

FILE NO. 130298

Petitions and Communications received from March 25, 2013, through April 1, 2013, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 9, 2013.

**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 will not be redacted.**

From Controller, City Services Auditor Division, regarding a report issued from the Port Commission. (1)

From concerned citizens, regarding marriage equality. Copy: Each Supervisor. 2 letters. (2)

From Clerk of the Board, submitting a memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor. (3)  
David J. Sanchez Jr., Health Commission

From Controller, submitting Surplus Transfers Report for FY 2011-12. (4)

From Fish and Game Commission, submitting a Notice of Findings regarding the Clear Lake hitch. Copy: Each Supervisor. (5)

From Fish and Game Commission, submitting a Notice of Findings regarding the Pacific fisher. Copy: Each Supervisor. (6)

From City Administrator, submitting Indemnification Quarterly Report: October-December 2012. Copy: Each Supervisor. (7)

From City Administrator, submitting Indemnification Quarterly Report: July-September 2012. Copy: Each Supervisor. (8)

From City Administrator, submitting Indemnification Quarterly Report: April-June 2012. Copy: Each Supervisor. (9)

From City Administrator, submitting Indemnification Quarterly Report: January-March 2012. Copy: Each Supervisor. (10)

From Association of Bay Area Governments and the Metropolitan Transportation Commission, regarding the Bay Area Plan. Copy: Each Supervisor. (11)

From concerned citizen, regarding the proposal to rename Walesa Alley. File No. 130266. (12)

From Clerk of the Board, submitting a memorandum sent to the Board of Supervisors regarding the following appointments by the Mayor. (13)

Annie Wong, Juvenile Probation Commission  
Simon J. Frankel, Arts Commission  
Marcus Shelby, Arts Commission

From Supervisor Scott Wiener, submitting a memo regarding Land Use & Economic Development Committee, Committee Report. (14)

From Department of Aging and Adult Services, regarding Community Living Fund. Copy: Each Supervisor. (15)

From the Mayor, submitting a letter regarding Acting-Mayor. Copy: Each Supervisor. (16)

From the Mayor, submitting a letter regarding Acting-Mayor. Copy: Each Supervisor. (17)

From concerned citizens, regarding the Sharp Park Wetlands. 2 letters. (18)

From Blue Fog Market, regarding Public Convenience and Necessity. Copy: Each Supervisor, Legislative Clerk. (19)

\*From Recreation & Parks and Port, submitting Bond Accountability Report: March 2013. Copy: Each Supervisor. (20)

From G. Bland Platt, regarding the permit to transfer of development rights. File No. 120474. Copy: Each Supervisor, Land Use & Economic Development Clerk. (21)

From concerned citizens, regarding Woodhouse Marina Green. File No. 120987. 2 letters. (22)

From Clerk of the Board, reporting the following individuals have submitted a Form 700 Statement: (23)

Supervisor David Campos - Annual  
Supervisor David Chiu - Annual  
Supervisor Jane Kim - Annual  
Supervisor Eric Mar - Annual  
Supervisor John Avalos - Annual  
Supervisor Malia Cohen - Annual  
Angela Calvillo – Clerk of the Board - Annual  
Hope Schmeltzer - LAFCo - Annual  
Todd David - SOTF - Annual

Todd David - SOTF - Amendment  
Kitt Grant - SOTF - Annual  
Suzanne Manneh - SOTF - Annual & Leaving  
David Sims - SOTF - Annual  
Jay Costa Jr. - SOTF - Leaving  
Victor Lim - Legislative Aide - Annual  
Sheila Chung-Hagen - Legislative Aide - Annual  
Peter Lauterborn - Legislative Aide - Annual  
Nickolas Pagoulatos - Legislative Aide - Annual  
Jeremy Pollock - Legislative Aide - Annual  
Hillary Ronen - Legislative Aide - Annual  
Rachel Redondiez - Legislative Aide - Annual  
Judson True - Legislative Aide - Annual  
Catherine Rauschuber - Legislative Aide - Annual  
Dyanna Quizon - Legislative Aide - Assuming  
Dawn Duran - AAB Administrator - Annual  
Nancy Miller - LAFCo - Annual  
Christine Layton - LAFCo - Annual  
Madeline Miller - LAFCo - Annual  
Jennifer Gore - LAFCo - Annual  
Matthew McOmber - LAFCo - Annual  
Stuart Thompson - LAFCo - Assuming  
Richard Lee - AAB - Annual  
Diane Robinson - AAB - Annual  
John McGary - AAB - Leaving  
Lawrence Lee - AAB - Leaving  
Joseph Tham - AAB - Assuming  
Donna Crowder - AAB - Annual  
Mark Watts - AAB - Annual  
Daniel Hershkowitz - AAB - Assuming  
Diana Daniel - AAB - Assuming  
Mervin Conlan - AAB - Annual  
Joyce Lewis - AAB - Annual  
Gregory Blaine - AAB - Annual  
Alfredo Perez - AAB - Annual  
Edward Campana - AAB - Annual  
Margaret Ruxton - AAB - Annual  
Jeffrey Morris - AAB - Annual  
Scott Spertzel - AAB - Annual  
Louisa Mendoza - AAB - Annual

From Lee Goodin, regarding the Central Subway. (24)

\*(An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is available at the Clerk's Office, Room 244, City Hall.)

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**From:** Chapin-Rienzo, Shanda on behalf of Reports, Controller  
**Sent:** Tuesday, March 26, 2013 12:03 PM  
**To:** Calvillo, Angela; Moyer, Monique; Quesada, Amy; Forbes, Elaine; Jonh.woo@sfport.com; amg@fishermensgrotto.com; javahousesf@hotmail.com; Belinda Silva; tmcdonl@msn.com; onguyen@kpmg.com; Nevin, Peggy; BOS-Legislative Aides; BOS-Supervisors; Kawa, Steve; Howard, Kate; Falvey, Christine; Elliott, Jason; Campbell, Severin; Newman, Debra; sfdocs@sfpl.info; gmetcalf@spur.org; CON-Media Contact; CON-EVERYONE; CON-CCSF Dept Heads; CON-Finance Officers  
**Subject:** Report Issued: Port Commission: Audits of Fishermen's Grotto, Java House, LLC, JMA Waterfront Properties, LLC, and Tarantino's Inc.

The San Francisco Port Commission (Port) coordinates with the Office of the Controller's City Services Auditor Division (CSA) to conduct periodic concession or compliance audits of the Port's tenants. CSA engaged KPMG LLP to audit tenants at the Port of San Francisco to determine whether they complied with the reporting, payment, and selected other provisions of their agreements with the Port.

CSA presents the reports of KPMG's audits of Fishermen's Grotto, Java House, LLC, JMA Waterfront Properties, LLC, and Tarantino's Inc. The audit period for these audits was January 1, 2009, to December 31, 2011.

To view the full reports, please visit our website at:

Fishermen's Grotto -- <http://co.sfgov.org/webreports/details.aspx?id=1547>

Fishermen's Grotto underreported its gross revenues by incorrectly excluding complimentary meals from its gross receipts to the Port, resulting in an underpayment of \$130 of rent. During the audit period Fisherman's Grotto reported \$16,727,542 in gross revenue and paid \$1,126,368 in rent due to the Port.

Java House, LLC -- <http://co.sfgov.org/webreports/details.aspx?id=1548>

Java House, LLC, (Java House) lacks adequate controls over reporting the completeness of its gross revenues and needs to improve its internal controls to ensure that it reports all gross revenues as required by its lease with the Port. During the audit period Java House reported \$497,132 in gross revenue and paid \$86,962 in rent due to the Port.

JMA Waterfront Properties, LLC -- <http://co.sfgov.org/webreports/details.aspx?id=1549>

JMA Waterfront Properties, LLC, (JMA Waterfront) correctly reported \$3,313,530 in gross revenues and correctly paid \$300,000 in rent due to the Port. However, JMA Waterfront did not obtain sales tax returns from its subtenant to verify the accuracy of its reported gross receipts.

Tarantino's Inc. -- <http://co.sfgov.org/webreports/details.aspx?id=1550>

Tarantino's Inc., correctly reported \$8,586,182 in gross revenues and correctly paid \$565,789 in rent due to the Port.

This is a send-only e-mail address.

For questions about any of these reports, please contact Director of City Audits Tonia Lediju at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393, or the CSA Audits Unit at 415-554-7469.

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**From:** Board of Supervisors  
**To:** BOS-Supervisors  
**Subject:** Marriage Equality At Issue: Fourteenth Amendment to the United States Constitution

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**From:** Paul Diaz [<mailto:ptdiaz@ucdavis.edu>]  
**Sent:** Monday, March 25, 2013 3:07 PM  
**To:** Board of Supervisors  
**Subject:** Re: Marriage Equality At Issue: Fourteenth Amendment to the United States Constitution

**The Honorable City and County of San Francisco Board of Supervisors**

**BOARD OF SUPERVISORS**

**City Hall**

**1 Dr. Carlton B. Goodlett Place, Room 244**

**San Francisco, CA 9410 - 4689**

**Clerk's Office**

**Re: Marriage Equality**

**At Issue: Fourteenth Amendment to the United States Constitution**

Dear Honorable Members of the City and County of San Francisco Board of Supervisors:

Marriage is our fundamental constitutional right as United States Citizens.

As Madam Secretary Hillary Clinton stated (soon to be Madam POTUS), 'LGBT Americans are full and equal citizens and deserve the fundamental rights of citizenship, marriage included.'

The failure of the federal government to recognize "Marriage Equality" (LGBT Civil Rights) is not only costing us thousands in Social Security survivor benefits, it's costing us thousands in estate tax, and it's unconstitutional under the law!

As long as Social Security benefits continue to be denied to same-sex couples, we are being treated as though we are second-class citizens, but we are not second-class citizens and this is all about our fundamental rights as U.S. Citizen's and we ought not to allow others to define it as anything else.

We ask you to stand with LGBT Citizens of the United States for us for Marriage Equality..

May God bless you and may God bless these United States of America.

Sincerely,

Paul T. Diaz

**Marriage Equality Advocate**

**Fourteenth Amendment to the United States Constitution**

**[http://en.wikipedia.org/wiki/Fourteenth Amendment to the United States Constitution](http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution)**

**Hillary Clinton: 'I Support Marriage For Lesbian And Gay Couples'**

**<http://thinkprogress.org/lgbt/2013/03/18/1734601/hillary-clinton-i-support-marriage-for-lesbian-and-gay-couples/?mobile=nc>**

“LGBT Americans are our colleagues, our teachers, our soldiers, our friends, our ... and they are full and equal citizens, and deserve the rights of citizenship. ... With the claim that “the rights of citizenship” include “marriage,”

**Social Security Benefits Denied To Same-Sex Couples, Costing Thousands: Report**

**[http://www.huffingtonpost.com/2013/03/05/social-security-benefits-same-sex-couples\\_n\\_2806755.html](http://www.huffingtonpost.com/2013/03/05/social-security-benefits-same-sex-couples_n_2806755.html)**

**Lesbian Widow Calls Out Republicans' Hypocritical 'Post Hoc' Arguments For Marriage Inequality**

<http://thinkprogress.org/lgbt/2013/02/26/1641911/lesbian-widow-calls-out-republicans-hypocritical-post-hoc-arguments-for-marriage-inequality/?mobile=nc>

Edie Windsor and her lawyers have filed their final brief urging the Supreme Court to declare the Defense of Marriage Act unconstitutional. When Windsor's wife died, she was forced to pay \$363,053 in federal estate taxes because their marriage was not recognized under DOMA

**Cc: The Honorable Senator, Barbara Boxer, Office of U.S. Senator Barbara Boxer**

**312 N. Spring St. Suite 1748**

**Los Angeles, CA 90012**

**Cc: The Honorable Assemblyman, Tom Ammiano**

**State Capitol P.O. Box 942849**

**Sacramento, CA 94249-0013**

**Cc: The Honorable Assemblyman, Tom Ammiano**

**455 Golden Gate Avenue, Suite 14300**

**San Francisco, CA 94102**

**Cc: The Honorable Congresswoman, Leader Nancy Pelosi**

**90 7th Street, Suite 2-800**

**San Francisco, CA 94103**

**Cc: The Honorable Senator Dianne Feinstein**

**331 Hart Senate Office Bldg.**

**Washington, D.C. 20510**

**Phone: (202) 224-3841**

**Fax: (202) 228-3954**

**TTY/TDD: (202) 224-2501**

**San Francisco Office:**

**Cc: The Honorable Senator Dianne Feinstein**

**One Post Street**

**Suite 2450**

**San Francisco, CA 94104**

**Cc: The Honorable President of the United States, Barack Obama**

**The White House**

**1600 Pennsylvania Avenue NW  
Washington, DC 20500**



BOS-11  
cpage

March 25, 2013

The Honorable City and County of San Francisco Board of Supervisors  
BOARD OF SUPERVISORS  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 9410 - 4689  
Clerk's Office

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 28 PM 3:12

Re: Marriage Equality

At Issue: Fourteenth Amendment to the United States Constitution

Dear Honorable Members of the City and County of San Francisco Board of Supervisors:

Marriage is our fundamental constitutional right as United States Citizens.

As Madam Secretary Hillary Clinton stated (soon to be Madam POTUS), 'LGBT Americans are full and equal citizens and deserve the fundamental rights of citizenship, marriage included.'

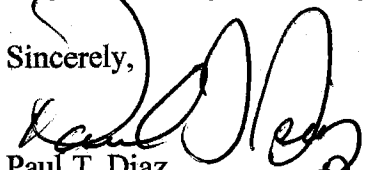
With all due respect, it appears the federal government has erred in its decision not to recognize "Marriage Equality" (LGBT Civil Rights). It is costing us thousands in social security survivor benefits, and it is costing us thousands in estate taxes, and it is unconstitutional under the law.

As long as Social Security benefits continue to be denied to married couples, we are being treated as though we are second-class citizens, and we are not second-class citizens. This is about our fundamental rights as U.S. Citizen's, and we ought not to allow others to define it as anything else.

We ask you to stand with us, LGBT U.S. Citizens in favor of Marriage Equality.

May God bless you and may God bless these United States of America.

Sincerely,

  
Paul T. Diaz  
Marriage Equality Advocate

P.O. Box 193102 \* San Francisco \* California \* 94119

**Fourteenth Amendment to the United States Constitution**

**[http://en.wikipedia.org/wiki/Fourteenth Amendment to the United States Constitution](http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution)**

**Hillary Clinton: 'I Support Marriage For Lesbian And Gay Couples'**

**<http://thinkprogress.org/lgbt/2013/03/18/1734601/hillary-clinton-i-support-marriage-for-lesbian-and-gay-couples/?mobile=nc>**

“LGBT Americans are our colleagues, our teachers, our soldiers, our friends, our ... and they are full and equal citizens, and deserve the rights of citizenship. ... With the claim that “the rights of citizenship” include “marriage,”

**Social Security Benefits Denied To Same-Sex Couples, Costing Thousands: Report**

**[http://www.huffingtonpost.com/2013/03/05/social-security-benefits-same-sex-couples\\_n\\_2806755.html](http://www.huffingtonpost.com/2013/03/05/social-security-benefits-same-sex-couples_n_2806755.html)**

**Lesbian Widow Calls Out Republicans' Hypocritical 'Post Hoc' Arguments For Marriage Inequality**

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Cc: Mr. Mike Papantonio (Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A.  
316 South Baylen Street, Suite 600  
Pensacola, FL 32502

Cc: Mr. Mike Papantonio, Levin Papantonio Thomas Mitchell Rafferty & Proctor, P.A  
P.O. Box 12308  
Pensacola, FL 32591

Cc: The Honorable Senator, Barbara Boxer, Office of U.S. Senator Barbara Boxer  
312 N. Spring St. Suite 1748  
Los Angeles, CA 90012

Cc: The Honorable Assemblyman, Tom Ammiano  
State Capitol P.O. Box 942849  
Sacramento, CA 94249-0013  
Attn.: Ms. Lourdes Machado

Cc: The Honorable Assemblyman, Tom Ammiano  
455 Golden Gate Avenue, Suite 14300  
San Francisco, CA 94102  
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Cc: The Honorable Congresswoman, Leader Nancy Pelosi  
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San Francisco, CA 94104

Cc: The Honorable President of the United States, Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

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. 554-5227

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MEMORANDUM

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Date: March 25, 2013  
To: Honorable Members, Board of Supervisors  
From: ~~ACE~~ Angela Calvillo, Clerk of the Board  
Subject: APPOINTMENT BY THE MAYOR

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The Mayor has submitted an appointment to the following body:

- David J. Sanchez, Jr., Health Commission, term ending January 15, 2017

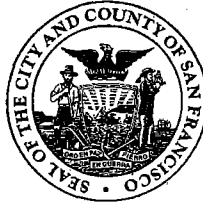
Under the Board's Rules of Order, Section 2.18.3, a Supervisor may request a hearing on an appointment by notifying the Clerk in writing.

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within 30 days of the appointment as provided in Charter, Section 3.100(18).

Please notify me in writing by **12:00 p.m., Thursday, March 28, 2013**, if you would like to request a hearing on the above appointment.

Attachments

OFFICE OF THE MAYOR  
SAN FRANCISCO



Orig: Rules Clerk  
C: COB, Leg Dep, Dep City Attny  
EDWIN M. LEE *AK*  
MAYOR *file*

### Notice of Appointment

March 19, 2013

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

Honorable Board of Supervisors:

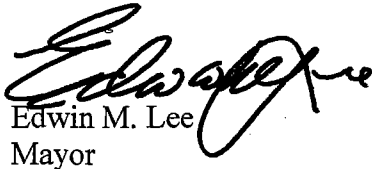
Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

David J. Sánchez, Jr., to the Health Commission for a term ending January 15, 2017

I am confident that Mr. Sánchez, an elector of the City and County, will continue to serve our community well. Attached are his qualifications to serve, which will demonstrate how this appointment represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

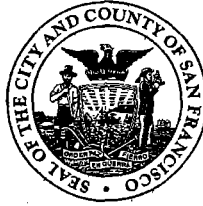
Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

  
Edwin M. Lee  
Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 20 PM 12:56  
AK

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

March 19, 2013

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

Dear Ms. Calvillo,

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

David J. Sánchez, Jr., to the Health Commission for a term ending January 15, 2017

I am confident that Mr. Sánchez, an elector of the City and County, will continue to serve our community well. Attached are his qualifications to serve, which will demonstrate how this appointment represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin M. Lee".

Edwin M. Lee  
Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 20 PM 12:56  
AK

## DAVID J. SANCHEZ, JR., PH.D.

### Professional Background

Dr. David J. Sánchez, Jr., is faculty associate for Academic and Student Outreach, and professor in the Department of Family and Community Medicine at the University of California, San Francisco (UCSF). He joined the UCSF faculty in 1969 after receiving the Ph.D. from the University of California, Berkeley.

His research on access to and delivery of health care among urban minority populations, as well as intervention strategies to ensure access to quality health care, has resulted in numerous publications. In addition, he has been the principal investigator on research projects concerning the access of minority students to education in the health sciences. He presently serves as chair of the UCSF Policy Board on Student Outreach, Recruitment, Retention, and Academic Enrichment, and as co-chair of the Science and Health Education Partnership Faculty Advisory Committee.

Dr. Sánchez's research interests have led to his participation in a number of University of California activities related to international affairs and minority populations. He has chaired the advisory committee of the University of California Institute for Mexico and the United States (UC MEXUS), and the search committees for a UC MEXUS director in 1988, and 1996. He serves on the editorial board of the journal, *Mexican Studies/Estudios Mexicanos*, published by the University of California Press. He is faculty director of the UCSF Education Abroad Program office as well as former chair of the University Committee of the Education Abroad Program. In addition, he is the Chair for both the UCSF Fulbright Program and National Security Education Program.

He serves on the UC Outreach Evaluation Advisory Panel, the Universitywide Committee on Linguistic Minority Research, and is a member of the UC Committee on Latino Research. He served on the UC SCR-43 Executive Committee, which was charged by the California Senate to research the role of Latinos in California, and he represents UCSF to the California Border Area Health Education Centers. He served on the Universitywide Affirmative Action Program Review Group. In addition, he participated in the National Institute of Health's Minority Biomedical Research Program at UCSF.

Dr. Sánchez's other University of California commitments include serving as the Assistant Vice Chancellor for Academic Affairs with oversight on academic searches and new academic programs, (1988-1996) and the UCSF School of Medicine Admissions Committee for twenty-seven years. He also has been a member of the Dean's Executive Board and serves on the faculty of the UCSF School of Medicine Post Baccalaureate Program. He was a member of the Academic Planning

Committee for the UC Tenth Campus. In addition, he has represented UCSF to the Tripartite Council of the San Francisco Consortium.

#### **Participation in National Projects**

A veteran of the United States Naval Air Reserve, Dr. Sánchez has been involved in a number of projects having a national scope. He has been a member of the Institute of Medicine's Primary Care Committee and a special consultant to the Assistant Secretary of Health, Education, and Welfare. He has served on the National Commission of Health and Vital Statistics and was a participant on the panel, Delivery of Health Care, for the White House Conference on Children. Dr. Sánchez has acted in the capacity of consultant on Migrant Health Clinics and education programs in the Southwest to both the Robert Wood Johnson Foundation and the U.S. Office of Health and Human Services.

He also participated at the request of the Assistant Secretary for Health and Surgeon General in the first conference, "Call to Action: Elimination of Racial and Ethnic Disparities in Health," in 1998. And recently, participated in the Macy Conference on "Psychiatry and Mental Health: Challenges to Health Professional Education," 2001.

Presently, he is a member of the American Association of Medical Colleges for Graduate Education and Minority Affairs, and a member of the board of advisors to the National Hispanic Mentor Recruitment Network, sponsored by the Inter-American College of Physicians and Surgeons and the United States Public Health Service. He recently completed his appointment to the National Academy of Sciences Institute of Medicine's Committee on Increasing Minority Participation in the Health Professions, which produced the 1994 report, *Balancing the Scales of Opportunity: Ensuring Racial and Ethnic Diversity in the Health Professions*. He also completed service on the California Advisory Committee for Planning Professional Programs in Education, which produced the 1994 report, *Educational Initiatives for Troubled Times: A Call to Action*. Recently he served as a reviewer for the Institute of Medicine report, "The Changing Market, Managed Care, and the Future Viability of Safety Net Providers" (1999).

From 1974 to 1976 Dr. Sánchez served as the first Robert Wood Johnson Health Policy Fellow from the University of California at the Institute of Medicine of the National Academy of Sciences. His key assignments were with the U.S. Senate Appropriations Committee and the House Appropriations Committee. Also, in 1986 he held a visiting fellowship at the University of North Carolina at Chapel Hill's Institute on Child Development and Social Policy.

#### **Honors**

He was awarded the Robert Wood Johnson Service Medal for his role on the Board of Advisors of the Municipal Health Services Program, sponsored by the American Medical Association, the Robert Wood Johnson Foundation, and the U.S. Conference of Mayors. Other honors Dr. Sánchez has received include the UCSF Chancellor's



Public Service Award, given for community service reflecting commitment to social justice and equal educational opportunities, and, in 1991, the Academic Excellence Award of the Chicano/Latino Medical Association of California. He was awarded The National Hispanic Medical Association Award for his "Leadership in improving the Health of Hispanics" in March, 2004 at the 8<sup>th</sup> National Conference in Washington D.C..

### **Community Service**

A native of San Francisco, Dr. Sánchez has been extremely involved in the Bay Area community. In 1997 Mayor Brown appointed him to the San Francisco Health Commission; and again in 2001 for an additional term. The late George Moscone appointed Dr. Sanchez to the Police Commission in 1977 and he was asked to continue his service as President of the Commission by Mayor Dianne Feinstein until 1988. He was president of the San Francisco Board of Education and the San Francisco Community College Board of Trustees from 1968 to 1974, appointed by the late Mayor Joseph Alioto. He is a Trustee Emeritus of the San Francisco Foundation, and a member of the Council of Foundations as well as Hispanics in Philanthropy, member of Grantmakers in Health, and a Trustee of the San Francisco General Hospital Foundation.

He has served on the National School Boards Association, the Council of Great City Schools, and the Association of Mexican-American Educators. In addition, he has served in many volunteer organizations such as the Board of Directors of the Catholic Youth Organization, the Columbia Park Boys Club, the Recreation Center for the Handicapped, and the Centro Latino de San Francisco. He presently serves as a Trustee of the San Francisco Education Fund, and the San Francisco Maritime National Park Association.

### **FAMILY**

David and his wife, Barbara, who graduated from the University of California, Berkeley, reside in San Francisco's Mission District. Their eldest son, Francisco, attended the University of California, Santa Barbara and is the Distribution Manager for Torani and their two other children are graduates of the University of California, Berkeley. Laura, is a Kindergarden teacher in the San Francisco public schools and Juan, a former Chemistry teacher in the public schools, is now completing his Ph.D. at U.C. Berkeley. In addition, their grandchildren, Sophia, age 2 and Samantha, age 6 months are native San Franciscans.

David J. Sánchez, Jr., Ph.D.

Tel: (415) 476-4351  
Fax: (415) 502-6400  
E-mail: [djsjr@itsa.ucsf.edu](mailto:djsjr@itsa.ucsf.edu)

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**From:** Lane, Maura  
**Sent:** Monday, March 25, 2013 11:28 AM  
**To:** Ryerson, Olga; Lee, Edwin (Mayor); Avalos, John; Breed, London; Campos, David; Chiu, David; Cohen, Malia; Farrell, Mark; Kim, Jane; Mar, Eric (BOS); Tang, Katy; Wiener, Scott; Yee, Norman (BOS); Calvillo, Angela; Howard, Kate  
**Cc:** Redondiez, Raquel; Brown, Vallie; Ashley, Stephany; True, Judson; Bruss, Andrea; Kelly, Margaux; Lee, Ivy; Pagoulatos, Nickolas; Blackstone, Cammy; Power, Andres; Mormino, Matthias; Nevin, Peggy; Drexler, Naomi; Pavkovic, Alan  
**Subject:** Fiscal Years 2011-12 Surplus Transfers Report Attached  
**Attachments:** SURPLUS-TRANSFERS\_20130325111404.PDF

Dear Colleagues,

I'm writing to you on behalf of Ben Rosenfield, the Controller.

The schedules of operating and project transfers that have exceeded 10 percent for Fiscal Year 2011-2012 are attached.

Sincerely,

Maura Lane  
Executive Assistant to the Controller



*BOS-11 direct*

Ben Rosenfield  
Controller

Monique Zmud  
Deputy Controller

March 22, 2013

The Honorable Edwin Lee  
Mayor, City and County of San Francisco  
City Hall, Room 200

The Honorable Board of Supervisors  
Room 244, City Hall

Re: Fiscal Years 2011-12 Surplus Transfers Report

Dear Mayor Lee, Ladies and Gentlemen:

According to Section 3.18 of the San Francisco Administrative Code, "the Controller shall notify the Mayor and the Board of Supervisors of any transfer of funds made pursuant to this section which exceeds 10 percent of the original appropriation to which the transfer is made." With that in mind, I have attached schedules of operating and project transfers that have exceeded 10 percent for Fiscal Year 2011-12.

Please feel free to contact me at 554-7500 if you would like to discuss this report in further detail.

Sincerely,

Ben Rosenfield  
Controller

Projects Transfers in excess of 10% per Admin Code 3.18  
Fiscal Year 2011-12

Office of the Controller - Data as of Fiscal Month 12 Close June 30, 2012

DEPARTMENT	PROJECT	ORIGINAL BUDGET	TRANSFER TO/(FROM)	REVISED BUDGET	TFR. %	EXPLANATION
General Services Agency-City Administrator/Special Revenue Fund-Real Estate	PREFMS - Facilities Management	20,350,757	(145,499)	20,205,258	-1%	Transfer savings from Human Services Agency's work orders and Real Estate facilities management project as their share to jointly fund Building Inspection the server room chiller project at 1660 Mission Street.
Human Services Agency /General Fund Non- Projects		21,499,107	(242,499)	21,256,608	-1%	
Building Inspection/Continuing Projects Fund	CBISRF- Server Refresh	1,000,000	387,998	1,387,998	39%	

General Services Agency-City Administrator/Special Revenue Fund-Real Estate	PREFMS -Facilities Management	20,350,757	(650,000)	19,700,757	-3%	Transfer savings from Police Department's Narcotics and Asset Forfeitures and Real Estate's facilities management projects to fund Department of Public Works' completion of the necessary tenant improvements for the Sixth Street Police Substation prior to commencement of the lease authorized per Board Resolution 160-12, File No. 120385, approved on 5/10/12.
Police/Narcotics Forfeiture & Asset Seizure Fund	PPCNFF - NARC Forfeiture & Asset Seizure	2,675,713	(125,000)	2,550,713	-5%	
General Services Agency-City Administrator/Special Revenue Fund-Real Estate	CREBHL - FY12 POL 72 6TH ST Substation Lease	0	775,000	775,000	100%	

General Hospital/Operating Grants-Private Fund	HG1H47- J. Fortunio Bequest	337,722	(226,947)	110,775	-67%	Transfer savings from the General Hospital's unrestricted private grants to fund the Delivery System Reform Incentive Learning Center Project per capital work authorization to Department of Public Works.
General Hospital/Operating Grants-Private Fund	HG1H50-Beatrice Druhe	36,907	(30,323)	6,584	-82%	
General Hospital/Continuing Projects Fund	CHGDSR - Delivery System Reform Incentive Pool	1,344,000	257,270	1,601,270	19%	

# Operating Budget Transfers in excess of 10% per Admin Code 3.18

Fiscal Year 2011-12 (July 2011 - June 2012)

Office of the Controller - Data as of Fiscal Month 12 Close June 30, 2012

DEPARTMENT	CHARACTER	BUDGET	TRANSFER (FROM) / TO	REV. BGT.	TFR. %	EXPLANATION
Adult Probation/ General Fund	001 Salaries	8,148,937	(259,612)	7,889,325	-3%	
	013 Mandatory Fringe Benefits	3,653,453	(22,216)	3,631,237	-1%	
	021 Non-Personal Services	551,408	(34,990)	516,418	-6%	
	040 Materials and Supplies	93,223	(29,405)	63,818	-32%	
	040 Materials and Supplies	93,223	22,490	115,713	24%	To transfer savings from professional services to materials and supplies to purchase required ergonomic supplies and other safety equipment
	081 Services of Other Departments	805,047	323,733	1,128,780	40%	To transfer savings from salaries, fringes, materials and supplies, and professional services to fund work orders with City Attorney, to review and revise department's policies regarding use of force; Human Resources, for services of a Senior Personnel Analyst to assist with the recruitment for AB109 Realignment new positions; Department of Technology, to purchase radios for additional staff; Human Services Agency, for cost of lease and telephone access of Adult Probation staff relocating to 1650 Mission; Public Health, for cost of treatment services for Adult Probation clients; and Sheriff, for cost of background investigations of deputy probation officer new hires.
City Planning/General Fund	001 Salaries	12,178,041	(475,473)	11,702,568	-4%	
	013 Mandatory Fringe Benefits	5,560,272	(223,752)	5,336,520	-4%	
	081 Services of Other Departments	3,144,720	699,225	3,843,945	22%	To transfer surplus funds from salaries and fringes to cover additional costs billed by City Attorney for legal support for various projects being appealed.

**Operating Budget Transfers in excess of 10% per Admin Code 3.18**

Fiscal Year 2011-12 (July 2011 - June 2012)

Office of the Controller - Data as of Fiscal Month 12 Close June 30, 2012

DEPARTMENT	CHARACTER	BUDGET	TRANSFER (FROM) / TO	REV. BGT.	TFR. %	EXPLANATION
Child Support Services/ Operating-Non Project Special Revenue Fund	040 Materials and supplies	282,776	(118,100)	164,676	-42%	
	081 Services of Other Departments	928,771	118,100	1,046,871	13%	To transfer surplus funds from materials and supplies to fund a work order with Department of Status of Women to provide family violence training and a liaison to assist in connecting with community based organizations that provide services to women throughout in San Francisco; and a work order to Public Utilities Commission to create a database system that tracks and reports on a regular basis the Agency's system of records and numerous initiatives.
District Attorney/General Fund	038 City Grant Programs	247,992	(3,396)	244,596	-1%	
	081 Services of Other Departments	927,717	(10,000)	917,717	-1%	
	040 Materials and Supplies	137,480	13,396	150,876	10%	To transfer surplus funds from workers' compensation claims work order and city grants account to cover additional cost of materials and supplies incurred at year end close.
Public Works/General Fund	001 Salaries	12,355,015	(31,731)	12,323,284	0%	
	013 Mandatory Fringe Benefits	5,475,688	(14,442)	5,461,246	0%	
	020 Overhead	10,040,250	(38,827)	10,001,423	0%	
	021 Non-Personal Services	615,510	(85,000)	530,510	-14%	
	040 Materials and Supplies	461,373	170,000	631,373	37%	To transfer surplus funds from salaries, fringes, overhead, and contractual services to purchase materials and supplies needed to support various programs of the Bureau of Street Environmental Services for graffiti removal from public and private properties, sidewalk cleaning and sweeping, workforce crew supervision, and environmental service trainee.

**Operating Budget Transfers in excess of 10% per Admin Code 3.18**

Fiscal Year 2011-12 (July 2011 - June 2012)

Office of the Controller - Data as of Fiscal Month 12 Close June 30, 2012

DEPARTMENT	CHARACTER	BUDGET	TRANSFER (FROM) / TO	REV. BGT.	TFR. %	EXPLANATION
Human Services/ General Fund	036 Aid Assistance	43,997,528	(600)	43,996,928	0%	
	039 Other Support & Care of Persons	0	600	600	100%	To transfer surplus funds from emancipated youth stipends to temporary rent assistance to pay a non-taxable rental security deposit.
Economic and Workforce Development/General Fund	021 Non-Personal Services	37,500	(1,962)	35,538	-5%	
	081 Services of Other Departments	19,621	1,962	21,583	10%	To transfer funds from non-personal services to a work order with Reproduction Services to print Small Business Assistance Center brochures.
Ethics Commission/General Fund	001 Salaries	1,407,002	(14,383)	1,392,619	-1%	
	040 Materials and Supplies	15,466	(9,100)	6,366	-59%	
	081 Services of Other Departments	143,836	23,483	143,836	16%	To transfer surplus funds from salaries and materials and supplies to a work order with Department of Technology for the set up cost and hosting fees to provide televised coverage of Ethics Commission meetings held in City Hall.

# Operating Budget Transfers in excess of 10% per Admin Code 3.18

Fiscal Year 2011-12 (July 2011 - June 2012)

Office of the Controller - Data as of Fiscal Month 12 Close June 30, 2012

DEPARTMENT	CHARACTER	BUDGET	TRANSFER (FROM) / TO	REV. BGT.	TFR. %	EXPLANATION
Public Health/General Fund	021 Non-Personal Services	327,207,931	(31,000)	327,176,931	0%	
	036 Aid Assistance	0	31,000	31,000	100%	To transfer funds from contractual services to rent assistance in behalf of clients to support the Interim Assistance Reimbursement Program.
Health Service System/General Fund	021 Non-Personal Services	1,634,802	(63,890)	1,570,912	-4%	
	060 Equipment	39,500	(5,000)	34,500	-13%	
	040 Materials and Supplies	31,944	3,131	35,075	10%	To transfer unexpended equipment funds to purchase ergonomic supplies based on the ergonomic evaluation and assessment of the department
	081 Services of Other Departments	657,591	65,759	723,350	10%	To transfer unexpended equipment and professional services funds to pay for year end work order billings from Department of Technology, Workers' Compensation, City Attorney , and Public Utilities Commission.
Juvenile Probation/General Fund	001 Salaries	15,929,167	(365,000)	15,564,167	-2%	
	081 Services of Other Departments	3,296,813	365,000	3,661,813	11%	To transfer salary savings from unpaid workers' compensation leaves to pay work order billings for workers' compensation expenses.
Mayor/General Fund	081 Services of Other Departments	557,162	(18,000)	539,162	-3%	
	021 Non-Personal Services	133,001	18,000	151,001	14%	To transfer savings from Reproduction Services work order to cover higher than anticipated cost of producing the City's budget book
Elections Commission/General Fund	021 Non-Personal Services	8,019,158	(390,000)	7,629,158	-5%	
	013 Mandatory Fringe Benefits	1,074,922	390,000	1,464,922	36%	To transfer savings from printing budget due to fewer ballot cards and pages printed for the voters' pamphlets to cover mandatory fringe benefits of employees who became eligible by earning more than 1040 hours during the two elections held during the year.



**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Vacant**, Member

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

## Fish and Game Commission



*Bos-11, cpage*  
**Sonke Mastrup**, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

March 19, 2013

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Findings regarding the Clear Lake hitch (*Lavinia exilicauda chi*) which will be published in the California Regulatory Notice Register on March 22, 2013.

Sincerely,

Sheri Tiemann  
Staff Services Analyst

Attachment

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 25 PM 3:36  
BY *[Signature]*

**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Vacant**, Member

STATE OF CALIFORNIA  
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## Fish and Game Commission



### CALIFORNIA FISH AND GAME COMMISSION NOTICE OF FINDINGS

#### Clear Lake Hitch (*Lavinia exilicauda chi*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the Fish and Game Code, the California Fish and Game Commission, at its March 6, 2013, meeting in Mount Shasta, California, accepted for consideration the petition submitted to list the Clear Lake hitch as a threatened species. Pursuant to subdivision (a)(2) of Section 2074.2 of the Fish and Game Code, the aforementioned species is hereby declared a candidate species as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department of Fish and Wildlife shall submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned action is warranted. Copies of the petition, as well as minutes of the March 6, 2013, Commission meeting, are on file and available for public review from Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Written comments or data related to the petitioned action should be directed to the Commission at the aforementioned address.

Fish and Game Commission

March 11, 2013

Sonke Mastrup  
Executive Director

**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Vacant**, Member

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

## Fish and Game Commission



**Sonke Mastrup**, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

March 19, 2013

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Findings regarding the Pacific (*Martes pennanti*) which will be published in the California Regulatory Notice Register on March 22, 2013.

Sincerely,

  
Sheri Tiemann  
Staff Services Analyst

Attachment

(6)

**Commissioners**  
**Michael Sutton**, President  
Monterey  
**Richard Rogers**, Vice President  
Santa Barbara  
**Jim Kellogg**, Member  
Discovery Bay  
**Jack Baylis**, Member  
Los Angeles  
**Vacant**, Member

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

**Sonke Mastrup**, Executive Director  
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Sacramento, CA 95814  
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(916) 653-5040 Fax  
[www.fgc.ca.gov](http://www.fgc.ca.gov)

## Fish and Game Commission



### CALIFORNIA FISH AND GAME COMMISSION NOTICE OF FINDINGS

#### Pacific Fisher (*Martes pennanti*)

NOTICE IS HEREBY GIVEN that, the California Fish and Game Commission, at its November 7, 2012, meeting in Los Angeles, met in Executive Session and pursuant to Court Order voted to set aside its September 15, 2010, findings rejecting the petition filed by the Center for Biological Diversity to list the Pacific fisher (*Martes pennanti*) as a threatened or endangered species under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.). With Commission action setting aside its prior decision and findings, the Pacific fisher is a candidate species for purposes of CESA.

The Commission will reconsider the status of the species under CESA when the California Department of Fish and Wildlife completes and submits its status review as required by Fish and Game Code section 2074.6.

Fish and Game Commission

March 11, 2013

Sonke Mastrup  
Executive Director



Edwin M. Lee, Mayor  
Naomi Kelly, City Administrator

**OFFICE OF THE  
CITY ADMINISTRATOR  
RISK MANAGEMENT DIVISION**



RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 MAR 27 AM 10:11

TO: HONORABLE BOARD OF SUPERVISORS

FROM: MATT HANSEN  
DIRECTOR

DATE: January 22, 2013

RE: INDEMNIFICATION QUARTERLY REPORT  
OCTOBER - DECEMBER 2012

This report is submitted to the Board of Supervisors as per Administrative Code Section 1.24, wherein the Risk Manager is required to maintain a record of all indemnification agreements approved under the authority granted to the Risk Manager by said Code and to submit quarterly reports of such approvals.

There were no indemnification agreements approved by this office for the period of October through December 2012.

Copy of this report will be furnished to the City Attorney and City Controller as per ordinance, and forwarded to the San Francisco Main Library for filing.

cc: Dennis Herrera, City Attorney  
Ben Rosenfield, Controller  
SF Main Library, Government Section



Edwin M. Lee, Mayor  
Naomi Kelly, City Administrator

**OFFICE OF THE  
CITY ADMINISTRATOR  
RISK MANAGEMENT DIVISION**



RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 27 AM 10:28  
BY         

TO: HONORABLE BOARD OF SUPERVISORS

FROM: MATT HANSEN  
DIRECTOR

DATE: October 25, 2012

RE: INDEMNIFICATION QUARTERLY REPORT  
JULY – SEPTEMBER 2012

This report is submitted to the Board of Supervisors as per Administrative Code Section 1.24, wherein the Risk Manager is required to maintain a record of all indemnification agreements approved under the authority granted to the Risk Manager by said Code and to submit quarterly reports of such approvals.

While the attached summary is a brief recap of the nature of the indemnity agreements, supporting documentation is filed in the Risk Management office of the General Services Agency.

Copy of this report will be furnished to the City Attorney and City Controller as per ordinance, and forwarded to the San Francisco Main Library for filing.

cc: Dennis Herrera, City Attorney  
Ben Rosenfield, Controller  
SF Main Library, Government Section

## APPROVAL OF INDEMNITY PROVISIONS

JULY – SEPTEMBER 2012

### **Agreement between San Francisco Public Utilities Commission (Joseph L. Ortiz) and St. Matthias Church in Redwood City - August 17, 2012**

The San Francisco Utilities Commission (SFPUC) is currently constructing the Cordilleras Microtunnel project WD-2666 as part of the larger Bay Division Pipeline No. 5 Project. Because of the confined space of the construction site, City's contractor and SFPUC staff park in the neighboring residents. In an effort to address these complaints, the SFPUC has negotiated a Revocable License and Release Agreement (parking Permit) with the adjacent Saint Matthias church and the Archdiocese of San Francisco to provide parking for contractor and SFPUC staff free of charge. The SFPUC must hold the church harmless in order to obtain a permit for this project.

### **San Francisco Public Utilities Commission (Saed Toloui) - Sutro Reservoir Rehabilitation Project - Permit to Enter and Use of Property granted by St. John's Apostolic Armenian Church, San Francisco - September 7, 2012**

The San Francisco Public Utilities Commission (SFPUC) is instituting construction of the Sutro Reservoir Rehabilitation Project. Because of the confined space of the construction, the SFPUC has negotiated a Permit To Enter and Use Property (parking permit) with the adjacent St. John's Apostolic Armenian Church (Church) to provide for placement of a construction trailer in the church's parking lot, installation of a generator, water hookups and telephone connections. The SFPUC must hold the church harmless in order to obtain a permit for this project.



Edwin M. Lee  
Mayor

Naomi Kelly  
City Administrator

# OFFICE OF THE CITY ADMINISTRATOR RISK MANAGEMENT DIVISION



BOS-11

TO: HONORABLE BOARD OF SUPERVISORS

FROM: MATT HANSEN  
DIRECTOR

DATE: August 16, 2012

RE: INDEMNIFICATION QUARTERLY REPORT  
APRIL – JUNE 2012

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 27 AM 10:28  
BY *AN*

This report is submitted to the Board of Supervisors as per Administrative Code Section 1.24, wherein the Risk Manager is required to maintain a record of all indemnification agreements approved under the authority granted to the Risk Manager by said Code and to submit quarterly reports of such approvals.

While the attached summary is a brief recap of the nature of the indemnity agreements, supporting documentation is filed in the Risk Management office of the General Services Agency.

Copy of this report will be furnished to the City Attorney and City Controller as per ordinance, and forwarded to the San Francisco Main Library for filing.

cc: Dennis Herrera, City Attorney  
Ben Rosenfield, Controller  
SF Main Library, Government Section



## APPROVAL OF INDEMNITY PROVISIONS

APRIL – JUNE 2012

### **San Francisco Police Department, Lt. Arthur Stellini - Agreement with Silicon Valley Internet Crimes Against Children (SVICAC). June 6, 2012**

Participating in the SVICAC Task Force is a prudent decision in light of the fact that this agency has access to grant funds which can be utilized for training and equipment for members. SVICAC also has access to resources that would be available to SFPD during the course of business. There is no additional cost to the department for the hold harmless agreement. The SVICAC Task Force is partially funded by the Department of Justice, and is comprised of officers from different agencies. Therefore, they require to be indemnified by each agency in order to disburse funds, training and equipment.

### **Department of the Environment, Robert Hayden, Manager of Transportation Programs - Bay Area Electric EV (Electric Vehicles) Corridor Sub Recipient Agreement, June 13, 2012**

The California Energy Commission has awarded a grant to ABAG for installation of electric vehicle charges by a number of jurisdictions and other parties in the Bay Area. This Sub Recipient Agreement is for some of the State funds to be awarded to San Francisco to pay for a portion of the costs associated with installation of EV chargers in several City owned public garages. City electricians will perform the work. The City would not be able to access these funds without the indemnification provision.



Edwin M. Lee  
Mayor

Naomi Kelly  
City Administrator

# OFFICE OF THE CITY ADMINISTRATOR RISK MANAGEMENT DIVISION

BOS-11



TO: HONORABLE BOARD OF SUPERVISORS

FROM: MATT HANSEN  
DIRECTOR

DATE: April 17, 2012

RE: INDEMNIFICATION QUARTERLY REPORT  
JANUARY – MARCH 2012

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 27 AM 10:28  
MS

This report is submitted to the Board of Supervisors as per Administrative Code Section 1.24, wherein the Risk Manager is required to maintain a record of all indemnification agreements approved under the authority granted to the Risk Manager by said Code and to submit quarterly reports of such approvals.

While the attached summary is a brief recap of the nature of the indemnity agreements, supporting documentation is filed in the Risk Management office of the General Services Agency.

Copy of this report will be furnished to the City Attorney and City Controller as per ordinance, and forwarded to the San Francisco Main Library for filing.

cc: Dennis Herrera, City Attorney  
Ben Rosenfield, Controller  
SF Main Library, Government Section

## APPROVAL OF INDEMNITY PROVISIONS

JANUARY – MARCH 2012

### **Airport Commission, Mike Warren, Risk and Audit Manager. Agreement between Engineered Arresting Systems Corporation (ESCO), May 17, 2011, modified January 24, 2012**

Under federal law, the San Francisco International Airport is required to contract with ESCO for the design of its Engineered Materials Arrestor System (EMAS). The Airport is required to install an EMAS system by 2015 to continue consistent air transportation services. The airport must have the system designed by the sole FAA approved designer, ESCO. The negotiated indemnification agreement sufficiently protects the City from ESCO's negligence, recklessness, or willful misconduct. It is a necessary part of the Agreement.

### **Port Security Grant Program (PSGP) sub-grantee agreements between the San Francisco Police Department and the Marine Exchange of the San Francisco Bay Region. January 10, 2012**

The Marine Exchange's Executive Director has been selected by the Federal Emergency Management Agency (FEMA) as their Fiduciary Agent (FA) for the San Francisco Bay Region and as such has been authorized to disburse Federal Port Security Grant funds beginning with the 2007 supplement grant cycle to recipients approved by FEMA. The funding will allow recipients to complete projects to improve safety and security throughout the San Francisco waterfront. The Marine Exchange is a 501(c)(1) nonprofit entity, they require a hold harmless agreement with each sub-grantee in order to disburse grant funds. Without the sub-grantee agreement and its hold harmless clause, the San Francisco Police Department would not be able to access these funds.

# BayArea Plan

BOS-11  
cpage

## Notice to City Clerks and Clerks of the Board

March 22, 2013

Angela Calvillo  
Clerk of the Board of Supervisors  
City and County of San Francisco Board of Supervisors  
1 Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4604

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 25 PM 3:41

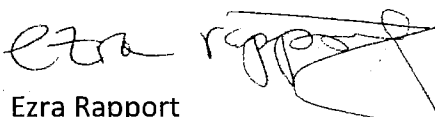
Dear Ms. Calvillo,

This is to notify you that pursuant to Senate Bill 375, Chapter 728, Statutes of 2008 (SB 375), the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) will present a Regional Transportation Plan and Sustainable Communities Strategy — together known as Plan Bay Area — in draft form to elected officials in each county, including city council members and members of the board of supervisors. SB 375 requires ABAG and MTC to notify all city clerks and clerks of the board of supervisors in the region of this meeting, which will take place on:

***Tuesday, April 23rd at 11:00 a.m.***  
***San Francisco Transportation Authority***  
***City Hall Legislative Chamber, Room 250***  
***1 Dr. Carlton B. Goodlett Pl.***  
***San Francisco, CA 94102***

The purpose of this meeting is to present a draft of Plan Bay Area and to solicit and consider input and recommendations from elected officials. Staff from ABAG and MTC will be present to make the presentation and receive comments. We respectfully request and encourage all members of your city council and board of supervisors to attend, and would appreciate your help in notifying them of this presentation and comment opportunity. For more information on Plan Bay Area, visit [OneBayArea.org](http://OneBayArea.org). Should you have questions concerning this notice, please contact Ms. Kathleen Cha, ABAG Senior Communications Officer, at (510) 464-7922.

Sincerely,



Ezra Rapport  
Executive Director, ABAG



Steve Heminger  
Executive Director, MTC

---

**From:** Board of Supervisors  
**To:** BOS-Supervisors  
**Subject:** File 130266: SUN endorses proposal for Tom Waddell Street

From: [sunfreedom76@yahoo.com](mailto:sunfreedom76@yahoo.com) [mailto:[sunfreedom76@yahoo.com](mailto:sunfreedom76@yahoo.com)]  
Sent: Tuesday, March 26, 2013 4:57 PM  
To: letters BAR ebar; [board of supervisors@ci.sf.ca.us](mailto:board_of_supervisors@ci.sf.ca.us)  
Cc: [savefreedom@yahoogroups.com](mailto:savefreedom@yahoogroups.com); [savefreedom-owner@yahoogroups.com](mailto:savefreedom-owner@yahoogroups.com)  
Subject: SUN endorses proposal for Tom Waddell Street

To the LGBT community:

SUN endorses the proposal to rename Walesa alley in honor of Dr. Tom Waddell.

Tortuga Bi LIBERTY,  
for Senior Unlimited Nudes [SUN]  
San Francisco, CA

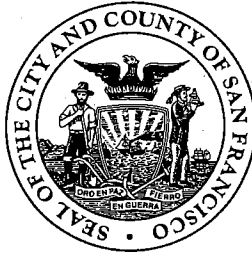
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<http://ebar.com/news/article.php?sec=news&article=68605>

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.....  
<http://groups.yahoo.com/group/sfbarea/>

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. 554-5227

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MEMORANDUM

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Date: March 26, 2013  
To: Honorable Members, Board of Supervisors  
From: *AC* Angela Calvillo, Clerk of the Board  
Subject: APPOINTMENTS BY THE MAYOR

---

The Mayor has submitted appointments to the following bodies:

- Annie Wong, Juvenile Probation Commission, term ending January 15, 2017
- Simon J. Frankel, Arts Commission, term ending September 1, 2014
- Marcus Shelby, Arts Commission, term ending September 14, 2016

Under the Board's Rules of Order, Section 2.18.3, a Supervisor may request a hearing on an appointment by notifying the Clerk in writing.

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within 30 days of the appointment as provided in Charter, Section 3.100(18).

Please notify me in writing by **12:00 p.m., Monday, April 1, 2013**, if you would like to request a hearing on any of the above appointments.

Attachments

OFFICE OF THE MAYOR  
SAN FRANCISCO



orig: Rules Clerk, C-003  
Leg Dep, cpage, R file

EDWIN M. LEE  
MAYOR

### Notice of Appointment

March 22, 2013

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

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 22 PM 2:52

Honorable Board of Supervisors:

Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointments:

Annie Wong to the Juvenile Probation Commission, assuming the seat formerly held by Katharine Albright, for a term ending January 15, 2017

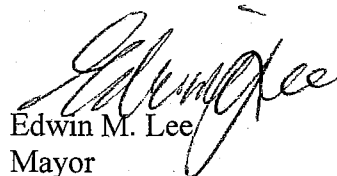
Simon J. Frankel to the Arts Commission, assuming the seat formerly held by Patrick Johnston, for a term ending September 1, 2014

Marcus Shelby to the Arts Commission, assuming the seat formerly held by Mark Breitenberg, for a term ending September 14, 2016

I am confident that Mrs. Wong, Mr. Frankel, and Mr. Shelby, electors of the City and County, will continue to serve our community well. Attached are their qualifications to serve, which will demonstrate how these appointments represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to these appointments, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

  
Edwin M. Lee  
Mayor

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

March 22, 2013

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

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 22 PM 2:54

Dear Ms. Calvillo,

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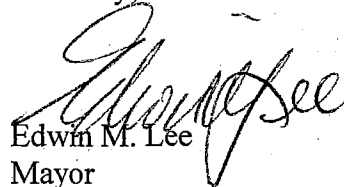
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Sincerely,

  
Edwin M. Lee  
Mayor



ANNIE WONG  
1675-32nd Avenue  
San Francisco, CA 94122-3140  
415-759-6376 (Home)  
415-265-6376 (Cell)

#### EDUCATION

San Francisco State University San Francisco, California  
Bachelor of Arts, June 1972  
Major: English Minor: Psychology

San Francisco State University San Francisco, California  
Teaching Credential, June 1973  
Emphasis: Secondary Education

University of California Extension Berkeley, California  
Emphasis: Elementary Education  
Elementary Teaching Credential issued by the State of California

#### WORK HISTORY

09/07- SAN FRANCISCO GIANTS San Francisco, California  
Present TICKET SERVICES:  
• Ticket sales agent

11/08- SAN FRANCISCO UNIFIED San Francisco, California  
06/10 SCHOOL DISTRICT: HUMAN  
RESOURCES DEPARTMENT  
• On-Call for special projects  
• General Assistance as needed

08/05- SAN FRANCISCO UNIFIED San Francisco, California  
11/08 SCHOOL DISTRICT: HUMAN  
RESOURCES DEPARTMENT  
• Assisted with preparation for audit of district by  
California Commission on Teacher Credentialing  
• Assisted in recruitment of teachers  
• Collaborated with recruitment managers in planning and  
facilitating events to recruit new teachers  
• Assisted in securing interviewers for recruitment events  
• Helped to schedule and coordinate times for interviews

- Contacted and scheduled times for processing of new teachers
- Provided orientation for newly hired substitute teachers
- Worked in collaboration with school administrators to fill teaching positions at school sites
- Entered data for new hires in computer system
- Provided contact with newly hired substitute teachers to issue final details of hire

07/96- SAN FRANCISCO UNIFIED San Francisco, California  
 06/05 SCHOOL DISTRICT: GEORGE  
 PEABODY SCHOOL

- Classroom teacher for fourth and fifth grade children
- Developed and facilitated programming to ensure interest in learning as well as enrichment in curricular areas
- Developed fundraising strategies to earn funds for three day, two night field studies for classes each year
- Encouraged parent participation
- Actively served on school Parent Faculty Organization

07/81- SAN FRANCISCO UNIFIED San Francisco, California  
 06/96 SCHOOL DISTRICT: GEORGE  
 PEABODY SCHOOL

- Program Resource Teacher/Science Facilitator/English Language Development Teacher
- Assessed needs of students, parents, and faculty in order to plan school programming
- Determined budget expenditures for State and Federal funds
- Developed and wrote site plan, including action plan and budget
- Trained and supervised paraprofessional staff
- Developed and facilitated workshops for staff and parents
- Taught English as a Second Language to all students who were limited in English language skills
- Planned for and taught science to all first through fifth grade students following district curriculum
- Active member of the School Site Council, School Advisory Committee, and Bilingual Advisory Committee

- Planned and facilitated all meetings of the BAC, SAC, and SSC

07/96- SAN FRANCISCO UNIFIED San Francisco, California  
 06/77 SCHOOL DISTRICT: GEORGE  
 PEABODY SCHOOL

- English Language Development Teacher
- Taught English as a Second Language to all children who were not fluent in English
- Active member of the Bilingual Advisory Committee
- Active member of the School Advisory Committee
- Active member of the School Site Council

10/74- SAN FRANCISCO UNIFIED San Francisco, California  
 06/77 SCHOOL DISTRICT: RAPHAEL  
 WEILL SCHOOL

- English Language Development Teacher
- Taught English to all students who were not fluent in

English

#### INTERESTS/VOLUNTEER WORK

02/94- PROJECT OPEN HAND San Francisco, California

- Present
- Volunteer for special events
  - Past volunteer for meal delivery
  - Data entry of donated items
  - General office work

04/10- FOOD RUNNERS San Francisco, California

- Present
- Donated food pick up with delivery to programs in need

11/07- NEW AMERICA MEDIA San Francisco, California

- 05/11
- Answering letters from incarcerated youth and adults
  - Coordinating with director and assistant editor to send publications to writers who request them
  - Helping with fundraising

#### REFERENCES

Evangeline Sagastume, Director of Human Resources, SFUSD  
 555 Franklin Street, 2nd Floor, San Francisco, CA 94102  
 415-241-6101 ext. 3269

Debra Eslava-Burton, Supervisor, Human Resources: Teacher Support  
and Development, SFUSD

555 Franklin Street, 2nd Floor, San Francisco, CA 94102  
415-355-7648

Ana De Arce, Principal, Garfield Elementary School, SFUSD

420 Filbert Street, San Francisco, CA 941  
415-291-7924

Jared Scherer, Director, Project Open Hand

730 Polk Street, San Francisco, CA 94109  
415-447-2300 or 415-973-4910

Kari Scheidt, Special Events Coordinator, Project Open Hand

730 Polk Street, San Francisco, CA 94109  
415-447-2417

Victor Tam, Principal, Jefferson Elementary School, SFUSD

45 Alviso Street, San Francisco, CA 94123  
415-876-4927 (Residence) 415-759-2821 (Business)

David Inocencio, Co-Founder and Director of The Beat Within, New  
America Media

275 Ninth Street, San Francisco, CA 94103  
415-503-4170

# SIMON J. FRANKEL

Two 20th Avenue, San Francisco, California 94121

Home: (415) 668-2222 • Office: (415) 591-7052

## PROFESSIONAL EMPLOYMENT

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### **Covington & Burling LLP**, San Francisco, California

*Partner* (2006 to Present): Representing companies and individuals in civil litigation with a focus on copyright, trademark, trade dress, trade secret, patent, and art-related disputes, as well as counseling concerning visual arts and intellectual property issues.

### **Howard, Rice, Nemerovski, Canady, Falk & Rabkin**, San Francisco, California

*Partner* (2001 to 2006); *Associate* (1994 to 2001): Representing companies and individuals in civil litigation with a focus on copyright, trademark, trade dress, trade secret, patent, and art-related disputes, as well as counseling concerning visual arts and intellectual property issues.

### **University of San Francisco School of Law**, San Francisco, California (1999 to Present)

*Adjunct Professor of Law*: Teaching seminar on Art Law.

### **Texas Wesleyan University School of Law**, Fort Worth, Texas (May 2005)

*Visiting Professor of Law*: Co-teaching seminar on Art Law.

### **Hastings College of the Law**, University of California, San Francisco, California (1997 to 2000)

*Adjunct Assistant Professor of Law*: Co-teaching seminar on Art Law.

### **Boalt Hall School of Law**, University of California at Berkeley, Berkeley, California (1995 to 2000)

*Lecturer-in-Law*: Co-teaching seminar on Art Law.

### **Judge Pierre N. Leval**, United States District Court, Southern District of New York, and United States Court of Appeals, Second Circuit (September 1992 to December 1993)

*Law Clerk*: Assisted federal district court judge in drafting opinions on all phases of federal court litigation; assisted in conduct of trials.

### **Chief Judge Stephen Breyer**, United States Court of Appeals, First Circuit (August 1991 to August 1992)

*Law Clerk*: Assisted federal Court of Appeals judge in drafting appellate opinions.

## EDUCATION

---

### **Yale Law School**, New Haven, Connecticut - September 1988 to June 1991

J.D., June 1991

*Yale Law Journal*, Book Review Editor, 1989 to 1991

### **Cambridge University**, Cambridge, England - September 1987 to August 1988

M. Phil (honors), History and Philosophy of Science, August 1988

National Science Foundation Graduate Fellowship

### **University College**, London England - September 1986 to September 1987

Research Student, Wellcome Institute for the History of Medicine

National Science Foundation, Graduate Fellowship

### **Harvard University**, Cambridge, Massachusetts - September 1982 to June 1986

B.A., *summa cum laude*, June 1986. Concentration in History and Science

# SIMON J. FRANKEL

Page Two

## SELECTED ART-RELATED PUBLICATIONS

---

- *Will the Digital Era Sound the Death Knell for the First Sale Doctrine in US Copyright Law*, INTELLECTUAL PROPERTY MAGAZINE, March 2011, Co-Author
- *Statute Without Limits?*, DAILY JOURNAL, August 20, 2010, Co-Author
- *Music to Their Ears*, COPYRIGHT WORLD, February 2008, Author
- *Lingering Confusion About the Use of Marks in Domain Names of Web Sites that Critique or Parody*, ABA IBL NEWSLETTER, Winter 2006
- *All About Art Law: The Esthetic, Moral, Ethical, and Political Issues Relating to the Visual Arts*, SAN FRANCISCO ATTORNEY, August-September 2001 (with James B. Frankel)
- *Using Visual Art in Film and Television: You Gotta Have Art-And Permissions, Too*, ENTERTAINMENT AND SPORTS LAWYER, Summer 1988
- *Flare-Up on Fair Use: A Recent Decision on Copying for Academic Purposes Doesn't Solve the Administered of Problem Facing Not-For-Profit Users*, INTELLECTUAL PROPERTY (The Recorder), December 1996
- *Law for Arts' Sake: Finley v. NEA Strikes Down Censorship-But Too Late to Save Public Funding for the Arts*, THE RECORDER, November 27, 1996
- *Moral Obligations: Conflicting Artists' Rights Statutes*, SAN FRANCISCO DAILY JOURNAL, August 30, 1996
- *After Ruling, Troubling VARA Issue Still Remain*, NEW YORK LAW JOURNAL, August 2 and 9, 1996 (with James B. Frankel)
- *VARA's First Five Years*, 19 HASTINGS COMMUNICATIONS & ENTERTAINMENT LAW JOURNAL 1 (1996)

## SELECTED ART-RELATED SPEAKING ENGAGEMENTS

---

- Speaker, "Current Issues in Copyright and Moral Rights," ALI-ABA Legal Issues in Museum Administration Course, March 2011
- Speaker, "Recent Nazi Era Art Restitution Litigation," New York State Bar Association - Entertainment, Arts and Sports Law Section, January 2011
- Speaker, "Control of Public Domain Images, and Other Intersections of Copyright and Contract," Los Angeles Copyright Society, May 2008
- Speaker, "Can Contract Expand the Protections of Copyright," Copyright Society, Northern California Chapter, San Francisco, California, June 2007 (with Gloria Phares)
- Speaker, "Can a Museum Control Use of its Public Domain Collection Objects? Copyright, Licensing, and Reproduction Policies," ALI-ABA Legal Issues in Museum Administration Course, Philadelphia, Pennsylvania, March 2007. (with Lauryn Guttenplan)
- Panelist, "Artistic License: A Look at Copyright and Contemporary Art," Intellectual Property Law Section of the State Bar of California conference, The Copyright Office Comes to California, Santa Monica and San Jose, California, March 2007

# SIMON J. FRANKEL

Page Three

## **SELECTED ART-RELATED SPEAKING ENGAGEMENTS** *(continued)*

---

- Speaker, "Copyright Law," American Society of Consulting Arborists Annual Conference, Napa, California, December 2006
- Speaker, "Copyright and Moral Rights Update," Visual Arts and the Law Conference (CLE), Santa Fe, New Mexico, August 2006
- Speaker, "Basic Copyright Issues for Online Publishing," American Association of Anatomists Annual Meeting at EB, San Francisco, California, April 2006
- Panelist, "Intellectual Property Issues for Non-Profit Grantees in the Arts," San Francisco Foundation/California Lawyers for the Arts, San Francisco, California, January 2006
- Speaker, "Access to Museums: A Case Study," and "Beyond Copyright: Rights of Publicity and Privacy and Moral Rights," ALI-ABA Legal Problems of Museum Administration Course, San Francisco, California, March 2005
- Speaker, "Defining Art in Intellectual Property Law," Visual Arts and the Law Conference (CLE), Taos, New Mexico, August 2003
- Panelist on "Illegal Art: Freedom of Expression on the Corporate Age" Exhibition, San Francisco Art Institute, San Francisco, California, July 2003
- Speaker, "What is Art—In Intellectual Property," Copyright Society, Northern California Chapter, San Francisco, California February 2003
- Panelist, "What is Art?" Yale Law School Alumni Symposium, New Haven, Connecticut, October 2002

## **ADDITIONAL INFORMATION**

---

- Legal Aid Society-Employment Law Center, Board of Directors (2008 to present); Chair, External Relations Committee (2010 to present).
- Copyright Society of the USA, Member (Chair, Northern California Chapter, 2009-2011).
- Board Member and Secretary, New Langton Arts, a San Francisco, California, contemporary arts organization (1997 to 2005).
- Member, *Pro Bono* Referral Board, California Lawyers for the Arts, San Francisco, California (1999 to present).
- Born and raised in San Francisco, California.
- Married to San Francisco native Courtney Weaver, a freelance writer, with three children.

## **Marcus Shelby**

Marcus Anthony Shelby is an accomplished teacher, composer, arranger, and bassist who currently lives in San Francisco, California. Over the past 20 years, he has built a diverse biography. From 1990-1996, Shelby was bandleader of Columbia Records and GRP Impulse! Recording Artists Black/Note and is currently the Artistic Director and leader of The Marcus Shelby Orchestra, The Marcus Shelby Hot 7, and the The Marcus Shelby Trio. Shelby was awarded a 2009 Black Metropolis Research Consortium Fellowship in Chicago for summer 2009 to conduct research for his commission to compose "Soul of the Movement". Shelby was also a 2006 Fellow in the Resident Dialogues Program of the Committee for Black Performing Arts at Stanford University to conduct research for his commission to compose "Harriet Tubman". Shelby also has had the honor of arranging for and conducting the Count Basie Orchestra featuring Ledisi, performing and recording with Tom Waits, and receiving the City Flight Magazine 2005 award as one of the "Top Ten Most Influential African Americans in the Bay Area". As the 1991 winner of the Charles Mingus Scholarship, Shelby's studies include work under the tutelage of composer James Newton and legendary bassist Charlie Haden. Shelby is also very active in music education and currently teaches at Rooftop Alternative School in San Francisco, the Stanford Jazz Workshop at Stanford University, and also the Oakland Public Conservatory.

### **/Teaching**

2007-Present-Rooftop Elementary; K-8; SF, CA;  
2003-2007-Young Musicians Program; Berkeley, CA;  
1999-2004-San Francisco State, CA  
2001-Present-Stanford University; Stanford Jazz Workshop  
2003-Present-Jazz Camp West Faculty  
Workshop and Lecture-"Harriet Tubman and Jazz"; "Women and Jazz"  
Workshop and Lecture-"MLK and Jazz"  
Workshop and Lecture-"The Legacy of Duke Ellington"; The Legacy of Louis Armstrong"  
Various Libraries, Churches, Art Houses, and Social Clubs

### **/Awards and Honors/**

1991 - Charles Mingus Scholarship to the California Institute for the Arts; 1991 - John Coltrane Young Artists Competition (with Black/Note); 1997 - Image Award Nomination for theatrical stage score for /Emitt Till/ by Bryan Burrell; 1998 - ASCAP Popular Award for Songwriters and Composers; 1999 - California Music Award Nomination for /Best Jazz Artist 1998/; 1999 - Bay Guardian Award for /Best Jazz Band/; 1999 - S.F. Weekly Wammie Award for /Best Jazz Musician/; 2000 - Dean Goodman Choice Awards for Excellence in Bay Area Theatre for Theatrical Score for /Trail of Her Inner Thigh/; Theater Circle Critics Award for Best Musical Score for "Hellhound on my Trail"/; Isadora Duncan Dance Award for Best Music, Savage Jazz Dance Company/; 2005 - City Flight Magazine- Top 10 Most Influential African Americans in the Bay Area for Arts and Culture /; 2008 - Bay Area Theater Critics Circle Award for Best Original Music Score, "Sonny's Blues"

### **/Grant Awards/**

2011 The Wallace Alexander Gerbode Foundation Composer Grant  
2009 Black Metropolis Research Consortium Research Fellowship, Chicago  
2008 Center for Cultural Innovation, Marketing and Distribution Planning & Implementation Grants  
2006 Stanford University, Committee on Black Performing Arts "Resident Dialogue" Artist Fellowship  
2005 Haas Foundation, Creative Work Fund, "Harriet Tubman: Bound for the Promised Land"  
2002 Theater Communications Group Resident Artist Grant  
2001 Meet The Composer "New Residency" Program  
2000 Haas Foundation, Creative Work Fund for New Work, "The Lights"



**/Private Commissions/**

2011 Yerba Buena Gardens Festival Commission for "Green and Blues" jazz orchestra composition about Green Economics and Environmental Racism  
2011 Equal Justice Society Commission for "Dying While Black and Brown" ballet with Joanna Haigood and the Zaccho Dance Theater Company  
2009 Cynthia Ross, "Calvin Jones"  
2009 San Mateo County "Martin Luther King Day" Committee Commission "MLK" Part I  
2007 deYoung Museum and "Jazz at Intersection" Commission "Peaceable Kingdom"  
2002 Equal Justice Society Commission "Port Chicago"

**/Instruction/**

Teaching Artist in Residence, Rooftop School  
Instructor, Berkeley Young Musicians Program  
Instructor, Stanford Jazz Workshop/ Jazz Camp

**/Discography/**

2011/ Soul of the Movement (Marcus Shelby Orchestra, Porto Franco Records)  
2008/ Harriet Tubman (Marcus Shelby Jazz Orchestra, Noir Records)  
2006 /Port Chicago/ (Marcus Shelby Jazz Orchestra, Noir Records)  
2001 /The Lights Suite / (Marcus Shelby Jazz Orchestra, Noir Records)  
1999 /The Sophisticate/ (The Marcus Shelby Trio, Noir Records)  
1998 /Intimate Strangers/ (The Marcus Shelby Trio w/ Marcus Conrad Poston, Noir Records)  
1998 /Midtown Sunset/ (Jazz Antiqua Ensemble, Noir Records)  
1997 /Un Faux Pas/ (The Marcus Shelby Trio, Noir Records)  
1995 /Nothin' but the Swing/ (Black/Note, Uni/Impulse)  
1994 /LA Underground/ (Black/Note, Red)  
1993 /Jungle Music/ (Black/Note, Sony Music)  
1991 /43<sup>rd</sup> and Degnan/ (Black/Note, World Stage)

**/Theatrical Scoring/**

2008/ Sonny's Blues/ Word for Word, San Francisco, CA  
2005/ Fear of a Brown Planet, Youth Speaks Literary Organization, San Francisco, CA  
2003/ Wheel of Fortune/ by John Stepling, Campo Santo Theater Company, San Francisco, CA  
2002 /The Lights/, by Howard Korder, Intersection for the Arts/ODC, San Francisco, CA  
2000 /Hellhound On My Trail/, by Denis Johnson, Campo Santo Theater Company, San Francisco, CA  
1999 /Simpatico/, by Sam Shepard, Campo Santo Theater Company, San Francisco, CA  
1998 /Trail of Her Inner Thigh/, by Erin Cressida Wilson, Campo Santo Theater, San Francisco, CA  
1998 /Suicide in B Flat/, by Sam Shepard, 3<sup>rd</sup> Set, Slim's, San Francisco, CA  
1998 /King Lear/, by William Shakespeare, 450 Geary Studio Theater, San Francisco, CA  
1997 /Suicide in B Flat/, by Sam Shepard, 3<sup>rd</sup> Set, Justice League, San Francisco, CA

**/Film Scoring/**

2003 "Maladaptive," Adam Chin Director  
2002 "Ralph Ellison: An American Hero," Avon Kirkland Production, PBS  
2001 "King of the Bingo Game," Elise Robertson, adaptation of Ralph Ellison short story, PBS  
2000 "Poetic License," Directed by Dave Yanofsky, Production, PBS  
1998 "Park Day," Directed by Sterling Macer, Jr., Blockbuster Pictures

**/Ballet and Dance/**

2011 Equal Justice Commission for "Dying While Black and Brown; Zaccho Dance Theater Company  
2005 Oakland Ballet, Commission for "Ella," Donald McKayle  
2001 Oakland Ballet, Commission for "Un Faux Pas," Reginald Savage  
2000 Robert Moses' Kin -"Collaboration 2000" Robert Henry Johnson, Sara Shelton Mann  
1998-2004 Musical Director, Savage Jazz Dance Company  
1993-2006 Musical Director, Jazz Antiqua Music and Dance Ensemble

**/Performances/\*\*partial list**

San Francisco Jazz Festival/ Monterey Jazz Festival/ Montreal Jazz Festival/ Kuumbwa Jazz Center/  
Yoshi's Jazz Club/Half Note-Athens, Greece/Dizzie's, NYC/North Sea Jazz Festival/Vienne Jazz  
Festival/ Yerba Buena Arts Center/San Francisco Museum of Modern Art/Paramount Theater/Stanford Jazz  
Festival; Blue Note (NYC and Tokyo);

Member, Board of Supervisors  
District 8



Orig: LU Clerk  
cc: COB, Leg Dep, upage  
RECEIVED  
City and County of San Francisco  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2013 MAR 27 PM 12:54

**SCOTT WIENER**

威善高

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DATE: March 27, 2013  
TO: Angela Calvillo  
Clerk of the Board of Supervisors  
FROM: Supervisor Scott Wiener *SW*  
RE: Land Use and Economic Development Committee  
COMMITTEE REPORT

---

Pursuant to Board Rule 4.20, as Chair of the Land Use and Economic Development Committee, I have deemed the following matter is of an urgent nature and request it be considered by the full Board on April 2, 2013, as a Committee Report:

**130018 Planning Code - Deleting the Sunset Provision of the Excelsior Alcohol Restricted Use District**

Ordinance amending the Planning Code, Section 785, to delete the sunset provision of the Excelsior Alcohol Restricted Use District; and making findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

This matter will be heard in the Land Use and Economic Development Committee on April 1, 2013, at 1:30 p.m.

Bos-11  
LOB

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

**MEMORANDUM**

2013 MAR 27 PM 3:45

DATE: March 15, 2013

TO: Angela Calvillo, Clerk of the San Francisco Board of Supervisors <sup>AK</sup>

THROUGH: Aging and Adult Services Commission

FROM: E. Anne Hinton, Executive Director, Dept. of Aging and Adult Services  
Linda Edelstein, Long Term Care Operations Director

SUBJECT: Community Living Fund (CLF): Program for Case Management and  
Purchase of Resources and Services. Six Month Report:  
July - December, 2012

**OVERVIEW**

The San Francisco Administrative Code, Section 10.100-12, created the Community Living Fund (CLF) to support aging in place and community placement alternatives for individuals who may otherwise require care within an institution. This report fulfills the Administrative Code requirement that the Department of Aging and Adult Services (DAAS) report to the Board of Supervisors every six months detailing the level of service provided and costs incurred in connection with the duties and services associated with this fund.

The CLF provides for home and community-based services, or a combination of equipment and services, that will help individuals who are currently, or at risk of being, institutionalized to continue living independently in their homes, or to return to community living. This program, using a two-pronged approach of coordinated case management and purchased services, provides the needed resources, not available through any other mechanism, to vulnerable older adults and younger adults with disabilities.

The CLF Six-Month Report provides an overview of trends. The attached data tables and charts show key program trends for each six month period, along with project-to-date figures where appropriate.

**KEY FINDINGS**

**Referrals & Service Levels**

- ❖ The CLF received 117 total new referrals, of which most (76%) were eligible. 467 clients received service, continuing to climb from 301 served during the same period a year ago.
- ❖ Enrollments in the core services provided by the Institute on Aging (IOA) peaked at 369 during July – December 2009 and are now at 284.
- ❖ Sixty-one percent of program enrollees in the last six months were in the IOA's CLF program, 40% of whom received service purchases. The remaining were in San

(15)

Francisco Senior Center's (SFSC) Homecoming transitional care and Meals on Wheels (MOW) emergency home-delivered meal programs.

### **Demographics**

Trends in CLF referrals are shifting over time:

- ❖ Referrals for younger adult consumers continue to represent approximately half of all referrals (47%) over the last three years, a larger proportion than they were in the first few years of the program;
- ❖ Referrals for White consumers are up to 30%, while referrals for African Americans returned to 20%; Chinese referrals remained low compared to citywide demographics. Referred consumers not reporting ethnicity data are declining due to program staff efforts to improve data collection, though they still represent 28% of all referrals.
- ❖ Referrals for English-speaking clients continue to dominate (84%); and
- ❖ Referrals for consumers living in 94116, home to Laguna Honda Hospital, continue to be high (currently 34%). Referrals from the Inner Mission/Bernal Heights (94110), the OMI (94112) and Visitacion Valley (94134) have increased markedly over the trends from the last two years;
- ❖ Referrals from Laguna Honda Hospital and Targeted Case Management showed a major spike to 47% of all referrals during the last six months.

### **Service Requests**

- ❖ Case management, in-home support, and housing-related services remain among the most commonly-requested services at intake. Money management and mental health/substance abuse services were also highly requested from referrals in the last six months.

### **Program Costs**

- ❖ Total program expenditures peaked during January – June 2010 at \$2.8 million, exhausting prior year carry-forward funding. Expenditures in the first half of FY12-13 are nearly \$1.8M, close to the program budget.
- ❖ CLF Purchase of Service costs have decreased to approximately half the level they were during peak spending in January – June 2010 as the budget has returned to base level. With FY 11-12 yielding a surplus, plans have been implemented to expand case management capacity and associated purchased services in the current year. The IOA succeeded in expanding that capacity through additional hiring as of December 2012. Home care and board and care costs remain the largest categories for purchased services.
- ❖ Costs per client are as follows:

- Total monthly program costs per client<sup>1</sup> averaged \$635 per month in the latest six-month period. This figure has shown a fairly steady downward trend since the high of \$1,067 in January – June 2009. Declining average costs have been due, in part, to the program's increased capacity to leverage outside funding such as the NF/AH waiver and the CCT Money Follows the Person Demonstration Project.
- Average monthly purchase of service costs for CLF clients who received any purchased services has settled at approximately \$1,100 - 1,200 per month.
- Excluding costs for home care and rental subsidies, average monthly purchase of service costs for CLF clients who received any purchased services was \$92 per month in the latest reporting period, compared to \$116 per month in the previous six-month period.

### **Performance Measures**

- ❖ The program performance measures showed 82% and 80% of clients formerly institutionalized and those at imminent risk of institutionalization continuing community living for a period of at least six months, respectively. The performance measures target was raised in FY 2011/2012 from 75% to 80%.

### **Systemic changes / Trends affecting CLF**

- ❖ The conversion of the Medi-Cal ADHC benefit to CBAS continues. Medi-Cal has completed moving eligible San Francisco CBAS participants into one of two SF managed care plans: SF Health Plan and Anthem Blue Cross. As of February 1, 2013, all 81 clients for whom CLF has been purchasing CBAS services have received a State Fair Hearing determination or withdrew from the appeal process. The majority were deemed eligible. It is expected that CLF will recoup \$379,920 of the \$455,354 spent on purchasing ADHC/CBAS services.

SF Health Plan will contract with DAAS to provide assessment and case management services for CBAS participants enrolled in their health plan. DAAS will provide these services through CLF infrastructure. The expectation is a census of 400 or more.

- ❖ The CLF program is growing and becoming more efficient, but there are still a number of unmet needs. In an effort to address the growing community waitlist, the program increased its total capacity by 20% over the past six months, though full capacity was not achieved until December. The CLF waitlist, which peaked near 80 individuals last summer, is now down below 40. Laguna Honda discharges continue to make up the bulk of the CLF caseload, however, and the prevalence of mental health

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<sup>1</sup> This calculation = [Grand Total of CLF expenditures (from Section 3-1)] / [All Active Cases (from Section 1-1)]/6.

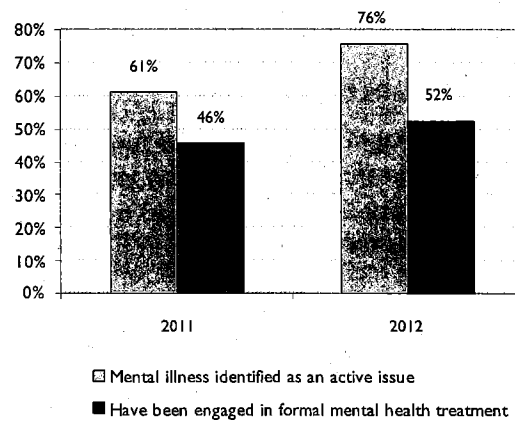
and substance abuse issues in this population continues to demand an intensive case management model.

❖ Through its work with the Medi-Cal waiver programs and California Community Transitions project, CLF continues to transition a small number of individuals home from other non-Laguna Honda long term SNF beds in San Francisco. Housing for these non-DCIP SNF residents continues to be the primary barrier.

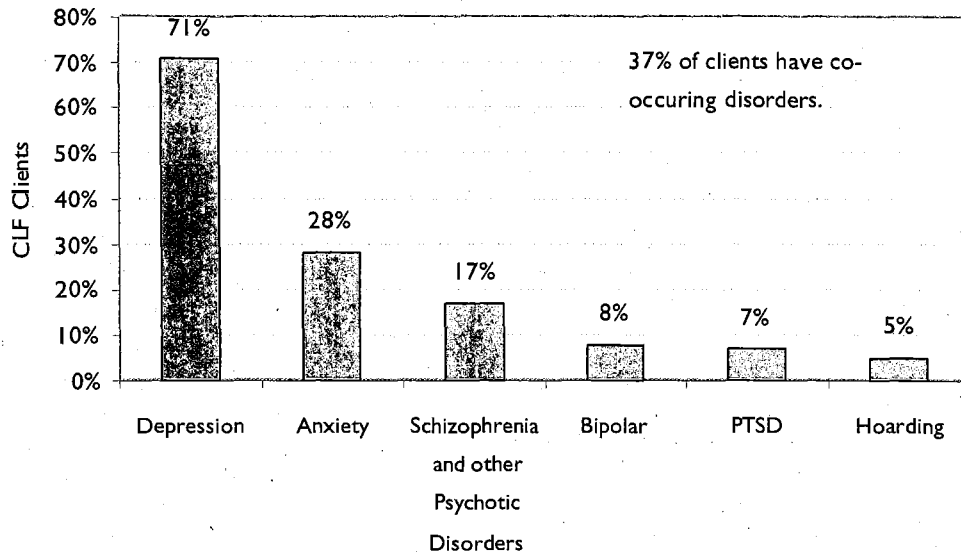
### Addressing Mental Health Needs of CLF Consumers.

CLF has modified its assessment tool to include more robust substance abuse and mental health screening tools and is conducting biannual reviews of every active client's mental health treatment plan. In December 2012, 52% of CLF clients with an identified mental health diagnosis had been engaged in a formal mental health treatment (up from 46% in December 2011). Over the past six months, case managers have also made notable progress in connecting clients to mental health treatment within CBHS clinics and primary care clinics. The mental health profile of CLF clients is shown in the following charts.

Prevalence of mental illness and treatment engagement among CLF clients



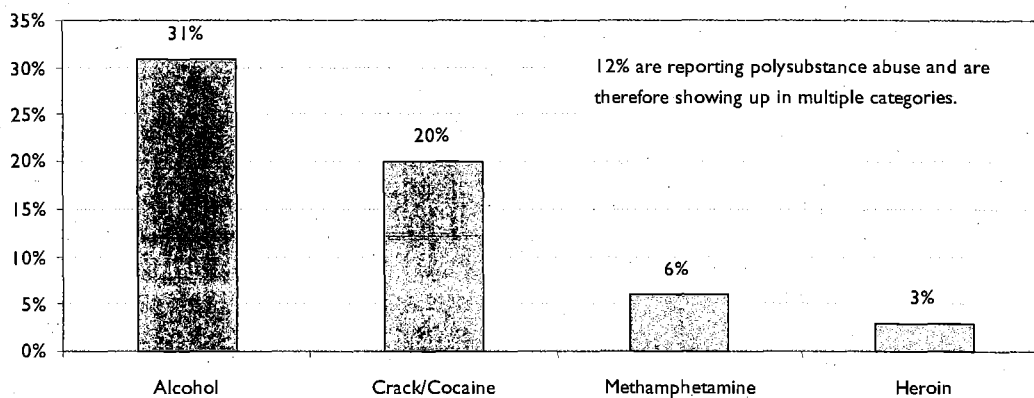
Mental Health Diagnoses  
(December 2012)



The December 2012 review also looked more closely at CLF clients' substance abuse population. (Note that Medical marijuana used by CLF clients was not counted amongst those using substances.)

- 16% of CLF clients report that they are actively abusing substances
- 21% of CLF clients have a recent or remote history of substance abuse

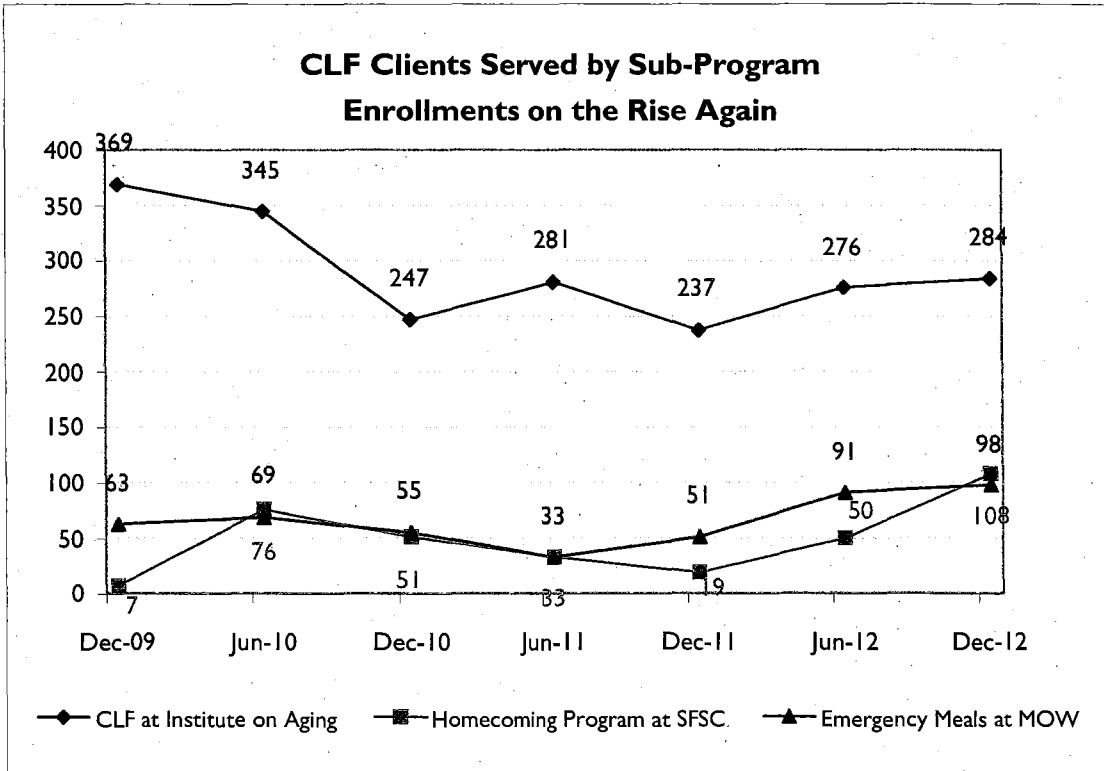
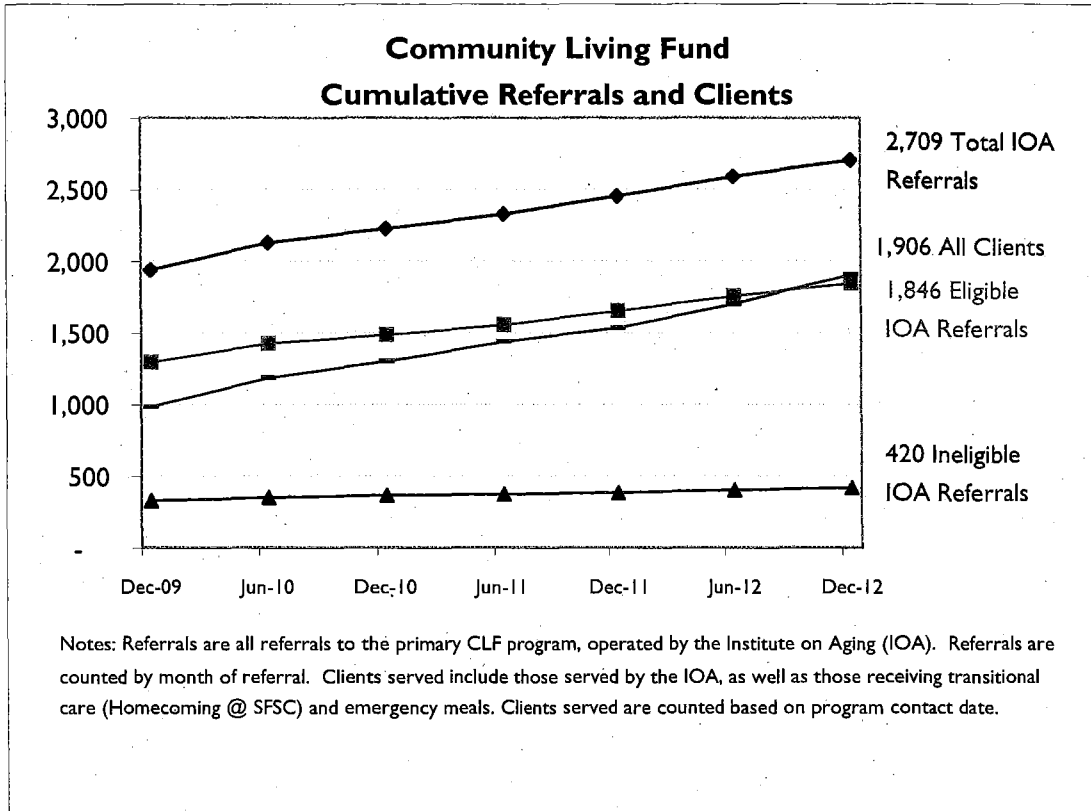
Of CLF clients who currently use substances,  
what substances do they use?



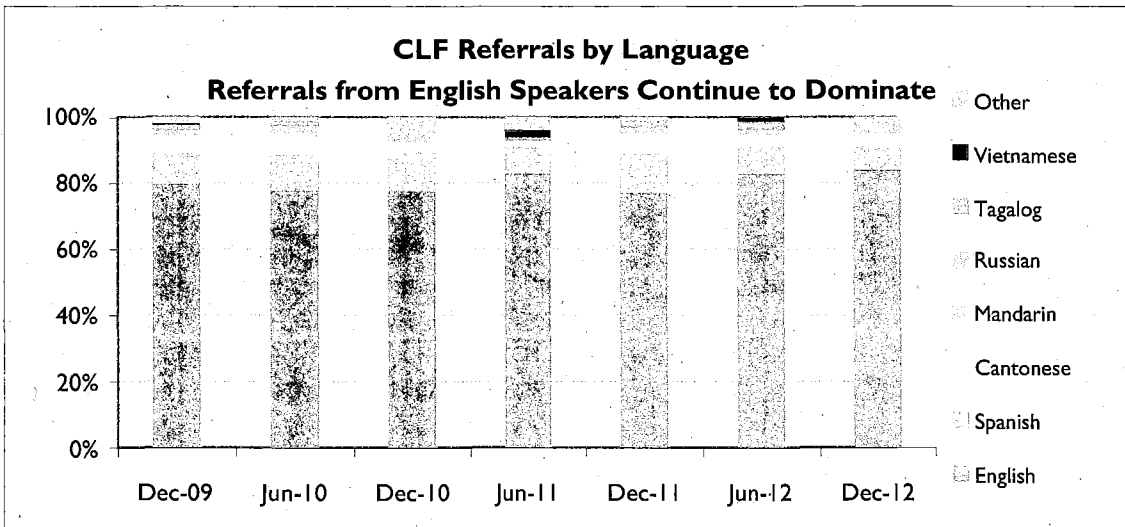
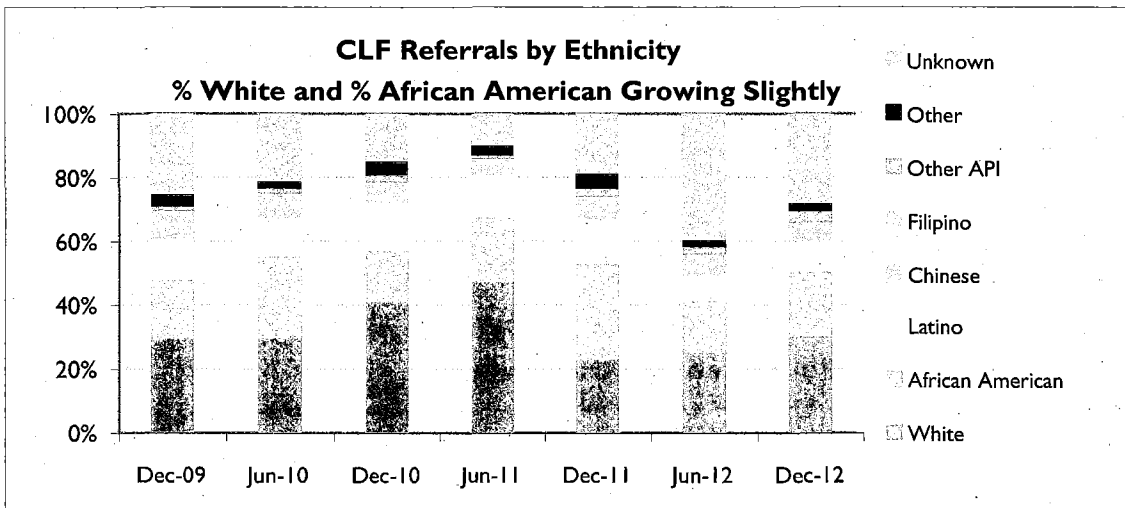
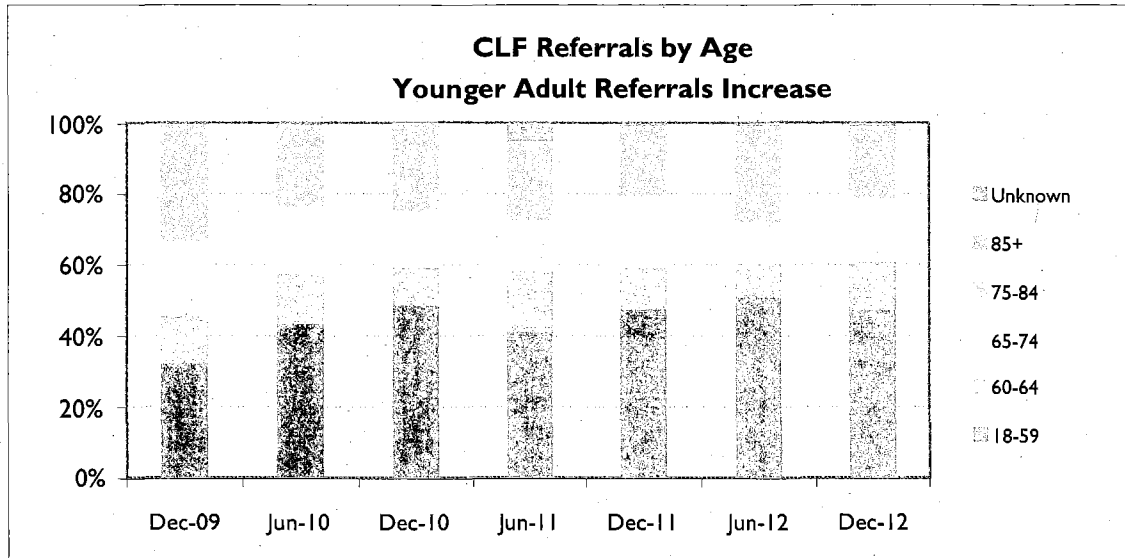


Multiple adverse events related to substance abuse / relapse within the past few months has also prompted the need for increased training of CLF case managers in relapse prevention. CLF case managers completed two sessions of Substance Abuse training in fall of 2011. Additional trainings will be identified for 2013.

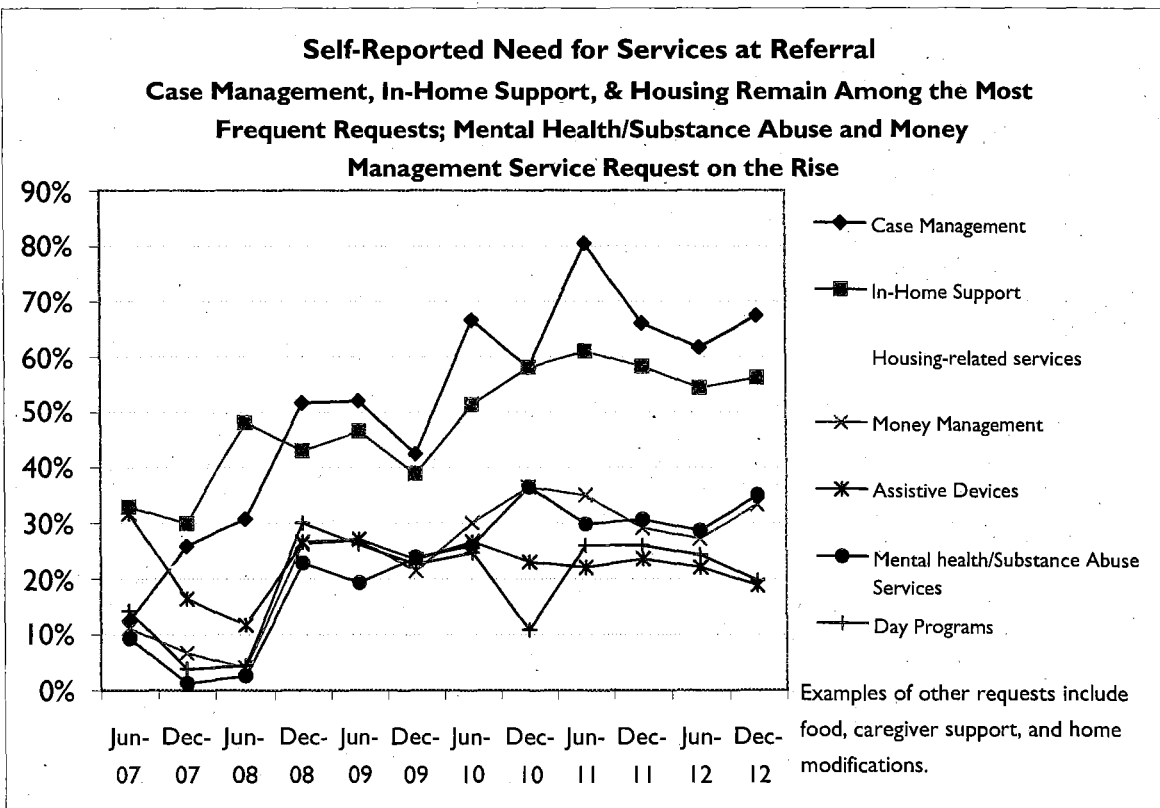
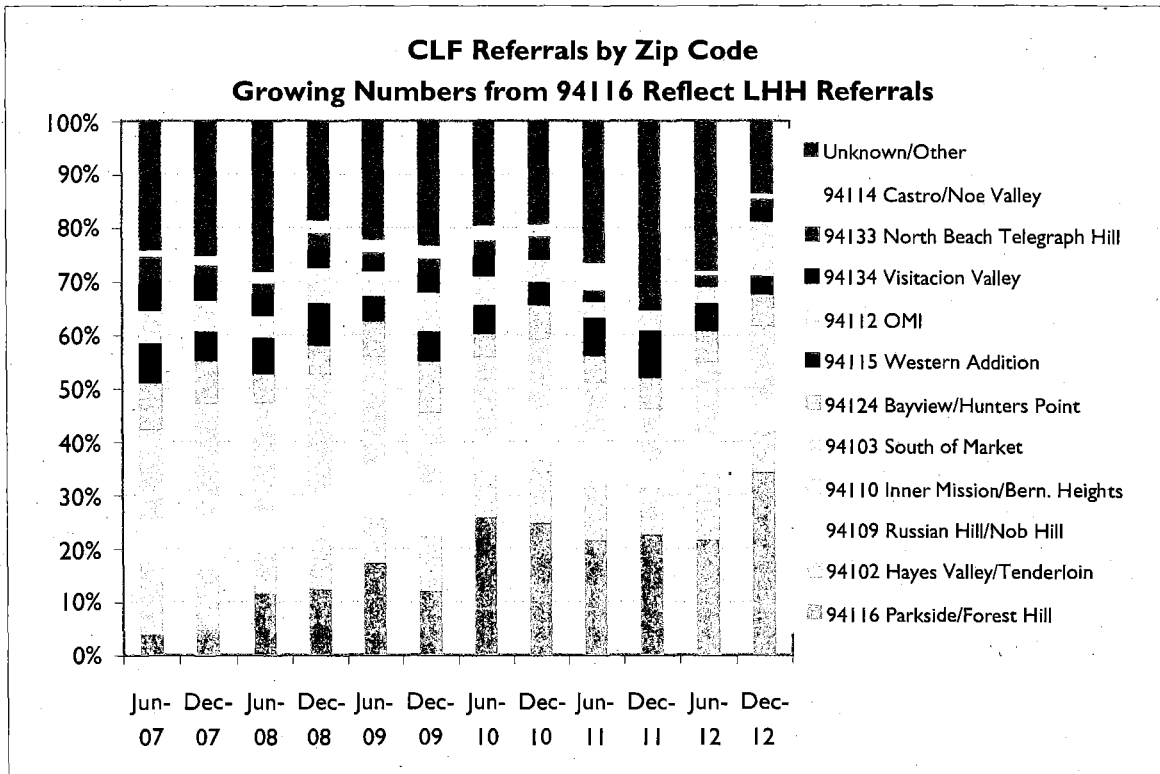
# Community Living Fund Six-Month Report



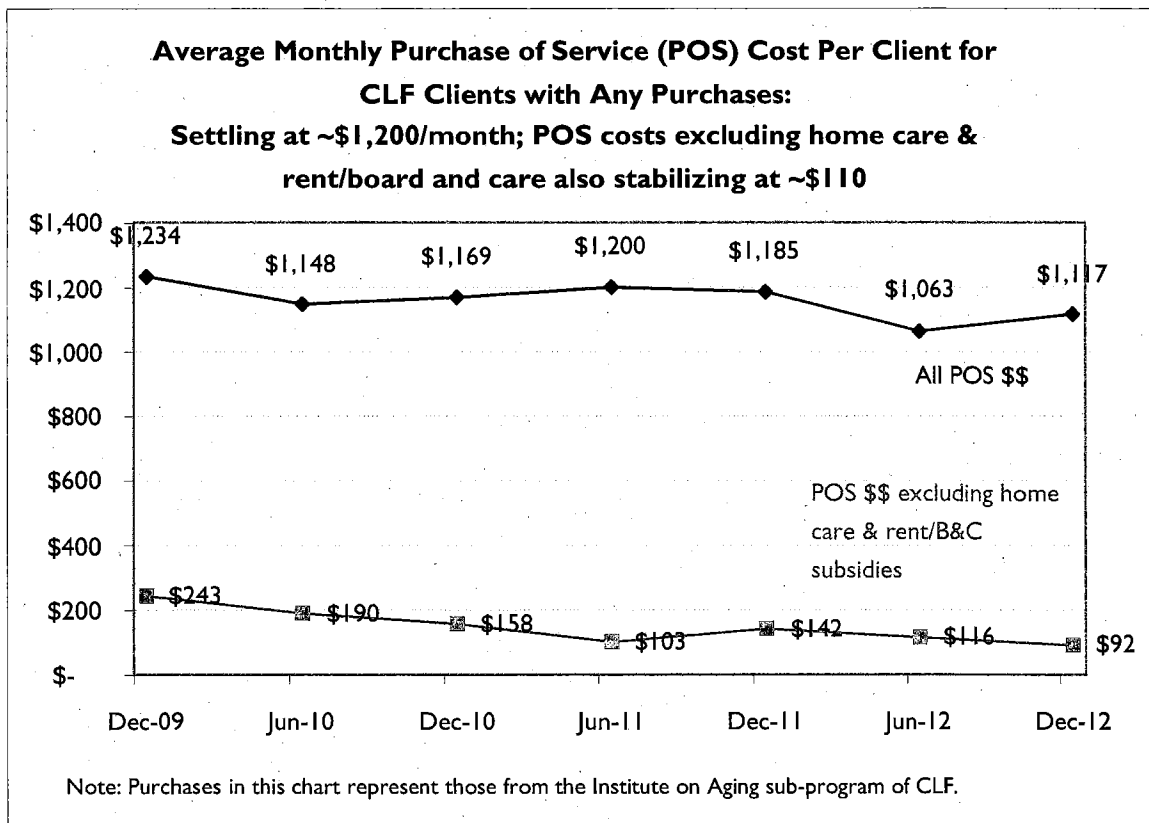
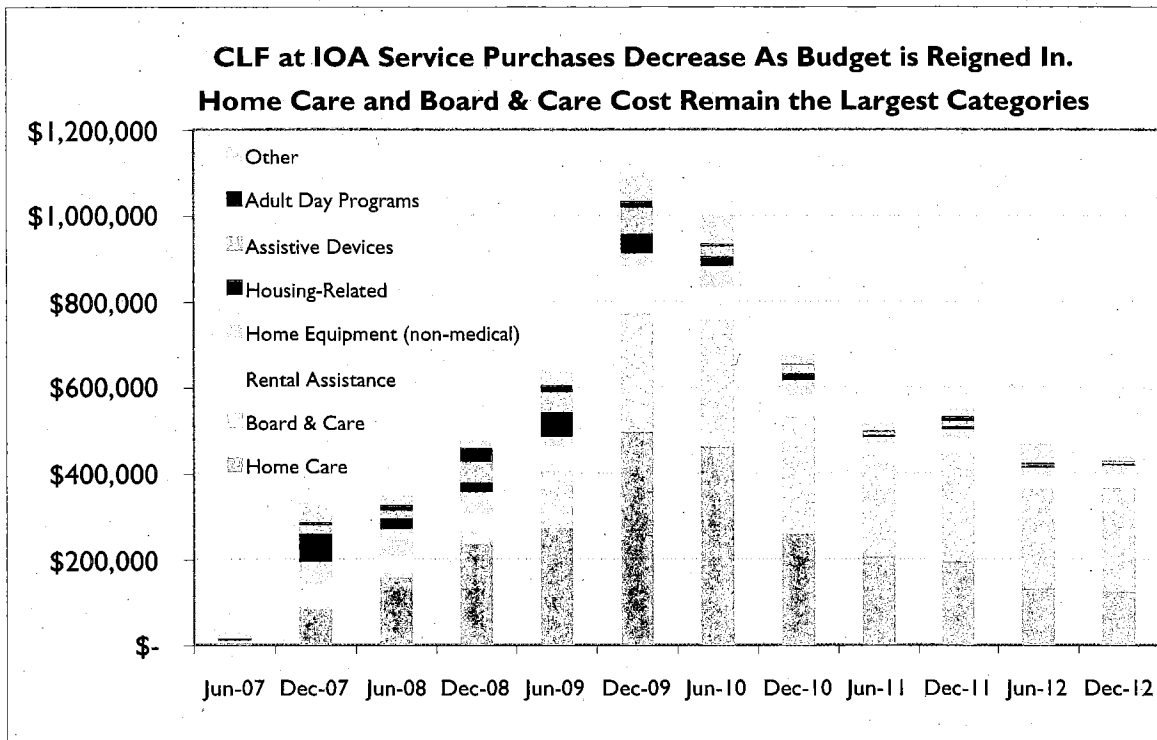
# Community Living Fund Six-Month Report



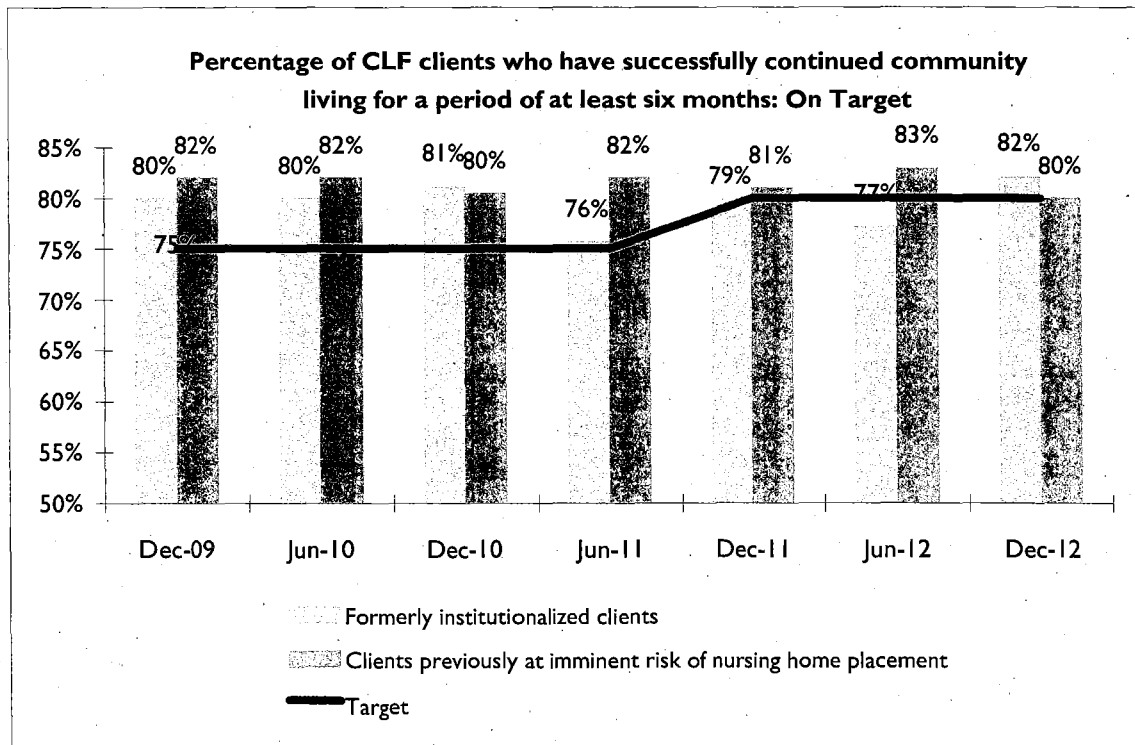
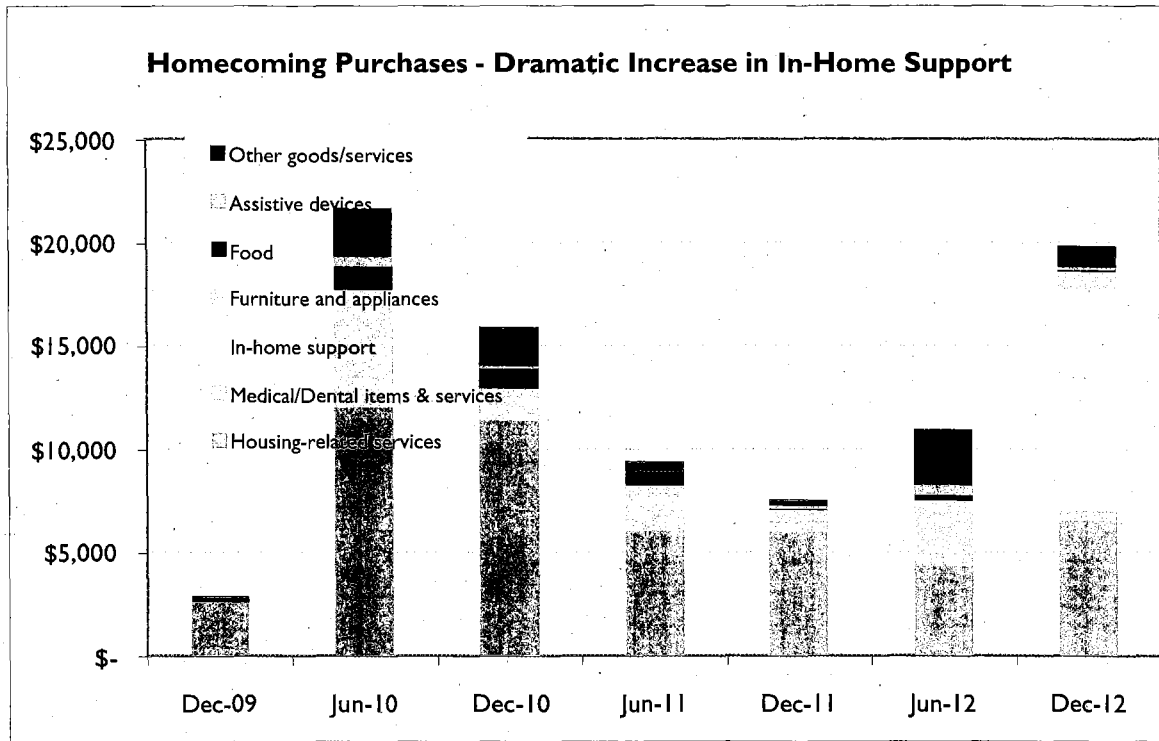
# Community Living Fund Six-Month Report



## Community Living Fund Six-Month Report



# Community Living Fund Six-Month Report



## Community Living Fund Six-Month Report

Active Caseload	Dec-09		Jun-10		Dec-10		Jun-11		Dec-11		Jun-12		Dec-12	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
<b>All Active Cases*</b>	435		478		345		344		301		405		467	
Change from Prior 6 Months	61	16.3%	43	9.9%	(133)	-27.8%	(1)	-0.3%	(43)	-12.5%	104	34.6%	62	15.3%
Change from Previous Year	88	25.4%	104	27.8%	(90)	-20.7%	(134)	-28.0%	(44)	-12.8%	61	17.7%	166	55.1%
Change from 2 Years	200	85.1%	133	38.6%	(2)	-0.6%	(30)	-8.0%	(134)	-30.8%	(73)	-15.3%	122	35.4%
<b>Program Enrollment</b>														
CLF at Institute on Aging	369	85%	345	72%	247	72%	281	82%	237	79%	276	68%	284	61%
with any service purchases	244	66%	247	72%	169	68%	134	48%	135	57%	124	45%	113	40%
needing one-time purchases	33	9%	33	10%	13	5%	17	6%	11	5%	7	3%	0	0%
with no purchases	125	34%	98	28%	78	32%	147	52%	102	43%	152	55%	171	60%
Homecoming Program at SFSC	7	2%	76	16%	51	15%	33	10%	19	6%	50	12%	108	23%
Emergency Meals at MOW	63	14%	69	14%	55	16%	33	10%	51	17%	91	22%	98	21%
<b>Program to Date</b>														
All CLF Enrollment	982		1183		1299		1436		1533		1701		1906	
CLF at Institute on Aging Enrollment	766	78%	843	71%	873	67%	952	66%	988	64%	1038	61%	1076	56%
with any service purchases	559	73%	622	74%	652	75%	693	73%	731	74%	760	73%	789	73%
needing one-time purchases	130	17%	166	20%	169	19%	183	19%	184	19%	184	18%	184	17%
with no purchases	207	27%	221	26%	221	25%	259	27%	257	26%	278	27%	287	27%
Average monthly \$/client (all clients, all \$)	\$ 888		\$ 981		\$ 780		\$ 787		\$ 870		\$ 670		\$ 635	
Average monthly purchase of service \$/client for CLF IOA purchase clients	\$ 1,234		\$ 1,148		\$ 1,169		\$ 1,200		\$ 1,185		\$ 1,063		\$ 1,117	
Average monthly purchase of service \$/client for CLF IOA purchase clients, excluding home care, housing subsidies	\$ 243		\$ 190		\$ 158		\$ 103		\$ 142		\$ 116		\$ 92	
*Includes clients enrolled with Institute on Aging, Homecoming, and Emergency Meals.														

## Community Living Fund Six-Month Report

Referrals	Dec-09		Jun-10		Dec-10		Jun-11		Dec-11		Jun-12		Dec-12	
	#	%	#	%	#	%	#	%	#	%	#	%	#	%
<b>New Referrals**</b>	297		189		98		101		127		136		117	
Change from previous six months	31	12%	(108)	-36%	(91)	-48%	3	3%	26	26%	9	7%	(19)	-14%
Change from previous year	(51)	-15%	(77)	-29%	(199)	-67%	(88)	-47%	29	30%	35	35%	(10)	-8%
<b>Status After Initial Screening</b>														
Eligible:	183	62%	129	68%	61	62%	71	70%	99	78%	103	76%	89	76%
<i>Approved to Receive Service</i>	131	72%	52	40%	31	51%	57	80%	67	68%	49	48%	56	63%
<i>Wait List</i>	51	28%	73	57%	30	49%	13	18%	31	31%	42	41%	27	30%
<i>Pending Final Review</i>	1	1%	4	3%	0	0%	1	1%	1	1%	12	12%	5	6%
Ineligible	61	21%	23	12%	15	15%	7	7%	12	9%	19	14%	14	12%
<i>Withdrew Application</i>	51	17%	23	12%	9	9%	11	11%	14	11%	14	10%	14	12%
<i>Pending Initial Determination</i>	2	1%	14	7%	13	13%	10	10%	2	2%	0	0%	0	0%
<b>Program to Date</b>														
Total Referrals	1,941		2,130		2,228		2,329		2,456		2,592		2,709	
Eligible Referrals	1,294	67%	1,423	67%	1,484	67%	1,555	67%	1,654	67%	1,757	68%	1,846	68%
Ineligible Referrals	330	17%	353	17%	368	17%	375	16%	387	16%	406	16%	420	16%
** New Referrals include all referrals received by the DAAS Intake and Screening Unit in the six-month period.														



## Community Living Fund Six-Month Report

Referral Demographics	Dec-09	Jun-10	Dec-10	Jun-11	Dec-11	Jun-12	Dec-12
<b>Age (in years)</b>							
18-59	32%	43%	48%	41%	47%	51%	47%
60-64	13%	14%	11%	17%	12%	10%	14%
65-74	21%	19%	16%	14%	20%	12%	18%
75-84	20%	13%	17%	14%	11%	16%	12%
85+	13%	10%	8%	8%	9%	11%	9%
Unknown	0%	1%	0%	5%	1%	1%	1%
<b>Ethnicity</b>							
White	29%	30%	41%	47%	23%	25%	30%
African American	18%	26%	16%	20%	30%	16%	21%
Latino	13%	12%	15%	13%	14%	8%	9%
Chinese	7%	6%	5%	3%	4%	4%	5%
Filipino	2%	2%	1%	2%	3%	2%	1%
Other API	1%	2%	2%	1%	2%	2%	3%
Other	4%	2%	4%	3%	5%	2%	3%
Unknown	25%	21%	15%	10%	19%	40%	28%
<b>Language</b>							
English	79%	78%	77%	83%	77%	83%	84%
Spanish	9%	11%	12%	8%	12%	8%	7%
Cantonese	6%	7%	3%	2%	6%	4%	4%
Mandarin	1%	1%	0%	0%	0%	1%	1%
Russian	1%	2%	1%	0%	2%	1%	1%
Tagalog	2%	2%	0%	1%	2%	2%	0%
Vietnamese	0%	0%	0%	2%	0%	2%	0%
Other	2%	1%	6%	4%	1%	0%	3%

## Community Living Fund Six-Month Report

Referral Demographics (cont.)	Dec-09	Jun-10	Dec-10	Jun-11	Dec-11	Jun-12	Dec-12
<b>Zipcode</b>							
94102 Hayes Valley/Tenderloin	10%	9%	12%	11%	10%	13%	8%
94103 South of Market	6%	9%	6%	6%	7%	9%	3%
94107 Potrero Hill	2%	2%	0%	1%	0%	1%	2%
94108 Chinatown	1%	0%	1%	0%	0%	1%	1%
94109 Russian Hill/Nob Hill	10%	7%	10%	9%	5%	7%	6%
94110 Inner Mission/Bernal Heights	7%	5%	6%	3%	4%	4%	10%
94112 Outer Mission/Excelsior/Ingleside	7%	5%	4%	3%	4%	3%	10%
94114 Castro/Noe Valley	2%	3%	2%	5%	0%	1%	1%
94115 Western Addition	6%	5%	4%	7%	9%	5%	3%
94116 Parkside/Forest Hill	12%	26%	25%	21%	23%	21%	34%
94117 Haight/Western Addition/Fillmore	3%	1%	3%	1%	0%	3%	1%
94118 Inner Richmond/Presidio/Laurel	1%	1%	2%	2%	2%	1%	2%
94121 Outer Richmond/Sea Cliff	3%	1%	4%	0%	0%	1%	1%
94122 Sunset	2%	2%	1%	3%	2%	1%	1%
94123 Marina/Cow Hollow	0%	2%	0%	0%	0%	2%	0%
94124 Bayview/Hunters Point	10%	4%	6%	5%	6%	6%	6%
94127 West Portal/St. Francisc Wood	1%	1%	0%	0%	0%	0%	1%
94129 Presidio	0%	0%	0%	0%	0%	0%	0%
94130 Treasure Island	0%	0%	0%	0%	0%	1%	0%
94131 Twin Peaks/Diamond Hts/Glen Park	3%	1%	2%	2%	1%	3%	1%
94132 Stonestown/Lake Merced	1%	4%	0%	3%	2%	1%	0%
94133 North Beach Telegraph Hill	3%	3%	3%	1%	2%	2%	2%
94134 Visitacion Valley	3%	4%	1%	1%	1%	0%	3%
Unknown/Other	6%	7%	5%	14%	23%	13%	5%
Referral Source = Laguna Honda Hospital/TCM	14%	26%	31%	27%	30%	30%	47%

## Community Living Fund Six-Month Report

	Dec-09	Jun-10	Dec-10	Jun-11	Dec-11	Jun-12	Dec-12
<b>Services Needed at Intake (Self-Reported)</b>							
Case Management	43%	67%	58%	81%	66%	50%	68%
In-Home Support	39%	51%	58%	61%	58%	47%	56%
Housing-related services	22%	34%	49%	38%	40%	34%	32%
Money Management	21%	30%	36%	35%	29%	20%	33%
Assistive Devices	23%	27%	23%	22%	24%	19%	19%
Mental health/Substance Abuse Services	24%	26%	36%	30%	31%	32%	35%
Day Programs	23%	25%	11%	26%	26%	21%	20%
Food	11%	23%	26%	25%	23%	23%	22%
Caregiver Support	18%	17%	23%	18%	19%	10%	15%
Home repairs/Modifications	17%	15%	19%	21%	19%	13%	23%
Other Services	18%	11%	11%	5%	13%	9%	5%
<b>Performance Measures</b>	<b>Dec-09</b>	<b>Jun-10</b>	<b>Dec-10</b>	<b>Jun-11</b>	<b>Dec-11</b>	<b>Jun-12</b>	<b>Dec-12</b>
Percentage of CLF clients who have successfully continued community living for a period of at least six months:							
Formerly institutionalized clients	80%	80%	81%	76%	79%	77%	82%
Clients previously at imminent risk of nursing home placement	82%	82%	80%	82%	81%	83%	80%
Target	75%	75%	75%	75%	80%	80%	80%

## Community Living Fund Six-Month Report

Expenditures	Dec-09	Jun-10	Dec-10	Jun-11	Dec-11	Jun-12	Dec-12	Project to Date
IOA Contract								
Purchase of Service *	\$ 1,012,599	\$ 1,047,504	\$ 659,690	\$ 519,910	\$ 523,924	\$ 489,096	\$ 434,387	\$ 6,495,418
CBAS Appeals						\$ 188,760	\$ 266,594	\$ 455,354
Case Management	\$ 632,884	\$ 708,179	\$ 501,173	\$ 511,467	\$ 516,899	\$ 558,607	\$ 585,547	\$ 5,981,063
Capital & Equipment	\$ 78,209						\$ -	\$ 177,428
Operations	\$ 92,637	\$ 196,445	\$ 166,522	\$ 189,541	\$ 145,712	\$ 170,462	\$ 190,142	\$ 1,728,483
Indirect		\$ 112,071	\$ 91,964	\$ 93,463	\$ 91,619	\$ 99,617	\$ 111,413	\$ 600,147
CCT Reimbursement			\$ (143,388)	\$ (74,454)	\$ (45,329)	\$ (132,205)	\$ (94,269)	\$ (489,645)
Medication Management (FY1011 only)			\$ 21,586	\$ 6,226	\$ 265			\$ 28,077
Subtotal	\$ 1,816,329	\$ 2,064,199	\$ 1,297,547	\$ 1,246,153	\$ 1,233,090	\$ 1,374,337	\$ 1,493,814	\$ 14,976,325
DPH Work Orders								\$ -
Health at Home	\$ 228,231	\$ 150,898						\$ 1,055,945
RTZ – DCIP	\$ 40,000	\$ 80,000		\$ 120,000	\$ 40,000	\$ 80,000	\$ 60,000	\$ 420,000
DAAS Internal (Salaries & Fringe)	\$ 170,398	\$ 181,920	\$ 176,924	\$ 185,828	\$ 214,132	\$ 59,485	\$ 167,040	\$ 2,003,633
Homecoming Services Network & Research (SFSC)	\$ 1,118	\$ 89,173	\$ 17,871	\$ 13,568	\$ 7,553	\$ 10,937	\$ 19,807	\$ 196,277
Emergency Meals (Meals on Wheels)	\$ 61,065	\$ 67,778	\$ 60,000	\$ -	\$ 36,022	\$ 23,978	\$ 38,346	\$ 516,327
IT Contractor								\$ 298,270
Case Management Training Institute (Family Service Agency)		\$ 85,690	\$ 62,119	\$ 57,881	\$ 40,850	\$ 79,150		\$ 325,690
IHSS Share of Cost		\$ 93,454						\$ 93,454
Grand Total	\$ 2,317,141	\$ 2,813,112	\$ 1,614,461	\$ 1,623,430	\$ 1,571,647	\$ 1,627,887	\$ 1,779,007	\$ 19,885,921
	FY0910	FY1011	FY1112	FY1213	Project to Date			
Total CLF Fund Budget	\$ 3,000,000	\$ 3,595,877	\$ 3,588,517	\$ 1,841,639	\$ 21,039,031			
% DAAS Internal of Total CLF Fund**	11.7%	10.1%	7.6%	9.1%	9.5%			
* This figure does not match the figure in Section 4 of this report because this figure reflects the date of invoice to HSA, while the other reflects the date of service to the client.								
** According to the CLF's establishing ordinance, "In no event shall the cost of department staffing associated with the duties and services associated with this fund exceed 15% [...] of the total amount of the fund." When the most recent six-month period falls in July-December, total funds available are pro-rated to reflect half of the total annual fund.								

### Community Living Fund Six-Month Report

CLF @ IOA Purchased Services	Dec-09		Jun-10		Dec-10		Jun-11		Dec-11		Jun-12		Dec-12		Project-to-Date	
	\$	Clients	\$	Clients	\$	Clients	\$	Clients	\$	Clients	\$	Clients	\$	Clients	\$	Clients
<b>Total</b>	\$ 1,098,758	244	\$ 996,867	247	\$ 675,426	169	\$ 514,228	134	\$ 547,672	135	\$ 466,195	124	\$ 436,827	113	\$ 6,555,279	789
Home Care	\$ 494,459	53	\$ 460,160	43	\$ 257,378	23	\$ 204,550	20	\$ 191,837	27	\$ 145,771	18	\$ 123,105	16	\$ 2,626,051	168
Board & Care	\$ 277,878	35	\$ 296,902	33	\$ 274,449	30	\$ 237,365	29	\$ 253,920	31	\$ 234,489	28	\$ 243,377	27	\$ 1,999,148	46
Rental Assistance (General)	\$ 109,850	50	\$ 75,089	44	\$ 51,366	31	\$ 27,116	21	\$ 34,866	26	\$ 35,348	27	\$ 32,364	28	\$ 561,401	226
Non-Medical Home Equipment	\$ 30,534	80	\$ 51,667	98	\$ 34,134	51	\$ 15,730	40	\$ 22,425	35	\$ 22,130	34	\$ 21,181	30	\$ 389,619	475
Housing-Related	\$ 44,233	58	\$ 20,190	51	\$ 13,780	22	\$ 3,211	19	\$ 4,656	19	\$ 1,882	10	\$ 1,069	7	\$ 255,141	247
Assistive Devices	\$ 62,214	76	\$ 24,433	33	\$ 20,179	36	\$ 7,917	19	\$ 12,053	25	\$ 4,123	22	\$ 5,637	20	\$ 272,608	319
Adult Day Programs	\$ 14,423	4	\$ 6,113	4	\$ 1,865	2	\$ 1,920	1	\$ 11,936	6	\$ 3,643	1	\$ 711	1	\$ 110,445	18
Communication/Translation	\$ 10,827	75	\$ 11,239	69	\$ 7,196	37	\$ 2,387	20	\$ 2,162	16	\$ 1,134	12	\$ 983	10	\$ 60,390	199
Respite	\$ 5,571	2	\$ 9,488	2	\$ 4,056	1	\$ -	0	\$ 153	1	\$ -	0	\$ -	0	\$ 43,060	8
Health Care	\$ 11,194	8	\$ 8,571	10	\$ 3,156	7	\$ 2,662	8	\$ 4,629	8	\$ 1,935	3	\$ 1,495	4	\$ 46,200	50
Medical Services	\$ 7,665	13	\$ 2,926	6	\$ 1,122	4	\$ 2,693	4	\$ -	0	\$ 500	1	\$ -	0	\$ 38,241	47
Other Special Needs	\$ 5,884	13	\$ 7,511	11	\$ 813	7	\$ 3,477	5	\$ 652	3	\$ -	0	\$ -	0	\$ 29,094	75
Counseling	\$ 6,350	13	\$ 8,150	14	\$ 3,750	12	\$ 4,800	5	\$ 5,000	7	\$ 9,400	19	\$ 5,200	18	\$ 48,449	51
Professional Care Assistance	\$ 7,624	3	\$ 2,553	3	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ -	0	\$ 17,917	12
Habilitation	\$ 4,950	2	\$ 10,088	4	\$ 1,450	2	\$ -	0	\$ 825	1	\$ 2,625	1	\$ -	0	\$ 20,238	7
Transportation	\$ 2,220	18	\$ 1,568	16	\$ 693	11	\$ 401	9	\$ 495	9	\$ 387	7	\$ 761	6	\$ 18,083	80
Legal Assistance	\$ 2,757	5	\$ -	1	\$ 40	1	\$ -	0	\$ 312	1	\$ 85	1	\$ -	0	\$ 5,207	14
Others	\$ 125	5	\$ 217	3	\$ -	0	\$ -	0	\$ 1,751	2	\$ 2,745	3	\$ 943	1	\$ 13,987	39

Note: Historical figures may change slightly from report to report. "Other" services have historically included purchases such as employment, recreation, education, food, social reassurance, caregiver training, clothing, furniture, and other one-time pu

#### Homecoming @ SFSC

Purchases	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%	\$	%
<b>Total</b>	\$ 2,888.69		\$ 21,649.96		\$ 15,878.95		\$ 9,369.20		\$ 7,552.54		\$ 10,936.59		\$ 19,806.84		\$ 107,549.17	
Housing-related services	\$ 2,608	90%	\$ 11,981	55%	\$ 11,351	71%	\$ 6,028	64%	\$ 5,942	79%	\$ 4,308	39%	\$ 6,512	33%	\$ 66,977	62%
Medical/Dental items & services	\$ 16	1%	\$ 4,052	19%	\$ 1,226	8%	\$ 1,828	20%	\$ 560	7%	\$ 655	6%	\$ 482	2%	\$ 9,680	9%
In-home support	\$ -	0%	\$ -	0%	\$ -	0%	\$ -	0%	\$ -	0%	\$ -	0%	\$ 10,700	54%	\$ 4,967	5%
Furniture and appliances	\$ -	0%	\$ 1,690	8%	\$ 369	2%	\$ 371	4%	\$ 552	7%	\$ 2,541	23%	\$ 906	5%	\$ 7,065	7%
Food	\$ 149	5%	\$ 1,091	5%	\$ 930	6%	\$ 676	7%	\$ 28	0%	\$ 246	2%	\$ 50	0%	\$ 4,725	4%
Assistive devices	\$ -	0%	\$ 493	2%	\$ 149	1%	\$ 25	0%	\$ 185	2%	\$ 525	5%	\$ 130	1%	\$ 3,837	4%
Other goods/services	\$ 116	4%	\$ 2,342	11%	\$ 1,855	12%	\$ 441	5%	\$ 284	4%	\$ 2,661	24%	\$ 1,027	5%	\$ 10,299	10%

OFFICE OF THE MAYOR  
SAN FRANCISCO



Orig: Cpage  
C: BOS-11, COB, 3 Dep, Dep City Attn  
EDWIN M. LEE *Acfile*  
MAYOR

March 28, 2013

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

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor David Chiu as Acting-Mayor from the time I leave the State of California on Friday, March 29, 2013 at 12:05 a.m., until Wednesday, April 3 at 11:59 p.m.

Sincerely,

*Edwin M. Lee*  
Edwin M. Lee  
Mayor

cc: Mr. Dennis Herrera, City Attorney

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 28 AM 9:59

OFFICE OF THE MAYOR  
SAN FRANCISCO



*Orig: Lpage  
c: BOS-11, COB, 3 Dep, Dep City  
Attmy, Acfile*

EDWIN M. LEE  
MAYOR

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 28 AM 9:59

March 28, 2013

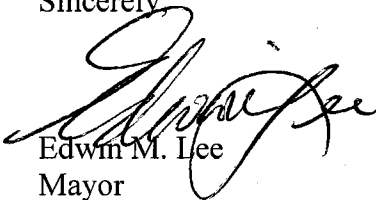
Ms. Angela Calvillo  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor Norman Yee as Acting-Mayor from Thursday, April 4, 2013 at 12:00 a.m., until I return on Tuesday, April 9 at 11:40 a.m.

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

Sincerely,

  
Edwin M. Lee  
Mayor

cc: Mr. Dennis Herrera, City Attorney

---

**From:** danko lori [mxdanko@aol.com]  
**Sent:** Thursday, March 28, 2013 8:15 PM  
**To:** Board of Supervisors  
**Subject:** Please vote YES to Save The Sharp Park Wetlands

Dear Board of Supervisors

As a supporter of SAVE THE FROGS! ([www.savethefrogs.com](http://www.savethefrogs.com)), I am writing to urge you to support Supervisor John Avalos' proposed legislation that would re-purpose the Sharp Park Golf Course to a new public park managed by the National Park Service that all can enjoy. The Sharp Park Wetlands provide critical habitat for the endangered California Red-Legged Frog and a variety of other wildlife. Both frogs and wetlands are rapidly disappearing in California and worldwide, so it is disconcerting that the City of San Francisco is currently using taxpayer dollars to pump the Sharp Park Wetlands dry, killing endangered frogs in the process, and violating state and federal laws.

The Sharp Park Golf Course has a long history of environmental and economic troubles, and the time has clearly come for the City of San Francisco to change course. By closing the golf course and handing the management of the land over to the National Park Service, the City of San Francisco would relieve itself of its current financial, legal and environmental burden, and it would also clearly mark itself as a world leader in environmental protection efforts.

The restored Sharp Park Wetlands would be a safe haven for threatened wildlife and would provide valuable recreational opportunities to San Francisco residents and tourists alike. This would not only improve the quality of life for San Francisco's residents, it would increase the long-term economic value of the property.

Frogs already face an array of threats from climate change to habitat destruction; pesticide use; over-collection for frog legs and dissections; invasive species; and infectious diseases spread by human activity. Frogs eat mosquitoes, provide us with medical advances, serve as food for birds and fish, and their tadpoles filter our drinking water. Plus kids love frogs, and it is our obligation to them to leave this planet in better shape than when we arrived here.

On behalf of all those who enjoy nature and wildlife, thanks for your consideration.

danko lori

hatboro, PA  
USA



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**From:** Rosa Ramal [otuzcos@yahoo.es]  
**Sent:** Thursday, March 28, 2013 6:31 PM  
**To:** Board of Supervisors  
**Subject:** Please vote YES to Save The Sharp Park Wetlands

Dear Board of Supervisors

As a supporter of SAVE THE FROGS! ([www.savethefrogs.com](http://www.savethefrogs.com)), I am writing to urge you to support Supervisor John Avalos' proposed legislation that would re-purpose the Sharp Park Golf Course to a new public park managed by the National Park Service that all can enjoy. The Sharp Park Wetlands provide critical habitat for the endangered California Red-Legged Frog and a variety of other wildlife. Both frogs and wetlands are rapidly disappearing in California and worldwide, so it is disconcerting that the City of San Francisco is currently using taxpayer dollars to pump the Sharp Park Wetlands dry, killing endangered frogs in the process, and violating state and federal laws.

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On behalf of all those who enjoy nature and wildlife, thanks for your consideration.

Rosa Ramal

Lima, ot  
PE

BOS-11  
Leg Clerk

March 29, 2013

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

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2013 MAR 29 PM 2:50

**BLUE FOG MARKET**  
**1552 POLK STREET**  
**PUBLIC CONVENIENCE AND NECESSITY**

Dear San Francisco Board of Supervisors:

This letter describes the operations of Blue Fog Market and shows Public Convenience and Necessity. Although our store, at 1552 Polk Street, is located in what the ABC deems an over-concentrated area for alcohol establishments, we feel that our specialty-food market qualifies for Public Convenience and Necessity.

1. I've been in close contact with the Dawn Trennert and Frank Cannata of the Middle Polk Neighborhood Association while planning the renovation and opening of the store. I've presented to the members of the association and they support my ABC application. See enclosed letter.
2. Our hours of operation are 7:00AM – 9:00PM Sunday through Thursday. On Friday and Saturday nights we stay open later, but I've agreed with the Middle Polk Neighborhood Association to stop selling alcohol at 10:00PM. We will lock the coolers at that time.
3. The premises are located in the Middle Polk corridor, below Nob Hill one block north of California Street. Customers are drawn from the many residents, shop employees and office workers in this residential and commercial business-friendly area.
3. Blue Fog Market ([www.bluefogmarket.com](http://www.bluefogmarket.com)) is a gourmet deli and upscale café, with deli sandwiches, custom salads, espresso coffee, pastry, grab & go dinners, cheese and hors d'heuvres sold for carry-out.
4. The management of Blue Fog Markets has experience with alcohol sales. We currently have a Type 21 license at our other store located in Pacific Heights/Cow Hollow at 2567 Gough Street. Less than 10% of Blue Fog's sales come from wine and beer sales.

5. At 1552 Polk Street, as at Gough Street, we'll carry predominantly boutique wines and specialty micro-brew beers for single-bottle purchase, and stock simply a single cooler of each, red wine, white wine and beer.

6. Employees will go to ABC LEAD training, so they will serve customers responsibly.

The license we are applying for and transferring is a Type 20, off-sale beer & wine license. It is being transferred from 5621 Geary Blvd 94121 (Israel's Kosher Meat & Poultry) to 1552 Polk Street 94109.

I'm very happy to meet with members of the Board of Supervisors to discuss any concerns they may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank Slacik', written in a cursive style.

Frank Slacik  
Managing Member  
Blue Fog Markets, LLC  
1552 Polk Street  
San Francisco, CA 94109  
frank@bluefogmarket.com  
cell: (415) 706-7639

cc: Supervisor David Chiu  
Dawn Trennert, MPNA



**middle polk  
neighborhood association**

November 16, 2012

Mr. Frank Slacik  
Blue Fog Market  
1552 Polk Street  
San Francisco, CA 94109

Dear Frank:

The Middle Polk Neighborhood Association is excited about the upcoming opening of the Blue Fog Market on Polk and Sacramento. We thank you for presenting to our members at our September Middle Polk meeting and being available for questions at our October meeting. As you know, you have great support for your business within the neighborhood.

We appreciate the keen eye you are paying that corner in keeping it spotless, even before your official opening. We believe the neighborhood will greatly benefit from your business which will offer gourmet coffee service and pastries, prepared artisan foods for take-out, and a limited off-sale wine and beer selection to compliment the prepared take-out food (note: wine and beer shall be locked in the display cases after 10:00PM every night and will not be sold after that time). Our neighborhood is in the process of working on legislation to address the proliferation of alcohol sales within Middle Polk. We believe your business will be neighborhood-serving and will be fully in line with this forward-looking legislation.

We look forward to Blue Fog Market being a great addition to our neighborhood. Please let us know if we can be of any assistance to you. Thank you.

Kindest regards,

*Dawn S. Trennert*

Dawn Trennert  
Chair

**dawn@middlepolk.org 415.314.0772**

**www.middlepolk.org**



March 28, 2013

Dear Neighbors,

I've applied for an ABC Type 20 license for the off-sale of beer and wine by Blue Fog Market here at 1552 Polk Street.

Naturally, I've spoken with the Middle Polk Neighborhood Association. They support my ABC application, and I've assured them that I will cease all sales of beer and wine by 10PM each night.

I understand the current environment along Polk Street and the sentiments that many people have towards liquor sales in the area. Blue Fog Market is not a destination spot for alcohol, and I will not allow it to become one.

I assure you that beer and wine sales are a minor part of Blue Fog Market's business, amounting to less than 10% of sales. However, craft beer and boutique wine are natural compliments to the artisan sandwiches, gourmet dinners, cheese and hors d'heuvres we provide, and so while minor, they are an important and sophisticated part of our product offering. I invite you to visit our other store at 2567 Gough Street to better understand this aspect of Blue Fog's business.

Thank you for the friendly welcome we received when we opened this store in January. We look forward to a long relationship with the Polk neighborhood. Please contact me if I can answer any questions for you or assist you in any manner.

Best regards,

Frank Slacik  
Managing Member  
Blue Fog Markets, LLC  
frank@bluefogmarket.com



WWW.USTO

POLK  
1600

BLUE FOG  
MARKET

OPEN

BLUE FOG  
MARKET

ARTISAN TAILORED COOKIES LOCAL PASTRY  
SANDWICHES SALADS CHOCOLATES

GOURMET  
CRAB P.I.C.O

BOS-11 electronically  
COB, page

# SAN FRANCISCO CLEAN & SAFE NEIGHBORHOOD PARKS BOND



SAN FRANCISCO  
RECREATION  
& PARKS

PORT OF  
SAN FRANCISCO

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

## Bond Accountability Report

March 2013

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BOARD OF SUPERVISORS  
SAN FRANCISCO

File 120474

Land Use Club  
BOS-11

2013 APR -1 AM 11:15

G. BLAND PLATT ASSOCIATES  
HISTORIC PRESERVATION CONSULTANTS

April 1, 2013

To: Supervisor David Chen

From: G. Bland Platt

Re: Land Use Calendar - April 1, 2013

Item #3 - Case #120474

Because I have a standing, all-day appointment on the first Monday of the month, I cannot attend today's hearing to amend various laws re TDR's, the Transfer of Development Rights (March 19, 2013 version).

1.) Re Admin. Code Sec. 10E.1:

Page 19 - line 8 - Annual Report: Add the Historic Preservation Commission to those receiving the report

Page 21 - O: Language is insufficiently specific to be meaningful.

Page 21 - P: re TDR's - The Report should include how many Statements of Eligibility, cancellations of same and Certificates of Transfer were received and processed. For each, include the address, Block and Lot and name of building.

2.) Planning Code Section 128

- Subsection K - p. 15 - line 3: correct "thereafter"

- Subsection G - p. 8 - lines 7-13: I would like to discuss amendments here with you.



---

**From:** Karyn Okazaki [karyn.okazaki@gmail.com]  
**Sent:** Friday, March 29, 2013 11:25 PM  
**To:** Farrell, Mark  
**Cc:** Board of Supervisors  
**Subject:** File # 120987 (Marina Degaussing Station Restaurant Proposal)

Dear Supervisor Mark Farrell:

As a Marina District resident, I am writing to you to request your **support in stopping commercial development on the Marina Green**. We already have plenty of restaurants and shops on Chestnut, Lombard, and Union Streets. Please help us preserve the natural beauty of our waterfront.

**NO RESTAURANT ON MARINA GREEN**  
File # 120987 (Marina Degaussing Station Restaurant Proposal)

Thank you.

Sincerely,  
Karyn Okazaki  
2300 Bay Street, Apt. 203  
San Francisco, CA 94123  
(415) 602-4665  
[karyn.okazaki@gmail.com](mailto:karyn.okazaki@gmail.com)

---

**From:** Kathryn Speraw [mailto:change.org]  
**Sent:** Friday, March 29, 2013 4:34 PM  
**To:** Board of Supervisors  
**Subject:** Why I signed -- Woodhouse is delicious, and

Dear San Francisco Board of Supervisors,

I just signed Dylan MacNiven's petition "[Yes to Woodhouse on Marina Green!](#)" on Change.org.

Here's why I signed:

Woodhouse is delicious, and the residents of the Marina who oppose it do so because they dislike sharing their neighborhood. Excluding people is never permissible in a city like San Francisco.

Sincerely,  
Kathryn Speraw  
San Francisco, California

---

There are now 606 signatures on this petition. Read reasons why people are signing, and respond to Dylan MacNiven by clicking here:

<http://www.change.org/petitions/yes-to-woodhouse-on-marina-green?response=9272c59f571d>



**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: April 1, 2013  
To: Honorable Members, Board of Supervisors  
From: Angela Calvillo, Clerk of the Board  
Subject: Form 700

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

Supervisor David Campos – Annual  
Supervisor David Chiu – Annual  
Supervisor Jane Kim – Annual  
Supervisor Eric Mar – Annual  
Supervisor John Avalos – Annual  
Supervisor Malia Cohen - Annual  
Angela Calvillo – Clerk of the Board – Annual  
Hope Schmeltzer – LAFCo - Annual  
Todd David – SOTF – Annual  
Todd David – SOTF – Amendment  
Kitt Grant – SOTF - Annual  
Suzanne Manneh – SOTF – Annual & Leaving  
David Sims – SOTF – Annual  
Jay Costa, Jr. – SOTF - Leaving  
Victor Lim – Legislative Aide – Annual  
Sheila Chung-Hagen - Legislative Aide – Annual  
Peter Lauterborn - Legislative Aide – Annual  
Nickolas Pagoulatos - Legislative Aide – Annual  
Jeremy Pollock - Legislative Aide – Annual  
Hillary Ronen - Legislative Aide – Annual  
Rachel Redondiez - Legislative Aide – Annual  
Judson True - Legislative Aide – Annual  
Catherine Rauschuber - Legislative Aide – Annual  
Dyanna Quizon - Legislative Aide – Assuming  
Dawn Duran –AAB Administrator- Annual  
Nancy Miller – LAFCo – Annual  
Christine Layton – LAFCo – Annual

Madeline Miller – LAFCo – Annual  
Jennifer Gore – LAFCo – Annual  
Matthew McOmber – LAFCo – Annual  
Stuart Thompson – LAFCo – Assuming  
Richard Lee – AAB – Annual  
Diane Robinson – AAB - Annual  
John McGary – AAB – Leaving  
Lawrence Lee – AAB – Leaving  
Joseph Tham – AAB – Assuming  
Donna Crowder – AAB - Annual  
Mark Watts – AAB - Annual  
Daniel Hershkowitz – AAB – Assuming  
Diana Daniel – AAB – Assuming  
Mervin Conlan – AAB – Annual  
Joyce Lewis – AAB – Annual  
Gregory Blaine – AAB – Annual  
Alfredo Perez – AAB – Annual  
Edward Campana – AAB – Annual  
Margaret Ruxton – AAB – Annual  
Jeffrey Morris – AAB – Annual  
Scott Spertzel – AAB – Annual  
Louisa Mendoza – AAB -Annual

---

**From:** Lee Goodin [lgoodin1@mindspring.com]  
**Sent:** Monday, April 01, 2013 10:03 AM  
**To:** Board of Supervisors; Chiu, David; Campos, David; Mar, Eric (BOS); Avalos, John; Cohen, Malia; Farrell, Mark; Kim, Jane; Tang, Katy; Wiener, Scott; Yee, Norman (BOS); Breed, London; Lee, Mayor  
**Cc:** Lance Carnes; WongAIA; Cautn1@aol.com; marc bruno; aaron.peskin  
**Subject:** CENTRAL SUBWAY: LIABILITY AND HIGH CONSTRUCTION RISKS

Supervisors,

If the Central Subway Project is completed in 2019, most of you will be out of office---“immune” from any fiscal crisis left behind. The Board and staff of the San Francisco Municipal Transportation Agency (SFMTA) will avert personal liability. Legally-crafted construction specifications will shift blame to general contractors, subcontractors and suppliers---and cost overruns will fall to taxpayers. However, in matters of life-safety, political immunity from construction failures should not be so easily granted, particularly when basic engineering and physics have known consequences.

In the Federal Transit Administration (FTA) letter of 1-10-10 to the SFMTA: ***“The Central Subway Project is a high risk project located in a densely populated urban center. It is the largest, most complex project ever undertaken by SFMTA.”*** The FTA has knowledge of past construction accidents (*See “History of Accidents” below*) and risky excavation in older areas of Downtown, Chinatown and North Beach. Unlike Hollywood Boulevard’s sinkhole or Cologne’s building collapse, the Central Subway is digging in narrower streets and in closer proximity to old buildings and shallow foundations---exacerbated by hilly terrain, underground water and saturated/ inconsistent soils.

In the SF Weekly, 2-27-13, “Central Subway: Muni’s Drilling Plan Strains Credulity”  
<http://www.sfweekly.com/2013-02-27/news/muni-central-subway-plan-strains-credulity/>  
***“An audit by the firm CGR Management Consultants pegged the likelihood of the Central Subway coming in on budget at 30 percent.”*** Even highly-developed countries with the best engineers have been stunned by construction accidents involving deep excavations and tunneling (*See “History of Accidents” below*). If the Central Subway goes over budget, the additional dollars will be taken from local Muni sources.

Like the proposed Pagoda Theater excavation (*See “A Case in Point” below*), rudimentary assumptions have been made regarding geotechnical and building conditions. Nearby buildings have not had full structural analysis---only condition assessments. More pre-testing would reveal hidden aboveground and underground conditions. Standard construction procedures are insufficient, given the inconsistent soil conditions.

- For excavations underneath 100-year old buildings, into inconsistent soils with high water tables, basic physics can predict the immense forces that can stress structures, streets and utilities.
- The excavations’ lateral proximity to existing structures increases the odds of soil subsidence and cavity formations, especially with sloping hills, intervening alluvial-filled valleys and fractured rock.
- Excavating to depths from 40-120 feet, the structural loading of saturated soils, combined with the dead loads of buildings and their contents, is large---prone to increased hydrostatic pressures, collapse of voids and soil subsidence.
- The 1906 Earthquake and Fire affected the narrow streets along the route of the Central Subway, leaving remnants of rushed demolitions, underground rubble, artificial fill and voids.

- Hilly terrain and alluvial valleys propel rainfall and underground water, saturating sandy soils, creating instability, vertical displacement.
- Inconsistent soils are difficult to stabilize by compensation grouting alone, likely requiring expensive shoring, underpinning, slurry piles, tremie concrete construction.
- Even in recent American tunneling projects, property owners have complained of noise, sewage floods cracked foundations.

The Central Subway's soft costs are over 23% of the project budget. While SFMTA staff use project funds for wages, a parallel consultant has been retained for project management (PM)---further shielding the City from liability. The PM consultant's contract minimizes its own liability. In a crisis, the City and its PM consultant will shift blame to design professionals and construction contractors.

The City's construction specifications, general conditions and contracts are crafted by City Attorneys to absolve the City of liability---loading liability on design professionals, general contractors, subcontractors and suppliers. Taxpayers will pay for cost overruns, resulting in decreased Muni operating budgets and transit service.

The SFMTA recently proposed extraction of Tunnel Boring Machines (TBMs) at the Pagoda Theater site. The Pagoda Project's public process and fragile geotechnical conditions are systemic of the Central Subway's overall approach. Much of hilly San Francisco has underground water/ streams, subsurface voids, rubble and inconsistent geological conditions---in addition to older buildings, brick foundations, shallow footings, seismic vulnerabilities and hidden conditions. Not all conditions have been studied.

- Merchants and property owners, adjacent to the Pagoda, have not been consulted on engineering plans---in order for their vetting of design adequacy, risks, rights and compensation for damages (operational and structural).
- The SFMTA's initial design includes an approximately 50'x50'x46' deep concrete TBM Retrieval Box, with 66' deep perimeter secant pile walls. The concrete box is within 18'-7" of the adjacent 1907 brick warehouse building.
- An independent geotechnical engineer submitted three letters, questioning the design's efficacy and warning of likely damage to adjacent buildings due to subsidence.
- In a Fee Proposal, the SFMTA's own engineering consultant confirmed that potentially adverse effects to adjacent structures, historic buildings and park properties due to ground movement, groundwater inflows, ground loss and settlement had not yet been analyzed--- necessitating new geotechnical investigations.
- No nearby building has foundations or basements deeper than 10 feet below grade.
- No part of the 46-foot excavation will likely be in competent bedrock, digging 36 feet below the groundwater table.
- There are inadequate geological/ structural studies of adjacent properties and historical studies of the region.
- Underground springs flow from Russian Hill under the Pagoda Theater and adjacent buildings. Before 1906, on Filbert near Columbus, there once stood the "Palace Baths", which tapped into underground springs. In the past, neighbors could hear rushing water underground.
- The previous Muriel's Theater project at the Pagoda encountered underground water, increasing construction costs. Also, removal of gas tanks at the old corner gas station hit underground water.
- On Stockton Street at Washington Square, construction for Moose's Restaurant encountered underground springs from Telegraph Hill, which flooded neighborhood basements periodically. A workman in the dark basement dropped a tool and heard a splash. His light revealed that he had just missed falling 20 feet into a well.
- The nearby North Beach Pool subsided because of an underground stream, leading to a 2005 structural retrofit.

Relative to other construction techniques, deep excavation and tunneling have extensive failures---especially at sites with older buildings, fragile geological conditions, soil inconsistency, underground water and seismic vulnerabilities. As required by the Federal Transit Administration, all cost overruns are the responsibility of the City & County of San Francisco and its contractors and subcontractors.

Taxpayers, designers and builders need to assure due diligence to protect their own interests. Existing and hidden conditions require thorough analysis. Project contingencies must cover cost overruns. The City's underlying politics is to construct 2,000 foot tunnels for the northerly subway extension---without environmental reviews. Business associations and real estate interests want to escalate land values and large development prospects. But fiscally prudent alternatives exist to conserve funds. The SFMTA plans to spend \$9.15 million from its operating funds for the Pagoda Theater Project, in order to retrieve two TBMs valued at \$4.4 million. Moreover, the twin 2,000 foot tunnels from Chinatown to North Beach will cost up to \$70 million. If the TBMs are extracted or buried at the Chinatown Station, SFMTA can save \$79 million---better spent on construction contingency and Muni service enhancements.

**Supervisors, you have been informed.**

Lee Goodin  
600 Chestnut Street  
North Beach  
415 346-4335