

## **C-Pages – BOS Meeting 05/17/11, File: 110580**

Petitions and Communications received from May 3, 2011, through May 9, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 17, 2011.

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

\*From concerned citizens, regarding shark fin soup. 30 postcards (1)

From Human Services Agency, submitting the FY2010-2011 Third Quarter Human Services Care Fund Report. Copy: Each Supervisor (2)

From Department of Emergency Management, regarding the Federal Court Order to produce video from community safety cameras. Copy: Each Supervisor (3)

From concerned citizens, urging the Board of Supervisors to take action to restore the wetlands at Sharp Park Golf Course. 10 letters (4)

From concerned citizens, urging the Mayor and Board of Supervisors to eliminate the \$2,000,000 in service fees charged to City College. 2 letters (5)

From Summer Hararah, regarding alleged racial bias in the District Attorney's Office. (6)

From concerned citizens, submitting opposition to the sidewalk sitting ban. 7 letters (7)

From Richard Cardello, regarding the proposed project at 1268 Lombard Street. File No. 110373 (8)

From Department of Technology, regarding the expansion of their program to host audio recordings of meetings on the internet. Copy: Each Supervisor, Sunshine Ordinance Task Force, Assessment Appeals Board (9)

From Howard Wong, regarding the proposed Resolution of Intent for the Joe DiMaggio Playground Master Plan. File No. 110314 (10)

From Office of the Controller, submitting an audit report concerning the indirect rates submitted by eight Cental Subway Partners' (CSP) contractors under the CSP agreement. (11)

From Office of the Controller, submitting the Five Year Financial Plan for FY2011-2012 through FY2015-2016. (12)

From Office of the Mayor, submitting the proposed Annual Salary Ordinance for FY2011-2012 and FY2012-2013. (13)

From Office of the Mayor, submitting the proposed Budget and the Annual Appropriation Ordinance as of May 2, 2011. (14)

From concerned citizen, regarding the same panhandlers sitting and lying on Market Street near the Embarcadero. (15)

From Ronald Kardon, regarding the proposed Booker T. Washington Community Services Center. File No. 110116 (16)

From Youth Commission, submitting support for resolution adopted by the City College Board of Trustees requesting the City and County of San Francisco suspend fees to the Community College District and to actively support and provide aid to City College of San Francisco. (17)

From concerned citizens, regarding the Parkmerced Project. 5 letters (18)

From concerned citizens, regarding the effects of historic preservation policies on other major public policy. File No. 110097, 3 letters (19)

From Emil Lawrence, regarding additional fees for San Francisco taxi drivers. Copy: Each Supervisor (20)

From Candice Combs, regarding the bureaucracy and alleged anti-business rhetoric that is thriving in San Francisco. (21)

From Planning Department, submitting the 2009 Housing Inventory Report. Copy: Each Supervisor (22)

From City of Vallejo, Department of Public Works, submitting a resolution regarding reduction of the Bayline Ferry and Route 200 bus service. (23)

From Office of the Controller, regarding the Yellow Pages Distribution Pilot Program Economic Impact Report. (24)

From the Port, regarding the proposed Pier 27 Cruise Terminal Project. File No. 100920, Copy: Each Supervisor (25)

From Howard Wong, submitting a media information sheet regarding the North Beach Library and Joe Dimaggio Playground Master Plan. File No. 110314 (26)

From Children's Council of San Francisco, regarding the Office of Economic and Workforce Development's decision not to fund the Children's Council Economic Development and Microenterprise Assistance Program. File No. 110562, Copy: Budget and Finance Committee (27)

From Office of Economic & Workforce Development, regarding the Children's Council CDBG Application. (28)

From Susan Vaughan, regarding the democratic process at the Land Use Committee Meeting. (29)

From concerned citizens, submitting support for proposed motion affirming the determination by the Planning Department that the AT&T Network "Lightspeed"

Upgrade Project is exempt from environmental review. File No. 110344, Copy: Each Supervisor, 3 letters (30)

From Tes Welborn, urging the Board of Supervisors to enforce existing regulations requiring AT&T to place new utility boxes underground or on private property. (31)

From concerned citizens, submitting support for reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 2004 and 2009 Housing Elements. File No. 110454, 2 letters (32)

\*From concerned citizens, submitting support for proposed ordinance amending the San Francisco Business and Tax Regulations Code, by adding Section 906.5 to establish a payroll expense tax exclusion for stock-based compensation. File No. 110462, Approximately 200 letters (33)

From Bernie Choden, submitting three major issues challenging the Planning Commission's approval of the Environmental Impact Report for Treasure Island. File No. 110618 (34)



# Save Sharks Don't Serve Them



SAN FRANCISCO CA 941

NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES



RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2011 MAY -2 PM 3:18

AV

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

More than 100,000,000 sharks are killed every year for their fins.  
Currently, we are on a path to kill them all by 2048.  
Let's vote to Save Sharks, and ban Shark Fin Soup.

Send this card to your local representative

94102-4689 [www.UENA.org/sharks](http://www.UENA.org/sharks)

UGENA  
UNITED  
GLOBAL  
ENVIRONMENTAL  
NEWS  
AGENCY



1

City and County of San Francisco



Edwin M. Lee, Mayor

Human Services Agency

Department of Human Services  
Department of Aging and Adult Services

Trent Rhorer, Executive Director

*BOS-11, cpage*

MEMORANDUM

April 29, 2011

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

THROUGH: Human Services Commission

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

SUBJECT: **Human Services Care Fund: FY10-11 3<sup>rd</sup> Quarter Update**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2011 MAY -2 PM 3:22  
BY AK

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

The FY10-11 savings in homeless CAAP aid payments resulting from the implementation of *Care Not Cash* is now projected at \$13,696,832, which is roughly thirteen thousand more than previously estimated. The projected savings are seven thousand dollars more than the budgeted amount for FY10-11.

*(memo continued on next page)*

The actual CAAP homeless caseload for the third quarter was used to update the projections for the remainder of FY10-11 (shown in the table below). Current projections estimate that Care Fund savings will be around thirteen thousand more than was previously projected for FY10-11.

| Month                | Previous Quarterly Update (Q2 FY10-11) | Current Quarterly Update (Q3 FY10-11) | Difference      |
|----------------------|--|---------------------------------------|-----------------|
| Jul-10               | \$1,141,316                            | \$1,141,316                           | \$0             |
| Aug-10               | \$1,141,528                            | \$1,141,528                           | \$0             |
| Sep-10               | \$1,138,728                            | \$1,138,728                           | \$0             |
| Oct-10               | \$1,140,548                            | \$1,140,548                           | \$0             |
| Nov-10               | \$1,138,296                            | \$1,138,296                           | \$0             |
| Dec-10               | \$1,140,428                            | \$1,140,428                           | \$0             |
| Jan-11               | \$1,140,428                            | \$1,141,544                           | \$1,116         |
| Feb-11               | \$1,140,428                            | \$1,142,863                           | \$2,435         |
| Mar-11               | \$1,140,428                            | \$1,144,944                           | \$4,516         |
| Apr-11               | \$1,140,428                            | \$1,142,212                           | \$1,784         |
| May-11               | \$1,140,428                            | \$1,142,212                           | \$1,784         |
| Jun-11               | \$1,140,428                            | \$1,142,212                           | \$1,784         |
| <b>Total FY10-11</b> | <b>\$13,683,414</b>                    | <b>\$13,696,832</b>                   | <b>\$13,418</b> |

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

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

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

|                     |              |
|---------------------|--------------|
| FY10-11 Budget      | \$13,689,505 |
| Current Projections | \$13,696,832 |
| Amount Under-Funded | \$7,327      |



Edwin M. Lee  
Mayor

**Department of Emergency Management**

1011 Turk Street, San Francisco, CA 94102

Division of Emergency Communications  
Phone: (415) 558-3800 Fax: (415) 558-3843

Division of Emergency Services  
Phone: (415) 558-2700 Fax: (415) 503-2098

BOS-11  
CPAGE, COB



Anne Kronenberg  
Executive Director

April 29, 2011

Office of the Clerk of the Board  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102-4689

Dear Clerk of the Board,

Pursuant to Section 19.6(d) of the San Francisco Municipal Code, also known as the Community Safety Camera Ordinance, the Department of Emergency Management is officially notifying the Board that we have released community safety camera recordings to the Law Offices of Panos Lagos, Esq./SBM 61821. The release was in response to United States District Court Order subpoena duces tecum in the case of C11-0005JCS Kevin Woodson v. the City and County of San Francisco et al.

Please feel free to contact our office should you have any questions concerning this matter.

Sincerely,

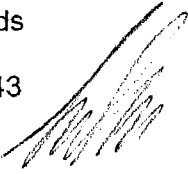
Lisa J. Hoffmann, Deputy Director  
Division of Emergency Communications

c: Anne Kronenberg, Executive Director  
DEM Custodian of Records Office

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2011 MAY - 2 PM 3:14  
AK

3

TO: Leanne  
DEM Custodian of Records

FROM: Lt. Simon Silverman #1543  
SFPD Legal Division 

DATE: 04-26-2011

SUBJECT: Federal court order to produce video from community safety cameras  
Kevin Woodson v. CCSF et al: C 11-00057 JCS

As we discussed on the phone, the SFPD and DEM are under Federal court order to produce video from the community safety cameras in this case.

Attached are 5 video disks that the SFPD received from DEM in April 2010. Please copy the disks and let me know when they are ready for pick-up (415-553-7929). I will then ensure that they are delivered to the City Attorney's Office for production to the Court.

Thank you very much for your assistance!



1 LAW OFFICES OF PANOS LAGOS  
 2 Panos Lagos, Esq. / SBN 61821  
 3 5032 Woodminster Lane  
 4 Oakland, CA 94602  
 (510)530-4078  
 (510)530-4725/FAX  
 panoslagos@aol.com

5 Attorney for Plaintiff,  
 6 KEVIN WOODSON

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA

10 KEVIN WOODSON,  
 11 Plaintiff,

12 v.

13 CITY AND COUNTY OF SAN FRANCISCO,  
 14 SAN FRANCISCO POLICE DEPARTMENT,  
 15 GEORGE GASCON, in his capacity as Chief of  
 Police of the City and County of San Francisco,  
 16 ADAM EATIA, individually and in his capacity as a  
 Peace Officer for the City and County of San  
 Francisco, BASIL ASKANDAFI, MAHANA  
 17 ASKANDAFI, individually and doing business as  
 PEARL MARKET, and DOES 1 – 200, jointly and  
 severally,

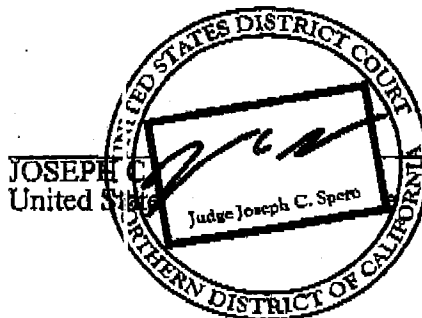
18 Defendants.  
 19

Case No.: C 11-00057 JCS

ORDER TO PRODUCE VIDEO  
 SURVEILLANCE RECORDINGS

20 Defendant City and County of San Francisco including the San Francisco Police  
 21 Department and/or the Department of Emergency for the City and County of San Francisco is  
 22 hereby ordered by this Court to produce any and all digital video surveillance evidence  
 23 including, but not limited to, recordings made pursuant to Section 19.3 of the San Francisco  
 24 Municipal Code also known as the Community Safety Camera Ordinance, showing any and all  
 25 activity between Defendant Adam Eatia and Plaintiff Kevin Woodson on the evening of April 7,  
 26 2010.

27 Dated: 4/22/11



28 ORDER – SURVEILLANCE VIDEO  
 C 11-00057 JCS

**SEC. 19.3. - LIMITATIONS ON COMMUNITY SAFETY CAMERAS.**

Images obtained by the community safety cameras may be released only to the following:

- (a) Sworn members of the San Francisco Police Department holding the rank of Inspector or higher. Police shall limit review of images to investigation of specific crimes; and
- (b) The Public Defender, other criminal defense attorney, or an investigator appointed by the Court to assist a pro se criminal defendant.
- (c) The District Attorney as provided in Section 19.6.

**SEC. 19.6. - PROTOCOLS FOR OVERSIGHT AND ACCESS TO SURVEILLANCE INFORMATION.**

- (a) Access to the recorders for community safety cameras shall be limited to personnel from the DTIS for purposes of installation, repair, maintenance and upgrades, and to Custodian of Records staff from the Department of Emergency Management ("DEM"). **DEM staff shall be responsible for proper release of the records.**
- (d) **DEM may only release records to agencies or individuals other than those specified in section 19.3 pursuant to a court order. DEM must notify the Board of Supervisors within 7 days of any release pursuant to a court order.**
- (f) DTIS shall ensure that the community safety cameras retain data for a period of at least 30 days but not longer than 30 days.



Edwin M. Lee  
Mayor

**Department of Emergency Management**  
1011 Turk Street, San Francisco, CA 94102

Division of Emergency Communications  
Phone: (415) 558-3800 Fax: (415) 558-3843

Division of Emergency Services  
Phone: (415) 487-5000 Fax: (415) 487-5043



Anne Kronenberg  
Executive Director

### Fax Cover Sheet

**Date:** 04-29-11 **Time:** 12:45 PM

**To:** Clerk of the Board **Phone:** (415) 554-5184

**Fax:** (415) 554-5163

**From:** Lisa Hoffmann **Phone:** (415) 558-3870

**Fax:** (415) 558-3841

**Re:** Subpoena Duces Tecum - Community Safety Cameras

Urgent       Please Review       Please Reply ASAP       Please Comment

**Remarks**

**5 pages including cover**

**CONFIRM REPORT**

Apr. 29 2011 12:42PM

YOUR LOGO : DEM RECORD ROOM  
YOUR FAX NO. :

| NO. | OTHER FACSIMILE | START TIME     | USAGE TIME | MODE | PAGES | RESULT |
|-----|-----------------|----------------|------------|------|-------|--------|
| 01  | 95545163        | Apr.29 12:41PM | 01'01      | SND  | 004   | OK     |

**TO TURN OFF REPORT, PRESS 'MENU' #401.  
THEN SELECT OFF BY USING '+' OR '-'.**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2011 MAY -3 PM 3:08

1380 Greenwich St., #203, S.F. 94109 415 775-1812 AK

April 27, 2011

For: Clerk of the Board of Supervisors  
City and County of San Francisco

RE: Sharp Park golfcourse.

The city has a bit of a budget problem. Why would we continue to lose money at a golf course at Sharp Park? The area should be gradually restored to a natural area and a park for all the public. The wetland values there are important. We are shirking our responsibilities.

Sincerely yours,

Sue Smith





**Please Protect Sharp Park**

Jennifer Smith to: Board of Supervisors

05/04/2011 05:22 PM

Sent by: **National Parks Conservation Association**  
<takeaction@npca.org>

**Please respond to Jennifer Smith**

View: (Mail Threads)

May 4, 2011

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

Dear Board of Supervisors,

I am writing to ask that you take action to restore wetlands at Sharp Park Golf Course and that you create a better public park in partnership with the National Park Service. Closing the Pacifica-based, but San Francisco-owned golf course--which is also located within the boundary of the Golden Gate National Recreation Area--will best protect endangered species, provide more diverse recreational activities, provide flood control for adjacent neighborhoods, and is the least expensive option for San Francisco. Restoration would also allow money spent on the failing course to be reinvested into parks and other golf courses actually located within San Francisco.

Sharp Park Golf Course loses up to hundreds of thousands of dollars each year and continues to kill endangered species. We can do better. Please help build a better public park at Sharp Park that everyone can enjoy!

Thank you for considering my comments.

Sincerely,

Miss Jennifer Smith  
22631 PCH # 535  
Malibu, CA 90265-5036  
(310) 310-0219



**Please Protect Sharp Park**

Cathleen Lindsay to: Board of Supervisors

05/05/2011 01:54 PM

Sent by: National Parks Conservation Association

<takeaction@npca.org>

Please respond to Cathleen Lindsay.

View: (Mail Threads)

May 5, 2011

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

Dear Board of Supervisors,

I am writing to ask that you take action to restore wetlands at Sharp Park Golf Course and that you create a better public park in partnership with the National Park Service. Closing the Pacifica-based, but San Francisco-owned golf course--which is also located within the boundary of the Golden Gate National Recreation Area--will best protect endangered species, provide more diverse recreational activities, provide flood control for adjacent neighborhoods, and is the least expensive option for San Francisco. Restoration would also allow money spent on the failing course to be reinvested into parks and other golf courses actually located within San Francisco.

Sharp Park Golf Course loses up to hundreds of thousands of dollars each year and continues to kill endangered species. We can do better. Please help build a better public park at Sharp Park that everyone can enjoy!

Thank you for considering my comments.

Sincerely,

Dr. Cathleen Lindsay  
2025 NE 100th St  
Seattle, WA 98125-7621

BOS-11  
@page



**Fw: Please Protect Sharp Park**

Board of Supervisors to: Carmen Chu, David Campos, David Chiu, Eric L Mar, John Avalos, Ross Mirkarimi, Sean Elsbernd, Malia Cohen,

05/05/2011 08:55 AM

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

Complete a Board of Supervisors Customer Service Satisfaction form by clicking  
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Board of Supervisors/BOS/SFGOV on 05/05/2011 08:58 AM -----

From: Robin Gulling <wahaahchi47@att.net>  
To: Board.of.Supervisors@sfgov.org  
Date: 05/04/2011 06:53 PM  
Subject: Please Protect Sharp Park  
Sent by: National Parks Conservation Association <takeaction@npca.org>

May 4, 2011

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

Dear Board of Supervisors,

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Thank you for considering my comments.

Sincerely,

Mr. Robin Gulling



242 Turk St Apt 808  
San Francisco, CA 94102-3870



**Please Save The Sharp Park Wetlands**  
Rosemarie Sardinas Herrera to: Board.of.Supervisors  
Please respond to rosemary047

05/06/2011 06:38 AM

Rosemarie Sardinas Herrera Please Save The Sharp Park Wetlands

Dear Board of Supervisors

I am writing to urge the City of San Francisco to turn the Sharp Park Golf Course over to its next door neighbor, the National Park Service. The Sharp Park Wetlands provide critical habitat for the endangered California Red-Legged Frog and a variety of other wildlife. Both frogs and wetlands are rapidly disappearing in California and worldwide, so it is disconcerting that the City of San Francisco is currently using taxpayer dollars to pump the Sharp Park Wetlands dry, killing endangered frogs in the process, and violating state and federal laws.

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

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

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

Rosemarie Sardinas Herrera

Willemstad, ot 0000  
AN



**Please Save The Sharp Park Wetlands**  
Rosemarie Sardinas Herrera to: Board.of.Supervisors  
Please respond to rosemary047

05/06/2011 06:38 AM

Rosemarie Sardinas Herrera Please Save The Sharp Park Wetlands

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

Rosemarie Sardinas Herrera

Willemstad, ot 0000

AN

Sharp Park  
Sarah Favrot

to:

Board.of.Supervisors, mayoredwinlee

05/08/2011 03:06 PM

Show Details

San Francisco Board of Supervisors and Mayor Lee:

As a resident of San Francisco, I was deeply upset to find out that my taxes are subsidizing a golf course in San Mateo County when plenty of parks within our city limits could use that money. Furthermore, the fact that this golf course is responsible for killing endangered species (red-legged frog and SF garter snake) is unacceptable. How can the city enact such progressive environmental policies such as the Plastic Bag Ban and then flagrantly disregard one of the environmental movement's most famous pieces of legislation: the Endangered Species Act?

Please right the wrongs and partner with the National Park Service to build a better public park at Sharp Park that everyone can enjoy!

Thank You,  
Sarah Favrot



**Sharp Park Golf Course**  
Dallas Jackson to: Board.of.Supervisors

05/07/2011 08:44 PM

|    |                |                        |
|----|----------------|------------------------|
| 23 | Dallas Jackson | Sharp Park Golf Course |
|----|----------------|------------------------|

Dear Board of Supervisors,

I am sending this letter to ask that you close Sharp Park Golf Course in Pacifica and cooperate with the National Park Service to make Sharp Park a healthy, wonderful, educational place that everyone can enjoy. It would make it accessible to a much wider number of people and care for our endangered species that live there.

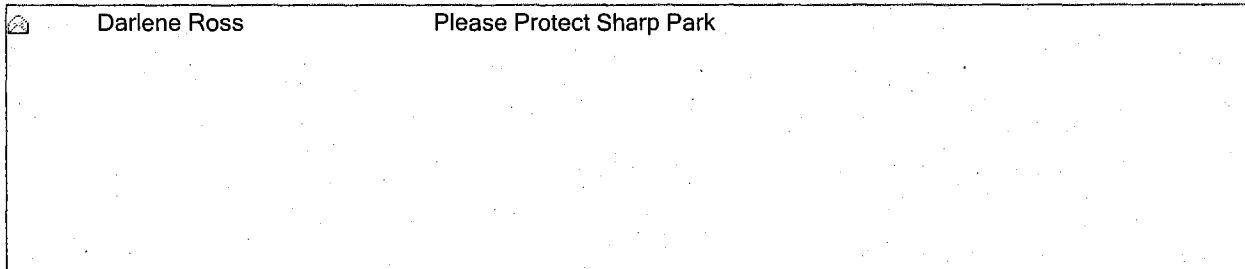
Sincerely,

Dallas Jackson  
Pacifica, CA.



**Please Protect Sharp Park**  
Darlene Ross to: Board of Supervisors  
Sent by: National Parks Conservation Association  
<takeaction@npca.org>  
Please respond to Darlene Ross

05/09/2011 07:03 AM



May 9, 2011

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

Dear Board of Supervisors,

I am writing to ask that you take action to restore wetlands at Sharp Park Golf Course and that you create a better public park in partnership with the National Park Service. Closing the Pacifica-based, but San Francisco-owned golf course--which is also located within the boundary of the Golden Gate National Recreation Area--will best protect endangered species, provide more diverse recreational activities, provide flood control for adjacent neighborhoods, and is the least expensive option for San Francisco. Restoration would also allow money spent on the failing course to be reinvested into parks and other golf courses actually located within San Francisco.

Sharp Park Golf Course loses up to hundreds of thousands of dollars each year and continues to kill endangered species. We can do better. Please help build a better public park at Sharp Park that everyone can enjoy!

Thank you for considering my comments.

Sincerely,

Ms. Darlene Ross  
19815 Windwood Dr  
Woodbridge, CA 95258-8900



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Please Save The Sharp Park Wetlands

---

The Clerk's Office has received seven form emails like the one below.

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

Complete a Board of Supervisors Customer Service Satisfaction form by clicking  
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Board of Supervisors/BOS/SFGOV on 05/09/2011 12:06 PM -----

From: Mary Ann Smale <maryann\_62@live.com>  
To: Board.of.Supervisors@sfgov.org  
Date: 05/05/2011 03:18 PM  
Subject: Please Save The Sharp Park Wetlands

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Dear Board of Supervisors

I am writing to urge the City of San Francisco to turn the Sharp Park Golf Course over to its next door neighbor, the National Park Service. The Sharp Park Wetlands provide critical habitat for the endangered California Red-Legged Frog and a variety of other wildlife. Both frogs and wetlands are rapidly disappearing in California and worldwide, so it is disconcerting that the City of San Francisco is currently using taxpayer dollars to pump the Sharp Park Wetlands dry, killing endangered frogs in the process, and violating state and federal laws.

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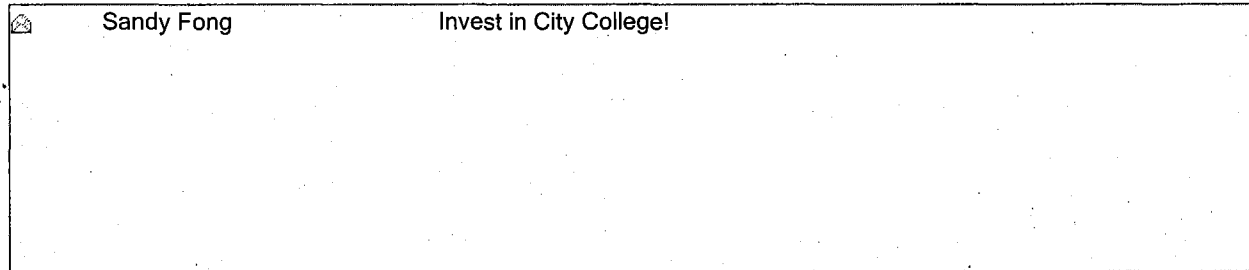
Mary Ann Smale

Steuben, ME 04680-3110  
US



**Invest in City College!**  
Sandy Fong to: Board.of.Supervisors

05/06/2011 10:59 AM



To Mayor Lee and Supervisors: City College provides critical educational opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the \$2 million in service fees charged to City College.

Sincerely,

Name: Sandy Fong  
City: San Francisco  
Zip: 94121

(5)



Bos-11  
C-page



**Invest in City College!**  
Arcadia Maximo to: Board of Supervisors

05/05/2011 08:51 AM

---

To Mayor Lee and Supervisors:  
City College provides critical educational opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the \$2 million in service fees charged to City College.

Sincerely,

Name: Arcadia Maximo  
City: San Francisco  
Zip: 94134



**Invest in City College!**  
Aliaksandr Ioch to: Board.of.Supervisors

05/07/2011 04:08 AM

|                 |                         |
|-----------------|-------------------------|
| Aliaksandr Ioch | Invest in City College! |
|-----------------|-------------------------|

To Mayor Lee and Supervisors: City College provides critical educational opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the \$2 million in service fees charged to City College.

Sincerely,

Name: Aliaksandr Ioch  
City: San Francisco  
Zip: 94130



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Invest in City College (3) emails

---

The Clerk's Office received the following three form emails regarding the same subject.

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

Complete a Board of Supervisors Customer Service Satisfaction form by clicking  
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Board of Supervisors/BOS/SFGOV on 05/09/2011 06:37 PM -----

From: "william smith" <wsmithjr@aol.com>  
To: Board.of.Supervisors@sfgov.org  
Date: 05/09/2011 03:44 PM  
Subject: Invest in City College!

---

To Mayor Lee and Supervisors: City College provides critical educational opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the \$2 million in service fees charged to City College.

Sincerely,

Name: william smith  
City: san francisco  
Zip: 94134

From: "david zabloutny" <davidzabloutny@lycos.com>  
To: Board.of.Supervisors@sfgov.org  
Date: 05/09/2011 04:57 PM  
Subject: Invest in City College!

---

To Mayor Lee and Supervisors: City College provides critical educational opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the \$2 million in service fees charged to City College.

Sincerely,

Name: david zabloutny  
City: san francisco  
Zip: 94117

From: "Katherine Morales" <mkprof@sbcglobal.net>  
To: Board.of.Supervisors@sfgov.org  
Date: 05/09/2011 05:03 PM  
Subject: Invest in City College!

---

To Mayor Lee and Supervisors: City College provides critical educational

opportunities to 100,000 working students every year. Our future depends on quality, affordable education. Students have it hard enough as it is -- let's give students a break by eliminating the \$2 million in service fees charged to City College.

Sincerely,

Name: Katherine Morales

City: San Francisco

Zip: 94122



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Addressing Racial Bias in the District Attorney's Office

---

From: "Summer Hararah" <summerh@asianlawcaucus.org>  
To: <George.gascon@sfgov.org>, <mayoredwinlee@sfgov.org>, <hrc.info@sfgov.org>, <sfpdcommission@sfgov.org>, <Board.of.Supervisors@sfgov.org>  
Cc: <zbiloo@cair.com>, <rmflynn79@gmail.com>, <Zoe.Polk@sfgov.org>  
Date: 05/05/2011 11:34 AM  
Subject: Re: Addressing Racial Bias in the District Attorney's Office

---

Dear Office of the District Attorney, City Mayor, Board of Supervisors, Human Rights Commission and Police Commission:

I am contacting you on behalf of the Coalition for a Safe San Francisco (CSSF). We were troubled by recent reports of inflammatory statements made by a top Assistant District Attorney during a training for San Francisco prosecutors on the subject of 4th Amendment searches. Please see our attached letter.

We sincerely look forward to continuing this dialogue and coordinating immediate steps to help move forward from this incident.

Respectfully,  
Summer Hararah  
CSSF Representative

For Media Inquiries:  
Zahra Biloo (Council on American-Islamic Relations): 626.252.0885  
Mike Flynn (National Lawyers Guild): 510.866.4981  
CSSF Press Contacts

The Coalition for a Safe San Francisco (CSSF) is a grassroots alliance dedicated to protecting the civil rights and civil liberties challenged by overbroad national security policies. These policies have historically impacted communities of struggle and today are disproportionately targeting South Asian, Arab, and Muslim Americans. Our Coalition seeks to end racial, religious, and ethnic profiling and harassment by local and federal law enforcement agents in the City and County of San Francisco through community organizing, education, and policy and legal advocacy.

Summer K. Hararah  
National Security & Civil Rights Program

Asian Law Caucus  
"IN DEFENSE OF CIVIL RIGHTS"  
55 Columbus Avenue  
San Francisco, CA 94111  
Direct Line: (415) 848-7714  
Fax: (415) 896-1702

Website: [www.asianlawcaucus.org](http://www.asianlawcaucus.org)

CONFIDENTIAL NOTICE: This email is for the sole purpose of the intended recipient(s) and may contain

(6)

confidential and/or privileged information. Any review, use, disclosure or distribution by persons other than the intended recipient(s) is prohibited. If you are not the intended recipient, please inform the sender immediately at [summerh@asianlawcaucus.org](mailto:summerh@asianlawcaucus.org) and delete this message in its entirety. Thank you.



CSSFLetter re ADA Comments 2011 05 04-10.pdf



May 5, 2011

VIA MAIL, E-MAIL:

George Gascón  
District Attorney  
Hall of Justice  
850 Bryant Street, Room 322  
San Francisco, CA 94103  
[George.gascon@sfgov.org](mailto:George.gascon@sfgov.org)

Mayor Edwin Lee  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
[mayoredwinlee@sfgov.org](mailto:mayoredwinlee@sfgov.org)

Eric Mar (District 1)  
Mark Farrell (District 2)  
David Chiu (District 3)  
Carmen Chu (District 4)  
Ross Mirkarimi (District 5)  
Jane Kim (District 6)  
Sean Elsbernd (District 7)  
Scott Wiener (District 8)  
David Campos (District 9)  
Malia Cohen (District 10)  
John Avalos (District 11)  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, Ca. 94102-4689  
[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)

San Francisco Human Rights Commission  
Human Rights Commission  
25 Van Ness Avenue, Room 800  
San Francisco, CA 94102-6033  
[hrc.info@sfgov.org](mailto:hrc.info@sfgov.org)

San Francisco Police Commission  
Thomas J. Cahill Hall of Justice  
850 Bryant Street, Room 505  
San Francisco, CA 94103  
[sfpdcommission@sfgov.org](mailto:sfpdcommission@sfgov.org)

Re: Addressing Racial Bias in the District Attorney's Office

Dear Office of the District Attorney, City Mayor, Board of Supervisors, Human Rights Commission and Police Commission:

We were troubled by recent reports of inflammatory statements made by a top Assistant District Attorney during a training for San Francisco prosecutors on the subject of 4<sup>th</sup> Amendment searches. Various media outlets have reported that Assistant District Attorney Jerry Coleman chose to dress up in Middle Eastern attire and imitate an Arabic accent as part of a lesson comparing legal protections against searches in different countries.

This behavior is not only insulting but also unbecoming of an official who is obligated to serve community members regardless of race, religion or creed. We are especially concerned about these comments, given the fall out of similarly inflammatory statements made by George Gascón last year in his capacity as the police chief. Such statements from top decision makers in the Police Department and the District Attorney's office convey a message to residents that those in particular communities are less likely to receive equal treatment from city agencies tasked with protecting and serving all San Franciscans.

The District Attorney's ("DA") office is supposed to be able to help protect community members from harm, and to hold accountable people that may harm SF residents. Instead, community members with heritage that is Middle Eastern (or misperceived to be Middle Eastern) are likely to feel even less safe as a result of such biased comments. If the very people that are charged with prosecuting those who would harm them are making sweeping racist comments about their culture and heritage, this will undermine their sense of security and trust. We are very concerned that such views and policies will or already have trickled down to impact individual investigations and prosecutions, or worse, that such behavior is characteristic of generally accepted behavior in the DA office.

On February 24, 2011, the San Francisco Human Rights Commission ("HRC") adopted a report, *Community Concerns of Surveillance, Racial and Religious Profiling of Arab, Middle Eastern, Muslim, and South Asian Communities and Potential Reactivation of SFPD Intelligence Gathering* ("the Report"). The Report is largely based on a September 23, 2010, HRC hearing on Racial and Religious profiling by SFPD, when hundreds of community members packed the hearing room to share their stories and concerns regarding unconstitutional police activities. On April 7, 2011, in a unanimous 10-0 vote, the Board of Supervisors voted to pass a resolution sponsored by Supervisor Ross Mirkarimi, and co-sponsored by Supervisors David Chiu, Eric Mar, David Campos, and John Avalos, to endorse the HRC Report and its recommendations. A task force has been formed within the HRC to work on implementation of the Report's recommendations.

In a time of growing racial and religious hostility towards U.S. Americans from Arab, Middle Eastern, Muslim, and South Asian ("AMEMSA") backgrounds, it is more important than ever that law enforcement and prosecutorial agencies in San Francisco take seriously their obligations to challenge racism as it appears, not cover it up. Even though California is a very diverse and multicultural state, Islamophobic and other racist attacks against members of AMEMSA communities are on the rise. On March 8, in Elk Grove, California, an unknown person or persons gunned down two elderly Sikh men walking in their own neighborhood, presumably because the attacker believed that the Sikh men's turbans were symbols of Islam. In February, 2011, at a charity event held by an Islamic group at a community center in Yorba Linda, California, a crowd of hostile people gathered to yell at, harass, and threaten patrons of the event, organized to benefit local low income residents. Even more disturbing was the participation and encouragement of elected officials in promoting the hateful protest rally, including local city councilpersons, and members of the state legislature.

Last week, the Federal government announced, in an effort to make amends to AMEMSA communities targeted by racial and religiously discriminatory practices and policies, that it is removing all countries from the NSEERS special registration program list. This is a good first step to building trust and confidence with members of AMEMSA communities. We send this letter as a call to action, to ask your offices to take important state and federal Constitutional protections against racial and religious profiling seriously.



The serious concerns raised by complaints of racism and racial profiling in the DA's office and SFPD bring into question governmental compliance with the Convention on the Elimination of all forms of Racial Discrimination, and the International Convention of Civil and Political Rights, international human rights treaties which, having been adopted by the U.S., are, according to the U.S. Constitution, "the supreme law of the land." On August 29, 2010, California adopted ACR 129, to publicize these treaties and submit reports on compliance to the U.S. Department of State and to UN Committees administering the treaties.

Not only does racial bias in the DA's office violate international human rights treaty law, it also flies in the face of the spirit of local laws and policies that prohibit racial profiling.

The DA's office and the City now have an opportunity to demonstrate that they are serious about addressing racism and religious profiling in the City agencies, and upholding our local, state, and national governments' responsibilities to eliminate racism and protect the civil rights of all San Franciscans.

We are requesting that District Attorney Gascón, the mayor, and representatives from the Board of Supervisors meet with representatives of the Arab and Muslim community and the HRC task force implementing the Report recommendations to discuss appropriate ways to address racial bias in the District Attorney's office, and to discuss steps to move forward from this incident.

We look forward to working with your office to coordinate this meeting. You can reach us through our representative at the Asian Law Caucus, Summer Hararah, via email at [summerh@asianlawcaucus.org](mailto:summerh@asianlawcaucus.org) or 510.861.7573.

Sincerely,

Coalition for a Safe San Francisco

**CC:** the San Francisco Chronicle, The San Francisco Bay Guardian, The San Francisco Examiner

**Members, Coalition for a Safe SF**

Alliance of South Asians Taking Action (ASATA)  
American Muslims for Palestine (AMP)  
Arab American Chamber of Commerce  
Arab American Cultural Center Silicon Valley (AACCSV)  
Arab American Grocers Association (AAGA)  
Arab American Union Members Council (AAUMC)  
Arab Cultural and Community Center (ACCC)  
Arab Film Festival (AFF)  
Arab Resource and Organizing Center (AROC)  
Asian American Bar Association of the Greater Bay Area (AABA)

Asian Law Caucus (ALC)

AYADI

Bay Area Somali Community (BASC)

Bill of Rights Defense Committee (BORDC)

Council on American Islamic Relations San Francisco Bay Area (CAIR-SFBA)

National Association of Yemeni Immigrants

National Lawyers Guild San Francisco Bay Area Chapter (NLG)

OMID Advocates for Human Rights

San Francisco State University Arab and Muslim Ethnicities and Diasporas Initiative (AMED)

UC Berkeley's Islamophobia Research and Documentation Project

United States Palestinian Community Network (USPCN)

**Ally Organizations, Coalition for a Safe SF**

Afghan Advisory Board

Afghan-American Bar Association

Afghan Elderly Association of the Bay Area

Afghan Professional Network (formerly Society of Afghan Professionals)

Afghan Cultural Center

African Advocacy Network (AAN)

American Civil Liberties Union of Northern California (ACLU-NC)

American Muslim Voice (AMV)

Bay Area Association of Muslim Lawyers (BAAML)

Coalition for Civil Liberties

Culture and Conflict Forum

Defending Dissent Foundation (DDF)

Iranian American Bar Association

San Francisco Immigrant Legal and Education Network (SFILEN)

Southwest Asian and North African Bay Area Queers (SWANABAQ)

South Asian Bar Association of Northern California (SABA-NC)



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Fw: Overturn San Francisco's Discriminatory Sidewalk Sitting Ban

---

The Clerk's Office has received five form emails like the one below.

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

Complete a Board of Supervisors Customer Service Satisfaction form by clicking  
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Board of Supervisors/BOS/SFGOV on 05/06/2011 06:00 PM -----

From: Kylie Gallegos <mail@change.org>  
To: Board.of.Supervisors@sfgov.org  
Date: 05/05/2011 07:40 PM  
Subject: Overturn San Francisco's Discriminatory Sidewalk Sitting Ban

---

Greetings,

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

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

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

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

Kylie Gallegos  
cottage grove, MN

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban](http://www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban). To

7



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

05/02/2011 05:05 PM

View: (Mail Threads)

Greetings,

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

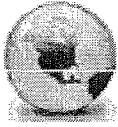
Supporters, especially businesspeople in the Haight-Ashbury neighborhood, said it would curb loitering and aggressive panhandling. But since the police acknowledge that enforcement will be "complaint-driven," opponents are sure it will be unfairly used against homeless people.

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

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

Shannon Caruso  
Los Lunas, NM

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban](http://www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.



**Overturn San Francisco's Discriminatory Sidewalk Sitting Ban**

Michelle Jernagan to: Board of Supervisors  
Please respond to Michelle Jernagan

05/03/2011 05:45 PM

View: (Mail Threads)

Greetings,

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

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

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

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

Michelle Jernagan  
Logan, OH

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban](http://www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban). To

respond, email responses@change.org and include a link to this petition.



**Overturn San Francisco's Discriminatory Sidewalk Sitting Ban**  
Susanne Nieß to: Board.of.Supervisors

05/04/2011 01:44 AM

View: (Mail Threads)

Greetings,

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

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

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

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

Susanne Nieß  
Eching, Germany

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban](http://www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.



**Overtum San Francisco's Discriminatory Sidewalk Sitting Ban**

kent swenson to: Board.of.Supervisors  
Please respond to kent swenson

05/04/2011 01:25 PM

View: (Mail Threads)

Greetings,

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

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

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

kent swenson  
franklin, NC

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/overtum-san-franciscos-discriminatory-sidewalk-sitting-ban](http://www.change.org/petitions/overtum-san-franciscos-discriminatory-sidewalk-sitting-ban). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Overturn San Francisco's Discriminatory Sidewalk Sitting Ban

---

The Clerk's Office has received three form emails like the one below.

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

Complete a Board of Supervisors Customer Service Satisfaction form by clicking  
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Board of Supervisors/BOS/SFGOV on 05/09/2011 12:05 PM -----

From: Christopher Pond <mail@change.org>  
To: Board.of.Supervisors@sfgov.org  
Date: 05/07/2011 09:49 PM  
Subject: Overturn San Francisco's Discriminatory Sidewalk Sitting Ban

---

Greetings,

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

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

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

Christopher Pond  
Glide, OR

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban](http://www.change.org/petitions/overturn-san-franciscos-discriminatory-sidewalk-sitting-ban). To



respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.

Jay

1268 LOMBARD STREET -- BOS 05-03-2011 ITEMS 18-21: 110373-110376 -- CONDIITONAL  
USE

Richard Cardello

to:

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

05/03/2011 01:16 PM

Cc:

Board.of.Supervisors, dzlu, "Tina Moylan"

Show Details

History: This message has been forwarded.

Dear Supervisor President Chiu and Supervisors:

As a long time resident of Russian Hill, I am writing to you regarding the proposed project at 1268 Lombard Street, which you are scheduled to hear at this afternoon's BOS Meeting.

Although, personally, I would prefer that you not grant the condition use, allowing four (4) units instead of the zoned three (3) units, I can understand the justification for allowing the four (4) units, due to the large lot size.

Regarding the other contested issues: my understanding is that an agreement has been reached as a result of the hard work and cooperation of the developer, Supervisor Mark Farrell and Marvin Frankel of RHN.

This agreement includes:

1. the minimization of the elevator penthouse,
2. the elimination of an enclosed stair penthouse in favor of an open stair with maximum 42"H railings and
3. the reduction in the building height to be in better harmony with the existing adjacent buildings, thus preserving neighborhood character.

Please support this project with these conditions.

Thank you,

Richard Cardello

999 Green #903

San Francisco, California 94133

Tel 415.923.5810

Fax 415.923.5812

E <mailto:richard@cardellodesign.com>>richard@cardellodesign.com

⑧

Meetings on Demand

Galvis, Teresa

to:

Department Heads, Falvey, Christine, Kawa, Steve, Wallace, Meghan, Ryerson, Olga, Avalos, John, Chiu, David, Cohen, Malia, Farrell, Mark, Campos, David, Chu, Carmen, Elsbernd, Sean, Kim, Jane, Mar, Eric, Wiener, Scott, Mirkarimi, Ross, Vinson, Ron, Chin, Jack, Walton, Jon, Bukowski, Kenneth, Galvis, Teresa, barbara.garcia@sfdph.org, Brown, Amy, Callahan, Micki, eharrington@sfwater.org, john.martin@flysfo.com, Kronenberg, Anne, lherrera@sfpl.info, Ford, Nathaniel, Rhorer, Trent, Rosenfield, Ben, Wagner, Greg, Arnold, Phil, Cox, Pat, Fitzpatrick, Mary, Fong, Jaci, Geddes, Michelle, julia.dawson@flysfo.com, Lewis, Brent, Peralde, Jeana, Riley, Dale, Shah, Tajel, Yeung, Linda, Bannon, Brian, Fudym, Bella, gregg.sass@sfdph.org, KSalmon@sfwater.org, Kuner, Vakil, Strong, Brian, theresa.lee@flysfo.com, Fox, Travis, Zmuda, Monique, Wong, Art, daniel.gonzales@flysfo.com, david.counter@sfdph.org, Naizghi, Ephrem, ewoo@sfwater.org, Giffin, Susan, Kearney, Susan, Smith, Brian, Sutton, Mitch, Thompson, Shelley, Tomlinson, Gina, abrown@calacademy.org, andres.acevedo@sfgov.org, Assmann, David, atrujillo@asianart.org, Auyong, Angela, Bell, Marcia, Bose, Sonali, Burruel, Jim, carlos.jacobo@sfgov.org, Carlson, Robert, ccastillo@famsf.org, charles.perl@sfgov.org, Chu, Derek, cindy.nichol@sfgov.org, Clendinen, Eugene, Collins, Robert, Corso, Mark, Courtney, Robin, DiSanto, Thomas, elaine.forbes@sfgov.org, Emerson, Taylor, Faro, MariLou, Fields, Monica, Foster, Tamara, Gallaread, Nneka, Gannon, Maureen, Gin, Kevin, glee@asianart.org, grazioli@sfusd.edu, Hayashi, Christiane, Hicks, Joyce, Htun, Kan, Huish, Jay, jeanny.louie@sfdph.org, john.doidge@sfgov.org, JohnBaptiste, Alicia, Kennedy, Debbie, Kimura, Kimberlee, King-Gorwky, Mary, Landis, Deborah, Legg, Douglas, leo.fermin@sfgov.org, Leon Guerrero, Michael, Levin, Pamela, Lim, Diane, Low, Julian, madhavanr@sfusdedu.edu, Madison, Taras, Magee, Allison, Marshall, Laura, Martinez, Susana, Marx, Pauline, McGuire, Catherine, McLean, Mark, Mendieta, Aura, mgutierrez@famsf.org, Minasian, Ara, mmcloughlin@asianart.org, myuen@sft.org, Nevin, Peggy, Pascual, Merrick, Peterson, Martha, Petrucione, Katharine, schiu@famsf.org, Singleton, Maureen, SRobson@calacademy.org, Thompson, Pamela, todd.rydstrom@sfgov.org, Whitley, Gigi, Widjaja, Miranti, Williams, Terrie, Wong, Jeannie, yolanda.alcantar@sfgov.org

05/05/2011 03:09 PM

Cc:

Department Head Assistant, "acastillo@sfpl.org", "Bianchi, Kathy", "BLanton, Ollie", "Christine.Arrigale@flysfo.com", "Crawford, Lenore", "Ebarle, David", "Faye.DeGuzman@sfdph.org", "Elliott, Jane", "Lane, Maura", "Lim, Victor", "Lyens, Jonathan", "mmabutas@sfwater.org", "Roberts, Brian", "Shauna.Rose@flysfo.com", "Tebo, Pamela", "Toy, Debbie", "Williams, Jessica"

Show Details

BOS-11, COB  
 All Deputies, CR-SOTF  
 DD-AAB

In support of San Francisco's goals of Open Government the Department of Technology is pleased to announce an expansion of our program to host audio recordings of meetings on the Internet.

This expanded program will enable Commission's to audio record and post these sessions on the Internet. This will enable a broad audience to hear these meetings from anywhere in the world.

Attached is a memo that outlines this new program and a flyer we are distributing.

Please feel free contact Ron Vinson if you have any questions.

9

Best Regards,  
Jon Walton

Jon Walton  
Chief Information Officer  
City & County of San Francisco  
1 South Van Ness, San Francisco, CA, 94103  
415-581-3928

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Teresa Galvis  
Executive Secretary  
Department of Technology  
One South Van Ness, 2nd Floor  
San Francisco, CA 94103  
(415) 581-4090



# Meetings On Demand

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| March 1, 2011 Commission Meeting     |      | 03/01/2011 | 03h 30m  | <a href="#">Agenda</a> | <a href="#">Audio</a> | <a href="#">MP3 Audio</a> |
| February 15, 2011 Commission Meeting |      | 02/15/2011 | 01h 06m  | <a href="#">Agenda</a> | <a href="#">Audio</a> | <a href="#">MP3 Audio</a> |
| February 1, 2011 Commission Meeting  |      | 02/01/2011 | 01h 34m  | <a href="#">Agenda</a> | <a href="#">Audio</a> | <a href="#">MP3 Audio</a> |
| January 18, 2011 Commission Meeting  |      | 01/18/2011 | 03h 21m  | <a href="#">Agenda</a> | <a href="#">Audio</a> | <a href="#">MP3 Audio</a> |
| December 7, 2010 Commission Meeting  |      | 12/07/2010 | 01h 26m  | <a href="#">Agenda</a> | <a href="#">Audio</a> | <a href="#">MP3 Audio</a> |

Sunshine ordinance (section 67.14C) requires that every City policy body holding a public meeting in a City Hall hearing room equipped with recording facilities record and make audio content available in digital form on SFgov.org.

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*M. Licavoli, San Francisco Board of Supervisors*

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*G. Soils, San Francisco Redevelopment Agency*

**“... has proved to be exceedingly helpful.** The system is user-friendly and easy-to-learn. **I'M GRATEFUL FOR IT.”**

*M. Yedidia, San Francisco Youth Commission*

For additional information about SFGovTV's Meetings On Demand service, please email [sfgtv@sfgov.org](mailto:sfgtv@sfgov.org)



City & County of San Francisco

**Department of  
Technology**

*Powered by Innovation*

One South Van Ness Avenue, 2nd Floor  
San Francisco, CA 94103-0948  
Office: 415-581-4001 • Fax: 415-581-4002

**Date:** May 4, 2011  
**To:** Department Heads, IT Managers, CFO, Commission's Secretaries  
**From:** Jon Walton, Acting CIO  
**Subject:** "Meetings On-Demand" (Archive audio hosting) implementation plan

## MEMORANDUM

---

The amended Sunshine Ordinance section 67.14C mandates that any Commission holding a public meeting in a City Hall hearing room equipped with audio or video recording facilities MUST record the meeting and make the audio content available on SFGov.org.

SFGovTV has launch a new program "Meetings On-Demand" to enable all Commissions and Task Forces to comply with the Sunshine Ordinance section 67.14C and to serve the public more effectively by making audio recording of public proceedings accessible online at SFGov.org and for download.

The service includes hosting of archived audio files for two years for audio streaming; Podcasting and download; training commission staff on using the system; integration to a commission's website; and technical support provided by a SFGovTV technician.

The commission body will be responsible for recording the meeting content on a digital recorder and posting it online. SFGovTV will create an audio web-page template for each commission to use. SFGovTV will utilize its current video streaming platform to provide the audio hosting services.

The audio recording link will be accessed from the commission's website on SFGov.org. In addition to the audio link, the meeting agenda and minutes can be posted at the same location. Constituents can access the archive online or subscribe to audio recording(s) by using RSS feeds or Podcast for each commission. When new content is posted, the constituent can be automatically notified or the content can be downloaded automatically.



This new service provides fast and easy access to public meetings on SFGov.org. In addition to enabling commissions to comply with the current Sunshine Ordinance requirement, it will reduce the workload for commission staff to distribute this information and will save on labor and duplication cost.

**LIVE Examples** of commissions currently using this service.

Redevelopment Agency – Launched in 2010

<http://www.sfredevelopment.org/index.aspx?page=164>

Rent Board – Launched February 2011

<http://www.sfrb.org/index.aspx?page=1350>

Youth Commission – Launched in 2010

<http://www.sfbos.org/index.aspx?page=9847>

Sunshine Ordinance Task Force – Launched in 2010

<http://www.sfbos.org/index.aspx?page=9811>

Revenue Bond Oversight Committee – Launched in 2010

[http://sanfrancisco.granicus.com/MediaPlayer.php?clip\\_id=11641](http://sanfrancisco.granicus.com/MediaPlayer.php?clip_id=11641)

### **Funding**

The City currently has 41 commissions and 58 miscellaneous boards and task forces. Of the 99 total entities, 38 hold meetings in a City Hall hearing room equipped with audio and or audio/video equipment. These rooms are: 263, 250, 400, and 416 with audio/video; and 406 and 408 with audio only.

The Department of Technology will be providing the initial startup support as part of its budget. This startup support includes: train commission/task force staff, create new view page template for each commission and integrate view pages to existing commission websites. If additional training or follow up assistance is requested after the startup phase, departments will be asked to pay through work order or direct charge for the actual SFGovTV staff time that is used.

Each commission/task force will be required to purchase a digital recorder (\$125), but we will have recorders available for short-term loan until one is purchased.

### **Implementation Schedule**

Thirty-eight commission meetings in City Hall have been selected for the first phase of the project. The time line is to implement service to 25 commissions by June 30, 2011 and the remaining 13 commissions by July 31, 2011. The goal is to add the rest of the 61 commissions and task-forces on the Meetings On-Demand service during 2011-12.



Thirteen commissions have already been contacted and given information about the program. Five commissions have been selected as part of the initial launch group: Civil Service Commission, Airport Commission, Health Services Board, Commission on the Status of Women, and Animal Control and Welfare Commission. These five commissions will take part in initial training sessions. Additional commissions will be scheduled in May.

“Launch” dates for service will coincide with commission meeting schedules over the next month. The target is to launch the initial five commissions by **May 10, 2011**

**Commissions/Task Forces (shortlist):**

|  |                  |              |
|--|------------------|--------------|
| Civil Service Commission   | Anita Sanchez    | 415-252-3254 |
| Ethics Commission  | Jen Taloa        | 415-581-2309 |
| Immigrant Rights Commission  | Dan Pham         | 415-554-7583 |
| Airport Commission   | Jean Caramatti   | 650-821-5042 |
| Health Services, Rates and Benefits<br>Women , Dept on the Status of | Carol Sacco      | 415-252-2574 |
| Aging & Adult Svcs Commission  | LaShaun Williams | 415-355-3509 |
| Treasure Island Dev't Authority                                      | P. Summerville   | 415-274-0665 |
| Elections Commission   | S. Rodrigues     | 415-554-7494 |
| Women , Commission on the Status of                                  | Cynthia Vasquez  | 415-252-2570 |
| ACC: Vicious Animal Hearing  | V. Guldbeck      | 415-554-9402 |
| Animal Control & Welfare Commission                                  | S. Stephens      | 415-577-9646 |
| Human Rights Commission  | Janel Wong       | 415-252-2532 |





File 110314

ITEM 15---110314 STREET VACATION---RESOLUTION OF INTENTION

WongAIA

to:

Ross.Mirkarimi, carmen.chu, sean.elsbernd, Eric.L.Mar, john.avalos, david.campos, David.Chiu,  
Board.of.Supervisors, Malia.Cohen, Mark.Farrell, Jane.Kim, Scott.Wiener, angela.calvillo

05/03/2011 02:40 AM

Show Details

**TO:** Board of Supervisors**RE: Board Agenda Item 15---110314 Street Vacation-Resolution of Intention-Joe DiMaggio Playground  
Master Plan-Mason Street****SUBJECT:** Need to Correct a Flawed Public Process**ATTACHED:** Letter to Planning Commission---Story Poles and Flawed Process

At the April 21, 2011 Planning Commission Meeting, the City Attorney's Office opined that the legality of construction on the Triangle (701 Lombard St. at Columbus Ave.) is independent of the EIR process. In 2004, the City seized the Triangle by eminent domain for new open space---stopping private construction on the Triangle.

Because of size limitations of the Triangle, the proposed Triangle Library will be constructed on the Triangle and 19'-6" into the Mason Street right-of-way. Library construction onto the street has been purposely hidden from the public with deceptive drawings and presentations that conceal property lines and neighborhood context.

Rather than a true picture of the final intent of the project, a series of actions surreptitiously creeps towards a contradiction of the San Francisco General Plan---which maintains a "strong presumption" against construction onto streets and the blockage of public view corridors.

For many people, open space on the Mason Street right-of-way has merit---particularly if combined with a new DiMaggio Park on the Triangle. But irrespective of whether one supports open space or beautified traffic lanes, everyone should oppose construction onto streets---when better design alternatives exist.

**The Street Vacation requires a holistic, truthful neighborhood process**---with local neighborhood meetings, clear drawings showing proposed construction onto streets, story poles with official public postings, mailers to residents and a full vetting of design alternatives that avoid construction onto streets.

**Such amendments and conditions should be appended to the Resolution of Intention.**

Yours Truly,

Howard Wong, AIA

(10)



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Issued: San Francisco Municipal Transportation Agency: Review of Indirect Rate Submissions for Eight Central Subway Partners (CSP) Contractors

---

From: Controller Reports/CON/SFGOV  
To: Angela Calvillo/BOS/SFGOV@SFGOV, Board of Supervisors/BOS/SFGOV@SFGOV, BOS-Legislative Aides/BOS/SFGOV, Steve Kawa/MAYOR/SFGOV@SFGOV, Greg Wagner/MAYOR/SFGOV@SFGOV, Christine Falvey/MAYOR/SFGOV@SFGOV, Starr Terrell/MAYOR/SFGOV@SFGOV, Jason Elliott/MAYOR/SFGOV@SFGOV, Francis Tsang/MAYOR/SFGOV@SFGOV, Jennifer Entine Matz/MAYOR/SFGOV@SFGOV, ggiubbini@sftc.org, Severin Campbell/BudgetAnalyst/SFGOV@SFGOV, Debra Newman/BudgetAnalyst/SFGOV@SFGOV, sfdocs@sfpl.info, gmetcalf@cpur.org, Department Head Assistant/MAYOR/SFGOV, Tara Collins/CTYATT@CTYATT, home@prosf.org, CON-Media Contact/CON/SFGOV, CON-EVERYONE/CON/SFGOV, CON-Finance Officers/CON/SFGOV, Nathaniel.Ford@sfmta.com, Roberta.Boomer@sfmta.com, Carter.Rohan@sfmta.com, Sonali.Bose@sfmta.com, John.Funghi@sfmta.com, Kathleen.Sakelaris@sfmta.com, Shahn timer.Farhangi@sfmta.com, Lewis.Ames@sfmta.com, Jenny.Vodvarka@sfmta.com, Ross.edwards@sfmta.com, eric.miles@mossadams.com, jeffrey.writ@mossadams.com, sedi.samavati@mossadams.com, stephen.fineberg@mossadams.com  
Date: 05/05/2011 12:03 PM  
Subject: Issued: San Francisco Municipal Transportation Agency: Review of Indirect Rate Submissions for Eight Central Subway Partners (CSP) Contractors  
Sent by: Kristen McGuire

---

The Office of the Controller, City Services Auditor, has issued an audit report concerning the indirect rates submitted by eight Central Subway Partners' (CSP) contractors under the CSP agreement. 2009 rates were reviewed for seven contractors while the 2010 rate was reviewed for one contractor.

The report indicates that there were six instances of inadequate documentation associated with three contractors with respect to Federal Acquisition Regulation Part 31 requirements.

To view the full report, please visit our website at:  
<http://co.sfgov.org/webreports/details.aspx?id=1272>

This is a send-only email address.

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

Thank you.

11

# City and County of San Francisco

Office of the Controller – City Services Auditor

## **SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY:**

**Review of Indirect Rate  
Submissions for Eight Central  
Subway Partners (CSP) Contractors**



May 5, 2011

**CONTROLLER'S OFFICE  
CITY SERVICES AUDITOR**

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

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

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

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

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

CSA Audit Team:     Irella Blackwood, Audit Manager  
                          Cathalina Kung, Associate Auditor

Audit Consultants:   Moss Adams LLP



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

**Ben Rosenfield**  
**Controller**

**Monique Zmuda**  
**Deputy Controller**

May 5, 2011

Nathaniel P. Ford, Sr., Executive  
Director/CEO  
San Francisco Municipal Transportation  
Agency  
1 South Van Ness Avenue, 7<sup>th</sup> Floor  
San Francisco, CA 94103

Board of Directors  
San Francisco Municipal Transportation  
Agency  
1 South Van Ness Avenue, 7<sup>th</sup> Floor  
San Francisco, CA 94103

Mr. John Funghi, Program Manager  
San Francisco Municipal Transportation Agency  
821 Howard Street, 2<sup>nd</sup> Floor  
San Francisco, CA 94103

Dear Mr. Ford, President, Directors and Mr. Funghi:

The Controller's Office, City Services Auditor (CSA) engaged Moss Adams LLP (Moss Adams) to perform desk reviews of contractor overhead rates submitted under the San Francisco Municipal Transportation Agency (SFMTA) Central Subway project (CS) in accordance with Government Auditing Standards. In year one of the two-year engagement, Moss Adams reviewed overhead rates submitted for eight of the current eighteen contractors that performed Program Management and Construction Management (PM/CM) services.

CSA presents its desk review results for the eight contractors' overhead rates under the Central Subway Partners (CSP) agreement. The desk review objectives were to (i) perform a risk assessment of the submitted overhead rates for eight contractors and (ii) to follow up as necessary, based on the results of the risk assessment to perform directed testing of overhead pool and base amounts to determine if adequate documentation exists to support the contractors' assertion that the overhead rates were computed, in all material respects, in accordance with relevant contract terms and with the Federal Acquisition Regulation (FAR) Part 31.

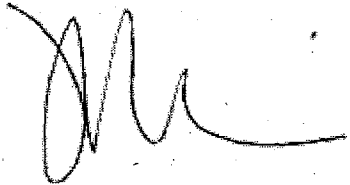
The desk reviews were conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in Government Auditing Standards issued by the Comptroller General of the United States. A review is substantially less in scope than an examination, the objective of which is the expression of an opinion on the contractors' assertions. Accordingly, Moss Adams did not express such an opinion.

Moss Adams concluded that there were six reportable instances associated with three contractors related to inadequate documentation to substantiate that adequate controls exist to prevent noncompliance with contract terms and FAR Part 31 requirements. Two of the issues involve concerns regarding applicability of indirect costs to field employees. One issue is regarding the charging of similar costs, both as direct and indirect costs. Three of the issues

involve concerns regarding controls to preclude charging of unallowable costs and/or unallocable costs in accordance with FAR Part 31. The audit includes six recommendations for the SFMTA to consider.

We appreciate the assistance Moss Adams provided and cooperation that the SFMTA staff and staff in other City departments provided to us during the audit.

Respectfully,

A handwritten signature in black ink, appearing to read 'Tonia Lediju', with a long horizontal flourish extending to the right.

Tonia Lediju  
Director of Audits

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

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MOSS ADAMS<sub>LLP</sub>

## INTRODUCTION

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### **Audit/Review Authority**

The City and County of San Francisco's Charter provides the Controller's Office, City Services Auditor (CSA), with broad authority to conduct audits and reviews. This desk review was conducted under that authority.

### **Background**

The San Francisco Municipal Transportation Agency (SFMTA) has an agreement with the Central Subway Partners (CSP) to provide program management and construction management (PM/CM) services regarding the Central Subway Project. Central Subway Partners is a joint venture between AECOM USA, Inc. and EPC Consultants, Inc, also known as the prime contractors. The Central Subway Project is a transportation improvement that will link neighborhoods in the southeastern part of San Francisco with downtown and Chinatown. The total budget for the Central Subway Project is \$1.58 billion. Subway service is planned to begin in 2018.

The joint venture prime contract and subcontracts included clauses requiring that the contracts will be cost-type contracts subject to applicable regulations, such as Federal Acquisition Regulation (FAR) Part 31 regarding the allowability of specific areas of cost. These regulations impact the allowability of indirect costs claimed by the contractors through the submission of claimed indirect rates. Moss Adams LLP (Moss Adams) was engaged to perform reviews of eight prime and subcontract indirect rate submissions that correspond to contractor fiscal years ended in either 2009 or 2010.

The rates subject to desk review include home office overhead rates and field overhead rates. The home office overhead rates are to be applied to those employees stationed at contractor home offices while field overhead rates are to be applied to those contractor employees stationed at CSP offices for extended periods of time (as defined in the joint venture contract).

**MOSS ADAMS** LLP**Objective, Scope, Criteria  
and Methodology****Rates Reviewed**

The following rates were reviewed:

| Contractor               | Fiscal Year End | Field Overhead Rate* | Home Office Overhead Rate* |
|--------------------------|-----------------|----------------------|----------------------------|
| AECOM USA                | 10/2/2009       | 122.08               | 156.81                     |
| EPC Consultants, Inc.    | 12/31/2009      | 110.03               | 112.48                     |
| Green Fuels              | 12/31/2009      | 60.23                | 60.23                      |
| Hollins Consulting       | 12/31/2009      | 98.16                | 98.16                      |
| Jacobs & Associates      | 11/30/2009      | 128.15               | 165.41                     |
| Mendoza & Associates     | 12/31/2009      | 155.81               | 155.81                     |
| The Robert Group         | 12/31/2009      | 147.13               | 147.13                     |
| Universal Field Services | 10/31/2010      | 50.30                | 50.30                      |

\*In instances when the field overhead rate and the home office overhead rate are the same, this indicates that the contractor did not compute a separate field overhead rate.

At the beginning of the review, CSA selected a total of eight firms that had readily available and sufficient records for Moss Adams LLP to perform the prescribed review of the firm's audited overhead rates. The remainder of the other contractors will be reviewed in the subsequent fiscal year.

**Objective**

The objective of this engagement was to review the assertions made by the eight subject contractors and subcontractors for the subject indirect rates in accordance with the criteria that follows.

**Criteria**

The CSP joint venture contract specifies the terms and conditions that apply to the prime joint venture contract which also flows down to subcontractors. The specific criteria applied to the Indirect Rate Schedule are contained in the CSP joint venture contract clause 31 and 33 respectively. Clause 31 indicates that the indirect rates must be calculated in accordance with FAR Part 31. Clause 33 required that a separate field overhead rate should be applied to certain employees that are stationed at the CSP joint venture offices for extended periods of time (as defined in the contract).

It should also be noted that Clause 31 indicates that the requirements of the federal Office of Management and Budget (OMB) Circular A-87 apply to this contract. This review did not consider compliance with the requirements of OMB Circular A-87 because the contractors are for-profit companies that would not generally be subject to the requirements of OMB Circular A-87 (Cost Principles for State, Local and Indian Tribal Governments).

**MOSS ADAMS** LLP**Methodology**

To meet the review objectives, Moss Adams performed procedures that generally encompassed, but were not limited to, the following activities:

- Review and summarization of pertinent contract terms related to accounting and reporting of provisional and actual overhead rates.
- Review of actual overhead cost-pool schedules for “field office” and “home office” overhead rates.
- Review of reconciliations of cost-pool schedules, including direct and indirect labor costs to the accounting records, and review of follow-up activities.
- Reconciliation of reported labor costs to payroll records.
- Performance of a risk assessment for each contractor where items for further follow-up were identified.
- Performance of directed testing of specific transactions to analyze whether costs were eligible in accordance with contract terms and applicable regulations.
- Mathematical verification of indirect rate calculations.

This review was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. A review is substantially less in scope than an examination, the objective of which is the expression of an opinion on the subject contractor’s assertions. Accordingly, Moss Adams does not express such an opinion.

MOSS ADAMS<sub>LLP</sub>

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## DESK REVIEW RESULTS BY TOPIC

The review of overhead rate submissions for eight (8) contractors resulted in verification of good practices and in identification of areas for improvement. Exhibit 1 below summarizes the review steps performed and exceptions identified.

### Exhibit 1

| Exceptions Reported      |                          |                                     |  |  |   |                     |
|--------------------------|--------------------------|-------------------------------------|--|--|---|---------------------|
| Contractor               | Reconciliation<br>Note 1 | Labor Rate<br>Calculation<br>Note 2 | Field<br>Overhead<br>Applicability<br>Note 3 | FAR Part<br>31 – Direct<br>and<br>Indirect<br>Charging<br>Note 4 | FAR Part<br>31 –<br>Allocability<br>and<br>Allowability<br>Note 5 | Total<br>Exceptions |
| AECOM USA                | -                        | -                                   | 1  | 1  | -   | 2                   |
| EPC Consultants, Inc.    | -                        | -                                   | -  | -  | 2   | 2                   |
| Jacobs & Associates      | -                        | -                                   | -  | -  | -   | 0                   |
| Hollins Consulting       | -                        | -                                   | -  | -  | -   | 0                   |
| Green Fuels              | -                        | -                                   | -  | -  | -   | 0                   |
| Mendoza & Associates     | -                        | -                                   | -  | -  | -   | 0                   |
| The Robert Group         | -                        | -                                   | 1  | -  | 1   | 2                   |
| Universal Field Services | -                        | -                                   | -  | -  | -   | 0                   |
| <b>Total Exceptions</b>  | 0                        | 0                                   | 2  | 1  | 3   | 6                   |

#### Note 1: Reconciliation

Moss Adams requested information to ascertain whether the contractor claimed overhead pool and base cost elements were reconcilable to contractor general ledger and payroll information. Moss Adams also assessed the contractor's internal controls with regards to reconciliations. No instances of significant unreconciled differences that required reporting were noted.

#### Note 2: Labor Rate Calculation

Moss Adams requested information to ascertain whether the contractor claimed direct and indirect labor costs utilized to calculate overhead rates were computed based on actual labor costs and that the labor rates were calculated based on all hours worked for exempt employees. Moss Adams also assessed the contractor's internal controls with regards to labor rate calculation. No instances came to Moss Adams' attention of significant errors in labor rate calculation or control that required reporting.

## MOSS ADAMS<sub>LLP</sub>

### Note 3: Field Overhead Applicability

Moss Adams requested information to ascertain whether it appeared that contractor overhead rates applied to field employees were in compliance with the CSP joint venture contract, clause 33 regarding allocability of overhead costs to field employees stationed at CSP offices. Moss Adams found that in most instances, directed testing did not result in identification of potential noncompliance with the subject clause. However, there were two instances that came to Moss Adams' attention and have been included in the report as follows:

#### Field Overhead Allocability – AECOM Indirect Labor Cost

##### Criteria

Moss Adams applied the criteria contained in FAR Part 31, section 205, section 202 and section 201-4 and prime contract clause 31 to assess the allowability, allocability and reasonableness of selected transactions. Moss Adams then followed up on identified exceptions to determine whether systemic control deficiencies may exist.

##### Condition

Moss Adams' review of 31 indirect labor expenditure transactions totaling \$73,593 out of an indirect labor population of \$186,106,353 resulted in exceptions for all 31 transactions.

During review of the subject transactions, Moss Adams requested documentation to support the allowability, allocability and reasonableness of the selected costs. AECOM was able to provide documentation that indicated that AECOM has an adequate system to identify and segregate unallowable indirect labor costs in accordance with FAR Part 31. However, AECOM indicated that the field overhead rate calculation excludes only occupancy costs such as rent and utilities but does not exclude any indirect labor from its field overhead rate pool. FAR 31.201-4 states in part, "A cost is allocable if it is assignable or chargeable to one or more cost objectives on the basis of relative benefits received or other equitable relationship."

The CSP joint venture contract, clause 33 states in part, "Because the said employees are not working out of their home offices and are not receiving home office support in their day-to-day activities, the hours they bill do not qualify for the home office overhead rate. The field overhead rate is a reduced rate as consideration for the support those personnel receive from SFMTA. The purpose of the field office overhead rate is to reimburse the Consultant for the Salary Burden and home office support provided to the

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field employees.”

AECOM did not provide support to show that, for the selected items, the indirect labor incurred has a causal beneficial relationship to field employees that were stationed at CSP offices. For example, indirect labor could include labor associated with occupancy activities (janitorial, maintenance, etc.) of another office that would not be allocable to the field employees stationed at the CSP offices. The selected indirect labor transactions could also include administrative overhead employees that support AECOM employees that work on other contracts, and for which there is no equivalent support needed for the field employees stationed at the CSP offices.

Absent adequate documentation to support the allocability of the costs to the field overhead rate, the costs are considered unsupported in accordance with FAR 31.201-2 which states in part, “A contractor is responsible for accounting for costs appropriately and for maintaining records, including supporting documentation, adequate to demonstrate that costs claimed have been incurred, are allocable to the contract, and comply with applicable cost principles in this subpart and agency supplements.”

**Cause**

The cause is inadequate controls to ensure support exists for indirect labor costs claimed in the calculation of indirect rates.

**Effect**

The total dollar impact of identified exceptions has not been determined and the impact of other similar transactions in the population that were not selected has not been determined. However, based on Moss Adams’ assessment of materiality for this contractor, Moss Adams believes the exceptions, when considered in total for this contractor, could indicate that a material misstatement exists with regard to the calculation of the subject indirect rates.

**Contractor Response**

AECOM does not concur with the conclusions of the report.

“The methodology used by AECOM for calculating the field overhead rate has been accepted by Defense Contract Audit Agency (DCAA) and is used by other companies in the industry.

AECOM begins with a single overhead pool from which it calculates both a home and a field rate.

The field rate is calculated by pooling the overhead accounts that apply to all contracts. These accounts exclude costs that are unique to home office projects, such as depreciation,

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rent, office equipment leases, etc. The base for this rate is total direct labor (both home and field).

The cost associated with the remaining accounts (those unique to home office projects) is separately pooled. A rate is developed to reflect the additional overhead associated with home projects. The base for this rate is home office direct labor.

The audit report concludes that 100 percent of the indirect labor is allocated to field projects. This is an incorrect statement. Direct field labor is approximately 27 percent of the direct labor pool. Thus, field projects receive 27 percent of the indirect labor. Employees working in the field still require management support, HR support, accounting support, marketing support, health and safety, training, etc.”

### **Analysis of Contractor Response**

AECOM's response does not address Moss Adams' concerns regarding the lack of support for the selected transactions. Without the support for the specific activities performed, Moss Adams has not been able to validate AECOM's statements regarding the allocability of the indirect labor costs to field activities. The joint venture contract indicates that a separate field overhead will be applied to field employees working on the subject project and indicates that all non-allocable costs (including indirect labor) must be removed from the calculation of the field rate applicable. Therefore, without the requested documentation, Moss Adams considers indirect labor costs included in the field overhead pool to be unsupported.

### **Recommendations**

Moss Adams recommends that AECOM provide sufficient documentation concerning the selected indirect labor costs so that a determination can be made regarding the allocability of the costs to field employees. Sufficient documentation would include specific information on the employees' job descriptions selected for testing so that an assessment of the applicability of the indirect labor to field employees can be made.

### **Field Overhead Allocability – The Robert Group Rent Expense**

#### **Criteria**

Moss Adams applied the criteria contained in FAR Part 31, section 205, section 202 and section 201-4 and prime contract clause 31 to assess the allowability, allocability and reasonableness of selected transactions. Moss Adams then followed up on identified exceptions to determine whether systemic control deficiencies may exist.

#### **Condition**

The Moss Adams review of building rent costs of \$74,090



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included in the submitted overhead pool indicated that some of the rental costs may not be applicable to field employees stationed at the CSP offices and therefore should not be included in the overhead rate that is applicable to the one employee that worked on the subject project during the period ended December 31, 2009. TRG did voluntarily exclude an additional \$138,750 of rental costs, but the voluntary exclusion appears to be for reasons other than non-allocability to field personnel.

FAR 31.201-4 states in part, "A cost is allocable if it is assignable or chargeable to one or more cost objectives on the basis of relative benefits received or other equitable relationship."

The prime contract, clause 33 states in part, "Because the said employees are not working out of their home offices and are not receiving home office support in their day-to-day activities, the hours they bill do not qualify for the home office overhead rate. The field overhead rate is a reduced rate as consideration for the support those personnel receive from SFMTA. The purpose of the field office overhead rate is to reimburse the Consultant for the Salary Burden and home office support provided to the field employees."

TRG did not provide support to show that the building rent cost has a causal beneficial relationship to the field employee stationed at CSP offices.

### **Cause**

The cause of this issue is inadequate controls to segregate costs which are not allocable to field employees from amounts included in the field overhead pool.

### **Effect**

The total dollar impact of identified exceptions has not been determined and the impact of other similar transactions in the population that were not selected has not been determined. However, based on Moss Adams' assessment of materiality for this contractor, Moss Adams believes the exceptions, when considered in total for this contractor, could indicate that a material misstatement exists with regard to the calculation of the subject indirect rates.

### **Contractor Response**

TRG concurs with the observation.

"The audited overhead rate for year 2009 provided was the company-wide overhead rate. Therefore, we recognize that it is not applicable on contracts performed in field offices or, in

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this case, in the facility provided by SFMTA. We will revise the overhead rate calculation so that it distinguishes between the overhead rate that is applicable to the work done in the Home office and the applicable overhead rate on the SFMTA contract. We expect to provide the field overhead rate calculation by the second half of May 2011.”

### Analysis of Contractor Response

The response appears to fully address the review observation.

### Recommendations

Moss Adams recommends that TRG implement the planned rate calculation improvements and resubmit the rates as is indicated in TRG’s response.

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### Note 4: Direct Versus Indirect Charging of Cost

Moss Adams requested information to ascertain whether contractors were consistent in their practices regarding charging of costs as either direct or indirect costs. Moss Adams applied the criteria contained in FAR 31.202 to assess whether any instances came to our attention of potential noncompliance with FAR 31.202. Moss Adams also assessed the contractor’s internal controls with regards to direct and indirect charging. One instance of potential noncompliance with FAR 31.202 came to Moss Adams’ attention as follows:

#### Direct Versus Indirect Charging – AECOM Relocation Cost

##### Criteria

Moss Adams applied the criteria contained in FAR Part 31, section 205, section 202 and section 201-4 and prime contract clause 31 to assess the allowability, allocability and reasonableness of selected transactions. Moss Adams then followed up on identified exceptions to determine whether systemic control deficiencies may exist.

##### Condition

Moss Adams’ review of selected AECOM invoices identified \$150,000 of relocation costs for two employees that were charged as direct costs to the subject contract. Moss Adams also noted that \$1,153,305 of relocation costs were components of both the field and home office overhead pools. Moss Adams considered the requirements of FAR 31.202 which states in part, “No final cost objective shall have allocated to it as a direct cost any cost, if other costs incurred for the same purpose in like circumstances have been included in any indirect cost pool to be allocated to that or any other final cost objective. Direct costs of the contract shall be charged directly to the contract. All costs specifically identified with other final cost objectives of the contractor are direct costs of those cost objectives and are not to be charged

## MOSS ADAMS<sub>LLP</sub>

to the contract directly or indirectly.”

Moss Adams followed up to obtain additional information concerning the nature of the relocation costs charged to overhead to ascertain whether it appeared likely that the amounts charged to overhead were duplicative of the types of relocation costs that were charged directly to the contract. AECOM did not provide requested documentation that would enable Moss Adams to ascertain whether the relocation costs charged to overhead were for employees that then performed project work, which would be duplicative of the reason for the incurrence of the directly charged relocation costs. Absent the requested documentation, which is required to be provided in accordance with FAR 31.201-2, Moss Adams considers the allowability of the indirect relocation charges of \$1,153,305 to be unsupported.

### **Cause**

The cause of this issue is believed to be inadequate controls to (i) document the allocability of indirect relocation expenditures and (ii) exclude unallocable relocation costs from amounts claimed in the calculation of indirect rates.

### **Effect**

The total dollar impact of identified exceptions has not been determined and the impact of other similar transactions in the population that were not selected has not been determined. However, based on Moss Adams' assessment of materiality for this contractor, Moss Adams believes the exceptions, when considered in total for this contractor, could indicate that a material misstatement exists with regard to the calculation of the subject indirect rates.

### **Contractor Response**

AECOM does not concur with the conclusions of the report.

“FAR 31.202 states that “no final cost objective shall have allocated to it as a direct cost any cost, if other costs incurred for the same purpose in like circumstances have been included in any indirect cost pool to be allocated to that or any other final cost objective. Direct costs of the contract shall be charged directly to the contract. In addition, as stated in FAR 2.101, costs identified specifically with a contract are direct costs of that contract.

The relocation costs included in the billings of this contract were identified specifically with the contract, incurred for the sole benefit of the contract, and approved by the client in accordance with Clause 43 of the contract. It should also be noted that the contracts limits the amount of relocation reimbursable under the contract. Thus, costs incurred in excess of the contract ceiling are still considered (and

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accounted for) as a direct cost of the contract, although they are not billable.

The relocation costs contained in the indirect pool are costs that could not be identified with a single direct cost objective. Thus, they are considered indirect costs. The relocation costs reflected as direct costs and those reflected as an indirect cost were not incurred for the same purpose in like circumstances."

### **Analysis of Contractor Response**

AECOM's response indicates that the relocation costs contained in the indirect pool "...could not be identified with a single direct cost objective..." Although requested during the review, AECOM did not provide documentation to substantiate this statement. Therefore, Moss Adams continues to consider the indirect relocation costs to be unsupported.

### **Recommendations**

Moss Adams recommends that either (i) AECOM provide sufficient documentation concerning the indirect relocation costs so that a determination can be made about whether the indirect relocation costs were incurred for a specific contract or contracts, or (ii) recalculate the overhead rates applied to the subject contract to exclude the unsupported relocation costs.

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### **Note 5: Allowability and Allocability in Accordance with FAR Part 31**

Moss Adams requested information to ascertain whether contractor claimed overhead pool elements appropriately excluded costs which are unallowable and/or unallocable in accordance with FAR Part 31. Moss Adams also assessed the contractor's internal controls with regard to identification and exclusion of unallowable costs. Three instances of potential noncompliance with FAR Part 31 came to Moss Adams' attention as follows:

#### **FAR Part 31 Allowability – EPC Travel Cost**

##### **Criteria**

Moss Adams applied the criteria contained in FAR Part 31, section 205, section 202 and section 201-4 and prime contract clause 31 to assess the allowability, allocability and reasonableness of selected transactions. Moss Adams then followed up on identified exceptions to determine whether systemic control deficiencies may exist.

##### **Condition**

The Moss Adams review of eight (8) travel expenditure transactions totaling \$33,312, out of an indirect travel population of \$166,181, resulted in exceptions for all eight

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transactions.

- A. For five of the eight transactions, requested documentation including specific trip purpose and receipts for amounts expended was not provided. Absent documentation to support the allowability, allocability and reasonableness of the costs, the costs are considered unsupported in accordance with FAR 31.201-2 which states in part, "A contractor is responsible for accounting for costs appropriately and for maintaining records, including supporting documentation, adequate to demonstrate that costs claimed have been incurred, are allocable to the contract and comply with applicable cost principles in this subpart and agency supplements."
- B. For three of the eight transactions, selected airfare expenditures were found to include first class airfare costs that are unallowable in accordance with FAR 31.205-46 which states in part, "Airfare costs in excess of the lowest priced airfare available to the contractor during normal business hours are unallowable except when such accommodations require circuitous routing, require travel during unreasonable hours, excessively prolong travel, result in increased cost that would offset transportation savings, are not reasonably adequate for the physical or medical needs of the traveler, or are not reasonably available to meet mission requirements. However, in order for airfare costs in excess of the above airfare to be allowable, the applicable condition(s) set forth above must be documented and justified."

**Cause**

The cause of both issues is inadequate controls to (i) document the allowability, allocability and reasonableness of travel expenditures and (ii) exclude unallowable travel costs from amounts claimed in the calculation of indirect rates.

**Effect**

The total dollar impact of identified exceptions has not been determined and the impact of other similar transactions in the population that were not selected has not been determined. However, based on Moss Adams' assessment of materiality for this contractor, Moss Adams believes the exceptions, when considered in total for this contractor, could indicate that a material misstatement exists with regard to the calculation of the subject indirect rates.

**Contractor Response**

EPC concurs. EPC will revise its current Employee

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Expense Report form to include Purpose of Trip/Expense, Name of Personnel/Company and relationship to EPC. EPC will strictly enforce submission of receipts for all expenses being claimed for reimbursement. These will be implemented April 2011.

**Analysis of Contractor Response**

EPC's response appears to address the identified control weaknesses. However, the response does not indicate what actions will be taken to recalculate previously submitted indirect rates excluding unallowable travel costs.

**Recommendations**

Moss Adams recommends that EPC implement the planned travel control improvements. Moss Adams also recommends that EPC submit a recalculated indirect rate that excludes unallowable travel costs.

**FAR Part 31 Allowability and Allocability – EPC Indirect Labor Cost****Criteria**

Moss Adams applied the criteria contained in FAR Part 31, section 205, section 202 and section 201-4 and prime contract clause 31 to assess the allowability, allocability and reasonableness of selected transactions. Moss Adams then followed up on identified exceptions to determine whether systemic control deficiencies may exist.

**Condition**

The Moss Adams review of eleven (11) indirect labor expenditure transactions totaling \$23,293 out of an indirect labor population of \$1,329,549 resulted in exceptions for all eleven (11) transactions.

During review of the subject transactions, Moss Adams requested documentation to support the allowability, allocability and reasonableness of the selected costs. EPC was able to provide job descriptions for the selected employees but did not provide documentation concerning the actual activities performed on the days selected so that Moss Adams could assess whether the selected expenditures were for (i) activities that were allowable per FAR Part 31, section 205 and (ii) activities that have a causal beneficial relationship to field employees stationed at CSP offices. Absent adequate documentation to support the allowability, allocability and reasonableness of the costs, the costs are considered unsupported in accordance with FAR 31.201-2 which states in part, "A contractor is responsible for accounting for costs appropriately and for maintaining records, including supporting documentation, adequate to demonstrate that costs claimed have been incurred, are allocable to the contract and comply with

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applicable cost principles in this subpart and agency supplements.”

Absent documentation of specific activities performed, Moss Adams considered the controls in place at EPC to identify and exclude unallowable indirect labor activities. Follow up disclosed that EPC does not have a separate charge number to record indirect labor that is not allowable per FAR or that is not allocable to field employees. EPC did not identify and exclude any indirect labor costs from its indirect rate calculations. EPC does not appear to have adequate controls to ensure that (i) unallowable indirect labor costs are excluded from the indirect rate calculation and that (ii) indirect labor costs not allocable to field employees are excluded from the field overhead rate calculation.

### Cause

The cause is inadequate controls to (i) document the allowability, allocability and reasonableness of indirect labor expenditures and (ii) exclude unallowable indirect labor from amounts claimed in the calculation of indirect rates.

### Effect

The total dollar impact of identified exceptions has not been determined and the impact of other similar transactions in the population that were not selected has not been determined. However, based on Moss Adams' assessment of materiality for this contractor, Moss Adams believes the exceptions, when considered in total for this contractor, could indicate that a material misstatement exists with regard to the calculation of the subject indirect rates.

### Contractor Response

EPC partially concurs.

“99 percent of EPC's Indirect Labor is FAR-allowable. Marketing/Selling time spent by staff are meetings with current and prospective clients to present EPC's capabilities and proposals. EPC will issue a memorandum to all employees to provide specifics when filling out timesheets especially those in the marketing/business development departments.”

### Analysis of Contractor Response

Moss Adams believes that the steps provided in the contractor response are a good first step in establishing a system that is compliant with regard to documenting the allowability of indirect labor charges. However, the response does not indicate what actions will be taken to recalculate previously submitted indirect rates excluding unallowable indirect labor costs.

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### **Recommendations**

Moss Adams recommends that EPC implement the planned indirect labor control improvements. Moss Adams also recommends that EPC submit a recalculated indirect rate that excludes unallowable indirect labor costs. If it is not now possible to specifically determine which indirect labor charges were unallowable, an estimate, supported by adequate rationale, of the maximum likely unallowable indirect labor should be used to recalculate indirect rates excluding unallowable indirect labor costs.



**MOSS ADAMS** LLP**FAR Part 31 Allowability and Allocability – TRG Indirect Labor Cost****Criteria**

Moss Adams applied the criteria contained in FAR Part 31, section 205, section 202 and section 201-4 and prime contract clause 31 to assess the allowability, allocability and reasonableness of selected transactions. Moss Adams then followed up on identified exceptions to determine whether systemic control deficiencies may exist.

**Condition**

The Moss Adams review of six (6) indirect labor expenditure transactions totaling \$35,426 out of an indirect labor population of \$279,475 resulted in exceptions for all six transactions.

During review of the subject transactions, Moss Adams requested documentation to support the allowability, allocability and reasonableness of the selected costs. TRG did not provide requested documentation, including job descriptions and documentation of the actual activities performed on the days selected so that Moss Adams could assess whether the selected expenditures were for (i) activities that were allowable per FAR Part 31, section 205 and (ii) activities that have a causal beneficial relationship to field employees stationed at CSP offices. Absent adequate documentation to support the allowability, allocability and reasonableness of the costs, the costs are considered unsupported in accordance with FAR 31.201-2 which states in part, "A contractor is responsible for accounting for costs appropriately and for maintaining records, including supporting documentation, adequate to demonstrate that costs claimed have been incurred, are allocable to the contract, and comply with applicable cost principles in this subpart and agency supplements."

Absent documentation of specific activities performed, Moss Adams considered the controls in place at TRG to identify and exclude unallowable indirect labor activities. Follow-up disclosed that TRG does not have a separate charge number to record indirect labor that is not allowable per FAR or that is not allocable to field employees. TRG did not identify and exclude any indirect labor costs from its indirect rate calculations. TRG does not appear to have adequate controls to ensure that (i) unallowable indirect labor costs are excluded from the indirect rate calculation and that (ii) indirect labor costs not allocable to field employees are excluded from the field overhead rate calculation.

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|  |   |
|--|---|
| <b>Cause</b>                           | The cause is inadequate controls to (i) document the allowability, allocability and reasonableness of indirect labor expenditures and (ii) exclude unallowable indirect labor from amounts claimed in the calculation of indirect rates.  |
| <b>Effect</b>                          | The total dollar impact of identified exceptions has not been determined and the impact of other similar transactions in the population that were not selected has not been determined. However, based on Moss Adams' assessment of materiality for this contractor, Moss Adams believes the exceptions, when considered in total for this contractor, could indicate that a material misstatement exists with regard to the calculation of the subject indirect rates.   |
| <b>Contractor Response</b>             | <p>TRG partially concurs with the recommendation.</p> <p>"We utilize distinct codes in our accounting system to appropriately track labor costs on each project or activity. However, we acknowledge that implementation on the use of the codes require certain enhancements. For instance, the labor code: Admin-Marketing actually represents time spent on responding to bid/proposal requests and <i>not</i> marketing. Our clients are very limited and we obtain new contracts via direct selling activities. As regards the concern on whether the indirect salaries claimed is allocable to the field employee stationed at the CSP office, the overhead rate calculation submitted is a company-wide rate as mentioned in No. 1 above. Therefore, we acknowledge that the indirect salaries may contain costs that are not allocable to the field employee assigned at the CSP office. We will revise the overhead rate calculation so that it distinguishes between the overhead rate that is applicable to the work done in the home office and the applicable overhead rate on the SFMTA contract. We expect to provide the field overhead rate calculation by the second half of May 2011."</p> |
| <b>Analysis of Contractor Response</b> | Moss Adams believes that the response above is generally responsive to the observation. Moss Adams believes additional communication may be required to clarify what is required in regards to identification and exclusion of unallowable indirect labor costs.  |
| <b>Recommendations</b>                 | Moss Adams recommends that the steps specified above by TRG should be implemented and a revised rate calculation submitted. Moss Adams also recommends that TRG consider the implementation of additional controls to identify and segregate unallowable indirect labor costs from claimed overhead pools.  |

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## APPENDIX A – SFMTA RESPONSE

SFMTA | Municipal Transportation Agency

Edwin M. Lee | Mayor  
 Tom Nolan | Chairman  
 Jerry Lee | Vice-Chairman  
 Leona Bridges | Director  
 Cheryl Brinkman | Director  
 Malcolm Heinicke | Director  
 Bruce Oka | Director  
 Nathaniel P. Ford Sr. | Executive Director/CEO

April 28, 2011

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

Subject: SFMTA Responses to the Office of the Controller Desk Review of Overhead Rates used by Central Subway Partnership's Primes and Subcontractors

Dear Ms. Lediju:

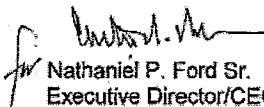
Thank you for providing your desk review of SFMTA's contract CS-149 of the Central Subway Partnership's primes and subcontractors' overhead rates. We appreciate the time and effort that you and your staff, including Moss Adams, have dedicated to the completion of this desk review.

The SFMTA will take the following next steps related to your findings:

- For the items where the respective firm agreed with the recommendation, we will proceed with reconciling their payments and using their audited overhead rates moving forward; and
- For the remaining items where the respective firm either disagreed or partially disagreed, we will follow-up with the firms to get a more detailed response and understanding of their position and will provide the Controller's Office with both the primes and subcontractors' responses.

We look forward to working with the Controller's Office to complete this review and begin the next set of reviews. If you have any questions or need additional information, please do not hesitate to contact the Central Subway Program Director, John Funghi, at (415) 701-4299.

Sincerely,

  
 Nathaniel P. Ford Sr.  
 Executive Director/CEO

cc: Carter R. Rohan, R.A. Deputy Executive Director  
 Sonali Bose, CFO/Director of Finance & IT  
 Shahnam Farhangi, Deputy of Contract Administration & Quality Management  
 John Funghi, CSP Program Director  
 Lewis Ames, New Starts/CSP Financial Manager  
 Ross Edwards, PM/CM Project Manager

WCs2sa001\ncsm544.1\FTA FY Reports and New Starts\FY 2012 Financial Plan - Response to the 2010 FCA\Financial Plan Update Docs for PFGA\PPF's Letter to Controller's Office for 1st Year Desk Review.doc

San Francisco Municipal Transportation Agency  
 One South Van Ness Avenue, Seventh Fl. San Francisco, CA 94103 | Tel: 415.701.4500 | Fax: 415.701.4430 | www.sfmta.com



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



Fw: Issued: Five Year Financial Plan for Fiscal Years 2011-2012 through  
2015-2016  
Angela Calvillo to: Peggy Nevin

05/03/2011 03:20 PM

History: This message has been forwarded.

Angela Calvillo Fw: Issued: Five Year Financial Plan for Fiscal Years 2011-2012 through 2015-2016

FYI

--- Forwarded by Angela Calvillo/BOS/SFGOV on 05/03/2011 03:22 PM ---

From: Controller Reports/CON/SFGOV  
To: Angela Calvillo/BOS/SFGOV@SFGOV, BOS-Supervisors/BOS/SFGOV, BOS-Legislative  
Aides/BOS/SFGOV, Steve Kawa/MAYOR/SFGOV@SFGOV, Greg  
Wagner/MAYOR/SFGOV@SFGOV, Christine Falvey/MAYOR/SFGOV@SFGOV, Starr  
Terrell/MAYOR/SFGOV@SFGOV, Jason Elliott/MAYOR/SFGOV@SFGOV, Francis  
Tsang/MAYOR/SFGOV@SFGOV, Jennifer Entine Matz/MAYOR/SFGOV@SFGOV,  
ggiubbini@sftc.org, Severin Campbell/BudgetAnalyst/SFGOV@SFGOV, Debra  
Newman/BudgetAnalyst/SFGOV@SFGOV, sfdocs@sfpl.info, gmetcalf@spur.org, Department  
Heads/MAYOR/SFGOV, Tara Collins/CTYATT@CTYATT, home@prosf.org, CON-Media  
Contact/CON/SFGOV, CON-EVERYONE/CON/SFGOV, CON-Finance Officers/CON/SFGOV  
Date: 05/03/2011 03:15 PM  
Subject: Issued: Five Year Financial Plan for Fiscal Years 2011-2012 through 2015-2016  
Sent by: Kristen McGuire

The Controller's Office is pleased to provide the City's first Five Year Financial Plan for Fiscal Years 2011-2012 through 2015-2016, which is being introduced today by the Mayor's Office. Proposition A, passed by the voters in 2009, required the five year financial plan along with a two-year budget plan and new financial and reserve policies to improve the City and County's budget planning and forecasting. In brief, the plan shows that significant efforts will be required over the five year period to bring revenues and expenditures into balance and eliminate deficits. Plans are outlined for restructuring debt and capital programs, controlling employee wage and benefit costs, seeking additional tax, fee and other revenues, adjusting baselines and revenue allocations, limiting the use of one-time revenues, and establishing goals for expenditure reductions in City departments. Proposition A requires approval of the plan, following Board of Supervisors consideration, by July 1, 2011.

To view the full report, please visit our website at:  
<http://co.sfgov.org/webreports/details.aspx?id=1270>

You can also access the report on the Controller's website (<http://www.sfcontroller.org/>) under the News & Events section.

This is a send only email, for more information please contact:

Office of the Controller

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

**CITY AND COUNTY OF  
SAN FRANCISCO**

**PROPOSED ANNUAL SALARY  
ORDINANCE**

**For selected departments:**

**Airport Commission, Board of Appeals, Environment, Port  
Commission, Public Utilities Commission, and Rent Board**

**May 2, 2011**



File No. \_\_\_\_\_ Ordinance No. \_\_\_\_\_

**FISCAL YEAR ENDING JUNE 30, 2012 and  
FISCAL YEAR ENDING JUNE 30, 2013 for the**

**Airport Commission, Port Commission, and Public Utilities  
Commission**

13

Document is available  
at the Clerk's Office  
Room 244, City Hall  
CITY AND COUNTY OF SAN FRANCISCO

**PROPOSED BUDGET**  
**AND**  
**ANNUAL APPROPRIATION ORDINANCE**  
**FOR SELECTED DEPARTMENTS**  
**AS OF MAY 2, 2011**



File No. \_\_\_\_\_ Ordinance \_\_\_\_\_

**FISCAL YEAR ENDING JUNE 30, 2012 and**  
**FISCAL YEAR ENDING JUNE 30, 2013 for the**  
**AIRPORT COMMISSION, PORT COMMISSION, and**  
**PUBLIC UTILITIES COMMISSION**

14



To:  
Cc:  
Bcc:  
Subject: Fw: Same Panhandlers Sitting & Lying on Market near Embarcadero

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From: Panhandler Boycott <panhandlerboycott@yahoo.com>  
To: SFPDTenderloinStation@sfgov.org, Edwin.Lee@sfgov.org, sjames@baycitizen.org,  
board.of.supervisors@sfgov.org, Eric.L.Mar@sfgov.org, Mark.Farrell@sfgov.org, david.chiu@sfgov.org,  
carmen.chu@sfgov.org, chustaff@sfgov.org, ross.mirkarimi@sfgov.org, jane.kim@sfgov.org,  
Sean.Elsbernd@sfgov.org,  
Scott.Wiener@sfgov.org, David.Campos@sfgov.org, Malia.Cohen@sfgov.org, John.Avalos@sfgov.org, AdultPro  
bationWebContact@sfgov.org  
Cc: akoskey@sfxaminer.com, cnevius@sfchronicle.com  
Date: 05/04/2011 11:59 AM  
Subject: Same Panhandlers Sitting & Lying on Market near Embarcadero

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These people can be seen everyday on Market Street.  
Does anyone talk to them?

<http://panhandlerboycott.wordpress.com/2011/05/04/market-to-embarcadero-see-them-everyday/>

If these people are here everyday why can't there be a patrol for several months that offers them services or cites them everyday they refuse. Since these people are here everyday at the same locations: At the top of the subway stairs, in front of the same Noah's Sandwich shop, out in front of Walgreens then they can be spoken to not as strangers but people who can be made aware of the options and perhaps learn that they need to move on or move themselves forward.

<http://panhandlerboycott.wordpress.com/>





To: John Avalos/BOS/SFGOV, David Campos/BOS/SFGOV, David Chiu/BOS/SFGOV, Ross Mirkarimi/BOS/SFGOV, Sean Elsbernd/BOS/SFGOV, Carmen Chu/BOS/SFGOV, Jane Kim/BOS/SFGOV,  
Cc: Alisa Somera/BOS/SFGOV,  
Bcc:  
Subject: File 110116: 800 Presidio -- Board of Supervisors Land Use Committee May 9th

---

From: mondocat@comcast.net  
To: Board of Supervisors <Board.of.Supervisors@sfgov.org>, Eric L Mar <Eric.L.Mar@sfgov.org>, Malia Cohen <Malia.Cohen@sfgov.org>, Scott Wiener <Scott.Wiener@sfgov.org>, Mark.Farrell@sfgov.org  
Cc: Steve Williams <smw@stevewilliamslaw.com>, Jon Kaufman <jonk@solem.com>  
Date: 05/04/2011 12:19 PM  
Subject: 800 Presidio -- Board of Supervisors Land Use Committee May 9th

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Dear Supervisors Cohen, Mar, and Wiener:

Thank you for your consideration of the proposed Booker T. Washington Community Services Center project at 800 Presidio. I am writing in regard to the upcoming Land Use Committee review of the project.

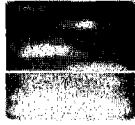
Since 1991, my wife Joyce Lively and I have owned and lived in the single story house at 2755 Sutter Street, directly to the east and adjacent to Booker T. Like most of my neighbors, I am on the official record with the San Francisco Planning Department and Planning Commission as supporting Booker T's mission, the proposed replacement of its gym and community center, construction of new affordable housing, and the new housing program for emancipated foster youth.

I am also on record as supporting the compromise authored by Supervisor Mark Farrell, introduced to the Planning Commission by Commissioner Antonini at the April 28, 2011 public hearing. The compromise states that no neighbors will oppose the project if the new building height is reduced from 5 stories and 55 feet on Presidio Avenue to 4 stories and 45 feet, and maintains current design features including property line setbacks, building footprint, and stepped-down profile along Sutter Street.

Please support my positions and Supervisor Farrell's proposed compromise in your deliberations at the May 9th Land Use Committee meeting. I would have attended, but will not be in the City at that time, and cannot change those arrangements.

Sincerely,

Ronald J. Kardon  
2755 Sutter Street  
San Francisco, CA 94115



To:  
Cc:  
Bcc:  
Subject: Fw: Youth Commission memo regarding SF Community College District

---

From: Mario Yedidia/BOS/SFGOV  
To: Mayor Edwin Lee/MAYOR/SFGOV@SFGOV, BOS-Supervisors/BOS/SFGOV  
Cc: Angela Calvillo/BOS/SFGOV@SFGOV, Jason Elliott/MAYOR/SFGOV@SFGOV, Greg Wagner/MAYOR/SFGOV@SFGOV, Hydra Mendoza <Hydra.Mendoza@sfgov.org>, Nicole Wheaton/MAYOR/SFGOV@SFGOV  
Date: 05/03/2011 05:05 PM  
Subject: Youth Commission memo regarding SF Community College District

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**YOUTH COMMISSION  
MEMORANDUM**

**TO:** Honorable Mayor Edwin M Lee  
Honorable Members, Board of Supervisors

**CC:** Angela Calvillo, Clerk of the Board  
Jason Elliott, Mayor's Liaison to the Board of Supervisors  
Greg Wagner, Mayor's Budget Director  
Hydra Mendoza, Mayor's Education Advisor  
Nicole Wheaton, Mayor's Office of Commissions & Appointments

**FROM:** Youth Commission

**DATE:** May 3, 2011

**RE:** San Francisco Community College District:  
Suspension of Fees for FY 2011-2012 & adding members of the Board of Trustees to the Board of Supervisors' Joint City & School District Select Committee

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At our full commission meeting of April 20<sup>th</sup>, 2011, the Youth Commission unanimously endorsed a resolution authored and brought to us by Chairman of the Board of Trustees of the San Francisco Community College District, Mr. John Rizzo. (Please find this resolution, along with a spreadsheet of fees mentioned in the resolution, attached.)

The content of this resolution is three-fold. First, it calls upon the Mayor and the Board of Supervisors to suspend approximately \$2 million worth of fees charged by the City and County of San Francisco in fiscal year 2011-2012. Secondly, it requests that, in the long term, City College receive similar fiscal support from the City and County that the San Francisco Unified School District currently receives, through voter-approved Charter amendments like the revenue baseline Public Education Enrichment Fund (Charter Sec. 16.123-2) and the school district's drawing-down from the City & County's Rainy Day Reserve (Charter Sec. 9.113.5). Lastly, this resolution requests that the Board of Supervisors modify the scope of the current City & School District Select Committee and add members of City College's Board of Trustees to form a Joint City, School and Community College District Committee.

The great benefit provided by City College to students as well as the whole of San Francisco is undeniable. City College gives students who might otherwise have been prevented from reaching higher education the opportunity to move on to greater successes. Providing more workforce training than all the other community-based organization in San Francisco combined, City College goes a long way toward ensuring that its students graduate with the skills necessary to find a job. The school also provides \$60 million in financial aid—money that translates into more dollars in City College students' pockets, much of

which, in turn, is spent in San Francisco. For all of these reasons, the San Francisco Youth Commission believes that City College is an indispensable resource for our city and our fellow young people.

As with so many publically-funded entities, however, this year City College is facing its largest cuts in funding yet. Having already reduced the number of its administrators by 26%, cut summer sessions, reduced salaries, and eliminated many classes, the City College Board of Trustees assert that they are unable to find anywhere in their budget left to cut without seriously compromising their services. The Youth Commission therefore supports Chairman Rizzo and the City College's Board of Trustees' request that the City & County of San Francisco suspend the bulk of the annual fees (the total of which comes to \$2,019,303) that the City regularly charges the Community College District.

We at the Youth Commission acknowledge that the policy and fiscal impacts of suspending these fees are serious and difficult. We know that the City is facing a \$306 million General Fund deficit for the next fiscal year. We know that the City already effectively supports City College, and that the relative modesty of the fees themselves are an example of this support: for example, the majority of the \$2 million worth of fees are collected by the City's Public Utilities Commission, which charges City College a very generous rate for light and power; the below-cost rate of other fees—for issuance of bonds and lease of the City's property, for example—also evidence the City's generosity toward City College.

However, the Youth Commission feels that it is our Charter-mandated duty to advocate for that which helps support our communities. And while we might not be budget analysts, as young people ourselves, we are uniquely qualified to identify those services which are especially crucial to our success. According to the resolution we voted to endorse, suspending the \$2 million worth of fees charged by the City & County could allow City College to fund 330 more classes. Lastly, in this time of economic hardship, what could be a more productive use of funds than support of our education system—the success of which is our only guarantee of a brighter future?



Statement regarding City College fee suspension (4-20-2011).doc



# City College of San Francisco

50 PHELAN AVENUE • SAN FRANCISCO, CA 94112 • (415) 239-3000

**DATE:** January 27, 2011 **B2b**  
**TO:** Board of Trustees  
**FROM:** Dr. Don Q. Griffin, Chancellor  
**Subject:** GENERAL FUND

**Resolution requesting the City and County of San Francisco suspend fees to the San Francisco Community College District and actively support and provide aid to City College of San Francisco (Resolution No. 110127-B2b)**

## **BACKGROUND:**

Over the past two years, City College of San Francisco has cut several tens of millions of dollars from its budget. The Governor recently proposed cuts for 2011-2012 which could be much larger than any previous seen before.

During this same time, departments in the City and County of San Francisco have begun to create new fees to charge City College of San Francisco, as well as increasing previous fees. While the City and County of San Francisco provides aid to the school district, it provides none to City College of San Francisco, which is vital to the economic health of San Francisco.

This resolution calls upon the City to suspend these fees and to actively work to support City College of San Francisco.

## **RECOMMENDATION:**

**Whereas**, during the past two years, the Community College District of San Francisco (the District) has suffered substantial cuts in funding from the State of California and other revenue streams; and

**Whereas**, the Governor has proposed cuts to Community Colleges for the 2011-2012 year that may result in the largest funding cuts the District has ever faced; and

**Whereas**, during the past two years the District has made deep cuts to its budget, including eliminating classes, eliminating the summer session, cutting the salaries of all employees and instituting furloughs and other givebacks, instituting a hiring freeze, reducing the number of part-time faculty, curtailing employee professional development and travel, using money from reserves, reducing the number of administrators by 26 percent, finding efficiencies in operations to lower costs; and

## **BOARD OF TRUSTEES**

**MILTON MARKS, PRESIDENT • JOHN RIZZO, VICE PRESIDENT • DR. NATALIE BERG • DR. ANITA GRIER**

**CHRIS JACKSON • STEVE NGO • LAWRENCE WONG, ESQ. • JEFFREY FANG, STUDENT TRUSTEE**

**DR. DON Q. GRIFFIN, CHANCELLOR**

**Whereas**, for many years the City and County of San Francisco has recognized the importance of public education and has provided aid to the San Francisco Unified School District in the form of aid and funding certain positions in the School District; and

**Whereas**, the City and County of San Francisco does not provide aid to City College, which serves many of the same San Francisco students while they are in high school, after they graduate, or after they drop out of the San Francisco Unified School District; and

**Whereas**, City College is vital to the economic health of San Francisco, bringing in \$50 million in financial aid that students spend locally, training many thousands of members in disadvantaged communities who have been able to enter the workforce through City College programs; and

**Whereas**, City College teaches English as a second language to tens of thousands of immigrants every year, enabling them to better enter the workforce and contribute to the economy; and

**Whereas**, City College provides education and training to thousands of San Francisco Unified School District graduates and those that have dropped out; and

**Whereas**, City College augments the San Francisco Unified School District by providing classes to high school students; and

**Whereas**, City College provides training and education for ex-offenders, enabling them to re-enter society as productive contributors to the economy; and

**Whereas**, City College provides other non-educational services to San Francisco residents, including free or low cost access to some facilities; and

**Whereas**, in the past few years, Departments of the City County of San Francisco have been levying new fees against the District, totaling approximately \$ 2,000,000, an amount that could go towards funding approximately 330 classes; and

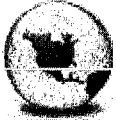
**Whereas**, the Board of Supervisors works with the San Francisco Unified School District but has no relationship with the San Francisco Community College District; therefore, be it

**Resolved**, that the Board of Trustees calls upon the Mayor and Board of Supervisors to support public education in a year of crisis and suspend fees that City and County of San Francisco departments charge to the District; and be it further

**Resolved**, that the Board of Trustees calls upon the City and Count to provide the type of aid to the San Francisco Community College District that it provides to the San Francisco Unified School District, including enabling it to participate in the Rainy Day Fund; and be it finally

**Resolved**, that the Board of Supervisors work to add members of the Board of Trustees to the Joint City and San Francisco School District Select Committee, or form a new joint committee with members of the Board of Trustees.

Originator:  
John Rizzo  
Chris Jackson



Stop the demolition of a national eligible masterplanned community.

Ivy Anderson to: board.of.supervisors

Please respond to Ivy Anderson

05/03/2011 10:09 PM

View: (Mail Threads)

Help protect and advocate for adequate working class housing in San Francisco.,

Please help to prevent the unnecessary destruction of housing, and a landscape designed by a master-class landscape architect Thomas Dolliver Church. Help advocate for better infrastructural changes along 19th Avenue and proper direct regional connection to transit hubs to reduce traffic and congestion that flows along this arterial corridor from the north bay to silicon valley. Demand better housing to be built that provides dense development that does not destroy the open-space that is critical in urban areas for families. Require that alternatives that focus on "INFILL" and a more balanced development layout that spreads the density into more than one neighborhood disproportionately. Ensure that the ecological impacts, and carbon footprint of the development proposal is independently reviewed and adequately assessed. Ensure that there will be housing that is affordable and meant to increase the level of affordability and quality of housing constructed in urban areas and suburbs nationwide by stopping the predatory equity lending that occurs in such large scale redevelopment projects and helps refocus our building strategies towards re-engineering the suburban scale of sprawl outside our urban cores.

Thank you for your support and interest in housing, jobs, and the environment.

Sincerely

Aaron Goodman

Ivy Anderson  
San Francisco, CA

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition](http://www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.

18



Stop the demolition of a national eligible masterplanned community.

jean francois friocourt to: board.of.supervisors

05/03/2011 05:17 PM

Please respond to jean francois friocourt

View: (Mail Threads)

Help protect and advocate for adequate working class housing in San Francisco.,

Please help to prevent the unnecessary destruction of housing, and a landscape designed by a master-class landscape architect Thomas Dolliver Church. Help advocate for better infrastructural changes along 19th Avenue and proper direct regional connection to transit hubs to reduce traffic and congestion that flows along this arterial corridor from the north bay to silicon valley. Demand better housing to be built that provides dense development that does not destroy the open-space that is critical in urban areas for families. Require that alternatives that focus on "INFILL" and a more balanced development layout that spreads the density into more than one neighborhood disproportionately. Ensure that the ecological impacts, and carbon footprint of the development proposal is independently reviewed and adequately assessed. Ensure that there will be housing that is affordable and meant to increase the level of affordability and quality of housing constructed in urban areas and suburbs nationwide by stopping the predatory equity lending that occurs in such large scale redevelopment projects and helps refocus our building strategies towards re-engineering the suburban scale of sprawl outside our urban cores.

Thank you for your support and interest in housing, jobs, and the environment.

Sincerely

Aaron Goodman

jean francois friocourt  
san francisco, CA

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition](http://www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.

305-11  
C-page



**Stop the demolition of a national eligible masterplanned community.**

Nancy Williams to: board.of.supervisors  
Please respond to Nancy Williams

05/05/2011 07:14 AM

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History: This message has been forwarded.

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Help protect and advocate for adequate working class housing in San Francisco.,

Please help to prevent the unnecessary destruction of housing, and a landscape designed by a master-class landscape architect Thomas Dolliver Church. Help advocate for better infrastructural changes along 19th Avenue and proper direct regional connection to transit hubs to reduce traffic and congestion that flows along this arterial corridor from the north bay to silicon valley. Demand better housing to be built that provides dense development that does not destroy the open-space that is critical in urban areas for families. Require that alternatives that focus on "INFILL" and a more balanced development layout that spreads the density into more than one neighborhood disproportionately. Ensure that the ecological impacts, and carbon footprint of the development proposal is independently reviewed and adequately assessed. Ensure that there will be housing that is affordable and meant to increase the level of affordability and quality of housing constructed in urban areas and suburbs nationwide by stopping the predatory equity lending that occurs in such large scale redevelopment projects and helps refocus our building strategies towards re-engineering the suburban scale of sprawl outside our urban cores.

Thank you for your support and interest in housing, jobs, and the environment.

Sincerely

Aaron Goodman

Nancy Williams  
San Francisco, CA

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition](http://www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.



Stop the demolition of a national eligible masterplanned community.

Christian Simonetti

to:

board.of.supervisors

05/05/2011 01:46 PM

Please respond to Christian Simonetti

Show Details

Security:

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

Help protect and advocate for adequate working class housing in San Francisco.,

Please help to prevent the unnecessary destruction of housing, and a landscape designed by a master-class landscape architect Thomas Dolliver Church. Help advocate for better infrastructural changes along 19th Avenue and proper direct regional connection to transit hubs to reduce traffic and congestion that flows along this arterial corridor from the north bay to silicon valley. Demand better housing to be built that provides dense development that does not destroy the open-space that is critical in urban areas for families. Require that alternatives that focus on "INFILL" and a more balanced development layout that spreads the density into more than one neighborhood disproportionately. Ensure that the ecological impacts, and carbon footprint of the development proposal is independently reviewed and adequately assessed. Ensure that there will be housing that is affordable and meant to increase the level of affordability and quality of housing constructed in urban areas and suburbs nationwide by stopping the predatory equity lending that occurs in such large scale redevelopment projects and helps refocus our building strategies towards re-engineering the suburban scale of sprawl outside our urban cores.

Thank you for your support and interest in housing, jobs, and the environment.

Sincerely

Aaron Goodman

End the landlords' endless tactics to eliminate affordable/rent-controlled housing in San Francisco!  
Prevent the demolition of Parkmerced! Down with greedy and environmentally unsound developers!

Christian Simonetti  
San Francisco, CA

Note: this email was sent as part of a petition started on Change.org, viewable at [www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-](http://www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition)

[demolition](http://www.change.org/petitions/protect-and-preserve-parkmerced-as-essential-housing-from-un-sustainable-demolition). To respond, email [responses@change.org](mailto:responses@change.org) and include a link to this petition.





File 110302  
110303  
page LV Clerk

The Only Recognized Representatives of the over 9,000 residents of Parkmerced  
**THE PARKMERCED RESIDENTS' ORGANIZATION, LLC**  
P.O. Box 27609, San Francisco, CA 94127-0609 [www.parkmercedresidents.org](http://www.parkmercedresidents.org) Voice Mail (415) 267-3691

May 9, 2011

Members of The Board of Supervisors  
City Hall  
Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94132-4689

Dear Supervisors:

The Parkmerced Residents' Organization, LLC wishes to go on record as supporting File No. 11302 and File No. 11303 which amend the Planning code and the General Plan.

After reviewing The Parkmerced Vision Plan on more than a dozen occasions, and 19th Avenue Corridor projections, it is clear to us that these amendments will open the way for the rational plans submitted by Parkmerced Investors, LLC. The increase of the San Francisco State University population and the ongoing campus construction necessitate an increase in housing density in our neighborhood.

Sincerely,

Daniel Phillips, CEO  
President Emeritus,  
The Board of Directors,  
The Parkmerced Residents' Organization  
CC: David.Chiu@sfgov.org; Eric.L.Mar@sfgov.org; Mark.Farrell@sfgov.org; Carmen.Chu@sfgov.org; Ross.Mirkarimi@sfgov.org; Jane.Kim@sfgov.org;  
Sean.Elsbernd@sfgov.org; Scott.Wiener@sfgov.org; David.Campos@sfgov.org;  
Malia.Cohen@sfgov.org; John.Avalos@sfgov.org

PRO BOARD  
Daniel W. Phillips  
CEO

Position Open  
PRESIDENT

Position Open  
1st VICE PRESIDENT

Position Open  
2nd VICE PRESIDENT

Jamie Jweinat (non-voting)  
RECORDING SECRETARY

Jim Coppfer  
TREASURER

Position Open  
SERGEANT AT ARMS

BOARD OF DIRECTORS  
Mike Smith  
William F. Thomas

BUSINESS ASSOCIATES  
Al and Perla Castillo  
(for PRO-MAX)  
John Jweinat  
(for Park Plaza Fine Foods)  
Rob Rosania  
(for Parkmerced Investors, LLC)

Robert Pender (President Emeritus)  
Daniel W. Phillips (President Emeritus)

The PRO reserves the right to amend or reverse position statements.  
VISIT OUR WEBSITE: [www.parkmercedresidents.org](http://www.parkmercedresidents.org)

18

Land Use

Daniel W. Phillips, President, The Board of Directors, The Parkmerced Residents' Organization  
to:

David Chiu, Carmen Chu, Sean Elsbernd, Ed Lee, Ross Mirkarimi, SF BOS CLERK, Scott Weiner  
05/10/2011 09:39 AM

Show Details

Please read attached.

Daniel W. Phillips, CEO  
President Emeritus, The Board of Directors,  
The Parkmerced Residents' Organization, LLC  
Building Community with Parkmerced

P.S. If you are not already a member please consider helping us by joining. We have also added convenient on-line membership joining features in our website [www.parkmercedresidents.org](http://www.parkmercedresidents.org); We also have memberships available to Local Businesses and Neighborhood Organizations. Contact: [admin@parkmercedresidents.org](mailto:admin@parkmercedresidents.org)



To: BOS Constituent Mail Distribution, John Avalos/BOS/SFGOV, Alisa Somera/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 110097: 'Support Historic Preservation'

---

From: HEARRecords <hear@hearrecords.com>  
To: alisa.somera@sfgov.org  
Cc: info@s heritage.org, Board.of.Supervisors@sfgov.org, Eric.L.Mar@sfgov.org,  
Malia.Cohen@sfgov.org, Scott.Wiener@sfgov.org  
Date: 05/03/2011 09:45 AM  
Subject: 'Support Historic Preservation'

---

Please Support San Francisco Historic Sites!

( Contact: [alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org), [info@s heritage.org](mailto:info@s heritage.org), [Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org), [Eric.L.Mar@sfgov.org](mailto:Eric.L.Mar@sfgov.org),  
[Malia.Cohen@sfgov.org](mailto:Malia.Cohen@sfgov.org), [Scott.Wiener@sfgov.org](mailto:Scott.Wiener@sfgov.org) )

San Francisco would not be the same city that the world loves with out Support of Historic Preservation. I live in a 1800's Victorian neighborhood that is in constant threats by land developer's crass construction, repurposing of public space and building codes changed to advance big business prefab high-rise gigantic box construction.

Historic preservation is the practice of protecting and preserving sites, which reflect our local, state and national history. Preservation has diverse purposes and rewards, including the strengthening of local economies, the stabilization of property values, the fostering of civic beauty and community pride, and the appreciation of local, state and national history. As an economic development tool, historic preservation consistently outperforms other industries in job creation, creation of household income, and is a singularly powerful downtown revitalization tool. When it comes to tourism, heritage tourists stay longer, visit more sites and tend to spend up to two and one half (2.5) times more than other visitors.

While San Francisco was one of the earliest western cities to establish an historic preservation program, it was not until the passage of Proposition J in 2008 that the scope of the City and County's preservation program equaled that of the larger cities in the United States. New York, Chicago, and Los Angeles had, for many years, been able to recommend landmark designation to their respective City Councils and to rule on alterations to and demolitions of historic landmarks. With the 2008 revisions to our City Charter, San Francisco joined the ranks of the country's major urban centers and significantly clarified and streamlined is historic preservation program.

On **Monday, May 2 at 1 p.m.**, the Land Use Committee of the Board of Supervisors convened a special hearing to "examine the balance between historic preservation and other public policy goals in San Francisco." The hearing was requested by District 8 Supervisor Scott Wiener, who has questioned "how our City government's increasing prioritization of historic preservation is impacting, and possibly undermining, other key policy objectives"—such as housing, parks, libraries, and pedestrian safety.

**Our historic preservation sites** and our great efforts to preserve them have played a key role in maintaining the City's world-class character while meeting today's value of protecting the places that make San Francisco unique. San Francisco's preservation protections have more than anything enabled the City to evolve and flourish without sacrificing its distinct character.

Thank you.  
Kathy Peck  
Lyon St. San Francisco, CA  
[hear@hearnet.com](mailto:hear@hearnet.com)

Read more at the San Francisco Examiner:

<http://www.sfexaminer.com/blogs/under-dome/2011/04/scott-wiener-wants-know-if-preservation-could-hinder-san-francisco-s-future#ixzz1LJ9EJLnc>

<http://www.sfexaminer.com/blogs/under-dome/2011/04/scott-wiener-wants-know-if-preservation-could-hinder-san-francisco-s-future>

# Friends of Appleton-Wolfard Libraries

April 21, 2011  
SUPPLEMENT TO APRIL 20, 2011 LETTER

## VIA ELECTRONIC MAIL

**TO:** Honorable Planning Commissioners and Planning Staff  
**RE: NORTH BEACH PUBLIC LIBRARY AND JOE DIMAGGIO PLAYGROUND MASTER PLAN PROJECT, Case No. 2008.0968E**  
**SUBJECT:** SERIOUS SHORTCOMING---"Comments & Responses on DEIR" and "Final EIR"

As noted in my previous letter, the EIR consultant, architects, attorneys and city staff spent six months to develop responses to public comments. Now, the general public has two-weeks to analyze Responses before the Final EIR Hearing. I've found a substantive misrepresentation in the DEIR/ public process. But more issues likely exist.

### Attachment 3: Story Pole Documentation, Pages C&R.A3-1

The last ten pages of the "Comments & Responses on DEIR" show a glaring shortcoming. Large color photos deceptively divert attention from the obvious---the Story Poles in September 2009 were not part of the DEIR process, but rather reflected our demands to better inform the trial closure of Mason Street. The DEIR was published in August 25, 2010.

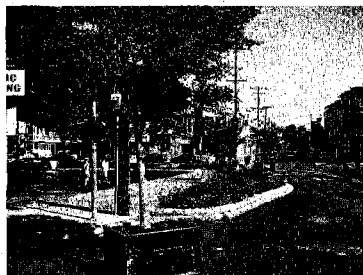
### History of Story Poles (September 2009)

A trial closure of Mason Street started on August 1, 2009. As shown in the DEIR Responses' photos, picnic tables and landscaping were deceptively located where the Triangle Library would be constructed---19'-6" onto Mason Street. This falsely portrayed the proposed Mason Street Park as larger than the actual design.

Weeks later, at our insistence, the City installed Story Poles, although picnic tables and landscaping were never moved outside the proposed "building" perimeter.



Prior to Story Poles, picnic tables and landscaping are placed where the proposed Triangle Library would be constructed---19'-6" into Mason Street.



The above landscaping and picnic tables would actually be under the proposed Triangle Library. And the proposed Mason Street park would be in shadow.



The Story Pole (at left) does not have any official public postings---but does show that these tourists would have public views blocked to Telegraph Hill etc.

Moreover, as depicted in the DEIR Response's photos, there were no official postings, explaining the Story Poles and the public process. During the current Rezoning process, large official signs are located at the site (see photos at right, April 2011).



Ironically, the Mason Street trial closure did show the grandeur of a large Triangle Park combined with the Mason Street Park.

**Problems with Process**

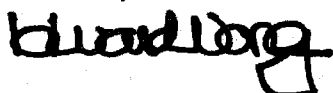
As shown in the DEIR Response's large color photos, there was no official posting of public information. There was no public notification process, as far as I know. There were no community meetings on vacation of street or construction onto a Public-Right-of-Way. As shown in the DEIR Responses, the flyer, titled "What do these poles mean?", originated from the supporters of the Triangle Library, and may have been posted in the vicinity---perhaps as a small flyer.

Contrary to the Planning Department Letter, dated September 9, 2009, the trial closure of Mason Street falsified the actual conditions of the Triangle Library and Mason Street Park. In fact, the trial closure does not inform residents of construction onto Mason Street at all---much less construction on the triangle lot itself.

Particularly without a full disclosure and public information process, most people are not aware of the scope of the proposed project. That appears to be strategy rather than omission. Obviously, the bigger QUESTION: How would any resident, on any street and in any part of the city feel if a neighbor constructed 19'-6" over their property line into the sidewalk and street. Because site plans and public presentations do not show property lines and context, most people are not aware of this rezoning. If community meetings were held on this issue alone, concerns would escalate---property values, public views, light, air, quality of life....The public process has not been truthful.

NECESSARY STEPS: The city would be better served if the DEIR and Responses are recirculated, since significant information was omitted and facts misrepresented. An unbiased full public process is needed to evaluate construction onto Mason Street. Alternative designs that avoid construction onto Mason Street, in an equivalent format with side-by-side comparisons of all programmatic parameters, need to be vetted. As revealed by the trial closure of Mason Street, a large Triangle Park/ Mason Street Park creates a worthy civic space.

Yours Truly,



Howard Wong, AIA





To: BOS Constituent Mail Distribution, Alisa Somera/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 110097: Historic Preservation in SF

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From: mondocat@comcast.net  
To: Alisa somera <Alisa.somera@sfgov.org>, info@sfheritage.org, Board of Supervisors <Board.of.Supervisors@sfgov.org>, Eric L Mar <Eric.L.Mar@sfgov.org>, Malia Cohen <Malia.Cohen@sfgov.org>, Scott Wiener <Scott.Wiener@sfgov.org>  
Date: 05/04/2011 10:51 AM  
Subject: Historic Preservation in SF

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I am writing in regard to the April 29 San Francisco Examiner article (see link at bottom), and the May 2 meeting of the Board of Supervisors Land Use Committee.

I am an architect, and originally come from a long-established tradition of preservation in Philadelphia. Most of my historical projects would have never been commissioned and developed without implementation of historic districts, tax credits, and other incentives. Since the 1960's in Philadelphia, this framework encouraged mutual cooperation between preservationist and pro-development forces, creating piece by piece a sweeping rehabilitation of historic resources for updated uses, in blighted and upscale areas alike.

My fears regarding development in San Francisco mirror Supervisor Scott Wiener's concerns, in the case of the North Beach Library. But to be frank, pro-development forces are invariably better-funded and better-connected politically than preservationists. Preservation remains the only tool for forcing a methodical consideration of historical resources for potential reuse.

Demolition is quicker and cheaper than rehabilitation, but it does not always make the City better. In seeking to revise our preservation laws, the Supervisors should take some hints from Philadelphia, and not throw out the baby (or the old-timers) with the bathwater.

Ron Kardon  
2755 Sutter Street  
San Francisco, CA 94115

[http://www.sfexaminer.com/blogs/under-dome/2011/04/scott-wiener-wants-know-if-preservation-could-hinder-san-francisco-s-future](http://www.sfexaminer.com/blogs/under-dome/2011/04/scott-wiener-wants-know-if-preservation-could-hinder-san-francisco-s-future#ixzz1LJ9EJLnch)

BUS-11

Emilelawrence@yahoo.com

May 6, 2011

Interim Mayor Ed Lee  
Members of the Board  
City hall, Room 400  
One Carlton Goodlett  
San Francisco, CA

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2011 MAY - 6 PM 12: 16

Mayor Lee:

**SUBJECT: Additional Outrageous Fees for San Francisco taxi drivers & firms**

This letter is being sent directly to you for a purpose. The MTA, with a deficit which is really over 200 million dollars a year and growing, (without your off balance sheet accounting) due to the incompetence of their Chief, Debra Johnson, the man's special services partner, the MTA Commission and administrators, has found a new gold and silver mine in the ranks of this City's taxi industry and particularly the taxi drivers. Since the MTA took over the SF Tax Commission, all taxi fees have been heading to the stars. And, their new taxi group agenda keeps adding new fees. The MTA and the new taxi authority no longer serve the public; they just sit back and collect fat paychecks and benefits." Our taxi industry fees are going straight up with their paychecks.

On May 3<sup>rd</sup>, 2011, your local taxi drivers, who are now being ripped off, raped, squeezed, pruned, stapled, and hit by this City for more and more money, did not circle City Hall for amusement, they are just fed up with business as usual. In the last 15 years, between Willie Lewis Brown and Gavin Getty Newsom, taxi driver income has been stretched to its limits. After 15 years of these dudes helping drivers, many taxi drivers still live in their cars, yes in their vehicles while serving the public, in this tourist town, paying fantastic taxi fees and citations to support your salaries and pensions. Do not take my word for it, read the enclosed three page flyer. Then wonder why drivers still use General Hospital, with not much in medical insurance or a pension plan or a medical & dental plan, when you and the Board have it? Also, drivers are being forced to buy more and more expensive equipment, our costs are becoming catastrophic.

Emil Lawrence MBA  
CA/Fed Tax preparer,  
Tax Analyst, Strategist  
(Fed-PTIN # PO1364976)  
660 Westfield Road  
Units 281-287  
San Francisco, CA 94128  
1-415-7705 PCS  
Taxi Driver, Badge #47921  
Taxi Medallion Owner 9015  
Wheelchair Access Ramp Taxi  
With Royal Taxi Company

emilelawrence@yahoo.com

cc: Taxi Drivers and firms

(1000 copies of this letter/document will be printed for taxi drivers)

One Page Flyer

20



| <u>TRANSPORTATION</u>                                | <u>DESCRIPTION</u>                                    | <u>FINE AMOUNT</u>                              |
|--|---|---|
| <u>CODE SECTION</u>                                  |   |   |
| <u>CONDITIONS APPLICABLE TO ALL PERMITS</u>          |   |   |
| <u>Div II § 1105(a)(14)</u>                          | <u>Address not current</u>                            | <u>\$25</u>                                     |
| <u>Div II § 1105(a)(9)</u>                           | <u>Continuous operation</u>                           | <u>\$50 per day for each day of violation</u>   |
| <u>Div II § 1105 (a)(17)</u>                         | <u>Response time goals</u>                            | <u>\$150</u>                                    |
| <u>Div II § 1105(a)(7)</u>                           | <u>Failure to comply with SFMTA orders</u>            | <u>\$200</u>                                    |
| <u>Div II 1105(a)(6)</u>                             | <u>Failure to comply with laws and regulations</u>    | <u>\$450</u>                                    |
| <u>Div II § 1105(a)(13)</u>                          | <u>Unattended Vehicle</u>                             | <u>\$450</u>                                    |
| <u>Div II § 1105(a)(13)</u>                          | <u>Improper shift change</u>                          | <u>\$450</u>                                    |
| <u>Div II § 1105(a)(8)</u>                           | <u>False statements</u>                               | <u>\$500</u>                                    |
| <u>Div II § 1105(a)(12)</u>                          | <u>Compliance with Paratransit Program</u>            | <u>\$500</u>                                    |
| <u>Div II § 1105(a)(10)</u>                          | <u>Accepting and/or soliciting gifts from Drivers</u> | <u>\$600</u>                                    |
| <u>Div II § 1105(a)(1)</u>                           | <u>Operating without a permit</u>                     | <u>\$5000</u>                                   |
| <u>CONDITIONS APPLICABLE TO COLOR SCHEME PERMITS</u> |   |   |
| <u>Div II § 1106(s)</u>                              | <u>Dissolution plan</u>                               | <u>\$50 per day until received by the SFMTA</u> |
| <u>Div II § 1106(n)</u>                              | <u>Postings</u>                                       | <u>\$75</u>                                     |
| <u>Div II § 1106(o)</u>                              | <u>Notification procedures</u>                        | <u>\$75</u>                                     |
| <u>Div II § 1106(e)</u>                              | <u>Notifications regarding business location</u>      | <u>\$250 per day for each day of violation</u>  |
| <u>Div II § 1106(k)(1)</u>                           | <u>Facility to clean vehicles</u>                     | <u>\$250</u>                                    |
| <u>Div II § 1106(i)</u>                              | <u>Worker's compensation</u>                          | <u>\$300 for each day without insurance</u>     |
| <u>Div II § 1106(p)</u>                              | <u>Obligations related to drivers</u>                 | <u>\$400</u>                                    |
| <u>Div II § 1106(r)</u>                              | <u>Lost property</u>                                  | <u>\$400</u>                                    |
| <u>Div II § 1106(c)</u>                              | <u>Dispatch service rules</u>                         | <u>\$450</u>                                    |
| <u>Div II § 1106(d)</u>                              | <u>Business premises requirements</u>                 | <u>\$450</u>                                    |
| <u>Div II § 1106(h)</u>                              | <u>Inadequate staffing</u>                            | <u>\$450</u>                                    |
| <u>Div II § 1106(l)(2)---<br/>7)</u>                 | <u>Use of spare vehicles</u>                          | <u>\$450</u>                                    |
| <u>Div II § 1106(f)</u>                              | <u>Telephone directory</u>                            | <u>\$500</u>                                    |
| <u>Div II § 1106(j)</u>                              | <u>Paratransit Broker contract</u>                    | <u>\$500</u>                                    |
| <u>Div II § 1106(k)(2)(4)</u>                        | <u>Unsafe vehicle or equipment</u>                    | <u>\$1000</u>                                   |
| <u>Div II § 1106(q)(4)</u>                           | <u>Driver operating under the influence</u>           | <u>\$1000</u>                                   |
| <u>Div II § 1106(a)</u>                              | <u>Operating without a color scheme permit</u>        | <u>\$5000</u>                                   |
| <u>Div II § 1106(l)(8)</u>                           | <u>Spare vehicle without medallion</u>                | <u>\$5,000</u>                                  |
| <u>CONDITIONS APPLICABLE TO DISPATCH PERMITS</u>     |   |   |
| <u>Div II § 1107(a)</u>                              | <u>Emergency plan</u>                                 | <u>\$50 per day until received by the SFMTA</u> |

| <u>TRANSPORTATION</u><br><u>CODE SECTION</u>   | <u>DESCRIPTION</u>   | <u>FINE AMOUNT</u>                            |
|--|--|---|
| <u>Div II § 1107(e)</u>                        | <u>Adequate communications equipment</u>                         | <u>\$50 per day for each day of violation</u> |
| <u>Div II § 1107(d)</u>                        | <u>Service call records</u>                                      | <u>\$75</u>                                   |
| <u>Div II § 1107(f)-(j)</u>                    | <u>Failure to properly serve dispatch customers</u>              | <u>\$75</u>                                   |
| <u>Div II § 1107(m)</u>                        | <u>Workers compensation</u>                                      | <u>\$300 for each day without insurance</u>   |
| <u>Div II § 1107(c)</u>                        | <u>Inadequate ramp taxi response</u>                             | <u>\$400</u>                                  |
| <u>Div II § 1107(k)</u>                        | <u>Improper dispatching</u>                                      | <u>\$500</u>                                  |
| <u>CONDITIONS APPLICABLE TO DRIVER PERMITS</u> |  |   |
| <u>Div II § 1108(c)</u>                        | <u>Change or termination of color scheme affiliation</u>         | <u>\$5 per day for each day of violation</u>  |
| <u>Div II § 1108(a)</u>                        | <u>Proper identification</u>                                     | <u>\$25</u>                                   |
| <u>Div II § 1108(d)(2)-(3)</u>                 | <u>Duties at beginning of shift</u>                              | <u>\$25</u>                                   |
| <u>Div II § 1108(d)(3)</u>                     | <u>Designated items in vehicle</u>                               | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(2)</u>                     | <u>Refusing to transport luggage</u>                             | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(5)</u>                     | <u>Refusing to assist loading and unloading</u>                  | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(8)</u>                     | <u>No passenger consent</u>                                      | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(10)-(12)</u>               | <u>Failure to maintain duties to passenger</u>                   | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(18)-(20), (22)</u>         | <u>Driver duties to passenger</u>                                | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(26)</u>                    | <u>Loose items in vehicle</u>                                    | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(27)</u>                    | <u>Trunk and/or baggage area</u>                                 | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(31)</u>                    | <u>Failure to be clean in dress and person</u>                   | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(32)</u>                    | <u>Taximeter violation</u>                                       | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(33)</u>                    | <u>Smoking, drinking or eating</u>                               | <u>\$25</u>                                   |
| <u>Div II § 1108(f)(1)-(2)</u>                 | <u>Failure to perform duties at end of shift</u>                 | <u>\$25</u>                                   |
| <u>Div II § 1108(e)(4)</u>                     | <u>Service or contained animals</u>                              | <u>\$50</u>                                   |
| <u>Div II § 1108(d)(1)</u>                     | <u>Inoperable safety equipment</u>                               | <u>\$75</u>                                   |
| <u>Div II § 1108(e)(1)</u>                     | <u>Refusal to convey</u>   | <u>\$75</u>                                   |
| <u>Div II § 1108(e)(7)</u>                     | <u>Not servicing dispatch calls</u>                              | <u>\$75</u>                                   |
| <u>Div II § 1108(e)(9)</u>                     | <u>Overcharging passengers</u>                                   | <u>\$75</u>                                   |
| <u>Div II § 1108(e)(16)</u>                    | <u>Requesting gratuities or extra charges</u>                    | <u>\$75</u>                                   |
| <u>Div II § 1108(e)(24)</u>                    | <u>Lost property</u>   | <u>\$75</u>                                   |
| <u>Div II § 1108(e)(3)</u>                     | <u>Refusal to transport person with disability in front seat</u> | <u>\$150</u>                                  |
| <u>Div II § 1108(e)(6)</u>                     | <u>Refusing to assist and secure a person with</u>               | <u>\$150</u>                                  |

| <u>TRANSPORTATION</u>   | <u>DESCRIPTION</u>                             | <u>FINE AMOUNT</u>                              |
|---|--|---|
| <u>CODE SECTION</u>   |  |   |
|   | <u>disabilities</u>                            |   |
| <u>Div II § 1108(e)(14)</u>                                   | <u>Reckless or dangerous driving</u>           | <u>\$150</u>                                    |
| <u>Div II § 1108(e)(15)</u>                                   | <u>Ramp taxi rules and regulations</u>         | <u>\$150</u>                                    |
| <u>Div II § 1108(e)(25)</u>                                   | <u>Operation of unsafe taxi</u>                | <u>\$200</u>                                    |
| <u>Div II § 1108(e)(30)</u>                                   | <u>Excessive physical force</u>                | <u>\$200</u>                                    |
| <u>Div II § 1108(b)(3)</u>                                    | <u>Criminal convictions</u>                    | <u>\$500</u>                                    |
| <u>Div II § 1108(b)(4)(B)</u>                                 | <u>Controlled substances</u>                   | <u>\$500</u>                                    |
| <u>CONDITIONS APPLICABLE TO TAXI AND RAMP TAXI MEDALLIONS</u> |  |   |
| <u>Div II § 1113(b)-(e), (h)-(j)</u>                          | <u>Taxi equipment and display requirements</u> | <u>\$25</u>                                     |
| <u>Div II § 1113(m)</u>                                       | <u>Vehicle windows</u>                         | <u>\$25</u>                                     |
| <u>Div II § 1113(o)</u>                                       | <u>Sanitary condition</u>                      | <u>\$25</u>                                     |
| <u>Div II § 1114(b)(2)</u>                                    | <u>Badge violation</u>                         | <u>\$25</u>                                     |
| <u>Div II § 1114(b)(3)</u>                                    | <u>Medical certificate</u>                     | <u>\$25</u>                                     |
| <u>Div II § 1114(b)(4)</u>                                    | <u>Waybills violation</u>                      | <u>\$25</u>                                     |
| <u>Div II § 1114(e)(8)</u>                                    | <u>Emissions reduction plan</u>                | <u>\$50 per day until received by the SFMTA</u> |
| <u>Div II § 1114(f)(1)</u>                                    | <u>Dispatch service report</u>                 | <u>\$50 per day until received by the SFMTA</u> |
| <u>Div II § 1109(b)</u>                                       | <u>Not using appropriate dispatch</u>          | <u>\$75</u>                                     |
| <u>Div II § 1113(a)</u>                                       | <u>Safe operating condition</u>                | <u>\$75</u>                                     |
| <u>Div II § 1113(k)</u>                                       | <u>Standard vehicle equipment</u>              | <u>\$75</u>                                     |
| <u>Div II § 1113(f)</u>                                       | <u>Vehicle tires</u>                           | <u>\$75</u>                                     |
| <u>Div II § 1113(n)</u>                                       | <u>Security cameras</u>                        | <u>\$75</u>                                     |
| <u>Div II § 1113(t)</u>                                       | <u>Safe vehicle condition</u>                  | <u>\$75</u>                                     |
| <u>Div II § 1113(v)</u>                                       | <u>Working Taxi ramp</u>                       | <u>\$75</u>                                     |
| <u>Div II § 1114(a)</u>                                       | <u>Records</u>                                 | <u>\$75</u>                                     |
| <u>Div II § 1114(e)(3)</u>                                    | <u>Receipts</u>                                | <u>\$75</u>                                     |
| <u>Div II § 1114(e)(5)</u>                                    | <u>Vehicle inventory changes</u>               | <u>\$75</u>                                     |
| <u>Div II § 1114(e)(7)</u>                                    | <u>Weekly reporting requirements</u>           | <u>\$75</u>                                     |
| <u>Div II § 1114(f)(2)</u>                                    | <u>Lost property recordkeeping</u>             | <u>\$75</u>                                     |
| <u>Div II § 1110(a)(1)-(2)</u>                                | <u>Wheelchair priority</u>                     | <u>\$150</u>                                    |
| <u>Div II § 1110(b)</u>                                       | <u>Ramp Taxi Medallion in spare taxi</u>       | <u>\$150</u>                                    |
| <u>Div II § 1110(d)</u>                                       | <u>Ramp Taxi qualifications</u>                | <u>\$150</u>                                    |
| <u>Div II § 1122(d)</u>                                       | <u>Overcharging a passenger for luggage</u>    | <u>\$150</u>                                    |
| <u>Div II § 1113(p)</u>                                       | <u>Vehicle title requirements</u>              | <u>\$250</u>                                    |
| <u>Div II § 1113(q)-(r)</u>                                   | <u>Excessive vehicle mileage or age</u>        | <u>\$250</u>                                    |



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Business in SF/In-Symmetry

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**Business in SF/In-Symmetry**

Candace Combs to: Board.of.Supervisors

05/02/2011 01:45 PM

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Hello,

This letter is about the bureaucracy and anti-business rhetoric that is thriving in San Francisco. Many of us are aware of it, but no one knows what to do about it. I'm hoping the Board of Supervisors can help me.

I own a day spa called In-Symmetry. We were in our former location on Potrero Hill for almost 9 years. I prided myself on providing quality bodywork at affordable prices, and the public loved it. I had over 20 people working for me, and an 8,000+ client list. We even won best of the bay for massage in the Bay Guardian last August. The evening I was to accept my award, the city shut down In-Symmetry.

Essentially, we could not do massage because we did not have a conditional use permit (this allows a city or county to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district, through a public hearing process). I was never aware we needed a conditional use permit, in part because the massage establishment laws changed in 2004 but I founded my business in 1999. So, in an effort to be compliant, I went down to the planning department to see what I had to do to get up and running again. I hired an architect to put together the conditional use packet for me. I also got in touch with Regina Dick-Endrizzi, Executive Director of the Office of Small Business in the mayor's office. I told my clients we would be back up in a few weeks! But we were given incorrect information about zoning and permitting, and ended up moving into a new space. I found out weeks later that I only needed a California state massage license to keep my original location.

Meanwhile, I checked with the city about my new location, signed the lease and, about \$20,000 later, moved into the new space. I turned everything in again only to find out that the landlords were in litigation with the city of San Francisco over billboards. I was informed by the city that despite the green light they gave me weeks earlier, I could not get permits for this location, and that I was being used as leverage. I am now in a lawsuit with those landlords.

I have been looking for a space ever since, and there are even more stories to tell. I still have not found a location. Most recently, I was accepted into a great space in the Mission owned by a non-profit. Everything looked okay until city planning informed me that I would need to pay \$10,000 in impact fees to compensate for the effects my business would have on the light industrial neighborhood. This feels like extortion to me. It also feels completely counterproductive in this depressed economy, in which more business benefits every strata of our society.

In addition, I would also be subject to a 30-day waiting period after notifying the neighbors that I wanted to move in, delaying construction and eventual income even longer. The landlords were less than happy about both these prospects and may decide they would rather rent to someone who isn't dealing with the city. The former contenders for this space were planning on operating without permits: the same way that big business like Twitter can choose to leave the city because of unfriendly legislation, small businesses often choose to fly under the radar to avoid the outrageous fees and laws this city inflicts on its local economy. Ultimately, our businesses will choose to leave San Francisco County for somewhere with a more friendly local government.

I am losing clients every day. Doing business in SF is a real nightmare and I wouldn't wish it on my worst enemy. It is even worse if you are a massage establishment, and are constantly, subtly accused of doing human trafficking or prostitution. We need to do something about this because it is not sustainable for San Francisco to continue their discrimination against small businesses. I have heard similar stories from dozens of business owners and homeowners, but they are all the stories of beat-down victims who can't imagine any sort of change. We are letting the city government run our lives instead of taking action to create the city we all want and deserve.

The other day my friend remarked that there are no more causes to campaign for in SF. I told her she was dead wrong, and that this should be one of our many new causes. The way SF treats its small businesses is abominable and has to be changed or SF will NOT look the same in 20 years.

If you are interested in my story then you can read my blog at [permitme.wordpress.com](http://permitme.wordpress.com). You can also check us out on Yelp and Facebook to see how much our clients love us.

I think this is a powerful and timely story. San Francisco's attitude towards business is getting a lot of attention lately (Twitter, Ike's, The Eagle, Blue Bottle in Dolores Park). I feel like most citizens are not aware of the city's harsh treatment of landlords and businesses, which in turn affects our favorite restaurants, cafes, retailers, parks, and yes, our local massage joint. It takes a lot to support a local economy, but if we do there are positive subsequent repercussions at the state and national levels. I want businesses in my city! I want people to pursue their passions and be wildly successful. I want everyone to make money and build a thriving commerce that benefits all of us. Right now our city's food scene is flourishing, but I wonder when other businesses will enjoy a similar renaissance.

I don't want to leave San Francisco, I want to change San Francisco. This is what San Francisco was built on, but today I see homeowners, parents, business owners, and consumers taking the city bureaucracy laying down. Stand up and fight! If you don't, no one will.

Candace Combs, CMT, CEO

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

cell 415.531.8232



# SAN FRANCISCO PLANNING DEPARTMENT

BOS-11, cjaql  
COB

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

**MEMO**

2011 MAY -4 AM 9: 29

DATE: April 29, 2011  
TO: Members, Board of Supervisors  
FROM: John Rahaim, Director of Planning  
RE: 2009 Housing Inventory  
STAFF CONTACT: Scott Dowdee, 558-6259  
REVIEWED BY: Teresa Ojeda

BY foe

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

The Planning Department is pleased to send you the recently published *2010 Housing Inventory*. This report is the 41st in the series and describes changes to San Francisco's housing stock.

*Housing Inventory* data account for new housing construction, demolitions, and alterations in a consistent format for analysis of housing production trends. Net housing unit gains are reported citywide, by zoning classification, and by planning district. Other areas of interest covered in the report include affordable housing, condominium conversions, and residential hotel stock. In addition, the report lists major projects completed, authorized for construction, approved or are under review by Planning.

Key findings discussed in the *2010 Housing Inventory* include:

- New housing production in 2010 totaled 1,438 units. This includes 1,082 units in new construction and 356 new units added through conversions of non-residential uses or expansion of existing structures.
- This year saw a net addition of 1,230 units to the City's housing stock, a 64% decrease from 2009. This net addition is the result of new housing construction and 208 units lost through demolitions and mergers.
- In 2010, new affordable units made up 40% of new units added to the City's housing stock. However, these 582 new affordable housing units are about 38% less than the previous year production. This count includes 40 inclusionary units and 34 secondary units added to existing structures..
- Projects proposing 1,203 new units were authorized for construction in 2010.
- The Planning Department approved and fully entitled 78 projects in 2010. These projects propose a total of 11,979 units, including 10,500 units in the Candlestick Point-Hunters Point redevelopment project.
- New condominium recordations (734) were down from 2009 as were condominium conversions (537).

Copies of the *2010 Housing Inventory* are available to the public for \$10 at the San Francisco Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103. It is also available for review at the San Francisco Main Public Library, Science and Government Documents Department. The *2010 Housing Inventory* can also be downloaded from:

[http://www.sf-planning.org/ftp/files/publications\\_reports/2010\\_Housing\\_Inventory\\_Report.pdf](http://www.sf-planning.org/ftp/files/publications_reports/2010_Housing_Inventory_Report.pdf)

Please contact Scott Dowdee at 415.558.6259, or e-mail Scott.Dowdee@sfgov.org, if you have any questions.

HSD: I:\Citywide\Data Products\Housing Inventory\2010\Distribution\Housing Inventory 2010 Announcement BOS transmittal.doc

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Memo

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



# CITY OF VALLEJO

DEPARTMENT OF PUBLIC WORKS  
Engineering Division

555 SANTA CLARA STREET • P.O. BOX 3068 • VALLEJO • CALIFORNIA • 94590-5934

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
FAX (415) 648-4691  
2011 MAY -5 PM 4:04  
BY [Signature]

April 29, 2011

Clerk to the Board of Supervisors  
San Francisco County Recorder  
1 Dr. Carlton B. Goodlett Place, Room 190  
San Francisco, CA 94102

**CERTIFIED MAIL**

SUBJECT: Request for filing of Notice of Exemption  
Reduction in Transit Services – City of Vallejo

Dear Sirs:

Attached please find a Notice of Exemption regarding a reduction in Transit Services. I have also attached a certified Resolution regarding same. I am requesting that the Notice be filed with your Agency. Should you have any questions regarding this request, please contact me at 707 648 4433. Thank you.

Sincerely,

*Tami Hansen*

TAMI HANSEN  
Executive Secretary

cc: Gary A. Leach, Asst. Public Works Director  
Jeanine Wooley, Transportation Superintendent  
Chron

Enclosures

H:\TRANSIT\General\Correspondence\Notice of Exemption - San Francisco County Recorder 042911.docx

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**CITY OF VALLEJO**

**NOTICE OF EXEMPTION**

**TO:** Office of Planning and Research  
PO Box 3044, Room 212  
Sacramento, CA 95812-3044

**FROM:** City of Vallejo  
Transportation Division  
P.O. Box 3068  
Vallejo, CA 94590

**TO:** Clerk to the Board of Supervisors  
Solano County  
675 Texas Street, Ste. 6500  
Fairfield, CA 94533

**TO:** Clerk to the Board of Supervisors  
San Francisco County Recorder  
1 Dr. Carlton B. Goodlett Place, Rm 190  
San Francisco, CA 94102

**Project Title:** Baylink Ferry and Route 200 Complimentary Bus Service Reductions

**Project Location (include City and County):** City of Vallejo, Solano County

**Description of Nature, Purpose, and Beneficiaries of Project:** The City of Vallejo owns and operates public transportation including the Baylink Ferry and Complimentary Route 200 Bus Service ("Baylink") programs and facilities, which are funded by the City's Transportation Fund. Revenues are inadequate to fund the Baylink services and programs and it is projected that the City's Transportation Fund will have negative working capital balance within one year. In order to address this fiscal emergency the City has developed Baylink service reductions that will reduce operating expenses but still provide the capacity needed to accommodate the current ridership demand. The City held a series of public hearings to receive public input on addressing the budget deficit and the proposed service reductions. At the conclusion of this public outreach process on April 12, 2011 the Vallejo City Council approved the following service reductions:

- Replace the 8:45 am weekday ferry trip with a bus
- Replace the 11:30 am weekday ferry trip with a bus during the winter months (Nov-Apr)
- Eliminate 9 weekday bus trips
- Replace the 7:00 am summer weekend ferry with a bus
- Eliminate 3 summer weekend bus trips
- Eliminate 2 winter weekend ferry trips
- Eliminate 5 winter weekend bus trips

**Name of Public Agency Approving Project:** City of Vallejo

**Name of Applicant:** City of Vallejo





**RESOLUTION NO. 11-061 N.C.**

**MAKING A FINDING OF FISCAL EMERGENCY AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21080.32 AND 14 CALIFORNIA CODE OF REGULATIONS SECTION 15285 WITH RESPECT TO THE TRANSPORTATION FUND AND BAYLINK FERRY AND ROUTE 200 BUS SERVICE**

**WHEREAS**, the City of Vallejo owns and operates public transportation including the Baylink Ferry and Complementary Route 200 Bus Service ("Baylink"), which is funded out of the City's Transportation fund; and

**WHEREAS**, Baylink operations have been incurring operating deficits since fiscal year 2008/2009 and have required supplemental RM2 funds with the approval of the Metropolitan Transportation Commission ("MTC") and the San Francisco Bay Area Water Emergency Transportation Authority ("WETA"); and

**WHEREAS**, in approving the Baylink RM2 allocation for FY 2010/11 both the MTC and WETA have indicated that RM2 funding requests should consider the cost-effectiveness and productivity of the service levels, especially in light of the current constrained funding environment in which nearly all of the regional transit agencies are considering and implementing significant reductions in their service levels due to limited transportation funding on a state-wide basis; and

**WHEREAS**, revenues are inadequate to fund Baylink services and programs and it is projected that the City's Transportation fund will have a negative working capital balance within one year of the date of this finding; and

**WHEREAS**, in order to address the projected budget shortfall, the City proposes to reduce Baylink services; and

**WHEREAS**, the City noticed a number of public hearings to consider the budget shortfall and proposed Baylink service reductions; and

**WHEREAS**, the City held a series of public hearings on March 1, 2011, March 2, 2011, March 7, 2011, March 10, 2011, and held a further public hearing on April 12, 2011, has taken public comment and suggestions, and has responded to public comment and suggestions, all in accordance with Public Resources Code section 210080.32(d)(1) and 14 California Code of Regulations section 15285; and


**WHEREAS**, the City has considered such public comment and suggestions, and comments of interested persons at a public hearing prior to adoption of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the matters set forth in the Recitals to this Resolution are true and correct statements.

**BE IT FURTHER RESOLVED** that there is a fiscal emergency caused by the failure of revenues to adequately fund programs and facilities, within the meaning of California Public Resources Code section 21080.32(d)(2) and 14 California Code of Regulations

Adopted by the Council of the City of Vallejo at a regular meeting held on April 12, 2011 by the following vote:

AYES: Vice Mayor Wilson, Councilmembers Brown, Gomes, Hannigan, Schivley, and  
Sunga  
NOES: None  
ABSTAIN: None  
ABSENT: Mayor Davis



MICHAEL WILSON, VICE MAYOR

ATTEST:



SHERRY M. KELLY, INTERIM CITY CLERK

THE WITHIN INSTRUMENT IS A  
CORRECT COPY OF THE  
ORIGINAL ON FILE IN THIS OFFICE.

DATE April 28, 2011  
ATTEST: Sherry M. Kelly  
SHERRY M. KELLY  
CITY CLERK & EX-OFFICIO CLERK OF THE  
COUNCIL OF THE CITY OF VALLEJO



**To:** BOS Constituent Mail Distribution, Alisa Somera/BOS/SFGOV,  
**Cc:**  
**Bcc:**  
**Subject:** File 110114: Controller's Office Report: Yellow Pages Distribution Pilot Program, Economic Impact Report

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**From:** Controller Reports/CON/SFGOV  
**To:** Angela Calvillo, BOS-Supervisors/BOS/SFGOV, BOS-Legislative Aides/BOS/SFGOV, Steve Kawa, Greg Wagner/MAYOR/SFGOV@SFGOV, Christine Falvey/MAYOR/SFGOV@SFGOV, Jason Elliott/MAYOR/SFGOV@SFGOV, ggiubbini@sftc.org, Severin Campbell/BudgetAnalyst/SFGOV@SFGOV, Debra Newman/BudgetAnalyst/SFGOV@SFGOV, Harvey Rose, sfdocs@sfpl.info, gmetcalf@spur.org, Jennifer Entine Matz/MAYOR/SFGOV@SFGOV, Ben Rosenfield, monique.zmuda@sfgov.org, Maura Lane, CON-Barometer/CON/SFGOV, CON-Media Contact/CON/SFGOV, CON-EVERYONE/CON/SFGOV  
**Date:** 05/09/2011 11:58 AM  
**Subject:** Controller's Office Report: Yellow Pages Distribution Pilot Program, Economic Impact Report  
**Sent by:** Debbie Toy

---

The Controller's Office has released its economic impact report on item #110114, Yellow Pages Distribution Pilot Program.

The report may be downloaded here:

<http://co.sfgov.org/webreports/details.aspx?id=1274>

#### Main Conclusions

Several companies currently distribute Yellow Pages directories to residences and businesses in San Francisco. The proposed legislation would create a three-year pilot program that modifies how a Yellow Pages may be distributed within the city. Under the legislation, distribution could only occur when an occupant physically receives delivery of a Yellow Pages, or when a Yellow Pages is dropped off in response to a request. The program would essentially change the Yellow Pages from a near-ubiquitous advertising medium delivered to every home and business, into an "opt-in" publication.

This transition can be expected to reduce the distribution of Yellow Pages directories in San Francisco. This will affect the economy in three main ways:

1. by impacting the cost of and the sales generated by Yellow Pages advertising
2. by reducing the expenditures of Yellow Pages publishers within the city
3. by reducing city's cost of recycling Yellow Pages directories.

From the perspective of the local business that uses the Yellow Pages to advertise, the primary effect of the legislation will be to make the Yellow Pages a more narrowly-tailored, cost-effective, advertising medium. A reduction in the number of directories that are distributed will reduce publishers' costs, and should lead directly to reduced advertising rates in this competitive industry. Business customers would no longer pay, through their advertising rates, for the distribution of directories that will not be used. Yet because the most avid Yellow Pages users will be those most likely to opt-in, the sales impact of the Yellow Pages will not decline as much as the cost of its advertisements. As a result, the sales impact per dollar spent on Yellow Pages advertising will can be expected to rise.

Since fewer people will possess a Yellow Pages in the future if the legislation is enacted, sales generated by Yellow Pages advertisements will certainly decline, but this does not mean that consumer spending in San Francisco as a whole will decline. Yellow Pages-generated sales account for approximately 4% of all taxable sales in San Francisco. This small fraction suggests that the sales channels that account for the other 96% have the capacity to absorb for any decline in Yellow Pages-generated sales. The net effect on local businesses will be to reduce their advertising costs while holding overall sales constant.

The city will also experience a small net benefit from the reduced cost of recycling Yellow Pages directories, if fewer are distributed. These costs are underwritten by waste disposal ratepayers, and

savings should reduce rates, leaving ratepayers will more to spend in the local economy.

The primary negative economic impact of the legislation is the reduction of economic activity from the publishers themselves, who will no longer hire contractors to distribute the directories. However, the bulk of the publishers' expenditures on Yellow Pages takes place outside of San Francisco, and therefore this negative effect is expected to be small.

Many environmental policies involve a trade-off between environmental benefits and economic costs. This proposed legislation, however, generates both environmental and economic benefits. It will reduce the city's waste and recycling costs, as well as fostering a more efficient business advertising system in San Francisco.

For more information, contact Ted Egan, Chief Economist, at (415) 554-5268.



File 100920  
BOS-11  
page

May 9, 2011

Honorable Jane Kim  
Board of Supervisors  
City & County of San Francisco  
City Hall, Room 282  
1 Dr. Carlton B Goodlett Place  
San Francisco, CA 94102

RE: Fiscal Feasibility, Pier 27 Cruise Terminal Project

Dear Supervisor Kim,

Thank you very much for your interest in and probing questions regarding the Port of San Francisco's proposed Pier 27 Cruise Terminal Project. This is a project that has been underway for some time and which has a significant impact on the City's passenger cruise business, managed by the Port.

At the Budget & Finance hearing on May 4, 2011, you asked many appropriate questions regarding the fiscal feasibility of this project. I agree with you that funding a new international cruise terminal for the City has been challenging which has led to many revisions and years (if not a full decade) of delay. However, I am proud that the Port, in cooperation with numerous City staff, has identified the funds for Phase 1 of the project and we are well on our way to identifying all the funds needed for Phase 2 of the project. Ultimately, the Port will deliver a project that the City can be proud of and that will generate good jobs, maritime commerce and, of course, revenue to the City's general fund.

In addition to the benefits of having a new cruise terminal, the City is obligated to provide a Phase 1 core and shell building for the 34<sup>th</sup> America's Cup Match to be held in 2013 so that the new building can be used as the Match's focal point. The Port of San Francisco will be the only port in the U.S., if not the world, to offer its cruise passengers the unique opportunity to disembark into a terminal used in the world-renowned racing of the America's Cup. In order both to provide for the success of the 34<sup>th</sup> America's Cup match and to continue the City's legacy of passenger cruising, the City agreed to demolish the existing Pier 27 maritime shed and replace it with the core and shell of a new cruise terminal building for use by the America's Cup Event Authority during the Match. Visitors from around the world will be hosted in the inaugural Pier 27 cruise terminal during the 2013 Match as spectators and sailors and for decades thereafter as cruise passengers.

As you know, the Port has a funding plan for Phase 1 that will fulfill the City's obligations under the 34<sup>th</sup> America's Cup Host and Venue Agreement. Once Phase 1 is completed, it will be used by the America's Cup Event Authority through the completion of the 34<sup>th</sup> America's Cup Match. Immediately thereafter, the building will be available to the Port to service cruise passengers in a very similar manner to that which the existing Pier 27 maritime shed currently provides. Put another way, if Phase 2 were not to go forward, the Port would still be able to operate the Pier 27 new building and berth as a viable cruise terminal. In fact, the new building, with its enhanced useful life, will ensure that the Port can continue to service the City's passenger cruise industry for generations to come.

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However, as you pointed out, completion of Phase 2 of the Pier 27 cruise terminal is important to the Port to provide more modern amenities and greater operating efficiencies commensurate with the building's new useful life. The Port has approximately \$20 million targeted towards the estimated \$32 million cost to complete Phase 2 of the project. This \$20 million will be dedicated to develop the public plaza, a mobile passenger gangway, and security and code-required improvements to the terminal and site area.

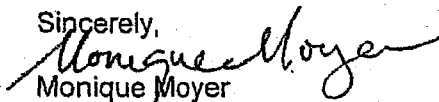
Today, as noted by Port staff, there still remains a funding gap of \$12 million for Phase 2 of the project. The cruise terminal project team just completed a value engineering exercise that aligned funding sources with expenditure uses for Phase 1. In 2014 when Phase 2 commences, the project will have the benefit of having fewer unknown remaining contingencies, firmer Phase 2 final budget numbers and another round of value engineering. We expect the project team to be able to respond with concrete cost saving options well in advance of required funding deadlines.

Once raised, this \$12 million will be allocated to ground transportation improvements, additional substructure repair, new maritime equipment (e.g., bollards and fenders), architectural enhancements (e.g., roof shape), additional interior access (i.e., elevators/escalators), terminal operator, Customs and longshoremen facilities, and furniture, fixtures and equipment. These improvements are needed to promote the project as an international cruise terminal, gain operating efficiencies for the Port, the longshoremen and the passengers, meet community expectations and San Francisco design standards and comply with regulatory requirements.

Specifically to your questions and concerns, if the \$12 million is not raised as anticipated, the City and the Port will still have a new cruise terminal building at Pier 27 that is capable of welcoming and processing passengers from around the world. This new building will operate as a cruise terminal meeting standards of operation in place today at both the Pier 27 and Pier 35 terminals. Given the short remaining useful life of the Pier 35 cruise terminal, completion of Phase 1 of the Pier 27 cruise terminal is vital to the continuation of City's cruise business. However, as Port staff presented to you in committee last week, we believe that there are a range of viable options to fund the \$12 million shortfall and we look forward to bringing them forward in the year ahead.

On behalf of all of us at the Port, I am very grateful for your concern in this regard and for your commitment to ensuring the entire project proceed as planned to meet the City's 34<sup>th</sup> America's Cup commitments and passenger cruise needs. Port staff will continue to raise additional funding and will report back to you on our progress. Should you have any questions or concerns, please do not hesitate to call me at 415/274-0401 or Elaine Forbes at 415/274-0445.

Sincerely,

  
Monique Moyer  
Executive Director

Cc: Honorable David Chiu, President, BOS  
Honorable John Avalos  
Honorable David Campos  
Honorable Malia Cohen  
Honorable Carmen Chu  
Honorable Sean Elsbernd  
Honorable Kimberly Brandon, Port Commission

Honorable Mark Farrell  
Honorable Eric Mar  
Honorable Ross Mirkarimi  
Honorable Scott Weiner  
Harvey Rose, Budget Analyst  
Ed Reiskin, Director, DPW  
Elaine Forbes, CFO, Port



To: BOS Constituent Mail Distribution, Alisa Somera/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 110316: MEDIA INFO SHEET: An Urban Jewel with Many Other Facets

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From: WongAIA@aol.com  
To: WongAIA@aol.com  
Date: 05/07/2011 02:04 AM  
Subject: MEDIA INFO SHEET: An Urban Jewel with Many Other Facets

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Greetings Everyone:

**ATTACHED: MEDIA INFORMATION SHEET**

There's so much misinformation out there about Joe DiMaggio Playground, North Beach Library, land-use and past history. For many decades, we have appreciated and anticipated an even grander civic open space at the corner of Columbus Avenue and Lombard Street.

But false information is not helping the public dialogue---with the city employing many hundreds of thousands of dollars of public relations consultants, EIR consultants, drawings, reports, city agencies, non-profit affiliates, city employees.... In a democratic society, the citizenry expects truthfulness in the press and government. **Attached are entertaining facts, which can help you inform the public process.**

Sincerely,



Howard Wong, AIA HW-MEDIAINFORMATION5-1-11.docPDF.pdf

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## MEDIA INFORMATION SHEET

May 1, 2011

# NORTH BEACH LIBRARY AND JOE DIMAGGIO PLAYGROUND MASTER PLAN AN URBAN JEWEL WITH MANY OTHER FACETS



Geographic beauty, great civic spaces and historic textures blend over time to shape unique urban compositions---often taken for granted.

It is reasonable for the public to expect certain outcomes after decades of public processes. From 1988 to August 2008, particularly with the 2003-2007 land-use battle over the Triangle (701 Lombard Street at Columbus Avenue), there are valid expectations and mandates that a DiMaggio Park be built on the Triangle, that Columbus Avenue be spatially expanded, that public views be protected, that the North Beach Library be renovated/ expanded, that Joe DiMaggio Playground be kept as a large regional recreational field, that Joe DiMaggio's Softball Fields be retained and that scarce public funds get the biggest bang for the buck.



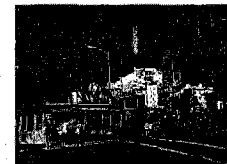
Tourists at the Triangle.



The Playground's legacy.



The DiMaggio brothers.



Public views at the Triangle.

In 2004, the City seized the Triangle by eminent domain for new open space.

In 2007, the City purchased the Triangle for \$2.8 million for open space, using primarily Open Space Funds.

Of the three Library Community Meetings (*April 30, May 28 and August 18, 2008*), the former presented variations of a Triangle Park. At the August 18 meeting, a new Triangle Library was announced as the City's Plan. Not every resident attends community meetings. For many residents, there remains the historical stream of processes from 1988 to August 2008---a valid basis for their perspectives.

The City's Playground Plan eliminates Joe DiMaggio's Softball Fields, decreases the regional multipurpose play field and decreases net open space, requiring extensive demolition and structural walls---with a \$5 million cost. A DiMaggio Park on the Triangle and a playground renovation would increase net open space---with an efficient \$1 million cost.

The proposed Triangle Library is bigger than the rejected 2004 Condo, stopped by eminent domain. Built 19'-6" over the property line into the Mason Street right-of-way, the proposed Triangle Library thrusts an even bigger wall along the Columbus Avenue Axis.

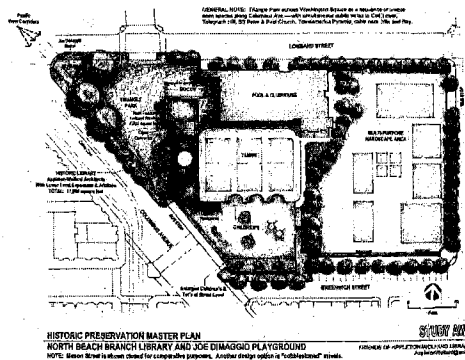
The Triangle Library is non-code compliant, requiring rezoning, spot zoning, construction 19'-6" into the Mason Street right-of-way and shadows the proposed park and playground.

The proposed Triangle Library contradicts the SF General Plan, which maintains a "strong presumption" against construction onto streets and the blockage of public view corridors.

Library construction onto the street impacts the economic interests of adjacent property owners, blocking axial views to the bay, hills and cable cars.

Library construction onto the street has been purposely hidden from the public with deceptive drawings and presentations that conceal property lines and neighborhood context.

The EIR's advocacy for construction on the Triangle contradicts the long history of protecting open space on Columbus Avenue, e.g. the battle to stop the Washington Square garage. It would be equally illogical to construct onto Washington Square, Joseph Conrad Square, Marini Plaza, Language of the Birds Plaza or Redwood Park.



THE DIMAGGIO PARK PLAN

The Library's technical reports, independent historians, preservation professionals, the Historic Preservation Commission and Planning Department concur that the North Beach Library has high architectural, historical and cultural significance---eligible for the National Register of Historic Places and the California Register of Historical Resources.

From 1988 to 2008, the Library's Branch Library Improvement Program planned for and funded the renovation and expansion of the North Beach Library---with a \$3.5 million budget.

The North Beach Library has the highest architectural integrity of the Appleton-Wolfard Libraries---and its renovation/ expansion would be the showcase mid-century modernist library.



The existing North Beach Library can be renovated and expanded---with up to 3,500 square feet more than the Triangle Library and saving \$4 million. As part of the City's Earthquake Safety Program, all branch libraries had structural evaluations in 1995. Each library was evaluated in terms of structural elements, seismic risk, retrofit schemes and costs. While an optimal Seismic Risk Level is 2, the Marina Library had a rating of 4 and the North Beach Library fared better with a rating of 3. A lower level expansion would be meshed with necessary new foundations. Moreover, an addition could provide lateral earthquake bracing for the existing structure.

As evidenced by its East Elevation, the North Beach Library is built on a sloped site---with a substantially excavated lower level. Mr. Appleton (Appleton-Wolfard Architects) once revealed that a lower expansion was a programmatic intent. Many large structures throughout the world (Legion of Honor, Louvre....), mid-sized buildings and residences are routinely expanded by inserting lower floors.

Despite the EIR's alarmism, all construction must comply with building codes, engineering codes, planning codes, ADA, legal constraints and programmatic needs. The North Beach Library's preservation, with a large addition and more square footage, optimizes flexibility, sustainability, environmental innovation and universal accessibility.

Rehabilitating the existing playground and library will save \$8 million of scarce public funds---thus assuring more recreational square footage, library square footage and overall quality.

The DiMaggio Park Plan achieves other worthy goals---unifying the Children's Library with the Children's Playground, providing private Children's Restrooms that serve the Library/ Playground, replacing anew perimeter fencing and sidewalks with a garden design, building a much larger library with a showcase technology center (film-making, video, interactive learning, 3-D animation, multi-media, state-of-the-art computers, color printers....).

Further stretching the credibility of the EIR, it amazingly questions whether Joe DiMaggio played softball at North Beach Playground:

*"Some commenters claim that Joe DiMaggio played at the softball field. Other commenters state that he did not. SFRPD cannot confirm or deny that he played there. Nonetheless, the naming of the playground after Joe DiMaggio is not relevant to the proposed Master Plan's less-than-significant physical impacts to recreational resources."*  
Comments & Responses on DEIR, Page C&R-85.

Minimal research would reveal that Joe DiMaggio lived nearby at Taylor/ Valparaiso Streets---often hitting mushy softballs into the North Beach swimming pools. Given the 2000 lawsuit during the naming of Joe DiMaggio Playground, with some touting a Joe DiMaggio Airport or Bay Bridge, it would be disgraceful to eliminate softball at Joe DiMaggio's Softball Fields.



**CHAPTER ONE Joe DiMaggio: The Hero's Life** By Richard Ben Cramer

Joe DiMaggio sat on the tar of the playground, with his back against the wall on the Powell Street side, his legs cocked in front of him like a couple of pickets. At fifteen, Joe was mostly legs — leg-bones, more like it — and a head taller than his friends.

All the boys on the North Beach playground had nicknames — that meant you were in, you belonged there.... They were always on the playground or on the street. Who had room at home?

Joe was at the playground most days, too...but like today — not exactly with them. He'd come out of his house, down the hill from Taylor Street — but he'd sit apart, watching in silence, arms draped across his knees in a pose of solitary sufficiency. Or maybe it wasn't all pose. Joe was different from the other guys. They always wanted to play ball. They were desperate to play ball — even if they could barely play.....

It wasn't just the way Joe could hit. (Even those mushy city-issue softballs, Joe could hammer them the length of the playground, a block and a half, into the swimming pool.)...But more than that, it was the way he was in a game. He had to win.



There are many ways to solve the same programmatic requirements, and it is unreasonable for the EIR to strain and seek counter-arguments for every valid concept.

A Win-win DiMaggio Park Master Plan would be a grand slam design:

- ◆ Maximum new open space, recreational area and library square footage---saving \$8 million.
- ◆ Protection of public views, civic spaces, neighborhood beauty and the urban realm.
- ◆ A totally code-compliant project, adhering to the San Francisco General Plan.
- ◆ The ultimate model of sustainability---conserving resources and existing fabric.
- ◆ Avoiding all adverse environmental impacts---preserving historic resources and cultural sites.
- ◆ Honoring legal mandates and public processes from 1988 to 2008.

**For further information: Howard Wong, AIA, [wongaia@aol.com](mailto:wongaia@aol.com), (415)-982-5055**



File 110562

BF SC  
BF clerk  
cpage

BY \_\_\_\_\_

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2011 MAY -9 PM 2:26

May 9, 2011

City and County of San Francisco Budget and Finance Sub-Committee and Clerk of the Board  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 224  
San Francisco, CA 94102

Subject: Children's Council of San Francisco's OEWD funding appeal

Dear Budget and Finance Sub-Committee and Clerk of the Board,

We are writing to appeal the Mayor's Office of Economic and Workforce Development decision not to fund Children's Council of San Francisco's Economic Development and Microenterprise Assistance to Child Care providers.

Although we appreciate the efforts of OEWD staff to better understand our program in recent months, an email from Jordan Klein on December 30, 2010 (enclosed) indicates that the OEWD began the process with a bias against our program, preventing our fair consideration by the OEWD Board. The email directly discourages Children's Council from applying.

Not only was this contrary to fair contract procurement process, it was based on misconceptions about our program, which has been funded through the Community Development Block Grant since 1984. Our services, as funded through CDBG, have always been focused on helping to develop new small businesses and support employment for low-income San Franciscans. The economic benefit of child care has been well documented, particularly in the 2006 report on *The Economic Impact of the Child Care Industry in the City and County of San Francisco*, which was produced by DCYF in collaboration with the Children's Council, the SF Redevelopment Agency, The Center for Economic Development, the Small Business Commission, the Chamber of Commerce, as well as other business and child care leaders. This report states that in San Francisco alone, the child care industry generates \$191 million annually (compared to \$172.9 million generated by the graphic design industry). In addition, the child care industry provides 4,415 jobs, nearly a thousand more than San Francisco's investment banking and securities industry. We have kept the OEWD apprised of these economic impacts as well as the implementation our small business supports throughout our years of contracting.

We understand and appreciate the funding pressures on the CDBG program. Our Childcare Microenterprise Supports have provided broad impact for a small investment through the years, and we feel this would have been apparent had we received a fair review or our application.

For these reasons, we ask you to reconsider your decision and fund Children's Council of San Francisco, allowing us to provide technical assistance, resources and support to existing and developing San Francisco child care businesses.

Thank you for your consideration,

**Michael Williams**  
Deputy Director of Programs  
Children's Council of San Francisco  
445 Church Street, San Francisco, CA 94114  
415-276-2942 • 415-343-3331 fax  
mwilliams@childrenscouncil.org • www.childrenscouncil.org

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**From:** Jordan.Klein@sfgov.org [mailto:Jordan.Klein@sfgov.org]  
**Sent:** Thursday, December 30, 2010 5:55 PM  
**To:** Donna Adkins  
**Cc:** Laurie Krane; Holly.Lung@sfgov.org; Amy.B.Cohen@sfgov.org  
**Subject:** Children's Council CDBG Application

Hi Donna,

I hope you are enjoying the holiday season. The purpose of this e-mail is a difficult one: I am writing to discourage Children's Council of SF from reapplying for CDBG economic development funding for the FY11-12 fiscal year. As you may know, my colleagues and I have been concerned that the childcare provider assistance programs are not sufficiently relevant to our overall economic development goals at OEWD. While we typically support programs whose primary goals are to create jobs and/or revitalize commercial corridors, the primary goal of your program, by our estimation, is to improve the quality of childcare by assisting providers to complete the California state Community Care Licensing (CCL) program.

Given a number of contextual factors--primarily because the state has suspended the CCL, but also because the economic crisis has dramatically increased demand for other economic development services--we feel more strongly than ever that it would be inappropriate and irresponsible of us to fund your program using our limited CDBG economic development pool of funds. I know that this puts you in a difficult position, but I hope you will take our position into consideration when you determine whether or not to reapply for funding.

That said, I recognize that quality childcare is important, and that these programs deserve some public support. However, that support should come from more relevant public agencies (e.g., the Department of Children, Youth and Families (DCYF), or First 5 San Francisco). I plan to reach out to representatives from other public agencies and convene a working group to determine how we may be able to sustain the provider assistance program. I will invite your participation as appropriate.

I regret that I have to write this e-mail, but unfortunately we have very limited resources and we aim to use them in accordance with the City's overall economic strategy.

Please give me a call if you would like to talk this over.

Take care,  
Jordan

---

Jordan Klein  
Office of Economic & Workforce Development  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 448  
San Francisco, CA 94102-4689

Phone: (415) 554-6645  
jordan.klein@sfgov.org

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To:  
Cc:  
Bcc:  
Subject: Fw: Democratic process at Land Use

Alisa S.

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

Complete a Board of Supervisors Customer Service Satisfaction form by clicking  
<http://www.sfbos.org/index.aspx?page=104>

----- Forwarded by Board of Supervisors/BOS/SFGOV on 05/10/2011 12:13 PM -----

From: susan vaughan <susan\_e\_vaughan@yahoo.com>  
To: Eric Mar <Eric.L.Mar@sfgov.org>  
Cc: scott wiener <scott.wiener@sfgov.org>, Alisa Somera <alisa.somera@sfgov.org>, malia cohen <malia.cohen@sfgov.org>, Angela Calvillo <board.of.supervisors@sfgov.org>  
Date: 05/09/2011 10:42 PM  
Subject: Democratic process at Land Use

2120 Clement Street, #10  
San Francisco, CA 94121  
May 9, 2011

Supervisor Eric Mar  
Chair of the Land Use Committee, SF Board of Supervisors  
San Francisco City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102

Dear Supervisor Mar:

I'm writing to tell you and other members of the Land Use and Economic Development Committee that I believe a mockery was made of democracy on Monday, May 2 at the Land Use and Economic Development Committee meeting. On the agenda were an informational item on the Historic Preservation Commission and action items relating to Treasure Island. The informational hearing on historic preservation took three and a half hours, as many people had turned out to give testimony. According to the Larry Bush of CitiReport, representatives of many city departments were given extensive time to discuss the issue and respond to supervisor questions. But members of the public themselves – and most egregiously members of the Historic Preservation Commission itself – were only given one minute each.

Here is what Larry Bush had to say about that process:

*In a recent hearing [Scott Wiener] called on historic preservation policies and their impact on general city policy, Wiener allowed extensive time for city departments to testify — except for the Historic Preservation Commission itself, which was given one minute for its testimony. Public comment also was limited to one minute each. It was policy debate by bumper sticker.*

29

Even worse, on the action items following – Treasure Island – members off the public were given an embarrassingly short one minute to testify. For a project as important as Treasure Island is, and as fraught with controversy as Treasure Island is, one minute is a shamefully short amount of time for public testimony and indeed it makes a mockery of democracy.

Sincerely,  
Sue Vaughan

CC: Alisa Somera  
Supervisor Malia Cohen  
Supervisor Scott Wiener  
Clerk of the Board Angela Calvillo



Democratic Process at Land Use 05-07-11.doc



To: BOS Constituent Mail Distribution, Andrea Ausberry/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 110344: Let's not fall behind

---

From: dk2841@att.com  
To: "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>  
Date: 05/04/2011 11:27 AM  
Subject: Let's not fall behind

---

May 4, 2011  
Clerk of the Board Angela Calvillo  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689

Dear Angela Calvillo,

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

Thank you.

Sincerely,

daniel kwok  
1874 31st. Ave  
san francisco, CA 94122-4229



The future -- please support it.

shauno26

to:

Board.of.Supervisors@sfgov.org

05/05/2011 04:07 PM

Show Details

May 5, 2011

Clerk of the Board Angela Calvillo

City Hall

1 Dr. Carlton B. Goodlett Place, Room 244

San Francisco, CA 94102-4689

Dear Angela Calvillo,

As a San Francisco resident and voting constituent, I want to weigh in that I welcome a healthy competitor to Comcast and trust that you do too.

One of the best things about living in San Francisco is that we all have this wonderful spirit of freedom - freedom of expression and tons of choices. It's why I choose to live here. What is bizarre to me is that this basic my cable tv bill.

I have to believe that if 2 or more big companies want my business, they'll each try ability to choose doesn't apply to one of the biggest chunks of my monthly household budget: harder to earn it. That would be refreshing.

Sincerely,

Shaun O'Connor

25 Hotaling Place Unit E

San Francisco, CA 94111-2242



**To:** BOS Constituent Mail Distribution, Andrea Ausberry/BOS/SFGOV,  
**Cc:**  
**Bcc:**  
**Subject:** File 110344: I want the AT&T IP Network

---

**From:** deedavi96@aol.com  
**To:** "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>  
**Date:** 05/03/2011 02:47 PM  
**Subject:** I want the AT&T IP Network

---

May 3, 2011  
Clerk of the Board Angela Calvillo  
City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689

Dear Angela Calvillo,

San Francisco is one of the world's most tech savvy cities, and many great tech and new media innovations come from here. It is ironic that we're having such trouble bringing 21st Century networks to the City. I understand that AT&T has already brought their IP network to more than 200 other cities in California, including dozens in the Bay Area. San Francisco should lead the pack in adopting new technologies, not erecting barriers to innovation. I support AT&T's plans to upgrade their broadband network and hope you will vote to allow it to proceed.

Sincerely,

Denise O. Davis  
130 Ashton Avenue  
San Francisco, CA 94112-2208



To: BOS Constituent Mail Distribution, Andrea Ausberry/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 110344: AT&T Order 175,566

---

From: tesw@aol.com  
To: board.of.supervisors@sfgov.org  
Date: 05/03/2011 12:02 PM  
Subject: AT&T Order 175,566

---

Dear Supervisors:

Please enforce existing regulations requiring AT&T to place new utility boxes underground or on private property.

This could even be a money maker for the city, if the city wished to accept the boxes.

Cordially,  
Tes Welborn  
2001 Oak St.

31

File No. 110452, Re: Planning Commission's March 24, 2011 Certification of a Final Environmental Impact Report for the 2004 and 2009 Housing Elements (Citywide).

Miraloma Park Improvement Club

to:

Eric Mar, Mark Farrell, David Chiu, Carmen Chu, Ross Mirkarimi, Jane Kim, Sean Elsbernd, Scott Weiner, David Campos, Malia Cohen, John Avalos, Angela Calvillo, Rick Caldeira

05/03/2011 02:28 PM

Show Details

File 110452  
cpage

From: Miraloma Park Improvement Club

To: San Francisco Board of Supervisors

Re: File No. 110452, Re: Planning Commission's March 24, 2011 Certification of a Final Environmental Impact Report identified as Planning Case

No. 2007.1275E, through its Motion No. 18307, for the 2004 and 2009 Housing Elements (Citywide)

Dear Supervisors:

This correspondence is to inform you that the Miraloma Park Improvement Club supports the appeal of the certification of this EIR. We urge you to de-certify the EIR and send the Housing Element (2004 and 2009) back to the Planning Commission for reasons summarized in the attached letter. Briefly, the EIR was performed on Draft 2 of the Housing Element, but the Commission subsequently changed language and issued Draft 3 of the document, which was not reviewed by the EIR or subject to public review. This new language has profound implications for San Francisco's zoning, architectural and residential character, and quality of life. Therefore, we strongly urge you to reject the flawed EIR and instruct the Planning Commission to restore Draft 2 of the Housing Element. Please refer to the attached letter for details of our concerns about the EIR and the Housing Element.

Sincerely,

Dan Liberthson, Corresponding Secretary, MPIC

Attachment: detailed letter

32

350 O'Shaughnessy Boulevard • San Francisco, California 94127  
Telephone: (415) 281-0892

## Miraloma Park Improvement Club

May 3, 2011

From: Miraloma Park Improvement Club

To: San Francisco Board of Supervisors

Re: File No. 110452, Re: Planning Commission's March 24, 2011 Certification of a Final Environmental Impact Report identified as Planning Case No. 2007.1275E, through its Motion No. 18307, for the 2004 and 2009 Housing Elements (Citywide)

Dear Supervisors:

This correspondence is to inform you that the Miraloma Park Improvement Club supports the appeal of the certification of this EIR. We urge you to de-certify the EIR and send the Housing Element (2004 and 2009) back to the Planning Commission for reasons summarized in the attached letter. Briefly, the EIR was performed on Draft 2 of the Housing Element, but the Commission subsequently changed language and issued Draft 3 of the document, which was not reviewed by the EIR or subject to public review. This new language has profound implications for San Francisco's zoning, architectural and residential character, and quality of life. Therefore, we strongly urge you to reject the flawed EIR and instruct the Planning Commission to restore Draft 2 of the Housing Element. Our specific concerns about the Housing Element (HE) in addition to the EIR are detailed below.

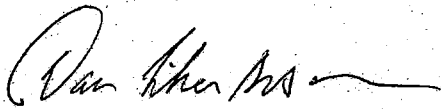
1. Draft 3 of the 2009 HE was certified and approved by the Planning Commission on March 24, 2011. It was not reviewed by the EIR. Last-minute changes were not reviewed and vetted.
2. It is unacceptable that density zoning instead of precise square foot ratios as currently set forth in the Planning Code such as for residential areas will be used to determine neighborhood character. The HE changed maintaining the density limits to protect RH-1 and RH-2 districts.
3. The HE changed the definition of "major transit lines" to include major bus lines that run throughout the City and this means that increased density can occur not just along light-rail and BRT lines but rather along any of these transit lines -- a quarter mile on each side. Such "transit corridors" will overwhelm the residential neighborhood with secondary and multi-unit buildings especially on residentially zoned lots adjacent to these transit lines.
4. In the latest HE iteration, "neighborhood-based" decisions will be trumped by "community-based" decisions which can include entities from out of state and beyond. Immediate neighbors' input to changes to Planning Code for housing near transit lines and other Planning Code changes will carry less weight in decisions when weighed in amongst the outside interests such as developers, non-profits, religious institutions, lobbyists, etc.
5. There is no need for new units as defined by RHNA. There are excessive growth projections for the whole City in general as the new numbers represent much more than RHNA requirements.

6. San Francisco is taking on far more than even the projected RHNA targets for funding dollars rather than be concerned with the livability and character of the City. The HE will wreck the town with greater noise, air pollution and traffic congestion. EIRs on recent projects show these negative effects cannot be mitigated but that the development will be welcomed due to the funding stream it brings with it.
7. San Francisco residents did not choose the areas for higher density. Neighborhoods did not get to choose. This Citywide HE document that will be the roadmap for all future development is based on the City choosing for the residents where the Priority Development Areas (PDAs) will be. These PDAs will be on vacant or underused land which can be designed for high density. They can be areas that need to be redeveloped due to "blight". This will all lead to health risks for the entire city from additional traffic congestion and air pollution. A new map shows that practically all of SF is ripe for these increased in-fill units near transit.
8. No reduced density alternative is studied in the last iteration of the HE. The City violated the court order to have the reduced density alternative studied by not doing one and continuing to push on full steam ahead and to add last minute changes to exacerbate an already disastrous policy document of which the average person in this City is unaware. Do people know that their neighbor will be able to add in-law units practically anywhere in this City including in RH-1 and RH-2 residentially zoned areas?
9. The HE EIR did not analyze a reasonable range of other alternatives that could reduce the negative effects of a full-blown buildout above and beyond the RHNA guidelines.
10. There is no preservation of residential areas. It is about livability, each distinct neighborhood speaking for their needs in their own areas. The Mission has a different character than the Sunset. Chinatown is different than West of Twin Peaks. Each distinct neighborhood has its own precious qualities that will be diminished. This will also diminish and even eliminate the cultural diversification of neighborhoods.
11. The HE policies will allow only the very rich and the very poor to live in this City where only 12% of the middle class housing is being built. The HE is anti-middle class.
12. The HE does not allow for the needs of the disabled, the elderly and the sick when it densifies all of the City when the water, sewer and other utilities are inadequate. Muni cannot handle additional riders let alone handle today's ridership load. with additional traffic congestion, people may not be able to seek emergency medical care. Since the HE is also anti-parking, the disabled, sick and elderly will again not be able to get places in private vehicles which are faster than public transit.
13. The HE is anti-parking. It will not allow 1:1 parking in SF; but Oakland is allowing 1:1 parking. SF is taking the bonus dollars it will get for being the leader in this new growth scenario to the detriment of the RH-1 and RH-2 neighborhoods whose family-oriented character with more open space will not be maintained. It will also be to the detriment of the entire City.
14. Per the SFPUC's March 14, 2011 memorandum, SFPUC has a projected shortfall of available water supply to meet its LOS goals and contractual obligations. The water studies show that there will not be sufficient amounts for SF's future population based on the projected housing units.

The HE does not use the most recent information on projected water supplies and therefore is inadequate and inaccurate. These future residents will not have the same high-quality unmodified drinking water as the people today are enjoying. When one resorts to drinking distilled second-hand water for the projected population, then the people and the housing units should not be built here. Other areas need to step up and take off the load from SF. SF has an overly aggressive plan to squeeze in 60,000 to 90,000 more housing units.

15. CEQA prohibits approval of projects with adverse environmental impacts if there are feasible alternatives such as for water and transit. Even so, this HE was approved.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Dan Liberthson", followed by a horizontal flourish.

Dan Liberthson, Corresponding Secretary, MPIC

# Coalition for San Francisco

org - file # 110452  
BOS-11, COB  
City Hty



# Neighborhoods

www.csfm.net • PO Box 320098 • San Francisco CA 94132-0098 • 415.262.0440 • Est 1972

**President**  
Judith Berkowitz 415.824.0617  
**1st Vice President**  
Penelope Clark 776.3876  
**2nd Vice President**  
Angeliqe Mahan 334.7131  
**Recording Secretary**  
Demian Quesnel 861.5084  
**Corresponding Secretary**  
Dick Millet 861.0345  
**Treasurer**  
Jim Lew 771.5250  
**Members-at-Large**  
Sue Cauthen  
Rae Doyle  
Lorraine Lucas

BY HAND DELIVERY  
May 6, 2011

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

Re: Appeal of Final Environmental Impact Report for the 2004 and 2009 Housing Elements and Related CEQA Findings, Environmental Findings and Statement of Overriding Considerations filing by Kathryn R. Devincenzi.

Planning Department Case Nos. 2007.1275E and 2007.1275EM

The General Assembly of the Coalition for San Francisco Neighborhoods (CSFN) voted on April 19, 2011 to join the Appeal of the Certification of the Final EIR for the 2004 and 2009 Housing Element filed by Kathryn R. Divincenzi on the behalf of San Franciscans for Livable Neighborhoods (SFLN). CSFN believes the Final EIR is inadequate, insufficient, and inaccurate for the following reasons:

There were three drafts of the 2009 Housing Element. The EIR was completed after the 2<sup>nd</sup> draft of the 2009 Housing Element. The third draft last minute changes were not analyzed responsibly under CEQA.

1.
  - The third draft changed the Planning process references from neighborhood-based to community-based support. This will significantly reduce the impact of the community's-participation/input and allow outside special interests to determine the outcome.
  - The Planning Commission changed the transit corridors for increased heights, density, and reduced parking from BART and light rail to include major bus lines. This will include most of San Francisco.
2. The 3<sup>rd</sup> Draft does not use the most recent information on projected water supplies and therefore is inadequate and inaccurate. The March 14 SFPUC memo has projected a shortfall of available water supply to meet its LOS goals and contractual obligations. The water studies show that there will not be sufficient amounts for SF's future population based on the projected housing units.
3. The HE EIR did not analyze a reasonable range of other alternatives that could reduce the negative effects of a full-blown build-out and beyond the RHNA guidelines. No other reduced density alternative is studied in this last iteration of the EIR.

Barbary Coast Neighborhood Assn  
Bayview/Hunters Point  
Coordinating Council  
Buena Vista Neighborhood Assn  
Cathedral Hill Neighbors Assn  
Cayuga Improvement Assn  
Cole Valley Improvement Assn  
Cow Hollow Assn  
Diamond Heights Community Assn  
Dolores Heights Improvement Club  
East Mission Improvement Assn  
Eureka Valley Promotions Assn  
Ewing Terrace Neighborhood Assn  
Excelsior District Improvement Assn  
Fair Oaks Community Coalition  
Forest Knolls Neighborhood Assn  
Francisco Heights Civic Assn  
Golden Gate Heights Nghbrd Assn  
Greater West Portal Nghbrd Assn  
Haight Ashbury Improvement Assn  
Inner Sunset Action Committee  
Jordan Park Improvement Assn  
Laurel Heights Improvement Assn  
Lincoln Park Homeowners Assn  
Marina Civic Improvement &  
Property Owners Assn  
Middle Polk Neighborhood Assn  
Miraloma Park Improvement Club  
Mission Creek Harbor Assn  
New Mission Terrace Improvement Assn  
North Beach Neighbors  
North Park Neighbors  
Oceanview, Merced Heights,  
Ingleside -- Neighbors in Action  
Outer Mission Residents Assn  
Pacific Heights Residents Assn  
Panhandle Residents Organization/  
Stanyan-Fulton  
Parkmerced Residents Assn  
Potrero Boosters Neighborhood Assn  
Richmond Community Assn  
Rincon Point Neighborhood Assn  
Russian Hill Improvement Assn  
Russian Hill Neighbors  
Sunset Heights Assn of  
Responsible People  
Sunset-Parkside Education &  
Action Committee  
Telegraph Hill Dwellers  
Twin Peaks Council & Open  
Space Conservancy  
Twin Peaks Improvement Assn  
University Terrace Neighborhood Assn

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2011 MAY - 6 AM 11:06

AK





**Tax on stock options**

mark@squrl.com to: mayoredwinlee@sfgov.org,  
Board.of.Supervisors@sfgov.org

05/07/2011 09:43 AM

View: (Mail Threads)

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

*File 110462, epage*

Dear Mayor Lee and Supervisors,

My company Squrl is excited that City Hall is focusing on creating a solution to the stock options issue.

As members of the technology community in San Francisco in the midst of creating a growing startup company, we strongly urge you to support Supervisor Mark Farrell's stock option legislation!

We support Supervisor Farrell's proposal for a number of reasons:

1. City Hall must solve this problem permanently, or tech companies (and the jobs they create) will continue to leave San Francisco. A temporary solution sends the message that San Francisco is not interested in creating long-term solutions for the local economy. I assume that after 6 years San Francisco won't start taxing stock options again, so why not create a permanent solution now?
2. Private and public companies should be treated equally—it is the only common-sense solution. Supervisor Farrell's legislation ensures that both private and public companies benefit—not only are private companies thinking about leaving San Francisco, but larger, public companies (which employ thousands of San Franciscans) are strategically growing their employees outside of San Francisco to avoid the tax. I want these jobs to stay in San Francisco—Supervisor Farrell's legislation will do just that.
3. Supervisor Farrell's legislation insures that San Francisco's general fund will not face any additional budget deficit. City Hall won't collect more taxes on stock options, but his legislation is designed so that current levels of tax revenue from stock options will stay constant.

Supervisor Farrell's legislation strikes the right balance in creating incentives to keep tech companies in San Francisco, while protecting the City from adverse budget impacts. Our local economy is at stake—please focus on the long-term, and support Supervisor Farrell's legislation.

Sincerely,  
Mark

-----  
Mark Gray  
Co-founder and CEO  
Squrl  
[www.squrl.com](http://www.squrl.com)

33

# 110618

To: San Francisco Board of Supervisors  
Land Use & Economic Development Committee

Fr: Bernie Choden (choden@sbcglobal.net)

Re: Treasure Island BOS Appeal

May 2, 2011

There are three major issues challenging the Planning Commission approved EIR.

**1. Seismic safety:**

Building the Dutch equivalent of polders around developments does not appear sufficiently viable to resist the anticipated quake. Remember that the Dutch initiation of polder use was a 14<sup>th</sup> century program to reclaim the Zuider Zee after a then major earthquake and subsidence created the Zee. Do T.I. proposed methods meet objective tests or, even Dutch earthquake standards?

A major life safety issue is that the infrastructure that links polders will not resist liquefaction as severe as occurred in the minor quake of 1989.

**2. Mitigation Impacts:**

The pro-forma for Treasure Island suggests an inadequacy to cover public mitigation impacts costs as required by an EIR. Particularly affected will be bridge traffic capacity and island infrastructure liabilities, including life safety, as noted above.

**3. Title Clearance Mitigation:**

Regardless of the Treasure Island use, its ownership is sufficiently questionable as to require mitigation. There are means to both provide clearance of title and provide substantial revenue underpinning for EIR mitigation. Proposed is title clearance in the State's favor as a "Wetlands" under the aegis of the California State Lands Commission as follows:

- A. Close analogy to the title issue for T.I. is that pursued by the State for Hamilton Airbase in Marin. It was found that abandonment of the Airbase would entail reverting title to the state of a portion of the Airbase that was filled by Catholic Archdiocese. These lands were wetlands below mean high tide in 1850 that, therefore, were covered by the terms of the Arkansas Act of 1850. That Act granted California, among other states, "stewardship" of such lands on behalf of the federal government forever.

Despite "facts on the ground" and a land transfer to the Air Force, as a wartime owner, the perpetual ownership by the State remains the dominant claim to a fee-simple title for such land.

What is true in Marin remains true of Treasure Island despite Navy usage as a wartime necessity. The city claims that it is re-buying title from the Navy. Consider that the city, then, did not have a legal claim to title because such lands were required to be owned by the State in perpetuity in "stewardship." What the Navy bought from the city earlier was the right of usage, not title.

But the city acknowledges the state's title by proposing to exchange the state's wetlands ownership of Treasure Island for an offshore, submerged- under water- state land ownership. How can a city, even with the assistance of state legislative chicanery, trade state ownership of land the state already owns for land the state already owns?

- B. Suggested is a way out of title difficulty that provides a safe harbor and benefit for all regardless of future use.
1. Clear title by acknowledging the State's underlying title under the Terms of the Wetlands Trust. View the Navy's claim as development second deed of trust.
  2. Entrust the County of San Francisco as an administrative district of the State as the residual authority for the State with negotiated fiscal shares for the State and the County.
  3. Deed developers a second deed of trust subject to "Stewardship" stipulations, General Plan and EIR requirements. Property taxes would then become, under the same stipulations, possessory interest taxes.
  4. Because the proposal will no longer be a redevelopment project, the use of tax increments will no longer be available to such needs as capital improvements and public benefits as affordable housing. Alternative means for providing for capital costs, such as Mello Roos, are cumbersome.
  5. However, a more providential means exist in use of leased land "ground rents" charged to the ultimate owners of development. This method would provide a more sustainable base for fiscal underpinning and for secure design and maintenance controls.
  6. Because "ground rents" would be charged to the ultimate users on the downside the cost to the developers' equity position should be nil especially due to clearance of title issues.

State of California

# Memorandum

Date: November 21, 1975

W 3909

Arnold C. Sternberg  
 Donald R. Crow  
 Wayne Schell  
 Jack Harrison  
 John Kramer (Counsel Resources Agency)  
 ✓ Walter Cook (Counsel State Lands Commission)  
*Comments written in 2/24/76*

From: DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
 DIVISION OF RESEARCH AND POLICY DEVELOPMENT

Subject: Hamilton Airbase Policy Proposal

Copy forwarded to:  
 Choden-SFT (letter w/ attachments)  
 Date 2/25/76 by *[Signature]*

## I. BACKGROUND

The attached maps A and B and legend indicate the types of parcels which underly the approximately 1800 acres of Hamilton Airbase. Discussions with Walter Cook have indicated that a substantial portion of this land is, with varying degrees of probability, recoverable by the state.

### 1. Submerged Lands

These lands are sovereign lands by virtue of having been ceded to the state when California joined the Union in 1850. By state law, the state's use of such lands is limited to fisheries, wild life, game, and navigational purposes. The areas to the east and including Parcel TLL 31, Map B, are lands which fall into this category and which can be readily reacquired by the state through legal action. Vegetation prior to 1851 ceased at the western boundary line of this parcel, thus implying the existence of mud flats on these parcels at that time.

Parcels TL 179, 178, 175, TLL 5(c), and TLS 210 represent patents for use which have lapsed and, therefore, these lands appear reclaimable without challenge. The remainder of this submerged land was patented with permission to build a levee. However, such patents did not negate the state's sovereign right to trespass for the maintenance of fisheries, navigation, wild life, and game.

### 2. Wet Lands

Congress, in the 1850 Arkansas Act, gave to the states sovereignty over wet lands which include lands below sea level, above mean high tide, and areas with salt marsh vegetation.

Early maps indicate the presence of numerous scattered salt ponds and sluices throughout the remainder of the runway and maintenance shop area extending northwest up to and including parcel S and O 69. The state granted patents for the use of this land. However, SLC

feels this area is worth litigation on the basis of the uses and of the ecological protection rights noted. The state argues that it has retained the rights to trespass in this area in order to maintain it for fisheries, wild life, game, and navigation.

### 3. The Rancho

This area was originally above sea level and GSA has clear title. Therefore, it appears beyond litigation so far as potential reclamation by the state is concerned. This is the area contiguous to Highway 101 and which contains the Lanham housing site.

### 4. Previous Action

Title to the area bordering the northern side of the airbase was litigated by the state and the title rights were resolved with the California Packing Corporation in 1943. This area, therefore, is in an unchallengeable ownership situation with fee-simple title. Hamilton Airbase to the south, therefore, represents a defeasible fee, with reservations, subject now to litigation. This condition also applies to the area to the south of the airbase beginning with Parcel S and O 80.

## II. ACTION BY THE SLC

It is the intention of Mr. Cook to begin a recovery action first by notifying the GSA and, second, through possible litigation to recover the submerged and wet lands within the airbase. He does not wish to subject this area to negotiation with GSA which might involve a trade-off of claimed state rights for other areas or equities on the higher elevations such as Lanham site since this would prejudice his case with regard to claimed sovereign objectives and uses. In addition to notifying GSA, Walter Cook will notify Marin County and the City of Novato.

After the above action is initiated, to avoid prejudicial judgment with regard to the intent of the State Lands Commission to establish sovereign rights and use, HCD and SLC should enter negotiations with the GSA with regard to the possibility of trading part of the federal land debt (comprising a total of 121,000 acres) for the above sea level area of Hamilton Airbase. HCD and SLC will argue that the improvements are valueless and constitute a detriment to the future improvement and reuse of the site. The objectives to the GSA and the state administration, for the above sea level area then, will be posited as follows:

- a. Protect the ecology of the water shed, particularly the below sea level areas.
- b. Integrity of use in a manner harmonious with the maintenance of the wet and tide lands ecology and uses.

*Bevise -  
 Thanks -  
 best of this point  
 I'm sure interested  
 in John Cooney's  
 position on the  
 whole thing -  
 as well as a  
 more detailed  
 \$ project  
 from you  
 ACS  
 3/12  
 mm*

TO: ACS  
SUBJECT: HAMILTON

Walter Cook briefed me this morning regarding his meeting with Tony Pace, et.al, at GSA. The bottom line is that our opportunity to move on Hamilton is alive and well but urgent.

1. GSA will procede to ignore Walter's claim of state sovereignty based upon a soliciter general's interpretation in 1965 regarding adverse possession.

2. Walter will request litigation from the Commission based on

a. adverse possession only pertained to defense uses now being abrogated and recent enquiries from Washington expressing doubts about the title and desiring to clean up the situation.

b. Walter expects to need to post a \$1,000,000 bond to cover the maintenance of the base during the interval of the suit; he now favors extending the land trade concept to cover the entire area of Hamilton; thus, the uncontested areas will be paid for outright, by trad<sup>e</sup>, the ~~indefinite~~ <sup>indeterminate</sup> areas will be paid by ~~at~~ a court determined amount with the sums being represented by the state land's equities being held in escrow. No cash from the legislature, therefore, will be needed...our approach, therefore, becomes extremely desirable.

c. The suit bond needs pulls priority away from Northrup's priority for a trade away from the Imperial Valley ~~terminal~~ lands and makes SLIC dependent on the eventual cash flow from Hamilton as a means of acquiring the ~~terminal~~ lands later (which they should do in any case since we can multiply the land equities faster by putting it into the Hamilton investment than letting it ~~wait~~ sit in abeyance in state title).

3. Walter will be at the 2 pm meeting to back this and deal with

- c. Establishment of development of a suitable ground rent return which, in part, can be used to maintain the ecology and state lands interest in the overall site.
- d. To return a surplus of such ground rents into a sinking fund for general statewide community development and housing purposes, and for intensive development of bay area fisheries.

III. PHASING OF ACTION

- a. Letter by SLC claiming rights and threatening litigation to the GSA. no
- b. A second following letter from HCD jointly with SLC and Resources Agency to GSA with regard to an uplands trade-off for part of the federal school lands debt. ? dont know about this

not  
SLC →

c. Initiate legislation declaring that low and moderate income housing and employment development are public purposes compatible with the existing authorized use of submerged and wet lands if those lands are no longer submerged or wet lands, are not required for restoration of the ocean, riverine, or seashore ecology, and the development would not adversely affect the use of other sovereign lands. It should be understood clearly that these additional proposed uses are offered only as a secondary priority to the existing authorized uses. Compatibility should be further defined as follows: ? }

- 1. Primarily for low and moderate income housing, community development, and employment.
- 2. Having a monetary and/or functional benefit to present authorized uses.
- 3. Recognizes the right of a possible or eventual reuse of community developed lands for presently authorized uses.

The legislation should also establish a sinking fund funded through ground rents or development rights for the reuse of state lands such as Hamilton Airbase. The funds may be used statewide for indicated public purposes such as stabilization of deteriorated communities, housing aids, and development of state fishery ecologies. Recommendations to the Legislature for allocations from the fund will be made jointly by the Resources Agency, SLC, and HCD. In order to carry out the housing and community development activities financed by the fund, the legislation should declare that HCD is a public housing agency with powers to carry out the authorized housing and community development programs.

We may also suggest recourse to Congressional action regarding the state possession of the uplands area and the discounting of existing equities.

All of the above will establish precedent with regard to other shoreline properties, defense lands such as Susanville, Stockton, and Los Angeles. In particular, the SLC will follow up the above litigation action by challenging the San Francisco Harbor Sub-division Act of 1872 on the basis of English Common Law precedent which established that submerged and wet lands, after 100 years of an uninitiated purpose, should revert to state sovereignty. This relates to our previous memo regarding the Santa Fe Railroad lands and other lands within five miles of a point near the Ferry Building located on the eastern edge of San Francisco.

The higher areas can be expected to be fully developed except for small park areas. The sovereign use area can, in part, be leased from the SLC on a 99-year basis; Port and fisheries development would be permanent.

Presuming a 50% development coverage of the 1800 acres at Hamilton Airbase, we can expect about \$2/300,000,000 of development. In addition to my charges to the leaseholder for payment of in lieu taxes to local government, the state could expect to receive a ground rent of 8% on the value of the land and improvements.

Assuming half of the ground rents are allocated to HCD, Hamilton alone will generate a \$12,000,000 annual cash flow to HCD. This cash flow will be more than enough to carry out a significant program of housing and community development, including Hamilton.

  
Bernard Choden

Attachments



TO: ACS

SUBJECT: HAMILTON

Walter Cook briefed me this morning regarding his meeting with Tony Pace, et.al, at GSA. The bottom line is that our opportunity to move on Hamilton is alive and well but urgent.

1. GSA will proceed to ignore Walter's claim of state sovereignty based upon a solicitor general's interpretation in 1965 regarding adverse possession.
2. Walter will request litigation from the Commission based on
  - a. adverse possession only pertained to defense uses now being abrogated and recent enquiries from Washington expressing doubts about the title and desiring to clean up the situation.
  - b. Walter expects to need to post a \$1,000,000 bond to cover the maintenance of the base during the interval of the suit; he now favors extending the land trade concept to cover the entire area of Hamilton; thus, the uncontested areas will be paid for outright, by trade, the interminate areas will be paid by an a court determined amount with the sums being represented by the state land's equities being held in escrow. No cash from the legislature, therefore, will be needed...our approach, therefore, become extremely desirable.
  - c. The suit bond needs pulls priority away from Northrup's priority for a trade away from the Imperial Valley termal lands and makes SLC dependent on the eventual cash flow from Hamilton as a means of acquiring the termal lands later (which they should do in any case since we can multiply the land equities faster by putting it into the Hamilton investment thazn letting it ~~sit~~ sit in abeyance in state title).
3. Walter will be at the 2 pm meeting to back this and deal with THE BLM

Re: Hamilton Airbase

Cook has returned with the report that GSA is going ahead with disposition backed by the solicitor general's opinion regarding the state claim. GSA has indicated that they are willing to cede a shoreline portion to the state's Fish and Game Dept. and leave the remainder in open space use as an airport (of the state's claimed area) jointly operated by Marin Co. and the Coast Guard. The upland portion will be disposed of, piecemeal in an isolated manner, ie: Lanham, etc. There is an urgency therefore to present the GSA with a negotiable proposals to trade state lands for, at least, the non-airport uplands area in toto.

A

CALENDAR ITEM

Title ( W 3707 )

B

Date March 1976

- 1. Originator (indicate Further routing) (MC) WC
- 2. Asst. Mgr./Supv. Eng. (EG)
- 3. Section Head (JTT)
- 4. Asst. Exec. Officer (PSC)
- 5. Executive Officer (WEN)
- Legal ( )
- Unit Supervisor ( )
- Calendar Unit-Subcto
- Boundary Unit ( )

SUMMARY OF CALENDAR ITEM:

*Prelim. Draft.*

Request authorization to proceed with title litigation at Hamilton Air Force Base, Marin County, California.

\*\*\*\*\*

The Federal General Services Administration is proceeding with disposal of Hamilton Air Force Base which has been declared surplus by the Air Force.

A search of the records shows the existence of State sovereign titles within the Base. Exhibit A, attached hereto, shows the approximate location of the various categories of title, as follows:

- 1. Parcel A: No State patents have been issued for this portion of the Base. The parcel originally consisted of tidelands of San Pablo Bay owned by the State in its sovereign capacity. This parcel was blocked off from the Bay by levee construction many years ago. The Federal Government acquired private title claims but is unable to trace its title back to its source.
- 2. Parcel B: State tideland patents were issued in the last century for this parcel. The Federal title claims to this parcel are

based on their assertions of ownership as successors in interest to the State's tideland patents. The public trust easement was reserved in law by these tideland patents and continues to exist in the absence of its being terminated in some lawful manner. We find no such termination. The tidelands are within the City limits and the California Constitution (Art. V, Sec. 3) prohibits the alienation by the State of its right, title, and interest therein.

3. Parcel C: This area was patented by the State by Swamp and Overflowed Lands patents in the last century. However, the historical maps and charts show that the parcel was inter-lineated with sloughs and other tidelands over which the State's tideland easement exists.
4. Parcel D: ~~Remainder of the Base:~~ The remainder of the Base was within the confirmatory patent issued by the United States under the Treaty of Guadalupe Hidalgo for the Rancho Novato, the existence of which preceded statehood. The title review has not shown evidence of any State sovereign right, title, or interest therein.

Exhibit B shows the Base parcel along the northerly bank of Novato Creek. The evidence shows State ownership within this parcel as part of the natural bed of the Creek and as tidelands along said Creek.

A small portion of the Base may be held by the Federal Government by easement only and a portion may be included within real property the title to which may have been settled.

The Federal Government disputes the existence of any State titles within the Base and refuses to delay its disposition procedures. Further action may substantially jeopardize the State's titles and litigation appears to be essential

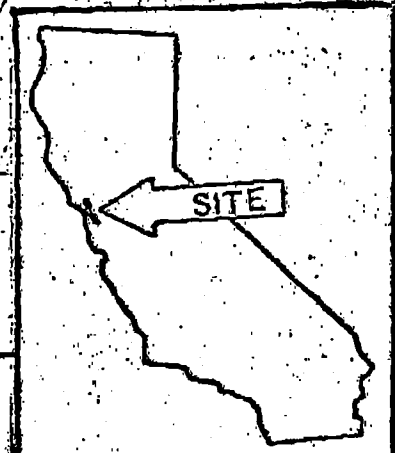
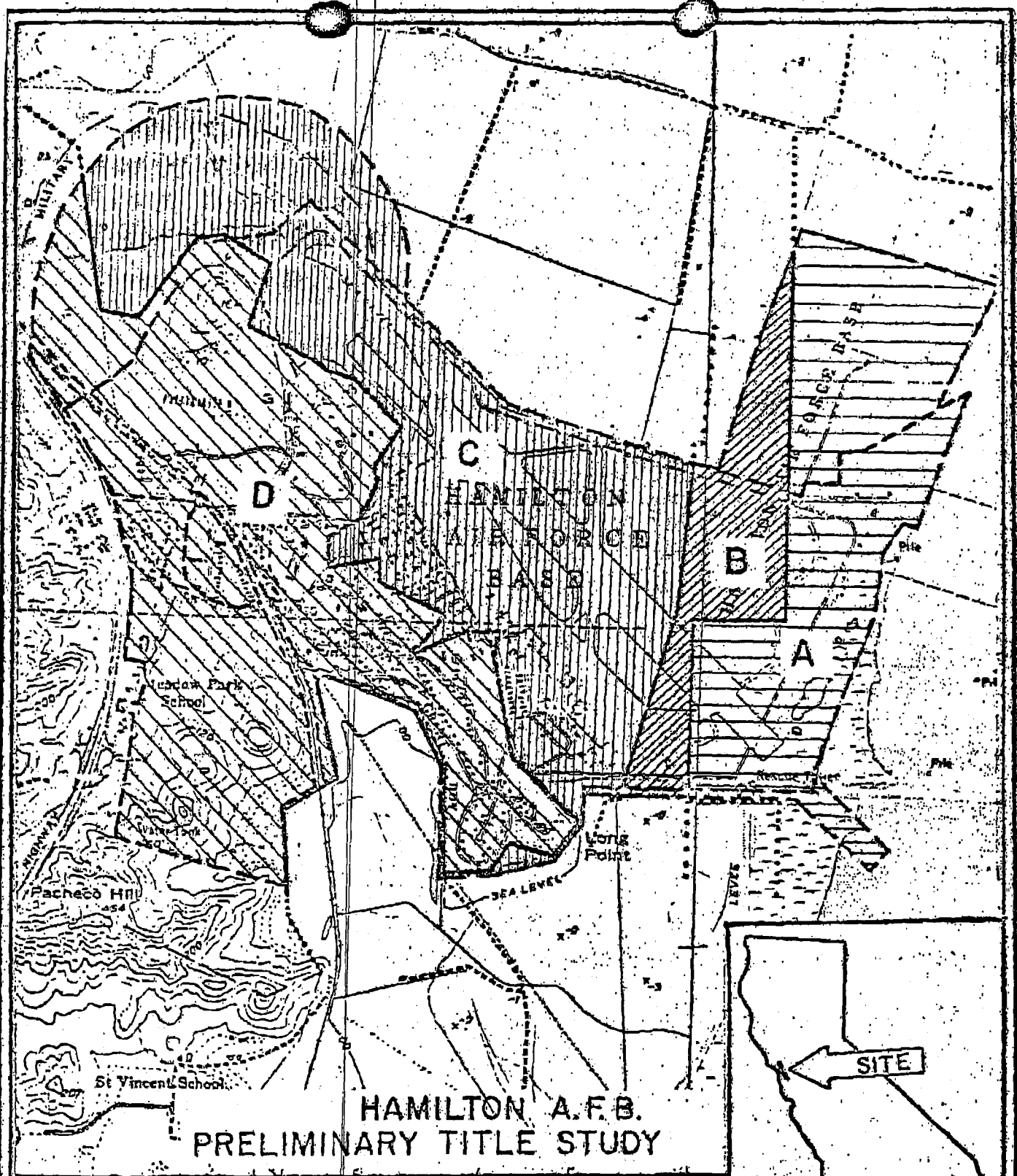
to permit the dispute to be resolved according to the law and the evidence.

IT IS THEREFORE RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ATTORNEY GENERAL TO INSTITUTE AND PROSECUTE LITIGATION AS MAY BE NECESSARY AND APPROPRIATE TO IDENTIFY AND PROTECT THE STATE'S TITLES WITHIN THE LIMITS OF HAMILTON AIR FORCE BASE.

EXHIBIT A - SITE LOCATION (MAIN BASE)

EXHIBIT B - SITE LOCATION (NOVATO CREEK PARCEL)

EXHIBIT C - VICINITY MAP

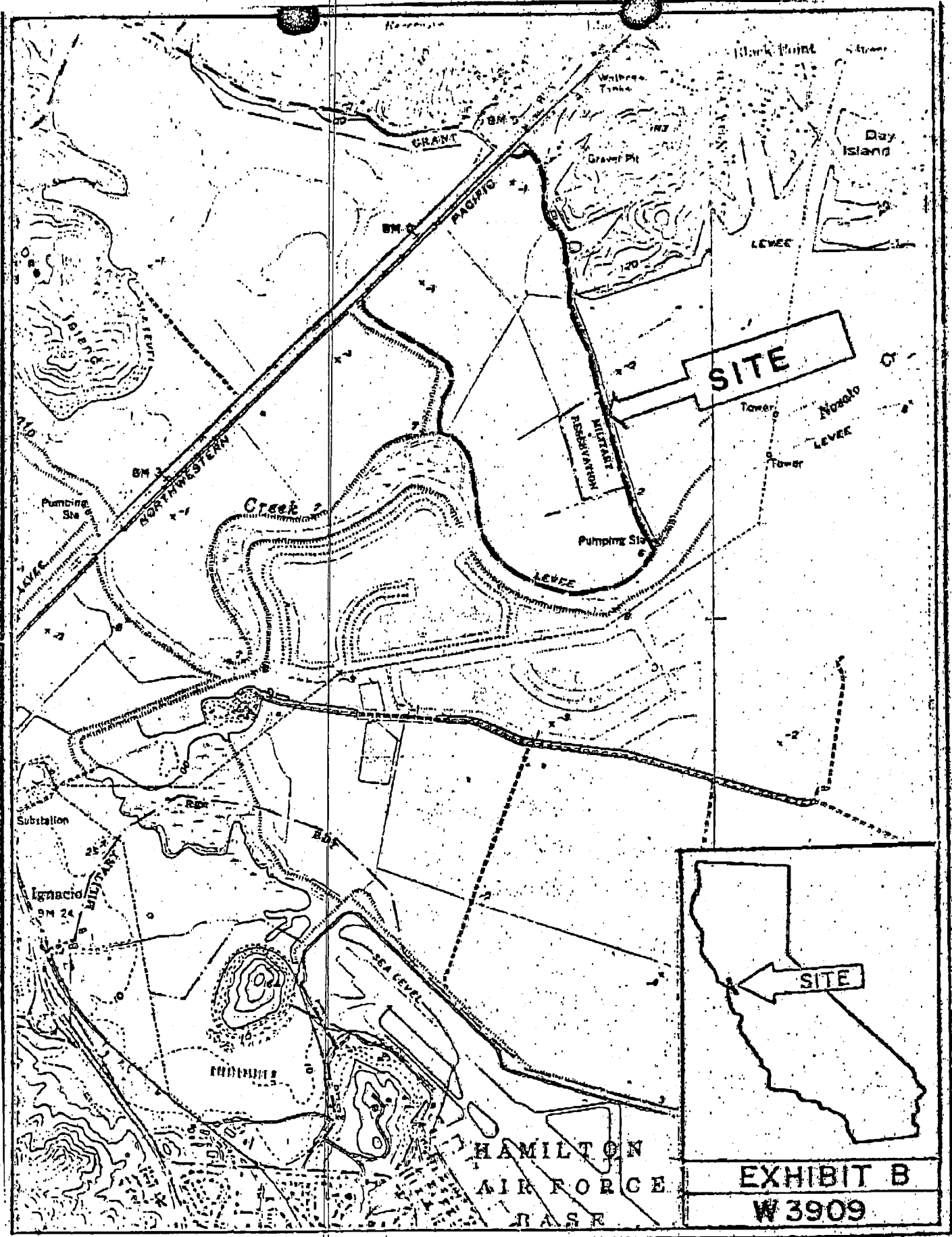


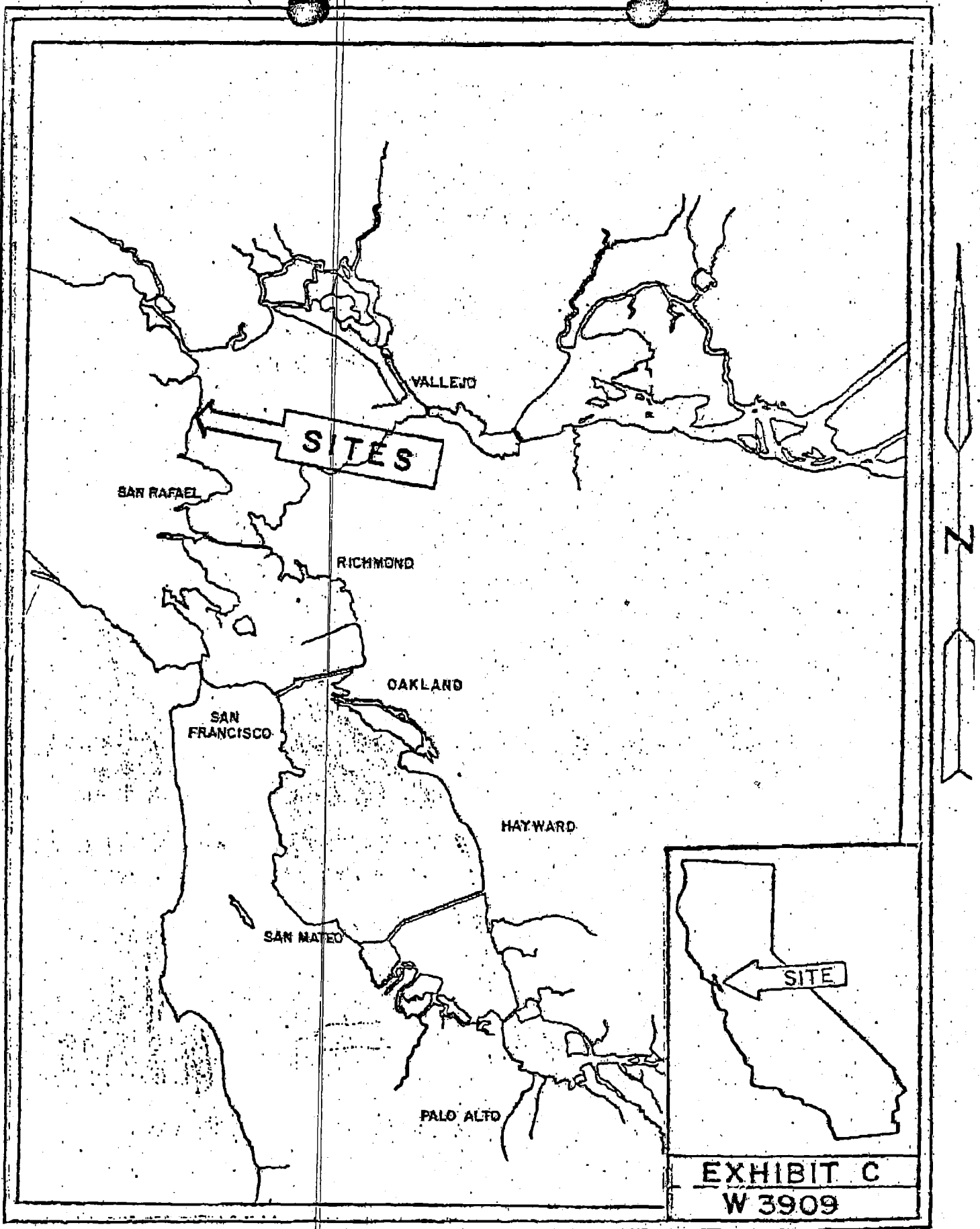
SITE

**HAMILTON A.F.B.  
PRELIMINARY TITLE STUDY**

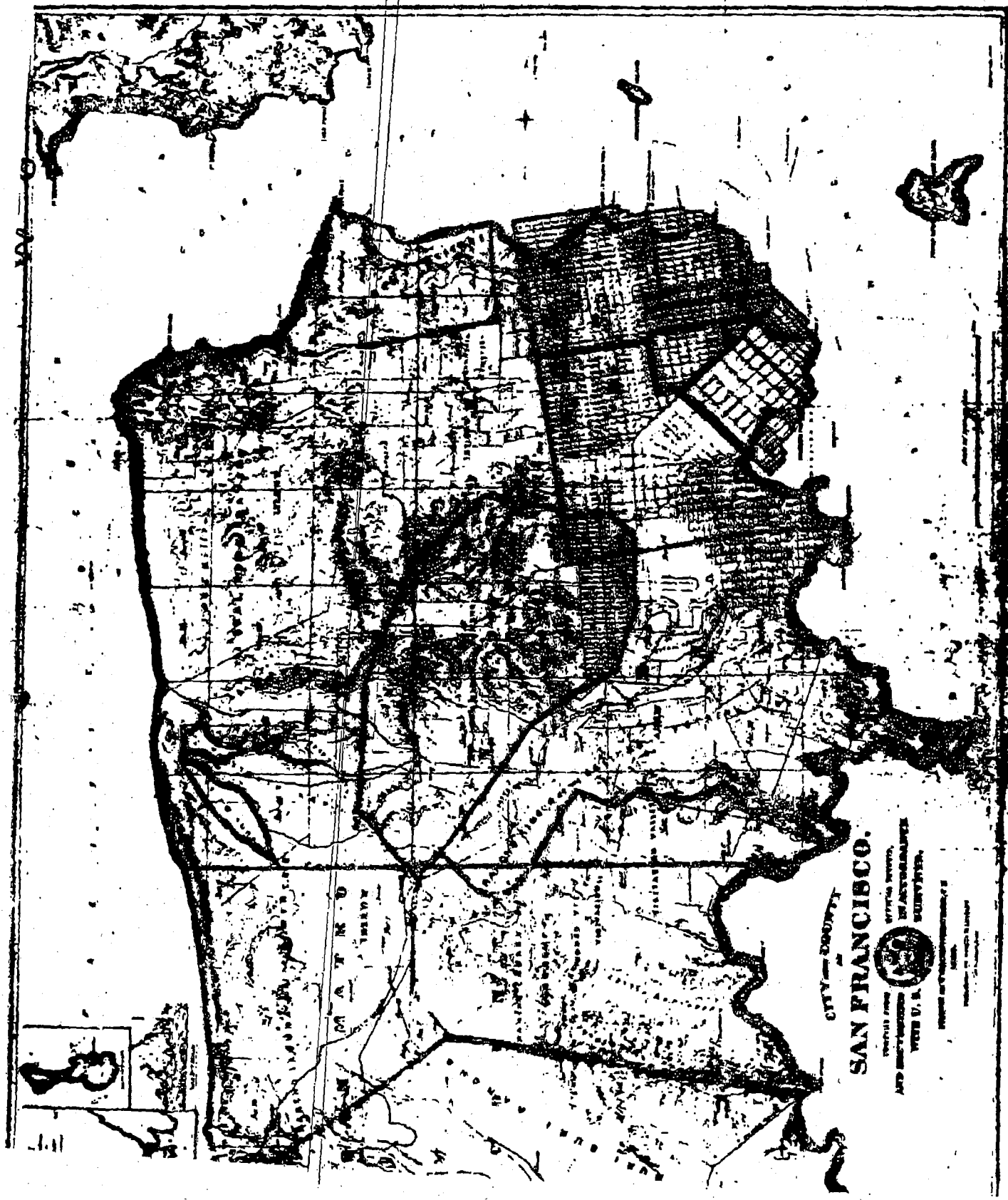
- A-** Areas of Hamilton AFB for which no State patent was ever issued
  - B-** State Tideland Patent areas
  - C-** State Swamp & Overflowed Lands Patent areas
  - D-** Rancho Novato
- Perimeter

**EXHIBIT A  
W 3909**









*Blair*  
*San Francisco - 1863*

ARTIFICIAL FILL

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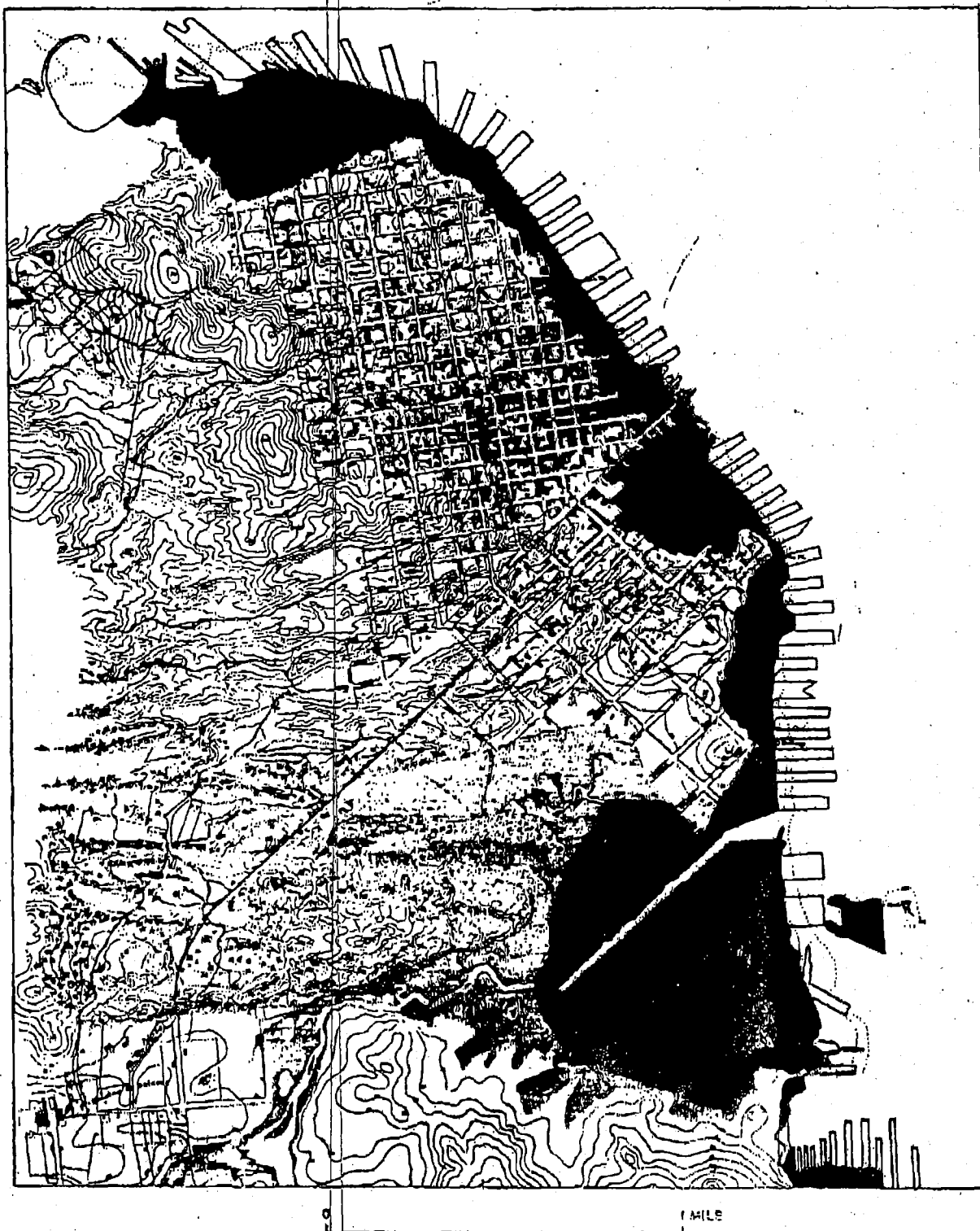





FIGURE 62.—Map showing shoreline of San Francisco in 1853, present shoreline, and areas formerly covered by water that are now artificially filled (shaded). Base modified from Chart 627, U.S. Coast and Geodetic Survey (formerly U.S. Coast Survey).

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# MAP IX SAN FRANCISCO BAY FILL

Scale 1:40,000

-  Shoreline 1972
-  Shoreline 1847
-  Marsh Lands 1847

