File # 080934
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CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

November 14, 2008

The Honorable Board of Supervisors
City and County of San Francisco
Room 244, City Hall

Angela Calvillo
Clerk of the Board of Supervisors
Room 244, City Hall

Re: Office of Economic Analysis Impact Report for File Number 080934

Dear Madam Clerk and Members of the Board:

The Office of Economic Analysis is pleased to present you with its economic impact report on file number 080934, "Requiring Air Quality Assessment and Ventilation in Certain Urban Infill Residential Developments: Economic Impact Report." If you have any questions about this report, please contact me at (415) 554-5369.

Best Regards,

Kurt Fuchs
Senior Economist

cc Linda Laws, Committee Clerk, Land Use and Economic Development Committee

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City and County of San Francisco

Office of the Controller - Office of Economic Analysis

Requiring Air Quality Assessment and Ventilation in Certain Urban Infill Residential Developments: Economic Impact Report

File No. 080934

November 14, 2008

City and County of San Francisco

Office of the Controller - Office of Economic Analysis

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Office of the Controller - Office of Economic Analysis

Requiring Air Quality Assessment and Ventilation for Certain Urban Infill Residential Developments: Economic Impact Report — **November 14, 2008**

Main Conclusions

The proposed legislation amends the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments, and amends the San Francisco Building and Mechanical Codes by adding a new section requiring special ventilation systems for certain urban infill residential developments.

The legislation would require developers of new residential projects consisting of 10 or more units located near busy roadways to assess the air quality at the site prior to development, and if necessary take mitigating actions to ensure indoor air quality is maintained at a certain level.

Generally, the legislation requires:

1. Screening of projects in areas with high traffic volumes, including an assessment of air quality attributed to roadway traffic.

2. The project sponsor to design, install, and maintain a ventilation system to mitigate roadway pollution exposure, if the air quality is above a certain threshold.

3. Disclosure of exposure and mitigations to future residents, including a placard at the building entrance.

The Indoor Air Quality ordinance would impact the local economy in two ways: (1) the cost to mitigate the effects of traffic-related air quality, weighed against (2) the potential health benefits attributed to the mitigation. Depending on the ventilation strategy, the annualized costs to mitigate for fine particulate exposure, as specified by the legislation, is estimated to range from $57 to $727 per impacted unit per year, while the health benefits are estimated at about $2,100 per unit per year, resulting in a net positive economic benefit of $1,400 per impacted unit per year.

Highlights

- The legislation would require mechanical ventilation in certain in-fill residential developments located near busy roadways where site-specific air quality testing indicates a concentration of fine particulate matter above an actionable level.
- Generally, there are two techniques to mechanically ventilate residential buildings: air exchange units located within each residence, with individual air intake and exhaust ducts ventilating each unit separately, and whole building ventilation systems, similar to an office building.
- The marginal cost of installing the two systems vary – the total cost of individual air exchange units is estimated at about $4,500 per impacted unit. Annualizing this cost, and adding operating and maintenance costs, and accounting for the space to accommodate the system, results in an annual cost of about $727 per unit per year.
- The mitigation strategy for a whole building ventilation system is simpler and can be accomplished by upgrading filters or relocating air intakes, at a relatively nominal cost.
- The health benefit, in terms of reduced mortality, is estimated at about $2,100 per unit per year.
- The net economic benefit is estimated at a positive $1,400 per impacted unit per year.

Risk Mitigation

- Rebate DPH testing fee if PM2.5 concentrations are below an actionable threshold.

ECONOMIC SCORECARD

	Highly Negative Impact	Moderately Negative Impact	Neutral Impact	Moderately Positive Impact	Highly Positive Impact
City Economy					
Employment					
Residential Developers (more than 10 units)					
Occupants of New Residential Units within Roadway Exposure Zone					

INTRODUCTION

Summary of Proposed Legislation

The proposed legislation amends the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments, and amends the San Francisco Building and Mechanical Codes by adding a new section requiring special ventilation systems for certain urban infill residential developments.

The legislation would require developers of new residential projects consisting of 10 or more units located near busy roadways to assess the air quality at the site prior to development, and if necessary take mitigating actions to ensure indoor air quality is maintained at a certain level.

Generally, the legislation requires:

1. Screening of projects in areas with high traffic volumes, including an assessment of air quality attributed to roadway traffic.

2. The project sponsor to design, install, and maintain a ventilation system to mitigate roadway pollution exposure, if the air quality is above a certain threshold.

3. Disclosure of exposure and mitigations to future residents, including a placard at the building entrance.

Background of Legislation

Motor vehicles emit a variety of pollutants which have been found to have adverse effects on health, including cancer and respiratory disease.[1] Recognizing these adverse health effects, the California Air Resources Board (CARB) issued nonbinding guidelines to assist municipalities in preventing roadway-related air quality conflicts, recommending that newly constructed sensitive uses not be located within 500

[1] Engine exhaust, from diesel, gasoline, and other combustion engines, is a mixture of particles and gasses with toxic characteristics. Particulate matter (PM) is comprised of minute liquid and solid particles suspended in the air. Motor vehicle combustion results in the emission of very fine particulate matter smaller than 2.5 microns in size, referred to as PM2.5, which has been linked to adverse health effects. Source: Department of Public Health, "Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review, May 6, 2008." See: http://www.sfphes.org/publications/Mitigating_Roadway_AQLU_Conflicts.pdf

feet of busy freeways.[2]

Following these guidelines, the Planning Department's Major Environmental Analysis division (MEA) has been investigating potential exposure impacts attributed to roadway particulate matter in the past few years, first during the environmental review of the Rincon Hill Plan, and most recently in the environmental review of the Eastern Neighborhoods Area Plan.

The Eastern Neighborhoods Draft Environmental Impact Report (DEIR) identified roadway air pollution as a significant environmental impact and included mitigation measures requiring that roadway pollution levels at new residential sites located near busy roadways be measured, and if appropriate, be mitigated.[3]

In conjunction with these efforts, the San Francisco Department of Public Health (DPH) developed guidance to assess and reduce health impacts associated with locating new residential uses near busy roadways.[4]

The Eastern Neighborhoods mitigation measures for indoor air quality (G-2 to G-4) specify that new residential development proposed within 500 feet of freeways, or any other location where total traffic volumes exceed 100,000 vehicles per day, shall, if warranted based on testing results, incorporate upgraded ventilation systems to minimize exposure of future residents to pollutant emissions. Implementation of the mitigation measures would reduce air quality impacts to a less-than-significant level, both with respect to diesel particulate and to other fine particulate matter (PM2.5), the same standard as the

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[2]California Air Resource Board, "Air Quality and Land Use Handbook: A Community Health Perspective, April 2005." See: www.arb.ca.gov/ch/landuse.htm .

[3] See http://www.sfgov.org/site/uploadedfiles/planning/EN_DEIR_Part-7_Trans-Noise-AQ.pdf , page 352

[4]Department of Public Health, "Assessment and Mitigation of Air Pollutant Health Effects from Intra-urban Roadways: Guidance for Land Use Planning and Environmental Review, May 6, 2008." See: http://www.sfphes.org/publications/Mitigating_Roadway_AQLU_Conflicts.pdf

[5] The project sponsor shall be required to install a filtered air supply system to maintain all residential units under positive pressure when windows are closed. The ventilation system, whether a central HVAC (heating, ventilation and possibly air conditioning) or a unit-by-unit filtration system, shall include high-efficiency filters meeting minimum efficiency reporting value (MERV) 13, per American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 52.2 See http://www.sfgov.org/site/uploadedfiles/planning/EN_DEIR_Part-9_Mits_to_end.pdf , page 511.

What Would Change in The Proposed Legislation

The air quality assessment procedure and mitigation measures currently practiced by the Planning Department for residential developments near busy roadways citywide is similar to the proposed legislation.

The difference is that currently, for projects outside of the Eastern Neighborhoods Plan Area, indoor air quality issues are addressed during the environmental review process. Typically, all large scale residential developments undergo environmental review under the California Environmental Quality Act (CEQA). As part of the environmental review, the Planning Department currently requires all residential projects that are exposed to the equivalent of 100,000 vehicles per day within 500 feet to conduct site-specific air quality modeling and to mitigate exposures, if warranted.

Instead of the current practice of adding mitigations through the environmental review process, the proposed legislation would require indoor air quality regulation. The legislation creates a uniform procedure to identify potential roadway "hot spots", assess air quality, and mitigate the effects of pollutants. In summary, the legislation would:

1. Create a Potential Roadway Exposure Zone Map, depicting areas within the City, that by virtue of their proximity to freeways and major roads, may exhibit high PM 2.5 concentrations;

2. Mandate an environmental assessment for residential projects of more than 10 units located in the Potential Roadway Exposure Zone to determine the concentration of PM2.5 at the site. Project sponsors may elect to have DPH model particulate concentrations or provide their own air quality assessment to DPH for peer review.

3. If testing indicates the presence of 0.2 micrograms per cubic meter (0.2 $\mu g/m^3$) of roadway specific particulate matter, exposure impacts are considered significant and require mitigation. If testing indicates particulate levels below this threshold, the impact is considered less than significant and no mitigation is required.

4. If the 0.2 $\mu g/m^3$ threshold is exceeded, the project sponsor has the option of:

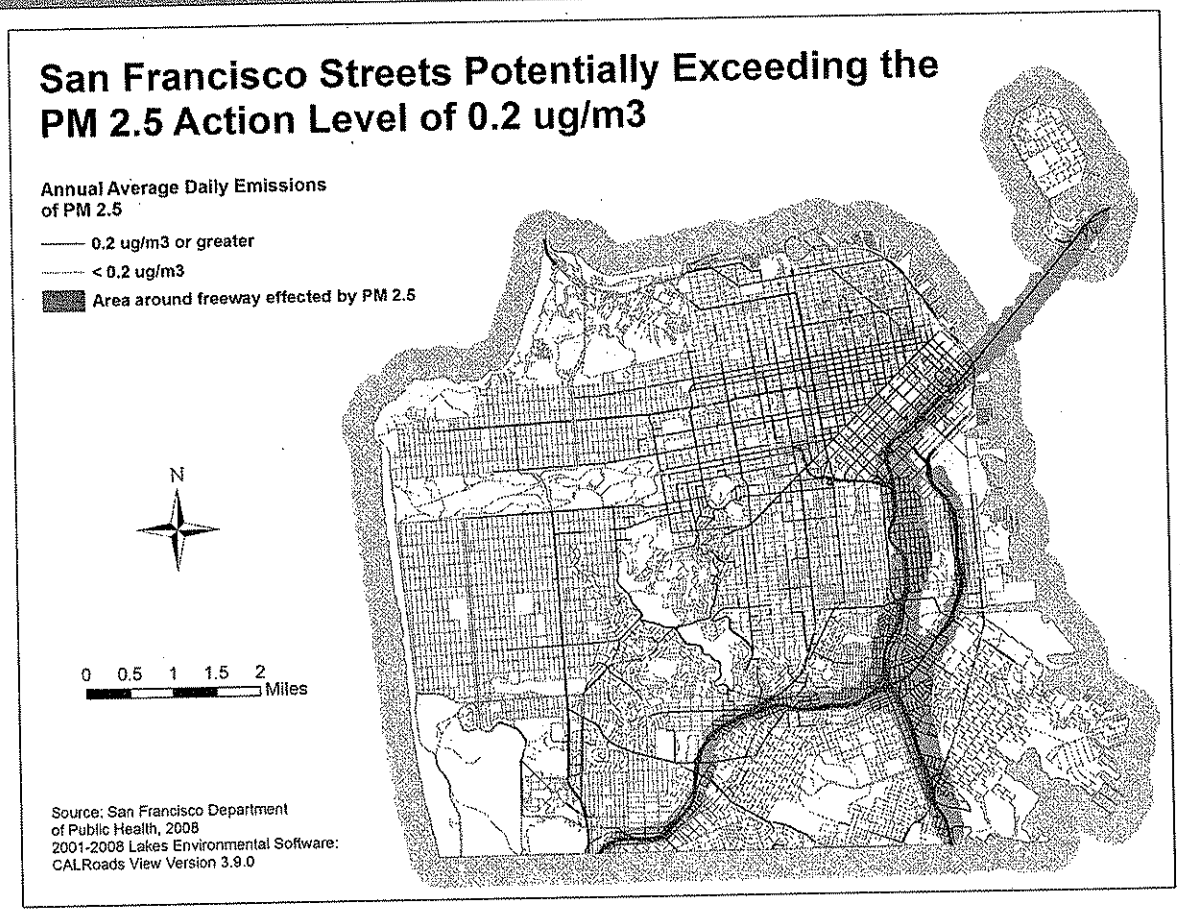
    - redesigning the project or relocate the project within the site in a way that would avoid residential exposure to PM 2.5 or less, or

proposed legislation.[5]

In recent practice, the Planning Department has been performing environmental review for particulate air quality in projects throughout the City, not just the Eastern Neighborhoods. Starting in 2008, the Planning Department began requiring developers of residential uses near busy roadways to conduct air quality assessment under the guidance of DPH. To date, the Planning Department and DPH have completed a review of 21 projects citywide for PM2.5 exposure impacts using the methodology and approach set forth in the Eastern Neighborhoods DEIR. Of the projects reviewed, 5 tested above the threshold (or 24%), requiring some form of mitigation.

Figure 1 below illustrates the Potential Roadway Exposure Zone Map created by DPH.

FIGURE 1 **Potential Roadway Exposure Zone Map**



Source: San Francisco Department of Public Health.

ECONOMIC IMPACT FACTORS

Introduction

As previously discussed, the legislation would require mitigation measures for residential projects located within the Roadway Exposure Zone where DPH testing indicates the site exceeds the minimum threshold concentration of PM2.5. The Indoor Air Quality ordinance would impact the local economy in two ways: 1. the cost to mitigate the effects of traffic-related air quality, and 2. the potential health benefits attributed to the mitigation. The following summarizes these two economic impact factors:

1. **Costs.** Due to the requirement that mechanical ventilation and/or filtration systems be incorporated into residential projects testing above the actionable air quality threshold, the construction costs of those projects would increase. Depending on the building type and ventilation strategy employed, these costs can range from nominal (the cost of higher quality filters inserted into an existing air handler) to minor ($2-3,000 per unit for individual air exchange units and associated ducting, or about $2.50 per square foot.)[6]

2. **Benefits.** The health benefits accruing to building residents as a result of installing these ventilation/filtration systems must also be taken into consideration. To quantify the health benefits, the OEA relied on a DPH study which calculated the reduced risk of mortality associated with reduced exposure to PM2.5. The OEA adjusted a few of the assumptions in this analysis to quantify the health benefits on an annual, per-unit basis, so that the benefits could be compared to the annual, per-unit costs of implementing the ordinance. Secondary benefits, in terms of potentially making the units more marketable by mitigating air and noise impacts were not analyzed.

Sites adjacent to busy roadways often require mitigation measures for interior noise levels, per Title 24 of the California Energy Code. Based on discussions with mechanical engineers and project sponsors, the acoustical standards for airborne sound insulation create separate, but

[6] Assuming $2,500 per 1,000 square-foot unit.

- submit a Ventilation Proposal prepared by a licensed engineer certifying that the ventilation system proposed will remove more than 80% of ambient PM2.5 from indoor areas. The legislation requires DPH to review and approve air quality assessments and the mitigation plan.

5. Require the project sponsor to notify buyers of the indoor air quality testing results, including an informational plaque attached to the building.

The legislation requires the project sponsor to meet a performance standard in its Ventilation Proposal, but does not require a specific design strategy to accomplish this. Mitigation could be accomplished by:

1. Locating air intakes away from areas of high traffic pollution.
2. Installation of a centralized ventilation system, with filtration of the fresh air supply.
3. Installation of individual unit-by-unit mechanical ventilation systems, with filtration of the fresh air supply.

The ventilation strategies would vary by building type. Larger high-rise residential structures generally use central forced air ventilation systems, while smaller mid and low-rise projects might install ventilation systems in individual residential units.

ECONOMIC IMPACT ASSESSMENT

Introduction

Our analysis quantifies the economic impact factors previously discussed. Specifically, it answers two questions:

1. What specific measures would likely be taken by project sponsors to mitigate, and to what extent will these measures increase residential development costs?
2. What are the benefits of the proposed legislation in terms of health (reduced mortality)?

Estimating the Cost of Mitigation

The annualized cost of mitigation is estimated to range from $57 to $727 per unit per year, depending on the ventilation plan.

The OEA first estimated the cost of the mitigation measures required under the proposed legislation. Research for this task included reviewing published materials and discussing the issues with several mechanical engineering firms, mechanical design/build firms, and ventilation hardware manufacturers and sales representatives.[7] The OEA also contacted the sponsors of projects that are now required to mitigate PM2.5 exposure after site-testing by DPH and Planning indicated levels above the actionable threshold.[8] The following summarizes our research findings.

Generally, there are two techniques to mechanically ventilate residential buildings, which vary depending on the size of the building. Smaller buildings tend to use air exchange units located within each residence, with individual air intake and exhaust ducts ventilating each unit separately. Larger projects typically employ whole building ventilation systems, similar to an office building. In these systems, the air handlers and intake vents are typically located on the roof or in the mechanical room, with the system ventilating each unit via central ductwork terminating at each residence. An example of a project using this type of system includes Symphony Towers, a mid-rise residential project recently completed on Van Ness Avenue.

If air testing indicates actionable levels at only a portion of a

[7] Mechanical contractors contacted include Broadway Mechanical Contractors in Oakland, Therma Corporation in San Jose, and Specialty AC Trane in Vacaville. Ventilation and filtration manufacturers contacted include representatives from TRANE, FanTech, and Honeywell.

[8] Developers contacted include the sponsors of 870 Harrison Street in SOMA, 1000 16th Street (Daggett Triangle), and 77 Cambon (near SFSU), all projects required to mitigate for indoor air quality due to site-specific testing conducted by DPH which indicated concentrations of PM2.5 exceeding the actionable level.

similar, demands for mechanical ventilation systems. Or as two separate project sponsors put it, "killing two birds with one stone." To the extent that the proposed legislation would require mechanical ventilation for indoor air quality, and the project sponsor was already planning for a similar system to mitigate noise impacts, the marginal cost for the air quality mitigation would be minor (limited to the cost of upgrading the filtration).

To the extent that benefits outweigh the costs, a positive economic impact would result.

review of various manufacturers filter pricing schedules, the OEA estimated a marginal cost of $25 per filter to increase from a MERV8 to a MERV13 standard.

Individual Unit Ventilation

Smaller residential projects would be impacted to a greater degree, especially if the design did not initially include mechanical ventilation, and was instead relying on windows for ventilation. As previously discussed, a method to ventilate units within these buildings includes the installation of individual air exchange units located within each residential unit, with individual air intake and exhaust ducts ventilating each unit separately. The cost of installing such a system, that otherwise would not be required but for the legislation, needs to be estimated.

To estimate the cost of installing and operating individual ventilation systems, the OEA contacted several manufacturers of air exchange units (including TRANE, Honeywell, and FanTech), as well as mechanical contractors. Our research indicated a direct cost of about $2,000 per unit, which includes hardware for an air exchange unit, inline filter box, ducting, controls, supply and exhaust hoods, and installation. This amount was corroborated by the developers of 870 Harrison Street, a 26-unit residential project in SOMA, and 77 Cambon, a 199-unit development near San Francisco State, off 19th Avenue.[10]

Table 1 on the following page summarizes the estimated one-time and annual operating costs of the two ventilation systems. Also included is the value of space required to accommodate the ventilation systems within the individual units.

The one-time costs include DPH's air quality testing fee[11] the direct cost to install the required ventilation/filtration system, and indirect costs (estimated at 30% of direct costs) to account for design and other soft costs. In order to provide a comparative basis, the one-time costs were converted to an annual figure by amortizing the expense over 10 years. As indicated, the per unit annualized cost is estimated at $589 for the individual unit ventilation system and $7 for the whole building ventilation system.

Operating expenses include the costs to periodically replace the filter and the energy cost to operate the ventilation system. As indicated, the annual operating costs are estimated at $138 for the individual unit ventilation system and $50 for the whole building ventilation system.

site, the ventilation strategy to mitigate PM2.5 exposure does not necessarily need to be applied to all units within a project or building, reducing the potential impact of the legislation. For example, Summerhill Homes, the developer of 77 Cambon, designed its project so that only the units facing busy 19th Avenue were to be mechanically ventilated, while units on the opposite side of the site relied on natural ventilation.[9] Similarly, at the Daggett Triangle project, only one of the three buildings planned for the site will be mechanically ventilated (the building closest to the 280 freeway). The developers of both projects indicated that mechanical ventilation systems were designed to solve for both noise and particulate matter infiltration in the building.

Whole Building Ventilation

As previously discussed, larger buildings generally employ whole building ventilation systems to supply fresh air to individual units. If a building is already designed with such a system, the strategy to comply with the legislation may be as simple as relocating the air intake, or specifying a more dense filter to prevent PM2.5 from entering the building. Air filters have a minimum efficiency reporting value (MERV), which specifies the amount of particulates removed - a filter rated MERV13 removes 80% of PM2.5. Based on discussions with several mechanical engineers, if whole building ventilation is used, the marginal cost to comply with the legislation would be simply the cost differential between a MERV13 filter, and the lower-rated filter already specified. Increasing the filter rating to MERV13 would not require upsizing of the air handler fan system.

Based on discussions with mechanical engineers and a

[9] Summerhill recently decided not to pursue development of 77 Cambon at this time, citing the weakening economy. The project was to include 199 units, 49 of which would have required mechanical ventilation (those units facing 19th Ave.)

[10]The developer of 870 Harrison is in the midst of designing the mechanical ventilation system for the 26-unit project and provided a cost estimate based on the mechanical engineer's design to mitigate for PM2.5 levels. Summerhill Homes, the project sponsor for the 199-unit 77 Cambon indicated that their mechanical engineer designed a ventilation system for 49 of the units facing 19th Avenue (the remaining 75% of units were designed with natural ventilation, as these units front the courtyard or western portions of the site). The cost to add mechanical ventilation to these two projects was estimated at $2,000 to $3,000 per unit (hard and soft costs) .

[11] DPH currently charges $1,560 to perform site specific air quality testing, or about $500 to peer review an analysis prepared by the consultant of the project sponsor's choosing. For purposes of this analysis, the $1,560 DPH fee is assumed. To calculate the per unit cost, the OEA assumed 40 units as the average project size for individual unit ventilation, and 100 units for the whole building ventilation. Because the legislation applies only to projects comprising 10 or more units, the maximum per-unit cost for this line item would be $156 ($1,560/10).

TABLE 1 One-Time and Ongoing Costs (per unit per year) - Mechanical Ventilation and Filtration Systems (1)

			Individual Unit Ventilation - Cost per Unit	Whole Building Ventilation - Cost per Unit
One Time Costs				
Air Quality Testing (per site, unit) (2)	$ 1,560		$ 39	$ 16
Direct cost for ventilation system (3)			$ 2,000	$ 25
Indirect costs (design, contingency, etc.)		30%	$ 600	$ 8
One-Time Cost - per Unit			*$ 2,639*	*$ 48*
Less Value of Space to House System (4)	$ 750		*$ 1,500*	*$ -*
Total One-Time Cost - per Unit			*$ 4,139*	*$ 48*
Annualized One-time Cost per Unit (5)			$ 589	$ 7
Annual Operating Costs				
Filter replacement - 2x/year (6)			$ 80	$ 50
Electrical Consumption (7)			$ 58	$ -
Total Annual Operating Cost			$ 138	$ 50
ANNUALIZED ONE TIME AND ANNUAL OPERATING COST			**$ 727**	**$ 57**

Notes:

1. There are two basic techniques to mechanically ventilate residential buildings, which generally depend on the size of the building. Smaller buildings could use individual air exchange units located within each residential unit, with individual air intake and exhaust ducts ventilating each unit separately. Larger projects typically employ whole building ventilation systems, similar to an office building. In these systems, the air handlers and intake vents are typically located on the roof or in the mechanical room, with the system ventilating each unit via central ductwork terminating at each residence. An example of a project using this type of system includes Symphony Towers, a residential project recently completed on Van Ness Avenue.
2. Fee DPH currently charges for site-specific air quality assessment. Per unit cost estimated based on building size of 40 units for individual unit ventilation systems and 100 units for whole building systems.
3. Cost for individual unit ventilation based on discussions and review of material from mechanical engineering contractors, hardware manufacturers, and developers familiar with installing these type of systems. These include Broadway Mechanical, Therma, TRANE, and FanTech. Costs include hardware for an air exchange unit with heat recovery, inline filter box, ducting, controls, supply and exhaust hoods, and installation. Cost for whole building system includes only the marginal cost of higher filtration levels, estimated as the difference in cost between MERV8 and MERV13 filters. Cost assumes 1 filter per unit, which likely overstates costs, as multiple units can be serviced by one filter. Per several mechanical engineers, higher filtration to MERV13 filters would not require upsizing a whole building fan system.
4. Estimated at 2 sq.ft. per unit at a value of $750 per square foot. No cost associated with whole building system because ventilation would already be provided.
5. To estimate the annualized cost, the total one time costs were amortized over 10 years, the estimated replacement life of the equipment, at 7%.
6. Filters would require periodic replacement, depending on the individual system and air quality. This analysis assumes filters are replaced twice a year, per several manufacturers guidelines. The filter cost for the individual unit ventilation system is based on the average cost of a MERV13 filter, while the whole building ventilation cost is based on the marginal cost difference between a MERV8 and MERV13 filter. Because whole building ventilation systems would require periodic filter replacement regardless of the filtration capacity, no labor cost for replacement is assumed.
7. The energy cost for the individual unit ventilation system is based on a 40 watt system running 24/7/365, at an average electrical rate of $0.165 per KW/h. Because whole building ventilation systems would be in operation regardless of the filtration capacity, no additional energy cost is assumed.

In total, the annual costs range from $57 to $727 per unit, depending on the ventilation system.

TABLE 2 Estimated Health Benefits of Indoor Air Quality Legislation Resulting from Reduction of Indoor PM2.5 Concentrations

Prevented hazard of pre-mature mortality due to reduction in PM2.5 exposure (per person per year) (1)	0.00018207
x Monetary Value of a Statistical Life (2)	$ 6,900,000
= Statistical Value per Person Per Year (3)	$ 1,256
x Average Household Size (4)	1.69
= Statistical Benefit per Household Per Year (5)	**$ 2,123**

Notes:

1. This figure takes into account the ambient PM2.5 concentration in San Francisco (citywide average of 10 microns per cubic meter), the roadway concentration of PM2.5 (0.2 microns per cubic meter), the amount of PM2.5 infiltration occurring naturally without filtration (70% of particulate matter works its way indoors without filtration), the infiltration of PM2.5 under the proposed ordinance (20% maximum), the relative risk of mortality for increased concentrations of PM2.5 (estimated at 1% risk increase per 1 micron per cubic meter increase, per CARB study), and the San Francisco mortality incidence rate (excluding injuries) (714 deaths per 100,000 population). Using these factors, DPH calculated this figure, which represents the reduction in premature mortality attributed to the reduction of PM2.5 concentrations to the level in the proposed ordinance. To the extent that DPH's analysis is based on cumulative long-term exposure over a 50-year horizon, this factor may overstate mitigation benefits.
2. Source: Environmental Protection Agency (EPA).
3. This figure represents the monetized statistical value per person per year associated with the prevented hazard of pre-mature mortality due to the reduction in PM2.5 exposure as specified in the proposed ordinance (filtering 80% of PM2.5)
4. The DPH analysis only applies to the population 30 years and older. The average HH size is based on only the population over 30, per US Census, "American Community Survey."
5. This figure represents the monetized statistical value per residential unit per year associated with the reduced hazard of premature mortality attributed to the proposed legislation. To the extent the household size is larger or smaller than the citywide average, this figure would increase or decrease accordingly.

Estimating the Health Benefits of Mitigation

The OEA estimated the benefits of the proposed legislation by quantifying the monetized value associated with the reduced hazard of premature mortality attributed to the reduction in fine particulate matter, as specified in the proposed legislation.

DPH prepared an estimate of the economic benefit of reduced mortality associated with filtration of harmful PM2.5 from indoor spaces. The DPH analysis and methodology relies on a May 2008 report by the California Air Resource Board (CARB) addressing the health impacts of exposure to fine particulate matter.[12]

The health benefit, in terms of reduced mortality, is estimated at $2,123 per unit per year

The OEA made adjustments to the DPH model to more accurately reflect average household size and the length of occupancy by residents.[13]

The US Environmental Protection Agency (EPA) estimates the value of a statistical life to monetize the value of mortality risk reductions for purposes of cost benefit analyses associated with environmental regulations. The EPA figure is not based on people's earning capacity or their potential contributions to society. Rather, the value is based on what people are willing to pay to avoid certain risks and how much extra employers pay workers to take on additional risks. The EPA approach is an average and does not take into account a persons age.

Table 2 below summarizes the monetized statistical benefit associated with the proposed ordinance. As indicated, the health benefit, in terms of reduced mortality, is estimated at $2,923 per unit per year. Assuming an average tenure of 4 years, the total benefit per household over their 4 year occupancy is about $11,700.[14]

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[12] CARB, "Methodology for Estimating Premature Deaths Associated with Long-term Exposures to Fine Airborne Particulate Matter in California," May 22, 2008.

[13] The DPH analysis assumes a 50 year time horizon (i.e., the annual benefits were multiplied by 50 to derive the total benefit). However, over the course of this time period, each unit will likely house multiple occupants. Thus, the total risk calculation should be adjusted to account for the length of tenure of each occupant. When a resident moves out, the health risks associated with of the legislation will no longer impact that household. Essentially, the risks will "reset" when a new household moves into the vacated unit. Based on review of US Census data, the OEA estimates an average tenure of 4 years, and used this figure in calculating the total benefit.

[14] In contrast, the DPH estimate of the total benefit is about $170,000 per unit over a 50-year horizon.

STAFF CONTACTS

Kurt Fuchs, Senior Economist (kurt.fuchs@sfgov.org) (415) 554-5369

Ted Egan, Chief Economist (ted.egan@sfgov.org) (415) 554-5268

Todd Feiler, City Hall Fellow (todd.feiler@sfgov.org) (415) 554-5159

The authors thank Michael Jacinto with the Planning Department, Tom Rivard and Rajiv Bhatia with DPH, and Laurence Kornfield with DBI for their assistance in the preparation of this report. All errors, ommissions, and conclusions are solely those of the Office of Economic Analysis.

Cost-Benefit Summary

Table 3 below compares the estimated annual health benefits with the estimated annual costs associated with the proposed legislation. As indicated, the net benefit is estimated at about $1,400 per unit per year.

TABLE 3 Estimated Net Benefit of Proposed Legislation, per Unit, per Year

Benefit per Unit Per Year (1)	$ 2,123
Annualized Cost per Unit per Year (2)	$ (727)
Net Benefit, per unit per year	**$ 1,396**

Notes:

1. See Table 2. This figure represents the monetized statistical value per residential unit per year associated with the reduced hazard of premature mortality attributed to the proposed legislation.
2. See Table 1. This is the annualized cost of an individual unit ventilation system. The annual cost for a whole building ventilation system is significantly lower. However, for purposes of this analysis, the higher cost system is assumed.

The figures in this analysis are presented on an annual basis per impacted unit. As noted in the table above, the higher cost individual unit ventilation system is assumed in the estimated $1,400 net benefit per unit per year.

It is important to remember that these costs and benefits only relate to projects within the Roadway Exposure Zone testing above an actionable level and requiring mitigation. While all parcels within the Roadway Exposure Zone would have to pay the testing fee, only a portion of those tested will likely require some form of mitigation. As previously discussed, only about 1 in 4 of the projects tested for PM2.5 ended up requiring mitigation. Further, the Roadway Exposure Zone covers a relatively small portion of the City; projects outside the Exposure Zone would not be impacted by the legislation.

To the extent that a project is assessed the $1,560 testing fee, and no mitigation is required, the project sponsor would be out of pocket the fee. Because the ordinance only applies to projects with 10 or more units, the maximum per unit fee is $156. While this is not a significant amount, it does increase the development cost without conferring any benefits. A suggested mitigation measure would be to rebate a portion, or all, of the testing fee for sites testing below the actionable threshold.

City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 080934 **File Type:** Ordinance **Status:** First Reading

Enacted: **Effective:**

Version: 1 **Reference:** **In Control:** Land Use and Economic Development C

File Name: Requiring Air Quality Assessment and Ventilation for Certain Urban Infill Residential Developments **Introduced:** 7/8/2008

Requester: **Cost:** **Date Passed:**

Comment No Fiscal Impact; Economic Impact

Title: Ordinance amending the San Francisco Health Code by adding new Article 38 to require air quality assessment and ventilation for certain urban infill residential developments; amending the San Francisco Building Code by adding a third paragraph to Section 1203.5 and amending the San Francisco Mechanical Code by adding new Section 419 to require special ventilation systems for certain urban infill residential developments; making environmental findings; adopting findings of local conditions pursuant to California Health and Safety Code Section 17958.7, and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission.

Indexes: **Sponsors:** Ammiano

History of Legislative File 080934

Ver	Acting Body	Date	Action	Sent To	Due Date	Pass/Fail
1	President	7/8/2008	ASSIGNED UNDER 30 DAY RULE	Land Use and Economic Development Committee	8/7/2008	
1	Clerk of the Board	7/23/2008	REFERRED TO DEPARTMENT			
	Referred to Small Business Commission for comment and recommendation. Referred to Planning Commission for review and comment and Planning Department for environmental review.					
1	Clerk of the Board	8/1/2008	REFERRED TO DEPARTMENT			
	Referred to the Building Inspection Commission for review and recommendation.					
1	Small Business Commission	8/11/2008	RESPONSE RECEIVED			
	The Small Business Commission will not be hearing this legislation.					
1	Planning Department	9/19/2008	RESPONSE RECEIVED			
	Planning Department - Exempt from environmental review, actions by regulatory agencies for protection of the environment.					
1	Planning Department	9/24/2008	RESPONSE RECEIVED			
	Planning Commission Resolution No. 17697 recommending approval with modifications.					
1	Land Use and Economic Development Committee	10/27/2008	CONTINUED			Passed
	Heard in Committee. Speakers: Supervisor Ammiano; Tom Rivard and Rajiv Bahtia, Department of Public Health; Kevin Kitchingham, Bernal Heights Neighborhood Center; AnMarie Rodgers, Planning Department; Laurence Kornfield, Department of Building Inspection; Karen Cohn, Asthma Task Force; Sean Keighran, Residential Builders Association; John McCarthy; Joe Boss, Willie Ratcliff, SF BayView Newspaper. *Continued to November 17, 2008.*					

Dr. Joy
c: KG, AC
c- comm clerk
c- Linda Wong
c- C Page

Office of the Mayor
City & County of San Francisco

Gavin Newsom

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2008 NOV 14 PM 1:09
BY

November 14, 2008

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

Dear Ms. Calvillo,

Pursuant to the Charter Section 4.112, I have appointed Juliet Ellis as a member of the Public Utilities Commission effective today, November 14, 2008 to fill seat 2. Juliet Ellis will fill a seat that was previously held by Dennis Normandy, and the term of Juliet Ellis will expire on August 1, 2010.

Please see the attached biography which will illustrate that Juliet Ellis's qualifications allow her to represent the communities of interest, neighborhoods and diverse populations of the City and County.

Should you have any questions, please contact my Liaison to Commissions, Jason Chan at 415-554-6253.

Sincerely,

Gavin Newsom
Mayor

2

Office of the Mayor
City & County of San Francisco

Gavin Newsom

Notice of Appointment

November 14, 2008

Honorable Board of Supervisors:

I hereby appoint Juliet Ellis to serve as member of the Public Utilities Commission for a 2-year term commencing November 14, 2008, in accordance with the Charter.

I am confident that Juliet Ellis will serve our community well. Attached are her qualifications to serve, which demonstrate how the appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

I encourage your support and am pleased to advise you of this appointment.

Gavin Newsom
Mayor

1 Dr. Carlton B. Goodlett Place, Room 200, San Francisco, California 94102-4641
gavin.newsom@sfgov.org • (415) 554-6141

Juliet Ellis
86 Lundys Lane • San Francisco, CA 94110 • 415.310.1873 • ellis.juliet@gmail.com

Career Profile:

Juliet Ellis is a visionary and enthusiastic leader focused on obtaining constructive outcomes for low-income communities throughout the Bay Area. She has over ten years of experience advocating for the inclusion and participation of underrepresented communities into decision making processes. Juliet has built a strong track record of achievement through her creative solutions, excellent collaboration and communication skills.

Professional Achievements

Economic Development

- Led the Community Capital Investment Initiative, a $200 million partnership with the Bay Area Council that has created significant community benefits while ensuring competitive returns for investors.
- Worked collaboratively with community-based organizations, labor, and policy makers in the City of Richmond to enact a local hiring policy that created business and employment opportunities for residents.
- Increased the participation of a wide range of community based organizations in the City of Richmond's General Plan revision process by providing organizations additional funding, training, and access to decision makers.
- Mobilized over 400 community residents and local elected officials around a vision for economic justice in Oakland at the Building Oakland for Everyone: A Summit on Jobs, Housing, and Justice.

Transportation and Land Use

- Partnered with the California Endowment to incorporate health policies into the General Plan in the City of Richmond.
- Co-Founded a multi-million dollar regional transit oriented development initiative to ensure that 50 percent of all new homes built by 2030 are in walkable communities located near transit at prices affordable to families of all income levels.
- Developed and implemented a training program for elected officials and City department leaders on equitable development policies.
- Secured $300 million in transportation investments from the Metropolitan Transportation Commission to meet the needs of transit dependant communities.
- Worked with the Metropolitan Transportation Commission and community stakeholders to develop criteria that governed the implementation of the Lifeline Program, the primary funding pool dedicated to meeting the needs of the transit dependent populations.
- Won a precedent setting amendment to the Exclusive Negotiating Agreement between the City of San Leandro's Redevelopment Agency, BART, and the and land owner requiring a series of meetings between community residents, labor, and the developer at the beginning of the development process.

Innovation

- Transitioned Urban Habitat from a small San Francisco based organization to a multi-million dollar nationally recognized leader in the areas of Social, Economic and Environmental Justice.
- Co-Founded a statewide effort to reform tax and fiscal policy in California.
- Developed a leadership program for residents in underserved communities to learn about community and economic development, preparing many graduates to serve on boards and commissions throughout the Bay Area.
- Publisher of Race, Poverty and The Environment, a national journal with over 5,000 subscribers that looks at the intersection of race and place.

Experience

The Urban Habitat Program
Executive Director (September 2001- present)
Responsible for providing leadership for all aspects of Urban Habitat, a $2 million organization that builds power in low-income communities and communities of color by combining education, advocacy, research and coalition building to advance environmental, economic, and social justice in the Bay Area.

Specific Responsibilities:

- Facilitate agreement of the overall vision and mission of Urban Habitat.
- Provide organization-wide quality control and apply consistently high standards to the planning, implementation, and evaluation of the organization's short and long-range programs.
- Identify and create opportunities for strategic, multi-sector partnerships that advance Urban Habitat's mission.
- Provide leadership to regional agencies and local decision makers working on land use, transportation and environmental justice issues.
- Lead Urban Habitat's work in the areas of tax and fiscal reform and double bottom line investments.
- Identify and act upon opportunities that support movement building.
- Position Urban Habitat at the regional, state, and national levels as a leader in the environmental justice and social justice movements.
- Serve as primary spokesperson for Urban Habitat at local, regional, state, and national conferences, meetings, events.
- Oversee recruitment, hiring, training, performance evaluations, salary reviews and performance management for staff, consultants and volunteers.
- Develop and oversee the organizational budget and cash flow management.
- Oversee fundraising activities, which include proposal writing, foundation and donor relations, and project reporting.
- Provide support to the Board of Directors, which includes developing meeting materials, staffing committees, maintaining effective lines of communication, and identifying appropriate opportunities for engagement.

The San Francisco Foundation (July 2000 –October 2001)
Associate Program Officer, Neighborhood and Community Development
Responsible for the implementation of the Neighborhood and Community Development grantmaking program in the areas of workforce development, housing, homelessness, community development, and neighborhood planning. Developed and maintained relationships with community and philanthropic groups to assess community needs and shape the program priorities of the Foundation. Developed and coordinated aspects of the Koshland Civic Unity Program, a multi-neighborhood community building and awards program.

Specific responsibilities:

- Review and evaluate proposals from potential grantees, conduct site visits, assess organizational strengths and weaknesses, and make funding recommendations to team, program staff and Board of Trustees.
- Provide information and technical assistance to community-based organizations regarding grantmaking, organizational effectiveness, and program evaluation.
- Research programmatic and public policy issues.
- Facilitate and convene nonprofit and philanthropic agencies around particular issues or best practices.
- Develop and monitor a $2 million administrative and grantmaking budget.
- Train new staff on grantmaking.

The San Francisco Foundation (July 1998 – June 2000)
Program Fellow, Neighborhood and Community Development
Responsible for all aspects of grantmaking in the areas of workforce development, housing, community development, and neighborhood planning. Supported a wide variety of community leaders and organizations through technical assistance, meeting facilitation, and special projects. Developed and coordinated aspects of the Neighborhood Improvement Initiative, a $5 million community revitalization project in West Oakland, and the Koshland Civic Unity Program, a multi-neighborhood community building and awards program.

Specific responsibilities:

- Developed and implemented programs and special projects within the Foundation.
- Convened a range of community leaders and stakeholders.
- Facilitated community meetings.
- Researched, prepared, and presented assessments of several Bay Area low-income communities.
- Coordinated access to technical assistance for community residents engaged in neighborhood revitalization.
- Identified funding sources and prepared proposals to support the work of The San Francisco Foundation's neighborhood initiatives.

Education

Masters of Science in Business Administration, San Francisco State University, May 2001; emphasis in Environmental and Urban Studies.

Bachelor of Science, Marketing; Ball State University, Muncie IN, May 1995.

Professional Activities

Board Member, David Brower Center
Board Member, Transportation and Land Use Coalition
Board Member, Bay Area Alliance for Sustainable Communities
Board Member, Ella Baker Center for Human Rights
Board Member, San Francisco School of Volunteers
Board Member, Partnership for Working Families
Co-chair, Community Capital Investment Initiative
Member, Regional Planning Committee of the Association of Bay Area Governments

BOARD of SUPERVISORS

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

Date: November 12, 2008

To: Members of the Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Form 700

This is to inform you that the following individual has submitted a Form 700 Statement of Economic Interests to my office.

Lena Gomes, Aide to Supervisor Daly

3

BOARD of SUPERVISORS

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

Date: November 13, 2008

To: Members of the Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Form 700

This is to inform you that the following individual has submitted a Form 700 Statement of Economic Interests to my office.

- Rebekah Krell, Legislative Assistant to Supervisor Sean Elsbernd

Q: BOS
C: File

File # 081365

November 12, 2008

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

RE: File No. 081365 – 690 Stanyan Street Project

Board of Supervisors:

The 690 Stanyan Street Project should not be delayed any further. This project will not only bring a much needed full service grocery store to the Haight, it will do so with a minimum of negative impacts on the neighborhood. Whole Foods will fill a void that has existed since the demise of Cala Foods. It is highly unlikely that any other grocery store will develop a store in that location, especially considering the economy right now. I fear that those who oppose this project will keep Whole Foods from building in this location and we will have no local place to shop for groceries.

I have reviewed the EIR and unlike the appellants I find it fair and reasonable in its assessments. EIR's are at best a fair and reasonable prediction of the impact of a project. Like all predictions, it is subject to criticism and speculation as to what will actually occur in the future. The 690 Stanyan Street Project EIR has been vetted by a large percentage of the impacted residents. The conclusion of the overwhelming majority of the residents examining the document is that it is fair, reasonable, and complete. A vocal minority may object to particular items in the EIR, but distilled to a common theme the objections appear to be an objection to change.

I live a block away from the project and have lived in the neighborhood for almost 19 years. I do not own a car and have now been without a local place to shop for groceries for several years. I believe that the positive impacts of this project on the neighborhood greatly outweigh the negative impacts. Please deny the appeal without delay.

Very truly yours,

Donna Curry

San Francisco, CA 94117

4

C: BOS
C: File

File # 081365

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2008 NOV 13 AM 11:06
BY

Rob Weaver

San Francisco, CA 94109

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

Re: File No. 081365 690 Stanyon Street Project

Board of Supervisors:

The 690 Stanyon Street Project should not be delayed further. This project not only promises to bring a much needed full service grocery store to the Haight, it does so with a minimum of negative impacts on the neighborhood. Whole Foods will fill a void that has existed since the demise of Cala Foods. It is highly unlikely that any other grocery store will take develop a store at the location, especially in these uncertain economic times. In fact, my biggest fear is that the nay-sayers will drive Whole Foods away and leave us with no ability to shop locally.

I have reviewed the EIR and unlike the appellants I find it fair and reasonable in its assessments. EIR's are at best a fair and reasonable prediction of the impact of a project. Like all predictions, it is subject to criticism and speculation as to what will actually occur in the future. The 690 Stanyon Street Project EIR has been vetted by an extraordinarily large percentage of the impacted residents. The conclusion of the overwhelming majority of the residents examining the document is that it is fair, reasonable and complete. A vocal minority may object to particular items in the EIR, but distilled to a common theme the objections appear to be an objection to change.

My house is a block away from the project and I will probably be as affected by the project as anyone. I think the analysis of the impact on me and my family is fair and I further think the negative impacts are heavily outweighed by the positive impacts on the Haight. Please deny the appeal without delay.

Very truly yours,

Rob Weaver

CTBOS
C: File File # 081365

Connie Kullberg

San Francisco, CA 94117

November 11, 2008

File No. 081365
Public Hearing-Appeal of Final Environmental Impact Report for the 690 Stanyan Street Project.

Board of Supervisors:

As a twenty plus year resident of the Haight **I soundly applaud and support the approval by the Planning Commission of the above mentioned Final Environmental Impact Report for the 690 Stanyan Street Project.**

The neighborhood has too long been without a full service grocery store and Whole Foods is a wonderful neighbor who cares about the environment and employs local people.

Please do everything possible to expedite this project. As an aside, in the current economic climate, a major construction project of this size will benefit all the residents of this city in some way.

Thank you for you support of this issue.

Respectfully,

Connie Kullberg

C. Sup Mirkarimi 11/10/08

dear Board of Supervisors —

On behalf of many neighbors on the 1300 block of 5th Avenue in the Inner Sunset, I am writing in support of the whole Foods project on Stanyan St.

We believe that a healthy grocery store is needed in this area — easy walking distance to several other neighborhoods. In addition, dense housing along two mass transit corridors (Muni bus and metro N-Judah line) is the right decision.

Thank you for your consideration —

Ann B. Morris.

Ann B. Morris

File # 081365

Elizabeth and Jason Misner
753 Clayton Street
San Francisco, CA 94117

San Francisco Board of Supervisors
Re: File No. 081365 – 690 Stanyan Street Project Hearing 11/18/08
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Dear Board of Supervisors:

Thank you for the opportunity to comment on the 690 Stanyan Project. I am submitting my comments in writing, as I will be having a baby the day of the public hearing. I am writing on behalf of myself and my husband, Jason Misner.

First and foremost, we would like to express our support for the complex in terms of uses and size. We feel that creating a mixed-use development, with the density presented in the EIR is an appropriate and positive use for that area. We are happy to have a development of this type coming into the neighborhood and feel that it will offer many positive improvements.

We do have the following comments:

Comments of Support:
1) Again, we'd like to reiterate that we support the scale and density as proposed
2) We are happy to hear that the developer is doing subterranean parking so that retail will be sidewalk level. Excellent!

Comments/Areas that we would like to see addressed further:
1) We noted that the developer has proposed including 1 CityCarShare/shared car spot. We feel that it would be more realistic and productive to include 3 or 4 shared car spots. If we were living in the building and there were only one shared car, we'd still be inclined to have our own car because we would be concerned that there would be too much competition for the one vehicle. With 3-4 shared cars, we would be MUCH more likely to forgo a car. In short - with one spot, we'd keep our own car, with 3-4 spots, we'd choose not to have our own car.

2) The question then comes as to where to put the additional shared cars. While on the one hand we are very much in support of accommodation for bicycles, on the other hand, 47 spots seems a bit excessive for 67 units. We don't know if that is a Planning Code requirement or not, but we feel that if taking some of those spots out would mean that you could add 2-3 carshare spots and provide a more realistic incentive for people to give up their cars, that would really be a more efficient use of those spaces and we'd encourage the Planning Department to provide a variance for that. Or, since people would use the shared cars, the developer could keep all the bike spots and reduce the number of residential spots by 2-3, if supported by the Planning Dept in doing so.

3) We encourage the developer to include BMR units onsite vs. payment-in-lieu. If the Planning Department can require onsite units, we would encourage you to do so.

4) We have seen the design rendering and are admittedly very disappointed. While we realize that design aesthetics are subjective, we feel that this design is not in keeping with the neighborhood or with its prominent location at the gateway to Golden Gate Park and, in the reverse, a gateway to the Haight-Ashbury Neighborhood -- we feel very strongly that this property should reflect the historic architecture of the neighborhood, especially given its prominent position relative to the park entrance and the Haight.

Whole Foods is supposedly a community-oriented company, yet this design doesn't reflect this community at all. In fact, it appears uncomfortably similar and "cookie-cutter" to the one in Portrero Hill.

We would like to see something that blends with the neighborhood, similar to the look and feel of Broderick Place (corner of Broderick and Fell), which houses retail and the Faletti Foods store along with a bank and cafe ~70 condos and townhomes [in other words, similar uses to this proposed development -- so we know that it's possible. Also, as an aside, it's our understanding that the BMR units were onsite at Broderick Place]. See

http://www.sigprop.com/nbds/broderickplace/ along with the developer's site http://www.690stanyan.com/impact.html which has a pdf of this project.

5) We are concerned about the traffic relative to the grocery store. To say in the EIR that it is merely a "social impact" isn't acceptable or in touch with reality. We assume that you have seen the Trader Joe's on Masonic. Even though it's close to our house, we don't shop there very often because the line to get in the parking lot is so long, and whenever we drive by we feel so sorry for those neighbors. When people are grocery shopping, they want to park next to the grocery store, not "elsewhere in the area" as mentioned in the EIR or even in the other parking lots mentioned in the EIR. That's why, even though there are spots *directly across the street* on Masonic from that Trader Joe's, people wait 30 minutes to get *into* the parking lot (if we go, we park across the street, but it's a little dicey getting into the parking lot by foot as the people waiting in line are pretty agitated by the time they get to the entrance and not very conscious of pedestrians). That is a lot of idling (read: environmental and noise pollution, which is why we feel that this issue is more than a "social impact") and increases the potential for pedestrian hits. We feel that it is unrealistic to think that Whole Foods shoppers will park elsewhere to shop; rather, they will likely do exactly what we see at Trader Joe's now, which is wait in line, causing air and noise pollution and a line of traffic at the entrance. Whole Foods shoppers are demographically similar to Trader Joe's shoppers. To think that those who drive to Whole Foods will park elsewhere completely disregards the reality we see at Trader Joe's all day, all times, every day.

The project attempts to address this on their website: http://www.690stanyan.com/impact.html

If the project had the same number of spots as Falletti's, it would need 169 spots vs. its proposed 114. That's a shortfall of 55 spots -- something that the developer is highlighting in its own material and somehow believing that is supports their case (?)! And Falletti's is not even as full-service of a grocery store as Whole Foods is. Then, while it mentions that it has about the same number of spots as Lucky, keep in mind that part of the reason of putting Whole Foods in is that it's a premium "destination" grocery store. The demand for Whole Foods is going to be higher than that of an Albertson's or Lucky. Whole Foods is a desirable store, and this is the only one nearby this part of the City.

If three levels provide ~180 total spots for commercial and residential, then presumably adding a fourth subterranean level would add an additional ~60 spots, which would for the most part address the parking issues if the demand numbers in the EIR are accurate and match what we see at Falletti's. We request that this additional parking be included in the project. Also, parking should be clearly designated "For Whole Foods Complex shoppers only - walkoffs will be towed" so that people don't use these spots for GG Park or other Haight parking.

6) Outreach -- On the project's website, in order to be included on updates, you are also required to voice a "yes" or "no" vote on the project -- see http://www.690stanyan.com/opinion.aspx. We are not comfortable expressing an opinion without qualifying it (and would say "no" as it's currently designed, even though we are actually in support for the most part), and feel that expressing your opinion should be separate from the opportunity to be notified of outreach opportunities.

We live in the neighborhood and are excited about this project and the visitors it will bring to the Haight, who will likely shop at our other stores, the improvement to the site that it will bring aesthetically (if a more traditional design is proposed!), the additional "eyes and ears" in the area that will address crime issues in that area, and that it will offer neighborhood-serving retail and more resident homeowners who are invested in and who can shop locally in our neighborhood. Our two biggest concerns are that the designs blends with the traditional architecture of our neighborhood, and that parking/car-sharing is carefully thought out to avert traffic issues. The Broderick Place development seems to have been able to address both these issues, so we are hopeful that this developer will incorporate the same elements into this development.

Thank you for the opportunity to voice both our support and concerns.

Sincerely,

Elizabeth Misner

File # 081365

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2008 NOV 17 AM 11:37
BY

Elizabeth and Jason Misner
753 Clayton Street
San Francisco, CA 94117

San Francisco Board of Supervisors
Re: File No. 081365 – 690 Stanyan Street Project Hearing 11/18/08
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

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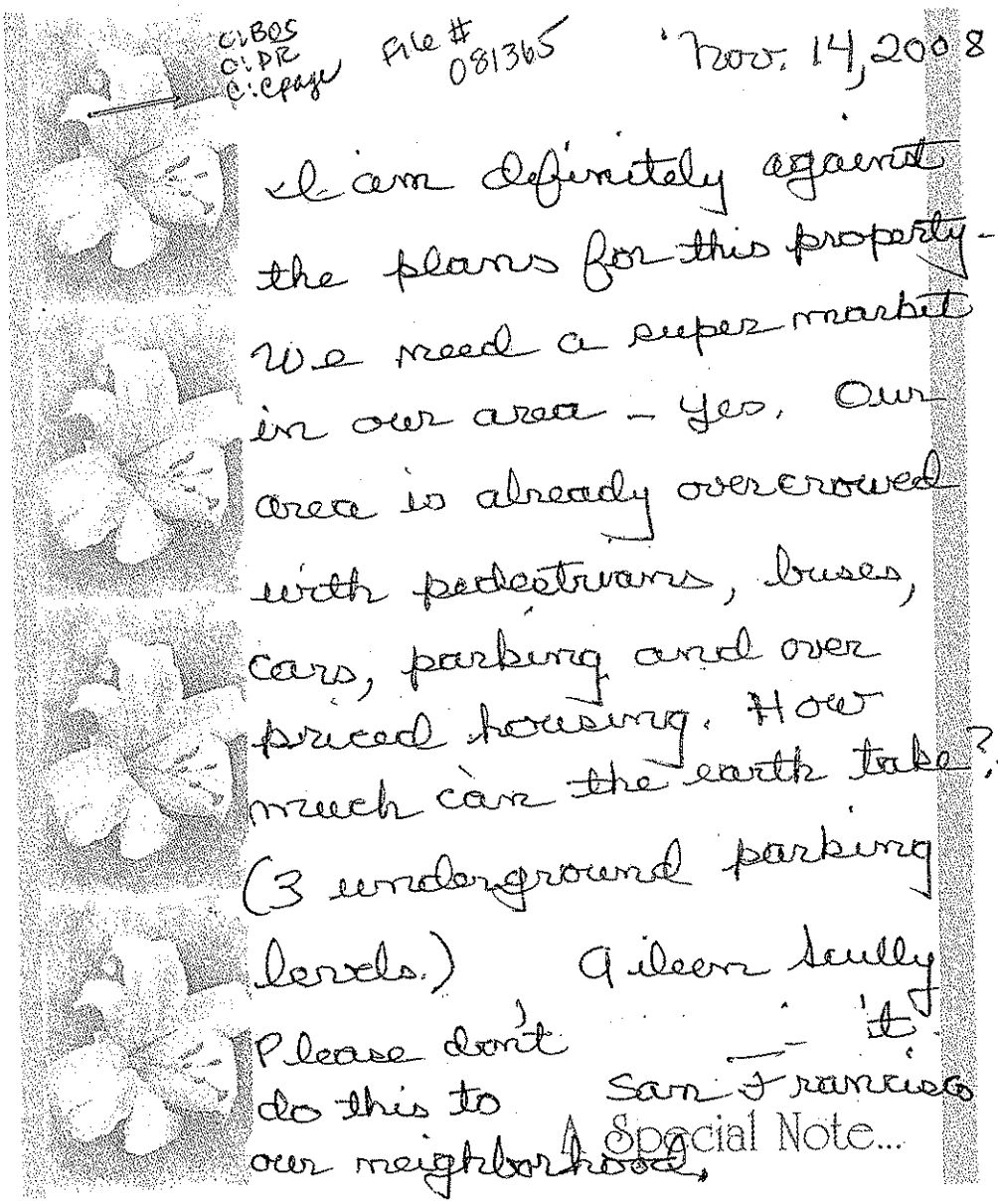
Thank you for the opportunity to voice both our support and concerns.

Sincerely,

Elizabeth Misner



CLBOS
CLPR
CLCpage

File # 081365

Nov. 14, 2008

I am definitely against the plans for this property - We need a super market in our area - Yes. Our area is already overcrowded with pedestrians, buses, cars, parking and over priced housing. How much can the earth take? - (3 underground parking levels.) Aileen Kelly Please don't do this to San Francisco our neighborhood.

A Special Note...

City Hall
on B. Goodlett Place, Room 244
Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
D/TTY No. 544-5227

Transmitted: 11-7-08

ble after this time, at Legislative
isco, CA 94102.

bject. All interested parties are
ay submit written comments
ls will become part of the

B. Goodlett Place, Room 244,
able for inspection at the

act Report for the 690

October 23, 2008 certification
0E, through it's Motion No.
11702, for a proposed development at 690 Stanyan Street, Assessors Block No. 1228, Lots 005 and 006. (Appellant: Regan Caponi)

Angela Calvillo, Clerk of the Board

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the Final Environmental Impact Report decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

C: BOS
C: DR
C: Cpage

File #081365

Ann Morris
<bartronr
11/14/2008 03:40 PM
Please respond to
bartronmorris@yahoo.com

To board.of.supervisors@sfgov.org
cc
bcc
Subject 690 stanyan project

dear supervisor:

we wanted to voice our solid support for the grocery store / housing project as proposed for 690 stanyan st. (corner of haight & stanyan).

given all of the mass transit corridors nearby (MUNI busses along stanyan & haight, plus the N-judah just two blocks away), as well as easy access by foot & bicycle, this is the perfect location for a high-density housing project; and i would anticipate that most grocery store customers (including us, about a mile away) would walk.

additionally, this corner has been a blight on the greater neighborhood for years now. a thriving business will immensely improve the haight / stanyan area (including a major entrance to the park, directly across the street).

thank you for your consideration & we are excited to have positive change in the neighborhood.

sincerely,

ann & george morris

10-year residents of the UCSF / inner sunset neighborhood

c: BOS
c: Linda L.
File [redacted]
081332

Kimberlee Stryker
<kstryk

11/12/2008 04:36 PM
Please respond to
kstrykerdesign@yahoo.com

To: aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,
cc:
bcc:
Subject: Please Retain Middle Income Housing alternative in the Mission

Dear Supervisor Peskin:
Dear President Olague:
Dear Supervisor Maxwell:

I live in the Mission District, and urge you to retain the Middle Income Housing element of Eastern Neighborhoods Plan. Currently a proposal has been raised to eliminate this segment of our city's housing needs. Our city needs to keep as many middle income residents as possible. Currently they are being forced out of the city due to lack of affordable rental and for-purchase options. Recently released statistics show that there is a critical lack of middle income housing, the segment most needed to maintain a healthy climate for business, schools, our urban tax base and neighborhood diversity.

Numerous academic studies and planning departments across the country have shown that that a mix of income groups within neighborhoods is an important tool to relieve low-income neighborhoods of crime and poverty. It helps to increase neighborhood safety and increase the quality of public schools.

Current efforts by MAC to eliminate middle class housing from the Mission is a negative direction in assisting the poor. It will condem them to an environment of crime, poor schools and a feeling that there is no way out. They deserve a better future. We all do.

Families are exoding San Francisco because of poor schools and unaffordable housing. The Planning Department proposes to build units affordable to moderate income middle class families at affordable rates. There is little of this housing being built by private developers.

In addition, small businesses in the Mission District are suffering. With the current economic forecast, they need support through proximaty of middle class residents who can afford to patronize their businesses.

There are too many other reasons why MAC's proposal to exclude middle income housing is absurd and self-serving. I urge you to support the backbone of San Francisco, the middle class residents who make up the majority of the city's population and who make up the majority of San Francisco's business owners. Don't force them out of the city, leaving San Francisco to become a city of only the very wealthy and the poor.

Kim Stryker
Mission District

5

081332

Aaron Reuter
<AR(
11/13/2008 10:13 AM

To "'aaron.peskin@sfgov.org'" <aaron.peskin@sfgov.org>, "'sophie.maxwell@sfgov.org'" <sophie.maxwell@sfgov.org>, "'Gerardo.sandoval@sfgov.org'"

cc

bcc

Subject Subject Line: Do not support removing middle income housing alternative in the Mission

Dear Respected Planning Commission and Land Use Committee members:

I write to encourage you not to support the removal of a middle income housing alternative for the Mission district. Middle income housing is something this city desperately needs. Currently, San Francisco's median home price is approximately $800,000. The City's current affordable housing programs produce subsidized units priced, on average between $180,000 for a studio to $237,000 for a two bedroom unit. Fortunately for the economic base of our City, a large proportion of the City's population is currently middle class, but yet earns too much money to qualify for subsidized housing, but yet cannot afford market rate housing, thus forcing them to seek housing alternatives outside of the City. The middle income housing program proposed by the Planning Department could create housing priced at $320,000 for a 1-bedroom home and $370,000 for a 2-bedroom home. There is almost no housing being built in San Francisco at these prices. Middle income housing is housing for working San Francisco families. 135% of San Francisco Median Income, the target range, describes a family of three, two working parents and a child, with each worker earning around $50,000 a year. That income band includes a big part of the City, such as nurses and teachers, construction workers, and executive assistants, all the types of folks at risk of not being able to live here if middle income housing is not supported. We as a City are currently doing virtually nothing to assure that middle-income families, like my family, can afford to live in San Francisco. This is a policy failure we cannot afford to continue for the overall long-term health of our City's economy and its overall diversity.

If you would like to discuss further I can be reached at 733-9903 or via this email.

Kind Regards,

Aaron Reuter

5

File 081332

David Delp

11/13/2008 11:51 AM

To: aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org, Tom Ammiano

cc:

bcc:

Subject: Please Include Middle Income Housing in Mission Plan

I understand that the allocation for middle income housing requirement is being removed from the Mission Plan to make room for more subsidized low-income housing. Please do not remove these opportunities for the middle class to live in the Mission. We need to build the middle class, not discourage it.

Thank you,
David Delp

File 081332

"douglas moore" <lomond
11/13/2008 12:35 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,
cc
bcc
Subject Keep Middle Income Housing alternative in the Mission

Dear Supervisor Peskin:
Dear President Olague:
Dear Supervisor Maxwell:

I have been living in the mission for over 5 years. It is a growing and complex neighborhood that should be allowed to grow freely.
The current proposal by supervisor Daly is set up in a way to keep the mission poor.
There is an old adage, "a rising tide raises all ships." By removing Middle Incomes from the mission plan, the result will be to keep everyone down. Businesses wont want to come in. high paying jobs will go elsewhere in the city. There are already plenty of buildings that are boarded up on Mission street. We don't need more of them.
Please don't remove the middle class alternative from the mission. they are too important to keeping the city great.

Thanks,

douglas moore
21st and Folsom,
SF

--
I hope you enjoyed your visit to doug-land

File #081332

"Lauren Hall"
<laure
11/13/2008 02:39 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,

cc

bcc

Subject Do not support removing middle income housing

All,

I am writing to express my dismay upon hearing that Chris Daly & Eric Quezada are taking it upon themselves to go against the middle income housing allotments made in the eastern district plan.

Middle income housing is housing for working San Francisco families. 135% of San Francisco Median Income, the target range, describes a family of three, two working parents and a child, with each worker earning around $50,000 a year. That income band includes a big part of the City, such as nurses and teachers, construction workers and executive assistants, all the types of folks at risk of not being able to live here.

File #081332

"Eloise Bates"
<eba
11/13/2008 03:05 PM

To <board.of.supervisors@sfgov.org>
cc
bcc
Subject DO NOT SUPPORT Removing Middle Income Housing Alternative in the Mission

Dear Supervisors,

The struggling middle class in San Francisco needs housing help. Even with the recent real estate down-turn, home ownership in San Francisco is denied to many working citizens. I am very concerned that the Mission Anti-Displacement Coalition (MAC) has proposed last-minute legislation to remove the middle income housing alternative from the Mission Area Plan.

This proposal came without public review, dialogue or economic analysis. San Francisco desperately needs housing of all kinds, and at all income levels. To deny the middle class home ownership in the Mission is redlining and discriminatory. Individual ownership of property contributes to the city's tax basis. Middle class teachers, public safely workers and office workers who contribute so much to the success and vitality of our city deserve a chance to own homes where they work. They earn too much to be eligible for subsidized housing, but not enough for market rate housing.

After the years of work that went into the Mission Area Plan, to support this ill-conceived last-minute measure from MAC is a slap in the face for thousands of working, middle-class San Franciscans.

Please do not support the divisive and short-sighted legislation proposed by MAC.

Sincerely,

Eloise M. Bates
Tiffany Avenue, D9

File 081332

11/13/2008 05:02 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,

cc

bcc

Subject Do not support removing middle income housing alternative in the Mission

Dear Planning Commission and Land Use Committee Members,
Please do NOT support removing the middle income housing alternative in the Mission. With the median home price at $800000, we need to support housing for lower AND middle income families. Our businesses and schools and the health of the Mission District community depend upon it.
Sincerely,
Cathy and David Diepenbrock

SF CA 94110

File #081332

"yogi ruth"

Sent by: yogiruth@gmail.com

11/14/2008 03:45 PM

To board.of.supervisors@sfgov.org

cc

bcc

Subject I Support Middle Income Housing in the Mission

To the Planning Commission:

I understand that the allocation for middle income housing requirement is being removed from the Mission Plan to make room for more subsidized low-income housing. Please do not remove these opportunities for the middle class to live in the Mission. We need to build the middle class, not discourage it.

Thank you,
Ruth Steiger

--
Yoga Props®

San Francisco, CA 94110-3332
41
website:
email:

---

c: Sup Daly

File 081332

Scott Crosby

Sent b

11/15/2008 05:15 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,

cc

bcc

Subject low-income housing & market distortion

hello,

i'm an evil landlord and resident (4-plex) of the inner mission. i'm writing to express my dismay at Daly & co.'s latest attempt to pander to lower-income renters via cynical distortion of the housing market. removing middle-income housing in favor of low-income is discriminatory at least. if you're going to subsidize anyone (which we should not), it's gotta be fair.

the Mission Anti-Displacement Coalition (MAC), which would appear to be a thinly-disguised taking of private owners' property for the benefit of another party (aka, theft), should take Econ 101 and discover the wonders of price caps. kinda like venezuela, great policy!

the way to create affordable housing is to allow TICs/condo conversions. people should be BUYING their homes, not renting in perpetuity. not allowing TICs/condos dooms lower-income people to rent their entire lives, an extremely callous if not downright evil ploy to win their vote by making them think you are their friend. you are not. you are keeping them down. renting forever will certainly preclude any substantive wealth accumulation, and it's asinine public policy.

the sickly, rife-with-abuse san francisco housing market needs more supply of affordable housing to BUY, not rent. let people build, and let buildings convert. affordable MARKET-RATE housing will result.

i'm sure you're aware that SF had something on the order of 11% rent increases last year. why? hello market distortions via rent control. this is an OBVIOUS outcome, isn't it?

thanks,

-scott crosby

File # 081332

"Fred Sharples"
<fred(
11/13/2008 10:09 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject Please don't remove middle income housing from the Mission Plan

Dear San Francisco Board of Supervisors,

I work and live in the Mission District and I personally employ 10 people here who fit into the Mission Plan's category of 'middle income'. I want those of us who work hard and make a living wage to someday be able to afford a quality decent place to live. The Mission District is one of the last places in San Francisco where people in our medium income group can hope to buy a home. Turning the Mission into all subsidized and/or low income housing will undoubtedly squeeze out hard working professionals and turn this wonderful & economically diverse neighborhood back into the forgotten all-poor neighborhood that it once was.
It's important to support the efforts we have made to make the Mission a safer and cleaner place to live. Please think of everyone when considering removing middle income housing in the Mission District.

Sincerely,
Fred Sharples

San Francisco, CA 94110

--
Orange Design Inc.
Games - Tech - Art

San Francisco, CA 94110
udio

File 081332

Christopher Elmendorf
<chr

11/13/2008 01:41 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,

cc

bcc

Subject Middle-Class Housing in the Mission

Dear Supervisor Peskin:
Dear President Olague:
Dear Supervisor Maxwell:

I am writing to express my opposition to the proposed legislation, introduced by Chris Daly and Eric Quezada, that would remove the middle income housing alternative from the Mission Area Plan.

I am a resident of the Mission, and have been both a tenant and an owner in this area. I strongly support new housing of all types. The Mission can and should become a higher density neighborhood. It is bad policy to penalize the consturction of new housing in the Mission, market-rate or otherwise.

Regards,

Chris Elmendorf

File #081332

Mempa
11/13/2008 02:16 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject Do not support removing middle income housing alternative in the Mission.

The middle income housing strategy crafted by the City relies on an economic feasibility study (the Seifel Study) that balances desired housing outcomes with what builders can reasonably build – before the economy tanked. MAC's legislation is not based on any feasibility study or economic study of any kind. This should not be allowed.

Sincerely,

Michael Miller

081332

"Sara O'Neill"
<s
11/13/2008 06:57 AM

To sophie.maxwell@sfgov.org
cc aaron.peskin@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org, plang
bcc
Subject Please support middle income housing alternative in the Mission

Dear Supervisor Maxwell:

* The Mission 's economic and cultural diversity will suffer as middle income residents are forced out. The Mission needs middle income housing;
* Business will be reluctant to locate and employ more people here if their employees cannot find housing;
* The middle income housing strategy crafted by the City relies on an economic feasibility study (the Seifel Study) that balances desired housing outcomes with what builders can reasonably build – before the economy tanked. MAC's legislation is not based on any feasibility study or economic study of any kind;
* The Mission needs investment in order to remain vital. Vitality is a balance;
* San Francisco's median home price currently runs about $800,000. The City's inclusionary (affordable housing) program produces subsidized units priced, on average between $180,000 for a studio to $237,000 for a two bedroom. Unfortunately, a large proportion of our City, its middle class, earns too much money to qualify for subsidized housing, but cannot afford market-rate housing.
* The middle income housing program proposed by the Planning Department could create housing priced at $320,000 for a 1-bedroom home and $370,000 for a 2-bedroom home. There is almost no housing being built in San Francisco at these prices.
* Middle income housing is housing for working San Francisco families. 135% of San Francisco Median Income, the target range, describes a family of three, two working parents and a child, with each worker earning around $50,000 a year. That income band includes a big part of the City, such as nurses and teachers, construction workers and executive assistants, all the types of folks at risk of not being able to live here.
* Much of our most vital workforce is increasingly being forced to live far from San Francisco because of the high cost of housing. We are currently doing virtually nothing to assure that middle-income families can afford to live in San Francisco .

This is a policy failure we cannot afford to continue.

Thank you for your time,
Sara O'Neill

~~LOT~~
081332

"Michael J. Sullivan"
<msull
>
11/12/2008 10:49 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,

cc

bcc

Subject Please Support Middle Income Housing in the Mission

Dear Supervisor Peskin, Maxwell and Sandoval, and Members of the Planning Commission:

I am writing to urge you to ensure a place for middle income housing in the Mission, and to reject recently introduced legislation to remove the middle income housing alternative from the Mission Area Plan.

San Francisco's median home price currently runs about $800,000. The City's inclusionary program produces subsidized units priced, on average between $180,000 for a studio to $237,000 for a two bedroom. Unfortunately, a large proportion of our City, its middle class, earns too much money to qualify for subsidized housing, but cannot afford market-rate housing. The middle income housing program proposed by the Planning Department could create housing priced at $320,000 for a 1-bedroom home and $370,000 for a 2-bedroom home. There is almost no housing being built in San Francisco at these prices - and this is the area of greatest housing need in the City.

Please vote to promote middle income housing in the Mission.

Sincerely,

Michael Sullivan

File # 081332

Eriq
11/12/2008 09:12 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,
cc
bcc
Subject (no subject)

Dear Supervisors and Planning Commissioners,

Please allow to keep middle income housing to be built in our neighborhood. I am a 45 year resident in the Mission District. We must not become a city for the rich and poor. We need to keep economic diversity in our neighborhood to have a vital and vibrant community. Middle income families are being driven out of the city in large numbers. The Eastern Neighborhoods plan had input from all segments of our community. It is unfair and unjust to only allow a few to speak for us all.

Thank You

Erick Arguello

File #081332

"Fred Sharples"
<fred(
11/13/2008 10:09 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject Please don't remove middle income housing from the Mission Plan

Dear San Francisco Board of Supervisors,

I work and live in the Mission District and I personally employ 10 people here who fit into the Mission Plan's category of 'middle income'. I want those of us who work hard and make a living wage to someday be able to afford a quality decent place to live. The Mission District is one of the last places in San Francisco where people in our medium income group can hope to buy a home. Turning the Mission into all subsidized and/or low income housing will undoubtedly squeeze out hard working professionals and turn this wonderful & economically diverse neighborhood back into the forgotten all-poor neighborhood that it once was.
It's important to support the efforts we have made to make the Mission a safer and cleaner place to live. Please think of everyone when considering removing middle income housing in the Mission District.

Sincerely,
Fred Sharples

San Francisco, CA 94110

--
Orange Design Inc.
Games - Tech - Art
)
San Francisco, CA 94110

htt:

File #081332

Susannah Meek
<smeek
>
11/14/2008 09:50 AM

To: aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,
cc:
bcc:
Subject: Middle Class Housing

To the Planning Commission:

I understand that the allocation for middle income housing requirement is being removed from the Mission Plan to make room for more subsidized low-income housing.

Please do not remove these opportunities for the middle class to live in the Mission. Housing for middle class is very scarce. We need to build the middle class, not discourage it.

Thank you,
Susannah Meek

File #081332

"Tony Rhi"
<tonyrhi
11/13/2008 12:00 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org, rm@
cc
bcc
Subject Do not support removing middle income housing alternative in the Mission

---------- Forwarded message ----------
From: **mina monnee** <minamorpho
Date: Thu, Nov 13, 2008 at 10:47 AM
Subject: favor - send email pls.
To: Tony Rhi <tony

Subject : Do not support removing middle income housing alternative in the Mission

Email :

Dear Supervisor Peskin:

Dear President Olague:
Dear Supervisor Maxwell:

A few points to consider making:

- The Mission 's economic and cultural diversity will suffer as middle income residents are forced out. The Mission needs middle income housing;
- Business will be reluctant to locate and employ more people here if their employees cannot find housing;
- The midd le income housing strategy crafted by the City relies on an economic feasibility study (the Seifel Study) that balances desired housing outcomes with what builders can reasonably build – before the economy tanked. MAC's legislation is not based on any feasibility study or economic study of any kind;
- The Mission needs investment in order to remain vital. Vitality is a balance;
- San Francisco's median home price currently runs about $800,000. The City's inclusionary (affordable housing) program produces subsidized units priced, on average between $180,000 for a studio to $237,000 for a two bedroom. Unfortunately, a large proportion of our City, its middle class, earns too much money to qualify for subsidized housing, but cannot afford market-rate housing.
- The middle income housing program proposed by the Planning Department could create housing priced at $320,000 for a 1-bedroom home and $370,000 for a 2-bedroom home. There is almost no housing being built in San Francisco at these prices.
- Middle income housing is housing for working San Francisco families. 135% of San Francisco Median Income, the target range, describes a family of three, two working parents and a child, with each worker earning around $50,000 a year. That income band includes a big part of the City, such as nurses and teachers, construction workers and executive assistants, all the types of folks at risk of not being able to live here.
- Much of our most vital workforce is increasingly being forced to live far from San Francisco because of the high cost of housing. We are currently doing virtually nothing to assure that middle-income families can afford to live in San Francisco . This is a policy failure we cannot afford to continue.

081332

Jesse Adelman

11/13/2008 11:33 AM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,

cc

bcc

Subject Please do not support removing middle income housing alternative in the Mission

Hello! Please keep the middle income housing alternative in the Mission Area Plan, and vote against any plan which removes it. While my partner and I rent in the Mission, we would like to keep the diversity of the Mission vibrant, and not make it only a neighborhood for the very poor and the very rich. Housing affordable to middle income professions, such as firefighters, police officers, teachers, small business workers and others are important to the Mission, and San Francisco as a whole, by keeping local people invested in the success of the neighborhood and the city.

Thank you for reading this, and your consideration. Again, please vote against the legislation presented by the Mission Anti-Displacement Coalition tonight, and restore the middle income housing alternative plan to this legislation before passing it. Being able to hear and adequately debate the proposals before having a vote is important, and this legislation's hasty introduction doesn't allow this.

Sincerely,

Jesse Adelman

San Francisco, CA 94110

File 081332

"Busse, Mari C." <Mari.Busse[redacted]>
11/13/2008 09:56 AM

To <board.of.supervisors@sfgov.org>
cc
bcc
Subject Do not support removing middle income housing alternative in the Mission as proposed by Daly and Quezada.

Removing the middle income housing alternative from will be detrimental to the diversity of this city. Without these mid-priced homes where will out police force, fire fighters, nurses and teachers live. Do you really want to create a city that only the very rich or the very poor can live in? Mid priced homes are vital to building a city where small businesses can flourish.

One of the reasons I enjoy living in the Mission is the rich variety of people.

Do not support removing middle income housing alternative in the Mission as proposed by Daly and Quezada.

Mari Busse

San Francisco, Ca 94110

File #081332

mina monnee
<
>
11/13/2008 10:21 AM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org,
cc
bcc
Subject Do not support removing middle income housing alternative in the Mission

Dear Supervisor Peskin:
Dear President Olague:
Dear Supervisor Maxwell:

A few points to consider making:

- The Mission 's economic and cultural diversity will suffer as middle income residents are forced out. The Mission needs middle income housing;
- Business will be reluctant to locate and employ more people here if their employees cannot find housing;
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- Much of our most vital workforce is increasingly being forced to live far from San Francisco because of the high cost of housing. We are currently doing virtually nothing to assure that middle-income families can afford to live in San Francisco . This is a policy failure we cannot afford to continue.

Mina Buehler
Mission District Resident

File #081332

"Alex Rochat"
<alex

11/13/2008 10:32 AM

To <aaron.peskin@sfgov.org>, <sophie.maxwell@sfgov.org>, <Gerardo.sandoval@sfgov.org>, <board.of.supervisors@sfgov.org>,

cc

bcc

Subject Do not support removing middle income housing alternative in the Mission

Dear Supervisor Peskin:
Dear President Olague:
Dear Supervisor Maxwell:

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- The Mission needs investment in order to remain vital. Vitality is a balance;
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Alex Rochat
Mission District Resident

Aaron Goodman
<aarc

11/13/2008 03:38 PM

To aaron.peskin@sfgov.org, sophie.maxwell@sfgov.org, Gerardo.sandoval@sfgov.org, board.of.supervisors@sfgov.org.

cc

bcc

Subject Proposed height changes / PROVIDE HOUSING "OPTIONS" per Objective 8, which INCLUDE rental housing and equitable integration in housing plans.

SF Planning & Supervisors

The need is for an adequate balance that has not occured in numerous areas of the city. I have heard the terms "density-equity" and "affordable units" used to frequently without correct balance of the types of units being created. There is a need for density and to make it equitable, ALL neighborhoods must be part of the equation on where and how to densify. The need to create not just affordable "UNITS" but RENTAL UNITS that provide a basic housing stock of rental units at base rents to start is key. The need to make these units, on and near transportation and existing ammenities is critical. The need to also provide adequate open-space, landscape, air, access to commercial and schools is also a part of the equation. The need to increase heights may be opposed by many, its the softening of these heights, with well done design and integration, through concepts and competition on designs that present the best solutions to density. Perhaps it is best to open the door a bit more to creative resolution(s) of this issue that integrate rental housing, and open space along transit routes. That provides middle income housing above 120% of the median, but also includes the rental and lack of affordability for many in the eastern neighborhoods. The concept(s) must be farther reaching, the designs not just based on height, or squeezing the most density into a floor plate. The need to make these units "livable" and attractive not only as for-profit sales, but as rentals so that there is flexibility, integration, and community buy-in to the designs and concepts generated. Think of it as the "housing expositions" of germany in the bauhaus times, the need is there, the examples, such as Parkmerced provide impetus towards what is needed, the ability to mandate the change is also there, but you need buy in by the nimby's and community organizations. The market octavia competitions sparked quite the design charrette, perhaps a planning of a better neighborhood through competition is more inclusive than invite only planning developments like the trans-bay that forclude any further thought to the ideas that could be generated....?

Please consider the priority in your decision that there is 70% renter's in this eastern neighborhoods area, the need to provide not only a base level of units, but a consistent approach to integration and housing "OPTIONS" that are inclusive and generate long-term interest in living there for people that move in can be achieved through landscape, and ammenities being located and designed into and along transit corridors. The city may need to consider land-trusts, and the purchase of housing along major transit routes to really engender the type of housing development this city needs and deserves. I would be more than eager to take the airview maps of a few major thoroughfares, and discuss the type of competition and design integration that could occur if your minds are open to the kind of change needed.....

Sincerely

A.Goodman VP @ PRO
www.;
www.

m

6

Note: Please see press release attached on Parkmerced from

11_14_2008_Press_Marvels.pdf

Board of Supervisors/BOS/SFGOV
11/18/2008 12:19 PM

To: Aaron Peskin/BOS/SFGOV@SFGOV, Chris Daly/BOS/SFGOV@SFGOV, Gerardo Sandoval/BOS/SFGOV@SFGOV, Jake
cc:
bcc:
Subject: Presidio

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548
----- Forwarded by Board of Supervisors/BOS/SFGOV on 11/18/2008 12:21 PM -----

Manuel Barroca
>
11/17/2008 09:56 PM

To: Board.of.Supervisors@sfgov.org
cc:
Subject:

Ladies and gentlemen of the Board of Supervisors,

As a resident of San Francisco, who has lived near the "post" and known the beautiful and historical Presidio for over sixty years, I urge you ,please ,to vote for the support of the resolution making it city policy to oppose the Presidio's plan to build a large, contemporary art museum and hotel on the Main Post. Not only would this concept destroy one of the most important places in the Post -- the parade grounds --where I and other decorated veterans of W.W.II were "thanked" by our government ,but one of the most central locations in the Presidio.
I like museums and am a member of some. However, this is not the appropriate location for one and a hotel complex. Look in other areas of the Presidio, if you must.

Respectfully ,

M. B.Barroca

7

Board of Supervisors /BOS/SFGOV
11/18/2008 12:20 PM

To Aaron Peskin/BOS/SFGOV@SFGOV, Chris Daly/BOS/SFGOV@SFGOV, Gerardo Sandoval/BOS/SFGOV@SFGOV, Jake
cc
bcc
Subject Fw: Don't ruin the Presidio

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548
----- Forwarded by Board of Supervisors/BOS/SFGOV on 11/18/2008 12:24 PM -----

Marjorie Goody

11/17/2008 05:56 PM

To "Board of Supervisors" <Board.of.Supervisors@sfgov.org>
cc
Subject Don't ruin the Presidio

To Members of the SF Board of Supervisors

The So-Called 'Modern Marvels' are NIGHTMARES !!

- A huge, predominantly **white, two-story glass, stone and steel building**
- The **100,000-square-foot building** would include 55,000 sq.ft. of
- gallery space
- **Photography studio and ceramics workshop**
- **Art lessons and art lectures**
- **Underground parking for 100 vehicles**
- **Hotel Complex**

These would ruin the historic and peaceful integrity of The Presidio!
The Presidio is already financially self-sufficient so the Presidio Trust cannot use the excuse that they need MORE REVENUE !
The job of the Presidio Trust is:

'to preserve & protect The Presidio'.

The main Post does not NEED to be REVITALIZED ~~ it's just fine the way it is, and has historically been. We need the parking area

where people can park their cars and go off for hikes or picnics in the surrounding area or visit the exhibits at The Officers' Club and the new Disney Museum. Enough already!!

We want to keep the YMCA Gym & the Bowling Alley!

PLEASE ~ NO new museum! NO new hotel (there are structures already in place that can be converted to museums and/or hotels if needed)!

Respectfully submitted by:
Dr. Marjorie Goody
SF Native

Clerk of The Board of Supervisors
File # 081418
c: BOS
c: DR
c: cpage

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2008 NOV 17 AM 11:32
BY

November 14, 2008

COPY

BARBARY COAST NEIGHBORHOOD ASSOCIATION

SAN FRANCISCO, CA 94111

E-MAIL:

WEBSITE:
www.b

San Francisco Planning Commission
1650 Mission St, 4th Floor
San Francisco CA 94103

Via U.S. Mail

Re: **110 The Embarcadero, Assessor's Block 3715, Lot 002;**
Case No. 2006.1294BKMXZ and 2006.1294E - Opposition to Proposed Rezoning and Support of Appeal of Preliminary Mitigated Negative Declaration

Dear President Olague and Planning Commissioners:

On behalf of the Barbary Coast Neighborhood Association (BCNA), I am writing in support of the appeals of the above referenced Preliminary Mitigated Negative (PMND) filed by San Franciscans for Reasonable Growth (SFRG) and Rincon Point Neighbors Association, and in opposition to the proposed rezoning of a single site on the west side of The Embarcadero from an 84-X Height and Bulk District to a 130-X Height and Bulk District to accommodate the proposed new building. We also support the need for an EIR as there are a number of questions related to the impact of the proposed building on the adjacent historical buildings as well as on the surrounding built environment and neighborhoods.

Oppose increased building heights along the waterfront

The BCNA's development review guidelines require that new developments must be in compliance with existing codes relative to height, bulk, and compatibility with adjoining buildings.

We believe that the proposed increase in building heights and bulk are in conflict with a number of the SF General Plan policies which require new buildings to "respect the character of older development nearby" (General Plan policy 12.3) and to relate to the "height and character of existing and proposed development" (General Plan policy 13.1). In addition, the Waterfront Land Use Plan policies pertaining to heights along The Embarcadero require that buildings taper down to the waterfront. A sound argument has not been made for the proposed variance in height and bulk zoning.

Support for an EIR

The BCNA opposes the PMND and supports an EIR for this proposed project. BCNA upholds the use of the EIR to ascertain what the effect of any one development will have on their community as it relates to other development projects in the pipeline. BCNA urges the San Francisco Planning Department to address the cumulative effects of multiple developments within the Waterfront neighborhood communities. Assessing the details and the impact of each singular project is vital, but the aggregate impact of multiple new projects on neighborhood life must be included in the EIR for each individual project.

(Continued on Next Page)

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In summary, the Barbary Coast Neighborhood Association supports new development that provides for thorough review by all community interests. A full EIR provides for just such a process. More importantly, allowing an increased height at this important waterfront location is in conflict with not only existing policies but community interest.

Sincerely,

William Sauro
President
Barbary Coast Neighborhood Association

cc: Aaron Peskin, Supervisor, District 3
John Rahaim, Director, Planning Department
Don Lewis, Planning Department, Major Environmental Analysis
Kevin Guy, Planning Department
Sue C. Hestor, Esq., San Franciscans for Reasonable Growth
David Osgood, Rincon Point Neighbors Association
Telegraph Hill Dwellers, Waterfront Committee

SAN FRANCISCO
PLANNING DEPARTMENT

November 14, 2008

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

TO: Responsible Agencies, Trustee Agencies, and Interested Parties:

RE: **CASE NO. 2005.0963E – CRYSTAL SPRINGS PIPELINE NO. 2 REPLACEMENT PROJECT**

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND NOTICE OF PUBLIC SCOPING MEETING

A Notice of Preparation (NOP) of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) and a Notice of Public Scoping Meeting for the above-referenced project, described below, has been issued by the San Francisco Planning Department. The NOP and Notice of Public Scoping Meeting is either attached or is available at the San Francisco Planning Department's website (www.sfplanning.org/mea), and upon request from **Susan Mickelsen**, who may be reached at **(415) 575-9039**, susan.mickelsen@sfgov.org, or by mail at the above address. This notice is being sent to you because you have been identified as potentially having an interest in the project or the project area.

Project Description: The San Francisco Public Utilities Commission (SFPUC) proposes to upgrade and replace portions of the Crystal Springs Pipeline No. 2 (CSPL 2), which extends (south to north) from the Crystal Springs Pump Station at the base of Lower Crystal Springs Dam in an unincorporated area of San Mateo County, through the Town of Hillsborough and the cities of San Mateo, Burlingame, Millbrae, San Bruno, South San Francisco, Brisbane, Daly City, and into the City and County of San Francisco, terminating at the University Mound Reservoir in southeastern San Francisco. The proposed improvements would ensure the continued delivery of potable water to customers served by this pipeline in the event of a major earthquake. The proposed CSPL 2 project (Project) is one of the facility improvement projects that the SFPUC proposes to implement under the SFPUC's Water System Improvement Program to meet system objectives and service goals.

During the past several years, the SFPUC has conducted numerous studies to determine the structural condition of the CSPL 2, identify locations requiring replacement to withstand an earthquake and locations exhibiting substantial corrosion that could affect the system's ability to transport water both during and after a major earthquake. Based on the results of these studies, the SFPUC proposes to implement the Project to address the deficiencies identified along the CSPL 2. A total of 19 sites, along the entire 19-mile length of the CSPL 2, have been identified where improvements are proposed. These sites are identified as Sites 1 through 19 (south to north) along the pipeline. The combined length of pipeline replacement is approximately 5 miles. In addition to improvements at these 19 sites, the SFPUC also proposes to install new cathodic protection equipment at nine other sites and insulated flange joints (referred to as electrical isolation) at up to 35 sites to protect the pipeline from external corrosion, thereby maintaining and extending the serviceable life of the CSPL 2.

Pursuant to the NOP, the San Francisco Planning Department has determined that an EIR must be prepared for the proposed Project prior to any final decision by the SFPUC regarding whether to approve and implement the proposed Project. The purpose of the EIR is to provide information about potentially significant adverse environmental effects of the proposed Project, to identify possible ways to minimize any potentially significant adverse effects, and to describe and analyze feasible alternatives to the proposed Project. Please note that preparation of a NOP or EIR does not indicate a decision by the

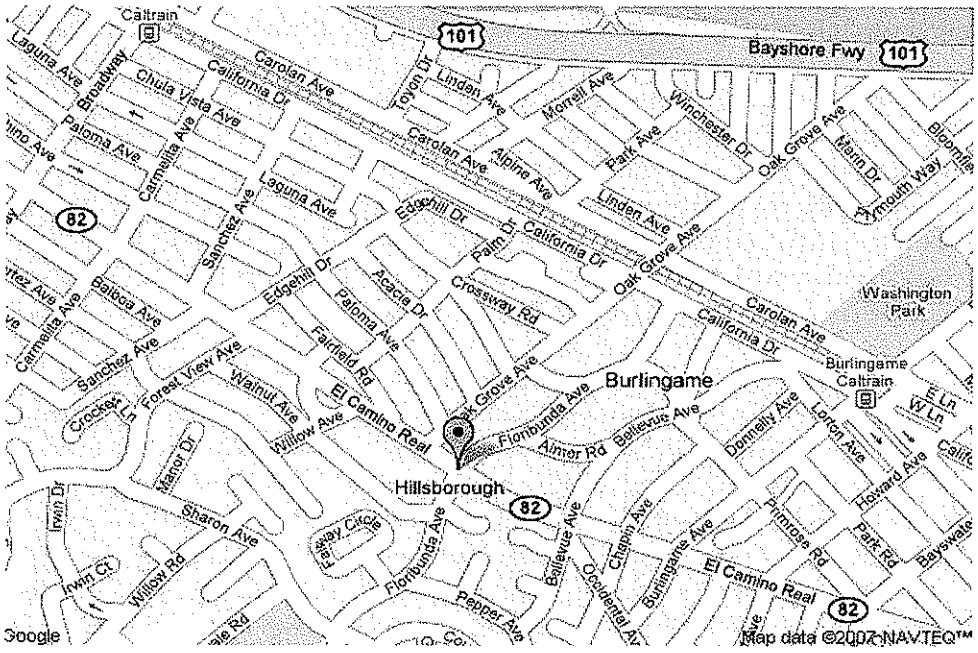
City of San Francisco to approve or to disapprove the proposed Project. However, prior to making any such decision, the SFPUC must review and consider the information contained in the EIR.

The San Francisco Planning Department will hold a **PUBLIC SCOPING MEETING** at the location, date, and time listed below. The purpose of this meeting will be to receive verbal comments that will assist the San Francisco Planning Department in reviewing the scope of the proposed Project's environmental impact analysis and information to be contained in the EIR. The public will have the opportunity to comment and offer testimony for consideration. The San Francisco Planning Department also will accept written comments at the meeting or by mail, email, or fax until the close of business (5:00 p.m.) on **December 15, 2008**. Written comments should be sent by mail to San Francisco Planning Department, Attn: Bill Wycko, Environmental Review Officer, CSPL2 Scoping Comments, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2479; by fax to (415) 558-6409; or by e-mail to susan.mickelsen@sfgov.org.

PUBLIC SCOPING MEETING LOCATION, DATE, AND TIME:

Date: **Wednesday, December 3, 2008**
6:30 – 7:00 p.m. Information Session
7:00 p.m. Scoping Meeting

Location: **Town Hall Auditorium**
1600 Floribunda Avenue
Hillsborough, CA 94010



If you work for an agency that is a Responsible or a Trustee Agency, we need to know the views of your agency as to the scope and content of the environmental information that is relevant to your agency's statutory responsibilities in connection with the proposed Project. Your agency may need to use the EIR when considering a permit or other approval for this proposed Project. We will also need the name of the contact person for your agency. If you have questions concerning environmental review of the proposed Project under CEQA, please contact Susan Mickelsen at (415) 575-9039 or susan.mickelsen@sfgov.org.

Lee Mentley
<leem
11/15/2008 05:38 AM
Please respond to
leementley@sbcglobal.net

To Gavin Newsom <gavin.newsom@sfgov.org>, ·SanFrancisco Clerkof TheBoard <board.of.supervisors@sfgov.org>, San Francisco Examiner <letters@examiner.com>

cc

bcc

Subject San Francisco Holocaust memorial vandalized again

HRH Lee Mentley
Los Angeles, CA 90022

"Its one thing for children to be afraid of the dark,
its another for adults to be afraid of the light"

The City Leaders should put this Holocaust Memorial under 24 hour camera surveillance so that they can caught the vandals. How many times do you let a crime be repeated before you increase the security? We have the technology. The City could put the camera on the Internet and let the people be the security.

http://

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Thomas Fulton

11/17/2008 11:59 AM

To board.of.supervisors@sfgov.org

cc

bcc

Subject Repeal Prop 8

Hi,

Have you signed the pledge to repeal Prop 8?

I just did. And over 200,000 other people have signed the pledge from the Courage Campaign, CREDO Mobile, and MoveOn.org to repeal Prop 8 and restore marriage equality to California:

Usually, discussions of political issues wind down after elections, but Prop 8 is not about politics. It is about love, equality and civil rights. That's why we cannot let the passage of Prop 8 stand.

We all need to talk to our family and friends about the importance of restoring marriage equality to California.

That is why I am asking you to sign the pledge to repeal Prop 8 and to tell your friends by forwarding this message.

Thanks.

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Patrick Missud
Attorney at Law

San Francisco, CA, 94112

November 14, 2008

Jack Lucero Fleck
San Fran. Mun. Transp. Agency
One South Van Ness Ave., 7th Flr
San Francisco, CA, 94103

Re: Your Sept. 19, 2008 reply to Desales concerning the Alemany-San Juan intersection [Intersection]
Via: First Class, Electronic, Certified #7008 1300 0002 0823 6442

Dear Mr. Fleck,

I reside at 91 San Juan Avenue, approximately 50 feet from the 'dead' center of the referenced Intersection. In the nine years since moving in, I have lost count of the fatal and non fatal, car collisions and pedestrian accidents at that Intersection.

The brief list that I can recollect, in no particular order, and occurring just within the past three years is: A hit and run wherein two in a Honda were injured, the passenger with a chest contusion preventing her from breathing; A motorcyclist broad siding a passenger van which had not timely cleared the intersection; A hysterical woman whose broadsided car was spun around and ended up on the center median; Another shocked woman whose broadsided car was spun around facing the wrong direction on Alemany; A hit and run resulting in a parked car's rear clip made into an accordian; Another hit and run by a pizza delivery boy who slammed into the back of two parked cars; and the October 9, 2008, incident, details of which you already know.

If I tax my memory and increase the range of destruction by only two blocks in each direction along Alemany, four additional crashes come to mind. Nearly every week, I have to escort geriatric ladies from San Juan's one and two hundred blocks to safely get across to Mission Street's shopping. I myself frequently have to sprint to avoid being mowed down by Northbound's speeding traffic as it comes around the blind curve. Even when invited, I always refuse to cross when only one of the two lanes 'yields' to me as a pedestrian. This because I realize the false sense of security provided by those artful and distracting yellow road signs which will invariably and minimally lead to car crushed toes by that second speedy lane of traffic.

If there is a silver lining to all of this, it is that I routinely get to interact with my neighbors Chris and Ken at least every other month when we all put our EMT hats on to

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aid the wounded. Your letter to Mr. Desales states that your division will make "no changes to the existing arrangement of traffic controls." Please know that in the 120 days that it takes to approve or deny a request to change those traffic control arrangements, there will be another accident.

Municipalities normally have sovereign immunity, unless they have notice of an abnormally hazardous condition. Copies of this letter have been prepared for the next victim's or victims' attorney. It will provide those plaintiffs with certified proof of municipal notice of the unacceptable conditions at the Intersection. It will also provide proof to the media that your organization and elected individuals were non or mal feasant in executing any of the much safer inexpensive traffic control alternatives.

In the meanwhile, I will sit in my home office with ears piqued for the inevitable sounds of screeching tires followed by the crunching of steel on steel, or thud of steel on bone. Copies of this letter will be hanging on a nail by the front entrance to my home for easy distribution for when that time comes.

Cordially,

/S/ Patrick Missud

Patrick Missud

Cc:
Mayor Gavin Newsom
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Office of the City Attorney
Dennis Herrera
City Hall, Room 234
San Francisco, CA 94102

District 11 Supervisor Avalos
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

cityattorney@sfgov.org

wbuchanan@sfchronicle.com
jdoyle@sfchronicle.com
board.of.supervisors@sfgov.org

Board of Supervisors/BOS/SFGOV
11/17/2008 11:35 AM

To BOS Constituent Mail Distribution
cc
bcc
Subject Fw: Public input for Board of Supervisors

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548
----- Forwarded by Board of Supervisors/BOS/SFGOV on 11/17/2008 11:40 AM -----

<sistajean52@yahoo.com>
11/15/2008 06:56 PM

To <Board.of.Supervisors@sfgov.org>
cc
Subject Public input for Board of Supervisors

Submitted on: 11/15/2008 6:56:37 PM

name: Jeannette Hassberg

phone:

comments: I am concerned that the amendment to Noise Ordinance 2909(c) will, by prohibiting the use of bullhorns within certain areas, infringe on the free speech of legally assembled citizen protests. Many issues are so urgent that the noise issue is not the most important, and in these volatile times, ordinary people frequently find themselves and their issues closed out of the "civilized" process which occurs behind closed doors. This very undemocratic new feature of the ordinance can be used to squelch dissent, to arrest people unfairly and claim they were making noise, and thus put a chill on our right to rally in public.
Please re-think this issue, and seek the opinion of unions, neighborhood groups, and the local ACLU before putting it into effect.
Thank you,
Jeannette Hassberg

User Data

Client IP (REMOTE_ADDR) : 76.14.46.27
Client IP via Proxy (HTTP_X_FORWARDED_FOR) :

13

Board of Supervisors/BOS/SFGOV
11/17/2008 11:31 AM

To Olivia Scanlon/BOS/SFGOV, Katy Tang/BOS/SFGOV,
cc
bcc
Subject Fw: Public input for Board of Supervisors

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.
http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548
----- Forwarded by Board of Supervisors/BOS/SFGOV on 11/17/2008 11:35 AM -----

<gil_seaboarn
11/14/2008 02:38 PM

To <Board.of.Supervisors@sfgov.org>
cc
Subject Public input for Board of Supervisors

Submitted on: 11/14/2008 2:38:02 PM

name: Gil Seaboarn

phone:

comments: Dear Supervisors,
I am Sunset (19 th Ave.) area resident for 30 years. During this time while streets traffic had increased tremendously, so does decibels noise level of the traffic noise! Biggest noise offenders are:
1. Cars with "sport-racing" modifications,
2. Motorcycles with some modifications,
3. Loud blasting music playing while driving.
Is it possible to find solution to this problem?
We know it's not a crime fighting issue, but can PD take some actions?
Thanks,
Gil

User Data

Client IP (REMOTE_ADDR) : 99.2.149.2
Client IP via Proxy (HTTP_X_FORWARDED_FOR) :

14

<wvanrij@
11/10/2008 07:27 PM

To <Board.of.Supervisors@sfgov.org>
cc
bcc
Subject Public input for Board of Supervisors

Submitted on: 11/10/2008 7:27:22 PM

name: Wim van Rij

phone:

comments:
Dear Sirs,

I have been visiting Alcatraz by today and like to notice the following.

From what they have told us at the beginning at the tour, is that more then 1.000.000 People is visiting the rock. Calculating learns that the income per year is far more then
30.000.00 Dollar.

On the same beginning the man on the photo is telling that the rock is a state park and all your doing to disturb that is a crime against the state.

However the only big mess I have seen on the rock is not coming from people visiting, but from own workers. Beside if you look on what is coming in on money, than noting is happening to rebuild the facilities on the rock. The money coming in, it looks like is disappearing for other purpose.

It is a crime to get so much money in and do so less to protect the history of what the state USA has done to his citizens in the past.

I suppose that the money machine is going on until the rock is disabled, some one has to take responsibility for it.

I am not a citizen of the USA and have maybe not the right to make this remarks, but as a world citizen I think that I can speak for the rest of the world.

Say a lot do nothing looks like here the matter, as long the Money is coming in.

Can you please let me know what I have to send my remarks to.

I have made photo's from the mess on the rock and I like to address this to the person it belongs.

In anticipation for your reply,

W. van Rij

15

Emile Lawrence
<

11/12/2008 12:46 PM
Please respond to
emilelawrence@yahoo.com

To ethics.commission@sfgov.org, roberta.boomer@sfmta.com, mtaboard@sfmta.com, civilservice@sfgov.org, board.of.supervisors@sfgov.org
cc
bcc
Subject Why There are Unemployed Veterans in SF: SF Chronicle Story

The SF Chronicle: No Way to Honor Veterans with 2000 Veterans Homeless in SF: Story on Veteran's Day
Story: Tuesday, November 11, 2008
By CWNevius

Mr. Nevius: cwnevius@sfcrhonicle.com

I follow your stories, you are one of the better journalists at the paper. You have writtten about the taxi industry and the one story in Tuesday's paper on the Vets hits home, too. I will tell you how this City and County honors the vets. They ignore them unless they are urinating on the steps of City Hall. I have no doubt that there are 2000 homeless vets in San Francisco. The present and past mayors have been oblivious the facts while they surrounded themselves with non-vets and high paid cronies. This is the reality here.

The following is my story. I am a Viet Nam Era veteran of the United States Navy. And, although I never saw war in South East Asia, I come from a whole line of veterans, where many have. My uncle was in the 82nd Airborne in Korea and got frostbitten hands and feet, for his efforts. One of my brothers did duty in the Mekong Delta in Viet Nam and my father worked in Saigon, under Chief of Staff General McChristian, organizing the intelligence operations of all South Viet Nam. He got blown up one day and spent 13 months in a hospital in Tokyo, for his efforts. For many vets coming back from Iraq or Afganistan, this type of hospital stay is a normal routine.

But, as a vet that spent time on submarines, oilers and submarine repair ships, today I also drive a taxi in this City to pay my bills. Many vets have triple standards working against them, many standard they do not know about. As a taxi driver and vet under this and past Administrations, I have seen vets begging in the streets. And, as a veteran, under the City's Civil Service System, also, I have been applying for posts in the County for five years. Every doc had vet on it. I have documented every application since 2006, for the last two years when I applied for a post as Deputy Director, Administrative Analyst 1823 at the San Francisco Taxi Commission and was bumped for the job by Mayor Gavin Newsom, when he and the past Director got together and morphed the official posting into one that led to the hiring of Newsom's Campaign advisor, helper, paper pusher or aide. I complained to the Civil Service Commission and they stated: With ten years of taxi background, although I was the most qualified, the Commission stated this is normal business. I gave the Taxi Agency Director and the Mayor my DD-214 and other documents.

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Since 2006, for which I have all documents, I have filled out applications for 176 positions in the County. These positions were not just everyday posts , but were for vacancies such as Administrative Analyst Classes 1820, 1822, 1823, 1824 & 1825. I have also filled out several for SFO under the 9255 Economic Planner Classes. And, it is not as if I have been unrated or unqualified for these posts. As a vet with veteran's preference forms and an AA, BA, MBA and sixty documented college units of office software including Microsoft Office Suite which includes Access, Excel, PowerPoint, Word, Frontpage and Publisher to the advanced level, I have had only one interview. The year 2009 is approaching. The SF Taxi and the Municpal Transportation Agency MTA do not hire veterans or cab drivers or both. In July of this year, I applied for the new Director of Taxi Access and Administration post which is open. There is no one person more qualified in this City, by City rules and Registry. I applied by giving the MTA Commission seven copies of my application. As of this date, the MTA has ignored me as well. The Taxi Commission is only moving into it, shortly. Debra Johnson, who was the MTA's past Human Resource Director, who is now the MTA Chief of Staff, trashed over 15 of my Administrative Analyst Applications over the past two years without so much as a letter, and turned me down for a voice on the Taxi Advisory Committee TAG, by picking someone who has some difficulty with the English lanquage. And, this is although I have been on Taxi and MTA closed circuit TV for two years, talking about these posts for drivers, vets and the fact that drivers in this County have no unemployment benefits, no pension benefits, no health benefits, etc, etc,. In spite of these talks, none of these Commissioners have not even asked me: What day is it, today?

And, this is not as if I am unrated by the City. Phil Ginsburg, who was the Human Resource Director in 2006, now Gavin Newsom's on and off Chief of Staff, rated me with a 1000 Civil Service points in four of these categories, which is the top of the Special Civil Service Registry spectrum. The max that one can get on any of these Civil Service exams is 1060 points. At SFO for Economic Planner I was rated at 1035 points, which did not get me an interview, either. And, this is nothing new. Carmen Chew (excuse my spelling if I have the name mispelled) the woman picked by the Mayor to fill Ed. Jew's spot was picked for the Budget Analyst Post I applied for in early 2006. But, her degree was in Public Policy and to get on the Special Civil Service Registry, to get the an analyst post, one needed an MA in Accounting or Finance. This is something she never had and still does not have.

As for a vet getting a real job in this city, outside of a lawsuit, tell me, how? Ask the Mayor, "Where is the Beef, Dude?"

Sincerely

Emile Lawrence

San Francisco, CA 94128

cc: SF Taxi Commission, MTA Commission, Civil Service Commission, Ethics Commission, Sf supervisors, H. R. Dept

c: Angela C
Lind Wong

Colantuono & Levin, PC

C&L Newsletter

Update on Public Law

Los Angeles • Nevada County Fall 2008

Double Standard for Single Subjects?

By Sandra J. Levin

In a recent decision, the Second District Court of Appeal held that ballot measures initiated by a city council need not comply with the "single-subject rule." In *Hernandez v. County of Los Angeles* the court adopted a strict interpretation of this constitutional requirement and opened new political doors for local ballot measures.

The single-subject rule, found in Article II of the California Constitution, provides that "[a]n initiative measure embracing more than one subject may not be submitted to the electors or have any effect." As the *Hernandez* court explains, the purpose of this rule is "to prevent politicians and special interests from manipulating the initiative process by bundling together measures to force voters to accept all or none of them, when, if they were submitted to the voters separately, the voters would likely accept some and reject others."

In *Hernandez,* Los Angeles placed a measure on the ballot to accomplish three goals: (1) amend the charter to increase councilmember term limits from two terms to three; (2) prohibit lobbyists from serving as city commissioners or making campaign contributions to city officials and candidates; and (3) revise the city's ethics laws. Voters filed a challenge, contending that the measure violated the single-subject rule by forcing voters to vote for all three goals in order to accomplish even one and political argument in the city asserted the second and third objectives were mere window-dressing.

Both the Superior Court and the Second District Court of Appeal agreed that the measure addressed multiple subjects. In fact, the trial court stated that the manipulation ordinarily prohibited by the single-subject rule "is precisely the effect of the bundling in this case." Both courts agreed it was likely many voters would want to vote for the anti-lobbying and ethics provisions and against the term-limits provisions, but were not given opportunity to do so.

Nonetheless, both the trial court and the Court of Appeal concluded that the single-subject rule does not apply because the plain words of the Constitution state that the rule applies to "initiative measures." *Hernandez* concluded that a city council-initiated measure is not an "initiative" for several reasons.

First, the same constitutional section that imposes the single-subject rule also defines an initiative as "the power of the *electors* to propose statutes and amendments to the Constitution and to adopt or reject them" and city council-initiated measures are, of course, proposed by the council. Second, the Constitution defines two alternative methods to propose a charter amendment: an initiative petition or a ballot measure proposed by the city's legislative body. Third, a council-initiated measure is not proposed by voters – even if suggested by voters – because the Constitution provides that the only way electors may propose initiatives is by petition.

Finally, the *Hernandez* court noted that there are significant policy reasons for not "encumbering governing bodies of charter cities" with a single-subject requirement. The court pointed out that, by limiting the application of the single-subject rule, the framers enabled charter cities to sponsor measures accomplishing comprehensive reform at the ballot box and to group multiple technical amendments into a single measure. "Since every ballot question carries significant administrative costs, substantial efficiencies can be achieved by a city council's authority to group technical changes of disparate but reasonably related provisions and statutory amendments into one measure to achieve a common theme or purpose."

Although some of the court's reasoning addressed the rules applicable particularly to charter cities and charter amendments, both the reasoning interpreting the single-subject rule and the court's ultimate conclusion apply to ballot measures sponsored by the city councils of general law cities and county boards of supervisors, as well.

As a result, local agencies need not comply with the single-subject rule and now have a broader range of strategic options when proposing ballot measures.

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For more information on this topic, contact Sandi at 213/533-4143 or SLevin@CLLAW.US.

LAFCOs Now Regulate CSAs

By Holly O. Whatley

Several changes to the state's County Service Area law are on the horizon when SB 1458 takes effect January 1, 2009. County Service Areas (CSAs) are a tool routinely used by counties to finance and provide public facilities and services to unincorporated territory. SB 1458 is a comprehensive revision of the CSA statute and makes formation or reorganization of a CSA subject to the Cortese-Knox-Hertzberg Act. Although most LAFCO lawyers believe CSAs were subject to LAFCO authority under existing law, there will be no room to argue otherwise after the first of the year. As a result, LAFCOs throughout the state will have responsibility to evaluate proposals to create and reorganize CSAs or to change the services a CSA provides.

To prepare to take on this new responsibility, the statute requires each LAFCO to establish the services provided by every existing CSA in its jurisdiction as of January 1, 2009. A LAFCO should consult with the county and attempt to reach agreement on this point by year end. This baseline will allow LAFCO to evaluate whether future change in the services provided by a CSA require LAFCO approval. After January 1, 2009, all proposals to activate latent powers of a CSA require LAFCO approval. If LAFCO determines that another local agency provides substantially similar services or facilities to the area to be served by a CSA, SB 1458 prohibits LAFCO from allowing the CSA to exercise its latent powers. Presumably if a reorganization eliminates the duplicate service provider's services to the area in question, the CSA could be permitted to activate latent powers.

Given this new role for LAFCO, and given the relatively low level of scrutiny many CSAs have received in the past, counties may wish to take action to eliminate dormant CSAs and otherwise rationalize their CSAs before the first of the year if it is feasible to do so and if the local LAFCO does not take the position that it already has jurisdiction over CSAs.

SB 1458 also tasks LAFCOs to act on proposals to form or reorganize a CSA initiated by petition. As with other reorganizations, a proposal to form or reorganize a CSA may proceed either by petition or via resolution of an affected city, county or district. If LAFCO determines a petition or resolution to be sufficient, then, with certain exceptions, it must act on the proposal as it would with respect to the proposed formation of a special district or incorporation of a city. LAFCO may not approve a proposal where it determines the CSA will not have sufficient revenue to serve its purposes. However, LAFCO may approve a proposal involving insufficient revenues on condition that voters or landowners approve a revenue measure to provide the necessary funds, such as a special tax, benefit assessment or property-related fee.

By requiring LAFCO review of the formation or reorganization of CSAs, SB 1458 enables LAFCOs better to meet their legislative mandate to encourage orderly growth and development. In particular, inclusion of CSAs within LAFCO's jurisdiction provides LAFCOs the broad authority they need to ensure the services and facilities of proposed new CSAs do not overlap with those of existing local agencies or foster development in unincorporated areas better left to non-urban uses.

In other words, the law is a new tool to help LAFCOs prevent sprawl.

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For more information on LAFCO law, contact Holly at 213/533-4190 or HWhatley@CLLAW.US.

C&L Welcomes Erwin M. Benedicto

Colantuono & Levin welcomes Erwin M. Benedicto to its Litigation Department, where he will focus on public-sector disputes, including labor and employment, public finance, election and land use issues.

Prior to joining C&L, Erwin represented public entities in tort litigation and civil rights claims.

He was second chair in a recent federal trial in which he defended LA-County and its sheriff's deputies against claims of excessive force, denial of medical care, and violations of the Americans with Disabilities Act.

He also served as second chair in a state court trial in which he and his colleagues successfully defended LA County and county employee against alleged due process violations in a child-support matter.

Finally, he won a victory in the U.S. Court of Appeals for the Ninth Circuit affirming summary judgment for LA County, Sheriff Baca, and sheriff's deputies in a case alleging excessive force and false arrest arising from an incident at the Los Angeles Superior Court.

Erwin received his law degree from the University of California, Los Angeles School of Law in 2004 where he was an Associate Editor for the **Asian Pacific American Legal Journal**. He received his undergraduate degrees in History and Ethnic Studies from the University of California, San Diego in 2000. Erwin is conversant in Tagalog.

Erwin's experience adds depth to our litigation department. He can be reached at (213) 533-4206 and EBenedicto@CLLAW.US.

Welcome Erwin!

Legislature Gets Specific About Utility Rates

By Michael G. Colantuono

Two new statutes governing water and other utility rates exemplify the maxim, "be careful what you ask for, because you might get it." AB 3030 (Brownley, D-Santa Monica) authorizes local governments to adjust water, sewer and trash rates for inflation without a renewed ratepayer protest proceeding under Prop. 218, but mandates new majority protest proceedings every 5 years. As local utilities arguably had the authority to use inflation adjustments indefinitely under prior law, a special district's request for clarity has led to a loss of authority for local government. Similarly, AB 2882 (Walk, D-Vacaville) clarifies that water utilities may impose consumption-based rates which penalize water waste, but is so specific that it complicates the task of imposing such rates. Again, local governments arguably had this authority before this legislation and many agencies have imposed such rates with little apparent risk of litigation. Details on the bills follow.

Inflation Adjustment and Wholesale Rate Pass-throughs. Prop. 218 requires a majority protest proceeding to impose or increase "property related fees," including fees for water, sanitary sewer and trash services provided by government employees. This requires a mailed notice to every affected ratepayer, a public hearing at least 45 days later, and acceptance of written protests. If a majority of affected ratepayers protest, a fee may not be imposed. For property related fees for services other than water, sewer and trash service – such as some storm water fees – 2/3-voter approval is also required. The Prop. 218 Omnibus Implementation Act of 1997, adopted to clarify the requirements of this measure, states that inflation adjustment is not an "increase" for which a protest proceeding is required if the inflation-adjustment formula was voter approved or existed in 1996. However, many public lawyers interpreted the law to require a protest hearing on an inflation-adjustment device only when it was first established. Moreover, these lawyers viewed the law as allowing a pass-through of wholesale rate increases – *e.g.*, a provision allowing a water retailer to increase its rates to reflect increases in wholesale rates without a new protest hearing – provided that these aspects of rates were described in the notice of the original protest hearing. Because that interpretation was not expressly stated in either the proposition or the statute, however, some doubted it.

AB 3030 expressly allows non-voter-approved inflation adjustments and wholesale rate pass-throughs for water, sanitary sewer and government-provided trash rates provided: (i) they do not apply for more than 5 years without a new protest hearing, and (ii) 30 days' notice is given each time the inflation-adjustment or pass-through is implemented, although this can be included in utility bills. In addition, by specifying that pass-throughs of wholesale rates are permitted, the statute can be interpreted to impliedly exclude other pass-throughs – such as those of power and labor cost increases.

Conservation Water Rates. Prop. 218 requires that a property related fee, not exceed the "proportional cost of the service attributable to the parcel." Neither Prop. 218 nor the Omnibus Implementation Act shed much light on this requirement and the courts have not yet had opportunity to give substance to it, either. Questions arose whether the common practice of encouraging water conservation by imposing so-called "consumption bloc rates," which charge a lower rate for a first bloc of water consumed and higher rates for additional consumption, are still permitted. Public lawyers have sought to justify these rates – which make very good sense in a desert state with a Constitution that mandates beneficial use of water – either as reflecting higher service costs associated with relatively less economical sources of additional water (*i.e.*, assigning an agency's cheapest source of water to most efficient uses, and more expensive sources to more wasteful uses) or as regulatory fees not subject to Prop. 218.

AB 2882 applies to water utilities which serve more than 3000 customers or more than 3000 acre feet per year. It is "in addition to any other authority that a public entity has to use rate structure design to foster the conservation of water." It provide highly detailed rules for conservation rates that are likely to be cited in both political and legal arguments as to how such rates *must* be established. Thus, the legislation may have the practical effect of reducing, rather than merely clarifying, local government authority. Among its major requirements are: (i) rates must be based on metered water use, (ii) basic use allocations must provide "a reasonable amount of water for the customer's needs and property characteristics," (iii) "the volumetric prices for the lowest through the highest priced increments shall be established in an ascending relationship that is economically structured to encourage conservation," and (iv) rates must be proportional to: (a) customer classes, (b) basic use allocations, (c) meter size, (d) water consumed, (e) the discretionary allocation of incremental costs between water rate tiers.

These new laws take effect Jan. 1, 2009 and local agencies that provide water, sanitary sewer and trash service should not impose rates after the new year which do not account for these new laws. While local authority is now clearer, it surely is no broader!

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For more information on this subject, contact Michael at 530/432-7359 or MColantuono@CLLAW.US.

Colantuono & Levin, PC
555 West 5th Street, 31st Floor
Los Angeles, CA 90013-1018

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San Mateo Arboretum Society

Plant Clinics & Sunday Garden Seminars

Free to the public on the first Sunday of each month.
No reservations required. Refreshments will be served at the seminar.

Master Gardener Plant Clinic: Sun Nov 2, 11:30 am - 1 pm. The San Mateo Master Gardeners will diagnose your plant problems and answer your gardening questions. These plant clinics offer the public a chance to bring their plant samples and ask questions on a wide range of garden topics.

Open Your Eyes to the Wonderful World of Cacti and Succulents, Nov 2, 1 - 3 pm. A panel of speakers from Peninsula Succulent Society will cover such topics as: tips for beginners, culture and propagation, and exploring color and texture thru succulents.

Wreath Making Workshop: Sun Dec 7, 9:30 am - noon . Bring your imagination and pruning shears. Greens and a frame will be supplied. By using colorful greens and cuttings from the San Mateo Central Park, you will be able to create a one-of-a-kind beautiful wreath. This is a family activity appropriate for all ages, the more the merrier. Fee: $10 members; $20 nonmembers. Space is limited, so call for reservations. (650) 574-1677 or 574-4811.

Additional Events

Ikebana Flower Arranging: Tuesdays Oct 7 - Nov 4 (5 meetings), **1 - 3:30 pm** & **Nov 11 - Dec 9** (5 meetings), **1 - 3:30 pm.** In the peaceful setting of the San Mateo Arboretum, learn the exquisite art of arranging fresh floral materials in the beautiful and dramatic Japanese style. Creating a beautiful arrangement in each class, you will develop an understanding of Ikebana design principles, good material combinations, and freshness preservation. All floral materials provided by instructor Nancy Locke who holds a Sanyo degree from the Wafu School of Ikebana. Advance registration required. For more information and fees, contact Nancy Locke, at (650) 340-9647.

Nursery/Greenhouse: Tuesday, Thursday, 10 am - 3 pm & Sunday, 10 am - noon. Our greenhouse is open to the public with a variety of unique plants at very reasonable prices. We try to maintain the above hours, but since our greenhouse is staffed by volunteers, we may occasionally be closed, so call **579-0536** before coming. **Become a SMAS member and receive a 10% discount in addition to supporting San Mateo Central Park!**

Facility Rental Information: The Victorian Garden and Pumphouse are available to rent. The facility can be used for small indoor and outdoor business & social functions. Indoor functions maximum 50 guests, indoor combined with outdoor space maximum 125 guests. For additional information contact Elayne Snyder, 650-347-0815.

All the above events will be at the Kohl Pumphouse of the San Mateo Arboretum Society in San Mateo Central Park.
Enter at Ninth Ave. & Palm Ave.
www.SanMateoArboretum.org; (650) 579-0536

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Early November 2008

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Greg Gabby
900 Bush St., Apt. #612
San Francisco, CA 94109

Mr. GREG GABB[Y]

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