current building zone limits and is appropriate for our neighborhood in height, shape and density.

As I understand it, the current zoning laws allow for a four-story building with 28-units maximum. This is all we are asking for.

The BTWCC proposal is completely shelfish and out of proportion for our modest neighborhood and it feels like this proposal is already a "done deal" which had no input from us, the citizens who will have to live next to the building. We have been told over and over by supervisors, project sponsors, planning commissioners, etc that it must be bigger to be financially feasible. We have heard this from the developer and from various supervisors supporting the larger project. However, the Mayor's Office of Housing says it will support a smaller project and that the 50 unit version is not break-even for 55 years (a requirement by BTWCC). Apparently, it turns cash-flow negative after year 20.

Twenty years is the industry standard for funding projects - no project that MOH is aware of has ever penciled out on Day 1 to be cash-flow neutral for 55 years. Given the way projects are required to show financial projections, I cannot imagine a scenario where this would even be remotely possible for any project. Projects are always re-financed, additional loans are granted, etc. and for the BTWCC administration to demand that the project be cash-flow neutral for 55 years makes it seem as if they are not living in reality.

We are requesting that the proposed building be within the current zoning laws; the developer is not being reasonable and is asking for far too much of our neighborhood. Despite the BTWCC being located in this neighborhood for 50 years and proposing variations of this project over the past many years, the developer and the BTWCC have not managed to garner the support of a single home owner or resident within the affected neighborhood area. Not one, that is saying a lot.

We believe the financial requirement issue is a total red herring. The design decision should be based upon the surrounding neighborhood and not the ledger sheet of the developer and the BTWCC. Please support our neighborood and help us decide the future of our home and neighborhood by helping us maintain a reasonble level of development.

Thank you, we hope for your support.

4

Sincerely,

Paul Maestre
2735 Sutter St.
San Francisco

To: BOS Constituent Mail Distribution, Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File No. 110702 800 Presidio Ave.

From: Brent Lewellen <brent@lewellen.biz>
To: board.of.supervisors@sfgov.org
Date: 06/20/2011 07:01 PM
Subject: File No. 110702 800 Presidio Ave.

From: Brent Lewellen <brent@lewellen.biz>
Date: June 20, 2011 6:58:22 PM PDT
To: mayoredwinlee@sfgov.org
Subject: File No. 110702 800 Presidio Ave.

Dear Mayor Lee :

I'm writing to you to seek your support in the matter regarding 800 Presidio Ave. (The Booker T Washington Community Center).

I own and live at the property on 2731 Sutter Street. The side of my house runs right along the Booker T's East side boundary.

Like the other neighbors in my neighborhood I would like to endorse the "Farrell Compromise" created by Supervisor Mark Farrell.
Supervisor Farrell came up with this compromise working with the actual financials of the project and the Mayor's Office of Housing.

While his compromise, in my opinion, still allows a building that is too big and too dense to be built; I believe it represents the best compromise that can be struck between the interested parties.

I have been aware of this project since the very first neighborhood meeting held on October 26, 2006. That meeting was made known to the neighborhood by taping an letter size sheet of paper on the front door of the center.
It was held in the middle of the day and I was the only neighbor in attendance--the only one who had noticed the "notice".
The building proposed at that time was a massive 8 story structure that contained 110 units as well as the gymnasium and community center. It would have actually occupied the entire perimeter of the lot.
To put it in perspective: the Westside Courts Housing project is located just two blocks down the hill. It occupies an entire city block and has only 110 units and no gymnasium nor community center.
The lot the Booker T occupies is not even 1/4 of a City block.
When I asked why it had to be so big. The answer was that it was the only way for the project to "pencil out".

The goal of the project is to replace the current gymnasium and to expand the current community center.
This is being achieved by selling the "air rights" and using that money to fund the re-build. A perfectly sound idea.

As you can imagine the Planning Department almost immediately rejected the plan to build so massive a building. Especially since it occupied the entire lot and did not have a single parking space.
This wasn't a result of any community feedback. This was just the Planning Department doing it's job.

The next iteration of the project came about a year later. Now it was down to 72 units and 6 stories.
Still it seemed out of character in a neighborhood with a 40 ft height limit. A limit that

only about half the buildings even go to.
Again I was told it was the only way for the project to "pencil out".

Again, responding to requests from the Planning Department (not from the neighborhood) the building was reduced still further in size.
More time passed. The developer went bankrupt and the Mayor's Office of Housing entered the picture.
The project was "lent" almost $800K by the MOH. The Drew School paid off the BTW's $250K mortgage.
Suddenly the project started feeling like a "done deal". And still no neighborhood input was ever taken.

The current version still stands 15 feet above the current height limit. Exemptions are being requested to the codes for density, air, and light. (more people- less air and light).
Parking has been added- but only for the Community Center- there is still none for the 50 residents expected to occupy the tower. The argument being that people who live in affordable housing don't own cars.
The project is still too big and still the neighbors are being told that anything smaller won't "pencil out".

Supervisor Farrell worked with the Mayor's Office of Housing to get the building within 5 feet of the current code. This cuts only 9 units of housing.
It keeps the 25 units of Foster Housing intact (15 MORE units than were originally included when the BTW was working with a private developer.)

My neighbors and I recognize the important role the BTW plays in our community and the tremendous impact over 40 units of housing can have in a space where none existed before.
We have never opposed the project or who it served. We have only tried to work with the sponsors to create something that didn't overcrowd the neighborhood.

Anything they build on the site that isn't what is already there well require sacrifice and compromise by the neighbors. We are willing to make that sacrifice. But only to a certain point.
I will now have the glass wall of giant gymnasium facing my house. It will be like having an enormous spot light on my house; probably until 10 or 11 most nights.
Most of the buildings on our block don't have driveways. We are most of us street parkers and this project will bring many more.
The needs of the neighborhood must be balanced with the needs of the new residents.
Increased density can make sense. But over-density leads to the same redevelopment issues of the past. There's a reason our new codes require a "livable" amount of light and air in a building.
City Planning can't be driven simply by what "pencils out".

We support the Community Center. We Support the Gymnasium. We Support the Youth Radio Station. We Support the Guidance Center. We Support the Computer Center. We Support Housing for Emancipated Foster Adults.
We Support Affordable Housing.

We Support All these things.

We're asking you to please support a small compromise.

Brent Lewellen
2731 B Sutter Street
San Francisco, CA

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110675: 800 Presidio Ave. : Hearing Date: June 21, 2011 Special Order 4:00 pm

From: "NilNAEDGELL" <ninaedgell@comcast.net>
To: <John.Avalos@sfgov.org>, <David.Campos@sfgov.org>, <David.Chiu@sfgov.org>, <Carmen.Chu@sfgov.org>, <Malia.Cohen@sfgov.org>, <Mark.Farrell@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Jane.Kim@sfgov.org>, <Eric.L.Mar@sfgov.org>, <Ross.Mirkarimi@sfgov.org>, <Scott.Wiener@sfgov.org>, <mayoredwinlee@sfgov.org>
Cc: <board.of.supervisors@sfgov.org>
Date: 06/21/2011 10:25 AM
Subject: 800 Presidio Ave. : Hearing Date: June 21, 2011 Special Order 4:00 pm

800 Presidio Ave. : Hearing Date: June 21, 2011 Special Order 4:00 pm

Dear Supervisors and Board Secretary:

I am writing to ask for you to support our neighborhood Supervisor Mark Farrell.

There is a long San Francisco tradition of allowing neighbors and their neighborhood supervisor to come together and decide what shape and size future developments in their neighborhood will take. We are not saying "no" to this affordable housing project, we only want something a little more reasonable and compatible in size with our homes.

The compromise solution of 41 units is not ideal for the neighborhood, it will still be bigger than all buildings in the area, however, it will bring the building down to a more reasonable and compatible height, create less shadow and tone down the looming effect the 55'-70' foot building will have it approved.

The current project height of this building will completely overshadow my home at 2640 Post Street.

The developer is not being reasonable and is asking for far too much of our neighborhood. Despite being located in this neighborhood for 50 years and proposing this project over the past many years, the developer has not managed to garner the support of a single home owner or resident within the affected neighborhood area. Not one! That is saying a lot. None of the developer's representatives live in the neighborhood.

We are being told that the project has to be massive and overwhelm the neighborhood because it needs to be "financially feasible." We have heard this from the developer and from various supervisors supporting the larger project.
Our neighbor, Stephen Williams explained in his letter that:
"The Mayor's Office of Housing says it will support the smaller project and that the 50 unit version is not break-even for 55 years. Not even close - it turns cash-flow negative after year 20. The reason MOH agreed to put in the additional $500k was to have both project versions "pencil out" for BTW in the exact same manner. 20 years is the industry standard for funding projects - no project that MOH is aware of has ever penciled out on Day 1 to be cash-flow neutral for 55 years. Given the way projects are required to show financial projections, I cannot imagine a scenario where this would even be remotely possible (I can explain in greater detail if you'd like) for any project. Projects are always re-financed, additional loans are granted, etc. - that is plain and simply the way these projects work. For the BTW people to demand this is equivalent to me asking for a 30 year warranty on my car - it's just not in the realm of reality."
Please support the neighbors and a reasonable size project that we can live with and help us decide the future of our home and neighborhood.
Thank you, we hope for your support.

Sincerely,

Nina E. Edgell
2640 Post Street, Unit #1

San Francisco, CA 94115
Telephone (415) 420-3122

To: BOS Constituent Mail Distribution, Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: Letter from The Little School in Support of Booker T. Washington Development

From: "Jenny Pearlman" <jenny@pearlmcd.com>
To: <mark.farrell@sfgov.org>
Cc: <board.of.supervisors@sfgov.org>
Date: 06/21/2011 12:29 PM
Subject: Letter from The Little School in Support of Booker T. Washington Development

Supervisor Mark Farrell
City Hall, 1 Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
mark.farrell@sfgov.org

June 21, 2011

Re: Support for the Booker T. Washington Community Service Center Project

Dear Supervisor Farrell:

On behalf of the Board of Trustees of The Little School, we are writing to express our support for the development of the Booker T. Washington Community Service Center (BTWCSC). The Little School, located at 1520 Lyon Street, is in District 2 and is a neighbor of BTWCSC. For over 26 years, The Little School—which currently has about 100 students—has been serving young children and their families. Recently, we have begun to investigate the possibility of opening a high-quality, full day preschool at the new Booker T. Washington Center.

As a neighboring institution, The Little School supports the development of BTWCSC because we believe in ensuring strong, viable community organizations that serve children and families. The proposed addition of a high-quality child care facility at BTWCSC would (i) provide needed child care services in the city and (ii) increase the opportunity for all young children to receive the foundation crucial for school readiness, long-term academic achievement and a range of positive social and emotional outcomes throughout life. Moreover, we feel that the new Booker T. Washington Center would bring important diversity and vitality to the neighborhood.

Thank you for your time and efforts on behalf of the community.

Sincerely,

Jumee Park
Chair

Jenny Pearlman
Vice President

cc: Angela Calvillo, Clerk of the Board of San Francisco Supervisors

LS Letter to Supervisor Farrell for BTW 6.21.11.doc

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110658 - 800 Presidio Proposed Project

From: "Patrice Motley" <patrice@motleyassociates.com>
To: <John.Avalos@sfgov.org>, <David.Campos@sfgov.org>, <David.Chiu@sfgov.org>, <Carmen.Chu@sfgov.org>, <Malia.Cohen@sfgov.org>, <Mark.Farrell@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Jane.Kim@sfgov.org>, <Eric.L.Mar@sfgov.org>, <Ross.Mirkarimi@sfgov.org>, <Scott.Wiener@sfgov.org>
Cc: <mayoredwinlee@sfgov.org>, <board.of.supervisors@sfgov.org>
Date: 06/21/2011 12:57 PM
Subject: 800 Presidio Proposed Project

Dear Supervisors,

Over the past several weeks I have been fortunate to have been able to speak personally with many of you regarding the proposed project at 800 Presidio. I had hoped to be able to attend today's Board of Supervisors meeting regarding the project, however will not be able to attend due to family reasons. I want to reiterate what many of you have already heard my neighbors and I say, and that is that we are not against the community center being rebuilt, the addition of housing where none is today or the people who will reside there. We are just asking that you understand that going from a community center only to a community center and 50 units on a small portion of a block where the rest of the block and surrounding area, including the MUNI Barn are low density is just too big.

The current site is zoned for a community center and 28 units and since the building was built in the 1950's there have been no residential units. My concern is that a 5 story building with 50 units will not only be the addition of 50 new residents, but will also have a significant impact on light in our rear yards due to shadowing and significantly increase noise by the repositioned gym. Supervisor Farrell has proposed a compromise that would eliminate the 5th floor and reduce the number of units to 41, which is something that neither side is excited about. But as my parents taught me, that is what a compromise is, something that neither side feels like they have won. In the spirit of compromise I support having 41 units where there are none today, at a height that will at least let me and my neighbors be able to keep some of our sunlight that we currently enjoy. That is still a massive building and I still have a gym coming down the hill to my property line where it isn't currently. I am pleased the our Mayor's Office of Housing is willing to put in the money needed so that both projects net out at the same place at 20 years and beyond.

I do find it curious that the project sponsors, who tell us that there will be no impact have not added story poles to the building to demonstrate the proposed height or done a real scale model that would show the true impact on the neighboring buildings. They cite cost as being the reason, but if you really want to demonstrate that your proposed building won't have a negative impact on the neighbors, isn't that the least they could do? After all, we aren't talking a single homeowner, but a developer working with a community center, or from our perspective a business.

I urge you to reject the project as is and support the compromise that Supervisor Farrell has developed. Although 41 units is not ideal, in the spirit of doing what is best we are willing for the added density of 13 units more than what is zoned. That is 41 units of housing on just a section of a block where there are none today. And remember, we aren't the neighborhood saying no; we're just saying please do it in a manner that fits with the rest of our neighborhoods. A place that we enjoy so much that we decided to buy our places and make it home.

Thank you for your time and consideration.
Patrice Motley
2646 Post Street #3

Patrice R. Motley

Principal

PR Motley & Associates
Executive Search
2646 Post Street, Suite 3
San Francisco, CA 94115
415-923-1183 direct
415-699-7716 cell

To: BOS Constituent Mail Distribution, Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110675: 800 Presidio Ave.,

From: "Bill Canihan" <bcanihan@pacbell.net>
To: <David.Chiu@sfgov.org>
Cc: <board.of.supervisors@sfgov.org>
Date: 06/20/2011 06:02 PM
Subject: 800 Presidio Ave.,

Dear President Chiu,

Thank you for taking the time to meet with our neighbors on Tuesday.
Attached, please find a letter in support of Supervisor Ferrell's "compromise" plan.
I am hopeful that you will agree to support Supervisor Ferrell's compromise.

Very Truly Yours,

Bill Canihan
Tel (415) 929-8190
Fax (415) 929-8290

BTW June2011.doc

William & Jody Canihan
1405A Lyon Street
San Francisco, CA 94115

Mr. David Chiu, President
San Francisco Board of Supervisors
City Hall, Room 234
San Francisco, CA 94102

Re: 800 Presidio Avenue; Hearing Date: June 21, 2011 4pm

Dear President Chiu,

The purpose of this letter is to seek your support and ask you to support our neighborhood Supervisor Mark Farrell. There is a long tradition in San Francisco of allowing neighbors and their neighborhood supervisor to come together to shape and size future development in their neighborhood. We have not said "no" to this very large affordable housing project in our modest neighborhood, we only want something that **conforms to the zoning ordinance** and is a little more reasonable and compatible with our homes. The compromise solution of 41 units is not ideal for us, as it will still be bigger than every building in the area, however, it will lower the building height by approximately 10 feet to a more reasonable and compatible height, create less shadow and minimize the looming effect the 55'-70' foot building will have on us and other neighbors if it is approved.

Not one neighbor with the 300-ft radius of the proposed project is in support of the project. The developer is not being reasonable and is asking for far too much of our neighborhood. Despite being located in this neighborhood for 50 years and proposing this project over the past many years, the developer has not managed to garner the support of a single home owner or resident within the affected neighborhood area. Not one, that is saying a lot.

We are being told that the project has to be massive and overwhelm the neighborhood because it needs to be "financially feasible." We have heard this from the developer and from various supervisors supporting the larger project. However, the Mayor's Office of Housing says it will support the smaller project and that the 50 unit version is <u>not</u> break-even for 55 years. Not even close - it turns cash-flow negative after year 20. The reason MOH agreed to put in the additional $500k was to have both project versions "pencil out" for BTW in the exact same manner. 20 years is the industry standard for funding projects - no project that MOH is aware of has ever penciled out on Day 1 to be cash-flow neutral for 55 years. Projects are always re-financed, additional loans are granted, etc. - that is simply the way these projects work.

Please support our neighborhood and help us decide the future of our home and neighborhood by helping us maintain a reasonable level of development. Thank you, we hope for your support.

Very Truly Yours,

William Canihan

To: Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: Fw: 800 Presidio Ave. Hearing Date: June 21, 2011 Special Order 4:00 pm

From: Kamala Tully <kamalatully@yahoo.com>
To: John.Avalos@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org, Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Sean.Elsbernd@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org, Ross.Mirkarimi@sfgov.org, Scott.Wiener@sfgov.org, mayoredwinlee@sfgov.org, board.of.supervisors@sfgov.org
Date: 06/21/2011 07:25 AM
Subject: 800 Presidio Ave. Hearing Date: June 21, 2011 Special Order 4:00 pm

Dear Supervisors:

I am writing to ask for your support and asking that you support our neighborhood Supervisor Mark Farrell. There is a long tradition in San Francisco of allowing neighbors and their neighborhood supervisor come together and decide what shape and size future development in their neighborhood will take. We have not said "no" to this very large affordable housing project in our modest neighborhood, we only want something a little more reasonable and compatible with our homes. The compromise solution of 41 units is not ideal for us, it will still be bigger than every building in the area, however, it will bring the building down to a more reasonable and compatible height, create less shadow and tone down the looming effect the 55'-70' foot building will have it approved.

The developer is not being reasonable and is asking for far too much of our neighborhood. Despite being located in this neighborhood for 50 years and proposing this project over the past many years, the developer has not managed to garner the support of a single home owner or resident within the affected neighborhood area. Not one, that is saying a lot. None of the developers representatives or staff reside in the neighborhood.

We are being told that the project has to be massive and overwhelm the neighborhood because it needs to be "financially feasible." We have heard this from the developer and from various supervisors supporting the larger project. However, the Mayor's Office of Housing says it will support the smaller project and that the 50 unit version is not break-even for 55 years. Not even close - it turns cash-flow negative after year 20. The reason MOH agreed to put in the additional $500k was to have both project versions "pencil out" for BTW in the exact same manner. 20 years is the industry standard for funding projects - no project that MOH is aware of has ever penciled out on Day 1 to be cash-flow neutral for 55 years. Given the way projects are required to show financial projections, I cannot imagine a scenario where this would even be remotely possible (I can explain in greater detail if you'd like) for any project. Projects are always re-financed, additional loans are granted, etc. - that is plain and simply the way these projects work. For the BTW people to demand this is equivalent to me asking for a 30 year warranty on my car - it's just not in the realm of reality.

We believe this issue is a total red herring, please support the neighbors and support a reasonable project that we can live with.
Please support our neighborood and help us decide the future of our home and neighborhood by helping us maintain a reasonable level of development.

Thank you, we hope for your support.

Sincerely,
Kamala Tully
2646 Post Street

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Please Support Humane Pet Acquisition Proposal

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax
Board.of.Supervisors@sfgov.org

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

Complete a Board of Supervisors Customer Service Satisfaction form by clicking
http://www.sfbos.org/index.aspx?page=104
----- Forwarded by Board of Supervisors/BOS/SFGOV on 06/21/2011 03:39 PM -----

From: Mary Chambley <maryruth38930@yahoo.com>
To: board.of.supervisors@sfgov.org
Date: 06/21/2011 03:29 PM
Subject: Please Support Humane Pet Acquisition Proposal
Sent by: In Defense of Animals <takeaction@idausa.org>

Jun 21, 2011

San Francisco Board of Supervisors

Dear Supervisors,

As a San Francisco voter and supporter of In Defense of Animals (IDA), I strongly encourage you to support San Francisco Animal Control and Welfare's Humane Pet Acquisition Proposal.

There is an oversupply of adoptable pets in the city, requiring ACC to unnecessarily euthanize many adoptable animals at taxpayers' expense. Meanwhile, "new" pets are bred in often horrible conditions and then sold in this city at pet stores and from small breeders, all for profit. This is grossly inconsistent with how the city of St. Francis of Assisi feels towards animals, yet most San Franciscans aren't aware of this when they decide to purchase a pet.

San Francisco Animal Control and Welfare's proposal focuses on having San Franciscans adopt our pets rather than purchasing them. This will result in:

- More adoptions and less euthanasia
- A decrease in cost for Animal Control and Welfare
- Pet stores as partners in reducing euthanasia
- Healthier pets with fewer behavioral problems

Sec. 48 of the San Francisco Health Code already prohibits the sale of rabbits and certain birds as pets. Other cities like Albuquerque, Austin, Los Angeles, and South Lake Tahoe have already prohibited the sale of dogs and cats. So San Francisco has several precedents that support strong and decisive action for all species.

Please support the San Francisco Humane Pet Acquisition Proposal and make San Francisco a leader in animal welfare.

Sincerely,

Ms. Mary Chambley
736 Middleton Rd
Winona, MS 38967-2024

5

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Resource Conservation Ordinance annual report

From: Environment/ENV/SFGOV
To: Board of Supervisors/BOS/SFGOV@SFGOV
Cc: Monica Fish
Date: 06/21/2011 11:24 AM
Subject: Resource Conservation Ordinance annual report

Pursuant to the requirements of the Resource Conservation Ordinance (Chapter 5, Environment Code, Sec. 510), the Department of the Environment hereby submits the 2010 annual report to the Board of Supervisors, which highlights the achievements of the City Government Zero Waste Program.

Annual Report 2010- Resource Conservation Ordinance.pdf

Mark Westlund
SF Environment
City & County of San Francisco
11 Grove Street
SF, CA 94102

Phone: 415/355-3714
Fax: 415/554-6393

6

Resource Conservation Ordinance – 2010 Annual Report

City Government Zero Waste Program
San Francisco Department of the Environment

Pursuant to the requirements of the Resource Conservation Ordinance (Chapter 5, Environment Code, Sec. 510), the Department of the Environment hereby submits the 2010 annual report to the Board of Supervisors, which highlights the achievements of the City Government Zero Waste Program.

The City Government Zero Waste Program helps ensure that San Francisco city agencies meet all of the waste reduction, recycling, composting, disposal and environmentally responsible purchasing requirements outlined in various ordinances, resolutions and directives including but not limited to the Resource Conservation Ordinance, the Mandatory Recycling and Composting Ordinance and the city's Zero Waste Resolution. Additionally, it is the goal of the Department of the Environment that the City and County of San Francisco's waste reduction efforts exemplify what is possible for the entire community of San Francisco. With Mandatory Recycling and Composting now required under city law, it is particularly important for city departments to model the best zero waste behavior.

Compliance with the Mandatory Recycling and Composting Ordinance

As a result of the Mandatory Recycling and Composting Ordinance, the number of city agencies that participate in comprehensive recycling and composting programs has increased dramatically. Over 91% of city facilities have been outfitted with color-coded (green and blue) recycling and composting containers in convenient locations. While there is still some room for improvement in terms of ensuring staff participates properly and facilities have more widespread access to composting and recycling bins at some locations, nearly every facility currently has both green and blue bins available to employees.

Departmental Cost Savings Highlights

The City Government Zero Waste Team managed billing, reconfigured service levels, and implemented waste reduction programs at the Municipal Transportation Agency, Recreation and Parks Department, Public Defender's Office, San Francisco General Hospital, Police stations, 25 Van Ness and Human Services Agency's facilities to achieve $132,000 in annual disposal cost savings in 2010. The recycling of scrap metal generated over $150,000 in revenue for the city. Also, the Virtual Warehouse program, surplus materials exchange program redistributed 20,000 items worth over $2 million.

Laguna Honda Hospital

At the end of 2010, Laguna Honda Hospital (LHH) completed the construction of their new 500,000 square foot long term care facility. In an enormous effort, 780 residents were moved from the old hospital into the new. Before demolition of the old facility, the Hospital staff was committed to reducing the amount of waste generated in the move. LHH staff planned ahead, worked with the SFE Virtual Warehouse Associate and made unwanted furniture items, electronics and supplies available to city departments and non-profits. As a result of the work, LHH was able to divert 238 tons of material from the landfill through recycling and reuse. During these financially challenging times, over 50 departments, schools and non-profit organizations were able to receive much needed furniture, medical equipment, and supplies and are now putting them to good use.

Recreation and Parks Department

In 2010, the Recreation and Parks Department (RPD) in collaboration with the Department of the Environment conducted an extensive analysis of the waste, recycling and composting services at over 75% of the facilities and parks they manage. As a result, most Recreation Centers now have recycling and composting and have zero waste coordinators when previously there was none. The City Government Zero Waste team provided containers, signs, technical assistance and training which resulted in successful recycling and composting programs at most Recreation Centers, increasing the waste diversion rates at these facilities from 32% to 52%. In addition, the Department of the Environment made recommendations for service changes at park facilities to reduce illegal dumping and litter. These changes resulted in over $50,000 in cost savings in 2010.

Also in 2010, SFE worked with the RPD Capital Improvements Division to facilitate the installation of electric hand dryers at Portsmouth Square, Bayview, Marina, Dolores Park and Stern Grove restrooms. These hand dryers conserve paper resources and save RPD over $30,000 annually on paper hand towel costs while reducing custodial staff time.

Additionally, Golden Gate Park diverted over 98% of their waste by composting all organic material from the department's landscaping operations and food scraps from various offices and recreation centers. During the year, RPD diverted 10,000 tons of compostable material from landfill.

Department of Public Health

The Department of Public Health's Community and Behavioral Health clinics made significant strides towards zero waste when 17 of their 20 city-owned clinics began composting and recycling in 2010. DPH staff have embraced the new system and learned to teach visitors about the environmental benefits of composting and recycling. This effort became an integral part of facility operations as visitors and clients are now greeted with colorful signs and bins indicating "what goes where". Staff and clients alike are pleased with how the clinics waste reduction practices have helped the environment and also taught people to make better decisions when managing their discards at the clinics and in their homes.

Real Estate

In 2010 the Department of the Environment and the Department of Real Estate formed a strong partnership to ensure all Real Estate managed buildings participate fully in the city's recycling and composting collection programs. The partnership engendered tangible results. In 2010 all of the 13 Real Estate managed facilities including City Hall, the War Memorial complex, 1650 and 1660 Mission, and 25 Van Ness, to name a few, embraced successful recycling and composting programs. The Department of Real Estate also committed to expanding the recycling and composting program at the Hall of Justice by making plans to reconfigure the loading dock to accommodate large compactors for all three streams. This project will allow all the building visitors and employees to participate fully in recycling and composting programs throughout this large and space constrained facility.

Department of Public Works

The Department of Public Works currently sends 12,000 tons of material mechanically swept from city streets to the landfill. In an effort to conserve these resources, the Department of the Environment

conducted extensive testing and analysis of the material to see if it might be suitable for composting. About one quarter - 4000 tons - was primarily made up of leaves, dirt, branches, compostable paper and is free from high levels of contaminants. In collaboration with our hauling partner, Recology, the Department of the Environment and the Department of Public Works will be conducting a pilot test of this clean street debris to determine compostability. During this pilot program, the street sweepings from select Western sections of the city will be collected, screened to remove plastics, metal and glass and combined with yard debris into windrow piles at Recology's composting facility in Vernalis, CA. These piles will be turned and watered periodically to allow naturally occurring microorganisms to break down the material and turn it into compost. If successful, this non-certified organic product will be sold to CalTrans or commercial businesses such as nurseries as a soil amendment or for erosion control.

San Francisco Public Utilities Commission

The SFPUC successfully diverted 87,000 tons of biosolids from the landfill generated from the San Francisco's wastewater treatment processes. This volume represents nearly a third of all material diverted from the city government operations.

The Surplus Disposal Program

The Surplus Disposal Program, which is made up of scrap metal recycling, the city's surplus auctions and the Virtual Warehouse, is managed by the City Government Zero Waste Program. The Virtual Warehouse is an online materials exchange system for city surplus items. Unwanted items are redistributed to other city agencies, non profits and schools via an online database. In 2010, approximately 22,130 items were reused by city agencies through the Virtual Warehouse surplus materials exchange program. These items weighed 370 tons and were valued at $2,325,000.

Through a contract with SIMS Metals, the city's contracted scrap metal recycler, departments can recycle various types of scrap metal, such as old metal desks, metal filing cabinets, rails from the MTA system, brass fixtures, and copper pipes. In 2010, the city recycled 1,448 tons of scrap metal and received revenue from the sale of the scrap metal totaling about $154,000.

Employee Trainings

The City Government Zero Waste Team trained over 3,000 city employees in 2010, including 62 zero waste coordinators, on recycling, composting, waste reduction, environmental principles, and city policy.

2010 Waste Assessment Questionnaire

Pursuant to the requirements of the Resource Conservation Ordinance, each departmental zero waste coordinator is required to complete an annual waste assessment questionnaire. This questionnaire is intended to summarize landfill diversion efforts, assist the department in better understanding their current programs and identify opportunities for improvement. Since many city departments occupy multiple locations and each location is unique, Departments were asked to fill out one form for each location and appoint one coordinator per location. This year, zero waste coordinators were asked to submit the forms along with their annual Climate Action Plan. Below is a table which outlines compliance with aforementioned Resource Conservation Ordinance requirements.

Department Name	ZW Coordinators at all locations?	Waste Assessment Questionnaire turned in for all locations?	Number of Waste Assessment Questionnaires turned in
311	Yes	Yes	1/1
Academy of Sciences	Yes	No	1/1
Adult Probation	No	No	0/1
Airport	Yes	No	0/1
Arts Commission	Yes	Yes	1/1
Asian Art Museum	Yes	No	0/1
Assessor Recorder	Yes	Yes	2/2
Animal Care and Control	Yes	Yes	1/1
Board of Supervisor	Yes	Yes	1/1
Building Inspection	Yes	Yes	1/1
Civil Service Commission	Yes	Yes	1/1
Child Support Services	Yes	Yes	1/1
Children, Youth & Families	Yes	Yes	1/1
City Attorney	Yes	Yes	2/2
Citizen Complaints, Office of	Yes	Yes	1/1
Controller's Office	Yes	Yes	2/2
Convention Facilities	Yes	Yes	2/2
District Attorney	Yes	Yes	3/3
Elections, Department of	Yes	Yes	3/3
Emergency Management, Department of	Yes	Yes	1/1
Employee Retirement	Yes	Yes	1/1
Ethics Department	Yes	Yes	1/1
Fine Arts Museum	Yes	Yes	2/2
Film Commission	Yes	Yes	1/1
Fire Department	Yes	Yes	47/47
General Services Agency	Yes	Yes	3/3
GSA - Medical Examiner	Yes	Yes	1/1
Health Services Systems	No	No	0/1
Human Rights Commission	No	No	0/1
Human Resources, Department of	Yes	Yes	2/2
Human Services Agency	Yes	Yes	16/16
Juvenile Probation	Yes	Yes	2/2
Mayors Office on Housing	Yes	Yes	1/1
Mayors Office on Neighborhood Services	Yes	Yes	1/1
Municipal Transportation Agency	Yes	Yes	7/7
Planning Department	Yes	Yes	1/1
Police Department	Yes	Yes	17/17
Port	Yes	Yes	4/4
Public Defender	Yes	Yes	1/1
Public Health, Department of	Yes	No	10/53
Public Library	Yes	Yes	29/29
Public Utilities Commission	Yes	Yes	10/14
Public Works	Yes	Yes	10/10
Real Estate	Yes	Yes	3/3
Recreation & Park	Yes	Yes	34/34
Redevelopment Agency	Yes	Yes	1/1
Rent Board	Yes	Yes	1/1
Sherriff	Yes	Yes	11/11
Status on Women, Department of the	Yes	No	0/1
Technology, Department of	Yes	Yes	3/3
Treasure Island Development Authority	Yes	No	0/1
Treasurer & Tax Collector	Yes	No	0/1
War Memorial Complex	Yes	No	0/3

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: June 22, 2011

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Form 700

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

Doyle Johnson – Sunshine Ordinance Task Force - Leaving

COB
cpage

City and County of San Francisco

Department on the Status of Women

Mayor Edwin Lee
Executive Director Emily M. Murase, PhD

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BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUN 21 AM 9:45
BY

MEMORANDUM

DATE: June 14, 2011

TO: Angela Calvillo, Clerk of the Board of Supervisors

FROM: Emily M. Murase, PhD

RE: ***Report on Family Violence in San Francisco 2010***

Per Article XIX, Secs. 5.910-5 © of the Administrative Code, the Family Violence Council has written an annual report, *Report on Family Violence in San Francisco 2010*, and has submitted it to the members of the Board of Supervisors, as well as to the Mayor. It is enclosed here to be included into the official records of the Board. Please contact me with any questions at 415-252-2571 or email me at Emily.murase@sfgov.org. Thank you.

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

25 Van Ness Avenue, Suite 130
San Francisco, CA 94102

(415) 252-2570
(415) 252-2575 fax

dosw@sfgov.org
www.sfgov.org/dosw

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BOS-11, COB, Leg Dep
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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: June 20, 2011

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board
Jennifer Browne, Assistant Director, Office of Contract Administration

Subject: Official Advertising Award: Timing Allocated to Each Awarded Newspaper

---

On June 7, 2011, the Board of Supervisors approved the award of the FY2011-2012 Official Advertising term contract to both the Examiner and the Chronicle. The Board recommended that the Clerk of the Board and the Office of Contract Administration work together to determine a fair and equitable split between the two newspapers with regard to which newspaper receives the business during which time of year.

Historically, the Clerk of the Board and the Office of Contract Administration have mapped timing between official advertising vendors that would facilitate an efficient transition for City departments, the intermediary clearinghouse, and the newspapers. The intent has been to award official advertising business in 6 month increments and while there have been more frequent transitions at times, the total number of months each vendor has had the City's official advertising business over the past 5 years has been on par (see chart below).

Calendar of Official Advertising Newspaper Assignments

	FY 06-07		FY 07-08		FY 08-09			FY 09-10			FY 10-11		Total # of Months
	July-Dec	Jan-June	July-Dec	Jan-June	July-Aug	Sep-Feb	Mar-June	July-Sep	Oct-Mar	Apr-June	July-Dec	Jan-June	
Chronicle	6 mo.			6 mo.		6 mo.			6 mo.			6 mo.	30
Examiner		6 mo.	6 mo.		2 mo.		4 mo.	3 mo.		3 mo.	6 mo.		30

Schedule was revised as of Sept. 1st because the Examiner failed to publish a Board agenda

For FY2011-2012, our intent was to streamline transition between vendors even further by keeping the current newspaper vendor (the Chronicle) on for the first 6 months of the fiscal year and then moving to the Examiner for the back half of the fiscal year. However, this was cause for concern by the Examiner since they would then not be receiving any revenue for the calendar year 2011. After detailed research into historical spending trends and taking into consideration the effect of legislation passed last year which reduced advertising spend, we have concluded that there are not material differences in advertising spend between the two halves of the fiscal year. So, given that it is fair and equitable to split the 6 month periods in either direction and in the interest of maintaining positive vendor relations, we recommend placing advertising with the Examiner the first 6 months of FY2011-2012 (Jul – Dec 2011) and the Chronicle the second 6 months of FY2011-2012 (Jan – Jun 2012).

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
GRAND JURY

BOS-11
orig: Andrea (GAO)
c: COB, Leg Dep
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SAN FRANCISCO
2011 JUN 21 AM 8:15

OFFICE
400 MCALLISTER ST., ROOM 008
SAN FRANCISCO, CA 94102
TELEPHONE: (415) 551-3605

June 21, 2011

Supervisor David Chiu, President
San Francisco Board of Supervisors
#1 Dr. Carleton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Dear Supervisor Chiu:

The 2010-2011 San Francisco Civil Grand Jury will release its report to the public entitled "Hunters Point Shipyard: A Shifting Landscape" on Thursday, June 23, 2011. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. Katherine Feinstein, this report is to be kept confidential until the date of release.

California Penal Code section 933.05 requires the responding party or entity identified in the report to respond to the Presiding Judge of the Superior Court, within a specified number of days. You may find the specific day the response is due in the last paragraph of this letter.

For each Finding of the Civil Grand Jury, the response must either:

(1) agree with the finding; or
(2) disagree with it, wholly or partially, and explain why.

Further as to each recommendation made by the Civil Grand Jury, the responding party must report either:

(1) that the recommendation has been implemented, with a summary explanation of how it was implemented;
(2) the recommendation has not been implemented, but will be implemented in the future, with a time frame for the implementation;
(3) the recommendation requires further analysis, with an explanation of the scope of that analysis and a time frame for the officer or agency head to be prepared to discuss it (less than six months from the release of the report); or

10

(4) that the recommendation will not be implemented because it is not warranted or reasonable, with an explanation of why that is. (California Penal Code sections 933, 933.05)

Please provide your responses to the Findings and Recommendations in this report to the Presiding Judge of the Superior Court, Hon. Katherine Feinstein, not later than Monday, September 12, 2011, with an information copy sent to the Grand Jury Office at the above address.

Very truly yours,

Linda A. Clardy

Linda A. Clardy, Foreperson
2010-2011 San Francisco County Civil Grand Jury

cc: Members of the Board of Supervisors
Angela Calvillo, Clerk of the Board

CALIFORNIA SUPERIOR COURT

CITY AND COUNTY OF SAN FRANCISCO

In The Matter of the 2010-11 Civil Grand Jury of the City And County of San Francisco

Finding Re:
Final Grand Jury Report

The 2010-2011 Civil Grand Jury of the City and County of San Francisco having submitted its Final Report entitled, "Hunters Point Shipyard: A Shifting Landscape" a copy of which is attached and marked as "Exhibit One"

The Court finds that this Final Report is in compliance with the Part II, Title 4, of the Penal Code, commencing with section 888. The Final Report reflects the investigative work, findings, conclusions and recommendations of the Civil Grand Jury. It does not reflect the investigative work, findings, conclusions or recommendations of the Superior Court or any of its members.

GOOD CAUSE APPEARING THEREFOR, IT IS HEREBY ORDERED that a copy of the report is to be placed on file with the clerk of the court and is to remain on file with the office of clerk of the court as provided in Penal Code section 933(b).

IT IS FURTHER ORDERED that the attached report is to be kept confidential until said report is released to the public by the Civil Grand Jury of the City and County of San Francisco.

June 13, 2011

KATHERINE FEINSTEIN
PRESIDING JUDGE

HUNTERS POINT SHIPYARD:
A SHIFTING LANDSCAPE

CIVIL GRAND JURY

CITY AND COUNTY OF SAN FRANCISCO

2010-2011

THE CIVIL GRAND JURY

The Civil Grand Jury is a government oversight panel of volunteers who serve for one year. It makes findings and recommendations resulting from its investigations.

Reports of the Civil Grand Jury do not identify individuals by name.
Disclosure of Information about individuals interviewed by the jury is prohibited.
California Penal Code, section 929

STATE LAW REQUIREMENT
California Penal Code, section 933.05

Each published report includes a list of those public entities that are required to respond to the Presiding Judge of the Superior Court within 60 to 90 days as specified.
A copy must be sent to the Board of Supervisors.
All responses are made available to the public.

For each finding the response must:

1) agree with the finding, or
2) disagree with it, wholly or partially, and explain why.

As to each recommendation the responding party must report that:

1) the recommendation has been implemented, with a summary explanation; or
2) the recommendation has not been implemented but will be within a set timeframe as provided: or
3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

HUNTERS POINT SHIPYARD: A SHIFTING LANDSCAPE

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HUNTERS POINT SHIPYARD : A SHIFTING LANDSCAPE

"The development of the Hunter's Point Shipyard ... is one of the most important development projects in the city's history... to transform the blighted shipyard and bring new housing, parks and thousands of jobs to the southeast community."[1]

Mayor Gavin Newsom
January 2011

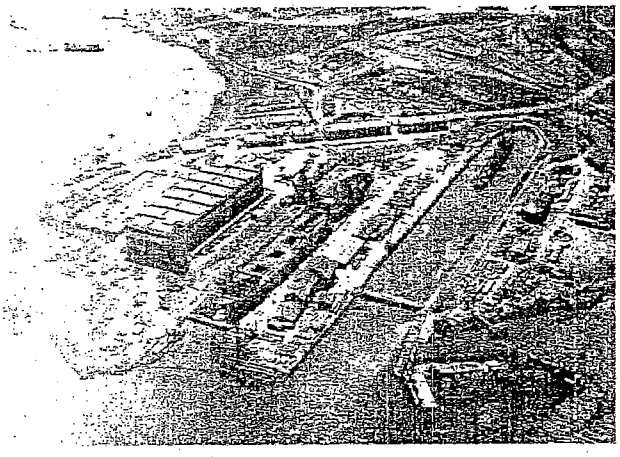
SUMMARY

The 2010-2011 San Francisco County's Civil Grand Jury (Jury) reviewed the Hunters Point Shipyard Redevelopment Project in an attempt to better understand how the City's role has changed since the last Grand Jury's investigation in 2001-2002.

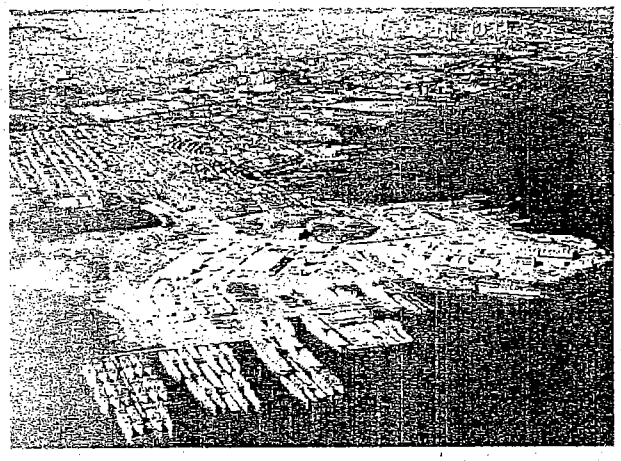
The results of this inquiry lead the Jury to conclude that the Hunter's Point Shipyard redevelopment project will require

more communication,
more transparency, and
more commitment

from the City in order to achieve its goals of providing housing, jobs and economic development, tax revenue and open spaces to San Francisco, and its residents, particularly those residing in the surrounding neighborhoods.



Dry Dock, circa 1947



Naval Shipyard, circa 1951

BACKGROUND

A short history of the Hunter's Point Shipyard (HPS) helps highlight areas researched by the Jury, the origin of its hazardous conditions, the history and future promise of employment, and the optimistic plans for the City's new neighborhood.

The 500-acre HPS is located in the Southeast section of San Francisco on a peninsula that extends east into the Bay. From 1867 to December 1939, the facility was operated as a commercial dry dock facility. On December 16, 1941 just nine days after the attack on Pearl Harbor, the Navy purchased the property as part of the war effort.

From 1945 until 1974, the Navy predominantly used the shipyard to construct, maintain, and repair ships. The base was also home TO the Naval Radiological Defense Laboratory. The laboratory's activities included radiological decontamination of ships exposed to atomic weapons testing. The laboratory also conducted research and experiments on radiological decontamination, the effects of radiation on living organisms, and materials.

At the height of its active operations, HPS employed over 17,000 people, many of whom were from the Bay View Hunters Point (BVHP) area. In 1974, the Navy ceased shipyard operations at HPS, designating the site as industrial reserve. From May 1976 to June 1986, Triple A Machine Shop, Inc. leased most of HPS from the Navy and used it as a commercial ship repair facility. Over the years, parts of the site have been leased to an artists' community.

To organize the environmental investigation and cleanup activities, the Navy divided the shipyard into seven parcels, A through G. (see Appendix A) On December 3, 2004, the Navy transferred the first 75-acres of HPS (Parcel A) to the San Francisco Redevelopment Agency (SFRA.) Consequently, it is no longer Navy property.[2]

Since then, much grading and other construction work has been done by the developer, Lennar, to prepare the site for vertical development. The project plan envisions Parcel A being used for residential housing, community parks and commercial venues.

THE HUNTERS POINT PROMISE

Originally adopted in 1997 and amended in 2010, the HPS redevelopment project aspires to transform the former shipyard and the adjacent Candlestick Point into a vibrant and green community. When the entire project is completed in 2031, the community will cover an area of

935 acres and consist of:

- 12,500 housing units, 25% of which are to be affordable to low-income families
- Over 300 acres of parks and open space,
- Approximately 800,000 square feet of regional and neighborhood-serving retail space and,
- Approximately 3 million square feet of "clean" technology research and development space.

The construction of this large new community is expected to create thousands of temporary jobs and ultimately over 10,000 permanent jobs for the people of San Francisco and in particular the residents of the Bayview Hunters Point neighborhoods. In addition Lennar, the prime developer of HPS redevelopment project, has committed to providing various other benefits to the residents of BVHP, including the rebuilding of the Alice Griffith public housing project. Finally, the new community will eventually generate substantial tax revenue for the City of San Francisco.[3]

THE PLAN'S ENVIRONMENTAL HAZARDS

In a September 2007 report, the California Department of Public Health recommended the San Francisco Department of Public Health (SFDPH) assign an individual to monitor the HPS project.[4] SFDPH has complied with this recommendation. Lennar is reimbursing the SFDPH for the cost of maintaining a monitor at the HPS site.

During our interview with the SFDPH monitor, we related what we learned from conversations with environmental groups, reviewing Environmental Impact Reports, and voluminous naval documentation all of which supported the position that "shipyard tenants, the surrounding communities ... are not at risk from previous radiological activities at HPS."[5]

The health official agreed and stated, "there is no evidence that the really bad stuff is here. It's in the Farallones." The official was referring to the approximately 47,800 55-gallon drums that the Navy dumped in the Pacific Ocean, 27 miles West of San Francisco between 1946 to 1970, near the Gulf of the Farallones National Marine Sanctuary.[6]

However, this assessment seems at odds with SFDPH Health Director Mitch Katz's published report, "Health Programs in Bayview Hunters Point and Recommendations for Improving the Health of Bayview Hunter's Point Residents." In his report Mr. Katz noted that the HPS "was placed on the federal government's National Priorities List as one of the nation's worst toxic sites and parts of the shipyard remain contaminated and unusable because of chemical pollution, radioactive waste, and neglect."[7]

To help alleviate confusion among the general public over the degree of environmental risk associated with the HPS project, in 2007 the California Department of Public Health recommended that the SFDPH promptly report any violations of environmental regulations.

In its response to the State's recommendation, the SFDPH stated:

> "We agree with the need for more timely public communication. SFDPH has created a website ... that includes: frequently asked questions; resources and referral information; the dust control plan; and Notices of Violation. Future plans are to update the status of development activities on a weekly or monthly basis. The SFDPH Hunter's Point website is accessible at: www.sfdph.org/dph/EH/HuntersPoint/default.asp"

Despite these assurances, when the Jury reviewed SFDPH's Hunter's Point Redevelopment website [www.sfdph.org/dph/EH/HuntersPoint/default.asp] in April 2011 it found that the website was last updated in 2009.

Shortly after we reviewed the website, it appears SFDPH uploaded: "Hunter's Point Re-analysis of Air monitoring Filters for Asbestos (2010). " Based on the properties of the document, it was modified on 4/15/11. So the last two documents uploaded were updates from outside agencies.

Adding to the confusion over the exact degree of environmental risk at the project site, the U.S. Environmental Protection Agency and the San Francisco Department of Public Health, in response to a series of e-mails recently released by Bayview neighborhood activists, both launched investigations into the relationship between their departments and Lennar.

The exchange of e-mails, which occurred between 2006 and 2009, purportedly show officials requesting assistance from Lennar and a consultant employed by Lennar in formulating public policy toward health risks associated with the HPS redevelopment project.[8]

The emails revealed officials instructing their colleagues to stop collecting additional data on worker exposure to asbestos, as the new data might not support the department's official position that asbestos does not constitute a health risk to workers at HPS. Another email from a senior Department of Public Health official to Lennar states, "I'm sure you will also want to change my wording on how I portray the problems, lack of monitors, etc."

Finally, an e-mail from an official at the U.S. Environmental Protection Agency (USEPA) addressed to a consultant employed by Lennar invites input to bolster the USEPA's risk assessment of dust generated from the developer's grading operation at HPS.[9]

PARCEL E-2 -- TO CAP OR REMOVE

There are mixed opinions on what should be done with the 47.4 acre former Navy dump site designated Parcel E-2. Until the Obama Administration, the Federal government has been non-committal about its assessment of the site. But due to a number of factors, including a change in EPA leadership and pressure from governmental officials and local agencies, the Navy is now re-evaluating sites requiring further cleanup. As a result, in April 2010 the Navy drafted a 5,000 page addendum to their original assessment of Parcel E-2 detailing the various contaminants found, including Uranium, Cesium, Cobalt, Strontium, Radium, Plutonium, etc.[10]

The Navy is preparing a Final Feasibility Study to review the various options available for cleaning up Parcel E-2. The study will be made available to the public for comment. In arriving at a decision, the Navy is required to take into account the nine criteria mandated by the Comprehensive Environmental Response Compensation and Liability Act (CERCLA).[11] One of the criteria is community acceptance.

Options for E-2 include:

- Institutional Controls
  - Administrative and legal controls that restrict access to the site
- Fencing and Warning signs
  - Very low cost
  - Only effective if accompanied by very severe use restrictions
- Capping
  - Soil cap or asphalt and concrete cap are low cost
  - May result in exposing workers on the site to radio-toxicity
- Removal and Disposal
  - The most effective and expensive method.
  - Waste is trucked in water-tight steel bins and shipped to disposal sites in Utah and Idaho that are licensed to accept radiological waste. More than 9,400 truckloads have already been shipped. Residents and workers may be exposed to diesel truck fumes as diesel trucks load and haul the waste through the neighborhood. In 2002, the EPA classified diesel fumes as a probable carcinogen.[12]

In reaching its decision, the Navy will take into account the cost associated with each option. For example, the difference in cost between capping and excavating Parcel E-2 is estimated to be in the range of $300 - $700 million.

While admittedly less costly and time consuming than soil removal, the capping process does have its drawbacks as a method for cleaning up Parcel E-2. For example, in August 2000, a surface brush fire of unknown origin occurred on the Parcel E-2 landfill. Even after the brush fire was extinguished, a subsurface landfill fire continued to smolder for many weeks. In order to fully extinguish the subsurface fire, the Navy capped the landfill. The landfill cap was completed in early 2001. In August 2002, the Navy determined that landfill gas had migrated offsite and was found under an adjacent property. The Navy conducted an emergency removal action to address this landfill gas.[13]

At the same time, SFDPH, City Officials, and some environmental groups have voiced concern that physically removing the contaminated soil could prove more damaging to the environmental health of the community than burying the dump site. A similar process undertaken at parcels B, G, and D-2 took a decade to complete. It is felt that work on Parcel E-2 could also take a considerable amount of time to complete.

With the exception of Parcel A that was transferred by the Navy to the SFRA in 2004, the City has no legal control over the remaining HPS property. Consequently, in a technical sense, the City has no authority over matters dealing with deadlines and deliverables for environmental cleanup, and no formal right to disagree or dispute the Navy's actions.

But in the event that the City disagrees with all or parts of the Navy's report, it does in fact have an option. The City, through its chosen developer, Lennar, can refuse to accept the transfer of any parcel if the environmental cleanup does not meet, "the standards set by the City of San Francisco, State of California and the U.S. Environmental Protection Agency."[14]

Moreover, the City does in fact have some standing in these deliberations via the 2004 Conveyance Agreement which "is a framework that establishes the criteria, including environmental conditions, under which the City will accept property proposed for transfer by the Navy."[15] The agreement stipulates that the Navy will work collaboratively with SFRA and share information about their cleanup work.

For its part, the SFDPH has not taken a public position on what the Navy should do with respect to Parcel E-2. Its current policy is apparently to await the Navy's recommendation and the reasoning behind it. The SFDPH will then seek input from the public on the Navy's plan. Only then will it make public its own position on Parcel E-2.

THE MANTRA OF JOBS, JOBS, JOBS

A 2001-2002 Jury Report recommended that a Memorandum of Agreement between the Navy and the City be amended to include specific language for the hiring and training of BVHP residents for jobs created during the clean-up and development phases of HPS redevelopment project. In 2002, Leamon Abrams, Director of the Office of Economic & Workforce Development, stated that his office viewed community access to jobs, job training, educational opportunities and other opportunities for economic development as a critical component of the redevelopment of HPS.[16]

Jobs were central to the City's pitch to sell the project to the public. Forecasts on job creation put forward by the city, community members, and the developer were based upon estimates for the potential uses of HPS. Jobs from preparing the land for development, jobs for developing the land vertically, jobs from the new businesses and jobs from infrastructure such as parks, schools, and roads were all factored in to reach a total number of potential employment opportunities.

City agencies and officials have given varying estimates on the number of jobs that will be created by the Hunter's Point redevelopment project.

CITY AGENCY/OFFICIAL	NUMBER OF JOBS
Office of the Controller	11,000 to 12,000 direct permanent employment opportunities in numerous industries and occupations, from entry-level to advanced.[15]
Office of Economic and Workforce Development (OEWD)	10,000 permanent jobs over the next 10-15 years. Some of these would be low-entry jobs such as grounds keepers, food service, maintenance, delivery, facility management while other jobs would go to teachers, advisors, engineers, managers, administrators and professors.
Mayor Newsom	The Hunter's Point redevelopment project "...will help bring economic vitality to this neglected corner of the city – including thousands of construction jobs and 8,000 PERMANENT JOBS following completion of the project with a priority for neighborhood residents."[16]

In 2008, San Francisco voters added their voice by approving Proposition G that called for the, "... timely development of a mixed-use project in ... Candlestick Point and Hunter's Point Shipyard."[17]

In order to win public support for Proposition G, Senator Dianne Feinstein, Mayor Gavin Newsom, and Supervisor Sophie Maxwell argued as proponent's in favor of Proposition G that, "...Proposition G will help bring economic vitality to this neglected corner of the city – including thousands of construction jobs and 8,000 PERMANENT JOBS following completion of the project with a priority for neighborhood residents."[18]

In August of 2010, the Hunters' Point Redevelopment Plan was amended and now includes a provision that the project should create a range of job and economic development opportunities for local economically disadvantaged individuals and business enterprises, particularly for residents and businesses located in the BVHP.[19]

In 2007, the SFRA introduced a workforce policy. The policy requires

> "...each Employer to use its good faith efforts to employ 50% of its permanent temporary workforce from qualified BVHP Residents and then San Francisco Residents with First Consideration to BVHP Residents."[20]

However, this policy seems to have been largely ignored by contractors. According to union representatives very familiar with the city's construction sites, these local hiring goals are meaningless. A union representative said,

> "We started pushing for local hiring and the mistake we made was to use the word 'goal.' I used to hit 25 to 30 jobs [sites] a week and I've never saw anything close to even 15 percent, let alone 50 percent."

During our meeting with the City last year, the Jury confirmed its own concern that under current rules a contractor is not under any firm requirement to hire local but needs only to make a good faith effort.

With input from the Office of Economic and Workforce Development and the City Attorney, on December 7, 2010 the Board of Supervisors voted to approve local hire legislation for city-funded construction projects.[21] The new ordinance came into affect March 25, 2011 with stricter requirements and mandates. [see for copy http://bit.ly/LOCAL-SF of ordinance] It is the responsibility of the Office of Labor Standards Enforcement to monitor compliance with the new local hiring ordinance.

HPS ON A TIGHT ROPE - REDEVELOPMENT FUNDS CUT?

In January 2011, Governor Brown announced his intention to cut funding to redevelopment agencies in the next fiscal year.[22] Under the governor's proposal, the state would confiscate unclaimed redevelopment funds and reallocate the money to other purposes. The development of the HPS site stems from several agreements between the SFRA, the Federal Government, and Lennar. The Conveyance Agreement was made between the Navy and SFRA so they are irrevocably tied together.

City personnel, who are overseeing the HPS project, have no idea how they will fare in light of the possible elimination of the SFRA. The governor's proposal allows for some funds to be set aside to help complete existing projects, tie up loose ends and cover debt.[23] Yet, the proposal does not spell out which pre-existing projects would be allowed to keep their funding and which would not.

"I don't know as of this second what it means for Hunters Point ... where construction has not begun," said Executive Director Gabriel Metcalf of the San Francisco Planning and Urban Research Association, a local think tank. "That's my fear."[24]

The recent release of Mayor Edwin Lee's Proposed Budget for FY11/12 stated: "the [Redevelopment] Agency continues to face significant uncertainty resulting from State budget deliberations. Several proposals are under discussion by the Governor and Legislature that could impact the Agency's funding...it remains unclear whether the Agency will continue to be able to operate as set forth under State laws of Redevelopment."[25]

CONCLUSION

The Civil Grand Jury concludes that the Hunter's Point Shipyard redevelopment project will require more communication, more transparency, and more commitment from the City in order to achieve its goals of providing housing, jobs and economic development, tax revenue and open spaces to San Francisco, and its residents, particularly those residing in the surrounding neighborhoods.

FINDINGS

1. The Jury found that the SFDPH is not in compliance with its pledge to the California Department of Public Health to keep residents informed of developments at HPS. The website is not regularly updated.

2. The Jury found the City has placed itself in a potentially compromising situation with Lennar where in essence the wolf is paying the shepherd to guard the flock. By having the developer, Lennar, reimburse the city for monitoring expenses associated with the HPS redevelopment project, the SFDPH has created a situation that could raise doubt in the public's mind about its commitment to proactively and impartially enforce environmental health regulations even when it might adversely impact Lennar. Public trust in the SFDPH has been further jeopardized by its failure to update its website in a timely manner, and its apparent reluctance to comment publicly on the best method to deal with the cleanup of Parcel E-2.

3. These concerns were further reinforced by the recent release of e-mail messages that purportedly show inappropriate communications between senior officials at the SFDPH and the EPA and Lennar and one of its consultants.

4. With the exception of Parcel A, the City has no legal control over the remaining HPS property. Consequently, in a technical sense the City has no authority over matters dealing with deadlines and deliverables for environmental clean-up. However, the City does in fact have some standing in these matters via the 2004 Conveyance Agreement between the San Francisco Redevelopment Agency (SFRA) and the Navy. The agreement stipulates that the Navy will work collaboratively with the SFRA and share information about cleanup work.

5. Governor Brown's announcement earlier this year that he intends to cut funding to redevelopment agencies in the next fiscal year directly threatens the HPS redevelopment project. Up to now, there has been no indication from either the City or the San Francisco Redevelopment Agency how they intend to continue the HPS redevelopment project should redevelopment funds be actually cut or eliminated by the State.

6. Previous efforts by the City to implement work force policies at city-funded construction projects such as the HPS redevelopment project have largely proved ineffective as they only require a contractor to make a good faith effort to hire local workers. Earlier this year a new work force ordinance came into effect that has stricter requirements and mandates.

RECOMMENDATIONS

1. The Department of Public Health (SFDPH) should strictly adhere to its self-proclaimed pledge to keep the residents of San Francisco appraised of developments at HPS by updating its HPS Project website "... on a weekly or monthly basis."

2. In order to erase any doubt among the public with respect to its ability to remain independent and impartial in overseeing the cleanup work at HPS, the SFDPH should immediately stop accepting money from Lennar to pay for monitors at HPS and cover the cost from its own resources.

3. In order to avoid even the semblance of inappropriate behavior, government agencies such as the SFDPH should rigorously enforce conflict of interest guidelines governing dealings between its officials and the companies they are monitoring.

4. SFDPH should conduct its own environmental assessment of the issue of capping Parcel E-2 and make its findings available to the public for comment. This process should occur before the Board of Supervisors holds its next hearing on the HPS redevelopment project.

5. Due to the fact that the Navy still owns the majority of the land comprising HPS and consequently the city has no direct control over matters dealing with deadlines and deliverables for environmental cleanup, it is critical that the Bay Area Air Quality Management and the SFDPH be particularly vigilant in monitoring clean-up activities at HPS.

6. The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.

7. In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.

METHOD OF INVESTIGATION

In preparing this report, the Jury reviewed various reports and conducted interviews with local and state officials, community stakeholders, environmental organizations and county agencies.

While investigating the topic, the Jury learned that one of its jurors may have a perceived conflict of interest, or the appearance thereof, due to their past occupation from which the juror has since retired. Due to this fact, the juror voluntarily recused himself from investigating, deliberating, or voting on this report. Finally, in preparing this report the Jury did not utilize any information provided by this juror.

GLOSSARY

BAAQMD:	Bay Area Air Quality Management District
BVHP:	Bayview Hunters Point
CERCLA:	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (aka Superfund)
HPS:	Hunters Point Shipyard
OEWD:	Office of Economic and Workforce Development
SFDPH:	San Francisco Department of Public Health
SFRA:	San Francisco Redevelopment Agency
US EPA:	US Environmental Protection Agency

ENDNOTES

[1] Colliver, Victoria (2011, January). Hunters Point project moves forward. San Francisco Chronicle, http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/01/09/BAOQ1H6A5I.DTL

[2] Map of HPS Site: http://bit.ly/HPSmap

[3] http://www.hunterspointcommunity.com/

[4] San Francisco Department of Public Health response letter to California Department of Public Health, October 9, 2007. http://bit.ly/CDPHSFDPH

[5] Historical Radiological Assessment, Volume II, Use of General Radioactive Materials, 1939-2003, Pearl Harbor Naval Shipyard & Intermediate Maintenance Facility, US Navy Radiological Control Office, http://bit.ly/NavyHRA

[6] Farallon Island Radioactive Waste Dump retrieved November 30, 2010, USGS Pacific Coastal & Marine Science Center, http://walrus.wr.usgs.gov/farallon/radwaste.html

[7] Katz, Mitch, Health Programs in Bayview Hunters Point and Recommendations for Improving the Health of Bayview Hunter's Point Residents (July 2006), Page 4, San Francisco Department of Public Health http://www.sfdph.org/dph/files/reports/StudiesData/HlthProgsBVHPyRecommends07052006B.pdf

[8] The Bay Citizen (http://s.tt/129eh)

[9] Link to Alleged Emails from Governmental Officials and Lennar: http://bayc.it/dDlV/

[10] Draft radiological addendum to feasibility report April 27 2010

[11] http://www.epa.gov/superfund/cleanup/analys.htm

[12] EPA classifies diesel fumes as probable carcinogen, 09/04/02, http://bit.ly/Cancerfumes

[13] Superfund – Hunters Point Naval Shipyard, http://1.usa.gov/SuperfundHPS

[14] US Navy: 2004 Conveyance Agreement with the SF Redevelopment Agency

[15] http://www.communitywindowontheshipyard.org/citypolicy/index.htm

[16] Leamon Abrams, Office of Economic & Workforce Development Director, in his August 9, 2002 response to the 2001-2002 Civil Grand Jury Report.

[17] June 2008, Voter Pamphlet, http://sfpl4.sfpl.org/pdf/main/gic/elections/June3_2008.pdf

[18] June 2008, Voter Pamphlet, http://sfpl4.sfpl.org/pdf/main/gic/elections/June3_2008.pdf

[19] Hunters' Point Redevelopment Plan, http://bit.ly/HPSplan

[20] Redevelopment Agency's 2007 BVHP Contracting and Employment Policy, page 17

[21] SF Local Hiring Ordinance, http://bit.ly/LOCAL-SF

[22] Gov. Jerry Brown targets redevelopment agencies [broadcast January 10, 2011], ABC 7- KGO News. http://bit.ly/BrownCuts

[23] Kelkar, Kamala, California budget plan jeopardizes major projects in San Francisco, SF Examiner, 2/7/11

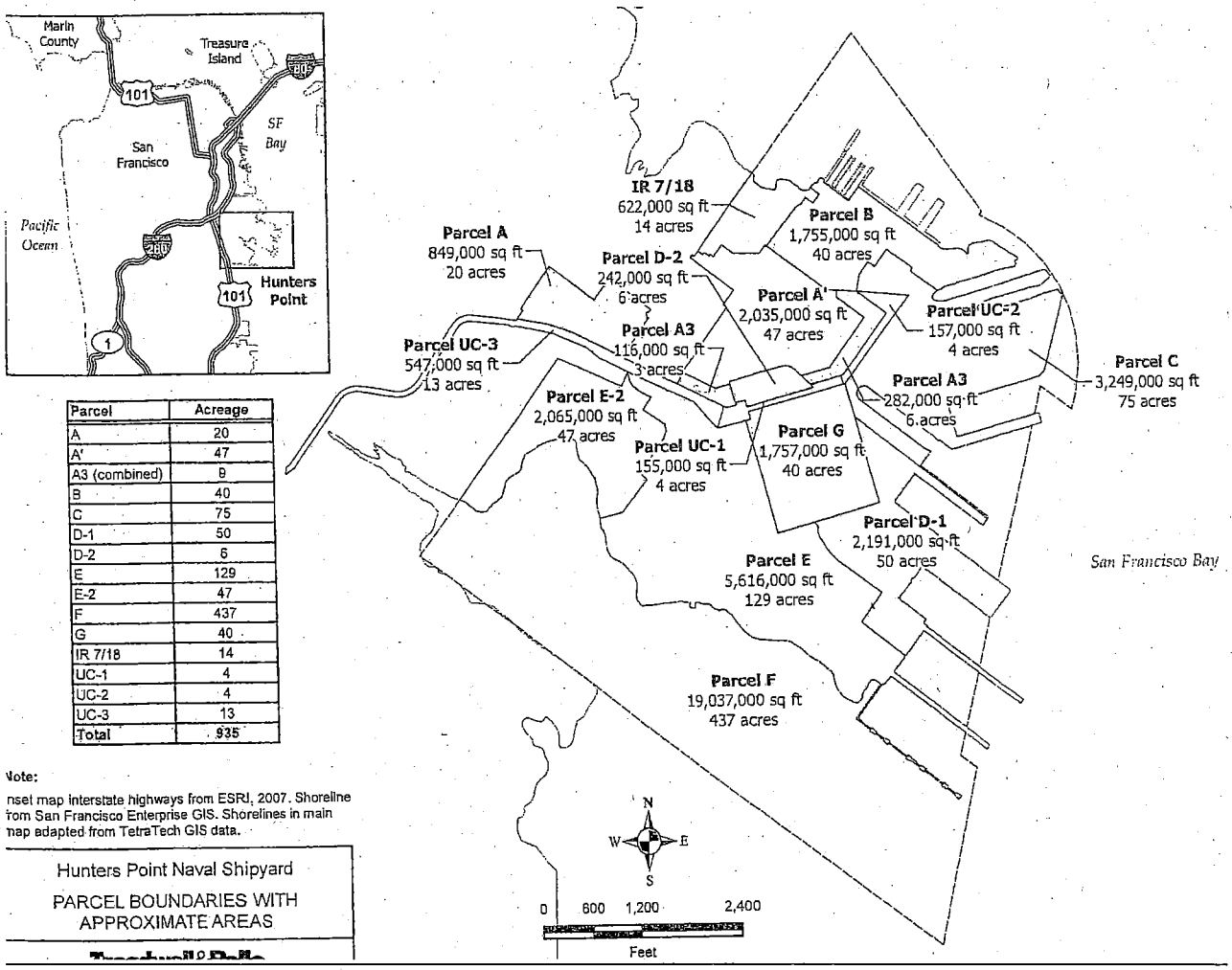
http://bit.ly/budgetwoes

[24] Kelkar, Kamala, California budget plan jeopardizes major projects in San Francisco, SF Examiner, 2/7/11

http://bit.ly/budgetwoes

[25] Mayor Edwin M. Lee's Proposed Budget for FY11/12, June 1, 2011
http://www.sfmayor.org/Modules/ShowDocument.aspx?documentid=112

APPENDIX A



Parcel	Acreage
A	20
A'	47
A3 (combined)	9
B	40
C	75
D-1	50
D-2	6
E	129
E-2	47
F	437
G	40
IR 7/18	14
UC-1	4
UC-2	4
UC-3	13
Total	935

Note:

nset map interstate highways from ESRI, 2007. Shoreline from San Francisco Enterprise GIS. Shorelines in main map adapted from TetraTech GIS data.

Hunters Point Naval Shipyard

PARCEL BOUNDARIES WITH APPROXIMATE AREAS

HUNTERS POINT SHIPYARD
PARCEL BOUNDARIES A - G

RESPONSE MATRIX

FINDINGS	RECOMMENDATIONS	RESPONSE REQUESTED
Finding 1 The Jury found that the SFDPH is not in compliance with its pledge to the California Department of Public Health to keep residents informed of developments at HPS. The website is not regularly updated.	Recommendation 1 The Department of Public Health (SFDPH) should strictly adhere to its self-proclaimed pledge to keep the residents of San Francisco appraised of developments at HPS by updating its HPS Project website "... on a weekly or monthly basis."	SFDPH – Environmental Health Department
Finding 2 The Jury found the City has placed itself in a potentially compromising situation with Lennar where in essence the wolf is paying the shepherd to guard the flock. By having the developer, Lennar, reimburse the city for monitoring expenses associated with the HPS redevelopment project, the SFDPH has created a situation that could raise doubt in the public's mind about its commitment to proactively and impartially enforce environmental health regulations even when it might adversely impact Lennar. Public trust in the SFDPH has been further jeopardized by its failure to update its website in a timely manner, and its apparent reluctance to comment publicly on the best method to deal with the cleanup of Parcel E-2.	Recommendation 2 In order to erase any doubt among the public with respect to its ability to remain independent and impartial in overseeing the cleanup work at HPS, the SFDPH should immediately stop accepting money from Lennar to pay for monitors at HPS and cover the cost from its own resources.	SFDPH

Finding 3 These concerns were further reinforced by the recent release of e-mail messages that purportedly show inappropriate communications between senior officials at the SFDPH and the EPA and Lennar and one of its consultants.	Recommendation 3 In order to avoid even the semblance of inappropriate behavior, government agencies such as the SFDPH should rigorously enforce conflict of interest guidelines governing dealings between its officials and the companies they monitor.	SFDPH
Finding 4 With the exception of Parcel A, the City has no legal control over the remaining HPS property. Consequently, in a technical sense the City has no authority over mattersdealing with deadlines and deliverables for environmental clean-up. However, the City does in fact have some standing in these matters via the 2004 Conveyance Agreement between the San Francisco Redevelopment Agency (SFRA) and the Navy. The agreement stipulates that the Navy will work collaboratively with the SFRA and share information about cleanup work.	Recommendation 4 SFDPH should conduct its own environmental assessment on capping Parcel E-2 and make its findings available to the public for comment. This should occur before the Board of Supervisors holds its next hearing on the HPS redevelopment project. Recommendation 5 The Navy still owns the majority of the land comprising HPS and consequently the city has no direct control over matters dealing with deadlines and deliverables for environmental cleanup. It is critical that the Bay Area Air Quality Management and the SFDPH be particularly vigilant in monitoring clean-up activities at HPS.	SFDPH – Environmental Health BAAQMD SFDPH – Environmental Health

Finding 5 Governor Brown's announcement earlier this year that he intends to cut funding to redevelopment agencies in the next fiscal year directly threatens the HPS redevelopment project. Up to now, there has been no indication from either the City or the San Francisco Redevelopment Agency how they intend to continue the HPS redevelopment project should redevelopment funds actually be cut or eliminated by the State.	Recommendation 6 The City and the SFRA should have contingency plans in place for continuing SFRA related projects, including the HPS redevelopment project, in the event that State redevelopment funds are cut or eliminated.	Mayor's Office Board of Supervisors OEWD SFRA
Finding 6 Previous efforts by the City to implement work force policies at city-funded construction projects such as the HPS redevelopment project have largely proved ineffective as they only require a contractor to make a good faith effort to hire local workers. Earlier this year a new work force ordinance came into effect that has stricter requirements and mandates.	Recommendation 7 In order to ensure that the job creation goals promised for the HPS redevelopment project are realized, the City should insure that the Office of Labor Standards Enforcement has sufficient resources to allow it to effectively enforce the provisions of the new workforce laws.	OEWD Board of Supervisors OLSE

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Please Protect Funding for Arts and Culture Organizations

From: Judy Anderson <judypreves@earthlink.net>
To: Board.of.Supervisors@sfgov.org
Cc: Tim Whalen <twhalen@act-sf.org>, Michele Casau <michele@sfperformances.org>, Fermin Nasol <FNASOL@sfballet.org>, Leonhardt Marcia <Lionhouse@aol.com>, Judy Jorgensen <jjorgensen@sfsymphony.org>, Marni Cook <mcook@sfsymphony.org>, "Keeton, Nan" <nkeeton@SFSYMPHONY.ORG>
Date: 06/21/2011 01:56 PM
Subject: Please Protect Funding for Arts and Culture Organizations

Dear Supervisors,

I am writing to ask you to protect the current proposed budget for the arts. While we all need to make sacrifices in this tough fiscal crisis, the arts community has taken disproportionately significant cuts in previous budget cycles. They cannot afford more unfair cuts like that.

San Francisco's arts organizations provide educational programming to tens of thousands of school children and touch almost every public school in the city. They provide much needed arts education to disadvantaged children who need it the most and rely on these services. Our arts organizations also employee thousands of city residents and bring millions of visitors every year, who contribute to our local economy

Although I do not live in SF city proper, I come into the city sometimes 4-5 times a week, sometimes 2 times

a day. As trustee for ACT and SF Performances and a member of the SF Ballet Auxiliary,

I attend many board and committee meetings. Then my husband and I come in many evenings

to eat dinner out and attend a performance. So we are patronizing SF's restaurants and parking.

We also enjoy going to the SF Opera and seeing exhibits at museums.

San Francisco depends on our arts community, and the arts community depends on this funding. Please protect it in this year's budget.

Sincerely,

Judy and Dave Anderson

280 Bella Vista Drive

Hillsborough, CA 94010

11

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Funding for the Arts

From: "Donna B. Oliver" <oliverdb@ieor.Berkeley.edu>
To: E-mail:
Date: 06/21/2011 02:44 PM
Subject: Funding for the Arts

Dear Board of Supervisors:

My husband and I are getting quite elderly; we live in Berkeley and the only reason we go into San Francisco any more is to attend the opera or the symphony or to visit the museums. San Francisco has always been generous to its arts organizations and I urge you to continue to support these valuable groups. They bring tourists to the city; they enrich the lives of all San Franciscans and bring in those of us live in other cities of the Bay Area.

Sincerely,

Donna B. Oliver

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Funding for the San Francisco arts community

From: "Lillian Tengan" <lytengan@pacbell.net>
To: <Board.of.Supervisors@sfgov.org>
Date: 06/21/2011 08:29 PM
Subject: Funding for the San Francisco arts community

I am a South San Francisco resident. For the past 20 years I've been patronizing mainly the Peninsula and South Bay offerings. Last year for the first time I went to a San Francisco Symphony performance. I was so taken by the performance and subsequent performances that I have cried at some of them – there aren't words that can do justice for the music they make. As well, I have been attending the San Francisco Ethnic Dance Festival for 20 years – it is the most amazing offering that makes the Bay Area so utterly unique. I understand that everyone is in a financial bind nowadays – and San Francisco is no different. However, I would like to make a plea for the arts community to support them as much as possible – they are by far one of the world class assets in your community.

A thankful patron,
L Y Tengan

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Please Protect Funding for Arts and Culture Organizations

From: Josef Aukee <jaukee@gmail.com>
To: Board.of.Supervisors@sfgov.org
Date: 06/21/2011 02:42 PM
Subject: Please Protect Funding for Arts and Culture Organizations

Dear Supervisor:

Arts organizations are what make San Francisco a great place to live, work and visit. They are also critical to helping students of all ages become engaged citizens.

I am writing to ask you to protect the current proposed budget for the arts. While we all need to make sacrifices in this tough fiscal crisis, the arts community has taken disproportionately significant cuts in previous budget cycles. They cannot afford more unfair cuts like that.

San Francisco's arts organizations provide educational programming to tens of thousands of school children and touch almost every public school in the city. They provide much needed arts education to disadvantaged children who need it the most and rely on these services. Our arts organizations also employee thousands of city residents and bring millions of visitors every year, who contribute to our local economy.

San Francisco depends on our arts community, and the arts community depends on this funding. Please protect it in this year's budget.

Sincerely,

Josef Aukee

415-259-9852

Please Protect Funding for Arts and Culture Organizations
Josef Aukee
to:
Board.of.Supervisors
06/21/2011 02:42 PM
Show Details

Dear Supervisor:

Arts organizations are what make San Francisco a great place to live, work and visit. They are also critical to helping students of all ages become engaged citizens.

I am writing to ask you to protect the current proposed budget for the arts. While we all need to make sacrifices in this tough fiscal crisis, the arts community has taken disproportionately significant cuts in previous budget cycles. They cannot afford more unfair cuts like that.

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San Francisco depends on our arts community, and the arts community depends on this funding. Please protect it in this year's budget.

Sincerely,

Josef Aukee

415-259-9852

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Funding for the arts

From: Roger Potash <rogerpotash@earthlink.net>
To: Board.of.Supervisors@sfgov.org
Date: 06/22/2011 05:48 PM
Subject: Funding for the arts

Dear Supervisor,
I am writing to ask you to protect the current proposed budget for the arts. While we all need to make sacrifices in this tough fiscal crisis, the arts community has taken disproportionately significant cuts in previous budget cycles. They cannot afford more unfair cuts like that.
San Francisco's arts organizations provide educational programming to tens of thousands of school children and touch almost every public school in the city. They provide much needed arts education to disadvantaged children who need it the most and rely on these services. Our arts organizations also employee thousands of city residents and bring millions of visitors every year, who contribute to our local economy.
San Francisco depends on our arts community, and the arts community depends on this funding. Please protect it in this year's budget.
Sincerely,

Roger and Deborah Potash
Patrons of the S.F. Symphony for 46 years

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Please Protect Funding for Arts and Culture Organizations

From: Trudy Lionel <tlionelsf@yahoo.com>
To: "scott.wiener@sfgov.org" <scott.wiener@sfgov.org>, "Board.of.supervisors@sfgov.org" <Board.of.supervisors@sfgov.org>
Date: 06/23/2011 09:49 PM
Subject: Please Protect Funding for Arts and Culture Organizations

Dear Supervisor Wiener and the Board,

I live on Noe Street in the Castro district and I am thrilled to be in a city which has so many great music and
arts organizations. My children attended public schools and summer arts programs as they were growing up.

I am writing now to ask you to protect the current proposed budget for the arts. While we all need to make

sacrifices in this tough fiscal crisis, the arts community has taken disproportionately significant cuts in previous budget cycles. They cannot afford more unfair cuts like that.

San Francisco's arts organizations provide educational programming to tens of thousands of school children and touch almost every public school in the city. They provide much needed arts education to disadvantaged children who need it the most and rely on these services. Our arts organizations also employee thousands of city residents and bring millions of visitors every year, who contribute to our local economy. This is what makes the difference between living in a great city and in the suburbs or rural communities.

San Francisco depends on our arts community, and the arts community depends on this funding. Please protect it in this year's budget.

Sincerely,
-Trudy Lionel

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Arts & Culture organizations need their funding

From: Tiffany Ng <tiffany.ng@berkeley.edu>
To: Board.of.Supervisors@sfgov.org
Date: 06/24/2011 12:48 AM
Subject: Arts & Culture organizations need their funding
Sent by: antiphony@gmail.com

Dear Supervisor,

I am writing to encourage you to protect the current proposed budget for the arts. The arts community has taken disproportionately significant cuts in previous budget cycles and cannot afford more.

Although I now perform internationally as a professional musician, I got my first exposure to classical music through arts organizations that reached out to Visitacion Valley Elementary School, which was rather a cultural desert in the 80s and truly needed such outreach. San Francisco's arts organizations provide educational programming to tens of thousands of school children and touch almost every public school in the city. In particular, disadvantaged children who are not exposed to the arts at home would no longer be exposed to it through other means if funding was cut. Our arts organizations also employee thousands of city residents and bring countless tourists. Some of the most thriving cities I have visited in Europe are distinguished by their funding for the arts, which even to a casual observer like myself seems to outpace San Francisco by a hundred times. If San Francisco is to continue to improve as a destination, it should keep pace with both educating its citizens in the arts and funding arts projects.

Please protect arts funding in this year's budget.

Sincerely,
Tiffany Ng

--
Tiffany Ng
PhD student in Musicology with a Designated Emphasis in New Media
Associate Carillonist
University of California, Berkeley

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: wheelchair ramp

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax
Board.of.Supervisors@sfgov.org

Complete a Board of Supervisors Customer Service Satisfaction form by clicking
http://www.sfbos.org/index.aspx?page=104
----- Forwarded by Board of Supervisors/BOS/SFGOV on 06/22/2011 10:51 AM -----

From: Betty Dy <bettyroydy@att.net>
To: Board.of.Supervisors@sfgov.org
Date: 06/22/2011 09:39 AM
Subject: wheelchair ramp

Many of us are wondering why the ramp is so costly. We understand that city hall is an historic bldg. We have had experience with w/c lifts and find they do not cost nearly this amount. Perhaps you could give us a breakdown. Thank you.

12

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Integrity in Office

From: Mark Douglas <jjjsween@gmail.com>
To: board.of.supervisors@sfgov.org
Date: 06/22/2011 08:48 AM
Subject: Integrity in Office

Many of us would wholeheartedly support a skateboard park at the Waller Street location in Golden Gate Park, provided adequate care and maintenance were afforded.

Unfortunately Recreation and Parks, Public Works, the SFPD and most city officials consign quality of life issues down on the list of their priorities, they use justifications to explain why public space is allowed to be misuse and left in a neglected state.

The reason for local municipalities is simple to create and sustain livable neighborhoods. Livable neighborhoods are safe, clean, well cared for. They encourage social inclusion, sociability and economic vitality.

Most San Franciscans are worn down by widespread degraded of public space but lack representation at City Hall even though they vote and pay dearly for candidates, elected and other city officials.

Being liberal and progressive ought to denote integrity but alas it doesn't.

13

ZURICH'S PUBLIC TRANIST SUCCESSES: LESSONS LEARNED
WongAIA
to:
Ross.Mirkarimi, carmen.chu, sean.elsbernd, Eric.L.Mar, john.avalos, david.campos, David.Chiu, Board.of.Supervisors, Malia.Cohen, Mark.Farrell, Jane.Kim, Scott.Wiener, angela.calvillo
06/21/2011 11:00 PM
Show Details

TO: Board of Supervisors:
RE: LESSONS LEARNED FROM ZURICH----Transforming Public Transit with Surface Transit, Not Subways.
See this very informative Mineta Transportation Institute Report on Zurich, which voted down an underground subway ballot measure in 1973 and instead funded improvements to their entire surface transit system. Today, Zurich has one of Europe's best public transit networks and highest ridership per capita. The author, Andy Nash, was former Executive Director of SF Transportation Authority and now works in Europe.
"Implementation of Zurich's Transit Priority Program":
http://www.andynash.com/nash-publications/Nash2001-Zurich-PT-MTI-01-13.pdf

The state/ local funding from the Central Subway, and saved future operating costs, could fuel such a surface transit transformation in San Francisco.

Ciao, Howard Wong, AIA

Budget Chart for ALL programs impacting poverty and poor people

Jennifer Friedenbach to: Board Sups 06/20/2011 03:42 PM

Jennifer Friedenbach Budget Chart for ALL programs impacting poverty and poor people

1 attachment

All Cuts Chart 6,17,11.doc

Dear Friend,

This is the latest information on the impact of proposed reductions on poor people in San Francisco. We have compiled for your reference a sorting by program type, the amount, and the results of our research; the impact these reductions would have. This list was compiled through the Budget Justice Collaborative, which special help by Cristal Java of SEIU, Colleen Rivecca of St. Anthony Foundation, and myself.

You will note that the amounts total less then $10 million dollars across five Departments - DCYF, DPH, HSA, Department of Aging and Adult Services, and Mayor's Office on Housing. This is substantially less then what has been restored in the budget by past Boards (going back to Jordan, at least). It is our expectation that the Board should be able to make a full restoration, given the devastating impact of the past years of reductions, and the lack of any cost of living adjustments.

Thank you so much for your hard work and if you have any questions please feel free to call.

Jennifer Friedenbach
Executive Director
Coalition on Homelessness, San Francisco
468 Turk Street
San Francisco, CA 94102
(415) 346-3740 x 306
fax: 775-5639

To learn more about our work, and to get the latest scoop on the politics of poverty in SF, go to the Street Sheet blog:
www.cohsf.org/streetsheet

BUDGET JUSTICE UNACCEPTABLE REDUCTIONS 6.17.11

Service	*Program*	*# no longer served*	*Cut as proposed by Department*	*Comments*
Human Services Agency				
Public Benefits	SSI Retro check reduction	355	$427,586	This would reduce shelter and housing costs from retroactive disability checks from homeless people. This funding is important to assist homeless people in getting stabilized.
Permanent Supportive Housing	Glide, ECS, Bernal, SFHDC Bayview, CHP, CCCYO LSS Mosaica, Bridge, SA Railton, CATS, Conard House,	1,906	$902,092	The reduction to support services includes both Single Adult Supportive Housing and Family Supportive Housing. These cuts will likely result in more stringent eligibility as well as an increase in people returning to the streets. In addition other impacts would vary from program to program. For example, funding cuts for CCCYO will result in the loss of one case manager and an increase in caseload for the remaining case managers. Families at Treasure Island require a high level of support in part due to the

				absence of basic support services on the island. Families are all formerly homeless, have chronic illness and/or substance abuse challenges and live on an island that does not even have a grocery store or a public school.
Homeless Employment Services	ECS Vocational Rose/Canon Kip	8	$74,612	Close program that provides vocational training to formerly homeless adults.
	SHEC	250	$116,851	Eliminates funding for front desk and supportive housing employment training for formerly homeless people now living in supportive housing. Important means to exit poverty. This reduction represents a 42% cut to the SHEC's total budget.
	Welfare to Work		$285,451	
Youth Transitional Housing	Larkin Geary Street Transitiona l	2	$33,665	Funding reduction will result in the need to reduce staffing and possible reduction in number of beds. Currently able to house 20 youth, would reduce to 18. Reduced staffing within the facility will also result in less services to the existing youth.
Family	Compass	70 (impacted)	$59,724	The 10% reduction will

Transitional Housing	Clara House, Hamilton Transitional			result in reductions in children's after-school programming at both sites. Given state and county level cuts impacting after school, CalWorks benefits and childcare, these small cuts could have potentially devastating impacts on families with children who are working to reunify and stabilize their families in transitional housing.
Shelter Training	Arriba Juntos	15	$93,988	Close program that provides training to formerly homeless shelter staff.

Service DPH	Program	# no longer served	Cut as proposed by Department	Comments
DPH				
Drop-in Services for Homeless and Destitute People	Central City Hospitality House Tenderloin and 6th Street Self-Help Center	150	$195,479	Reduction of at least 5 FTE's and shortening hours by 4 daily. The centers serve 18,346 unduplicated people each year - about 500 per day. The Tenderloin Self-Help Center would reduce hours from 12 hours/day to 8 hours/day. The sixth Street Self- Help would greatly reduce its services on the 6th street corridor. Services lost on both sites include access to mental health and substance use treatment, case management support6, employment services, and health and hygiene services to very vulnerable citizens.
	HAFC Oshun	25	$128,494	Oshun serves homeless and destitute mostly disabled women and children 24 hours a day. It is the only safe place for women and children to drop-in after hours in the city. This reduction would mean closing 6 - 12 hours a day or closing the program.
Homeless Stabilization Housing	Housing and Urban Health Direct Access to Housing Stabilization Rooms	75	$286,000	The loss of 75 stabilization rooms would greatly impact the health and well being of fragile individuals left on street. Shelter not option for most, due to psychiatric and physical illness. Stays are typically up to 9 months and rooms serve as tool for engagement, place to store meds, provide warmth and security. Rooms are used for discharge from both the SFGH and Respite

SF HOT Team	CATS	30	$413,293	Loss of 2/3rds capacity for outreach, and loss of 9 outreach workers. Would no longer be able to engage impaired and fragile homeless folks that are on the street, nor provide safety checks, emergency interventions, hygiene, or reach critical cases for treatment/housing.
Emergency Crisis	Westside	3	50,096.00	Provides safety net mental health services for clients and relieves demand for higher levels of service including Psychiatric Emergency Services (PES), Emergency Rooms, and Inpatient Treatment
Rep Payee Services for Conard House Residents	Conard House		250,719	Represents 5 FTE's, these workers leverage an additional 200,000 in medi-cal funds, so this is a double cut. The cuts would result in cut backs to outpatient services. Money management is mandated.
Supportive Housing	Baker Places		57,689	This cut would mean reduction of 1.0 FTE. That would eliminate services to 25 individuals living in co-ops. Without those services, this is a population that quickly relapses and is at high risk of homelessness, recidivism, and increased use of PES. We could not sustain them in housing. Real estate permanent housing sites would, by necessity, need to be vacated and would be lost permanently. The costs of shutting down these coops are exponentially greater (in every sense) then the relatively small amount of dollars (57,000) it would take to maintain them.

Residential Long Term Care	Catholic Charities		69,069	The impact will be a reduction in services that will require reducing by five the number of beds and the potential de-licensing of the program. The next level of care at Laguna Honda would cost five times more than the same level of care at PCC.
Methadone Programs	Addiction Research and Treatment, Bayview Hunters Point Foundation, Fort Help, Haight Ashbury, UCSF outpatient methadone and methadone van, Westside	157/year	$662,427	Addiction Research and Treatment provides outpatient medically monitored opiate withdrawal services. BVHP's proposed service reductions on top of last year's cuts severely limits the number of methadone clients served in the southeast. BVHP provides outpatient methadone maintenance and 21-day detoxification services. Fort Help provides Methadone Maintenance. Haight Ashbury provides Buprenorphine treatment for opiate addiction. UCSF outpatient treatment program provides methadone detoxification and maintenance in conjunction with medical and psychiatric services. They also provide vans with methadone dosing and counseling services at Ward 93 at San Francisco General Hospital and at sites in the Mission, Bayview Hunters Point, and Sunnydale. The Westside Methadone Maintenance Program for heroin addiction involves daily dispensing of methadone, supervised urine screens, and long-term outpatient counseling.
Outpatient Community Behavioral Health	Bayview Hunters Point Foundation, CATS SF HOT	483/year	$1,377,726	Mental health and substance abuse treatment services for very low income San Franciscans. Many of these programs serve specialized populations, including:

Services	Team, Family Service Agency, Haight Ashbury, Hyde Street, SF AIDS Foundation (Stonewall, Lyon Martin), UCSF Citywide, UCSF SPR, Walden House, Westside Community Mental Health			BVHP Anchor Program's mental health services for people with disabilities; La Raza's dual diagnosis and mental health programs for Latino population, UCSF's citywide linkage program which stabilizes SFGH psychiatry patients after discharge, SF AIDS Foundation's programs for the LGBT community. BVHP adult mental health cut will result in larger caseloads and less direct care. With the additional burden of AVATER, clients do not receive as much face-to-face contact. Westside's IFFSO outpatient cut will put added stress on a system currently unable to meet demand for meeting need, and will result in higher costs service use. FSA jerry-west represents the entire county senior mental health system of care for the western SF. It provides services in English, Mandarin, Spanish, Cantonese, and serves many mono-lingual seniors of all ethnicities.
Vocational Services	Community Vocational Enterprises, RAMS	67/year	$152,726	Community Vocational Enterprises provides vocational services for people with mental health and other disabilities. RAMS Employee Development and -Ability programs provide vocational training and employment services for people with mental health disabilities, with a focus on the API population.

Service	Program	# no longer served	Cut as proposed by Department	Comments
DCYF				
Youth Employment			$360,250	This includes job training, job placement and subsidized employment for youth and for parents/caregivers. Cuts would reduce critical capacity in the youth workforce system – already struggling to support disconnected TAY given the highest youth unemployment rate since the depression. Youth workforce supports is a fundamental component for disconnected TAY to reach Early Adult Outcomes, specifically Economic Self-Sufficiency.
Family Support	Mo Magic, Public safety, Emergency housing		$175,000	Reduce variety of family support programs
Child Care (ages 0-5)			$100,000 (facilities) $50,000 (training)	Reductions to child care facilities and for business training for child care providers
After-School Programs (grades K-8) Beacons/OST			$574,600	After-School Programs (grades K-8) reductions to beacon centers and other after-school programs. This includes after-school programs (grades K-8) that support parents in getting to work AND support the academic development of

				children and youth
Violence Prevention	54 programs including Huckleberry Youth CARC program, BVHP evening detention alternative, Horizon's Females Against Violence		(1/2 year) $1,042,314	This would reduce funding for jail diversion and important violence prevention programs targeting at-risk youth. In addition, This would reduce funding for organizations using the following strategies:: detention-based services; detention alternatives; case management; young women's services; alternative education; evening services.
Youth Shelter	Huckleberry House		½ year 6,250	Any reduction is tough for this shelter to absorb due to 24-hour program and minimal coverage requirements.

Service	Program	# no longer served	Cut as proposed by Department	Comments
DAAS				
HSA Senior Law Legal Services and Naturalization Services	La Raza Centro Legal in collaboration with Asian Law Caucus, Asian Pacific Islander Legal Outreach and Legal Assistance for the Elderly.	650 300 (legal services) 350 (naturalization, citizenship.	$80,000 cut to legal services $45,968 cut to Naturalization/legal services	Seniors are denied SSI if they not born in US or naturalized.
MOH Immigration Legal Services	La Raza Centro Legal in collaboration	684 200 (legal counseling)	The entire network faces a	LRCL and the Network's services not only help San Franciscan's gain and/or maintain lawful presence in the United States, but

and Outreach (San Francico Immigrant Legal and Education Network– SFILEN)	with 12 other agencies of SFILEN collaborative.	; 80 immigration form processing including naturalization, U Visa, Violence Against Women Act, 25 without legal representation in immigration proceedings ; 63 individuals will not receive legal referrals; and over 200 individuals will not receive critical information on know-your-rights, and changes in USCIS	$140,000 shortfall for the upcoming 2011-2012 contract period. (Due to prior contracts, a 10 month budget has been allotted for a 12 month period, causing this shortfall)	these services are also crucial to growing healthy communities, by keeping families united, preventing homelessness, and giving people the tools to earn living wages and therefore contribute to taxes to help the city recover from our economic troubles.

		policies and regulations.		
Case Management	Senior Center of San Francisco, Bernal Heights Neighborhood Center, Family Service Agency, Institute on Aging, JFCS, Network for Elders, Self Help for the Elderly, and "TBA"	tbd	$190,877	Reduction of case management services for at-risk impoverished seniors.
Senior Centers & Activity Centers	BVHP Multipurpose Senior Services, BNHC, Centro Latino de SF, ECS, Golden Gate Senior Services, Lighthouse for the Blind, Mission Neighborhood Center, On Lok, Openhouse, Samoan		$122,419	Activities and services include: Socialization, education, meals, exercise, legal referral. St. Francis Living Room is a drop in center for homeless adults in the Tenderloin. Veterans Equity Center serves Filipino WWII Veterans. Open house provides services for LGBT seniors.

	Community Development Center, Southwest Community Corp, St. Francis Living Room, Veterans Equity Center, Vietnamese Elderly Mutual Assistance, "TBA"			

Mayor's Office on Housing				
Public Housing Legal Services	Housing Rights Committee, Bay Area Legal Aid	1,000	$150,000	Close down only public housing legal services via drop-in clinics, and housing helpline Issues no longer addressed include: evictions, illegal rent increases, voucher terminations, fair housing rights, housing denial, waiting list issues, public housing transfers, repairs, and administrative and due process rights (including grievance hearings and appeals).

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Newly updated from Friday all cuts list

From: Jennifer Friedenbach <director@cohsf.org>
To: Board Sups
Cc: avalosstaff@sfgov.org
Date: 06/28/2011 10:44 AM
Subject: Newly updated from Friday all cuts list

Hi, so sorry, there were two items left out:

DCYF - specialized teens

and

DAAS
Food Bank

This should be a complete list!

J

All Cuts Chart 6.27.11 V3.doc

Jennifer Friedenbach
Executive Director
Coalition on Homelessness, San Francisco
468 Turk Street
San Francisco, CA 94102
(415) 346-3740 x 306
fax: 775-5639

To learn more about our work, and to get the latest scoop on the politics of poverty in SF, go to the Street Sheet blog:
www.cohsf.org/streetsheet

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: updated cuts list

From: Jennifer Friedenbach <director@cohsf.org>
To: Board Sups
Cc: avalosstaff@sfgov.org
Date: 06/24/2011 04:03 PM
Subject: updated cuts list

Some changes to the all cuts list chart, please replace the one you have.

Jennifer Friedenbach
Executive Director
Coalition on Homelessness, San Francisco
468 Turk Street
San Francisco, CA 94102

Revised

All Cuts Chart 6.25.11 V3.doc

(415) 346-3740 x 306
fax: 775-5639

To learn more about our work, and to get the latest scoop on the politics of poverty in SF, go to the Street Sheet blog:
www.cohsf.org/streetsheet

BUDGET JUSTICE UNACCEPTABLE REDUCTIONS 6.27.11

Service	*Program*	*# no longer served*	*Cut as proposed by Department*	*Comments*
Human Services Agency				
Public Benefits	SSI Retro check reduction	355	$427,586	This would reduce shelter and housing costs from retroactive disability checks from homeless people. This funding is important to assist homeless people in getting stabilized.
Permanent Supportive Housing	Glide, ECS, Bernal, SFHDC Bayview, CHP, CCCYO LSS Mosaica, Bridge, SA Railton, CATS, Conard House,	1,906	$902,092	The reduction to support services includes both Single Adult Supportive Housing and Family Supportive Housing. These cuts will likely result in more stringent eligibility as well as an increase in people returning to the streets. In addition other impacts would vary from program to program. For example, funding cuts for CCCYO will result in the loss of one case manager and an increase in caseload for the remaining case managers. Families at Treasure Island require a high level of support in part due to the

				absence of basic support services on the island. Families are all formerly homeless, have chronic illness and/or substance abuse challenges and live on an island that does not even have a grocery store or a public school.
Homeless Employment Services	ECS Vocational Rose/Canon Kip	8	$74,612	Close program that provides vocational training to formerly homeless adults.
	SHEC	250	$116,851	Eliminates funding for front desk and supportive housing employment training for formerly homeless people now living in supportive housing. Important means to exit poverty. This reduction represents a 42% cut to the SHEC's total budget.
	Family Services		$423,514	Used education stipend for foster care to college.
Youth Transitional Housing	Larkin Geary Street Transitiona l	2	$33,665	Funding reduction will result in the need to reduce staffing and possible reduction in number of beds. Currently able to house 20 youth, would reduce to 18. Reduced staffing within the facility will also result in less services to the existing youth.
Family	Compass	70 (impacted)	$59,724	The 10% reduction will

Transitional Housing	Clara House, Hamilton Transitional			result in reductions in children's after-school programming at both sites. Given state and county level cuts impacting after school, CalWorks benefits and childcare, these small cuts could have potentially devastating impacts on families with children who are working to reunify and stabilize their families in transitional housing.
Shelter Training	Arriba Juntos	15	$93,988	Close program that provides training to formerly homeless shelter staff.
TOTALS		2,606	2,132,032	

Service DPH	Program	# no longer served	Cut as proposed by Department	Comments
DPH				
Drop-in Services for Homeless and Destitute People	Central City Hospitality House Tenderloin and 6th Street Self-Help Center	150	$195,479	Reduction of at least 5 FTE's and shortening hours by 4 daily. The centers serve 18,346 unduplicated people each year - about 500 per day. The Tenderloin Self-Help Center would reduce hours from 12 hours/day to 8 hours/day. The sixth Street Self- Help would greatly reduce its services on the 6th street corridor. Services lost on both sites include access to mental health and substance use treatment, case management support6, employment services, and health and hygiene services to very vulnerable citizens.
	HAFC Oshun	25	$128,494	Oshun serves homeless and destitute mostly disabled women and children 24 hours a day. It is the only safe place for women and children to drop-in after hours in the city. This reduction would mean closing 6 - 12 hours a day or closing the program.
Homeless Stabilization Housing	Housing and Urban Health Direct Access to Housing Stabilization Rooms	75	$286,000	The loss of 75 stabilization rooms would greatly impact the health and well being of fragile individuals left on street. Shelter not option for most, due to psychiatric and physical illness. Stays are typically up to 9 months and rooms serve as tool for engagement, place to store meds, provide warmth and security. Rooms are used for discharge from both the SFGH and Respite

SF HOT Team	CATS	30	$413,293	Loss of 2/3rds capacity for outreach, and loss of 9 outreach workers. Would no longer be able to engage impaired and fragile homeless folks that are on the street, nor provide safety checks, emergency interventions, hygiene, or reach critical cases for treatment/housing.
Emergency Crisis	Westside	3	50,096.00	Provides safety net mental health services for clients and relieves demand for higher levels of service including Psychiatric Emergency Services (PES), Emergency Rooms, and Inpatient Treatment
Supportive Housing	Conard House		266,072	Represents 5 FTE's, these workers leverage an additional 200,000 in medi-cal funds, so this is a double cut. The cuts would result in cut backs to outpatient services. Money management is mandated.
Supportive Housing	Baker Places		57,689	This cut would mean reduction of 1.0 FTE. That would eliminate services to 25 individuals living in co-ops. Without those services, this is a population that quickly relapses and is at high risk of homelessness, recidivism, and increased use of PES. We could not sustain them in housing. Real estate permanent housing sites would, by necessity, need to be vacated and would be lost permanently. The costs of shutting down these coops are exponentially greater (in every sense) then the relatively small amount of dollars (57,000) it would take to maintain them.

Residential Long Term Care	Catholic Charities		69,069	The impact will be a reduction in services that will require reducing by five the number of beds and the potential de-licensing of the program. The next level of care at Laguna Honda would cost five times more than the same level of care at PCC.
Methadone Programs	Addiction Research and Treatment, Bayview Hunters Point Foundation, Fort Help, Haight Ashbury, UCSF outpatient methadone and methadone van, Westside	157/year	$662,427	Addiction Research and Treatment provides outpatient medically monitored opiate withdrawal services. BVHP's proposed service reductions on top of last year's cuts severely limits the number of methadone clients served in the southeast. BVHP provides outpatient methadone maintenance and 21-day detoxification services. Fort Help provides Methadone Maintenance. Haight Ashbury provides Buprenorphine treatment for opiate addiction. UCSF outpatient treatment program provides methadone detoxification and maintenance in conjunction with medical and psychiatric services. They also provide vans with methadone dosing and counseling services at Ward 93 at San Francisco General Hospital and at sites in the Mission, Bayview Hunters Point, and Sunnydale. The Westside Methadone Maintenance Program for heroin addiction involves daily dispensing of methadone, supervised urine screens, and long-term outpatient counseling.
Outpatient Community Behavioral Health	Bayview Hunters Point Foundation, CATS SF HOT	483/year	$1,018,265	Mental health and substance abuse treatment services for very low income San Franciscans. Many of these programs serve specialized populations, including:

Services	Team, Family Service Agency, Haight Ashbury, Hyde Street, SF AIDS Foundation (Stonewall, Lyon Martin), UCSF Citywide, UCSF SPR, Walden House, Westside Community Mental Health			BVHP Anchor Program's mental health services for people with disabilities; La Raza's dual diagnosis and mental health programs for Latino population, UCSF's citywide linkage program which stabilizes SFGH psychiatry patients after discharge, SF AIDS Foundation's programs for the LGBT community. BVHP adult mental health cut will result in larger caseloads and less direct care. With the additional burden of AVATER, clients do not receive as much face-to-face contact. Westside's IFFSO outpatient cut will put added stress on a system currently unable to meet demand for meeting need, and will result in higher costs service use. FSA jerry-west represents the entire county senior mental health system of care for the western SF. It provides services in English, Mandarin, Spanish, Cantonese, and serves many mono-lingual seniors of all ethnicities.
Vocational Services	Community Vocational Enterprises, RAMS, HASC	67/year	$172,295	Community Vocational Enterprises provides vocational services for people with mental health and other disabilities. RAMS Employee Development and -Ability programs provide vocational training and employment services for people with mental health disabilities, with a focus on the API population.
Client Rights	OSH, SFMH Client Advocates		$136,721	

TOTALS		283 & 707/year	2,845,927	

Service	Program	# no longer served	Cut as proposed by Department	Comments
DCYF				
Youth Employment			$360,250	This includes job training, job placement and subsidized employment for youth and for parents/caregivers. Cuts would reduce critical capacity in the youth workforce system - already struggling to support disconnected TAY given the highest youth unemployment rate since the depression. Youth workforce supports is a fundamental component for disconnected TAY to reach Early Adult Outcomes, specifically Economic Self-Sufficiency.
Family Support	Mo Magic, Public safety, Emergency housing		$175,000	Reduce variety of family support programs
Child Care (ages 0-5)			$100,000 (facilities) $50,000 (training)	Reductions to child care facilities and for business training for child care providers

After-School Programs (grades K-8) Beacons/OST			$574,600	After-School Programs (grades K-8) reductions to beacon centers and other after-school programs. This includes after-school programs (grades K-8) that support parents in getting to work AND support the academic development of children and youth
Violence Prevention	54 programs including Huckleberry Youth CARC program, BVHP evening detention alternative, Horizon's Females Against Violence		(1/2 year) $1,036,064	This would reduce funding for jail diversion and important violence prevention programs targeting at-risk youth. In addition, This would reduce funding for organizations using the following strategies:: detention-based services; detention alternatives; case management; young women's services; alternative education; evening services.
Youth Shelter	Huckleberry House		½ year 6,250	Any reduction is tough for this shelter to absorb due to 24-hour program and minimal coverage requirements.
Specialized Teen/Leadership Development	**20 programs from Bayview Association for Youth to HOMEY to United Playaz to Vietnemese Youth Center**		**$341,201**	**A variety of leadership development, College Prep, School based services for specific populations of underserved youth of color.**
TOTALS			$2,643,365	

Service	Program	# no longer served	Cut as proposed by Department	Comments
DAAS				

HSA Senior Law Legal Services and Naturalization Services (San Francisco Immigrant Legal and Education Network– SFILEN)	La Raza Centro Legal in collaboration with 12 other agencies of SFILEN collaborative: Asian Law Caucus, Asian Pacific Islander Legal Outreach, Centro Latino, International Institute of the Bay Area, Jewish Family and Children's' Services, Mission Neighborhood Center, Self Help for the Elderly, Legal Assistance for the Elderly.	650 300 (legal services) 350 (naturalization, citizenship) 684 200 (legal counseling); 80 immigration form processing including naturalization, U Visa, Violence Against Women Act, 25 without legal representation in immigration proceedings; 63 individuals will not receive legal referrals; and over	$80,000 cut to legal services $130,000 cut to Naturalization/legal services Total cut: $210,000	Seniors are denied SSI if they not born in US or naturalized. LRCL and the Network's services not only help San Franciscan's gain and/or maintain lawful presence in the United States, but these services are also crucial to growing healthy communities, by keeping families united, preventing homelessness, and giving people the tools to earn living wages and therefore contribute to taxes to help the city recover from our economic troubles.

		200 individuals will not receive critical information on know-your-rights, and changes in USCIS policies and regulations Total individuals not served:1502		
MUNI/Para-transit			$210,000	Would reduce access to transit for needy seniors and children.
Brown Bag Program	SF Food Bank	Reduction of 5,384 food bags containing nearly 100,000 lbs of fresh produce. This is equivalent to food for approx 75,000 meals. Total	$21,007	The value of the food the 116 people would have received is an estimated $155,000 worth of food.

		individuals not served: 116		
Case Management	Senior Center of San Francisco, Bernal Heights Neighborhood Center, Catholic Charities CYO, Curry Senior Center, ECS, Kimochi, On Lok, SF Senior Center, Family Service Agency, Institute on Aging, JFCS, Network for Elders, Self Help for the Elderly, and "TBA"	tbd	$190,877	Reduction of case management and transitional care services for at-risk impoverished seniors.
Senior Centers & Activity Centers	BVHP Multipurpose Senior Services, BNHC, Catholic Charities CYO, Kimochi, Centro Latino de SF, ECS, Golden Gate Senior		$122,419	Activities and services include: Socialization, education, meals, exercise, legal referral. St. Francis Living Room is a drop in center for homeless adults in the Tenderloin. Veterans Equity Center serves Filipino WWII Veterans. Open house provides services for LGBT seniors.

	Services, Lighthouse for the Blind, Mission Neighborhood Center, RAMS, SF Senior Center, Self Help for Elderly, On Lok, Openhouse, Samoan Community Development Center, Visitation Valley Comm Center, Western Additon Senior Center, Southwest Community Corp, St. Francis Living Room, YMCA of SF, YMCA Stonestown, Veterans Equity Center, Vietnamese Elderly Mutual Assistance, "TBA"			
TOTALS		At the very least 1618	754,296	

Service	Programs	# no longer served	Cut as proposed by Department	Comments
Mayor's Office on Housing				
Public Housing Legal Services	Housing Rights Committee, Bay Area Legal Aid	1,000	$150,000	Close down only public housing legal services via drop-in clinics, and housing helpline Issues no longer addressed include: evictions, illegal rent increases, voucher terminations, fair housing rights, housing denial, waiting list issues, public housing transfers, repairs, and administrative and due process rights (including grievance hearings and appeals).
TOTALS		1,000	150,000	

GRAND TOTALS		**6,341**	**$8,665,627**	

Let's not fall behind
dellis220
to:
Board.of.Supervisors@sfgov.org
06/20/2011 11:58 PM
Show Details

June 20, 2011
Clerk of the Board Angela Calvillo
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Angela Calvillo,

I feel like SF may be falling behind when it comes to technology infrastructure. I know that most every other city in the Bay Area has a new broadband network that the phone company is building. Hardly a day goes by that I don't need to access the Internet for one thing or another. Kids need to access the Internet for school projects and reports. The faster the better as far as I'm concerned and a choice of who I pay to deliver it seems fundamental. I hope you'll support the same point of view.

Thank you.

Sincerely,

David Ellis
300 Linden Street #10
San Francisco, CA 94102-5178

16

RE: Cowboy Bob's Bum Report
lgoodin1
to:
Bob Larive, Bob at Home, Craig Schwan, Aline Estournes, dania.duke, Jan Misch, Kevin Carroll, quin. orlick@tuscaninn. com, Steve, kevin.cashman, cwnevius, kgarcia, Brian Sussman, SFPDCentralStation, Stephen.Tacchini, Fred Crisp
06/20/2011 01:31 PM
Cc:
"Lee Housekeeper", Board.of.Supervisors, dsaunders, matierandross, lgarchik, dhussey, gavin.newsom, northbeachchamber, info, David.Chiu, Bevan.Dufty, Carmen.Chu, David.Campos, Eric.L.Mar, John.Avalos, Michela.Alioto-Pier, Ross.Mirkarimi, Sean.Elsbernd, Sophie.Maxwell
Please respond to lgoodin1
Show Details

After a brief time with clean streets and sidewalks, North Beach and Fishermans Wharf (both popular tourist sites) again have a litter problem - a "living litter" problem. We could use some help getting our neighborhood streets and sidewalks clean, safe and free of "living litter."
Lee Goodin
North beach
415 346-4335

----- Original Message -----
From: Bob Larive
To: Bob at Home;lgoodin1@mindspring.com;Craig Schwan;Aline Estournes;dania.duke@hyatt.com;Jan Misch;Kevin Carroll;quin. orlick@tuscaninn. com;Steve;kevin.cashman@sfgov.org;cwnevius;kgarcia;Brian Sussman;SFPDCentralStation@sfgov.org;Stephen.Tacchini@sfgov.org;Fred Crisp
Cc: Lee Housekeeper; Board.of.Supervisors@sfgov.org; dsaunders@sfchronicle.com; matierandross@sfchronicle.com; lgarchik@sfchronicle.com; dhussey@sfexaminer.com; gavin.newsom@sfgov.org; northbeachchamber@gmail.com; info@northbeachneighbors.org; David.Chiu@sfgov.org; Bevan.Dufty@sfgov.org; Carmen.Chu@sfgov.org; David.Campos@sfgov.org; Eric.L.Mar@sfgov.org; John.Avalos@sfgov.org; Michela.Alioto-Pier@sfgov.org; Ross.Mirkarimi@sfgov.org; Sean.Elsbernd@sfgov.org; Sophie.Maxwell@sfgov.org
Sent: 6/20/2011 12:32:58 PM
Subject: Cowboy Bob's Bum Report

I'm back and so are they. We seemed to have a period where the bums were reduced in number. Now, over the last two weekends, they are back in force. Lots of drinking (open containers), sleeping on the sidewalks, bothering residents and visitors and drunks! I've called the 553-0123 number quite a few times but...
With our busy tourist season here we need to clean up our city!!!!!

Help!

Fior d' Italia
America's Oldest Italian Restaurant
Bob and Jinx Larive

17

Proprietors
2237 Mason Street
San Francisco CA 94133
(415) 986-1886 www.fior.com
fior@fior.com

Educate. Empower.

June 16, 2011

Supervisor David Chiu
President, Board of Supervisors
1 Dr. Carlton B. Goodlett Place
Room 264
San Francisco, CA 94102

Dear President Chiu,

Enclosed please find a resolution regarding CityBuild. It was adopted by the Executive Committee of the San Francisco Labor Council on June 6, 2011.

Please feel free to contact me with any questions regarding this resolution.

Sincerely,

Tim Paulson
Executive Director

CC: Board of Supervisors

opeiu3afl-cio(11)

15

1188 Franklin Street, Suite 203 San Francisco, CA 94109 **Phone:** 415.440.4809 **Fax:** 415.440.9297 **www.sflaborcouncil.org**

Educate. Empower.

Resolution Regarding City Build

Whereas worker protections and fair and equitable referral of workers to employment are central concerns of construction unions, as of the Labor movement generally; and

Whereas a document obtained by the San Francisco Building and Construction Trades Council under a public records request to the CityBuild program of the Mayor's Office of Economic and Workforce Development specifies three levels of priority in referrals of journey-level workers to construction employment, but does not specify any order of referral within those levels of priority; and

Whereas journey-level referrals are therefore subject to individual discretion, whether of contractors and subcontractors or of CityBuild representatives;

Whereas at the meeting of the Workforce Investment San Francisco Board (WISF) of 30 March 2011 Board member and San Francisco Building and Construction Trades Council Secretary-Treasurer Michael Theriault attempted to question CityBuild staff about their journey-level referral procedures and about worker protections in their system; and

Whereas WISF chairman Rob Black of the Golden Gate Restaurant Association sharply curtailed Brother Theriault's questioning; and

Whereas even under this sharply curtailed questioning CityBuild staff admitted that workers are not given even the document that shows the three levels of priority of referral, and so are never formally informed about the system or their place in it; and

Whereas even under this sharply curtailed questioning CityBuild staff admitted that a recourse of workers who believe they have been mistreated in this ill-defined system has been appeal to members of the Board of Supervisors and to the Mayor; and

Whereas the ability of politicians to influence individual employment on City work, in a system permitting individual discretion in job referrals, presents the clear danger of patronage; and

1188 Franklin Street, Suite 203 San Francisco, CA 94109 **Phone:** 415.440.4809 **Fax:** 415.440.9297 **www.sflaborcouncil.org**

Whereas there can be no independent, non-City third-party oversight of CityBuild's journey-level referral system with adequate power of enforcement, in contrast to union systems, which are overseen by the Federal government;

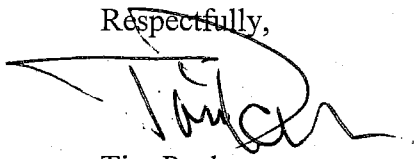
Therefore be it Resolved that the San Francisco Labor Council demands that CityBuild end referrals of journey-level workers to construction employment; and

Be it Further Resolved that the San Francisco Labor Council demands that the WISF and the San Francisco Board of Supervisors also exercise close, frequent, and regular oversight of CityBuild, and to this end that questioning of CityBuild staff not be curtailed in either body's deliberations; and

Be it Finally Resolved that the San Francisco Labor Council delivers this resolution to members of the Board of Supervisors, to the Mayor, and to the chairman of the WISF.

Submitted by Mike Theriault, San Francisco Building & Construction Trades Council, and adopted by the Executive Committee of the San Francisco Labor Council on June 6, 2011.

Respectfully,



Tim Paulson
Executive Director

OPEIU3 AFL-CIO 11

BOS 11 ✓ Done ✓

Circulated by Hamy Bernstein
235 Byxbee Street
San Francisco, CA 94132

Dear Supervisors

These San Francsico voters join together today to urge you to sign off on the land swap (see the attached description) that will allow the construction of the Performing Arts Center (PAC) at City College to go ahead in a timely manner this fall. These plans have been in process for a considerable time. In addition, the construction jobs that would result from your efforts would provide a needed stimulus to the local economy.

Thank you.

S.F. 94132

NAME	ADDRESS
MR. GERALD ESKRIDGE	1060 HOWARD St.
Vanessa Barragán	1967 21st Ave / SF / Ca / 94116
Paul Dal Porto	3230 San Bruno AVE. SFCA 94134
Monika Gruber	265 - 24th Ave #4, SF, CA 94121
Anne Szabla	771-42nd Ave. SF 94121
Martha Stadtler	426 Victoria St SF 94132
Davide Verotta	771 42nd Ave SF 94121
JANET HOUSER	649-12[M] AVE SF 94118
Lynne D. Batches	871 Turk St, #103, SF, 94102
John VanBerg	100-Terra Vista Ave #3 SF 94115
Maria Nemba	5245 Anza St SF 94121
Doris Ketcham	126 Grattan St. SF. 94117
Susan E. Ross	66 Cleary Ct. #1301 SF 94109

19

Dear Supervisors

These San Francsico voters join together today to urge you to sign off on the land swap (see the attached description) that will allow the construction of the Performing Arts Center (PAC) at City College to go ahead in a timely manner this fall. These plans have been in process for a considerable time. In addition, the construction jobs that would result from your efforts would provide a needed stimulus to the local economy.

Thank you.

NAME	ADDRESS
Candice Stevens	355 FULTON ST. Apt. 507 S.F. 94102
Dorothy Weinteaub	1395 16th ave. #6, SF 94122
Lily Wong	241 Vernon St San Francisco CA 94132
Edda Sydow	1851 20th Ave SF CA 94122
Lore Weiner	Warren Dr, SF 9413
Jean Louis Vigne	701 Dellbrook Ave SF 94131
Robert J Rogers	258 Clayton Park SF 94103
Jana Reilly	1342-40th Av SF 94122
Dion Leeds	29 Woodland SF 94117
LAND ALAN WEISMEHL	1326-41st AVE, SF, CA 94122
Lynn Laufheimer	45 Ashbury Tr. SF 94117
Patricia J Bolly	2048 Great Hwy. SF 94116

Dear Supervisors

These San Francsico voters join together today to urge you to sign off on the land swap (see the attached description) that will allow the construction of the Performing Arts Center (PAC) at City College to go ahead in a timely manner this fall. These plans have been in process for a considerable time. In addition, the construction jobs that would result from your efforts would provide a needed stimulus to the local economy.

Thank you.

NAME	ADDRESS
Audrey Clayman	1 Daniel Burnham Ct. Apt 11C S.F 94109.
Muriel Kroll	1916 La16 SX SF 94121
Francis Chan	1333 Gough 94109
Harriet Bloom	544 Roosevelt SF 94114
Susan Tregner	82 Gladstone Dr. S. F. Ca. 94112
Laura A Simei	1111 Pine St SF, CA 94109
John Modell	221 UPPER TER. ST., S.F. CA 94117
Doris Ketcham	126 Grattan St. S.F. CA 94117
Roger Ketcham	126 Grattan St SF CA 94117
[illegible]	151- 21st Ave. SF CA 94121
Beverly Barkman	264 Parker #1 SF CA 94118
Yoshinori Bokura	1420 Webster St, #4 SF, CA 94115
Ken Keep	435 MARIETTA DR SF CA 94127
[illegible]	205 28th street #10 SF, CA 94131
William B Sennon	235 Bryant St #5 SF CA 94132

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: SIGNING CITY COLLEGE/ SFPUC MOU---For New Performing Arts Center

From: WongAIA@aol.com
To: mayoredwinlee@sfgov.org, Ross.Mirkarimi@sfgov.org, carmen.chu@sfgov.org, sean.elsbernd@sfgov.org, Eric.L.Mar@sfgov.org, john.avalos@sfgov.org, david.campos@sfgov.org, David.Chiu@sfgov.org, Board.of.Supervisors@sfgov.org, Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Scott.Wiener@sfgov.org, angela.calvillo@sfgov.org
Date: 06/23/2011 04:12 AM
Subject: SIGNING CITY COLLEGE/ SFPUC MOU---For New Performing Arts Center

TO: Mayor Ed Lee and Honorable Members of Board of Supervisors
RE: CITY COLLEGE PERFORMING ARTS CENTER
SUBJECT: SIGNING CCSF AND SFPUC MOU FOR RESERVOIR SITE

I served on the architectural selection committee for City College's New Performing Arts Center (PAC), which has been pleasantly infused with $38 million in state funds and is ready for construction bidding. Local bond funds of $50 million are already in place. The Performing Arts Center has a functional and strategic importance to the City College Campus, as well as the southern part of San Francisco, with its location on Phelan Avenue---as the gateway to the campus and a focal point for surrounding neighborhoods. The design itself is extemporary, with a transparency and complexity that will be transitional for City College.

See AIA Design Award: http://2008honorawards.aiaseattle.org/node/116

A small but vital step is needed---signing of a City College/ SFPUC MOU by the Mayor and Board.

Ten years ago, City College and SFPUC already agreed to redraw the ownership boundaries of the reservoir land north of Phelan Avenue. The MOU is an equal trade of land, swapping the existing half and half ownership from the existing North & South division to an East & West division. This MOU gives the college the required title to the land where the PAC is designed to be built---a well-situated urban focal point for the campus and region.

Regards,
Howard Wong, AIA

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

S.F. ADMINISTRATIVE CODE CHAPTERS 12B and 14B WAIVER REQUEST FORM

(HRC Form 201)

FOR HRC USE ONLY
Request Number:

➤ Section 1. Department Information

Department Head Signature: _____

Name of Department: District Attorney's Office

Department Address: 850 Bryant St, Rm 322, San Francisco, CA 94103

Contact Person: Samir Sakkal

Phone Number: 415 - 553 - 1020 Fax Number: 415-553-9700

➤ Section 2. Contractor Information

Contractor Name: Chevron USA Inc Contact Person: Cecilia - Station 41

Contractor Address: P.O.Box 2001, Concord, CA 94529

Vendor Number (if known): 04876 Contact Phone No.:800-554-1376

➤ Section 3. Transaction Information

Date Waiver Request Submitted: 05/02/2011 Type of Contract: Fuel Credit Card

Contract Start Date: 07/01/11 End Date: 06/30/2012 Dollar Amount of Contract: $10000.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUN 24 AM 11:04

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

☒ Chapter 12B

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

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

☐ A. Sole Source

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

☐ C. Public Entity

☒ D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 6-23-11

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

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

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

☐ H. Subcontracting Goals

HRC ACTION

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

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

Reason for Action: _____

HRC Staff: _____ Date: _____

HRC Staff: _____ Date: _____

HRC Director: _____ Date: _____

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

Date Waiver Granted: _____ Contract Dollar Amount: _____

20

Bos-11

Public Annoucement from DCYF
Veronica Martinez
to:
peggy.nevin
06/21/2011 04:06 PM
Cc:
"Tara Regan"
Show Details

Hello Peggy,

Thank you very much for you assistance in getting this public notice out to the community.

I fixed the type and the I am attaching the document for you to post in the Community Page and in the Outreach (newspapers).

Have a good evening,

VERÓNICA MARTÍNEZ | PLANNER AND POLICY ANALYST
Violence Prevention and Intervention Unit
SF Department of Children, Youth, and Their Families
1390 Market Street, Suite 900 | San Francisco | CA 94102
phone 415-554-8958 | fax 415-554-8965 | www.dcyf.org

Maria Su, Psy.D.
DIRECTOR

Edwin Lee
MAYOR

PUBLIC NOTICE OF AVAILABILITY OF FUNDS

On June 10 , 2011, the Department of Children Youth and Their Families of the City and County of San Francisco issued a notice of intent to apply for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2011 Local Solicitation. The JAG Program (42 U.S. C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment and justice information sharing initiatives. The due date for applying for funds under this announcement is July 21, 2011. However, those interested in commenting on this funding opportunity are required to respond by July 6, 2011.

The Solicitation and Fund Guidelines will be available for down load at:
http://www.ojp.usdoj.gov/BJA/grant/jag.html

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To: Jane Kim/BOS/SFGOV, Sean Elsbernd/BOS/SFGOV, Mark Farrell/BOS/SFGOV,
Cc:
Bcc:
Subject: Proposed Charter Amendment

From: "Marsha & Jim White (jimmarsha@bigfoot.com)" <marshajimw@gmail.com>
To: boardofsupervisors@sfgov.org
Date: 06/22/2011 04:42 PM
Subject: Proposed Charter Amendment

Supervisors Jan Kim, Sean Elsbernd, Mark Farrell,

As a S.F. Police retiree, I ask that you remove the change to the make-up of the Health Service System Board in the charter change proposal. This change will break the promise made to me upon retirement that I would receive affordable health care into my old age.

Thank you,

James E. White

22

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 110058: Health Service System

From: oh526@aol.com
To: BOS@sfgov.org
Date: 06/25/2011 02:01 PM
Subject: Health Service System

I was born and raised in San Francisco and still live in the city. I have given the last 35 years of my 60 year life to service in my city. Now that it is my time to retire I must voice my displeasure with the proposed changes being voted on for the HSS.

I OPPOSE ANY CHANGES TO THE MAKE-UP OF THE HSSB AND CERTAINLY DON'T WANT THE SUPER MAJORITY VOTE REQUIREMENT CHANGED TO A SIMPLE MAJORITY.

I can not express my opinion any stronger. More than half of my life has been to serve my city, in which I still reside, and now you want to play with my retirement health care. NOT NICE!

Maureen D'Amico

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Outsourcing Services File 110275

From: Marvis Phillips <marvisphillips@gmail.com>
To: board.of.supervisors@sfgov.org
Date: 06/22/2011 05:37 PM
Subject: Outsourcing Services

To: Budget Committee Members,

On Friday's agenda, Item 5 (File #110275), I am in support of the project SAFE for the Police Department contracted out services, because this service has been contracted out for 30 years and has become very efficient in its efforts for rebuilding and making neighborhoods in our city safe.

Marvis J. Phillips
27-year Community Watch Block Captain, Project SAFE

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B05-11

A. Alberto Castillio Abello

Peter Claver Community 1340 Golden Gate Avenue, Unit 105, San Francisco, California 94115-8708

Angela Calvillo
Clerk of the Board, Room 244
City Hall
1 Dr. Carlton Goodlet Drive
San Francisco, California 94102

Friday, June 24, 2011

Dear Budget and Finance Committee,

Today I respectfully write to you as a plea to reinstate funding to many of our remaining public and health and human services facing cuts and I do sympathize understand your dilemma that you are facing with the budget.

In these difficult times we see more and more of negative behavior occurring due to financial stresses, as for myself as an advocate I don't know anyone who hasn't been affected by the budget in some type of negative manner. Many have now found themselves unemployed and due to stresses, some have found themselves facing health issues, many are now living with either some degree of shame, anxiety, despair, depression, hopelessness and anger; some are just moments away of being homeless with nowhere to go, some are families that can barely put food on the table for their children, and then there are some that are trying to deal with their issues with the aid of some type of substance either it be prescribed, on a bar stool, or from the street and much of this is to do with the present economic times.

Many have looked toward additional resources in their community only to find services that are available are very limited, or they were put on a wait list and by time they received services generally it was too late for the purpose and need, therefore their situation had worsened. I want to remind you these are good, respectable and loving people who have just fallen on hard times, many who took desperate measures to cope with desperate times. As the population of people in need grows so will the need of assistance. Prevention and early intervention for many of these individuals can in fact save our city from an already devastated economy in the long run.

It is in my opinion cutting funding to substance abuse, mental health and homeless programs will only increase the hardships people are already facing and adding additional burden to the future of an already stressed budget deficit the city is facing and the future of San Francisco. As an advocate, I respectfully implore you to reinstate the funding to these much needed services.

With my sincerity and grattitude,

A. Alberto Castillio Abello

(415) 573-5605

CALIFORNIA NURSES ASSOCIATION
NATIONAL NURSES ORGANIZING COMMITTEE

A Voice for Nurses. A Vision for Healthcare.
www.calnurses.org / www.nnoc.net

June 23, 2011

Northern California Legislators
State Capitol
Sacramento, CA 95818

Re: Current and Upcoming Bargaining Between the California Nurses Association and Sutter Health

Dear Northern California Legislator:

On behalf of the 6,000 registered nurses employed by Sutter Health who are proud members of the California Nurses Association (CNA), I write to give you an update about the current and upcoming collective bargaining negotiations between multiple Sutter Health hospitals and the California Nurses Association.

As you may remember, three years ago 15 Northern California hospitals were involved in multiple 1 to 10-day strikes against Sutter Health surrounding patient care protections, healthcare, and retirement benefits for the nurses. On June 30th, the majority of CNA's contracts with Sutter will expire, with others expiring in July and August.

During the 3 years of our contract, some of Sutter's behavior as a corporate citizen and employer are exemplified, below:

- Sutter St. Luke's and California Pacific Medical Center RNs in San Francisco continue to work without a contract, face ongoing anti-union animus on the job everyday, and deal with an employer who has directed management staff to not hire "foreign" born nurses, particularly those from the Philippines.
- Sutter continues to pursue a strategy of downsizing St. Luke's Hospital and rebuilding California Pacific Medical Center, while eliminating services that treat the most disadvantaged and underserved in SF communities, thereby engaging in medical redlining.
- Sutter continues to impose their master regionalization plan on northern CA communities by pulling out of community hospitals or attempting to close them, like at San Leandro Hospital. Although another independent hospital has offered to operate San Leandro Hospital, Sutter is refusing to grant that to the community in order to eliminate potential competitors and maintain its monopoly on how, how much, and to whom healthcare is delivered.
- Sutter diverted profits away from the healthcare district that operates Marin General Hospital, and attempt to make it financially unviable as it reverts to a district hospital. The healthcare district has now sued Sutter to recoup those funds.

OAKLAND Headquarters
2000 Franklin St.
Oakland CA 94612
Tel: 510/273-2200
Fax: 510/663-1625

SACRAMENTO
1107 9th St. Ste. 900
Sacramento CA 95814
Tel: 916/446-5021
Fax: 916/446-6319

GLENDALE
425 W. Broadway Ste. 111
Glendale CA 91204
Tel: 818/240-1900
Fax: 818/240-8336

CHICAGO
850 W. Jackson #750
Chicago IL 60607
Tel: 312/491-4902
Fax: 312/491-9614

MAINE
160 Capitol St. #1
Augusta ME 04330
Tel: 207/622-1057
Fax: 207/623-4072

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- Sutter has reduced services at many facilities: closed acute rehab at Eden last year, will be slashing psych services there next year, closed acute rehab services at Sutter Mills Peninsula and are selling off their dialysis and long-term care there, announced the closure of maternal child health services at Sutter Auburn Faith, and the pulmonary subacute services at Alta Bates Summit---again, divesting of services they deem as not profitable enough.
- Countless articles in business journals and newspapers consistently show that Sutter Health over-charges patients for treatments and services from 35% to 70% more than other providers.
- Insurance Commissioner Dave Jones has joined a law suite against Sutter which alleges fraud for overbilling or double-billing on anesthesia charges, allegations which affect most of Sutter's hospitals and all of the SF Bay Area hospitals.

Listed above are only some of the examples of Sutter Health's behavior. We have countless stories from our patients and nurses citing ways that Sutter Health shortchanges patient care through improper staffing, overbilling and missed meals and breaks for the nursing staff.

Sutter RNs will be negotiating new contracts over the next few months. We expect the process to be similar to the last contract fight and ask that you reach out to the California Nurses Association as question or concerns come up regarding our contract negotiations. We will also communicate with you and your staff through our Legislative team in Sacramento and our nurses and Labor Representatives in your district. Sutter is willing to engage in a multi-million dollar public relations and union busting campaign, but the nurses are willing to engage a serious campaign to engage members of our communities to protect the interests of our patients.

Sincerely,

Jane Sandoval RN

Jane Sandoval, RN
Chair, Joint Bargaining Council, Sutter Division

Cc: Jean Quan – Mayor of Oakland
Ed Lee – Mayor of San Francisco
Alameda County Board of Supervisors
San Francisco Board of Supervisors

B05-11

EDMOND G. BROWN, JR.
Governor

1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA

Fish and Game Commission

June 22, 2011

To All Interested and Affected Parties,

This memo is to correct an error and to revise contacts regarding our Notice and Memorandum dated May 27, 2011 on the proposed regulatory action relative to amendments of Sections 671.1 and 703, and addition of Section 671.8, Title 14, California Code of Regulations, relating to Inspection of Facilities for Restricted Species, which was published in the California Regulatory Notice Register on May 27, 2011.

Updated and associated documents are published to the Fish and Game Commission website at http://www.fgc.ca.gov/regulations/new/2011/proposedregs11.asp .

Please note that page three of the notice lists the location of the June 30, 2011 meeting as the "Lexington Plaza Hotel;" however, the hotel has changed its name to the "University Plaza Waterfront Hotel." The address is 110 W. Fremont Street, Stockton, CA. Also, the dates of the public hearings related to this matter and associated deadlines for receipt of written comments listed both "Sacramento", and "Ontario," CA as the meeting location for the proposed adoption hearing. This meeting will be in Sacramento, CA.

Further, Dr. Eric Loft, Department of Fish and Game, was designated to respond to questions on the substance of the proposed regulations. Due to the varied subject matter of the proposed changes please contact the following persons to respond to questions:

Jon Snellstrom, (916) 653-4899, re: The Administrative Procedure Act
Lori Heier, (916) 928-4665, re: License and Permit Process
Nicole Carion, (530) 357-3986, re: Substance/Funding of the Proposed Regulations

Sincerely,

Jon D. Snellstrom
Associate Governmental Program Analyst

Corrections are shown in double underline on back of this page.

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NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the University Plaza Waterfront Hotel, 110 W. Fremont Street, Stockton, California, on Thursday, June 30, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the State of California Resources Agency Building Auditorium, 1416 Ninth Street, Sacramento, California, on Thursday, August 4, 2011, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before July 25, 2011 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on July 25, 2011. All comments must be received no later than August 4, 2011, at the hearing in Sacramento, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Jon K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Jon K. Fischer or Jon Snellstrom at the preceding address or phone number. **Nicole Carion, Department of Fish and Game, (530) 357-3986, has been designated to respond to questions on the substance of the proposed regulations; and Lori Heier, Department of Fish and Game, (916) 928-4665, has been designated to respond to questions on Licensing and Permit issues.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at http://www.fgc.ca.gov/regulations/new/2011/proposedregs11.asp.

To: Andrea Ausberry/BOS/SFGOV,
Cc:
Bcc:
Subject: Yes to EIR for AT&T "boxes"

File 110346

From: Karen Babbitt <karenbabbitt@yahoo.com>
To: David Chiu <David.Chiu@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Mark Farrell <Mark.Farrell@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>
Cc: Clerk of the Board <Board.of.Supervisors@sfgov.org>, Gillian Gillett <Gillian.E.Gillett@sfgov.org>, Rick Galbreath <rick.galbreath@sfgov.org>, Frances Hsieh <Frances.Hsieh@sfgov.org>, Matthias M <Matthias.Mormino@sfgov.org>, Hillary Ronen <hillary.ronen@sfgov.org>
Date: 06/28/2011 01:36 AM
Subject: Yes to EIR for AT&T "boxes"

Dear Supervisors,

I urge you to require an EIR for the AT&T "boxes." My primary concern is their impact on the pedestrian realm. The existing boxes already make the sidewalks less accessible and less safe. Another 700+ are going to have a significant impact.

I really can't imagine why we'd allow a huge, profitable company take over so much of our public space without appropriate study first.

"AT&T, the nation's largest telecommunications company, reported a 39 percent increase in its first-quarter profit on Wednesday, despite losing the exclusive rights to sell the iPhone in the United States midway through the period. The company posted net income of $3.4 billion, or 57 cents a share, up from $2.5 billion, or 41 cents a share, a year earlier. Revenue climbed more than 2 percent, to $31.2 billion from $30.5 billion."
http://www.nytimes.com/2011/04/21/technology/21phones.html

I'm fairly certain they can afford to take the time for an EIR to be completed.

Thanks,
Karen Babbitt
1070 Church St. #315, 94114

--- On **Tue, 5/24/11, Karen Babbitt <*karenbabbitt@yahoo.com*>** wrote:

From: Karen Babbitt <karenbabbitt@yahoo.com>
Subject: Yes to EIR for AT&T "boxes"
To: "David Chiu" <David.Chiu@sfgov.org>, "Eric Mar" <Eric.L.Mar@sfgov.org>, "Mark Farrell" <Mark.Farrell@sfgov.or
"Carmen Chu" <Carmen.Chu@sfgov.org>, "Ross Mirkarimi" <ross.mirkarimi@sfgov.org>, "Jane Kim" <Jane.Kim@sfg
"Sean Elsbernd" <Sean.Elsbernd@sfgov.org>, "Scott Wiener" <Scott.Wiener@sfgov.org>, "David Campos" <David.Ca
"Malia Cohen" <Malia.Cohen@sfgov.org>, "John Avalos" <John.Avalos@sfgov.org>
Cc: "Clerk of the Board" <Board.of.Supervisors@sfgov.org>, "Gillian Gillett" <Gillian.E.Gillett@sfgov.org>
Date: Tuesday, May 24, 2011, 1:32 PM

Dear Board of Supervisors,

I'm writing again to urge you to vote to tell AT&T that an EIR will need to be completed for their "box" installation project.

I understand that they feel under-grounding the boxes or placing them on private property will be problematic, but I feel strongly that we need to protect our sidewalks, so we need to study all of the options.

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I found these two paragraphs of this release particularly interesting:

http://www.fogcityjournal.com/wordpress/2844/activists-rally-for-eir-no-free-ride-for-att-utility-boxes/#more

Ironically, before he was Mayor, Ed Lee authored regulations governing utility box installation in 2004-2005. As Director of the Department of Public Works at the time, Lee's order requires that equipment must be plac on private property or underground. Advocates pointed out that allotting sidewalk space is a last resort for an particular location if the two mandated alternatives prove infeasible (see **DPW Order 175,566**).

As Milo Hanke of San Francisco Beautiful recalled, "the same DPW order acknowledges the quick evolution of high technology, and so it requires the city conduct annual meetings to review the latest equipment and bes practices that would mitigate utility box blight. The City has not held those required meetings in five years, a an EIR would go far to make up for lost time and to help pierce the prevailing information vacuum."

Thanks,
Karen Babbitt
1070 Church St. #315
SF, CA 94114

--- On **Tue, 4/26/11, Karen Babbitt <*karenbabbitt@yahoo.com*>** wrote:

From: Karen Babbitt <karenbabbitt@yahoo.com>
Subject: Yes to EIR for AT&T "boxes"
To: "David Chiu" <David.Chiu@sfgov.org>, "Eric Mar" <Eric.L.Mar@sfgov.org>, "Mark Farrell" <Mark.F
"Carmen Chu" <Carmen.Chu@sfgov.org>, "Ross Mirkarimi" <ross.mirkarimi@sfgov.org>, "Jane Kim" <Ja
"Sean Elsbernd" <Sean.Elsbernd@sfgov.org>, "Scott Wiener" <Scott.Wiener@sfgov.org>, "David Campos'
"Malia Cohen" <Malia.Cohen@sfgov.org>, "John Avalos" <John.Avalos@sfgov.org>
Cc: "Clerk of the Board" <Board.of.Supervisors@sfgov.org>, "Gillian Gillett" <Gillian.E.Gillett@sfgov.org
Date: Tuesday, April 26, 2011, 1:01 PM

Good Afternoon Supervisors,

I'm writing to encourage you to require AT&T to complete an Environmental Impact Report for their "Lightspeed Network Upgrade" project that involves the installation of 726 large utility boxes on OUR city sidewalks.

I think they're ugly and graffiti magnets, but my main concern is the effect they have on pedestrian traffic. Why in the world would we allow a private company to make it more difficult and dangerous to walk on our sidewalks at a time when we're encouraging folks to drive less and walk/take transit/bike more? This project clearly needs environmental review.

The boxes make it more difficult to walk because they take up needed space. We just remodeled Valencia Street (at great expense) in part to make the sidewalks wider - - because that makes them easier and more pleasant to walk on. Why go backward by installing 726 boxes that will impede pedestrian flow - - not to mention make it more difficult for folks in wheelchairs to move down the sidewalk?

The boxes make it more dangerous to walk because they keep drivers, passengers, and cyclists from seeing what happens on the sidewalk. This makes a real difference in how safe I feel walking, especially at night. I often walk from Market Street to my neighborhood (Noe Valley) up Church Street, and by far the most dangerous-feeling part of that walk is when I have to walk past the large utility boxes installed on the sidewalk in front of Everett Middle School. If someone attacked me, no one passing by on the street would know. I hate that.

Let's make sure the effects of this project are carefully studied before going forward. It drives me crazy that we hold hearings on pedestrian safety and wring our hands about the many things that make it difficult and

dangerous to walk in this town, and then would let a company proceed with an installation like this without us fully understanding the impacts.

Thanks,
Karen Babbitt
1070 Church St. #315
94114

Urging Opposition to BOS Agenda Item #31 Affirming Exemption Determination AT&T Network "Lightspeed" Upgrade (file #110345)
AEBOKEN Boken
to:
board.of.supervisors, carmen.chu, david.campos, david.chiu, eric.l.mar, jane.kim, john.avalos, malia.cohen, mark.farrell, rick.caldeira, ross.mirkarimi, scott.weiner, sean.elsbernd
06/26/2011 04:13 AM
Show Details

Dear Board of Supervisors members,

I am urging each of you to oppose agenda item #31 Affirming Exemption Determination AT&T Network "Lightspeed" Upgrade (file #110345)

for all the previously stated reasons.

Eileen Boken
District 4 resident

BOS-11, 4page
COB, 3 Deputies

CITY AND COUNTY OF SAN FRANCISCO OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

MEMORANDUM

TO: Clerk of the Board

FROM: Leo Levenson, Director of Budget & Analysis
Controller's Office

CC: The Honorable Board of Supervisors
Clerk of the Board

DATE: June 27, 2011

SUBJECT: Clerk of the Board Fees - Municipal Code Authorized Fee Increases

The San Francisco Administrative Code Chapter 8, Section 8.37 authorizes the Controller to adjust the Clerk of the Board Fees to reflect changes in the relevant Consumer Price Index. For FY 2011-12, the Controller's Office recommended a CPI adjustment factor of 1.52 percent for fee increases with an effective date of July 1, 2011. Fees are to be rounded to the nearest whole dollar, per Section 8.37. Applicable Code Sections may be found online here: http://www.amlegal.com/nxt/gateway.dll/California/administrative/chapter8documentsrecordsandpublications?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$anc=JD_8.37.

Please review the attached Fee Schedule and notify us of any further changes or updates. Based on the data submitted by the Department to the Controller, we have noted on the attached schedule projected fee cost recoveries. No fees appear to recover significantly more than the costs of providing the services. Since fees were adjusted to reflect changes in the Consumer Price Index, as authorized by Section 8.37, no further action is required by the Board of Supervisors.

Attachment: Fee Schedule

cc: Budget Analyst
Mayor's Budget Office

Board of Supervisors - Clerk of the Board

Code Sections	Fee Description	FY 2010-11 Fee (Rounded)	FY 2011-12 CPI	FY 2011-12 Fee with CPI Adjustment	FY 2011-12 Fee (full cost recovery)	FY 2011-12 Estimated Cost Recovery
Administrative Code Chapter 8 Sec 8.37	Certification of document per document	2.00	1.52%	$ 2.27	2.00	<100%
Administrative Code Chapter 8 Sec 8.37	Copies of audio tape per tape	1.00	1.52%	$ 1.14	1.00	<100%
Administrative Code Chapter 8 Sec 8.37	Photocopies per page for routine documents produced in multiple copies (such as agendas and related materials)	0.01	1.52%	$ 0.01	0.01	N/A
Administrative Code Chapter 8 Sec 8.37	Photocopies per page for documents produced on a one-time basis	0.10	1.52%	$ 0.12	0.10	N/A

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number:

➢ **Section 1. Department Information**

Department Head Signature: _____

Name of Department: HRD

Department Address: 1 South Van Ness Avenue, San Francisco, CA 94103

Contact Person: Saru A. Cowman, Senior Personnel Analyst

Phone Number: (415) 557-8947 Fax Number: (415) 551-8945

➢ **Section 2. Contractor Information**

Contractor Name: Holiday Inn Fisherman's Wharf Contact Person: Jana Sherne

Contractor Address: 1300 Columbus Avenue, San Francisco, CA 94133

Vendor Number (if known): 09338 Contact Phone No.: (415) 486-0705

➢ **Section 3. Transaction Information**

Date Waiver Request Submitted: 06/28/2011 Type of Contract: Purchase Order

Contract Start Date: 12/04/2011 End Date: 12/11/2011 Dollar Amount of Contract: $66,274.04

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

☒ Chapter 12B

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

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

☐ A. Sole Source

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

☐ C. Public Entity

☒ D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 06/29/2011 sc

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

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

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

☐ H. Subcontracting Goals

HRC ACTION

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

Reason for Action: _____

HRC Staff: _____ Date: _____

HRC Staff: _____ Date: _____

HRC Director: _____ Date: _____

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

Date Waiver Granted: _____ Contract Dollar Amount: _____

29

CHECK LIST

You must complete each of the steps below before submitting this form:

- Attempt to get the contractor to comply with Administrative Code requirements. (Applies to Chapter 12B only.)
- Include a letter of justification explaining:
  - The purpose of the contract.
  - Your department's efforts to get the contractor to comply (for Chapter 12B waivers).
  - Why the contract fits the type of waiver being requested (for example, why it is a sole source).
- Answer all questions in Sections 1-3.
- Indicate (in Section 4) which Administrative Code Chapter(s) need to be waived.
- Indicate (in Section 5) which waiver type is being requested.
- For waiver types D, E and F, submit a copy of this form to the Clerk of the Board of Supervisors and indicate where requested on the form the date this was done.

ADDITIONAL INFORMATION

Contract Duration: Contracts entered into pursuant to a Chapter 12B waiver should be constructed for the shortest reasonable duration so that future contracts may be awarded to a Chapter 12B compliant contractor.

Chapter 14B. Sole Source, Emergency and LBE Waivers: Only the bid discounts and departmental good faith outreach efforts requirements of Chapter 14B may be waived. All other provisions of this Chapter still will be in force even if this type of waiver has been granted.

Chapter 14B. Subcontracting Waivers: Only the subcontracting goals may be waived. All other provisions of this Chapter still will be in force even if this type of waiver has been granted.

Waiver Types D, E and F: These waiver types have additional requirements:

1. The contracting department must notify the Board of Supervisor's that it has requested a waiver of this type.
2. The department must notify the HRC that it has used a waiver granted under one of these provisions. Such notification should take place within five days of the date of use by submitting to the HRC a copy of the approved waiver with the "Department Action" box completed.
3. Departments exercising waiver authority under one of these provisions must appear before a Board of Supervisors committee and report on their use of such waiver authority.

All modifications to waived contracts that increase the dollar amount of the contract must have prior HRC approval.

- ✓ **Additional copies** of this form may be downloaded at the Forms Center on the City's intranet at: http://intranet/.
- ✓ **Read the *Quick Reference Guide to HRC Waivers* for more information;** copies are available at the Forms Center on the City's intranet at: http://intranet/.
- ➔ **Send completed waiver requests to**: HRC, 25 Van Ness Ave., Suite 800, San Francisco, CA 94102-6033.
- ☎ **For further assistance**, contact the HRC at 415-252-2500.

*"below the standard of decency, good faith and right action impliedly required of all public officials."**

But, Business as Usual for the Library Commission

⇨ A complaint against the Library Commission will be heard before the Ethics Commission on Monday, July 11, 2011, to determine whether a violation of the right to make public comment was a sufficiently egregious abridgment of open government to constitute "official misconduct." The referral by the Sunshine Ordinance Task Force found "willful failure" to comply with the Sunshine Ordinance. The Library Commission response is that it "stands behind its actions."

⇨ The Ethics Commission's staff examined the facts and issued its report which stated that the Library Commission's conduct ***"falls below the standard of decency, good faith and right action impliedly required of all public officials."*** To have civil public discourse, the "standard of decency" must be taken seriously.

⇨ The Library Commission has a long history of preventing public comment and a wide panoply of violations of openness, public records violations, and a contempt for public process. This is necessary for the conversion of public library assets to private fund-raising. They don't claim it is an isolated incident because they can't.

⇨ The self-styled aristocrats of the Library Commission until now have been able to deflect accountability by a counter-attack of slander and denigration of the citizens who rely on democracy. The fact that this history of counter-attacks has been largely successful is, in itself, an outrage and a scandal. Every schoolchild knows that a respect for democracy must necessarily involve a respect for the dissenting view and the minority opinion. Enforcement has gotten this far because the victim of this abuse was a distinguished chair of the Library Citizen's Advisory Committee and active in the landmarking controversy over North Beach Branch, so the motivation and the flagrancy of the violation were obvious.

⇨ There is always a justification for a denial of rights, hence, the common saying, a denial of rights for one, is a denial of rights for all. If we can't defend decency now, they will do it to ***you*** next. **Oral or Written Comments Encouraged.**

***Ethics Commission - Complaint No. 01-100115**

Hearing: Monday, July 11, City Hall, Rm 408, 5:30 p.m.

30

CITY AND COUNTY OF SAN FRANCISCO
HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number:

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUN 29 AM 9:44
RJC

➤ Section 1. Department Information

Department Head Signature: _____

Name of Department: San Francisco Police

Department Address: 850 Bryant Street 1F

Contact Person: Wendy Chan

Phone Number: 4155531683 Fax Number: 4155531114

➤ Section 2. Contractor Information

Contractor Name: Fleetcor Technologies DBA Chevron Vendor No.: 76068

Contractor Address: P.O Box 70887, Charlotte NC 28272

Contact Person: _____ Contact Phone No.: _____

➤ Section 3. Transaction Information

Date Waiver Request Submitted: 6/23/11 Type of Contract: Purchase

Contract Start Date: 7/1/11 End Date: 6/30/12 Dollar Amount of Contract: $25,000.00

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

X Chapter 12B

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

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

X A. Sole Source

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

_____ C. Public Entity

X D. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 6/27/11

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

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

_____ G. Subcontracting Goals

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

HRC ACTION

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

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

Reason for Action: _____

HRC Staff: _____ Date: _____

HRC Staff: _____ Date: _____

HRC Director: _____ Date: _____

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

Date Waiver Granted: _____ Contract Dollar Amount: _____

CHECK LIST

You must complete each of the steps below before submitting this form:

❑ I have attempted to get the contractor to comply with Administrative Code requirements. (Applies to Chapters 12B and 12C only.)

❑ I have included a letter of justification explaining:
- The purpose of the contract.
- My department's efforts to get the contractor to comply (for Chapters 12B and 12C waivers).
- Why the contract fits the type of waiver being requested (for example, why it is a sole source).

☑ I have answered all questions in Sections 1-3.

☒ I have indicated (in Section 4) which Administrative Code Chapters need to be waived.

NOTE: The **ADPICS document number** should be created *before* you submit this form. If this is impossible, contact the HRC with the number as soon as it is created.

☒ I have indicated (in Section 5) which waiver type is being requested.

❑ For waiver types F, G and H, I have submitted a copy of this form to the Clerk of the Board of Supervisors.

ADDITIONAL INFORMATION

Contract Duration: Contracts entered into pursuant to a Chapter 12B or 12C waiver should be constructed for the shortest reasonable duration so that future contracts may be awarded to a Chapter 12B and 12C compliant contractor.

Chapter 14A. Sole Source, Emergency and DBE Waivers: Only the bid discounts and departmental good faith outreach efforts requirements of Chapter 14A may be waived. All other provisions of this Chapter still will be in force even if this type of waiver has been granted.

Chapter 14A. Subcontracting Waivers: Only the subcontracting goals may be waived. All other provisions of this Chapter still will be in force even if this type of waiver has been granted.

Waiver Types F, G and H: These waiver types have additional requirements:
1. The contracting department must notify the Board of Supervisor's that it has requested a waiver of this type.
2. The department must notify the HRC that it has used a waiver granted under one of these provisions. Such notification should take place within five days of the date of use by submitting to the HRC a copy of the approved waiver with the "Department Action" box completed.
3. Departments exercising waiver authority under one of these provisions must appear before a Board of Supervisors committee and report on their use of such waiver authority.

All modifications to waived contracts that increase the dollar amount of the contract must have prior HRC approval.

✓ **Additional copies** of this form may be downloaded at the Forms Center on the City's intranet at: http://intranet/.

✓ **Read the *Quick Reference Guide to HRC Waivers* for more information;** copies are available on the City's intranet at: http://intranet/.

→ **Send completed waiver requests to:** HRC, 25 Van Ness Ave., Suite 800, San Francisco, CA 94102-6033.

☎ **For further assistance,** contact the HRC at 415-252-2500.

To: BOS-Operations/BOS/SFGOV,
Cc:
Bcc:
Subject: Response to Board of Supervisors Inquiry - Reference 20110524-002

From: Olive Gong/RPD/SFGOV
To: Board of Supervisors/BOS/SFGOV@SFGOV
Cc: Carmen Chu/BOS/SFGOV@SFGOV, Ed.Harrington@sfgov.org, Dennis Kern/RPD/SFGOV@SFGOV, ssaslafsky@sfwater.org, Phil Ginsburg/RPD/SFGOV@SFGOV
Date: 06/24/2011 04:52 PM
Subject: Response to Board of Supervisors Inquiry - Reference 20110524-002

Dear Board of Supervisors,

Please find attached the response to the Board of Supervisors Inquiry - Reference 20110524-002.

Regards,
Olive Gong

.....

Olive Gong
San Francisco Recreation and Park Department
McLaren Lodge
501 Stanyan St., SF CA 94117
415.831-2708 direct
415.831-2096 fax
olive.gong@sfgov.org email

Reduce, Reuse, Recycle

20110624161910400.pdf

Edwin M. Lee, Mayor
Philip A. Ginsburg, General Manager

June 24, 2011

Supervisor Carmen Chu
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Supervisor Chu,

This is the initial joint agency response to your recent inquiry to the SF Recreation & Park Department and the SF Public Utilities Commission regarding the long term plans for Camp Mather (Reference File No. 20110524-002):

"Please detail specifically the capital needs of the facility and provide five years of data on the operational expenses (maintenance, repair, staffing, overhead, etc.) and revenues for the facility. Please provide background information on the programming provided at the site in a given year (for example, days when camp services are provided or other programmed days). Please discuss the department's plans to meet long term operational and capital goals."

We welcome the inquiry as it will give us the opportunity to share the results of the nine-month capital visioning and planning study for Camp Mather that RPD and PUC have jointly undertaken this year. With funding from the PUC, a consultant group (RMC) is completing a study that includes site visits, observations of camp operations, facility assessments, document review of previous plans, and interviews with all stakeholders. RMC will complete its study in September, 2011 and the resultant report will provide valuable data to facilitate further joint discussion of the long term operational and capital goals that RPD and PUC share for this much beloved City property in the High Sierra. Once we receive the RMC report, we will provide a further response to your inquiry regarding Camp Mather's capital need and our plans to meet the long term operational and capital requirements.

This initial response provides the five years of data on operational expenses and revenues (please see attached spreadsheet) and the background information on Camp Mather programming in a given year (please see attached Camp season listing).

We hope that this is helpful and we look forward to providing longer term operational and capital goals information in September with the findings of the RMC report.

Sincerely,

Philip A. Ginsburg
General Manager

Ed Harrington
General Manager
San Francisco Public Utilities Commission

MATHER BUDGET - REVENUE AND EXPENDITURES

	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	FY 2009-10
DESCRIPTION	**ACTUALS**	**ACTUALS**	**ACTUALS**	**ACTUALS**	**ACTUALS**
RENTS & CONCESSIONS	187,092	188,934	193,395	205,768	300,214
CAMP FEES	1,299,784	1,358,991	1,418,185	1,683,437	1,668,611
REVENUE TOTAL	**1,486,876**	**1,547,925**	**1,611,580**	**1,889,205**	**1,968,825**
SALARIES	356,819	391,259	367,266	386,202	372,839
FRINGE BENEFITS	49,895	56,932	53,179	58,592	65,237
OVERHEAD	111,792	127,998	133,282	130,076	146,489
NON PERSONNEL SERVICES	26,444	36,910	27,309	25,110	38,621
MATERIALS & SUPPLIES	381,282	420,405	432,204	396,977	415,025
EQUIPMENT	0	0	0	8,824	0
SERVICES OF OTHER DEPTS	19,905	0	0	0	0
FACILITIES MAINTENANCE	303,372	395,098	550,485	507,444	510,839
EXPENDITURE TOTAL	**1,249,509**	**1,428,602**	**1,563,725**	**1,513,225**	**1,549,050**
REVENUE LESS EXPENDITURES	**237,367**	**119,323**	**47,855**	**375,980**	**419,775**

Edwin M. Lee, Mayor
Philip A. Ginsburg, General Manager

Camp Mather Programming -- 2011

- **WEEK 1 May 26 - 30:** Camp Mather opens each year with the first of two Strawberry Music Festivals (May 26 – May 30). There are approximately 5000 campers in attendance.

- **WEEK 2 June 6 -10:** The first of two Senior Get-a-Way weeks at Camp Mather (See below for available programming)

- **WEEK 3 – WEEK 11 June 13 – August 20:** Family Camp 10 weeks. Each week the Camp hosts approximately 500 family campers. (See below for available programming)

- **WEEK 12 August 20 – 24:** Senior Get-a-Way week 2 (See below for available programming)

- **WEEK 13 August 25 – 28:** Teen Camp Mather Experience: This 3 night 4 day high intensity training experience is being provided by RPD in collaboration with DCYF, SFUSD, Juvenile Probation, SFPD, and a number of DCYF funded non-profits (see attached curriculum.

- **WEEK 14 August 31- Sept 5:** Strawberry Music Festival #2. There are approximately 5000 campers in attendance.

Below are the directed and self-directed activities that are offered at Camp Mather:

Swimming - Birch Lake and pool, both in camp, have trained lifeguards. A spacious lawn area for sun bathing adjoins the lake and pool. (Swimming only when lifeguards are on duty.) Water aerobics classes are offered as well.

Recreation Activities - Experienced recreation professionals lead group games, organize tournaments such as softball, table tennis, and capture the flag. Recreation staff arrange dances and serve many other recreational interests, including regular campfire programs, arts & crafts, talent shows and nature hikes.

Hiking and Biking - Numerous mountain trails bring the vacationer to the beauty of the High Sierra. Sunrise Peak and Inspiration Point are favorite spots for breathtaking views of Hetch Hetchy Valley, O'Shaughnessy Dam and the deep Tuolumne River gorge.

Games - Facilities are available for tennis, badminton, ping-pong, horseshoes, basketball, volleyball and softball. Please bring your own tennis racquets and softball gloves. Badminton racquets and ping-pong paddles, basketballs and volleyballs are available for use.

Horseback Riding - For those who enjoy riding, there are well-trained horses accustomed to mountain trails. A corral concession service provides horses for hire by the hour or the day. Special rides such as breakfast rides, children's rides and pack trips are offered at reasonable rates.

Fishing - Try your luck in the Tuolumne River, South and Middle Forks of the Tuolumne, Cottonwood Creek and along the shores of Hetch Hetchy. California Trout License required.

Young Children's Programs - There are special arts and crafts programs, group games, and also a play area with play apparatus.

Nature Learning Programs: We offer a number of volunteer led nature programs throughout the summer season.

SCENIC TRIPS

Camp Mather is the perfect center for sightseeing. Both half day and full day trips to some the most spectacular scenery in the High Sierra is easily reached by automobile.

Hetch Hetchy Reservoir - A twenty-minute drive and nine miles away, is the O'Shaughnessy Dam, where one may see San Francisco's gigantic dam and water supply. From there you might wish to take a two-mile hike on marked trails to Wampama Waterfalls.

Yosemite Valley - The splendor of Yosemite National Park can be found just 27 miles and a 45-minute drive away in the Yosemite Valley. Here within seven square miles are the spectacular Yosemite and Bridal Veil Falls and the sculptured beauty of El Capitan and Half Dome.

Tuolumne Meadows - A leisurely hour's ride from Mather over the Tioga Pass Road and through the Yosemite High Camps brings one to the exquisite Tuolumne Meadows. A walk through this natural alpine garden, at 8600 feet of elevation, makes a delightful day excursion - an unforgettable odyssey among sparkling streams, glistening lakes and mountain wildflowers.

Camp Mather Teen Outdoors

Objective: Provide a comprehensive outdoor recreation experience in order to identify select individuals who demonstrate the potential to become outdoor leaders. These individuals will be recruited into our leadership training program and given the opportunity to assist in camps and gain valuable experience necessary to become leaders and mentors in their communities.

Thursday August 25

Students arrive, settle in cabins, and eat lunch in mess hall

1200 hrs: Welcome entire group with an opening ceremony/skit designed to demonstrate some fundamental outdoor skills and challenges, while setting the stage for a fun, creative, and intellectually inspiring weekend. Suggestion: everyone likes watching an authority figure getting an accidental whipped cream pie in the face!

1230 hrs: Break large group into four troops, followed by an icebreaker activity such as Rochambeau Championship. This activity teaches one technique for conflict resolution as squabbles arise over the course of the weekend.

- Have each group form their own code of ethics for which to abide by over the weekend, in order for them to feel an ownership over these rules and obligations.
- Each group designs and creates a troop flag, later to be used in capture the flag. This should give a chance for any graffiti artists to shine.

1330 hrs: Team challenge within small groups. Examples: Knotty Rope Challenge, Ring of Fire, Stepping Stone Challenge, etc, followed by group debrief.

1400 hrs: Get ready for first hike:

- Introduction to Leave No Trace ethics
- Preparing for a wilderness hike; clothing, hydration, sun protection, rules of the trail, 10 essentials
- Foot care and blister prevention

1430 hrs: First hike!
Discuss natural history and geology during teachable moments.
Includes a snack break.

1600 hrs: Competitive game between two troops of same age (two games simultaneously). Examples; relay races, capture the flag, etc.

1630 hrs: Break back into troops for navigation class: Introduction to Map and Compass skills, followed by an orienteering activity with maps and compasses.

1730 hrs: Dinner Break

1830 hrs: Break into troops for fire building class. Include Leave No Trace fire building techniques.

1915 hrs: Troops plan and practice skits to perform at evening campfire. Suggestion: Skits that demonstrate one element of Leave No Trace ethics in a creative and humorous way.

2000 hrs: Assemble all troops for evening campfire activities, followed by ceremonious lighting of the fire.
Staff and instructors perform a skit to set the stage and provide some down time for students.
Troops perform individual skits. Any remaining time can be used as down time around fire.

2130 hrs: Troops back to cabins for night

Friday August 26

0700 hrs: Wake up and eat breakfast

0800 hrs: Opening ceremony
Special guest?

0830 hrs: Break into troops for a group teambuilding activity. Examples; trust walks, low rope activities, etc.

0900 hrs: Introduction to water safety class (Aquatics and Waterfront Sports Staff)

1000 hrs: Troops meet for intermediate navigation class:

- Taking and following bearings
- Using landmarks
- Triangulation
- Route finding
- Trip planning

1045 hrs: Second Hike!

- Practice map skills and route finding
- Teach campsite selection along hike
- Element of trail or camp clean up – eco-project lite
- Includes snack break

1230 hrs: Lunch

1330 hrs: All camp activity: Obstacle course
Troops rotate through stations to complete tasks/challenges. Ideas include low ropes elements such as a slack line, using GPS devices to locate a geocache, fire starting with one match, dodge ball between two troops.

1500 hrs: Break back into troops for practice time for the night's talent show.

1600 hrs: Shelter building and survival techniques;

- Traditional tent pitching
- Emergency shelters
- What to do when lost in the woods
- Food storage in bear country

1700 hrs: Dinner break

1800 hrs: Troops meet for conflict resolution class

1900 hrs: Last practice for talent show

1930 hrs: Free time for swimming or reflection.

2000 hrs: Assemble for evening campfire
Talent show judged by staff. Followed by smores....that's right smores!

2130 hrs: Back to cabins to rest for next day's expedition.

Saturday August 27

0600 hrs: Wake up and eat breakfast
Return to cabins to prepare for the day's adventure. No opening ceremony.

0730 hrs: Assemble for expedition departure
Drive to the trailhead for an all day adventure in the Yosemite high country. Possible destinations include Tuolumne Meadows or Hetch Hetchy.

0830 hrs: Arrive at trailhead. Conduct safety talk and discuss emergency action procedures.

0900 hrs: Hit the trail!

- Practice navigation skills along the trail
- Reiterate Leave No Trace ethics

1200 hrs: Lunch break and swim at alpine lake.

1300 hrs: Resume hike

- Make use of teachable moments to discuss plants, animals, natural history, geology, etc.

- Have students select a campsite and justify their selection
- If appropriate, discuss river crossing safety and perform crossing

1700 hrs: Complete hike and return to Camp Mather

1800 hrs: Dinner break

1900 hrs: Break into troops to debrief the day and discuss highlights. Possible journal making and reflection time.

2000 hrs: Final evening campfire
Guest rangers give a talk on the topic of their choice, followed by down time around camp fire.

2100 hrs: Return to cabins for sleep, journaling, reading, etc.

Sunday August 28

0700 hrs: Wake and eat breakfast

0800 hrs: Final opening ceremony
Staff conducts a final performance, possibly their own talent show judged by the students.

0900 hrs: All camp activity, such as kickball or capture the flag.

1000 hrs: Boating safety (if we have boats)

1100 hrs: Break into troops to discuss next steps and gather feedback. Final group challenge ensues.

1130 hrs: Closing ceremony
Present any awards that have been earned and thank all participants.

1230 hrs: Eat lunch and go home!

BOS-11

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
GRAND JURY

Org: GAO Clerk AA
c: COB, Leg Dep
cpage

OFFICE
400 MCALLISTER ST., ROOM 008
SAN FRANCISCO, CA 94102
TELEPHONE: (415) 551-3605

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 JUN 29 PM 12:37

June 29, 2011

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

Supervisor David Chiu, President
San Francisco Board of Supervisors
#1 Dr. Carleton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Dear Supervisor Chiu:

The 2010-2011 San Francisco Civil Grand Jury will release its report to the public entitled "Log Cabin Ranch Moving Towards Positive Horizons" on Tuesday, July 5, 2011. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Hon. Katherine Feinstein, this report is to be kept confidential until the date of release.

California Penal Code section 933.05 requires the responding party or entity identified in the report to respond to the Presiding Judge of the Superior Court, within a specified number of days. You may find the specific day the response is due in the last paragraph of this letter.

For each Finding of the Civil Grand Jury, the response must either:

(1) agree with the finding; or
(2) disagree with it, wholly or partially, and explain why.

Further as to each recommendation made by the Civil Grand Jury, the responding party must report either:

(1) that the recommendation has been implemented, with a summary explanation of how it was implemented;
(2) the recommendation has not been implemented, but will be implemented in the future, with a time frame for the implementation;
(3) the recommendation requires further analysis, with an explanation of the scope of that analysis and a time frame for the officer or agency head to be prepared to discuss it (less than six months from the release of the report); or

33

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Overturn San Francisco's Discriminatory Sidewalk Sitting Ban

From: lynn manzione <mail@change.org>
To: Board.of.Supervisors@sfgov.org
Date: 06/21/2011 10:30 AM
Subject: Overturn San Francisco's Discriminatory Sidewalk Sitting Ban

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.

lynn manzione
athens, GA

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. To

respond, email responses@change.org and include a link to this petition.

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Civil Grand Jury Report Just Released Thursday June 23: "Hunters Point Shipyard: A Shifting Landscape" Conflict-of-Interest in Dept. of Public Health

From: pmonette-shaw <Pmonette-shaw@earthlink.net>
To: "Ahimsa Porter Sumchai M.D." <asumchai@sfbayview.com>
Date: 06/23/2011 03:01 PM
Subject: Civil Grand Jury Report Just Released Thursday June 23: "Hunters Point Shipyard: A Shifting Landscape" Conflict-of-Interest in Dept. of Public Health

San Francisco's Civil Grand Jury just posted on its web site this afternoon a new report: "Hunters Point Shipyard: A Shifting Landscape."

In a double slap against Lennar Corporation and San Francisco's Department of Public Health, the Grand Jury's report (dated June 20, 2011 in the metadata), includes as one of its recommendations:

"In order to avoid even the semblance of inappropriate behavior, government agencies such as the SFDPH should rigorously enforce conflict of interest guidelines governing dealings between it officials and the companies they are monitoring."

Boy ... ain't that a mouthful?

Even before two former DPH doctors at Laguna Honda Hospital — Derek Kerr and Maria Rivero — filed their third whistleblower complaint regarding misappropriation of Laguna Honda's patient gift fund in March 2010, they had previously submitted two other whistleblower complaints.

Their first whistleblower complaint in September 2009 alleged a potential conflict of interest involving Dr. Bob Cabaj and Davis Ja & Associates who may have been steered a contract by DPH's compliance director in a clear conflict-of-interest situation.

Their second whistleblower complaint, also in September 2009, was against Mitchell Katz, former Director of Public Health, regarding payments Katz received from a Chicago firm called Health Management Associates, which paid Katz at least $30,000 in consulting fees after Katz approved several DPH contracts with HMA in another obvious conflict-of-interest case. (Could it be that the whsitleblower complaint against Katz is what drove him to resign and scurry to LA?)

Notably the City Controller's Office lumped Kerr's and Rivero's two separate September 2009 whistleblower complaints into a single investigation, on the dubious pretext that both complaints were against the same City department and involved similar issues. San Francisco's Ethics Commission, which also received

both whistleblower complaints, also lumped the two cases into a single investigation.

Both the City Attorney's Office and the District Attorney's Office refused to investigate Kerr's and Rivero's two complaints.

While Ethics is charged with investigating conflict-of-issue complaints, it has literally sat for over 20 months — approaching two full years — on the two whistleblower complaints against DPH officials.

Isn't it a pity that although San Francisco voters have tried multiple times to strengthen our local whistleblower laws, the two agencies charged in the City Charter with routing out government fraud, waste and inefficiency — the Ethics Commission and the City Controller's whistleblower program — are asleep at the wheel, and it is only by profound luck that the citizen's Civil Grand Jury is now exposing in a series of Grand Jury reports the corruption of San Francisco's open government legislation?

The 2010-2011 Grand Jury is believed to still be working on yet another Report regarding the City Controller's whistleblower program expected to be released before the end of June.

Where will this end?

Invest in City College!
Stella Gayevskaya to: Board.of.Supervisors 06/23/2011 11:16 AM

Stella Gayevskaya Invest in City College!

To Mayor Lee and Supervisors: City College provides critical educational opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the $2 million in service fees charged to City College.

Sincerely,

Stella Gayevskaya
San Francisco, 94112

36

Invest in City College!
Marouane Enaouaoui to: Board.of.Supervisors 06/27/2011 10:35 PM

Marouane Enaouaoui Invest in City College!

To Mayor Lee and Supervisors: City College provides critical educational opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the $2 million in service fees charged to City College.

Sincerely,

Marouane Enaouaoui
San Fransisco, 94102

IHSS health insurance benefit changes
Corey Lee
to:
scott.wiener, eric.l.mar, mark.farrell, malia.cohen, david.chiu, carmen.chu, sean.elsbernd, jane.kim, ross.mirkarimi, john.avalos, david.campos, board.of.supervisors
06/24/2011 10:59 AM
Please respond to meihingau
Show Details

Dear Board of Supervisors,

I am Mei Hing Au. I work for In-Home Supportive Services Consortium. I am writing to you all to express my concerns related to the currently discussed cutbacks related to my health insurance coverage at IHSSC. Our health insurance is extremely important to every home care providers at IHSS. Reducing our health benefit is a big mistake because it is the only safety net to protect our inherited health risk associated with our job. Furthermore, interruptions such as switching insurance carriers will create complications for the majority of workers who are non-native speakers.

The health risk can come from clients or from my co-workers serving other clients. Our job requires us working at clients site. These clients are from disadvantage background. Some of them have disruptive behavior or have terminal disease. Even if I perform my job with due diligent, working with them naturally increase exposure to my own health risk.

My existing health plan gives me a peace of mind, because I know this health plan can take care of me. When I get sick by a client, I know I can be taken care of right away. Having this health plan preventing me of being a risk to other clients, to my co-worker and to my loved one.

Best,
Mei Au
Care Provider - IHSS

37

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Some industry insight for Muni. Twitter's impact on field services, mobile devices for training and more.

From: Patrick Yarnevic <pyarnevic@sage-quest.com>
To: boardofsupervisors@sfgov.org
Date: 06/28/2011 08:06 AM
Subject: Some industry insight for Muni. Twitter's impact on field services, mobile devices for training and more.

Nathaniel,
As we head into the holiday weekend, I wanted to reach out and wish you a safe and happy 4th of July. I hope you will be able to take some time and relax.

Long weekends can be a great time to catch up on reading. I've earmarked more than a few blogs and white papers to read if I can steal a moment of peace and quiet, and I thought I'd pass them along.

- **Aberdeen** regularly produces great research on field services, but you can also keep up with one of their lead analysts, Sumair Dutta, on his blog. His latest post is on using mobile technology in training: http://blogs.aberdeen.com/2010/05/10/mobile-tools-to-enhance-technician-learning-and-development-in-field-service/
- Do you tweet? Even if you don't **TOA Technologies** has an interesting opinion of what it means if customers are tweeting about your company. It's a quick and very thought provoking release: http://go.pardot.com/e/6932/-need-to-listen-123819709-html/9IZU/13140562
- One of our great integration partners, **Data-Basics**, who specializes in work order and field service software, has a great piece on selecting the right software vendor. http://go.pardot.com/e/6932/df-CaseStudy-ACCA-Software-pdf/9J04/13140562

By the way, if you have back-office systems like Data-Basics, SedonaOffice, or ARRIS, you can use SageQuest to provide an objective view of the driver and vehicle location for greater accuracy from your existing system. We've seen this drive greater workforce efficiency, improve customer service and create additional metrics to drive your business. You can learn more about our integration capabilities here.

As always, please don't hesitate to reach out to me (888.837.7243 x276) if you have any questions on the types of business intelligence and insight SageQuest GPS vehicle tracking can bring to your business.

Have a great weekend.

Sincerely,

Patrick Yarnevic
Account Development Representative
SageQuest

Questions about GPS vehicle tracking? Download our 2011 Buyer's Guide now!

P: 888.837.7243 x276
E: pyarnevic@sage-quest.com

SageQuest
31500 Bainbridge Rd
Suite 1
Solon, Ohio 44139

38

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 110666 110667: North Beach Library

From: Cautn1@aol.com
To: Board.of.Supervisors@sfgov.org
Date: 06/27/2011 05:49 AM
Subject: North Beach Library

Dear Supervisors:

I don't profess to understand the ins and outs of the dispute over the subject library. John King portrays it as nothing more than "a spat over historic preservation". Is it?

When I looked at the building (nondescript though it may be) with its tiny lot and well-used adjacent playground, the first thought that came to mind was: Why not raise the structure one story....thereby doubling the available library space without infringing on the playground? Raising buildings is neither difficult nor particularly costly these days, and with certain creative and relatively inexpensive changes to the architecture the building could be made to look and function better than it does today.

Gerald Cauthen,PE
Oakland, California
510 208 5441

39

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 110666 & 110667 North Beach Library and Joe Dimaggio Playground

From: " " <lgoodin1@mindspring.com>
To: "board.of.supervisors" <board.of.supervisors@sfgov.org>, "David.Chiu" <David.Chiu@sfgov.org>, "david.campos" <david.campos@sfgov.org>, "Eric.L.Mar" <Eric.L.Mar@sfgov.org>, "Jane.Kim" <Jane.Kim@sfgov.org>, "Malia.Cohen" <Malia.Cohen@sfgov.org>, "john.avalos" <john.avalos@sfgov.org>, "Scott.Wiener" <Scott.Wiener@sfgov.org>, "Sean.Elsbernd" <Sean.Elsbernd@sfgov.org>, "Ross.Mirkarimi" <Ross.Mirkarimi@sfgov.org>, "Mark.Farrell" <Mark.Farrell@sfgov.org>, "carmen.chu" <carmen.chu@sfgov.org>
Cc: "cwnevius" <cwnevius@sfchronicle.com>, "jking" <jking@sfchronicle.com>
Date: 06/26/2011 04:17 PM
Subject: North Beach Library and Joe Dimaggio Playground

RE: BOS Meeting, Tuesday, June 28, 2011: Agenda Items 42. (110666) and 43. (110667) Authorizing the Use of Real Property Located at 701 Lombard Street . Joe DiMaggio Playground Master Plan Project.

Honorable Supervisors:

Unfortunately, one loose end . the resolution pertaining to this agenda item . could not be finalized at the June 7th BOS meeting and now will consume additional Board time. As I understand it one of the former owners of 701 Lombard did not get personal notification of the last BOS hearing and proposed resolution. It is likely that the previous owner may appear before the Board and cry the blues about having his property taken from him for use as open space. What he won't tell you is that he and partner(s) paid around $500,000 to $600,000 for the property with the knowledge that there was a cloud on the title: the previous owners of the property got the right to use it for a parking lot if they gave the City first right of refusal to buy the property if it was sold. He also won't bring up the fact that he and partner(s) got $2.8 million from the City as compensation for the taking, and that after costing the city more money during a lengthy litigation.

Since the 1950's, San Francisco has defined "open space" to include libraries. As you know the City Attorney's office suggested the Board clarify the intent of the eminent domain by allowing any use of the site "for the public good". This will, they say, close any loopholes that might result in further confusion and delays.

The handful of those objecting are threatening lawsuit based on the concept that the triangle was only for green space. Therefore this resolution should clarify the intent of the eminent domain process - re-stating that it was for the public realm and to expand the park. The Joe DiMaggio/North Beach Library project placing the library on the triangle expands the open space contiguously - thereby making this plan far superior to an isolated mini-park on the triangle.

I trust that once again you will vote unanimously to approve this resolution . and give North Beach residents the library and playground for which we have waited so long (and to finally give Board President and District 3 Supervisor David Chiu a ribbon cutting of his own!).

Lee Goodin
Therese Grenchik
600 Chestnut Street #408
North Beach
San Francisco CA 94133
415 346-4335

lgoodin1@mindspring.com

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 110666 and 110667: North Beach Library

From: "Charlene Mori" <ninerchar@comcast.net>
To: <Board.of.Supervisors@sfgov.org>
Date: 06/27/2011 11:40 PM
Subject: North Beach Library

I am so opposed to building this new library. With the economy the way it is, it's not worth the effort. The lot itself is not much bigger. This is wide open space we are dealing with. A much larger library, at lower cost, can be achieved by renovation and expansion of the existing Library. Not even mentioning the views, the OPEN SPACE and also the parking spaces we will be losing. At least 11. I like looking across Columbus avenue and seeing house's on the other side, instead of just another building. These people just want to build a new library so they can close Mason Street and expand the Dimaggio playground at a huge amount of cost.

I myself played in that playground and studied in that library as my children did when they were little. I am in my 60's now and see no reason to make this change. There are so many options out there and more to come, kindles, the internet, and school libraries.

Do any of you really know what's going on or do you not really care. This is not a good plan. THINK ABOUT IT. With the closing of so many libraries, why would we build a new one, just so it will be open 4-5 hours a day at maybe 3-4 days a week. Does this sound sane? Is this a good use of money. I think not. Please rethink this process. Not a good idea all the way around.

Charlene Mori

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 110666 and 110667: North Beach Library

From: jan blum <1janblum@sbcglobal.net>
To: <Board.of.Supervisors@sfgov.org>
Date: 06/27/2011 05:49 PM
Subject: North Beach Library

RE: NORTH BEACH LIBRARY

Dear President Chiu and Members of the Board of Supervisors:

I remain opposed to the waste of money that will go toward building a new North Beach Library.

- The approved design will actually result in less usable space than the old library
- ,District 3 will suffer a net loss of Open Space since the Triangle Parking Lot was purchased out of RPD Open Space Acquisition funds specifically for Open Spac
- The Joe Di Maggion playground will be smaller and so we lost active recreational space as well.
- The new library will cost twice as much as the renovation of the old library would have cost.

This was not a good decision on the part of the Library nor the Board of Supervisors.

Sincerely,

Jan Blum
D-3

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 110666: North Beach Library

From: "Judy Robinson" <judyrobo@pacbell.net>
To: <Board.of.Supervisors@sfgov.org>
Date: 06/27/2011 01:00 PM
Subject: North Beach Library

To: Board of Supervisors
FROM: Judith Robinson
RE: North Beach Library and triangle park

I am vigorously opposed to building a new library structure on the triangle park acquired by the City for open space at the corner of Columbus, Lombard and Mason Streets.

Please vote to preserve the existing library, which can be done at much less cost than a new structure.

Many residents of the neighborhood favor that option, and oppose 1) a new building and 2) closure of Mason Street.

Thank you for considering these views.

701 LOMBARD: CHARTS SHOWING FLAWED MASTER PLAN
WongAIA
to:
Ross.Mirkarimi, carmen.chu, sean.elsbernd, Eric.L.Mar, john.avalos, david.campos, David.Chiu, Board.of.Supervisors, Malia.Cohen, Mark.Farrell, Jane.Kim, Scott.Wiener, angela.calvillo
06/28/2011 06:22 AM
Show Details

TO: Honorable Members of Board of Supervisors
RE: 701 Lombard---Authorizing Use of Real Property for Joe DiMaggio Playground Master Plan
ATTACHED: 2 CHARTS (Master Plan DECREASES Playground & Library Square Footages) and DRAWING

Faulty Basis for Resolution
The proposed 701 Lombard Resolution should be rejected until errors are corrected.
The Resolution is based on faulty data, because construction on the Triangle DECREASES net recreational square footage at Joe DiMaggio Playground---by eliminating the Triangle Park, much of the proposed Mason Street Park, downsizing the multi-purpose hardscape play field, eliminating Joe DiMaggio's Softball Fields and carving the playground with circulation paths. Similarly, the Master Plan creates a substandard library, whereas renovation/ expansion create the largest library square footage.

No True Public Notification Process
Walking through the 10 blocks surrounding 701 Lombard, most citizens want the Triangle to remain open space and do not want construction 20 feet onto the Mason Street Right-of-Way. Most citizens have not been truly informed about the Master Plan's design and intent:
1. Drawings have concealed property lines and context of the proposed Triangle Library.
2. There have been no community meetings regarding construction on the Triangle and 20 feet onto Mason Street. Of the 3 Library Community Meetings in 2008, the first 2 showed Triangle Park designs.
3. There have been no design drawings accurately presented to the community.
4. There have been no story poles and associated signage at the site. In 2009, after our demands, story poles were erected without any public signage describing the project. Also, the temporary Mason Street Closure placed picnic tables and landscaping inside the footprint of the proposed library---falsely giving the impression of an enlarged Triangle Park and Mason Street Park.




PHOTOS: During Mason Street Closure Trial, picnic tables and landscaping were placed within the proposed Triangle Library's footprint---even when story poles were erected afterwards. The impression was a large Triangle Park and Mason Street Park.

5. From 2008 to the present, public processes have been stealth---a deceptive path to approvals without full disclosure of end results.

Regards,
Howard Wong, AIA
Supporting Organizations: *Telegraph Hill Dwellers, North Beach Neighbors, the Library Citizens Advisory Committee of the Board of Supervisors, Coalition for San Francisco Neighborhoods, San Francisco Tomorrow, Parkmerced Residents Organization, Sunset Parkside Education & Action Committee, Coalition for a Better North Beach Library & Playground, Save Mason Street, North Beach Association, Friends of North Beach Library and residents. National Trust for Historic Preservation, San Francisco Architectural Heritage, DOCOMOMO, San Francisco Preservation Consortium, historians and preservation professionals.*

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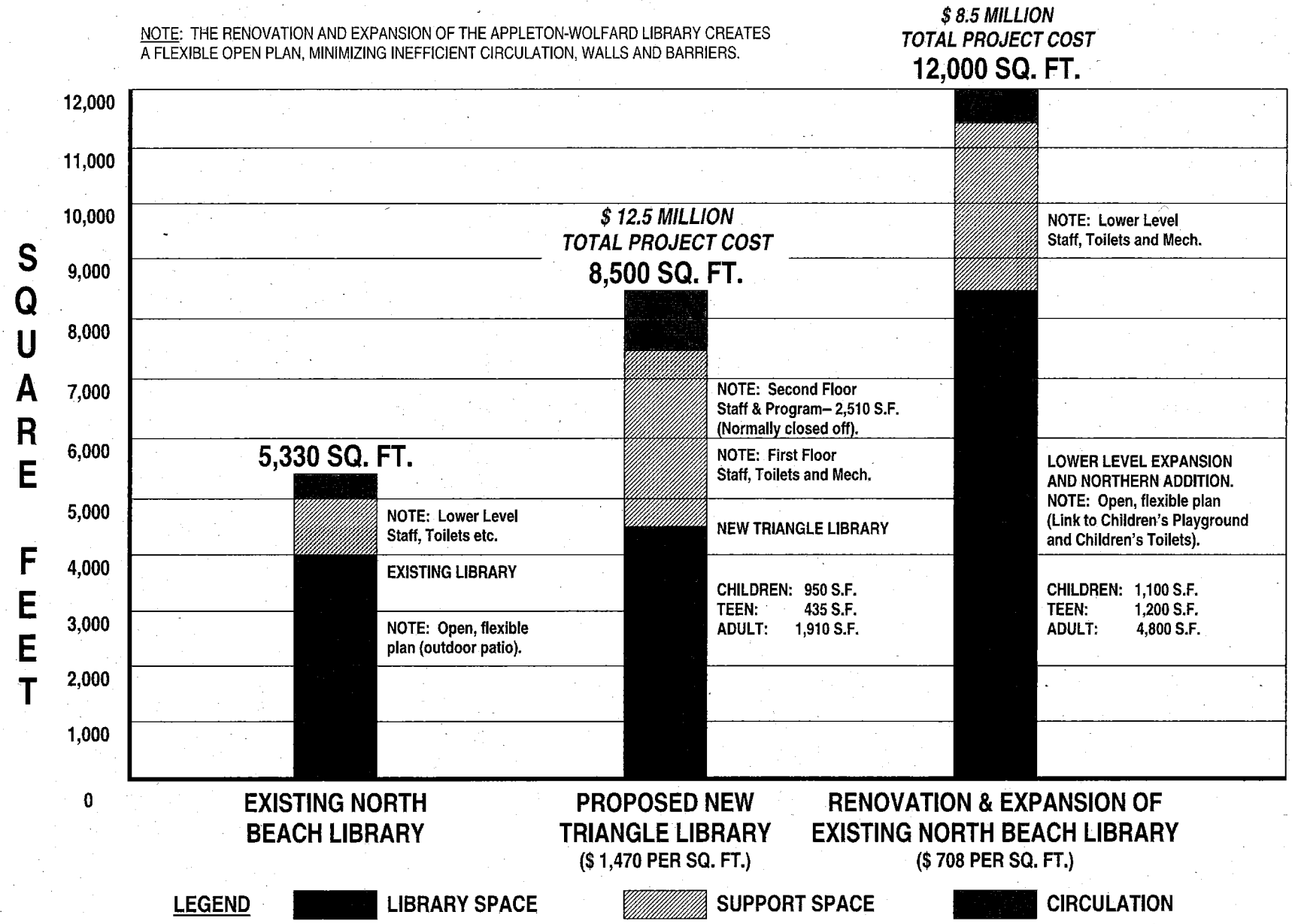
NORTH BEACH LIBRARY SQUARE FOOTAGE COMPARISONS

RENOVATION AND EXPANSION DESIGN: THE MOST SQUARE FOOTAGE AT THE LOWEST COST

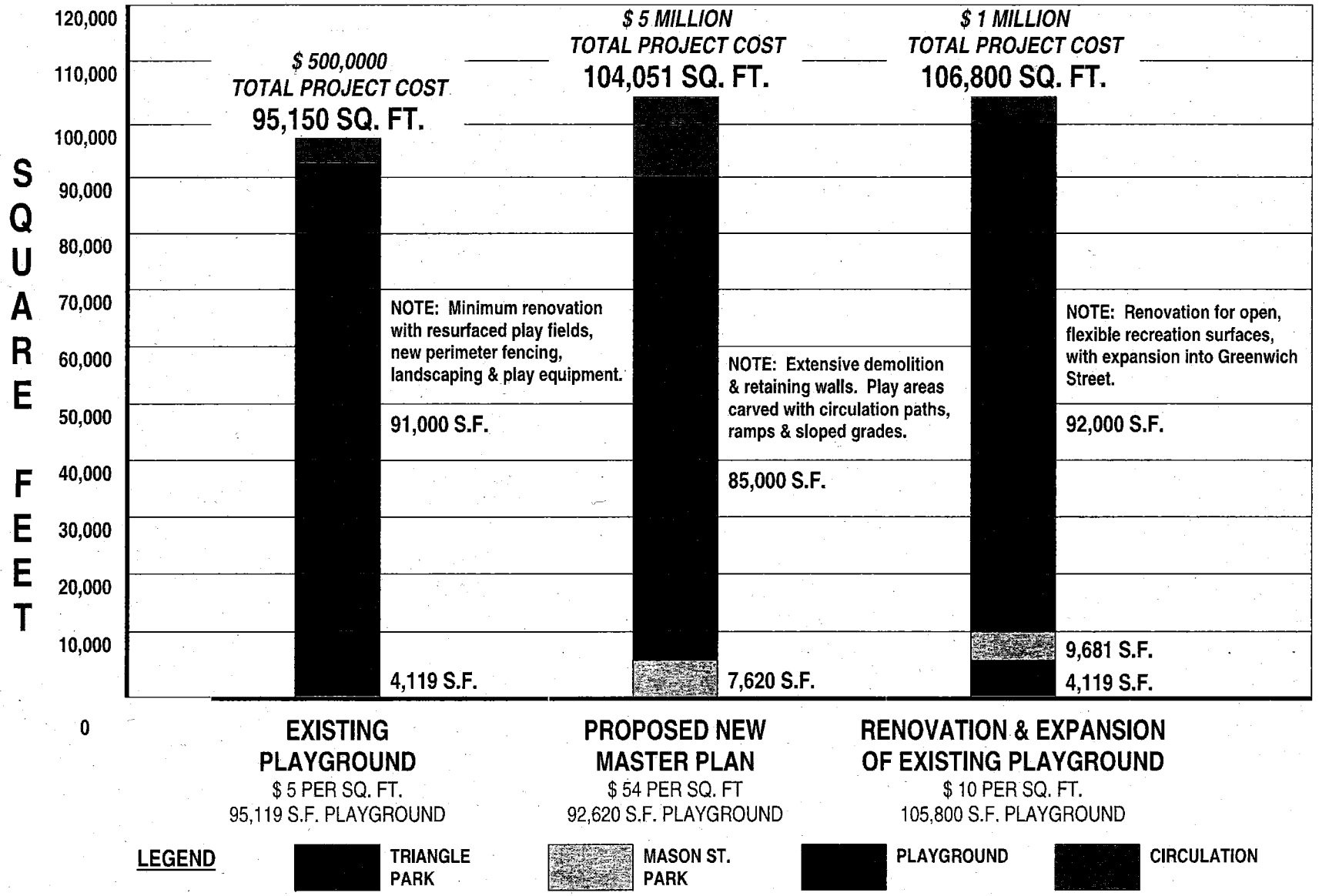
NOTE: THE RENOVATION AND EXPANSION OF THE APPLETON-WOLFARD LIBRARY CREATES A FLEXIBLE OPEN PLAN, MINIMIZING INEFFICIENT CIRCULATION, WALLS AND BARRIERS.

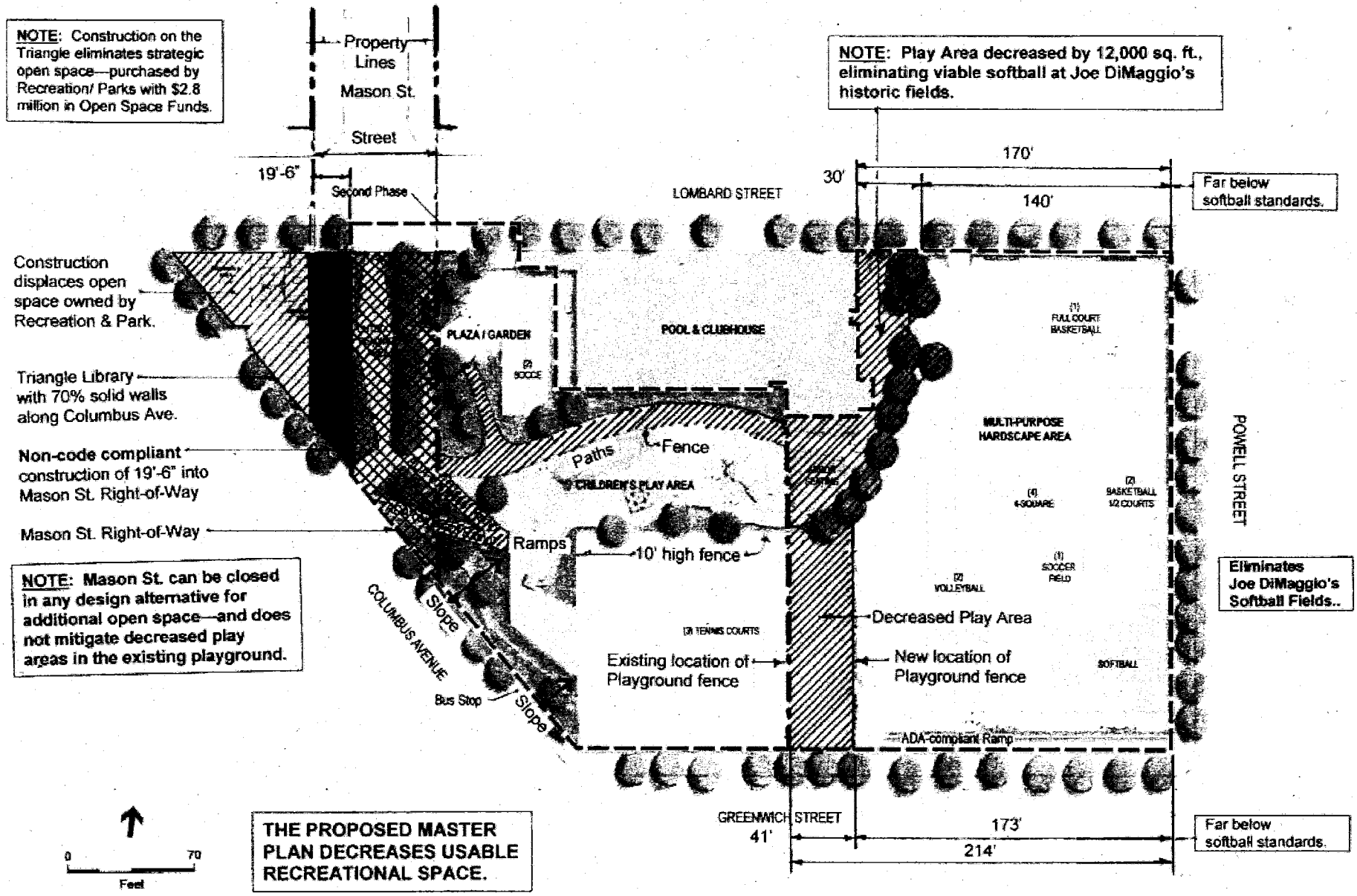


JOE DIMAGGIO PLAYGROUND SQUARE FOOTAGE COMPARISONS

RENOVATION AND EXPANSION DESIGN: THE MOST SQUARE FOOTAGE AT THE LOWEST COST

NOTE: THE RENOVATION AND EXPANSION OF THE EXISTING JOE DIMAGGIO PLAYGROUND MAXIMIZES NEW RECREATION AND OPEN SPACE, MINIMIZING INEFFICIENT CIRCULATION.



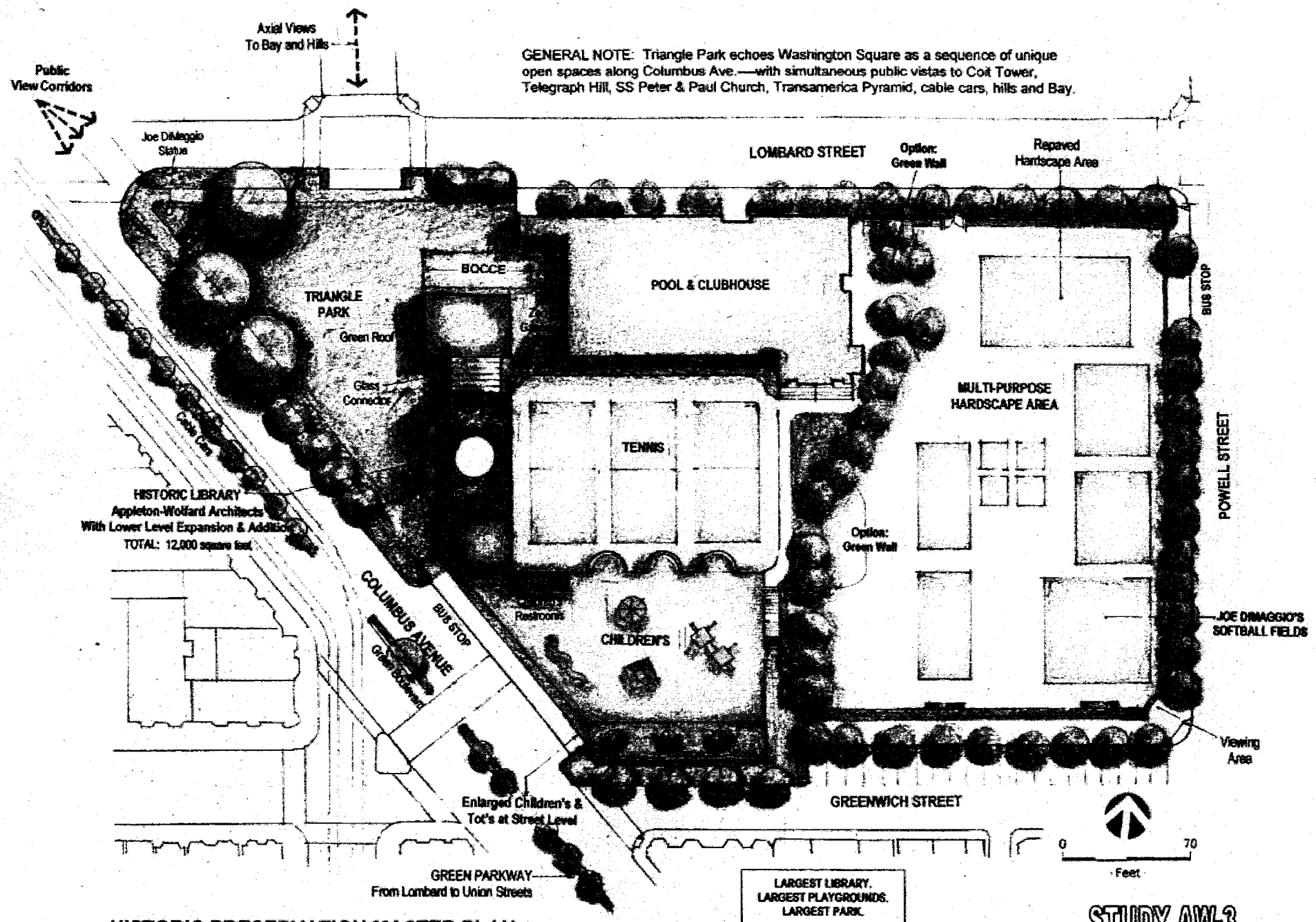


2008.0968E: North Beach Public Library . 206352.01

Figure 5
Master Plan Second Phase

CONCLUSIONS: The proposed Master Plan decreases the regional Multi-purpose Play Area by 12,000 sq. ft., eliminating viable softball at historic Joe DiMaggio's Softball Fields. With increased circulation paths, ramps and sloped terrain, usable recreation area is further decreased. The Children's Play Area is hemmed in by tall fences and lacks private restrooms.

MASTER PLAN
ANALYSIS A1



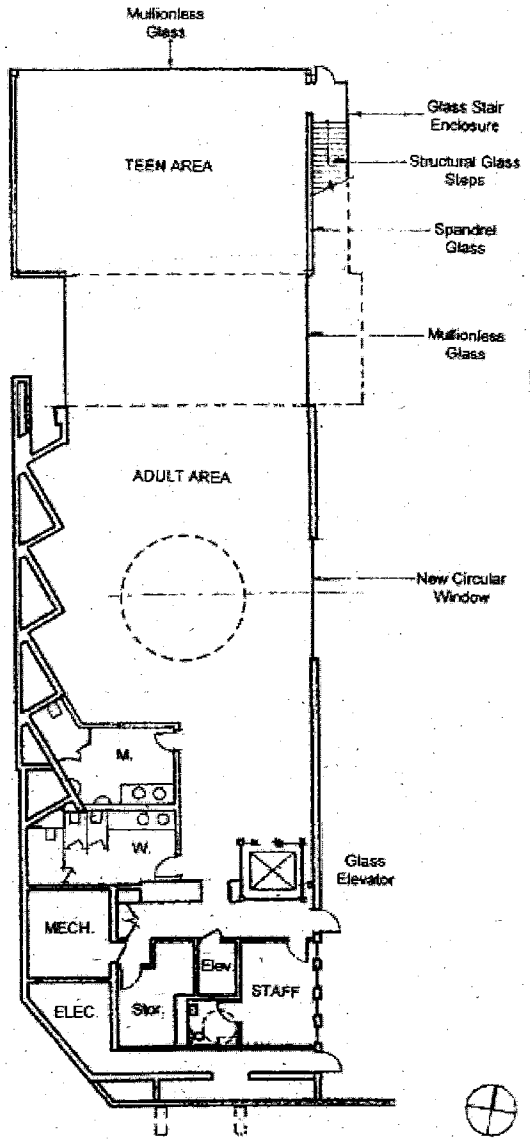
HISTORIC PRESERVATION MASTER PLAN

NORTH BEACH BRANCH LIBRARY AND JOE DIMAGGIO PLAYGROUND

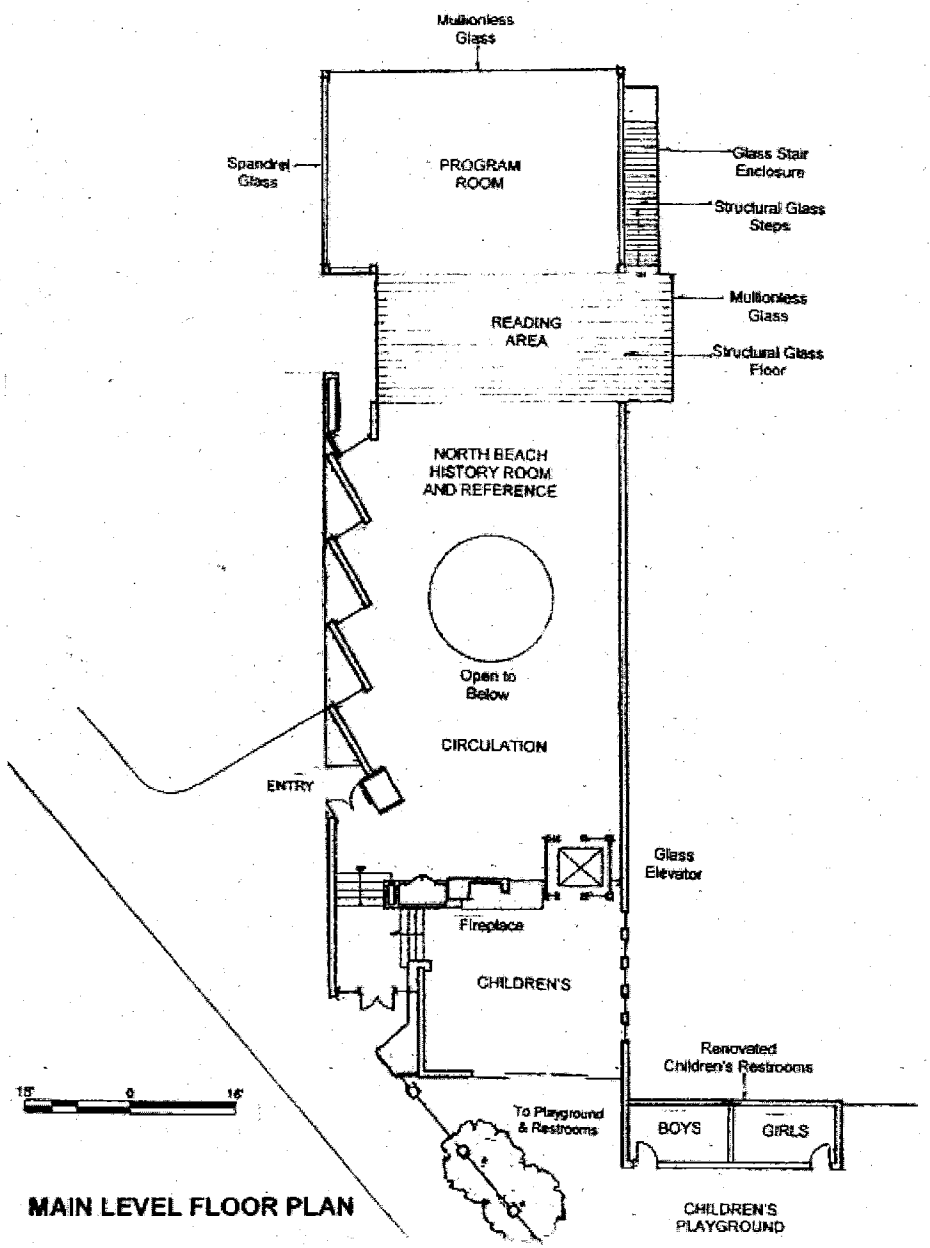
STUDY AW-3

NOTE: Mason Street is shown closed for comparative purposes. Another design option is "cobblestoned" streets.

FRIENDS OF APPLETON-WOLFARD LIBRARIES
AppletonWolfard@aol.com



LOWER LEVEL FLOOR PLAN



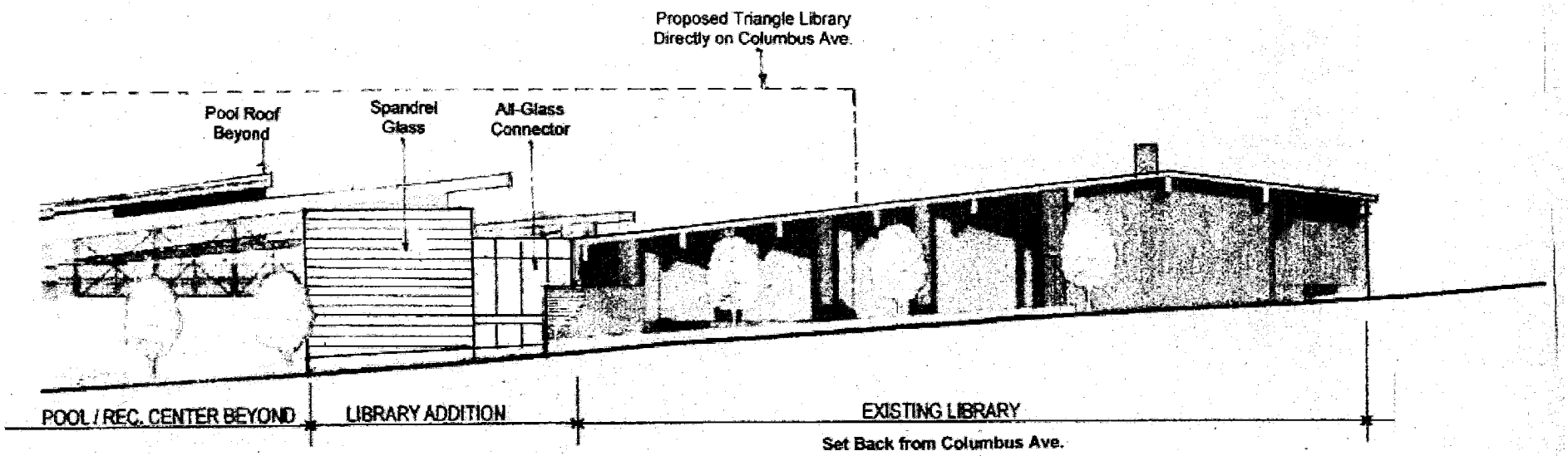
MAIN LEVEL FLOOR PLAN

GENERAL NOTES FOR STUDY AW-3:
Constructed on a sloped site, the partially excavated lower level can be expanded for a **12,000 square foot library**—within the same budget.

Historic preservation of the Appleton-Wolfard Library creates the largest library, more playground and open space—saving Joe DiMaggio's Softball Fields and Triangle Park.

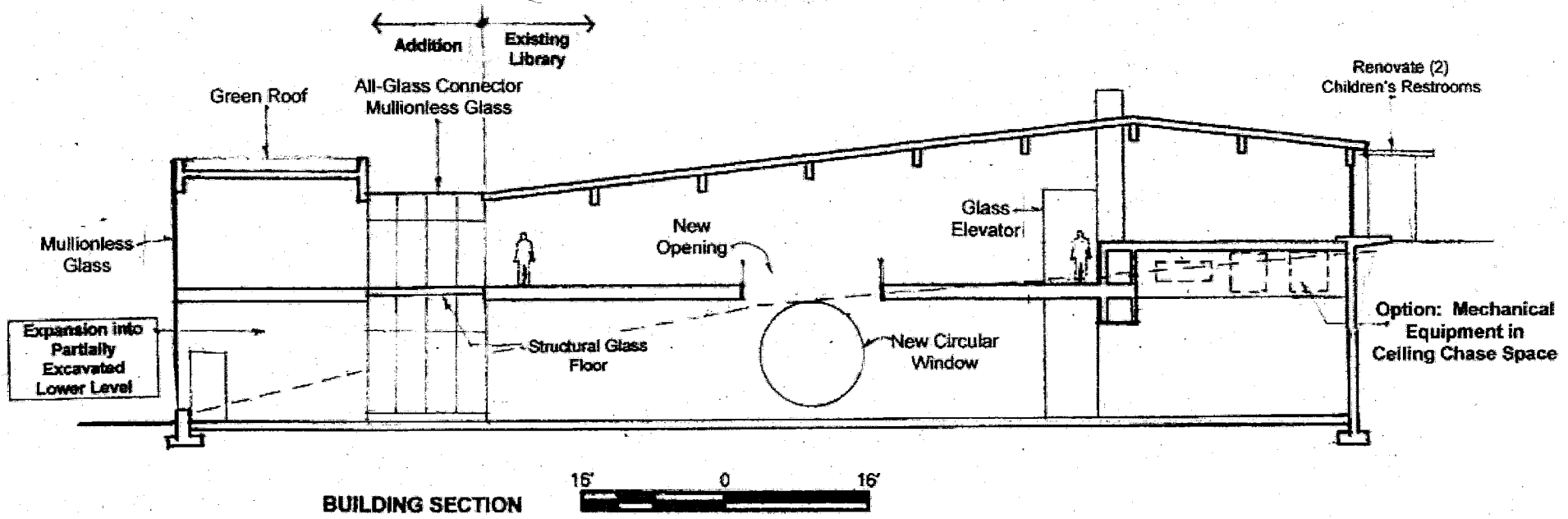
NORTH BEACH PUBLIC LIBRARY
PRESERVATION & LOWER LEVEL EXPANSION
WITH NORTHERLY ADDITION

FLOOR PLAN STUDY AW-3



WEST ELEVATION

16' 0 16'



BUILDING SECTION

16' 0 16'

NORTH BEACH PUBLIC LIBRARY
PRESERVATION & LOWER LEVEL EXPANSION
WITH NORTHERLY ADDITION

ELEVATION & SECTION AW-3

North Beach Public Library and Joe DiMaggio Playground Master Plan Project

PROGRAM COMPARISON FOR DESIGN ALTERNATIVES:
NORTH BEACH LIBRARY PRESERVATION, LOWER LEVEL EXPANSION WITH NORTH ADDITION

GENERAL: In any architectural design process, many design concepts can satisfy programmatic goals. The superlative design satisfies more goals at a higher level. From 1988 to 2008, the Library's published program, presentations, budgets and Bond Measures promised the "renovation", "rehabilitation" and "preservation" of the Appleton-Wolfard North Beach Library. Also, the triangle lot at Columbus/ Lombard was seized by eminent domain and purchased with Open Space Funds for the legal purposes of open space.

	Existing Conditions	Triangle Library	Preservation/ Lower Level Expansion/ North Addition—AW-3	Comments
LIBRARY				
Total Floor Area (sq. ft.)	**5,330**	**8,500**	**12,000**	
Children's (sq. ft.)	500	950	1,100	AW-3 has direct access to Children's Playground and private Children's Restrooms (extra 272 sq. ft.).
Teens (sq. ft.)	170	435	1,200	
Adult (sq. ft.)	1,850	1,910	4,800	AW-3 includes a North Beach History Room.
Program Room (sq. ft.)	0	660	1,200	
Public Area Subtotal (sq. ft.)	**2,520**	**3,955**	**8,300**	
Staff Work Areas (sq. ft.)	335	635	1,600	
Staff Lounge (sq. ft.)	195	165	250	
Building Support Spaces (sq. ft.)	2,280	3,745	1,850	Rectilinear spaces allow for greater efficiency.
Building Footprint (sq. ft.)	4,400	6,180	5,950	AW-3's smaller footprint creates more open space.
Linear Feet of Shelving	2,231	+/- 2,565	+/- 5,000	Rectilinear spaces allow for flexibility in layouts.
Computers	5	19	40	
Seats	42	58	120	
OPEN SPACE				
Net Change (sq. ft.)	0	**(-12,000)** Extra 7,000 sq. ft. of Mason St. park ($5 million Ph. 2 cost).	**5,000** Extra 9,000 sq. ft. of Mason St. park ($1 million Ph. 2 cost).	**Mason St. Closure should be counted separately. This open space is achievable in any design alternatives. The Triangle is open space, purchased by Rec-Park.**
Children's Play Area (sq. ft.)	9,900	13,700	12,700	AW-3: Direct connection to Children's Library, private Children's Restrooms & no shadows.
Number of Tennis Courts	3	3	3	For Triangle Library scheme, courts near Greenwich St. create noise problems for adjacent properties.
COST	—	**$8,000,000 Min.**	**$8,000,000 Max.**	Renovation unit costs are lower than new construction.
CODE-COMPLIANCE	—	**No**	**Yes**	Triangle Library requires rezoning, spot zoning, street work.
SUSTAINABILITY	—	**Good**	**Very High**	The greenest building is the one that already exists.
FUTURE EXPANDABILITY	—	**No**	**Yes**	Triangle Library is built up to Mason St. utility lines.
SHADOW IMPACTS	—	**Much Shadow**	**Little Shadow**	Triangle Library does not comply with Shadow Ordinance.

CONCLUSIONS: Mason St. can be closed in any design alternative for additional open space---and does not mitigate decreased play areas in the existing playground. The proposed Master Plan decreases the regional Multi-Purpose Hardscape Area by 12,000 sq. ft., eliminating Joe DiMaggio's Softball Fields. With increased circulation paths, ramps and sloped terrain, usable recreation area is further decreased. Also, the Triangle Lot is legally open space, seized by eminent domain and purchased with Open Space Funds. Because the Triangle Library is constructed 19'-6" into the Mason St. Right-of-Way, it would decrease any Mason St. open space significantly.

Linda Wong - Rules
File 110798

keep JIM MEKO on Entertainment Commission

silva keith to: Jane.Kim, april.veneracion, Matthias.Mormino, viva.mogi, Mark.Farrell, Catherine.Stefani, Margaux.Kelly, Sean.Elsbernd, David.Chiu, Judson.True, Carmen.Chu, Katy.Tang, Cc: Cammy.Blackstone, Scott.Wiener, Adam.Taylor, Malia.Cohen, Jon.Lau, John.Avalos, Raquel.Redondiez, David.Campos,

06/23/2011 03:28 PM

From: silva keith <keithsilva@sbcglobal.net>

To: Jane.Kim@sfgov.org, april.veneracion@sfgov.org, Matthias.Mormino@sfgov.org, viva.mogi@sfgov.org, Mark.Farrell@sfgov.org, Catherine.Stefani@sfgov.org, Margaux.Kelly@sfgov.org, Sean.Elsbernd@sfgov.org, Alexander.Volberding@sfgov.org,

Cc: David.Chiu@sfgov.org, Judson.True@sfgov.org, Carmen.Chu@sfgov.org, Katy.Tang@sfgov.org, Cammy.Blackstone@sfgov.org, Scott.Wiener@sfgov.org, Adam.Taylor@sfgov.org, Malia.Cohen@sfgov.org, Jon.Lau@sfgov.org,

View: (Mail Threads)

To Whom It May Concern- (23 July 2011)

From 1976 onwards I've been a business operator, landlord and resident in WSOMA (700 block Clementina, 8th/9th and Folsom/Howard). During those 35 years JIM MEKO has consistently and compassionately helped me and my neighbors address - very creatively and resourcefully - various and numerous entertainment issues.

Watching Jim, I and my fellow Clementina mews neighbors have been constantly impressed with his knowledge and care of all things WSoma; he works hard, pays close attention to detail and LISTENS very well to all sides of a dispute before responding. He has been, and continues to be, an able steward of our local SOMA Leadership Council.

In particular, please keep in mind that Jim is the 2010 recipient of the Mayor's Office of Neighborhood Services' NEN Lifetime Achievement Award, and that he helped author the Good Neighbor Policy, Mediation Principles for staff and Pre-Application Process that identifies potential issues before new entertainment venues are allowed to open for business.

JIM MEKO has been a fabulously constructive asset to WSoma: I encourage you to PLEASE re-appoint him to the Entertainment Commission.

Thank you for time and consideration in this matter. Feel free to contact me for any additional input you would like.

Sincerely- Keith Silva.

40

To: BOS Constituent Mail Distribution, Linda Wong/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110798: In Support of Jim Meko for Neighborhood Seat on Entertainment Commission

From: Marvis Phillips <marvisphillips@gmail.com>
To: board.of.supervisors@sfgov.org
Date: 06/28/2011 06:46 PM
Subject: In Support of Jim Meko for Neighborhood Seat on Entertainment Commission

To the members of the Rules Committee:

I am writing to support Jim Meko for the neighborhood's seat on the Entertainment Commission. I have known Jim for over 10 years. I have found that Jim is extremely knowledgeable on community issues. Jim respects the small businesses as well as the community neighborhood residents. We need a community-recognized person who really cares for those who cannot speak for themselves. Not someone who is just for the industry -- they have enough support. The residents have very little power, if any, if Jim Meko loses. As for the other candidates, neither one of them has ever attended any community meetings or events I've been to. I've been an activist for 32 years working on land use/planning and public safety -- I know who the players are in my community.

Sincerely,

Marvis J. Phillips
Past President, North of Market Planning Coalition
Past President Alexander Tenants Association
27-year Community Watch Block Captain

To: Linda Wong/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110798: Jim Meko Reappointment to Entertainment Commission

From: "Wayne Patanian" <255_Berry@sbcglobal.net>
To: <Jane.Kim@sfgov.org>, <Mark.Farrell@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <David.Chiu@sfgov.org>, <Board.of.Supervisors@sfgov.org>, <april.veneracion@sfgov.org>, <Matthias.Mormino@sfgov.org>, <viva.mogi@sfgov.org>, <Catherine.Stephani@sfgov.org>, <Margaux.Kelly@sfgov.org>, <Alexander.Volberding@sfgov.org>, <Olivai.Scanlon@sfgov.org>, <Judson.True@sfgov.org>, <Carmen.Chu@sfgov.org>, <Katy.Tang@sfgov.org>, <Cammy.Blackstone@sfgov.org>, <Scott.Wiener@sfgov.org>, <adam.taylor@sfgov.org>, <Malia.Cohen@sfgov.org>, <john.avolos@sfgov.org>, <eric.L.Mar@sfgov.org>, <ross.mirkarimi@sfgov.org>
Cc: "'Jim Meko'" <Jim.Meko@comcast.net>
Date: 06/29/2011 05:22 PM
Subject: Jim Meko Reappointment to Entertainment Commission

Dear Decision Makers,

It has come to my attention that the Entertainment Commission and Rules Committee is considering replacing Jim Meko after his term expires. I understand Glendon Hyde/Anna Conda is in consideration for the Neighborhood Representative Entertainment Commission seat. I understand Anna Conda has been an advocate for homeless, LGBT, marriage equality and is an entertainment bonanza. I've enjoyed her shows on a few occasions myself. I believe he may be a good appointment to represent the interests of entertainment association groups, but not the neighborhood representative. There should be equal representation on the commission and this would most certainly upset this required balance.

I don't know Jim personally, but my interaction with him as the leader of the SoMa Leadership Council and as an Entertainment Commission Neighborhood Representative has left me with the one impression that you always want when you seek answers or guidance for quality of living issues – **COMPLETE FAIRNESS!!** You won't always get you want, but you can count on this fact - all parties involved, even the perceived trouble makers, will get a fair shake to address whatever issue needs to be addressed.

I reside at 766 Harrison Street which happens to be the neighbor to the Manor West club on 750 Harrison Street. I purchased a home at 766 Harrison Street in 2009 and after the club reopened under their existing name, Manor West, the thumping bass sound emitted from the club was unbearable in the evening hours. At times you could not hear your TV clearly, you could feel the vibration on the walls and hear bass through the ventilation shafts of the building. There is a building (SOMA Mental Health Center) in between the club and 766 Harrison. I tried to approach the club owners for months and was ridiculed by staff. Unfortunately I had to contact the Entertainment Commission for guidance. The Commission invited the club owners and myself to participate in their agenda so both sides could present their case. To make a long story short both parties were educated to understand that we were both part of the neighborhood and that we needed to co-exist. The bass emission from the club has been lowered and the owners of the club gave us their numbers if for some reason the bass level ever became uncomfortable. The situation is night and day compared to what it used to be. We have the entertainment commission, but mostly Jim Meko, to thank for this quality of living improvement!

Please understand this situation is far from perfect. For the past two months the bass sound has been getting louder. When the club is called they respond immediately, but if this continues to happen it will kind of defeat the purpose of having this option. The club also has frequent crowd management issues with patrons vomiting, smoking and creating noise right outside under the windows of 766 Harrison Street along with blocking sidewalk access. Coincidentally last

weekend, Justin Rojas, nice guy and the president of the commission, was spotted entering the club (at 12:40PM on Saturday) while this was occurring and nothing was done about it. I think he was mostly concerned with having a good time. Don't blame him, Manor West is a swanky club, but it proves that a **neighborhood representative or TWO** is needed on the Entertainment Commission! We will continue to work with our neighbors to try to make sure the situation works for everyone. This is what Jim Meko has taught us!

This is just one example of a group of residents and a business that have been touched by Jims dedication to the community he serves. I'm sure there are many many more. It's no wonder that he was the 2010 recipient of the Mayor's Office of Neighborhood Services' NEN Lifetime Achievement Award. He has been serving the community for years and knows what he is doing. I'm am proud to support Jim Meko for the entertainment commission neighborhood representative seat.

Thank you for considering the reappointment of Jim Meko at the July 7 meeting of the Rules Committee.

Wayne Patanian
415.233.0752 cell

Board President of 766 Harrison Street Homeowners Association
Coordinator for Annual Mission Bay Basketball Tournament
Property Manager of 255 Berry Street

File 110798

To: Linda Wong/BOS/SFGOV,
Cc:
Bcc:
Subject: Fw: Meko's Reappointment to the Entertainment Commission

From: Austin Phillips <austin.ray.phillips@gmail.com>
To: Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org
Cc: Board.of.Supervisors@sfgov.org
Date: 06/23/2011 02:05 PM
Subject: Meko's Reappointment to the Entertainment Commission

Dear Rules Committee,

My name is Austin Phillips, and I've lived in District 6 since 2007. I strongly support the reappointment of Jim Meko to the Entertainment Commission. I currently hold a seat in the Parks, Recreation and Open Space Advisory Committee but have been a dormant member due to a change in my work schedule. However, I am writing today as a concerned resident and supporter of Jim Meko.

As someone who once lived *above* a bar in SOMA -- which anyone who has lived in SF for any length of time would realize that there are many many people who live either adjacent to or in the same building of a bar or nightclub or other entertainment venue -- I understand what it's like to need and deserve fair representation with my bar and nightclub neighbors.

Jim has done a stellar job and has faithfully fulfilled all of his responsibilities above and beyond reasonable expectations. In my opinion, it would be a devastating loss to the community to lose Jim in this very important role.

Jim holds the seat that was created to represent the interests of neighborhood associations and he has been a strong advocate for keeping peace between the neighbors and nightclubs for many years. Jim created the Good Neighbor Policy, Mediation Principles for staff and is working on a strong pre-application process to facilitate better communication before entrepreneurs even file for their permits.

I do love my nightlife - it's one of my favorite aspects of living in SF - but I also deserve neighborhood that respects everyone in it, businesses and residents alike - and Jim's legacy of demonstrated patience and fair-mindedness makes him an honest broker among residents and the industry, *so why replace him?* We need his expertise, historical knowledge and **commitment** on this important Commission. **Please support his reappointment at the July 7 meeting of the Rules Committee.**

As a reminder to those who may or may not be fully aware of just how important Jim's contribution has been, here is a representative list that demonstrate that he is clearly the most qualified, passionate and dedicated representative we could have hoped for.

- Jim helped then-Supervisor Mark Leno write the legislation that created the Entertainment Commission and was responsible for all the references to "good neighbor policies."
- Entertainment is a for-profit industry that should not have government-subsidized cheerleaders regulating it.
- Jim is the 2010 recipient of the Mayor's Office of Neighborhood Services' NEN Lifetime Achievement Award.
- He authored the Good Neighbor Policy, Mediation Principles for staff and a Pre-Application Process that's meant to identify problems before new venues even open for business.
- Jim has been keeping peace between neighbors and the nightclubs for more than fifteen years, first as vice-president of the SoMa Residents Association and now as chair of the SoMa Leadership Council.
- He understands the relationship between land use and entertainment issues.
- Has worked with Supervisor Mirkarimi to moderate his "Live Performance" entertainment permit legislation

- In 2010 Jim had a 100% perfect attendance record.

This city and it's residents **deserve** Jim Meko in this role, on this commission, please don't take him away.

Thanks,

Austin Phillips
415-359-5393

To: Linda Wong/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110798: Email in support of Jim Meko for Entertainment Commision

From: Ken Priore <kenpriore@priorelawgroup.com>
To: Jane.Kim@sfgov.org, april.veneracion@sfgov.org, Matthias.Mormino@sfgov.org, viva.mogi@sfgov.org, Mark.Farrell@sfgov.org, Catherine.Stefani@sfgov.org, Margaux.Kelly@sfgov.org, Sean.Elsbernd@sfgov.org, Alexander.Volberding@sfgov.org, Olivia.Scanlon@sfgov.org
Cc: David.Chiu@sfgov.org, Judson.True@sfgov.org, Carmen.Chu@sfgov.org, Katy.Tang@sfgov.org, Cammy.Blackstone@sfgov.org, Scott.Wiener@sfgov.org, Adam.Taylor@sfgov.org, Malia.Cohen@sfgov.org, Jon.Lau@sfgov.org, John.Avalos@sfgov.org, Raquel.Redondiez@sfgov.org, David.Campos@sfgov.org, Hillary.Ronen@sfgov.org, Eric.L.Mar@sfgov.org, Myrna.Melgar@sfgov.org, Ross.Mirkarimi@sfgov.org, Brian McQueen <brian@brianthomasmcqueen.com>, Board.of.Supervisors@sfgov.org, Jim Meko <Jim.Meko@comcast.net>, Robert.Selna@sfgov.org
Date: 06/23/2011 03:16 PM
Subject: Email in support of Jim Meko for Entertainment Commision

Dear Supervisors.

I am a 15 year resident of SOMA and a member of the Lafayette Minna Neighborhood (LMN) Association and I am writing you to voice my support for the reappointment of Jim Meko to the Entertainment Commission.

It is vital that we have Jim Meko's involvement as someone who lives in SOMA and is knowledgeable of the layers of issues that are involved in the work of the Entertainment Commission: from planning, health, quality of life, vitality of nightlife, ABC regulations, and noise and safety. The issues that confront the Entertainment Commission overlap a variety of stakeholders and competing interests.

Jim has the right background and insight to correctly navigate these concerns.

Jim holds the seat that was created to represent the interests of neighborhood associations and he has been a strong advocate for keeping peace between the neighbors and nightclubs for many years. Jim created the Good Neighbor Policy, Mediation Principles for staff and is working on a strong pre-application process to facilitate better communication before entrepreneurs even file for their permits.

I have witnessed this first hand where Jim Meko was an effective participant in assisting the resolution of a number of noise and safter disputes in and around the LMN with local bars and clubs. We need the continued support of Jim in this role.

Ken

Priore Law

Kenneth Priore, Esq

415.691.6200

kenpriore@priorelawgroup.com

www.thecaliforniabusinessattorney.com

Twitter: PrioreLaw

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Haight Ashbury Neighborhood Recycling Center

From: "Rich Lang" <r_lang@pacbell.net>
To: "Board" <Board.of.Supervisors@sfgov.org>, "Mayor Lee" <mayoredwinlee@sfgov.org>
Date: 06/24/2011 02:15 PM
Subject:

Yet another plea from a long-time resident of the Haight:

Please do not let the Haight Ashbury Neighborhood Recycling Center go out of business.

We NEED a recycling center in our area. And while I am a sympathizer of parks, we do NOT need the small amount of space that
HANC occupies to be turned into parkland when immediately adjacent to the HANC is the second biggest city park in the country!!!

Please -- HANC serves a very useful purpose for lots and lots of people. Please ensure that their lease is renewed longterm.

Thank you.

Richard Lang
169-A Belvedere Street
San Francisco, CA 94117

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To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Stop the demolition of a national eligible masterplanned community.

The Clerk's Office has received two form emails like the one below.

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax
Board.of.Supervisors@sfgov.org

Complete a Board of Supervisors Customer Service Satisfaction form by clicking
http://www.sfbos.org/index.aspx?page=104
----- Forwarded by Board of Supervisors/BOS/SFGOV on 06/28/2011 04:37 PM -----

From: Lukas Martinelli <mail@change.org>
To: board.of.supervisors@sfgov.org
Date: 06/27/2011 05:50 AM
Subject: Stop the demolition of a national eligible masterplanned community.

Help protect and advocate for adequate working class housing in San Francisco.,

Please help to prevent the unecessary destruction of housing, and a landscape designed by a master-class landscape architect Thomas Dolliver Church. Help advocate for better infrastructural changes along 19th Avenue and proper direct regional connection to transit hubs to reduce traffic and congestion that flows along this arterial corridor from the north bay to silicon valley. Demand better housing to be built that provides dense development that does not destroy the open-space that is critical in urban areas for families. Require that alternatives that focus on "INFILL" and a more balanced development layout that spreads the density into more than one neighborhood disproportionately. Ensure that the ecological impacts, and carbon footprint of the development proposal is independently reviewed and adequately assessed. Ensure that there will be housing that is affordable and meant to increase the level of affordability and quality of housing constructed in urban areas and suburbs nationwide by stopping the predatory equity lending that occurs in such large scale redevelopment projects and helps refocus our building strategies towards re-engineering the suburban scale of sprawl outside our urban cores.

Thank you for your support and interest in housing, jobs, and the environment.

Sincerely

Aaron Goodman

Lukas Martinelli
Pleasant Hill, CA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition. To respond, email responses@change.org and include a link to this petition.

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Stop the demolition of a national eligible masterplanned community.
Kim Workman
to:
board.of.supervisors
06/24/2011 08:45 AM
Please respond to Kim Workman
Show Details

Security:

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

Help protect and advocate for adequate working class housing in San Francisco.,

Please help to prevent the unecessary destruction of housing, and a landscape designed by a master-class landscape architect Thomas Dolliver Church. Help advocate for better infrastructural changes along 19th Avenue and proper direct regional connection to transit hubs to reduce traffic and congestion that flows along this arterial corridor from the north bay to silicon valley. Demand better housing to be built that provides dense development that does not destroy the open-space that is critical in urban areas for families. Require that alternatives that focus on "INFILL" and a more balanced development layout that spreads the density into more than one neighborhood disproportionately. Ensure that the ecological impacts, and carbon footprint of the development proposal is independently reviewed and adequately assessed. Ensure that there will be housing that is affordable and meant to increase the level of affordability and quality of housing constructed in urban areas and suburbs nationwide by stopping the predatory equity lending that occurs in such large scale redevelopment projects and helps refocus our building strategies towards re-engineering the suburban scale of sprawl outside our urban cores.

Thank you for your support and interest in housing, jobs, and the environment.

Sincerely

Aaron Goodman

Kim Workman
San Francisco, CA

Note: this email was sent as part of a petition started on Change.org, viewable at www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition. To respond, email responses@change.org and include a link to this petition.

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Fw: Measure would make getting shelter bed easier and more fair

From: Jennifer Friedenbach <director@cohsf.org>
To: Board Sups
Date: 06/23/2011 08:02 AM
Subject: Measure would make getting shelter bed easier and more fair

Measure would make getting shelter bed easier and more fair

by Steven Jones

More than three years after a Guardian investigation found that San Francisco's homeless shelter system is an unnecessarily confusing, difficult to navigate, and inequitable boondoggle that routinely denies people use of even vacant shelter beds, voters in November will get a chance to change a system created largely by former Mayor Gavin Newsom's Care Not Cash program.

Care Not Cash was sold to voters in 2002 as a program that reduced the general assistance payments to homeless individuals in exchange for the city giving them housing and support services. But that housing often turned out to be simply a shelter bed, and after years of city budget cutting closed homeless shelters, nearly half the remaining beds were set aside for Care Not Cash clients whether they used them or not.

So Sup. Jane Kim and four progressive supervisors, working with the Coalition on Homelessness, yesterday approved the creation of a "Fair Shelter" ballot measure to require that Care Not Cash clients get more than simply a shelter bed and that shelter beds be opened up to all who need them on a more equitable and sensible basis.

But Mayor Ed Lee and others who helped create the current system are criticizing the measure and using the same deceptive claims that have masked the problem for years. "Care Not Cash is premised on providing a path to housing and services. That path begins with shelter for those who need it. By removing the shelter system from the available benefits provided to Care Not Cash recipients, we dismantle this path to getting people housed, ultimately undermining the success of this nationally recognized, award-winning program," Lee said in a statement issued yesterday.

Human Services Agency Director Trent Rhorer, Newsom's point person in creating the system, told the Chronicle that the measure would threaten Care Not Cash and attract more homeless people to the city by making it easier to get into shelters. He also denied there was a problem, noting that about 100 of the city's 1,100 shelter beds are vacant each night.

But there's a gaping contradiction at the heart of Rhorer's rhetoric, demonstrating that the city's real intention is to make life as difficult as possible for the homeless in the hopes that they'll simply leave the city, as Guardian reporters found when they spent a week trying to sleep in the shelters. Vacant beds are only made available late at night, and claiming one often involves long uncertain waits and crosstown run-arounds between where people register and where they might ultimately sleep.

It's a dehumanizing and deceptive system that COH and the city's Homeless Shelter Monitoring Committee have long been seeking to change. "The inclusion of shelter in the original ordinance has resulted in an unintended negative consequence of wreaking havoc on the city's publicly funded shelter system. People with disabilities, seniors, working homeless people and undocumented people have a disadvantage in garnering access to shelter beds under the current system," Shelter Monitoring Committee Chair LJ Cirilo said in a statement put out by COH, which noted that 43 percent of shelter beds are reserved by Care Not Cash recipients, although they represent only about 14 percent of

the city's homeless population.

http://www.sfbg.com/politics/2011/06/22/measure-would-make-getting-shelter-bed-easier-and-more-fair

Jennifer Friedenbach
Executive Director
Coalition on Homelessness, San Francisco
468 Turk Street
San Francisco, CA 94102
(415) 346-3740 x 306
fax: 775-5639

To learn more about our work, and to get the latest scoop on the politics of poverty in SF, go to the Street Sheet blog: www.cohsf.org/streetsheet

BOS-11

EDMUND G. BROWN, JR
Governor

1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
fgc@fgc.ca.gov

STATE OF CALIFORNIA
Fish and Game Commission

June 27, 2011

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed emergency regulatory action relating to incidental take of Mountain yellow-legged frog.

Sincerely,

Sheri Tiemann
Staff Services Analyst

Attachments

(44)

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

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 240, and 2084, of the Fish and Game Code (FGC) and to implement, interpret or make specific sections 200, 202, 205, 240, 2080, 2084, and 2085 of said Code, readopted Section 749.6, Title 14, California Code of Regulations (CCR), relating to incidental take of mountain yellow-legged frog *(Rana muscosa* and *Rana sierrae)* ("MYLF") during candidacy period.

Informative Digest/Policy Statement Overview

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

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

1. Petition and Acceptance

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

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

Fish and Game Code section 2074.2 provides that, if the Commission finds that the petition provides sufficient information to indicate that the petitioned action may be warranted, the petition is accepted for consideration and the species that is the subject of the petition becomes a "candidate species" under CESA. CESA prohibits unauthorized take of a candidate species. Fish and Game Code section 86 states "take" means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. Killing of a candidate, threatened, or endangered species under CESA that is incidental to an otherwise lawful activity and not the primary purpose of the activity constitutes take under state law. (*Department of Fish and Game v. Anderson-Cottonwood Irrigation District* (1992) 8 Cal.App.4th 1554; *see also Environmental Protection and Information Center v. California Dept. of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 (in the context of an ITP issued by the Department under CESA the California Supreme Court stated, "'take' in this context means to catch, capture or kill").)

CESA's take prohibition applies to candidate species pursuant to Fish and Game Code section 2085 upon public notice by the Commission of its finding that sufficient information exists to indicate the petitioned action may be warranted. Upon publication of such notice in the

California Regulatory Notice Register, take of candidate species is prohibited absent authorization as provided in the Fish and Game Code. Following such notice, all activities, whether new or ongoing, that cause incidental take of the candidate species are in violation of CESA unless the take is authorized in regulations adopted by the Commission pursuant to Fish and Game Code section 2084 or the Department authorizes the take through the issuance of an ITP or other means available pursuant to the Fish and Game Code.

2. Status Review and Final Action on the Petition

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

Within 12 months of the petition's acceptance, the Department must provide the Commission a written report that indicates whether the petitioned action is warranted. (Fish & G. Code, § 2074.) The Commission must schedule the petition for final consideration at its next available meeting after receiving the Department's report. (*Id.*, § 2075.) In its final action on the petition, the Commission is required to decide whether listing the species as threatened or endangered "is warranted" or "is not warranted." (*Id.*, § 2075.5.) If listing is not warranted in the Commission's judgment, controlling authority directs the Commission to enter that finding in the public record and the subject species is removed from the list of candidate species. (*Id.*, § 2075.5(1); Cal. Code Regs., tit. 14, § 670.1, subd. (i)(2).)

B. Effect of the Emergency Action

Section 749.6 of Title 14 of the California Code of Regulations would authorize and provide for take of MYLF during its candidacy subject to the following terms and conditions:

(a) Take Authorization.

The Commission authorizes the take of Mountain yellow-legged frog during the candidacy period subject to the terms and conditions herein.

(1) Scientific, Education or Management Activities.
Take of Mountain yellow-legged frog incidental to scientific, education or management activities is authorized.

(2) Scientific Collecting Activities.
Take of Mountain yellow-legged frog authorized by a scientific collecting permit issued by the Department pursuant to California Code of Regulations, Title 14, section 650 or a recovery permit issued by a federal wildlife agency pursuant to United States Code, Title 16, section 1539(a)(1)(A) is authorized.

(3) Actions to Protect, Restore, Conserve or Enhance.
Take of Mountain yellow-legged frog incidental to otherwise lawful activities initiated to protect, restore, conserve or enhance a state or federally threatened or endangered species and its habitat is authorized.

(4) Fish Hatchery and Stocking Activities.
Take of Mountain yellow-legged frog incidental to fish hatchery and related stocking activities consistent with the project description and related mitigation measures identified in the Department of Fish and Game (Department) and U.S. Fish & Wildlife Service Hatchery and Stocking Program Joint Environmental Impact Report/Environmental Impact Statement (SCH. No. 2008082025), as certified by the Department on January 11, 2010, is authorized.

(5) Wildland Fire Response and Related Vegetation Management.
Take of Mountain yellow-legged frog incidental to otherwise lawful wildland fire prevention, response and suppression activities, including related vegetation management, is authorized.

(6) Water Storage and Conveyance Activities
Take of Mountain yellow-legged frog incidental to otherwise lawful water storage and conveyance activities is authorized.

(7) Forest Practices and Timber Harvest.
Incidental take of Mountain yellow-legged frog is authorized for otherwise lawful timber operations. For purposes of this authorization, an otherwise lawful timber operation shall mean a timber operation authorized or otherwise permitted by the Z'Berg Nejedly Forest Practice Act (Pub. Resources Code, Section 4511 et seq.), the Forest Practice rules of the Board of Forestry, which are found in Chapters 4, 4.5 and 10 of Title 14 of the California Code of Regulations or other applicable law. The Z'Berg Nejedly Forest Practice Act and Forest Practice Rules can be found at the following website: http://www.fire.ca.gov/resource_mgt/resource_mgt_forestpractice.php.

(b) Reporting.

Any person, individual, organization, or public agency for which incidental take of Mountain yellow-legged frog is authorized pursuant to subdivision (a), shall report observations and detections of Mountain yellow-legged frog, including take, to the Department of Fish and Game on a semi-annual basis during the candidacy period. Observations, detections, and take shall be reported pursuant to this subdivision to the Department of Fish and Game, Fisheries Branch, Attn: Mountain yellow-legged frog observations, 830 S St., Sacramento, CA 95811, or by email submission to mylfdata@dfg.ca.gov. Information reported to the Department pursuant to this subdivision shall include as available: a contact name; the date and location (GPS coordinate preferred) of the observation, detection, or take; and details regarding the animal(s) observed.

(c) Additions, Modifications or Revocation.

(1) Incidental take of Mountain yellow-legged frog from activities not addressed in this section may be authorized during the candidacy period by the Commission pursuant to

Fish and Game Code section 2084, or by the Department on a case-by-case basis pursuant to Fish and Game Code section 2081, or other authority provided by law.

(2) The Commission may modify or repeal this regulation in whole or in part, pursuant to law, if it determines that any activity or project may cause jeopardy to the continued existence of Mountain yellow-legged frog.

C. Existing, Comparable Federal Regulations or Statutes

The Federal Endangered Species Act ("FESA") (16 U.S.C. § 1531 et seq.) includes a listing process that is similar to the listing process under CESA, except that take of a candidate species is not prohibited under FESA. The U.S. Fish & Wildlife Service ("Service") designated the southern California population of MYLF (*Rana muscosa*) as a distinct population segment and listed it as an endangered species under FESA on July 2, 2002. (67 Fed.Reg. 44382.) In January 2003, the Service determined that listing the Sierra Nevada populations of MYLF (*Rana sierrae*) as endangered was warranted, but precluded by other higher priority listing actions. (68 Fed.Reg. 2283.) MYLF (*Rana sierrae*) remains a candidate under FESA based on the Service's "warranted but precluded" finding and take of the species under FESA is not currently prohibited.

FESA Section 4(d) (16 U.S.C. § 1533, subd. (d)) is similar in some respects to Fish and Game Code section 2084. Section 4(d) authorizes the Service or the National Marine Fisheries Service (NMFS) to issue protective regulations prohibiting the take of species listed as threatened. These regulations, also called "4(d) rules," may include any or all of the prohibitions that apply to protect endangered species and may include exceptions to those prohibitions. The 4(d) rules give the Service and NMFS the ability to craft comprehensive regulations to apply to particular activities that may result in take of a threatened species in a manner similar to the Commission's authority to prescribe terms and conditions pursuant to FGC section 2084 during the species' candidacy period. Here, no 4(d) rules have been promulgated for MYLF (*Rana sierrae)* because the "warranted but precluded" finding by the Service did not yet effectuate the designation of MYLF (*Rana sierrae)* as a federally listed threatened or endangered species.

This emergency regulation does not provide FESA authorization for take of MYLF (*Rana muscosa* and *Rana sierrae*). To the extent a project will result in take of MYLF as defined by the FESA, the project proponent is responsible for consulting with the Service to obtain the appropriate take authorization.

D. Policy Statement Overview

The objective of this emergency regulation is to allow specified activities to continue on an interim basis, subject to the measures in the regulation designed to protect MYLF, pending final action by the Commission under CESA related to the proposed listing. The Department's evaluation of the species during the candidacy period will result in the status report described in Section A.2 above. The status report provides the basis for the Department's recommendation to the Commission before the Commission takes final action on the petition and decides whether the petitioned action is or is not warranted.

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

Section 240 Finding

Pursuant to the authority vested in it by FGC Section 240 and for the reasons set forth in the attached "Statement of Emergency Action," the Commission expressly finds that the adoption of this regulation is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources, and for the immediate preservation of the general welfare. The Commission specifically finds that the adoption of this regulation will allow activities that may affect MYLF to continue during the candidacy period as long as those activities are conducted in a manner consistent with the protections specified in this regulation.

Public Comments on Proposed Emergency Regulations

The Commission is proposing to readopt this emergency regulation at its June 29, 2011, meeting in Stockton. It is anticipated that the emergency regulation will be filed with the Office of Administrative Law (OAL) on or about July 5, 2011.

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

In order to be considered, public comments on proposed emergency regulations must be submitted in writing to the Office of Administrative Law (OAL), 300 Capitol Mall, Room 1250, Sacramento, CA 95814; AND to the Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814, or via fax to (916) 653-5040 or via e-mail to fgc@fgc.ca.gov. Comments must identify the emergency topic and may address the finding of emergency, the standards set forth in sections 11346.1 and 11349.1 of the Government Code and Section 240 of the Fish and Game Code. Comments must be received within five calendar days of filing of the emergency regulations. Please refer to OAL's website (www.oal.ca.gov) to determine the date on which the regulations are filed with OAL.

Impact of Regulatory Action

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

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

The Commission has determined that the adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation pursuant to FGC section 2084 will not result in costs or savings in federal funding to the State.

(b) Nondiscretionary Costs/Savings to Local Agencies:

The Commission has determined that adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation pursuant to Fish and Game Code section 2084

will likely provide cost savings to local agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take of MYLF on a project-by-project basis, which is both time-consuming and costly to local agencies seeking take authorization. Without this emergency regulation, many routine and ongoing otherwise lawful wildfire suppression and response activities; water management and conveyance activities; restoration, conservation and enhancement actions; scientific research, monitoring and management activities; and forest practices and timber harvest activities would be delayed, or cancelled entirely while awaiting the necessary CESA authorization or ultimate listing determination by the Commission. These delays and cancellations would cause great economic harm to persons already lawfully engaged in such activities, their employees, their local communities, and the State of California, especially during the current economic crisis.

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

The Commission has determined that the adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation does not impose a mandate on local agencies or school districts.

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

(e) Effect on Housing Costs:

The Commission has determined that the adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) Costs or Savings to State Agencies

The Commission has determined that adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation pursuant to Fish and Game Code section 2084 will likely provide cost savings to state agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take of MYLF on a project-by-project basis, which is both time-consuming and costly for both the Department in processing and authorizing such take, as well as to state agencies seeking take authorization. Without this emergency regulation, many routine and ongoing otherwise lawful wildfire suppression and response activities; water management and conveyance activities; restoration, conservation and enhancement actions; scientific research, monitoring and management activities; and forest practices and timber harvest activities would be delayed, or cancelled entirely while awaiting the necessary CESA authorization or the ultimate listing decision by the Commission. These delays and cancellations would cause great economic harm to persons already lawfully engaged in such activities, their employees, their local communities, and the State of California, especially in light of the current economic crisis.

Effect on Small Business

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

Consideration of Alternatives

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

FISH AND GAME COMMISSION

Jon K. Fischer
Acting Executive Director

Dated: June 27, 2011

FISH AND GAME COMMISSION
STATEMENT OF EMERGENCY ACTION
FOR SECOND RE-ADOPTION OF EMERGENCY REGULATIONS

Emergency Action to Re-adopt Section 749.6, Title 14, CCR,
Re: Special Order Relating to Incidental Take of Mountain-Yellow Legged Frog *(Rana muscosa* and *Rana sierrae)* During Candidacy Period

I. Request for Approval of Second Re-adoption of Emergency Regulation

The Fish and Game Commission (Commission) requests to re-adopt Section 749.6, Title 14, California Code of Regulations (CCR) [Office of Administrative Law (OAL) file numbers 2010-0930-03E and 2011-0328-03EE] without modification. The Finding of Emergency for OAL file 2010-0930E is hereby incorporated by reference and contains the following information: Statement/Finding of Emergency; Authority and Reference Citations; Informative Digest; Fiscal Impact Statement; Standard Form 399. The objective of this regulation is to allow specified activities to continue on an interim basis, subject to the measures in the regulation designed to protect Mountain yellow-legged frog (MYLF), while the Department of Fish and Game (Department) focuses its efforts on further evaluating the status of MYLF.

II. Emergency Regulation in Effect to Date

On September 15, 2010, the Commission determined that the listing of MYLF may be warranted. (Cal. Reg. Notice Register 2010, No. 40-Z, p. 1601 (October 1, 2010).) The Commission's determination designates MYLF as a candidate species under the California Endangered Species Act (CESA). On September 15, 2010, the Commission adopted an emergency regulation pursuant to Fish and Game Code (FGC) Section 2084 to allow incidental take of MYLF during its candidacy period subject to specified conditions. (Cal. Reg. Notice Register 2010, No. 43-Z, p. 1782 (October 22, 2010).) The emergency regulation was approved by OAL and became effective on October 11, 2010. Pursuant to Government Code (GC) sections 11346.1(e) and (h), emergency regulations are effective for 180 days. OAL may approve two re-adoptions, each for a period not to exceed ninety days. On March 14, 2011, the Commission re-adopted the emergency regulation. The re-adopted emergency regulation was approved by OAL and became effective on April 12, 2011. In the absence of a second re-adoption, the current 2084 regulation will expire on July 12, 2011.

III. Statement of Emergency

The Commission has prepared this Emergency Action Statement under the Administrative Procedure Act (APA) (Gov. Code, § 11340 et seq.) in connection with its request to OAL to approve the second re-adoption of Section 749.6 of Title 14 of the California Code of Regulations (CCR). The Commission's

adoption, and requested re-adoption, of Section 749.6 as an emergency action under the APA is based, in part, on authority provided by FGC sections 240 and 2084. Pursuant to the latter section, the emergency regulation adopted by the Commission, Section 749.6, authorizes incidental "take" of MYLF during candidacy, subject to certain terms and conditions prescribed by the Commission. (See generally Fish & G. Code, §§ 86, 2080, 2084, 2085.)

As set forth above, the Commission designated MYLF as a candidate species under CESA and found that adoption of Section 749.6 pursuant to FGC sections 240 and 2084 constituted a necessary emergency action by the Commission under the APA. If the emergency regulation is not re-adopted, individuals engaging in activities authorized pursuant to Section 749.6 would need to obtain an incidental take permit (ITP) or other authorization from the Department on a project-by-project basis to avoid potential criminal liability for violating CESA should take occur. The issuance of individual ITPs authorizing incidental take is a complicated and lengthy process, and the Commission finds specifically that it is not feasible for the regulated community to obtain, and the Department to issue, ITPs or other authorizations on a project-by-project basis for the numerous activities that would otherwise be prohibited during the candidacy period for MYLF. Without re-adoption of the emergency regulation, prospective permittees, by any reasonable measure, would be subject to CESA's take prohibition without an ability to obtain the necessary state authorization during the candidacy period. As a practical matter, activities that result in the take of MYLF would be prohibited and could not be implemented pending final action by the Commission on the listing petition, an action whereby MYLF may or may not be listed as endangered or threatened under CESA. As a result, many projects that are planned or underway that may provide economic, scientific, conservation, and/or other benefits to the State of California, its residents and their communities, and the State's natural resources would be postponed during the candidacy period or canceled entirely. The Commission finds this threatened result constitutes an emergency under Fish and Game Code Section 240 and the APA requiring immediate action, especially against the backdrop of the economic crisis currently faced by the State of California.

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

IV. Re-adoption Criteria

1) Same or Substantially Equivalent

Pursuant to GC Section 11346.1(h), the text of a re-adopted regulation must be the "same or substantially equivalent" to the text of the original emergency regulation. The proposed language for the re-adopted 2084 emergency regulation is the same as the language of the original 2084 emergency

regulation. As no changes have been made to the text of Section 749.6, Title 14, CCR, this requirement has been met.

(2) Substantial Progress

GC Section 11346.1(h) specifies that the emergency rulemaking agency must demonstrate that it is making "substantial progress and has proceeded with due diligence" to comply with the standard rulemaking provisions. The Commission has not technically complied with this requirement because a standard rulemaking is not necessary in this particular circumstance and this 2084 regulation is not the appropriate mechanism to authorize take of a threatened or endangered species absent statutory authority.

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

If the Commission determines that listing the MYLF "is warranted," the former candidate species will become a listed species and the persons conducting activities currently covered by the 2084 regulation that take MYLF will be required to obtain an Incidental Take Permit (ITP) pursuant to FGC Section 2081(b). ITP's are authorized for certain activities only if specified criteria are met including minimization and full mitigation of the impacts of the take. ITP's are issued on a project-by-project basis to ensure the mitigation and minimization measures are narrowly tailored to the individual project and completely protective of the species. Given that persons conducting activities that will take MYLF will be required to obtain an ITP, which will contain tailored measures to mitigate the impacts of the take, adoption of this 2084 regulation as permanent is not necessary because the MYLF will be protected under CESA and its provisions as a listed species.

If the Commission decides that listing the MYLF "is not warranted," take of the former candidate species will no longer be prohibited under CESA. Absent

protected status, no mechanism would be needed to authorize take of MYLF. In that circumstance, adoption of this 2084 regulation as permanent is unnecessary.

A standard rulemaking is not necessary to authorize take of MYLF regardless. As discussed above, if the MYLF is listed it will be protected under CESA as a listed species independent of this 2084 regulation. If the MYLF is not listed, no authorization will be needed for a take. The Commission is currently proceeding with due diligence in accordance with its statutory duties to determine whether or not the listing of MYLF is warranted and the inherent temporary nature of a 2084 regulation makes pursuing its permanent status unnecessary.

FISH AND GAME COMMISSION
STATEMENT OF EMERGENCY ACTION

Emergency Action to Add Section 749.6, Title 14, CCR,
Re: Special Order Relating to Incidental Take of Mountain-Yellow Legged Frog
(Rana muscosa and *Rana sierrae)* During Candidacy Period

I. INTRODUCTION

The Fish and Game Commission ("Commission") as established by the Constitution of the State of California has exclusive statutory authority to designate species protected by the California Endangered Species Act ("CESA") (Fish & G. Code, § 2050 et seq.). (Cal. Const., art. IV, § 20, subd. (b); Fish & G. Code, § 2070.) As described in greater detail below, CESA authorizes the Commission to establish lists of threatened and endangered species, and to add or remove species from those lists if it finds, upon receipt of sufficient scientific information, that the action is warranted. Pursuant to section 2084 of the Fish and Game Code, the Commission may authorize, subject to the terms and conditions it prescribes, the taking of any species designated as a candidate for listing under CESA. Pursuant to controlling statutory authority, the candidacy period under CESA generally runs for a 12-month period. (See generally *Id.*, §§ 2074.6, 2080, 2085.) The Commission has relied on the authority in section 2084 to permit take of candidate species on eight previous occasions: in 1994 for the southern torrent salamander; in 1994 for the coho salmon south of San Francisco; in 1997 and 1998 for the spring-run chinook salmon; in 2000 for coho salmon throughout its range in California; in 2002 for the Xantus's murrelet; in 2008 for the longfin smelt; in 2009 for the California tiger salamander; and in 2009 for the Pacific fisher.

On September 15, 2010, the Commission determined that the listing of Mountain yellow-legged frog (MYLF) may be warranted. The Commission's determination designates MYLF as a candidate species under CESA and notice of the Commission's finding will be published in the California Regulatory Notice Register. The Commission has prepared this Emergency Action Statement under the Administrative Procedure Act (APA) (Gov. Code, § 11340 et seq.) in connection with its subsequent adoption of section 749.6 of Title 14 of the California Code of Regulations. The Commission's adoption of section 749.6 as an emergency action under the APA is based, in part, on authority provided by Fish and Game Code sections 240 and 2084. Pursuant to the latter section, the emergency regulation adopted by the Commission, section 749.6, authorizes incidental "take" of MYLF during candidacy, subject to certain terms and conditions prescribed by the Commission. (See generally Fish & G. Code, §§ 86, 2080, 2084, 2085.)

As set forth below, the Commission designated MYLF as a candidate species under CESA and found that adoption of section 749.6 pursuant to Fish and

Game Code sections 240 and 2084 constitutes a necessary emergency action by the Commission under the APA. In the absence of this emergency regulation, individuals engaging in activities authorized pursuant to section 749.6 would need to obtain an incidental take permit ("ITP") or other authorization from the Department of Fish and Game ("Department") on a project-by-project basis to avoid potential criminal liability for violating CESA should take occur. The issuance of individual ITPs authorizing incidental take is a complicated and lengthy process, and the Commission finds specifically that it is not feasible for the regulated community to obtain, and the Department to issue, ITPs or other authorizations on a project-by-project basis for the numerous activities that would otherwise be prohibited during the candidacy period for MYLF. Without this emergency regulation, prospective permittees, by any reasonable measure, would be subject to CESA's take prohibition without an ability to obtain the necessary state authorization during the candidacy period. As a practical matter, activities that result in the take of MYLF would be prohibited and could not be implemented pending final action by the Commission on the listing petition, an action whereby MYLF may or may not be listed as endangered or threatened under CESA. As a result, many projects that are planned or underway that may provide economic, scientific, conservation, and/or other benefits to the State of California, its residents and their communities, and the State's natural resources would be postponed during the candidacy period or canceled entirely. The Commission finds this threatened result constitutes an emergency under Fish and Game Code section 240 and the APA requiring immediate action, especially against the backdrop of the economic crisis currently faced by the State of California.

II. BACKGROUND

On January 27, 2010, the Commission received a petition from the Center for Biological Diversity ("Center") to list MYLF as an endangered species under CESA. (Cal. Reg. Notice Register 2010, No. 9-Z, p. 333 (February 26, 2010).) In June 2010, the Department provided the Commission with a written evaluation of the petition pursuant to FGC section 2073.5, indicating the Department believed that the petition provided sufficient information to indicate the petitioned action may be warranted. On September 15, 2010, at a public meeting in McClellan, California, the Commission considered the petition, the Department's evaluation report and recommendation, and other information presented to the Commission and determined sufficient information exists to indicate the petitioned action may be warranted. In so doing, the Commission accepted the Center's petition for further review and designated MYLF as a candidate species under CESA. The Commission expects to publish notice of its finding as required by law on or about October 1, 2010, at which time "take" of MYLF as defined by the Fish and Game Code will be prohibited, except as authorized by law. (See Fish & G. Code, §§ 86, 2074.2, subds. (a)(2), (b), 2080, 2085.)

On September 15, 2010, the Commission also adopted section 749.6 as an emergency action under the APA (Gov. Code, § 11340 et seq.), as well Fish and Game Code section 240. In the absence of the take authorization provided by section 749.6, or as otherwise provided under existing law, take of MYLF will be prohibited by CESA and unauthorized take will be subject to criminal liability and potential prosecution under state law. Under the APA, upon approval by the Office of Administrative Law, section 749.6 will remain in effect initially for six months beginning on or about October 1, 2010.

III. FACTS CONSTITUTING THE NEED FOR EMERGENCY ACTION

The APA defines an "emergency" to mean "a situation that calls for immediate action to avoid serious harm to the public peace, health, safety, or general welfare." (*Id.* § 11342.545.) To make a finding of emergency, the agency must describe the specific facts supported by substantial evidence that demonstrate the existence of an emergency and the need for immediate adoption of the proposed regulation. (*Id.*, § 11346.1, subd. (b)(2).) Some of the factors an agency may consider in determining whether an emergency exists include: (1) the magnitude of the potential harm, (2) the existence of a crisis situation, (3) the immediacy of the need, i.e., whether there is a substantial likelihood that serious harm will be experienced unless immediate action is taken, and (4) whether the anticipation of harm has a basis firmer than simple speculation. The Commission has considered all of these factors and the definition of an emergency provided in the APA, as well as pertinent authority in Fish and Game Code section 240. Under this latter authority, notwithstanding any other provision of the Fish and Game Code, the Commission may adopt an emergency regulation where doing so is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources, or for the immediate preservation of the general welfare. The Commission finds that such necessity exists in the present case.

Section 749.6 authorizes incidental take of MYLF during candidacy for seven categories of activities:

- In connection with scientific, education or management activities.
- In connection with activities authorized pursuant to a scientific collecting permit issued by the Department or a recovery permit issued by a federal wildlife agency pursuant to United States Code, Title 16, section 1539, subdivision (a)(1)(A).
- In connection with otherwise lawful activities initiated to protect, restore, conserve or enhance any state or federally threatened or endangered species and its habitat.
- In connection with fish hatchery and stocking operations consistent with the project description and related mitigation measures identified in the

Department and U.S. Fish & Wildlife Service ("Service") Hatchery and Stocking Program Joint Environmental Impact Report/Environmental Impact Statement (SCH No. 2008082025)("EIR/EIS"), as certified by the Department on January 11, 2010.

- In connection with activities necessary to prevent, respond or suppress wildland fire; and
- In connection with water storage and conveyance activities.
- In connection with otherwise lawful timber operations.

The Commission finds as set forth below that an emergency exists with respect to each of these covered activities.

A. Scientific, Education or Management Activities

Section 749.6, subdivision (a)(1) and (2), authorizes incidental take of MYLF for scientific, education or management activities, including activities authorized through a scientific collecting permit issued by the Department or through a recovery permit issued by a federal wildlife agency. As explained below, the Commission finds that the designation of MYLF as a candidate species under CESA, and the related take prohibition, constitutes an emergency under the APA with respect to otherwise lawful scientific, education or management activities. The Commission also finds that immediate emergency action to adopt Section 749.6, subdivision (a)(1) and (2), is necessary to conserve, preserve, or protect of fish and wildlife resources, and to preserve the general welfare.

In the absence of the emergency regulation, take of MYLF for scientific, education and management purposes would require authorization by the Department through an individual ITP which is a lengthy, complicated process. (See previous discussion on CESA's other forms of take authorization and why they are not likely to authorize these activities to continue during the candidacy period.) For some of the activities authorized by this subdivision, there is one other unique form of take authorization available, Fish and Game Code section 2081, subdivision (a). Because this form of take authorization still requires "permits or memorandums of understanding (to) authorize individuals...and scientific or educational institutions" to take, it is unlikely that permits under this section could be issued much more quickly than the standard ITP issued by the Department under section 2081, subdivision (b).

Management, education and scientific activities (including research and monitoring) are critical during this candidacy period. During this period, the Department is expected to prepare a status review for MYLF so the Commission can determine if the species should in fact be listed. During this candidacy period, the Department needs all of the scientific information that is available to

make the most scientifically sound recommendation to the Commission and the Commission to make the most scientifically sound final listing decision. There are currently many ongoing MYLF studies proceeding pursuant to Department-issued scientific collecting permits, which are occurring throughout the species' range, and must be allowed to continue to ensure a complete data set. Many studies operate on a continuous basis and rely on that predictability in coming to scientific conclusions about the data they acquire. In addition, new studies during this period that might be proposed should also be facilitated without delay to fill in any data gaps relevant to the possible listing of MYLF. If these activities are not allowed to continue, adequate evaluation and protection of MYLF could be severely impaired and the public will be disserved by decisions being made without the best available science.

Adoption of this emergency regulation would minimize the hardships that would be caused by delays in ongoing or new management, education and scientific activities while providing safeguards to protect the MYLF, including continued regulatory oversight by the Department pursuant to its authority to condition scientific collecting permits. (See Cal. Code Regs, tit. 14, § 650.) Therefore, the Commission finds that impacts to management, education and scientific activities caused by designating the MYLF as a candidate species, constitute an emergency under the APA requiring immediate action.

B. Actions to Protect, Restore, Conserve or Enhance

Section 749.6, subdivision (a)(3), authorizes take of MYLF incidental to otherwise lawful activities where the purpose of the underlying activity is to protect, restore, conserve or enhance a state or federally threatened or endangered species and its habitat. As explained below, the Commission finds that the designation of MYLF as a candidate species under CESA, and the related take prohibition, constitutes an emergency under the APA with respect to otherwise lawful activities to protect, restore, conserve or enhance state or federally threatened or endangered species and their habitat. The Commission also finds that immediate emergency action to adopt Section 749.6, subdivision (a)(3), is necessary to conserve, preserve, or protect of fish and wildlife resources, and to preserve the general welfare.

In the absence of the emergency regulation, take of MYLF incidental to otherwise lawful activities to protect, restore, conserve or enhance state or federally threatened or endangered species and their habitat would require authorization by the Department through an individual ITP which is a lengthy, complicated process. (See previous discussion on CESA's other forms of take authorization and why they are not likely to authorize these activities to continue during the candidacy period.) Ongoing and planned activities to protect, restore, conserve or enhance state or federally threatened or endangered species are critical during this candidacy period. The status of many listed species is precarious, and even the slightest delay in initiated or continued implementation of any

related conservation actions could adversely affect or otherwise cause further decline of these species. In addition, any further decline in the status of listed species will lead to increased costs to the Department because more resources will be required to get the species to the point where protective measures are no longer necessary. Increased cost will also be shouldered by prospective permittees, who will be charged with funding the mitigation and related monitoring required for the impacts of their project on the species.

Adoption of this emergency regulation would minimize the hardships that would be caused by delays in ongoing or new lawful activities to protect, restore, conserve and enhance state or federally threatened or endangered species and their habitat. The Commission finds that impacts to activities to protect, restore, conserve, or enhance state or federally threatened or endangered species and their habitat caused by designating the MYLF as a candidate species, constitute an emergency under the APA requiring immediate action.

C. Fish Hatchery and Stocking Operations

Section 749.6, subdivision (a)(4), authorizes take of MYLF incidental to fish hatchery and related stocking activities consistent with the project description and related mitigation measures identified in the Department and Service Hatchery and Stocking Program Joint EIR/EIS as certified by the Department on January 11, 2010. As explained below, the Commission finds that the designation of MYLF as a candidate species under CESA, and the related take prohibition, constitutes an emergency under the APA with respect to hatchery and stocking program activities. The Commission also finds that immediate emergency action to adopt Section 749.6, subdivision (a)(4), is necessary for the conservation, preservation, or protection of fish and wildlife, and to preserve the general welfare.

In the absence of Section 749.6, subdivision (a)(4), take of MYLF incidental to otherwise lawful fish hatchery and related stocking activities would require authorization by the Department through an individual ITP and, as previously stated, doing so is a lengthy and complicated process. (There are other means by which take can be authorized under CESA, however they either take longer than individual ITPs or are not likely to be available for use for fish hatchery and related stocking activities.) Fish hatchery and related stocking activities consistent with the project description and related mitigation measures identified in the recent Department and Service Joint EIR/EIS play a critical role in efforts to conserve and manage California's fishery both from a conservation and management, and recreational standpoint. In addition, the project description and mitigation measures identified in the Joint EIR/EIS were carefully crafted by the Department and Service with extensive public review and related scientific input, all with the goal of conserving and managing California's fisheries in a way that protects and ensures that any indirect impacts are avoided or substantially reduced to the extent feasible. Absent the take authorization provided by Section

749.6, subdivision (a)(4), during the 12-month candidacy period fish hatchery and related stocking activities would cease or be substantially curtailed to the detriment of the People of California and related natural resources.

Adoption of this emergency regulation would minimize the hardships to hatchery and stocking activities as a result of MYLF being designated as a candidate species under CESA. The Commission finds, as a result, that impacts to hatchery and stocking activities constitute an emergency under the APA requiring immediate action.

D. Wildland Fire Prevention, Suppression and Response

Section 749.6, subdivision (a)(5), authorizes take of MYLF incidental to otherwise lawful wildland fire prevention, response and suppression activities. As explained below, the Commission finds that the designation of MYLF as a candidate species under CESA, and the related take prohibition, constitutes an emergency under the APA with respect to fire prevention, response and suppression activities. The Commission also finds that immediate emergency action to adopt Section 749.6, subdivision (a)(5), is necessary to preserve the general welfare.

In the absence of Section 749.6, subdivision (a)(5), take of MYLF incidental to otherwise lawful fire prevention, response, and suppression activities, would require authorization by the Department through an individual ITP and, as previously stated, doing so is a lengthy and complicated process. (There are other means by which take can be authorized under CESA, however they either take longer than individual ITPs or are not likely to be available for use for wildland fire prevention, suppression and response activities.) It is important to note that unlike many other regulatory statutes, CESA does not contain any exemption from the permitting requirements or the take prohibition for emergency situations like fuel (vegetation) control, wildfire suppression and response.

California's fire seasons have recently involved far-ranging catastrophic wildland fires. The role of the emergency regulation in allowing activities related to fire-related vegetation management and prevention, fire suppression and response to continue falls squarely within virtually any statutory definition of "emergency," including one of the most narrow--CEQA's definition of an emergency that states it is an activity "involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services." (Pub. Resources Code, § 21080; see also CEQA Guidelines, § 15359.)

According to CalFire's website, creating a "defensible space" by controlling vegetation within 100 feet of dwellings and other buildings "dramatically increases the chance of your house surviving a wildfire" and "provides for firefighter safety" when fighting a fire. It is precisely these vegetation control

activities that are authorized under the emergency regulation without the need for additional take authorization. The emergency regulation also removes impediments to critical wildland fire suppression and response. Delays due to permitting would cause risks to public safety, should fire suppression activities be delayed or cancelled entirely. In addition, there would be grave social and economic harm to the employees and agencies tasked with carrying out the fire suppression activities and the local communities where those activities might be critically needed.

Adoption of this emergency regulation would minimize these hardships. Therefore, the Commission finds that impacts to wildland fire prevention, response and suppression activities, caused by designating the MYLF as a candidate species, constitute an emergency under the APA requiring immediate action.

D. Watershed Storage and Conveyance Activities

Section 749.6, subdivision (a)(6), authorizes take of MYLF incidental to otherwise lawful water storage and conveyance activities. As explained below, the Commission finds that the designation of MYLF as a candidate species under CESA, and the related take prohibition, constitutes an emergency under the APA with respect to otherwise lawful water storage and conveyance activities. The Commission also finds that immediate emergency action to adopt Section 749.6, subdivision (a)(6), is necessary to preserve the general welfare.

In the absence of the emergency regulation, take of MYLF incidental to otherwise lawful water storage and conveyance activities would require authorization by the Department through an individual ITP which is a lengthy, complicated process. (See previous discussion on CESA's other forms of take authorization and why they are not likely to authorize these activities to continue during the candidacy period.) Activities to maintain, manage or operate watershed storage and conveyance facilities must be allowed to continue during this candidacy period. Many dams are located in the range of MYLF, and are utilized for power generation, water storage, and recreation. The conveyance facilities operate to transport the water from storage facilities to customers, including members of the public. Without take protection, it is possible that water deliveries, power generation or recreational opportunities would be interrupted. The ability to deliver water and manage stored water without impediment is necessary to avoid serious harm to public health due to lack of water for drinking, sanitation and food production.

Adoption of this emergency regulation would minimize the hardships that would be caused by delays in lawful water storage and conveyance activities. The Commission finds that impacts to lawful water storage and conveyance activities constitute an emergency under the APA requiring immediate action.

E. Forest Practices and Timber Harvest Activities

Section 749.6, subdivision (a)(7), authorizes incidental take of MYLF incidental to otherwise lawful timber harvest activities. As explained below, the Commission finds that the designation of MYLF as a candidate species under CESA, and the related take prohibition, constitutes an emergency under the APA with respect to otherwise lawful timber harvest activities and operations. The Commission also finds that immediate emergency action to adopt Section 749.6, subdivision (a)(7), is necessary to preserve the general welfare.

In general, timber harvest review in California is administered by the California Department of Forestry and Fire Protection ("CalFire") pursuant to the Z'Berg Nejedly Forest Practice Act (Pub. Resources Code, § 4511 et seq.), the Forest Practice Rules (Cal. Code Regs., tit. 14, § 895 et seq.), and other applicable law, including the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.). In the absence of Section 749.6, subdivision (a)(7), many existing, already-approved, otherwise lawful timber harvest operations in MYLF range could not move forward absent additional review and re-approval. Likewise, without Section 749.6, many already-approved, otherwise lawful timber harvest operations and activities would require a project-specific authorization under CESA from the Department. Yet, the regulatory oversight of timber operations by various public agencies under State law generally requires consideration and protection of various environmental resources and in many instances government approval of individual timber harvest activities requires compliance with CEQA and mitigation of significant environmental impacts to the extent feasible. Therefore, many timber projects that are about to commence or are already underway currently include measures that will reduce the prospect of adverse impacts to, and minimize and mitigate take of MYLF. Re-opening and re-negotiating agreements for timber activities to address the MYLF's legal status as a candidate species and, where necessary, to obtain an ITP or other take authorization under CESA (e.g., FGC section 2835) would unnecessarily delay these already-approved and otherwise lawful timber operations, resulting in undue burden on the Timber Harvest Plan (THP) holder.

Without this emergency regulation, many routine and ongoing otherwise lawful timber operations on land already managed for timber harvest would be delayed while awaiting the necessary State CESA authorization or cancelled entirely. In many cases, the delays would cause THP holders to substantially delay or cancel their projects entirely, resulting in great social and economic harm to the THP holders, their employees, registered professional foresters, the local communities that rely on timber harvest activities, and the State of California. CalFire review of existing otherwise lawful timber operations, along with project-specific CESA permitting by the Department, would also pose a significant burden to these state agencies. Both CalFire and the Department would likely face a sudden and potentially large increase in requests for timber harvest review and related take authorizations under CESA. Neither agency is equipped with

appropriate resources to handle and address the likely workload associated with this scenario, creating a significant permitting backlog.

F. Reporting

Subdivision (b) of the emergency regulation is different from the previous sections described herein. It is not an additional activity for which take is authorized under the regulation. Instead, subdivision (b) of the emergency regulation concerns reporting detections and observations of MYLF in connection with and by persons involved or otherwise engaged in the activities for which take is authorized pursuant to subdivision (a). It is vital that during this candidacy period detections and observations of MYLF be reported to the Department so it can have the most complete information possible as it prepares its scientific status review of the species and develops related recommendation to the Commission regarding whether listing MYLF under CESA is warranted.

For these reasons, the immediate adoption of this emergency regulation is necessary to allow numerous projects and activities to continue during the candidacy review period for MYLF under CESA. The Commission believes the activities permitted under this regulation will result in very limited take and will not jeopardize the continued existence of the species. The Commission finds, in this respect, that the regulation subject to this determination will ensure appropriate interim protections for MYLF while the Department conducts a 12-month review of the status of the candidate species and the Commission makes its final determination regarding listing under CESA.

IV. Express Finding of Emergency

Pursuant to the authority vested in the Commission by Fish and Game Code section 240, and for the reasons set forth above, the Commission expressly finds that the adoption of this regulation is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources, and for the immediate preservation of the general welfare. The Commission specifically finds that the adoption of this regulation will allow activities that may affect MYLF to continue during the candidacy period as long as those activities are conducted in a manner consistent with the protections specified in this regulation.

V. Authority and Reference Citations

Authority: FGC sections 200, 202, 205, 240, and 2084.
Reference: FGC sections 200, 202, 205, 240, 2080, 2084, and 2085.

VI. Informative Digest

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

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

1. Petition and Acceptance

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

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

Fish and Game Code section 2074.2 provides that, if the Commission finds that the petition provides sufficient information to indicate that the petitioned action may be warranted, the petition is accepted for consideration and the species that is the subject of the petition becomes a "candidate species" under CESA. CESA prohibits unauthorized take of a candidate species. Fish and Game Code section 86 states "take" means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. Killing of a candidate, threatened, or endangered species under CESA that is incidental to an otherwise lawful activity and not the primary purpose of the activity constitutes take under state law. (*Department of Fish and Game v. Anderson-Cottonwood Irrigation District* (1992) 8 Cal.App.4th 1554; *see also Environmental Protection and Information Center v. California Dept. of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 507 (in the context of an ITP issued by the Department under CESA the California Supreme Court stated, "'take' in this context means to catch, capture or kill").)

CESA's take prohibition applies to candidate species pursuant to Fish and Game Code section 2085 upon public notice by the Commission of its finding that sufficient information exists to indicate the petitioned action may be warranted. Upon publication of such notice in the California Regulatory Notice Register, take

of candidate species is prohibited absent authorization as provided in the Fish and Game Code. Following such notice, all activities, whether new or ongoing, that cause incidental take of the candidate species are in violation of CESA unless the take is authorized in regulations adopted by the Commission pursuant to Fish and Game Code section 2084 or the Department authorizes the take through the issuance of an ITP or other means available pursuant to the Fish and Game Code.

2. Status Review and Final Action on the Petition

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

Within 12 months of the petition's acceptance, the Department must provide the Commission a written report that indicates whether the petitioned action is warranted. (Fish & G. Code, § 2074.) The Commission must schedule the petition for final consideration at its next available meeting after receiving the Department's report. (*Id.*, § 2075.) In its final action on the petition, the Commission is required to decide whether listing the species as threatened or endangered "is warranted" or "is not warranted." (*Id.*, § 2075.5.) If listing is not warranted in the Commission's judgment, controlling authority directs the Commission to enter that finding in the public record and the subject species is removed from the list of candidate species. (*Id.*, § 2075.5(1); Cal. Code Regs., tit. 14, § 670.1, subd. (i)(2).)

B. Effect of the Emergency Action

Section 749.6 of Title 14 of the California Code of Regulations would authorize and provide for take of MYLF during its candidacy subject to the following terms and conditions:

a) Take Authorization.

The Commission authorizes the take of Mountain yellow-legged frog during the candidacy period subject to the terms and conditions herein.

(1) Scientific, Education or Management Activities.
Take of Mountain yellow-legged frog incidental to scientific, education or management activities is authorized.

(2) Scientific Collecting Activities.
Take of Mountain yellow-legged frog authorized by a scientific collecting permit issued by the Department pursuant to California Code of Regulations, Title 14, section 650 or a recovery permit issued by a federal wildlife agency pursuant to United States Code, Title 16, section 1539(a)(1)(A) is authorized.

(3) Actions to Protect, Restore, Conserve or Enhance.
Take of Mountain yellow-legged frog incidental to otherwise lawful activities initiated to protect, restore, conserve or enhance a state or federally threatened or endangered species and its habitat is authorized.

(4) Fish Hatchery and Stocking Activities.
Take of Mountain yellow-legged frog incidental to fish hatchery and related stocking activities consistent with the project description and related mitigation measures identified in the Department of Fish and Game (Department) and U.S. Fish & Wildlife Service Hatchery and Stocking Program Joint Environmental Impact Report/Environmental Impact Statement (SCH. No. 2008082025), as certified by the Department on January 11, 2010, is authorized.

(5) Wildland Fire Response and Related Vegetation Management.
Take of Mountain yellow-legged frog incidental to otherwise lawful wildland fire prevention, response and suppression activities, including related vegetation management, is authorized.

(6) Water Storage and Conveyance Activities
Take of Mountain yellow-legged frog incidental to otherwise lawful water storage and conveyance activities is authorized.

(7) Forest Practices and Timber Harvest.
Incidental take of Mountain yellow-legged frog is authorized for otherwise lawful timber operations. For purposes of this authorization, an otherwise lawful timber operation shall mean a timber operation authorized or otherwise permitted by the Z'Berg Nejedly Forest Practice Act (Public Resources Code, Section 4511 et seq.), the Forest Practice Rules of the Board of Forestry, which are found in Chapters 4, 4.5, and 10, of Title 14 of the California Code of Regulations, or other applicable law. The Z'Berg Nejedly Forest Practice Act and Forest Practice Rules can be found at the following website: http://www.fire.ca.gov/resource_mgt/resource_mgt_forestpractice.php.

(b) Reporting.

Any person, individual, organization, or public agency for which incidental take of Mountain yellow-legged frog is authorized pursuant to subdivision (a), shall report observations and detections of Mountain yellow-legged frog, including take, to the Department of Fish and Game on a semi-annual basis during the candidacy period. Observations, detections, and take shall be reported pursuant to this subdivision to the Department of Fish and Game, Fisheries Branch, Attn: Mountain yellow-legged frog observations, 830 S St., Sacramento, CA 95811, or by email submission to mylfdata@dfg.ca.gov. Information reported to the Department pursuant to this subdivision shall include as available: a contact name; the date and location (GPS coordinate preferred) of the observation, detection, or take; and details regarding the animal(s) observed.

(c) Additions, Modifications or Revocation.

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

(2) The Commission may modify or repeal this regulation in whole or in part, pursuant to law, if it determines that any activity or project may cause jeopardy to the continued existence of Mountain yellow-legged frog.

C. Existing, Comparable Federal Regulations or Statutes

The Federal Endangered Species Act ("FESA") (16 U.S.C. § 1531 et seq.) includes a listing process that is similar to the listing process under CESA, except that take of a candidate species is not prohibited under FESA. The U.S. Fish & Wildlife Service ("Service") designated the southern California population of MYLF (*Rana muscosa*) as a distinct population segment and listed it as an endangered species under FESA on July 2, 2002. (67 Fed.Reg. 44382.) In January 2003, the Service determined that listing the Sierra Nevada populations of MYLF (*Rana sierrae*) as endangered was warranted, but precluded by other higher priority listing actions. (68 Fed.Reg. 2283.) MYLF (*Rana sierrae*) remains a candidate under FESA based on the Service's "warranted but precluded" finding and take of the species under FESA is not currently prohibited.

FESA Section 4(d) (16 U.S.C. § 1533, subd. (d)) is similar in some respects to Fish and Game Code section 2084. Section 4(d) authorizes the Service or the National Marine Fisheries Service (NMFS) to issue protective regulations prohibiting the take of species listed as threatened. These regulations, also called "4(d) rules," may include any or all of the prohibitions that apply to protect endangered species and may include exceptions to those prohibitions. The 4(d)

rules give the Service and NMFS the ability to craft comprehensive regulations to apply to particular activities that may result in take of a threatened species in a manner similar to the Commission's authority to prescribe terms and conditions pursuant to FGC section 2084 during the species' candidacy period. Here, no 4(d) rules have been promulgated for MYLF (*Rana sierrae)* because the "warranted but precluded" finding by the Service did not yet effectuate the designation of MYLF (*Rana sierrae)* as a federally listed threatened or endangered species.

This emergency regulation does not provide FESA authorization for take of MYLF (*Rana muscosa* and *Rana sierrae*). To the extent a project will result in take of MYLF as defined by the FESA, the project proponent is responsible for consulting with the Service to obtain the appropriate take authorization.

D. Policy Statement Overview

The objective of this emergency regulation is to allow specified activities to continue on an interim basis, subject to the measures in the regulation designed to protect MYLF, pending final action by the Commission under CESA related to the proposed listing. The Department's evaluation of the species during the candidacy period will result in the status report described in Section VI.A.2 above. The status report provides the basis for the Department's recommendation to the Commission before the Commission takes final action on the petition and decides whether the petitioned action is or is not warranted.

VII. Specific Agency Statutory Requirements

The Commission has complied with the special statutory requirements governing the adoption of emergency regulations pursuant to Fish and Game Code section 240. The Commission held a public hearing on this regulation on September 15, 2010, and the above finding that this regulation is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources, and for the immediate preservation of the general welfare meets the requirements of section 240.

VIII. Impact of Regulatory Action

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

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

The Commission has determined that the adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation pursuant to FGC section 2084 will not result in costs or savings in federal funding to the State.

(b) Nondiscretionary Costs/Savings to Local Agencies:

The Commission has determined that adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation pursuant to Fish and Game Code section 2084 will likely provide cost savings to local agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take of MYLF on a project-by-project basis, which is both time-consuming and costly to local agencies seeking take authorization. Without this emergency regulation, many routine and ongoing otherwise lawful wildfire suppression and response activities; water management and conveyance activities; restoration, conservation and enhancement actions; scientific research, monitoring and management activities; and forest practices and timber harvest activities would be delayed, or cancelled entirely while awaiting the necessary CESA authorization or ultimate listing determination by the Commission. These delays and cancellations would cause great economic harm to persons already lawfully engaged in such activities, their employees, their local communities, and the State of California, especially during the current economic crisis.

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

The Commission has determined that the adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation does not impose a mandate on local agencies or school districts.

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

(e) Effect on Housing Costs:

The Commission has determined that the adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) Costs or Savings to State Agencies

The Commission has determined that adoption of Section 749.6 of Title 14 of the California Code of Regulations as an emergency regulation pursuant to Fish and Game Code section 2084 will likely provide cost savings to state agencies in an undetermined amount. In the absence of the emergency regulation, the Department would have to authorize take of MYLF on a project-by-project basis, which is both time-consuming and costly for both the Department in processing

and authorizing such take, as well as to state agencies seeking take authorization. Without this emergency regulation, many routine and ongoing otherwise lawful wildfire suppression and response activities; water management and conveyance activities; restoration, conservation and enhancement actions; scientific research, monitoring and management activities; and forest practices and timber harvest activities would be delayed, or cancelled entirely while awaiting the necessary CESA authorization or the ultimate listing decision by the Commission. These delays and cancellations would cause great economic harm to persons already lawfully engaged in such activities, their employees, their local communities, and the State of California, especially in light of the current economic crisis.

Regulatory Language

Section 749.6, Title 14, CCR, is added to read:

749.6 Incidental Take of Mountain Yellow-Legged Frog (*Rana muscosa* and *Rana sierrae*) During Candidacy Period

This regulation authorizes take as defined by Fish and Game Code section 86, of Mountain yellow-legged frog (*Rana muscosa* and *Rana sierrae*), subject to certain terms and conditions, during the species' candidacy under the California Endangered Species Act (Fish and Game Code, section 2050 et seq.).

(a) Take Authorization.

The Commission authorizes the take of Mountain yellow-legged frog during the candidacy period subject to the terms and conditions herein.

(1) Scientific, Education or Management Activities.
Take of Mountain yellow-legged frog incidental to scientific, education or management activities is authorized.

(2) Scientific Collecting Activities.
Take of Mountain yellow-legged frog authorized by a scientific collecting permit issued by the Department of Fish and Game pursuant to California Code of Regulations, Title 14, section 650, or a recovery permit issued by a federal wildlife agency pursuant to United States Code, Title 16, section 1539, subdivision (a)(1)(A), is authorized.

(3) Activities to Protect, Restore, Conserve or Enhance.
Take of Mountain yellow-legged frog incidental to otherwise lawful activities where the purpose of the activity is to protect, restore, conserve or enhance a species designated as an endangered, threatened, or candidate species under state or federal law, or such species' habitat is authorized.

(4) Fish Hatchery and Stocking Activities.
Take of Mountain yellow-legged frog incidental to fish hatchery and related stocking activities consistent with the project description and related mitigation measures identified in the Department of Fish and Game (Department) and U.S. Fish & Wildlife Service Hatchery and Stocking Program Joint Environmental Impact Report/Environmental Impact Statement (SCH. No. 2008082025), as certified by the Department on January 11, 2010, is authorized.

(5) Wildland Fire Response and Related Vegetation Management.
Take of Mountain yellow-legged frog incidental to otherwise lawful wildland fire prevention, response and suppression activities, including related vegetation management, is authorized.

(6) Water Storage and Conveyance Activities
Take of Mountain yellow-legged frog incidental to otherwise lawful water storage and conveyance activities is authorized.

(7) Forest Practices and Timber Harvest.
Incidental take of Mountain yellow-legged frog is authorized for otherwise lawful timber operations. For purposes of this authorization, an otherwise lawful timber operation shall mean a timber operation authorized or otherwise permitted by the Z'Berg Nejedly Forest Practice Act (Public Resources Code, Section 4511 et seq.), the Forest Practice Rules of the Board of Forestry, which are found in Chapters 4, 4.5, and 10, of Title 14 of the California Code of Regulations, or other applicable law. The Z'Berg Nejedly Forest Practice Act and Forest Practice Rules can be found at the following website: http://www.fire.ca.gov/resource_mgt/resource_mgt_forestpractice.php.

(b) Reporting.

Any person, individual, organization, or public agency for which incidental take of Mountain yellow-legged frog is authorized pursuant to subdivision (a), shall report observations and detections of Mountain yellow-legged frog, including take, to the Department of Fish and Game on a semi-annual basis during the candidacy period. Observations, detections, and take shall be reported pursuant to this subdivision to the Department of Fish and Game, Fisheries Branch, Attn: Mountain yellow-legged frog observations, 830 S St., Sacramento, CA 95811, or by email submission to mylfdata@dfg.ca.gov. Information reported to the Department pursuant to this subdivision shall include as available: a contact name; the date and location (GPS coordinate preferred) of the observation, detection, or take; and details regarding the animal(s) observed.

(c) Additions, Modifications or Revocation.

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

(2) The Commission may modify or repeal this regulation in whole or in part, pursuant to law, if it determines that any activity or project may cause jeopardy to the continued existence of Mountain yellow-legged frog.

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

BOS-11
cpage

CHARLES E. FARNSWORTH
ATTORNEY AT LAW
2814 WOOLSEY ST.
BERKELEY, CA 94705

TEL (510) 601-6081

ARBITRATOR & MEDIATOR

E-MAIL: CEFARNS@YAHOO.COM

June 27, 2011

Honorable Ed Lee
Mayor, City and County of San Francisco

San Francisco Board of Supervisors
David Chiu, President

City Hall
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA. 94104

Honorable Mary Ann Nihart
Mayor, City of Pacifica
170 Santa Maria Ave.
Pacifica, Ca. 94404

Carole Groom, President
San Mateo County Board of Supervisors
400 County Center
Redwood City, CA. 94063

Re: **SAVE SHARP PARK GOLF COURSE**

Dear Mayors Lee and Nihart, and San Francisco and San Mateo County Supervisors,

As anyone who plays golf on East Bay courses knows, wildlife flourishes here more than it does in parks or so-called wildlife areas. Many kinds of birds (egrits, herons, ducks, geese, hawks, mudhens, wild turkeys) and small animals (rabbits, skunks, red fox) can be easily encountered on any 18-hole round. All these creatures seem to thrive where golfers play over here, and I suspect the same is true by the ocean.

I suggest that if you really care about the birds and animals at Sharp Park, you leave the course as is.

Sincerely,

Charles E. Farnsworth

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BOS-11

ORIG: GAO clerk, AA COB, Leg Dep cpage

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN FRANCISCO
GRAND JURY

OFFICE
400 MCALLISTER ST., ROOM 008
SAN FRANCISCO, CA 94102
TELEPHONE: (415) 551- 3605

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

July 1, 2011

Supervisor David Chiu, President
San Francisco Board of Supervisors
#1 Dr. Carleton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Dear Supervisor Chiu:

The 2010-2011 San Francisco Civil Grand Jury will release its report to the public entitled "Central Subway Too Much Money For Too Little Benefit" on Thursday, July 7, 2011. Enclosed is an advance copy of this report. Please note that by order of the Presiding Judge of the Superior Court, Katherine Feinstein, this report is to be kept confidential until the date of release.

California Penal Code section 933.05 requires the responding party or entity identified in the report to respond to the Presiding Judge of the Superior Court, within a specified number of days. You may find the specific day the response is due in the last paragraph of this letter.

For each Finding of the Civil Grand Jury, the response must either:

(1) agree with the finding; or
(2) disagree with it, wholly or partially, and explain why.

Further as to each recommendation made by the Civil Grand Jury, the responding party must report either:

(1) that the recommendation has been implemented, with a summary explanation of how it was implemented;
(2) the recommendation has not been implemented, but will be implemented in the future, with a time frame for the implementation;
(3) the recommendation requires further analysis, with an explanation of the scope of that analysis and a time frame for the officer or agency head to be prepared to discuss it (less than six months from the release of the report); or

46

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Invest in City College!

From: "Peter Biocini" <peter.biocini@gmail.com>
To: Board.of.Supervisors@sfgov.org
Date: 06/29/2011 05:21 PM
Subject: Invest in City College!

To Mayor Lee and Supervisors:
Hello, my name is Peter Biocini and I am a 23 year old student at City College of San Francisco.

I see the deterioration of public education as a very frightening sign of the times. I am a student at City College and trying to use this excellent, and in fact, prestigious resource (I have been to many community colleges in the Bay Area, City College is by far the best) in order to transfer to a four year university. By reducing the availability of classes, I am forced to spend more money on commuting; a burden on my already stretched budget.

The lack of being able to block schedule for a large number of classes means that my schedule is much more inflexible when I go to look for a job. And so you see that I am being defeated on two fronts -- this is unconscionable in a city in which goods and services are becoming more expensive and which already faces a crisis in the job market. It is contributing to a very desperate (and I choose the word 'desperate' instead of 'competitive' very deliberately) atmosphere among students.

We huddle up by the computer on the class registration date assigned to us, waiting for the second the clock strikes our time. At that point the server which handles online registration usually breaks down due to the high volume of traffic, then when it starts up it is very, very slow. This is, if you haven't guessed, because a significant number of people know that they have to do this, that they can't afford to wait even a minute (I'm not exaggerating at all) to register for their desired classes. For every student who gets a class another student is deprived of a position, and of course it is the case that some arrangements just happen to be preferable to others because the slashing of the budget leads the administrators to cut classes often without the means to ensure that the remaining options can lead to a rational planning of a semester for varying cases.

This is the situation I am faced with even as a Computer Science major! The higher level Physics and Math classes have so few sections to allow me any schedule which would not incredibly awkward and expensive. And I am someone who is used to the 'real world' and waking up at five in the morning for a commute and a forty hour workweek; I am not simply complaining that there are not enough 1 PM afternoon classes.

I focus so much attention on this aspect because I wanted to give an example of one of the ways in which budget cuts affect students. Restricting from students the ability to have flexibility in how they structure their schedules which they endure for months on end is a quality of life issue. Not every student regards night classes as an optimal learning environment; yet in my case, I will perhaps be forced to take a heavy subject like Physics or Calculus this way. This is certainly setting up students for a semester full of stress and which has the danger for them of ending up in failure.

In conclusion, depriving City College of money allocated in the budget means we will have less freedom for students to conduct their affairs in the ways in which they are most productive and in a manner which is accommodating to their means and needs.

Thank you very much.

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Peter Biocini

Sincerely,

Peter Biocini
San Francisco, 94109

To: BOS Constituent Mail Distribution, Andrea Ausberry/BOS/SFGOV,
Cc:
Bcc:
Subject: San Francisco could use more competition - but not from AT&T

From: stubborn319@comcast.net
To: "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>
Date: 06/29/2011 03:02 PM
Subject: San Francisco could use more competition - but not from AT&T

June 29, 2011
Clerk of the Board Angela Calvillo
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Angela Calvillo,

The Board of Supervisors will soon face a vote on whether or not to require an EIR for AT&T's plan to crowd San Francisco sidewalks. Their investment in dated technology is a disgrace to the techie culture that drives our Bay Area economy.

AT&T wants to invest private capital to bring the dated technology to our community. You have the choice to stop them, and require an EIR to review other credible alternatives to this project. There is no reason for good corporate business partner to not comply with San Francisco rules and regulations.

AT&T is simply trying to improve their already poor services. The Board of Supervisors should do what they can to ensure AT&T brings the best technology and places this visually obnoxious infrastructure underground.

Sincerely,

Jonathan
2439 Post ST
San Francisco, CA 94115-3310

48

UN Plaza -- Recognition of AIDS/ARC Vigil
Marvis Phillips
to:
board.of.supervisors
06/28/2011 05:59 PM
Show Details

File 110752

I am writing in support of putting a plaque or marker in U. N. Plaza in front of 50 U. N. Plaza marking the site of the former AIDS/ARC Vigil. As a member of the Vigil, I worked hard getting out the message that we needed to clean up our needles and be safe with sex. As an IV user at the time, I mainlined 4 or 5 times each day, and did so several years before I joined with proper cleaning of my needle, and also was engaged in unsafe sex every day before we knew the consequences. Even though I used up to August 1, 1984, when I quit, I still had sex and when high, unsafe gay sex. Again up to 1994 when I quit that too. Since 1994 I have not shot dope once or had sex.

I lost dozens of friends to AIDS/ARC and even now I'm still losing people I met since I got clean. The AIDS/ARC Vigil stood for the community giving a damn, when the Feds could care less and saw AIDS as a way to cleanse the U. S. of us "homos." I've been out of the closet since 1976 and I've never been a "homo."

Thank you for your support for this important milestone in our fight against AIDS/HIV/ARC.

Sincerely,

Marvis J. Phillips
33-year resident, Tenderloin, San Francisco

49

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Banning pet sales

From: K T <ktz_42@hotmail.com>
To: <board.of.supervisors@sfgov.org>
Date: 06/28/2011 05:26 PM
Subject: Banning pet sales

Please do not ban pet sales in your city.

Concerned citizen from Illinois

50

Memorandum

San Francisco Police Department

To: Commander R. Corriea
Operations Bureau
Metro Division

From: Captain A. Mannix
Northern Station

Date: Thursday, June 16, 2011

Subject: Board of Supervisors Inquiry, Reference #20110524-004

Deputy Chief Kevin Cashman
Office of Operations

APPROVED	YES	NO
Richard L. Corriea #1669 Commander	☐	☐
GREGORY P. SUHR Chief of Police	☑	☐

The Board of Supervisors has requested that over a three month period the Entertainment Commission and Officers of Northern Station perform random sound checks at 1787 Union Street, the Brick Yard. I have been in contact with the Director of the Entertainment Commission Jocelyn Kane and we have set up a protocol regarding the requested sound checks. Vajra Granelli, sound inspector with the Entertainment Commission will contact the on-duty platoon commander and arrange to have officers respond with him while he performs the requested random sound checks.

In addition to the sound checks we perform with Inspector Granelli officers will respond to all noise complaints at that address and determine if a violation is occurring. After 2200 hours officers will rely on 49MPC to determine if a violation is occurring. And/or, with a citizen's arrest could enforce sound violations under 415.2PC.

Re: BOARD OF SUPERVISORS INQUIRY - Reference 20110524-004
Chief Suhr to: Board of Supervisors 06/29/2011 04:32 PM
Sent by: Christine Fountain

Chiefsuhr	BOARD OF SUPERVISORS INQUIRY	
Chief Suhr	*This request was received and forwarded to appropriate staff for revie*	
Chief Suhr	*Response is attached. -----Board of Supervisors/BOS/SFGOV wrot*	
Chief Suhr	*Attachment. sorry -----Board of Supervisors/BOS/SFGOV wrote: ----- T*	

1 attachment

BOSInquiry20110524-004.pdf

Attachment. sorry
-----Board of Supervisors/BOS/SFGOV wrote: -----

To: Chiefsuhr@sfgov.org
From: Board of Supervisors/BOS/SFGOV
Date: 05/26/2011 01:15PM
Cc: mark.farrell@sfgov.org
Subject: BOARD OF SUPERVISORS INQUIRY

BOARD OF SUPERVISORS INQUIRY

For any questions, call the sponsoring supervisor

TO: Greg Suhr
Police

FROM: Clerk of the Board
DATE: 5/26/2011
REFERENCE: 20110524-004
FILE NO.

Due Date: 6/24/2011

This is an inquiry from a member of the Board of Supervisors made at the Board meeting on 5/24/2011.

Supervisor Farrell requests the following information:

Requesting the Entertainment Commission and the SFPD Northern Station to conduct random noise tests at 1787 Union Street (The Brick Yard) after their outside patio becomes operational to determine compliance with the City's noise ordinance pursuant to Police Code Section 2916. See letter below.

As soon as the outdoor patio at 1787 Union Street is completed and in use, I request that both the SFPD Northern Station and the Entertainment Commission conduct at least three random noise tests over a three-month period during various points of the day and evening to determine compliance with the City's Noise Ordinance and to report back

51

to my office with their findings during their analysis and at the end of the three-month period.
On January 20, 2011, the Planning Commission set forth conditions at the Discretionary Review Hearing to address noise issues. Those conditions include closing the outdoor patio by 10:00p.m., keeping the doors closed if the patio is not occupied; keeping two of the five panel doors closed when patrons are seated on the patio, limiting the seating to 12 people. Installing a canvas awning to dampen the sound and other conditions.

If any of these conditions are not being met or the property is in violation of the City's Noise Ordinance when the agency is conducting the noise test, that should also be noted in the report back to my office. Thank You Supervisor Mark Farrell

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

Your response to this inquiry is requested by 6/24/2011

The Office of the Clerk of the Board of Supervisors has received Sole Source reports for FY2010-2011 from the following City departments:
Board of Appeals
Board of Supervisors
District Attorney
Ethics
Mayor's Office on Disability
Retirement System
Rent Board

BOARD of SUPERVISORS

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

MEMORANDUM

Date: June 22, 2011

To: Department Heads & Persons Responsible for Sole Source Contracts & Annual Reports

From: Clerk of the Board

Subject: Sole Source Contracts for Fiscal Year 2010-2011
Please respond by July 15, 2011

SOLE SOURCE CONTRACTS

Sunshine Ordinance Section 67.24(e) requires that at the end of each fiscal year each City Department provide the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year. Please list all existing sole source contracts, adding those entered into during Fiscal Year 2010-2011. Please report if your department **did not** enter into any sole source contracts during the past fiscal year. The list shall be made available for inspection and copying. In addition, Sunshine Ordinance Section 67.29-2 encourages departments to post this information on their websites. Submit sole source contract information by:

Inter-departmental mail: Clerk of the Board, Board of Supervisors, Room 244 City Hall
OR
Email: board.of.supervisors@sfgov.org.

Below is a suggested format for transmitting the information.

Term	Vendor	Amount	Reason

ANNUAL REPORTS

Charter Section 4.103 provides that each board and commission of the City and County shall be required by ordinance to prepare an annual report describing its activities, and shall file such report with the Mayor and Clerk of the Board of Supervisors. Administrative Code Section 8.16, in turn, requires other official published documents relating to the functions of the official, board, commission or department, or affairs under their control, to file two copies of the report or document with the San Francisco Public Library within 10 days from the date of publication. Department Heads: Please make certain your boards and commissions comply with this requirement.

If you have questions regarding your obligations of these requirements, please contact the Deputy City Attorney advising your department.

City and County of San Francisco
Employees' Retirement System

GARY A. AMELIO
Executive Director

July 1, 2011

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

Subject: **SFERS Sole Source Contracts Fiscal Year 2010-2011**

Dear Ms. Calvillo,

The following is a list of all sole source contracts entered into by the San Francisco Employees' Retirement System during the fiscal year 2010-2011 as follows. The term of the fiscal year is July 1 through June 30.

Vendor	Amount	Purpose
Oracle USA, Inc. 500 Oracle Parkway Redwood City, CA 94065	$615,158.91	Oracle provides licensed software maintenance support for the San Francisco City & County Employees' Retirement System. Software is proprietary and is maintained by Oracle. The annual maintenance fee is required.
Open Text Inc. 275 Frank Tompa Drive Waterloo, Ontario Canada N2L 0A1 CAN	$ 23,451.37	Proprietary software support and license for electronic storage and retrieval of imaged documents on-line.
Public Storage 90 South Van Ness Avenue San Francisco, CA 94103	$ 4,622.00	Local off-site storage facility to house emergency equipment for SFERS continued operations.
Totals	$643,232.28	

Please contact me should you have further questions.

Very truly yours,

Gary A. Amelio
Executive Director

Fw: Sole Source Contracts and Annual Reports - Response Required

Cynthia Goldstein to: board.of.supervisors 06/23/2011 08:53 AM

Cynthia Goldstein	Fw: Sole Source Contracts and Annual Reports - Response Required

To Whom it May Concern:

This message is sent pursuant to Admin. Code Chapter 67.24(e) to notify you that the Board of Appeals did not enter into any sole source contracts during fiscal year 2010-2011.

Cynthia G. Goldstein
Executive Director
San Francisco Board of Appeals
1650 Mission Street, Suite 304
San Francisco, CA 94103
Phone: 415-575-6881
Fax: 415-575-6885
www.sfgov.org/boa

----- Forwarded by Cynthia Goldstein/BOA/SFGOV on 06/23/2011 08:51 AM -----

From:	Board of Supervisors/BOS/SFGOV
To:	Amy Brown/ADMSVC/SFGOV@SFGOV, Anabel Simonelli/MAYOR/SFGOV@SFGOV, Angela Calvillo/BOS/SFGOV@SFGOV, Anita.Sanchez@sfgov.microsoftonline.com, Anne Kronenberg/DEM/SFGOV@SFGOV, Barbara Garcia/DPH/SFGOV@SFGOV, Ben Rosenfield/CON/SFGOV@SFGOV, Catherine Dodd/HSS/SFGOV@SFGOV, Chief Suhr/SFPD/SFGOV@SFGOV, Cynthia Goldstein/BOA/SFGOV@SFGOV, Delene Wolf/RENT/SFGOV@SFGOV, District Attorney/DA/SFGOV@SFGOV, ed.reiskin@sfdpw.org, eharrington@sfwater.org, Elizabeth Murray/WMPAC/SFGOV@SFGOV, Emily Murase/DOSW/SFGOV@SFGOV, Gary Amelio/SFERS/SFGOV@SFGOV, jbuchanan@famsf.org, john.martin@flysfo.com, jxu@asianart.org, Jeff Adachi/PUBDEF/SFGOV@SFGOV, Joanne Hayes-White/SFFD/SFGOV@SFGOV, John Arntz/ELECTIONS/SFGOV@SFGOV, John Rahaim/CTYPLN/SFGOV@SFGOV, John St.Croix/ETHICS/SFGOV@SFGOV, Jon.Walton@sfgov.microsoftonline.com, Jose Cisneros/TTX/SFGOV@SFGOV, Joyce Hicks/OCC/SFGOV@SFGOV, Luis Cancel/ARTSCOM/SFGOV@SFGOV, lherrera@sfpl.info, Marcia Bell/LAWLIBRARY/SFGOV@SFGOV, Maria Su/DCYF/SFGOV@SFGOV, Melanie Nutter/ENV/SFGOV@SFGOV, Michael Hennessey/SFSD/SFGOV@SFGOV, Micki Callahan/DHR/SFGOV@SFGOV, Mitch Katz/DPH/SFGOV@SFGOV, Monique Moyer/SFPORT/SFGOV@SFGOV, nathaniel.ford@sfmta.com, Oliver Hack/OCDHH/MAYOR/SFGOV@SFGOV, Phil Ginsburg/RPD/SFGOV@SFGOV, Phil Ting/ASRREC/SFGOV@SFGOV, Susan Mizner/ADMSVC/SFGOV@SFGOV, Tara Collins/CTYATT@CTYATT, Theresa.Sparks@sfgov.microsoftonline.com, Trent Rhorer/DHS/CCSF@CCSF, Vivian Day/DBI/SFGOV@SFGOV, Wendy Still/ADPROB/SFGOV@SFGOV, William.Siffermann/JUV/SFGOV@SFGOV
Date:	06/22/2011 04:26 PM
Subject:	Sole Source Contracts and Annual Reports - Response Required

Sole Source Reminder 10-11.doc

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax

Board.of.Supervisors@sfgov.org

Complete a Board of Supervisors Customer Service Satisfaction form by clicking
http://www.sfbos.org/index.aspx?page=104

Re: Fw: Sole Source Contracts and Annual Reports - Response Required

Steven Massey to: Board.of.Supervisors 06/23/2011 09:36 AM

Cc: Mabel Ng, John St.Croix

Steven Massey *Attached, please find the response from the Ethics Commission.* ------

1 attachment

Sole Source Reminder 10-11 - Ethics Commission.doc

Attached, please find the response from the Ethics Commission.

Steven Massey
Information Technology Officer
CCSF Ethics Commission
25 Van Ness Avenue, Suite 220
San Francisco, CA 94102
(P) 415-252-3108
(F) 415-252-3112
Steven.Massey@sfgov.org
http://www.sfethics.org

-----Forwarded by John St.Croix/ETHICS/SFGOV on 06/22/2011 05:23PM -----

To: Amy Brown/ADMSVC/SFGOV@SFGOV, Anabel Simonelli/MAYOR/SFGOV@SFGOV, Angela Calvillo/BOS/SFGOV@SFGOV, Anita.Sanchez@sfgov.microsoftonline.com, Anne Kronenberg/DEM/SFGOV@SFGOV, Barbara Garcia/DPH/SFGOV@SFGOV, Ben Rosenfield/CON/SFGOV@SFGOV, Catherine Dodd/HSS/SFGOV@SFGOV, Chief Suhr/SFPD/SFGOV@SFGOV, Cynthia Goldstein/BOA/SFGOV@SFGOV, Delene Wolf/RENT/SFGOV@SFGOV, District Attorney/DA/SFGOV@SFGOV, ed.reiskin@sfdpw.org, eharrington@sfwater.org, Elizabeth Murray/WMPAC/SFGOV@SFGOV, Emily Murase/DOSW/SFGOV@SFGOV, Gary Amelio/SFERS/SFGOV@SFGOV, jbuchanan@famsf.org, john.martin@flysfo.com, jxu@asianart.org, Jeff Adachi/PUBDEF/SFGOV@SFGOV, Joanne Hayes-White/SFFD/SFGOV@SFGOV, John Arntz/ELECTIONS/SFGOV@SFGOV, John Rahaim/CTYPLN/SFGOV@SFGOV, John St.Croix/ETHICS/SFGOV@SFGOV, Jon.Walton@sfgov.microsoftonline.com, Jose Cisneros/TTX/SFGOV@SFGOV, Joyce Hicks/OCC/SFGOV@SFGOV, Luis Cancel/ARTSCOM/SFGOV@SFGOV, lherrera@sfpl.info, Marcia Bell/LAWLIBRARY/SFGOV@SFGOV, Maria Su/DCYF/SFGOV@SFGOV, Melanie Nutter/ENV/SFGOV@SFGOV, Michael Hennessey/SFSD/SFGOV@SFGOV, Micki Callahan/DHR/SFGOV@SFGOV, Mitch Katz/DPH/SFGOV@SFGOV, Monique Moyer/SFPORT/SFGOV@SFGOV, nathaniel.ford@sfmta.com, Oliver Hack/OCDHH/MAYOR/SFGOV@SFGOV, Phil Ginsburg/RPD/SFGOV@SFGOV, Phil Ting/ASRREC/SFGOV@SFGOV, Susan Mizner/ADMSVC/SFGOV@SFGOV, Tara Collins/CTYATT@CTYATT, Theresa.Sparks@sfgov.microsoftonline.com, Trent Rhorer/DHS/CCSF@CCSF, Vivian Day/DBI/SFGOV@SFGOV, Wendy Still/ADPROB/SFGOV@SFGOV, William Siffermann/JUV/SFGOV@SFGOV
From: Board of Supervisors/BOS/SFGOV
Date: 06/22/2011 04:27PM
Subject: Sole Source Contracts and Annual Reports - Response Required

(See attached file: Sole Source Reminder 10-11.doc)

BOARD of SUPERVISORS

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

MEMORANDUM

Date: June 22, 2011

To: Department Heads & Persons Responsible for Sole Source Contracts & Annual Reports

From: Clerk of the Board

Subject: Sole Source Contracts for Fiscal Year 2010-2011
Please respond by July 15, 2011

SOLE SOURCE CONTRACTS

Sunshine Ordinance Section 67.24(e) requires that at the end of each fiscal year each City Department provide the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year. Please list all existing sole source contracts, adding those entered into during Fiscal Year 2010-2011. Please report if your department **did not** enter into any sole source contracts during the past fiscal year. The list shall be made available for inspection and copying. In addition, Sunshine Ordinance Section 67.29-2 encourages departments to post this information on their websites. Submit sole source contract information by:

Inter-departmental mail: Clerk of the Board, Board of Supervisors, Room 244 City Hall
OR
Email: board.of.supervisors@sfgov.org.

Below is a suggested format for transmitting the information.

Term	Vendor	Amount	Reason
October 31, 2010-September 30, 2013	**Westcoast Online Information Systems, Inc., dba Netfile**	$270,000	Only provider of agency electronic filing system including campaign finance, lobbyist, and statement of economic interests forms.

ANNUAL REPORTS

Charter Section 4.103 provides that each board and commission of the City and County shall be required by ordinance to prepare an annual report describing its activities, and shall file such report with the Mayor and Clerk of the Board of Supervisors. Administrative Code Section 8.16, in turn, requires other official published documents relating to the functions of the official, board, commission or department, or affairs under their control, to file two copies of the report or document with the San Francisco Public Library within 10 days from the date of publication.

Sole Source Contracts in FY 2010-2011
Robert Collins to: Board of Supervisors 06/23/2011 11:01 AM
Cc: Delene Wolf

Robert Collins	Sole Source Contracts in FY 2010-2011

Dear Clerk of the Board,

Pursuant to Sunshine Ordinance Section 67.24(e), the Rent Board **did not** enter into any sole source contracts during the 2010-2011 fiscal year. This information has been posted on the department's web site.

Thank you,
Robert Collins SF Rent Board

Sole Source Contracts
Susan Mizner
to:
board.of.supervisors
06/23/2011 01:33 PM
Show Details

The Mayor's Office on Disability did not enter into any sole source contracts during the past fiscal year.

(Please note: some of the architectural access work that MOD has funded through other departments, such as DPW, may have had sole source contracts. That should be reported directly through that department.)

Susan Mizner
Director
Mayor's Office on Disability
401 Van Ness, Suite 300
San Francisco, CA 94102
ph: 554-6789
TTY: 554-6799
fax: 554-6159

DA Sole Source Report

Sheila Arcelona to: Angela Calvillo, Board of Supervisors 06/24/2011 01:55 PM
Cc: Eugene Clendinen

Sheila Arcelona	DA Sole Source Report

Please find attached the Sole Source Contract Report for FY 2010-2011 for the District Attorney's office. Thank you.

SF DA Sole Source Report FY11.PDF

Sheila Arcelona
Finance Division Manager
San Francisco District Attorney's Office
850 Bryant Street, Room 305
San Francisco, CA 94103
Desk: (415) 734-3018
Fax: (415) 553-9700

CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE DISTRICT ATTORNEY

George Gascón
District Attorney

June 24, 2011

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

Dear Ms. Calvillo:

The District Attorney's Office is providing the Clerk of the Board of Supervisors with this memorandum in compliance with Sunshine Ordinance Section 67.24(e) which requires that at the end of each fiscal year each City Department provide the Board of Supervisors with a list of all sole source contracts entered into during the past fiscal year. Below are the sole source contracts of the District Attorney's Office for fiscal year 2010 - 2011. If you have any questions please feel free to contact me at (415) 553-1895.

Sole Source Contracts for District Attorney's Office -- Fiscal Year 2010-2011

Term	Vendor	Amount	Reason
1/1/10--8/31/11	Asian Women's Shelter	$244,350	Unique expertise with LEP victims of DV
7/1/10--6/30/11	Community United Against Violence	$100,000	Unique expertise in LBGTQ violence prevention
1/1/10--6/30/12	Institute on Aging	$ 50,000	Host agency of Elder Abuse Forensic Center
2/1/10--6/30/12	Karr, Helen	$ 81,840	Elder abuse prosecution expert
7/1/10--6/30/11	SAGE Project, Inc. (Standing Against Global Exploitation Inc.)	$ 72,500	First Offender Prostitution Diversion Program

Sincerely,

Eugene Clendinen
Chief Administrative and Financial Officer

850 BRYANT STREET, THIRD FLOOR · SAN FRANCISCO, CALIFORNIA 94103
RECEPTION: (415) 553-1752 · FACSIMILE: (415) 553-9054

Fw: Sole Source Contracts and Annual Reports - Response Required
Jim Burruel to: Board of Supervisors 06/27/2011 08:29 AM

Jim Burruel	Fw: Sole Source Contracts and Annual Reports - Response Required

Ms. Angela Calvillo,

Attached is a copy of the above referenced for the San Francisco Employees' Retirement System for FY ended June 30, 2011.

Original signed document will be sent inter-office mail.

kind regards,

RET DEPT 44 _ Sole Source Contracts FY 2010-2011).pdf

Jim Burruel - Finance Manager
San Francisco Employees' Retirement System
30 Van Ness Avenue, Suite 3000
San Francisco, Calif. 94102-6062
Phone: (415) 487-7075
Fax: (415) 558-4577
e:mail: Jim.Burruel@sfgov.org
----- Forwarded by Jim Burruel/SFERS/SFGOV on 06/27/2011 08:26 AM -----

Gary Amelio/SFERS/SFGOV
06/23/2011 07:07 AM

To "Jim Burruel" <jim.burruel@sfgov.org>, "Norm Nickens" <norm.nickens@sfgov.org>
cc "Darlene Armanino" <darlene.armanino@sfgov.org>
Subject Fw: Sole Source Contracts and Annual Reports - Response Required

Pl respond
Sent from my BlackBerry
Board of Supervisors

----- Original Message -----
From: Board of Supervisors
Sent: 06/22/2011 04:27 PM PDT
To: Amy Brown; Anabel Simonelli; Angela Calvillo; Anita.Sanchez@sfgov.microsoftonline.com; Anne Kronenberg; Barbara Garcia; Ben Rosenfield; Catherine Dodd; Chief Suhr; Cynthia Goldstein; Delene Wolf; District Attorney; Ed Reiskin; Ed Harrington; Elizabeth Murray; Emily Murase; Gary Amelio; jbuchanan@famsf.org; John Martin; jxu@asianart.org; Jeff Adachi; Joanne Hayes-White; John Arntz; John Rahaim; John St.Croix; Jon.Walton@sfgov.microsoftonline.com; Jose Cisneros; Joyce Hicks; Luis Cancel; lherrera@sfpl.info; Marcia Bell; Maria Su; Melanie Nutter; Michael Hennessey; Micki Callahan; Mitch Katz/DPH/SFGOV@SFGOV; Monique Moyer; Nathaniel Ford; Oliver Hack; Phil Ginsburg; Phil Ting; Susan Mizner; Tara Collins; Theresa.Sparks@sfgov.microsoftonline.com; Trent Rhorer; Vivian Day; Wendy Still; William Siffermann

Subject: Sole Source Contracts and Annual Reports - Response Required

Sole Source Reminder 10-11.doc

Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
(415) 554-5184
(415) 554-5163 fax
Board.of.Supervisors@sfgov.org

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http://www.sfbos.org/index.aspx?page=104