

100381

Petitions and Communications received from March 16, 2010, through March 22, 2010, for reference by the President to Committee considering related matters or to be ordered filed by the Clerk on March 30, 2010.

From Office of Citizen Complaints, submitting the 2009 Annual Report. (1)

From Office of the Controller, submitting an audit report on Edgewood Center. Copy: Each Supervisor (2)

From Office of the Controller, submitting report concerning the cash handling audit of New South Parking at San Francisco International Airport. (3)

From Office of the Controller, submitting the financial audit report of the Statements of Net Assets and Statement of Changes in Net Assets Investment Pool held by the Office of the Treasurer and Tax Collector as of June 30, 2009. Copy: Each Supervisor (4)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement of Economic Interest: (5)

Eric Mar – Annual

Cassandra Costello – Annual

Lin-Shao Chin – Annual

Sophie Maxwell – Annual

Frances Hsieh – Annual

Nicolas King – Leaving

Jamie Cantwell – Leaving

From Department of Public Health, submitting the Hazardous Waste Release Disclosure Form for March 2010. (6)

From Office of the Mayor, submitting the reappointment of Scott Kahn as a member of the Human Services Commission. Copy: Rules Clerk (7)

From Office of the Mayor, submitting the reappointment of Edward Chow as a member of the Health Commission, and the reappointment of Michael Nguyen and appointment of Lee Muson as members of the Library Commission. Copy: Rules Clerk (8)

From Hidalgo General Engineering, Inc., submitting copy of letter sent to the Human Rights Commission thanking them for standing for those companies who do not have the financial resources to fight for themselves and always aiming for a "fair and equitable" resolution. (9)

From Municipal Transportation Agency, submitting request for waiver of Administrative Code Chapter 12B for Transtech of S.C., L.P. (10)

From Public Utilities Commission, regarding the local use and sale of combustion turbine power plants in San Francisco. File No. 090710, Copy: Supervisor Mirkarimi (11)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relative to Mammal Hunting Regulations. (12)

From State Fish and Game Commission, submitting notice of proposed regulatory actions that the California tiger salamander warrants listing to threatened species status. (13)

From State Fish and Game Commission, submitting notice of proposed regulatory actions relating to marine protected areas. (14)

From concerned citizens, submitting opposition to public power in San Francisco. 5 letters (15)

From Robin McCain, submitting support for public power in San Francisco. (16)

From SafetyBeltSafe U.S.A., regarding Safety Seat Checkup Week, April 11-17, 2010. (17)

From Western SoMa Citizens Planning Task Force, regarding the environmental analysis of the Western SoMa Community Plan. (18)

From James Raney, regarding the recently passed ban on sidewalk smoking in San Francisco. (19)

From T-Mobile, submitting notification letter for a cellular site at 470 Noor Avenue. (20)

From T-Mobile, submitting notification letter for a cellular site at 2270 Folsom Street. (21)

From SF Ocean Edge, concerning the San Francisco Tree Council's support for a full Environmental Impact Report for the Beach Chalet Soccer Fields. File No. 100053, Copy: City Operations and Neighborhood Services Committee Members and Clerk (22)

From James Keys, concerning the lay-off of psychiatrist Dr. Moranville at the Community Clinic Consortium. (23)

From Department of Public Health, submitting the Hazardous Waste Release Disclosure Form for February 2010. (24)

From concerned citizens, submitting opposition to closing the intersection of 24th and Noe for a mini-park. 2 letters (25)

From Seth Saavedra, urging the Mayor and the Board of Supervisors to appropriate funds for full-time interim library service for the Park Branch Library while it is under renovation. (26)

From Ivan Pratt, regarding Elaine Zamora's run for Supervisor of District Six. (27)

From Scott Strohmeyer, regarding motorist harassment by the Police Department and the Department of Public Works. (28)

From Frank Kennedy, urging the Board of Supervisors to fund the 311 program in San Francisco. (29)

From Office of the Mayor, submitting the reappointment of Anita Friedman as a member of the Human Services Commission. (30)

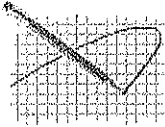
From Sally Loveland, regarding MUNI service. (31)

From Paul Nisbett, submitting opposition to naming Third Street "Willie Brown Boulevard" in San Francisco. (32)

From Katherine Johnson, submitting support for Sunday Streets. (33)

From Arthur Evans, submitting support for proposed legislation concerning the Sit/Lie law. File No. 100233, 2 letters (34)

From Brian Regan, submitting letter from the Wireless Infrastructure Association and the California Wireless Association regarding the health effects of wireless telecommunications facilities. (35)



Laura Tham/OCC/SFGOV

03/15/2010 01:32 PM

To Board of Supervisors/BOS/SFGOV@SFGOV, Matthew
Goudeau/MAYOR/SFGOV@SFGOV

cc

bcc

Subject Office of Citizen Complaints-2009 Annual Report

1 attachment



OCC_2009.pdf

Please see attached 2009 annual report for the Office of Citizen Complaints. Thank you.

Laura Tham, Sr. Account Clerk
Police-Office of Citizen Complaints
25 Van Ness Avenue, Suite 700
San Francisco, CA 94102

Phone: (415) 241-7730
Fax: (415) 241-7733
laura.tham@sfgov.org



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



THE OFFICE OF CITIZEN COMPLAINTS

2009 ANNUAL REPORT

Included In This Document

Comprehensive Statistical Report
Comparative Overview of Caseload
Caseload Summaries 1993-2009
How Complaints Were Received
Demographic Characteristics of Complainants
Types of Allegations Received and Closed
Complaints and Allegations by Unit
Findings In Allegations Closed
Days to Close – Closed and Sustained Cases
Investigative Hearings And Mediations
Status of OCC Cases – Year 2008
Status of OCC Cases – Year 2009
Caseloads, Closures and Distribution by Investigator
Presented by: Joyce M. Hicks, Executive Director
Compiled by: Joyce M. Hicks, Chris Wisniewski,
Linda Taylor, Samara Marion, Donna Salazar,
Pamela Thompson and Inés Fraenkel

City and County of San Francisco

Office of the Controller – City Services Auditor

BOS: 11 eps
To: Angela Calvillo,
Clerk of the Board
From: Office of the Controller
City Services Auditor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 22 AM 11:
BY *M*

DEPARTMENT OF PUBLIC HEALTH:

**Cost Review of Edgewood Center
for Children and Families'
Residential Mental Health Program**



March 22, 2010

(2)

**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

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

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

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

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

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

Audit Team: Mark Tipton, Audit Manager
Edwin De Jesus, Associate Auditor



City and County of San Francisco

Office of the Controller - City Services Auditor

Department of Public Health:
Cost Review of Edgewood Center for Children and Families' Residential Mental
Health Program

March 22, 2010

Purpose of the Audit

This audit was conducted at the request of the Department of Public Health of the City and County of San Francisco (City) to determine the costs incurred by Edgewood Center for Children and Families (Edgewood) to operate its residential mental health program (program), how Edgewood allocates these cost among counties with clients in the program, and how the costs compare to the City's payments to Edgewood for the program.

Highlights

For the period from July 1, 2007, through June 30, 2008, the City paid Edgewood an amount consistent with the contract for the City's clients in the program. During this period:

- The program's costs exceeded its revenues by \$1.8 million. Edgewood incurred \$7,398,397 in costs for the program, an average of \$543 per client day, and received from all funding sources \$5,607,530 in revenues for the program, or an average of \$412 per client day.
- In addition to the City's regular payments for the program, the City voluntarily made a supplemental "patch" payment of \$290,000 in an effort to bridge the difference between the higher actual costs of the program and the revenues it generated. Per client day, San Francisco's supplemental payment averaged \$55, somewhat higher than the average supplemental payment from the other counties that made such payments.
- Edgewood properly allocated \$2,219,858 in program revenues to the City, averaging \$422 per San Francisco client day. This includes \$636,340 that, consistent with the contract, the City paid Edgewood for treatment services based on units of service.
- The program provided services to an average of 37.3 children each month, an average of 14.4 (39 percent) of whom were from San Francisco.
- San Francisco accounted for 39 percent of the total program revenues, consistent with the City's 39 percent of the program's caseload based on the average number of San Francisco clients.
- Edgewood properly allocated \$2,688,278 (36 percent) of the program's costs to the City, an average cost of \$511 per San Francisco client day.
- Based on amounts for treatment services in City contracts (as opposed to total allocated program costs), Edgewood's program had the highest average daily cost per contracted client slot (\$229) in relation to other City contracts with five comparable residential mental health programs.

Conclusions

In fiscal year 2007-08:

- Edgewood fairly allocated its indirect costs to the program and fairly allocated the program's costs to the participating counties.
- The City contributed a portion of revenue to the program that was consistent with the City's average proportional share of clients.
- Even after a \$290,000 supplemental "patch" payment from the City, Edgewood's program costs for the City clients exceeded its program revenues by an average of \$89 per San Francisco client per day.
- Edgewood's daily program cost per San Francisco client is the lowest at \$511, when compared against per-client costs of five other counties the audit considered.

Copies of the full report may be obtained at:

Controller's Office • City Hall, Room 316 • 1 Dr. Carlton B. Goodlett Place • San Francisco, CA 94102 • 415.554.7500
or on the Internet at <http://www.sfgov.org/controller>

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CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

March 22, 2010

Public Health Commission
101 Grove Street, Room 311
San Francisco, CA 94102

Dear President and Members:

The Controller's Office, City Services Auditor, presents its report on the audit of the operating costs of Edgewood Center for Children and Families' (Edgewood) residential mental health program (the program) for July 1, 2007, through June 30, 2008. Under a contract with Edgewood, the Department of Public Health (department) places children for treatment in the program.

The audit objectives were to determine:

- Edgewood's actual costs to operate the program, overall and per child per day.
- Whether the payments the City made to Edgewood for the program complied with the contract, and how the amount paid compares to Edgewood's costs to serve the City's clients.
- If Edgewood fairly distributes the program's costs among the counties that refer clients to it.

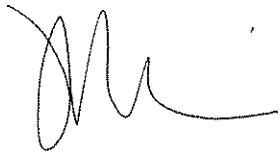
The audit found that:

- Edgewood fairly allocated to the program \$7.4 million in costs and \$5.6 million in revenues from all sources. These revenue sources include all 14 counties that refer clients to the program. For each child in the program, this is the equivalent of \$543 in average costs and \$412 in average revenues per client day.
- Edgewood properly allocated to the City and County of San Francisco (City) \$2,688,278 of the program's costs and \$2,219,858 of its revenues, including the City's \$290,000 voluntary supplemental "patch" payment.
- The program costs Edgewood incurred and allocated to the City averaged \$511 per San Francisco client per day, while the revenues Edgewood received and allocated for City clients averaged \$422 per client per day.
- The City, in compliance with the contract, paid Edgewood \$636,340 for residential treatment services, based on the units of service delivered and billed by Edgewood.

- The average amount of revenues per client Edgewood allocated to the City for the program was comparable to the amounts allocated to other counties selected for comparison
- The program's contracted treatment cost per contracted client slot is higher than that of any other comparable program for which the City contracts.

The department's response and Edgewood's response to the audit are attached to this report. We appreciate the assistance and cooperation of Edgewood and the department during the audit.

Respectfully submitted,



Tonia Lediju
Director of Audits

cc: Ben Rosenfield, Controller
Mayor
Board of Supervisors
Civil Grand Jury
Budget Analyst
Public Library

INTRODUCTION

Audit Authority

The Controller has authority under Appendix F of the City's Charter, as well as the Administrative Code, to audit all city contracts. This audit was conducted in accordance with the approved fiscal year 2008-09 work plan of the Office of the Controller's (Controller) City Services Auditor Division, and in response to a request from the City and County of San Francisco's (City) Department of Public Health (department).

Background

Edgewood Center for Children and Families (Edgewood) is a San Francisco based nonprofit corporation whose mission is to strengthen children, youth, families, and their communities through its various programs. One of these programs is the residential treatment program (program), which provides intensive treatment to children with severe and complex behavioral, mental health, academic, and family issues, which require residency at Edgewood's Vicente Street Campus facilities because of factors that make it difficult or impossible for the child to live at home. In fiscal year 2007-08, the program served an average of 37.3 clients per month, referred from 14 counties. Of these clients, 14.4 children, on average, were referred by the City.

To fund its programs, and specifically its residential mental health program, Edgewood relies mainly on government funding. According to department management, this funding primarily comes from the State Department of Social Services, which provides a state-established group home monthly rate for each child placed into the program (prorated for partial month stays and only paid for filled slots), and reimbursement for the cost of mental health treatment services by the State Department of Mental Health through local counties. Some additional funding comes from the San Francisco Unified School District for the provision of school educational services for the non-public school at Edgewood.

According to the department, the group home monthly rate is the same for all California counties, and is composed of federal Aid to Families with Dependent Children (AFDC) funding, state funding, and local funding. In San Francisco, the City's Human Services Agency (HSA) pays the group

**Office of the Controller, City Services Auditor
Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program**

home rate directly to Edgewood. The rate is paid per child, per month, in return for the care and supervision of each placement. According to the department, care and supervision includes food, clothing, shelter, daily supervision, school supplies, a child's personal incidentals, liability insurance with respect to the child, and reasonable administration and operational activities needed to perform these things, as well as social work services.

Edgewood has contracts with 14 counties, including the City through the department, for the provision of mental health treatment services. These treatment services are reimbursed on a fee-for-service basis with Medi-Cal for Medi-Cal eligible children and with City general fund money for children not eligible for Medi-Cal. All counties reimburse Edgewood for mental health treatment services at rates based on the State Maximum Allowable (SMA) costs. These rates, published by the state, are the maximum allowable reimbursements for various types of treatment services. Edgewood is not reimbursed for treatment costs which exceed these rates.

According to Edgewood's director of finance, because the total program revenue provided by all of the funding sources does not cover Edgewood's costs, Edgewood requested that the City (both HSA and the department) and most of its other client counties contribute supplemental "patch" funding to cover some of the difference between the program's costs and revenues. The City agreed to pay \$290,000 in supplemental patch funds in fiscal year 2007-08. According to Edgewood's director of finance, Edgewood also received residential supplemental funding from six other counties beginning in 2008. However, even with this additional funding, the program's revenues did not cover its costs.

In San Francisco, placement referrals to Edgewood are made by HSA, the department, and the Juvenile Probation Department. According to the department, HSA reimburses Edgewood based on the state's group home rate for all San Francisco placements, regardless of referring agency, and pays the supplemental patch for all San Francisco placements, except those referred by the department on behalf of the San Francisco Unified School District. The department is responsible for the placement and cost of any child who was initially referred to the department by the

school district for an assessment, and is subsequently found to require this level of care to succeed in school. The department reimburses Edgewood for the cost of mental health treatment for all San Francisco placements, regardless of referral source.

Objectives

The purpose of the audit was to determine Edgewood's actual costs for the residential mental health program during the period July 1, 2007, through June 30, 2008, including the daily program cost per client. The program costs that Edgewood allocated to the City were averaged per client day, and were compared to the costs per client day allocated to other counties. The audit also determined whether the City's program payments, including supplemental "patch" payments, for its clients complied with the contract, and were reasonable in relation to the costs to operate the program and the costs Edgewood allocated to other counties. Finally, the audit identified and compared the contracted treatment services cost per contracted client slot of Edgewood's program and other similar programs for which the City contracts.

Scope and Methodology

The audit period was July 1, 2007, through June 30, 2008. To conduct the audit, the audit team:

- Reviewed the provisions of the agreement between Edgewood and the City relevant to the residential mental health program, including the revenue and expense budget.
- Determined how Edgewood allocated its indirect costs at its Vicente Street campus to the program, tested the allocations on a sample basis for accuracy, and concluded whether this allocation is fair and reasonable.
- Evaluated the adequacy of Edgewood's process for recording costs associated with the program, and tested, on a sample basis, whether Edgewood accurately recorded these costs.

- Determined how Edgewood allocated program costs and revenues among the counties with clients in the program, tested the allocations on a sample basis for accuracy, and concluded whether this allocation is fair and reasonable.
- Computed the program costs per client day allocated to the City and to other counties, and compared the results.
- Determined Edgewood's revenues for the program and the amounts allocated to the participating counties.
- Compared Edgewood's average cost per client slot with averages of other providers, based on treatment services costs provided for in City contracts. The audit compared only facilities of the same residential class level providing similar or the same residential mental health services.

This audit did not assess the effectiveness or success of the program.

The audit was conducted in accordance with generally accepted government auditing standards. These standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

AUDIT RESULTS

The Program's Overall Revenues and Costs

In fiscal year 2007-08, the \$7.4 million cost of Edgewood's residential mental health program (program) exceeded its \$5.6 million in total program revenues by \$1.8 million. The program received an average of \$412 per client day. Edgewood's average daily cost of treating a client in the program was \$543, or \$131 more than the revenue realized.

San Francisco's Share of the Program

Edgewood properly allocated \$1,929,858 of the program's regular revenues and \$2,688,278 of the program's costs to the clients referred by the City. When the City's \$290,000 supplemental "patch" payment to Edgewood for fiscal year 2007-08 is included, Edgewood allocated a total of \$2,219,858 in program revenues for the City's clients.

Edgewood allocates various City payments as revenues for the City's share of the program's revenues. The City payments include those for units of service made by the Department of Public Health (department) under the contract, AFDC funding, and other funding sources. Together, these funding streams resulted in program revenue allocation of \$422 per San Francisco client per day. This average is comparable to the average daily revenue per client Edgewood allocated to most other counties. However, because it cost Edgewood \$511 per day to serve each San Francisco client in the program, costs exceeded revenues by an average of \$89 per City client per day.

San Francisco's portion of the program's caseload (39 percent) was consistent with the City's portion of the program's total regular revenues (39 percent). However, this portion was exceeded by the City's 44 percent share of the total supplemental patch Edgewood received from all counties that paid it for fiscal year 2007-08 (\$290,000 out of \$652,000).

The Cost of the Program Compared to Others

Among five residential mental health service providers with the same rate classification level that the department contracted with during 2007-08, Edgewood's contracted treatment services had the highest average daily cost per client slot, 34 percent more costly than the provider with the

**Office of the Controller, City Services Auditor
Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program**

closest such cost, which averaged \$171 per client day.

The program cost \$7.4 million, an average of \$543 per client per day

For July 1, 2007, through June 30, 2008 (fiscal year 2007-08), Edgewood's residential mental health program incurred \$7,398,397 in costs. The program averaged \$543 in costs per day for each client referred by the City and by 13 other referring counties.

The program's costs exceeded its revenues by \$1.8 million

Including the supplemental patch, Edgewood received and allocated \$5,607,530 in program revenues in fiscal year 2007-08. The program's expenses exceeded its revenues by \$1.8 million. The program as a whole averaged \$412 in revenues per client per day and \$543 in costs per client per day, resulting in a revenue gap for the program of \$131 per client per day. It should be noted that not all program costs are allocated to counties. Edgewood's contract with the department includes an "agency contribution" requirement, which is intended to fill some of the program's revenue gap. Some or all of this agency contribution may be financed by Edgewood's fundraising.

The City's payments were consistent with the contract but the program's costs exceeded revenues from the City by \$89 for each San Francisco client each day

Consistent with the contract for the program, the department paid Edgewood \$636,340 for residential treatment services. However, the total program revenues include more than just payments from the department for treatment services, as other funding sources for San Francisco's clients exist, such as the AFDC payments from HSA. Similarly, the total program costs include more than the direct cost of treatment services, as Edgewood takes into account the cost of its facilities and administrative and support services as overhead.

Edgewood allocated \$2,219,858 as San Francisco revenue to the program, which included the City's \$290,000 supplemental patch payment, an average of \$422 per San Francisco client per day. Even with the City's supplemental payment, the program cost Edgewood an average of \$89 per San Francisco client per day more than Edgewood generated for the San Francisco children in the program. This is because it cost Edgewood an average of \$511 per day to serve each San Francisco client in the program.

As shown in Exhibit 1, the cost to Edgewood of providing the program significantly exceeded the revenue it realized, in total and per client per day, overall and for San Francisco clients.

Office of the Controller, City Services Auditor
 Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program

EXHIBIT 1	Revenues & Costs of Edgewood's Residential Mental Health Program: Total and For Six Selected Counties July 1, 2007, Through June 30, 2008								
County	Revenue ^a (000's)	Supple- mental Revenue ^b (000's)	Total Revenue (000's)	Total Allocated Cost (000's)	Avg. Number of Clients	Avg. Supple- ment per Client Day	Avg. Revenue per Client Day ^c	Avg. Cost per Client Day	Avg. Gap per Client Day
Program Totals^d	\$4,955	\$652	\$5,608	\$7,398	37.3	\$48	\$412	\$543	\$131
San Mateo	135	0	135	168	0.3	0	1,124	1,383	259
Sacramento	366	24	390	508	2.3	49	460	596	136
Alameda	1,318	42	1,360	1,860	9.1	13	410	561	151
Monterey	313	20	333	432	2.2	53	421	547	126
San Francisco	1,930	290	2,220	2,688	14.4	55	422	511	89
Mendocino	341	88	429	485	2.6	45	455	514	59

Notes: ^a Amount Edgewood received for treatment services, based on charges for services provided, and for allocated facilities costs.
^b Residential patch payment that Edgewood requested and some counties agreed to pay.
^c Based on annual average number of clients (shown), which is based on number of clients in program for any length of time each month.
^d Program totals include amounts for all 14 counties that participated in the program, so it will exceed the sum of the amounts for the six counties shown. The sum of these six counties' allocated program revenues represents 89 percent of the program's total allocated revenues, and the sum of these six counties' allocated program costs represents 83 percent of the program's total allocated costs.

Source: Auditor analysis based on data provided by Edgewood.

San Francisco's share of the program's revenues matched its share of the program's caseload

Fiscal year 2007-08 program revenues from San Francisco of \$2,219,858, including the City's \$290,000 supplemental patch payment, represent 39 percent of the \$5,607,530 in total program revenues. This revenue share is consistent with the City's 39 percent share of the program's caseload. In 2007-08, the program treated an average of 37.3 children each month, 14.4 (39 percent) of whom were from San Francisco.

San Francisco paid the same rates per unit of service as did other counties and was allocated a comparable average amount of revenue per client per day

The average of \$422 per client day in revenues that Edgewood allocated to San Francisco is comparable to the revenues allocated to other counties that referred an average of two or more clients to the program. As shown in Exhibit 1, the average program revenue per client per day allocated to San Francisco is comparable to four of the other five counties' averages.

**Office of the Controller, City Services Auditor
Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program**

Each county's payments to Edgewood are based on the quantity and cost of the services provided to that county's clients. Based on the review of Edgewood's records and some of its contracts, all the counties that referred clients to the program in fiscal year 2007-08 contracted to pay Edgewood the same amount for each unit of the same service rendered. According to the department, these rates are based on the maximum amounts per unit of service set (and paid through the counties) by the State of California. For example, in fiscal year 2007-08, all counties that contracted with Edgewood for the program agreed to pay \$202.43 for a full day of intensive treatment services to one client.

San Francisco paid proportionally more in supplemental funding for the program than did other counties and as compared to the City's share of clients in the program

In addition to the rates per unit of service paid to Edgewood under the contract, some counties that refer children to the program agreed to pay supplemental amounts for the program for fiscal year 2007-08, at Edgewood's request. This supplemental funding was a reasonable effort to lessen the difference between the program revenues, based on insufficient state-established rates, and the actual cost to operate the program.

As shown in Exhibit 1, San Francisco paid \$290,000 in supplemental funds for fiscal year 2007-08. This amount represents 44 percent of the \$652,000 in total supplemental funding Edgewood received from all the counties that chose to make such "residential patch" payments for the program. This 44 percent is somewhat higher than the 39 percent of total clients in the program that San Francisco accounted for in that year. (San Francisco accounted for an average of 14.4 out of 37.3 total clients).

When expressed as an average per client per day of \$55, the City's supplemental funding is above the average of \$48 for all counties that made patch payments. However, the all-county average is lower than it otherwise would be because some counties agreed to make supplemental payments only for services provided during latter parts of the fiscal year, unlike San Francisco, which agreed to pay supplemental amounts for services to its clients during the entire 2007-08 fiscal year. This explains why other counties paid less in total for the year than they would have otherwise, and less per client per day when averaged over all client days in the year.

Office of the Controller, City Services Auditor

Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program

Edgewood fairly allocates costs to the program and to counties that participate in it

Edgewood has a sound method for allocating indirect costs and shared costs to its programs. Under the guideline for nonprofit organizations issued by the City of San Francisco, shared costs centers are generally on the program level and can therefore be classified as direct program cost. Based on its methodology, Edgewood allocates shared and indirect costs, such as facilities and depreciation costs, based on the size of the area used by each program; and also allocates administrative costs, such as Edgewood's management payroll, based on the program's personnel costs as a percentage of the whole. These differ from the program's direct costs such as the salaries of the program's staff.

Once the program's costs are determined, Edgewood can allocate the total program costs (direct, shared, and indirect costs) to the counties that placed children for treatment in the program. Edgewood's allocation methodology uses the relative value method for intensive treatment and medication services costs. The relative value method uses the percentage of the value of the units of service provided to each county to the total value of all units of service provided. In addition, Edgewood allocated its residential facilities costs based on the average number of children placed by each county.

Edgewood's methodology for allocating costs to its programs, and to the counties with which Edgewood had a contract, are fair. The methodology accounts for the usage, personnel, services provided, and the number of children treated in the program. In addition, Edgewood attests that its methodology conforms to Circular A-122, promulgated by the US Office of Management and Budget, which specifies indirect costs that recipients of federal funds may and may not consider as indirect costs of programs. However, this audit did not evaluate such conformance. As shown in Exhibit 1, Edgewood allocated \$2,688,278 (or 36 percent) of the program's costs to San Francisco.

Based on contracted costs, Edgewood's services are more expensive than comparable programs offered by other providers

Based on a comparison of contract amounts of comparable mental health treatment programs available to the City, Edgewood's treatment services were the most costly per client day in fiscal year 2007-08. As shown in Exhibit 2, Edgewood was the most costly provider of intensive children's residential mental health programs among those for which the department provided us with contract data.

Office of the Controller, City Services Auditor
 Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program

EXHIBIT 2

Contract Amounts for Residential Mental Health Programs Available to San Francisco, July 1, 2007, Through June 30, 2008

Provider	Contract Amount ^a	Contracted Number of San Francisco Client Slots	Average Daily Contracted Amount Per Client ^d
Edgewood Center for Children & Families	\$1,003,345 ^b	12.0 ^c	\$229
Victor Treatment Centers, Inc.	\$554,747	8.9	\$171
Rebekah Children's Services	\$53,277	1.0	\$146
Lincoln Child Center	\$91,243	2.0	\$125
Families First, Inc.	\$236,189	5.5	\$118

Notes: ^a Contract is for treatment services only. Excludes allocated facilities costs.

^b Estimate of maximum amount payable under the contract. Includes \$290,000 contracted supplemental patch payment.

^c Contracted client slots differ from average number of clients, of which Edgewood's program had 14.4 during the year.

^d Information is for the rate classification level 14 program offered by each provider.

Source: San Francisco Department of Public Health.

Based on the audit's calculation of the average contracted daily cost to the City per client shown in Exhibit 2, Edgewood was at least 34 percent more costly than any of the above providers, the next most expensive being \$171 per client day. These daily amounts per client are averages based on contract amounts, so are far less than the averages of more than \$500 in Exhibit 1, which are based on the program's total allocated costs. The contract amounts are also lower than those in Exhibit 1 because the contract amounts are for treatment costs only, and do not include the contribution to Edgewood from the City's Human Services Agency.

Conclusion

The audit found that from July 1, 2007, through June 30, 2008, the amount the Department of Public Health paid Edgewood for its residential mental health program is consistent with the contract. The payments, together with the program revenues allocated for San Francisco clients, are considerably less than the costs to operate the program. San Francisco's contracted rates of payment and the allocated program revenues per client are comparable to those of other counties that contract for Edgewood's program. However, San Francisco paid proportionally more in supplemental funding for the program than did other

**Office of the Controller, City Services Auditor
Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program**

counties, and Edgewood's contracted treatment services are more costly per client slot than those of similar programs offered by other providers with which San Francisco contracts.

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ATTACHMENT A: DEPARTMENT RESPONSE



San Francisco Department of Public Health

Barbara A. Garcia, MPA
Deputy Director of Health
Director of Community Programs

Gavin Newsom, Mayor

February 4, 2010

Tonia Lediju
Director of Audits
City & County of San Francisco -Controller's Office
1 Dr. Carlton B. Goodlett Place, Room 316
San Francisco, CA 94102

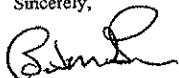
The Department would like to thank the Controller's Office for conducting this audit and preparing this report. This has been very helpful to the Department in understanding Edgewood's actual cost to operate the Vicente Street residential mental health program, as well as Edgewood's methodology for allocating costs to San Francisco, versus to other counties for their placements. In light of the findings, we have the following comments:

- The Department is satisfied with Edgewood's methodology for allocating costs between counties, and is glad to see that all revenues attributable to San Francisco clients were allocated to San Francisco clients.
- The Department concurs with the Controller that both the revenues and expenditures were allocated accurately to San Francisco and to other counties. However, since the report indicates that in FY07-08 there was a gap of \$89 per client day between Edgewood's expenses of \$511 per client day, and revenues of \$422 per client day attributable to San Francisco, the Department would point out the following:
 - The Department contracts with Edgewood for treatment services, and is therefore responsible for reimbursing Edgewood for the treatment costs incurred while delivering these services. The State is responsible for the non-treatment costs which are reimbursed to Edgewood through HSA and the San Francisco Unified School District. Based on an analysis of the data utilized by the Controller in preparing this report, in FY07-08, the gap between costs allocated by Edgewood to San Francisco clients specifically for treatment services and actual reimbursement for these services was fully covered by the Department's supplemental General Fund patch. The gap in reimbursement for treatment services is significantly less than the gap for non-treatment costs, e.g. facility costs that are not part of DPH's treatment responsibility.
 - Since FY7-08, the Department and HSA have agreed to a combined reimbursement of \$500 per day per child, regardless of actual MediCal revenues generated for treatment services (the primary revenue source provided by DPH), and despite the fact that there is minimal treatment reimbursement realized on weekends because most treatment is not provided on weekends. This rate is achieved by DPH providing patch funding that exceeds the cost of treatment to support unfunded costs, and HSA providing patch funding that exceeds the funding provided by the State, to support the unfunded costs. Per this audit, the City's supplemental patch funding exceeded the average contribution of all other counties on a per client per day basis. In any case, if the Department is correct in assuming that Edgewood will continue its agency contribution of five percent towards the daily rate, as it has in prior years, this would bring current available revenues to \$525 per client per day.

**Office of the Controller, City Services Auditor
Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program**

- Based on a comparison of the Department's treatment contract with Edgewood to five other similar intensive child residential mental health contracts, the report found that Edgewood was 34 percent more costly than the other programs. Additionally, and of further concern, the report identifies that Edgewood's total indirect costs for this program represent 50 percent of the program's direct costs. The Department recognizes the importance of having residential treatment slots available for youth, but is concerned over the City's ability to continue to support these higher costs during this difficult budget climate.

Sincerely,



Barbara A. Garcia, MPA
Deputy Director of Health
Director of Community Programs

ATTACHMENT B: EDGEWOOD'S RESPONSE

EDGEWOOD

Transforming Lives. Restoring Hope.

March 11, 2010

Tonia Lediju
Director of Audits
City & County of SF Controllers Office
1 Dr. Carlton B. Goodlett Place Room 316
San Francisco, CA 94102

Ms. Lediju:

Thank you very much for this additional opportunity to respond to the "Department of Public Health: Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program Audit," dated February 26, 2010. We appreciate your review of our letter, dated January 29, 2010, and the subsequent changes that were made. I would like to reiterate the original points that I made regarding the conclusions drawn by both the Controller's Office and the Department of Public Health in their attached letter. We will note where possible which section we are commenting in the text of our response.

We appreciate the work done by the City's Controller's Office and are pleased with the conclusion that Edgewood's accounting methodology and records were in compliance. In addition, the report states in the Highlights and Conclusions the following:

- The City contributed a portion of revenue to the program that was consistent with the City's average proportional share of clients.
- Edgewood's daily program cost per San Francisco client is the lowest at \$511 when compared against per-client costs of five other counties the audit considered.

The main areas that I would like to address are as follows:

1. Pricing Comparisons
 2. Response to letter from Barbara Garcia's letter dated December 16, 2009
1. Pricing Comparisons
 - The pricing comparisons made in Exhibit 2, page 10 of the "DRAFT REPORT" were made with Victor Treatment Centers, Inc; Rebekah Children's Services; Lincoln Child Center; Families First, Inc. [now EMQ]. The conclusions drawn, that Edgewood is more costly, is inaccurate due to the following reasons.

EDGEWOOD

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- The date used was based on "contracted" NOT "actual" amounts for Residential Mental Health Programs.
- The data was based on fiscal 07-08 data, currently 2 years out of date. In addition, fiscal 07-08 was a transition year for all agencies (which had minimal coverage from patch / supplemental rate revenue), as well as higher per youth costs at Edgewood (4th cottage closed mid-year).
- Edgewood provides the following additional service: Medical, nursing & psychiatry; weekend treatment (not all of these services are reimbursable per S.F. County decision); higher than regulated staff to youth ratio; partnership with UCSF, Langley Porter; local vs. out of county.
- To the best of our knowledge, none of these programs were reviewed or audited to confirm these amounts.
- From our work with other agencies as colleagues at the state level and in a multi-county collaboration, we are certain that these prices are outdated and not accurate. This is based on our work in the State legislated Fiscal collaboration for Residential Based Services ("RBS") with Rebekah, Seneca Center, and St. Vincent's.

2. Response to letter from Barbara Garcia's letter

The following points should be taken into consideration when reviewing the conclusions made:

- The contracting model for the Edgewood contract needs to be reexamined.
- The reason that "there is minimal treatment reimbursement realized on weekends" is because San Francisco's DPH has not authorized services, although services are provided on weekends.
- The reason that "the City's supplemental patch funding exceeded the average contribution of all other counties on a per client per day basis" [Exhibit I, pg. 7, Comparisons for Six Counties] is due to the transition fiscal 08-08 year, representing very few counties paying any supplemental patch. This has leveled out and all counties are now paying the same rate.

In addition, the conclusions drawn regarding Avg. Gap per Client Day [Exhibit I, pg. 7, Comparisons for Six Counties] were due to fiscal 07-08 year being a transitional year (as explained above) in both the lower revenue and higher expense ratios. Edgewood is very cognizant of the very difficult budget climate. The agency has historically carried the supplemental costs for the referring counties incurring tremendous deficits. In order to stay in business and provide this essential service it is necessary to charge the full cost to the agency, or cease providing

Office of the Controller, City Services Auditor
Cost Review of Edgewood Center for Children and Families' Residential Mental Health Program

EDGEWOOD

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the service. We are dedicated to providing the necessary and appropriate level of psychiatric and mental health services to the clients referred to from any of the referring agencies. We strongly believe that the children and their families deserve and need a local option for the care in order to stabilize as quickly as possible and return to their homes and communities.

Additionally, we request that our response be published.

Thank you very much for your time and consideration, and we look forward to working with you in the future.

Sincerely,



Nancy Rubin
President and CEO

To: Angela Calvillo,
Clerk of the Board
From: Office of the Controller
City Services Auditor

City and County of San Francisco

Office of the Controller – City Services Auditor

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SAN FRANCISCO

2010 MAR 18 AM 10:59

BY AK

AIRPORT COMMISSION:

Cash Handling Audit of New South Parking



March 18, 2010

3

**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

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

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

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

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

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

Audit Team: Ben Carlick, Audit Manager
John Haskell, Associate Auditor



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

March 18, 2010

San Francisco Airport Commission
P.O. Box 8097
San Francisco International Airport
San Francisco, CA 94128

President and Members:

The Controller's Office, City Services Auditor, presents its report concerning the cash handling audit of New South Parking (NSP) at San Francisco International Airport (Airport). Under an agreement with the City and County of San Francisco (City), NSP operates several parking facilities at the Airport, collects revenue from parking patrons, and deposits the revenue to a City bank account. Based on NSP's monthly statements to the Airport, NSP remitted to the Airport \$80.97 million for the October 1, 2008, through September 30, 2009, audit period. The purpose of the audit was to determine whether NSP's controls over handling of cash and checks are adequate to ensure that the Airport receives all revenues due from the parking garages.

The audit found that cash handling procedures used by NSP are generally adequate for ensuring that cash and checks collected from parking patrons are properly deposited to the City's bank account. However, the audit also found that monthly statements of gross revenues created by NSP and provided to the Airport should be modified so they present clearer, more complete information.

The audit includes seven recommendations, and the Airport's and NSP's responses to the audit are included as Attachments A and B. The Controller's Office, City Services Auditor, will follow up with the Airport on the status of recommendations made in this report.

Respectfully submitted,

Tonia Lediju
Director of Audits

cc: Mayor
Board of Supervisors
Budget Analyst
Civil Grand Jury
Public Library

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INTRODUCTION

Audit Authority

The City Charter provides the Controller, City Services Auditor (CSA), with broad authority to conduct audits. This audit was conducted under that authority and pursuant to an audit plan agreed to by the Controller and San Francisco International Airport (Airport).

Background

New South Parking-California (NSP), a partnership between Central Parking System and Global Parking Systems, operates public and employee parking facilities at the Airport under an agreement with the Airport Commission. The term of the agreement is a three-year period from July 1, 2007, to June 30, 2010, with up to two additional one-year options that may be exercised at the discretion of the Airport Commission. NSP remits all parking revenue collections to the City and County of San Francisco (City). The Airport pays NSP a monthly management fee and reimburses NSP for certain operating costs, including labor and other allowable expenses.

There are four major public parking facilities at the Airport: the domestic terminal garage, two international garages, and the long-term public parking garage. All the facilities are controlled by a computerized parking access and revenue control system (parking system) that issues tickets to patrons and allows patrons or staff to process transactions at the exit gates. In addition, designated parking is available for FasTrak¹ patrons in certain areas. The parking system records all transactions, which provides critical internal controls over cash transactions. NSP reconciles amounts due according to the parking system with actual cash collected.

The exhibit below shows total revenues that NSP collected and submitted to the City for the audit period.

¹ FasTrak is an electronic toll collection system that allows parking patrons with a FasTrak account to park and have the fee automatically deducted from their account.

EXHIBIT**New South Parking Total Revenues
October 1, 2008 through September 30, 2009**

	Cash	Checks	Credit Cards	Shortages ^a	Total
Parking Receipts	\$12,214,642	\$25,694	\$51,407,796	\$1,508	\$63,649,640
Other^b					17,320,677
Total					\$80,970,317

Notes: ^a Shortage amounts are remitted by NSP with other revenues on a monthly basis.

^b Includes valet, FasTrak, and other revenues that were not reviewed.

Source: NSP statement of gross revenues.

Scope and Methodology

The purpose of this audit was to determine whether NSP's controls over handling of cash and checks are adequate to ensure that the Airport receives all revenues from the public parking garages that are due under the contract. The audit period is from October 1, 2008, through September 30, 2009.

To conduct the audit, the auditors interviewed NSP staff and observed cash collection procedures at the domestic terminal garage. Auditors reviewed and evaluated cash handling internal controls over the collection of revenue at cashier booths and parking facility exits, and controls for when cash is collected by an armored car service for deposit at the bank. This audit also reviewed monthly reconciliations prepared by NSP and Airport accounting staff to verify that the reconciliations were adequate. Although total revenue includes cash transactions conducted at self-pay terminals, the audit did not review cash handling controls at these locations. No cash is handled by NSP staff at the self-pay terminals; it is collected by the armored car service. The audit was limited to cash and checks and did not include a review of electronically transferred payments by patrons who use credit cards or the FasTrak system.

This audit was conducted in accordance with generally accepted government auditing standards. Those standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

AUDIT RESULTS

Cash Handling Procedures by NSP Are Generally Adequate

The audit found that New South Parking (NSP) generally had adequate cash handling procedures to ensure that all cash and checks collected from parking patrons are deposited to the City's bank account. NSP's internal controls are sufficient for ensuring that cash collected at exit gates is accounted for, and that cash is safely transported after each shift to NSP's offices for counting by NSP staff and for collection and deposit by an armored car service.

NSP's Monthly Statement of Gross Revenues Does Not Report Complete Information

NSP submits a monthly statement of gross revenues to the Airport, but the statement does not provide the Airport with complete information. The gross revenues section of the statement indicates that parking receipts from cash and checks are based on amounts reported by the parking system. This is misleading because NSP makes adjustments to the parking system amounts that are not included in the monthly statement. The statements also do not show the differences between the amounts from the parking system and the amounts NSP reports as gross revenue for cash and personal checks receipts. Although NSP identifies these differences in a monthly reconciliation, the differences are not presented in the monthly statement. The NSP reconciliation identifies the differences between the parking system and reported gross revenues as due to the following:

- Overages and shortages that occur because the cashier collects a different amount than recorded in the system.
- Over-rings and under-rings where the cashier records an erroneous amount in the system, which is corrected subsequent to approval of a supervisor.

Recommendation

1. The Airport should require NSP to prepare the monthly statement of gross revenues by using information from the parking system, and separately list the adjustments made to arrive at total gross revenue receipts for cash and personal checks.

Airport Parking Management Needs Revenue Reports From NSP That Are Comparable to Parking System Reports

The Airport's parking manager stated that the monthly revenue reports from the parking system differ by minor amounts from the gross revenues NSP includes in its statements. For example, the system report showed a total of \$1,133,597 for cash and checks for August 2009, but the statement submitted by NSP to the Airport shows total cash and checks of \$1,134,580, a \$983 difference. To properly monitor NSP's reported revenues, the parking manager should be able to generate a report from the parking system, compare it to the monthly statement provided by NSP, and verify that revenue totals agree.

According to the parking manager, it is not possible to agree the amounts in the parking system to NSP's monthly statements because of differences in the daily closeout times for the parking system and the NSP reports. The parking manager stated that this problem may be resolved if the parking system vendor developed system reports with a closeout time that matches those of NSP's reports.

Recommendation

2. The Airport's parking manager should work with the parking system vendor to develop reports from the parking system that it can reconcile to NSP's monthly statements.

NSP's Monthly Summary Reports Are Incorrectly Identified as Parking System Reports

NSP's summary reports of collected revenues incorrectly describe them as reports generated by the parking system. They are actually based primarily on NSP's calculations of revenues collected. Only one column on the daily summary reports labeled "Register Tape Total" is actually revenue data from the parking system, and the remaining columns of figures are from NSP's calculations of revenues collected. Correct labeling of revenue sources on these reports would provide Airport management a clearer understanding of the sources of the information, thereby improving the Airport's oversight.

Recommendation

3. The Airport should require NSP to reformat its summary reports to correctly identify the sources of the revenue data presented.

NSP Does Not Pay Shortages to the Airport Daily as Required by Its Agreement

NSP pays cash shortage amounts to the Airport on a monthly basis. However, the agreement between NSP and the City requires that shortage amounts be paid on a daily basis. The Airport's parking manager is aware of this practice; however, there is no documented agreement with NSP to pay shortages monthly. The audit found that monthly shortages paid during the audit period ranged from \$8 to \$410. Since the monthly shortage amounts are small when compared to total revenue collected, and the effect on the Airport's cash flow is minimal, monthly payments of shortages may be appropriate. However, the agreement's requirements and actual practices should be consistent.

Recommendations

4. The Airport should either require NSP to pay shortages on a daily basis, or modify the agreement to permit NSP to submit shortage amounts to the Airport on a monthly basis.
5. If the Airport modifies the agreement to permit monthly payments of shortages, it should include a provision that requires NSP to remit shortages exceeding a pre-determined limit on the following business day, which would minimize the impact on the Airport's cash flow.

NSP's March 2009 Statement of Gross Revenues Is Incorrect

NSP's March 2009 statement of gross revenues does not report all revenues collected. According to NSP accounting staff, the electronic safe at the cashier's office at the long-term parking facility was malfunctioning for several days in March 2009. Normally, cash collected from parking patrons at the cashier booth is deposited to an electronic drop safe that automatically counts the deposited money, records the amounts in the parking system, and produces reports of currency and coins deposited. Each day, the armored car service company collects the safe's vault (a sealed container in the safe) and takes it to its facility where its staff opens it, counts the cash, and deposits it directly to the City's bank account. However, on the days the safe was malfunctioning, NSP staff counted the cash receipts before the service collected the money. Subsequently, NSP and the armored car service have been unable to agree on the amounts collected those days.

Further, this audit's review of the Airport's monthly reconciliation between bank deposits and NSP's monthly statement of gross revenues for March 2009 showed that bank deposits were less than the amount reported by NSP by a net amount of \$845. The auditors discussed this issue with NSP's

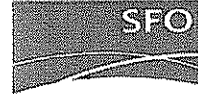
accounting manager, who noted that NSP had incorrectly reported cash collections in the statement and that she would submit a revised statement to the Airport.

Recommendations

The Airport should:

6. Require NSP to reach agreement with the armored car service over collections in March 2009, and to remit any amounts due the Airport.
7. Require NSP to submit a revised March 2009 monthly statement of gross revenues.

ATTACHMENT A: AIRPORT'S RESPONSE



San Francisco International Airport

March 9, 2010

P.O. Box 8097
San Francisco, CA 94128
Tel 650.821.5000
Fax 650.821.5005
www.flysfo.com

Ms. Tonia Lediju
Director of Audits
Office of the Controller
1 Dr. Carlton B. Goodlett Place, Rm. 316
San Francisco, CA 94102-4694

Subject: Cash Handling Audit – New South Parking

Dear Ms. Lediju:

The Airport received a draft copy of the Cash Handling Audit of New South Parking dated March 1, 2010, and concurs with the audit's findings. We have already implemented several of the audit recommendations and will continue to implement the remainder of the recommendations as outlined on the attached.

I would like to sincerely thank John Haskell and Ben Carlick for their candor during the audit process and for their constructive recommendations on ways to improve oversight of New South Parking's cash handling procedures.

If you have any questions, please feel free to call me at (650) 821-4051.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Van Hoy".

Kevin Van Hoy
Parking Manager
San Francisco International Airport

Attachment

AIRPORT
COMMISSION
CITY AND COUNTY
OF SAN FRANCISCO

GAVIN NEWSOM
MAYOR

LARRY MAZZOLA
PRESIDENT

LINDA S. CRAYTON
VICE PRESIDENT

CARYL ITO

ELEANOR JOHNS

RICHARD J. GUGGERHIME

JOHN L. MARTIN
AIRPORT DIRECTOR

Recommendation	Responsible Agency	Response
<p>1. The Airport should require NSP to prepare the monthly statement of gross revenues by using information from the parking system, and separately list the adjustments made to arrive at total gross revenue receipts for cash and personal checks.</p>	<p>Airport</p>	<p>The Airport directed New South Parking to make the recommended changes to the monthly statement of gross revenues effective with March 2010 statement. NSP's reports now delineate differences of gross monthly revenues by listing the daily actual variance from system report figures.</p>
<p>2. The Airport's parking manager should work with the parking system vendor to develop reports from the parking system that it can reconcile to NSP's monthly statements.</p>	<p>Airport</p>	<p>The Airport will continue to work with NSP and its Parking and Revenue Control System's vendor, Scheidt & Bachmann, to develop system generated reports that will reconcile to NSP's monthly statements.</p>
<p>3. The Airport should require NSP to reformat its summary reports to correctly identify the sources of the revenue data presented.</p>	<p>Airport</p>	<p>New South Parking has reformatted its monthly summary reports to correctly identify sources of revenue data presented.</p>
<p>4. The Airport should either require NSP to pay shortages on a daily basis, or modify the agreement to permit NSP to submit shortage amounts to the Airport on a monthly basis.</p>	<p>Airport</p>	<p>The Airport acknowledges a verbal agreement made with NSP to submit shortage amounts on a monthly basis and will modify future contract agreements to reflect this understanding.</p>

Recommendation	Responsible Agency	Response
<p>5. If the Airport modifies the agreement to permit monthly payments of shortages, it should include a provision that requires NSP to remit shortages exceeding a pre-determined limit the following business day, which would minimize the impact on the Airport's cash flow.</p>	<p>Airport</p>	<p>The Airport will also include a provision in future contract agreements which will require NSP to remit shortages within five (5) business days if the monthly cumulative amount exceeds a predetermined threshold in order to minimize the impact on the Airport's cash flow.</p>
<p>6. The Airport should require NSP to reach agreement with the armored car service over collections in March 2009 and remit any amounts due the Airport.</p>	<p>Airport</p>	<p>NSP has reached agreement with the armored car collection service over shortages in March 2009 collections and credited the Airport for the shortage on February 19, 2010.</p>
<p>7. The Airport should require NSP to submit a revised March 2009 monthly statement of gross revenues.</p>	<p>Airport</p>	<p>The Airport received a revised March 2009 monthly statement of gross revenues from NSP on February 19, 2010.</p>

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ATTACHMENT B: NSP'S RESPONSE



**New
South
Parking**

New South Parking
San Francisco Int'l Airport
P.O. Box 280567
San Francisco, CA 94128-0567

Phone: 650 821 7900
Fax: 650 821 7924
Website: www.parking.com

March 9, 2010

Tonia Lediju
Director of Audits
City and County of San Francisco
Office of the Controller – City Hall
1 Dr. Carlton B. Goodlett Place, Rm. 316
San Francisco, CA 94102-4694

Re: New South Parking Cash Handling Audit
San Francisco International Airport Parking Operations

Dear Ms. Leiju:

I've received and reviewed your audit results and recommendations letter dated March 1, 2010. Per your request, I've included with this letter New South Parking's responses to your recommendations.

We sincerely appreciate the opportunity we've had to work with you and your staff toward reaching the mutual goal of ensuring adequate cash handling procedures and controls are in place at the San Francisco International Airport parking operation. We look forward to implementing these enhancements, and are genuinely grateful for your insightful and constructive recommendations.

As always, should you have any questions or require further assistance, please don't hesitate to contact me at your convenience.

Very truly yours,

John L. Webster
General Manager
New South Parking

ATTACHMENT: AIRPORT'S RESPONSES

Recommendation	Responsible Agency	Response
1. The Airport should require NSP to prepare the monthly statement of gross revenues by using information from the parking system, and separately list the adjustments made to arrive at total gross revenue receipts for cash and personal checks.	Airport	Recommended changes to be made to Monthly Statement of Gross Revenues. Effective March, 2010 Statement.
2. The Airport's parking manager should work with the parking system vendor to develop reports from the parking system that it can reconcile to NSP's monthly statements.	Airport	NSP will team with Parking Management to work with PARCS vendor Scheidt & Bachmann in developing system generated reports that reconcile to NSP monthly financial statements.
3. The Airport should require NSP to reformat its summary reports to correctly identify the sources of the revenue data presented.	Airport	Completed as of March 1, 2010.
4. The Airport should either require NSP to pay shortages on a daily basis, or modify the agreement to permit NSP to submit shortage amounts to the Airport on a monthly basis.	Airport	Defer to Parking Management/Airport.

Recommendation	Responsible Agency	Response
5. If the Airport modifies the agreement to permit monthly payments of shortages, it should include a provision that requires NSP to remit shortages exceeding a pre-determined limit the following business day that would minimize the impact on the Airport's cash flow.	Airport	Defer to Parking Management/Airport.
6. The Airport should require NSP to reach agreement with the armored car service over collections in March 2009 and remit any amounts due the Airport.	Airport	March, 2009 Cashlink shortage at the Long Term Facility totaling \$896.00 was wire transferred to city on 2/19/10.
7. The Airport should require NSP to submit a revised March 2009 monthly statement of gross revenues.	Airport	Submitted to Airport's Parking Management and Accounting departments on 2/19/10.

City and County of San Francisco

Office of the Controller – City Services Auditor

BOS-11
To: Angela Calvillo,
Clerk of the Board
From: Office of the Controller
City Services Auditor

OFFICE OF THE TREASURER AND TAX COLLECTOR:

Financial Statement Audit of the
City Investment Pool
July 1, 2008, through June 30, 2009

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2010 FEB 17 PM 12:02
BY SK



February 17, 2010

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**CONTROLLER'S OFFICE
CITY SERVICES AUDITOR**

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

- Reporting on the level and effectiveness of San Francisco's public services and benchmarking the city to other public agencies and jurisdictions.
- Conducting financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
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- Ensuring the financial integrity and improving the overall performance and efficiency of city government.

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

Audit Team: Elisa Sullivan, Audit Manager



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

February 17, 2010

José Cisneros, Treasurer
Office of the Treasurer and Tax Collector
City Hall, Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4638

Dear Mr. Cisneros:

The Controller's Office, City Services Auditor, presents the financial audit report of the Statement of Net Assets and Statement of Changes in Net Assets of the City and County of San Francisco (City) Investment Pool (Pool) held by the Office of the Treasurer and Tax Collector (Treasurer) as of June 30, 2009. These basic financial statements present the total cash and investments, and related activity under the control and accountability of the City's Treasurer.

This audit was performed under contract by Macias Gini & O'Connell LLP. For this contract, the City Services Auditor Division performed the department liaison duties of project management and contractor invoice approval.

Based on this audit, Macias Gini & O'Connell LLP found that the basic financial statements referred to above present fairly, in all material respects, the financial position of the City's Pool as of June 30, 2009, and the changes in financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America. Further, the Treasurer complied with the investment requirements in the California Government Code, Sections 27130 through 27137, and with the City's investment policy.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tonia Lediju".

Tonia Lediju
Director of Audits

cc: Mayor
Board of Supervisors
Civil Grand Jury
Budget Analyst
Public Library

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**CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND
TAX COLLECTOR INVESTMENT POOL**

Financial Statements with
Independent Auditor's Reports

For the Year Ended June 30, 2009

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Financial Statements
For the Year Ended June 30, 2009

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In accordance with *Government Auditing Standards*, we have also issued our report dated December 23, 2009, on our consideration of the Treasury's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

Macias Gini & Connell LLP
Certified Public Accountants
Walnut Creek, California

December 23, 2009



MACIAS GINI & O'CONNELL LLP
Certified Public Accountants & Management Consultants

WALNUT CREEK
2121 N. California Blvd., Suite 750
Walnut Creek, CA 94596
925.274.0190

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NEWPORT BEACH

SAN DIEGO

The Honorable Mayor Gavin Newsom
The Honorable Members of the Board of Supervisors
City and County of San Francisco

Independent Auditor's Report

We have audited the accompanying financial statements of the Investment Pool administered by the Office of the Treasurer and Tax Collector (Treasury), as of and for the year ended June 30, 2009, as listed in the table of contents. These financial statements are the responsibility of the Treasury's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Treasury's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and the significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As discussed in Note 1, the financial statements present only the Treasury and do not purport to, and do not, present fairly the financial position of the City and County of San Francisco, California, as of June 30, 2009, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Treasury as of June 30, 2009, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The Treasury has not presented a management's discussion and analysis that accounting principles generally accepted in the United States has determined is necessary to supplement, although not required to be part of, the financial statements.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Statement of Net Assets
June 30, 2009

Assets:	
Cash	\$ 80,081,516
Investments:	
U.S. Treasury securities:	
U.S. Treasury notes	294,189,536
U.S. Treasury bills	362,845,323
U.S. Agencies under U.S. government receivership:	
Federal National Mortgage Association Notes and Bonds	451,665,109
Federal Home Loan Mortgage Corporation Discount Notes	19,899,911
Federal Home Loan Mortgage Corporation Notes	403,445,920
U.S. Agencies not under U.S. government receivership:	
Federal Home Loan Bank Notes	174,965,769
Federal Home Loan Bank Floaters	179,637,031
Federal Farm Credit Bank Bonds	90,281,365
Federal Farm Credit Bank Floaters	50,046,875
Temporary Liquidity Guarantee Program Notes	504,101,094
Temporary Liquidity Guarantee Program Floaters	50,460,938
With banks and thrifts:	
Collateralized Certificates of Deposit	425,000,000
Public Time Deposits	15,300,000
Total investments	<u>3,021,838,871</u>
Interest receivable	10,822,908
Total assets	<u>3,112,743,295</u>
Liabilities:	
Outstanding checks	100,910,349
Distributions payable	<u>10,292,582</u>
Total liabilities	<u>111,202,931</u>
Total net assets held in trust	<u>\$ 3,001,540,364</u>

The accompanying notes are an integral part of these financial statements.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Statement of Changes in Net Assets
For the Year Ended June 30, 2009

Additions:	
Additions to investment pool	<u>\$ 54,358,762,873</u>
Investment income:	
Net increase in fair value of investments	5,756,776
Interest	<u>79,157,629</u>
Net increase resulting from investment income	<u>84,914,405</u>
Total additions	<u>54,443,677,278</u>
Deductions:	
Distributions from investment pool	54,512,420,968
Investment income distributions to participants	81,377,658
Administrative expenses	<u>6,119,352</u>
Total deductions	<u>54,599,917,978</u>
Net change in net assets	(156,240,700)
Net assets held in trust, beginning of year	<u>3,157,781,064</u>
Net assets held in trust, end of year	<u><u>\$ 3,001,540,364</u></u>

The accompanying notes are an integral part of these financial statements.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL

Notes to the Financial Statements
For the Year Ended June 30, 2009

Note 1 - Summary of Significant Accounting Policies

The City and County of San Francisco (City) Investment Pool (Pool) is a local government investment pool with approximately \$3.0 billion in net assets as of June 30, 2009. As the banker, tax collector, collection agent, and investment officer for the City, the Office of the Treasurer and Tax Collector (Treasurer) manages the Pool on behalf of most funds of the City and external participants. Investments made by the Treasurer are regulated by the California Government Code and by the City's investment policy approved annually by the City's Treasury Oversight Committee.

These basic financial statements present only the cash on hand, cash in bank, investments, and related activity under the control and accountability of the Treasurer of the City. The financial statements are not intended to present fairly the financial position and results of operations of the City.

Measurement Focus and Basis of Accounting

The Statement of Net Assets and the Statement of Changes in Net Assets are prepared using the economic resources measurement focus and the accrual basis of accounting. Earnings on investments are recognized as revenue in the period in which they are earned and administrative costs are recognized as expense when incurred, regardless of the timing of cash flows. In accordance with generally accepted accounting principles (GAAP), the Treasurer records investment purchases and sales on the trade date. Pool participants' cash balances and withdrawals are based on book value (deposits, plus distributed investment income, and realized gains and losses).

Investment Pool Participation

The Treasurer's Pool includes pooled deposits and investments and dedicated investment funds. The dedicated investment funds represent restricted funds and relate to bond issuances of the City's enterprise funds or agency funds. The Pool also includes both voluntary and involuntary participation from entities that are not part of the City's financial reporting entity. The State of California statutes require certain special districts and other governmental entities to maintain their cash surplus with the Treasurer. The San Francisco Unified School District (school district), the San Francisco Community College District (community college district), and the City are involuntary participants in the City's Pool. As of June 30, 2009, involuntary participants accounted for approximately 95.4 percent of the Pool. Voluntary participants accounted for 4.6 percent of the Pool.

Further, the school district, community college district, the trial courts of the State of California and the Transbay Joint Powers Authority are external participants of the City's Pool. At June 30, 2009, \$569.9 million was held on behalf of these external participants. The total percentage share of the City's Pool that relates to these four external participants is 19.0 percent. Internal participants accounted for 81.0 percent of the Pool. During the fiscal year ended June 30 2009, the Treasurer has not entered into any legally binding guarantees to support the participant equity in the Pool. Further, the Pool is not registered with the SEC as an investment company.

Investment Valuations

Investments are carried at fair value, except for certain non-negotiable investments that are reported at cost because they are not transferable and have terms that are not affected by changes in market interest rates, such as collateralized certificates of deposits and public time deposits. The fair value of investments is determined monthly and is based on current market prices. The fair value of participants' position in the Pool approximates the value of the Pool shares. The method used to determine the value of participants' equity is based on the book value of the participants' percentage participation. In the event that a certain fund overdraws its share of pooled cash, the overdraft is covered by the General Fund and a payable to the General Fund is established in the City's basic financial statements.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Notes to the Financial Statements (Continued)
For the Year Ended June 30, 2009

Note 1 - Summary of Significant Accounting Policies (Continued)

Investment Income

Income from pooled investments is allocated at month-end to the individual funds or external participants based on the fund or participant's average daily cash balance in relation to the total pooled investments. Income from dedicated investments is posted directly to funds where the money is originated. City management has determined that the investment income related to certain funds should be allocated to the General Fund. On a budget basis, the interest income is recorded in the City's General Fund. On a generally accepted accounting principles (GAAP) basis, the income is reported in the fund where the related investments reside. A transfer is then recorded to transfer an amount equal to the interest earnings to the General Fund.

It is the City's policy to charge interest at month-end to those funds that have a negative average daily cash balance. In certain instances, City management has determined that the interest expense related to the fund should be allocated to the City's General Fund. On a budget basis, the interest expense is recorded in the General Fund. On a GAAP basis, the interest expense is recorded in the fund and then a transfer from the General Fund for an amount equal to the interest expense is made to the fund.

The types of investments made during the year were substantially the same as those held as of June 30, 2009. Fair value fluctuates with interest rates and increasing rates could cause fair value to decline below original cost. The Treasurer believes the liquidity in the portfolio is sufficient to meet cash flow requirements and to preclude the Treasurer from having to sell investments below original cost for that purpose. The earned yield, which includes net gains on investments sold, on all investments held by the Treasurer for the fiscal year ended June 30, 2009, was 2.57 percent.

Investment Withdrawals

In accordance with California Government Code, Section 27136, any requests from agencies to withdraw funds from the investment pool for purposes other than cash flow, such as for external investing, is subject to the consent of the Treasurer. Those requests are subject to the Treasurer's consideration of the stability and predictability of the pooled investment fund, or the adverse effect on the interests of the other depositors in the pooled fund. Withdrawals are at the value shown on the Office of the Controller's books as of the date of withdrawal.

Interest Receivable

Receivables on the statement of net assets consist of interest accrued on investments.

Payables

The payables consist of outstanding checks and distributions payable.

Estimates

The preparation of the basic financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts and disclosures in the financial statements. Actual results could differ from the estimates.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Notes to the Financial Statements (Continued)
For the Year Ended June 30, 2009

Note 2 – Investment Policy

The City's investment policy addresses the soundness of financial institutions in which the City will deposit funds, types of investment instruments as permitted by the California Government Code, and the percentage of the portfolio which may be invested in certain instruments with longer terms to maturity. The objectives of the policy, in order of priority, are safety, liquidity, and yield. The City has established a Treasury Oversight Committee as defined in the City Administrative Code section 10.80-3, comprised of various City officials, representatives of agencies with large cash balances, and members of the public, to monitor and review the management of public funds maintained in the investment pool in accordance with Sections 27130 to 27137 of the California Government Code. The Treasurer prepares and submits a comprehensive investment report to the Mayor, the Board of Supervisors, members of the Treasury Oversight Committee, and the Pool participants every month. The report covers the type of investments in the Pool, maturity dates, par value, actual cost, and fair value.

The City's investment policy also limits the purchase of negotiable certificates of deposit to the five largest domestic commercial banks that have demonstrated profitability in their most recent audited financial statements at the time of purchase. In addition, the investment policy requires that public time deposits be made only at approved financial institutions with at least one full service branch within the geographical boundaries of the City, and that the deposits yield a minimum of 0.125 percent higher than equal maturity U.S. Treasury instruments except in special circumstances specifically authorized by the Treasurer. The investment policy requires deposits in excess of the Federal Deposit Insurance Corporation (FDIC) deposit insurance limit to be fully collateralized with 110% of the type of collateral authorized in California Government Code, Section 53651 (a) through (i). The current FDIC insurance limit is \$250,000. The investment policy also requires that commercial bank deposits be made on a competitive basis with risk exposure based on financial statements and related information gathered on each individual bank.

The table on the following page identifies the investment types that are authorized by the City's investment policy. The table also identifies certain provisions of the City's investment policy that address interest rate risk and concentration of credit risk. Although the California Government Code does not limit the amount of City funds that may be invested in federal agency instruments, the City's investment policy requires that investments in federal agencies should not exceed 60 percent of the total portfolio at the time of purchase. The investment policy also limits the maximum maturity of each type of agency instrument and does not permit the investment in medium term corporate notes. Investments held by the Treasurer during the year did not include repurchase agreements or reverse repurchase agreements.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Notes to the Financial Statements (Continued)
For the Year Ended June 30, 2009

Note 2 – Investment Policy (Continued)

Table 1 - Types of Investments Authorized by the City's Investment Policy

Authorized Investment Type	Maximum Maturity	Maximum Percentage of Portfolio	Maximum Investment in One Issuer
U.S. Treasury:			
Bills	5 years	None	None
Notes	5 years	None	None
Bonds	5 years	None	None
U.S. Agency Securities (all):	5 years	60% *	n/a
Federal National Mortgage Association (Fannie Mae or FNMA)	5 years	n/a	30% *
Federal Home Loan Mortgage Corporation (Freddie Mac or FHLMC)	5 years	n/a	30% *
Federal Home Loan Bank (FHLB.)	270 days *	n/a	30% *
Federal Farm Credit Bank (FFCB.)	270 days *	n/a	30% *
Federal Agricultural Mortgage Association (Farmer Mac)	270 days *	n/a	10% *
Resolution Trust Funding Corporation (RTC)	270 days *	n/a	5% *
Tennessee Valley Authority (TVA)	270 days *	n/a	10% *
Commercial Paper	270 days	25%	10% *
Bankers Acceptances	180 days	40%	30% *
Temporary Liquidity Guarantee Program (TLGP)	5 years	30%	None
State and Local Government Agencies indebtedness	5 years	20%	None
Repurchase Agreements	30 days *	None	\$75 million
Reverse Repurchase Agreements	45 days *	20%	\$75 million
State of California Local Agency Investment Fund (LAIF)	n/a	Statutory	None
Bank and Thrift:			
Public Time Deposits	5 years	None	None
Public Demand Accounts	5 years	None	None
Negotiable Certificates of Deposit	5 years	30%	None

* Represents restriction on which the City's investment policy is more restrictive than the California Government Code.

Note 3 – Investments

Custodial Credit Risk

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, the City will not be able to recover its deposits or will not be able to recover collateral securities that are in the possession of an outside party. The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, a government will not be able to recover the value of its investment or collateral securities that are in the possession of another party. The California Government Code and the City's investment policy do not contain legal or policy requirements that would limit the exposure to custodial credit risk for deposits or investments; however, it is the practice of the Treasurer that all investments are insured, registered, or held by the Treasurer's custodial agent in the City's name.

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Notes to the Financial Statements (Continued)
For the Year Ended June 30, 2009

Note 3 – Investments (Continued)

The California Government Code requires California banks and savings and loan associations to secure the City's deposits not covered by federal deposit insurance by pledging government securities as collateral. The fair value of pledged securities must equal at least 110 percent of the type of collateral authorized in California Government Code, Section 53651 (a) through (i) of the City's deposits. The collateral must be held at the pledging bank's trust department or another bank, acting as the pledging bank's agent, in the City's name. The investment policy states that mortgage-backed collateral will not be accepted. At June 30 2009, all of the banks with funds deposited by the Treasurer secured deposits with sufficient collateral.

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment the greater the sensitivity of its fair value to changes in market interest rates. One of the ways that the Treasurer manages its exposure to interest rate risk is by purchasing a combination of shorter term and longer term investments and by timing cash flows from maturities so that a portion of the portfolio is maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for operations. As of June 30, 2009, the investment pool had a weighted average maturity of 576 and its investment in floating rate securities was \$280.1million. These securities are tied to the London Interbank Offered Rate (LIBOR) index.

All security transactions including collateral for repurchase agreements entered into by the Treasurer is conducted on a delivery-versus-payment basis pursuant to approved custodial safekeeping agreements. Securities are held by a third party custodian designated by the Treasurer and evidenced by safekeeping receipts. Information about the sensitivity to the fair values of the Treasurer's investments to market interest rate fluctuations is provided by the following table, which shows the distribution of the Treasurer's investments by maturity.

Table 2 - Types of Investments Authorized by the City's Investment Policy (in thousands)

Investment Type	Interest Rates	Maturity	Par Value	Fair Value	Investment maturities (in months)			
					Under 1	1 - 6	6 - 12	12 - 60
U.S. Treasury Bills	0.13% - 1.50%	7/23/09 - 1/14/10	\$ 295,000	\$ 294,189	\$ 174,999	\$ 49,465	\$ 69,725	\$ -
U.S. Treasury Notes	0.34% - 3.86%	7/31/09 - 5/31/11	355,100	362,845	-	156,025	25,257	181,563
Fannie Mae Bonds	1.23% - 3.60%	2/11/11 - 5/6/13	370,000	372,213	-	-	-	372,213
Fannie Mae Multi-Step	1.25%	11/18/11	29,825	29,806	-	-	-	29,806
Fannie Mae Discount Notes	1.21%	8/17/09	50,000	49,647	-	49,647	-	-
Freddie Mac Bonds	1.97% - 3.00%	1/23/12 - 4/24/14	405,000	403,446	-	-	-	403,446
Freddie Mac Discount Notes	0.91%	1/8/10	20,000	19,900	-	-	19,900	-
FFCB Bonds	1.20% - 2.88%	10/13/10 - 1/28/14	90,225	90,281	-	-	-	90,281
FFCB Floater	0.77%	10/26/09	50,000	50,047	-	50,047	-	-
FHLB Multi-Step	0.50%	6/30/10	50,000	49,969	-	-	49,969	-
FHLB Discount Notes	0.11% - 0.12%	7/7/09 - 7/8/09	125,000	124,997	124,997	-	-	-
FHLB Floater	0.23% - 0.54%	11/23/09 - 12/28/09	179,500	179,637	-	179,637	-	-
TLGP Bonds	0.77% - 2.13%	1/7/11 - 12/26/12	551,000	554,562	-	-	-	554,562
Collateralized CD	1.20% - 2.52%	9/2/09 - 4/14/10	425,000	425,000	-	325,000	100,000	-
Public Time Deposits	1.00% - 3.90%	7/16/09 - 12/20/10	15,300	15,300	100	5,100	100	10,000
Total Investments			\$ 3,010,950	\$ 3,021,839	\$ 300,096	\$ 814,921	\$ 264,951	\$ 1,641,871

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE TREASURER AND TAX COLLECTOR INVESTMENT POOL
Notes to the Financial Statements (Continued)
For the Year Ended June 30, 2009

Note 3 – Investments (Continued)

Credit Risk

Generally, credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. Table 3 shows the minimum rating required by the California Government Code and the City's investment policy and the actual rating as of June 30, 2009, for each investment type.

Table 3 – Minimum Rating Required by the California Government Code and Investment Policy

Investment Type	Minimum Legal Rating	Standard & Poor's Rating	Total Investment Portfolio
U.S. Treasury Bills	N/A	A-1	9.7%
U.S. Treasury Notes	N/A	AAA	12.0%
U.S. Agencies Notes	N/A	AAA	45.3%
TLGP	N/A	AAA	18.4%
Collateralized CDs	N/A	N/A	14.1%
Public Time Deposits	N/A	N/A	0.5%

The City's investment policy contains no limitations on the amount that can be invested in any one issuer beyond that stipulated by the California Government Code. U.S. Treasury and Agency securities are not subject to these single issuer limitations. As shown in Table 3 above, investments in U.S. Agencies that represent 5 percent or more of the total investments are in the following: FHLMC, FNMA, and FHLB. These investments represent 14.0 percent, 14.9 percent, and 11.7 percent, respectively.

Note 4 – Safekeeping Items

The Treasurer also holds for safekeeping bequests, trust funds, and lease deposits for other City departments. The bequests and trust funds consist of stocks and debentures. Those instruments are valued at par, cost, or fair value at the time of donation. The following table summarizes the bequests, trusts, and lease deposits held by the Treasurer.

Table 4 – Bequest, Trusts, and Lease Deposits Held by the Treasurer

Safekeeping Items	Amount
Bequests and Trusts:	
San Francisco General Hospital:	
Augusto Brunetti Bequest	\$ 166
Laguna Honda Hospital:	
William L. Lenahan	203,908
Marie Lewis Gift Fund	72,336
Hazel I. Putnam	1,227
Miscellaneous Gift Fund	105,370
Recreation and Park Department:	
Gilliland Bequest	182,364
Mildred Marting Bequest	7,182
Department of Human Services:	
Mary Arcuri Account	2,353
Federal Home Loan Bequest	392
Total Bequest and Trust Funds	575,298
Lease Deposits	24,298,624
Total Safekeeping Items	\$ 24,873,922



MACIAS GINI & O'CONNELL LLP
Certified Public Accountants & Management Consultants

WALNUT CREEK
2121 N. California Blvd., Suite 750
Walnut Creek, CA 94596
925.274.0190

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SAN DIEGO

**Independent Auditor's Report on Internal Control over Financial Reporting and on
Compliance and Other Matters Based on an Audit of Financial Statements
Performed in Accordance with *Government Auditing Standards***

The Honorable Mayor Gavin Newsom
The Honorable Members of the Board of Supervisors
City and County of San Francisco

We have audited the financial statements of the Investment Pool administered by the Office of the Treasurer and Tax Collector (Treasury) as of and for the year ended June 30, 2009, and have issued our report thereon dated December 23, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audit, we considered the Treasury's internal control over financial reporting as it pertains to the Investment Pool's activities, as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements but not for the purpose of expressing an opinion on the effectiveness of the Treasury's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Treasury's internal control over financial reporting.

A *deficiency* in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A *material weakness* is a deficiency or combination of deficiencies in internal control such that there is a reasonable possibility that a material misstatement of the Investment Pool's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Investment Pool's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Treasury's management, Treasury Oversight Committee, the Board of Supervisors, and others within the City, and is not intended to be and should not be used by anyone other than these specified parties. However, this report is a matter of public record and its distribution is not limited.

Macias Gini & Connell LLP
Certified Public Accountants
Walnut Creek, California

December 23, 2009



MACIAS GINI & O'CONNELL LLP
Certified Public Accountants & Management Consultants

WALNUT CREEK
2121 N. California Blvd., Suite 750
Walnut Creek, CA 94596
925.274.0190

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NEWPORT BEACH

SAN DIEGO

Independent Accountant's Report on Applying Agreed-Upon Procedures

The Honorable Mayor Gavin Newsom
The Honorable Members of the Board of Supervisors
City and County of San Francisco

We have performed the procedures enumerated below, which were agreed to by the Office of the Treasurer and Tax Collector (Treasury) of the City and County of San Francisco (City), solely to assist the specified parties in evaluating the Treasury's compliance with the California Government Code (Code) Sections 27130 through 27137, which addresses requirements of the Treasury Oversight Committee (Committee), for the year ended June 30, 2009. Treasury's management and the Committee are responsible for the Treasury's compliance with those requirements. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose

The procedures performed and our observations and findings are summarized as follows:

1. We obtained a listing of the current members of the Committee to determine whether the members meet the requirements outlined in Article 6, Section 27132 of the Code.

Finding: No compliance exceptions were noted as a result of our procedures.

2. We obtained confirmations from the Committee members that they are in compliance with Article 6, Section 27132.1 through 27132.3 of the Code.

Finding: No compliance exceptions were noted as a result of our procedures.

3. We obtained the Investment Policy and verified that it was reviewed by the Committee and included authorized investments; maximum security term; brokers and dealers selection; limits on the receipt of gifts; investment report; cost calculation and apportionment policy; deposit terms and conditions; and funds withdrawal criteria pursuant to Article 6, Section 27133 of the Code.

Finding: No compliance exceptions were noted as a result of our procedures.

4. We verified that City's funds were used to pay for the costs incurred to comply with the investment compliance requirements pursuant to Article 6, Section 27135 of the Code.

Finding: No compliance exceptions were noted as a result of our procedures.

5. We read the City's withdrawal policy and performed tests to verify the Treasury complied with this policy pursuant to Article 6, Section 27136 of the Code. The City's withdrawal policy as stated in the Investment Policy is as follows:

The Treasurer will honor all requests to withdraw funds for normal cash flow purposes that are approved by the San Francisco Controller. Any requests to withdraw funds for purposes other than cash flow, such as for external investing, shall be subject to the consent of the Treasurer. In accordance with California Government Code Sections 27136 et seq. and 27133(h) et seq., such requests for withdrawals must first be made in writing to the Treasurer. These requests are subject to the Treasurer's consideration of the stability and predictability of the Pooled Investment Fund, or the adverse effect on the interests of the other depositors in the Pooled Investment Fund. Any withdrawal for such purposes shall be at the value shown on the Controller's books as of the date of withdrawal.

We tested 25 withdrawals during the period from July 1, 2008 through June 30, 2009 to determine the City's compliance with its withdrawal policy.

Finding: No compliance exceptions were noted as a result of our procedures.

6. We read the Committee's quarterly minutes to determine that the Committee was not directing individual investment decisions, selecting individual investment advisors, brokers or dealers or impinging on the day-to-day operations of the City's Treasury pursuant to Article 6, Section 27137 of the Code.

Finding: No compliance exceptions were noted as a result of our procedures.

7. We read the Investment Policy to verify that it states "the Pooled Investment Fund (Fund) shall be prudently invested to meet the specific objectives of (1) Safety of Principal, (2) Liquidity, (3) Yield and (4) Public Trust."

Finding: No compliance exceptions were noted as a result of our procedures.

8. We selected the June 2009 investment listing and compared the investments listed to the types of investments authorized per the Code Sections 53600 et seq.

Finding: No compliance exceptions were noted as a result of our procedures.

9. We recalculated the value of the investments (fair value plus accrued interest) for the investments listed in the June 30, 2009 investment listing. We then summarized the investments by issuer and by investment type and computed percentage of each to the total portfolio. We compared those percentages to the limits stated in the Investment Policy to determine the City's compliance. In addition, we summarized investments by type and days to maturity and compared the number of days to the limits stated in the Policy to determine the City's compliance.

Finding: No compliance exceptions were noted as a result of our procedures.

We were not engaged to, and did not conduct an examination, the objective of which would be the expression of an opinion on compliance. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information of the Treasury's management, Treasury Oversight Committee, the Board of Supervisors, and others within the City, and is not intended to be and should not be used by anyone other than these specified parties.

Macias Gini & Cunnell LLP
Certified Public Accountants
Walnut Creek, California

December 23, 2009

BOARD of SUPERVISORS



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

Date: March 19, 2010
To: Members of the Board of Supervisors
From: Angela Calvillo, Clerk of the Board *AC*
Subject: Form 700

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

Eric L. Mar – Annual
Cassandra Costello – Annual
Lin-Shao Chin – Annual
Sophie Maxwell - Annual
Frances Hsieh – Annual
Nicolas King – Leaving
Jamie Cantwell - Leaving

5



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

Gavin Newsom, Mayor
Mitchell Katz, M.D.
Director of Health

ENVIRONMENTAL HEALTH SECTION

HAZARDOUS WASTE RELEASE DISCLOSURE FORM

Date : March 2, 2010

Date of Illegal Release: March 1, 2010

Location of Illegal Release : San Francisco

- | | | |
|-----------------------------------|----------------------------------|--------------------------------------|
| <input type="checkbox"/> Soil | <input type="checkbox"/> Sewer | <input type="checkbox"/> Air |
| <input type="checkbox"/> Waterway | <input type="checkbox"/> Garbage | <input type="checkbox"/> Other Vault |

Name of Person or Business Causing Illegal Release:
Address:

Type of Hazardous Waste Released:

- | | | |
|---|---------------------------------------|---|
| <input checked="" type="checkbox"/> Oils | <input type="checkbox"/> Pesticides | <input type="checkbox"/> Asbestos |
| <input type="checkbox"/> Organic Solvents | <input type="checkbox"/> Acids | <input type="checkbox"/> Radioactive |
| <input type="checkbox"/> Fuels | <input type="checkbox"/> Caustics | <input type="checkbox"/> Explosive/Reactive |
| <input type="checkbox"/> PCB's | <input type="checkbox"/> Heavy Metals | <input type="checkbox"/> Unknown |
| <input type="checkbox"/> Other | | |

Physical State of Waste:

- Liquid Solid Gas

Quantity Released:

- | | | |
|---|--|--|
| <input type="checkbox"/> less than 1 gallon | <input type="checkbox"/> 1 to 10 gallons | <input checked="" type="checkbox"/> 10 to 50 gallons |
| <input type="checkbox"/> 50 to 250 gallons | <input type="checkbox"/> more than 250 gallons | <input type="checkbox"/> more than 100 lbs. |
| <input type="checkbox"/> Less than 10 lbs. | <input type="checkbox"/> 10 to 100 lbs. | |
| <input type="checkbox"/> Unknown | | |

Information Source:

- | | |
|--|--|
| <input type="checkbox"/> Observation | <input type="checkbox"/> Report from public employee |
| <input checked="" type="checkbox"/> Report from business | <input type="checkbox"/> Public complaint |
| <input type="checkbox"/> Other | |

Has Another Public Agency Responded to this Incident?

- NO YES If yes, which agencies: CalEMA #10-1491

Comments: Mineral oil was released due to an equipment failure and was contained in the vault.

Report prepared by:

Submit to:

Rajiv Bhatia
1390 Market Street, Suite 210
San Francisco, CA 94102

and

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

Name: Patrick Fosdahl

Department: Dept. of Public Health

Position: Sr. Environmental Health Inspector

Phone Number: (415) 252-3904

Template/Prop 65.dot/03.05.99 rcv'd _____ pi _____ may _____ dir _____

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2010 MAR -9 AM 9:55
 BY ALC

6

California Emergency Management Agency
Hazardous Materials Spill Update

CONTROL #: 10-1491

NRC#: 932716

NOTIFY DATE/TIME: 03/01/2010 / 2042

RECEIVED BY: Dana Petersen
1530

OCCURENCE DATE/TIME: 3/1/2010 /

CITY/OP. AREA: San Francisco/San Francisco County

1.a. PERSON NOTIFYING Cal EMA

PERSON CALLING Cal EMA: Ted Robinson
PHONE #: 530-701-2946 | EXT:

AGENCY: PG&E

PAGER #(CELLPHONE):

1.b. PERSON REPORTING SPILL (If different from above):

PERSON CALLING Cal EMA:
PHONE #: | EXT:

AGENCY:

PAGER #(CELLPHONE):

SUBSTANCE TYPE:

a. SUBSTANCE: / b.QTY: Amount / Measure / c. TYPE / d. OTHER

1. Mineral Oil / Apx 10-15 / Gal(s) / PETROLEUM /

2.

3.

4.

Original Description: RP advising of a leak of mineral oil due to equipment failure. Leak is contained within a PG&E vault/manhole.

Update(s):

PERSON NOTIFYING Cal EMA OF SPILL UPDATE:

NAME: XXX

AGENCY: NRC

PHONE #: 1-800-424-8802 | EXT:

PAGER #(CELLPHONE):

UPDATE QUANTITY:

1. Amount: Gal(s)

2. Amount:

3. Amount:

4. Amount:

UPDATE RECEIVED BY: Dana Petersen

UPDATE KNOWN IMPACT:

UPDATE CAUSE:

SITUATION UPDATE: Received NRC 932716

FAX NOTIFICATION LIST: AA/CUPA , DFG-OSPR , DTSC , RWQCB , US EPA , USFWS

ADMINISTERING AGENCY: San Francisco County Health Department

SECONDARY AGENCY:

OTHER NOTIFIED: SF Co Env Health

Created by Warning Center on 3/1/2010 9:11:42 PM
Modified by Warning Center on 3/1/2010 9:11:42 PM

Last

California State Warning Center
California Emergency Management Agency
Phone: (916) 845-8911
Warning.Center@oes.ca.gov

BOARD of SUPERVISORS



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San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

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MAR 17 PM 4:40
BY AK

MEMORANDUM

Date: March 17, 2010
To: Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board *Ang Calvillo*
Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following Commission:

- Scott Kahn, Human Services Commission, term ending on January 15, 2014

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

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within thirty days of the appointment as provided in Section 3.100(17) of the Charter.

Please notify me in writing by **5:00 p.m., Tuesday, March 23, 2010**, if you wish this appointment to be scheduled.

Attachment

7

Office of the Mayor
City & County of San Francisco



orig: Rules Clerk
C: Leg Dep, COB

Gavin Newsom

March 17, 2010

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 17 PM 3:57
BY _____

Dear Ms. Calvillo:

Pursuant to the Charter Section 3.100 (17), I have reappointed Scott Kahn as a member of the Human Services Commission effective, March 17, 2010. Scott Kahn has been reappointed to fill his same seat, and this term will expire on January 15, 2014.

Please see the attached resume which will illustrate that Scott Kahn's qualifications allow him to represent the communities of interest, neighborhoods and diverse populations of the City and County.

Should you have any questions, please contact my Director of Appointments, Matthew Goudeau at 415-554-6674.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor



Notice of Appointment

March 17, 2010

Honorable Board of Supervisors:

I hereby appoint Scott Kahn to serve as member of the Human Services Commission for a 4-year term commencing March 17, 2010, in accordance with the 1996 Charter, Section 3.100, (17).

I am confident that Scott Kahn will serve our community well. Attached are his 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.

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

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SAN FRANCISCO
2010 MAR 17 PM 3:57
BY _____

SCOTT L. KAHN

3966 Clay Street

San Francisco, CA 94118

Day: (415) 924-9600 Eve: (415) 668-3024

Cell: (415) 515-3072 Email: slkahn24@aol.com

1978 – Present **President and CEO**
Kahn Associates, Inc. DBA: Zel R. Kahn & Sons
2 Fifer Ave, Ste#220, Corte Madera, CA 94925
1200 Gough Street, Ste#900, San Francisco, CA 94109

Long established (1935) San Francisco business firm specializing in liquidation and closeouts. Owned and operated by the Kahn family for over 70 years.

1974 – 1977 Director
San Francisco Parks & Recreation Department
Served as Director at several parks throughout the city. Also worked at the Recreation Center For The Handicapped.

Community Services:

- * present **Board Member, Lehrhaus Judaica**
- * 2006 – present **Board Member, Congregation Emanu-El**
- * 2002 – 2006 **Board Member, Anti-Defamation League**
- * 1989 – 1995 **Board Member, Jewish Home For The Aged**
- * 1975 – 1987 **Commissioner, San Mateo County Juvenile Justice & Delinquency Prevention Commission.**
- * 1984 – 1986 **Chairman, San Mateo County Juvenile Justice Commission**
- * 1973 – 1975 **Commissioner, San Francisco Juvenile Justice Commission**
- * 1973 – 1980 **Volunteer, San Francisco Big Brother Association**

Personal Information:

Birth place: San Francisco, California

Birth date: June 11, 1946

Married to: Vicki Kahn

Children: Jonathan (38), Adam (36), Nicole (28)

Grandchildren: Stella (9), Sadie (7)

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5162
TDD/TTY No. 554-5227

BY PN

c page
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2010 MAR 17 AM 11:37

MEMORANDUM

Date: March 16, 2010
To: Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board *ACalvillo*
Subject: APPOINTMENTS BY THE MAYOR

The Mayor has submitted appointments to the following Commissions:

- Edward Chow, MD, Health Commission, term ending on January 15, 2014
- Michael Nguyen, Library Commission, term ending on January 15, 2013
- A. Lee Munson, Library Commission, term ending on January 15, 2014

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

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within thirty days of the appointment as provided in Section 3.100(17) of the Charter.

Please notify me in writing by **5:00 p.m., Monday, March 22, 2010**, if you wish any appointment to be scheduled.

Attachments

8



Notice of Appointment

March 11, 2010

Honorable Board of Supervisors:

I hereby appoint Edward Chow, MD to serve as member of the San Francisco Health Commission for a 4-year term commencing March 11, 2010, in accordance with the 1996 Charter, Section 3.100, (17).

I am confident that Edward Chow, MD will serve our community well. Attached are his 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

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

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BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 15 PM 1:53
BY _____ AK



March 11, 2010

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 3.100 (17), I have reappointed Edward A. Chow, MD as a member of the San Francisco Health Commission effective, March 11, 2010.

Dr. Edward Chow has been reappointed to fill his same seat, and this term will expire on January 15, 2014.

Please see the attached resume which will illustrate that DR. Chow's qualifications allow him to represent the communities of interest, neighborhoods and diverse populations of the City and County.

Should you have any questions, please contact my Director of Appointments, Matthew Goudeau at 415-554-6674.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

BY AK

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 15 PM 2:00



March 11, 2010

Edward A. Chow, MD
285 Topaz Way
San Francisco, CA 94133

Dear Dr. Chow:

It is my great pleasure to reappoint you to the San Francisco Health Commission pursuant to Section 3.100(17) of the Charter of the City and County of San Francisco. This appointment is effective today, March 11, 2010. Under Section 3.100 (17) this appointment is "effective immediately and shall remain so unless rejected by a two-thirds vote of the Board of Supervisors within 30 days following transmittal of Notice of Appointment" to the Board. This appointment will expire on January 15, 2014.

Your leadership as a member of the Health Commission will provide you the opportunity to serve the citizens of San Francisco in a meaningful and lasting manner. I believe your qualifications and experience enable you to play a vital leadership role in our local government.

Thank you in advance for serving our city this important capacity.

Sincerely,

Gavin Newsom
Mayor

Cc: Mitch Katz

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SAN FRANCISCO
2010 MAR 15 PM 1:54
BY A/c

Edward A. Chow, M.D.

Dr. Chow has been a practicing internist in San Francisco for forty years. A native San Franciscan, he attended the University of San Francisco, and St. Louis University School of Medicine and completed his post graduate training in internal medicine at the Southern Pacific Memorial Hospital, San Francisco. He is a fellow of the American College of Physicians.

Dr. Chow is currently Chief Medical Office of the Chinese Community Health Plan, sponsored by the Chinese Hospital Association of San Francisco. The Chinese Community Health Plan was organized to meet the linguistic and cultural needs of the Chinese community in San Francisco. He also serves as Executive Director of the Chinese Community Health Care Association, a non-profit mutual benefit association of 180 physicians functioning as an individual practice association providing culturally competent medical services for over 31,000 managed care enrollees through seven health plans and Healthy San Francisco.

Since 1989, Dr. Chow has served on the San Francisco Health Commission, which has responsibility for over \$1 billion of services and facilities including San Francisco General Hospital, and Laguna Honda Hospital. He has served as Commission President and Vice President and is currently Chair of the Joint Conference Committee for San Francisco General Hospital. He is currently a principal investigator for the San Francisco Chinese site of the NCI Project, Asian American Network for Cancer, Awareness, Research and Training (AANCART) and serves on the Physicians Relations Committee for Anthem Blue Cross of California and Treasurer of the National Council of Asian Pacific Islander Physicians (NCAPIP). He was most recently a member of the California Pacific Medical Center Blue Ribbon Panel for St. Luke's Hospital.

Dr. Chow was Chairman, first President, and currently a member of the Board of Directors of the NICOS Chinese Health Coalition, a San Francisco coalition of health and human services agencies and private providers which evaluates and advocates for health issues related to the Chinese and Asians in San Francisco.

Dr. Chow has served as President of the San Francisco Medical Society and President of the California Society of Internal Medicine, and a past member of the Board of Trustees of the California Medical Association. He is currently treasurer of the board of the Institute of Medical Quality, a subsidiary of the California Medical Association. He served as Trustee of the University of San Francisco for nine years and is a member of the External Advisory Committee of the U.S.F. School of Nursing.

He was a member of the Steering Committee creating the San Francisco Health Authority, the local initiative program for Medi-Cal recipients and a charter member of the California Department of Health Task Force on Multicultural Health, advisory to the Director of Health. He was also Chair of the first national Conference of Health Problems Related to the Chinese in America, and a charter member of the steering committee of the Asian American Health Forum, now known as the Asian Pacific Islander Health Forum (APIAHF). He was also a founder of the Chinese Community Cardiac Council of the San Francisco Heart Association, and the Federation of Chinese American and Chinese Canadian Medical Societies. He is a frequent lecturer or panelist on health access and the need for cultural competency. He has testified before the

Congress (1994), and was a consultant for the Black and Minority Task Force, US Department of Health & Human Services (1984-1985).

In 1995, he received the Robert C. Kirkwood award of the San Francisco Foundation for "extraordinary service to the community as a provider of and advocate for improved health care for all people, especially the undeserved". In 1996, he received the Distinguished Physician Award from the Chinese American Physician Society, Oakland, California. In 1997, he received the University of San Francisco Alumnus of the Year Award, and the Pioneer Award from the Asian Pacific Islander American Health Forum for his national work on Asian Health issues. In 1998, he was cited by California Medicine as "Who's Who 1998" for his "abiding dedication to the goal of universal access to competent and culturally sensitive healthcare services". In 2005, he received the Asian Perinatal Advocates Award for "Outstanding Contributions towards Building a Healthy Community." In 2007, the California Medical Association Foundation and the Network of Ethnic Physician Organizations awarded Dr. Chow with the 2007 Ethnic Physician Leadership Award in recognition of his outstanding work to improve the health of Asian communities in the San Francisco area. In 2008, he was honored by The American Red Cross Bay Area Chapter and also received the 2008 Friend of Nursing of San Francisco General Hospital award, the 2008 Alumni Merit Award from the St. Louis University School of Medicine, and the Laureate Award from the American College of Physicians Northern California Chapter.



March 15, 2010

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 3.100 (17), I have reappointed Michael Nguyen as a member of the Library Commission effective, March 15, 2010.

Michael Nguyen has been reappointed to fill a seat that was previously held by Lonnie K. Chin., and this term will expire on January 15, 2013.

Please see the attached resume which will illustrate that Michael Nguyen's qualifications allow him to represent the communities of interest, neighborhoods and diverse populations of the City and County.

Should you have any questions, please contact my Director of Appointments, Matthew Goudeau at 415-554-6674.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

BY AKL

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 15 PM 1:54



Notice of Appointment

March 15, 2010

Honorable Board of Supervisors:

I hereby appoint Michael Nguyen to serve as member of the Library Commission commencing March 15, 2010, in accordance with the 1996 Charter, Section 3.100, (17).

I am confident that Michael Nguyen will serve our community well. Attached are his 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.

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

BY AK

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SAN FRANCISCO
2010 MAR 15 PM 1:54

MICHAEL NGUYEN

181 Buena Vista Avenue East | San Francisco, California, 94117 | 415/613-0385 | mpnguyen@me.com

EDUCATION

Swarthmore College, Swarthmore, PA. Bachelor of Arts in Sociology and Anthropology and Dance, June 2008.

ARTISTIC TRAINING

Piano Performance, San Francisco, CA/New York, NY/Swarthmore, PA/Chicago, IL Mar. 1994 - Present

- Currently receive individual instruction from preeminent pianist Marc Shapiro. Previous teachers include distinguished pianists Keiko Sato of the Curtis Institute, Kumi Ogano, and Daniel Kim.

San Francisco Conservatory of Dance, San Francisco, CA June 2008 - July 2009

- Received rigorous professional training in advanced level ballet and modern dance, and studied and performed for live audiences acclaimed/celebrated repertoire under the direction of distinguished and renowned artists, such as Summer Lee Rhatigan (Conservatory Founder and Director), Alex Ketley, Thomas McManus (emissary of The Forsythe Company), Chiharu Shibata, Tristian Ching (emissary of Robert Moses' Kin) and Andrea Flores (emissary of ODC).

European American Musical Alliance, The Juilliard School/The Paris Conservatory, Paris, France June 2007 - Aug. 2007

- Studied chamber music, choral music, harmony & counterpoint, music analysis, and ear training based on the rigorous methodology and philosophies of the legendary Nadia Boulanger, taught by world-renowned musicians and scholars of esteemed conservatories, including The Juilliard School, Paris Conservatory, and Peabody Institute. Performed for live audiences.

Tisch Dance Festival, Tisch School of New York University, New York, NY May 2007 - June 2007

- Trained in advanced level ballet and modern dance, and studied and performed for live audiences excerpts of acclaimed/celebrated repertoire under the direction of distinguished and renowned artists, such as Sean Curran, Ellis Wood, and Ronald K. Brown dance companies.

Bates Dance Festival, Bates College, Lewiston, ME July 2006 - Aug. 2006

- Trained in advanced level modern dance, contact improvisation, and yoga, and studied and performed for live audiences excerpts of acclaimed/celebrated repertoire under the direction of distinguished and renowned artists, such as Nancy Stark Smith, Paul Matteson of David Dorfman Dance, and Blossom Crawford.

COMMUNITY & LEADERSHIP EXPERIENCE

Co-Author & Editor, James Hormel's Swarthmore College Honorary Degree Commencement Speech Feb. 2009 - May 2009

- Co-wrote and edited my life partner's honorary degree commencement speech, among his numerous other speeches and writing endeavors.

Campaign Donor & Volunteer, No on Proposition 8 Campaign July 2008 - Nov. 2008

- Contributed financially to the campaign for marriage equality. Co-hosted campaign events and meetings. Attended town hall meetings, and participated in conferences, workshops, and rallies locally and nationally. Visited door-to-door throughout the Bay Area to inform/educate community members about this important initiative.

Choreographer, Swarthmore College Dance Department, Swarthmore, PA Sept. 2005 - May 2008

- Composed numerous original contemporary dances, performed in concert on the campus's main stage as well as more intimate performances venues. Fully participated in the technical/production aspects by collaborating with professionals on costume design, lighting design, and sound engineering. Managed publicity for all concert events.

Organizing Committee Member & Event Planner, Multi-Heritage Student Group, Swarthmore, PA Sept. 2005 - May 2008

- Coordinated, organized, and decorated internal and campus-wide events and parties. Managed correspondence, communications, and publicity, and helped to increase membership. Planned and facilitated weekly Organizing Committee meetings as well as group meetings.

Community Organizing Intern, Illinois Coalition for Immigrant & Refugee Rights, Chicago, IL Jan. 2005 - June 2005

- Phone banked, canvassed, and visited door-to-door to inform about important initiatives. Mobilized and registered newly naturalized citizens to vote. Managed voter registration database. Assisted in administrative duties, and managed correspondence, communications, and publicity for events and meetings.

SKILLS, AWARDS & INTERESTS

Activities & Interests: Dance (choreography and performance), music (piano, voice, and trumpet), theater (performance and playwriting), civic and social responsibility, charitable giving, politics, community organizing, and analytical and creative writing.

Computer Skills: Proficient with Windows and Mac systems, as well as Microsoft Office suite. Demonstrable facility with technology. Quick, enthusiastic study with new tech & software. Typing: 100+ WPM.

Languages: Vietnamese (advanced speaking, intermediate reading and writing), Spanish (basic speaking reading, writing).

Awards: Swarthmore Music Lessons Scholarship (2006-2008); Swarthmore Humanities Fellowship Grant (2007); Melvin B. Troy Award for Outstanding Choreography (2007); Friends of Music and Dance Fellowship Grant (2006).



orig: Rules Clerk
C: COB, Leg Dep

Gavin Newsom

Notice of Appointment

March 15, 2010

Honorable Board of Supervisors:

I hereby appoint A. Lee Munson to serve as member of the Library Commission for a 4-year term commencing March 15, 2010, in accordance with the 1996 Charter, Section 3.100, (17).

I am confident that A. Lee Munson will serve our community well. Attached are his 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.

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

BY AK

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 15 PM 1:54



March 15, 2010

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 3.100 (17), I have reappointed A. Lee Munson as a member of the Library Commission effective, March 15, 2010.

A. Lee Munson has been reappointed to fill his same seat, and this term will expire on January 15, 2014.

Please see the attached resume which will illustrate that A. Lee Munson's qualifications allow him to represent the communities of interest, neighborhoods and diverse populations of the City and County.

Should you have any questions, please contact my Director of Appointments, Matthew Goudeau at 415-554-6674.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

BY _____
AK

2010 MAR 15 PM 1:54

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SAN FRANCISCO

A. Lee Munson is President of A.L Munson & Co., a consulting firm that serves corporations, investors, law firms and governmental entities on the local, state and federal levels. Mr. Munson also serves as an Adjunct Professor at Golden Gate University where he teaches graduate level courses in Finance. Munson's role in public service and consulting includes a two- term position as Commission President for the S. F. Civil Service Commission, Co-Consultant for the U.S. Environmental Protection Agency (EPA), and Consultant to the Executive Director for Studies of Financial Management, University of California. Mr. Munson has served on the Mayor's Fiscal Advisory Committee since 1977 where he has conducted studies in personnel cost for the city and manpower utilization for the Fire Department. He received his MBA from Harvard Business School where he graduated in the top ten percent in his class and his BA in American Studies at Amherst College.

COB - copy

HIDALGO GENERAL ENGINEERING, INC.
1212 UNDERWOOD AVENUE, SAN FRANCISCO, CA 94124

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SAN FRANCISCO
2010 MAR - 8 PM 4: 02
BY AK

March 4, 2010

Human kindness has never weakened the stamina or softened the fiber of a free people. A nation does not have to be cruel to be tough. Franklin D. Roosevelt

Human Rights Commission
25 Van Ness Avenue, Room 800
San Francisco, CA 94102-6033
Attn: Theresa Sparks

Dear Ms. Theresa Sparks,

On the HRC homepage it states; "in a world defined by difference, our strength depends on our common humanity." Never more true than during times like these, of global socio economic crisis that one sees the true spirit and essence of a people. When a population is separated into groups of those who band together in community and those who exclude and take advantage and capitalize on those in less fortunate circumstances.

Hidalgo General Engineering, Inc. has been a minority owned Small Business entity operating in San Francisco since 2000. In that time we have been fortunate enough not to need to call on the services of the HRC, until now. From the 3rd street light rail projects, Kearny Street Renovation, to Broadway Street Scape, we have proudly performed our work to beautify this wonderful city. Now here we stand at a cross roads of our destiny, with heartfelt support and determination of a man with a vision of helping others succeed. No other has stood for this small HRC minority company more than Mr. Bayard Fong.

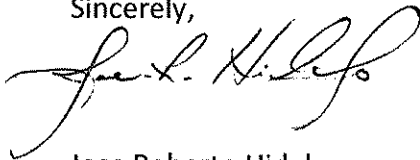
Never has the "silver lining" to every cloud hold truer than in our dealings with the HRC. The silver lining here is Mr. Bayard Fong. As difficult as the last few months have been, it has been Mr. Fong who has worked tirelessly to exact the HRC's mission of fair and equitable treatment for the survival of Hidalgo General Engineering Inc. with the OLSE and others. Through it all, Mr. Fong has insured our expended faith that even in these times where we all doubt if the system truly works. It is our individual efforts that

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condemns a system or exalts it to success. We applaud the Human Right's Commission and its invaluable representative's, and clearly those of Mr. Bayard Fong.

In closing, if not already abundantly clear. We want to take this opportunity to thank and recognize the efforts of the HRC and Mr. Bayard Fong for standing for the small man and those companies who do not have the financial resources to fight for themselves and always aiming for a "fair and equitable" resolution and showing us that in these hard times, someone in high places really does care.

Sincerely,

A handwritten signature in black ink, appearing to read "Jose R. Hidalgo". The signature is fluid and cursive, with a large initial "J" and "H".

Jose Roberto Hidalgo
Hidalgo General Engineering, Inc.

Cc: Gavin Newsom, Mayor
Angela Calvillo, Clerk of the Board, Board of Supervisors, San Francisco

Public Utilities Commission
Purchasing
1155 Market Street, 5th Floor
San Francisco, CA 94103

**City and County of
San Francisco**

Memo

Date: 3/18/2010

To: Clerk
Board of Supervisors

From: Gloria Gill, Purchaser
PUC Purchasing Department

Subject: Notification of Tentative Award To Non-Compliant (Equal Benefits) Vendor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 19 PM 3:11
BY

This memo serves as notification that a 12B Waiver has been forwarded to the Human Rights Commission requesting Transtech of S.C., L.P. be granted a 12B waiver due to the fact that no compliant vendors bid for the requirements of Pantograph Prototype under Invitation To Bid number ITSF10000717/SQ.

Attached is a copy of the waiver request for your records.

(10)



CITY AND COUNTY OF SAN FRANCISCO HUMAN RIGHTS COMMISSION

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

FOR HRC USE ONLY
Request Number: _____

Section 1. Department Information

Department Head Signature: *Gloria Gill*
 Name of Department: San Francisco Municipal Transportation Agency
 Department Address: One South Van Ness, 6TH Floor
 Contact Person: Gloria Gill
 Phone Number: (415) 701-- 4705 Fax Number: (415) 701-5676

Section 2. Contractor Information

Contractor Name: Transtech of S.C., L.P. Contact Person: Brad Porter
 Contractor Address: 196 Old Augusta Road, Piedmont, SC 29673-8605
 Vendor Number (if known): 18682 Contact Phone No.: (864) 299-3870

Section 3. Transaction Information

Date Waiver Request Submitted: 3/18/10 Type of Contract: Commodity
 Contract Start Date: 3/26/10 End Date: 6/29/10 Dollar Amount of Contract: \$10,731.00
 ADPICS Document Number: Invitation To Bid ITSF10000717/SQ (RQPT10012004)

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

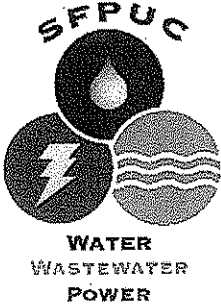
- Chapters 12B and 12C
- Chapter 14A *Note:* Employment and DBE subcontracting requirements may still be in force even when a 14A waiver (type A or B) is granted.

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

- A. Sole Source
- B. Emergency (pursuant to Admin. Code §6.60 or 21.15)
- C. Disadvantaged Business Enterprise (DBE) (for contracts in excess of \$5 million; see Admin. Code §14A.12b)
- D. Subcontracting Goals
- E. Public Entity
- F. No Potential Contractors Comply – Copy of waiver request sent to Board of Supervisors on: 3/18/10
- G. Gov't Bulk Purchasing Arrangement – Copy of waiver request sent to Board of Supervisors on: _____
- H. Sham/Shell Entity – Copy of waiver request sent to Board of Supervisors on: _____

HRC ACTION	
<input type="checkbox"/> 12B & 12C Waiver Granted	<input type="checkbox"/> 14A Waiver Granted
<input type="checkbox"/> 12B & 12C Waiver Denied	<input type="checkbox"/> 14A Waiver Denied
Reason for Action: _____	
HRC Staff: _____	Date: _____
HRC Staff: _____	Date: _____
HRC Director: _____	Date: _____

DEPARTMENT ACTION – This section must be completed and returned to HRC for waiver types F, G & H.	
Date Waiver Granted: _____	Contract Dollar Amount: _____



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

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

File # 090710
Sup Mark
Page
CAB



March 3, 2010

- GAVIN NEWSOM
MAYOR
- F.X. CROWLEY
PRESIDENT
- FRANCESCA VIETOR
VICE PRESIDENT
- ANN MOLLER CAEN
COMMISSIONER
- JULIET ELLIS
COMMISSIONER
- ANSON B. MORAN
COMMISSIONER
- ED HARRINGTON
GENERAL MANAGER

Honorable Gavin Newsom, Mayor
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 200
San Francisco, CA 94102

Honorable Sophie Maxwell, Supervisor
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102

Dear Mayor Newsom and Supervisor Maxwell:

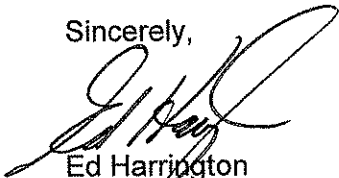
In July 2009, the Board of Supervisors, as part of the larger discussion about the local use or sale of combustion turbine (CT) power plants, passed Ordinance 174-09 instructing the PUC to "analyze the feasibility of local cogeneration projects." It further required that "...if any of these projects demonstrates initial feasibility and environmental benefit, and requires purchase from the City of a CT unit, the PUC is instructed to report to the Mayor and Board of Supervisors on what actions would allow for consideration of this project or projects." Further we were directed to complete this study before proceeding with the sale of the turbines.

The SFPUC has analyzed potential locations for cogeneration projects within San Francisco and our analysis is attached. We found that while a few immediate cogeneration opportunities exist in San Francisco, there are none that could use a 50 MW combustion turbine except the NRG steam facility on Jessie Street. Among other issues, there is no immediate customer willing and able to pay for the power which could be generated there so they cannot use a CT at this time.

Therefore, consistent with Ordinance 174-09 we are selling the four CTs. We expect our auction to occur March 8, 2010.

Please contact my office at 554-1600 if you have further questions.

Sincerely,


Ed Harrington
General Manager

cc: Angela Calvillo, Clerk of the Board of Supervisors
Barbara Hale, Assistant General Manager, Power Enterprise

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR -5 PM 3:26
BY SK

11

COMBINED HEAT & POWER OPTIONS IN SAN FRANCISCO

Background & Summary

This report is prepared at the request of the Board of Supervisors under section 2(b) of Ordinance 174-09:

Concurrent with the preparation of the [combustion turbines] for sale in Fiscal Year 2009–2010, as authorized in this ordinance, the PUC is instructed to analyze the feasibility of local cogeneration projects. If any of these projects demonstrates initial feasibility and environmental benefit, and requires purchase from the City of a CT unit, the PUC is instructed to report to the Mayor and Board of Supervisors on what actions would allow for consideration of this project or projects.

Based on available site locations and the size of the combustions turbines the city currently has at its disposal, staff has assessed that only the NRG steam plant at 5th and Jessie Streets has the sufficiently large steam load to accommodate an LM6000 50-megawatt combustion turbine. While the 5th & Jessie site can accommodate a 50 MW combustion turbine, one key element in assessing the feasibility of such a project is whether there is a need for the resultant electricity generated by the combustion turbine. In the case of the SFPUC, the City is fully resourced to meet its load requirements for the foreseeable future and would not benefit by acquiring more electricity at this point. One final consideration, as will be shown later in this report, is that the levelized cost of electricity is too high, compared to the City's hydro generation costs, to warrant such an investment presently. Staff's initial feasibility far outweighs any potential environmental benefits the City may realize from purchasing or retaining a CT unit.

Because there are benefits to stimulating the development of combined heat and power (CHP) within San Francisco, this report, instead, will identify the most promising sites in San Francisco for combined heat and power and will develop preliminary estimates of the installation costs and levelized costs of electricity.

Benefits of Combined Heat & Power

Combined heat and power, or cogeneration, is the production of electricity using thermal generation (such as a natural gas combustion turbine) combined with the capture of excess heat from the turbine's exhaust for useful ancillary purposes, such as to heat water, run cooling systems, or providing steam for heating.

The vast majority of CHP plants run on natural gas. A minority, such as at San Francisco's Southeast Water Treatment Plant, are configured to run on biogas collected from processing waste. Most modern CHP plants are 80–90 percent energy-efficient.

In general, San Francisco can benefit from additional local cogeneration, as it brings several valuable capabilities not possessed by other energy resources.

CHP Provides Thermal Offset The high energy efficiency of CHP means that both electrical and thermal loads can be served for lower fuel costs and lower emissions than standalone electrical or thermal plants. To the extent a particular site may require both electrical and thermal service, CHP is the best option.

CHP Improves Reliability CHP improves electrical reliability both in front of the meter and behind it. The presence of CHP plants dotted around the city will reduce the city's overall electrical demands on the transmission and distribution system, thereby reducing the probability of interruptions to grid service and further strengthening the case to close the Potrero Power Plant. Behind the meter, a CHP plant serving on-site loads provides an uninterruptible power supply for critical applications (such as hospital operating rooms) and can also improve power quality, such as by smoothing voltage spikes resulting from the activation or deactivation of electrical loads.

CHP Complements Renewables A CHP plant will typically consume about half the amount of gas per unit of produced energy that a grid-scale electrical plant will consume. Its emissions will be correspondingly lower as well. While CHP carries an emissions burden, it also possesses one

critical advantage over renewable power, which is its dispatchability. A cogeneration plant operates under human control rather than the vagaries of the weather, allowing it to complement renewable power by making up any shortfall in supply when the wind is not blowing or the sun is not shining. In utility parlance, CHP has a role in 'firming' local renewables.

Potential Locations for Combined Heat & Power Projects

In 2007, the Department of Environment (SFE) commissioned an assessment of cogeneration potential within San Francisco from Philip Perea.¹ In addition to providing a comprehensive summary of the benefits, market opportunities and barriers to adoption of CHP within the city, the SFE report also lists a large number of sites that might have the potential to support CHP projects for on-site needs (Appendices C–G).

The SFE report was followed in 2009 by a report commissioned by the SFPUC from George E. Sancoucy LLC (GES) on the economic and performance characteristics of various kinds of cogeneration technologies, including combustion turbines, microturbines and reciprocating engines. The GES report evaluated these technologies based on a levelized cost of electricity (LCOE) which incorporated capital, operating and retirement costs over the service life of a cogeneration plant.

Screening Criteria

In assessing the initial feasibility of cogeneration options in San Francisco, SFPUC staff applied three principal screening criteria to the list of possible sites in the SFE report to arrive at a shortlist of locations where cogeneration could feasibly be sited, is being considered, or is being planned.

1. Access to site for evaluation

The SFE report lists numerous downtown office buildings and hotels as potential sites for CHP. In principle, many of these buildings may be good candidates for CHP. In reality, some of these may already have micro-cogeneration developed on-site. However, each building has its own unique thermal characteristics and electrical

¹ Available from the SFE website at <http://www.sfenvironment.org/downloads/library/ciscocogenerationreportpdf.pdf>

demand profile. Each building therefore would require its own detailed site analysis to evaluate its suitability for a CHP plant and to design a system to serve it. Only building owners with the motivation to install CHP would commit the fairly significant financial resources required for these activities.

SFPUC staff includes sites in its shortlist where site analyses are known to have been conducted or are under way or planned.

2. Access to thermal load, gas supply, electrical interconnection

The SFE report lists numerous other sites, such as hospitals, high-rises and university and college buildings, as CHP candidates. As with the downtown office buildings and hotels, the list does not attempt to estimate load characteristics—as this can only be done through a detailed site analysis—but instead lists the total floor area of each building in square feet.

SFPUC staff applied the screening criteria that a potential site must have a known thermal load, access to a gas supply of sufficient volume and an electrical interconnection capable of handling the output.

3. Sites should not already be on NRG's steam loop

Finally, the SFE report lists numerous downtown locations which are already on the NRG steam loop. Rather than assessing the feasibility of these locations, SFPUC staff eliminated those sites from the potential list as a centralized cogeneration project at 5th and Jessie would provide better economies of scale with respect to cost and development.

List of Potential Available CHP Sites

Based on these screening criteria, Staff has identified eight locations that can be easily assessed for approximate load, or for which an assessment has already been done, and which have access to the necessary infrastructure. Unfortunately, not all advantages and disadvantages of each location are known yet. However, the summary below characterizes each one to the extent it is currently understood.

Potential Sites for CHP in San Francisco	
Location	(MW)
1. Treasure Island	0.5
2. Pier 27	8.5
3. Transbay Terminal	8.0 – 10.0
4. UCSF Mission Bay	16.0
5. NRG Station 'S' Steam Plant	5.0
6. CCSF Steam Plan	7.0
7. Hunters Point	8.0
8. Park Merced	7.0
Total CHP Potential	60–62

1. Treasure Island

Treasure Island currently has two 2-MW diesel generators and could potentially support 0.5 MW CHP from wastewater digester gas.

2. Pier 27

Pier 27 can support approximately 8.5 MW of shoreside power for cruise ships. However, the load forecasts at Pier 27 are erratic as cruise ships dock less than 30 days per year.

3. Transbay Terminal

The new Transbay Terminal and tower can support approximately 8-10 MW of CHP. The site includes approximately 3 million square feet of retail and commercial space (1 million sq. ft. for the terminal plus 2 million sq. ft. for the tower). Because of its location in downtown San Francisco, the development of CHP at this site could come with potentially high construction costs.

4. UCSF Mission Bay

UCSF Mission Bay can support approximately 16–18 MW of CHP: 6 MW at the Medical Center and 10–12 MW on Campus side. The Medical Center project is scheduled for commissioning in April 2013 and to be operational by January 2015. The Campus project, known as the Cogen Utility Plant or CUP, does not have a schedule yet, as the funds are not yet in place. The Campus indicates that once the project is given a go-ahead, it will take 3–4 years to develop and bring online. The project will necessitate PG&E extending a 200 MMBtu gas supply from a main near Mariposa Street.²

5. NRG Station 'S' Steam Plant

Located at Post & Hyde, this site can support approximately 5 MW.

6. City & County of San Francisco Steam Plant

² Information provided by Christine Buckley of UCSF and Rob Talbot of PG&E.

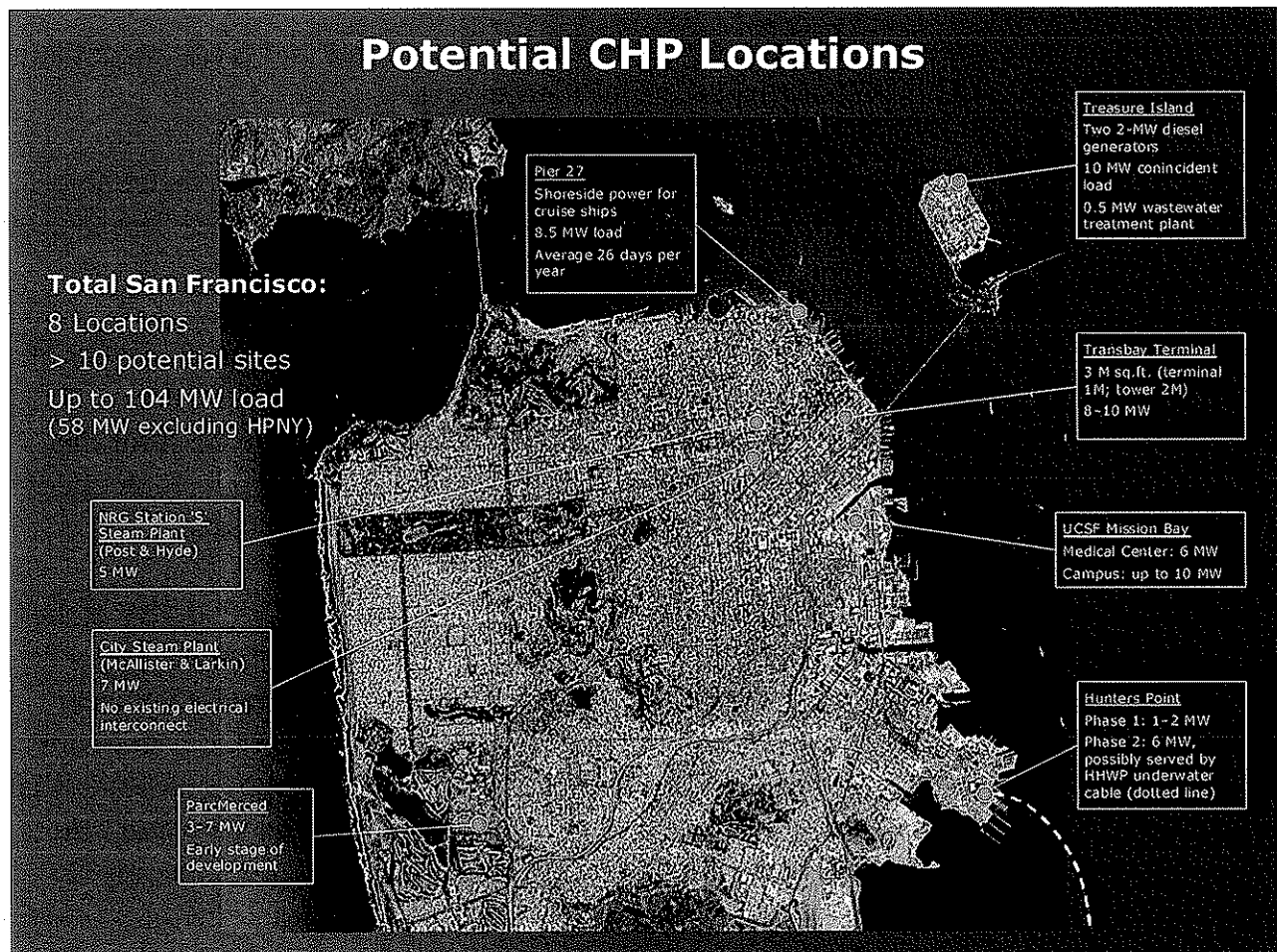
Located at the corner of McAllister & Larkin, this site can support approximately 7 MW. At present, the steam plant is used only to condense waste steam. In order to facilitate a combustion turbine at this site, there would need to be additional electrical infrastructure investments as there is currently no electrical interconnection.

7. Hunters Point Development

Phase 1, which is primarily residential development, can support approximately 2 MW. Phase 2 includes retail, commercial, industrial and possibly a stadium. The total demand by 2022 is projected to be 8 MW.

8. Park Merced

While in its early planning stage, the redevelopment of Park Merced offers up to approximately 7 MW of potential CHP.



Valuation Method

Although more than 50 MW (the size of one of the existing CTs) of potential for small CHP exists today within San Francisco, combining a number of small units in this feasibility does not produce a linear (i.e. additive) straight swap for a single 50 MW LM6000. Because of its size, the 50 MW LM6000 has economies of scale that can reduce both the overall installation costs and therefore the levelized cost of electricity generated.

In assessing the financial feasibility for the various potential locations, staff relied on the financial model developed by GES to estimate the levelized cost of electricity of various 5 and 10 MW combustion turbines.

Our initial approach is to modify the installation cost in \$/kWh for each of the various potential locations. The installation cost covers construction costs, so it can be increased or decreased depending where a unit will be sited. As is likely obvious, the installation costs for downtown locations are typically higher than in than redevelopment sites with abundant space, less traffic and undeveloped existing infrastructure, such as UCSF Mission Bay and Hunters Point.

The projected output of CHP projects at each location is approximated using the 5- or 10-MW CHP model. The table below shows inputs and assumptions regarding installation costs, in dollars per kilowatt.

Assumptions	
Generic 5-MW CHP installed cost	\$2,750
Generic 10-MW CHP installed cost	\$2,500
Generic 50-MW CHP installed cost	\$1,800
Variance in capital costs by location	15%
Hypothetical downtown 5-MW CHP	\$3,163
Hypothetical downtown 10-MW CHP	\$2,875
Capacity factor for LM6000	90%
Capacity factor for smaller CHP	85%

Results

Based on these assumptions, the LCOE for each is estimated, with adjustments for location. The table below summarizes the potential installation costs and the levelized costs over the lifetime of the project.

Potential San Francisco Locations for Combined Heat & Power			
Location	Capacity (MW)	Installed Cost (\$/kW)	Lifetime Cost of Electricity (\$/MWh)
NRG Station 'S' Steam Plant (Post & Hyde)	5.0	\$3,163	\$138.84
CCSF Steam Plant (McAllister & Larkin)	7.0	\$3,163	\$138.84
UCSF Mission Bay Medical Center	10.0	\$2,500	\$134.75
UCSF Mission Bay Research Center	6.0	\$2,750	\$133.18
Hunters Point Naval Shipyard - Phase 1	2.0	\$2,750	\$133.18
Hunters Point Naval Shipyard - Phase 2	44.0	\$2,750	\$133.18
Treasure Island - replace diesel generation	4.0	\$2,750	\$133.18
Treasure Island - digester gas from wastewater plant	0.5	\$3,000	\$145.28
Transbay Terminal	10.0	\$2,875	\$139.90
Shoreside Power (Pier 27)	8.5	\$2,875	\$531.72
Park Merced	6.0	\$2,750	\$133.18

NB: Benchmark lifetime cost of electricity for Hetch Hetchy hydropower is \$85 / MWh.

Discussion & Recommendations

Ordinance 174-09 requires SFPUC to determine the ‘...initial feasibility and environmental benefit...’ of CHP at prospective sites. None of the projects investigated above passes the initial feasibility test because their levelized cost far exceeds the existing costs of electricity for SFPUC, which is a blend of Hetch Hetchy generation and in-City renewable projects. For this reason, we do not go beyond noting the general environmental benefits of CHP relative to other fossil-fuel generation to conduct a detailed investigation of the potential environmental benefits of these specific projects.

None of the projects is large enough to necessitate the purchase of an LM 6000 combustion turbine. Additionally, since SFPUC is fully resourced, there is currently no additional need for an LM 6000 to serve SFPUC’s existing customer base.

Although SFPUC has no need for an LM 6000 for municipal projects, these other non-municipal projects could benefit from the City’s participation in reducing some of the barriers to development. For example:

Development costs

Putting a CHP plant in a dense urban environment significantly increases development costs.

Transportation of equipment is more costly and construction costs are higher, for example.

Location of loads & supply

Not all the best CHP loads are located near the best gas or electrical supplies. The larger sites identified by staff in this report lie along the eastern corridor of San Francisco because of their proximity to high-voltage transmission and distribution lines and major gas pipelines.

Permitting & compliance

As the SFE report details, CHP projects face an extended sequence of permitting and compliance hurdles, such as environmental assessment, air quality, utility interconnection and construction permitting.

Since the majority of the locations identified above fall within redevelopment areas, the Board of Supervisors is particularly well placed to facilitate the development of CHP within San Francisco through measures at its disposal in support of redevelopment projects. One initiative in particular would be for the Board of Supervisors to work with the Redevelopment Agency to assess CHP as an option and incorporate in the construction where possible in all redevelopment projects. Any legislation which reduces the barriers to adoption of CHP within redevelopment areas is also likely to stimulate development of CHP at other sites whose owners or operators might have been considering it, such as downtown office buildings, hotels, hospitals and college campuses.

COMMISSIONERS

Jim Kellogg, President
Discovery Bay
Richard Rogers, Member
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Donald Benninghoven, Member
Santa Barbara

ARNOLD SCHWARZENEGGER



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

STATE OF CALIFORNIA

Fish and Game Commission

March 18, 2010

TO ALL INTERESTED AND AFFECTED PARTIES

This is to provide you with a copy of the notice of proposed regulatory actions relative to "Mammal Hunting Regulations," in the sections identified in Title 14, California Code of Regulations, which appeared in the California Regulatory Notice Register on February 19, 2010. **Proposed changes to sections as set forth in Notice Register 2010, No. 8-Z, remain the same, except for Section 265.** These documents as well as supporting documents are also made available on the Commission's website at <http://www.fgc.ca.gov/regulations/new/2010/proposedregs10.asp>.

The proposed language for Section 265 is updated to reflect a request at the Commission's February 4, 2010 meeting. This update provides for four options in proposed regulations requiring houndsmen who use GPS and radio telemetry collars on their dogs to register their frequencies with the Department and maintain the data for at least 24 hours. These proposed changes are intended to improve enforcement of this section. The initially noticed language is listed as "Option 1" and the four new options listed as "Option 2" through "Option 5". The initial statement of reasons is also revised to add road number designations and correct spellings to improve clarity in the language.

NOTE: The Commission is exercising its powers under Section 202 of the Fish and Game Code "Regulations adopted pursuant to this article shall not be subject to the time periods for the adoption, amendment, or repeal of regulations prescribed in Sections 11343.4, 11346.4, 11346.8, and 11347.1 of the Government Code."

Please note the dates of the public hearing related to this matter and associated deadlines for receipt of written and oral comments.

Dr. Eric Loft, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations; and inquiries concerning the regulatory process may be directed to me, at (916) 653-4899.

Sincerely,


Jon D. Snellstrom
Associate Government Program Analyst

Attachment

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 19 PM 3:32
BY AK

12

**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

(Continuation of California Notice Register 2010, No.8-Z,
and Meetings of February 4, 2010 and March 3, 2010)

(NOTE: The Commission is exercising its powers under Section 202 of the Fish and Game Code as the following changes to the proposed regulations may not be available to the public for the full public comment period prior to adoption. "The commission shall exercise its powers under this article by regulations made and promulgated pursuant to this article. Regulations adopted pursuant to this article shall not be subject to the time periods for the adoption, amendment, or repeal of regulations prescribed in Sections 11343.4, 11346.4, 11346.8, and 11347.1 of the Government Code." See the text of this notice.)

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 200, 202, 203, 203.1, 331, 332, 1050, 1572, 3452, 3453, 4005, 4009.5, 4751, 4902 and 10502 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 207, 331, 332, 460, 713, 1050, 1570-1572, 1801, 3452, 3453, 3800, 3950, 3951, 4005, 4009.5, 4330-4333, 4336, 4751, 4756, 4800-4805, 4902, 10500 and 10502 of said Code, proposes to amend Sections 265, 360, 361, 362, 363, 364, 365, 366, 555, 708 and 713, Title 14, California Code of Regulations, relating to Mammal Hunting Regulations.

Pursuant to the provisions of sections 203 and 203.1 of the Fish and Game Code, the Fish and Game Commission will consider populations, habitat, food supplies, the welfare of individual animals, and other pertinent facts and testimony in adopting season, bag and possession limits, and areas of take, and prescribe the manner and means of taking as part of the 2010-2011 Mammal Hunting Regulations.

At the Fish and Game Commission's meeting on February 4, 2010, the Department of Fish and Game made the following recommendations for changes relative to game mammal regulations for the 2010-2011 seasons: proposes to amend sections 265, 360, 361, 362, 363, 364, 365, 366, 555, 708 and 713, Title 14, California Code of Regulations, to make tag quota changes, clarifications, and urgency changes for the 2010-2011 Mammal Hunting Regulations.

At the March 3, 2010, meeting in Ontario, the Fish and Game Commission received public testimony on the proposed regulatory changes.

Proposed changes to sections as set forth in Notice Register 2010, No. 8-Z, remain the same, except for Section 265. The Informative Digest for Section 265 has been amended as follows.

Informative Digest/Policy Statement Overview

Amend Subsection 265, Re: Use of Dogs for Pursuit/Take of Mammals or for Dog Training

Existing regulations provide boundaries for dog control zones where dogs are not allowed to be used for the pursuit/take of mammals or for dog training from the first Saturday in April through the day preceding the opening of the general deer season. The proposed change modifies the boundaries for the dog control zones to better align the boundaries with roads and to provide additional areas for dogs to be exercised and trained.

Existing regulations specify collars worn by dogs during the pursuit or take of mammals shall not have tip switches or global positioning systems (GPS). The proposed change eliminates this unnecessary prohibition.

The proposed language is updated to reflect a request at the Commission's February 4, 2010 meeting. This update provides four options for regulation change to require houndsmen who use GPS and radio telemetry collars on their dogs to register their frequencies with the Department and maintain the data for at least 24 hours. These proposed changes are intended to improve enforcement of this section. The initially noticed language will be listed as "Option 1" and the four new options will be listed as "Option 2" through "Option 5".

The initial statement of reasons is also revised to add road number designations and correct spellings to improve clarity in the language.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in The La Grande Room, Beach Resort Monterey, 2600 Sand Dunes Dr., Monterey, California, on Thursday, April 8, 2010, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 6, 2010 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. All comments must be received no later than April 8, 2010, at the meeting in Monterey. If you would like copies of any modifications to this proposal, please include your name and mailing address.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a teleconference hearing to be held in the Resources Building, 1416 Ninth Street, Conference Room #1320, on April 21, 2010, at 10:00 a.m., or as soon thereafter as the matter may be heard. Written comments may be submitted at the address given below, but must be received no later than April 21, 2010 at the hearing in Sacramento. Consideration for adoption of the new regulations will be by teleconference call meeting on April 21, 2010, in Sacramento. The regulations as proposed in strikeout-underline format and modifications indicated in double strikeout/underline, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Jon Snellstrom at the preceding address or phone number. **Craig Stowers, Wildlife Programs Branch, Department of Fish and Game, phone (916) 445-3553, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Draft environmental documents, associated with the proposed regulatory actions for Bear and Elk Hunting, were made available for comment commencing January 27, 2010. Oral or written comments relevant to these documents will be received at the March 3, 2010, meeting in Ontario. Written comments on these documents may be submitted to the Commission office (address given herein) until 5:00 p.m., March 13, 2010. Draft environmental documents are available for review at the Commission office and at the Department of Fish and Game's, Wildlife Programs Branch office in Sacramento. Copies of the documents are also available for review at the Department offices in Redding, Rancho Cordova, Yountville, Fresno, Long Beach, Bishop, Eureka, Belmont, Monterey, Chino and San Diego. **NO WRITTEN COMMENTS ON DRAFT ENVIRONMENTAL DOCUMENTS WILL NOT BE ACCEPTED AFTER 5:00 P.M. ON MARCH 13, 2010.**

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and following initial determinations relative to the required statutory categories have been made.

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in

other states. The proposed action eliminates undue restrictions on outdoor recreation by modifying dog control zone boundaries and removing restrictions pertaining to the use of tip switches and GPS technology on dog collars. Given the number of individuals who use or train dogs for hunting purposes will remain relatively static in California, this proposal is economically neutral to business.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.

- (c) Cost Impacts on Private Persons:

The agency is not aware of any cost impacts that a representative private person would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

None.

- (e) Other Nondiscretionary Costs/Savings to Local Agencies:

None.

- (f) Programs Mandated on Local Agencies or School Districts:

None.

- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4:

None.

- (h) Effect on Housing Costs:

None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be effective as and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

John Carlson, Jr.
Executive Director

Dated: March 19, 2010

§265. Use of Dogs for Pursuit/Take of Mammals or for Dog Training.

Subsection (a)(4)(B) is amended as follows:

(B) Northern California Dog Control Zone: Those portions of Butte, Del Norte, Glenn, Humboldt, Lake, Lassen, Mendocino, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity and Yuba counties within a line beginning at the intersection of Highway 101 and the California-Oregon state line; south along Highway 101 to Highway 36; east along 36 to the Humboldt-Trinity county line, south along the Humboldt-Trinity county line to its intersection with the Mendocino county line; west along the Mendocino-Humboldt county line to its intersection with Highway 101; south along Highway 101 to its intersection with Highway 20; east along Highway 20 to its intersection with Middle Creek west of the town of Upper Lake; north along Middle Creek to its intersection with Rancheria Road; east along Rancheria Road to its intersection with Elk Mountain Road, north along Elk Mountain Road to its intersection with Bear Creek Road; east along Bear Creek Road to its intersection with Grouse Springs-Bear Creek Road; north and east along Grouse Springs-Bear Creek Road to its south then east along the Trinity-Mendocino county line to its intersection with the Tehama county line; south along the Tehama-Mendocino county line to its intersection with the Glenn county line; south along the Mendocino-Glenn county line to its intersection with the Lake county line; east then south along the Glenn-Lake county line to the intersection with Forest Route 18N02 (Open Ridge Black Diamond Road); east along Forest Route 18N02 to County Road 306; north along County Road 306 to County Road 200; west along County Road 200 to the Glenn-Tehama county line; west along the Glenn-Tehama county line to the eastern Mendocino National Forest boundary; north along the eastern Mendocino National Forest boundary to its intersection with the Trinity National Forest boundary; west and north along the Mendocino-Trinity National Forest boundary to the Tehama-Trinity county line; north along the Tehama-Trinity county line to its intersection with the Shasta county line; north and east along the Trinity-Shasta county line to the Highway 299; east along Highway 299 to Highway 273, north along Highway 273 to Interstate 5; north along Interstate 5 to the southern shore of Shasta Lake; east and north along the southern shore of Shasta Lake to Fendler's Ferry Road; southeast along Fendler's Ferry Road to Highway 299; southwest along Highway 299 to Oakrun Road; south along Oakrun Road to Oakrun to Fern Road in town of Oakrun; northeast along Oakrun to Fern Road to East Fern Road in the town of Fern; south along East Fern Road to Whitmore Road in the town of Whitmore; west along Whitmore Road to Ponderosa Way; south along Ponderosa Way to Innwood Road; southwest along Innwood Road to Highway 44; east along Highway 44 to Wilson Hill Road; south along Wilson Hill Road to Rock Creek Road; south along Rock Creek Road to the Shasta-Tehama county line; east along the Shasta-Tehama county line to Ponderosa Way; south along Ponderosa Way to Lassen Trail; south along Lassen Trail to Ponderosa Way; south along Ponderosa Way to Cohasset Stage Road; south along Cohasset Stage Road to the Tehama-Butte county line; east and north along the Tehama-Butte county line to Highway 32; south along Highway 32 to Highway 99 in the town of Chico; south along Highway 99 to Highway 162; east and north along Highway 162 to Oroville-Quincy Highway; north along Oroville-Quincy Highway to the Butte-Plumas county line; south and east along the Butte-Plumas county line to its intersection with the Yuba county line; northeast along the Plumas-Yuba county line to its intersection with the Sierra county line; east along the Plumas-Sierra county line to Highway 395; north along Highway 395 to Highway 36; north and west along Highway 36 to Highway 44 (Feather Lake Highway); northwest along Highway 44 to Highway 89 near Old Station; north and west along Highway 89 to Interstate 5; north along Interstate 5 to Highway 3 (Fort Jones Road); southwest along Highway 3 to Scott River Road in Fort Jones; north along Scott River Road to Highway 96; east along Highway 96 to Interstate 5; north along Interstate 5 to the California-Oregon state line; west along the California-Oregon state line to the point beginning.

Subsection (a)(4)(C) is amended as follows:

(C) Southern Sierra Dog Control Zone: Those portions of Alpine, Fresno, Inyo, Madera, Mariposa, Mono, Tulare and Tuolumne counties within a line beginning at the intersection of the California-Nevada state line and the Mono-Alpine county line; south along the Mono-Alpine county line to its intersection with the Tuolumne county line; west along the Alpine-Tuolumne county line to Clark Fork Road; southwest along Clark Fork Road to Highway 108; southwest along Highway 108 to Highway 120; west along Highway 120 to the western boundary of Yosemite National Park; south and east along the western boundary of Yosemite National Park to Highway 41 near the town of Fish Camp; south along Highway 41 to Road 222 (Bass Lake Road); southeast along Road 222 to Road 274 (Bass Lake Road to Malum Ridge Road); south along Road 274 to Road 225 (Malum Ridge Road to Mammoth Pool Road); west along Road 225 (Mammoth Pool Road) to Road 222; south along Road 222 to Auberry Road; south along Auberry Road to the Madera-Fresno county line; east along the Madera-Fresno county line to Italian Bar Road (Road 225) at the Italian Bar Bridge; south along Italian Bar Road to Jose Basin Road (County Road M2441); east along Jose Basin Road to its intersection with Forest Service Road 8S08 (Old Railroad Grade Road); northeast along Old Railroad Grade Road to Dawn Road; south along Dawn Road to Highway 168 (Tollhouse Road); south along Highway 168 to Dinkey Creek Road; east along Dinkey Creek Road to Dinkey-Trimmer Road (10S69); south along Dinkey-Trimmer Road to Black Rock Road (11S12); east and north along Ross Crossing Road; south along Ross Crossing Road to Trimmer Springs Road (Dinkey-Trimmer Road; 10S69); east along Trimmer Springs Road to Sycamore Springs Road (11S02); east along Sycamore Springs Road to Black Rock Road (11S12) at Balch Camp; east along Black Rock Road to the decommissioned 11S07 (Rodgers Ridge Road) at Black Rock Reservoir Dam; east along Rodgers Ridge Road to Garlic Spur; south along Garlic Spur to the Kings River; west along the Kings River to Verplank Ridge-Hoiste Ridge; south along Verplank Ridge-Hoiste Ridge to Forest Route 13S65; southeast along Forest Route 13S65 to Forest Route 13S03; southeast along Forest Route 13S03 to Highway 180 near Cherry Gap; south along Highway 180 to the north boundary of Kings Canyon/Sequoia National Park; south along the western boundary of Kings Canyon/Sequoia National Park to the northern boundary of Sequoia National Forest between Grouse Peak and Dennison Mountain; south along the common line between R29E and R30E, M.D.B.M. to the boundary of the Sequoia National Forest; east and south along the boundary of the Sequoia National Forest to Balch Park Road; southeast along Balch Park Road to the west boundary of Mountain Home Demonstration State Forest; south and east along the west boundary of Mountain Home Demonstration State Forest to Forest Trail 30E14; southeast along Forest Trail 30E14 to the Doyle Springs Road (Wishon Drive); southwest along Doyle Springs Road to Alder Creek Grove-Hossack Meadow Road; southeast along Alder Creek Grove-Hossack Meadow Road to Highway 190 at Camp Nelson; east along Highway 190 to Coy Flat Road; south along Coy Flat Road to the boundary of the Tule River Indian Reservation; south along the east boundary of the Tule River Indian Reservation (County Highway J42) to Parker Peak; southeast from Parker Peak through Upper Parker Meadow to Parker Pass; south along Parker Pass to Forest Route 22S81; south along Forest Route 22S81 through Starvation Creek Grove to M504 (Parker Pass); south along M504 to Forest Route 23S64; southeast along 23S64 to the southwest corner of Section 15, T23S, R31E, M.D.B.M., continuing to the northeast corner of Section 22, T23S, R31E, M.D.B.M.; south approximately 6 miles to Sugarloaf Winter Recreation Area; southeast along Sugarloaf Drive to Forest Route 24S23; northeast along Forest Route 24S23 to Forest Route 23S16; southeast along Forest Route 23S16 to Portuguese Pass; southeast along Forest Route 23S16 (24S06) through Portuguese Pass to the Tulare-Kern county line; east along the Tulare-Kern county line to the intersection of the Tulare, Kern and Inyo county lines; east along the Inyo-Kern county line to Highway 395; north along Highway 395 to the California-Nevada state line near Topaz Lake; northeast along the California-Nevada state line to the point beginning.

Subsection (d) is amended as follows:

Option 1

(d) Prohibition on Tracing Switches and Use of Global Positioning System Equipment.

- (1) Tracing Switches. Electronic dog retrieval collars containing functioning tracing switches (devices consisting of a switch mechanism that results in a change in the transmitted signals when the dog raises its head to a treed animal) are prohibited on dogs used for the pursuit/take of mammals.
- (2) Global Positioning System Equipment. Electronic dog retrieval collars employing the use of global positioning system equipment (devices that utilize satellite transmissions) are prohibited on dogs used for the pursuit/take of mammals.

Option 2

(d) Use of Global Positioning System (GPS) and Radio Telemetry Equipment on Dogs.

(1) If using a dog to take bear, furbearing or non game mammals, or training a dog on these mammals and there is a GPS or other signal emitting device attached to the dog or dog collar, the following regulations apply:

(A) The device attached to the dog or collar shall be turned on and emitting a signal.

1. If the device is turned on but the battery has gone dead, subsection (A) does not apply.

(B) The frequency(s) and/or channel(s) used for the collar or device used shall be provided to the Department of Fish and Game at least 72 hrs prior to using the collar or device for the first time.

(C) A collar or signaling device frequency and/or channel registry will be kept by the Department. The device signal frequency(s) and/or channel(s) shall be provided to the Department by calling (916) 651-6390 or by email at dogcollarregistry@dfg.ca.gov. The person reporting the device signal frequency(s) and/or channel(s) used shall give their full name, contact phone number, address, county(s) to be hunted, and collar frequency(s) and/or channel(s) when placing the call.

(D) When a GPS device is used, the track log function of the GPS unit shall be turned on and all track logs shall be maintained on the GPS unit for 24 hrs after the end of the trip.

(E) For the purposes of this section, the Department may inspect any device, or data captured by a device, which sends or receives location information.

(F) This section does not apply to collars being used on dogs that belong to a government agency while the dog is acting in an official capacity for that agency.

Option 3

(d) Use of Global Positioning System (GPS) and Radio Telemetry Equipment on Dogs.

(1) Beginning July 1, 2011, if using a dog to take bear, furbearing or non game mammals, or training a dog on these mammals and there is a GPS or other signal emitting device attached to the dog or dog collar, the following regulations apply:

(A) The device attached to the dog or collar shall be turned on and emitting a signal.

1. If the device is turned on but the battery has gone dead, subsection (A) does not apply.

(B) The frequency(s) and/or channel(s) used for the collar or device used shall be provided to the Department of Fish and Game at least 72 hrs prior to using the collar or device for the first time.

(C) A collar or signaling device frequency and/or channel registry will be kept by the Department. The device signal frequency(s) and/or channel(s) shall be provided to the Department by calling (916) 651-6390 or by email at dogcollarregistry@dfg.ca.gov. The person reporting the device signal frequency(s) and/or channel(s) used shall give their full name, contact phone number, address, county(s) to be hunted, and collar frequency(s) and/or channel(s) when placing the call.

(D) When a GPS device is used, the track log function of the GPS unit shall be turned on and all track logs shall be maintained on the GPS unit for 24 hrs after the end of the trip.

(E) For the purposes of this section, the Department may inspect any device, or data captured by a device, which sends or receives location information.

(F) This section does not apply to collars being used on dogs that belong to a government agency while the dog is acting in an official capacity for that agency.

Option 4 (not include Radio Telemetry for 2 yrs)

(d) Use of Global Positioning System (GPS) and Radio Telemetry Equipment on Dogs.

(1) If using a dog to take bear, furbearing or non game mammals, or training a dog on these mammals and there is a GPS device attached to the dog or dog collar, the following regulations apply:

(A) The device attached to the dog or collar shall be turned on and emitting a signal.

1. If the device is turned on but the battery has gone dead, subsection (A) does not apply.

(B) The frequency(s) and/or channel(s) used for the device used shall be provided to the Department of Fish and Game at least 72 hrs prior to using the device for the first time.

(C) A GPS device frequency and/or channel registry will be kept by the Department. The device signal frequency(s) and/or channel(s) shall be provided to the Department by calling (916) 651-6390 or by email at dogcollarregistry@dfg.ca.gov. The person reporting the device signal frequency(s) and/or channel(s) used shall give their full name, contact phone number, address, county(s) to be hunted, and collar frequency(s) and/or channel(s) when placing the call.

(D) When a GPS device is used, the track log function of the GPS unit shall be turned on and all track logs shall be maintained on the GPS unit for 24 hrs after the end of the trip.

(E) For the purposes of this section, the Department may inspect any device, or data captured by a device, which sends or receives location information.

(F) This section does not apply to collars being used on dogs that belong to a government agency while the dog is acting in an official capacity for that agency.

2. Effective July 1 2012, if using a dog to take bear, furbearing or non game mammals, or training a dog on these mammals and there is a GPS, radio telemetry or other signal emitting device attached to the dog or dog collar, subsections 1(A)-(F) apply.

Option 5

(d) Use of Global Positioning System (GPS) and Radio Telemetry Equipment on Dogs.

(1) Beginning July 1, 2012, if using a dog to take bear, furbearing or non game mammals, or training a dog on these mammals and there is a GPS device attached to the dog or dog collar, the following regulations apply:

(A) The device attached to the dog or collar shall be turned on and emitting a signal.

1. If the device is turned on but the battery has gone dead, subsection (A) does not apply.

(B) The frequency(s) and/or channel(s) used for the device used shall be provided to the Department of Fish and Game at least 72 hrs prior to using the device for the first time.

(C) A GPS device frequency and/or channel registry will be kept by the Department. The device signal frequency(s) and/or channel(s) shall be provided to the Department by calling (916) 651-6390 or by email at dogcollarregistry@dfg.ca.gov. The person reporting the device signal frequency(s) and/or channel(s) used shall give their full name, contact phone number, address, county(s) to be hunted, and collar frequency(s) and/or channel(s) when placing the call.

(D) When a GPS device is used, the track log function of the GPS unit shall be turned on and all track logs shall be maintained on the GPS unit for 24 hrs after the end of the trip.

(E) For the purposes of this section, the Department may inspect any device, or data captured by a device, which sends or receives location information.

(F) This section does not apply to collars being used on dogs that belong to a government agency while the dog is acting in an official capacity for that agency.

Note: Authority cited: Sections 200, 202 and 203, Fish and Game Code. Reference: Sections 200, 202, 203, 203.1, 207 and 4756, Fish and Game Code.

COMMISSIONERS
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Santa Barbara

ARNOLD SCHWARZENEGGER



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

STATE OF CALIFORNIA
Fish and Game Commission

March 16, 2010


TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed regulatory action resulting from the Commission's March 3, 2010, meeting, when it made a finding pursuant to Section 2075.5, Fish and Game Code, that California tiger salamander (*Ambystoma californiense*) warrants listing to threatened species status. The notice of proposed regulatory action will be published in the California Regulatory Notice Register on March 19, 2010.

Please note the date of the public hearing related to this matter and associated deadlines for receipt of written comments.

Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,


Sheri Tiemann
Staff Services Analyst

BY _____
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BOARD OF SUPERVISORS
SAN FRANCISCO
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**TITLE 14. Fish and Game Commission
Notice of Proposed Changes in Regulations**

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections 2070 and 2075.5 of the Fish and Game Code and to implement, interpret or make specific sections 1755, 2055, 2062, 2067, 2070, 2074.6, 2075.5, 2077, 2080, 2081 and 2835, of said Code, proposes to amend Section 670.5, Title 14, California Code of Regulations, relating to Animals of California Declared to Be Endangered or Threatened.

Informative Digest/Policy Statement Overview

The Department of Fish and Game recommends that the Commission amend subsection (b)(3) of Section 670.5 of Title 14, CCR, to add the California tiger salamander (*Ambystoma californiense*) to the list of threatened animals.

In making the recommendation to list the California tiger salamander pursuant to CESA, the Department identified the following primary threats: 1) continued and long-term habitat loss/conversion and fragmentation (the California tiger salamander requires both aquatic and upland habitats; anything that impedes movements such as roads or other barriers restricts the salamander from moving between the two habitats); 2) hybridization with introduced non-native tiger salamanders over the past 60 years, resulting in decreased population and distribution of genetically "pure" native tiger salamanders; 3) increased predation by, and competition with, other non-native species - particularly fishes and amphibians. More detail about the current status of the California tiger salamander can be found in the "Report to the California Fish and Game Commission, "A Status Review of the California tiger salamander (*Ambystoma californiense*)" (Department of Fish and Game, January 11, 2010; <http://www.dfg.ca.gov/wildlife/nongame/publications/>)

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Stockton Rod and Gun Club, 3120 Monte Diablo Avenue, Stockton, California, on Wednesday, May 5, 2010 at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 30, 2010 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on May 3, 2010. All comments must be received no later than May 5, 2010 at the hearing in Stockton, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in ~~strikeout~~-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Sheri Tiemann at the preceding address or phone number. **Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained

from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States:

Although (CESA) statutes do not specifically prohibit the consideration of economic impact in determining if listing is warranted, the Attorney General's Office has consistently advised the Commission that it should not consider economic impact in making a finding on listing. This is founded in the concept that CESA was drafted in the image of the federal Endangered Species Act. The federal act specifically prohibits consideration of economic impact during the listing or delisting process.

CESA is basically a two-stage process. During the first stage, the Commission must make a finding on whether or not the petitioned action is warranted. By statute, once the Commission has made a finding that the petitioned action is warranted, it must initiate a rulemaking process to make a corresponding regulatory change. To accomplish this second stage, the Commission follows the statutes of the Administrative Procedure Act (APA).

The provisions of the APA, specifically section 11346.3 and 11346.5 of the Government Code, require an analysis of the economic impact of the proposed regulatory action. While Section 11346.3 requires an analysis of economic impact of businesses and private persons, it also contains a subdivision (a) which provides that agencies shall satisfy economic assessment requirements only to the extent that the requirements do not conflict with other state laws. In this regard, the provisions of CESA leading to a finding are in apparent conflict with Section 11346.3, which is activated by the rulemaking component of CESA.

Since the finding portion of CESA is silent to consideration of economic impact, it is possible that subdivision (a) of Section 11346.3 does not exclude the requirement for economic impact analysis. While the Commission does not believe this is the case, an abbreviated analysis of the likely economic impact of the proposed regulation change on business and private individuals is provided. The intent of this analysis is to provide disclosure, the basic premise of the APA process. The Commission believes that this analysis fully meets the intent and language of both statutory programs.

Designation of the California tiger salamander as threatened will subject it to the provisions of CESA. This act prohibits take and possession except as may be permitted by the Department.

Threatened status is not expected to result in any significant adverse economic effect on small business or significant cost to private persons or entities undertaking activities subject to the California Environmental Quality Act (CEQA). The CEQA requires local governments and private applicants undertaking projects subject to the CEQA to consider *de facto* endangered species to be subject to the same requirements under the CEQA as though they were already listed by the Commission in Section 670.2 (CEQA Guidelines, Section 15380). California tiger salamander has qualified for protection under the CEQA Guidelines Section 15380 since its designation by the Department in 1994 as a species of special concern and the US Fish and Wildlife Service in 2004 as threatened throughout its range.

Required mitigation as a result of lead agency actions under the CEQA, whether or not the species is listed by the Commission, may increase the cost of a project. Such costs may include, but are not limited to, purchasing off-site habitat, development and implementation of management plans, establishing new populations, installation of protective devices such as fencing, protection of additional habitat, and long-term monitoring of mitigation sites. Lead agencies may also require additional actions should the mitigation measures fail, resulting in added expenditures by the proponent. If the mitigation measures required by the CEQA lead agency do not minimize and fully mitigate to the standards of CESA, listing could increase business costs by requiring measures beyond those required by the CEQA.

- (b) Impact on the Creation or Elimination of Jobs within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

No significant impact.

(c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Designation of threatened or endangered status, per se, would not necessarily result in any significant cost to private persons or entities undertaking activities subject to CEQA. CEQA presently requires private applicants undertaking projects subject to CEQA to consider *de facto* endangered (or threatened) and rare species to be subject to the same protections under CEQA as though they are already listed by the Commission in Section 670.2 or 670.5 of Title 14, CCR (CEQA Guidelines Section 15380).

Any added costs should be more than offset by savings that would be realized through the information consultation process available to private applicants under CESA. The process would allow conflicts to be resolved at an early stage in project planning and development, thereby avoiding conflicts later in the CEQA review process, which would be more costly and difficult to resolve.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code sections 11342.580 and 11346.2(a)(1).

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

John Carlson, Jr.
Executive Director

Dated: March 9, 2010

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JOHN CARLSON, JR.
EXECUTIVE DIRECTOR
1416 Ninth Street
Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
(916) 653-5040 Fax
jcar@dfg.ca.gov

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

STATE OF CALIFORNIA
Fish and Game Commission

March 15, 2010

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the continuation notice of proposed regulatory action relative to Section 632, Title 14, California Code of Regulations, relating to marine protected areas. The original notice and the June 19, 2009 continuation notice are posted on the Commission's website at www.fgc.ca.gov and are available upon request by contacting the Commission office at the letterhead address, phone number, facsimile number, or e-mail address.

During the regulatory process to amend Section 632, changes were made in the originally proposed regulatory language, which was adopted at the Commission's August 5, 2009, meeting. Corrections have been made to the latitude and longitude coordinates for Gerstel Cove State Marine Reserve (SMR), Salt Point State Marine Conservation Area (SMCA), Estero de San Antonio State Marine Recreational Management Area (SMRMA), Point Reyes SMR, Point Reyes SMCA, and the Southeast Farallon Island Special Closure. In addition, a variety of other changes were made to the regulations for the purpose of improving the clarity of the regulations.

Because these regulations are different from, yet sufficiently related to, the originally proposed regulations, the Administrative Procedure Act requires that we make these changes available to you for at least a 15-day written comment period.

Ms. Marija Vojkovich, Regional Manager, Marine Region, Department of Fish and Game, (805) 568-1246 has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachments

BY AK

2010 MAR 18 PM 3:13

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

14

Board of
Supervisors/BOS/SFGOV
03/16/2010 11:51 AM

To Ross Mirkarimi/BOS/SFGOV, Jeremy Pollock/BOS/SFGOV,
Jason Fried/BOS/SFGOV, CleanPowerSF@sfgov.org, ,
cc
bcc
Subject CCA



Sheila Wollen
<scwollen@aol.com>
03/12/2010 10:44 AM

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

CCA is an ill advised plan. This city cannot even guarantee the validity of drug testing for possible criminals nor run its transit system to the benefit of its citizens. I shudder to think of the problems that would result if your plan to control electrical power in this city is implemented. I say NO TO CCA.

Sheila Wollen

15



Craig Louttit
<clouttit@msn.com>
03/16/2010 09:20 AM

To <board.of.supervisors@sfgov.org>
cc
bcc
Subject Do not agree with SF CCA

Board of Supervisors

I am writing to express my disappointment with the Board of supervisors forcing CCA on the residents of San Francisco. I will be opting out and I will encourage everyone I know to opt out.

This is absurd and irresponsible at a time when the budget is a mess we want to add more cost to the city. I do not understand how you can do this better than PG&E. Let me see you buy power at market, PG&E buys power at market. You will need to transport power over the same lines and rate structure as PG&E and you are adding more employees. So unless this is a for profit business then we will all pay the same or more. Since renewable energy is 2-3 times the cost of conventional energy how does this make sense. The wind does not blow when it's hot.

All the large power users will opt out and this will leave the SF CCA with a poor load factor and paying premium prices for a lumpy load profile. What will happen when the CCA gets a \$500 million dollar margin call? Where will it come from, how many other employees will get laid off.

Stick to your usual wonderful ideas like stopping people from building garages on their property, or stopping the construction of new buildings that cast shadows on parks, or how to dry rice noodles. Stay out of the power business, you do not have the skills, resources or money to play that game. Look at the contracts the state of California negotiated during the energy crisis, a classic heads I win and tails you lose for the energy sellers.

The voters have turned this down 12 times, let it die, do something meaningful, you have no clue what you are getting into, look at the carnage of destroyed companies in the energy business.

Craig Louttit
SF Resident who will opt out



"Thomas E. Morton"
<tmorton259@hotmail.com>

03/15/2010 02:59 PM

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

cc

bcc

Subject CCA

We are strongly opposed to the Community Choice Aggregation. There are already too many public employees in San Francisco and the budget is out of control. Taking on further debt to do something the City knows nothing about is an invitation to disaster.

Mr. & Mrs Thomas Morton

Hotmail is redefining busy with tools for the New Busy. Get more from your inbox. [Sign up now.](#)

Board of
Supervisors/BOS/SFGOV
03/16/2010 05:54 PM

To: Ross Mirkarimi/BOS/SFGOV, Jason Fried/BOS/SFGOV,
Jeremy Pollock/BOS/SFGOV, David Chiu/BOS/SFGOV,
CleanPowerSF@sfgov.org,

cc

bcc

Subject : CCA



Charles McGettigan
<chas@mcgettigan-wick.com
>

03/16/2010 03:01 PM

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

cc

Subject CCA

Dear Supervisors:

Community Choice Aggregation is a horrible idea. Hopefully,
you will come to your senses and dismiss any further discussion
of this proposal.

I am a sixth generation native of San Francisco.

Respectfully submitted,
Charles C. McGettigan



dangelo60@aol.com
03/17/2010 06:44 PM

To board.of.supervisors@sfgov.org
cc
bcc
Subject CCA program

Honorable- elected officials - Servants of the PUBLIC

This is not meant to be mean spirited on my part.

However, as a body you are not representing the people of SF well.

You have your individual political agendas and seem to force them upon US.

This issue of CITY owned Utilities etc has been voted down and / or rejected since the 1960 , If memory serves me correctly.

I could do research and impress you with the exact dates . However , my point is clear.

SAN FRANCISCIANS HAVE reject the idea many times and yet you do not get the message.

You may be elected by district- HOWEVER collectively you represent us al on most issues.

Green is great, Limited smoking in public places, Right to Marry , and other social issues = good work and I do not mind being taxed for them. However let professionals do the technical / utilities stuff.

You gave away the PUBLIC golf courses. Please count and reflect on the good intension legislation that have backfired

you all and former supervisors love to give birth to a child, but are not around to raise it . And are quick to say that it was not on your watch.

Get the point

respectfully

Jack D'Angelo
60 Beachmont Dr
94132



Robin McCain
<robin@slmr.com>

03/18/2010 10:00 AM

Please respond to
rm@slmr.com

To board.of.supervisors@sfgov.org

cc

bcc

Subject CCA and PG&E

I heartily support your efforts to use the Community Choice Aggregation program to break the PG&E stranglehold on the residents of San Francisco.

We (the ordinary people of San Francisco) been fighting PG&E power ever since 1913, and it is time the citizens had a choice. Please ignore PG&E's PAC attempts to block this action.

Thanks & keep on working to improve our city!

Robin McCain

16



SafetyBeltSafe U.S.A.

1124 West Carson Street, LA BioMed, Building B-1 West, Torrance, CA 90502
Post Office Box 553, Altadena, CA 91003
310/222-6860 800/745-SAFE 800/747-SANO FAX 310/222-6862 www.carseat.org

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Senior Program Consultant
Deborah D. Stewart
Technical Consultant
Kathleen Weber
Technical Consultant
Kate Quirk, PhD
Project Coordinator

March 12, 2010

To: Board of Supervisors

From: Stephanie M. Tombrello, L.C.S.W.
Executive Director, SafetyBeltSafe U.S.A.

Re: Safety Seat Checkup Week, April 11-17, 2010

You can help save children from suffering tragic injuries by helping to make Safety Seat Checkup Week, April 11-17, a special event in your county. Help reduce the unnecessary toll of children injured seriously or fatally in motor vehicle crashes.

SafetyBeltSafe U.S.A. is available to you as a resource for posters, pamphlets, films, speakers, program ideas, and information about California buckle-up laws. We would appreciate it if the Board of Supervisors would

- Issue a proclamation in recognition of Safety Seat Checkup Week (sample enclosed). Send your proclamation to us in advance for display at Safety Seat Checkup Day on April 17.
- Encourage targeted enforcement to increase the percentage of citations issued for violations of child safety seat and safety belt laws during Special Enforcement Week (April 4 to 10).
- Distribute posters and pamphlets, available from SafetyBeltSafe U.S.A., through county agencies and employees. Put up our permanent "Buckle-Up" parking lot signs.

In Los Angeles County, for example, SafetyBeltSafe U.S.A. is holding a major event as the culmination of the Week:

Safety Seat Checkup Day on Saturday, April 17, from 10:00 a.m. to 2:00 p.m. at the Petersen Automotive Museum parking lot in Los Angeles

On April 17, families who want to participate in Safety Seat Checkup Day will drive to a designated area where trained volunteers will conduct a detailed inspection of their safety seats and the way they are being used. Parents will be told if the safety seats have been recalled or need replacement parts and shown how to use them correctly.

Your support for this effort, reported to newspapers in your county, may encourage them to publicize this subject more widely. Please share your ideas for Safety Seat Checkup Week with us.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 18 PM 3:09
BY
AK

17



SafetyBeltSafe U.S.A.

1124 West Carson Street, LA BioMed, Building B-1 West, Torrance, CA 90502
Post Office Box 553, Altadena, CA 91003
310/222-6860 800/745-SAFE 800/747-SANO FAX 310/222-6862 www.carseat.org

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Marc Cohen
Louise Nichols
Becky Thams

Illinois:

Darren K. Qunell

Louisiana:

Annette Knobloch

Maine:

Betty Mason

Maryland:

Emilie Crown
Michelle Freedberg

Pennsylvania:

Donna Ott, MS PT

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Youth Offender Parole Board

Sean Kane

Safety Research & Strategies, Inc.

Ellen R. Knell, PhD

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Queens Care Family Clinics

Gayle Wilson

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Professor Emeritus

California State University, Long Beach

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Executive Director

Cheryl A. Kim

Senior Program Consultant

Deborah D. Stewart

Technical Consultant

Kathleen Weber

Technical Consultant

Kate Quirk, PhD

Project Coordinator

PROCLAMATION

WHEREAS, the number one preventable cause of death and injury of children and young adults is the automobile collision; and

WHEREAS, more than 150 child passengers under sixteen are killed and more than 20,000 injured in automobile collisions in California in each year; and

WHEREAS, infants and young children are not capable of initiating action to use proper restraints and are not protected adequately by automatic belts or air bags; and

WHEREAS, 71% of small children killed in crashes would be alive today if they had been properly restrained in child safety seats; and

WHEREAS, 45% of injuries to child occupants ages four to eight could be prevented with the use of booster seats; and

WHEREAS, more than 90% of child safety seats are used incorrectly; and

WHEREAS, California's child safety seat usage rate reached a record high of 94% in 2008, but dropped to 91% in 2009; and

WHEREAS, the State of California requires that all occupants be properly restrained in safety seats or safety belts with children in the back seat until at least age six or 60 pounds; and

WHEREAS, crash-tested safety seats are moderately priced and widely available for purchase at retail stores and at low cost from car safety seat distribution programs throughout California; and

WHEREAS, SafetyBeltSafe U.S.A. has been dedicated for 30 years to protecting children from injury or death while being transported in a motor vehicle:

NOW BE IT PROCLAIMED BY THE COUNTY OF _____
THAT APRIL 11-17, 2010, BE DECLARED SAFETY SEAT CHECKUP
WEEK.



Fact Sheet: *SafetyBeltSafe U.S.A.*

SafetyBeltSafe U.S.A. is the national non-profit organization dedicated to protecting children from deaths and injuries resulting from riding unrestrained in motor vehicles. Founded in 1980 by fifteen safety advocates in the Los Angeles area, SafetyBeltSafe U.S.A. is nationally recognized for technical expertise and program excellence.

Available Services

Safe Ride Helpline provides telephone counseling and interactive Web site (www.carseat.org) for parents who need help choosing or correctly installing safety seats; technical consultation and materials review for professionals and advocates.

Training for advocates, law enforcement officers, health care professionals, and staff of car seat distribution programs. More than 225 eight-hour SafetyBeltSafe Educator Workshops have been attended by more than 6500 advocates and professionals since 1980. Also special technical seminars and standardized training program for prospective Child Passenger Safety Technicians.

Partnerships with representatives of local, state, and national agencies. Presentations at national and state conferences on traffic safety, injury control, and public health.

Public awareness campaigns, press releases, public service announcements, posters. Special activities for annual Safety Seat Checkup Week and Special Enforcement Week.

Publications and technical resources, bimonthly newsletter, brochures, reference guides, and technical updates.

Speakers' bureau, presentations and exhibits at meetings and community events.

Legislative and Regulatory Efforts

- Provided technical input for S. 2070, enacted as the child passenger safety part of the national TREAD Act of 2000, and for H.R.5504, known as Anton's law, which improves the safety of children 4 and over and mandates center rear shoulder belts, for which SBS USA first petitioned in 1986.

- Successfully petitioned National Highway Traffic Safety Administration to require shoulder belts in the outboard rear seats of all post-1989 passenger vehicles.
- Assisted the California Legislature with writing the child restraint law (1983) and subsequent improvements, including provisions to make penalties and fine allocations uniform for failing to properly buckle up any child under age 16 (1994) and to require travel in the back seat for children under age 6 (2005).
- Discovered a counterfeit, illegally imported car seat in the late 1980s. Worked with the Los Angeles Police Department and City Attorney in the investigation, which led to confiscation of thousands of dangerous products and the subsequent public awareness campaign.
- Petitioned the Federal Aviation Administration to protect children under age two by requiring that they be properly restrained on aircraft.
- Petitioned National Highway Traffic Safety Administration to void the "sunset clause" on lockable safety belts in vehicle seating locations with lower anchors to which to attach safety seats in concert with Safe Ride News Publications and more than 200 supporters; the petition has been found to have merit, and the issue will go through the rulemaking process.

Honors and Achievements

Executive Director Stephanie M. Tombrello, L.C.S.W., has been involved in the field since the early 1970s. She received the national Award for Public Service from NHTSA in 1983 and was selected by NHTSA as primary consultant for development of the national training program in child passenger safety in the early 1990s. In 1984, she attended a White House ceremony as an invited guest at the signing of a special funding bill for child passenger safety. Ms. Tombrello served on the National Blue Ribbon Panel on Child Restraint & Vehicle Compatibility and is a nationally certified Child Passenger Safety Technician-Instructor. In 1999, she received the Annemarie Shelness Award for Lifetime Achievement in Child Passenger Safety and in 2008, the "PAL of the Year" Award from National Association of Pediatric Nurse Practitioners, Los Angeles Chapter.

Nationwide Insurance selected SafetyBeltSafe U.S.A. as one of three national winners of the 1996 *On Your Side* highway safety award, recognizing the "Family Safety in the Car" education program for violators as an exemplary program. Other honors include the Company Achievement Award for the Safe Ride Helpline from the Society of Consumer Affairs Professionals in Business, Greater Los Angeles Chapter, and the Diamond Mike Award from Mitsubishi Motors. Additional awards to SBS USA are the Allstate Safety Leadership Award as Regional Winner of the Community Safety Program 1999 and the California Office of Traffic Safety Award for Outstanding Achievement 2000, for state-based programs in child passenger safety. In June 2006, SafetyBeltSafe U.S.A. received the inaugural Healthy Kidz! Two Thumbs Up! Award from Childrens Hospital/Los Angeles and Kohl's Department Stores.

For more information about the organization or to order educational materials about safety seats and safety belts, please contact:

<p style="text-align: center;">SafetyBeltSafe U.S.A. P.O. Box 553, Altadena, CA 91003 www.carseat.org 310/222-6860, 800/745-SAFE (English) 310/222-6862, 800/747-SANO (Spanish)</p>
--

#103 (3-6-10)



Western SoMa Citizens Planning Task Force

Jim Meko, Chair
366 Tenth Street
San Francisco CA 94103
(415) 624-4309
jim.meko@comcast.net

March 17, 2010

John Rahaim
Director, San Francisco Planning Department
1650 Mission Street
San Francisco CA 94103

Dear Director Rahaim,

The Western SoMa Citizens Planning Task Force wishes to express its concern over the slow progress on the environmental analysis of the Western SoMa Community Plan.

The Western SoMa Citizens Planning Task Force was established by the Board of Supervisors and has been meeting since July of 2006. The Task Force established an ambitious timeline to accomplish the production of a draft community plan and it has delivered on every goal. A Draft for Citizens' Review was released in June of 2008 and the Planning Commission voted on September 18, 2008 to initiate the environmental analysis. We are concerned that it took almost fifteen months to complete a contract with the consultants (even though they had just completed similar work for the Eastern Neighborhoods Plan) and that little has been accomplished since.

The Transportation Authority is working to prepare capital grant applications for shovel-ready street improvements that are called for by the plan and analyzed in the EIR. If funding is secured, environmental clearance will be needed before these projects can proceed to implementation. Similarly, a large mixed use project that creates an entirely new alley, a publicly accessible park and hundreds of rental residential dwelling units could be subject to added development and carrying costs unless environmental clearance can move forward.

Western SoMa is the final piece of the Eastern Neighborhoods puzzle. The ENCAC is already meeting to allocate public benefits on an equitable basis and this community cannot fully participate until the Western SoMa Plan is adopted. It is unfair to the hundreds of community members who participated in the process to continue dragging this out.

The EIR appears to be stalled in the Major Environmental Analysis division of your Department. Other projects always seem to take priority. Given that limited personnel are qualified to provide definitive reviews and edits in a timely manner, we ask for your leadership to ensure that adequate attention is given to the Western SoMa Plan. Let's get it done.

Jim Meko
Chair, Western SoMa Citizens Planning Task Force

copies to:
Members of the Board of Supervisors
and the Planning Commission

18



Jameshocfecit@aol.com
03/17/2010 08:48 AM

To board.of.supervisors@sfgov.org
cc
bcc
Subject cigarette activity

I am so disappointed in your recently passed ban on sidewalk smoking areas. A friend of mine from Europe mentioned that this is probably the most 'you can't do this here' city in the world. The recently imposed tax on each and every cigarette bought to clean the streets is a joke. My street (Hyde between Pine and Bush) hasn't been cleaned in 20 years, and I haven't seen any improvement any where else in the city. I am 68 years old, have been living here since 1964, have modified my life as a smoker as each of the privileges has been imposed, and my one real daily pleasure is to have coffee at Joes on Sutter and Leavenworth and have a cigarette. There's a lot of wind there from Aquatic Park, and is no problem to anyone. I dispose of my cigarette in the proper way, and obey all of your rules, but I plan on breaking the law on this one. It seems that smokers are now the easy targets for all the problems of other people, and I am tired of having my life modified over and over as a result.

I doubt if this will make any difference, except in one way....and that's my vote, and even that probably will be only a drop in the ocean. What happened to this accommodating city?

James Raney
945 Hyde St.
San Francisco, 94109 (yes, Mr. Chiu)

19



T-Mobile West Corporation
a subsidiary of T-Mobile USA Inc.
Engineering Development
1855 Gateway Boulevard, 9th Floor
Concord, California 94520

March 9, 2010

Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 MAR 17 PM 4:39

AK

RE: T-Mobile West Corporation as successor in interest to Omnipoint Communications, Inc. d/b/a T-Mobile (U-3056-C) Notification Letter for T-Mobile Site No. SF53470A

This letter provides the Commission with notice pursuant to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California (CPUC) that with regard to the project described in Attachment A:

- (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- (b) No land use approval is required because

A copy of this notification letter is being sent to the local government agency identified below for its information. Should there be any questions regarding this project, or if you disagree with the information contained herein, please contact Garry Willey, Senior Development Manager, for T-Mobile, at (925) 521-5941, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at (415) 703-2699.

Sincerely,



 Garry Willey
 Sr. Development Manager
 T-Mobile West Corporation
 a subsidiary of T-Mobile USA Inc.

Enclosed: Attachment A

cc: City of San Francisco, Attn: Planning Director, 1 Carlton B. Goodlett Place, San Francisco, CA 94102
City of San Francisco, Attn: City Manager, 1 Carlton B. Goodlett Place, San Francisco, CA 94102
City of San Francisco, Attn: City Clerk, 1 Carlton B. Goodlett Place, San Francisco, CA 94102

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ATTACHMENT A

1. Project Location

Site Identification Number: SF53470A
Site Name: Folsom PGE Bldg
Site Address: 2270 Folsom, San Francisco, CA 94110
County: San Francisco
Assessor's Parcel Number: Lot 001, Block 3591
Latitude: 37° 45' 38.73" N
Longitude: 122° 24' 55.60" W

2. Project Description

Number of Antennas to be installed: 6
Tower Design: Building (Rooftop)
Tower Appearance: Installation of six (6) panel antennas, 2 mounted to parapet on
southeast side of building and 4 inside new faux vent structures at southwest,
southeast, and northeast corner of roof.
Tower Height: 50 feet
Size of Buildings: 240 sq feet

3. Business Addresses of all Governmental Agencies

City of San Francisco
Attn: Planning Director
1 Carlton B. Goodlett Pl
San Francisco, CA 94102

City of San Francisco
Attn: City Manager
1 Carlton B. Goodlett Pl
San Francisco, CA 94102

City of Menlo Park
Attn: City Clerk
1 Carlton B. Goodlett Pl
San Francisco, CA 94102

4. Land Use Approvals

Date Zoning Approval Issued: 03/02/10
Land Use Permit #: CP 200910018063
If Land use Approval was not required:



T-Mobile West Corporation
a subsidiary of T-Mobile USA Inc.
Engineering Development
1855 Gateway Boulevard, 9th Floor
Concord, California 94520

March 3, 2010

Anna Hom
Consumer Protection and Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

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BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 17 PM 4:39

RE: T-Mobile West Corporation as successor in interest to Omnipoint Communications, Inc. d/b/a T-Mobile (U-3056-C) Notification Letter for T-Mobile Site No. SF53926A

This letter provides the Commission with notice pursuant to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California (CPUC) that with regard to the project described in Attachment A:

- (a) T-Mobile has obtained all requisite land use approval for the project described in Attachment A.
- (b) No land use approval is required because

A copy of this notification letter is being sent to the local government agency identified below for its information. Should there be any questions regarding this project, or if you disagree with the information contained herein, please contact Garry Willey, Senior Development Manager, for T-Mobile, at (925) 521-5941, or contact Ms. Anna Hom of the CPUC Consumer Protection and Safety Division at (415) 703-2699.

Sincerely,



 Garry Willey
 Sr. Development Manager
 T-Mobile West Corporation
 a subsidiary of T-Mobile USA Inc.

Enclosed: Attachment A

cc: City of San Francisco, Attn: City Manager, 1 Carlton B. Goodlett Place, San Francisco, CA 94102
City of San Francisco, Attn: City Clerk, 1 Carlton B. Goodlett Place, San Francisco, CA 94102
City of San Francisco, Attn: Planning Director, 1 Carlton B. Goodlett Place, San Francisco, CA 94102

20

ATTACHMENT A

1. Project Location

Site Identification Number: SF53926A
Site Name: Staples
Site Address: 470 Noor Avenue, CA 94080
County: San Mateo
Assessor's Parcel Number: 014-183-280
Latitude: 37° 38' 29.69" N
Longitude: 122° 25' 22.52" W

2. Project Description

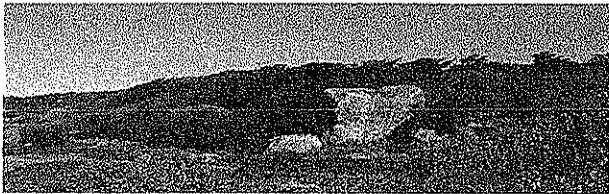
Number of Antennas to be installed: 8
Tower Design: Monopole
Tower Appearance: Installation of eight (8) panel antennas mounted to a monopole
Tower Height: 50 feet
Size of Buildings: 244.44 sq feet

3. Business Addresses of all Governmental Agencies

City of San Francisco	City of San Francisco	City of San Francisco
Attn: Planning Director	Attn: City Manager	Attn: City Clerk
1 Carlton B. Goodlett Place	1 Carlton B. Goodlett Place	1 Carlton B. Goodlett Place
San Francisco, CA 94102	San Francisco, CA 94102	San Francisco, CA 94102

4. Land Use Approvals

Date Zoning Approval Issued: 02/18/10
Land Use Permit #: Use Permit and Design Review-- P09-0094-UP
If Land use Approval was not required:



Clerk of The Board of Supervisors

SF Ocean Edge ©

File 100053 ^{orig} CON clerk - VY, cpage
Where Golden Gate Park meets Ocean Beach.....

www.sfoceanedge.org

*C: Sup Chu, Sup Avalos
Sup Elsbernd*

March 17, 2010

Golden Gate Park - Beach Chalet Soccer Development

Bulletin #2: San Francisco Tree Council requests Environmental Impact Report (EIR) for soccer project

The San Francisco Tree Council is dedicated to the preservation and protection of existing mature trees in our parks, civic centers and on our neighborhood streets, since 2000. SFTC has worked with individuals, environmental organizations, city departments, and city government to further the preservation of the health of the urban forest's mature trees. SFTC was instrumental in gathering strong support and approval by the Board of Supervisors to fund and establish the City's Urban Forestry Council, and was an appointed founding member for 8 years.

The San Francisco Tree Council supports a full Environmental Impact Report for the Beach Chalet Soccer Fields, so that the public can understand the full impact of this project and so that Golden Gate Park and its significant trees can be preserved.

Please see the attached letter for more background on this important issue.

Our Mission Statement

SF Ocean Edge supports active recreation with a win-win solution:

- A full Environmental Impact Report – Golden Gate Park is too important to pave over without examining all the issues and creating alternatives to this project;
- Renovation of the existing grass fields with natural grass, better drainage, and better maintenance;
- Use of the remainder of the funding for other playing fields and parks, providing more recreation opportunities for children all over San Francisco
- Preserving Golden Gate Park's woodland and meadows as a heritage for future generations.

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San Francisco Tree Council



March 15, 2010

Mr. Don Lewis
Major Environmental Analysis
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

SUBJECT: EIR for proposed Golden Gate Park Soccer Fields / Beach Chalet Soccer Fields project

Dear Mr. Lewis:

The San Francisco Tree Council is dedicated to the preservation and protection of existing mature trees in our parks, civic centers and on our neighborhood streets, since 2000. SFTC has worked with individuals, environmental organizations, city departments, and city government to further the preservation of the health of the urban forests mature trees.

SFTC was instrumental in gathering strong support and approval by the Board of Supervisors to fund and establish the City's Urban Forestry Council, and was an appointed founding member for 8 years.

This project is located at the Beach Chalet soccer fields, in the western end of Golden Gate Park. We are concerned to learn that the construction proposal will remove at least 65 trees, including many which could be considered significant, that is, with a DBH (diameter at breast height) of 12" or greater. Our understanding is that construction of this project could also damage the remaining trees in this area. We understand the occasional need to remove an individual tree that is so badly damaged that it poses a hazard, but this project is different.

The trees in the western end of Golden Gate Park create a protective micro climate that allows a diverse variety of other tree species to survive. Removal of existing trees and damage to the remaining trees can affect the rest of the Park by removing this protective windbreak.

Also, as defenders of trees and the vital place they have in the landscape, we are aware that the Golden Gate Park Master Plan recommends that the original design of the Park be followed in all decisions about new projects. This design states that the western end of Golden Gate Park is to be "treated as a woodland or forest, with all of the hills and ridges more or less heavily timbered and the valleys covered with lower-growing shrubs or fields grasses." Within this landscape, there is a multistory landscape. "Much of the park landscape is characterized by a multistory or layered landscape with small shrubs and understory at the bottom, large shrubs and smaller trees as a middle layer, and tall canopy trees providing an overstory....A healthy multistory landscape is important to preserve the park's design character." (GGPMP p. 4-5) The insertion of a large, rectilinear soccer complex does not fit with this design and will diminish the feeling for nature that a meadow surrounded by trees can provide.

We encourage you to perform a full Environmental Impact Report so that the public can understand the full impact of this project and so that Golden Gate Park and its significant trees can be preserved.

Sincerely,

Carolyn Blair

Executive Director
2310 Powell Street, #305
San Francisco, CA 94133
sftreecouncil@dslextreme.com
415 982 8793



James Keys
<james.shaye.keys@gmail.com>
03/16/2010 02:37 PM

To gavin.newsom@sfgov.org
cc Board.of.Supervisors@sfgov.org, Mitch Katz
<Mitch.Katz@sfdph.org>, Barbara Garcia
<barbara.garcia@sfdph.org>, Bob Cabaj
bcc

Subject SFCCC's last Pyschiatrist gets the pink slip

Mayor Newsom,

My name is James Keys and I am the Chair of the San Francisco Mental Health Board. The reason for this email is to inform you that I have received a phone call from a very distraught San Franciscan regarding the lay-off of one Dr. John Moranville. Dr. Moranville may be one of the last practicing psychiatrists practicing for San Francisco Community Clinic Consortium.

Dr. Moranville, who works 4-hours per week at Height-Ashbury Clinic, 12-hours per week at South of Market Health Clinic and 8-hours at Native American Health Clinic, was laid off of work as of yesterday March 15, 2010. Dr. Moranville provides psychiatric care to hundreds of low-income residents of San Francisco, many who utilize Healthy San Francisco as a means to obtain mental health services.

Under your plan save money in the upcoming budget by ordering that layoff notices be sent to most of the city's 26,000 workers and saying that the overwhelming majority of them will be hired back within two weeks to work 37.5 hours a week instead of their current 40-hours may cause many clients of the San Francisco Community Clinic Consortium to suffer depression and anxiety due to worry regarding their treatment.

Have you, along with Dr. Katz, Barbara Garcia and Dr. Cabaj come up with some alternatives to assure the patients that their treatments will continue? Have letters been sent out to those same clients preparing them for the inevitable lose in services?

Perhaps re-hiring Dr. Moranville would solve this particular problem so that the many residents of San Francisco who receive his services will not see an interruption in the continuum of care.

Please feel free to contact regarding any decision or outcome so that I may share it with the members of the community.

Sincerely,

James Keys
Chair, San Francisco Mental Health Board

--

"Establishing economic security will transform society. It will not only directly benefit the poor, the near-poor, and friends and relatives who share the burdens of both groups. It will also lay the

23

foundation for a positive reconstruction of the entire social landscape. One way or the other, economic security will benefit everyone."

<http://www.linkedin.com/in/jameskeys>

<http://www.facebook.com/james.shaye.keys>



City and County of San Francisco
DEPARTMENT OF PUBLIC HEALTH

Gavin Newsom, Mayor
Mitchell Katz, M.D.
Director of Health

ENVIRONMENTAL HEALTH SECTION

HAZARDOUS WASTE RELEASE DISCLOSURE FORM

Date : February 16, 2010

Date of Illegal Release: February 13, 2010

Location of Illegal Release : NW corner of 3rd St & Tulare St

- Soil
 Waterway

- Sewer
 Garbage

- Air
 Other Manhole

Name of Person or Business Causing Illegal Release: PG&E
Address: 2475 Myrtle Ave, Eureka, CA 95501

Type of Hazardous Waste Released:

- Oils
 Organic Solvents
 Fuels
 PCB's
 Other

- Pesticides
 Acids
 Caustics
 Heavy Metals

- Asbestos
 Radioactive
 Explosive/Reactive
 Unknown

Physical State of Waste:

- Liquid Solid Gas

Quantity Released:

- less than 1 gallon
 50 to 250 gallons
 Less than 10 lbs.
 Unknown

- 1 to 10 gallons
 more than 250 gallons
 10 to 100 lbs.

- 10 to 50 gallons
 more than 100 lbs.

Information Source:

- Observation Report from public employee
 Report from business Public complaint
 Other

Has Another Public Agency Responded to this Incident?

- NO YES If yes, which agencies:

Comments: Transformer oil released from a subterranean transformer in a mnahole.

Report prepared by:

Submit to:

Name: Leslie Lum

Rajiv Bhatia
1390 Market Street, Suite 210
San Francisco, CA 94102

Department: Dept. of Public Health

Position: Sr. Environmental Health Inspector

and

Phone Number: (415) 252.3915

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

Template/Prop 65.dot/03.05.99 rcv'd _____ pi _____ may _____ dir _____

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR -9 AM 9:56
BY ALE

24

CNTRL #:10-1141
 TIME: 1256

RECEIVED BY OSPR: | NRC#:

1.a. PERSON NOTIFYING Cal EMA

1. NAME: AJ Doudna | 2. AGENCY: PG&E
 3. PHONE #: 707-268-5007 | 4. EXT: | 5. PAGER #:
 707-768-1750

1.b. PERSON REPORTING SPILL (If different from above):

1. NAME: | 2. AGENCY:
 3. PHONE #: | 4. EXT: | 5. PAGER #:

2. SUBSTANCE TYPE:

a. SUBSTANCE: / b.QTY: / Amount / Measure / c. TYPE / d. OTHER
 1. Transformer Oil / = / 3 / Gal(s) / PETROLEUM / Non PCB

2.

3.

e. DESCRIPTION: Due to equipment failure, transformer oil was released from a subterranean transformer in a manhole

f. CONTAINED: Yes | g. WATER INVOLVED: No

h. WATERWAY: | i. DRINKING WATER IMPACTED:

j. KNOWN IMPACT:

3.a. INCIDENT LOCATION: NW corner of 3rd Street and Tulare Street

b. CITY: San Francisco | c. COUNTY: San Francisco County | d.
 ZIP:

4. INCIDENT DESCRIPTION:

a. DATE: 2/13/2010 | b. TIME(Military): 1000 | c. SITE: Road |

d. CAUSE: Mechanical

e. INJURED: No | f. FATALITY: No | g. EVACUATIONS: No | h.

CLEANUP BY: Responsible Party

e. INJURED #: | f. FATALS #: | g. EVACS #:

5. SUSPECTED RESPONSIBLE PARTY:

a. NAME: AJ Doudna | b. AGENCY: PG&E

c. PHONE#: 707-268-5007 | d. EXT:

e. MAIL ADDRESS: 2475 Myrtle Ave

f. CITY: Eureka | g. STATE: CA | h. ZIP: 95501

6. NOTIFICATION INFORMATION:

a. ON SCENE: AJ Doudna | b. OTHER ON SCENE: PG&E

c. OTHER NOTIFIED: City and County Environmental Health

d. ADMIN. AGENCY: San Francisco County Health Department

e. SEC. AGENCY:

f. ADDITIONAL COUNTY: | g. ADMIN. AGENCY:

h. NOTIFICATION LIST: DOG Unit: | RWQCB Unit: 2

AA/CUPA , DFG-OSPR , DTSC , RWQCB , US EPA , USFWS

Created by Warning Center on 2/13/2010 12:56:16 PM
 Modified by Warning Center on 2/13/2010 12:59:53 PM

Last

California State Warning Center
 California Emergency Management Agency
 Phone: (916) 845-8911



"Tom Graves Photos"
<tom@tomgraves.com>

03/16/2010 10:05 AM

Please respond to
<tom@tomgraves.com>

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

cc <Andres.power@sfgov.org>, <Boe.Hayward@sfgov.org>,
<Alex.Randolph@sfgov.org>

bcc

Subject Noe St. debacle

Dear Bevan,

I have always been an enthusiastic supporter of yours; appreciate of your efforts and proud to have you represent me in Noe Valley.

Now, I understand you are in support of the mini-park proposal at 24th and Noe.

No one could oppose the idea of another park in our neighborhood, but this is a dreadful solution to a problem that does not exist. Our city has so many real problems that you have addressed and should continue to address, closing off Noe Street should not be on your agenda.

For over three decades I have observed cities close off streets to make them "people friendly." The main results have been disrupted traffic, homeless havens and economic dead zones. Nothing friendly about that. Let's not make the same mistake here.

Please reevaluate the logic of this proposal and give me another opportunity to be proud of you.

Sincerely,

Tom Graves
415-550-7241
tom@tomgraves.com
www.tomgraves.com

25



Stephanie Levin
<steffe.levin@gmail.com>
03/16/2010 05:01 PM

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

As a Noe Valley resident I am opposed to closing any intersection in my neighborhood. How you can you hatch such a plan without involving the community.
Stephanie Levin

25



"Saavedra, Seth"
<Seth.Saavedra@teachforam
erica.org>

03/16/2010 11:57 AM

To "gavin.newsom@sfgov.org" <gavin.newsom@sfgov.org>,
"board.of.supervisors@sfgov.org"
<board.of.supervisors@sfgov.org>
cc "libraryusers2004@yahoo.com"
<libraryusers2004@yahoo.com>

bcc

Subject re: Please fund full-time interim library service for the Park
Branch Library

Hello Mr. Mayor and Board:

As a voting citizen in San Francisco, I write to humbly request that you commit to providing the money needed to fund full-time library service while the Park Branch (and other branches) undergo renovation. While I certainly appreciate the renovation of our beloved library, I also want to ensure we have more than a rarely operated "book mobile" during this time. As a former teacher, I firmly believe that books keep kids and people in general out of trouble. And I'm sure we're all agreed on the benefits access to free books bestows upon our citizens.

I ask that you please commit the needed funds to provide for full-time interim Park Branch Library service. As I understand it, this amounts to less than \$36k for this year. Thank you for reading this message and I hope to hear more about your thoughts regarding this matter.

Best regards,

Seth Saavedra
112A Carl St., San Francisco, 94117
505.715.3355

Seth A. Saavedra

Program Coordinator
Teach For America-Bay Area
101 New Montgomery, 5th Floor
San Francisco, CA 94105
w: 415.659.0800 x2421
f: 415.659.0850
c: 505.715.3355

Please join our movement to ensure that one day, all children in this nation will have the opportunity to attain an excellent education @ www.teachforamerica.org

Teach For America is an AmeriCorps program. To learn more about AmeriCorps, please visit www.nationalservice.org

Think green. Think before you print.

26



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

03/15/2010 06:50 PM

To Blair Czarecki <bczarecki@gmail.com>,
board.of.supervisors@sfgov.org, Brody Tucker
<Brody.Tucker@sfdph.org>,

cc

bcc

Subject Elaine Zamora Runs for Supervisor of District Six Tenderloin

ZAMORA AND THE TENDERLOIN AREA ARE SINGULAR LIKE FAMILY March 15 2010
Zomora Campaign for Supervisor in District Six/Tenderloin Area,
Where are humans from, I mean on an evolutionary bases. Consider this,
and then ask yourself, are you concerned about political opportunism in
being this so called ethics coordinator, or are you concerned about
Zamora capable abilities as the new Supervisor of the Tenderloin. We all
should be concerned mostly over issues like:
Like housing for the homeless and disenfranchised, which Zamora has been
working with for a very long time.
Clearing the Tenderloins streets from out of town illegal drug dealers in
which Zamora has been working to accomplish for a very long time in the
Tenderloin.
Making the Tenderloin Area esthetic and a pleasant place to not only
live, but to also visit - Zamora has been very busy doing that as well,
creating a good reputation for the Tenderloin Area.
There are a great deal of senior citizens living in low income housing in
the Tenderloin, Zamora has been on a grass roots level in dealing with
senior citizen issues in the Tenderloin.
Zamora has been a very active activist for Tenderloin Issue and social
rehabilitation in general for many years, dealing in particular with
reaching the people from a grass roots perspective.
Zamora is an attorney, which I feel cannot be but a benefit to the
Tenderloin's many needs in having to direct needed domestic issues in the
Tenderloins behalf in creating a secure and stable community in the
Tenderloin Area.
When it comes to ethics, I feel Zamora has as a grass roots activist can
truly identify with the needs of the Tenderloin Area. And I feel that so
smears against her electoral campaign for District Six Supervisor is
merely a strategy for some politician representing a financial
opportunism on they're self centered behalf in using the people of the
Tenderloin as a way and means greed and opportunism in favor of
questionable business factions.
I am sure that Zamora is concerned over the latest discrepancies in
relation to health, housing, poor educational practices in San Francisco
and California, and environmental issues which effect everyone in the
world, in particular the Tenderloin.
Zamora's Election Campaign for Supervisor in the Tenderloin, WebPage:
<http://www.facebook.com/pages/Brownsville-TX/Melissa-Zamora-Campaign-Team/73887892200>

IVAN EDGAR PRATT, "XERISCAPE / BUDDHA, INC." IEP55@juno.com, Internet
direct quote and paraphrase transcription "Zamora and the Tenderloin Area
Are Singular Like Family March 15, 2010" information, Sustainable Systems
Environmental Ecology, WebPage:
http://www.brookscole.com/cgi-brookscole/course_products_bc.pl?fid=M20b&product_isbn_issn=0534376975&discipline_number=22 ,
Merritt College Ecology Department & Matriculations, Sierra Club
Membership, WebPage: <http://www.sierraclub.org> WebPage:
<http://www.ecomerritt.org/>, NAM MYOHO RENGE KYO,
WebPage: <http://www.sgi-usa.org>

27



Scott Strohmeier
<scott.strohmeier@gmail.com>

03/16/2010 02:49 PM

To DistrictAttorney@sfgov.org, gavin.newsom@sfgov.org,
cityattorney@sfgov.org, board.of.supervisors@sfgov.org,
Sean.Elsbernd@sfgov.org

cc

bcc

Subject Motorist Harassment by SFPD and DPT

Over the past year I've noticed DPT and SFPD handing out citations for minor infractions much more frequently. I've gotten citations for not having a front plate multiple times on brand new vehicles which do not and cannot have a front plate until one is shipped to me by DMV, and yet I am forced to pay the \$25-per-infraction fee for correction. I've recently gotten a citation for "tire tread depth" being too shallow (it wasn't, the tires aren't down to the wear bars) and this is not on some old death trap - I drive a brand new, \$70000 BMW that I bought right here in San Francisco. I am unable to contest the citations from DPT at all, as the citation issuers and DPT reviewers simply do not care that new cars don't have license plates. Going to court for a tire tread depth citation would cost me far more in lost time than simply "correcting" it (that is, giving the citation to officers who don't even bother to check the vehicle because they know these citations are mostly BS.)

The extent and number of these citations, coupled with the lack of enforcement efforts on other minor crimes, such as things being stolen from my garage and being told nothing would be done about it, is making me extremely angry. With the impending increase in meters and elimination of free Sundays this reeks of a revenue grab and a way of fleecing the residents of this city. I realize it's tough dealing with traffic density and parking in this city, but I live out in Glen Park where it's not as much of an issue, and there's no excuse for me having to pay correction fees on a perfectly legal vehicle.

I feel that the city and county government of San Francisco is at the point where it is almost outwardly hostile towards its residents. I've had it and I'm moving out of here, taking my \$200k/yr work-from-home job and a whole lot of revenue in sales tax and income tax with me, far more than your \$25 correction fees will ever make up for.

Sincerely,

Scott Strohmeier
Monterey Blvd. in Glen Park

28

FRANK Kennedy
3070-26th Ave
SF CA 94132-1546

March 19, 2010

FBKENNEDY@AOL.Com
415-665-2695

SF Board of Supervisors

Please Keep 311 Open as it is Today.
Also ask That The Director of The Muni/MTA
be born in San Francisco. OR have Lived
in San Francisco for not less Then Seven years.

Thank You
Frank Kennedy

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2010 MAR 19 PM 4:17

BY

AK

29

BOARD of SUPERVISORS



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

MEMORANDUM

Date: March 19, 2010
To: Honorable Members, Board of Supervisors
From: Angela Calvillo, Clerk of the Board *AC*
Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following Commission:

- Anita Friedman, Human Services Commission, term ending on January 15, 2013.

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

Upon receipt of such notice, the Clerk shall refer the appointment to the Rules Committee so that the Board may consider the appointment and act within thirty days of the appointment as provided in Section 3.100(17) of the Charter.

Please notify me in writing by **5:00 p.m., Wednesday, March 24, 2010**, if you wish this appointment to be scheduled.

Attachment

30



March 19, 2010

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 3.100 (17), I have reappointed Dr. Anita Friedman as a member of the Human Services Commission effective, March 19, 2010.

Dr. Anita Friedman has been reappointed to fill her same seat, and this term will expire on January 15, 2013.

Please see the attached resume which will illustrate that Dr. Anita Friedman's qualifications allow him to represent the communities of interest, neighborhoods and diverse populations of the City and County.

Should you have any questions, please contact my Director of Appointments, Matthew Goudeau at 415-554-6674.

Sincerely,

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 19 PM 2:33
BY _____



Notice of Appointment

March 19, 2010

Honorable Board of Supervisors:

I hereby appoint Dr. Anita Friedman to serve as member of the Human Services Commission for a term commencing March 19, 2010, in accordance with the 1996 Charter, Section 3.100, (17)

I am confident that Dr. Anita Friedman will serve our community well. Attached are his 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.

A handwritten signature in black ink, appearing to read "Gavin Newsom", written over a horizontal line.

Gavin Newsom
Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 MAR 19 PM 2:33
BY

Dr. Anita Friedman
Executive Director
Jewish Family and Children's Services

Anita Friedman leads Jewish Family and Children's Services, one of the largest family service institutions in the United States. JFCS operates 15 Bay Area offices in five counties serving people of all faiths and backgrounds totaling more than 65,000 children, adults, and seniors each year. JFCS operates 40 programs including medical and mental health clinics, child, youth and senior services, home health care and End of Life Care, international and domestic adoptions, domestic violence services, transitional housing, treatment of trauma, legal aid and immigrant services. She is a frequent lecturer and writer on issues of philanthropy, mental health, and innovative business models for the provision of human services.

JFCS programs are distinguished for their excellence and compassion. Recent awards include recognition of Seniors-At-Home, JFCS's long term care program, which has twice been awarded the National American Society on Aging innovation award and Parents Place, recently recognized by the Doris Duke Foundation as one of the 21 most innovative programs in the U.S. for prevention of mental health problems of children. Yale University has completed a study of JFCS's successful Early Childhood Mental Health Program, which has become a public policy model in the field of children's services and early intervention.

Dr. Friedman has been appointed to various local, state, national and international commissions and is currently also a Mayor's appointee as Commissioner on the San Francisco Human Services Commission. She has been a consultant to the State of Israel Ministry of Social Affairs on best practices in serving children and families and also served as their advisor on human services and immigrant absorption. She also serves on the Boards of the Koret Foundation, Taube Foundation, Brandeis Hillel Day School, and the international Israel Economic Development Board. Dr. Friedman has written many articles and essays, and is currently completing a book about cross-cultural psychology and immigration based on her research in the field.

Professionally, Dr. Friedman is a licensed clinical social worker specializing in mental health services for families and couples and completed her doctorate in organizational psychology. She has received numerous awards, including the State Family Service Council Distinguished Leadership Award, International Louis Kraft Award, Hadassah's highest honor--the National Myrtle Wreath Award, Jewish Community Federation's Professional of the Year, the Raoul Wallenberg Club Public Service Award, and the prestigious Koret Foundation Prize for leadership in community service.

Dr. Friedman completed her undergraduate studies at the University of California at Berkeley, and her doctoral degree in Organizational Psychology at the University of San Francisco. She is a child of Holocaust survivors, lives in San Francisco with her husband and has three sons.



"Loveland, Sally"
<Sally.Loveland@acegroup.com>
03/18/2010 11:06 AM

To <board.of.supervisors@sfgov.org>
cc
bcc
Subject MUNI

Dear Board of Supervisors,

This is my opinion not my employers.

Tuesday, MUNI had a delay at 5:15 outbound at Civic Center. Fifteen minutes
Last night MUNI had a delay outbound at Civic Center. Fifteen minutes
Today at 8:12AM, MUNI stopped in all inbound trains due to a medical emergency at Van Ness. I'm convinced this medical emergency was from overcrowding. The outbound car at Church stopped in the station "on hold", but CLOSED PEOPLE IN. The doors were kept shut, even as it sat in the station platform. Those of us who were not caught, were able to board an inbound F Market that was practically empty. I had actually gotten off the N due to overcrowding and tried Church.

This week was typical, and I've been experiencing this weekly since I moved to Cole Valley in June 2009.

Overcrowding is a serious issue and delays our ability to get to work on time. Under normal circumstances many of the trains are actually too crowded to board by the time they get to Casto or Church. Stopping indefinitely at the platform without allowing people to disembark delayed hundreds of people from getting to work! Delays have a detrimental impact on people's ability to conduct and do business in this city.

In contrast, my commute from the Mission on BART was seven minutes long. 24th and Mission to 1st and Market. Trains were generally three minutes apart at rush hour. This is how major cities should organize their transit. MUNI, which is our city's transit, and which served MOST San Franciscans is embarrassingly bad. I have nothing against MUNI drivers, they have been invariable nice people. It is a capacity, scheduling and equipment problem as far as I can see.

Please fix MUNI now. It is one of the most important determinants of a functioning, business friendly city. We need to fix it, or start new with a new non-union agency. ASAP.

Sally Loveland, Cole Valley (as if that matters) but apparently it does to politicians. This is a San Francisco issue.

This email is intended for the designated recipient(s) only, and may be confidential, non-public, proprietary, protected by the attorney/client or other privilege. Unauthorized reading, distribution, copying or other use of this communication is prohibited and may be unlawful. Receipt by anyone other than the intended recipient(s) should not be deemed a waiver of any privilege or protection. If you are not the intended recipient or if you believe that you have received this email in error, please notify the sender immediately and delete all copies from your computer system without reading, saving, or using it in any manner. Although it has been checked for viruses and other malicious software (?x0201C;malware?x0201D;), we do not warrant, represent or

31

guarantee in any way that this communication is free of malware or potentially damaging defects. All liability for any actual or alleged loss, damage, or injury arising out of or resulting in any way from the receipt, opening or use of this email is expressly disclaimed.



Paul Nisbett
<pnisbett@hotmail.com>
03/20/2010 10:49 AM

To <thirdst.namechange@sfdpw.org>
cc <board.of.supervisors@sfgov.org>,
<gavin.newsom@sfgov.org>
bcc
Subject No - on Willie Brown blvd.

Willie Brown sold San Francisco to developers and handed it to over to private interests.
He made the city worse - not better.
He should be put in jail - not rewarded with a street name.

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

32



Katherine Johnson
<wyokjj@yahoo.com>
03/18/2010 09:37 PM

To gavin.newsom@sfgov.org, board.of.supervisors@sfgov.org
cc
bcc
Subject Sunday Streets

Dear Mr. Mayor and Board of Supervisors:

I am from Los Altos and happened to be in San Francisco for a girls weekend with some friends. We had such a great time and what a treat to learn about your Sunday Streets. We happened to be in SF this past Sunday, March 14th when Embarcadero was closed from Pac Bell Park to Fisherman's wharf. It was amazing to see the diversity of people enjoying the beautiful weather along the waterfront. We rented 'free' bikes for an hour, had drinks at the Ferry Building and spent money in some of the shops. We were also treated to a ride on a 'round' bicycle built for seven!! If you have never ridden one, contact Dan with 'Ride N Roll'. I had a great weekend and loved trying some new restaurants for breakfast, lunch and dinner! I look forward to the next Sunday Streets when I can bring my husband up to SF for the day to ride on a closed street, enjoy the scenery and have dinner!

Sincerely,
Katherine Johnson

33



AEvans604@aol.com
03/19/2010 09:46 AM

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

Subject Why the City Needs the Sit-Lie Law

Dear Friends and Neighbors,

Ross Mirkarimi, who represents district five at the Board of Supervisors, still doesn't get it when it comes to the proposed sit-lie law. I have lived at the corner of Haight and Ashbury Streets for the last 35 years. Here are some personal observations from the neighborhood for Supervisor Mirkarimi and the Board as a whole -

Only a tiny minority of the street people in the Haight are San Franciscans who have become homeless. Most are migratory addicts and alcoholics. They move up and down the West Coast in packs, looking for easy access to drugs and weak law enforcement. They have created a subculture for themselves that is rooted in addiction and hostile to recovery programs.

In recent years, they have become increasingly territorial and aggressive, colonizing sidewalks and other public spaces as their turf. They assault residents and each other, sell drugs, urinate and defecate on sidewalks, dump used hypodermic needles in parks and children's sandboxes, cause fires, leave litter everywhere, and pound on drums around the clock. They are now migrating in increasing numbers out of the Haight into the Castro and beyond.

Their abusive behavior toward residents is mostly directed at women, the elderly, and men whom they believe to be gay. I have personally witnessed many such incidents over the years. In one case, a large, drunken male stalked two young gay men who were holding hands, spat in the face of one of them, and shouted "Faggot! I hope you die of AIDS!"

The basis of their strength is their territoriality. When they squat on sidewalks, San Francisco police may not legally direct them to move along unless there is a formal complaint from a civilian. Civilians are often afraid to make such complaints out of fear of retaliation. The persons cited usually return, with no consequences for their behavior.

This requirement for a civilian complaint is not part of the municipal code or state law but the result of two arcane General Orders of the Police Commission. They resulted from a court settlement some years ago and cannot be readily rescinded.

The proposed sit-lie law would enable police to direct sidewalk squatters to move along, without first having a formal civilian complaint. The law specifies that a first offense would result only in a warning with no citation. Only subsequent violations would bring citations.

The law would allow police foot-patrols to be more effective in dealing with the squatters. To call for more foot-patrols as the answer to the problem, but to scoff at this law, as Ross Mirkarimi has done, is a contradiction. It's like trying to drive a car with one foot on the gas and the other on the brake.

Admittedly, people with drug and alcohol addictions need services. But there are those who refuse services and are part of a toxic subculture that colonizes public space for its own purposes. For the sake of neighborhood safety and well-being, they should be held accountable for their behavior. And that's what a sit-lie law would help do. Let's support it.

Sincerely,

Arthur Evans

* * * * *



AEvans604@aol.com
03/20/2010 10:28 AM

To board.of.supervisors@sfgov.org
cc
bcc
Subject San Francisco Stands Against Sit-Lie!

I kid you not, folks, this is actually happening -

Homelessness Inc is calling on people around the city to flop down on the sidewalks on March 27 as a protest against the proposed sit-lie law (link below).

It's not yet clear whether they're also encouraging folks to shoot up and pass out while flopped out on the sidewalk. However, these are essential features of the scene they are fighting to protect and preserve.

I love watching people act out in SF politics. It's almost as much fun as watching a Monty Python flick.

Whether this sort of behavior will have a positive impact on the electorate is another question. But that's not the point. It provides participants with psychological release, which often seems to be the goal of their political tactics.

No one is better suited to lead these antics than Joey Cain and Tommi Avicolti Mecca. I can just seem them leading the chants now -

"Drunk and Proud!"

"Smash the Church! Smash the State! Smash Sobriety!"

Hopefully, Chris Daly will join this theatrical production and get lots of media coverage.

Will there also be a display in Fairfield? That's the big question now on everyone's mind.

Here's the link:

<http://www.facebook.com/pages/San-Francisco-Stands-Against-Sit-Lie/347>

474333669

Yours for rationality in politics,

Arthur Evans

* * * *

C page 1



Brian Regan
<Brian.Regan@pcia.com>
03/19/2010 09:53 AM

To "board.of.supervisors@sfgov.org"
<board.of.supervisors@sfgov.org>
cc Michael Saperstein <Michael.Saperstein@pcia.com>, Matt
Yergovich <myergo@gmail.com>
bcc

Subject PCIA and CalWA Comments on Wireless Facility Resolution

President Chiu and Board Members –

Please find the attached letter from PCIA—The Wireless Infrastructure Association and the California Wireless Association regarding a resolution on the health effects of wireless telecommunications facilities. Thank you for considering our comments, and please do not hesitate to contact us with any questions.

Regards –
Brian Regan

Brian Regan
Policy Analyst
PCIA - The Wireless Infrastructure Association
p: 703.535.7407
m: 703.216.5978
www.pcia.com



PCIA CalWA letter to SF Final.pdf

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March 17, 2010

The Honorable David Chiu
President
San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

RE: Resolution urging the U.S. Environmental Protection Agency to study the health impacts of wireless facilities and, if appropriate, to establish a safe level of exposure to radiofrequency radiation emissions; urging the Federal Communications Commission to update its existing standards; and urging the California Congressional Delegation to introduce federal legislation to repeal limitations on state and local authority imposed by the Telecommunications Act of 1996.

Dear President Chiu and Board of Supervisors,

In cooperation with the California Wireless Association ("CaIWA"), PCIA—The Wireless Infrastructure Association write in respectful opposition to Public Safety Committee's recent consideration of the above-referenced resolution ("Resolution").

PCIA—The Wireless Infrastructure Association is the national trade association representing the wireless infrastructure industry. PCIA's members develop, own, manage, and operate towers, rooftop wireless sites, and other facilities for the provision of all types of wireless, broadcasting and telecommunications services. With a mandate to facilitate the deployment of wireless infrastructure, PCIA and its members partner with communities across the nation to effect solutions for wireless infrastructure deployment that are responsive to the unique sensitivities and concerns of these communities.

CaIWA is a non-profit organization made up of volunteers who work in the wireless/telecommunications industry throughout California. Its goal is to raise awareness about the benefits of and to promote the wireless industry, to educate the public and political leaders on issues of importance to the wireless industry, and to

cultivate working relationships within and between the industry, the public and political leaders.

The Resolution requests repeal of the federal Telecommunications Act of 1996 (the "Telecommunications Act") pending further study on alleged health effects of wireless facilities. As the Resolution itself indicates, the Federal Communications Commission (the "FCC") has sole jurisdiction over wireless facilities, and has determined, in coordination with other agencies such as the Environmental Protection Agency ("EPA") and Food and Drug Administration that there is no substantial evidence that such facilities pose health risks.¹ Thus any request to the EPA to study the health effects of wireless facilities is unnecessary as the Agency has already done so.

As wireless users in San Francisco and nationwide grow increasingly dependent on wireless devices for voice, data and wireless broadband service, robust wireless infrastructure is necessary to enable the public safety and economic benefits that wireless services bring. The FCC's rule-making on human exposure to radio-frequency emissions indicated no evidence that wireless facilities or devices pose health risks. Indeed, radio-frequency emissions levels of wireless facilities and devices are similar to emissions levels of other household objects like baby monitors, microwaves and garage door openers.

The FCC's 2003 study drew upon technological standards currently in effect, and we submit that the FCC has provided sufficient review of the issue. This study is available at: <http://www.fcc.gov/oet/rfsafety/> .

During a time in which wireless user demand is skyrocketing, we respectfully submit that a further review of alleged "health effects" is unnecessary and detracts from other efforts of critical importance to our nation's communications future. The Resolution states that the "desire of the wireless companies to market new wireless services has since led to a proliferation of cellular facilities targeting residential areas and areas near schools." The reason that wireless providers continue to develop their networks is because San Francisco residents demand wireless connectivity in all places and at all times.

The true public safety issue is for the more than 20 percent of San Francisco residents who now rely on their wireless device as their "home phone." In the event one of these users needs to call 911 from their residence, having a strong wireless signal—in a residential area—is his or her only hope.

On March 16, 2010, the FCC presented to Congress, at Congressional request, its National Broadband Plan. This Plan is designed to ensure America's broadband future and recognizes wireless connectivity as one of the most important elements of our

¹ See FCC OFFICE OF ENGINEERING AND TECHNOLOGY, *Radio Frequency Safety*, <http://www.fcc.gov/oet/rfsafety/rf-faqs.html#Q17> (last visited Mar. 17, 2010) ("In adopting the most recent RF exposure guidelines, the FCC consulted with the EPA, FDA, OSHA and NIOSH, and obtained their support for the guidelines that the FCC is using.").

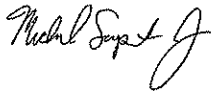
nation's broadband future, affecting economics, education and public safety.² The Resolution, if adopted, would be a step backward for San Francisco's economic, educational and public safety future.

PCIA and CalWa understand that the Council wishes to protect the public, but we would ask that they consider the true safety benefits that wireless devices provide and encourage robust service in San Francisco.

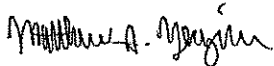
We appreciate the opportunity to provide comment in this discussion and are keenly interested in participating in future opportunities to engage this process.

Thank you for your time and consideration.

Best Regards,



Michael D. Saperstein, Jr., Esq.
Director of Government Affairs
PCIA/The Wireless Infrastructure Association
901 N. Washington St., Suite 600
Alexandria, VA 22314
(703) 535-7401



Matthew S. Yergovich
California Wireless Assn.
Regulatory Committee Co-Chair
367 Civic Drive, Suite 7
Pleasant Hill, CA 94523
Phone: 925.798.6100 *8 20

²FEDERAL COMMUNICATIONS COMMISSION, CONNECTING AMERICA: THE NATIONAL BROADBAND PLAN (rel. Mar. 16, 2010) available at <http://download.broadband.gov/plan/national-broadband-plan.pdf>.