Petitions and Communications received from September 20, 2011, through September 26, 2011, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on October 4, 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, submitting support for bird safe buildings. File No. 110785, Approximately 500 letters (1)

*From concerned citizens, submitting support for preserving Sharp Park wetlands and wildlife. File No. 110966, Approximately 530 letters (2)

From Tomas Nakada, submitting support for saving the historic 18-hole Sharp Park Golf Course. (3)

From concerned citizens, submitting support for the Commission on Animal Control and Welfare's humane pet acquisition proposal in defense of animals. 10 letters (4)

From Desiree Mitchell, regarding the Central Subway. (5)

From Public Utilities Commission, submitting report regarding the NRG Energy Center. (6)

From Clerk of the Board, the following individuals have submitted a Form 700 Statement: (7)
Leslie Hilger, Legislative Aide - Leaving
Viva Mogi, Legislative Aide - Leaving

From Chloe Jager, submitting opposition to providing a free MUNI Fast Pass for San Francisco youth. File No. 111032 (8)

*From concerned citizens, submitting opposition to proposed legislation concerning false advertising by limited services pregnancy centers. File No. 110899, 100 letters (9)

From Anne Doherty, submitting support for proposed legislation that prohibits public nudity. File No. 110967 (10)

From Office of the Controller, submitting the Airport Commission's fixed assets report. (11)

From CitiReport, regarding the pending proposal to amend San Francisco's public finance law. (12)

From Office of the Controller, submitting the Airport Commission's compliance audit of Federal Express and the concession audit of Amoura Cafe. (13)

From State Fish and Game Commission, regarding the proposed emergency regulatory action relating to the recreational take of abalone. (14)

From concerned citizens, submitting support for the formation of the West Portal Community Benefit District. File No. 111007, 5 letters (15)

From Joseph Basuino, submitting opposition to the formation of the West Portal Community Benefit District. File No. 111007 (16)

From Ranit Banerjee, submitting support for the proposed cell site project located at 660-670 4th Street. File No. 110941 (17)

From Francisco Da Costa, regarding Huntersview and the HopeSF Program. (18)

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

Support Bird-Safe Building Standards
Kimberly Hughes to: Board.of.Supervisors 09/23/2011 06:02 PM
Sent by: Defenders of Wildlife <ecommunications@defenders.org>
Please respond to Kimberly Hughes

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

Sep 23, 2011

Clerk of the Board of Supervisors

Dear Board of Supervisors,

As a San Francisco resident and a supporter of Defenders of Wildlife, I am writing today to urge you to support the Standards for Bird-Safe Buildings.

Tens of millions of birds are killed each year when they collide with buildings and windows. Many are night-migrating species that migrate from Central and South America to breeding grounds in the U.S. and Canada. These include federally listed species and birds of conservation concern.

Millions of birds depend on the San Francisco Bay estuary system, not only during migration but throughout the winter. San Francisco's Standards for Bird-Safe Buildings direct the most serious efforts to those areas that are most at risk.

The Standards for Bird-Safe Buildings are based on sound scientific research, are well founded and are strongly supported by many architects and other members of the construction industry.

These standards provide guidance to help make smart choices when it comes to designing buildings. They also offer guidance on other remedies such as window treatments, lighting design, and lighting operation.

Please support the Standards for Bird-Safe Buildings to prevent the deaths of thousands of migratory birds each year in the Bay Area.

Sincerely,

Miss Kimberly Hughes
1067 Valencia St
Apt 13
San Francisco, CA 94110-2439

1

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110966: Support Sharp Park Legislation

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

From: Keiko Martinez <ilinedsk8r@sbcglobal.net>
To: board.of.supervisors@sfgov.org
Date: 09/22/2011 10:37 AM
Subject: Support Sharp Park Legislation

I support restoring Sharp Park -- to expand and improve the recreation opportunities at the site and in San Francisco, as well as to help recover endangered species. I hope you share these values and will vote to pass the proposed Sharp Park restoration legislation. Currently, Sharp Park is beset by numerous problems: It loses money and drains funding from the Recreation and Park budget, the operation of the golf course harms endangered species, and the site is threatened by sea-level rise and climate change. Community groups, scientists and restoration experts concur that the major expenditures needed to keep an unsustainable golf course in play here for a few more years can no longer be justified.

The Sharp Park legislation gives us the opportunity to partner with the National Park Service to create a better public park that everyone can enjoy, while allowing San Francisco to redirect scarce recreation dollars back to parks and recreation facilities within the city. The legislation increases access to affordable golf by giving Pacifica residents access to San Francisco's other municipal courses at San Francisco resident rates. The legislation makes sense for the environment, for San Francisco taxpayers and for fuller public enjoyment of Sharp Park. I hope you'll support this important legislation.

Keiko Martinez
9 Mayfair Drive
San Francisco, CA 94118

2

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110966

From: Tomas Nakada <thnakada@hotmail.com>
To: <board.of.supervisors@sfgov.org>, <ed.lee@sfgov.org>
Date: 09/22/2011 06:52 AM
Subject:

Name: Tomas Nakada
Address: 668 Guerrero St.

Phone:415-552 6971
E-mail:thnakada@hotmail.com

June 5, 2011

Honorable Ed Lee
Mayor, City and County of San Francisco

San Francisco Board of Supervisors
David Chiu, President

City Hall
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA. 94102

Re: SAVE SHARP PARK GOLF COURSE

Dear Mayors Lee and Nihart, and San Francisco and San Mateo County Supervisors,

Following public hearings in November, 2008 and November, 2010, the San Francisco Public Utilities Commission unanimously approved an $8.8 Million joint project with Pacifica's North Coast County Water District to irrigate Sharp Park Golf Course with Pacifica recycled wastewater. Construction began on a system of pipelines and storage tanks in February, 2011, and completion is scheduled for this Fall.

Congresswoman Jackie Speier, whose 12th Congressional District includes parts of San Francisco and San Mateo Counties, is on record in support of keeping Sharp Park Golf Course open. Both the San Mateo County Board of Supervisors and the Pacifica City Council have passed unanimous resolutions to keep the course open.

"The proposal to turn-over Sharp Park to the National Park Service appears unrealistic when there is no money for it in the Park Service budget, and no money likely without support from San Mateo County and Congresswoman Speier's office," noted Public Golf Alliance spokesman Richard Harris. "The golf course is a landmark safeguarded by California's historic preservation laws. Public agencies in San Francisco and San Mateo County have studied and debated Sharp Park over many years, and have all concluded that the golf course should be saved, and this can be done while recovering habitat for the frogs and snakes."

Save Sharp Park Golf for us old folks.

Sincerely,

Tomas Nakada

3

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

The Clerk's Office has received 5 form emails like the one below.

From: Daylight Chapon <cgerber@gmail.com>
To: board.of.supervisors@sfgov.org
Date: 09/22/2011 02:37 PM
Subject: Please Support Humane Pet Acquisition Proposal
Sent by: In Defense of Animals <takeaction@idausa.org>

Sep 22, 2011

San Francisco Board of Supervisors

Dear Supervisors,

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

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

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

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

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

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

Sincerely,

Ms. Daylight Chapon
695 John Muir Dr
San Francisco, CA 94132-1034

(4)

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

The Clerk's Office has received 3 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 09/20/2011 12:34 PM -----

From: Zoë Grimaldi <zoegrimaldi@aol.com>
To: board.of.supervisors@sfgov.org
Date: 09/19/2011 10:48 PM
Subject: Please Support Humane Pet Acquisition Proposal
Sent by: In Defense of Animals <takeaction@idausa.org>

Sep 20, 2011

San Francisco Board of Supervisors

Dear Supervisors,

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

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

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

Sincerely,

Miss Zoë Grimaldi
2111 Broderick St
San Francisco, CA 94115-1627

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

From: Daylight Chapon <cgerber@gmail.com>
To: board.of.supervisors@sfgov.org
Date: 09/22/2011 02:37 PM
Subject: Please Support Humane Pet Acquisition Proposal
Sent by: In Defense of Animals <takeaction@idausa.org>

Sep 22, 2011

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

Sincerely,

Ms. Daylight Chapon
695 John Muir Dr
San Francisco, CA 94132-1034

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

The Clerk's Office has received 11 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 09/26/2011 05:24 PM -----

From: Ellen Segal <vidstream@aol.com>
To: board.of.supervisors@sfgov.org
Date: 09/25/2011 05:17 PM
Subject: Please Support Humane Pet Acquisition Proposal
Sent by: In Defense of Animals <takeaction@idausa.org>

Sep 25, 2011

San Francisco Board of Supervisors

Dear Supervisors,

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

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

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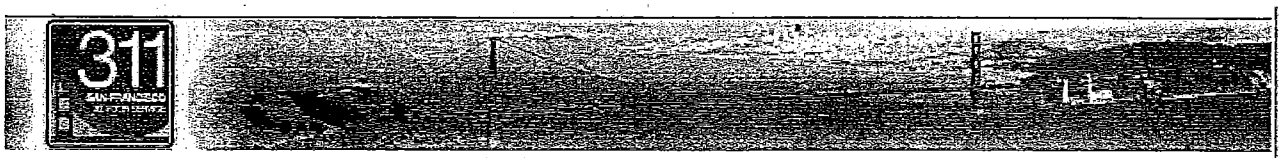
Please support the San Francisco Humane Pet Acquisition Proposal and make San Francisco a leader in animal welfare.

Sincerely,

Ms. Ellen Segal
1066 E San Jacinto Way
Palm Springs, CA 92262-5827

6 Pages



# Request for City Services - Clerk of the Board

Enter Personal Details > Enter Service Request Details > Review & Submit > Attach Photo(s) / File(s) > **Print & Track**

## Successfully Submitted

Thank you for your submission. You will receive an email confirmation with a link to follow the progress of your submission.

If you have any additional requests or questions, you can call us 7 days a week, 24 hours a day at 311 (for calls outside of San Francisco please dial (415)701-2311).

Your Tracking Number is: 963950

Sep 16 2011 4:17PM.

Please print a copy for your records. You may close your browser when done.

### Location Information:

| | |
|---|---|
| Location Description: | New Central Subway |

### Request Details:

| | |
|---|---|
| Category: | Complaint |
| Department: | Board of Supervisors (BOS) |
| Sub-Division: | Clerk of the Board |

### Additional Information:

| | |
|---|---|
| Additional Request Details: | Please do not give our tax dollars to a dog killer. There are plenty of local artists to spend the money we can't afford with. It should be up to the citizens of the City to decide on the art, not some political appointee. |

### Customer Contact Information:

| | |
|---|---|
| First Name: | Desiree |
| Last Name: | Mitchell |
| Primary Phone: | 4154344477 |
| Alternate Phone: | |
| Address Number: | 444 |
| Street Name: | Post Street |
| City, State: | San Francisco, CA |
| ZIP Code: | 94102 |
| Email: | Gallery444@aol.com |

Customer requested to be contacted by the department servicing their request: ☑

5

San Francisco
Water Power Sewer
Services of the San Francisco Public Utilities Commission

1155 Market Street, 4th Floor
San Francisco, CA 94103
T 415.554.0725
F 415.554.3280
TTY 415.554.3488

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



September 21, 2011

Dear Ms. Calvillo,

In accordance with San Francisco Administrative Code Section 11.44, the San Francisco Public Utilities Commission (SFPUC) is filing a report with the Board of Supervisors analyzing whether NRG Energy Center San Francisco LLC (NRG) is complying with all provisions of this Chapter and its Franchise, except those addressed by the Controller's Report. At this time, SFPUC cannot identify any Person who may be subject to this Chapter that has not complied with the obligation to obtain a Franchise or pay Franchise Fees.

To the SFPUC's knowledge, there has been no change in ownership of NRG's Franchise. The Department has not received any complaints about the Franchise from its users, and the Franchise is in compliance with all the required City provisions.

Sincerely,

Camron Samii
San Francisco Public Utilities Commission
Manager, Administration & Budget, Power Enterprise

cc: Honorable Members, San Francisco Board of Supervisors
Barbara Hale, Assistant General Manager, Power Enterprise
Tonia Lediju, Director of Audits



6

BOARD of SUPERVISORS

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

Date: September 21, 2011

To: Honorable Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Form 700

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

Leslie Hilger, Legislative Aide, Leaving
Viva Mogi, Legislative Aide, Leaving

7

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111032: No Free MUNI for Kids

From: Chloe <cxjmeister@yahoo.com>
To: Board of Supervisors <board.of.supervisors@sfgov.org>
Date: 09/21/2011 10:04 AM
Subject: No Free MUNI for Kids

Good morning,

I would like to protest the idea of free MUNI for kids age 18 and younger.

One of the reasons put forward for this change is that the price has increased over the past two years, doubling the cost of the Fast Pass. Adult prices have nearly doubled as well, but I don't believe that we are going to be getting any kind of price break, much less a free ride.

I utilize MUNI because I cannot afford a car or all of the costs that go along with owning a car (insurance, parking, gas, etc.). I work full time and go to school part time, and make less than the city's median income, but make too much to take advantage of the free or reduced-cost Fast Passes. I pretty much live paycheck to paycheck. Giving a free ride to kids 18 and under would cost the City more money that it can afford, especially during the current economic climate, which in turn means the probability of raising the cost for the rest of us who use MUNI to get to our jobs and school, costs that we can ill afford even when the economy is doing well.

I understand providing free or reduced-cost Fast Passes to those in need, and I believe there is a program in place for just this purprose, but I don't think it should be a sweeping policy change. There are still plenty of families who can afford to pay for MUNI. On my way to work every morning, I see plenty of children dressed in their private school uniforms heading to school on MUNI. If their parents can afford private school, they can afford to cover the cost of a montly Fast Pass and should not be provided this break. Additionally, I see kids using smart phones, MP3s, and various electronic devices all the time, updating Facebook accounts, "tweeting" their followers, listening to music (sometimes on speaker and annoying the other riders), and doing homework. These children do not need free rides. It's an insult to those of us who don't have a choice to suggest that these children are in need of free transportation.

It's nice to think this City is rich enough to pay for the cost of providing free MUNI to all children, but it's just not. In order to keep this a public-transit friendly city, you must make sure that those of us who need the service are heard. I would have made my voice heard at the gathering on Tuesday if, one, I'd known about the meeting, and two, if I could've take the day off of work. Unfortunately, I did not know about the meeting to begin with, and even if I had, I can't just take a day off on short notice.

I respectfully request that if nothing else, you at least give the people of San Francisco the opportunity to vote on this matter rather than instituting a policy change without our input.

Chloe Jager
San Francisco Native and one of the disappearing lower middle class

*There are always those who need our support as they keep our country free.*
*If you would like to learn more, please visit...*
*http://soldiersangels.org/*

*You cannot do a kindness too soon,*
*For you never know how soon it will be too late.*
*~Ralph Waldo Emerson*

8

110899

Re: "False Advertising by Limited Services Pregnancy Centers" ordinance
Fred Daddetto to: Board.of.Supervisors 09/23/2011 04:43 PM

Dear Supervisor:

Please vote **no** on the so-called "False Advertising by Limited Services Pregnancy Centers" ordinance introduced by Supervisor Malia Cohen on August 2, 2011. The item is scheduled for a committee vote on September 26, 2011.

The ordinance is unnecessary, improperly limits the constitutional free speech rights of pregnancy care centers in San Francisco, and is redundant of state laws.

The targeting of First Resort by this ordinance and the City Attorney is based on a national campaign by NARAL to undermine a woman's right to choose the kind of support and counsel she would like to receive.

**Pleeas vote NO on this unnecessary legislation.**

Sincerely,

Fred D'Addetto

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

9

To: BOS Constituent Mail Distribution, Gail Johnson/BOS/SFGOV,
Cc:
Bcc:
Subject: File 110967: nudity laws

From: Anne Doherty <a_e_doherty@yahoo.com>
To: board.of.supervisors@sfgov.org, scott.wiener@sfgov.org
Date: 09/19/2011 02:31 PM
Subject: nudity laws

Dear Board of Supervisors,

I'm against nudity in public and want the laws to be specific about that. a) It's bad for tourism - the city's #1 business, b) It's harmful to children, c) It's a potential health issue (where does one sit?) and can put us on a slippery slope to other health matters (public sex, urination, etc.)

San Mateo, Marin and even Berkeley have anti-nudity laws on their books. Let's do that same.

Thanks,

Anne Doherty
Sunset District

10

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Airport Commission: The Airport Should Improve Its Recordkeeping of Fixed Assets

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, Rick Wilson/MAYOR/SFGOV@SFGOV, Christine Falvey/MAYOR/SFGOV@SFGOV, Jason Elliott/MAYOR/SFGOV@SFGOV, Severin Campbell/BudgetAnalyst/SFGOV@SFGOV, debra.newman@sfgov.org, sfdocs@sfpl.info, CON-EVERYONE/CON/SFGOV, CON-CCSF Dept Heads/CON/SFGOV, CON-Finance Officers/CON/SFGOV, john.martin@flysfo.com, Jean.Caramatti@flysfo.com, Cindy.Nichol@flysfo.com, Gary.Franzella@flysfo.com, Wallace.Tang@flysfo.com, Leo.Fermin@flysfo.com, Hazelle.Fernandez@flysfo.com, Rebecca.Chiu@flysfo.com, Jennifer.Felix@flysfo.com
Date: 09/22/2011 12:14 PM
Subject: Airport Commission: The Airport Should Improve Its Recordkeeping of Fixed Assets
Sent by: Kristen McGuire

The Office of the Controller, City Services Auditor Division, has issued a report on the fixed assets of the Airport Commission (Airport). The audit concluded that:

- The Airport did not adequately inventory its assets because more than two-thirds of Airport units did not respond to requests for annual inventorying of fixed assets.
- Supporting records were unavailable for many fixed assets, and no City or departmental policy stated the duration that records should be retained.
- Some assets were not properly recorded in the Airport's fixed asset accounting system.

To view the full report, please visit our website at:
http://co.sfgov.org/webreports/details.aspx?id=1337

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 address.

For questions regarding this report, please contact Tonia Lediju at tonia.lediju@sfgov.org or 415-554-5393, or the Controller's Office, City Services Auditor, Audits Unit, at 415-554-7469.

11

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: An Open Letter to the Board and Mayor

From: Bob Planthold <political_bob@att.net>
To: board.of.supervisors@sfgov.org
Date: 09/22/2011 06:47 AM
Subject: An Open Letter to the Board and Mayor

Supervisors:

I respectfully submit for your consideration my views from CitiReport on the pending proposal to amend San Francisco's public finance law and proposals
that I urge you to adopt to protect San Francisco's upcoming election from further pay-to-play politics.

This is an unusual departure for me to make a direct appeal to you on issues that are before you, and I do so now with respect and a sincere hope that this will make a positive contribution to your process.

Thank you for taking the time to consider this.

Larry Bush
CitiReport


AN OPEN LETTER TO THE BOARD AND THE MAYOR.docx


Attached Message Part

12

AN OPEN LETTER TO THE BOARD AND THE MAYOR

Next Tuesday the Board of Supervisors will go into Executive Session to consider amending the city's Public Finance program in view of a U.S. Supreme Court decision earlier this year that found Arizona's full public finance program to have constitutional problems.

San Francisco's partial public finance program is rumored to be threatened with an expensive lawsuit although no lawsuit has been filed nor has any group announced that it will definitely file a lawsuit.

But based on rumors and threats without a single dollar being spent to overturn San Francisco' s system, and at the urging of a Board of Supervisor member who benefited from outside spending in excess of $200,000 last November, the city is preparing to enact changes to allow unlimited spending by deep pocket outside interests intent on tilting the November election in their favor. The current system that allows public funding to rebalance the tilt toward special interest money would be ended.

The fact that this stampede takes place after the rules have been set for this election, after the candidates have operated under those rules for more than a year, and with weeks left until voters decide on a new mayor, is no accident. Nor is the fact of a U.S. Supreme Court decision that touches on aspects of San Francisco's law sufficient reason to rush to do the bidding of political operatives who have a stake in ensuring that the result benefits their clients.

They hope that the Board of Supervisors will pay no heed to the consequences for San Franciscans, and instead dress their self-interest in the robes of a constitutional crisis.

Whether the Board will defeat the effort to interrupt San Francisco's election rules in the final weeks of an election remains to be seen. It will require four supervisors to decline to vote for their change to postpone action, with it unlikely that the special interests will be able to win the changes they seek through other means before the November election.

That alone is reason to pause and take a more thoughtful and open process toward resolving the issue of San Francisco's public financing system following the U.S. Supreme Court ruling.

Yet there are other choices beside an up or down vote on this proposal.

The Board could squarely face the consequences of such an action in mid-election and take other steps to lessen the impact of special interest money in the November election.

CitiReport urges the Board to immediately enact provisions to force into the open the flow of special interest money in this election and to rein in the pay-to-play politics that is coming to dominate City Hall.

1.) San Francisco's law banning political contributions from those seeking a city contract should be immediately amended to also ban contractors and those seeking contracts from soliciting contributions from others, being an intermediary for contributions, or bundling contributions. Amazingly, San Francisco allows contractors to arrange fundraisers and collect money so long as they themselves do not write a check. Federal law prohibits this pay-to-play tactic but San Francisco does not.
2.) San Francisco's law banning political contributions from contractors and those seeking contracts should immediately be amended to include those who seek City Hall action that benefits them financially, including development agreements, variances for their specific project, tax benefits unique to them, permits, grants and other city approvals that enrich them. San Franciscans already voted to ban such sources of contributions when voters passed Proposition J in 2000, but a later Board action rewrote the rules to open loopholes in the law. The loopholes should be closed now.
3.) San Francisco's disclosure laws should require disclosure of the names of those who serve on a candidate or ballot measure's finance committee or who are designated as fundraisers. Currently the public gets only a glimpse of who the heavy hitters are holding fundraisers or serving as intermediaries and soliciting contributions when an event makes the society pages. Mayor Lee was asked repeatedly during his interview whether he would release the names of those on his finance committee during his interview with the San Francisco Examiner. He replied that he would do what the law requires. The law should require him and all other candidates to publicly disclose these finance members and file immediate amendments when a new person is added.
4.) San Francisco's disclosure laws should immediately be amended to close the loophole that allows hundreds of thousands of dollars in last minute contributions to remain hidden from the public before the election. San Francisco uses the state rule of disclosures of contributions of $1,000 or more within 24 hours during the final critical period before an election. At the same time, San Francisco sets the contribution limits for candidates at $500.00 The result is that in San Francisco there is no reporting of these contributions, which in past elections have totaled between one-third and one-half of all contributions, until months after the election is over. The law should be amended to require immediate disclosure during this period of all contributors who make or aggregate $250 to a candidate.
5.) San Francisco's disclosure laws should be immediately amended to end the "reporting holiday" that keeps the public from having information on contributors and spending by those designated as "state committees" or independent expenditure committees who are involved in San Francisco elections. Under state reporting rules, these committees only file during even

number years, but San Francisco's mayor's election is in an odd numbered year. These committees don't report their activity until more than a year after the election. That should end at once. The California Fair Political Practices Commission wrote to the San Francisco Ethics Commission that the city has the authority to enact this requirement, but the Ethics Commission has declined to act.

6.) San Francisco's Board should immediately direct the Ethics Commission to make it a priority to enforce the current law prohibiting officers and executives of businesses and nonprofits who receive city funding, either in grants or contracts, from making contributions to candidates who decide on their grants or contracts. The Ethics Commission has never enforced this law and even sought to amend it so that it no longer applies for some. There can be no excuse for failure to enforce a law that protects the public from pay-to-play politics. CitiReport gave readers an extensive review of violations of this law, and the Ethics Commission continued not to act.

These six immediate action items will not compensate for a rush to end the important provisions of San Francisco's public finance system in the closing weeks of the election, but they can add some protections against pay-to-play politics that are the heart of special interest politics.

They should be passed as urgency measures to go into effect at once.

Earlier CitiReport asked mayoral candidates whether they supported a number of these proposals, and in nearly every case, candidates responded favorably.

City Attorney Dennis Herrera noted that he voted in favor of Proposition J in 2000 and would work on reforms now.

Board President Chiu stated he would be open to supporting a measure that would ban contributions from a business that benefits financially from a city decision so long as that decision was specific to that business.

Supervisor Avalos stated he would be willing to introduce such a measure.

Public Defender Jeff Adachi wrote that he "would certainly support this."

State Senator Leland Yee wrote he would be willing to introduce it, noting "Clearly, the voters approved and agreed with Proposition J and San Francisco should adhere to the spirit, intent and letter of the law."

Former Supervisor Tony Hall responded that he would introduce such a measure. Former Supervisor Bevan Dufty reasserted his view that City Hall decisions should not be influenced.

CitiReport also asked mayoral candidates whether they felt the Ethics Commission was succeeding in its mission. Not a single candidate stated that they are satisfied

with its performance, and most called for stronger action, ranging from fuller funding to serious enforcement of San Francisco's ethics laws.

That is an important factor in adopting these urgent actions, and as the Board also takes up the Civil Grand Jury report on the Ethics Commission as a "Sleeping Watchdog," the Board should make clear that it will not accept token improvements in a broken system but is looking for leadership and action, which has not been evident to date.

San Francisco's mayor's election has serious consequences for the city's future. It is clear from the rush to overturn our existing laws that rebalance the influence of special interest money that the deep pocket interests are worried that they will have to engage City Hall on an even playing field rather than one they control.

That is the one overriding issue before the Board as it deliberates on a plan to change our city's public finance law.

With respect,

Larry Bush

CitiReport

To:
Cc:
Bcc:
Subject: Fw: Airport Commission Compliance Audit of Federal Express Corporation & Airport Commission Concession Audit of Amoura Café

| | |
|---|---|
| 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, Rick Wilson/MAYOR/SFGOV@SFGOV, Christine Falvey/MAYOR/SFGOV@SFGOV, Jason Elliott/MAYOR/SFGOV@SFGOV, Severin Campbell/BudgetAnalyst/SFGOV@SFGOV, debra.newman@sfgov.org, sfdocs@sfpl.info, CON-EVERYONE/CON/SFGOV, CON-CCSF Dept Heads/CON/SFGOV, CON-Finance Officers/CON/SFGOV, Jean.Caramatti@flysfo.com, Cindy.Nichol@flysfo.com, Gary.Franzella@flysfo.com, Wallace.Tang@flysfo.com, Leo.Fermin@flysfo.com, mary.case@mossadams.com, ali.chalak@mossadams.com, justin.green2@fedex.com, sam@deliupcafe.com |
| Cc: | CGOBO Committee/CON/SFGOV@SFGOV, Kristen McGuire/CON/SFGOV@SFGOV |
| Date: | 09/20/2011 10:54 AM |
| Subject: | Airport Commission Compliance Audit of Federal Express Corporation & Airport Commission Concession Audit of Amoura Café |
| Sent by: | Kristen McGuire |

The City and County of San Francisco's Airport Commission (Airport) coordinates with the Controller's Office, City Services Auditor Division (CSA), to conduct periodic concession and compliance audits of Airport tenants and airlines. CSA has engaged Moss Adams LLP (Moss Adams) to audit Airport tenants to determine whether they complied with the reporting, payment and other provisions of their leases. On behalf of CSA, Moss Adams also audits airlines that do business with the Airport to ensure that they comply with the landing fee provisions of their agreements.

CSA now presents the reports prepared by Moss Adams for its audits of Federal Express Corporation (FedEx) and Bassam and Nancy Shihadeh doing business as (dba) Amoura Café (Amoura).

To view the full reports, please visit our website via the links below:

FedEx -- http://co.sfgov.org/webreports/details.aspx?id=1336
Audit Period: October 1, 2008, through September 30, 2010
FedEx correctly reported 1,180 revenue aircraft landings and correctly paid landing fees of $1,402,564 to the Airport.

Amoura -- http://co.sfgov.org/webreports/details.aspx?id=1335
Audit Period: January 1, 2009, through December 31, 2010
Amoura correctly reported gross revenues of $6,607,218 and correctly paid rent of $596,722 to the Airport.

This is a send-only email address.

For questions regarding either of these reports, please contact Tonia Lediju at tonia.lediju@sfgov.org or 415-554-5393, or the Controller's Office, Audits unit, at 415-554-7469.

Thank you.

City and County of San Francisco

Office of the Controller – City Services Auditor

# AIRPORT COMMISSION:

## Compliance Audit of Federal Express Corporation

*September 20, 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: Ben Carlick, Audit Manager
Kate Kaczmarek, Associate Auditor

Audit Consultants: Moss Adams LLP

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

**Ben Rosenfield**
**Controller**

**Monique Zmuda**
Deputy Controller

September 20, 2011

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

John L. Martin, Director
P.O. Box 8097
San Francisco International Airport
San Francisco, CA 94128-8097

President, Members, and Mr. Martin:

The City and County of San Francisco's Airport Commission (Airport) coordinates with the Controller's Office, City Services Auditor Division (CSA), to conduct periodic concession and compliance audits of Airport tenants and airlines. CSA has engaged Moss Adams LLP (Moss Adams) to audit Airport tenants to determine whether they complied with the reporting, payment and other provisions of their leases. On behalf of CSA, Moss Adams also audits airlines that do business with the Airport to ensure that they comply with the landing fee provisions of their agreements.

CSA presents the report for the compliance audit of Federal Express Corporation (FedEx) prepared by Moss Adams.

**Reporting Period:** October 1, 2008, through September 30, 2010

**Fees Paid:** $1,402,564

**Results:**

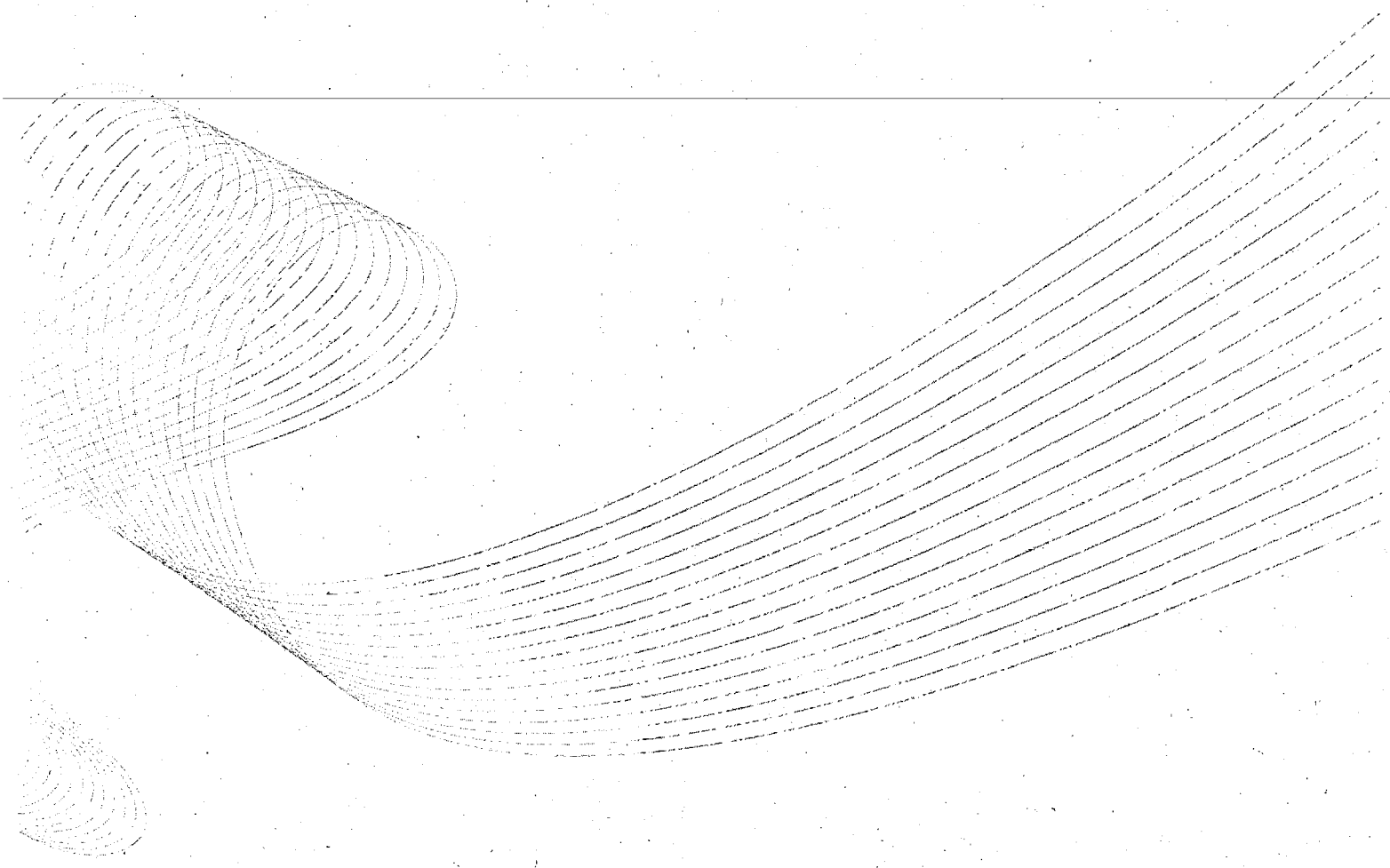
FedEx correctly reported 1,180 revenue aircraft landings and correctly paid landing fees due to the Airport.

The response from the Airport is attached to this report.

Respectfully,

Tonia Lediju
Director of Audits

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



Performance Audit Report

# Federal Express Corporation

MOSS-ADAMS LLP

Certified Public Accountants | Business Consultants

*Acumen. Agility. Answers.*

MOSS-ADAMS LLP
Certified Public Accountants | Business Consultants

## PERFORMANCE AUDIT REPORT

Moss Adams LLP presents its report concerning the performance audit of Federal Express Corporation as follows:

*Background*

Federal Express Corporation ("FedEx") operates under a lease and use agreement ("lease" or "agreement") with the Airport Commission ("Commission") of the City and County of San Francisco to use the landing field at the San Francisco International Airport ("SFO") for its air transportation business. Through the purchase of Flying Tigers Line on August 7, 1989, the Airport concurred with the FedEx assumption of Flying Tiger Line's lease. As such, FedEx became party to this agreement that expired on June 30, 2011. The agreement requires FedEx to submit to the Airport Department ("Airport") a monthly report showing its actual revenue aircraft landings by type of aircraft and other landing data necessary to calculate the landing fees.

The Airport charges FedEx a landing fee based on the maximum landing weight of aircraft making revenue landings at the SFO. For every 1,000 pounds of aircraft landed, the Commission sets a fee that it may change annually. For the period of our audit, the Commission set a fee of $3.59 for the period of July 1, 2010 through September 30, 2010, $3.15 for the period of July 1, 2009 through June 30, 2010, and $3.00 for the period of October 1, 2008 through June 30, 2009.

| | |
|---|---|
| Reporting period(s): | October 1, 2008 through September 30, 2010 |
| Lease: | L82-0318 |

*Objective and scope*

The purpose of this performance audit was to obtain reasonable assurance that FedEx complied with the reporting, payment and other landing fee related provisions of its lease with the Airport. Based upon the provisions of the City and County of San Francisco contract number PSC# 4073-05/06 dated February 11, 2011, between Moss Adams LLP and the City and County of San Francisco, and per Appendix A therein, the objectives of our performance audit were to: verify that landing fees for the audit period were reported to the Airport in accordance with the lease provisions, and that such amounts agree with the underlying accounting records; identify and report the amount and cause of any significant error (over or under) in reporting together with the impact on rent payable to the Airport; and identify and report any recommendations to improve record keeping and reporting processes of FedEx relative to its ability to comply with lease provisions; and identify and report any recommendations to improve the Airport's compliance with significant lease terms and lease management activities.

*Methodology*

To meet the objectives of our performance audit, we performed the following procedures: reviewed the applicable terms of the lease and the adequacy of FedEx's procedures for collecting, recording, summarizing and reporting its revenue aircraft landings; selected and tested samples of daily and monthly landings; recalculated monthly landing fees due; and verified the timeliness of reporting landing fees to the Airport.

*Audit results*

Based on the results of our performance audit for the period from October 1, 2008 through September 30, 2010, FedEx correctly reported 1,180 revenue aircraft landings and correctly paid $1,402,564 in landing fees to the Airport in accordance with its lease provisions. Those amounts agreed to the underlying records. We did not identify significant errors in reporting which would impact the landing fees payable to the Airport.

The table below shows FedEx's reported total revenue aircraft landings and landing fees paid to the Airport.

**Revenue Aircraft Landings and Fees Paid**
**October 1, 2008 through September 30, 2010**

| | Number of Landings | Landing Fees Paid |
|---|---|---|
| October 1, 2008 through September 30, 2009 | 662 | $ 840,941 |
| October 1, 2009 through September 30, 2010 | 518 | 561,623 |
| Total | 1,180 | $ 1,402,564 |

*Recommendations*

We did not identify any recommendations for FedEx to improve its record keeping and reporting processes relative to its ability to comply with lease provisions.

****

We conducted this performance audit in accordance with the provisions of our contract, as outlined in the objective and scope section above, and in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Our performance audit report is limited to those areas specified in the scope and objectives section of this report.

Sincerely,

Moss Adams LLP

San Francisco, California

San Francisco International Airport

September 9, 2011

Ms. Tonia Lediju
Director of Audits
Office of the Controller
City Services Auditor Division
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 477
San Francisco, CA 94102

Subject: Performance Audit – Federal Express Corporation

Dear Ms. Lediju:

We have received and reviewed the final draft audit report prepared and sent by Moss Adams via e-mail on September 8, 2011. This letter is to confirm that, based upon the details provided, we agree with the audit results.

If you have any questions, please feel free to call Wallace Tang at (650) 821-2850 or Gary Franzella at (650) 821-4526.

Very truly yours,

Wallace Tang, CPA
Airport Controller

Gary Franzella
Associate Deputy Airport Director
Aviation and Parking Management

cc: John L. Martin
Leo Fermin
Cindy Nichol
Ben Carlick – CSA
Mary Case – Moss Adams

City and County of San Francisco

Office of the Controller – City Services Auditor

# AIRPORT COMMISSION:

## Concession Audit of Bassam and Nancy Shihadeh dba Amoura Café

*September 20 , 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: Ben Carlick, Audit Manager
Kate Kaczmarek, Associate Auditor

Audit Consultants: Moss Adams LLP

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Monique Zmuda
Deputy Controller

September 20, 2011

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

John L. Martin, Director
P.O. Box 8097
San Francisco International Airport
San Francisco, CA 94128-8097

President, Members, and Mr. Martin:

The City and County of San Francisco's Airport Commission (Airport) coordinates with the Controller's Office, City Services Auditor Division (CSA), to conduct periodic concession and compliance audits of Airport tenants and airlines. CSA has engaged Moss Adams LLP (Moss Adams) to audit Airport tenants to determine whether they complied with the reporting, payment and other provisions of their leases. On behalf of CSA, Moss Adams also audits airlines that do business with the Airport to ensure that they comply with the landing fee provisions of their agreements.

CSA presents the report for the concession audit of Bassam and Nancy Shihadeh doing business as (dba) Amoura Café (Amoura) prepared by Moss Adams.

**Reporting Period:** January 1, 2009, through December 31, 2010

**Rent Paid:** $596,722

**Results:**

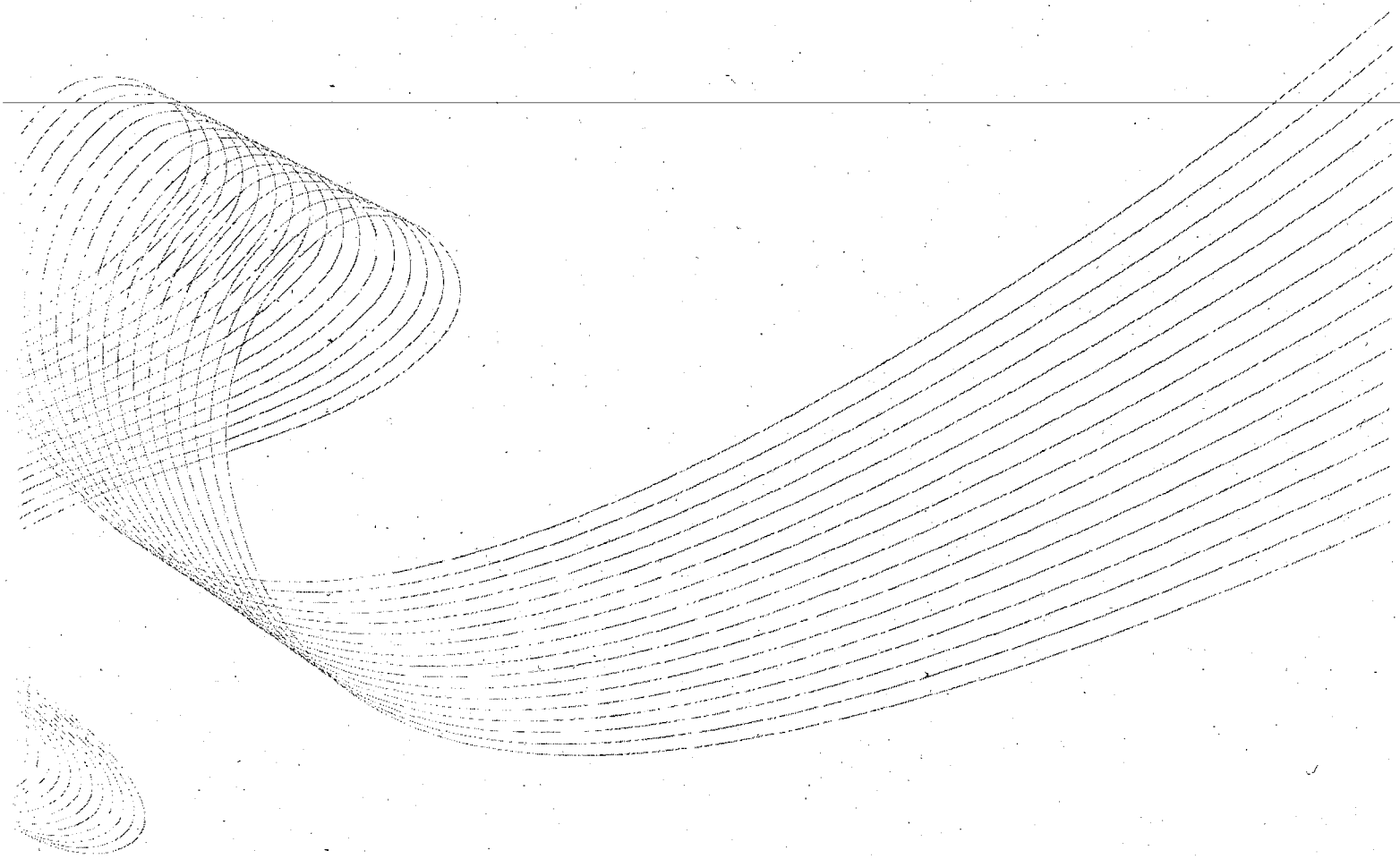
Amoura correctly reported gross revenues of $6,607,218 and correctly paid rent to the Airport.

The responses from the Airport and Amoura are attached to this report.

Respectfully,

Tonia Lediju
Director of Audits

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



Performance Audit Report

# Bassam and Nancy Shihadeh dba Amoura Café

MOSS-ADAMS LLP

Certified Public Accountants | Business Consultants

*Acumen. Agility. Answers.*

MOSS-ADAMS LLP
Certified Public Accountants | Business Consultants

## PERFORMANCE AUDIT REPORT

Moss Adams LLP presents its report concerning the performance audit of Bassam and Nancy Shihadeh dba Amoura Café as follows:

*Background*

Bassam and Nancy Shihadeh doing business as ("dba") Amoura Café ("Amoura") operates under a lease and operating agreement ("lease") with the Airport Commission ("Commission") of the City and County of San Francisco to operate a food and beverage facility at the San Francisco International Airport ("SFO"). Amoura entered into this agreement on May 3, 2005. The agreement expires on September 30, 2017. The agreement requires Amoura to submit to the Airport Department ("Airport") a monthly report showing its sales revenue and rent due.

For the period of our performance audit, January 1, 2009 through December 31, 2010, the lease required payment of the greater of monthly minimum rent or percentage rent. Minimum monthly rent is specified in the lease agreement and has step increases stipulated by the lease. For the period of our performance audit, the minimum monthly rent was $2,742 from January 1, 2009 to December 31, 2009, and $2,860 from January 1, 2010 to December 31, 2010. The percentage rent is calculated as a percent of gross revenues from all food and beverage products sold. Percentage rent as specified in the lease agreement is the sum of 6% of gross cumulative revenues achieved up to $600,000; plus 8% of gross cumulative revenues achieved from $600,001 up to $1,000,000; plus 10% of gross cumulative revenues achieved over $1,000,000. The percentage rent owed each month in excess of the monthly minimum is due as additional rent to the Airport.

| | |
|---|---|
| Reporting period(s): | January 1, 2009 through December 31, 2010 |
| Lease: | L04-0188 |

*Objective and scope*

The purpose of this performance audit was to obtain reasonable assurance that Amoura complied with the reporting, payment and other rent related provisions of its lease with the Airport. Based upon the provisions of the City and County of San Francisco contract number PSC# 4073-05/06 dated February 11, 2011, between Moss Adams LLP and the City and County of San Francisco, and per Appendix A therein, the objectives of our performance audit were to: verify that revenues for the audit period were reported to the Airport in accordance with the lease provisions, and that such amounts agree with the underlying accounting records; identify and report the amount and cause of any significant error (over or under) in reporting together with the impact on rent payable to the Airport; and identify and report any recommendations to improve record keeping and reporting processes of Amoura relative to its ability to comply with lease provisions; and identify and report any recommendations to improve the Airport's compliance with significant lease terms and lease management activities.

*Methodology*

To meet the objectives of our performance audit, we performed the following procedures: reviewed the applicable terms of the lease and the adequacy of Amoura's procedures for collecting, recording, summarizing and reporting its sales revenue to the Airport; selected and tested samples of daily and monthly sales revenue; recalculated monthly rent due; and verified the timeliness of reporting revenues and rent and submitting rent payments to the Airport.

*Audit results*

Based on the results of our performance audit for the period from January 1, 2009 through December 31, 2010, Amoura correctly reported sales revenue from food and beverage facility operations of $6,607,218 and paid rent in the amount of $596,722 to the Airport in accordance with its lease provisions. Those amounts agreed to the underlying records. We did not identify significant errors in reporting which would impact the rental fees payable to the Airport.

The table below shows Amoura's reported total sales revenue and rental fees paid to the Airport.

**Sales Revenue and Rent Paid**
**January 1, 2009 through December 31, 2010**

| Lease Period | Total Revenue Reported by Tenant | Calculated Percentage Rent Stipulated by Lease | Minimum Rent Stipulated by Lease | Additional Rent Due | Rent Paid Per Airport Payment Records | Difference |
|---|---|---|---|---|---|---|
| | A | B | C | D (B-C) | F | G (B-F) |
| January 1, 2009 through December 31, 2009 | $ 3,134,772 | $ 281,477 | $ 32,901 | $ 248,576 | $ 281,477 | $ - |
| January 1, 2010 through December 31, 2010 | 3,472,446 | 315,245 | 34,314 | 280,931 | 315,245 | - |
| Total | $ 6,607,218 | $ 596,722 | $ 67,215 | $ 529,507 | $ 596,722 | $ - |

*Recommendations*

We did not identify any recommendations for Amoura to improve its record keeping and reporting processes relative to its ability to comply with lease provisions.

****

MOSS-ADAMS LLP

We conducted this performance audit in accordance with the provisions of our contract, as outlined in the objective and scope section above, and in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. Our performance audit report is limited to those areas specified in the scope and objectives section of this report.

Sincerely,

Moss Adams LLP

San Francisco, California

San Francisco International Airport

August 30, 2011

**VIA EMAIL**

Ms. Tonia Lediju, Director of Audits
City Hall, Room 477
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Reference: Bassam and Nancy Shihadeh dba Amoura Café ("Amoura") Lease between the City and County of San Francisco, through its Airport Commission, and Bassam and Nancy Shihadeh.

Dear Ms. Lediju:

The San Francisco International Airport ("Airport") is in receipt of the Audit Recommendation from Moss Adams LLP for its audit of Bassam and Nancy Shihadeh's ("Amoura") Lease between the City and County of San Francisco, through its Airport Commission, and Amoura. The following is the Airport's response to the Audit Report findings:

1. **Moss Adams found that Amoura correctly reported sales revenue and did not identify any significant errors in reporting which would have impacted the rental fees payable to the Airport.** Airport accepts these findings.

2. **Moss Adams LLP did not identify any recommendations for Amoura to improve its record keeping processes relative to its ability to comply with lease provisions.** Airport accepts this finding.

Please do not hesitate to call if you have any questions.

Sincerely,

Cheryl Nashir
Associate Deputy Airport Director
Revenue Development and Management

cc: Wallace Tang
Nanette Hendrickson



Post Office Box 8097 San Francisco, California 94128 Tel 650.821.5000 Fax 650.821.5005 www.flysfo.com

August 31, 2011

Ms. Tonia Lediju
Audit Director of the Office of the Controller
City Services Audit Division
San Francisco, Ca.

AMOURA

Dear Ms. Lediju,

We have reviewed the Performance Audit Report provided by Moss Adams LLP. The report, which was provided to us on August 26, 2011, contains information relative to the audit of our lease and operating agreement with the Airport Commission of the City and County of San Francisco (#L04-0188). We agree with the statements contained within the report.

Sincerely,

Bassam Shihadeh
dba Amoura Cafe
598 Baden Avenue
South San Francisco, Ca 94080

Nancy Shihadeh
dba Amoura Cafe
598 Baden Avenue
South San Francisco, Ca. 94080

**EDMUND G. BROWN, JR**
Governor

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

STATE OF CALIFORNIA
# Fish and Game Commission



September 20, 2011

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a copy of the notice of proposed emergency regulatory action relating to the recreational take of abalone.

The Commission adopted this emergency regulation at its September 15, 2011 meeting. It is anticipated that the emergency regulation will be filed with the Office of Administrative Law (OAL) on or about September 27, 2011.

Sincerely,

Sherrie Fonbuena

Sherrie Fonbuena
Associate Governmental Program Analyst

Attachments

14

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

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8 of the Fish and Game Code (FGC) and to implement, interpret or make specific sections 200, 202, 205, 220, 5521, 7145 and 7149.8 of said Code, proposes to amend Section 29.15, Title 14, California Code of Regulations (CCR), relating to the recreational take of abalone.

## Informative Digest/Policy Statement Overview

Existing Laws and Regulations directly related to the proposed action
Under existing regulations (Section 29.15, Title 14, CCR), red abalone may only be taken for recreational purposes north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. Current regulations also specify: season, hours, daily limits, special gear provisions, measuring devices, abalone report card requirements, and sizes. There are no existing comparable federal regulations or statutes.

Effect of the Regulatory Action
The proposed emergency regulations will prohibit the take of abalone along the coast of Sonoma County.

Policy Statement Overview
The Department of Fish and Game (DFG) has confirmed a significant die-off of red abalone along the coast of Sonoma County. The cause has been determined to be an unusual red-tide event that occurred during late August and early September, 2011, although the specific mechanism that is responsible for the abalone mortality is still under investigation. Fishery regulations currently in place were not designed to provide conservation safeguards for this unexpectedly large increase in natural mortality. Furthermore, surviving abalone may have an intrinsic resistance to the underlying cause of this mortality, and it is therefore necessary to provide additional protection at this time so that the surviving animals will have an increased opportunity to reproduce and rebuild the population with potentially resistant offspring. Consequently, the Commission determined that abalone fishing must be closed along Sonoma County to protect the abalone resource.

## Section 240 Finding

Pursuant to the authority vested in it by FGC Section 240 and for the reasons set forth in the attached "Statement of Emergency Action," the Commission expressly finds that the adoption of this regulation is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources. The Commission specifically finds that the adoption of this regulation is necessary for the immediate conservation, preservation, or protection of the abalone resource.

## Public Comments on Proposed Emergency Regulations

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law, the adopting agency provide a notice of the proposed emergency action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the Office of Administrative Law, the Office of Administrative Law shall allow

interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

In order to be considered, public comments on proposed emergency regulations must be submitted in writing to the Office of Administrative Law (OAL), 300 Capitol Mall, Room 1250, Sacramento, CA 95814; AND to the Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814, or via fax to (916) 653-5040 or via e-mail to fgc@fgc.ca.gov. Comments must identify the emergency topic and may address the finding of emergency, the standards set forth in sections 11346.1 and 11349.1 of the Government Code and Section 240 of the Fish and Game Code. Comments must be received within five calendar days of filing of the emergency regulations. Please refer to OAL's website (www.oal.ca.gov) to determine the date on which the regulations are filed with OAL.

**Impact of Regulatory Action**

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

(a) Costs/Savings in Federal Funding to the State:

The Commission has determined that the amendment of Section 29.15, Title 14, of the California Code of Regulations (CCR), as an emergency regulation will not result in costs or savings in federal funding to the State.

(b) Nondiscretionary Costs/Savings to Local Agencies:

The Commission has determined that amendment of Section 29.15, Title 14, CCR, as an emergency regulation will not result in any costs or savings to local agencies.

(c) Programs Mandated on Local Agencies or School Districts:

The Commission has determined that the amendment of Section 29.15, Title 14, CCR, as an emergency regulation does not impose a mandate on local agencies or school districts.

(d) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code; and

(e) Effect on Housing Costs:

The Commission has determined that the amendment of Section 29.15, Title 14, CCR as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) Costs or Savings to State Agencies

The Commission has determined that amendment of Section 29.15, Title 14, CCR as an emergency regulation will not change any cost or savings to state agencies.

Effect on Small Business

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

Consideration of Alternatives

In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Dated: September 20, 2011

Sonke Mastrup
Executive Director

# FISH AND GAME COMMISSION
# STATEMENT OF EMERGENCY ACTION

Emergency Action to Amend Section 29.15, Title 14, CCR,
Re: Abalone

## I. INTRODUCTION

The Fish and Game Commission ("Commission") as established by the Constitution of the State of California has exclusive statutory authority to manage abalone (Fish and Game Code Section 5520). Pursuant to Fish and Game Code 240, if the Commission is made aware of a situation where the immediate conservation, preservation, or protection of birds, mammals, reptiles, or fish (abalone) requires the adoption or repeal of a regulation (pursuant to Section 11346.1 of the Gov. code), it may do so after at least one hearing where such a finding can be made.

On September 9, 2011, the Commission was briefed by Department of Fish and Game (DFG) staff as to the potential impacts of an apparent large scale death of abalone along the Sonoma County coast during the last part of August 2011. The event appears to have been caused by a red tide event that produced toxins or deleted oxygen, killing a significant portion of the population.

The scope of the potential impact was not determined until after the deadline for publishing the notice for the September 2011 commission meeting. This combined with the necessity to protect the resource activates the authority for an abbreviated notice requirement under 11125.3 (a)(1) of the Gov. Code.

On September 15, 2011, the Commission determined that abalone fishery must be closed along Sonoma county to protect the sustainability of the species. The Commission has prepared this Emergency Action Statement under the Administrative Procedure Act (APA) (Gov. Code, § 11340 et seq.) in connection with its subsequent amendment of section 29.15 of Title 14 of the California Code of Regulations.

Closing Somona County to the take of abalone constitutes a necessary emergency action by the Commission under the APA. In the absence of this emergency regulation, take would continue on populations that may no longer be able to sustain a fishery and could harm future recovery. The Commission finds it is imperative to protect the surviving abalone until a more thorough assessment of the impacts can be completed. This situation constitutes an emergency under Fish and Game Code section 240 and the APA requiring immediate action.

## II. BACKGROUND

The Department issued a press release on September 12, 2011 detailing the situation:

**California Department of Fish and Game News Release**
**September 12, 2011**

**Media Contacts:**
Ian Taniguchi, DFG Marine Region, (562) 342-7182
Kirsten Macintyre, DFG Communications, (916) 322-8988

**Closure of Abalone Fishery Under Consideration**

The California Fish and Game Commission will consider emergency action on Thursday, Sept. 15 to possibly close the abalone fishery along the northern California coast. This action is being considered in the wake of confirmed reports of dead red abalone and other invertebrates on beaches and inside coves along the coast in Sonoma County.

The Department of Fish and Game (DFG) is currently attempting to assess the impact of the situation and will provide the Commission with information at this Thursday's meeting. Based on the DFG's report, the Commission may take emergency action to close the abalone season along all or parts of the Sonoma coast.

There was an abalone die-off along the Sonoma coast beginning Aug. 27 as a result of a red tide-induced poisoning and/or lack of oxygen. According to DFG biologists, these abalone deaths coincided with a local red tide bloom and calm ocean conditions. Although the exact reasons for the abalone deaths are not known, invertebrate die-offs have occurred in the past along the northern California coast when similar weather and bloom conditions existed.

The number of dead and dying abalone is not known but DFG divers are assessing the damage this week via underwater transect surveys. Reports of dead abalone and a variety of invertebrates have come from Bodega Bay, Russian Gulch, Fort Ross, Timber Cove and Salt Point State Park. Other DFG biologists and game wardens have collected abalone, mussels and water samples since the beginning and are continuing to document reports from the public.

For more information, please refer to DFG's Sept. 2 press release, http://cdfgnews.wordpress.com/2011/09/02/abalone-die-off-observed-in-sonoma-county/.

Abalone fishermen are advised to contact a physician immediately if they feel sick, and to report symptoms to the local county health department (www.sonoma-county.org/health/about/publichealth.asp).The latest red tide updates from the California Department of Public Health are also posted online at www.cdph.ca.gov/programs/Pages/DDWEM.aspx.

## III. FACTS CONSTITUTING THE NEED FOR EMERGENCY ACTION

The APA defines an "emergency" to mean "a situation that calls for immediate action to avoid serious harm to the public peace, health, safety, or general welfare." (*Id.* § 11342.545.) To make a finding of emergency, the agency must describe the specific facts supported by substantial evidence that demonstrate the existence of an emergency and the need for immediate adoption of the proposed regulation. (*Id.*, § 11346.1, subd. (b)(2).) Some of the factors an agency may consider in determining whether an emergency exists include: (1) the magnitude of the potential harm, (2) the existence of a crisis situation, (3) the immediacy of the need, i.e., whether there is a substantial likelihood that serious harm will be experienced unless immediate action is taken, and (4) whether the anticipation of harm has a basis firmer than simple speculation. DFG field surveys in recent days have provided preliminary data that show the level of mortality from this event is significant, and it is clear that fishery regulations currently in place were not anticipated to provide conservation safeguards for this unexpected increase in natural mortality. Furthermore, surviving animals may have an intrinsic resistance to the underlying cause of this mortality, and it is therefore necessary to provide additional protection at this time so that the surviving animals will have an increased opportunity to reproduce and rebuild the population.

The Commission has considered all of these factors and the definition of an emergency provided in the APA, as well as pertinent authority in Fish and Game Code section 240. Under this latter authority, notwithstanding any other provision of the Fish and Game Code, the Commission may adopt an emergency regulation where doing so is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources, or for the immediate preservation of the general welfare. The Commission finds that such necessity exists in the present case.

## IV. Express Finding of Emergency

Pursuant to the authority vested in the Commission by Fish and Game Code section 240, and for the reasons set forth above, the Commission expressly finds that the amendment of this regulation is necessary for the immediate conservation, preservation, or protection of the abalone resource.

## V. Authority and Reference Citations

Authority: FGC sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8.
Reference: FGC sections 200, 202, 205, 220, 240, 5521, 7145 and 7149.8.

## VI. Informative Digest

Existing Laws and Regulations directly related to the proposed action
Under existing regulations (Section 29.15, Title 14, CCR), red abalone may only be taken for recreational purposes north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. Current regulations also specify: season, hours, daily limits, special gear provisions, measuring devices, abalone report card requirements, and sizes. There are no existing comparable federal regulations or statutes.

Effect of the Regulatory Action
The proposed emergency regulations will prohibit the take of abalone along the coast of Sonoma County.

Policy Statement Overview
DFG has confirmed a significant die-off of red abalone along the coast of Sonoma County. The cause has been determined to be an unusual red-tide event that occurred during late August and early September, 2011, although the specific mechanism that is responsible for the abalone mortality is still under investigation. Fishery regulations currently in place were not designed to provide conservation safeguards for this unexpectedly large increase in natural mortality. Furthermore, surviving abalone may have an intrinsic resistance to the underlying cause of this mortality, and it is therefore necessary to provide additional protection at this time so that the surviving animals will have an increased opportunity to reproduce and rebuild the population with potentially resistant offspring. Consequently, the Commission determined that abalone fishing must be closed along Sonoma County to protect the abalone resource.

## VII. Specific Agency Statutory Requirements

The Commission has complied with the special statutory requirements governing the adoption of emergency regulations pursuant to Fish and Game Code section 240. The Commission held a public hearing on this regulation on September 15, 2011, and the above finding that this regulation is necessary for the immediate conservation, preservation, or protection of fish and wildlife resources meets the requirements of section 240.

## VIII. Impact of Regulatory Action

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

(a) Costs/Savings in Federal Funding to the State:

The Commission has determined that the amendment of Section 29.15, Title 14, of the California Code of Regulations (CCR), as an emergency regulation will not result in costs or savings in federal funding to the State.

(b) Nondiscretionary Costs/Savings to Local Agencies:

The Commission has determined that amendment of Section 29.15, Title 14, CCR, as an emergency regulation will not result in any costs or savings to local agencies.

(c) Programs Mandated on Local Agencies or School Districts:

The Commission has determined that the amendment of Section 29.15, Title 14, CCR, as an emergency regulation does not impose a mandate on local agencies or school districts.

(d) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code; and

(e) Effect on Housing Costs:

The Commission has determined that the amendment of Section 29.15, Title 14, CCR as an emergency regulation will not result in any cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement and will not affect housing costs.

(f) Costs or Savings to State Agencies

The Commission has determined that amendment of Section 29.15, Title 14, CCR as an emergency regulation will not change any cost or savings to state agencies.

## REGULATORY LANGUAGE

Section 29.15, Title 14, CCR is amended to read:

29.15. Abalone

(a) Geographic Area: Except in the special closure area described in subsection (a)(1) below, ~~Abalone~~abalone may only be taken north of a line drawn due west magnetic from the center of the mouth of San Francisco Bay. No abalone may be taken, landed, or possessed if landed south of this line.

(1) Special Closure: No abalone may be taken between a line drawn due west magnetic from the Sonoma/Marin County line, north to a line drawn due west magnetic from the Sonoma/ Mendocino County line (All of the Sonoma County coast line).

...

Subsections (b) through (h) remain unchanged.

...

Note: Authority cited: Sections 200, 202, 205, 210, 220, 240, 5521 and 7149.8, Fish and Game Code. Reference: Sections 200, 202, 205, 220, 5521, 7145 and 7149.8, Fish and Game Code.

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 111007 West Portal CBD

From: "Dayna" <dayna@baccioccoenterprises.com>
To: <Sean.Elsbernd@sfgov.org>
Cc: <Board.of.Supervisors@sfgov.org>, <Carmen.Chu@sfgov.org>, <David.Campos@sfgov.org>, <David.Chiu@sfgov.org>, <Eric.L.Mar@sfgov.org>, <Jane.Kim@sfgov.org>, <John.Avalos@sfgov.org>, <Malia.Cohen@sfgov.org>, <Mark.Farrell@sfgov.org>, <Ross.Mirkarimi@sfgov.org>, <Scott.Wiener@sfgov.org>, "'Matt Rogers'" <matt@papenhausen.com>, "'Dayna Mullins'" <daynamullins@gmail.com>
Date: 09/26/2011 01:39 PM
Subject: West Portal CBD, File #111007

Dear Supervisor Elsbernd,

As property owner of 288/290 West Portal I wish to state Bacciocco Enterprises' strong support for the proposed West Portal Community Benefits District. I understand the proposal will bring about much needed positive change such as increased street cleaning, graffiti removal, streetscape improvement, and business development (among other important initiatives) to the shopping district. Additionally the CBD will help build stronger community relations by bringing together the merchants, property owners and residents providing a vehicle for everyone to meet, plan and implement projects making West Portal a better place to visit, shop and live.

**We request that you cast your vote in support of forming the district.**

Sincerely,
Dayna Desmond

From: John MacPherson <macpherson.cpa@sbcglobal.net>
To: Sean.Elsbernd@sfgov.org
Cc: Board.of.Supervisors@sfgov.org
Date: 09/26/2011 01:49 PM
Subject: Support of the West Portal Community Benefit District

Dear Supervisor Elsbernd,

September 26, 2011

RE: West Portal CBD, File #111007

As a merchant of West Portal I wanted to state my strong support of the proposed Community Benefits District. If created, this will bring about much needed positive change to our shopping district. It will also help build a stronger community by bringing together the merchants, property owners and residents providing a vehicle for everyone to meet, plan and implement projects making West Portal a better place to visit, shop and live. Please vote in support of forming the district.

Sincerely,
John MacPherson CPA

From: Store 2937 <2937@einsteinnoah.com>
To: "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>
Date: 09/26/2011 02:17 PM
Subject: FW: West Portal CBD, File #111007

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From: Store 2937
Sent: Monday, September 26, 2011 2:16 PM
To: Sean.Elsbernd@sfgov.org
Subject: West Portal CBD, File #111007

Dear Supervisor Elsbernd,

September 26, 2011

As a merchant of West Portal I wanted to state my strong support of the proposed Community Benefits District. If created, this will bring about much needed positive change to our shopping district. It will also help build a stronger community by bringing together the merchants, property owners and residents providing a vehicle for everyone to meet, plan and implement projects making West Portal a better place to visit, shop and live. Please vote in support of forming the district.

Sincerely,

Alicia Spitzer
General Manager
Noah's Bagels
28-30 West Portal Ave.
415-665-8443

---

From: NSofman@aol.com
To: Board.of.Supervisors@sfgov.org, Carmen.Chu@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org, Eric.L.Mar@sfgov.org, Jane.Kim@sfgov.org, John.Avalos@sfgov.org, Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Ross.Mirkarimi@sfgov.org, Scott.Wiener@sfgov.org
Date: 09/26/2011 03:07 PM
Subject: West Portal Community Benefits District

Dear Supervisor,

I am the proprietor of BookShop West Portal. I have lived in Noe Valley for 25 years.

I believe in these difficult times local merchants help create the vibrant character of San Francisco that is so important to the lives of we people who have chosen to live here. The neighborhoods are a key element in attracting tourists who live in much less interesting environments. We merchants speak with visitors to our city almost every day, and they find San Francisco a uniquely beautiful and stimulating place.

Today when our city is so strapped for funds, it is obvious that allowing local merchants to band together to raise funds to use to maintain and improve our neighborhood is a smart approach. When I see what other neighborhoods like Noe Valley and the Castro have done, I am convinced that West Portal will benefit from a CBD.

Please support this proposal.

Neal Sofman
BookShop West Portal

---

From: Avrum Shepard <ashepard@well.com>
To: Sean Elsbernd <Sean.Elsbernd@sfgov.org>
Cc: Matt Rogers <matt@papenhausen.com>, Board.of.Supervisors@sfgov.org, Carmen.Chu@sfgov.org, David.Campos@sfgov.org, David.Chiu@sfgov.org, Eric.L.Mar@sfgov.org, Jane.Kim@sfgov.org, John.Avalos@sfgov.org, Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Ross.Mirkarimi@sfgov.org, Scott.Wiener@sfgov.org
Date: 09/26/2011 03:24 PM
Subject: West Portal CBD, File #111007

Dear Supervisor Elsbernd,

On behalf of the *Greater West Portal Neighborhood Association (GWPNA),* representing 2200 households, I urge you to support the proposed West Portal Community Benefits District (CBD).

GWPNA was formed in 1975 in order to improve the playground over the Twin Peaks Tunnel entrance, and to enhance family life here. As you know, this is an area where many families live with children. The City has a problem retaining families and children and this is one way to ensure more families do not leave the City. A vital commercial district with excellent restaurants, shops, and medical care has enhanced family life in this neighborhood since the Twin Peaks Tunnel was completed in the 1918. If there is one icon that defines our neighborhood, it is the West Portal of the Twin Peaks Tunnel in the heart of our commercial district.

Many people - merchants, residents, and property owners - have worked very hard to initiate this effort in order to improve our business district. The benefits accrue to neighboring property owners and we believe that now is a perfect time to form this CBD. We believe the CBD will give a boost to our merchants and neighbors and add to the vitality of the City as a whole. Over the years GWPNA has worked hand in hand with the West Portal Merchants to make improvements to the West Portal Avenue business district. We feel the CBD will give the merchants and neighborhood an extra push in the right direction and ensure future quality of life and economic vitality.

Please vote in support of forming the district.

Avrum Shepard
Vice President, Greater West Portal Neighborhood Association

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: File 111007: West Portal CBD

From: FineArt78@aol.com
To: BoardofSupervisors@sfgov.org
Date: 09/24/2011 11:41 PM
Subject: West Portal CBD

**Dear San Francisco Board of Supervisors:**

**As a property owner on West Portal Avenue, I am opposed to the formation of the West Portal Commercial Benefit District (CBD) based upon the May 2011 Final West Portal CBD Management Plan. I strongly believe that a CBD could be beneficial to WP, to help enhance the appearance, vitality, and business environment of WP, and would support a Future WP CBD Version that asks for a more Rational Yearly amount of around $50K - $100K / yr, and specifying for a more intelligent TRIAL period of at most 5 years.**

**I firmly believe that there are serious deficiencies in the currently proposed CBD Management Report for the Formation of the WP CBD:**

**1) Isn't nearly as robust as those of other CBD's**

**2) Didn't demonstrate sufficient justification & detailed services for their assessments**

- **WP CBD costs, for its size, are disproportionally out of line w/ other CBD's**
- **WP CBD Admin cost are also disproportionally out of line w/ other CBD's**
- **It lacks sufficient detail of services necessary to evaluate its costs**

**3) Didn't pay due diligence to the necessity of outreaching to both the landlord / merchant exemplified by a seriously insufficient number of meetings and surveys.**

**Joseph E. Basuino, Owner**

**372 West Portal Avenue**

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Embracing technology means embracing infrastructure to support it
ranit.banerjee
to:
Board.of.Supervisors@sfgov.org
09/22/2011 05:08 PM
Show Details

# 110941

September 22, 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,

Better cell phone coverage has the ability to boost our economy and provide the means to work from anywhere. The proposed cell site on Fourth Street in the King Street corridor would provide better wireless service to tourists visiting the ballpark, eating in our restaurants and shopping in our stores. Tourist dollars go directly into San Francisco's local economy and provide much needed funds for city services for our residents. Also, more reliable coverage also benefits public safety by making sure wireless works when you need it most.

So in the interest of our economic well-being and public safety, I hope you will approve the cell site at Fourth and King.

Sincerely,

Ranit Banerjee
595, Market St. STE#1800
San Francisco, CA 94105-2827

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To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: Huntersview and the HOPESF fiasco.

From: Francisco Da Costa <fdc1947@gmail.com>
To: J Broadbent <jbroadbent@baaqmd.gov>, "Kelly J. Wee" <kwee@baaqmd.gov>, Dana Barton <barton.dana@epa.gov>, Jared Blumenfeld <blumenfeld.jared@epa.gov>, Lisa Fasano <LFasano@baaqmd.gov>, Jackson Lisa <jackson.lisa@epa.gov>, "Henry A. Alvarez" <alvarezh@sfha.org>, Fred Blackwell <fred.blackwell@sfgov.org>, Dennis Herrera <CityAttorney@sfgov.org>, George Gascon <george.gascon@sfgov.org>, Dan Bernal <Dan.Bernal@mail.house.gov>, Matt Dorsey <Matt.Dorsey@sfgov.org>, Edwin Lee <Edwin.Lee@sfgov.org>, Tony Winnicker <twinnicker@sfgov.org>, Tom Ammiano <tom.ammiano@asm.ca.gov>, Mark Leno <mark.leno@sen.ca.gov>, Leland Yee <leland.yee@sen.ca.gov>, "Ma, Fiona" <fiona.ma@asm.ca.gov>, David Chiu <David.Chiu@sfgov.org>, Malia Cohen <Malia.Cohen@sfgov.org>, Michele Roberts <mroberts-aehr@cox.net>, "Michael J. Lythcott" <mlythcott@e2inc.com>, Michael Boyd <michaelboyd@sbcglobal.net>, Wilma Subra <subracom@aol.com>, Steve Zeltzer <lvpsf@igc.org>, Steven Gruel <attystevengruel@sbcglobal.net>, Greg Suhr <greg.suhr@sfgov.org>, GreenAction GreenAction <GreenAction@greenaction.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Ross Mirkarimi <Ross.Mirkarimi@sfgov.org>, Jeff Adachi <jeff.adachi@sfgov.org>, JSMITH BAAQMD <JSMITH@baaqmd.gov>, Willie Ratcliff <Publisher@sfbayview.com>, John Rizzo <jrizzo@sprintmail.com>, Rajiv Bhatia <Rajiv.Bhatia@sfdph.org>, Rajiv Bhatia <rajiv.bhatia@sfgov.org>, Amy Brownell <Amy.Brownell@sfdph.org>, SecretaryState Bowen <Secretary.Bowen@sos.ca.gov>, Ed Harrington <ed.harrington@sfgov.org>, Harlan Kelly <hkelly@sfwater.org>, Harper BAAQMD <lharper@baaqmd.gov>, Marie Harrison <marie@greenaction.org>, Controller SF <controller@sfgov.org>, Office SFEconomicDevelop <oewd@sfgov.org>, SFSheriff SFSheriff <sheriff@sfgov.org>, Michael Hennessey <michael.hennessey@sfgov.org>, BOS BOS <supervisors@sfgov.org>, SFBOS BOS <board.of.supervisors@sfgov.org>, Ben Rosenfield <Ben.Rosenfield@sfgov.org>, Monique Zmuda <Monique.Zmuda@sfgov.org>
Date: 09/26/2011 03:42 AM
Subject: Huntersview and the HOPESF fiasco.

**REF: The HOPESF fiasco at Huntersview and the serious and dangerous adverse impacts.**

**It has been over nine months now that several projects all emit heavy toxic dust, dangerous particulates, asbestos frbables - and are bombarding the constituents of Huntersview and the surrounding area.**

**Hundreds of innocent customers that come into the area to buy product such as to the White Cap hardware store and other well know companies. People in general that travel in the vicinity - and are innocently exposed to the worst hazardous elements.**

**The John Stewart Project has adversely impacted hundreds and the local District 10 Supervisor has done nothing except - GRIN.**

**The Bay Area Air Quality Management District has learned nothing from the adverse operations from nearby Parcel A - where high readings of Asbestos and Toxic Dust are still occurring. Recently advocates and the community made know their concerns to the Bay Area Air Quality Management District - Eric Mar knows this - he is on the BAAQMQ Board.**

**We need monitors placed around the John Stewart Company's project. Strict health protocols administered - Rajiv Bhatia and his team must act - immediately.**

**There has been an increase in our Elders experiencing respiratory problems. Many rushed to hospital. Prior to this many were removed from their former units now demolished and transferred to unit that we not abated and had asbestos and other toxic elements - present. Added to this our Elders were put in units with NO Americans with Disabilities Act (ADA) requirements in place. The had to climb steep steps, slippery stair, and pathways that were dangerous. All this occurred at the behest of the John Stewart Company - famous from the days of the Geneva Towers - and know Citywide for its Rogue Operations.**

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Our children are experiencing headaches, burning of their eyes and throat, and a serious of other health ailments. These chronic ailments dumped on poor people and our City and County looking the other side and doing - nothing.

The constituents living around Hunterview are fed up but you to whom that I am addressing this situation keep pussyfooting around. One worse then the other. This crap has been going on for years - now. More so in the last nine months.

The San Francisco Mayor's Office is busy lying - tell us that they can do this and that - while daily exposing thousands to Cumulative pollution of the worst order.

All this - from the abatement of the old Pacific Gas and Electric Power Plant - the toxic dust and asbestos friables from Parcel A, and the haphazard operations of the John Stewart Company at Huntersview linked to the dubious HOPESF project.

It is time Notice of Violations are issued.

We the people are fed up with the Regulatory Agencies - our Interim Mayor Ed Lee knows what is happening but has chosen to keep quiet and look the other way. He does not want us to come to City Hall and protest - does he?

The District Supervisor Malia Cohen - is a JOKE - all she can do is grin and spew cliches and speak in generalities. The children at Malcolm X middle school near by are exposed to dangerous levels of the above mentioned hazardous elements. As are the constituents of Hunterview and the surrounding area. No one is lifting a finger to help our Elders, our Children, and those that need help most.

Much like Lennar a Rogue Developer - the John Stewart Company favors gated communities and control of its tenants for exploitation be it at the Presidio of San Francisco, Treasure Island, all over the Tenderloin, the Northridge Cooperatives, anywhere - wherever; this evil Property Management has its sordid tentacles.

The Federal Bureau of Investigation, the City SF Attorney, the SF District Attorney, the SF Health Department, the Environmental Protection Agency, the Department of Toxic and Substances Control, the Regional Water Board, the Bay Area Air Quality Management District can all do something - but, choose with "intent" to look the other way.

They do this because they think they can play with the lives of our Elders, our children, those that cannot defend themselves. Poor people who are at the mercy of these Regulatory Agencies - who are despicable.

Wake up and address the issue - now. You do not want us to come in numbers to City Hall and address this pressing issue - do you?

We, the community want asbestos monitors and other monitors to collect the empirical data - the toxic dust,

**asbestos friables, the dangerous particulates. We even had a gas leak that was not fixed after weeks - what the hell is happening?**

**Poor people are not expandable and I want the lazy, inept, shallow, so called people in authority to do something - N O W.**

**http://www.franciscodacosta.org/articles/bayview166.html**

**Francisco Da Costa**
**Director**
**Environmental Justice Advocacy**
**4909 Third Street**
**San Francisco - California 94124**
**Phone: 415.822.9602**
**Fax: 415.822.9600**