

Petitions and Communications received from January 17, 2012, through January 23, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on January 31, 2012.

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 Lippe, Gaffney, and Wagner, regarding America's Cup. File No. 111358, Copy: Each Supervisor (1)

From Deborah Taylor, regarding bicycles on the Golden Gate Bridge pedestrian walkway. Copy: Each Supervisor (2)

From Office of the Mayor, submitting the following appointment: (3)
Arts Commission
JD Beltran, term ending January 15, 2016

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor: Copy: Rules Committee Clerk (4)
Art Commission
JD Beltran, term ending January 15, 2016

From Office of the Mayor, submitting a communication notifying the Board of Supervisors of the nomination of Naomi Kelly for City Administrator. Copy: Each Supervisor, City Attorney (5)

From UCSF, submitting support for proposed legislation regarding the transfer of assets, obligations, and functions of the Redevelopment Agency to the City and County of San Francisco. File No. 120021, Copy: Each Supervisor (6)

From Shirley and Bruce Selby, regarding Supervisor Mirkarimi. Copy: Each Supervisor (7)

From Civil Service Commission, submitting notice of a Civil Service Commission action regarding salary setting for elected officials. (8)

From Office of the Treasurer & Tax Collector, submitting the December 2011 Investment Report. (9)

From Branch Library Improvement Program, submitting the 2011 Fourth Quarter Report. (10)

From State Fish and Game Commission, regarding proposed regulatory action relating to mammal hunting regulations. Copy: Each Supervisor (11)

From Department on the Status of Women, requesting the opportunity to celebrate the women leaders of San Francisco at the March 6, 2012, Board of Supervisors meeting. Copy: Each Supervisor (12)

From San Francisco Unified School District, submitting notice that Nancy Waymack has been appointed as the San Francisco Unified School District representative on the AB26 Redevelopment Successor Agency Oversight Board. Copy: Each Supervisor (13)

From Office of the Mayor, submitting the following appointment: (14)
Residential Rent Stabilization and Arbitration Board
Brooks Beard, term ending October 1, 2015

From Clerk of the Board, submitting copy of memorandum sent to the Board of Supervisors regarding the following appointment by the Mayor: Copy: Rules Committee Clerk (15)
Residential Rent Stabilization and Arbitration Board
Brooks Beard, term ending October 1, 2015

From Patti Weber, regarding the Gold Dust Bar on Powell Street. (16)

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (17)
Rick Caldeira, COB Deputy - Annual
Vallie Brown, Legislative Aide - Leaving

From concerned citizens, submitting support for proposed regulations for Jane Warner and Harvey Milk Plazas. File No. 111248, 18 letters (18)

From concerned citizens, submitting support for America's Cup. File No. 111358, 5 letters (19)

From Karl Olson, submitting support for the appeal against the America's Cup. File No. 111358 (20)

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

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BOS-11
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File # 111358

January 17, 2011

Board President David Chiu
and Members of the Board of Supervisors
c/o Ms. Angela Calvillo
Clerk of the Board of Supervisors
City of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Via Personal Delivery and E-Mail (Angela.Calvillo@sfgov.org)

Re: Appeal of Certification of Final EIR and Adoption of CEQA Findings 34th
America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza
Projects (Case No. 2010-0493E) *[[Errata Corrected]]*

Dear President Chiu and Supervisors:

I write on behalf of appellants San Francisco Tomorrow, Golden Gate Audubon Society, Waterfront Watch, Telegraph Hill Dwellers and the Sierra Club to supplement their notices of appeal of the Planning Commission's certification of the Final Environmental Impact Report ("EIR") for the 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza Projects ("Project") and to confirm their continuing objections to the City's violation of the California Environmental Quality Act (CEQA) and the City's Administrative Code regarding this Project.

The City has failed to correct the array of procedural and substantive violations of CEQA raised in Appellants' comments to date, including those raised by them as participants in the Americas Cup Environmental Council. Accordingly, Appellants hereby incorporate by reference and re-raise each and every objection to the EIR presented to the City to date as if set forth in full in this letter. In addition, this letter summarizes a number of the EIR's major deficiencies.

1. The Planning Commission Violated CEQA By Certifying the EIR as "Project-Level" Environmental Review for Granting Long-Term Development Rights to the Authority.

The Host and Venue Agreement includes provisions that provide the America's Cup Event Authority LLC with the long-term use and rights for development of the following sites: Piers 30-32, Seawall Lot 330, and Piers 26, 28, 19, 19 ½, 23 and 29 after conclusion of the AC34 race events, depending on the level of infrastructure investment. However, neither the Event Authority nor the City currently has specific plans for development of any of the venues that may be subject to Disposition and Development Agreements (DDAs). The FEIR acknowledges that Project's long-term development plans are entirely vague.

There are no specific development proposals under consideration at this time at any of the potential long-term development sites. Other than Seawall Lot 330 and Piers 30-32, the number of sites that may be subject to long-term development rights under the Host Agreement will not be known until the full extent of the Event Authority's investment in infrastructure is known.

(C&R, page 12.6-22.)

The Planning Commission's certification of the EIR's assessment of the impacts of granting the Authority long term development rights as "project-level" rather than "program-level" environmental review is an unlawful attempt to evade full CEQA review of those long-term development projects. A project-level EIR is adequate only if it 1) includes an accurate and stable description of the "whole" of the project; 2) includes an accurate and complete description of the affected environment; 3) fully discloses and considers the project's cumulative effects; 4) does not defer development and adoption of mitigation measures until after project approval; and 5) discloses "significant new information" required to fully understand and comment on the project's significant adverse impacts. Here, the EIR meets none of these requirements. (See, e.g., *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1316 ["The 1981 ARM Plan EIR accurately defines itself as a program EIR. It was not focused narrowly on a specific development project, but instead addressed the environmental effects of a complex long-term management plan for obtaining future supplies of aggregate resources from existing and potential resource areas county-wide, and of the ordinances and standards necessary for implementing that plan."].)

When an agency prepares a program-level EIR pursuant to CEQA's "tiering" provisions, future environmental review of site-specific development proposals under a plan is required. (§§ 21068.5, 21093, 21094; Guidelines, § 15152, 15168.) The tiering process provides the flexibility necessary for an agency to review and approve broad plans prior to the development of site-specific projects-it recognizes that the detailed, site-specific information necessary for full CEQA review may not be feasible at the time of plan approval, but ensures that all significant impacts will be disclosed and mitigated before the plan is implemented. (See *id.*) In contrast, CEQA review following a project-level is required only in those narrow circumstances where "significant new information"-such as a major departure from a proposed project or revelation of a previously unknown impact-necessitates "subsequent" or "supplemental" review. (§ 21166; Guidelines, §§ 15062-15064.) Review under section 21166 rests on the presumption that a prior EIR has accurately disclosed, analyzed, and mitigated the project-level details of the "whole" of a CEQA project and is, accordingly, severely limited. By preparing a "Project" EIR for the Plan, prior to the development of site-specific projects, the City dramatically diminished its CEQA obligations and unlawfully tilted the future playing field in favor of the Plan's developers and against future Boards of Supervisors and the public.

Once an agency decides to proceed with project-level CEQA review, it must provide

sufficient detail and specificity in its EIR to meaningfully disclose the nature and extent of each project activity's impacts that would allow the lead agency to adopt, at the time of approval, a Mitigation and Monitoring Plan, that includes the site- and project-specific, enforceable mitigation measures that will be implemented to reduce each specifically identified project impact. (§ 21086.1.) By certifying the EIR as constituting project-level CEQA review, the City has not merely unlawfully "deferred" disclosure and mitigation of impacts of all of the activities and phases constituting the "whole" project (*Stanislaus Natural Heritage Project v. County of Stanislaus* (1996) 48 Cal.App.4th 182, 195), but has affirmatively attempted an end run around CEQA's "fair argument" standard for the preparation of tiered environmental review. (§ 21094(c); Guidelines, § 15152(f); *Sierra Club v. County of Sonoma*, 6 Cal. App. 4th at pp. 1316-1318).

The "fair argument" test is derived from section 21151, which requires an EIR on any project which "may have a significant effect on the environment." That section mandates preparation of an EIR in the first instance "whenever it can be fairly argued on the basis of substantial evidence that the project may have significant environmental impact." [citation] If there is substantial evidence of such impact, contrary evidence is not adequate to support a decision to dispense with an EIR. [citations]; Section 21151 creates a low threshold requirement for initial preparation of an EIR and reflects a preference for resolving doubts in favor of environmental review when the question is whether any such review is warranted. [citations] For example, if there is a disagreement among experts over the significance of an effect, the agency is to treat the effect as significant and prepare an EIR. [citations] (*Sierra Club v. County of Sonoma, supra*, 6 Cal. App. 4th at 1316.)

In contrast, CEQA provides that once a project-level EIR is certified, no subsequent or supplemental EIR for that project may be required by any agency, unless one or more of the following events occurs: (a) substantial changes are proposed in the project which will require major revisions of the EIR; (b) substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the EIR; or (c) new information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. (CEQA Section 21166.) The City's certification of its EIR as a project-level CEQA document, when it is not, is calculated to tilt future judicial review against the environment, the public and future Boards of Supervisors, by allowing the developer to block any such review or mitigation requirements so long as any substantial evidence supports the developer's self-interested view that there are no changed circumstances, regardless of the amount and weight of evidence the City and public have to the contrary. As noted in *Sierra Club v. County of Sonoma, supra*, 6 Cal.App.4th at p. 1320: "[S]ection 21166 comes into play precisely because in-depth review has already occurred, the time for challenging the sufficiency of the original EIR has long since expired [citation], and the question is whether circumstances have changed enough to justify repeating a substantial portion of the process. [citation] Under section 21166, an agency's determination not to require a subsequent EIR must be based on substantial evidence in the record; if there are conflicts in the evidence, their resolution is for the agency. [citation]." (emphasis added).

The *Sierra Club* court summarized the differences between sections 21151 and 21166 as follows:

A court reviewing an agency's decision not to prepare an EIR in the first instance must set aside the decision if the administrative record contains substantial evidence that a proposed project might have a significant environmental impact; in such a case, the agency has not proceeded as required by law. [citation] Stated another way, the question is one of law, i.e., "the sufficiency of the evidence to support a fair argument." [citation] Under this standard, deference to the agency's determination is not appropriate and its decision not to require an EIR can be upheld only when there is no credible evidence to the contrary. [citation] [] But when a court reviews an agency decision under section 21166 not to require a subsequent or supplemental EIR on a project, the traditional, deferential substantial evidence test applies.

(*Sierra Club v. County of Sonoma, supra*, 6 Cal.App.4th at pp. 1317-18.)

Here, the EIR's conceptual approach to the Authority's long term development rights would not cause great concern if the EIR had been certified as program-level CEQA review, precisely because a "tiered," project-level EIR would be required under CEQA's "fair argument" standard, as each development phase is actually proposed, reviewed and approved. The Planning Commission's project-level EIR certification gives the developer a strong hand to unilaterally block the preparation of EIRs for any project exercising its long term rights by producing any substantial evidence that no significant impacts will occur, regardless of the amount and weight of any evidence to the contrary.

The responses to comments asserts that "The Host Agreement directs that any such future development plans and uses would be required to undergo separate environmental review to comply with CEQA, when site-specific development program details are proposed." C&R, p. 12.6-22. This response is disingenuous because it ignores the distinction between CEQA review consisting of an "addendum" under CEQA section 21166 concluding that no subsequent EIR is warranted versus a subsequent EIR under CEQA sections 21094(c) and 21151.

2. The EIR illegally defers the development of mitigation measures to reduce significant impacts from granting Long-Term Development Rights to the Authority.

As to unknown future projects that will result from the long-term development rights granted to the Event Authority, the EIR illegally defers the development of mitigation measures and excludes public review opportunities with respect to the future development of Piers 26, 28, 19, 19 ½ and 23. See Comment O-WW.

For example, Mitigation Measure M-LT-CP: concedes that performance standards or criteria are not specified; they will be "will be developed" later:

"To mitigate potential impacts on historic piers that may result from the future long-term development for which there are no design details available at this time, the Port will develop design and performance criteria to guide the proposed improvements so that the work would be consistent with Port Resolution 04-89, which requires review of proposed projects for consistency with the Secretary's Standards. These design criteria and performance measures will seek to address the character defining features of typical historic pier structures that may be impacted by the proposed work."

The performance criteria may include items such as the following:

1. All proposed repairs, alterations and improvements would be subject to Port Commission Resolution No. 04-89, which requires all projects on Port property within the Embarcadero Historic District to be reviewed for consistency with the Secretary's Standards.
2. The proposed construction of accessible offices or mixed use in the bulkhead shall attempt to retain the sense of open interior spatial qualities of the bulkhead and pier shed so as to maintain the sense of the historic volume. The build-out of offices should avoid obstructing existing windows and doors and obscuring the interior structural elements such as columns and trusses."

Because this mitigation measure fails to specify the specific performance standards that the measures must achieve, the DEIR illegally defers the development of the specific mitigation measures described for the reasons described below.

First, as explained in my August 25, 2011 comment letter on the DEIR (Comment O-WW) submitted on behalf of Waterfront Watch, the case law regarding the illegal deferral of the development of mitigation measures to reduce a project's identified significant effects is well established. The general rule is that where an EIR identifies one or more significant environmental effects, the EIR's identification and discussion of mitigation measures may not rely on mitigation measures to be developed after project approval except in the limited circumstances where: (1) the mitigation measures require compliance with other existing regulatory requirements; or (2) "[F]or kinds of impacts for which mitigation is known to be feasible, but where practical considerations prohibit devising such measures early in the planning process . . . , the agency can commit itself to eventually devising measures that will satisfy specific performance criteria articulated at the time of project approval." (*Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359, 1394-1395 [emphasis added].) "Reliance on tentative plans for future mitigation after completion of the CEQA process significantly undermines CEQA's goals of full disclosure and informed decisionmaking...." (*Communities for a Better Environment v. City of Richmond* ("CBE v. Richmond") (2010) 184 Cal.App.4th 70, 92.)

Second, this measure relies in part on the unproven assumption that future projects would be reviewed for "consistency with the Secretary's Standards." As discussed our August 25, 2011 comment letter, the Secretary's Standards are not performance standards and "compatibility" is an aesthetic judgement, not an objective performance standard the achievement of which can be objectively measured. Consequently, it is not possible to judge whether this mitigation measure will be effective in either substantially reducing significant impacts or reducing them to less-than-significant. Therefore, it does not fall within the exceptions to the general rule against deferring the development of mitigation measures set forth in Gentry.

3. The EIR Fails to Lawfully Assess Water Quality, Public Safety and Recreational Impacts in Aquatic Park.

The fails to lawfully assess or respond to comments submitted by America's Cup Environmental Council (ACEC), the National Park Service (NPS) and the Dolphin Club regarding potentially significant impacts on water quality, public safety and recreation from extensive dredging and other soil disturbing activities, especially in Aquatic Park. With regard to in-water construction activities including dredging, anchored moorings, pile driving and floating dock and barge installation, the DEIR states:

These in-water construction activities would result in short-term disturbance of localized Bay sediments, which could result in adverse water quality effects because the sediments may contain chemicals from historic activities, and disturbance of the sediments could temporarily increase turbidity and resuspend these sediments in Bay waters.

(DEIR page 5.16-63.)

The National Park Service noted in its comment letter that: "Additional moorings and increased yacht discharges at Fort Mason would disturb marine sediments and create water quality issues..." and further that: "Additional moorings in Aquatic Park could disturb sediments and affect water quality."

The Dolphin Club and South End Rowing Club stated in its comment letter that: "The installation, either permanent or temporary, of a large video screen on a floating platform and the associated devices such as a cable for electrical supply, and the mooring of large concrete blocks potentially connected can have a heavy ecological impact to Aquatic Park, the Marina and the Piers. Such installations will modify the currents today established in Aquatic Park and the associated dredging activity may result in moving large quantities of sediments. This would disturb the toxic heavy metals and other pollutants known to be trapped in the mud and sediments of Aquatic Park and lead to a pollution event in Aquatic Park and in the adjacent areas, Marina and Piers. These impacts are not addressed."

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America's Cup Environmental Council commented in its letter on the DEIR that the dredging operations "will result in significant short-and long-term impacts to benthic communities and disturbance to contaminated sediments, which shall make available for biotic uptake a number of pollutants known to be found in elevated concentrations at the proposed dredging sites." ACEC further stated that the EIR should include an analytical analysis of bay sediment in areas where dredging and installation of moorings are proposed to occur.

The FEIR's response to these comments is inadequate in concluding that:

water quality effects related to short-term disturbance of sediments during the installation of moorings and pile driving would be less than significant because they would be temporary and, consistent with the requirements of a new Section 10 permit issued by the Corps [of Engineers] and a water quality certification from the RWQCB, the project sponsor would implement best management practices such as the use of silt curtains to minimize water quality effects during in-water construction activities. Therefore, with compliance with permitting requirements, there would be no adverse effect on human health or aquatic life as a result of changes in water quality due to sediment disturbance, and no mitigation is necessary."

(Response HY-5, page 12-22-12.)

First, the fact that this effect is "temporary" does not mean it is less-than-significant nor excuse the EIR from analyzing the contaminated sediments in Aquatic Park and other locations where dredging and installation of moorings will occur, the disturbance of which could result in significant short-as well as long-term impacts on water quality and its health impacts on recreational users. Impacts are not insignificant simply because they are short-term. Moreover, it is improper to assume that the Project is temporary when the DEIR recognizes that if the "home team" wins the AC34 events, the event may stay in San Francisco in future years. (See DEIR p. 3-93; Comment O-WW, p. 47.)

Second, it is well-settled that compliance with other regulatory standards, here a Section 10 permit to be issued in the future by the United States Corps of Engineers and a future water quality certification from the Regional Water Quality Control Board (RWQCB), cannot be used under CEQA as a basis for finding that a project's effects are less than significant, nor can it substitute for a fact-based analysis of those effects in the EIR. (See Comment O-WW, p. 29 and case law cited in footnote 7.)

Specifically as to Aquatic Park, not only does the final EIR fail to quantitatively analyze the contaminated sediments of Aquatic Park cove that would be disturbed, but it also fails to consider the air pollution and possible diesel fuel leaks from the operation of the JumboTron. The final EIR fails to disclose and consider the fact that Aquatic Park was the historic site of a the Selby Smelter run by the Selby Smelter and Lead Company, which for twenty years from 1865-1885 discharged

highly toxic materials into Aquatic Park .

Because the EIR finds the impacts less than significant, it concludes that no mitigation is necessary. Yet the final EIR presents a "preliminary" site plan for Aquatic Park, which proposes a 100-150-foot wide "clear zone" around the perimeter of the of the cove - around the edge of the proposed AC34 boat exhibitions/video barge -- for swimmers, rowers and kayakers. (Figure 11-10, page 11-50.) This "preliminary" site plan does nothing to address water or air quality impacts of the giant diesel-generated video barge, nor is it a substitute for a fact-based analysis of the impacts of disturbing contaminated bay sediment. As pointed out in the letter to the Board of Supervisors from the South End Rowing Club and Dolphin Club, this preliminary "clear zone" is not a safety improvement. Not only do swimmers kayakers, and rowers move in all directions in Aquatic Park, depending on the tides, water conditions and weather, but the "clear zone" is flawed in two other ways:

- (a) There are no designated boat ingress/egress channels, which potentially enables boats to cross the so-called safe zone with impunity at both openings to the Cove (between Muni Pier and the west end of the breakwater, and between the breakwater and Hyde Street Pier);
- (b) At low tide, it effectively pushes swimmers onto shoreline rocks and exposes swimmers to underwater hazards adjacent to the Sea Scout boathouse in the Cove."

There is no question that the proposed JumboTron in the waters of Aquatic Park represents a significant impact on the regular recreational users of this waterfront treasure that has not been adequately considered or mitigated in the EIR.

4. Air Quality Impacts

With respect to the Project's significant impacts on Air Quality, the EIR (1) improperly rejects feasible mitigation measures, (2) underestimates localized impacts of shore-side power decommission, and (3) fails to present evidence that its proposed mitigation measures are feasible and capable of being implemented.

One of the most significant impacts of the AC34 and Cruise Ship Terminal Project is to the air quality of the City and the Bay Area. The EIR identifies the short- and long-term and cumulative impacts on air quality as "significant and unavoidable" yet underestimates their real impact, avoids recommending feasible mitigation measures that would lessen these impacts, and includes mitigation measures without real teeth.

These "significant and unavoidable" impacts to air quality - the numerous violations of air quality standards and substantial concentrations of toxic air contaminants to which the citizens will be exposed -- are listed in the Planning Commission motion certifying the EIR which is the subject

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of this appeal. (See Planning Commission Motion, Section 8.A.j, k, l and m; Section 8.C; Section 9.A.b; and Section 9.B.d, on pages 3 through 5.)

CEQA requires that all feasible mitigation measures must be implemented to minimize or avoid these significant impacts on air quality. Unfortunately, as explained below, the EIR rejects a feasible mitigation measure recommended by the Bay Area Air Quality Management District (AQMD); ignores a significant increase in localized impacts from decommissioning the shoreside power facility at Pier 27; and fails to provide evidence that the mitigation measures it does propose are financially feasible and capable of being implemented as required by CEQA.

- a. **The off-site mitigation program recommended by AQMD is feasible and should be included as a mitigation measure in the EIR and required as a condition of project approval.**

According to a December 15, 2011 letter from the AQMD to letter to Bill Wycko on the final EIR (attached as Exhibit 1 hereto and incorporated by reference), the amount of the Project's significant air pollutant emissions estimated to be generated from operational-related activities associated with AC34 in 2012 and 2013 could be fully mitigated through an in-lieu payment to an off-site mitigation program. The BAQMD states that an offsite mitigation program is feasible and can demonstrate a direct nexus and rough proportionality to the impacts identified in the EIR.

According to the BAQMD's letter:

The off-site mitigation program recommended by the District would be used to fund projects that replace older, high emitting, gasoline powered harbor craft (commercial and recreational) engines operating in the Bay Area with newer, cleaner, more efficient engines, thereby removing ROG and NOx air pollutant emissions from the San Francisco Bay Area Air Basin (SFBAAB) from the exact sources of emissions that resulted in the significant and unmitigable impacts identified in the DEIR and FEIR. The amount of emissions targeted for the offsite mitigation program would be the amount of emissions estimated to be over the District's significance thresholds.

A similar offsite mitigation program was implemented recently by the District through a the Conoco Phillips EIR settlement agreement with the Attorney General's office... The District is positioned to operate an offsite mitigation program for the AC34 event.

This mitigation measure proposed by the AQMD was improperly rejected by the EIR and should be added to the Mitigation and Monitoring Report to be implemented (and funded) by the America's Cup Event Authority as a condition of Project Approval.

b. New information regarding more severe, significant air quality impacts from decommissioning shore-side power at Pier 27 requires recirculation of a revised Draft EIR.

The final EIR revealed that a much higher number of cruise ships with shoreside power capability are expected to call at the Port while the shore-side power is decommissioned than was previously assumed in the Draft EIR. The number of shore-side power-capable cruise ships increased from 17 (in the DEIR) to 40 cruise ships (in the FEIR) for the years 2012, 2013 and 2014, which means a corresponding increase in the number of cruise ships during that period that would generate air pollutant emissions by use of those cruise ships' auxiliary engines when docked. (C&R, page 11-21 and 11-22.) The increase in air emissions associated with the loss of shore-side power at Pier 27 represents a more than 100% increase in emissions than that assumed in the DEIR.

Although the FEIR finds that this significant increase in air pollutant emissions from cruise ships would be off set by a revised estimated reduction in the number of spectator and race support vessels, the AQMD disagrees with this conclusion. As stated in its letter of December 15, 2011 (Exhibit 1):

[T]he FEIR does not clearly demonstrate why the revised estimates of spectator and support vessels are more accurate than those presented in the DEIR. The increase in the number of ships running their auxiliary engines for hoteling within the SFBAAB will result in more criteria air pollutant emissions, but also result in potentially more localized impacts to sensitive receptors along the Embarcadero from emissions from cruise ships.

As a result, this impact is much more severe than acknowledged in the Draft EIR, requiring recirculation of a revised Draft EIR under CEQA section 21092.1 and CEQA Guidelines 15088.5.

c. The Planning Commission proceeded unlawfully in finding that Impact AQ-4e is "unavoidable."

The FEIR proposes a new mitigation measure to offset the emissions associated with the decommissioning of shoreside power at Pier 27 as a result of the operation of the AC34 events, as follows:

Mitigation Measure M-AQ-4e: Long-term Shoreside Power at Pier 70

The project sponsor shall develop shoreside power at an offsite location that would consist of constructing 12 MW of shoreside power at the Port's Drydock #2 at Pier 70 to serve large cruise, military and other vessels while they are in drydock.

Should it be determined by the project sponsor that this measure is infeasible, the

project sponsor shall document, to the satisfaction of the Environmental Review Officer, that the project sponsor has complied with this mitigation measure to the extent feasible and indicate why full compliance with the mitigation measure is infeasible.

(C&R, Volume 6, page 12.13-37.) The FEIR's states that "due to funding uncertainties regarding this mitigation measure, this impact remains significant and unavoidable." (C&R, Volume 6, page 12.13-37.)

The Planning Commission found the impact this measure addresses to be "significant and unavoidable," and based on that finding, that this impact is acceptable due to the Project's overriding benefits. However, the City cannot lawfully make these findings unless the measure is "truly infeasible." (*City of Marina v. Board of Trustees of California State University* (2006) 39 Cal.4th 341, 368-369.) Here, the alleged "uncertainty" regarding the feasibility of this measure is artificially self-inflicted by the Authority - its just a question of money. As the AQMD states (at Exh 1, p. 5): "all of the information is available today to determine the feasibility of implementing this measure." Therefore, the City cannot find this impact to be unavoidable.

5. A change in the Project to include Pier 54 in the Authority's long term development rights requires recirculation of a revised Draft EIR.

The Disposition and Development Agreement approved by the Port Commission on December 16, 2011 added Pier 54 to the areas where the City is granting long term development rights to the Authority. This is a major change in the Project description requiring recirculation of a revised Draft EIR under CEQA section 21092.1 and CEQA Guidelines 15088.5.

6. The Port Commission unlawfully approved the Project in violation of City Administrative Code section 31.16.

San Francisco Administrative Code § 31.16(a)(3) provides that "[w]hile the appeal [of the Planning Commission's certification of an EIR] is pending, and until the EIR is affirmed or re-certified as may be required by the Board, the City shall not carry out or consider the approval of a project that is the subject of the EIR on appeal"

Here, Appellants submitted their appeal on the morning of December 16, 2011 before 10:00 a.m. On December 16, 2011, at a public session beginning after 10:00 a.m. the Port Commission approved the Mitigation and Monitoring Plan, Disposition and Development Agreement, CEQA Findings and other Project documents, in violation of section 31.16.

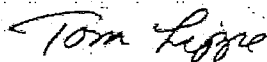
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7. **Conclusion.**

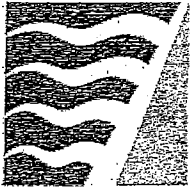
Appellants respectfully request that you grant their appeal, decertify the EIR, decline to approve the Project documents and remand the matter to the Planning Commission to issue a revised Draft EIR for public review and comment.

Thank you for your attention to this matter.

Very Truly Yours,



Thomas N. Lippe



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT
SINCE 1955

ALAMEDA COUNTY
Tom Bates
(Chairperson)
Scott Haggerty
Jennifer Hosterman
Nate Miley

CONTRA COSTA COUNTY
John Gioia
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Gayle B. Uilkema

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Ash Kalra
(Secretary)
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Ken Yeager

SOLANO COUNTY
James Spering

SONOMA COUNTY
Susan Gorin
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

December 15, 2011

EXHIBIT 1

Bill Wycko:
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subject: The 34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Plaza Final Environmental Impact Report

Dear Mr. Bill Wycko:

Bay Area Air Quality Management District (District) staff has reviewed your agency's Final Environmental Impact Report (FEIR) prepared for the 34th America's Cup (AC34), and the James R. Herman Cruise Terminal and Northeast Wharf Plaza (Cruise Terminal) projects. According to the FEIR, the shore-side electrical power installation that was supported by funding from the District and put into place by the Port of San Francisco (Port) at Pier 27 in 2010 will be decommissioned due to construction of the Cruise Terminal and AC34-related activities, and is assumed to be unavailable in 2012, 2013 and possibly 2014 (pg. 12.13-13 & 12.13-18).

District staff has the following specific comments on the changes to the DEIR from the new environmental impact analysis provided in the FEIR.

Updated and Augmented Air Quality Mitigation Measures

The District is pleased to see the mitigation measures that have been either updated or augmented in the FEIR, which will help reduce the significant and unavoidable impacts from construction- and operational-related air pollutant emissions associated with AC34 and the Cruise Terminal.

The most effective mitigation measure identified to substantially lessen the significant and unavoidable impacts from AC34 and the Cruise Terminal is M-AQ-4e, electrification at Pier 70. However, as discussed in more detail below, the implementation of this measure cannot be assured due to the wording of the mitigation measure. If M-AQ-4e is amended in the FEIR to require implementation (and the language regarding feasibility is removed), then it can be assumed that this measure will take place and substantively reduce the overall impact associated with the decommission of the shore-side power at Pier 27, as well as emissions from operational-related activities associated with AC34. In addition, the recommended implementation of an off-site mitigation program, as discussed below, would not be needed with the assured implementation of M-AQ-4e.

Updated Air Quality Assumptions and Analyses

The FEIR includes changes to portions of the air quality analysis presented in the DEIR, including a revision to the project description assumptions regarding the number of spectator and support vessels anticipated at the AC34 events in 2012 and 2013. The

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methodology used in the DEIR, and the FEIR, to determine the number of vessels and spectators is critical to the validity of the subsequent air quality analysis and impact determination.

The updated estimates of criteria pollutants and toxic air contaminants for the anticipated spectator and support vessels in the FEIR are lower than what is presented in the DEIR due to changes in the methodology used to determine the number of spectator and support vessels. For example, the FEIR revised the estimated number of spectator/recreational boats during an average peak weekend day from 2,200 to 800 during the AC34 2013 event, and from 1,833 to 332 during the AC34 2012 event.

Accordingly, the estimated operational-related criteria air pollutant emissions associated with spectator and support vessels were revised in the FEIR and are substantially lower than what is presented in the DEIR.

To develop an attendance projection and estimate visitation patterns, the DEIR utilized the "penetration rate analysis" methodology. The goal of the penetration rate analysis is to not only understand the number of spectators but also to estimate their likely location (for example water vs. land). To develop spectator projections and visitation patterns, the methodology relied on a number of key assumptions and considerations (including the uniqueness of every America's Cup event; the increased visibility of the races and events provided by the geography of San Francisco; etc.) and utilized data from past America's Cup events. According to the DEIR (pg. PD1-6), the penetration rates for AC34 were developed based on the experience of three fairly recent America's Cup events (in Valencia, Spain and New Zealand), the key differentiating qualitative factors between previous America's Cups and AC34, and an examination of attendance at events in San Francisco (including Fleet Week, various parades/celebrations, San Francisco Giants games, etc.). Finally, the DEIR used the penetration rate analysis to estimate the locations from which spectators would likely view the race: on land or water.

The FEIR includes a three-page addendum to the AC34 visitation analysis in the DEIR which provides refined on-the-water visitation estimates yielded from a boat count during the Fleet Week 2011 event. While the FEIR states that the analysis in the addendum builds on the methodology used in the DEIR which is (in part) based on the number of boats for an average peak day during Fleet Week, the number of boats counted during Fleet Week 2011 was found to be much lower than originally estimated and the projections in the FEIR were adjusted. However, the addendum does not provide the methodology for how the Fleet Week 2011 boat count was conducted, nor does the addendum clearly state whether the methodology used for the boat count is the same as the methodology used for the boat counts for previous Fleet Week events, nor is the actual number of boats counted during Fleet Week 2011 included in the addendum. The FEIR also does not include the methodology or assumptions relied upon to refine the number and type of support boats anticipated at the AC34 events.

It appears that the FEIR utilized a different methodology than the DEIR for estimating the number of boats for AC34. For example, as stated on pg. PD1A-3, the DEIR estimated the number of spectators for an average AC34 peak day (amongst other factors) based on Fleet Week boat estimates from previous years. When revising those estimates it appears that the FEIR omits certain elements of the analysis, such as boat count estimates from previous years for Fleet Week, and instead used the data from only one Fleet Week (2011) day rather than from a number of years (as was used in the DEIR). In addition, the DEIR states (at length) the various assumptions, factors and methodology used to conduct attendance projection and visitation patterns for AC34, which includes data from three

recent America's Cup events, and attendance at various events in San Francisco which includes parades, baseball games, Fleet Week and others. The FEIR did not explain how those assumptions and methodology were utilized in the revised spectator and support vessel count estimates, nor did the FEIR clearly demonstrate how the number of boat counts from one Fleet Week day could so drastically alter the estimates presented in the DEIR. The FEIR did not explain why the revised vessel estimates should be considered more accurate than those provided in the DEIR. If a different methodology altogether was utilized to estimate spectator vessels for AC34 in the refined FEIR, it was not stated nor justified in the addendum in the FEIR.

Finally, the revised and much lowered boat estimates in the FEIR appear to be in contrast with the findings of the visitation analysis in the DEIR. The DEIR states on pg. PD1-9 that the overall attendance projection is higher for AC34 than previous America's Cup events, and provides a number of factors considered in the analysis that contributed to the increased attendance estimate. However, while the FEIR found a significant decrease in spectator and support vessel estimates than what was presented in the DEIR, the FEIR did not update or provide further analysis on the number of and/or location of land-based visitors, nor was the total projected attendance for AC34 amended according to the substantial decrease in expected spectator and support vessels.

It does not appear that the revised methodology and assumptions used in the FEIR to estimate the number of spectator and support vessels is consistent with the assumptions and methodology used in the DEIR. The FEIR does not provide full disclosure justifying the changes and providing for an independent analysis of which methodology was the most appropriate. It appears that the revised decrease in boat estimates in the FEIR may underestimate the operational-related criteria air pollutant emissions associated with AC34.

Off-site Mitigation of Criteria Air Pollutant Emissions

According to the FEIR, mitigating criteria air pollutant emissions through an in-lieu payment to an off-site mitigation program does not have an essential nexus and rough proportionality to the Project's significant impact. The District respectfully disagrees.

The DEIR and FEIR identified significant and unmitigable impacts from operational-related criteria air pollutant emissions associated with AC34 activities. Accordingly, all feasible mitigation measures should be implemented to reduce this impact to the maximum extent feasible. In addition to the mitigation measures outlined in the FEIR, the District believes that an offsite mitigation program is feasible and can demonstrate a direct nexus and rough proportionality to the impacts identified in the FEIR.

According to the visitation analysis in the DEIR, a vast majority of the spectators at the AC34 event will be local and from the Bay Area. According to the revised analysis in the FEIR, local private spectator vessels account for approximately 28-35% of the total estimated ROG and NOx emissions from operational-related activities associated with AC34 in 2012 and 2013. The offsite mitigation program recommended by the District would be used to fund projects that replace older, high emitting, gasoline powered harbor craft (commercial and recreational) engines operating in the Bay Area with newer, cleaner, more efficient engines, thereby removing ROG and NOx air pollutant emissions from the San Francisco Bay Area Air Basin (SFBAAB) from the exact sources of emissions that resulted in the significant and unmitigable impacts identified in the DEIR and FEIR. The amount of emissions targeted for the offsite mitigation program would be the amount of emissions estimated to be over the District's significance thresholds. Therefore, an offsite mitigation

program would provide for emission reductions from the same sources of emissions contributing to the significant impact thus providing the nexus and in direct proportion to the amount of emissions above the thresholds.

Assuming a cost-effectiveness of \$8,000 per weighted ton of criteria air pollutants, the cost to offset the emissions from small and private vessels, according to the refined operational emissions analysis for AC34 in the FEIR, is approximately \$1.2 million. This calculation utilizes emissions from the highest year (2013) as the basis for the reductions.

A similar offsite mitigation program has been implemented recently by the District through the Conoco Phillips DEIR settlement agreement with the Attorney General's office. The District received \$4.4 million to offset significant air quality impacts identified in the Conoco Phillips DEIR, in which projects were funded by the District within the Bay Area that achieved substantial GHG emission reductions that otherwise would not have occurred. The District is positioned to operate an offsite mitigation program for the AC34 event.

Shore-side Power Decommission

The FEIR also included updated Cruise Terminal Port Call Assumptions which are based upon confirmed bookings for 2012 by shore-side power-capable ships. The number of shore-side power-capable ships in the updated emissions analysis has increased from 17 (in the DEIR) to 40 cruise ships in the FEIR for the years 2012, 2013 and 2014. According to the FEIR, this would represent an increase in hoteling emissions when compared to the emissions estimated in the DEIR (pg. 12.13-4). This increase in emissions identified in the FEIR associated with the loss of shore-side power at Pier 27 represents a more than 100% increase in the emissions estimated in the DEIR.

The FEIR states that the increased number of cruise ships with shore-side power-capability in 2012 and 2013 would increase criteria air pollutant emissions, but that when considered in combination with the reduced spectator and race support vessel estimates the change would not substantially increase the severity of a significant impact. District staff respectfully disagrees because, as noted above, the FEIR does not clearly demonstrate why the revised estimates of spectator and support vessels are more accurate than those presented in the DEIR. The increase in the number of ships running their auxiliary engines for hoteling within the SFBAAB will result in more criteria air pollutant emissions, but also result in potentially more localized impacts to sensitive receptors along the Embarcadero from emissions from cruise ships.

In addition, according to pg. 12.13-14 of the FEIR, because of the interrelationship of the AC34 and Cruise Terminal projects, the emissions associated with the temporary decommissioning of shore-side power are addressed under several impacts in the FEIR, depending on the scenario. The calculations of criteria air pollutants from the decommissioning of shore-side power were assigned to either the *construction* of the Cruise Terminal or to the *operation* of the AC34 events (to avoid double counting). Therefore, the increase in criteria pollutants associated with an increase in the actual number of shore-side power-capable ships identifies a substantial increase in the environmental impacts in Impact AQ-10, Impact AQ-4, and Impact AQ-19. While additional and augmented mitigation measures were included in the FEIR to reduce the impacts, according to the FEIR, adoption of the mitigation measures will not reduce the impacts to a level of insignificance.

Long-Term Shore-side Power at Pier 70

Mitigation measure **M-AQ-4e** states that the "project sponsor shall develop shore-side power at an offsite location that would consist of constructing 12 MW of shore-side power at the Port's Drydock #2 at Pier 70 to serve large cruise, military and other vessels while they are in drydock". Mitigation measure **M-AQ-4e** also states that should it be determined by the project sponsor that this measure is infeasible, the project sponsor shall document, to the satisfaction of the Environmental Review Officer, that the project sponsor has complied with this mitigation measure to the extent feasible and indicate why full compliance with the mitigation measure is infeasible.

The District believes the implementation of mitigation measure **M-AQ-4e**, if conducted prior to the start of AC34 in 2012, would be a positive step in off-setting the criteria air pollutant emissions associated with the shore-side decommission at Pier 27. However, the feasibility of **M-AQ-4e** should have been assessed and discussed fully in the FEIR. District staff believes that all of the information is available today to determine the feasibility of implementing this measure. As written, implementation of this mitigation measure cannot be assured and therefore may not lessen the significant environmental impacts identified in the DEIR and FEIR. However, if **M-AQ-4e** is amended in the FEIR to require implementation (and the language regarding feasibility is removed), then it can be assumed that this measure will take place and emission reductions will substantially reduce the environmental impact from de-commission of the shore-side power at Pier 27, as well as emissions from operational-related activities associated with AC34, to an acceptable level. Implementation of the off-site mitigation measure identified previously in this letter would not be needed.

District staff is available to assist City staff in addressing these comments. If you have any questions, please contact Jackie Winkel, Environmental Planner, (415) 749-4933.

Sincerely,



Jean Roggenkamp
Deputy Air Pollution Control Officer

cc: BAAQMD Director John Avalos
BAAQMD Director Edwin M. Lee
BAAQMD Director Eric Mar
City & County of San Francisco Planning Commission President Christina Olague
Port of San Francisco Special Projects Manager Brad Benson
City & County of San Francisco Mayor's Office Johanna Partin



BDS-11
C-page



Bikes on the Golden Gate Bridge
Deborah Taylor

to:
janet, MCurrie, sheminger
01/17/2012 11:47 AM

Cc:
dshaw, dbunnell, Board.of.Supervisors, nasimov, acooper, lkazakoff
Hide Details

From: Deborah Taylor <t.deborahs@sbcglobal.net> Sort List...

To: janet@janetreilly.com, MCurrie@goldengate.org, sheminger@mtc.ca.gov

Cc: dshaw@parksconservancy.org, dbunnell@marinij.com,
Board.of.Supervisors@sfgov.org, nasimov@sfchronicle.com, acooper@sfchronicle.com,
lkazakoff@sfchronicle.com

1 Attachment



GG Bridge Ltr.docx

Please see my letter, I am very concerned about this problem. We have already had one fatality due to careless cyclist. Pedestrians are entitled to our rights too!

Deborah Taylor

2

Deborah S Taylor

509 Pierce Street #3

San Francisco, CA 94117

January 16, 2012

Janet Reilly, Director of Board Golden Gate Bridge, Highway, and Transportation District

Dear Sirs:

Over the weekend three of us took a walk over the Golden Gate Bridge. It was Saturday, the weather was perfect and it was not too crowded. However, in the time it took us to walk to the Marin side and back there was a constant stream of bicycles going both ways which made our walk perilous. I was bumped by a bike from behind once, and the three of us along with other pedestrians were constantly moving to avoid being hit by bikes coming at us from both sides. **During our trip I only saw one cyclist actually dismount from his bike to walk around the towers.**

The other side of the bridge is open for cyclists only. Why then is it necessary to allow them to use the city side pathway? When we were there it was the day of the 49 v. Saints game so it wasn't that packed, but there were still a lot of tourists, old and young including people with baby strollers. There were a fair amount of rental bikes on the bridge and a surprising number of people trying to take pictures as they rode along on their rental bikes.

I guess it will take someone being thrown into the roadway or over the side before someone takes action on this. We looked at the sign on the city side of the bridge and determined that the bikes were not supposed to be on the city side that day, but it was tough to read the sign. We also saw what we thought was a bike patrol person in a yellow jacket, but he was just riding along. The signage is very confusing and needs to be changed so that people can understand the rules. **Also, what is the point in having a bike patrol if they don't patrol?**

I am a San Francisco resident, a taxpayer and a concerned citizen and I would like a response to my letter.

Sincerely,

Deborah Taylor

Cc: Marin Independent Journal, San Francisco Chronicle, San Francisco Board of Supervisors, Golden Gate National Parks,

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

January 17, 2012

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

Dear Ms. Calvillo,

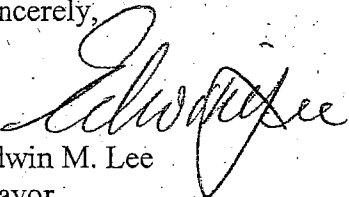
Pursuant to the Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

JD Beltran to the Arts Commission, for a term ending January 15, 2016.

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

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

Sincerely,


Edwin M. Lee
Mayor

JD Beltran – Bio

JD Beltran's conceptual work and interdisciplinary practice bridges the narrative and the abstract while investigating the manner in which materials convey stories. Her work has been exhibited and screened internationally, including at the Walker Art Center, the San Francisco Museum of Modern Art, The M.H. De Young Museum, San Francisco, California, The Kitchen Gallery, New York, the MIT Media Lab, the 01SJ New Media Biennials in San Jose, California (2006, 2008), ProArte in St. Petersburg, Russia, the Singapore Digital MediaFest, Cite Des Ondes Video Et Art Electronique in Montreal, Canada, Sesto Senso in Bologna, Italy, Festival VIDEOFORMES in Clermont-Ferrand, France, Ping Pong Gallery in Guanzhou, China, the Ingenuity Festival in Cleveland, Ohio, and the Biennale for Electronic Arts in Perth, Australia. She has been commissioned for public art projects in San Francisco, California, San Jose, California, Cleveland, Ohio, and St. Petersburg, Russia. Her San Jose public art project was recognized in 2009 as one of the most outstanding public art projects in the country by the Public Art Network, and her "Magic Story Table" project in San Francisco, a collaboration with Scott Minneman, was recognized as one of the top interactive designs for 2010 internationally by I.D. Magazine. She also was awarded a Lucas Fellowship and Montalvo Arts Center Residency in 2009, an Artadia grant in 1999, and residencies at both the Skowhegan School of Painting and Sculpture and the Atlantic Center for the Arts. Her work has been reviewed in the New York Times, the Wall Street Journal, and the Boston Globe, as well as in Art In America, ArtNews, the New Art Examiner, and Art Papers. She is faculty in the New Genres, Film, Design & Technology, Interdisciplinary Studies, Critical Studies, and Urban Studies Programs at the San Francisco Art Institute, where she also serves as Director of the school's City Studio Program providing after-school education to underserved youth. She is also the Interim Director of the San Francisco Arts Commission, and a Vice President and Board Member of the Yerba Buena Center for the Arts. She lives and works in San Francisco, California.

LOB
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BOARD of SUPERVISORS



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

MEMORANDUM

Date: January 17, 2012
To: Honorable Members, Board of Supervisors
From: *AC* Angela Calvillo, Clerk of the Board
Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following body:

- JD Beltran, Arts Commission, term ending January 15, 2016

Under the Board's Rules of Order Section 2.24, a Supervisor can request a hearing on an appointment by notifying the Clerk in writing.

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

Please notify me in writing by 12:00 p.m. Monday, January 23, 2012, if you would like to request a hearing on this appointment to be scheduled.

Attachments

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Rules
COB
Leg. Dep

Notice of Appointment

January 17, 2012

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

Honorable Board of Supervisors:

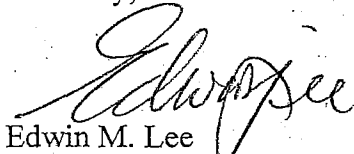
Pursuant to the Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

JD Beltran to the Arts Commission, for a term ending January 15, 2016.

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

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

Sincerely,


Edwin M. Lee
Mayor

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OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

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Notice of Appointment

January 17, 2012

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

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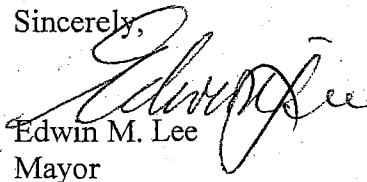
Honorable Board of Supervisors:

Pursuant to the Section 3.104 of the Charter of the City and County of San Francisco, I hereby nominate Naomi Kelly for the appointment of City Administrator. Naomi Kelly meets the minimum Charter requirements of at least ten years' governmental management or finance experience with at least five years at the City, County, or City and County level.

Naomi Kelly is appointed for a term ending five years from the effective date of the attached motion.

I am confident that Naomi Kelly will continue to serve our community well, and I encourage your support of her nomination.

Sincerely,


Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

January 17, 2012

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

Dear Ms. Calvillo:

Pursuant to the Section 3.104, it is my pleasure to notify you of my nomination of Naomi Kelly as San Francisco City Administrator.

Naomi Kelly's appointment is for a term ending five years from the effective date of the attached motion, and is subject to confirmation by the Board of Supervisors.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor

Naomi Maria Kelly

On January 6, 2012, Naomi Maria Kelly was appointed by Acting City Administrator, Amy L. Brown to replace herself as Acting City Administrator. As Acting City Administrator, Ms. Kelly oversees the City's General Service Agency, and agency headed by the City Administrator. The General Services Agency consists of 20 departments, divisions, and programs, which include: Public Works, Department of Technology, Administrative Services, Office of Contract Administration, Purchasing, Real Estate, County Clerk, 311, Fleet Management, Convention Facilities, Animal Care and Control, Medical Examiner, Treasure Island, to name a few. The Administrative Services department budget is \$239 million which does not include the budgets of Public Works and the Department of Technology, nor the hundreds of millions of dollars of contracts for which Ms. Kelly is responsible. Ms. Kelly is also responsible for over 2100 employees.

Ms. Kelly has over ten years of City governmental management experience with the City and County of San Francisco. She began her career with the City in 1996 as Special Assistant to the Mayor with the Mayor's Office of Neighborhood Services and later Mayor's Office of Policy and Legislative Affairs. She left the City for three years to earn her Juris Doctorate, then rejoined the City as an Executive Director in 2001.

Naomi M. Kelly was the Deputy City Administrator for the City and County of San Francisco, responsible for the Administrative Services Departments: Office of Contract Administration, Purchasing, Fleet Management, Central Shops, Reprographics & Mail Services and more since January 2011. During this time, Ms. Kelly assisted Mayor Edwin Lee in rolling out the City's new mandatory local hiring policy by preparing impacted City departments, contractors, and the broader community for the San Francisco Local Hiring Policy for Construction. The new policy required contractors performing City public works or improvement projects to meet mandatory levels of San Francisco resident participation. Ms. Kelly ensured that there was predictability for all stakeholders by maximizing existing City resources and infrastructure to eliminate duplication and new administrative barriers, while at the same time achieving the goals of the Local Hire Policy.

Ms. Kelly was appointed the City Purchaser and Director of the Office of Contract administration in 2004. Ms. Kelly managed the procurement of approximately \$250 million in materials and supplies and approved approximately \$500 million of professional service contracts that support the operations of City departments that provide services to the public. She administered policies and procedures regarding procurement and contracts to insure that all were issued in a fair and impartial manner. Ms. Kelly was committed to seeing that the City's contracting process is fair, simple and transparent. She also improved the department's performance by improving processes and managing difficult personnel performance issues.

Ms. Kelly was appointed to this position by Mayor Gavin Newsom in 2004 after an illustrious career at City Hall that began as Special Assistant to former Mayor Willie L. Brown, Jr. handling federal and state legislative affairs, and resulted in her appointment by Mayor Brown to

Executive Director of the City and County of San Francisco Taxicab Commission. In this leadership capacity, she managed the Department regulating the \$150 million taxicab industry. Under her tenure, the Taxi Commission assumed all powers and responsibilities relating to taxicabs and other motor vehicles for hire permits that were formally vested with the Police Department. She also successfully implemented the use of security cameras in all San Francisco taxicabs.

An attorney admitted to practice in 2002 in the State of California, Ms. Kelly received her Bachelor of Arts degree in Psychology from New York University, and her law degree from the University of San Francisco. She was born in San Francisco and presently resides there with her husband, Harlan Kelly Jr., the Assistant General Manager of the Public Utilities Commission, and her two sons.

University of California
San Francisco



University Relations

File 120021
BOS-11
Cpage

January 17, 2012

Barbara J. French
Vice Chancellor

3333 California Street, Suite 103
San Francisco, CA 94143-0412
tel: 415/476-0298
fax: 415/476-1728
email: bfrench@ucsf.edu

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

Dear Supervisors:

I write to strongly share our support for Mayor Lee and Supervisor Malia Cohen's resolution #120021; entitled "Transfer of Assets, Obligations and Functions to the City as Successor Agency for the Redevelopment Agency Upon its Dissolution as Required by State Law".

The completion of the Mission Bay Redevelopment Project is vital to the future of UCSF, as well as to the future of the City. In addition to the UCSF research campus at Mission Bay, we are building a \$1.575 billion hospital project. Upon completion, this new facility will consist of a 289-bed integrated hospital complex that will serve the needs of children, women, and cancer patients. Completion of the first phase is projected for late 2013 or early 2014.

The plans for the 869,000-plus-gross-square-foot hospital complex include:

- A 183-bed children's hospital with urgent/emergency care, pediatric primary care and specialty ambulatory facilities;
- A 70-bed adult hospital for cancer patients;
- A women's hospital for cancer care, specialty surgery and select outpatient services, plus a 36-bed birth center; an energy center, helipad, parking and support services.

We are very pleased with the direction of the City, and are excited to make continued progress on our projects during a time of great uncertainty. We look forward to your ongoing support in our endeavors to better serve the communities that so heavily rely on us and our services.

Sincerely,

Barbara J. French

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Mirkarimi
Selbygang
to:
Board of Supes
01/14/2012 08:47 AM
Hide Details
From: Selbygang <selbygang@att.net>

To: Board of Supes <board.of.supervisors@sfgov.org>

1 Attachment



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We urge you to remove Mirkarimi from his position as the Sheriff for San Francisco. He does not belong in that office!

Shirley and Bruce Selby

7



CIVIL SERVICE COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

COB, cpage
Adm. Dep.

EDWIN M. LEE
MAYOR

January 18, 2012

E. DENNIS NORMANDY
PRESIDENT

KATE FAVETTI
VICE PRESIDENT

SCOTT R. HELDFOND
COMMISSIONER

MARY Y. JUNG
COMMISSIONER

NOTICE OF CIVIL SERVICE COMMISSION ACTION

SUBJECT: PRELIMINARY WORK PLAN: SALARY SETTING FOR ELECTED OFFICIALS (MAYOR, CITY ATTORNEY, DISTRICT ATTORNEY, PUBLIC DEFENDER, ASSESSOR-RECORDER, TREASURER, AND SHERIFF) OF THE CITY AND COUNTY OF SAN FRANCISCO FOR A FIVE (5) YEAR CYCLE, EFFECTIVE JULY 1, 2012 THROUGH JUNE 30, 2017, IN ACCORDANCE WITH CHARTER SECTION A8.409-1

ANITA SANCHEZ
EXECUTIVE OFFICER

At its meeting of January 9, 2012 the Civil Service Commission had for its consideration the above matter.

The Commission accepted the report.

If this matter is subject to Code of Civil Procedure (CCP) Section 1094.5, the time within which judicial review must be sought is set forth in CCP Section 1094.6.

CIVIL SERVICE COMMISSION

Sandra E. Sanchez FOR

ANITA SANCHEZ
Executive Officer

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JAN 20 AM 9:41

8

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: CCSF Investment Report for the month of December 2011

From: Brian Starr/TTX/SFGOV
To: Brian Starr/TTX/SFGOV@SFGOV
Cc: Ben Rosenfield/CON/SFGOV@SFGOV, Board of Supervisors/BOS/SFGOV@SFGOV, cynthia.fong@sfcta.org, dgriffin@ccsf.edu, graziolij@sfusd.edu, Rick Wilson/MAYOR/SFGOV@SFGOV, Harvey Rose/BudgetAnalyst/SFGOV@SFGOV, Jose Cisneros/TTX/SFGOV@SFGOV, Michelle Durgy/TTX/SFGOV@SFGOV, ras94124@aol.com, sfdocs@sfpl.info, Tonia Lediju/CON/SFGOV@SFGOV, TRydstrom@swater.org, Pauline Marx/TTX/SFGOV@SFGOV
Date: 01/13/2012 03:28 PM
Subject: CCSF Investment Report for the month of December 2011

All,

Attached please find the CCSF Investment Report for the month of December 2011.



CCSF Monthly Investment Report for 2011-Dec.pdf

Thank you,

Brian Starr
Investment Analyst
City and County of San Francisco
City Hall - Room 140
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4638
415-554-4487 (phone)
415-554-5660 (fax)
brian.starr@sfgov.org

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Office of the Treasurer & Tax Collector
City and County of San Francisco



José Cisneros, Treasurer

Pauline Marx, Chief Assistant Treasurer
Michelle Durgy, Chief Investment Officer

Investment Report for the month of December 2011

January 13, 2012

The Honorable Edwin M. Lee
Mayor of San Francisco
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4638

The Honorable Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4638

Ladies and Gentlemen,

In accordance with the provisions of California State Government Code Section 53646, we forward this report detailing the City's pooled fund portfolio as of December 31, 2011. These investments provide sufficient liquidity to meet expenditure requirements for the next six months and are in compliance with our statement of investment policy and California Code.

This correspondence and its attachments show the investment activity for the month of December 2011 for the portfolios under the Treasurer's management. All pricing and valuation data is obtained from Interactive Data Corporation.

CCSF Pooled Fund Investment Earnings Statistics

| <i>(in \$ million)</i> | Current Month | | Prior Month | |
|------------------------|---------------|---------------|-------------|---------------|
| | Fiscal YTD | December 2011 | Fiscal YTD | November 2011 |
| Average Daily Balance | \$ 4,229 | \$ 4,332 | \$ 4,208 | \$ 4,303 |
| Net Earnings | 28.33 | 5.49 | 22.84 | 4.90 |
| Earned Income Yield | 1.33% | 1.49% | 1.29% | 1.39% |

CCSF Pooled Fund Statistics

| <i>(in \$ million)</i> | % of Portfolio | Book Value | Market Value | Wtd. Avg. Coupon | Wtd. Avg. YTM | WAM |
|--------------------------|----------------|-----------------|-----------------|------------------|---------------|------------|
| U.S. Treasuries | 9.0% | \$ 401 | \$ 409 | 1.36% | 1.18% | 1,155 |
| Federal Agencies | 69.8% | 3,132 | 3,167 | 1.50% | 1.35% | 1,128 |
| TLGP | 12.1% | 554 | 551 | 2.14% | 1.48% | 159 |
| State & Local Government | | | | | | |
| Agency Obligations | 0.7% | 33 | 33 | 2.00% | 0.39% | 155 |
| Public Time Deposits | 0.01% | 0.4 | 0.4 | 0.50% | 0.50% | 194 |
| Negotiable CDs | 5.8% | 262 | 261 | 0.61% | 0.59% | 249 |
| Medium Term Notes | 2.6% | 119 | 118 | 3.26% | 0.68% | 247 |
| Totals | 100.0% | \$ 4,502 | \$ 4,539 | 1.56% | 1.28% | 932 |

In the remainder of this report, we provide additional information and analytics at the security-level and portfolio-level, as recommended by the California Debt and Investment Advisory Commission.

Very truly yours,

José Cisneros
Treasurer

cc: Treasury Oversight Committee: Joe Grazioli, Don Griffin, Todd Rydström, Richard Sullivan
Ben Rosenfield, Controller, Office of the Controller
Tonia Lediju, Internal Audit, Office of the Controller
Cynthia Fong, Deputy Director for Finance & Administration, San Francisco County Transportation Authority
Harvey Rose, Budget Analyst
San Francisco Public Library

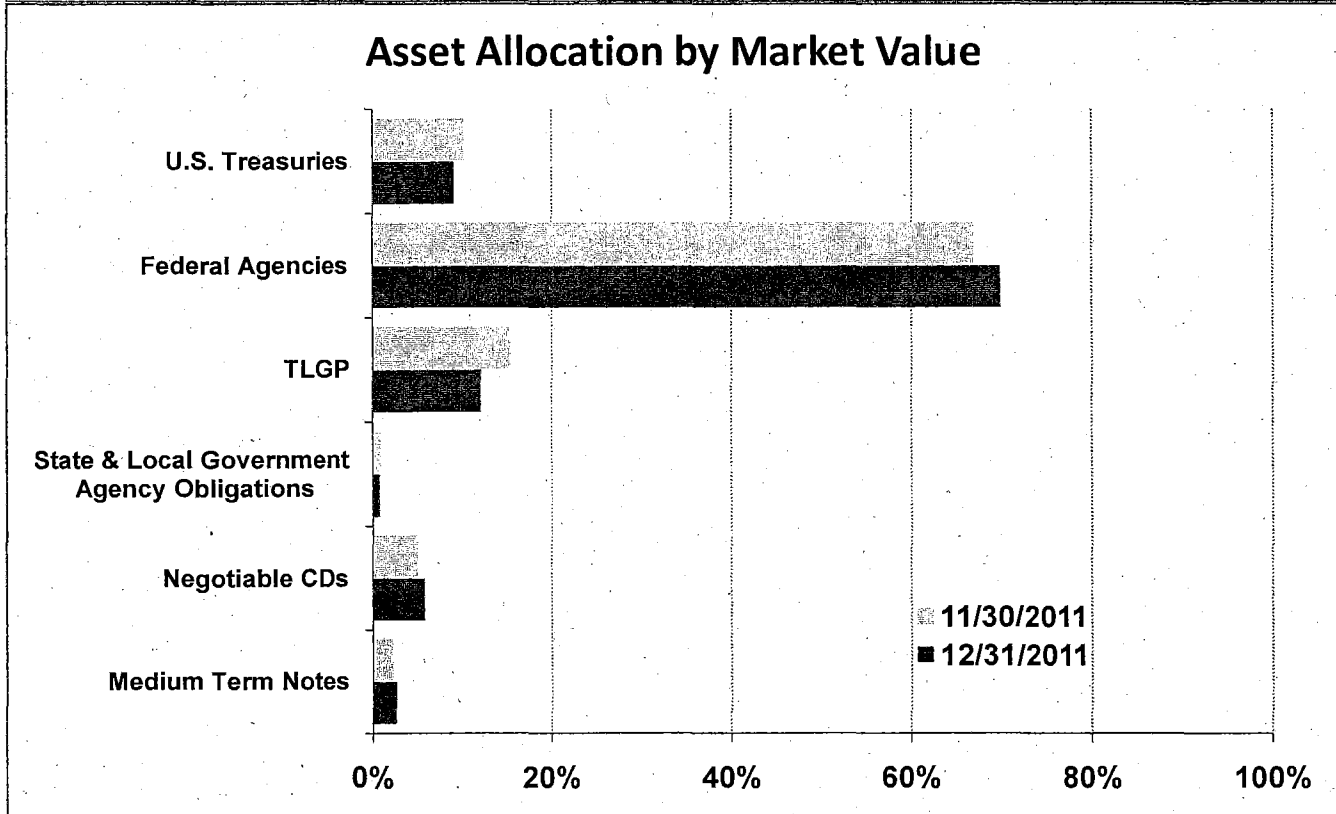
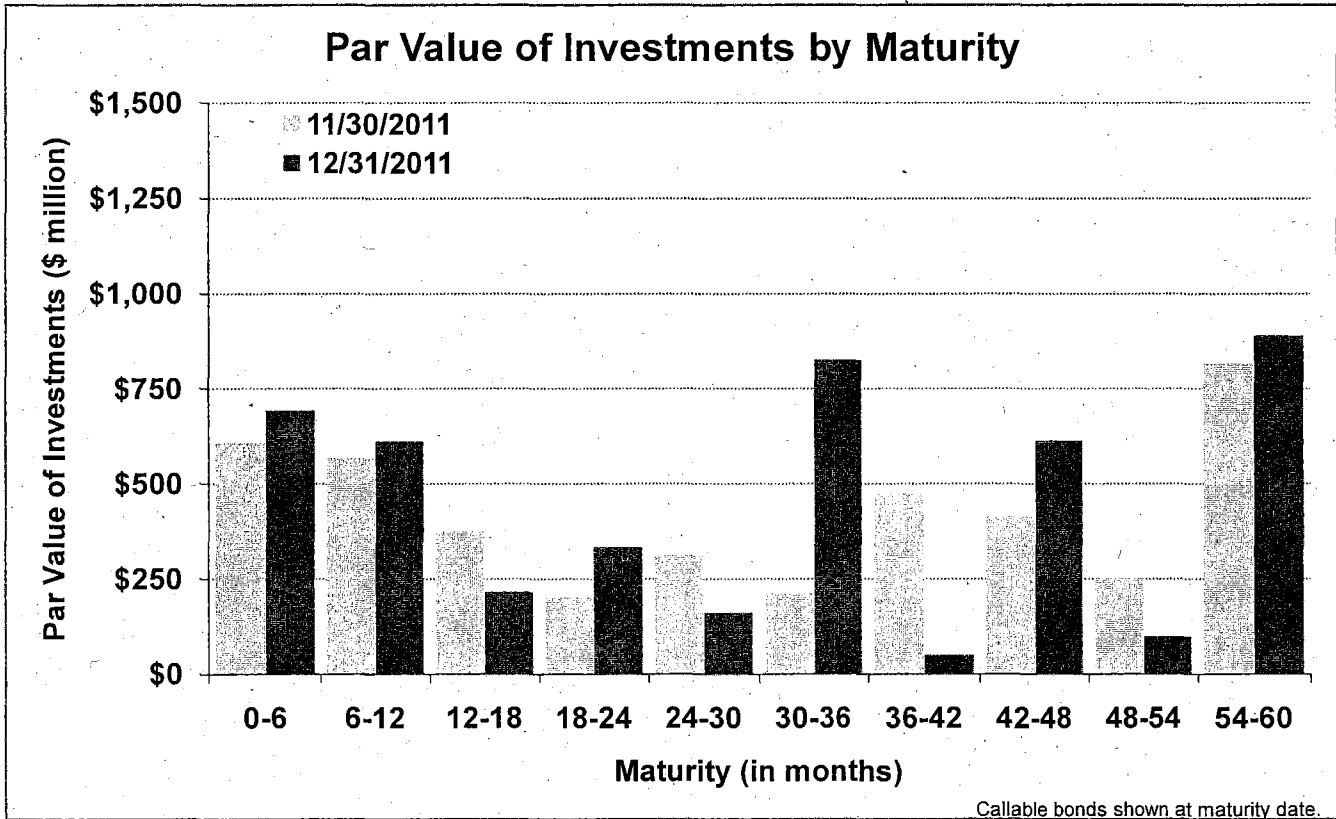
Portfolio Summary Pooled Fund

As of December 31, 2011

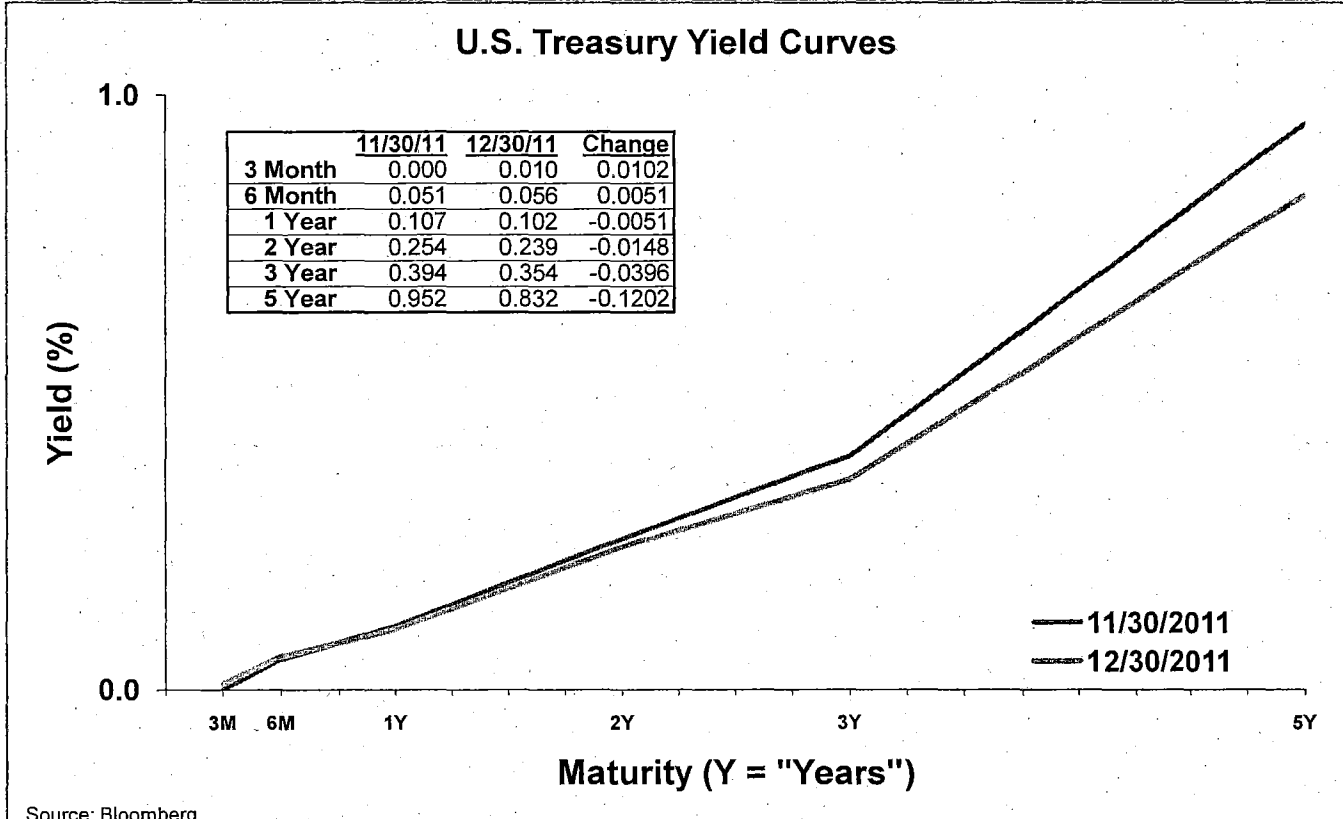
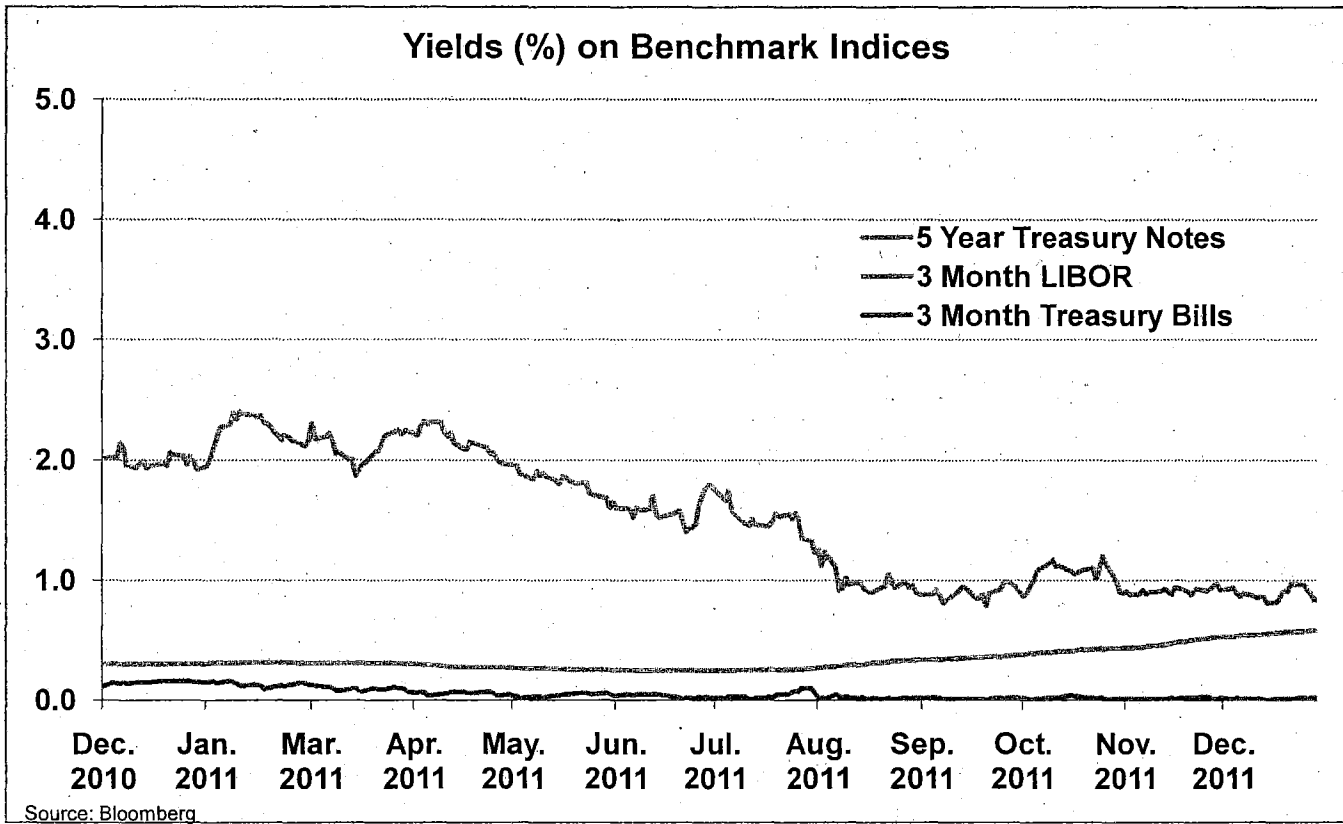
| <i>(in \$ million)</i> | | | | | | | | |
|--|------------------|-------------------|---------------------|--------------------------|-----------------------------|-------------------------------|-------------------|--|
| Security Type | Par Value | Book Value | Market Value | Market/Book Price | Current % Allocation | Max. Policy Allocation | Compliant? | |
| U.S. Treasuries | \$ 400 | \$ 401 | \$ 409 | 102.03 | 9.01% | 100% | Yes | |
| Federal Agencies | 3,123 | 3,132 | 3,167 | 101.10 | 69.76% | 70% | Yes | |
| TLGP | 546 | 554 | 551 | 99.43 | 12.14% | 30% | Yes | |
| State & Local Government | | | | | | | | |
| Agency Obligations | 33 | 33 | 33 | 99.58 | 0.72% | 20% | Yes | |
| Public Time Deposits | 0.4 | 0.4 | 0.4 | 100.00 | 0.01% | 100% | Yes | |
| Negotiable CDs | 262 | 262 | 261 | 99.69 | 5.76% | 30% | Yes | |
| Bankers Acceptances | - | - | - | - | 0.00% | 40% | Yes | |
| Commercial Paper | - | - | - | - | 0.00% | 25% | Yes | |
| Medium Term Notes | 116 | 119 | 118 | 99.10 | 2.60% | 15% | Yes | |
| Repurchase Agreements | - | - | - | - | 0.00% | 100% | Yes | |
| Reverse Repurchase/ Securities Lending Agreements | - | - | - | - | 0.00% | \$75mm | Yes | |
| Money Market Funds | - | - | - | - | 0.00% | 100% | Yes | |
| LAIF | - | - | - | - | 0.00% | \$50mm | Yes | |
| TOTAL | \$ 4,480 | \$ 4,502 | \$ 4,539 | 100.83 | 100.00% | - | Yes | |

Note: The full Investment Policy can be found at <http://www.sftreasurer.org/>, in the Reports & Plans section of the About menu.

Portfolio Analysis Pooled Fund



Yield Curves



Investment Inventory

Pooled Fund

As of December 31, 2011

| Type of Investment | CUSIP | Issue Name | Settle | Maturity | Duration | Coupon | Par Value | Book Value | Amortized | |
|--------------------|-----------|--------------------------|----------|----------|-------------|-------------|-----------------------|-----------------------|-----------------------|-----------------------|
| | | | Date | Date | | | | | Book Value | Market Value |
| U.S. Treasuries | 912828LB4 | US TSY NT | 3/23/10 | 7/15/12 | 0.54 | 1.50 | \$ 50,000,000 | \$ 50,441,406 | \$ 50,102,385 | \$ 50,375,000 |
| U.S. Treasuries | 912828QE3 | US TSY NT | 6/1/11 | 4/30/13 | 1.33 | 0.63 | 25,000,000 | 25,095,703 | 25,066,403 | 25,145,000 |
| U.S. Treasuries | 912828JT8 | US TSY NT | 6/1/11 | 11/30/13 | 1.89 | 2.00 | 25,000,000 | 25,851,563 | 25,651,963 | 25,825,000 |
| U.S. Treasuries | 912828PQ7 | US TSY NT | 6/1/11 | 1/15/14 | 2.01 | 1.00 | 25,000,000 | 25,226,563 | 25,176,005 | 25,370,000 |
| U.S. Treasuries | 912828LC2 | US TSY NT | 6/1/11 | 7/31/14 | 2.49 | 2.63 | 25,000,000 | 26,382,813 | 26,126,825 | 26,467,500 |
| U.S. Treasuries | 912828PE4 | US TSY NT | 12/23/11 | 10/31/15 | 3.75 | 1.25 | 25,000,000 | 25,609,375 | 25,650,981 | 25,640,000 |
| U.S. Treasuries | 912828PJ3 | US TSY NT | 12/16/10 | 11/30/15 | 3.82 | 1.38 | 50,000,000 | 49,519,531 | 49,620,669 | 51,525,000 |
| U.S. Treasuries | 912828PJ3 | US TSY NT | 12/16/10 | 11/30/15 | 3.82 | 1.38 | 50,000,000 | 49,519,531 | 49,620,669 | 51,525,000 |
| U.S. Treasuries | 912828PJ3 | US TSY NT | 12/23/10 | 11/30/15 | 3.82 | 1.38 | 50,000,000 | 48,539,063 | 48,842,108 | 51,525,000 |
| U.S. Treasuries | 912828RJ1 | US TSY NT | 10/11/11 | 9/30/16 | 4.64 | 1.00 | 75,000,000 | 74,830,078 | 74,860,292 | 75,772,500 |
| Subtotals | | | | | 3.09 | 1.36 | \$ 400,000,000 | \$ 401,015,625 | \$ 400,718,300 | \$ 409,170,000 |
| Federal Agencies | 31344AJT2 | FHLMC BONDS | 6/10/10 | 1/15/12 | 0.04 | 5.75 | \$ 20,000,000 | \$ 21,479,608 | \$ 20,035,470 | \$ 20,037,500 |
| Federal Agencies | 31331JGD9 | FFCB 2 YEAR BULLET FIXED | 3/9/10 | 3/5/12 | 0.18 | 0.95 | 17,050,000 | 17,016,071 | 17,047,013 | 17,071,313 |
| Federal Agencies | 31331JGD9 | FFCB 2 YEAR BULLET FIXED | 3/9/10 | 3/5/12 | 0.18 | 0.95 | 58,000,000 | 57,893,860 | 57,990,656 | 58,072,500 |
| Federal Agencies | 880591DT6 | TENN VALLEY AUTHORITY | 8/4/10 | 5/23/12 | 0.39 | 6.79 | 20,500,000 | 22,725,275 | 20,983,608 | 21,028,516 |
| Federal Agencies | 313376CU7 | FHLB BD | 12/22/11 | 10/9/12 | 0.77 | 0.16 | 1,400,000 | 1,400,126 | 1,400,389 | 1,399,125 |
| Federal Agencies | 31398A6V9 | FNMA FRN QTR FF+20 | 12/21/10 | 12/3/12 | 0.92 | 0.27 | 50,000,000 | 50,000,000 | 50,000,000 | 50,031,250 |
| Federal Agencies | 31398A6V9 | FNMA FRN QTR FF+20 | 12/23/10 | 12/3/12 | 0.92 | 0.27 | 50,000,000 | 50,000,000 | 50,000,000 | 50,031,250 |
| Federal Agencies | 31331G2R9 | FFCB | 3/26/10 | 12/7/12 | 0.93 | 1.88 | 37,000,000 | 37,333,370 | 37,115,176 | 37,555,000 |
| Federal Agencies | 31331JAB9 | FFCB BULLET | 4/16/10 | 12/24/12 | 0.98 | 1.63 | 50,000,000 | 50,048,500 | 50,017,663 | 50,656,250 |
| Federal Agencies | 3134G1U69 | FHLMC FRN QTR FF+19 | 1/11/11 | 1/10/13 | 1.02 | 0.26 | 50,000,000 | 50,000,000 | 50,000,000 | 50,031,250 |
| Federal Agencies | 3134G1U69 | FHLMC FRN QTR FF+19 | 1/12/11 | 1/10/13 | 1.02 | 0.26 | 50,000,000 | 49,989,900 | 49,994,805 | 50,031,250 |
| Federal Agencies | 3134G1U69 | FHLMC FRN QTR FF+19 | 3/22/11 | 1/10/13 | 1.02 | 0.26 | 35,000,000 | 35,015,925 | 35,009,048 | 35,021,875 |
| Federal Agencies | 31331KM31 | FFCB FLT T-BILL+22 | 12/12/11 | 5/1/13 | 1.33 | 0.23 | 20,000,000 | 20,002,800 | 20,007,921 | 20,006,250 |
| Federal Agencies | 3137EABM0 | FHLMC BONDS | 5/13/11 | 6/28/13 | 1.47 | 3.75 | 25,000,000 | 26,608,250 | 26,125,982 | 26,281,250 |
| Federal Agencies | 31398AV90 | FNMA CALL | 7/16/10 | 7/16/13 | 1.52 | 1.30 | 25,000,000 | 24,987,500 | 24,993,590 | 25,125,000 |
| Federal Agencies | 31398AV90 | FNMA CALL | 7/16/10 | 7/16/13 | 1.52 | 1.30 | 50,000,000 | 49,975,000 | 49,987,181 | 50,250,000 |
| Federal Agencies | 3134G2B50 | FHLMC FRN FF+23 | 9/1/11 | 9/3/13 | 1.67 | 0.30 | 50,000,000 | 49,979,500 | 49,982,912 | 50,015,625 |
| Federal Agencies | 3134G2K43 | FHLMC FLT NT FF+21 | 9/13/11 | 9/13/13 | 1.70 | 0.28 | 50,000,000 | 49,969,500 | 49,974,090 | 50,000,000 |
| Federal Agencies | 31315PLT4 | FARMER MAC | 12/6/10 | 12/6/13 | 1.91 | 1.25 | 35,000,000 | 34,951,700 | 34,968,931 | 35,492,188 |
| Federal Agencies | 31331J6A6 | FFCB | 12/23/10 | 12/23/13 | 1.96 | 1.30 | 22,000,000 | 21,993,125 | 21,995,471 | 22,378,125 |
| Federal Agencies | 313371UC8 | FHLB | 11/18/10 | 12/27/13 | 1.98 | 0.88 | 75,000,000 | 74,865,000 | 74,913,648 | 75,656,250 |
| Federal Agencies | 3135G0AZ6 | FNMA FRN QTR T-BILL+21 | 3/4/11 | 3/4/14 | 2.17 | 0.22 | 25,000,000 | 24,985,000 | 24,989,147 | 24,976,563 |
| Federal Agencies | 3135G0AZ6 | FNMA FRN QTR T-BILL+21 | 3/4/11 | 3/4/14 | 2.17 | 0.22 | 25,000,000 | 24,992,500 | 24,994,573 | 24,976,563 |
| Federal Agencies | 31398A3R1 | FNMA AMORT TO CALL | 11/10/10 | 3/21/14 | 2.19 | 1.35 | 24,500,000 | 24,564,827 | 24,500,000 | 24,859,844 |
| Federal Agencies | 3136FRPJ6 | FNMA FLT-TO-FIX CALL NT | 10/18/11 | 6/6/14 | 2.42 | 0.63 | 10,525,000 | 10,536,578 | 10,532,871 | 10,538,156 |
| Federal Agencies | 3133724E1 | FHLB | 12/31/10 | 6/30/14 | 2.47 | 1.21 | 50,000,000 | 50,000,000 | 50,000,000 | 50,796,875 |
| Federal Agencies | 3137EACU1 | FHLMC BONDS | 6/2/11 | 7/30/14 | 2.54 | 1.00 | 75,000,000 | 74,946,000 | 74,955,967 | 75,796,875 |
| Federal Agencies | 3134G2UA8 | FHLMC NT | 12/1/11 | 8/20/14 | 2.60 | 1.00 | 53,000,000 | 53,468,944 | 53,638,332 | 53,331,250 |
| Federal Agencies | 3134G2UA8 | FHLMC NT | 12/14/11 | 8/20/14 | 2.60 | 1.00 | 25,000,000 | 25,232,315 | 25,323,881 | 25,156,250 |
| Federal Agencies | 313370JS8 | FHLB | 12/8/10 | 9/12/14 | 2.65 | 1.38 | 26,095,000 | 26,129,068 | 26,119,423 | 26,633,209 |
| Federal Agencies | 3128X3L76 | FHLMC BONDS | 12/23/10 | 11/13/14 | 2.70 | 5.00 | 21,910,000 | 24,606,902 | 23,897,091 | 24,518,659 |
| Federal Agencies | 3128X3L76 | FHLMC BONDS | 12/23/10 | 11/13/14 | 2.70 | 5.00 | 1,000,000 | 1,123,090 | 1,090,693 | 1,119,063 |
| Federal Agencies | 3136FTRF8 | FNMA FLT QTR FF+39 | 12/12/11 | 11/21/14 | 2.87 | 0.46 | 26,500,000 | 26,523,585 | 26,530,390 | 26,533,125 |
| Federal Agencies | 31331J4S9 | FFCB | 12/16/10 | 12/8/14 | 2.88 | 1.40 | 27,000,000 | 26,986,500 | 26,990,040 | 27,565,313 |
| Federal Agencies | 31331J4S9 | FFCB | 12/8/10 | 12/8/14 | 2.88 | 1.40 | 19,000,000 | 18,956,680 | 18,968,214 | 19,397,813 |
| Federal Agencies | 313371PC4 | FHLB | 11/22/10 | 12/12/14 | 2.92 | 0.88 | 25,000,000 | 24,617,500 | 24,722,100 | 25,093,750 |
| Federal Agencies | 313371W51 | FHLB | 12/6/10 | 12/12/14 | 2.90 | 1.25 | 50,000,000 | 49,725,000 | 49,798,296 | 50,734,375 |

-Investment Inventory Pooled Fund

| Type of Investment | CUSIP | Issue Name | Settle | Maturity | Duration | Coupon | Par Value | Book Value | Amortized | |
|--------------------|-----------|------------------------------|----------|----------|-------------|-------------|-------------------------|-------------------------|-------------------------|-------------------------|
| | | | Date | Date | | | | | Book Value | Market Value |
| Federal Agencies | 313371W51 | FHLB | 12/8/10 | 12/12/14 | 2.90 | 1.25 | 75,000,000 | 74,391,000 | 74,552,707 | 76,101,563 |
| Federal Agencies | 3133XVNU1 | FHLB | 11/23/10 | 12/12/14 | 2.85 | 2.75 | 25,400,000 | 26,848,308 | 26,452,959 | 26,931,938 |
| Federal Agencies | 3133XVNU1 | FHLB | 11/23/10 | 12/12/14 | 2.85 | 2.75 | 2,915,000 | 3,079,668 | 3,034,718 | 3,090,811 |
| Federal Agencies | 3133XVNU1 | FHLB | 12/8/10 | 12/12/14 | 2.85 | 2.75 | 25,000,000 | 26,332,000 | 25,978,315 | 26,507,813 |
| Federal Agencies | 3133XVNU1 | FHLB | 12/8/10 | 12/12/14 | 2.85 | 2.75 | 50,000,000 | 52,674,000 | 51,963,975 | 53,015,625 |
| Federal Agencies | 313371W93 | FHLB | 12/15/10 | 12/15/14 | 2.91 | 1.34 | 75,000,000 | 75,000,000 | 75,000,000 | 76,523,438 |
| Federal Agencies | 3136FTVN6 | FNMA FLT QTR FF+35 | 12/15/11 | 12/15/14 | 2.94 | 0.42 | 75,000,000 | 75,000,000 | 75,000,000 | 75,000,000 |
| Federal Agencies | 3135G0GM9 | FNMA CALL NT | 12/23/11 | 12/23/14 | 2.95 | 0.83 | 25,000,000 | 25,040,000 | 25,039,508 | 24,976,563 |
| Federal Agencies | 31331J6Q1 | FFCB | 12/29/10 | 12/29/14 | 2.93 | 1.72 | 27,175,000 | 27,157,065 | 27,161,582 | 27,973,266 |
| Federal Agencies | 31331J6Q1 | FFCB | 12/29/10 | 12/29/14 | 2.93 | 1.72 | 70,000,000 | 69,988,800 | 69,991,621 | 72,056,250 |
| Federal Agencies | 3136FMA38 | FNMA | 6/25/10 | 6/25/15 | 3.38 | 2.50 | 49,080,000 | 49,018,650 | 49,037,297 | 49,509,450 |
| Federal Agencies | 3136FM6G4 | FNMA | 8/10/10 | 8/10/15 | 3.46 | 2.13 | 25,000,000 | 25,000,000 | 25,000,000 | 25,046,875 |
| Federal Agencies | 3137EACM9 | FHLMC BONDS | 12/15/10 | 9/10/15 | 3.57 | 1.75 | 50,000,000 | 49,050,000 | 49,259,769 | 51,578,125 |
| Federal Agencies | 313370JB5 | FHLB | 12/15/10 | 9/11/15 | 3.57 | 1.75 | 75,000,000 | 73,587,000 | 73,898,823 | 77,484,375 |
| Federal Agencies | 31315PGT0 | FARMER MAC | 9/15/10 | 9/15/15 | 3.56 | 2.13 | 45,000,000 | 44,914,950 | 44,936,981 | 46,589,063 |
| Federal Agencies | 31398A3T7 | FNMA NT EX-CALL | 10/14/11 | 9/21/15 | 3.59 | 2.00 | 25,000,000 | 25,881,000 | 25,864,545 | 25,984,375 |
| Federal Agencies | 31398A4M1 | FNMA | 12/15/10 | 10/26/15 | 3.71 | 1.63 | 25,000,000 | 24,317,500 | 24,464,299 | 25,617,188 |
| Federal Agencies | 31398A4M1 | FNMA | 12/23/10 | 10/26/15 | 3.71 | 1.63 | 42,000,000 | 40,924,380 | 41,151,915 | 43,036,875 |
| Federal Agencies | 31398A4M1 | FNMA | 12/23/10 | 10/26/15 | 3.71 | 1.63 | 50,000,000 | 48,701,500 | 48,976,183 | 51,234,375 |
| Federal Agencies | 31331J2S1 | FFCB | 12/15/10 | 11/16/15 | 3.77 | 1.50 | 25,000,000 | 24,186,981 | 24,359,810 | 25,531,250 |
| Federal Agencies | 313371ZY5 | FHLB | 12/3/10 | 12/11/15 | 3.82 | 1.88 | 25,000,000 | 24,982,000 | 24,985,867 | 25,789,063 |
| Federal Agencies | 313371ZY5 | FHLB | 12/14/10 | 12/11/15 | 3.82 | 1.88 | 50,000,000 | 49,871,500 | 49,898,497 | 51,578,125 |
| Federal Agencies | 3135G0BH5 | FNMA CALL NT | 6/10/11 | 4/11/16 | 4.06 | 2.60 | 25,000,000 | 25,400,000 | 25,132,026 | 25,148,438 |
| Federal Agencies | 313373ZN5 | FHLB | 6/6/11 | 6/6/16 | 4.25 | 2.03 | 35,000,000 | 35,000,000 | 35,000,000 | 36,509,375 |
| Federal Agencies | 3135G0BK8 | FNMA CALL NT | 6/10/11 | 6/6/16 | 4.24 | 2.25 | 10,000,000 | 10,078,200 | 10,033,915 | 10,075,000 |
| Federal Agencies | 3134G2LW0 | FHLMC CALL | 7/26/11 | 6/29/16 | 4.32 | 2.00 | 27,345,000 | 27,358,673 | 27,352,260 | 27,507,361 |
| Federal Agencies | 31315PA25 | FAMCA NT | 7/27/11 | 7/27/16 | 4.36 | 2.00 | 15,000,000 | 14,934,750 | 14,940,393 | 15,407,813 |
| Federal Agencies | 3136FRA86 | FNMA CALL | 8/11/11 | 7/27/16 | 4.33 | 2.25 | 67,325,000 | 67,829,938 | 67,461,592 | 67,409,156 |
| Federal Agencies | 3134G2SP8 | FHLMC CALL | 7/28/11 | 7/28/16 | 4.36 | 2.00 | 50,000,000 | 50,022,500 | 50,016,077 | 50,640,625 |
| Federal Agencies | 3136FRJ95 | FNMA CALL | 8/15/11 | 8/15/16 | 4.40 | 2.01 | 100,000,000 | 100,000,000 | 100,000,000 | 100,843,750 |
| Federal Agencies | 31331KUB4 | FFCB CALL | 8/15/11 | 8/15/16 | 4.43 | 1.75 | 29,775,000 | 29,802,914 | 29,792,313 | 29,951,789 |
| Federal Agencies | 3134G2VB5 | FHLMC CALL | 8/24/11 | 8/24/16 | 4.41 | 2.20 | 25,000,000 | 25,066,406 | 25,019,489 | 25,062,500 |
| Federal Agencies | 3134G2WF5 | FHLMC CALL | 8/24/11 | 8/24/16 | 4.46 | 1.75 | 5,050,000 | 5,050,000 | 5,050,000 | 5,059,469 |
| Federal Agencies | 3134G2WJ7 | FHLMC STEP CALL | 8/24/11 | 8/24/16 | 4.48 | 1.50 | 25,000,000 | 25,000,000 | 25,000,000 | 25,039,063 |
| Federal Agencies | 3134G2VB5 | FHLMC CALL | 8/24/11 | 8/24/16 | 4.41 | 2.20 | 25,000,000 | 25,085,938 | 25,025,221 | 25,062,500 |
| Federal Agencies | 3134G2YE6 | FHLMC CALL | 8/24/11 | 8/24/16 | 4.48 | 1.50 | 50,000,000 | 50,000,000 | 50,000,000 | 50,078,125 |
| Federal Agencies | 3134G2YG1 | FHLMC CALL | 8/24/11 | 8/24/16 | 4.49 | 1.42 | 100,000,000 | 100,000,000 | 100,000,000 | 100,437,500 |
| Federal Agencies | 3134G2XB3 | FHLMC CALL NT | 8/24/11 | 8/24/16 | 4.45 | 1.80 | 25,000,000 | 25,000,000 | 25,000,000 | 25,179,688 |
| Federal Agencies | 3136FRQ55 | FNMA STEP CALL | 9/9/11 | 9/9/16 | 4.58 | 1.00 | 50,000,000 | 50,000,000 | 50,000,000 | 50,031,250 |
| Federal Agencies | 313370TW8 | FHLB BD | 10/11/11 | 9/9/16 | 4.48 | 2.00 | 25,000,000 | 25,727,400 | 25,738,615 | 26,023,438 |
| Federal Agencies | 3136FR4T7 | FNMA STEP NT | 9/26/11 | 9/26/16 | 4.64 | 0.90 | 50,000,000 | 50,000,000 | 50,000,000 | 50,031,250 |
| Federal Agencies | 3135G0CM3 | FNMA NT | 10/11/11 | 9/28/16 | 4.60 | 1.25 | 25,000,000 | 24,856,450 | 24,874,224 | 25,101,563 |
| Federal Agencies | 3134G22E1 | FHLMC CALL NT | 12/27/11 | 11/2/16 | 4.66 | 1.60 | 25,000,000 | 25,082,500 | 25,142,285 | 25,140,625 |
| Federal Agencies | 3135G0ES8 | FNMA NT | 12/14/11 | 11/15/16 | 4.72 | 1.38 | 50,000,000 | 50,309,092 | 50,361,380 | 50,437,500 |
| Federal Agencies | 3136FTQQ5 | FNMA CALL NT | 12/14/11 | 12/14/16 | 4.77 | 1.70 | 21,000,000 | 21,000,000 | 21,000,000 | 21,019,688 |
| Federal Agencies | 3136FTUZ0 | FNMA CALL NT | 12/30/11 | 12/30/16 | 4.85 | 1.40 | 50,000,000 | 49,975,000 | 49,975,027 | 49,984,375 |
| Subtotals | | | | | 3.00 | 1.50 | \$ 3,122,545,000 | \$ 3,132,155,660 | \$ 3,127,518,760 | \$ 3,166,537,686 |
| TLGP | 36967HAN7 | GENL ELEC CAP CORP FDIC TLGP | 3/24/09 | 3/12/12 | 0.20 | 2.25 | \$ 35,000,000 | \$ 35,185,150 | \$ 35,012,127 | \$ 35,142,188 |
| TLGP | 61757UAN0 | MORGAN STANLEY FDIC GTD.TLGF | 3/19/09 | 3/13/12 | 0.20 | 0.74 | 25,000,000 | 25,040,325 | 25,002,664 | 25,031,250 |

Investment Inventory

Pooled Fund

| Type of Investment | CUSIP | Issue Name | Settle | Maturity | Duration | Coupon | Par Value | Book Value | Amortized | |
|----------------------|-----------|---------------------------------|----------|----------|-------------|-------------|-------------------------|-------------------------|-------------------------|-------------------------|
| | | | Date | Date | | | | | Book Value | Market Value |
| TLGP | 61757UAP5 | MORGAN STANLEY TLGP | 11/4/09 | 3/13/12 | 0.20 | 2.25 | 20,000,000 | 20,431,800 | 20,036,151 | 20,087,500 |
| TLGP | 61757UAP5 | MORGAN STANLEY TLGP | 11/6/09 | 3/13/12 | 0.20 | 2.25 | 50,000,000 | 51,084,000 | 50,090,965 | 50,218,750 |
| TLGP | 905266AA0 | UNION BANK TLGP FLOAT | 3/23/09 | 3/16/12 | 0.21 | 0.76 | 25,000,000 | 25,033,725 | 25,002,323 | 25,007,813 |
| TLGP | 064244AA4 | BANK OF THE WEST TLGP | 4/2/09 | 3/27/12 | 0.24 | 2.15 | 5,000,000 | 5,026,950 | 5,002,126 | 5,024,219 |
| TLGP | 064244AA4 | BANK OF THE WEST TLGP | 4/2/09 | 3/27/12 | 0.24 | 2.15 | 20,000,000 | 20,108,000 | 20,008,521 | 20,096,875 |
| TLGP | 90390QAA9 | USSA CAPITAL CO | 4/28/09 | 3/30/12 | 0.25 | 2.24 | 16,000,000 | 16,125,600 | 16,010,476 | 16,082,500 |
| TLGP | 17313UAE9 | CITIGROUP TLGP | 4/2/09 | 4/30/12 | 0.33 | 2.13 | 25,000,000 | 25,117,500 | 25,012,544 | 25,167,969 |
| TLGP | 06050BAG6 | BANK AMERICA CORP TLGP | 4/2/09 | 4/30/12 | 0.33 | 2.10 | 25,000,000 | 25,093,000 | 25,009,929 | 25,171,875 |
| TLGP | 481247AK0 | J P MORGAN CHASE TLGP | 3/24/09 | 6/15/12 | 0.46 | 2.20 | 25,000,000 | 25,119,000 | 25,016,755 | 25,238,281 |
| TLGP | 38146FAA9 | GOLDMAN SACHS TLGP | 3/22/10 | 6/15/12 | 0.46 | 3.25 | 50,000,000 | 52,215,000 | 50,450,600 | 50,710,938 |
| TLGP | 481247AK0 | J P MORGAN TLGP | 4/21/10 | 6/15/12 | 0.46 | 2.20 | 50,000,000 | 51,097,500 | 50,231,788 | 50,476,563 |
| TLGP | 06050BAJ0 | BANK AMERICA CORP TLGP | 4/14/09 | 6/22/12 | 0.48 | 2.38 | 50,000,000 | 50,685,000 | 50,101,721 | 50,539,063 |
| TLGP | 36967HBB2 | GENERAL ELECTRIC TLGP BULLET | 3/22/10 | 9/28/12 | 0.74 | 2.00 | 25,000,000 | 25,366,000 | 25,107,694 | 25,339,844 |
| TLGP | 36967HBB2 | GENERAL ELECTRIC TLGP BULLET | 4/20/10 | 9/28/12 | 0.74 | 2.00 | 75,000,000 | 76,010,250 | 75,306,926 | 76,019,531 |
| TLGP | 36967HAV9 | GENERAL ELECTRIC TLGP | 11/6/09 | 12/21/12 | 0.97 | 2.13 | 25,000,000 | 25,253,750 | 25,078,949 | 25,464,844 |
| Subtotals | | | | | 0.43 | 2.14 | \$ 546,000,000 | \$ 553,992,550 | \$ 547,482,259 | \$ 550,820,000 |
| State/Local Agencies | 13063BLL4 | CAL RANS SER A1 | 9/22/11 | 5/24/12 | 0.40 | 2.00 | \$ 22,500,000 | \$ 22,744,350 | \$ 22,643,618 | \$ 22,649,400 |
| State/Local Agencies | 13063BLK6 | CAL RANS SER A2 | 9/22/11 | 6/26/12 | 0.49 | 2.00 | 10,000,000 | 10,121,400 | 10,077,294 | 10,079,100 |
| Subtotals | | | | | 0.42 | 2.00 | \$ 32,500,000 | \$ 32,865,750 | \$ 32,720,912 | \$ 32,728,500 |
| Public Time Deposits | | BANK OF SAN FRANCISCO CD | 5/18/11 | 5/18/12 | 0.38 | 0.75 | \$ 100,000 | \$ 100,000 | \$ 100,000 | \$ 100,000 |
| Public Time Deposits | | FIRST NAT. BANK OF NOR. CAL. PT | 8/4/11 | 8/3/12 | 0.59 | 0.40 | 250,000 | 250,000 | 250,000 | 250,000 |
| Subtotals | | | | | 0.53 | 0.50 | \$ 350,000 | \$ 350,000 | \$ 350,000 | \$ 350,000 |
| Negotiable CDs | 78009J5E1 | RBC FLT YCD 3ML+2 | 9/2/11 | 5/11/12 | 0.36 | 0.46 | \$ 60,000,000 | \$ 59,994,006 | \$ 59,996,884 | \$ 60,007,183 |
| Negotiable CDs | 06417DUP8 | BK OF NOVA SCOTIA YCD FLT 3ML- | 9/21/11 | 6/11/12 | 0.44 | 0.74 | 52,176,000 | 52,214,610 | 52,199,693 | 52,249,110 |
| Negotiable CDs | 78009NBL9 | RBC YCD FLT 1ML+22 | 11/2/11 | 11/2/12 | 0.83 | 0.49 | 50,000,000 | 50,000,000 | 50,000,000 | 49,873,166 |
| Negotiable CDs | 78009NBU9 | RBC YCD | 11/16/11 | 11/16/12 | 0.88 | 0.67 | 50,000,000 | 50,000,000 | 50,000,000 | 49,648,889 |
| Negotiable CDs | 78009NCS3 | RBC YCD | 12/16/11 | 12/17/12 | 0.96 | 0.72 | 50,000,000 | 50,000,000 | 50,000,000 | 49,614,875 |
| Subtotals | | | | | 0.68 | 0.61 | \$ 262,176,000 | \$ 262,208,616 | \$ 262,196,577 | \$ 261,393,223 |
| Medium Term Notes | 36962G2L7 | GE MTN | 8/22/11 | 4/10/12 | 0.28 | 5.00 | \$ 10,000,000 | \$ 10,277,200 | \$ 10,119,483 | \$ 10,123,438 |
| Medium Term Notes | 073928X73 | JPM MTN | 9/6/11 | 8/10/12 | 0.59 | 6.95 | 9,317,000 | 9,855,429 | 9,716,366 | 9,662,020 |
| Medium Term Notes | 36962G4E1 | GE MTN | 8/24/11 | 8/13/12 | 0.61 | 3.50 | 55,750,000 | 57,282,568 | 56,780,967 | 56,673,359 |
| Medium Term Notes | 36962G4E1 | GE MTN | 9/7/11 | 8/13/12 | 0.61 | 3.50 | 8,370,000 | 8,590,047 | 8,534,723 | 8,508,628 |
| Medium Term Notes | 36962G4E1 | GE MTN | 9/14/11 | 8/13/12 | 0.61 | 3.50 | 4,700,000 | 4,819,239 | 4,794,491 | 4,777,844 |
| Medium Term Notes | 89233P5P7 | TOYOTA FLT QTR 3ML+20 | 12/14/11 | 12/17/12 | 0.96 | 0.75 | 18,200,000 | 18,200,000 | 18,200,000 | 18,208,531 |
| Medium Term Notes | 89233P5Q5 | TOYOTA FLT QTR 3ML+20 | 12/15/11 | 1/11/13 | 1.02 | 0.81 | 10,000,000 | 10,000,000 | 10,000,000 | 10,001,563 |
| Subtotals | | | | | 0.67 | 3.26 | \$ 116,337,000 | \$ 119,024,483 | \$ 118,146,029 | \$ 117,955,383 |
| Grand Totals | | | | | 2.48 | 1.56 | \$ 4,479,908,000 | \$ 4,501,612,584 | \$ 4,489,132,837 | \$ 4,538,954,792 |

Monthly Investment Earnings

Pooled Fund

For month ended December 31, 2011

| Type of Investment | CUSIP | Issue Name | Par Value | Coupon | YTM ¹ | Settle Date | Maturity Date | Earned Interest | Amort. Expense | Realized Gain/(Loss) | Earned Income /Net Earnings |
|--------------------|-----------|--------------------------|-----------------------|--------|------------------|-------------|---------------|-------------------|--------------------|----------------------|-----------------------------|
| U.S. Treasuries | 912828KA7 | US TSY NT | \$ - | 1.13 | 0.75 | 12/9/09 | 12/15/11 | \$ 21,516 | \$ (7,207) | \$ - | \$ 14,309 |
| U.S. Treasuries | 912828LB4 | US TSY NT | 50,000,000 | 1.50 | 1.11 | 3/23/10 | 7/15/12 | 63,179 | (16,194) | - | 46,986 |
| U.S. Treasuries | 912828QE3 | US TSY NT | 25,000,000 | 0.63 | 0.42 | 6/1/11 | 4/30/13 | 13,307 | (4,244) | - | 9,063 |
| U.S. Treasuries | 912828JT8 | US TSY NT | 25,000,000 | 2.00 | 0.62 | 6/1/11 | 11/30/13 | 42,350 | (28,914) | - | 13,436 |
| U.S. Treasuries | 912828PQ7 | US TSY NT | 25,000,000 | 1.00 | 0.65 | 6/1/11 | 1/15/14 | 21,060 | (7,324) | - | 13,736 |
| U.S. Treasuries | 912828LC2 | US TSY NT | 25,000,000 | 2.63 | 0.85 | 6/1/11 | 7/31/14 | 55,282 | (37,082) | - | 18,200 |
| U.S. Treasuries | 912828PE4 | US TSY NT | 25,000,000 | 1.25 | 0.61 | 12/23/11 | 10/31/15 | 7,727 | (3,895) | - | 3,832 |
| U.S. Treasuries | 912828PJ3 | US TSY NT | 50,000,000 | 1.38 | 1.58 | 12/16/10 | 11/30/15 | 58,231 | 8,229 | - | 66,460 |
| U.S. Treasuries | 912828PJ3 | US TSY NT | 50,000,000 | 1.38 | 1.58 | 12/16/10 | 11/30/15 | 58,231 | 8,229 | - | 66,460 |
| U.S. Treasuries | 912828PJ3 | US TSY NT | 50,000,000 | 1.38 | 2.00 | 12/23/10 | 11/30/15 | 58,231 | 25,119 | - | 83,350 |
| U.S. Treasuries | 912828RJ1 | US TSY NT | 75,000,000 | 1.00 | 1.05 | 10/11/11 | 9/30/16 | 63,525 | 2,901 | - | 66,425 |
| Subtotals | | | \$ 400,000,000 | | | | | \$ 462,638 | \$ (60,383) | \$ - | \$ 402,255 |
| Federal Agencies | 3134A4JT2 | FHLMC BONDS | \$ 20,000,000 | 5.75 | 1.07 | 6/10/10 | 1/15/12 | \$ 95,833 | \$ (78,541) | \$ - | \$ 17,293 |
| Federal Agencies | 31331JGD9 | FFCB 2 YEAR BULLET FIXED | 17,050,000 | 0.95 | 1.05 | 3/9/10 | 3/5/12 | 13,498 | 1,447 | - | 14,945 |
| Federal Agencies | 31331JGD9 | FFCB 2 YEAR BULLET FIXED | 58,000,000 | 0.95 | 1.04 | 3/9/10 | 3/5/12 | 45,917 | 4,526 | - | 50,443 |
| Federal Agencies | 880591DT6 | TENN VALLEY AUTHORITY | 20,500,000 | 6.79 | 0.72 | 8/4/10 | 5/23/12 | 115,996 | (104,838) | - | 11,158 |
| Federal Agencies | 313376CU7 | FHLB BD | 1,400,000 | 0.16 | 0.15 | 12/22/11 | 10/9/12 | 56 | (4) | - | 52 |
| Federal Agencies | 31398A6V9 | FNMA FRN QTR FF+20 | 50,000,000 | 0.27 | 0.27 | 12/21/10 | 12/3/12 | 11,597 | - | - | 11,597 |
| Federal Agencies | 31398A6V9 | FNMA FRN QTR FF+20 | 50,000,000 | 0.27 | 0.27 | 12/23/10 | 12/3/12 | 11,597 | - | - | 11,597 |
| Federal Agencies | 31331G2R9 | FFCB | 37,000,000 | 1.88 | 1.53 | 3/26/10 | 12/7/12 | 57,813 | (10,471) | - | 47,342 |
| Federal Agencies | 31331JAB9 | FFCB BULLET | 50,000,000 | 1.63 | 1.59 | 4/16/10 | 12/24/12 | 67,708 | (1,530) | - | 66,179 |
| Federal Agencies | 3134G1U69 | FHLMC FRN QTR FF+19 | 50,000,000 | 0.26 | 0.26 | 1/11/11 | 1/10/13 | 11,347 | - | - | 11,347 |
| Federal Agencies | 3134G1U69 | FHLMC FRN QTR FF+19 | 50,000,000 | 0.26 | 0.28 | 1/12/11 | 1/10/13 | 11,347 | 430 | - | 11,777 |
| Federal Agencies | 3134G1U69 | FHLMC FRN QTR FF+19 | 35,000,000 | 0.26 | 0.22 | 3/22/11 | 1/10/13 | 7,943 | (748) | - | 7,195 |
| Federal Agencies | 31331KM31 | FFCB FLT T-BILL+22 | 20,000,000 | 0.23 | 0.22 | 12/12/11 | 5/1/13 | 2,529 | (111) | - | 2,418 |
| Federal Agencies | 3137EABM0 | FHLMC BONDS | 25,000,000 | 3.75 | 0.69 | 5/13/11 | 6/28/13 | 78,125 | (64,164) | - | 13,961 |
| Federal Agencies | 31398AV90 | FNMA CALL | 25,000,000 | 1.30 | 1.32 | 7/16/10 | 7/16/13 | 27,083 | 354 | - | 27,437 |
| Federal Agencies | 31398AV90 | FNMA CALL | 50,000,000 | 1.30 | 1.32 | 7/16/10 | 7/16/13 | 54,167 | 707 | - | 54,874 |
| Federal Agencies | 3134G2B50 | FHLMC FRN FF+23 | 50,000,000 | 0.30 | 0.33 | 9/1/11 | 9/3/13 | 12,927 | 867 | - | 13,794 |
| Federal Agencies | 3134G2K43 | FHLMC FLT NT FF+21 | 50,000,000 | 0.28 | 0.31 | 9/13/11 | 9/13/13 | 11,543 | 1,293 | - | 12,836 |
| Federal Agencies | 31315PLT4 | FARMER MAC | 35,000,000 | 1.25 | 1.30 | 12/6/10 | 12/6/13 | 36,458 | 1,366 | - | 37,824 |
| Federal Agencies | 31331J6A6 | FFCB | 22,000,000 | 1.30 | 1.31 | 12/23/10 | 12/23/13 | 23,833 | (4,989) | 972,683 | 991,527 |
| Federal Agencies | 313371UC8 | FHLB | 75,000,000 | 0.88 | 0.93 | 11/18/10 | 12/27/13 | 54,688 | 3,687 | - | 58,375 |
| Federal Agencies | 3135G0AZ6 | FNMA FRN QTR T-BILL+21 | 25,000,000 | 0.22 | 0.25 | 3/4/11 | 3/4/14 | 4,695 | 424 | - | 5,119 |
| Federal Agencies | 3135G0AZ6 | FNMA FRN QTR T-BILL+21 | 25,000,000 | 0.22 | 0.24 | 3/4/11 | 3/4/14 | 4,695 | 212 | - | 4,907 |
| Federal Agencies | 31398A3R1 | FNMA AMORT TO CALL | 24,500,000 | 1.35 | 1.27 | 11/10/10 | 3/21/14 | 27,563 | - | - | 27,563 |
| Federal Agencies | 3136FRPJ6 | FNMA FLT-TO-FIX CALL NT | 10,525,000 | 0.63 | 0.58 | 10/18/11 | 6/6/14 | 5,222 | (1,523) | - | 3,699 |
| Federal Agencies | 3133724E1 | FHLB | 50,000,000 | 1.21 | 1.21 | 12/31/10 | 6/30/14 | 50,417 | - | - | 50,417 |
| Federal Agencies | 3137EACU1 | FHLMC BONDS | 75,000,000 | 1.00 | 1.02 | 6/2/11 | 7/30/14 | 62,500 | 1,451 | - | 63,951 |
| Federal Agencies | 3134G2UA8 | FHLMC NT | 53,000,000 | 1.00 | 0.67 | 12/1/11 | 8/20/14 | 44,167 | (14,640) | - | 29,527 |
| Federal Agencies | 3134G2UA8 | FHLMC NT | 25,000,000 | 1.00 | 0.65 | 12/14/11 | 8/20/14 | 11,806 | (4,267) | - | 7,539 |
| Federal Agencies | 313370JS8 | FHLB | 26,095,000 | 1.38 | 1.34 | 12/8/10 | 9/12/14 | 29,901 | (769) | - | 29,132 |
| Federal Agencies | 3128X3L76 | FHLMC BONDS | 21,910,000 | 5.00 | 1.71 | 12/23/10 | 11/13/14 | 91,292 | (58,835) | - | 32,457 |
| Federal Agencies | 3128X3L76 | FHLMC BONDS | 1,000,000 | 5.00 | 1.71 | 12/23/10 | 11/13/14 | 4,167 | (2,685) | - | 1,481 |
| Federal Agencies | 3136FTRF8 | FNMA FLT QTR FF+39 | 26,500,000 | 0.46 | 0.43 | 12/12/11 | 11/21/14 | 6,758 | (439) | - | 6,319 |
| Federal Agencies | 31331J4S9 | FFCB | 27,000,000 | 1.40 | 1.41 | 12/16/10 | 12/8/14 | 31,500 | 288 | - | 31,788 |
| Federal Agencies | 31331J4S9 | FFCB | 19,000,000 | 1.40 | 1.46 | 12/8/10 | 12/8/14 | 22,167 | 919 | - | 23,086 |
| Federal Agencies | 313371PC4 | FHLB | 25,000,000 | 0.88 | 1.26 | 11/22/10 | 12/12/14 | 18,229 | 8,006 | - | 26,236 |

Monthly Investment Earnings Pooled Fund

| Type of Investment | CUSIP | Issue Name | Par Value | Coupon | YTM ¹ | Settle Date | Maturity Date | Earned Interest | Amort. Expense | Realized Gain/(Loss) | Earned Income /Net Earnings |
|--------------------|-----------|--------------------|-------------------------|--------|------------------|-------------|---------------|---------------------|---------------------|----------------------|-----------------------------|
| Federal Agencies | 313371W51 | FHLB | 50,000,000 | 1.25 | 1.39 | 12/6/10 | 12/12/14 | 52,083 | 5,811 | - | 57,895 |
| Federal Agencies | 313371W51 | FHLB | 75,000,000 | 1.25 | 1.46 | 12/8/10 | 12/12/14 | 78,125 | 12,887 | - | 91,012 |
| Federal Agencies | 3133XVNU1 | FHLB | 25,400,000 | 2.75 | 1.30 | 11/23/10 | 12/12/14 | 58,208 | (30,336) | - | 27,872 |
| Federal Agencies | 3133XVNU1 | FHLB | 2,915,000 | 2.75 | 1.31 | 11/23/10 | 12/12/14 | 6,680 | (3,449) | - | 3,231 |
| Federal Agencies | 3133XVNU1 | FHLB | 25,000,000 | 2.75 | 1.38 | 12/8/10 | 12/12/14 | 57,292 | (28,186) | - | 29,106 |
| Federal Agencies | 3133XVNU1 | FHLB | 50,000,000 | 2.75 | 1.37 | 12/8/10 | 12/12/14 | 114,583 | (56,583) | - | 58,000 |
| Federal Agencies | 313371W93 | FHLB | 75,000,000 | 1.34 | 1.34 | 12/15/10 | 12/15/14 | 83,750 | - | - | 83,750 |
| Federal Agencies | 3136FTVN6 | FNMA FLT QTR FF+35 | 75,000,000 | 0.42 | 0.42 | 12/15/11 | 12/15/14 | 13,902 | - | - | 13,902 |
| Federal Agencies | 3135G0GM9 | FNMA CALL NT | 25,000,000 | 0.83 | 0.77 | 12/23/11 | 12/23/14 | 4,583 | (492) | - | 4,091 |
| Federal Agencies | 31331J6Q1 | FFCB | 27,175,000 | 1.72 | 1.74 | 12/29/10 | 12/29/14 | 38,951 | 381 | - | 39,331 |
| Federal Agencies | 31331J6Q1 | FFCB | 70,000,000 | 1.72 | 1.72 | 12/29/10 | 12/29/14 | 100,333 | 238 | - | 100,571 |
| Federal Agencies | 3136FMA38 | FNMA | 49,080,000 | 2.50 | 2.53 | 6/25/10 | 6/25/15 | 102,250 | 1,042 | - | 103,292 |
| Federal Agencies | 3136FM6G4 | FNMA | 25,000,000 | 2.13 | 2.13 | 8/10/10 | 8/10/15 | 44,271 | - | - | 44,271 |
| Federal Agencies | 3137EACM9 | FHLMC BONDS | 50,000,000 | 1.75 | 2.17 | 12/15/10 | 9/10/15 | 72,917 | 17,023 | - | 89,940 |
| Federal Agencies | 313370JB5 | FHLB | 75,000,000 | 1.75 | 2.17 | 12/15/10 | 9/11/15 | 109,375 | 25,305 | - | 134,680 |
| Federal Agencies | 31315PGT0 | FARMER MAC | 45,000,000 | 2.13 | 2.17 | 9/15/10 | 9/15/15 | 79,688 | 1,444 | - | 81,131 |
| Federal Agencies | 31398A3T7 | FNMA NT EX-CALL | 25,000,000 | 2.00 | 1.08 | 10/14/11 | 9/21/15 | 41,667 | (18,992) | - | 22,674 |
| Federal Agencies | 31398A4M1 | FNMA | 25,000,000 | 1.63 | 2.22 | 12/15/10 | 10/26/15 | 33,854 | 11,913 | - | 45,767 |
| Federal Agencies | 31398A4M1 | FNMA | 42,000,000 | 1.63 | 2.19 | 12/23/10 | 10/26/15 | 56,875 | 18,860 | - | 75,735 |
| Federal Agencies | 31398A4M1 | FNMA | 50,000,000 | 1.63 | 2.19 | 12/23/10 | 10/26/15 | 67,708 | 22,768 | - | 90,476 |
| Federal Agencies | 31331J2S1 | FFCB | 25,000,000 | 1.50 | 2.20 | 12/15/10 | 11/16/15 | 31,250 | 14,025 | - | 45,275 |
| Federal Agencies | 313371ZY5 | FHLB | 25,000,000 | 1.88 | 1.89 | 12/3/10 | 12/11/15 | 39,063 | 304 | - | 39,367 |
| Federal Agencies | 313371ZY5 | FHLB | 50,000,000 | 1.88 | 1.93 | 12/14/10 | 12/11/15 | 78,125 | 2,185 | - | 80,310 |
| Federal Agencies | 3135G0BH5 | FNMA CALL NT | 25,000,000 | 2.60 | 2.25 | 6/10/11 | 4/11/16 | 54,167 | (40,523) | - | 13,644 |
| Federal Agencies | 313373ZN5 | FHLB | 35,000,000 | 2.03 | 2.03 | 6/6/11 | 6/6/16 | 59,208 | - | - | 59,208 |
| Federal Agencies | 3135G0BK8 | FNMA CALL NT | 10,000,000 | 2.25 | 2.08 | 6/10/11 | 6/6/16 | 18,750 | (6,697) | - | 12,053 |
| Federal Agencies | 3134G2LW0 | FHLMC CALL | 27,345,000 | 2.00 | 1.99 | 7/26/11 | 6/29/16 | 45,575 | (1,250) | - | 44,325 |
| Federal Agencies | 31315PA25 | FAMCA NT | 15,000,000 | 2.00 | 2.09 | 7/27/11 | 7/27/16 | 25,000 | 1,107 | - | 26,107 |
| Federal Agencies | 3136FRA86 | FNMA CALL | 67,325,000 | 2.25 | 2.09 | 8/11/11 | 7/27/16 | 126,234 | (92,622) | - | 33,613 |
| Federal Agencies | 3134G2SP8 | FHLMC CALL | 50,000,000 | 2.00 | 1.99 | 7/28/11 | 7/28/16 | 83,333 | (1,268) | - | 82,065 |
| Federal Agencies | 3136FRJ95 | FNMA CALL | 100,000,000 | 2.01 | 2.01 | 8/15/11 | 8/15/16 | 167,500 | - | - | 167,500 |
| Federal Agencies | 31331KUB4 | FFCB CALL | 29,775,000 | 1.75 | 1.73 | 8/15/11 | 8/15/16 | 43,422 | (2,364) | - | 41,058 |
| Federal Agencies | 3134G2VB5 | FHLMC CALL | 25,000,000 | 2.20 | 2.14 | 8/24/11 | 8/24/16 | 45,833 | (11,188) | - | 34,645 |
| Federal Agencies | 3134G2WF5 | FHLMC CALL | 5,050,000 | 1.75 | 1.75 | 8/24/11 | 8/24/16 | 7,365 | - | - | 7,365 |
| Federal Agencies | 3134G2WJ7 | FHLMC STEP CALL | 25,000,000 | 1.50 | 1.50 | 8/24/11 | 8/24/16 | 31,250 | - | - | 31,250 |
| Federal Agencies | 3134G2VB5 | FHLMC CALL | 25,000,000 | 2.20 | 2.13 | 8/24/11 | 8/24/16 | 45,833 | (14,479) | - | 31,355 |
| Federal Agencies | 3134G2YE6 | FHLMC CALL | 50,000,000 | 1.50 | 1.50 | 8/24/11 | 8/24/16 | 62,500 | - | - | 62,500 |
| Federal Agencies | 3134G2YG1 | FHLMC CALL | 100,000,000 | 1.42 | 1.42 | 8/24/11 | 8/24/16 | 118,333 | - | - | 118,333 |
| Federal Agencies | 3134G2XB3 | FHLMC CALL NT | 25,000,000 | 1.80 | 1.80 | 8/24/11 | 8/24/16 | 37,500 | - | - | 37,500 |
| Federal Agencies | 3136FRQ55 | FNMA STEP CALL | 50,000,000 | 1.00 | 1.00 | 9/9/11 | 9/9/16 | 41,667 | - | - | 41,667 |
| Federal Agencies | 313370TW8 | FHLB BD | 25,000,000 | 2.00 | 1.39 | 10/11/11 | 9/9/16 | 41,667 | (12,562) | - | 29,104 |
| Federal Agencies | 3136FRA47 | FNMA STEP NT | 50,000,000 | 0.90 | 0.90 | 9/26/11 | 9/26/16 | 37,500 | - | - | 37,500 |
| Federal Agencies | 3135G0CM3 | FNMA NT | 25,000,000 | 1.25 | 1.37 | 10/11/11 | 9/28/16 | 26,042 | 2,453 | - | 28,495 |
| Federal Agencies | 3134G22E1 | FHLMC CALL NT | 25,000,000 | 1.60 | 1.53 | 12/27/11 | 11/2/16 | 4,444 | (1,326) | - | 3,118 |
| Federal Agencies | 3135G0ES8 | FNMA NT | 50,000,000 | 1.38 | 1.25 | 12/14/11 | 11/15/16 | 32,465 | (3,094) | - | 29,371 |
| Federal Agencies | 3136FTQQ5 | FNMA CALL NT | 21,000,000 | 1.70 | 1.70 | 12/14/11 | 12/14/16 | 16,858 | - | - | 16,858 |
| Federal Agencies | 3136FTUZ0 | FNMA CALL NT | 50,000,000 | 1.40 | 1.41 | 12/30/11 | 12/30/16 | 1,944 | 27 | - | 1,972 |
| Subtotals | | | \$ 3,122,545,000 | | | | | \$ 3,707,006 | \$ (510,215) | \$ 972,683 | \$ 4,169,473 |

Monthly Investment Earnings Pooled Fund

| Type of Investment | CUSIP | Issue Name | Par Value | Coupon | YTM ¹ | Settle Date | Maturity Date | Earned Interest | Amort. Expense | Realized Gain/(Loss) | Earned Income /Net Earnings |
|----------------------|-----------|---------------------------------|-------------------------|--------|------------------|-------------|---------------|---------------------|-----------------------|----------------------|-----------------------------|
| TLGP | 36967HAD9 | GENERAL ELECTRIC TLGP | \$ - | 3.00 | 1.61 | 7/30/09 | 12/9/11 | \$ 33,333 | \$ (14,872) | \$ - | \$ 18,461 |
| TLGP | 4042EPA5 | HSBC TLGP | - | 3.13 | 1.34 | 9/16/09 | 12/16/11 | 65,104 | (35,984) | - | 29,120 |
| TLGP | 36967HAN7 | GENL ELEC CAP CORP FDIC TLGP | 35,000,000 | 2.25 | 2.07 | 3/24/09 | 3/12/12 | 65,625 | (5,295) | - | 60,330 |
| TLGP | 61757UAN0 | MORGAN STANLEY FDIC GTD TLGP | 25,000,000 | 0.74 | 0.10 | 3/19/09 | 3/13/12 | 14,270 | (1,147) | - | 13,123 |
| TLGP | 61757UAP5 | MORGAN STANLEY TLGP | 20,000,000 | 2.25 | 1.32 | 11/4/09 | 3/13/12 | 37,500 | (15,565) | - | 21,935 |
| TLGP | 61757UAP5 | MORGAN STANLEY TLGP | 50,000,000 | 2.25 | 1.31 | 11/6/09 | 3/13/12 | 93,750 | (39,166) | - | 54,584 |
| TLGP | 905266AA0 | UNION BANK TLGP FLOAT | 25,000,000 | 0.76 | 0.22 | 3/23/09 | 3/16/12 | 14,109 | (960) | - | 13,149 |
| TLGP | 064244AA4 | BANK OF THE WEST TLGP | 5,000,000 | 2.15 | 1.96 | 4/2/09 | 3/27/12 | 8,958 | (766) | - | 8,192 |
| TLGP | 064244AA4 | BANK OF THE WEST TLGP | 20,000,000 | 2.15 | 1.96 | 4/2/09 | 3/27/12 | 35,833 | (3,072) | - | 32,762 |
| TLGP | 90390QAA9 | USSA CAPITAL CO | 16,000,000 | 2.24 | 1.96 | 4/28/09 | 3/30/12 | 29,867 | (3,649) | - | 26,218 |
| TLGP | 17313UAE9 | CITIGROUP TLGP | 25,000,000 | 2.13 | 1.97 | 4/2/09 | 4/30/12 | 44,271 | (3,241) | - | 41,030 |
| TLGP | 06050BAG6 | BANK AMERICA CORP TLGP | 25,000,000 | 2.10 | 1.97 | 4/2/09 | 4/30/12 | 43,750 | (2,565) | - | 41,185 |
| TLGP | 481247AK0 | J P MORGAN CHASE TLGP | 25,000,000 | 2.20 | 2.05 | 3/24/09 | 6/15/12 | 45,833 | (3,129) | - | 42,704 |
| TLGP | 38146FAA9 | GOLDMAN SACHS TLGP | 50,000,000 | 3.25 | 1.23 | 3/22/10 | 6/15/12 | 135,417 | (84,148) | - | 51,268 |
| TLGP | 481247AK0 | J P MORGAN TLGP | 50,000,000 | 2.20 | 1.16 | 4/21/10 | 6/15/12 | 91,667 | (43,286) | - | 48,381 |
| TLGP | 06050BAJ0 | BANK AMERICA CORP TLGP | 50,000,000 | 2.38 | 1.93 | 4/14/09 | 6/22/12 | 98,958 | (18,227) | - | 80,731 |
| TLGP | 36967HBB2 | GENERAL ELECTRIC TLGP BULLET | 25,000,000 | 2.00 | 1.41 | 3/22/10 | 9/28/12 | 41,667 | (12,319) | - | 29,347 |
| TLGP | 36967HBB2 | GENERAL ELECTRIC TLGP BULLET | 75,000,000 | 2.00 | 1.44 | 4/20/10 | 9/28/12 | 125,000 | (35,110) | - | 89,890 |
| TLGP | 36967HAV9 | GENERAL ELECTRIC TLGP | 25,000,000 | 2.13 | 1.79 | 11/6/09 | 12/21/12 | 44,271 | (6,894) | - | 37,377 |
| Subtotals | | | \$ 546,000,000 | | | | | \$ 1,069,183 | \$ (329,395) | \$ - | \$ 739,788 |
| State/Local Agencies | 13063BLL4 | CAL RANS SER A1 | \$ 22,500,000 | 2.00 | 0.38 | 9/22/11 | 5/24/12 | \$ 37,500 | \$ (30,918) | \$ - | \$ 6,582 |
| State/Local Agencies | 13063BLK6 | CAL RANS SER A2 | 10,000,000 | 2.00 | 0.40 | 9/22/11 | 6/26/12 | 16,667 | (13,537) | - | 3,129 |
| Subtotals | | | \$ 32,500,000 | | | | | \$ 54,167 | \$ (44,455) | \$ - | \$ 9,712 |
| Public Time Deposits | | BANK OF SAN FRANCISCO CD | \$ 100,000 | 0.75 | 0.75 | 5/18/11 | 5/18/12 | \$ 65 | \$ - | \$ - | \$ 65 |
| Public Time Deposits | | FIRST NAT. BANK OF NOR. CAL. PT | 250,000 | 0.40 | 0.40 | 8/4/11 | 8/3/12 | 86 | - | - | 86 |
| Subtotals | | | \$ 350,000 | | | | | \$ 151 | \$ - | \$ - | \$ 151 |
| Negotiable CDs | 78009J5E1 | RBC FLT YCD 3ML+2 | \$ 60,000,000 | 0.46 | 0.48 | 9/2/11 | 5/11/12 | \$ 23,910 | \$ 737 | \$ - | \$ 24,648 |
| Negotiable CDs | 06417DUP8 | BK OF NOVA SCOTIA YCD FLT 3ML- | 52,176,000 | 0.74 | 0.59 | 9/21/11 | 6/11/12 | 30,009 | (4,534) | - | 25,475 |
| Negotiable CDs | 78009NBL9 | RBC YCD FLT 1ML+22 | 50,000,000 | 0.49 | 0.49 | 11/2/11 | 11/2/12 | 21,120 | - | - | 21,120 |
| Negotiable CDs | 78009NBU9 | RBC YCD | 50,000,000 | 0.67 | 0.67 | 11/16/11 | 11/16/12 | 28,847 | - | - | 28,847 |
| Negotiable CDs | 78009NCS3 | RBC YCD | 50,000,000 | 0.72 | 0.72 | 12/16/11 | 12/17/12 | 16,000 | - | - | 16,000 |
| Subtotals | | | \$ 262,176,000 | | | | | \$ 119,886 | \$ (3,796) | \$ - | \$ 116,089 |
| Medium Term Notes | 36962G2L7 | GE MTN | \$ 10,000,000 | 5.00 | 0.61 | 8/22/11 | 4/10/12 | \$ 41,667 | \$ (37,040) | \$ - | \$ 4,627 |
| Medium Term Notes | 073928X73 | JPM MTN | 9,317,000 | 6.95 | 0.69 | 9/6/11 | 8/10/12 | 53,961 | (49,237) | - | 4,724 |
| Medium Term Notes | 36962G4E1 | GE MTN | 55,750,000 | 3.50 | 0.65 | 8/24/11 | 8/13/12 | 162,604 | (133,830) | - | 28,774 |
| Medium Term Notes | 36962G4E1 | GE MTN | 8,370,000 | 3.50 | 0.67 | 9/7/11 | 8/13/12 | 24,413 | (20,004) | - | 4,408 |
| Medium Term Notes | 36962G4E1 | GE MTN | 4,700,000 | 3.50 | 0.71 | 9/14/11 | 8/13/12 | 13,708 | (11,067) | - | 2,641 |
| Medium Term Notes | 89233P5P7 | TOYOTA FLT QTR 3ML+20 | 18,200,000 | 0.75 | 0.75 | 12/14/11 | 12/17/12 | 6,866 | - | - | 6,866 |
| Medium Term Notes | 89233P5Q5 | TOYOTA FLT QTR 3ML+20 | 10,000,000 | 0.81 | 0.81 | 12/15/11 | 1/11/13 | 3,821 | - | - | 3,821 |
| Subtotals | | | \$ 116,337,000 | | | | | \$ 307,039 | \$ (251,178) | \$ - | \$ 55,861 |
| Grand Totals | | | \$ 4,479,908,000 | | | | | \$ 5,720,070 | \$ (1,199,423) | \$ 972,683 | \$ 5,493,329 |

¹ Yield to maturity is calculated at purchase

Investment Transactions

For month ended December 31, 2011

| Transaction | | Maturity | | | | | | | | | | | | Transaction |
|------------------|-------------|------------|--------------------|--------------------------|-----------|-------------------------|-------------|-------------|------------------|---------------------|-------------|-----------------------|--|-------------|
| Type | Settle Date | Date | Type of Investment | Issuer Name | CUSIP | Par Value | Coupon | YTM | Price | Interest | | Amount | | |
| Purchase | 12/1/2011 | 8/20/2014 | Federal Agencies | FHLMC NT | 3134G2UA8 | \$ 53,000,000 | 1.00 | 0.67 | \$ 100.88 | \$ - | \$ - | \$ 53,652,972 | | |
| Purchase | 12/12/2011 | 11/21/2014 | Federal Agencies | FNMA FLT QTR FF+39 | 3136FTRF8 | 26,500,000 | 0.47 | 0.44 | 100.09 | - | - | 26,530,828 | | |
| Purchase | 12/12/2011 | 5/1/2013 | Federal Agencies | FFCB FLT T-BILL+22 | 31331KM31 | 20,000,000 | 0.23 | 0.22 | 100.01 | - | - | 20,008,031 | | |
| Purchase | 12/14/2011 | 12/14/2016 | Federal Agencies | FNMA CALL NT | 3136FTQQ5 | 21,000,000 | 1.70 | 1.70 | 100.00 | - | - | 21,000,000 | | |
| Purchase | 12/14/2011 | 12/17/2012 | Medium Term Notes | TOYOTA FLT QTR 3ML+20 | 89233P5P7 | 18,200,000 | 0.74 | 0.74 | 100.00 | - | - | 18,200,000 | | |
| Purchase | 12/14/2011 | 11/15/2016 | Federal Agencies | FNMA NT | 3135G0ES8 | 50,000,000 | 1.38 | 1.25 | 100.62 | - | - | 50,364,474 | | |
| Purchase | 12/14/2011 | 8/20/2014 | Federal Agencies | FHLMC NT | 3134G2UA8 | 25,000,000 | 1.00 | 0.65 | 100.93 | - | - | 25,328,148 | | |
| Purchase | 12/15/2011 | 12/15/2014 | Federal Agencies | FNMA FLT QTR FF+35 | 3136FTVN6 | 75,000,000 | 0.42 | 0.42 | 100.00 | - | - | 75,000,000 | | |
| Purchase | 12/15/2011 | 1/11/2013 | Medium Term Notes | TOYOTA FLT QTR 3ML+20 | 89233P5Q5 | 10,000,000 | 0.75 | 0.75 | 100.00 | - | - | 10,000,000 | | |
| Purchase | 12/16/2011 | 12/17/2012 | Negotiable CDs | RBC YCD | 78009NCS3 | 50,000,000 | 0.72 | 0.72 | 100.00 | - | - | 50,000,000 | | |
| Purchase | 12/22/2011 | 10/9/2012 | Federal Agencies | FHLB BD | 313376CU7 | 1,400,000 | 0.16 | 0.15 | 100.01 | - | - | 1,400,394 | | |
| Purchase | 12/23/2011 | 12/23/2014 | Federal Agencies | FNMA CALL NT | 3135G0GM9 | 25,000,000 | 0.83 | 0.77 | 100.16 | - | - | 25,040,000 | | |
| Purchase | 12/23/2011 | 10/31/2015 | U.S. Treasuries | US TSY NT | 912828PE4 | 25,000,000 | 1.25 | 0.61 | 102.44 | - | - | 25,654,876 | | |
| Purchase | 12/27/2011 | 11/2/2016 | Federal Agencies | FHLMC CALL NT | 3134G22E1 | 25,000,000 | 1.60 | 1.53 | 100.33 | - | - | 25,143,611 | | |
| Purchase | 12/30/2011 | 12/30/2016 | Federal Agencies | FNMA CALL NT | 3136FTUZ0 | 50,000,000 | 1.40 | 1.41 | 99.95 | - | - | 49,975,000 | | |
| Subtotals | | | | | | \$ 475,100,000 | 0.95 | 0.84 | \$ 100.37 | \$ - | \$ - | \$ 477,298,335 | | |
| Sale | 12/1/2011 | 12/23/2013 | Federal Agencies | FFCB | 31331J6A6 | \$ (53,000,000) | 1.30 | 1.31 | \$ 99.97 | \$ 302,394 | \$ - | \$ 54,258,514 | | |
| Subtotals | | | | | | \$ (53,000,000) | 1.30 | 1.31 | \$ 99.97 | \$ 302,394 | \$ - | \$ 54,258,514 | | |
| Maturity | 12/9/2011 | 12/9/2011 | TLGP | GENERAL ELECTRIC TLGP | 36967HAD9 | \$ (50,000,000) | 3.00 | 1.61 | \$ 103.21 | \$ 750,000 | \$ - | \$ 50,750,000 | | |
| Maturity | 12/15/2011 | 12/15/2011 | U.S. Treasuries | US TSY NT | 912828KA7 | (50,000,000) | 1.13 | 0.75 | 100.76 | 281,250 | - | 50,281,250 | | |
| Maturity | 12/16/2011 | 12/16/2011 | TLGP | HSBC TLGP | 4042EPAA5 | (50,000,000) | 3.13 | 1.34 | 103.94 | 781,250 | - | 50,781,250 | | |
| Subtotals | | | | | | \$ (150,000,000) | 2.42 | 1.23 | \$ 102.63 | \$ 1,812,500 | \$ - | \$ 151,812,500 | | |
| Interest | 12/2/2011 | 11/2/2012 | Negotiable CDs | RBC YCD FLT 1ML+22 | 78009NBL9 | \$ 50,000,000 | 0.46 | 0.46 | \$ 100.00 | \$ 19,383 | \$ - | \$ 19,383 | | |
| Interest | 12/3/2011 | 12/3/2012 | Federal Agencies | FNMA FRN QTR FF+20 | 31398A6V9 | 50,000,000 | 0.25 | 0.24 | 100.00 | 35,097 | - | 35,097 | | |
| Interest | 12/3/2011 | 12/3/2012 | Federal Agencies | FNMA FRN QTR FF+20 | 31398A6V9 | 50,000,000 | 0.25 | 0.25 | 100.00 | 35,097 | - | 35,097 | | |
| Interest | 12/3/2011 | 9/3/2013 | Federal Agencies | FHLMC FRN FF+23 | 3134G2B50 | 50,000,000 | 0.26 | 0.28 | 99.96 | 39,833 | - | 39,833 | | |
| Interest | 12/4/2011 | 3/4/2014 | Federal Agencies | FNMA FRN QTR T-BILL+21 | 3135G0AZ6 | 25,000,000 | 0.21 | 0.24 | 99.94 | 14,105 | - | 14,105 | | |
| Interest | 12/4/2011 | 3/4/2014 | Federal Agencies | FNMA FRN QTR T-BILL+21 | 3135G0AZ6 | 25,000,000 | 0.21 | 0.23 | 99.97 | 14,105 | - | 14,105 | | |
| Interest | 12/6/2011 | 12/6/2013 | Federal Agencies | FARMER MAC | 31315PLT4 | 35,000,000 | 1.25 | 1.30 | 99.86 | 218,750 | - | 218,750 | | |
| Interest | 12/6/2011 | 6/6/2016 | Federal Agencies | FHLB | 313373ZN5 | 35,000,000 | 2.03 | 2.03 | 100.00 | 355,250 | - | 355,250 | | |
| Interest | 12/6/2011 | 6/6/2016 | Federal Agencies | FNMA CALL NT | 3135G0BK8 | 10,000,000 | 2.25 | 2.08 | 100.78 | 110,000 | - | 112,500 | | |
| Interest | 12/6/2011 | 6/6/2014 | Federal Agencies | FNMA FLT-TO-FIX CALL NT | 3136FRPJ6 | 10,525,000 | 0.43 | 0.39 | 100.11 | 6,042 | - | 11,329 | | |
| Interest | 12/7/2011 | 12/7/2012 | Federal Agencies | FFCB | 31331G2R9 | 37,000,000 | 1.88 | 1.53 | 100.90 | 346,875 | - | 346,875 | | |
| Interest | 12/8/2011 | 12/8/2014 | Federal Agencies | FFCB | 31331J4S9 | 27,000,000 | 1.40 | 1.41 | 99.95 | 189,000 | - | 189,000 | | |
| Interest | 12/8/2011 | 12/8/2014 | Federal Agencies | FFCB | 31331J4S9 | 19,000,000 | 1.40 | 1.46 | 99.77 | 133,000 | - | 133,000 | | |
| Interest | 12/11/2011 | 12/11/2015 | Federal Agencies | FHLB | 313371ZY5 | 25,000,000 | 1.88 | 1.89 | 99.93 | 234,375 | - | 234,375 | | |
| Interest | 12/11/2011 | 12/11/2015 | Federal Agencies | FHLB | 313371ZY5 | 50,000,000 | 1.88 | 1.93 | 99.74 | 468,750 | - | 468,750 | | |
| Interest | 12/12/2011 | 12/12/2014 | Federal Agencies | FHLB | 313371PC4 | 25,000,000 | 0.88 | 1.26 | 98.47 | 109,375 | - | 109,375 | | |
| Interest | 12/12/2011 | 12/12/2014 | Federal Agencies | FHLB | 313371W51 | 50,000,000 | 1.25 | 1.39 | 99.45 | 312,500 | - | 312,500 | | |
| Interest | 12/12/2011 | 12/12/2014 | Federal Agencies | FHLB | 313371W51 | 75,000,000 | 1.25 | 1.46 | 99.19 | 468,750 | - | 468,750 | | |
| Interest | 12/12/2011 | 12/12/2014 | Federal Agencies | FHLB | 3133XVNU1 | 25,400,000 | 2.75 | 1.30 | 105.70 | 349,250 | - | 349,250 | | |
| Interest | 12/12/2011 | 12/12/2014 | Federal Agencies | FHLB | 3133XVNU1 | 2,915,000 | 2.75 | 1.31 | 105.65 | 40,081 | - | 40,081 | | |
| Interest | 12/12/2011 | 12/12/2014 | Federal Agencies | FHLB | 3133XVNU1 | 25,000,000 | 2.75 | 1.38 | 105.33 | 343,750 | - | 343,750 | | |
| Interest | 12/12/2011 | 12/12/2014 | Federal Agencies | FHLB | 3133XVNU1 | 50,000,000 | 2.75 | 1.37 | 105.35 | 687,500 | - | 687,500 | | |
| Interest | 12/12/2011 | 9/13/2013 | Federal Agencies | FHLMC FLT NT FF+21 | 3134G2K43 | 50,000,000 | 0.25 | 0.29 | 99.94 | 36,264 | - | 36,681 | | |
| Interest | 12/12/2011 | 6/11/2012 | Negotiable CDs | BK OF NOVA SCOTIA YCD FL | 06417DUP8 | 52,176,000 | 0.54 | 0.43 | 100.07 | 63,800 | - | 70,802 | | |
| Interest | 12/13/2011 | 3/13/2012 | TLGP | MORGAN STANLEY FDIC GTD | 61757UAN0 | 25,000,000 | 0.54 | 0.22 | 100.16 | 33,995 | - | 33,995 | | |
| Interest | 12/15/2011 | 6/15/2012 | TLGP | J P MORGAN CHASE TLGP | 481247AK0 | 25,000,000 | 2.20 | 2.05 | 100.48 | 275,000 | - | 275,000 | | |

Investment Transactions

| Transaction | | Maturity | | | | | | | | | | Transaction |
|---------------------|-------------|--------------------------------------|----------------------|--------------------------|-----------|-------------------------|-------------|-------------|------------------|----------------------|----------------------|-------------|
| Type | Settle Date | Date | Type of Investment | Issuer Name | CUSIP | Par Value | Coupon | YTM | Price | Interest | Amount | |
| Interest | 12/15/2011 | 6/15/2012 | TLGP | GOLDMAN SACHS TLGP | 38146FAA9 | 50,000,000 | 3.25 | 1.23 | 104.43 | 812,500 | 812,500 | |
| Interest | 12/15/2011 | 6/15/2012 | TLGP | J P MORGAN TLGP | 481247AK0 | 50,000,000 | 2.20 | 1.16 | 102.20 | 550,000 | 550,000 | |
| Interest | 12/15/2011 | 12/15/2014 | Federal Agencies | FHLB | 313371W93 | 75,000,000 | 1.34 | 1.34 | 100.00 | 502,500 | 502,500 | |
| Interest | 12/16/2011 | 3/16/2012 | TLGP | UNION BANK TLGP FLOAT | 905266AA0 | 25,000,000 | 0.55 | 0.28 | 100.13 | 34,701 | 34,701 | |
| Interest | 12/21/2011 | 12/21/2012 | TLGP | GENERAL ELECTRIC TLGP | 36967HAV9 | 25,000,000 | 2.13 | 1.79 | 101.02 | 265,625 | 265,625 | |
| Interest | 12/22/2011 | 6/22/2012 | TLGP | BANK AMERICA CORP TLGP | 06050BAJ0 | 50,000,000 | 2.38 | 1.93 | 101.37 | 593,750 | 593,750 | |
| Interest | 12/23/2011 | 12/23/2013 | Federal Agencies | FFCB | 31331J6A6 | 22,000,000 | 1.30 | 1.31 | 99.97 | 143,000 | 143,000 | |
| Interest | 12/24/2011 | 12/24/2012 | Federal Agencies | FFCB BULLET | 31331JAB9 | 50,000,000 | 1.63 | 1.59 | 100.10 | 406,250 | 406,250 | |
| Interest | 12/25/2011 | 6/25/2015 | Federal Agencies | FNMA | 3136FMA38 | 49,080,000 | 2.50 | 2.53 | 99.88 | 613,500 | 613,500 | |
| Interest | 12/26/2011 | 9/26/2016 | Federal Agencies | FNMA STEP NT | 3136FR4T7 | 50,000,000 | 0.90 | 0.90 | 100.00 | 112,500 | 112,500 | |
| Interest | 12/27/2011 | 12/27/2013 | Federal Agencies | FHLB | 313371UC8 | 75,000,000 | 0.88 | 0.93 | 99.82 | 328,125 | 328,125 | |
| Interest | 12/28/2011 | 6/28/2013 | Federal Agencies | FHLMC BONDS | 3137EABM0 | 25,000,000 | 3.75 | 0.69 | 106.43 | 468,750 | 468,750 | |
| Interest | 12/29/2011 | 12/29/2014 | Federal Agencies | FFCB | 31331J6Q1 | 27,175,000 | 1.72 | 1.74 | 99.93 | 233,705 | 233,705 | |
| Interest | 12/29/2011 | 12/29/2014 | Federal Agencies | FFCB | 31331J6Q1 | 70,000,000 | 1.72 | 1.72 | 99.98 | 602,000 | 602,000 | |
| Interest | 12/29/2011 | 6/29/2016 | Federal Agencies | FHLMC CALL | 3134G2LW0 | 27,345,000 | 2.00 | 1.99 | 100.05 | 232,433 | 273,450 | |
| Interest | 12/30/2011 | 6/30/2014 | Federal Agencies | FHLB | 3133724E1 | 50,000,000 | 1.21 | 1.21 | 100.00 | 302,500 | 302,500 | |
| Interest | 12/30/2011 | 5/18/2012 | Public Time Deposits | BANK OF SAN FRANCISCO CD | | 100,000 | 0.75 | 0.75 | 100.00 | 190 | 190 | |
| Subtotals | | | | | | \$ 1,624,716,000 | 1.44 | 1.19 | \$ 100.64 | \$ 11,141,957 | \$ 11,198,180 | |
| Grand Totals | 15 | Purchases | | | | | | | | | | |
| | 1 | Sales | | | | | | | | | | |
| | 3 | Maturities / Calls | | | | | | | | | | |
| | 11 | Change in number of positions | | | | | | | | | | |

To:
Cc:
Bcc:
Subject: Fw: BLIP Quarterly Report - 4th Quarter 2011 (October - December)

From: "Vasche, Amber" <Amber.Vasche@sfdpw.org>
To:
Date: 01/20/2012 04:16 PM
Subject: BLIP Quarterly Report - 4th Quarter 2011 (October - December)

Good afternoon,

The Branch Library Improvement Program's "2000 Branch Library Improvement Bond Quarterly Report" for the Fourth Quarter of 2011 (October - December) is now available. Please find a copy of the report attached. For additional information about BLIP activities, visit our website at www.sfpl.org/blip.

If you would like to add someone to our distribution list, or have any questions, please let us know.

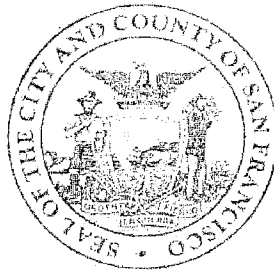
Thank you for your interest in the Branch Library Improvement Program.

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2000 Branch Library Improvement Bond

QUARTERLY REPORT

Fourth Quarter 2011

October - December



Golden Gate Valley Branch Library

Opened October 15, 2011



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Building better libraries for stronger communities

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October – December 2011

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San Francisco Public Library

Luis Herrera
City Librarian



BRANCH LIBRARY
IMPROVEMENT PROGRAM

Lena Ch'en
Bond Program Manager



Mohammed Nuru
Interim Director

Executive Summary
Quarterly Report
October - December 2011

The Branch Library Improvement Program (BLIP) is pleased to report great progress in building and renovating branch libraries throughout San Francisco. This past quarter, we managed one project in construction: Bayview, and one project in design: North Beach.

The BLIP has received \$112,901,580 in GO bond proceeds and interest and as of this quarter, had a combined expended and encumbered amount of \$109,341,822. This quarter, the Library Commission decreased the budgets of the Bernal Heights, Ingleside, Park, Presidio, and Richmond projects, as well as the budget for Bond Financing Costs and transferred the savings of \$1,680,884 into the program reserve. They also increased the budget for Project Management by \$477,153 from the program reserve. The net change to the program reserve was an increase of \$1,203,731 to \$2,960,506. All library projects are fully funded except for the North Beach project.

On December 15th, the Library Commission approved schedule changes for Bayview and North Beach projects. The Bayview Library schedule was approved for an extension of 15 months to open in February 2013. This extension is due to the change of project delivery method to meet community expectations for local hiring. The North Beach Library schedule was approved for a 24 month extension to open in December 2013, with the existing library demolition and site improvements completed in spring 2014. This extension is due to the extended Environmental Impact Review (EIR) process.

Construction for the new Bayview Branch Library is approximately 25% completion with foundation work in progress. With the completion of hazardous material abatement, demolition, and site work and utilities, the project is tracking at approximately 55% Local Business Enterprise (LBE) participation, exceeding the Human Rights Commission project goal of 30%. CityBuild is tracking the project at 69.54% San Francisco county workforce participation, exceeding the project goal of 50% of the new hires for work in each trade.

The new North Beach Library was put on hold at 100% design development, pending approval of the EIR. The design work re-started in June 2011, including an additional scope of improving the closed and vacated Mason Street. Design is anticipated to be complete in February 2012, and construction to start in June 2012.

On October 15th, we held the grand reopening celebration for the Golden Gate Valley Branch Library, which originally opened its doors to the public in 1918. Designed by the joint venture team of Tom Eliot Fisch and Paulett Taggart Architects, this restored 7,432 square foot building features a historic restoration, an addition to accommodate a new elevator for ADA accessibility. The project is designed and built to achieve U.S. Green Building Council LEED Silver certification. Hundreds of community residents celebrated the return of this grand library to their neighborhood.

Program Budget

- Baseline Program Budget: \$133,265,000
Current Program Budget: \$189,999,608
Projected Program Budget: \$196,530,512
- Our previous shortfall estimate reported was \$12.5 million to come from a second sale of Lease Revenue Bonds. The current projected shortfall is \$6.5 million, and the fund source is projected to be savings from active projects and Library Preservation Funds.
- The current Program Budget \$189,999,608 is funded from the following sources:

| | |
|--|---------------|
| City Prop. A Bonds | \$105,865,000 |
| Interest Proceeds | 7,036,580 |
| Lease Revenue Bond | 34,056,156 |
| Rents Realized | 340,172 |
| City ESP Bonds | 2,400,000 |
| State Prop. 14 Bonds | 9,710,784 |
| Library Preservation Fund | 12,590,916 |
| Developer Impact Fees Advanced for Vis Valley | 2,000,000 |
| Friends of the Library | 16,000,000 |

- A total of \$158,870,867 has been *expended or encumbered* as of December 31, 2011:

| | |
|---------------------------|---------------|
| City Prop. A Bonds | \$104,671,759 |
| Bond Interest & Rents | 4,994,651 |
| Lease Revenue Bond | 24,139,715 |
| City ESP Bonds | 2,400,000 |
| State Prop. 14 Bonds | 9,710,376 |
| Library Preservation Fund | 11,810,819 |
| Friends of SFPL | 1,143,547 |

- Actual *expenditures* through December 31, 2011 of \$152,150,880 are as follows:

| | |
|---------------------------|---------------|
| City Prop. A Bonds | \$102,763,991 |
| Bond Interest & Rents | 4,990,565 |
| Lease Revenue Bond | 19,488,047 |
| City ESP Bonds | 2,400,000 |
| State Prop. 14 Bonds | 9,710,376 |
| Library Preservation Fund | 11,656,154 |
| Friends of SFPL | 1,141,747 |

Project Status

- The following project is in Design:

| | |
|-------------|------------------------|
| North Beach | Construction Documents |
|-------------|------------------------|

- The following project is in Construction:

| | |
|---------|---|
| Bayview | Construction activities include installation of underground utilities, ongoing placement of building footings and preparation for steel columns and shearwalls. |
|---------|---|

- The following project opened this quarter:

| | |
|--------------------|-----------------|
| Golden Gate Valley | Opened 10/15/11 |
|--------------------|-----------------|

Program Background 2000 – 2011

Program Summary

- Voters approved the Branch Library Improvement Bond in November 2000.
- The Branch Library Improvement Program consists of 24 branch library projects and a Support Services Center – 16 renovations, 4 leased facilities to be replaced with City-owned buildings, 3 branches to be replaced with new buildings, and the construction of the brand-new Mission Bay branch.
- The goals of the BLIP are to increase public safety through seismic strengthening and hazardous materials abatement; increase accessibility by conforming with the Americans with Disabilities Act (ADA); improve infrastructure through modernization and code compliance upgrades; and improve public library service through reconfigured interior spaces, adaptations for technology and, where possible, expansion.
- On July 22, 2008, the City & County of San Francisco Board of Supervisor's passed the Green Building ordinance. The final 10 projects will achieve a LEED Silver rating or greater.

Budget Summary

- Program budget reports are presented monthly to the Commission. Budget changes were last approved in October and November 2011 for the Bernal Heights, Ingleside, Park, Presidio, and Richmond projects, Project Management, Bond Financing Costs budget, and the Program Reserve.

GO & REVENUE BONDS:

- A total of \$105,865,000 in Proposition A General Obligation Bonds have been sold

in four bond sales and appropriated by the Board of Supervisors.

- Proposition D passed by 74.5% which extended the Library Preservation Fund and allows the City to issue revenue bonds for branch improvements.
- In May 2009, \$34,056,156 of Lease Revenue Bonds was allocated to the BLIP as part of the first sale for 6 libraries and program wide services, including the cost of bond issuance.
- In February 2010, \$1,683,967 from G.O. Bond Interest and \$59,800 from Rents were allocated to the BLIP.
- In August 2011 the Library Commission accepted \$1,089,489 in Visitacion Valley Developer fees.

LIBRARY PRESERVATION FUND:

- The Board of Supervisors approved transfers from the Library Preservation Fund reserves into the Branch Library Improvement Program in FY 03/04, FY 05/06, FY 06/07, FY 07/08, & FY 08/09.
- In FY 08/09, \$2,000,000 in Library Preservation Funds was advanced for anticipated developer impact fees for the new Visitacion Valley library.
- In January 2011, the Board of Supervisors approved a supplemental appropriation request for \$2,169,200 of developer impact fees, \$1,089,489 of which were accepted by the Library Commission this quarter, and transferred to the Visitacion Valley project budget. The previously advanced Library Preservation Funds were returned to the Program Reserve for use by other projects.

GRANTS:

- The State awarded two March 2000 Proposition 14 grants totaling \$9.7 million for the Richmond and Ingleside projects for furniture and construction.

Program Management Activities

OUTREACH:

- To date, library and management staff have sponsored or attended 672 public meetings to update neighborhoods, merchant groups, legislative bodies and other organizations.
- Monthly presentations are made to the Library Commission.

SCHEDULES:

- Baseline project schedules established in October 2001 are reflected along with Current Approved schedules for active projects in the Program Timeline & Schedule report.
- Program schedule reports for active projects are presented monthly to the Commission. Schedule changes were approved in December 2011 for the Bayview and North Beach projects.

DESIGN TEAMS:

- Five design teams were selected in 2002 through a competitive RFQ process: Carey & Co. for Noe Valley, Tom Eliot Fisch / Field Paoli for Marina, THA Architecture for West Portal and Parkside, Fougerson Architecture for Sunset, and Leddy Maytum Stacey for North Beach.
- Two design teams were selected for new branches in 2002 through a competitive RFQ process: Fougerson Architecture / Group 4 for Ingleside and Stoner Meek / Noll & Tam Architects for Portola.
- Three design teams were selected through a competitive RFQ process in 2007: Tom Eliot Fisch/Paulett Taggart for Park & Presidio; Field Paoli/ Joseph Chow & Associates for Golden Gate Valley; and THA Architecture for Bayview.
- Bureau of Architecture designed Excelsior, Richmond, Visitacion Valley, Ortega, Western Addition, Bernal Heights, Potrero, Ortega, Merced, and Anza branch libraries.

TEMPORARY SERVICES:

- Three bookmobiles have been purchased and one is serving the Golden Gate Valley

community while the branch is under construction.

- A temporary site at the YMCA is serving the Bayview community during construction of the new branch library.

PUBLIC ART:

- An art enrichment master plan was presented to the Library Commission in 2002 and revised in September 2008. Public art has been installed in Glen Park, Mission Bay, Ingleside, Portola, Potrero, Richmond, Visitacion Valley and Ortega. Artists were selected for Bayview and North Beach.

MOU:

- A Memorandum of Understanding has been completed between the DPW & SFPL.
- Major revisions to the MOU were completed in 2008 and updates were presented to the Library Commission in November 2008 and December 2009.

BLIP AWARDS:

- AIA Special Achievement Award (3/5/09).
- Governor's Historic Preservation Award for the Noe Valley restoration (11/21/08).
- CA Preservation Foundation Design Award for the Noe Valley restoration (9/19/09).
- Historic Restoration Award from the American Public Works Association for the Richmond restoration (2/25/10).
- 2010 DPW Employee Recognition Award for the Bernal Heights renovation (5/21/10).
- Historic Preservation Awards from the Northern California American Public Works Association for the Bernal Heights and Eureka Valley renovations (2/24/11).
- Historic Preservation Award from the American Public Works Association for the Bernal Heights renovation (9/19/11)
- Best New Building Award by the Architectural Foundation of SF for the Ingleside Branch Library (6/11)
- 2011 Green & Blue Award for BLIP as a "Green Building Leader" from the San Francisco Department of the Environment (6/21/11)

Scope of Work

The bond program includes 7 site acquisitions, new construction of 8 branch libraries, and renovation and/or expansion of 16 existing branches and a support services center. Renovations will include some or all of the following: seismic strengthening, hazardous material abatement, Americans with Disabilities Act conformance, code compliance, electrical and mechanical upgrades, technology improvements, and reconfiguration of interior spaces.

| | Renovation and/or Expansion | Site Acquisition | New Construction | Opening Date for Completed Projects |
|--------------------|-----------------------------|------------------|------------------|-------------------------------------|
| Anza | • | | | June 18, 2011 |
| Bayview * | | • | • | |
| Bernal Heights | • | | | Jan. 30, 2010 |
| Eureka Valley | • | | | Oct. 24, 2009 |
| Excelsior | • | | | July 9, 2005 |
| Glen Park | | • | • | Oct. 13, 2007 |
| Golden Gate Valley | • | | | Oct. 15, 2011 |
| Ingleside | | • | • | Sept. 12, 2009 |
| Marina | • | | | Aug. 4, 2007 |
| Merced | • | | | May 14, 2011 |
| Mission Bay | | • | • | July 8, 2006 |
| Noe Valley | • | | | March 8, 2008 |
| North Beach * | | | • | |
| Ortega * | | | • | Sept. 10, 2011 |
| Park | • | | | Feb. 26, 2011 |
| Parkside | • | | | Nov. 6, 2010 |
| Portola | | • | • | Feb. 28, 2009 |
| Potrero | • | | | March 6, 2010 |
| Presidio | • | | | March 26, 2011 |
| Richmond | • | | | May 16, 2009 |
| Sunset | • | | | Mar. 31, 2007 |
| Visitation Valley | | • | • | July 30, 2011 |
| West Portal | • | | | Feb. 10, 2007 |
| Western Addition | • | | | Feb. 2, 2008 |
| Support Center | • | • | | Feb. 2005 |

*Original scope changed from renovation to new construction

Project Status Summaries

Project Opened This Quarter:

Golden Gate Valley Branch Library

Project Location: 1801 Green Street

Program Manager: Lena Chen
lana.chen@sfdpw.org; (415) 557-4751

Project Description: Work at the Golden Gate Valley Branch Library will include seismic strengthening; a new addition to provide elevator services; an improved program room; increased collections; ADA accessibility improvements; new and refurbished shelving and furniture; historic terracotta restoration; new paved courtyard and landscaping; and seismic, electrical and mechanical upgrades. The branch reconstruction is targeting LEED Silver certification. The re-opening celebration was held October 15, 2011.



Project Schedule

| | Start | Finish |
|----------|--------|--------|
| Original | May-05 | Feb-09 |
| Approved | May-08 | Oct-11 |

Project Budget

| | |
|-----------------------------|-------------|
| Original Budget | \$5,340,000 |
| Current Budget | \$8,472,283 |
| Current Projected | \$7,713,231 |
| Spent or Encumbered to Date | \$6,465,194 |

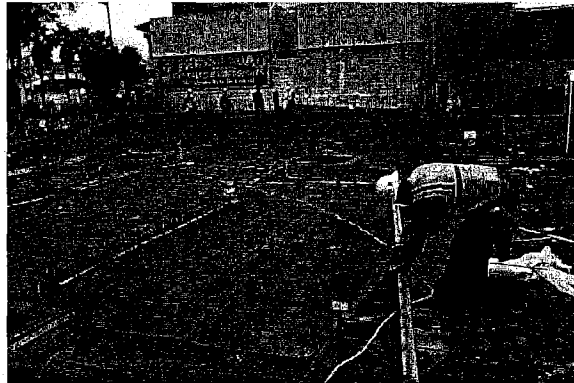
Project in Construction:

Bayview Branch Library

Project Location: 5075 Third Street

Program Manager: Lena Chen
lana.chen@sfdpw.org; (415) 557-4751

Project Description: The new 8,884 sq. ft. Bayview Branch Library will address the programmatic needs of the neighborhood by providing separate children, teen, and adult spaces; a large program room; an interior courtyard; increased collection; ADA accessibility; new shelving and furniture; public art and code compliant seismic, electrical and mechanical systems. The new construction will meet at least Silver certification standards and may meet Gold certification standard.



Project Schedule

| | Start | Finish |
|----------|----------|--------|
| Original | Pre-2005 | Nov-06 |
| Approved | Nov-07 | Feb-13 |

Project Budget

| | |
|-----------------------------|--------------|
| Original Budget | \$3,820,000 |
| Current Budget | \$13,567,244 |
| Current Projected | \$13,567,244 |
| Spent or Encumbered to Date | \$10,261,500 |

Project in Design Phase:

North Beach Branch Library

Project Location: 850 Columbus Avenue

Program Manager: Lena Chen

lena.chen@sfdpw.org; (415) 557-4751

Project Description: The new 8,500 sq. ft. North Beach Branch Library will address the programmatic needs of the neighborhood by providing separate children, teen, and adult spaces; a large program room; ADA accessibility; new shelving and furniture; public art and code compliant seismic, electrical and mechanical systems. The new construction is targeting LEED Silver certification. In addition to the new library, a Master Plan was developed with the Recreation & Parks Department to expand and reorganize the adjacent Joe DiMaggio Playground.



LIBRARY AND PARK FROM COLUMBUS AVENUE LOOKING NORTH



LIBRARY AND PARK FROM COLUMBUS AVENUE LOOKING EAST

Project Schedule

| | Start | Finish |
|----------|----------|--------|
| Original | Pre-2005 | Mar-07 |
| Approved | Nov-07 | Dec-13 |

Project Budget

| | |
|-----------------------------|-----------------|
| Original Budget | \$3,460,000 |
| Current Budget | \$3,500,000 |
| Current Projected | \$13-14 million |
| Spent or Encumbered to Date | \$2,393,056 |

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Revenues as of 12/31/2011**

| Branch / Project | Baseline Budget (10/01) | Approved Budget (11/11) | City Prop. A Bonds | City Prop. A Bond Interest ⁽³⁾ | Lease Revenue Bond (RB) | Library Preservation Fund | State Prop. 14 Bonds | Other Funds | Total All Sources |
|---|-------------------------|-------------------------|--------------------|---|-------------------------|---------------------------|----------------------|----------------------------|--------------------|
| Site Acquisitions / New Construction | | | | | | | | | |
| Bayview | 3,820,000 | 13,567,244 | 2,790,834 | 2,297,102 | 6,932,890 | 1,530,834 | - | 15,584 | 13,567,244 |
| Glen Park | 4,570,000 | 5,484,116 | 5,214,590 | - | - | 269,526 | - | - | 5,484,116 |
| Ingleside | 4,570,000 | 6,930,623 | 2,344,557 | 203,307 | - | 630,816 | 3,751,943 | - | 6,930,623 |
| Mission Bay | 3,350,000 | 3,737,573 | 3,736,025 | - | - | 1,548 | - | - | 3,737,573 |
| North Beach (Partially Funded) | 3,460,000 | 3,500,000 | 1,116,914 | 44,133 | 2,201,834 | 137,119 | - | - | 3,500,000 |
| Ortega | 3,560,000 | 10,020,492 | 951,778 | 5,793 | 8,099,667 | 963,254 | - | - | 10,020,492 |
| Portola | 4,570,000 | 5,951,015 | 5,640,108 | 190,607 | - | 120,300 | - | - | 5,951,015 |
| Visitación Valley | 5,320,000 | 13,398,281 | 10,287,876 | 68,837 | - | 716,980 | - | 2,324,588 ^(4,5) | 13,398,281 |
| Support Services | 9,080,000 | 8,867,578 | 8,852,224 | 15,354 | - | - | - | - | 8,867,578 |
| SUBTOTAL | 42,300,000 | 71,456,922 | 40,934,906 | 2,825,133 | 17,234,391 | 4,370,377 | 3,751,943 | 2,340,172 | 71,456,922 |
| Renovations | | | | | | | | | |
| Anza | 4,740,000 | 7,726,324 | 4,978,819 | 512,634 | 1,781,112 | 453,759 | - | - | 7,726,324 |
| Bernal Heights | 5,350,000 | 5,642,521 | 4,927,666 | 372,148 | - | 342,707 | - | - | 5,642,521 |
| Eureka Valley | 4,580,000 | 4,160,075 | 3,338,170 | 667,981 | - | 153,924 | - | - | 4,160,075 |
| Excelsior | 3,820,000 | 3,594,441 | 3,594,441 | - | - | - | - | - | 3,594,441 |
| Golden Gate Valley | 5,340,000 | 8,472,283 | 1,790,849 | 170,616 | 6,225,540 | 285,278 | - | - | 8,472,283 |
| Marina | 4,110,000 | 3,823,319 | 3,823,319 | - | - | - | - | - | 3,823,319 |
| Merced | 4,200,000 | 5,410,462 | 1,147,696 | 201,086 | 3,473,085 | 588,595 | - | - | 5,410,462 |
| Noe Valley | 4,410,000 | 5,480,954 | 5,472,454 | - | - | 8,500 | - | - | 5,480,954 |
| Park | 1,310,000 | 2,541,887 | 1,106,683 | 1,385,204 | - | 50,000 | - | - | 2,541,887 |
| Parkside | 2,880,000 | 4,699,217 | 4,477,987 | 16,400 | - | 204,830 | - | - | 4,699,217 |
| Potrero | 4,230,000 | 5,426,847 | 4,651,509 | 609,216 | - | 166,122 | - | - | 5,426,847 |
| Presidio | 1,530,000 | 3,675,939 | 3,575,468 | - | - | 100,471 | - | - | 3,675,939 |
| Richmond | 7,630,000 | 13,455,687 | 2,393,911 | 35,282 | - | 2,667,653 | 5,958,841 | 2,400,000 ⁽¹⁾ | 13,455,687 |
| Sunset | 1,490,000 | 1,459,109 | 1,429,022 | 13,302 | - | 16,785 | - | - | 1,459,109 |
| West Portal | 4,110,000 | 4,419,838 | 4,419,838 | - | - | - | - | - | 4,419,838 |
| Western Addition | 3,430,000 | 4,303,962 | 3,318,860 | 24,928 | - | 960,174 | - | - | 4,303,962 |
| SUBTOTAL | 63,160,000 | 84,292,865 | 54,446,692 | 4,008,797 | 11,479,737 | 5,998,798 | 5,958,841 | 2,400,000 | 84,292,865 |
| Program-Wide Services & Costs | | | | | | | | | |
| Library Program Costs | 800,000 | 780,000 | 764,982 | 15,018 | - | - | - | - | 780,000 |
| Program Consultants | 750,000 | -1,165,000 | 1,162,819 | 2,181 | - | - | - | - | 1,165,000 |
| Program Management | 3,600,000 | 7,635,525 | 6,807,656 | 145,258 | 682,611 | - | - | - | 7,635,525 |
| Real Estate Dept | 120,000 | 235,281 | 235,281 | - | - | - | - | - | 235,281 |
| Art Enrichment Program | - | 362,000 | 251,807 | 40,193 | - | 70,000 | - | - | 362,000 |
| Temporary Services & Moving | 4,360,000 | 522,559 | 422,559 | - | - | 100,000 | - | - | 522,559 |
| Furniture & Equipment Reserve | 15,000,000 | 16,273,200 | - | - | - | 273,200 | - | 16,000,000 ⁽²⁾ | 16,273,200 |
| Bond Financing Costs | 1,500,000 | 1,843,953 | 838,298 | - | 1,005,655 | - | - | - | 1,843,953 |
| Debt Service Reserve | - | 2,471,797 | - | - | 2,471,797 | - | - | - | 2,471,797 |
| Program Reserve | 1,675,000 | 2,960,506 | - | - | 1,181,965 | 1,778,541 | - | - ⁽⁴⁾ | 2,960,506 |
| SUBTOTAL | 27,805,000 | 34,249,821 | 10,483,402 | 202,650 | 5,342,028 | 2,221,741 | - | 16,000,000 | 34,249,821 |
| TOTAL | 133,265,000 | 189,999,608 | 105,865,000 | 7,036,580 | 34,056,156 | 12,590,916 | 9,710,784 | 20,740,172 | 189,999,608 |

Notes:

- (1) Earthquake Safety Program funds remaining for Branch Libraries (\$2,400,000)
- (2) Private donations from Friends of the Library (\$16,000,000)
- (3) Bond interest proceeds appropriated (\$1,673,481; \$3,679,132; *\$1,683,967 [pending Controller's release of reserve])
- (4) Rents received & appropriated (\$128,342; \$152,030; \$59,800)
- (5) Advance for Developer Impact Fees (\$2,000,000)

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Expenditures as of 12/31/2011***

| Dist | Branch / Project | Phase | Category | Baseline Budget (10/2001) | | Current Budget | | Expended | | Encumbered | | Balance |
|------|--------------------|---------------------|---------------------|---------------------------|--------------------|-------------------|--------------------|------------------|--------------------|------------------|--------------------|-------------------|
| | | | | All Sources | 2000 Prop. A Bonds | All Sources | 2000 Prop. A Bonds | All Sources | 2000 Prop. A Bonds | All Sources | 2000 Prop. A Bonds | 2000 Prop. A Bond |
| | | | | FAMIS | | | | | | | | |
| 1 | Anza | Opened | Soft Costs | 1,292,727 | 1,292,727 | 2,848,217 | | | | | | |
| | | | Construction Costs | 3,318,000 | 3,318,000 | 4,736,876 | | | | | | |
| | | | Project Contingency | 129,273 | 129,273 | 141,231 | | | | | | |
| | | | SUBTOTAL | 4,740,000 | 4,740,000 | 7,726,324 | 4,991,453 | 6,499,825 | 4,980,995 | 20,526 | 7,240 | 3,218 |
| 10 | Bayview | Construction | Site Acquisition | - | - | 1,210,795 | | | | | | |
| | | | Soft Costs | 868,182 | 868,182 | 3,126,452 | | | | | | |
| | | | Construction Costs | 2,865,000 | 2,865,000 | 8,749,141 | | | | | | |
| | | | Project Contingency | 86,818 | 86,818 | 480,856 | | | | | | |
| | | | SUBTOTAL | 3,820,000 | 3,820,000 | 13,567,244 | 5,087,936 | 4,590,877 | 2,050,423 | 5,670,623 | 1,724,618 | 1,312,895 |
| 9 | Bernal Heights | Opened | Soft Costs | 1,605,000 | 1,605,000 | 1,799,961 | | | | | | |
| | | | Construction Costs | 3,745,000 | 3,745,000 | 3,802,560 | | | | | | |
| | | | Project Contingency | - | - | 40,000 | | | | | | |
| | | | SUBTOTAL | 5,350,000 | 5,350,000 | 5,642,521 | 5,299,814 | 5,602,520 | 5,259,813 | - | - | 40,001 |
| 8 | Eureka Valley | Opened | Soft Costs | 1,145,000 | 1,145,000 | 1,454,868 | | | | | | |
| | | | Construction Costs | 3,435,000 | 3,435,000 | 2,705,207 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 4,580,000 | 4,580,000 | 4,160,075 | 4,006,151 | 4,160,075 | 4,006,151 | - | - | - |
| 11 | Excelsior | Opened | Soft Costs | 955,000 | 955,000 | 1,430,944 | | | | | | |
| | | | Construction Costs | 2,865,000 | 2,865,000 | 2,163,497 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 3,820,000 | 3,820,000 | 3,594,441 | 3,594,441 | 3,594,441 | 3,594,441 | - | - | - |
| 8 | Glen Park | Opened | Site Acquisition | 1,770,000 | 1,770,000 | 3,431,448 | | | | | | |
| | | | Soft Costs | 700,000 | 700,000 | 560,974 | | | | | | |
| | | | Construction Costs | 2,100,000 | 2,100,000 | 1,491,694 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 4,570,000 | 4,570,000 | 5,484,116 | 5,214,590 | 5,484,116 | 5,214,590 | - | - | - |
| 2 | Golden Gate Valley | Opened this Quarter | Soft Costs | 1,456,364 | 1,456,364 | 3,116,980 | | | | | | |
| | | | Construction Costs | 3,738,000 | 3,738,000 | 4,596,251 | | | | | | |
| | | | Project Contingency | 145,636 | 145,636 | 759,052 | | | | | | |
| | | | SUBTOTAL | 5,340,000 | 5,340,000 | 8,472,283 | 1,901,465 | 6,353,239 | 1,673,710 | 111,955 | 22,698 | 205,057 |
| 7 | Ingleside | Opened | Site Acquisition | 1,770,000 | 1,770,000 | 2,051,799 | | | | | | |
| | | | Soft Costs | 700,000 | 700,000 | 928,782 | | | | | | |
| | | | Construction Costs | 2,100,000 | 2,100,000 | 3,950,042 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 4,570,000 | 4,570,000 | 6,930,623 | 2,547,864 | 6,930,213 | 2,547,864 | - | - | - |
| 2 | Marina | Opened | Soft Costs | 934,091 | 934,091 | 1,008,507 | | | | | | |
| | | | Construction Costs | 3,082,500 | 3,082,500 | 2,814,812 | | | | | | |
| | | | Project Contingency | 93,409 | 93,409 | - | | | | | | |
| | | | SUBTOTAL | 4,110,000 | 4,110,000 | 3,823,319 | 3,823,319 | 3,823,319 | 3,823,319 | - | - | - |
| 7 | Merced | Opened | Soft Costs | 1,050,000 | 1,050,000 | 1,963,734 | | | | | | |
| | | | Construction Costs | 3,150,000 | 3,150,000 | 3,446,728 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 4,200,000 | 4,200,000 | 5,410,462 | 1,348,782 | 4,883,282 | 979,916 | 35,451 | 28,740 | 340,126 |

10

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Expenditures as of 12/31/2011***

| Dist | Branch / Project | Phase | Category | Baseline Budget (10/2001) | | Current Budget | | FAMIS | | | | |
|------|-----------------------------------|--------|---|--|--|--|---------------------------------|-------------------|---------------------------------|----------------|---------------------------------|--------------------------------|
| | | | | All Sources | | 2000 Prop. A Bonds ¹ | | Expended | | Encumbered | | Balance |
| | | | | All Sources | 2000 Prop. A Bonds | All Sources | 2000 Prop. A Bonds ¹ | All Sources | 2000 Prop. A Bonds ¹ | All Sources | 2000 Prop. A Bonds ¹ | 2000 Prop. A Bond ¹ |
| 6 | Mission Bay | Opened | Site Acquisition Project Contingency | 3,350,000 - | 3,350,000 - | 3,737,573 - | | | | | | |
| | | | SUBTOTAL | 3,350,000 | 3,350,000 | 3,737,573 | 3,736,025 | 3,737,573 | 3,736,025 | - | - | - |
| 8 | Noe Valley | Opened | Soft Costs Construction Costs Project Contingency | 1,202,727 3,087,000 120,273 | 1,202,727 3,087,000 120,273 | 1,201,363 4,279,591 - | | | | | | |
| | | | SUBTOTAL | 4,410,000 | 4,410,000 | 5,480,954 | 5,472,454 | 5,480,954 | 5,472,454 | - | - | - |
| 3 | North Beach (Partially Funded) | Design | Soft Costs Construction Costs Project Contingency | 786,364 2,595,000 78,636 | 786,364 2,595,000 78,636 | 3,500,000 - - | | | | | | |
| | | | SUBTOTAL | 3,460,000 | 3,460,000 | 3,500,000 | 1,221,047 | 1,759,842 | 1,146,962 | 633,214 | 56,829 | 17,256 |
| 4 | Ortega | Opened | Soft Costs Construction Costs Project Contingency | 809,091 2,670,000 80,909 | 809,091 170,000 80,909 | 3,055,996 6,964,496 - | | | | | | |
| | | | SUBTOTAL | 3,560,000 | 1,060,000 | 10,020,492 | 1,457,571 | 9,119,447 | 1,431,116 | 149,016 | 8,773 | 17,682 |
| 5 | Park | Opened | Soft Costs Construction Costs Project Contingency | 339,409 936,650 33,941 | 339,409 936,650 33,941 | 706,665 1,768,922 66,300 | | | | | | |
| | | | SUBTOTAL | 1,310,000 | 1,310,000 | 2,541,887 | 2,491,887 | 2,470,044 | 2,433,780 | 5,543 | 5,543 | 52,564 |
| 4 | Parkside | Opened | Soft Costs Construction Costs Project Contingency | 654,545 2,160,000 65,455 | 654,545 2,160,000 65,455 | 1,510,019 3,189,198 - | | | | | | |
| | | | SUBTOTAL | 2,880,000 | 2,880,000 | 4,699,217 | 4,494,387 | 4,475,601 | 4,304,231 | 66,654 | 42,194 | 147,962 |
| 10 | Portola | Opened | Site Acquisition Soft Costs Construction Costs Project Contingency | 1,770,000 700,000 2,100,000 - | 1,770,000 700,000 2,100,000 - | 1,341,456 1,153,569 3,455,990 - | | | | | | |
| | | | SUBTOTAL | 4,570,000 | 4,570,000 | 5,951,015 | 5,830,715 | 5,951,015 | 5,830,715 | - | - | - |
| 10 | Potrero | Opened | Soft Costs Construction Costs Project Contingency | 1,057,500 3,172,500 - | 1,057,500 3,172,500 - | 1,629,895 3,796,952 - | | | | | | |
| | | | SUBTOTAL | 4,230,000 | 4,230,000 | 5,426,847 | 5,260,725 | 5,347,619 | 5,155,694 | - | - | 105,031 |
| 2 | Presidio | Opened | Soft Costs Construction Costs Project Contingency | 417,273 1,071,000 41,727 | 417,273 1,071,000 41,727 | 1,052,852 2,498,767 124,320 | | | | | | |
| | | | SUBTOTAL | 1,530,000 | 1,530,000 | 3,675,939 | 3,575,468 | 3,536,239 | 3,468,415 | 13,411 | 13,411 | 93,642 |
| 1 | Richmond ^{2,3} | Opened | Soft Costs Construction Costs Project Contingency | 2,080,909 5,341,000 208,091 | 21,909 - 208,091 | 2,843,961 10,355,914 255,812 | | | | | | |
| | | | SUBTOTAL | 7,630,000 | 230,000 | 13,455,687 | 2,429,193 | 13,455,688 | 2,429,193 | - | - | - |

**2000 Branch Library Improvement Program G.O. Bond
Program Budget Reports: Expenditures as of 12/31/2011***

12

| Dist | Branch / Project | Phase | Category | Baseline Budget (10/2001) | | Current Budget | | FAMIS | | | | Balance 2000 Prop. A Bond ¹ |
|-----------------------|--|--------|-------------------------------|---------------------------|--------------------|--------------------|---------------------------------|--------------------|---------------------------------|------------------|---------------------------------|---|
| | | | | All Sources | 2000 Prop. A Bonds | All Sources | 2000 Prop. A Bonds ¹ | Expended | | Encumbered | | |
| | | | | | | | | All Sources | 2000 Prop. A Bonds ¹ | All Sources | 2000 Prop. A Bonds ¹ | |
| 5 | Sunset | Opened | Soft Costs | 447,000 | 447,000 | 501,612 | | | | | | |
| | | | Construction Costs | 1,043,000 | 1,043,000 | 957,497 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 1,490,000 | 1,490,000 | 1,459,109 | 1,442,324 | 1,459,109 | 1,442,324 | | | |
| | Support Services | Opened | Site Acquisition | 9,080,000 | 9,080,000 | 8,867,578 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 9,080,000 | 9,080,000 | 8,867,578 | 8,867,578 | 8,867,578 | 8,867,578 | | | |
| 10 | Visitacion Valley | Opened | Site Acquisition | 1,990,000 | 1,990,000 | 2,245,732 | | | | | | |
| | | | Soft Costs | 734,091 | 734,091 | 3,015,626 | | | | | | |
| | | | Construction Costs | 2,522,500 | 22,500 | 8,136,924 | | | | | | |
| | | | Project Contingency | 73,409 | -73,409 | - | | | | | | |
| | | | SUBTOTAL | 5,320,000 | 2,820,000 | 13,398,281 | 10,356,713 | 12,538,199 | 9,474,434 | 11,794 | 1,807 | 880,472 |
| 7 | West Portal | Opened | Soft Costs | 1,233,000 | 1,233,000 | 1,016,714 | | | | | | |
| | | | Construction Costs | 2,877,000 | 2,877,000 | 3,403,124 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 4,110,000 | 4,110,000 | 4,419,838 | 4,419,838 | 4,419,838 | 4,419,838 | | | |
| 5 | Western Addition | Opened | Soft Costs | 857,500 | 857,500 | 1,323,836 | | | | | | |
| | | | Construction Costs | 2,572,500 | 2,572,500 | 2,980,126 | | | | | | |
| | | | Project Contingency | - | - | - | | | | | | |
| | | | SUBTOTAL | 3,430,000 | 3,430,000 | 4,303,962 | 3,343,788 | 4,303,962 | 3,343,788 | | | |
| | Program-Wide Services & Costs | | | | | | | | | | | |
| | | | Library Program Costs | 800,000 | 800,000 | 780,000 | 780,000 | 751,158 | 751,158 | - | - | 28,842 |
| | | | Program Consultants | 750,000 | 750,000 | 1,165,000 | 1,165,000 | 1,123,320 | 1,123,320 | - | - | 41,680 |
| | | | Program Management | 3,600,000 | 3,600,000 | 7,635,525 | 6,952,914 | 7,453,868 | 6,750,154 | - | - | 202,760 |
| | | | Real Estate Dept | 120,000 | 120,000 | 235,281 | 235,281 | 235,281 | 235,281 | - | - | - |
| | | | Art Enrichment Fund | - | - | 362,000 | 292,000 | 362,000 | 292,000 | - | - | - |
| | | | Moving & Interim Services | 4,360,000 | 4,360,000 | 522,559 | 422,559 | 465,511 | 422,559 | - | - | - |
| | | | Furniture & Equipment Reserve | 15,000,000 | - | 16,273,200 | - | 1,141,747 | - | 1,800 | - | - |
| | | | Bond Financing Costs | 1,500,000 | 1,500,000 | 1,843,953 | 838,298 | 1,773,380 | 767,725 | - | - | 70,573 |
| | | | Debt Service Reserve | - | - | 2,471,797 | - | - | - | - | - | - |
| | | | Program Reserve | 1,675,000 | 1,675,000 | 2,960,506 | - | - | - | - | - | - |
| | | | SUBTOTAL | 27,805,000 | 12,805,000 | 34,249,821 | 10,686,052 | 13,306,265 | 10,342,197 | 1,800 | 0 | 43,855 |
| TOTAL PROGRAM: | | | | 133,265,000 | 105,865,000 | 189,999,608 | 112,901,580 | 152,150,880 | 107,429,966 | 6,719,987 | 1,911,853 | 3,259,761 |

*Expenditure data through 12/31/2011 from FAMIS as of 1/9/2012

Notes:

- 2000 Prop. A Bonds reported for Current Budget, Expenditures, and Encumbrances includes bond proceeds and interest appropriated to date
- Baseline Budget included \$2,400,000 from Earthquake Safety Bonds
- Expenditures to date "All Sources" includes \$2,400,000 Earthquake Safety Bonds

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STATE OF CALIFORNIA

Fish and Game Commission

January 6, 2012

This is to provide you with a copy of the notice of proposed regulatory action relative to Sections 360, 361, 362, 363, 364, and subsections 365(b) and 708.12(d), Title 14, California Code of Regulations, relating to Mammal Hunting Regulations, which are published in the California Regulatory Notice Register on December 30, 2011.

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

Additional information and all associated documents may be found on the Fish and Game Commission website at www.fgc.ca.gov.

Mr. Dan Yparraguirre, Wildlife Program Manager, Department of Fish and Game, phone (916) 928-6881, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely,

Jon D. Snellstrom
Associate Governmental Program Analyst

Attachment

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11

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

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 220, 332, 460, 1050, 1575, 3452, 3453, 4334, 4370, 4902 and 10502 of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 207, 332, 458, 459, 460, 713, 1050, 1575, 3452, 3453, 3950, 3951, 4334, 4370, 4902, 10500 and 10502 of said Code, proposes to amend Sections 360, 361, 362, 363, 364, and subsections 365(b) and 708.12(d); Title 14, California Code of Regulations, relating to Mammal Hunting 2012-2013.

Informative Digest/Policy Statement Overview

360(a)

Existing regulations provide for the number of license tags available for the A, B, C, and D Zones. This regulatory proposal changes the number of tags for all existing zones to a series of ranges presented in the following table. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

| Deer: § 360(a) A, B, C, and D Zone Hunts | | |
|---|---------|---------------|
| Tag Allocations | | |
| Zone | Current | Proposed |
| A | 65,000 | 30,000-65,000 |
| B | 35,000 | 35,000-65,000 |
| C | 8,150 | 5,000-15,000 |
| D3-5 | 33,000 | 30,000-40,000 |
| D-6 | 10,000 | 6,000-16,000 |
| D-7 | 9,000 | 4,000-10,000 |
| D-8 | 8,000 | 5,000-10,000 |
| D-9 | 2,000 | 1,000-2,500 |
| D-10 | 700 | 400-800 |
| D-11 | 5,500 | 2,500-6,000 |
| D-12 | 950 | 100-1,500 |
| D-13 | 4,000 | 2,000-5,000 |
| D-14 | 3,000 | 2,000-3,500 |
| D-15 | 1,500 | 500-2,000 |
| D-16 | 3,000 | 1,000-3,500 |
| D-17 | 500 | 100-800 |
| D-19 | 1,500 | 500-2,000 |

360(b)

Existing regulations provide for the number of hunting tags for the X zones. The proposal changes the number of tags for all existing zones to a series of ranges presented in the following table. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting..

| Deer: § 360(b) X-Zone Hunts | | |
|------------------------------------|----------------|-----------------|
| Tag Allocations | | |
| Zone | Current | Proposed |
| X-1 | 1,275 | 1,000-6,000 |
| X-2 | 180 | 50-500 |
| X-3a | 280 | 100-1,200 |
| X-3b | 935 | 200-3,000 |
| X-4 | 355 | 100-1,200 |
| X-5a | 60 | 25-200 |
| X-5b | 140 | 50-500 |
| X-6a | 325 | 100-1,200 |
| X-6b | 315 | 100-1,200 |
| X-7a | 230 | 50-500 |
| X-7b | 140 | 25-200 |
| X-8 | 240 | 100-750 |
| X-9a | 650 | 100-1,200 |
| X-9b | 325 | 100-600 |
| X-9c | 325 | 100-600 |
| X-10 | 400 | 100-600 |
| X-12 | 860 | 100-1,200 |

360(c)

Existing regulations provide for the number of hunting tags in the Additional Hunts. The proposal changes the number of tags for all existing hunts to a series of ranges as indicated in the table below. The proposal provides a range of tag numbers for each hunt from which a final number will be determined, based on the post-winter status of each deer herd. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Due to this, the final recommended quotas may fall below the current proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting.

Existing regulations for Additional Hunts G-8 (Fort Hunter Liggett Antlerless Deer Hunt) and J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt) provide for hunting to begin on October 1 and continue for two (2) consecutive days and reopen on October 8 and continue for three (3) consecutive days in order to accommodate for Base operations and other hunt opportunities. The proposal would modify the season to account for the annual calendar shift by changing the season opening dates to October 6 and October 13, respectively, in order to accommodate for Base operations.

| Deer: § 360(c) Additional Hunts | | |
|--|--------------------------|-----------------------------|
| Tag Allocations | | |
| Hunt Number (and Title) | Current | Proposed |
| G-1 (Late Season Buck Hunt for Zone C-4) | 2,710 | 500-5,000 |
| G-3 (Goodale Buck Hunt) | 35 | 5-50 |
| G-6 (Kern River Deer Herd Buck Hunt) | 50 | 25-100 |
| G-7 (Beale Either-Sex Deer Hunt) | 20 Military* | 20 Military * |
| G-8 (Fort Hunter Liggett Antlerless Deer Hunt) | 10 Military* & 10 Public | 10 Military * and 10 Public |
| G-9 (Camp Roberts Antlerless Deer Hunt) | 15 Military* & 15 Public | 0 |

| Deer: § 360(c) Additional Hunts | | |
|---|--------------------------|--|
| Tag Allocations | | |
| Hunt Number (and Title) | Current | Proposed |
| G-10 (Camp Pendleton Either-Sex Deer Hunt) | 400 Military * | 400 Military * |
| G-11 (Vandenberg Either-Sex Deer Hunt) | 500 Military* & DOD** | 500 Military *, DOD and as Authorized by the Installation Commander ** |
| G-12 (Gray Lodge Shotgun Either-Sex Deer Hunt) | 30 | 10-50 |
| G-13 (San Diego Antlerless Deer Hunt) | 300 | 50-300 |
| G-19 (Sutter-Yuba Wildlife Areas Either-Sex Deer Hunt) | 25 | 10-50 |
| G-21 (Ventana Wilderness Buck Hunt) | 25 | 25-100 |
| G-37 (Anderson Flat Buck Hunt) | 25 | 25-50 |
| G-38 (X-10 Late Season Buck Hunt) | 300 | 50-300 |
| G-39 (Round Valley Late Season Buck Hunt) | 5 | 5-150 |
| M-3 (Doyle Muzzleloading Rifle Buck Hunt) | 20 | 10-75 |
| M-4 (Horse Lake Muzzleloading Rifle Buck Hunt) | 5 | 5-50 |
| M-5 (East Lassen Muzzleloading Rifle Buck Hunt) | 5 | 5-50 |
| M-6 (San Diego Muzzleloading Rifle Either-Sex Deer Hunt) | 80 | 25-100 |
| M-7 (Ventura Muzzleloading Rifle Either-Sex Deer Hunt) | 150 | 50-150 |
| M-8 (Bass Hill Muzzleloading Rifle Buck Hunt) | 20 | 5-50 |
| M-9 (Devil's Garden Muzzleloading Rifle Buck Hunt) | 10 | 5-100 |
| M-11 (Northwestern California Muzzleloading Rifle Buck Hunt) | 20 | 20-200 |
| MA-1 (San Luis Obispo Muzzleloading Rifle/Archery Either-Sex Deer Hunt) | 150 | 20-150 |
| MA-3 (Santa Barbara Muzzleloading Rifle/Archery Buck Hunt) | 150 | 20-150 |
| J-1 Lake Sonoma Apprentice Either-Sex Deer Hunt) | 25 | 10-25 |
| J-3 (Tehama Wildlife Area Apprentice Buck Hunt) | 15 | 15-30 |
| J-4 Shasta-Trinity Apprentice Buck Hunt) | 15 | 15-50 |
| J-7 (Carson River Apprentice Either-Sex Deer Hunt) | 15 | 10-50 |
| J-8 (Daugherty Hill Wildlife Area Apprentice Either-Sex Deer Hunt) | 15 | 10-20 |
| J-9 (Little Dry Creek Apprentice Shotgun Either-Sex Deer Hunt) | 5 | 5-10 |
| J-10 (Fort Hunter Liggett Apprentice Either-Sex Deer Hunt) | 10 Military* & 75 Public | 10 Military * and 75 Public |
| J-11 (San Bernardino Apprentice Either-Sex Deer Hunt) | 40 | 10-50 |
| J-12 (Round Valley Apprentice Buck Hunt) | 10 | 10-20 |
| J-13 (Los Angeles Apprentice Either-Sex Deer Hunt) | 40 | 25-100 |
| J-14 (Riverside Apprentice Either-Sex Deer Hunt) | 30 | 15-75 |

| Deer: § 360(c) Additional Hunts Tag Allocations | | |
|---|---------|----------|
| Hunt Number (and Title) | Current | Proposed |
| J-15 (Anderson Flat Apprentice Buck Hunt) | 10 | 5-30 |
| J-16 (Bucks Mountain-Nevada City Apprentice Either-Sex Deer Hunt) | 75 | 10-75 |
| J-17 (Blue Canyon Apprentice Either-Sex Deer Hunt) | 25 | 5-25 |
| J-18 (Pacific-Grizzly Flat Apprentice Either-Sex Deer Hunt) | 75 | 10-75 |
| J-19 (Zone X-7a Apprentice Either-Sex Deer Hunt) | 25 | 10-40 |
| J-20 (Zone X-7b Apprentice Either-Sex Deer Hunt) | 20 | 5-20 |
| J-21 (East Tehama Apprentice Either-Sex Deer Hunt) | 50 | 20-80 |

* Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.

** DOD = Department of Defense and eligible personnel as authorized by the Installation Commander.

360(d)

Existing regulations provide for the sale of up to ten (10) fund-raising license deer tags annually. The proposed changes are to reflect the repeal of Section 708 and its replacement by Sections 708.1 – 708.17, and the statutory modification of subsection 4332(e) to Section 3953, Fish and Game Code. Additionally, a change to reflect new contact information with the Departments Law Enforcement Division is proposed.

361

Existing regulations provide for the number of hunting tags for existing area-specific archery hunts. The proposal changes the number of tags for existing hunts to a series of ranges presented in the table below. These ranges are necessary, as the final number of tags cannot be determined until spring herd data are collected in March/April. Because severe winter conditions can have an adverse effect on herd recruitment and over-winter adult survival, final tag quotas may fall below the proposed range into the "Low Kill" alternative identified in the 2007 Environmental Document Regarding Deer Hunting..

| Archery Deer Hunting: § 361 Tag Allocations | | |
|--|---------|-----------|
| Hunt Number (and Title) | Current | Proposed |
| A-1 (C Zones Archery Only Hunt) | 1,945 | 150-3,000 |
| A-3 (Zone X-1 Archery Hunt) | 130 | 50-1,000 |
| A-4 (Zone X-2 Archery Hunt) | 20 | 5-100 |
| A-5 (Zone X-3a Archery Hunt) | 35 | 10-300 |
| A-6 (Zone X-3b Archery Hunt) | 90 | 25-400 |
| A-7 (Zone X-4 Archery Hunt) | 135 | 25-400 |
| A-8 (Zone X-5a Archery Hunt) | 15 | 15-100 |
| A-9 (Zone X-5b Archery Hunt) | 5 | 5-100 |
| A-11 (Zone X-6a Archery Hunt) | 55 | 10-200 |
| A-12 (Zone X-6b Archery Hunt) | 110 | 10-300 |
| A-13 (Zone X-7a Archery Hunt) | 50 | 10-200 |
| A-14 (Zone X-7b Archery Hunt) | 25 | 5-100 |
| A-15 (Zone X-8 Archery Hunt) | 50 | 5-100 |

| Archery Deer Hunting: § 361 | | |
|---|--------------------------|--------------------------|
| Tag Allocations | | |
| Hunt Number (and Title) | Current | Proposed |
| A-16 (Zone X-9a Archery Hunt) | 140 | 50-500 |
| A-17 (Zone X-9b Archery Hunt) | 300 | 50-500 |
| A-18 (Zone X-9c Archery Hunt) | 350 | 50-500 |
| A-19 (Zone X-10 Archery Hunt) | 120 | 25-200 |
| A-20 (Zone X-12 Archery Hunt) | 190 | 50-500 |
| A-21 (Anderson Flat Archery Buck Hunt) | 25 | 25-100 |
| A-22 (San Diego Archery Either-Sex Deer Hunt) | 1,000 | 200-1,500 |
| A-24 (Monterey Archery Either-Sex Deer Hunt) | 100 | 25-200 |
| A-25 (Lake Sonoma Archery Either-Sex Deer Hunt) | 35 | 20-75 |
| A-26 (Bass Hill Archery Buck Hunt) | 30 | 10-100 |
| A-27 (Devil's Garden Archery Buck Hunt) | 5 | 5-75 |
| A-30 (Covelo Archery Buck Hunt) | 40 | 20-100 |
| A-31 (Los Angeles Archery Either-Sex Deer Hunt) | 1,000 | 200-1,500 |
| A-32 (Ventura/Los Angeles Archery Late Season Either-Sex Deer Hunt) | 250 | 50-300 |
| A-33 (Fort Hunter Liggett Late Season Archery Either-Sex Deer Hunt) | 25 Military* & 25 Public | 25 Military* & 25 Public |

* Specific numbers of tags are provided for military hunts through a system which restricts hunter access to desired levels and ensures biologically conservative hunting programs.

362

The existing regulation provides for limited hunting of 27 Nelson bighorn rams in specified areas of the State. The proposed change is intended to remove the 'for 2011' column heading to continue the use of existing tag allocations. There is no recommendation to change existing tag allocations. The number of tags allocated for each of the nine hunt zones is based on the results of the Department's estimate of the bighorn sheep population in each zone.

| Nelson Bighorn Sheep Hunt Zone | Tag Allocation |
|---|----------------|
| Zone 1 - Marble Mountains | 4 |
| Zone 2 - Kelso Peak/Old Dad Mountains | 4 |
| Zone 3 - Clark/Kingston Mountain Ranges | 2 |
| Zone 4 - Orocopia Mountains | 1 |
| Zone 5 - San Geronio Wilderness | 2 |
| Zone 6 - Sheep Hole Mountains | 2 |
| Zone 7 - White Mountains | 4 |
| Zone 8 - South Bristol Mountains | 2 |
| Zone 9 - Cady Mountains | 3 |
| Open Zone Fund-Raising Tag | 1 |

| | |
|---|----|
| Marble/Clipper/South Bristol Mountains Fund-Raising Tag | 1 |
| Kelso Peak/Old Dad Mountains Fund-Raising Tag | 1 |
| TOTAL | 27 |

This proposal simply removes the year reference (2011) from the table header in subsection (d).

363

Existing regulations provide for the number of pronghorn antelope hunting tags for each hunt zone. This proposed regulatory action would provide for tag allocation ranges for most hunt zones pending final tag quota determinations based on winter survey results that should be completed by March of 2012. The final tag quotas will provide for adequate hunting opportunities while allowing for a biologically appropriate harvest of bucks and does in specific populations. The proposed 2012 tag allocation ranges for the hunt zones are as set forth below.

| 2012 Pronghorn Antelope Tag Allocation Ranges | | | | | | |
|---|---------------------|-----|-----------------|------|----------|------|
| Hunt Area | Archery-Only Season | | General Season | | | |
| | Buck | Doe | Period 1 | | Period 2 | |
| | | | Buck | Doe | Buck | Doe |
| Zone 1 – Mount Dome | 0-10 | 0-3 | 0-60 | 0-20 | 0 | 0 |
| Zone 2 – Clear Lake | 0-10 | 0-3 | 0-80 | 0-25 | 0 | 0 |
| Zone 3 – Likely Tables | 0-20 | 0-7 | 0-150 | 0-50 | 0-130 | 0-50 |
| Zone 4 – Lassen | 0-20 | 0-7 | 0-150 | 0-50 | 0-150 | 0-50 |
| Zone 5 – Big Valley | 0-15 | 0-5 | 0-150 | 0-50 | 0 | 0 |
| Zone 6 – Surprise Valley | 0-10 | 0 | 0-25 | 0-7 | 0 | 0 |
| Big Valley Apprentice Hunt | N/A | | 0-15 Either-Sex | | 0 | |
| Lassen Apprentice Hunt | N/A | | 0-15 Either-Sex | | 0 | |
| Surprise Valley Apprentice Hunt | N/A | | 0-4 Either-Sex | | 0 | |
| Likely Tables Apprentice Hunt | N/A | | 0-5 Either-Sex | | 0 | |
| Fund-Raising Hunt | N/A | | 0-10 Buck | | | |

364

Existing regulations specify elk license tag quotas for each hunt. In order to maintain hunting quality in accordance with management goals and objectives, it is periodically necessary to adjust quotas in response to dynamic environmental and biological conditions. This proposed amendment modifies elk tag numbers to ranges of tags to adjust for fluctuations in population numbers.

Periodic quota changes are necessary to maintain hunting quality in accordance with management goals

and objectives.

| 2012 Proposed Elk Tag Allocation | | | | |
|--|------|------------|------------|-------|
| Hunt Name and Type | Bull | Antlerless | Either-Sex | Spike |
| Apprentice Hunts | | | | |
| Marble Mountains | | | 0-4 | |
| Northeastern CA | | | 0-4 | |
| Cache Creek | 0-2 | | | |
| La Panza Period 1 | 0-2 | 0-2 | | |
| Bishop Period 2 | 0-10 | 0-30 | | |
| Grizzly Island Period 1 | | 0-2 | | 0-2 |
| Grizzly Island Period 2 | | | | 0-2 |
| Fort Hunter Liggett P1 | | 0-4 | | |
| Fort Hunter Liggett P2 | | 0-4 | | |
| Fort Hunter Liggett P3 | 0-2 | | | |
| Archery Only Hunts | | | | |
| Northeastern California Archery Only | | | 0-20 | |
| Owens Valley Multiple Zone Archery Only | 0-10 | 0-10 | | |
| Lone Pine Archery Only Period 1 | 0-10 | 0-30 | | |
| Tinemaha Archery Only Period 1 | 0-10 | 0-30 | | |
| Whitney Archery Only Period 1 | 0-10 | 0-30 | | |
| Fort Hunter Liggett Archery Only | | 0-10 | 0-6 | |
| Muzzleloader Only Hunts | | | | |
| Bishop Muzzleloader Only Period 1 | 0-10 | 0-30 | | |
| Independence Muzzleloader Only Period 1 | 0-10 | 0-10 | | |
| Fort Hunter Liggett Muzzleloader Only | 0-6 | | | |
| Muzzleloader/Archery Only Hunts | | | | |
| Marble Mountains Muzzleloader/Archery Only | | | 0-10 | |
| General Roosevelt Elk Hunts | | | | |
| Siskiyou | 0-30 | 0-30 | | |
| Big Lagoon | 0-10 | 0-10 | | |
| Northwestern California | | | 0-30 | |
| Klamath | 0-20 | 0-20 | | |
| Del Norte | 0-15 | 0-20 | | |
| Marble Mountains | 0-70 | 0-30 | | |
| General Rocky Mountain Elk Hunts | | | | |
| Northeastern California | 0-30 | 0-10 | | |
| General Roosevelt/Tule Elk Hunts | | | | |
| Mendocino | 0-4 | 0-4 | | |
| General Tule Elk Hunts | | | | |
| Cache Creek | 0-4 | 0-4 | | |
| La Panza Period 1 | 0-12 | 0-10 | | |
| La Panza Period 2 | 0-12 | 0-12 | | |
| Bishop Period 3 | 0-10 | 0-30 | | |
| Bishop Period 4 | 0-10 | 0-30 | | |
| 2012 Proposed Elk Tag Allocation | | | | |
| Hunt Name and Type | Bull | Antlerless | Either-Sex | Spike |
| Bishop Period 5 | 0-10 | 0-30 | | |
| Independence Period 2 | 0-10 | 0-30 | | |
| Independence Period 3 | 0-10 | 0-30 | | |
| Independence Period 4 | 0-10 | 0-30 | | |
| Independence Period 5 | 0-10 | 0-30 | | |
| Lone Pine Period 2 | 0-10 | 0-30 | | |
| Lone Pine Period 3 | 0-10 | 0-30 | | |
| Lone Pine Period 4 | 0-10 | 0-30 | | |
| Lone Pine Period 5 | 0-10 | 0-30 | | |
| Tinemaha Period 2 | 0-10 | 0-30 | | |
| Tinemaha Period 3 | 0-10 | 0-30 | | |
| Tinemaha Period 4 | 0-10 | 0-30 | | |

| | | | | |
|--|------|------|------|-----|
| Tinemaha Period 5 | 0-10 | 0-30 | | |
| West Tinemaha Period 1 | 0-10 | 0-30 | | |
| West Tinemaha Period 2 | 0-10 | 0-30 | | |
| West Tinemaha Period 3 | 0-10 | 0-30 | | |
| West Tinemaha Period 4 | 0-10 | 0-30 | | |
| West Tinemaha Period 5 | 0-10 | 0-30 | | |
| Tinemaha Mountain Period 1 | 0-8 | | | |
| Tinemaha Mountain Period 2 | 0-8 | | | |
| Tinemaha Mountain Period 3 | 0-8 | | | |
| Tinemaha Mountain Period 4 | 0-8 | | | |
| Tinemaha Mountain Period 5 | 0-8 | | | |
| Whitney Period 2 | 0-4 | 0-10 | | |
| Whitney Period 3 | 0-4 | 0-10 | | |
| Whitney Period 4 | 0-4 | 0-10 | | |
| Whitney Period 5 | 0-4 | 0-10 | | |
| Grizzly Island Period 1 | 0-3 | 0-12 | | 0-6 |
| Grizzly Island Period 2 | 0-3 | 0-12 | | 0-6 |
| Grizzly Island Period 3 | 0-3 | 0-12 | | 0-6 |
| Grizzly Island Period 4 | 0-2 | 0-12 | | 0-6 |
| Grizzly Island Period 5 | 0-2 | 0-12 | | 0-6 |
| Fort Hunter Liggett Period 1 | | 0-16 | | |
| Fort Hunter Liggett Period 2 | | 0-14 | | |
| Fort Hunter Liggett Period 3 | 0-14 | | | |
| East Park Reservoir | 0-4 | 0-8 | | |
| San Luis Reservoir | 0-10 | 0-10 | 0-10 | |
| Bear Valley | 0-4 | 0-2 | | |
| Lake Pillsbury | 0-4 | 0-4 | | |
| Santa Clara | 0-4 | | | |
| Alameda | 0-4 | | | |
| Fund Raising Tags | | | | |
| Multi-zone | 1 | | | |
| Grizzly Island | 1 | | | |
| Owens Valley | 1 | | | |
| Military Only Elk Tags | | | | |
| Fort Hunter Liggett Military Early Season | 0-2 | 0-2 | | |
| Fort Hunter Liggett Military Period 1 | | 0-16 | | |
| Fort Hunter Liggett Military Period 2 | | 0-14 | | |
| Fort Hunter Liggett Military Period 3 | 0-14 | | | |
| Fort Hunter Liggett Military Apprentice Period 1 | | 0-4 | | |
| Fort Hunter Liggett Military Apprentice Period 2 | | 0-4 | | |
| Fort Hunter Liggett Military Apprentice Period 3 | 0-2 | | | |
| Fort Hunter Liggett Military Archery Only | | 0-10 | 0-6 | |
| Fort Hunter Liggett Military Muzzleloader Only | 0-6 | | | |

The proposed amendment organizes and re-writes the verbatim in consistent order by subspecies and hunt type.

365(b) and 708.12(d)

Existing subsection 365(b), Title 14, California Code of Regulations references a regulatory subsection that was recently renumbered. Existing regulation in 365(b) requires the Department to close the bear hunting season when the department determines that 1,700 bears have been taken pursuant to the reporting requirement in subsection 708(e). Subsection 708(e) was recently repealed by regulatory action and replaced with subsection 708.12(e). The proposed change will reference the new section to ensure that the bear season is properly closed.

Existing subsection 708.12(d), Title 14, California Code of Regulations requires that ONLY Department employees are authorized to validate bear tags and requires the tag be countersigned before transporting such bear except for the purpose of taking it to the nearest person authorized to countersign the license tag on the route being followed from the point where taken. The proposed clarification will allow a person to

legally transport a bear with an unvalidated bear license tag when Department offices are closed.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held at the Mission Inn, 3649 Mission Inn Ave, Riverside, California, on Wednesday, March 7, 2012, at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Redwood Ballroom, Red Lion Hotel, 1929 4th Street, Eureka, California, on Wednesday, April 11, 2012, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before April 11, 2012 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on April 10, 2012. All comments must be received no later than April 11, 2012, at the hearing in Eureka, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Sonke Mastrup, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Sonke Mastrup or Jon Snellstrom at the preceding address or phone number. **Brad Burkholder, Department of Fish and Game, (916) 445-1829, has been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption; timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

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

Impact of Regulatory Action

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

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

360(a) - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

360(b) - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

360(c) - The proposed action will not have a significant statewide adverse economic impact directly

affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action would adjust tag quotas for existing hunts and modify season dates for two hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

360(d) - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action reflects editorial changes to eliminate inconsistencies between regulation and Fish and Game Code. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

361 - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed action adjusts tag quotas for existing hunts. Given the number of tags available and the area over which they are distributed, these proposals are economically neutral to business.

362 - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed changes allow for the continued hunting of nelson bighorn sheep, there are no changes in the number of tags issued from previous years; so this proposal is economically neutral.

363 - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Considering the small number of tags issued over the entire state, this proposal is economically neutral to business.

364 - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. Considering the small number of tags issued over the entire state, this proposal is economically neutral to business.

365(b) and 708.12(d) - The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This regulation change is ministerial and is simply required to reflect recent changes to referenced subsections.

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

None.

(c) Cost Impacts on Private Persons.

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

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

None.

(e) Other Nondiscretionary Costs/Savings to Local Agencies.

None.

(f) Programs Mandated on Local Agencies or School Districts.

None.

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

None.

(h) Effect on Housing Costs.

None.

Effect on Small Business

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

Consideration of Alternatives

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

FISH AND GAME COMMISSION

Dated: December 30, 2011

Sonke Mastrup
Executive Director



City and County of San Francisco

Department on the Status of Women

Mayor Edwin M. Lee

Executive Director Emily M. Murase, PhD

BOS-11
COB, cp page

January 18, 2012

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JAN 23 AM 9:48
EMC

Dear Ms. Calvillo,

Angela

March is nationally recognized as Women's History Month and the Commission and Department on the Status of Women are proud to celebrate this month with members of the Board of Supervisors. In previous years, the Board of Supervisors has acknowledged and recognized women in our community who are courageous leaders improving the quality of life for San Franciscans through this special program organized by our Department. This year we would like to again request the opportunity to celebrate the women leaders of San Francisco at the regularly scheduled Board of Supervisors meeting on Tuesday, March 6, 2012, at 3:30 pm.

We ask that each member of the Board prepare and present a proclamation to the woman of his or her choice at the Board meeting. A brief reception for honorees their friends and family will follow the Board of Supervisors presentation in the North Light Court.

The theme for the 2012 Women's History Month is "*Women's Education – Women's Empowerment.*" Understanding that on of the City's highest priorities is to create and retain jobs for San Franciscans, we have chosen to expand on the theme and include women's economic empowerment in this year's celebration. We have a wealth of women in San Francisco who work tirelessly, and show exceptional vision, dedication, and leadership day in and day out. We ask you to join us in recognizing the importance of women throughout our history.

We will work with the Supervisors to identify a woman they wish to acknowledge during the Board meeting. We look forward to this exciting event to honor outstanding women in our communities. Please do not hesitate to contact Carol Sacco directly at 415-252-2574 or carol.sacco@sfgov.org, should you have any questions.

Sincerely,

Emily
Emily M. Murase, PhD
Executive Director

We so appreciate your assistance this year and in the past. Thank you.



SFUSD SAN FRANCISCO
PUBLIC SCHOOLS

Carlos A. García, Superintendent of Schools
555 Franklin Street, 3rd Floor | San Francisco, CA 94102
Phone: (415) 241-6121 | Email: carlosgarcia@sfusd.edu

BOS-11, COB, cpage

January 20, 2012

Edwin M. Lee, Mayor
Mayor's Office
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JAN 23 PM 4:38

Dear Mayor Lee;

I have appointed Nancy Waymack as the San Francisco Unified School District representative on the San Francisco AB 26 Redevelopment Successor Agency Oversight Board.

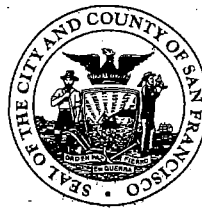
Sincerely yours,

Carlos A. Garcia

- cc: ✓ Angela Calvillo, Clerk of the Board, Board of Supervisors
- Nancy Waymack, Executive Director of Policy & Operations, SFUSD
- Myong Leigh, Deputy Superintendent of Policy & Operations, SFUSD
- Richard Carranza, Deputy Superintendent of Instruction, Innovation & Social Justice, SFUSD

13

OFFICE OF THE MAYOR
SAN FRANCISCO



Orig: Rilles clerk
C-COB, Leg. Dep. cpage
EDWIN M. LEE
MAYOR
Exfile

January 23, 2012

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JAN 23 PM 3:34
KBC

Dear Ms. Calvillo,

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

Brooks Beard to the Residential Rent Stabilization and Arbitration Board, for a term ending October 1, 2015.

Please see the attached bio which demonstrates how Mr. Beard's appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor

OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

Notice of Appointment

January 23, 2012

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

Honorable Board of Supervisors:

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

Brooks Beard to the Residential Rent Stabilization and Arbitration Board, for a term ending October 1, 2015.

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

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee
Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JAN 23 PM 3:34
Lee

Brooks M. Beard



Partner

San Francisco, (415) 268-7339

[Download vCard](#)

Education

University of California, Santa Barbara (B.A., 1991);

Vermont Law School (J.D., 1995);

Georgetown University Law Center (LL.M., 1996)

Practices

Patent Litigation

Litigation

Environmental Litigation

Bar Admissions

California

District of Columbia

Brooks Beard has a trial and appellate litigation practice focusing on complex commercial matters. He represents clients in state and federal court, as well as before state and federal administrative agencies, focusing on intellectual property (patent, trademark, and trade secrets), false or deceptive advertising, and environmental litigation matters. His clients come from a range of industries, including Internet technology, consumer products, pharmaceuticals, financial, consumer retail, food products, restaurants, and mining.

Mr. Beard sits on the Steering Committee for Morrison & Foerster's Cleantech Practice Group. In this rapidly-evolving area, he currently provides counseling and litigation advice on issues surrounding false or deceptive advertising allegations relating to environmental or "green" claims made by companies in connection with consumer products and services. He is also involved with patent infringement matters relating to Cleantech companies and subject matter.

Since 2009, Mr. Beard has sat on Eco-Entrepreneurship Advisory Council at the Donald Bren School of Environmental Science & Management, University of California, Santa Barbara, which "guides, supports, and promotes eco-entrepreneurship education at the Bren School, and serves as the primary conduit between the school and the entrepreneurial and investor communities."

In October 2007, San Francisco Mayor Gavin Newsom appointed Mr. Beard to serve as a Commissioner on the San Francisco Rent Stabilization and Arbitration Board. He was sworn in as a Commissioner in January 2008.

Mr. Beard's peers rate him AV Preeminent in The Martindale-Hubbell Peer Review Ratings.

Matters.

Aloft Media, LLC. v. Oracle, et al.

(United States District Court, Eastern District of Texas) Representing several financial services companies in a patent infringement case relating to software for guiding a user through a decision-making process.

eTool Development, Inc. v. National Semiconductor Corporation

(United States District Court, Eastern District of Texas) Representing National Semiconductor in a patent infringement case involving product design software.

Seven Springs LP v. Fox Capital Management Corporation

(United States District Court, Eastern District of California) Representing property owner in litigation and administrative proceedings relating to contaminated property located in South Lake Tahoe, California.

American Airlines v. Yahoo! Inc.

(United States District Court, Northern District of Texas) Represented Yahoo! in a trademark infringement case relating to Internet advertising and keyword bidding.

Aloft Media, LLC v. Yahoo! Inc.

(United States District Court, Eastern District of Texas). Represented Yahoo! in a series of patent infringement matters involving browser, toolbar, and messenger functionality.

HPD Laboratories, Inc. v. The Clorox Company

(United States District Court, District of New Jersey). Represented The Clorox Company in a lawsuit alleging patent infringement of a consumer product packaging patent, and further alleging false advertising under the Lanham Act based on product label content.

OpenTV, Inc. v. Liberate Technologies

(United States District Court, Northern District of California). Represented OpenTV in a patent infringement case involving interactive television technology.

K.C. 1986 Limited Partnership v. Reade Mfg. Co., et al.

(United States Court of Appeals for the Eighth Circuit; United States District Court, Western District of Missouri) For more than a decade, successfully represented U.S. Borax in a CERCLA case involving a former herbicide blending facility in North Kansas City, Missouri. Following trial, obtained a ruling assigning 90% of the response costs to other past and current owners and operators, and only a 10% allocation for Borax (itself a past operator). Some opinions at: 472 F.3d 1009 (8th Cir. 2007); 2007 U.S. Dist. LEXIS 74042 (W.D. Mo. 2007); 33 F. Supp. 2d 835 (W.D. Mo. 1998)

Dowhal v. SmithKline Beecham Consumer Healthcare, et al.

(CA Superior Court, San Francisco County; CA Supreme Court). Won summary judgment in a Prop 65 suit filed against SmithKline, Johnson & Johnson, and 15 other manufacturers, marketers, and retailers of Nicoderm CQ, Nicorette, and Nicotrol, smoking cessation products. The lawsuit alleged that the pregnancy warning language on the products did not satisfy Prop 65 requirements. The California Attorney General intervened on behalf of the plaintiff, but the California Supreme Court unanimously ruled in favor of our clients. The Supreme Court's decision was the first favoring a defendant's position in a Prop 65 action, the first holding that Prop 65 could be and was preempted by federal law, and the first ruling that the State could not defeat preemption by requiring off-label advertising. (2004)

Waste Management of Alameda County, Inc. v. East Bay Regional Park District

(United States District Court, Northern District of California). Represented the East Bay Regional Park District in a CERCLA case involving a former landfill that was being converted into a shoreline regional park along San Francisco Bay. Following trial, obtained a ruling allocating 95% of the response costs to

Waste Management, the former owner and operator of the landfill; and only 5% to the Park District, as the site's current owner. Opinion at: 135 F. Supp. 2d 1071 (N.D. Cal. 2001)

Practices.

Patent Litigation

Litigation

Environmental Litigation

Advanced Chemicals + Materials

Appellate + Supreme Court

Cleantech

Consumer Products

Energy + Natural Resources

Product Liability

Retail

Intellectual Property Litigation

Trials

Consumer Litigation

Advertising and Marketing Law

Publications

Environmental Marketing Claims for Plastic Products Subject to Additional Requirements in California

2/3/2009

Class Actions, Cleantech, Energy + Natural Resources, Environmental Litigation, Environmental Regulation, Product Liability
Client Alert

Growth of "Greenwashing" Will Spur Regulation

10/19/2009

Cleantech, Environmental Litigation, Environmental Regulation
Article

Greenwashing - Avoiding Greenwashing: The Brave New World of Environmental Marketing Claims

9/1/2008

Cleantech, Energy + Natural Resources
Client Alert

The New 'Green' Marketing Strategy - How Does This Affect Portfolio Companies?

9/1/2008

Article

Quarterly Cleantech Update: Green Marketing, "Greenwashing," and False Advertising

8/27/2008
Cleantech, Energy + Natural Resources
Client Alert

New Ninth Circuit Decision Confirms that Parties Who Undertake Soil and Groundwater Cleanups Voluntarily or at the Request of State Agencies May Seek Recovery of Costs Via Superfund Lawsuits.

5/7/2008
Land Use, Real Estate
Client Alert

Speaking Engagements.

**Green Marketing: Avoiding Common Pitfalls
ABA Section of Science & Technology Law, Cleantech & Climate Change Committee**

2/25/2010
Cleantech, Energy + Natural Resources
Online

**Avoiding Greenwashing: What's New At FTC
Sustainable Brands' Building Credibility & Avoiding Greenwashing Seminar**

1/14/2010
Webinar

**Rules Of The Road For Green Marketing
Conservation International's Business & Biodiversity Council Fall Meeting**

11/3/2009
Cleantech, Energy + Natural Resources
Washington, D.C.

**Navigating the Greenwashing Minefield: A Legal Perspective
Sustainable Brands '09**

6/1/2009
Monterey, CA

**The 10 Most Critical Legal Issues Every GC Should Know (San Francisco)
ACC Cleantech Committee Meeting**

3/4/2009
Cleantech, Energy + Natural Resources
San Francisco, CA

**Engaging in Green Marketing Without Running Afoul of Federal and State Guidelines
American Conference Institute's 22nd National Advanced Forum on Advertising Law**

1/27/2009
Cleantech, Energy + Natural Resources
New York, NY

**Avoiding Greenwashing Accusations on the Global Stage
Sustainable Brands International**

12/10/2008
Cleantech, Energy + Natural Resources
Miami, FL

**Navigating Labeling, Understanding the FTC Green Guides, Avoiding Greenwashing
Cotton Sustainability Summit**

10/21/2008
Cleantech, Energy + Natural Resources
Sundance, UT

**Thought Leadership Webinar Discovery Taskforce 101: Learn the nuts and bolts behind
setting up an e-Discovery Taskforce**

6/12/2008
Litigation
Webinar

Establishing Credibility, Avoiding Greenwash!
Sustainable Brands '08

6/4/2008


Cleantech, Energy + Natural Resources, Land Use
Monterey, CA

BOARD of SUPERVISORS



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

MEMORANDUM

Date: January 24, 2012
To: Honorable Members, Board of Supervisors
From:  Angela Calvillo, Clerk of the Board
Subject: APPOINTMENT BY THE MAYOR

The Mayor has submitted an appointment to the following body:

- Brooks Beard, Residential Rent Stabilization and Arbitration Board, term ending October 1, 2015

Under the Board's Rules of Order Section 2.24, a Supervisor can request a hearing on an appointment by notifying the Clerk in writing.

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

Please notify me in writing by **5:00 p.m. Thursday, January 26, 2012**, if you would like to request a hearing on this appointment.

Attachments

OFFICE OF THE MAYOR
SAN FRANCISCO



Orig: Rillas clerk
C-COB, Leg Dep. C page
EDWIN M. LEE
MAYOR
E file

January 23, 2012

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

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 JAN 23 PM 3:34
LBC

Dear Ms. Calvillo,

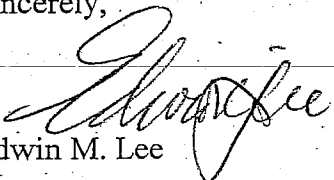
Pursuant to Section 3.100 (18) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

Brooks Beard to the Residential Rent Stabilization and Arbitration Board, for a term ending October 1, 2015.

Please see the attached bio which demonstrates how Mr. Beard's appointment represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

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

Sincerely,


Edwin M. Lee
Mayor

Brooks M. Beard



Partner

San Francisco, (415) 268-7339
[Download vCard](#)

Education

University of California, Santa Barbara (B.A., 1991);
Vermont Law School (J.D., 1995);
Georgetown University Law Center (LL.M., 1996)

Practices

Patent Litigation
Litigation
Environmental Litigation

Bar Admissions

California
District of Columbia

Brooks Beard has a trial and appellate litigation practice focusing on complex commercial matters. He represents clients in state and federal court, as well as before state and federal administrative agencies, focusing on intellectual property (patent, trademark, and trade secrets), false or deceptive advertising, and environmental litigation matters. His clients come from a range of industries, including Internet technology, consumer products, pharmaceuticals, financial, consumer retail, food products, restaurants, and mining.

Mr. Beard sits on the Steering Committee for Morrison & Foerster's Cleantech Practice Group. In this rapidly-evolving area, he currently provides counseling and litigation advice on issues surrounding false or deceptive advertising allegations relating to environmental or "green" claims made by companies in connection with consumer products and services. He is also involved with patent infringement matters relating to Cleantech companies and subject matter.

Since 2009, Mr. Beard has sat on Eco-Entrepreneurship Advisory Council at the Donald Bren School of Environmental Science & Management, University of California, Santa Barbara, which "guides, supports, and promotes eco-entrepreneurship education at the Bren School, and serves as the primary conduit between the school and the entrepreneurial and investor communities."

In October 2007, San Francisco Mayor Gavin Newsom appointed Mr. Beard to serve as a Commissioner on the San Francisco Rent Stabilization and Arbitration Board. He was sworn in as a Commissioner in January 2008.

Mr. Beard's peers rate him AV Preeminent in The Martindale-Hubbell Peer Review Ratings.

Matters.

Aloft Media, LLC. v. Oracle, et al.

(United States District Court, Eastern District of Texas) Representing several financial services companies in a patent infringement case relating to software for guiding a user through a decision-making process.

eTool Development, Inc. v. National Semiconductor Corporation

(United States District Court, Eastern District of Texas) Representing National Semiconductor in a patent infringement case involving product design software.

Seven Springs LP v. Fox Capital Management Corporation

(United States District Court, Eastern District of California) Representing property owner in litigation and administrative proceedings relating to contaminated property located in South Lake Tahoe, California.

American Airlines v. Yahoo! Inc.

(United States District Court, Northern District of Texas) Represented Yahoo! in a trademark infringement case relating to Internet advertising and keyword bidding.

Aloft Media, LLC v. Yahoo! Inc.

(United States District Court, Eastern District of Texas). Represented Yahoo! in a series of patent infringement matters involving browser, toolbar, and messenger functionality.

HPD Laboratories, Inc. v. The Clorox Company

(United States District Court, District of New Jersey). Represented The Clorox Company in a lawsuit alleging patent infringement of a consumer product packaging patent, and further alleging false advertising under the Lanham Act based on product label content.

OpenTV, Inc. v. Liberate Technologies

(United States District Court, Northern District of California). Represented OpenTV in a patent infringement case involving interactive television technology.

K.C. 1986 Limited Partnership v. Reade Mfg. Co., et al.

(United States Court of Appeals for the Eighth Circuit; United States District Court, Western District of Missouri) For more than a decade, successfully represented U.S. Borax in a CERCLA case involving a former herbicide blending facility in North Kansas City, Missouri. Following trial, obtained a ruling assigning 90% of the response costs to other past and current owners and operators, and only a 10% allocation for Borax (itself a past operator). Some opinions at: 472 F.3d 1009 (8th Cir. 2007); 2007 U.S. Dist. LEXIS 74042 (W.D. Mo. 2007); 33 F. Supp. 2d 835 (W.D. Mo. 1998)

Dowhal v. SmithKline Beecham Consumer Healthcare, et al.

(CA Superior Court, San Francisco County; CA Supreme Court). Won summary judgment in a Prop 65 suit filed against SmithKline, Johnson & Johnson, and 15 other manufacturers, marketers, and retailers of Nicoderm CQ, Nicorette, and Nicotrol, smoking cessation products. The lawsuit alleged that the pregnancy warning language on the products did not satisfy Prop 65 requirements. The California Attorney General intervened on behalf of the plaintiff, but the California Supreme Court unanimously ruled in favor of our clients. The Supreme Court's decision was the first favoring a defendant's position in a Prop 65 action, the first holding that Prop 65 could be and was preempted by federal law, and the first ruling that the State could not defeat preemption by requiring off-label advertising. (2004).

Waste Management of Alameda County, Inc. v. East Bay Regional Park District

(United States District Court, Northern District of California). Represented the East Bay Regional Park District in a CERCLA case involving a former landfill that was being converted into a shoreline regional park along San Francisco Bay. Following trial, obtained a ruling allocating 95% of the response costs to

Waste Management, the former owner and operator of the landfill, and only 5% to the Park District, as the site's current owner. Opinion at: 135 F. Supp. 2d 1071 (N.D. Cal. 2001)

Practices.

Patent Litigation

Litigation

Environmental Litigation

Advanced Chemicals + Materials

Appellate + Supreme Court

Cleantech

Consumer Products

Energy + Natural Resources

Product Liability

Retail

Intellectual Property Litigation

Trials

Consumer Litigation

Advertising and Marketing Law

Publications

Environmental Marketing Claims for Plastic Products Subject to Additional Requirements in California.

2/3/2009

Class Actions, Cleantech, Energy + Natural Resources, Environmental Litigation, Environmental Regulation, Product Liability
Client Alert

Growth of "Greenwashing" Will Spur Regulation

10/19/2008

Cleantech, Environmental Litigation, Environmental Regulation
Article

Greenwashing - Avoiding Greenwashing: The Brave New World of Environmental Marketing Claims

9/1/2008

Cleantech, Energy + Natural Resources
Client Alert

The New 'Green' Marketing Strategy - How Does This Affect Portfolio Companies?

9/1/2008

Article

Quarterly Cleantech Update: Green Marketing, "Greenwashing," and False Advertising

8/27/2008
Cleantech, Energy + Natural Resources
Client Alert

New Ninth Circuit Decision Confirms that Parties Who Undertake Soil and Groundwater Cleanups Voluntarily or at the Request of State Agencies May Seek Recovery of Costs Via Superfund Lawsuits.

5/7/2008
Land Use, Real Estate
Client Alert

Speaking Engagements.

**Green Marketing: Avoiding Common Pitfalls
ABA Section of Science & Technology Law, Cleantech & Climate Change Committee**

2/25/2010
Cleantech, Energy + Natural Resources
Online

**Avoiding Greenwashing: What's New At FTC
Sustainable Brands' Building Credibility & Avoiding Greenwashing Seminar**

1/14/2010
Webinar

**Rules Of The Road For Green Marketing
Conservation International's Business & Biodiversity Council Fall Meeting**

11/3/2009
Cleantech, Energy + Natural Resources
Washington, D.C.

**Navigating the Greenwashing Minefield: A Legal Perspective
Sustainable Brands '09**

6/1/2009
Monterey, CA

**The 10 Most Critical Legal Issues Every GC Should Know (San Francisco)
ACC Cleantech Committee Meeting**

3/4/2009
Cleantech, Energy + Natural Resources
San Francisco, CA

**Engaging in Green Marketing Without Running Afoul of Federal and State Guidelines
American Conference Institute's 22nd National Advanced Forum on Advertising Law**

1/27/2009
Cleantech, Energy + Natural Resources
New York, NY

**Avoiding Greenwashing Accusations on the Global Stage
Sustainable Brands International**

12/10/2008
Cleantech, Energy + Natural Resources
Miami, FL

**Navigating Labeling, Understanding the FTC Green Guides, Avoiding Greenwashing
Cotton Sustainability Summit**

10/21/2008
Cleantech, Energy + Natural Resources
Sundance, UT

**Thought Leadership Webinar Discovery Taskforce 101: Learn the nuts and bolts behind
setting up an e-Discovery Taskforce**

6/12/2008
Litigation
Webinar

**Establishing Credibility, Avoiding Greenwash!
Sustainable Brands '08**

6/4/2008

Cleantech, Energy + Natural Resources, Land Use
Monterey, CA

To: BOS Constituent Mail Distribution,
Cc:
Bcc:
Subject: The Gold Dust

From: mcstocker <mcstocker@comcast.net>
To: Board of Supervisors <Board.of.Supervisors@sfgov.org>
Date: 01/19/2012 04:15 PM
Subject: The Gold Dust

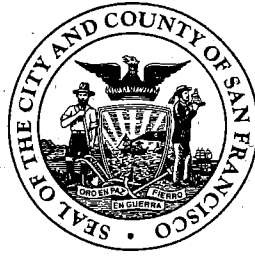
I am writing because I love the Gold Dust Bar on Powell St. by Union Square. Each time I go from my home in Sacramento to SF to shop, I stop there. The drinks are reasonable and the atmosphere is fun. My family has been going for the last 20 years. If it closes, a big part of Union Square history and fun will be gone. In my mind, it is right up there with the Buena Vista.

Please look into this plan to close it and investigate ways to keep it open. I know many people who feel as I do. It's a Jewel that should be saved.

Sincerely,
Patti Weber
Sacramento, Ca.

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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: | January 23, 2012 |
| To: | Honorable Members, Board of Supervisors |
| From: | <i>AC</i> Angela Calvillo, Clerk of the Board |
| Subject: | Form 700 |

This is to inform you that the following individuals have submitted a Form 700 Statement:
Rick Caldeira – COB Deputy – Annual
Vallie Brown – Legislative Aide – Leaving

To: Alisa Miller/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111248: Jane Warner Plaza & Harvey Milk Plaza Operating Regulations

From: "Rich Nelson" <rich@plco.net>
To: <Mark.Farrell@sfgov.org>, <Carmen.Chu@sfgov.org>, <Christina.Olague@sfgov.org>, <Jane.Kim@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Scott.Wiener@sfgov.org>, <David.Campos@sfgov.org>, <Malia.Cohen@sfgov.org>, <Eric.L.Mar@sfgov.org>, <David.Chiu@sfgov.org>, <John.Avalos@sfgov.org>, <Board.of.Supervisors@sfgov.org>, <MayorEdwinLee@sfgov.org>, <Joaquin.Torres@sfgov.org>, <MUMC-SF@earthlink.net>
Date: 01/22/2012 11:22 AM
Subject: Jane Warner Plaza & Harvey Milk Plaza Operating Regulations

Supervisors, I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro. Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.
Respectfully,

Richard J. Nelson

Richard J. Nelson, Esq.
Property Portfolio Manager
PLC Property Management
Paul Langley Company
4111-18th Street, Suite 1
San Francisco, CA 94114-2465
(415) 431-9104, Ext. 301

CONFIDENTIALITY NOTICE:

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18

To: Alisa Miller/BOS/SFGOV,
Cc:
Bcc:
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

From: Marc Dickow <marc@opni.com>
To: Mark.Farrell@sfgov.org; Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
MayorEdwinLee@SFGov.org, David.Chiu@SFGov.org, John.Avalos@SFGov.org,
Board.of.Supervisors@sfgov.org, Joaquin.Torres@SFGov.org, MUMC-SF@earthlink.net
Date: 01/22/2012 11:28 AM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro. Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.

**Respectfully,
Marc Dickow**

Marc Dickow
Realtor
Herth Real Estate
555 Castro Street
San Francisco, CA 94114
www.altrockrealtor.com
www.herth.com
marc@herth.com
415-722-4018
DRE# 01870650
[Sign Up For My E-Mail Newsletter](#)



To: Alisa Miller/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111248 Jane Warner and Harvey Milk Plazas

From: Dzbp@aol.com
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org,
MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org
Date: 01/22/2012 07:23 PM
Subject: SUPPORT Jane Warner & Harvey Milk Plaza Regulations

Dear Supervisors,

My name is Dennis Ziebell and my partner is William Pung. We are writing to express our strong support for Supervisor Wiener's legislation which proposes Rules Governing the Jane Warner and Harvey Milk Plazas.

We live directly adjacent to Jane Warner Plaza at 3993 17th street which is above our restaurant Orphan Andys .We have lived here and owned the cafe for 35 years.

We also have been actively involved with volunteering for the Castro/Upper Market CBD in maintaining Jane Warner Plaza from its inception.

These public spaces are heavily used by tourists, senior citizens, the ill and infirm, disabled and families with children. This is in addition to a lively younger crowd and late night revelers.

Jane Warner Plaza has the F line running directly through the middle of it, a bike lane, an emergency and service lane for the private property owners, a very busy cross walk and two separate emergency tracks for the Twin Peaks Tunnel.

Currently, neither of these two heavily used plazas in the Castro have any rules governing their use. The proposed rules are standard rules which are in place throughout San Francisco.

Supervisor Wiener's proposed legislation simply is applying these standard rules to these two plazas. The Castro/Upper Market Community Benefit District maintains these two spaces on a tight budget with the help of volunteers. It is critical for the City to use the tools it has available to support neighborhoods in creating and maintaining safe and welcoming public spaces, available for all. This legislation is one such tool.

We urge you to support this legislation based on the merits and needs of our community in order to sustain and maintain these two very important public spaces . The intent and goal is for everyone to be able to use the Plazas in a mutually civil and respectful way and with consideration for the property owners, residents and businesses fronting the Plazas.

Respectfully,

Dennis Ziebell

William Pung

Orphan Andy's Restaurant

3993 17th street

415-864-4889

From: Edward Huser <edward.huser@gmail.com>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org,
MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org
Cc: Andrea Aiello <execdirector@castrocbd.org>, MUMC-SF@earthlink.net
Date: 01/22/2012 09:08 PM
Subject: Jane Warner/Harvey Milk Proposed Legislation

This letter is in response to the proposed legislation ordinance of Jane Warner and Harvey Milk Plazas in the Castro.

I am speaking to you as both a businessperson and as someone who has been an activist and fundraiser for the Castro community since 1995. I have been very active in multiple organizations with my priority emphasis being a Sister of Perpetual Indulgence for my charity/activist endeavors. I have organized and managed events including Easter in the Park, street closures, and Pink Saturday. I understand working collectively with residents, merchants, and city officials to find fair and objective solutions for everyone. Although I am a Sister, I am not representing any views on behalf of that organization, but rather as a concerned individual and hence why I am writing under my legal name and not my sister name. Likewise the Sisters have not taken an official stance.

I would also like to make note that I applaud Supervisor Weiner who submitted this legislation working closely with MUMC merchants and the Castro CBD. I believe that this is a great example of politicians working closely with community groups for the betterment of the community.

I support this legislation and urge you to vote yes on it. Jane Warner and Harvey Milk Plazas were an after-thought of standard San Francisco legislation as they do not fit the current platform covered by existing laws, and this ordinance is only bringing these plazas up to par with the standards already put forth by the City and County.

These two plazas are not public parks; but instead meeting areas that were created were by alternative methods and therefore should have the same legal consideration for rules as parks and other plazas in San Francisco, such as Union Square.

Likewise, this is not a fully commercial area, but rather a residential area that has a small business community. Please take consideration with this because as we must have rules in place to respect the members of the community that reside here. Without any legislation, we are certain to end up in chaotic situations without governing rules to protect both the residents and the small business community.

After much thought and consideration I believe the legislation is fair and partial and some key points of why I support the ordinance are:

1. **Hours:** Setting defined times for movable chairs and benches between 9:00 AM and 9:00 PM allows for standard business operations and for congregation of the public. The legislation does not prohibit anyone wanting to sit or congregate outside of these hours, but allows the Castro CBD to have these movable chairs and benches for a full 12 hours for people that want to use them. In San Francisco, my experiences are if a chair or table is not permanently mounted, these items have a tendency to be stolen or vandalized. Keeping this in mind, I worry that movable benches and chairs will be stolen and/or used by vandals causing harm to residents or business owners. I have witnessed intoxicated persons damaging property with other items on the street. I feel this could happen again if we do not put timeframes in place and 9:00 PM and twelve hours of time seems fair and reasonable.

2. **Peddling and Vending of Merchandise.** Without implementing this in the ordinance, it allows for any person or groups to open up shop in these plazas, which will cause excessive vendors and impact seating for people wanting to enjoy the plazas. This is not fair to the Castro merchants either who spend thousands of dollars on rent and pay permits and taxes to operate their businesses:

Likewise, as demonstrated in other parts of the city, these unauthorized vendors do not pay taxes on merchandise sold and usually do so without permits. I can tell you from my experiences with orchestrating events that we constantly have to chase out the vendors who did not apply for a permit and who did not pay a permit fee. If you want to do business in San Francisco, it should be permitted. I know there are opponents, who do not understand the legislation, however it will still allow non-profits to collect monies or hand out materials such as safety whistles, but I wanted to clarify that.

3. **Sleeping & Camping Prohibited:** First of all these are not public parks, they are commercial/street areas and Jane Warner Plaza has the F Line running through it. Harvey Milk Plaza is a MUNI stop that is owned by BART. These are fair rules to ensure the safety of both San Franciscans and our tourists, which are needed by both the City and the merchants.

As both an activist and a non-profit fundraiser, I understand this is probably the most sensitive area because the legislation could be perceived as anti-homeless. However, after much consideration I feel this is the best for safety of our community and these areas are not suited to

attend to the needs of the City's homeless. My concern is also that the perception of the general public of excessive homeless activity will lead to loss of revenue by the merchants because their areas are in the forefront of the Castro as demonstrated by tourist reviews on virtualtourist.com. If you peruse this site and read about perceptions of tourists in San Francisco who comment about their experience, they witness crime, drug addiction and make statements about fear. Without protocol in place, my worries are this could become a campground as I have witnessed in other areas such as the Haight.

I too, am concerned about the homeless in San Francisco and crime. Pink Saturday has been an Achilles Heel for several years dealing with tourists, the bridge and tunnel crowd and violence. None of these acts was executed by our local residents, instead by outsiders. Without this legislation, my concerns are that it may turn into a campground for outsiders all over the city and other areas of the bay area and then we WILL have a major problem.

There is an ancient Proverb that says, "Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime." To me the solution for our homeless is to find other methods and resources. Allowing unauthorized camping is like giving the man a fish and feeding him one day. Passing this legislation and finding other methods to "teach a man to fish" are the solution.

Again, this legislation is about bringing up both plazas to the standards already enforce in the City of San Francisco. It allows for fair competition to MUMC merchants and the opportunity for other entrepreneurs to get a permit should they want to sell their wares. It allows rules and guidelines in place for the entire community to enjoy the spaces and it can prevent crime and vandalism. I strongly urge you to vote yes in supporting Supervisor Weiner on this legislation.

Sincerely,

Edward Huser

---From -----

Edward Huser

edward.huser@gmail.com

Mobile: (415) 314-4395

Fax: (415) 358-8321

From: "Brittney Beck" <bbeck@becksmotorlodge.com>
To: <Mark.Farrell@sfgov.org>, <Carmen.Chu@sfgov.org>, <Christina.Olague@sfgov.org>, <Jane.Kim@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Scott.Wiener@sfgov.org>, <David.Campos@sfgov.org>, <Malia.Cohen@sfgov.org>, <Eric.L.Mar@SFGov.org>, <David.Chiu@SFGov.org>, <John.Avalos@SFGov.org>, <Board.of.Supervisors@sfgov.org>, <MayorEdwinLee@SFGov.org>, <Joaquin.Torres@SFGov.org>
Date: 01/23/2012 09:57 AM
Subject: I-SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro.

Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro. We need to keep the Castro classy and clean. Too many times I hear my guests comment on the situations at these plazas – tourism is essential to the livelihood of San Francisco and we need to keep the tourists coming.

Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by

Thank you and have a wonderful day.

Brittney Beck

Beck's Motor Lodge
2222 Market St. | CA | SF | 94114

p: 415-621-8212

f: 415-241-0435

www.BecksMotorLodge.com | *In the heart of the Castro*

From: "Dennis Wheeler" <dennis@dwheelerlaw.com>
To: <Mark.Farrell@sfgov.org>, <Carmen.Chu@sfgov.org>, <Christina.Olague@sfgov.org>, <Jane.Kim@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Scott.Wiener@sfgov.org>, <David.Campos@sfgov.org>, <Malia.Cohen@sfgov.org>, <Eric.L.Mar@SFGov.org>, <David.Chiu@SFGov.org>, <John.Avalos@SFGov.org>, <Board.of.Supervisors@sfgov.org>, <MayorEdwinLee@SFGov.org>, <Joaquin.Torres@SFGov.org>, <MUMC-SF@earthlink.net>
Date: 01/23/2012 11:50 AM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Dear Supervisors:

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro.

The unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.

**Respectfully
Dennis Wheeler**

*Law Offices of Dennis R. Wheeler
2358 Market Street, 2nd Floor
San Francisco, CA 94114
415-865-0212 (Office)
415-789-4284 (Fax)
dennis@dwheelerlaw.com (Email)
dwheelerlaw.com (Website)*

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To: Alisa Miller/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111248 - Jane Warner and Harvey Milk Plazas

The following emails were received in the BOS mailbox.

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>

From: Brian Fisher <brian@fishercomm.us>
To: "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>
Cc: "MUMC-SF@earthlink.net" <MUMC-SF@earthlink.net>
Date: 01/22/2012 11:51 AM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Supervisors, I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro. Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation. Respectfully,
Brian Fisher

From: Phantom*SF - eBay Drop Off Store <phantomssf@phantomssf.com>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org, Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org, David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org, David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org, MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org, MUMC-SF@earthlink.net
Date: 01/22/2012 12:54 PM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro.

Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.

Respectfully,

Robert Hedric

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Robert Hedric - President
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Mo-Sa: 12:00pm - 06:00pm(PT)
www.phantomsf.com

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From: BVNA <BVNA@ix.netcom.com>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org,
MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org
Date: 01/22/2012 12:55 PM
Subject: SUPPORT for File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Members of the San Francisco Board of Supervisors Land Use Committee
and of the full Board of Supervisors:
cc: Mayor Lee, MONS

The Buena Vista Neighborhood Association (BVNA) respectfully urges
you to SUPPORT Supervisor Wiener's proposed legislation for routine
operating regulations at Harvey Milk and Jane Warner Plazas in The

Castro, adjacent to our neighborhood. The legislation will be heard at Land Use Committee tomorrow, Monday, January 23.

BVNA has followed Sup, Wiener's development of this legislation from its earliest days. The proposed new regulations always have been intended solely as routine "housekeeping," to apply customary, commonsense rules to these public spaces, which inadvertently are not covered by other, similar City regulations (e.g. Rec/Park codes). For homeless advocacy lobbyists to now claim that these proposed regulations are punitive or otherwise unfairly targeted is simply wrong, misguided, and an example of their frequently unworthy, negative positions.

Founded in 1964, BVNA is the primary residents' association for about 4,500 households in neighborhoods around Buena Vista Park. BVNA has over 400 currently-paid Members, and a mailing list of over 700 Members and other interested neighbors and constituents, who care about our City and who VOTE. About 80% of BVNA's service area currently is in District 8, the remaining 20% in District 5.

Thank you for considering our comments.

Richard Magary
Steering Committee Chair
Buena Vista Neighborhood Association (BVNA)
415/431-2359
BVNA@ix.netcom.com
1/22/2012 12:55pst

From: Rachele Ferraro <sfholistichealth@gmail.com>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org, Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org, David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org, David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org, MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org
Cc: MUMC-SF@earthlink.net
Date: 01/22/2012 03:20 PM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro.

Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.

Respectfully,

Rachele Ferraro, DC
Castro Holistic Health Center
2191 Market Street, Suite D
San Francisco, CA 94114

415-864-3453

From: "Brian Rizzo, D.C." <drbrian@rizzochiro.com>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org,
MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org, MUMC-SF@earthlink.net
Date: 01/22/2012 04:02 PM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Dear Supervisors:

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro. Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.

**Respectfully,
Brian Rizzo, D.C.**

Brian Rizzo, D.C.
Rizzo Chiropractic Corp.
540 Castro Street, SF, CA 94114
415.621.5772

www.rizzochiro.com
drbrian@rizzochiro.com

M, W, F: 7a-2p
Tu, Th: 2p-7p

From: "Shelah Barr:" <happyhoundsmassage@gmail.com>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org,
MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org, MUMC-SF@earthlink.net
Date: 01/22/2012 05:17 PM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

To Whom it Concerns,

As a business owner and long-term resident of the Castro I fully support Scott Weiner's proposed legislation.

Since the inception of the 'plaza' there has been a marked increase in the homeless population in the area, as well as vandalism, crime and threats to residents and visitors in the neighborhood. Other factors to these issues notwithstanding the 'plaza' seems to be an invitation for loitering as much as recreating. Any measures that can be taken to curb the illegal activities and help the Castro get cleaned up and safer has my support.

Please do not allow a small group of non-participating people and/or non-residents make

decisions about our quality of life.

Thank you.

don't forget to vote for us in the Beast of the Bay Awards! #24 for 'Best Massage' and #19 for "Best Gift"!

Shelah Barr

ONE OF SAN FRANCISCO'S FAVORITE SMALL BUSINESSES - 7x7 MAGAZINE 2011

415-864-6756

P.O. Box 460296

San Francisco, CA 94146-0296

Latest tweet: Drop-In Massage clinic today Pet Food Express Market St store, 12-3

Follow @HappyHoundsMasg Reply Retweet 10:23 Jan-21

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From: jerry cooper <jcooper68@sbcglobal.net>
To: Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org, Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org, David.Campos@sfgov.org, Malia.Cohen@sfgov.org, ric.L.Mar@SFGov.org, David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org, MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org, MUMC-SF@earthlink.net, Mark.Farrell@sfgov.org
Cc: Jerry Cooper <jcooper68@sbcglobal.net>, chris@alpharestoration.com, info@castromerchants.com
Date: 01/22/2012 06:23 PM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro.

Unfortunate opposition by homeless advocates is misguided.

As a local business owner in the Castro, and San Francisco resident, and MUMC Board Member, I am favor of what this legislation establishes for our future.

It is common sense. It insures safety, and makes these plazas (and similar spaces in the future) more desirable for ALL people, whether it be naked people (on their towels), homeless people, tourists or locals alike.

Please do the right thing for ALL of us.

The proposed regulations are needed to assure nothing more than equivalent rules at these

public spaces not covered by other City legislation.

Respectfully,

Jerry Cooper
Owner, Swirl on Castro
MUMC Board Member
572 Castro St.
415) 335-3615

From: "Kim Larsen" <kim@gaypocketUSA.com>
To: <Mark.Farrell@sfgov.org>, <Carmen.Chu@sfgov.org>, <Christina.Olague@sfgov.org>, <Jane.Kim@sfgov.org>, <Sean.Elsbernd@sfgov.org>
Cc: <Scott.Wiener@sfgov.org>, <David.Campos@sfgov.org>, <Malia.Cohen@sfgov.org>, <Eric.L.Mar@sfgov.org>, <David.Chiu@sfgov.org>, <John.Avalos@sfgov.org>, <Board.of.Supervisors@sfgov.org>, <MayorEdwinLee@sfgov.org>, <Joaquin.Torres@sfgov.org>, "MUMC" <MUMC-SF@earthlink.net>
Date: 01/23/2012 08:40 AM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro. Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.

Respectfully,

**Kim Larsen, Publisher
GayPocket San Francisco
"Get YOUR Business into Everyone's Pants"
2261 Market St., #500-A
San Francisco, CA 94114
T: 415-864-8869
F: 678-868-8869
kim@gaypocketUSA.com
www.gaypocketUSA.com**

From: ArtistsGallerySF@aol.com
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org, Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org, David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org, David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org, MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org, MUMC-SF@earthlink.net
Date: 01/23/2012 11:20 AM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for regulations at Harvey Milk and Jane Warner Plazas in The Castro.

Opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation. Respectfully yours,

**Joseph Titi, Owner
ABMS and The Artist's Gallery**

From: Great Tan SF <greattansf@gmail.com>
To: Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org,
Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org,
David.Campos@sfgov.org, Malia.Cohen@sfgov.org, Eric.L.Mar@SFGov.org,
David.Chiu@SFGov.org, John.Avalos@SFGov.org, Board.of.Supervisors@sfgov.org,
MayorEdwinLee@SFGov.org, Joaquin.Torres@SFGov.org, MUMC-SF@earthlink.net
Date: 01/23/2012 11:36 AM
Subject: SUPPORT File No. 111248 (Wiener) - Warner & Milk Plaza Regulations

Dear Supervisors,

I urge you to SUPPORT Supervisor Wiener's proposed legislation for routine operating regulations at Harvey Milk and Jane Warner Plazas in The Castro. Unfortunate opposition by homeless advocates is misguided. The proposed regulations are needed to assure nothing more than equivalent rules at these public spaces not covered by other City legislation.

Respectfully yours.

Craig Joyner
Owner
Great Tan
329 Noe Street near Market

--

Great Tan San Francisco

www.gr8tan.com

Top 250 USA Tanning Salons, 2008 Looking Fit Magazine

To: BOS Constituent Mail Distribution, Alisa Miller/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111248: Warner Plaza

From: James Robinson <robbiej169@yahoo.com>
To: "Board.of.Supervisors@SFGov.org" <Board.of.Supervisors@SFGov.org>
Cc: Wayne Friday <waynefridaysf@aol.com>
Date: 01/22/2012 04:06 PM
Subject: Warner Plaza

Scott, First off I support you 100%. I applaud your effort to do something about Warner Plaza.

Those kids that hang there are not gay and are nothing but street people. I have ask and they make sure I know they are not gay. Ask why they hang out in the gay community and their answer nis it is an easy place to make money. I try to enjoy having lunch in the plaza but that is not too pleasant with some old fart with wrinkled ass in my face.I do wish something could be done to eliminate the nude sceane. Thank you and keep up the good work
My best to you Robbie



Registering my support for the America's Cup
Hengesbach, Wayne (WHWH) (WHengesbach)

to:

Board.of.Supervisors@sfgov.org

01/20/2012 12:32 PM

Hide Details

From: "Hengesbach, Wayne (WHWH) (WHengesbach)" <WHengesbach@chevron.com>

To: "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>

file 111358

Wayne Hengesbach, CSAM
SCMC Analyst

Software Compliance, Maintenance and Controls (SCMC)
Chevron Information Technology Company

6121 Bollinger Canyon Rd.

San Ramon, CA 94583

Tel 925 358 7043

whengesbach@chevron.com

www.chevroncarsville.com

www.chevron.com/weagree

19

File 111358

DENY APPEALS re America's Cup

Mark.Farrell, Carmen.Chu, Christina.Olague, Jane.Kim,
BVNA to: Sean.Elsbernd, Scott.Wiener, David.Campos,
Malia.Cohen, Eric.L.Mar, David.Chiu, John.Avalos,
Cc: ariel.ungerleider, MayorEdwinLee, Joaquin.Torres

01/19/2012 10:36 AM

Members of the San Francisco Board of Supervisors
cc: Office of the Clerk of the Board; Mayor's Office & MONS; America's Cup

The Buena Vista Neighborhood Association (BVNA) respectfully asks that you DENY the Appeals of the 34th America's Cup EIR, which are on the Agenda for your Board's next Meeting on Tuesday, January 24.

The EIR is thorough and adequate. It has been properly and publicly vetted and approved by Planning Commission. Appeals at this stage are simply self-serving, politically-motivated delaying tactics by small, negative, special interest NIMBY groups. Implementation of planning and preparation for America's Cup 34 in San Francisco needs to move forward promptly. There is no basis or need for further delay in the America's Cup EIR process.

BVNA was founded in 1964 and serves as the primary neighborhood and residents' organization for about 4,500 households in the neighborhoods around Buena Vista Park. BVNA currently has about 400 currently-paid Members, and an active email list of about 700+ contacts (Members and other interested constituents). About 80% of BVNA's area currently is in SF Supervisor District 8, the remaining 20% in District 5. We are politically active, and we vote.

Thank you for considering our comments
Respectfully,
Richard Magary, Steering Committee Chair
Buena Vista Neighborhood Association (BVNA)
555 Buena Vista West #601; San Francisco CA 94117-4143
415/431-2359
BVNA@ix.netcom.com
1/19/2012 10:35pst

File 111358

To: BOS Constituent Mail Distribution, Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: Fw: America's Cup Support

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 01/20/2012 05:04 PM -----

From: PAULAHEARN1@aol.com
To: Board.of.Supervisors@sfgov.org
Date: 01/20/2012 01:32 PM
Subject: America's Cup Support

Dear Ladies and Gentlemen,

The world class America's Cup event is priceless in the near term with cultural, business and family benefits to our beautiful San Francisco city !!!

The 5 and 10 year impacts on our business culture I do NOT see being evaluated? Whatever economic modeling is currently, conservatively being done must pass political scrutiny; and this understandable situation creates GREATER opportunity in the longer term.

Sailing, water sports, ferry commuting, aquaculture, and MORE all can benefit from the Billion Dollar exciting and fun spectator event such the the upcoming Cup races. I encourage MORE privatization and licensing marketing efforts be strategized, contracted, and PAID to the City of San Francisco with a fair distribution accounting to other bay area cities.

My heart is still in San Francisco, being 5th generation San Franciscan. Our 7 year old son, Meilong George Ahearn born at UCSF makes him 6th !!!

Go Niners !!!! :):):)

Paul Ahearn

Ahearn and Company

221 West Kendal St.
Vacaville, CA 95688

Tel: 707-469-7821
Cell: 707-330-4040

To: BOS Constituent Mail Distribution, Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111358: Public hearing January 24, 2012, #111359; Affirming Environmental Impact Report - 34th America's Cup, Cruise Terminal & Northeast Wharf Plaza at Pier 27-29

From: Tom Escher <tescher@redandwhite.com>
To: "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>
Date: 01/23/2012 09:14 AM
Subject: Public hearing January 24, 2012, #111359, Affirming Environmental Impact Report - 34th America's Cup, Cruise Terminal & Northeast Wharf Plaza at Pier 27-29

Attention: Office of the Clerk of the Board

Affirm Certification of the Final Environmental Report – 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29" #11359

The Red and White Fleet has been operating vessels on the San Francisco bay and involved with the Port since 1892.

We have dedicated and hard working crew members on our vessels and in our box office that are all members of the Inland Boatman's Union (Marine Division of the ILWU).

We urge the Board of Supervisors to "Affirm Certification of the Final Environmental Report – 34th America's Cup Project and James R. Herman Cruise Terminal and Northeast Wharf Plaza at Piers 27-29" #11359, as this is in the best interest of both the environment and the City.

Thank you,

Thomas C. Escher

President

Red and White Fleet

Pier 43 1/2, Historic Fisherman's Wharf

San Francisco, CA 94133

Direct: 415.901.5249

Cellular: 415.341.2782

Main: 415.673.2900

Fax: 415.447.0619

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To: BOS Constituent Mail Distribution, Joy Lamug/BOS/SFGOV,
Cc:
Bcc:
Subject: File 111358: Please Approve America's Cup EIR

From: Daniel McCoy <danieljaymccoy@gmail.com>
To: Board.of.Supervisors@sfgov.org
Cc: Daniel McCoy <danieljaymccoy@gmail.com>
Date: 01/20/2012 07:29 PM
Subject: Please Approve America's Cup EIR

Please, please, please don't screw this up.

Dan McCoy
Noe Valley

111358

January 20, 2012

BY EMAIL

Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, Ca. 94102-4689
Board.of.Supervisors@sfgov.org

Re: America's Cup EIR Appeals

Ladies and Gentlemen:

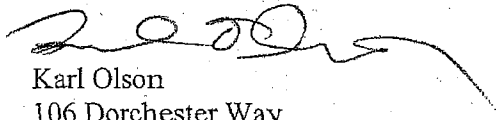
Please support the appeals of the Sierra Club, the Golden Gate Audubon Society, and other civic organizations with respect to the seriously flawed America's Cup EIR.

Although I am not a member of any of these organizations, I strongly support their appeals. Of particular concern is the potential damage resulting from the Jumbotron proposed to be installed on a diesel barge floated in Aquatic Park lagoon.

I run several days a week along the beach, headwater, and headland at Aquatic Park and Fort Mason, and know firsthand the fragility of the wildlife and natural environment clinging to the edge of the City. The shorebird population (including black hooded night herons, and egrets) that feed in the lagoon at low tide is still recuperating from the devastating Cosco Busan oil spill. Surely a suitable location on shore can be found for the Jumbotron.

I live, vote, and run a small business in San Francisco, and appreciate your help in protecting our City's precious natural resources.

Sincerely,



Karl Olson
106 Dorchester Way
San Francisco, CA 94127

cc: Mayor Ed Lee

20