

Petitions and Communications received from May 8, 2012, through May 14, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 22, 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 will not be redacted.**

From Morrison & Foerster, LLP, regarding the 8 Washington Street Project. File No. 120266 (1)

\*From Office of the Controller, submitting the FY2011-2012 Street Maintenance Benchmarking Report. (2)

\*From Planning Department, submitting the 2011 Housing Inventory Report. (3)

From Department of Public Health, submitting the Laguna Honda Hospital and Rehabilitation Center's Compliance Quarterly Report, regarding the reversal of the admission policy priorities that took place February 22, 2005. Copy: Each Supervisor, GAO Committee Clerk (4)

\*From State Fish and Game Commission, regarding proposed regulatory action relating to public use of the Department of Fish and Game Lands. Copy: Each Supervisor (5)

From Office of Citizen Complaints, submitting their 2011 Annual Report. Copy: Each Supervisor (6)

From Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (7)

Sonia Melara, Redistricting Task Force - Leaving  
Jenny Lam, Redistricting Task Force - Leaving

From Capital Planning Committee, regarding the San Francisco Safe and Clean Neighborhood Parks General Obligation Bond. Copy: Each Supervisor, Budget and Finance Committee Clerk (8)

From Jacqueline Darrigrand, regarding the garden soccer building project. (9)

From Allen Jones, regarding the 49er stadium deal in Santa Clara. (10)

\*From Planning Department, submitting the 2011 Commerce and Industry Inventory Report. Copy: Each Supervisor (11)

From concerned citizens, regarding proposed amendments to Planning Code Articles 10 and 11. File Nos. 120300, 120301, 8 letters (12)

From Abdalla Megahed, submitting copy of letter sent to the Tenderloin Neighborhood Development Corporation regarding a lease violation notice. Copy: Each Supervisor (13)

From UCSF Medical Center, regarding consolidation, expansion, and relocation of existing services at the UCSF Medical Center. Copy: Each Supervisor (14)

From Douglas Yep, regarding the Government Audit and Oversight Committee (GAO). Copy: GAO Committee Members, File No. 110063 (15)

From concerned citizen, thanking the Board of Supervisors for broadcasting their meetings on the radio. (16)

From concerned citizens, regarding the 8 Washington Street Project. 2 letters (17)

From Office of the Controller, submitting their Nine-Month Budget Report for FY2011-2012. (18)

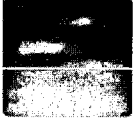
From Office of the Controller, submitting the Business Tax Reform Status Report. (19)

From Collin, regarding neighborhood theaters. (20)

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From concerned citizens, regarding the Beach Chalet Project. 3 letters (21)

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



To: Alisa Miller/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 120266: 8 Washington FEIR Appeal Materials

From: "Quigley, Corinne" <cquigley@mofocom>  
To: Angela.Calvillo@sfgov.org  
Cc: Joy.Lamug@sfgov.org  
Date: 05/07/2012 03:15 PM  
Subject: 8 Washington FEIR Appeal Materials

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Angela,

Attached please find a letter to the Board of Supervisors on behalf of Zane Gresham. Per your instructions, 18 hard copies are being delivered to your office this afternoon.

<<[Untitled].pdf>>

Regards,  
Corinne

**Corinne Quigley**  
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May 7, 2012

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By Electronic Mail and Hand Delivery

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

Re: Appeal of Planning Commission Certification of the Final Environmental Impact  
Report for the 8 Washington Street / Seawall Lot 351 Project (Case No.  
2007.0030ECKMRZ)

Dear Members of the Board of Supervisors:

Equity Office Properties (EOP)<sup>1</sup> submits this letter in support of its appeal of the Planning Commission's certification of the Final Environmental Impact Report (FEIR) for the 8 Washington Street / Seawall Lot 351 Project (Project). EOP writes this letter as the steward of one of San Francisco's greatest civic treasures, the San Francisco Ferry Building and Marketplace.

EOP urges the Board of Supervisors to overturn the Planning Commission's certification of the FEIR because the FEIR fails to comply with the California Environmental Quality Act ("CEQA") in many significant ways. By omitting key data about significant impacts and relying, at times, on incorrect and outdated information, the FEIR fails to provide a full and

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<sup>1</sup> EOP, with respect to the Ferry Building, includes Equity Office Management, L.L.C., as agent for Ferry Building Associates, LLC, and Ferry Building Investors, LLC.

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accurate description of the Project and analysis of its impacts on the environment and the community.

These deficiencies prevent the well-informed decision-making that CEQA is designed to ensure. The Board should require that the City<sup>2</sup> and the Project Proponent remedy these serious flaws in the FEIR before putting the Ferry Building, its community and the economic vitality of the downtown waterfront at risk.

### **The Ferry Building: A San Francisco Icon**

As San Franciscans recall, the Ferry Building has not always been the jewel that it is today. For decades, the Ferry Building was physically separated from the rest of the City by the raised Embarcadero Freeway. After the 1989 Loma Prieta Earthquake, the Ferry Building and its environs were left derelict and damaged. The eventual removal of the Embarcadero Freeway presented a unique opportunity for change and to reunite the Ferry Building with the City it serves.

Rather than leave this area to decay, the City entered into an innovative public-private partnership with EOP to revitalize the waterfront. That culminated, in 2001, when EOP invested \$125 million to rehabilitate the Ferry Building and restore its public trust uses. To induce EOP to make such a pioneering investment, the City committed, by an agreement approved by this Board, to provide essential parking to EOP for the benefit of the Ferry Building.

More than ten years later, EOP continues to invest substantially to maintain physical structures underlying the Ferry Building. Because of the public-private partnership, and

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<sup>2</sup> The City acts administratively through subdivisions of the City, including the Port of San Francisco and the Planning Commission. All such actions are, of course, actions of the City. Accordingly, although this letter sometimes refers to the various departments and commissions of the City, those references all are to the City and County of San Francisco.

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EOP's large and continuing investment, the Ferry Building today thrives as one of the most famous examples of a successfully rehabilitated public trust resource.

As the steward of a San Francisco landmark and important public trust resource, EOP has a unique interest in ensuring that new development in this area is planned thoughtfully for the benefit of all stakeholders. EOP would support new development that will contribute to the ongoing revitalization of the northeastern waterfront. However, new development should not be approved at the expense of the vibrant, publicly accessible activities at the Ferry Building.

Without doubt, the Board of Supervisors will want the City to properly and thoroughly analyze proposed projects so that potential impacts are identified, analyzed, and mitigated in accordance with CEQA. The City and the public must be fully informed when considering any new development that could adversely affect public trust resources along the San Francisco waterfront. Otherwise, the City could make a decision with irreversible impacts on the Ferry Building and the surrounding community based on bad information. Certainly the first height increase on the waterfront in 40 years deserves the full benefit of thorough and adequate CEQA review. Because of the potential significant impacts of the Project on the Ferry Building and Marketplace, the Board's decision on the FEIR is of profound importance.

**Ferry Building Vitality Depends on Adequate Parking and Manageable Traffic Flows—Which the FEIR Does Not Acknowledge or Address**

The Project is proposed to be built on land that the City, through the Port, committed to EOP as an integral element of the revitalization of the Ferry Building under a Parking Agreement for dedicated Ferry Building parking, a public trust use. Moreover, this property is the last remaining site for such parking. As currently proposed by the Port and Pacific Waterfront Partners, as co-developers, the Project would eliminate all of that dedicated parking, but would not provide for any temporary or permanent replacement parking under EOP's

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management and control, bringing the number of dedicated Ferry Building parking spaces to zero. Not only would such actions violate the City's contractual obligations to EOP, they would also threaten to undo all of the progress that has been made to revitalize the northeastern waterfront.

The elimination of this particular critical waterfront parking is not an isolated phenomenon. Although one would not learn this from the FEIR, nearly 1,000 parking spaces in the Ferry Building area have recently been removed or are proposed for near-term removal in conjunction with various development projects or due to deteriorating pier conditions. The accessory parking proposed as part of the Project clearly would not solve this serious cumulative problem nor address the resulting significant impacts to traffic and circulation flow.

Not only would the proposed Project garage fail to provide parking dedicated to the Ferry Building as guaranteed by the Parking Agreement, but the number of spaces proposed is also a pittance in comparison to the 1,000 spaces that will be lost. This deficit is exacerbated by the fact that the new spaces are planned to serve the new health club and commercial uses on-site, which would bring additional visitors and additional vehicles to an area that already suffers from severe parking and traffic constraints.

The limited number of new spaces would especially affect traffic in the immediate area. All this parking would be consolidated in a single garage with a single point of ingress and egress. Therefore, the vehicle trips that are currently dispersed among parking areas in different locations along the waterfront would instead flow to a single bottleneck, with all of the attendant impacts on traffic, air quality, safety, and noise concentrated at a single location. It is astounding that despite these facts, the FEIR finds no significant traffic impacts—not even *potentially* significant—except for one cumulative impact if a

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recommendation in the Northeast Embarcadero Study is implemented, and even in that case, the FEIR proposes no meaningful mitigation.

For the merchants, food artisans, and farmers who are the lifeblood of the Ferry Building Marketplace, the damage would be felt most severely in the first three to five years while the Project is being constructed. Exactly zero dedicated parking spaces would be available to their customers during this period. Other parking spaces are much farther away and their availability is limited, particularly during the week when garages are full with monthly parkers. Instead of the close, convenient parking promised by the City to exclusively serve the Ferry Building, the Project would further reduce the attractiveness of the Ferry Building as a waterfront destination for visitors and shoppers by clogging the Embarcadero with up to 200 dump truck trips per day (17,600 total one-way trips) during this three- to five-year period. The impacts would be exacerbated when hundreds of thousands of projected spectators arrive for the America's Cup program, when additional visitors are drawn to the relocated Exploratorium and Teatro ZinZanni, and when the proposed project at 75 Howard begins construction—all of which would likely overlap with the proposed construction of the Project and elimination of parking at Seawall Lot 351. These impacts are not adequately addressed in the FEIR.

**The FEIR Does Not Disclose Adequately or Accurately the Project's Other Impacts**

These initial concerns prompted EOP to carefully examine the Project proposal and the City's analysis of the environmental effects of the proposal to determine whether the other potential impacts of the Project had been properly identified, analyzed, and mitigated in accordance with CEQA. Upon review, the FEIR's analysis of several other issues proved to be fatally flawed.

EOP consistently has informed and reminded the City of its concerns about the development of Seawall Lot 351 through comments submitted on the Northeast Embarcadero Study on



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March 24, 2010, comments submitted on the Draft EIR on August 15, 2011, and comments submitted on the FEIR on March 20, 2012, as well as numerous less formal communications. Without limiting any of the foregoing, our major concerns can be summarized as follows:

The Project Description Describes a Different Project. The “Project” that is evaluated in the FEIR is not the same Project that the Planning Commission approved. The Project Proponent has submitted numerous revised project descriptions to the City since the CEQA process began and as recently as February 27, 2012, well after the FEIR was released, to the extent that the Project Description is highly unstable. The Project has been substantially reconfigured in a number of ways, including expansion of some uses and changes in design and layout. The FEIR must be revised to address the actual Project as it is currently proposed.

The City’s Contractual Obligations and Proposed Actions on the Parking Agreement Must Be Addressed as They Are Part of the Project. The Project Description fails to adequately address the City’s obligations under the Parking Agreement with EOP. The Parking Agreement restricts the City’s ability to approve projects on Seawall Lot 351 and it requires the City to provide to EOP temporary and permanent replacement parking for designated Ferry Building use in conjunction with any such projects. Nor does it address the actions that the City would have to take to address these obligations. These requirements, and the City’s manner of satisfying them, must be stated clearly in the FEIR, both in the Project Description and approvals required for the Project.

The Traffic and Parking Data Are Outdated and Inadequate. The FEIR relies on stale and incomplete data that misrepresents the conditions in the area today, and, indeed what it has been for the last several years. The northeastern waterfront has been transformed in recent years with the introduction of new businesses and the exploding popularity of the Ferry Building Farmers Market. The FEIR bases its traffic and parking assumptions on data from

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2007, before these changes occurred. Further, the chosen evaluation window is bizarre—a single Wednesday evening, which does not capture the true peak periods for this area during the Tuesday, Thursday, and Saturday daytime Farmers Markets. Even an occasional visitor to the Ferry Building would know that such data would not be representative of the traffic and parking patterns of the area. EOP submitted a 2011 parking study to the City that demonstrates that parking is constrained during those times, yet the FEIR failed to correct the deficiencies. As a result, the traffic and parking impacts are vastly understated. The traffic and parking analysis in the FEIR must be revised to incorporate current data for actual peak periods.

The Public Trust Impacts of the Project Must Be Properly Identified and Addressed in the FEIR. The Project, as currently proposed, depends on a land exchange, the first step of which is the extinguishment by the State Lands Commission of the public trust designation for Seawall Lot 351. This is a significant action requiring the approval of both the City and the State Lands Commission based on several required findings, including the finding that Seawall Lot 351 is “relatively useless” for public trust purposes and the removal of the public trust designation would not interfere with any other public trust resources. These findings are not possible for either the City or the State Lands Commission to make for the Project as currently proposed because Seawall Lot 351 is currently being used (as it has been for almost ten years) for an important public trust purpose—parking specifically to serve the Ferry Building. The FEIR fails to accurately identify these required actions or to analyze their environmental, public trust and related social and historical impacts, and, as a result, cannot be used to demonstrate CEQA compliance for such actions.

The FEIR Ignores Cumulative Impacts from Other Existing and Proposed Projects. The FEIR fails to adequately account for several major projects that will transform the area in the near future. The America’s Cup program, the opening of Exploratorium and Teatro ZinZanni, and construction at 75 Howard, to name a few, will dramatically increase the

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number of vehicle, bicycle, and pedestrian trips in the area, compounding the traffic and parking impacts from this Project. Further, the construction periods will overlap, clogging local streets with an excess of construction vehicles and exacerbating air quality, noise, safety, and aesthetics impacts. The City cannot turn a blind eye to these projects and approve this Project in feigned isolation.

The Hydro-Geologic Analysis Is Conspicuously Deficient. The FEIR skims over the obvious potential impacts from a massive parking garage built 31 feet below grade entirely in Bay fill. The Draft EIR (DEIR) is completely silent on this topic, and the FEIR unsuccessfully attempts to “paper over” the gap by referencing three 1-2 page memoranda from the developer’s contractors. The memoranda are conclusory at best and they fail to provide meaningful information about dewatering, seismic and sea level rise issues—all critical oversights for a waterfront location.

The FEIR Fails to Include Meaningful Alternatives to the Project. Under CEQA, the City is required to analyze a reasonable range of alternatives that meet a specified criterion—these alternatives must avoid or substantially lessen the significant environmental effects of the Project. The FEIR fails to comply with this mandate. Other than the No Project Alternative, the FEIR does not identify a single alternative that is intended to, or would, avoid or lessen the any of the potentially significant impacts that the FEIR already identifies—much less the other effects the FEIR did not disclose. As a result, the FEIR fails to present to the public and decision-makers, as CEQA requires, a “reasonable range” of alternatives that serve generally the same Project objectives but have fewer impacts, as CEQA requires.

Significant Adverse Impacts Are Left Unmitigated—Even Though Mitigation Is Feasible. CEQA requires that an EIR identify, and that the government entity impose, all feasible measures to mitigate significant impacts. The FEIR fails to incorporate all feasible mitigation for three of the Project’s significant impacts. To mitigate the significant traffic impact at the

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intersection of the Embarcadero and Washington Street, the FEIR proposes “a basic Travel Demand Management Plan” that repeats many of the features that are already part of the Project anyway. It is remarkable that the FEIR does not consider any infrastructure improvements, traffic calming measures, or other feasible options that could lessen the impact.

To mitigate the significant air quality impact from exposure to toxic air contaminants, the FEIR proposes a ventilation system that would only operate when the building’s heat is on. This runs counter to current science, which calls for continual operation.

Other feasible measures are rejected *because they would reduce the marketability of the Project*. This claim is not only an improper consideration under CEQA, for which “feasibility” is the standard (not a preference against a possible longer selling period for condominiums or a smaller profit to the developer), but also is unsubstantiated by any credible evidence. Finally, to mitigate the significant sea level rise impact from exposure to flooding, the FEIR proposes an Emergency Plan to be administered by the building manager. Preparing residents for emergency evacuations does nothing to address sea level rise. Instead, the FEIR should consider widely published strategies to change the Project’s design and improve its resiliency.

The FEIR Must Be Corrected and the Public Must Be Given an Opportunity to Comment on that Revised FEIR. For the reasons cited above and in our previous comment letters, as well as the comments of others that have been submitted throughout this process, the FEIR must be substantially revised and recirculated. The FEIR (*i.e.*, the Comments and Responses on the DEIR) contains a substantial amount of significant new information—in fact, it is nearly the same page length as the DEIR—and materially alters the information and issues addressed in the DEIR. That alone would be sufficient to require recirculation. In addition, the new information and analysis required to correct its material remaining deficiencies will

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further alter the document to the point at which it no longer resembles the DEIR that was made available for public review. The FEIR must be recirculated so that the public has a meaningful opportunity to comment on the document that is ultimately considered by the City.

**The Board Should Reverse the Planning Commission's Certification of the FEIR**

For these reasons (and those identified by the other stakeholders<sup>3</sup>), the Board cannot make the findings required by CEQA and the Administrative Code in order to uphold the FEIR. Specifically, the Board cannot find that the FEIR is adequate, accurate and objective; that its conclusions are correct; or that the findings contained in the Planning Commission's certification are correct. Most importantly, it cannot properly find that the FEIR complies with CEQA.

The City and the public are entitled to the best information available before the City makes any decision that would so dramatically and permanently affect the Ferry Building and the downtown waterfront as the Project would. The FEIR before the Board falls far short of that standard.

EOP respectfully requests that the Board reverse the Planning Commission's certification of the FEIR, adopt the alternative proposed findings attached to this letter, and remand the FEIR to the Planning Commission for further action consistent with the Board's findings.

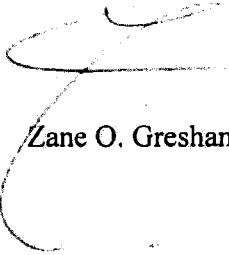
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<sup>3</sup> Rather than repeat all the facts and analysis on other issues which have been well addressed by other stakeholders, EOP joins in those comments and observations.

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Sincerely,



Zane O. Gresham

cc: Angela Calvillo, Clerk of the Board

**DRAFT FINDINGS REVERSING THE CERTIFICATION BY THE PLANNING  
COMMISSION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE  
8 WASHINGTON STREET / SEAWALL LOT 351 PROJECT  
(CASE NO. 2007.0030ECKMRZ)**

**PREAMBLE**

On January 3, 2007, Neil Sekhri, on behalf of San Francisco Waterfront Partners II, LLC, filed an Environmental Evaluation Application with the Planning Department ("Department") for the 8 Washington Street / Seawall Lot 351 Project ("Project"), Case No. 2007.0030E. The Department issued a Notice of Preparation of Environmental Review on December 8, 2007.

On June 15, 2011, the Department published a Draft Environmental Impact Report ("DEIR") for the Project. The DEIR was available for public comment until August 15, 2011. On July 21, 2011, the Planning Commission ("Commission") conducted a public hearing at a regularly scheduled meeting to solicit comments regarding the DEIR. On December 22, 2011, the Department published a Comments and Responses document, purporting to respond to comments made regarding the DEIR prepared for the Project.

On March 22, 2012, the Commission reviewed and considered the Final Environmental Impact Report ("FEIR") and, by Motion 18561, found that the contents of the FEIR and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Section 21000 et seq.) ("CEQA"), California Code of Regulations Title 14, Section 15000 et seq. ("CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code, adopted findings, and certified the FEIR.

On March 26, 2012, by letter to the Clerk of the Board of Supervisors, Zane O. Gresham, on behalf of Equity Office Properties, filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on March 26, 2012.

On April 4, 2012, by letter to the Clerk of the Board of Supervisors, Sue C. Hestor, on behalf of Friends of Golden Gateway (collectively with Equity Office Properties, "Appellants"), filed an appeal of the FEIR to the Board of Supervisors, which the Clerk of the Board of Supervisors received on April 4, 2012.

Chapter 31 of the San Francisco Administrative Code requires the Board of Supervisors to consolidate multiple appeals of the same project and to hold one hearing on all appeals received.

On May 15, 2012, this Board held a duly noticed public hearing to consider the appeals of the FEIR certification filed by Appellants.

This Board has reviewed and considered the FEIR, the administrative record supporting the certification of the FEIR, the appeal letters, and the written materials presented on behalf of the Appellants, the Department, and other interested parties, and has heard and considered the oral testimony presented to it at the public hearing.

The FEIR administrative record and all correspondence and other documents have been made available for review by this Board and the public. These files are available for public review at the Department offices at 1650 Mission Street, Suite 400, and are part of the record before this Board.

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Board finds, concludes, and determines as follows:

1. The appeal of the certification of the FEIR to the Board of Supervisors filed on March 26, 2012, by letter to the Clerk of the Board of Supervisors from Zane O. Gresham, on behalf of Equity Office Properties, was duly filed in accordance with Chapter 31 of the Administrative Code.



2. The appeal of the certification of the FEIR to the Board of Supervisors filed on April 4, 2012, by letter to the Clerk of the Board of Supervisors from Sue C. Hestor, on behalf of Friends of Golden Gateway, was duly filed in accordance with Chapter 31 of the Administrative Code.

3. The Board has conducted its own independent review of the FEIR and has considered anew all facts, evidence, and issues related to the adequacy, accuracy, and objectiveness of the FEIR, including the sufficiency of the FEIR as an informational document and the correctness of its conclusions, and the Commission's certification of the FEIR, in accordance with Chapter 31 of the Administrative Code.

4. The FEIR is not adequate, accurate, and objective, it is not sufficient as an informational document, its conclusions are not correct, and the findings contained in the Commission's certification are not correct, for the following reasons:

- a. The FEIR fails to describe essential facts necessary to establish accurately the setting of the Project;
- b. The FEIR lacks a stable and consistent project description;
- c. The FEIR fails to provide adequate facts to support critical conclusions contained in the FEIR;
- d. The FEIR relies on inaccurate and outdated data;
- e. The FEIR omits consideration of legitimate alternatives to the Project that would reduce substantially or eliminate potentially significant environmental effects;
- f. The FEIR understates substantially the potential impacts of the Project; and

g. The FEIR fails to identify and recommend adoption of mitigation measures that are feasible and, if adopted, would reduce substantially or eliminate potentially significant environmental effects of the Project.

5. Significant new information was added to the EIR after notice was given of the availability of the DEIR for public review but before certification which changed the EIR in a way that deprived the public of a meaningful opportunity to comment upon substantial adverse environmental effects of the Project and feasible ways to mitigate or avoid such effects, including feasible Project alternatives, that the Project's proponents have declined to implement. The new information includes disclosures showing that:

a. New significant environmental impacts would result from the Project;

b. A substantial increase in the severity of environmental impacts would result unless mitigation measures are adopted that reduce the impacts to a level of insignificance;

c. Feasible Project alternatives or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the Project, but the Project's proponents decline to adopt them; and

d. The DEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

7. The FEIR must be revised and recirculated in accordance with CEQA Section 21092.1 and CEQA Guidelines Section 15088.5.

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



Re-Issued: Street Maintenance Benchmarking Report FY 2011  
Reports, Controller

to:

Calvillo, Angela, Nevin, Peggy, BOS-Supervisors, BOS-Legislative Aides, Kawa, Steve, Howard, Kate, Falvey, Christine, Elliott, Jason, Campbell, Severin, Newman, Debra, sfdocs@sfpl.info, CON-EVERYONE, CON-CCSF Dept Heads, CON-Finance Officers, Nuru, Mohammed, Legg, Douglas, Bidot, Alexandra, Hansen, Carla, Hirsch, Ananda, Kayhan, Dariush, McDaniels, Chris, Stringer, Larry, Cisneros, Fernando

05/08/2012 04:45 PM

Sent by:

"McGuire, Kristen" <kristen.mcguire@sfgov.org>

Hide Details

From: "Reports, Controller" <controller.reports@sfgov.org> Sort List...

To: "Calvillo, Angela" <angela.calvillo@sfgov.org>, "Nevin, Peggy"

<peggy.nevin@sfgov.org>, BOS-Supervisors <bos-supervisors.bp2ln@sfgov.microsoftonline.com>, BOS-Legislative Aides <bos-legislativeaides.bp2ln@sfgov.microsoftonline.com>, "Kawa, Steve" <steve.kawa@sfgov.org>, "Howard, Kate" <kate.howard@sfgov.org>, "Falvey, Christine" <christine.falvey@sfgov.org>, "Elliott, Jason" <jason.elliott@sfgov.org>, "Campbell, Severin" <severin.campbell@sfgov.org>, "Newman, Debra" <debra.newman@sfgov.org>, "sfdocs@sfpl.info" <sfdocs@sfpl.info>, CON-EVERYONE <con-everyone.bp2ln@sfgov.microsoftonline.com>, CON-CCSF Dept Heads <con-ccsfdeptheads.bp2ln@sfgov.microsoftonline.com>, CON-Finance Officers <confinanceofficers.bp2ln@sfgov.microsoftonline.com>, "Nuru, Mohammed" <mohammed.nuru@sfdpw.org>, "Legg, Douglas" <douglas.legg@sfdpw.org>, "Bidot, Alexandra" <alexandra.bidot@sfdpw.org>, "Hansen, Carla" <carla.hansen@sfdpw.org>, "Hirsch, Ananda" <ananda.hirsch@sfdpw.org>, "Kayhan, Dariush" <dariush.kayhan@sfdpw.org>, "McDaniels, Chris" <chris.mcdaniels@sfdpw.org>, "Stringer, Larry" <larry.stringer@sfdpw.org>, "Cisneros, Fernando" <fernando.cisneros@sfdpw.org>,  
Sent by: "McGuire, Kristen" <kristen.mcguire@sfgov.org>

The Street Maintenance Benchmarking Report FY 2011 issued on Thursday, May 3<sup>rd</sup> has been updated. Please use the link below to access the updated report.

The Office of the Controller has issued its first in a series of quarterly benchmarking reports. The purpose of the Street Maintenance Benchmarking Report FY 2011 is to share information related to the level and efficiency of street maintenance-related services provided by the City and County of San Francisco Department of Public Works compared to seven jurisdictions: Oakland, Sacramento, San Jose, Seattle, Washington D.C., Chicago and Vancouver, Canada.

The report includes measures in six service areas: street and sidewalk cleaning, illegal dumping, street maintenance, street trees, curb ramps and graffiti. The next benchmarking report will be issued in July 2012.

To view the full report, please visit our website at: <http://co.sfgov.org/webreports/details.aspx?id=1413>

You can also access the report on the Controller's website (<http://www.sfcontroller.org/>) under the News & Events section and on the Citywide Performance Measurement Program website ([www.sfgov.org/controller/performance](http://www.sfgov.org/controller/performance)) under the Performance Reports section.

For more information please contact:

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**SAN FRANCISCO**  
**PLANNING DEPARTMENT**

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10 May 2012

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

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

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

Re: **Transmittal of 2011 Housing Inventory**

Dear Ms. Calvillo,

The Planning Department is pleased to send you the recently published *2011 Housing Inventory*. This report is the 42nd in the series and describes changes to San Francisco's housing stock.

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

Key findings discussed in the *2011 Housing Inventory* include:

- New housing production in 2011 totaled 418 units—the lowest since 1993. This includes 348 units in new construction and 70 new units added through expansion of existing structures or conversion of non-residential uses.
- A net total of 269 units were added to the San Francisco housing stock in 2011, a 78% drop from 2010. This net addition is the result of 84 units lost through demolitions and 65 units eliminated following removal of illegal units and mergers of existing units.
- Affordable housing units made up half of new units added to the City's housing stock in 2011. However, the number of new affordable housing units built last year – 211 units – is about 64% fewer than that in 2010. Inclusionary housing accounted for 11 of these affordable units. Almost \$993,000 was collected in inclusionary in-lieu fees in 2011.
- Projects proposing 1,998 new units were authorized for construction in 2011. These projects are expected to be completed in two to three years.

3

- In 2011, the Planning Department fully entitled 57 projects proposing a total of 15,060 units, including 7,800 units in the redevelopment of Treasure Island and a net addition of 5,680 units in ParkMerced. While most projects entitled in 2011 are expected to be completed within five years, these very large projects have an extended completion timeline of up to 20 years.
- New condominium recordations – 1,625 – are up from 2010 (an increase of 121%); condominium conversions, however, are down by 12% to 472 units.

Copies of the *2011 Housing Inventory* are available to the public for \$10 at the San Francisco Planning Department, 1650 Mission Street, 4th Floor, San Francisco, CA 94103. It is also available for review at the San Francisco Main Public Library, Science and Government Documents Department. The *2011 Housing Inventory* can also be downloaded from:

[http://www.sf-planning.org/ftp/files/publications\\_reports/2011\\_Housing\\_Inventory\\_Report.pdf](http://www.sf-planning.org/ftp/files/publications_reports/2011_Housing_Inventory_Report.pdf)

Please contact Teresa Ojeda at 415.558.6251, or e-mail [teresa.ojeda@sfgov.org](mailto:teresa.ojeda@sfgov.org), if you have any questions.

Attachment (one copy):  
2011 Housing Inventory

Edwin M. Lee  
Mayor

*cpage*

May 9, 2012

Honorable David Chiu  
President, Board of Supervisors

Honorable Sean Elsbernd  
Member, Board of Supervisors

Honorable Mark Farrell  
Member, Board of Supervisors

Government Audit and Oversight Committee  
#1 Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102

Re: Resolution #050396

Dear Supervisors Chiu, Elsbernd and Farrell:

In response to Resolution #050396, I am enclosing a quarterly report to show Laguna Honda Hospital and Rehabilitation Center's compliance with the reversal of the Admission Policy priorities that became effective February 22, 2005.

On February 17, 2005, Mayor Newsom directed DPH to allow Laguna Honda to reverse the Admission Policy priorities back to the pre-March 2004 priorities. Since that time, the annual percentage of patients coming to Laguna Honda (LH) from San Francisco General Hospital (SFGH) has generally ranged from 59-63%. The annual percentage and quarter-year rates are as follows:

2003: 54%	2007: 58%	2011: 59%
2004: 73%	2008: 57%	1st Qtr 2012: 54%
2005: 63%	2009: 60%	
2006: 59%	2010: 59%	

The age distribution shows an increased trend of residents over 50 years of age. In 2004, 83% of the residents were over 50 years of age, compared to 88% of the residents in this category in 2011 and 89% for the 1<sup>st</sup> Quarter 2012.

I am available to answer any questions you may have. I can be reached at 759-2363.

Sincerely,

*Mivic Hirose*  
Mivic Hirose  
Executive Administrator

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*u*

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**Attachments:**

**A. Sources of New SNF Admissions to Laguna Honda**

A-1	1 <sup>st</sup> Qtr 2012
A-2	2011
A-3	2010
A-4	2009
A-5	2008
A-6	2007
A-7	2006
A-8	2005
A-9	2004
A-10	2003

**B. Laguna Honda Distribution of Residents by Race**

B-1	3/31/11 and 3/31/10 Snapshot
B-2	3/31/09 and 3/31/08 Snapshot
B-3	3/31/07 and 3/31/06 Snapshot
B-4	3/31/05 and 3/31/04 Snapshot
B-5	3/31/03 and 3/31/02 Snapshot
B-6	3/31/01 Snapshot 2010

**C. Laguna Honda Gender Distribution**

Deciles of Age by percent from 2002 through 1<sup>st</sup> Quarter 2012

**D. Laguna Honda Age Distribution**

By Calendar Year from 2002 through 1<sup>st</sup> Quarter 2012

cc: Angela Calvillo, Clerk of the Board  
Barbara A. Garcia, Director of Health

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SOURCES OF NEW ADMISSIONS TO LAGUNA HONDA HOSPITAL \*  
JANUARY 2012 – MARCH 2012

	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	Total	%		
Source of Admission	Jan	SFGH	Feb	SFGH	Mar	SFGH	Apr	SFGH	May	SFGH	June	SFGH	July	SFGH	Aug	SFGH	Sept	SFGH	Oct	SFGH	Nov	SFGH	Dec	SFGH	%	
Board and Care					1																			1	1%	
Cal Pac Acute	5		2		2																				9	9%
Cal Pac SNF																									0	0%
Chinese Hospital Acute																									0	0%
Chinese Hospital SNF																									0	0%
Home	2		2		4																				8	8%
Home Health																									0	0%
Kaiser Acute	1																								1	1%
Kaiser SNF																									0	0%
Mt. Zion Acute			1																						1	1%
Other Misc																									0	0%
Other SNF			1		1																				2	2%
Seton Acute																									0	0%
SFGH Acute	14	44%	12	50%	25	60%		0%		0%		0%		0%		0%		0%		0%				0%	51	52%
SFGH SNF		0%		0%	2	5%		0%		0%		0%		0%		0%		0%		0%				0%	2	2%
St. Francis Acute	1		2		1																				4	4%
St. Francis SNF																									0	0%
St. Luke's Acute	1				1																				2	2%
St. Luke's SNF																									0	0%
St. Mary's Acute	3				2																				5	5%
St. Mary's SNF	1																								1	1%
Seton Acute																									0	0%
Seton SNF																									0	0%
UC Med Acute	4		3		3																				10	10%
UC Med SNF																									0	0%
VA Hospital Acute			1																						1	1%
VA Hospital SNF																									0	0%
<b>TOTAL</b>	<b>32</b>	<b>44%</b>	<b>24</b>	<b>50%</b>	<b>42</b>	<b>64%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>98</b>	<b>100%</b>

\*Effective 12/8/2010, all Laguna Honda Hospital residents were relocated to the new building and the total licensed bed capacity is 780 (15 for General Acute Care and 765 for SNF).

**SOURCES OF NEW ADMISSIONS TO LAGUNA HONDA HOSPITAL \***  
**JANUARY 2011 – DECEMBER 2011**

Source of Admission	Jan	%	Feb	%	Mar	%	Apr	%	May	%	June	%	July	%	Aug	%	Sept	%	Oct	%	Nov	%	Dec	%	Total	%
Board and Care					2				1		1				1		2		1						8	2%
Cal Pac Acute	3										2				1		1				2		1		10	3%
Cal Pac SNF									1				2												3	1%
Chinese Hospital Acute							1		1						1										3	1%
Chinese Hospital SNF																									0	0%
Home	8		3		1		4				5		3		3		3		3		7		2		42	11%
Home Health																									0	0%
Kaiser Acute																			1						1	0%
Kaiser SNF																									0	0%
Mt. Zion Acute	1		1		1		1				3						1				1		2		11	3%
Other Misc	3		1		1		1		1		1				4		5		3		1		1		22	6%
Other SNF	1								1				1						2				2		7	2%
Seton Acute																									0	0%
SFGH Acute	23	49%	12	46%	17	65%	13	57%	16	53%	15	43%	10	43%	17	61%	21	58%	17	55%	19	49%	23	64%	203	53%
SFGH SNF	2	4%	1	4%	2	8%	2	9%	4	13%	4	11%	2	9%		0%		0%	1	3%	2	5%		0%	20	5%
St. Francis Acute	1		2						1		1		1		1		1				3		1		12	3%
St. Francis SNF																									0	0%
St. Luke's Acute	1		1		1				2										1						6	2%
St. Luke's SNF	1		2										1												4	1%
St. Mary's Acute	1		3								1								1						6	2%
St. Mary's SNF																									0	0%
Seton Acute																									0	0%
Seton SNF																									0	0%
UC Med Acute	2				1		1		1		2		3				2		1		4		3		20	5%
UC Med SNF									1																1	0%
VA Hospital Acute																							1		1	0%
VA Hospital SNF																									0	0%
<b>TOTAL</b>	<b>47</b>	<b>53%</b>	<b>26</b>	<b>50%</b>	<b>26</b>	<b>73%</b>	<b>23</b>	<b>65%</b>	<b>30</b>	<b>67%</b>	<b>35</b>	<b>54%</b>	<b>23</b>	<b>52%</b>	<b>28</b>	<b>61%</b>	<b>36</b>	<b>58%</b>	<b>31</b>	<b>58%</b>	<b>39</b>	<b>54%</b>	<b>36</b>	<b>64%</b>	<b>380</b>	<b>100%</b>

\*Effective 12/8/2010, all Laguna Honda Hospital residents were relocated to the new building and the total licensed bed capacity is 780 (15 for General Acute Care and 765 for SNF).

ATTACHMENT A-2

**SOURCES OF NEW ADMISSIONS TO LAGUNA HONDA HOSPITAL\***  
**JANUARY 2010 – DECEMBER 2010**

Source of Admission	Jan	%	Feb	%	Mar	%	Apr	%	May	%	June	%	July	%	Aug	%	Sept	%	Oct	%	Nov	%	Dec	%	Total	%
Board and Care	1		2		2								1		2				1				1		10	3%
Cal Pac Acute															2		1								3	1%
Cal Pac SNF											2														2	1%
Chinese Hospital Acute					1								1												2	1%
Chinese Hospital SNF																									0	0%
Home	3		1		1		3		1		4		4		2		2		2		6		2		31	10%
Home Health																									0	0%
Kaiser Acute									1										1						2	1%
Kaiser SNF																									0	0%
Mt. Zion Acute	2						2								2		1				2				9	3%
Other Misc	1				3		1		1		4				2						1		4		17	5%
Other SNF	1		2		2								1						1						7	2%
Seton Acute																									0	0%
SFGH Acute	16	52%	15	52%	13	43%	15	45%	12	60%	16	59%	13	43%	14	41%	18	75%	14	56%	8	36%	11	55%	165	51%
SFGH SNF	4	13%	2	7%	1	3%	4	12%	1	5%	1	4%	3	10%	5	15%		0%	2	8%	2	9%		0%	25	8%
St. Francis Acute	1		3		1		1						2		2		2		2		1				15	5%
St. Francis SNF																									0	0%
St. Luke's Acute							1		2				2		2										7	2%
St. Luke's SNF			1				2		1																4	1%
St. Mary's Acute	1				1								1		1				1						5	2%
St. Mary's SNF																									0	0%
Seton Acute																									0	0%
Seton SNF																									0	0%
UC Med Acute	1		3		5		4		1				2						1		2		2		21	6%
UC Med SNF																									0	0%
VA Hospital Acute																									0	0%
VA Hospital SNF																									0	0%
<b>TOTAL</b>	<b>31</b>	<b>65%</b>	<b>29</b>	<b>59%</b>	<b>30</b>	<b>47%</b>	<b>33</b>	<b>58%</b>	<b>20</b>	<b>65%</b>	<b>27</b>	<b>63%</b>	<b>30</b>	<b>53%</b>	<b>34</b>	<b>56%</b>	<b>24</b>	<b>75%</b>	<b>25</b>	<b>64%</b>	<b>22</b>	<b>45%</b>	<b>20</b>	<b>55%</b>	<b>325</b>	<b>100%</b>

\*Due to budgetary and construction related issues, LHH is decreasing admissions effective 1/1/2008. General SNF Admissions are being denied while Hospice, Rehab and AIDS/HIV are still being admitted based upon bed availability.

**SOURCES OF NEW ADMISSIONS TO LAGUNA HONDA HOSPITAL\***  
**JANUARY 2009 – DECEMBER 2009**

Source of Admission	Jan	% SFGH	Feb	% SFGH	Mar	% SFGH	Apr	% SFGH	May	% SFGH	June	% SFGH	July	% SFGH	Aug	% SFGH	Sept	% SFGH	Oct	% SFGH	Nov	% SFGH	Dec	Total	%
Board and Care													2		1									3	1%
Cal Pac Acute	1		2		2		2				2		1		1								1	12	4%
Cal Pac SNF							1										1		1					3	1%
Chinese Hospital Acute																								0	0%
Chinese Hospital SNF																								0	0%
Home	1		1				3		2		1		3				2		2		2		2	19	7%
Home Health																								0	0%
Kaiser Acute													1											1	0%
Kaiser SNF																								0	0%
Mt. Zion Acute							1		1		1				1		2							6	2%
Other Misc					1				1						2				2		2			8	3%
Other SNF					1		1		3		3		3		1				2				1	15	5%
Seton Acute							1						1											2	1%
SFGH Acute	8	53%	17	74%	11	55%	12	38%	10	42%	16	47%	15	50%	17	63%	12	67%	5	33%	17	65%	12	152	53%
SFGH SNF	2	13%	1	4%		0%	2	6%	4	17%	5	15%		0%		0%	1	6%	1	7%	2	8%	3	21	7%
St. Francis Acute			1				4		1		1		1		1				1		1			11	4%
St. Francis SNF																								0	0%
St. Luke's Acute	1						1				1		1		1				1				2	8	3%
St. Luke's SNF									1															1	0%
St. Mary's Acute	1		1				1																	3	1%
St. Mary's SNF					1																			1	0%
Seton Acute																								0	0%
Seton SNF																								0	0%
UC Med Acute	1				4		3		1		4		2		2						2			19	7%
UC Med SNF																								0	0%
VA Hospital Acute																								0	0%
VA Hospital SNF																								0	0%
<b>TOTAL</b>	<b>15</b>	<b>67%</b>	<b>23</b>	<b>78%</b>	<b>20</b>	<b>55%</b>	<b>32</b>	<b>44%</b>	<b>24</b>	<b>58%</b>	<b>34</b>	<b>62%</b>	<b>30</b>	<b>50%</b>	<b>27</b>	<b>63%</b>	<b>18</b>	<b>72%</b>	<b>15</b>	<b>40%</b>	<b>26</b>	<b>73%</b>	<b>21</b>	<b>285</b>	<b>100%</b>

\*Due to budgetary and construction related issues, LHH is decreasing admissions effective 1/1/2008. General SNF Admissions are being denied while Hospice, Rehab and AIDS/HIV are still being admitted based upon bed availability.

\*\* Data re-run March 2011

**SOURCES OF NEW SNF ADMISSIONS TO LAGUNA HONDA HOSPITAL\***  
**JANUARY 2008 – DECEMBER 2008**

Source of Admission	Jan	% SFGH	Feb	% SFGH	Mar	% SFGH	Apr	% SFGH	May	% SFGH	Jun	% SFGH	Jul	% SFGH	Aug	% SFGH	Sep	% SFGH	Oct	% SFGH	Nov	% SFGH	Dec	Total	%	
Board and Care			1		1				1		1											1			5	2%
Cal Pac Acute	1						3						1		1		1		1			1		1	10	4%
Cal Pac SNF																							1	1	0%	
Chinese Hospital Acute			1				1						1												3	1%
Chinese Hospital SNF																									0	0%
Home	1		3		1		1		1		2		3		3		1		1			2		1	20	8%
Home Health																									0	0%
Kaiser Acute							1																		1	0%
Kaiser SNF																									0	0%
Mt. Zion Acute																									0	0%
Other Misc									2						1							1			4	2%
Other SNF															2		2		1			1			6	3%
Seton Acute																									0	0%
SFGH Acute	7	58%	12	60%	8	53%	18	60%	18	64%	10	45%	8	53%	13	57%	10	53%	13	68%	7	47%	10	134	57%	
SFGH SNF		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%			0	0%
St. Francis Acute	2		1		3		1		1		1		2		1		1		1						14	6%
St. Francis SNF																									0	0%
St. Luke's Acute			1		1		1								1										4	2%
St. Luke's SNF																	1								1	0%
St. Mary's Acute					1				1		2						1					1		1	7	3%
St. Mary's SNF																									0	0%
Seton Acute																									0	0%
Seton SNF																									0	0%
UC Med Acute	1		1				4		4		6				1		2		2			1		3	25	11%
UC Med SNF																									0	0%
VA Hospital Acute																							1	1	0%	
VA Hospital SNF																									0	0%
<b>TOTAL</b>	<b>12</b>	<b>58%</b>	<b>20</b>	<b>60%</b>	<b>15</b>	<b>53%</b>	<b>30</b>	<b>60%</b>	<b>28</b>	<b>64%</b>	<b>22</b>	<b>45%</b>	<b>15</b>	<b>53%</b>	<b>23</b>	<b>57%</b>	<b>19</b>	<b>53%</b>	<b>19</b>	<b>68%</b>	<b>15</b>	<b>47%</b>	<b>18</b>	<b>236</b>	<b>100%</b>	

\*Due to budgetary and construction related issues, LHH is decreasing admissions effective 1/1/2008. General SNF Admissions are being denied while Hospice, Rehab and AIDS/HIV are still being admitted based upon bed availability.

**SOURCES OF NEW SNF ADMISSIONS TO LAGUNA HONDA HOSPITAL\***  
**JANUARY 2007 – DECEMBER 2007**

Source of Admission	Jan	SFGH	Feb	SFGH	Mar	SFGH	Apr	SFGH	May	SFGH	Jun	SFGH	Jul	SFGH	Aug	SFGH	Sep	SFGH	Oct	SFGH	Nov	SFGH	Dec	SFGH	Total	%	
Board and Care	1		2						1		2		3		1						2		1		13	3%	
Cal Pac Acute	1		3						5		2		4		1		3		5		5		1		30	6%	
Cal Pac SNF			1																1						2	0%	
Chinese Hospital Acute	4						1		1				1		1				2		2				12	3%	
Chinese Hospital SNF																									0	0%	
Home	1		1		4		5		2		4		3		4		3				3				30	6%	
Home Health																									0	0%	
Kaiser Acute			1		1				1						1										4	1%	
Kaiser SNF																			1							0	0%
Mt. Zion Acute																									0	0%	
Other	2		1		3		1		2		1						3		1		2				16	3%	
R.K. Davies Acute									1								1								2	0%	
R.K. Davies SNF																									0	0%	
SFGH Acute	22	63%	28	54%	25	56%	20	63%	17	43%	26	57%	27	61%	19	53%	22	63%	30	71%	22	51%	16	80%	274	58%	
SFGH SNF	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	
St. Francis Acute	3		4		3		3		1		5				3		2		1		4		1		30	6%	
St. Francis SNF																									0	0%	
St. Luke's Acute			2		5				2		1		1		2						1				14	3%	
St. Luke's SNF																									0	0%	
St. Mary's Acute					3		1		3		2										1				10	2%	
St. Mary's SNF			2																						2	0%	
Seton Acute																									0	0%	
Seton SNF																									0	0%	
UC Med Acute	1		6		1		1		2		3		5		4		1		1		1		1		27	6%	
UC Med SNF																									0	0%	
VA Hospital Acute			1						2																3	1%	
VA Hospital SNF																									0	0%	
<b>TOTAL</b>	<b>35</b>	<b>63%</b>	<b>52</b>	<b>54%</b>	<b>45</b>	<b>56%</b>	<b>32</b>	<b>63%</b>	<b>40</b>	<b>43%</b>	<b>46</b>	<b>57%</b>	<b>44</b>	<b>61%</b>	<b>36</b>	<b>53%</b>	<b>35</b>	<b>63%</b>	<b>42</b>	<b>71%</b>	<b>43</b>	<b>51%</b>	<b>20</b>	<b>80%</b>	<b>469</b>	<b>100%</b>	

\*Excluding internal transfers

SOURCES OF NEW SNF ADMISSIONS TO LAGUNA HONDA HOSPITAL\*  
JANUARY 2006 – DECEMBER 2006

Source of Admission	Jan	%	Feb	%	Mar	%	Apr	%	May	%	Jun	%	Jul	%	Aug	%	Sep	%	Oct	%	Nov	%	Dec	%	Total	%
Board and Care			2		3				1		2		2				2		1						13	3%
Cal Pac Acute	8		4		3		3		2		1		2		3		1		2				2		31	6%
Cal Pac SNF	2		1		1										2								2		8	2%
Chinese Hospital Acute					1						1		1										1		5	1%
Chinese Hospital SNF																									0	0%
Home	6		5		9		2		6		7		1				2		2		5		4		49	10%
Home Health																									0	0%
Kaiser Acute	2				1		1		2										1						7	1%
Mt. Zion Acute									1												1				2	0%
Other			2		2		1		1		1		2						1		1		1		12	2%
Out of County**																									0	0%
R.K. Davies Acute																									0	0%
R.K. Davies SNF																									0	0%
SFGH Acute	23	43%	31	58%	33	52%	27	64%	25	57%	24	53%	19	54%	29	69%	21	62%	15	52%	24	71%	23	59%	294	57%
SFGH SNF	1	2%	0	0%	1	2%	0	0%	0	0%	0	0%	2	6%	0	0%	0	0%	1	3%	0	0%	3	8%	8	2%
St. Francis Acute	3		2		2		2		2		4		2						3				1		23	4%
St. Francis SNF					1										1										2	0%
St. Luke's Acute	1						1		2		1		1		1		1		2						10	2%
St. Luke's SNF							1												1				1		3	1%
St. Mary's Acute			2		2		1						2		4		1					1			13	3%
St. Mary's SNF			1																						1	0%
Seton Acute											1						1								2	0%
Seton SNF															1										1	0%
UC Med Acute	6		3		3		3		2		3		1						2		1				24	5%
UC Med SNF																									0	0%
VA Hospital Acute	1				1										1								1		4	1%
VA Hospital SNF																					1				1	0%
<b>TOTAL</b>	<b>53</b>	<b>45%</b>	<b>53</b>	<b>58%</b>	<b>63</b>	<b>54%</b>	<b>42</b>	<b>64%</b>	<b>44</b>	<b>57%</b>	<b>45</b>	<b>53%</b>	<b>35</b>	<b>60%</b>	<b>42</b>	<b>69%</b>	<b>34</b>	<b>62%</b>	<b>29</b>	<b>55%</b>	<b>34</b>	<b>71%</b>	<b>39</b>	<b>67%</b>	<b>513</b>	<b>100%</b>

\*Excluding internal transfers

ATTACHMENT A-7

SOURCES OF NEW SNF ADMISSIONS TO LAGUNA HONDA HOSPITAL\*  
JANUARY 2005 – DECEMBER 2005

Source of Admission	Jan	%	Feb	%	Mar	%	Apr	%	May	%	Jun	%	Jul	%	Aug	%	Sep	%	Oct	%	Nov	%	Dec	%	Total	%
Board and Care			1						1		1											2	5	1%		
Cal Pac Acute	1		1				1				4					2		7		2		6	24	4%		
Cal Pac SNF														1		1						1	3	1%		
Chinese Hospital Acute			1		1				1			1		1		3						2	10	2%		
Chinese Hospital SNF																							0	0%		
Home	3		3		5		8		5		7		7		5		5		4		7	6	65	11%		
Home Health																							0	0%		
Kaiser Acute													1								1		2	0%		
Mt. Zion Acute																						1	1			
Other	1		2		2		1		1		1		2					2				2	14	2%		
Out of County**									1		3				3		1						8	1%		
R.K. Davies Acute																							0	0%		
R.K. Davies SNF																							0	0%		
SFGH Acute	38	79%	34	68%	38	68%	27	60%	26	57%	33	60%	24	55%	29	63%	31	62%	27	60%	26	54%	22	47%	355	61%
SFGH SNF	2	4%	1	2%	2	4%		0%	1	2%	2	4%	2	5%		0%		0%		0%	1	2%		11	2%	
St. Francis Acute			2		1		4		1		4		4		2		3		1		4	3	29	5%		
St. Francis SNF					1				1														2	0%		
St. Luke's Acute	1		1		1		1		1			1										2	8	1%		
St. Luke's SNF			1																		1		2	0%		
St. Mary's Acute							1		1					1		2							5	1%		
St. Mary's SNF														1									1	0%		
Seton Acute					1													1					2	0%		
Seton SNF							1																1	0%		
UC Med Acute	2		3		2		1		5			2		2		2		3		2		4	28	5%		
UC Med SNF																							0	0%		
VA Hospital Acute					2				1					1									4	1%		
VA Hospital SNF																							0	0%		
<b>TOTAL</b>	<b>48</b>	<b>83%</b>	<b>50</b>	<b>70%</b>	<b>56</b>	<b>71%</b>	<b>45</b>	<b>60%</b>	<b>46</b>	<b>59%</b>	<b>55</b>	<b>64%</b>	<b>44</b>	<b>59%</b>	<b>46</b>	<b>63%</b>	<b>50</b>	<b>62%</b>	<b>45</b>	<b>60%</b>	<b>48</b>	<b>56%</b>	<b>47</b>	<b>47%</b>	<b>580</b>	<b>100%</b>

\*Excluding internal transfers



SOURCES OF NEW SNF ADMISSIONS TO LAGUNA HONDA HOSPITAL\*  
JANUARY 2004 – DECEMBER 2004

Source of Admission	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	%
Board and Care					1	1	1						3	0%
Cal Pac Acute		4		2	3	3	1		2	2	1	2	20	3%
Cal Pac SNF												1	1	0%
Chinese Hospital Acute						1	1	1	2	1			6	1%
Chinese Hospital SNF													0	0%
Home	4	7	3	7	8	1	2	6	6	2	5	3	54	9%
Home Health													0	0%
Kaiser Acute	1				1			2		1			5	1%
Other	1	2			1	5	3	3	1				16	3%
Out of County**										1			1	0%
R.K. Davies Acute													0	0%
R.K. Davies SNF													0	0%
SFGH Acute	40	36	64	37	24	35	33	34	31	41	39	42	456	73%
SFGH SNF							1					1	2	0%
St. Francis Acute		1		5	1	1	2	2	1				13	2%
St. Francis SNF						1		1					2	0%
St. Luke's Acute		1				1	2		1	2			7	1%
St. Luke's SNF			1	1									2	0%
St. Mary's Acute	1		3		1	3	5	1	1			2	17	3%
St. Mary's SNF													0	0%
Seton Acute						1		1				1	3	0%
Seton SNF													0	0%
UC Med Acute		5	1		1	2	1		1	3	1		15	2%
UC Med SNF													0	0%
VA Hospital Acute						2							2	0%
VA Hospital SNF													0	0%
<b>TOTAL</b>	<b>47</b>	<b>56</b>	<b>72</b>	<b>52</b>	<b>41</b>	<b>57</b>	<b>52</b>	<b>51</b>	<b>46</b>	<b>53</b>	<b>46</b>	<b>52</b>	<b>625</b>	<b>100%</b>

\* Excluding internal transfers

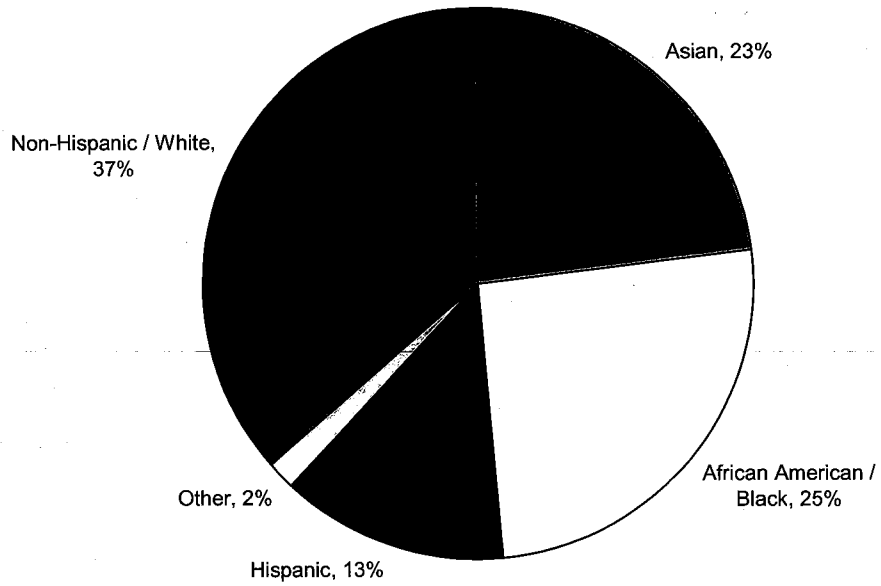
\*\* Out-of-county count begins in October 2004

SOURCES OF NEW SNF ADMISSIONS TO LAGUNA HONDA HOSPITAL\*  
JANUARY 2003 – DECEMBER 2003

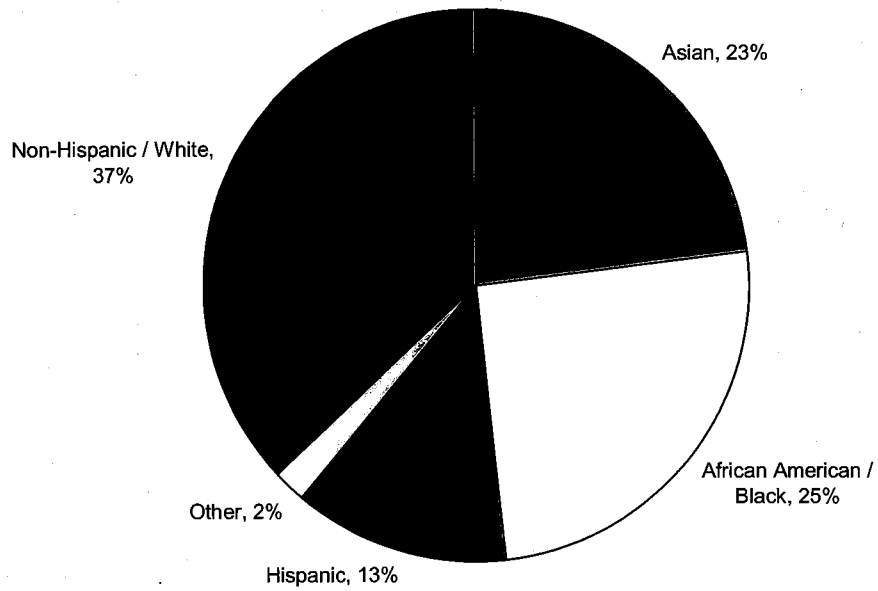
Source of Admission	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total	%
Board and Care		3	2	1	2	2				1			11	2%
Cal Pac Acute		2	2	1	2	1	2	3	1	1	3	3	21	4%
Cal Pac SNF	5	3	1	3			2	2		1			17	3%
Chinese Hospital Acute	1			3							2		6	1%
Chinese Hospital SNF			1										1	0%
Home	4	6	6	9	5	10	1	5	5	6	1	5	63	11%
Home Health										1			1	0%
Kaiser Acute		1	1				1	1					4	1%
Other		1	2	3	4			4	1	3	1	2	21	4%
R.K. Davies Acute													0	0%
R.K. Davies SNF													0	0%
SFGH Acute	27	19	29	20	32	20	20	23	24	23	24	29	290	52%
SFGH SNF	3	2	4	2		1				1			13	2%
St. Francis Acute	1	1	1			3	4	2			1	2	15	3%
St. Francis SNF	2	2	2			2	3			3	1	2	17	3%
St. Luke's Acute		1	1	2	2	1	1	1		1	3		13	2%
St. Luke's SNF	1		2		1		2			1	1	1	9	2%
St. Mary's Acute		4	4	2	1	1	1	2		2	2		19	3%
St. Mary's SNF		1	1										2	0%
Seton Acute					1		2	1		1			5	1%
Seton SNF	1												1	0%
UC Med Acute	1	1	1	1	3	5	2	2	3	3	4	2	28	5%
UC Med SNF													0	0%
VA Hospital Acute							1						1	0%
VA Hospital SNF					1			1					2	0%
<b>TOTAL</b>	<b>46</b>	<b>47</b>	<b>60</b>	<b>47</b>	<b>54</b>	<b>46</b>	<b>42</b>	<b>47</b>	<b>34</b>	<b>48</b>	<b>43</b>	<b>46</b>	<b>560</b>	<b>100%</b>

\* Excluding admissions from Unit M7

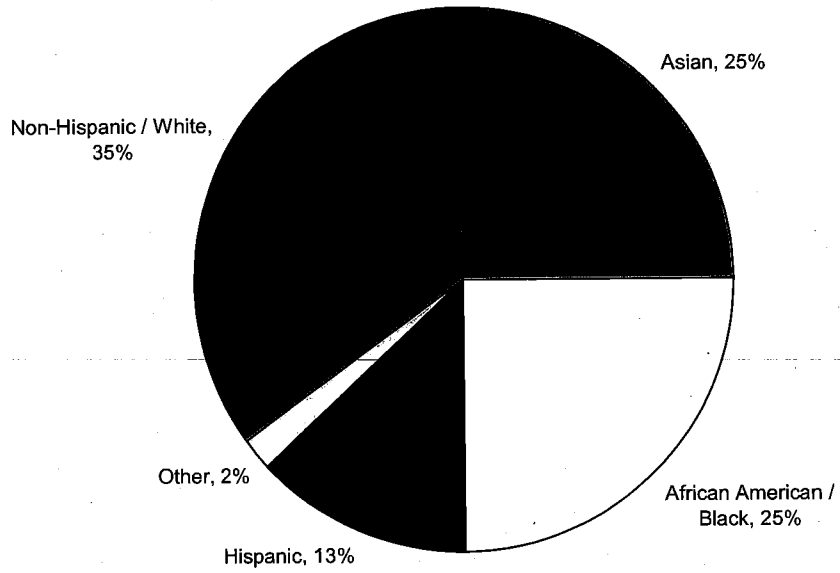
Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2012  
(n = 753)



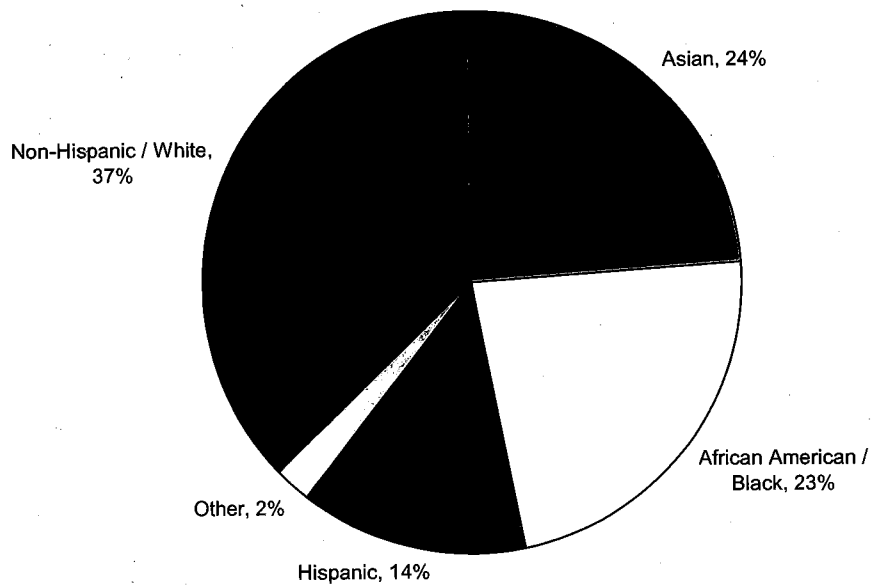
Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2011  
(n = 756)



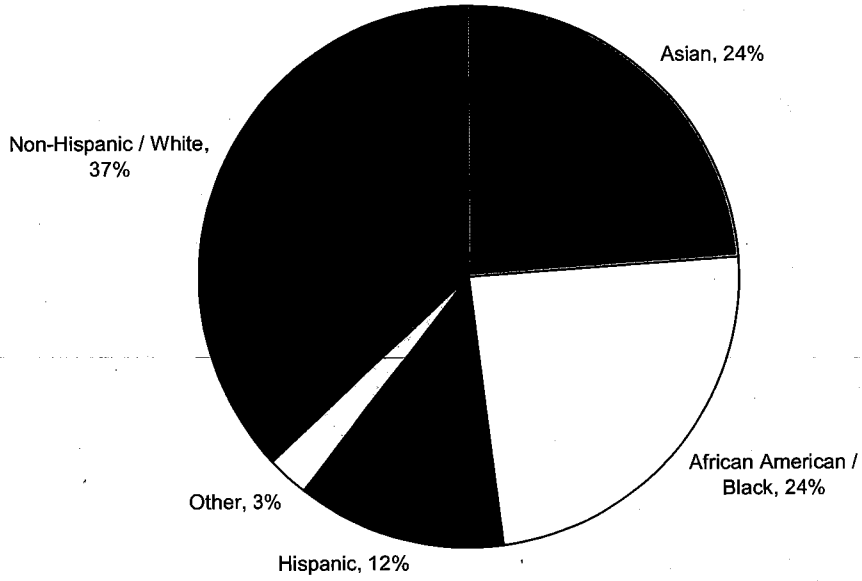
**Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2010**  
(n = 761)



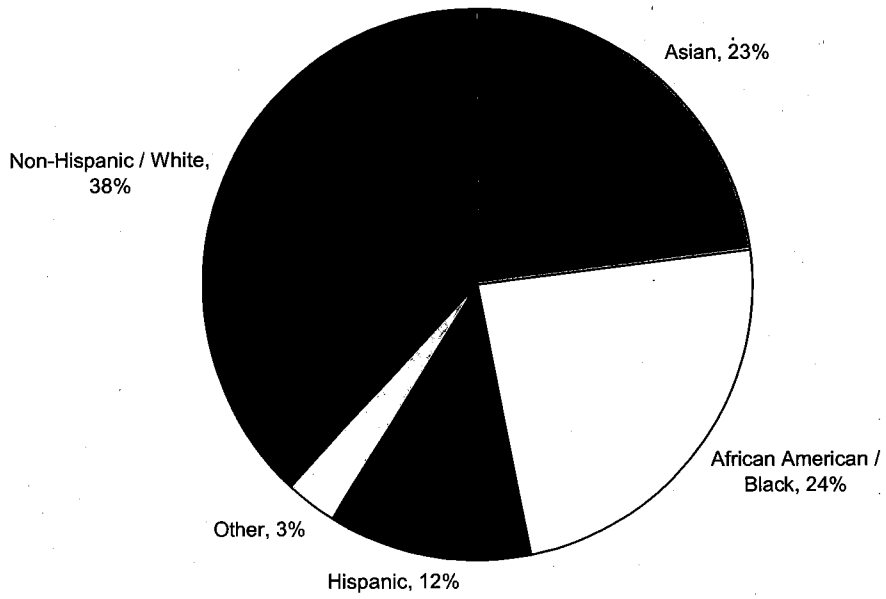
**Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2009**  
(n = 772)



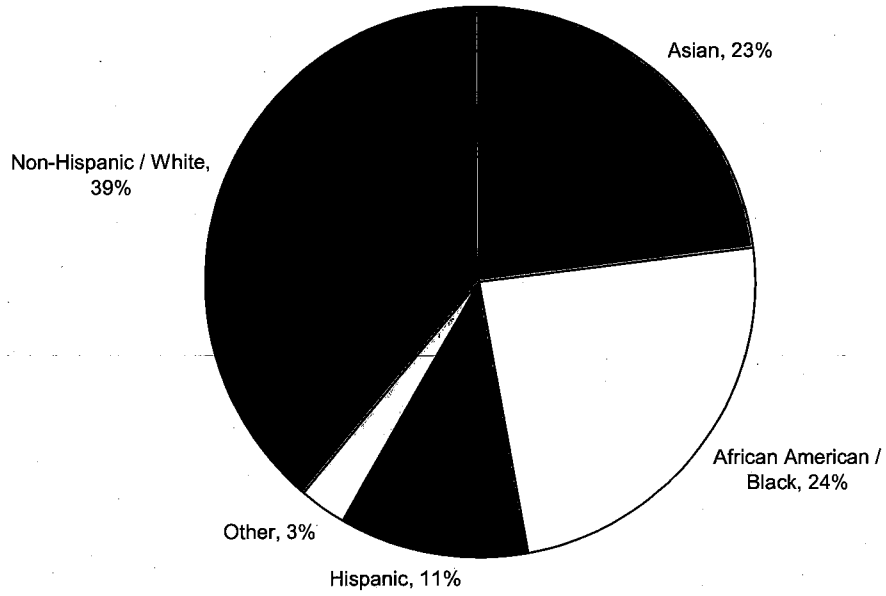
Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2008  
(n = 945)



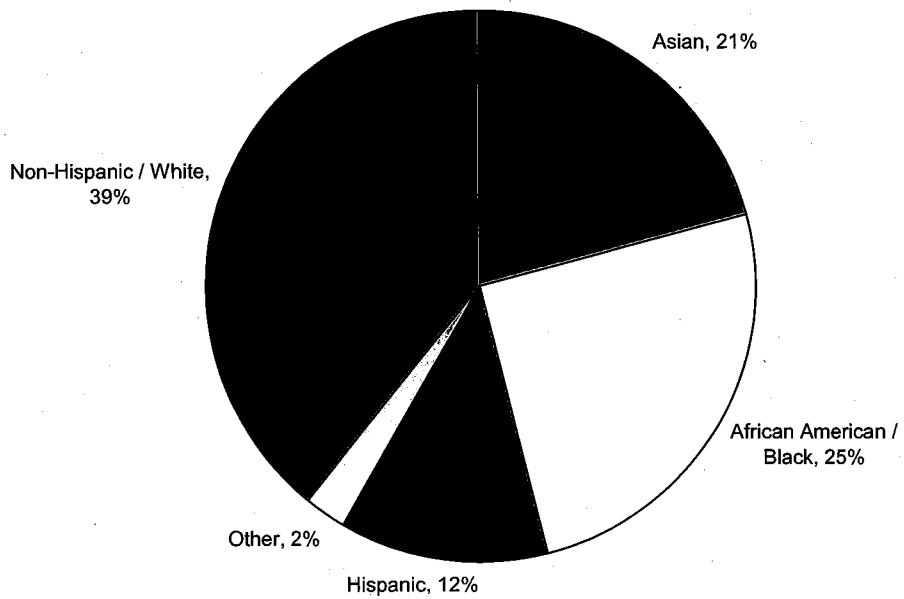
Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2007  
(n = 1020)



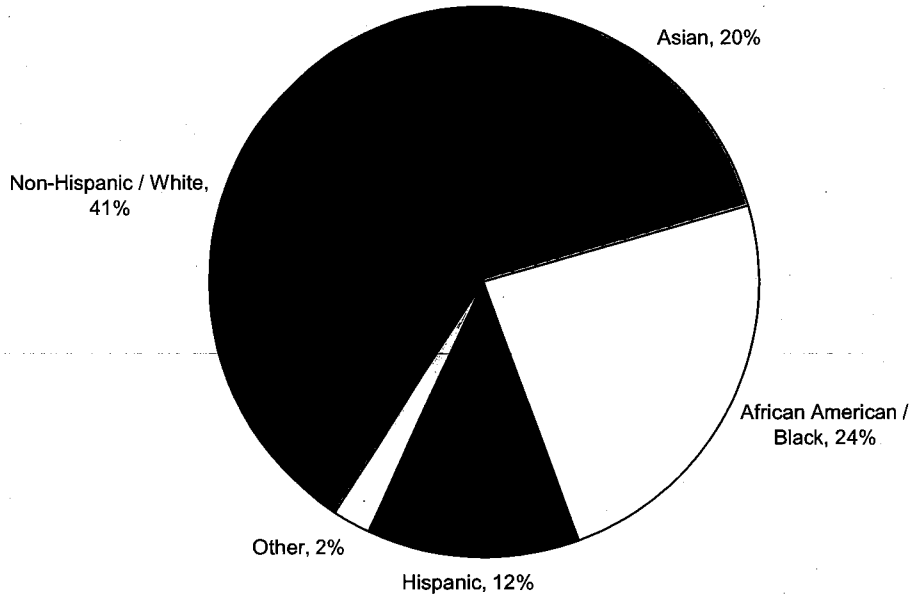
Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2006  
(n = 1046)



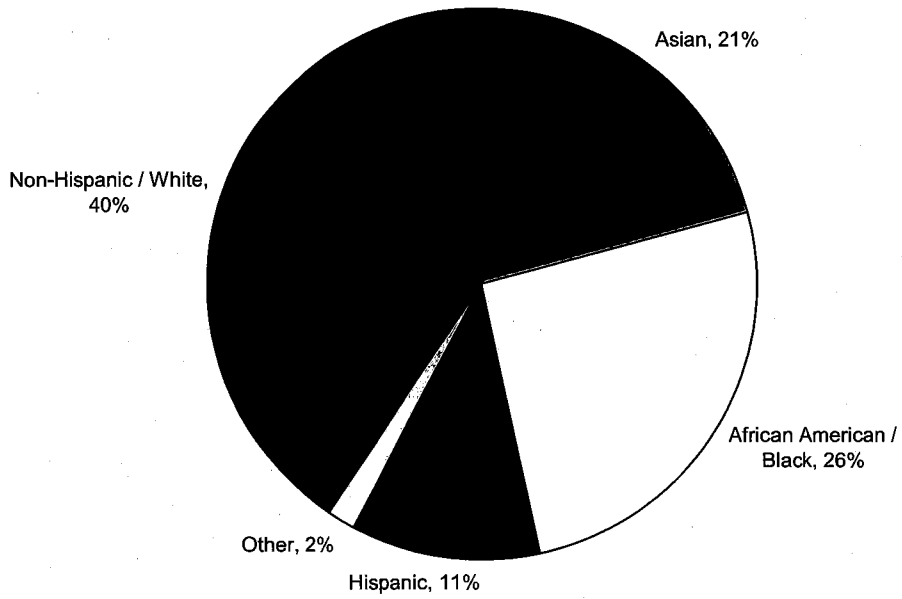
Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2005  
(n = 1085)



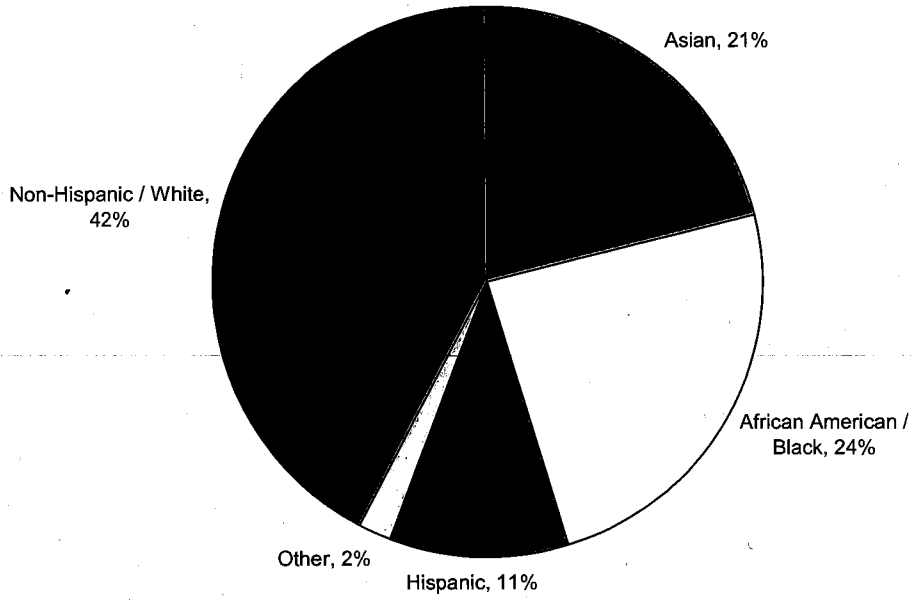
Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2004  
(n = 1083)



Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2003  
(n = 1076)

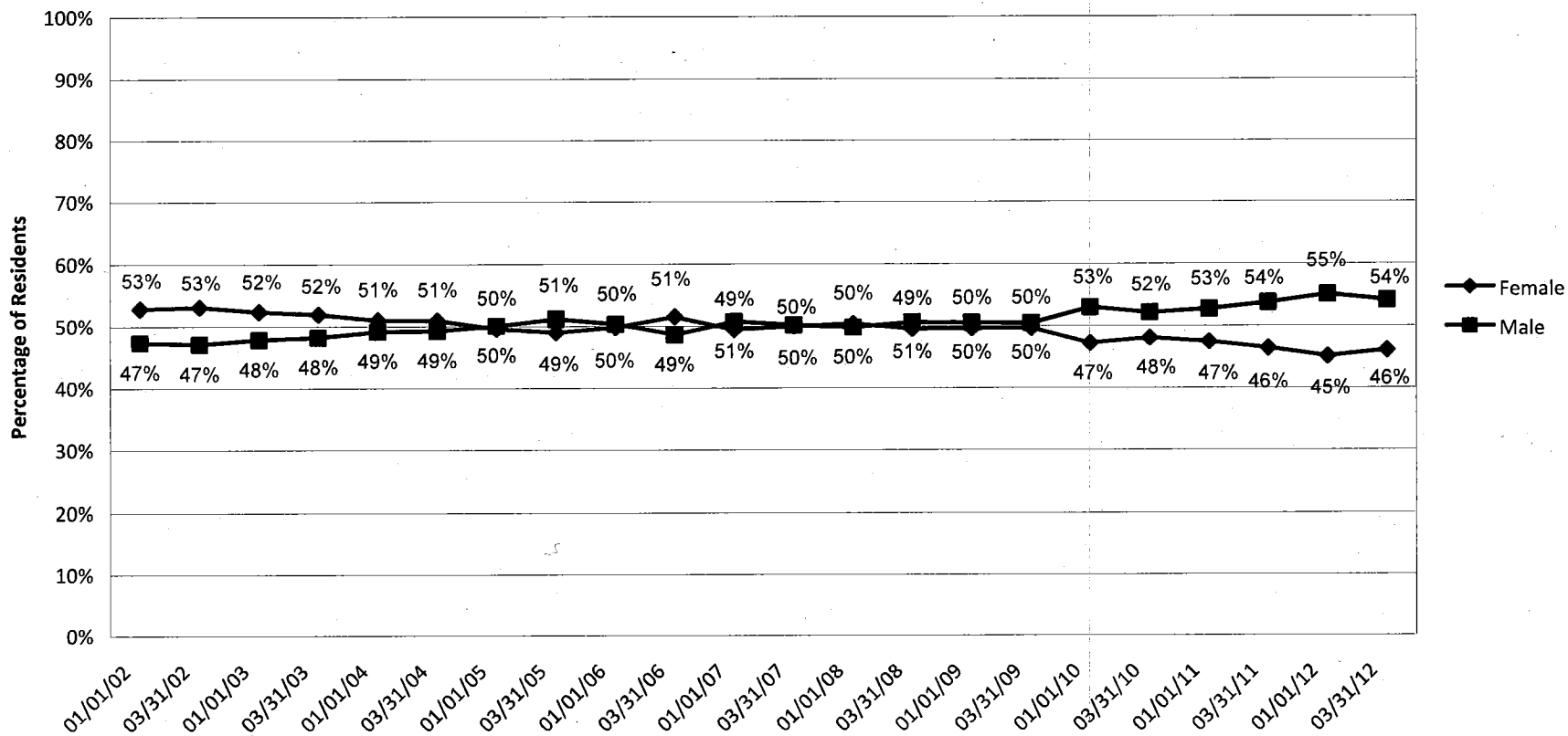


Laguna Honda Hospital Distribution of Residents by Race as of 3/31/2002  
(n = 1092)

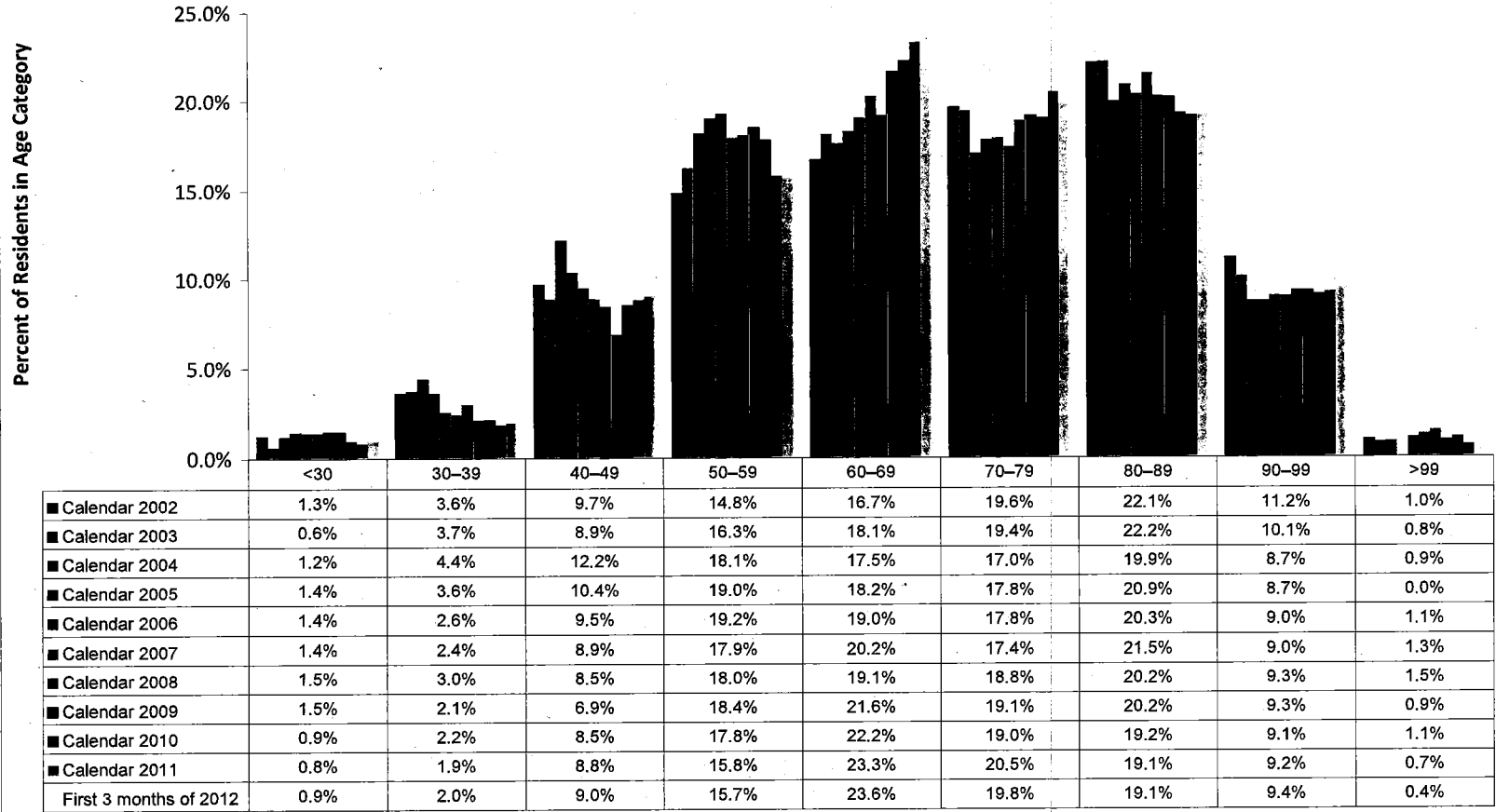




## Laguna Honda Hospital Gender Distribution of Residents 2001 – First 3 Months of 2012



## Laguna Honda Hospital Age Distribution of Residents 2001 – First 3 months of 2012



**COMMISSIONERS**  
Daniel W. Richards, President  
Upland  
Michael Sutton, Vice President  
Monterey  
Jim Kellogg, Member  
Discovery Bay  
Richard Rogers, Member  
Santa Barbara  
Jack Baylis, Member  
Los Angeles

EDMUND G. BROWN, JR.



Governor

*BOS-11 electronically  
cpage*

Sonke Mastrup  
EXECUTIVE DIRECTOR  
1416 Ninth Street, Room 1320  
Box 944209  
Sacramento, CA 94244-2090  
(916) 653-4899  
(916) 653-5040 Fax  
fgc@fgc.ca.gov

STATE OF CALIFORNIA  
**Fish and Game Commission**

May 7, 2012

TO ALL INTERESTED AND AFFECTED PARTIES:

This is to provide you with a copy of a continuation notice of proposed regulatory action relative to sections 550, 550.5, 551, 630, and 703, Title 14, California Code of Regulations, regarding Public Use of Department of Fish and Game Lands, which appeared in the California Regulatory Notice Register 2011, No. 41-Z.

During the regulatory process to add or amend the sections noted above, changes were made to the originally proposed language, which is scheduled for adoption at the Commission's June 20, 2012 meeting in Mammoth Lakes. The Department of Fish and Game eliminated the general permit requirement for group dog training, altered special use permits so that the dog trial permitting process is more streamlined and not quite as expensive as other large events, included site specific regulations that had inadvertently been left out, and renumbered where necessary. There were no revisions made to the proposed amendments to Section 552 or the repeal of Section 553 which are posted on the Commission's website at <http://www.fgc.ca.gov/regulations/2011/#550>.

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

Attached for your review is the Continuation Notice with the Updated Informative Digest, the modified proposed regulatory language for sections 550, 550.5, 551, 630, and 703 (shown in double strikeout/double underline) and the attached forms incorporated by reference. You may submit written comments to the Commission office and/or attend the May 23, 2012, meeting in Monterey and June 20, 2012, meeting in Mammoth Lakes, and offer testimony.

**Dr. Eric Loft, Chief, Wildlife Programs Branch, Department of Fish and Game, phone (916) 445-3555, has been designated to respond to questions on the substance of the proposed regulations.** Documents relating to the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov> or may be obtained by writing to our office at the above address. Please note the dates and locations of related discussion hearings found on pages 16 and 17 of the attached notice.

Sincerely,

*Sheri Tiemann*  
Sheri Tiemann  
Staff Services Analyst

Attachments

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

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2012 MAY -9 PM 2:57  
*AB*

5

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

BOS-11 electronically  
COB, cpage



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2012 MAY 1 AM 9:37

07  
PBC

# THE OFFICE OF CITIZEN COMPLAINTS

## 2011 ANNUAL REPORT

### Included In This Document

Comprehensive Statistical Report  
Comparative Overview of Caseload  
Caseload Summaries 1993-2011  
How Complaints Were Received  
Demographic Characteristics of Complainants  
Types of Allegations Received and Closed  
Complaints and Allegations by Unit  
Findings In Allegations Closed  
Days to Close – Closed and Sustained Cases  
Investigative Hearings And Mediations  
Status of OCC Cases – Year 2010  
Status of OCC Cases – Year 2011  
Caseloads, Closures and Distribution by Investigator  
Presented by: Joyce M. Hicks, Executive Director  
Compiled by: Joyce M. Hicks, Chris Wisniewski,  
Charles Gallman, Inés Vargas-Fraenkel, Erick Baltazar,  
Samara Marion, Linda Taylor, Donna Salazar, and Pamela Thompson

6

**BOARD of SUPERVISORS**



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

Date: May 14, 2012  
To: Honorable Members, Board of Supervisors  
From: Angela Calvillo, Clerk of the Board  
Subject: Form 700

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

Sonia Melara – Redistricting Task Force – Leaving  
Jenny Lam - Redistricting Task Force – Leaving

7



# Capital Planning Committee

BOS-11  
B+F Clerk  
Cpage

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2012 MAY 1 AM 10:19  
AK

Naomi M. Kelly, City Administrator, Chair

## MEMORANDUM

May 8, 2012

**To:** Supervisor David Chiu, Board President

**From:** Naomi Kelly, City Administrator and Capital Planning Committee Chair 

**Copy:** Members of the Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Capital Planning Committee

**Regarding:** Recommendation of the 2012 San Francisco Safe & Clean Neighborhood Parks General Obligation (G.O.) Bond

In accordance with Section 3.21 of the Administrative Code, on May 5, 2012, the Capital Planning Committee (CPC) reviewed the following action items. The CPC's recommendations are set forth below.

- 1. Board File Numbers TBD:** (1) Resolution of Public Interest and Necessity establishing the need for and (2) Ordinance submitting for voter consideration the San Francisco Clean & Safe Neighborhood Parks G.O. Bond (\$195,000,000).
- Recommendation:** Support adoption of the Resolution of Public Interest and Necessity and Ordinance.
- Comments:** The CPC recommends approval of this item by a vote of 10-0.
- Committee members or representatives in favor include Naomi Kelly, City Administrator; Phil Ginsburg, Recreation and Parks Department; Elaine Forbes, SF Port; Ed Reiskin, SFMTA; John Martin, San Francisco International Airport; Ben Rosenfield, Controller's Office; Mohammed Nuru, Department of Public Works, Judson True, Board President's Office; Kate Howard, Mayor's Budget Office; and Alicia JohnBaptiste, Planning Department.



Fwd: Who is paying for the SFGarden Soc building project?

Carmen Chu

to:

Peggy Nevin

05/08/2012 02:22 PM

Hide Details

From: Carmen Chu/BOS/SFGOV

To: "Peggy Nevin" <Peggy.Nevin@sfgov.org>,

Records

Begin forwarded message:

**From:** "Jacqueline Darrigrand" <jacqueline@willyclaflin.com>

**Date:** May 8, 2012 8:43:38 AM PDT

**To:** [Michela.Alioto-Pier@sfgov.org](mailto:Michela.Alioto-Pier@sfgov.org), [John.Avalos@sfgov.org](mailto:John.Avalos@sfgov.org), [David.Campos@sfgov.org](mailto:David.Campos@sfgov.org),  
[David.Chiu@sfgov.org](mailto:David.Chiu@sfgov.org), [Carmen.Chu@sfgov.org](mailto:Carmen.Chu@sfgov.org), [Chris.Daly@sfgov.org](mailto:Chris.Daly@sfgov.org), [Bevan.Dufty@sfgov.org](mailto:Bevan.Dufty@sfgov.org),  
[Sean.Elsbernd@sfgov.org](mailto:Sean.Elsbernd@sfgov.org), [Eric.L.Mar@sfgov.org](mailto:Eric.L.Mar@sfgov.org), [Sophie.Maxwell@sfgov.org](mailto:Sophie.Maxwell@sfgov.org)

**Subject:** Who is paying for the SFGarden Soc building project?

**Reply-To:** [jacqueline@willyclaflin.com](mailto:jacqueline@willyclaflin.com)

What is the money from fees being used for? Is it true that the costly new garden shed is being supported by our supervisors? Who are these people who want to bar families from the garden and spend millions on a building in the red wood grove. Where is the press? Shocked by my own ignorance, Jacqueline Darrigrand

9



**To:** Alisa Miller/BOS/SFGOV, BOS Constituent Mail Distribution,  
**Cc:**  
**Bcc:**  
**Subject:** File 120477: correction request

**From:** Allen Jones <jones-allen@att.net>  
**To:** Board.of.Supervisors@sfgov.org,  
**Date:** 05/11/2012 07:54 AM  
**Subject:** correction request

---

To All Memmbers of the San Francisco Board of Supervisors,

I do not mean to split hairs, if you consider \$50 million splitting hairs, but a staffer for Supervisor Mark Farrell mentioned to me, a \$150 million dollar loan. by the NFL to the 49ers. Supervisor Farrell then repeated this figure to the full board.

The supervisor and his staffer bragged about how Farrell, being a 49er fan worked hard trying to work something out to keep the team in San Francisco. In my opinion, if a person works hard with the wrong information, that person did not work hard enough.

The loan by the NFL to the 49ers was \$200 million.

[http://espn.go.com/nfl/story/\\_/id/7533527/nfl-approves-200m-loan-san-francisco-49ers-stadium](http://espn.go.com/nfl/story/_/id/7533527/nfl-approves-200m-loan-san-francisco-49ers-stadium)

My point is, if this supervisor is providing out-dated information to the full board, how can we trust that an educated vote on this matter will happen?

I say this and other pertinent facts should be corrected including the fallacy that this is good for San Francisco WAY before this matter is circulated, let alone voted on.

Allen Jones  
(415) 756-7733  
<http://casegame.squarespace.com>  
jones-allen@att.net  
<http://youtu.be/BPw52WUbRzQ>

10





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**Transmittal**

**HARD COPY**

**Planning Department Publication  
San Francisco Commerce & Industry Inventory 2011  
(published April 2012)**

**DATE:** May 10, 2012  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, Ca. 94102-4689  
**FROM:** John Rahaim, Director - Planning Department (415) 558-6411  
✓ Scott Edmondson, Project Manager, Planning Department (415) 575-6818  
**RE:** Publication, *San Francisco Commerce & Industry Inventory 2011*  
**HEARING DATE:** None. Informational item

In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents", the Planning Department has attached the *San Francisco Commerce & Industry Inventory 2011* in digital format.

\* A hard copy of this document is available from the Clerk of the Board.

Additional hard copies may be requested by contacting Scott Edmondson of the Planning Department at 415-575-6818 or [scott.edmondson@sfgov.org](mailto:scott.edmondson@sfgov.org).

Digital copies are also available on the Planning Department's web site from this link:  
<http://www.sf-planning.org/Modules/ShowDocument.aspx?documentid=8755>.

11



To: Alisa Miller/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 120300 & 120301: Please vote no on Article 10 & 11 Planning Code Amendments

From: Karen Babbitt <karenbabbitt@yahoo.com>  
To: Eric Mar <Eric.L.Mar@sfgov.org>, Mark Farrell <Mark.Farrell@sfgov.org>, David Chiu <David.Chiu@sfgov.org>,  
Carmen Chu <Carmen.Chu@sfgov.org>, Jane Kim <Jane.Kim@sfgov.org>, Sean Elsbernd <Sean.Elsbernd@sfgov.org>,  
David Campos <David.Campos@sfgov.org>, Malia Cohen <Malia.Cohen@sfgov.org>, John Avalos <John.Avalos@sfgov.org>,  
Cc: Clerk of the Board <Board.of.Supervisors@sfgov.org>  
Date: 05/08/2012 01:16 PM  
Subject: Please vote no on Article 10 & 11 Planning Code Amendments

---

Dear Supervisors,

With apologies for the late email, I'm writing today to urge you to vote no on items 22 and 23 on your meeting agenda today regarding amending Planning Code Articles 10 & 11.

I care about both affordable housing and historic preservation and I truly don't see the need for these amendments. If the Guardian article is correct, affordable housing advocates didn't support these amendments at the Land Use Committee. I find that telling, along with the fact that the SF Tenants' Union opposes the amendments.

I keep reading and reading about them, and still can't figure out who would actually benefit if they are adopted. My concern is that it would turn out to be developers interested in tearing down historic structures (part of our history and what makes this place unique and not Anytown, USA) to build more market rate condos, that few here can actually afford.

Thank you for your work,  
Karen

12



**To:** BOS Constituent Mail Distribution, Alisa Miller/BOS/SFGOV,  
**Cc:**  
**Bcc:**  
**Subject:** Fle 120300 & 120301: Revisions of Articles 10 and 11

**From:** Joan Joaquin-Wood <joanwood@earthlink.net>  
**To:** "Sup.Mark Farrell" <Mark.Farrell@sfgov.org>, supervisor jane kim <jane.kim@sfgov.org>, "David Campos Suprv." <David.Campos@sfgov.org>,  
**Cc:** "Bd.of Supes S.F." <board.of.supervisors@sfgov.org>  
**Date:** 05/08/2012 01:19 AM  
**Subject:** Revisions of Articles 10 and 11

---

Dear Supervisors: Please do not approve Sup. Wiener's and Olague's revisions to Article 10 and 11 without further changes. Revisions that need to be further modified or eliminated include requirement of written request for historical districts, local conformity to the Secretary of Interior's LEED standards, elimination of streets and sidewalks, and exclusion of public housing projects. Altogether Wiener's and Olague's amendments water down and sabotage Proposition J and therefore defy the electorate's wishes which established the Historic Preservation Commission in 2008. Thank you for your consideration.  
Joan Wood, North Beach

Joan Wood



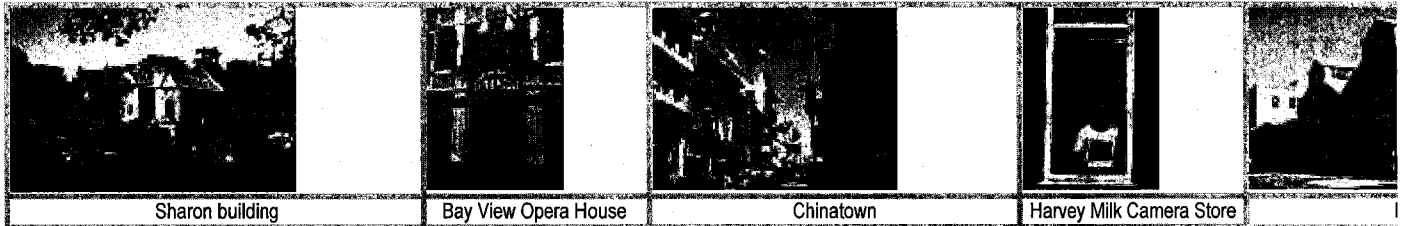
To: Alisa Miller/BOS/SFGOV,  
 Cc:  
 Bcc:  
 Subject: File 120300 120301: ARTICLES 10 & 11: SUPPORT HPC'S DEMOCRATIC VERSION

From: WongAIA@aol.com  
 To: carmen.chu@sfgov.org, sean.elsbernd@sfgov.org, Eric.L.Mar@sfgov.org, john.avalos@sfgov.org, david.campos@sfgov.org, David.Chiu@sfgov.org, Board.of.Supervisors@sfgov.org, Malia.Cohen@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Scott.Wiener@sfgov.org, angela.calvillo@sfgov.org, Christina.Olague@sfgov.org  
 Date: 05/07/2012 02:17 AM  
 Subject: ARTICLES 10 & 11: SUPPORT HPC'S DEMOCRATIC VERSION

**SUPPORT PUBLIC PROCESSES: PROP J, HEARINGS & CONSISTENCY  
 SUPPORT HISTORIC PRESERVATION COMMISSION'S  
 APPROVED VERSION OF ARTICLES 10 & 11**

**CONSISTENCY WITH NATIONAL PRESERVATION STANDARDS**

National preservation standards have become accepted professional norms, having evolved over decades of practice—like building codes, planning/ zoning Codes, ADA, fire/ life safety codes, engineering codes, energy/ LEED guidelines, design standards, grant/ funding constraints.... Federal, state and local governments are interwoven with preservation statutes, funding, oversight, governance.... Nationally, historic preservation is a democratic process, open to individuals, organizations and governments—assuring equitable preservation of diverse American cultures and heritages.



**MOST CODES APPLY UNIVERSALLY TO ALL PROJECTS**

As an architect, I have worked on shopping centers, hotels, transportation, institutional and commercial architecture—as well as historic preservations. In all of architectural practice, most codes universally apply to all buildings and districts. Codes have evolved over decades, sometimes over centuries—crafted through national and international professional collaboration. Though challenging, creative designers can and do adapt complex codes into their architecture—sometimes in amazing ways.

**HISTORIC PRESERVATION IS A SMALL SLICE OF ARCHITECTURE**

Only a small percentage of all architecture involves historic resources. Like other building endeavors, the profession of historic preservation has also evolved over time. The historical, cultural and architectural significance of sites has touched the sensibilities of prehistoric humans, tribal cultures, ancient civilizations and modern society. Especially with threats to historic resources, like the losses of the Lower Fillmore, Western Addition and Nihonmachi, societies developed criteria, methodology and the science of historic preservation. Over time, historic preservation standards have cross-pollinated globally.

**PROFESSIONAL STANDARDS FOR HISTORIC PRESERVATION**

Like other code standards, Historic Preservation Standards should be applied equally—consistent with profession practice and best practices. Historic Preservation Standards are no more difficult than say building/ fire/ ADA codes—perhaps much less so. The proposed amendments to Articles 10 & 11 are unreasonable and inequitable hurdles, which if applied to other codes would be illogical—by example,

requiring written votes for Zoning/ Area Plans, excluding non-property owners from exercising rights under state/ federal laws, exempting existing codes for affordable housing or requiring local interpretations of LEED/ ADA requirements. In reality, Historic Preservation Standards are much more flexible than other codes---particularly the Secretary of the Interior's Standards.

#### **A FIREWALL BETWEEN SPECIAL INTERESTS AND GOOD PUBLIC POLICY**

Throughout the history of land-use, special interests have carved out legal and financial advantages---to the detriment of competing interests and the public good. As a result, societies created universal and democratic legal standards that adhered to best professional practices. Historic Preservation Standards are mainstream---just look at New Orleans, Charleston, New York, Chicago, Venice, London, Paris....

#### **HISTORIC PRESERVATION IS ONE OF SAN FRANCISCO'S MAIN INDUSTRIES**

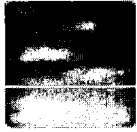
Over 16 million visitors spend \$8.5 billion annually. Polling shows that historic resources and neighborhoods are major draws of our main industry---tourism. Relatively youthful San Francisco has a robust historicism---spanning Spanish explorers, Gold Rush, Neo-Classicism, Art Deco, Beatniks, Mid-Century Modernism, Hippies, Gays, Techies.... Historic Preservation is the framework that weaves a rich historical tapestry---for the enjoyment of visitors, residents, families, children and future generations.



Howard Wong, AIA

(415)-982-5055

[wongaia@aol.com](mailto:wongaia@aol.com) ARTICLES 10 & 11 CHART 5-2-12.doc



To: Alisa Miller/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 120300 & 120301: Joint comments by historic preservation organizations re Articles 10 & 11 of the Planning Code [May 8, 2012, Agenda Items 22 & 23]

From: Mike Buhler <MBuhler@sfheritage.org>  
To: "angela.calvillo@sfgov.org" <angela.calvillo@sfgov.org>  
Cc: "David.Chiu@sfgov.org" <David.Chiu@sfgov.org>, "Judson.True@sfgov.org" <Judson.True@sfgov.org>, "scott.wiener@sfgov.org" <scott.wiener@sfgov.org>, "andres.power@sfgov.org" <andres.power@sfgov.org>, "Christina.Olague@sfgov.org" <Christina.Olague@sfgov.org>, "chris.durazo@sfgov.org" <chris.durazo@sfgov.org>, "Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>, "Nickolas.pagoulatos@sfgov.org" <Nickolas.pagoulatos@sfgov.org>, "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>, "megan.hamilton@sfgov.org" <megan.hamilton@sfgov.org>, "jane.kim@sfgov.org" <jane.kim@sfgov.org>, "April.Veneracion@sfgov.org" <April.Veneracion@sfgov.org>, "John.Avalos@sfgov.org" <John.Avalos@sfgov.org>, "raquel.redondiez@sfgov.org" <raquel.redondiez@sfgov.org>, "david.campos@sfgov.org" <david.campos@sfgov.org>, "hillary.ronen@sfgov.org" <hillary.ronen@sfgov.org>, "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>, "Rick.Caldeira@sfgov.org" <Rick.Caldeira@sfgov.org>, "Sean.Elsbernd@sfgov.org" <Sean.Elsbernd@sfgov.org>, "olivia.scanlon@sfgov.org" <olivia.scanlon@sfgov.org>, "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>, "Katy.Tang@sfgov.org" <Katy.Tang@sfgov.org>, "john.rahaim@sfgov.org" <john.rahaim@sfgov.org>, "Tim.Frye@sfgov.org" <Tim.Frye@sfgov.org>, "c.chase@argsf.com" <c.chase@argsf.com>, Courtney Damkroger <cdamkroger@hotmail.com>, "awmarch@mac.com" <awmarch@mac.com>, "Wolfram, Andrew" <Andrew.Wolfram@perkinswill.com>, "karlhasz@gmail.com" <karlhasz@gmail.com>, "rsejohns@yahoo.com" <rsejohns@yahoo.com>, "diane@johnburtonfoundation.org" <diane@johnburtonfoundation.org>, Cindy Heitzman <cheitzman@californiapreservation.org>, Brian Turner <Brian\_Turner@nthp.org>, Sarah Karlinsky <skarlinsky@spur.org>  
Date: 05/07/2012 08:06 AM  
Subject: Joint comments by historic preservation organizations re Articles 10 & 11 of the Planning Code [May 8, 2012, Agenda Items 22 & 23]

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Good morning Angela – Attached please find joint comments submitted by San Francisco Architectural Heritage, California Preservation Foundation, and National Trust for Historic Preservation regarding proposed amendments to Articles 10 and 11 of the Planning Code (Wiener, Olague), which is scheduled for review by the Board of Supervisors tomorrow. The undersigned organizations are requesting specific revisions to conform Supervisor Wiener's proposed amendments to the recommendations of the Historic Preservation Commission. Thanks for your consideration.

**Mike Buhler**

**Executive Director**

**San Francisco Architectural Heritage**

P: 415.441.3000 x15

F: 415.441.3015

2007 Franklin Street

San Francisco, CA 94109

[mbuhler@sfheritage.org](mailto:mbuhler@sfheritage.org) | [www.sfheritage.org](http://www.sfheritage.org)

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Joint Heritage, CPF & NTHP comments re Arts. 10 & 11 (5.7.12).pdf



SAN FRANCISCO  
ARCHITECTURAL  
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May 7, 2012

Supervisor David Chiu, President  
San Francisco Board of Supervisors  
Attn: Angela Calvillo, Clerk  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Re: Joint request by historic preservation organizations for revisions to Articles 10 and 11 of the Planning Code**

Dear President Chiu and Members of the Board:

As the San Francisco Board of Supervisors prepares to vote on comprehensive amendments to Articles 10 and 11, the historic preservation community is deeply concerned about provisions that would significantly impede community-based preservation efforts. The undersigned local, state, and national historic preservation organizations—all with offices in San Francisco—urge the Board to adopt revisions to conform Articles 10 and 11 to the recommendations of the Historic Preservation Commission, especially:

- 1) Eliminate the mandatory written vote before the Board of Supervisors can take action on a proposed historic district or conservation district. [Sections 1004.3 and 1107(e)]**

The proposed legislation would require a written vote by all owners and occupants before the Board can take action on a proposed historic district. This new voting requirement would impose an unprecedented mandate on the Planning Department without analyzing the potential costs. With no funds budgeted for this purpose, the burden will likely fall on residents seeking to protect their communities through historic designation, imposing an unreasonably high barrier to entry. This hurdle is entirely unnecessary when one considers how few historic districts currently exist in San Francisco: Over the past 45 years, only eleven historic districts have been created in San Francisco, comprising approximately one percent of all parcels. The city's most recent historic district, Dogpatch, was designated in 2003.

The HPC unanimously adopted alternative language that eliminates the mandatory written vote, maintains the requirement for robust community outreach, and allows the Planning Department to determine how owners and occupants would be invited to express their opinion.<sup>1</sup> With no analysis of the potential costs, no funds budgeted to conduct written votes, and no substantiation of the need to do so, we urge the Board to adopt substitute language recommended by the HPC.

<sup>1</sup> "Prior to the Board of Supervisors' vote on a proposed historic district, the Planning Department shall conduct thorough outreach to affected property owners and occupants. The Planning Department shall invite all property owners and occupants in the proposed district area to express their opinion on the proposed district. Such invitation shall advise owners of the practical consequences of the adoption of the district, including the availability of preservation incentives, the types of work requiring a Certificate of Appropriateness, and the types of work that is generally ineligible to receive a Certificate of Appropriateness." (HPC Resolution 672, February 1, 2012)

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- 2) Allow members of the public to request that the Historic Preservation Commission initiate designation of a landmark or historic district. [Section 1004.1]

The proposed legislation deletes language approved by the HPC that would allow members of the public to nominate landmarks and historic districts. At the Land Use and Economic Development Committee hearing on April 30, Supervisor Wiener noted that his amendments would not prevent any member of the public from requesting the HPC to initiate designation.<sup>2</sup> Consequently, there should be no objection to making this longstanding practice explicit in Article 10 by re-inserting the words "members of the public" into Section 1004.1. As now, the Board would retain absolute discretion to accept or reject any future landmark or historic district nomination.

- 3) Eliminate the requirement for the Planning Commission to approve local interpretations of the *Secretary of the Interior's Standards* adopted by the Historic Preservation Commission. [Sections 1006.6(b) and 1111.6(b).]

The *Secretary of the Interior's Standards* are the nation's standard for a sound preservation program and have been applied flexibly by the HPC and the previous Landmarks Preservation Advisory Board for over 25 years. Requiring the Planning Commission to adopt "local interpretations" of the *Standards* would usurp independent authority vested in the HPC by the City Charter and the City's Certified Local Government status to interpret the *Standards*. The Planning Commission should have the ability to comment on—but not veto—local interpretations of the *Standards* adopted by the HPC.

The City of San Francisco is widely recognized for being at the forefront of good preservation practice, a commitment that was reaffirmed by voters with the passage of Proposition J in 2008. The undersigned organizations collectively urge the Board of Supervisors to uphold this voter mandate by adopting the recommendations of the HPC. Please contact Mike Buhler at 415/441-3000 x15 or [mbuhler@sfheritage.org](mailto:mbuhler@sfheritage.org) to discuss any of these requested revisions.

Sincerely,



Mike Buhler  
Executive Director  
San Francisco Architectural Heritage



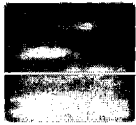
Brian R. Turner  
Regional Attorney  
National Trust for Historic Preservation  
Western Field Office



Cindy Heitzman  
Executive Director  
California Preservation Foundation

<sup>2</sup> As stated by Supervisor Wiener: "I...disagree...that [the legislation] is limiting the right of a citizen to petition his or her government to create a historic district. Anyone can show up at many of numerous forums and request that the district be organized." Caption Notes, Land Use & Economic Development Committee Hearing, April 30, 2012.





To: Alisa Miller/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 120300 & 120301: Articles 10 and 11, May 7th Agenda

From: Susan Brandt-Hawley <susanbh@econet.org>  
To: Susan Brandt-Hawley <susanbh@preservationlawyers.com>, angela.calvillo@sfgov.org  
Cc: David Chiu <David.Chiu@sfgov.org>, Judson True <Judson.True@sfgov.org>, Scott Wiener <scott.wiener@sfgov.org>, andres.power@sfgov.org, Christina.Olague@sfgov.org, chris.durazo@sfgov.org, Eric Mar <Eric.L.Mar@sfgov.org>, Nickolas.pagoulatos@sfgov.org, Malia Cohen <Malia.Cohen@sfgov.org>, megan.hamilton@sfgov.org, Jane Kim <jane.kim@sfgov.org>, April.Veneracion@sfgov.org, John Avalos <John.Avalos@sfgov.org>, raquel.redondiez@sfgov.org, David Campos <david.campos@sfgov.org>, hillary.ronen@sfgov.org, Mark Farrell <Mark.Farrell@sfgov.org>, Rick Caldeira <Rick.Caldeira@sfgov.org>, Sean Elsbernd <Sean.Elsbernd@sfgov.org>, olivia.scanlon@sfgov.org, Carmen Chu <Carmen.Chu@sfgov.org>, Katy.Tang@sfgov.org, john.rahaim@sfgov.org, Tim.Frye@sfgov.org, Charles Chase <c.chase@argsf.com>, kate stacy <Kate.Stacy@sfgov.org>, Dennis Herrera <cityattorney@sfgov.org>, bill.wycko@sfgov.org  
Date: 05/07/2012 11:05 AM  
Subject: Articles 10 and 11, May 7th Agenda

---

Good morning.

Please consider this letter to President Chiu and the Board of Supervisors regarding CEQA review required for proposed amendments to Articles 10 and 11.

Please feel free to contact me to discuss the issues raised. Thank you.

Susan Brandt-Hawley  
Brandt-Hawley Law Group  
707.938.3900  
[preservationlawyers.com](http://preservationlawyers.com)



Brandt-Hawley Letter re Articles 10 and 11 May 7'12.pdf

## **Brandt-Hawley Law Group**

Chauvet House • PO Box 1659  
Glen Ellen, California 95442  
707.938.3900 • fax 707.938.3200  
preservationlawyers.com

May 7, 2012

The Honorable David Chiu, President  
and Members of the Board of Supervisors  
City of San Francisco  
*via email*

---

Subject: May 8<sup>th</sup> Agenda  
Items 22 and 23  
Proposed Amendments of Planning Code Articles 10 and 11  
*CEQA Violations*

Dear President Chiu and Supervisors:

On behalf of The Prop J Committee, an unincorporated association of individuals and organizations that support the enforcement of Proposition J and the requirements of the City Charter, I respectfully request that the Board postpone its consideration of revisions to Articles 10 and 11 of the Planning Code pending compliance with CEQA.

The Planning Department has proposed that this Board find that significant amendments now proposed to Articles 10 and 11 are exempt from environmental review under CEQA Guideline section 15060(c)(2). This Guideline encompasses activities that "will not result in a direct or reasonably foreseeable indirect physical change in the environment."

Environmental review is indeed pointless for projects causing no physical changes to the environment. But that is not the case here. CEQA "projects" include not only obvious physical activities like proposals for construction or demolition, but also the adoption of municipal codes and regulations that indirectly affect development approvals. These include actions like the "enactment or amendment of zoning ordinances and the adoption and amendment of General Plans or elements ..." (CEQA Guideline § 15378 (a).)

This Board's approval of Planning Code amendments to Articles 10 and 11

intended to regulate discretionary development permits will have indirect environmental impacts. The proposed amendments inarguably reduce protections to historic resources and therefore have reasonably foreseeable, potentially significant indirect physical impacts — just like an amendment to zoning controls or to the General Plan.

Please do not approve and instead remand these proposed amendments to the Planning Department to prepare environmental review as required by CEQA, to consider impacts and feasible mitigations and alternatives.

*Proposed amendments that have potentially significant impacts include:*

**#1. Section 1006.6(h) -- Exemption for projects with a subsidized for-sale or rental housing unit.**

This proposed amendment requires the Historic Preservation Commission to exempt from all preservation review standards “residential projects within historic districts receiving a direct financial contribution for funding from local, state, or federal sources for the purpose of providing a subsidized for-sale or rental housing unit” meeting certain requirements.

The Charter provision creating the HPC provides that: “The Historic Preservation Commission shall approve, disapprove, or modify certificates of appropriateness for work to designated landmarks or within historic districts.”

The fact that a housing project has qualified for funding does not mean that it cannot also negatively impact historic resources. This proposed exemption of unknown numbers of historic properties and districts from preservation standards may result in adverse physical impacts to historic resources.

**#2. Sections 1004.3 and 1107(e) -- Written vote of owners required for designation of Historic Districts & Conservation Districts.**

Proposed amendments require the Planning Department to conduct a written vote or survey of all owners and occupants in a proposed historic district (Art. 10) or conservation district (Art. 11) and require the Board of Supervisors to consider a tabulation of the votes before taking action on the proposed district.

These amendments single out historic preservation for disparate treatment,

as other zoning changes in the City are not subject to written vote. The amendments impose a significant new procedural hurdle to designation of new historic or conservation districts. Failure to designate worthy districts thwarts protections to historic resources and leads to adverse physical impacts. In addition to significant and unanalyzed expense to the Planning Department, this requirement could also cause time limits provided in other parts of Article 10 to be exceeded by delaying the issuance of a demolition or alteration permit while designation is pending.

**#3. Sections 1006.6(b) and 1111.6(b) -- "Local interpretations" of the Secretary of the Interior's Standards.**

Amendments to these sections would require local interpretations of the federal *Secretary of the Interior's Standards*. These interpretations are to be adopted by both the HPC and the Planning Commission, and if either body fails to act within 180 days of its hearing on such standards, its failure to act is deemed approval. This could lead to inappropriate standards if time runs out. The federal *Standards* are recognized by CEQA and cannot be weakened by a local interpretation; to the extent these amendments attempt to do so, they also weaken protections to historic resources and require CEQA review.

**#4. Section 1111.7(b) -- Reducing protections for Contributory Buildings proposed for demolition.**

This amendment provides that as to the demolition of contributory buildings from which no transfer of development rights (TDR) have occurred, cumulative impacts of demolition may only be considered if the demolition would substantially diminish district integrity.

This new limitation on the review authority of the HPC would weaken existing oversight and could result in impacts to individual historic resources.

**#5. Section 1004.1 – Landmark and historic district nominations.**

This amendment deletes language approved by the HPC that would allow members of the public to nominate landmarks and historic districts. If only property owners and the Planning Department can nominate properties for listing, many deserving properties may not be listed and thus would be unprotected.

**#6. Sections 1004.2(c) and 1107(d) – Requirement for Planning Commission review of Historic Districts and Conservation Districts for consistency with vague regional housing goals.**

These amendments require the Planning Commission to comment on the consistency of any proposed historic district (Art. 10) or conservation district (Art. 11) with “the provision of housing to meet the City’s Regional Housing Needs Allocation,” “the provision of housing near transit corridors,” and “the Sustainable Communities Strategy for the Bay Area.”

The Planning Commission is not required to consider these planning goals when it rezones other areas of the City. This proposal singles out historic preservation for disparate treatment and imposes an additional hurdle on designation of historic/conservation districts that may reduce such protections.

**#7. Sections 1005(e)(4) and 1110(a) -- Exempting streets and sidewalks from protection.**

These amendments exempt from HPC review and protection improvements to sidewalks and streets, including sidewalk widening, accessibility, and bulb-outs, on landmark sites and in historic districts unless streets and sidewalks are specifically called out as character-defining features in the designating ordinance.

This exemption eliminates HPC analysis of potential adverse impacts of such “improvements” on the integrity of landmarks and historic districts, and would adversely impact existing landmarks and historic districts that were designated at a time when such features were not “called out” in the designating ordinance.

Examples of “improvements” that may not be subject to HPC review under this amendment could include: AT&T utility cabinets on sidewalks, the replacement of existing light posts and fixtures with incompatible ones, removal of street trees or other landscaping features, cobblestone paving and historic glass sidewalk lights. Another example is street repair work in the Jackson Square Historic District. Because the area was built on bay fill and the water table is close to the surface, street repairs require special precautions to prevent damage to historic buildings.

**#8. Section 1006 -- Limiting the HPC’s Charter authority.**

Under this amendment, a Certificate of Appropriateness would only be

Letter to Board of Supervisors  
March 7, 2012  
Page 5

required for "work affecting the character-defining features" called out in the designating ordinance.

The Charter provision creating the HPC provides that: "The Historic Preservation Commission shall approve, disapprove, or modify certificates of appropriateness for work to designated landmarks or within historic districts." Its decisions involve a determination as to whether proposed work "affects the character defining features" of a building or district.

This amendment may be interpreted to allow a pre-determination for each application before it gets to the HPC for a Certificate of Appropriateness as to (1) what are the character-defining features, and (2) whether the proposed work would "affect" them. This could shift the authority to make these determinations from the HPC to the Planning Department staff, and significantly and improperly limit the Charter authority given to the HPC and weaken existing protections.

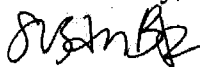
Of particular concern is the fact that many existing landmarks and historic districts were designated at a time when such features were not required to be "called out" in the designating ordinance. In particular, contributory resources in historic districts may not have been described in this manner.

\*\*\*

The proposed amendments to Articles 10 and 11 of the Planning Code are discretionary actions that may have significant physical environmental impacts. They are not within the scope of CEQA Guideline section 15060(c)(2) that only exempts activities that "*will not result* in a direct or reasonably foreseeable indirect physical change in the environment." The amendments must receive CEQA review before approval is considered by the Board of Supervisors.

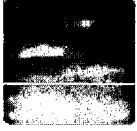
Thank you.

Sincerely,



Susan Brandt-Hawley

cc: Angela Calvillo, Clerk of the Board of Supervisors  
Dennis Herrera, City Attorney  
Kate Stacy, Deputy City Attorney  
Bill Wycko, Environmental Review Officer  
Mike Buhler, Executive Director, San Francisco Architectural Heritage



To: Alisa Miller/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 120300 120301: Articles 10 and 11 - ADOPT THE HPC VERSION WITHOUT AMENDMENTS

From: James Michael Buckley <buckleyj@MIT.EDU>  
To: "Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>, "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>, "David.Chiu@sfgov.org" <David.Chiu@sfgov.org>, "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>, "Christina.Olague@sfgov.org" <Christina.Olague@sfgov.org>, jane kim <Jane.Kim@sfgov.org>, "Sean.Elsbernd@sfgov.org" <Sean.Elsbernd@sfgov.org>, "Scott.Wiener@sfgov.org" <Scott.Wiener@sfgov.org>, "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>, "John.Avalos@sfgov.org" <John.Avalos@sfgov.org>  
Cc: "angela.calvillo@sfgov.org" <angela.calvillo@sfgov.org>, Mike Buhler <mbuhler@sferitage.org>  
Date: 05/06/2012 07:27 PM  
Subject: Articles 10 and 11 - ADOPT THE HPC VERSION WITHOUT AMENDMENTS

---

#### Supervisors:

As a long-time developer of affordable housing in San Francisco and a former member of the Historic Preservation Commission (HPC), I urge you to adopt the changes to Articles 10 and 11 as approved by the HPC. I was able to participate in the initial drafting of the new Articles 10 and 11 while a member of the Commission, and I know that the HPC took pains to hear from many parties and incorporate their concerns into the draft provisions.

A number of amendments to the HPC version have been proposed that would significantly weaken preservation restrictions without adding any true additional value. In particular, two proposed amendments seem to be aimed at a perceived conflict between the needs of affordable housing and historic preservation in San Francisco's planning code. However, there is no evidence that historic preservation interferes with the development of much-needed new affordable housing in San Francisco. In fact, there are many examples of how preservation of existing historic structures helps maintain and enhance opportunities for the development of low-income housing, and the proposed amendments may actually help market-rate housing developments move forward that would have a negative effect on low-income housing resources in the city.

My concerns include the following:

- An amendment under Section 1006.6(h) would exempt all "residential projects within historic districts receiving a direct financial contribution for funding from local, state, or federal sources for the purpose of providing a subsidized for-sale or rental housing unit." First, this rule does not refer to any standard definition of affordable housing, such as that used by the Mayor's Office of Housing or by HUD; instead, it allows for any project with any claim to "subsidy" to be exempt from historical regulations. This could include, for example, a tax-exempt bond that requires minimal affordability within a mostly market-rate development, or any market-rate project that includes below-market rate housing as part of the city's inclusionary zoning provision. Second, any project that does offer significant affordability will likely use government

funds that trigger historic preservation review anyway, so this proposed rule will not assist any project that has significant affordability.

- Amendment 1004.2(c) 1107(d) requires the Planning Commission to comment on the consistency of any proposed historic district with “the provision of housing to meet the City’s Regional Housing Needs Allocation,” and “the provision of housing near transit corridors,” and “the Sustainable Communities Strategy for the Bay Area.” There is no evidence that historic districts negatively impact the city’s ability to meet any of these housing provisions; in reality, the small areas covered by potential historic districts have a much smaller impact on affordable housing than most other development decisions, such as approval of market-rate projects that might crowd out affordable housing opportunities or infrastructure projects that could lead to higher land values that would negatively impact existing low-income housing. There is no reason to require higher scrutiny of historic district designations in relation to housing issues than any other planning decision.

The housing-related changes proposed to the original HPC-approved Articles 10 and 11 are unnecessary. There is no threat to the development of affordable housing by the operation of the City’s existing preservation program; since its establishment by Prop J, the HPC has not held up any affordable housing development and has in fact fostered the development of new housing in historic buildings, as in CCDC’s Otis St. project. The city’s ongoing survey program continues to map out potential historic resources before they become obstacles to advanced housing development projects. No affordable housing advocates have complained about the city’s historic preservation efforts as an impediment to the production of new below-market rate housing.

I urge you to adopt the procedures for implementing Articles 10 and 11 that the majority of parties have worked out.

Sincerely,

James Buckley, PhD  
Lecturer in Housing  
Massachusetts Institute of Technology  
(formerly of BRIDGE Housing and Citizens Housing)

*James M. Buckley*  
*Lecturer*  
*MIT Dept. of Urban Studies and Planning*







To: Alisa Miller/BOS/SFGOV,  
Cc:  
Bcc:  
Subject: File 120300 & 120301: Uphold the Voters' Intentions for Proposition J

From: Roland Salvato <rolandsalvato@hotmail.com>  
To: "Supervisor (Eric) Mar" <eric.l.mar@sfgov.org>, "Supervisor (Mark) Farrell" <mark.farrell@sfgov.org>, "Supervisor (David) Chiu" <david.chiu@sfgov.org>, "Supervisor (Carmen) Chu" <carmen.chu@sfgov.org>, "Supervisor (Christina) Olague" <christina.olague@sfgov.org>, "Supervisor (Jane) Kim" <jane.kim@sfgov.org>, "Supervisor (Sean) Elsbernd" <sean.elsbernd@sfgov.org>, "Supervisor (David) Campos" <david.campos@sfgov.org>, "Supervisor (Malia) Cohen" <malia.cohen@sfgov.org>, "Supervisor (John) Avalos" <john.avalos@sfgov.org>,  
Cc: "Supervisor (Scott) Wiener" <scott.wiener@sfgov.org>, <board.of.supervisors@sfgov.org>, <andrea.ausberry@sfgov.org>  
Date: 05/07/2012 04:22 PM  
Subject: Uphold the Voters' Intentions for Proposition J

---

#### Supervisors:

At the Land Use hearing on Articles 10 and 11 two weeks ago I spoke on the repugnancy of disqualifying tenants to raise concerns on historic districts or buildings in favor of "land owners". At the hearing Supervisor Wiener assured me that this section "had been amended". Was I being misled?

Preservation is in everyone's purview, not just land-owners. This section of articles 10 and 11 (I believe it is 1004.1) is deeply flawed; no politician or officeholder representing a broad and honest constituency would be wise to associate his name with exclusionary legislation.

Why is the legislation singling out Historic Preservation--limited though it is to not even 2% of the entire City's housing stock--as the districting laws that should be amended through legislation now, when there are so many other priorities ahead?

Keep in mind--as you consider your vote May 8--the larger context of your ability to alter the Proposition J as the public voted on it and passed it by a nearly 60% majority: Why would you counteract the "experts" who are recommending further study or public input on these articles?

Thank you.

—/—/—



**To:** Alisa Miller/BOS/SFGOV,  
**Cc:**  
**Bcc:**  
**Subject:** Files 120300 & 120301: Articles 10 and 11 of the Planning Code

**From:** susan vaughan <susan\_e\_vaughan@yahoo.com>  
**To:** gloria young <board.of.supervisors@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>, david chiu <david.chiu@sfgov.org>, carmen chu <carmen.chu@sfgov.org>, Christina Olague <Christina.Olague@sfgov.org>, jane kim <jane.kim@sfgov.org>, sean elsbernd <sean.elsbernd@sfgov.org>, scott wiener <scott.wiener@sfgov.org>, david campos <david.campos@sfgov.org>, malia cohen <malia.cohen@sfgov.org>, john avalos <john.avalos@sfgov.org>,  
**Date:** 05/07/2012 01:04 PM  
**Subject:** Articles 10 and 11 of the Planning Code

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May 7, 2012

Dear Supervisors,

I am writing to encourage you to vote against the amendments to Articles 10 and 11, as currently proposed, on the Board of Supervisors meeting agenda for May 8, 2012.

I attended a Land Use meeting on Monday, April 30 for an item on tour buses and the impact on livability that these buses have in certain neighborhoods. There was a lot of testimony, but I realized afterward that the tour bus item was almost a smoke screen for other items on the agenda that have developers salivating: two items related to amendments to Articles 10 and 11 of the Planning Code.

What jumps out at me about the proposed amendments are efforts to disempower the Historic Preservation Commission, in particular in regard to the requirement for the Planning Commission to adopt local interpretations of the Secretary of Interior's standards for historic preservation. The voters did not pass Proposition J just to have it disempowered by the Planning Commission . and the Planning Department . which heavily favors market-rate development.

In addition, I am very concerned about the affordable housing 'exemption.' Our largest source of affordable housing in San Francisco is rent-controlled units, in buildings constructed before 1978. I am concerned that developers will resist historic preservation designations, using the argument that they will not be able to demolish current structures and replace them with units that have affordable housing if the structures they want to demolish are in historic preservation areas. But current law favors the ability of developers to challenge local affordable housing requirements, which are in any case inadequate to meet our current and future needs, anyway.

Sue Vaughan  
2120 Clement Street, Apartment 10  
San Francisco, CA 94121



# TNDC TENANT COMPLAINT FORM

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2012 MAY 11 PM 1:20

BY RBC

✓ BOS II  
Pages

Tenant Name: Abdalla Megahed  
Building & Apartment Number: 990 Polk Unit 418  
Telephone / email:  
Today's date: 5/11/12

RECEIVED  
MAYOR'S OFFICE  
12 MAY 11 PM 1:06

### Complaint:

To TNDC Supervisor Leslie Molina and the Supervisor Jill Aquino and Director Don Falk:

As I promised, here is my written answer to your Lease Violation Notice. I truly believe that this is a false presentation of the situation and consider the notice a form of harassment.

On April 25, 2012, at our community meeting Christopher Holden did not take a photograph of any of the seniors who were celebrating their birthday in April and had been the habit before he took over position of Program Coordinator. It is my understanding that the City purchased that camera for our building to promote pleasure and happy entertainment for their senior disabled residents.

To Mr. Marko Tulcanaza I understand you heard only one side of the complaint from Christopher and did not hear from the other side before you wrote the Lease Violation Notice to me. After receiving the notice on April 30, 2012, I came to your office and you told me to sit and tell you what happened. I asked why didn't you ask me my side of the story before you wrote this ugly letter / notice to me. Why?

I understand that is Favoritism to Christopher and Discrimination to me. I also believe that you did that to punish me because I am a community activist who spoke up about the construction of a platform in the street in front of our building's front door and that we (the senior disabled residents) were not notified by you or your supervisor at TNDC before construction on the platform was started !!!! and you manipulated my question about it.

Furthermore, I believe the phrase "interrupted resident's activities" came from Christopher who took offence at the comment I make, mainly that Kristi Lambert, the former Program Coordinator, used the camera to take pictures of us celebrating many events. I also noticed that when I approached Christopher in the kitchen he had the camera in his pocket and did not share it with any of his co-workers to accommodate my request. I also noticed that you were not present at that time, but you wrote the Lease Violation as though you were there. As eye witness.

I believe you are taking revenge on me which has made me sick for the last two weeks. I didn't go outside for two weeks and I don't go outside because of your actions.

Sincerely,



Abdalla Megahed

Community Activist

Homeless Activist in SF for 28 years

Attached with my letter copy of the false lease violations on 4/30/12

- 1- C.C. Full Board of S.F. Supervisors
- 2- C.C. The Mayor of S.F. Edwin M. Lee
- 3- C.C. Governor of California Jerry Brown
- 4- C.C. President of United States Barack Obama
- 5- C.C. S.F. District Attorney – George Gascon
- 6- C.C. Law Enforcement Department Washington D.C.
- 7- C.C. Kamela Harrice Attorney General S.F.
- 8- C.C. San Francisco FBI and Washington D.C.
- 9- C.C. Human Right Department S.F.
- 10- C.C. Federal Investigation Board S.F.

**Have you contacted your building manager regarding this problem? If so, when did you speak with the manager and what was the outcome?**

Yes I spoke with the Manager. The manager told me not to worry about it. He did not answer the question "why was the notice given out before contacting me?" of course

**Is there any sort of follow-up you'd like to see with this issue?**

I want the issue to be resolved by Jill Aquino. The manager does not care about us! Could Leslie Molina please look into this issue then could she please meet with us? Can the Marko Tulcanaza please correct his mistake with me and others?

I fear that the manager think it is his way or no way when it comes to managing the building. On the mean time I believe it was conspiracy action between him and Jabena Coffee Owner as partner business job.

Rec'd by:

Alex Miller

Date 5/11/12

**UCSF Medical Center**  
**UCSF Benioff Children's Hospital**

BOS-11  
cpage  
RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2012 MAY -7 PM 3:00  
RBC

Department of Regulatory  
Affairs

Mailing Address:  
505 Parnassus Avenue, Box 0208  
San Francisco, CA 94143-0208

Physical Address:  
3330 Geary Boulevard, Suite 100  
San Francisco, CA 94143-1818

Tel: 415.353.8497  
Fax: 415.353.8645

University of California  
San Francisco

May 3, 2012

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

Transmitted via Mail

RE: Consolidation, Expansion and Relocation of Existing Services

Dear Ms. Calvillo:

UCSF Medical Center would like to notify the San Francisco Board of Supervisors of the new location for **Liver Transplant/Hepatology Practice**.

This practice is now located at 350 Parnassus, Suite 300, San Francisco, California 94143 and is a consolidation of existing services being offered at our Gastroenterology Practice located at 350 Parnassus, Suite 410, San Francisco, California 94143. Patients have been notified of the relocation.

At your convenience, we request that this notification be distributed to each of the members of the Board of Supervisors.

If you have any questions, please feel free to contact me at (415) 353-9162.

Sincerely,



Maria C. DeSousa, MPA, JD  
Manager, Accreditation, Licensure and Certification  
UCSF Medical Center

cc: Jolene Carnagey, RN, MS; Director of Regulatory Affairs

14

✓ GAO-member  
C - Page  
file #  
110062

To: All Committee members

From: Douglas Yep

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

Thurs, 5/10/12  
11:30 P.M.

2012 MAY 10 AM 9:25

Re: Public Comment for  
today's meeting.

~~RES~~ Rescheduled Meeting  
(G.A. & O. Committee)

Thank you for holding today's meeting. It's been very noticeable that this Committee has cancelled its recent meetings. It's disappointing that there is only 1 agenda item today. This Committee is suppose to be a watchdog committee, not a lapdog committee that only does minimum work. Please read a column recently written by Melissa Griffin on the subject of "Hokey by the Supervisors" in the Examiner. Why does this committee still refuse to discuss the suspicious death of a gay man back in 1999 (Joseph Makspin)? The issue of Gary Jones of the Monks is still being considered back East. I could suggest at least 5 items for this Committee to discuss. But do you do any serious work now? Ask Respin and Campos.

Douglas Yep 9:25 AM. (15)

Dear Supervisors,

Thank you for the radio.

I listen on KP00.

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2012 MAY 10 PM 2:53  
BY *[Signature]*

16



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: File 120266, 120397: 8 Washington

From: GDADAMS39@aol.com  
To: eric.l.mar@sfgov.org, malia.chen@sfgov.org, scott.wiener@sfgov.org, david.chiu@sfgov.org,  
board.of.supervisors@sfgov.org,  
Cc: jdiaz@sfchronicle.com, mkilduff@sfchronicle.com, jjohnson@sfchronicle.com  
Date: 05/13/2012 06:28 PM  
Subject: 8 Washington

---

Suervisors:  
re: 8 Washington

The development at 8 Washington aside, a more significant issue is an accompanying proposal to raise a waterfront height limit at that site. Waterfront height limits were established to preserve San Francisco's unique views from both hills and shoreline for the benefit of all citizens as well as visitors. They became a civic cause-celebre in the 1970s when citizens were shocked to see how Bob Fraser's newly constructed twin Fontana apartments on North Point Street blocked bay vistas. Since then waterfront height limits have become virtually sacrosanct. Civic minded legislators ought not to increase them for a profit-instigated development.

Gerald D. Adams





**To:** BOS Constituent Mail Distribution,  
**Cc:**  
**Bcc:**  
**Subject:** File 120266 & 120397: 8 Washington - opposition

**From:** Annelaine Clauss <annelaineclauss@yahoo.com>  
**To:** "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>,  
**Date:** 05/13/2012 05:27 PM  
**Subject:** 8 Washington - opposition

---

Attached please find a letter regarding the proposed building at 8 Washington Street.



8Washington.doc

May 13, 2012

Dear Jane Kim and the Board of Supervisors.

As a San Francisco resident currently living in District 6, I strongly oppose the development plan for 8 Washington at the Golden Gateway on the Embarcadero in San Francisco.

There are many reasons why I feel this is a terrible idea, amongst them that I will no longer have a neighborhood outdoor pool which is open for so many hours in which to swim and to play tennis. This club has been an institution in the city for many years and it is something that is very important to keeping our city diverse - including keeping families and seniors living here.

However, there are many more reasons for which I feel that this is a bad idea for the entire community, city of San Francisco, and visitors to our wonderful city. I understand that the bulk and height requirements of this project exceed city standards, and I can find no compelling reason to make exceptions to these standards which have suited our city for long.

I would like to state again that I am strongly opposed to this plan.

Thank you,

Annelaine Clauss

San Francisco resident for nearly 10 years.



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Controller's Office Report: FY 2011-12 Nine-Month Budget Status Report, May 11, 2012

From: "Toy, Debbie" <debbie.toy@sfgov.org>  
To: "Calvillo, Angela" <angela.calvillo@sfgov.org>, "Kawa, Steve" <steve.kawa@sfgov.org>, "Howard, Kate" <kate.howard@sfgov.org>, "Drexler, Naomi" <naomi.drexler@sfgov.org>, "Falvey, Christine" <christine.falvey@sfgov.org>, "Elliott, Jason" <jason.elliott@sfgov.org>, "ggiubbini@sftc.org" <ggiubbini@sftc.org>, "Campbell, Severin" <severin.campbell@sfgov.org>, "Newman, Debra" <debra.newman@sfgov.org>, "Rose, Harvey" <harvey.rose@sfgov.org>, "sfdocs@sfpl.info" <sfdocs@sfpl.info>, "gmetcalf@spur.org" <gmetcalf@spur.org>, "jlazarus@sfchamber.com" <jlazarus@sfchamber.com>, CON-EVERYONE <con-everyone.bp2ln@sfgov.microsoftonline.com>, CON-CCSF Dept Heads <con-ccsfdeptheads.bp2ln@sfgov.microsoftonline.com>, CON-Finance Officers <confinanceofficers.bp2ln@sfgov.microsoftonline.com>  
Date: 05/11/2012 01:21 PM  
Subject: Controller's Office Report: FY 2011-12 Nine-Month Budget Status Report, May 11, 2012

---

The Controller's Office provides periodic budget status updates to the City's policy makers during the course of each fiscal year, as directed by Charter Section 3.105. This report provides the most recent expenditure and revenue information and projections for the Fiscal Year End. This report projects an ending available General Fund balance of \$172.4 million, representing a \$43.3 million increase from the Six-Month Report projection, driven primarily by improvement in the City's general tax revenues.

<http://sfcontroller.org/modules/showdocument.aspx?documentid=3124>

**Debbie Toy**

*Executive Assistant to Monique Zmuda, Deputy Controller*

*Controller's Office*

*1 Dr. Carlton B. Goodlett Place*

*City Hall, Room 316*

*San Francisco, CA 94102*

*Tel: 415-554-7500*

*Fax: 415-554-7466*

*Email: [debbie.toy@sfgov.org](mailto:debbie.toy@sfgov.org)*

*Website: [www.sfgov.org/controller](http://www.sfgov.org/controller)*

18

# City and County of San Francisco

Office of the Controller

## FY 2011-12 Nine-Month Budget Status Report



May 11, 2012



# City and County of San Francisco

## Office of the Controller

FY 2011-12 Nine-Month Budget Status Report

May 11, 2012

### Summary

The Controller's Office provides periodic budget status updates to the City's policy makers during the course of each fiscal year, as directed by Charter Section 3.105. This report provides the most recent expenditure and revenue information and projections for the Fiscal Year End. This report updates the projections provided in the Controller's FY 2011-12 Six-Month Budget Status Report (Six-Month Report) published February 13, 2012.

As shown in Table 1, this report projects an ending available General Fund balance of \$172.4 million, representing a \$43.3 million increase from the Six-Month Report projection.

Table 1. FY 2011-12 Projected General Fund Variances to Budget, \$M

	Six- Month	Nine- Month	Change
<b>A. Starting Available Fund Balance</b>			
Better than anticipated starting balance	\$ 9.1	\$ 9.1	\$ -
Supplemental Appropriation Use of Fund Balance	(1.0)	(2.0)	(1.0)
Pending Supplemental Use of Fund Balance	(1.0)	-	1.0
<b>Subtotal Starting Available Fund Balance</b>	<b>7.1</b>	<b>7.1</b>	<b>-</b>
<b>B. Citywide Revenues and Baselines</b>			
Citywide Revenue Surplus	122.3	143.0	20.7
General Fund Impact of Baseline Revenue Transfers	(15.8)	(15.6)	0.2
<b>Subtotal Citywide Revenues and Baselines</b>	<b>106.5</b>	<b>127.4</b>	<b>20.9</b>
<b>C. Departmental Operations</b>			
Departmental Surpluses (Shortfalls)	20.3	42.4	22.1
Release of State Revenue Loss Allowance	-	5.1	5.1
Deposit to Budget Savings Incentive Reserve	(4.8)	(9.6)	(4.8)
<b>Subtotal Departmental Operations</b>	<b>15.5</b>	<b>37.9</b>	<b>22.4</b>
<b>D. Projected Available Fund Balance</b>	<b>\$ 129.1</b>	<b>\$ 172.4</b>	<b>\$ 43.3</b>

**A. General Fund Available Starting Balance**

The General Fund available fund balance at the end of FY 2010-11 was \$168.5 million. The FY 2011-12 budget assumed and appropriated \$159.4 million of this balance, leaving a surplus of \$9.1 million available for use in the current fiscal year. Of that amount, \$1 million had been appropriated prior to publication of the Six Month Report for a spending plan related to closure of the Potrero Power Plant. Since the Six Month Report, a further \$1 million was appropriated to replenish a Small Business Revolving Loan Fund, leaving \$7.1 million remaining.

**B. Citywide Revenues and Baseline Transfers**

As shown in Table 2, citywide revenues before baseline transfers have improved by \$20.7 million since the Six-Month Report, primarily due to updated projections of property transfer taxes, payroll and sales taxes, and other revenues. More information on these revenue trends are provided in Appendix 1.

**Table 2. General Fund Citywide Revenues Variances to Budget (\$ Millions)**

	Six-Month Surplus (Shortfall)	Nine-Month Surplus (Shortfall)	Change
Property Tax	31.3	9.3	(22.0)
Payroll & Business Registration Tax	19.8	38.4	18.5
Sales Tax - Local 1% and Public Safety	12.3	13.3	1.0
Hotel Room Tax	11.6	15.3	3.7
Transfers In from Other Funds	1.4	2.8	1.4
1991 Realignment Sales Tax/MLF	3.7	2.9	(0.8)
Utility User & Access Line Taxes	(5.7)	(5.8)	(0.0)
Property Transfer Tax	43.7	66.1	22.5
Parking Tax	3.4	2.3	(1.1)
Interest Income	1.8	1.8	-
Motor Vehicle In-Lieu/Other	(0.9)	(3.5)	(2.5)
<b>Total Major Citywide Revenues</b>	<b>122.3</b>	<b>143.0</b>	<b>20.7</b>

**Baseline Funding Transfers**

Table 3 shows that projections for baseline and parking tax in-lieu transfers to the Municipal Transportation Agency (MTA), Public Library and Public Education Enrichment Fund are decreased by a net \$0.2 million compared to the Six-Month Report. As described in Appendix 4, this takes into account the return of \$1.9 million in Library baseline transfer to the General Fund (per Charter Section 16.109), due to the projected operating surplus from improved Property Tax allocations.

**Table 3. General Fund Baseline Transfers (\$ Millions)**

	<b>Six-Month Projection</b>	<b>Nine-Month Projection</b>	<b>Variance</b>
<b>Aggregate Discretionary Revenues (ADR)</b>	<b>2,185.1</b>	<b>2,207.0</b>	<b>21.9</b>
MTA Baseline 9.2% ADR	200.9	202.9	2.0
Library Baseline 2.3% ADR	49.9	50.5	0.5
Library Return of Baseline share of Savings	-	(1.9)	(1.9)
Public Education Fund Baseline 0.3% ADR	6.3	6.4	0.1
<b>Total Baseline Transfers</b>	<b>257.2</b>	<b>257.9</b>	<b>0.7</b>
<b>80% Parking Tax in Lieu Transfer to MTA</b>	<b>60.3</b>	<b>59.4</b>	<b>(0.9)</b>
<b>Total Baselines and In-Lieu Transfers</b>	<b>317.5</b>	<b>317.3</b>	<b>0.2</b>

### **C. Departmental Operations**

We project a net departmental operations surplus of \$42.4 million compared to revised budgets, and the release to fund balance of an additional \$5.1 million of unused State revenue loss allowance. Of these savings, \$9.6 million would be deposited to the Budget Savings Incentive Reserve, resulting in a net surplus of \$37.9 million. This represents a \$22.4 million improvement since the Six-Month report, primarily due to \$17.4 million of increased net savings in Human Services Agency assistance programs that exceeded prior projections. Departmental surpluses and shortfalls are detailed and discussed in Appendix 2.

The Mayor's Office and the Controller's office will work with departments anticipating potential shortfalls to develop plans to bring expenditures in line with revenues by year-end without requiring additional supplemental appropriations.

### **D. Ending Available General Fund Balance \$172.4 Million**

Based on the above assumptions and projections, this report anticipates an ending available General Fund balance for FY 2011-12 of \$172.4 million.

### **Status of Reserves**

A discussion of the status of reserves is provided in Appendix 3.

### **Other Funds**

Special revenue funds are used for departmental activities that have dedicated revenue sources or legislative requirements that mandate the use of segregated accounts outside the General Fund. Some of these special revenue funds received General Fund baseline transfers and other subsidies.

Enterprise funds are used primarily for self-supporting agencies, including the Airport, Public Utilities Commission and the Port. The Municipal Transportation Agency receives a significant General Fund subsidy.

Projected General Fund Support requirements for these funds are included in the department budget projections in Appendix 2. Appendix 4 provides a table of selected special revenue and enterprise fund balance projections and a discussion of their operations.

### **Projection Uncertainty Remains**

Projection uncertainties include the potential for continued fluctuations in tax revenues in the final months of the fiscal year as well as property tax appeal decisions that may require us to revise our assumptions regarding set-asides for future refunds.

### **Scheduled Year-end General Fund Balance Update: Revenue Letter**

The Controller's Office will update the year-end General Fund balance projection in the Discussion of the Mayor's Fiscal Years 2012-13 and 2013-14 Proposed Budget (also known as the "Revenue Letter"), scheduled to be published in mid-June 2012. Final results for Fiscal Year 2011-12 will be reported in the City's Comprehensive Annual Financial Report, due to be published in December 2012.

### **Appendices**

1. General Fund Revenues and Transfers In
2. General Fund Department Budget Projections
3. Status of Reserves
4. Salaries and Benefits Reserve Update
5. Other Funds Highlights



## **Appendix 1. General Fund Revenues and Transfers In**

As shown in Table A1-1, total General Fund citywide and departmental revenues are projected to be \$130.5 million above budget. This total represents a loss \$13.6 million in departmental revenues as discussed in Appendix 2 and a net increase \$1.1 million due to the reflection of the unallocated state budget shortfall in departments and changes to General Fund Transfers out from budget. All other changes are discussed in this Appendix.

The FY 2011-12 budget assumed a continuing moderate recovery in tax revenues throughout the fiscal year. Tax revenues projected to recover beyond budgeted levels include property, payroll, sales, hotel and property transfer taxes. These gains are partially offset by shortfalls in key sources including state health and social service subventions, utility users tax, and charges for services. Selected revenue streams are discussed below.

**Table A1-1: Detail of General Fund Revenue and Transfers In**

GENERAL FUND (\$ Millions)	FY 2010-11	FY 2011-12			Surplus/ (Shortfall)
	Year End Actual	Original Budget	Revised Budget	Nine-Month Projection	
<b>PROPERTY TAXES</b>	\$ 1,061.9	\$ 1,028.7	\$ 1,028.7	\$ 1,038.0	\$ 9.3
<b>BUSINESS TAXES</b>					
Business Registration Tax	8.1	8.4	8.4	8.5	\$ 0.1
Payroll Tax	383.0	381.5	381.5	419.7	\$ 38.2
<b>Total Business Taxes</b>	<b>391.1</b>	<b>389.9</b>	<b>389.9</b>	<b>428.2</b>	<b>38.4</b>
<b>OTHER LOCAL TAXES</b>					
Sales Tax	106.3	106.6	106.8	114.3	7.5
Hotel Room Tax	158.9	165.9	165.9	181.2	15.3
Utility Users Tax	91.7	95.6	95.6	89.2	(6.4)
Parking Tax	72.7	72.0	72.0	74.3	2.3
Real Property Transfer Tax	135.2	118.8	118.8	185.0	66.1
Stadium Admission Tax	2.4	2.3	2.3	2.7	0.3
Access Line Tax	40.9	41.1	41.1	41.7	0.6
<b>Total Other Local Taxes</b>	<b>608.2</b>	<b>602.3</b>	<b>602.5</b>	<b>688.4</b>	<b>85.9</b>
<b>LICENSES, PERMITS &amp; FRANCHISES</b>					
Licenses & Permits	9.4	8.6	8.6	8.6	-
Franchise Tax	15.8	15.7	15.7	13.2	(2.5)
<b>Total Licenses, Permits &amp; Franchises</b>	<b>25.3</b>	<b>24.3</b>	<b>24.3</b>	<b>21.8</b>	<b>(2.5)</b>
<b>FINES, FORFEITURES &amp; PENALTIES</b>	<b>6.9</b>	<b>7.7</b>	<b>7.7</b>	<b>7.7</b>	<b>-</b>
<b>INTEREST &amp; INVESTMENT INCOME</b>	<b>8.2</b>	<b>6.1</b>	<b>6.1</b>	<b>7.8</b>	<b>1.8</b>
<b>RENTS &amp; CONCESSIONS</b>					
Garages - Rec/Park	12.4	10.1	10.1	9.3	(0.8)
Rents and Concessions - Rec/Park	8.8	10.7	10.7	11.4	0.8
Other Rents and Concessions	2.2	2.1	2.1	2.1	-
<b>Total Rents and Concessions</b>	<b>23.4</b>	<b>22.9</b>	<b>22.9</b>	<b>22.9</b>	<b>-</b>
<b>INTERGOVERNMENTAL REVENUES</b>					
<b>Federal Government</b>					
Social Service Subventions	184.5	205.8	198.4	199.2	0.8
Other Grants & Subventions	26.7	3.0	8.4	8.5	0.1
<b>Total Federal Subventions</b>	<b>211.3</b>	<b>208.8</b>	<b>206.8</b>	<b>207.7</b>	<b>0.9</b>
<b>State Government</b>					
Social Service Subventions	143.6	142.5	130.2	116.9	(13.4)
Health & Welfare Realignment - Sales Tax	100.3	101.4	101.4	107.9	6.6
Health & Welfare Realignment - VLF	42.9	42.3	42.3	38.6	(3.7)
Health & Welfare Realignment - CalWORKs MOE			25.5	26.2	0.7
Health/Mental Health Subventions	69.7	114.4	90.6	85.7	(4.8)
Public Safety Sales Tax	68.4	69.1	69.1	74.9	5.8
Motor Vehicle In-Lieu	5.3	1.7	1.7	0.8	(0.9)
Other Grants & Subventions	26.2	13.1	19.0	21.1	2.2
State Budget Reduction Placeholder	-	(15.0)	(5.1)	-	5.1
<b>Total State Grants and Subventions</b>	<b>456.5</b>	<b>469.6</b>	<b>474.7</b>	<b>472.1</b>	<b>(2.5)</b>
<b>CHARGES FOR SERVICES:</b>					
General Government Service Charges	35.1	36.3	36.2	36.9	0.7
Public Safety Service Charges	22.4	22.2	22.3	21.4	(0.9)
Recreation Charges - Rec/Park	12.6	12.1	12.1	12.1	-
MediCal, MediCare & Health Service Charges	52.2	58.0	58.1	54.1	(4.0)
Other Service Charges	11.5	14.7	14.6	14.6	-
<b>Total Charges for Services</b>	<b>133.8</b>	<b>143.3</b>	<b>143.2</b>	<b>139.1</b>	<b>(4.1)</b>
<b>RECOVERY OF GEN. GOV'T. COSTS</b>	<b>10.3</b>	<b>10.4</b>	<b>10.4</b>	<b>10.4</b>	<b>-</b>
<b>OTHER REVENUES</b>					
Other Revenues	8.5	18.8	18.2	18.8	0.6
<b>Total Other Revenues</b>	<b>8.5</b>	<b>18.8</b>	<b>18.2</b>	<b>18.8</b>	<b>0.6</b>
<b>TOTAL REVENUES</b>	<b>2,945.1</b>	<b>2,932.7</b>	<b>2,935.3</b>	<b>3,062.9</b>	<b>127.7</b>
<b>TRANSFERS INTO GENERAL FUND:</b>					
Airport	30.2	30.3	30.3	33.1	2.8
Other Transfers	76.9	126.9	128.2	128.2	-
<b>Total Transfers-In</b>	<b>107.1</b>	<b>157.2</b>	<b>158.5</b>	<b>161.3</b>	<b>2.8</b>
<b>TOTAL GENERAL FUND RESOURCES</b>	<b>\$ 3,052.2</b>	<b>\$ 3,089.9</b>	<b>\$ 3,093.72</b>	<b>\$ 3,224.20</b>	<b>\$ 130.5</b>

**Property Tax** revenue in the General Fund is projected to be \$1,038 million, or \$9.3 million above budget. This represents a \$22 million decrease from the surplus projected in the Six-Month Report. Approximately \$14 million of the projected decrease since the Six-Month Report is due to a trend of reductions in assessed values resulting from appeals awards. The remaining \$8 million is due to updated calculations regarding the impact of the February 1, 2012 dissolution of the San Francisco Redevelopment Agency (SFRA).

Table A1-2 shows the impact of updated property tax projections on the special funds that receive Charter-mandated property-tax set-asides.

**Table A1-2. Property Tax Set-Asides, \$ Millions**

	<b>Original Budget</b>	<b>Six-Month Projection</b>	<b>Nine- Month Projection</b>	<b>Change from Six-Month</b>
Children's Fund	42.7	44.3	43.1	(1.2)
Open Space Fund	35.6	36.9	35.9	(1.0)
Library Preservation Fund	35.6	36.9	35.9	(1.0)
<b>Total</b>	<b>113.8</b>	<b>118.1</b>	<b>115.0</b>	<b>(3.1)</b>

**Business Tax** revenues are projected to be \$38.4 million or 9.8% over budget, a \$18.5 million increase from the Six-Month Report projection. Bureau of Labor Statistics data indicate higher than expected growth in private employment and average weekly wages in the first three quarters of tax year 2011, indicating total wages increased by 11.8%, 10.6%, and 10.6% over the same quarters in tax year 2010. Tax year 2011 data indicate 9.7% growth. The FY 2011-12 projection assumes 6.9% growth in tax year 2012 prepayments during the final quarter that will be partially offset by a growth in refunds from FY 2010-11, resulting in net annual revenue growth of 12.1%.

San Francisco is currently involved in litigation related to Proposition Q, a 2008 voter-approved ordinance which requires that the payroll expense tax be paid on all business partner compensation, excluding returns on investment. Final year-end revenue may be either greater or less than our projection depending on developments with these lawsuits.

**Local Sales Tax** revenues are projected to be \$7.5 million over budget, or 7.5% over prior year actual revenues, marking no change from the Six-Month Report projection. Cash collections for the first and second quarters of FY 2011-12 improved 12.8% and 7.7% from the same quarters in the prior year, respectively. In the second quarter, all of the major retail categories showed growth, with construction, general retail, and restaurant sectors exhibiting the greatest increases. The current projection assumes growth of 5.0% and 4.5% in the third and fourth quarters of FY 2011-12 over the same quarters in the prior year, resulting in annual revenues exceeding the FY 2007-08 prior peak by \$2.9 million.

**Hotel Room Tax** revenues allocated to the General Fund are projected to be \$15.3 million (9.2%) over budget and \$3.7 million over the Six-Month Report projection. Revenues increased due to continuing strong demand for hotel rooms increasing both the Average Daily Rate (ADR) and

occupancy rates above the prior peak in late 2008. Between July 2011 and February 2012 revenue per available room (RevPAR), or the combined effect of occupancy, Average Daily Room rates, and room supply, increased 16.3% over the same period in the prior year. Our projections assume slowing growth in the final two quarters of 7.2% and 7.0% respectively bringing the total projected increase from FY 2010-11 to 12.4%. Hotel taxes are allocated to special funds as stipulated in the FY 2011-12 Annual Appropriation Ordinance, with any surplus or shortfall in total hotel tax revenue entirely absorbed by the General Fund.

San Francisco and a number of other jurisdictions in California and the U.S. are currently involved in litigation with online travel companies regarding the companies' duty to remit hotel taxes on the difference between the wholesale and retail prices paid for hotel rooms. Final year-end revenue may be either greater or less than our projection depending on developments with these lawsuits.

**Real Property Transfer Tax** revenues are projected to be \$66.1 million over budget, or 36.8% above prior year actual revenues and a \$22.5 million improvement from the Six-Month Report projection. Total taxes paid through April were approximately 42% above prior year levels, largely driven by an increase in high-value commercial transactions (which are taxed at the top 2.5% rate). Through April, transactions involving properties valued at \$10 million or greater account for 59% of all transfer tax revenue received. Much of the sales activity has been in the office sector, a result of increased tenant demand, particularly from technology-related firms, improving market fundamentals and leading to an infusion of capital from institutional investors. Sales for the final two months are projected to increase 9% over prior year, consistent with the value of commercial properties known to be on the market and anticipated to close by fiscal year end.

**Utility Users Tax** revenues are projected to be \$6.4 million under budget, or 2.7% below prior year actual revenues and \$0.6 million reduced from the Six-Month Report projection. Changes are driven by a 6.1% decrease in telephone user taxes from prior year actual revenues, slightly offset by a 14.3% increase in water user tax revenues and a 0.3% increase in natural gas and electric user tax revenues. The decrease in telephone user taxes is likely attributable to unbundling of data plans from cell phone bills.

**Access Line Tax** revenues are projected to be \$0.6 million over budget and the Six-Month Report projection. Year to date revenues through March were approximately 2.46% above prior year actual revenues, and this trend is expected to continue through year-end.

**Parking Tax** revenues are projected to be \$2.3 million over budget, or 2.2% above prior year actuals and \$2.6 million more than the Six-Month Report projection. The recovery in business activity and employment as reflected in increases to payroll and sales tax projections is driving increases in parking tax revenues. Additionally, beginning in December 2010, the City increased enforcement efforts towards parking lot operators who do not hold Certificates of Authority to collect parking tax, increasing both compliance and revenues. The change since January 2011 is -0.8% reflecting the annualization of these enforcement efforts.

**Interest & Investment Income** is projected to be \$1.8 million over budget, 4.1% below prior year actual revenues and no change from the Six-Month Report projection. The average monthly Treasurer's pooled interest rate in the current year is projected to be 1.2%, or 11% below prior year.

**State Grants and Subventions** are projected to be \$2.5 million under revised budget, representing a \$35.0 million improvement from the Six-Month Report projection. \$24 million of the improvement

is due to a Department of Public Health Supplemental appropriation, which revised the Department's state revenue budget downward to reflect reduced mental health funding. The lost mental health funds were replaced with \$6.5 million in State revenue loss allowance funds and additional general fund support freed up through increased San Francisco General Hospital and Laguna Honda Hospital revenues. Other significant components of the State grants and Subventions forecast are:

**Public Safety Sales Tax** revenues are projected to be \$5.8 million over budget, or 9.5% over prior year actuals, and approximately \$1.0 million over the Six-Month Report projection. Revenues through April 2012 are up 11% over the same time prior year due to an improvement in the statewide sales tax base for this subvention. Current projections assume a 7.6% increase in statewide sales tax, as well as a 1.7% increase in San Francisco's pro rata share of these revenues.

**Health & Welfare Realignment – Sales Tax** revenues are projected to be \$7.6 million over budget, or 7.6% over prior year actual, and approximately \$1.3 million over the Six-Month Report projection. The increase is due to the improving statewide sales tax base, projected to increase 7.6% in FY 2011-12 over FY 2010-11 actuals.

**Health & Welfare Realignment – Vehicle License Fee** revenues are projected to be \$3.7 million under budget and 10.0% below prior year actual revenues. New vehicle sales continue to show increases from prior years with sales of new cars in the first two quarters of FY 2011-12 increasing by 16.1% from the same period in FY 2010-11. However, this is not enough to overcome the erosion in the amortized values of existing vehicles, which declined dramatically during the recession and generate over 80% of VLF revenue.

**Health & Welfare Realignment – CalWORKs Maintenance Of Effort** revenues are projected to be \$2.0 million over budget, or about \$150,000 over the Six-Month Report projection, based on year-to-date receipts and projected growth in state sales tax. The State's FY 2011-12 budget reallocated a portion of state sales tax and state and local VLF revenues to the Local Revenue Fund for a number of realigned programs. Counties receive Local Revenue Fund revenue for mental health programs and can then use existing county medical health funding to pay for a higher share of CalWORKs grant costs. San Francisco's CalWORKs MOE allocations are recalculated every year and are directly tied to what the county would have received under the 1991 realignment formula for distribution of funding for mental health services.

## Appendix 2. General Fund Department Budget Projections

Table A2-1. General Fund Supported Operations (\$ Millions)

GENERAL FUND (\$ millions)	Uses Revised Budget	Uses Projected Year-End	Revenue Surplus / (Shortfall)	Uses Savings / (Deficit)	Net Surplus / (Deficit)	Notes
<b>PUBLIC PROTECTION</b>						
Adult Probation	18.6	17.6	-	1.0	1.0	1
Superior Court	33.2	33.2	-	-	-	
District Attorney	35.5	35.4	(0.2)	0.2	-	
Emergency Management	42.6	42.9	-	(0.3)	(0.3)	2
Fire Department	283.0	282.1	(0.5)	0.9	0.4	3
Juvenile Probation	31.7	31.7	2.2	-	2.2	4
Public Defender	26.0	26.1	-	(0.2)	(0.2)	
Police	402.6	402.2	(0.3)	0.4	0.1	5
Sheriff	140.5	139.9	(0.6)	0.6	-	6
<b>PUBLIC WORKS, TRANSPORTATION &amp; COMMERCE</b>						
Public Works	64.7	64.6	0.2	0.1	0.3	
Economic & Workforce Development	22.4	22.4	-	-	-	
Board of Appeals	0.9	0.7	(0.1)	0.2	0.1	
<b>HUMAN WELFARE &amp; NEIGHBORHOOD DEVELOPMENT</b>						
Children, Youth & Their Families	31.7	31.7	-	-	-	
Human Services	671.5	624.7	(12.6)	46.8	34.2	7
Environment	1.4	1.4	-	-	-	
Human Rights Commission	0.7	1.1	-	(0.4)	(0.4)	8
County Education Office	0.1	0.1	-	-	-	
Status of Women	3.3	3.3	-	-	-	
<b>COMMUNITY HEALTH</b>						
Public Health General Fund	617.1	614.3	(2.8)	2.8	-	9
SF General Hospital Realignment	50.1	50.1	-	-	-	
Subsidy Transfer to SF General Hospital Fund	120.8	120.8	-	-	-	
Subsidy Transfer to Laguna Honda Hospital Fund	42.6	42.6	-	-	-	
<b>CULTURE &amp; RECREATION</b>						
Asian Art Museum	7.2	7.2	-	-	-	
Arts Commission	9.0	9.0	-	-	-	
Fine Arts Museum	11.7	11.7	-	-	-	
Law Library	0.8	0.7	-	0.1	0.1	
Recreation and Park	73.7	73.7	-	-	-	
Academy of Sciences	4.0	3.9	-	0.1	0.1	
<b>GENERAL ADMINISTRATION &amp; FINANCE</b>						
City Administrator	62.5	62.5	-	-	-	
Assessor / Recorder	21.8	19.9	0.7	1.9	2.6	10
Board of Supervisors	11.7	11.7	0.1	-	0.1	
City Attorney	8.7	8.7	-	-	-	11
Controller	15.6	14.4	0.6	1.2	1.7	12
City Planning	24.2	24.3	-	(0.1)	(0.1)	
Civil Service Commission	0.5	0.5	-	-	-	
Ethics Commission	12.0	12.0	-	-	-	
Human Resources	13.5	13.5	-	-	-	
Health Service System	0.6	0.4	-	0.1	0.1	
Mayor	10.3	10.3	-	-	-	
Elections	14.9	14.8	0.1	0.1	0.2	
Retirement System	1.9	1.9	-	-	-	
Technology	3.3	3.3	-	-	-	
Treasurer/Tax Collector	24.3	23.7	(0.3)	0.6	0.2	13
<b>GENERAL CITY RESPONSIBILITIES</b>						
	198.0	198.0	-	-	-	
<b>TOTAL GENERAL FUND</b>	<b>3,171.4</b>	<b>3,115.4</b>	<b>(13.6)</b>	<b>56.0</b>	<b>42.4</b>	

## **Notes to General Fund Department Budget Projection**

The following notes provide explanations for the projected variances for select department's projected actual revenues and expenditures compared to the revised budget.

### **1. Adult Probation**

The Adult Probation Department projects that it will end the fiscal year with expenditure saving of \$1.0 million from salary and fringe benefits due to delayed hiring for the Public Safety Realignment implementation plan.

### **2. Emergency Management**

The Department of Emergency Management projects that it will end the fiscal year with a \$0.3 million deficit. Revenues are expected to be on budget, but higher than budgeted expenditures are projected, primarily within salaries and benefits. The Controller's Office and the Mayor's Office are working with the Department to address this deficit.

### **3. Fire Department**

The Fire Department projects to end the fiscal year with a net surplus of \$0.4 million. A decreased revenue projection of \$0.5 million in reduced ambulance billing is offset by \$0.9 million in expenditure savings. A supplemental appropriation request to shift funding from savings in regular salary and fringe benefits to cover over-expenditures in overtime has passed the first reading and is currently pending for final approval.

### **4. Juvenile Probation**

The Juvenile Probation Department projects to end the fiscal year with a net surplus of \$2.2 million, driven by a \$0.7 million projected surplus in federal Title IV-E revenues due to more reimbursable expenses than anticipated, and a \$1.4 million projected surplus in State Juvenile Probation and Camps Funding (JPCF) revenue, due to a change in the funding structure.

### **5. Police Department**

The Police Department projects to end the fiscal year with a net surplus of \$0.1 million. The Department projects a net decrease of \$0.3 million in revenue, primarily due to the lower than projected Car Park revenues, although these were partially offset by higher than budgeted Alarm Permit and other public safety revenues. The revenue shortfall is offset by salary and benefit expenditure savings.

### **6. Sheriff**

The Sheriff's Department projects to end the fiscal year within budget. The Department projects a \$0.6 million revenue shortfall due to decreased State funding for the boarding of prisoners as a result of Public Safety Realignment. In their FY 2011-12 budget, the Sheriff's Department received \$0.8 million on Mayor's reserve to increase their electronic monitoring capacity in the event that the jail population increased at a rapid rate. Although the daily jail population has increased since the start of this fiscal year, as of the writing of this report it has not increased to a level that warrants the full release of this reserve. Of the reserved amount, \$0.2 million is expected to be used for additional City Attorney costs, resulting in net expenditure saving of \$0.6 million.

### **7. Human Services Agency**

As shown in Table A2-2, the Human Services Agency projects to end the fiscal year with a \$34.2 million net surplus. This is \$17.4 million higher than projected at the time of the Six-Month

report. The Agency is projecting an \$11.5 million net General Fund surplus in Aid programs, primarily due to lower than expected caseloads in the County Adult Assistance Program (CAAP) and CalWORKs program, lower than expected expenditures in Foster Care due to the delay in implementing mandated changes in client payments and services, lower than anticipated cost per case in Adoptions, and lower than expected hours in In-Home Supportive Services. Operational savings include \$5.1 million in salary and fringe savings due to slower than expected hiring and \$1.8 million from Adult Day Health Center funding that is no longer needed due to restoration of State funding. The Department also received \$1.2 million in increased revenue for the County Adult Assistance Program's Supplemental Security Income Advocacy Program, \$1.7 million in new funds for CalFRESH (Food Stamps), \$1.9 million for Child Care, and unexpected mid-year increases for CalWORKs and Medi-Cal revenue reallocations from other counties.

**Table A2.2. Human Services Agency Summary, General Fund Support (\$ Millions)**

Aid Programs	Budget	Six- Month	Nine- Month	Change in	
				GF Savings (Shortfall) from Budget	GF Savings (Shortfall) from Six- Month
County Adult Assistance Programs Aid	\$ 28	\$ 27	\$ 27	\$ 1	\$ 0
Foster Care/Adoptions Aid	30.9	24.8	21.6	9.3	3.2
In-Home Support Services Aid	58.3	57.5	57.0	1.3	0.5
CalWorks Aid	0.5	0.8	0.8	(0.3)	0.0
<b>Subtotal Aid</b>	<b>117.9</b>	<b>110.6</b>	<b>106.5</b>	<b>11.5</b>	<b>4.1</b>
<b>Other Services and Operations</b>					
Aging and Adult Services Programs	41.1	40.1	38.6	2.6	1.5
CalWorks Services	11.6	8.1	2.1	9.4	5.9
County Adult Assistance and Workforce Development	23.0	20.0	20.9	2.0	(0.9)
Child Welfare and Childcare	48.3	47.7	42.9	5.4	4.7
Food Stamps/Medi-Cal Program Operations	18.5	18.3	14.7	3.9	3.7
Homeless Programs	61.3	60.5	62.1	(0.8)	(1.6)
Other Human Services Programs	1.1	0.8	0.8	0.3	0.0
State Realignment Sales Tax/Vehicle License Fees and Other Reimbursements	(58.0)	(57.9)	(57.9)	(0.1)	0.0
<b>Total General Fund Support</b>	<b>\$ 264.8</b>	<b>\$ 248.1</b>	<b>\$ 230.7</b>	<b>\$ 34.2</b>	<b>\$ 17.4</b>



**8. Human Rights Commission**

The Human Rights Commission is projected to end the year with a net deficit of \$0.4 million due to under-recoveries from work orders with other City departments. The Controller's Office and Mayor's Office are working with departments to resolve these discrepancies.

**9. Public Health**

The Department of Public Health projects that it will end the fiscal year within budget. The adoption of a Department-wide supplemental ordinance and an anticipated supplemental ordinance for nurses' salaries provided funds needed to meet the decreased revenue and increased expenditures projected at the time of the Six-Month report. The adopted supplemental ordinance appropriated funds for salaries and benefits, and materials and supplies including pharmaceuticals. Additionally, the ordinance appropriated \$27.1 million for debt service payments.

**Table A2.3. Department of Public Health by Fund (\$ Millions)**

	Sources		
	Surplus / (Shortfall)	Uses Savings / (Deficit)	Net Surplus / (Deficit)
Public Health General Fund	\$ (2.8)	\$ 2.8	\$ -
Laguna Honda Hospital	0.3	(0.3)	-
San Francisco General Hospital	-	-	-
SF General Realignment Revenue	-	-	-
Laguna Honda Debt Service Reimbursement (SB 1128)	-	-	-
Total All Funds	\$ (2.5)	\$ 2.5	\$ -

***Non-Hospital Operations in the General Fund***

The Primary Care, Health at Home, Jail Health, Mental Health and Substance Abuse Divisions are expected to be within budget by the end of the year. The adopted supplemental ordinance appropriated funds for salaries and benefits.

***Laguna Honda Hospital***

At the time of the Six-Month report, the Department projected an \$18.0 million deficit for Laguna Honda Hospital. This was primarily caused by the State reduction of Medi-Cal per diem rates for skilled nursing facilities. The adoption of a supplemental ordinance and a net increase in patient revenues, offset by increased materials and supplies expenditures, has resulted in the department's projection that it will be within budget at the end of the fiscal year.

***San Francisco General Hospital***

Prior to the adoption of the Department of Public Health hospitals shortfall supplemental ordinance, the Department projected a \$1.1 million deficit due to higher than budgeted personnel costs. Since the adoption of the ordinance, the Department projects that it will be within budget by the end of the fiscal year.

**10. Assessor Recorder**

The Assessor Recorder projects to end the fiscal year with a net surplus of \$2.6 million. The Department projects a revenue surplus of \$0.7 million primarily driven by an increase in recording fees as a result of State Senate Bill 676 (2009), which increased the maximum allowable base recording fees. The Department projects \$1.9 million in expenditure savings, mainly comprised of salary and fringe benefits savings as a result of delayed hiring.

**11. City Attorney**

At the time of the Six-Month report, a \$3.2 million shortfall was projected at year-end. The City Attorney currently projects that it will end the year within budget.

**12. Controller**

The Controller projects to end the year with a net surplus of \$1.7 million due to \$0.6 million in expired check revenue and \$1.1 million in personnel and City Services Auditor project savings.

**13. Treasurer/Tax Collector**

The Treasurer/Tax Collector Department projects that it will end the fiscal year with a net surplus of a \$0.2 million. The Department projects \$0.5 million in expenditure savings primarily due to salary savings. A revenue shortfall of \$0.3 million is projected, due to a decrease in commission fees for delinquent traffic fines and a decrease in passport fees.

### **Appendix 3. Status of Reserves**

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**General Reserve:** The General Reserve starting balance was \$25 million, of which \$2.7 million was appropriated to the Department of Public Health to support a wage increase for nurses, resulting in a balance of \$22.3 million, which represents a \$7 million improvement compared to the Six Month Report status. No other appropriations from this reserve are anticipated before the end of the fiscal year. Other draws from the General Reserve that were anticipated at the time of the Six-Month report are now anticipated to be accommodated by other means.

Pursuant to a financial policy approved by the Board of Supervisors in 2011 and codified in Administrative Code Section 10.60(b), year-end balances in the General Reserve are carried forward into subsequent years and thereby reduce the amount of future appropriations required to support minimum reserve requirements established by the policy. Thus, the \$6 million reduction in the use of General Reserve compared to the Six-Month Report projections does not have an impact on the FY 2011-12 available ending balance, but instead reduces demands on the FY 2012-13 general fund budget by an equivalent amount.

**Budget Savings Incentive Reserve:** The Citywide Budget Savings Incentive Reserve (authorized by Administrative Code Section 10.20) receives 25% of year-end departmental expenditure savings to be available for one-time expenditures, unless the Controller determines that the City's financial condition cannot support deposits into the fund. At FY 2010-11 year-end, the Reserve received \$8.7 million from expenditure savings. To date, none of those funds have been withdrawn. This report assumes that the reserve will receive a further \$9.6 million in deposits due to departmental expenditure savings projected for FY 2011-12, bringing the total available in the reserve to \$18.3 million.

**Recreation and Parks Savings Incentive Reserve:** The Recreation and Parks Saving Incentive Reserve, established by Charter Section 16.107(c), is funded by the retention of year-end net expenditure savings by the Recreation and Park Department. This Reserve ended FY 2010-11 with \$6.2 million, of which \$4.4 million was appropriated in the FY 2011-12 Annual Appropriation Ordinance, leaving \$1.8 million remaining. No further deposits to the Reserve from FY 2011-12 net expenditure savings are projected by the Recreation & Park Department at this time, unchanged from the Six-Month Report projection.

**Rainy Day Reserve:** Charter Section 9.113.5 establishes a Rainy Day Economic Stabilization Reserve (Rainy Day Reserve) funded by excess revenue growth in good years, which can be used to support the City General Fund and San Francisco Unified School District operating budgets in years when revenues decline. The Rainy Day Reserve began the year with \$33.4 million. As prescribed in the FY 2011-12 budget, \$8.4 million was withdrawn for the benefit of the San Francisco Unified School District to offset the impact of declining State aid. As a result, the projected year-end balance is \$25 million, which is unchanged from the Six-Month Report projection. No deposit into the Reserve is anticipated this fiscal year.

**Budget Stabilization Reserve:** Established in 2010 by Administrative Code Section 10.60(c), the Budget Stabilization reserve augments the Rainy Day Economic Stabilization Reserve. The Budget Stabilization Reserve is funded by the deposit each year of 75% of Real Property Transfer Taxes above the prior five-year average (adjusted for rate changes) and ending unassigned fund balance above that appropriated as a source in the subsequent year's budget. The first deposit into the

Reserve of \$27.2 million was made from FY 2010-11 surplus unassigned fund balance. No deposit into the Reserve is anticipated this fiscal year.

**Allowance for Other State Revenue Losses:** Of the \$15 million budgeted allowance for State revenue losses, \$3.4 million has been appropriated to the Human Services Agency to offset planned cuts in the State's Adult Day Health Care program, of which \$1.6 million was subsequently redirected to the Department of Public Health to offset reductions in federal Ryan White HIV/AIDS program funding. A Department of Public Health Supplemental ordinance approved by the Board of Supervisors in April 2012 appropriated a further \$6.55 million from the allowance for State revenue losses to offset other Departmental shortfalls, leaving a balance of \$5.1 million. This report assumes no further appropriations will be required in Fiscal Year 2011-12.

**Salary and Benefits Reserve:** Administrative Provisions Section 10.4 of the FY 2011-12 Annual Appropriation Ordinance (AAO) authorizes the Controller to transfer funds from the Salary and Benefits Reserve, or any legally available funds, to adjust appropriations for employee salaries and related benefits for collective bargaining agreements adopted by the Board of Supervisors. As shown in Table A3-1, the Salary and Benefits Reserve had a fiscal year starting balance of \$20.7 million (\$7.2 million was carried forward from FY 2010-11 and \$13.5 million was appropriated in the FY 2011-12 Annual Appropriation Ordinance). As of May 9, 2012, the Controller's Office has transferred \$11.4 million to individual City departments and anticipates transferring the remaining amount by year-end.

**Table A3-1. Salary and Benefits Reserve (\$ millions)**

**SOURCES**

Adopted AAO Salary and Benefits Reserve	\$ 13.5
Remaining FY 2010-11 Salary and Benefits Reserve Balance	7.2
<b>Total Sources</b>	<b><u>\$ 20.7</u></b>

**USES**

**Transfers to Departments**

SEIU as needed temporary employees healthcare	0.5
Police Wellness, Premium, and Compensatory Time Payouts	5.8
Fire Wellness, Premium, and Compensatory Time Payouts	4.7
Various Training, Tuition & Other Reimbursements	0.3
Visual Display Terminal Insurance	0.1
<b>Total Transfers to Departments</b>	<b><u>\$ 11.4</u></b>

**Anticipated Allocations**

Police Wellness, Premium, and Compensatory Time Payouts	2.4
Citywide retirement/severance payouts	2.0
Other Premium and One-Time Payouts	2.9
SEIU as needed temporary employees healthcare	0.5
Various Depts - Local 21 Life Insurance	0.5
Various Training, Tuition & Other Reimbursements	0.4
Police Recruitment Committee	0.3
Police Home Owner & Rental Assistance Programs	0.1
<b>Total Remaining Allocations</b>	<b><u>9.1</u></b>

<b>Total Uses</b>	<b><u>\$ 20.5</u></b>
-------------------	-----------------------

<b>Net Surplus / (Shortfall)</b>	<b><u>\$ 0.2</u></b>
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## Appendix 4. Other Funds Highlights

**Table 4-1. Other Fund Highlights, \$ Millions**

SELECT SPECIAL REVENUE AND INTERNAL SERVICES FUNDS	Starting Available Fund Balance	Sources Surplus / (Shortfall)	Uses Savings / (Deficit)	Net Operating Surplus / (Deficit)	Estimated Year-end Fund Balance	Note
Building Inspection Operating Fund	\$16.5	\$3.6	\$1.6	\$5.3	\$21.7	1
Children's Fund	2.8	0.5	1.3	1.7	4.5	2
Convention Facilities Fund	10.9	-	9.1	9.1	20.0	3
Golf Fund	0.2	(1.0)	1.0	-	0.2	4
Library Preservation Fund	17.3	1.1	0.2	1.4	18.7	5
Local Courthouse Construction Fund	(2.1)	(0.5)	-	(0.5)	(2.6)	6
Open Space Fund	2.8	0.4	-	0.4	3.2	7
Telecomm. & Information Systems Fund	1.9	-	3.0	3.0	4.9	8
<b>SELECT ENTERPRISE FUNDS</b>						
Airport Operating Fund	\$62.8	\$8.3	\$24.2	\$32.5	\$95.3	9
MTA – Operating Funds	25.2	14.0	-	14.0	39.2	10
Port Operating Fund	27.8	6.9	6.1	13.1	40.9	11
PUC – Hetch Hetchy Operating Fund	67.2	(16.0)	15.2	(0.8)	66.4	12
PUC – Wastewater Operating Fund	41.0	-	11.9	11.9	52.9	13
PUC – Water Operating Fund	22.4	1.3	9.9	11.2	33.6	14

## NOTES TO SPECIAL REVENUE, INTERNAL SERVICES AND ENTERPRISE FUNDS

### Select Special Revenue Funds

#### 1. Building Inspection Fund

The Building Inspection Department operating fund began the year with \$16.5 million in available fund balance. The Department projects operating revenues net of refunds to be \$3.6 million over budget and an expenditure savings of \$1.6 million. This results in a projected fiscal year-end available fund balance of \$21.7 million.

#### 2. Children's Fund

The Children's Fund began the fiscal year with a fund balance of \$2.8 million. Current year revenues are projected to be \$0.5 million better than budget due to the projected increases in Property Tax revenue. The fund is also projecting \$1.3 million in expenditure savings resulting in a projected fiscal year-end available fund balance of \$4.5 million.

#### 3. Convention Facilities Fund

The Convention Facilities Fund began the fiscal year with \$10.9 million in available fund balance. The Department projects \$9.1 million in Moscone Center debt service savings. The net result is an operating surplus of \$9.1 million and a projected fiscal year-end available fund balance of \$20.0 million.

#### 4. Golf Fund

The Golf Fund began the fiscal year with \$0.2 million in available fund balance. The Recreation and Park Department projects revenue shortfalls at \$1.0 million due to decreased usage of municipal golf courses and environmental issues at Sharp Park. The projected revenue shortfall will be offset by operating expenditure, resulting in a fiscal year-end available fund balance of \$0.2 million.

#### 5. Library Preservation Fund

The Library Preservation Fund began the fiscal year with \$17.3 million in available fund balance. The Department projects a revenue surplus of \$1.1 million due to increases in the Property Tax allocation and the General Fund baseline contribution. The \$1.1 million is net of a \$1.9 million reduction to the required General Fund baseline contribution pursuant to San Francisco Charter Section 16.109. The Department projects expenditure savings of \$0.2 million primarily due to savings in materials and supplies. The net result is an operating surplus of \$1.4 million and a projected fiscal year-end available fund balance of \$18.7 million.

#### 6. Local Courthouse Construction Fund

The Local Courthouse Construction Fund began the year with an available fund balance shortfall of \$2.1 million after taking into account the \$1 million assumed in the FY 2011-12 budget. Current year revenues are expected to be about \$0.5 million under budget due to a decline in the number of parking tickets issued and an associated loss of parking ticket surcharge revenues dedicated for this fund. This results in an anticipated year-end fund balance shortfall of \$2.6 million.

The fund supports debt service on the Certificates of Participation sold to support construction of the 400 McAllister Street Courthouse Certificates of Participation and lease costs for the Community Justice Center at 575 Polk Street. The fund is expected to begin running an

operating surplus in FY 2016-17, when debt service requirements are scheduled to drop by over \$2 million per year.

#### **7. Open Space Fund**

The Open Space Fund began the fiscal year with \$2.8 million in available fund balance. The Recreation and Park Department projects revenues to be \$0.4 million over budget. Expenditures are projected to be on budget, with a net operating surplus of \$0.4 million and a projected fiscal year-end available fund balance of \$3.2 million.

#### **8. Telecommunication & Information Services Fund**

The Telecommunication & Information Services Fund began the fiscal year with an available fund balance of \$1.9 million. The Department of Technology projects revenues to be on budget and increased expenditure savings from those projected at the time of the Six-Month report, from \$2.7 million to \$3.0 million, resulting in a projected net surplus of \$3.0 million and a fiscal year-end available fund balance of \$4.9 million.

### **Select Enterprise Funds**

#### **9. Airport Operating Fund**

The Airport Operating Fund began the fiscal year with \$62.8 million in available fund balance. The Department is projecting a net revenue surplus of \$8.3 million, a \$15.1 million increase since the Six-Month Report, primarily attributable to higher landing fee, parking and concessions revenue. The Department projects expenditure savings of \$24.2 million, which is \$0.8 million higher than from the Six-Month Report. This change results in a projected net surplus of \$32.5 million and a fiscal-year end available fund balance of \$95.3 million

#### **10. Municipal Transportation Agency (MTA) – Operating Funds**

MTA began the fiscal year with \$25.2 million in available operating fund balance (excluding restricted Transit Impact funds). The Agency is projected to end the year with a net operating surplus of \$14.0 million from higher revenues. The surplus is primarily made up of a \$12.2 million surplus in transit fares, \$14.0 million from increased baseline transfers from aggregate discretionary general fund revenue, and \$3.6 million in increased parking meter revenues and parking fees, offset by a \$12.1 million shortfall in traffic fines.

The Agency projects to end the year within its overall expenditure budget. However, salaries and benefits are expected to exceed budget by \$50.8 million, of which \$22 million is due to overtime use. The \$50.8 million overspending in salaries and benefits will be offset by reduced spending in non-personnel items, including \$16.2 million in contracts and other services, \$11.2 million in materials and supplies, \$10.1 million in payments to other agencies, \$2.5 million in rent, and \$10.8 million in reduced spending for equipment and maintenance. By reducing spending in these non-labor categories, the Agency anticipates that there will be an impact on service, including deferred maintenance of the transit fleet and transit facilities.

#### **11. Port Operating Fund**

The Port Operating Fund began the fiscal year with \$27.8 million in available fund balance. The Department projects a \$6.9 million revenue surplus primarily driven by a \$5.2 million increase in real estate revenues from rents and parking, a \$1.3 million increase in maritime revenues as a



result of higher cruise and ship repair volume, and \$0.4 million in other operating revenue improvements. The Department projects \$6.1 million in expenditure savings consisting of \$1.9 million in non-personnel services, \$0.9 million in annual projects, \$1.6 million in salaries and fringe benefits, \$0.6 million in services of other departments, and \$0.5 million in debt service savings as a result of delays in issuing new debt for capital projects. The expenditure savings is partially offset by a \$0.3 million shortfall in expenditure recoveries. This results in a projected net operating surplus of \$13.1 million and a fiscal-year end available fund balance of \$40.9 million.

**12. Public Utilities Commission – Hetch Hetchy Operating Fund**

The Hetch Hetchy Operating Fund began the fiscal year with \$67.2 million available fund balance. Revenues are projected to be \$16.0 million lower than budget, due to lower power sales to City departments, Western System Power Pool, and Irrigation Districts due to dry year conditions and the elimination of the Clean Renewable Energy Bonds. This shortfall is partially offset by \$15.2 million in expenditure savings. This will result in a projected net revenue deficit of \$0.8 million, and an available fund balance of \$66.4 million.

**13. Public Utilities Commission – Wastewater Operations Fund**

The Wastewater Operations Fund began the fiscal year with \$41.0 million in available fund balance. Revenues are projected to be the same as budgeted. Expenditure savings of \$11.9 million are projected due to lower than anticipated pumping and lower chemical usage due to dry weather. This results in a projected net savings of \$11.9 million, resulting in a projected year-end fund balance of \$52.9 million.

**14. Public Utilities Commission – Water Operating Fund**

The Water Operating Fund began the fiscal year with an available fund balance of \$22.4 million. Revenues are projected to be \$1.3 million higher than budget, primarily due to property sales. \$9.9 million in expenditures savings are projected, including salary savings from vacant positions. This results in a projected net surplus of \$11.2 million and a projected fiscal year-end available fund balance of \$33.6 million.

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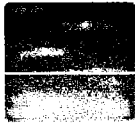
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Subject: Controller's Office Report: San Francisco Business Tax Reform

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Last Fall, the Mayor and the Board President asked the Controller's Office to investigate alternatives to the City's current business tax. The report on our work to date may be found at the link below.

<http://co.sfgov.org/webreports/details.aspx?id=1418>

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# San Francisco Business Tax Reform: Status Report on Work to Date

Ben Rosenfield, Controller  
Ted Egan, Chief Economist

May 10<sup>th</sup>, 2012



## Background

- Last Fall, the Mayor and the Board President asked the Controller's Office to investigate alternatives to the City's current business tax.
- The 1.5% Payroll Expense Tax has been a subject of controversy for many years.
- The goal of our work has been to design a replacement to the City's Payroll Expense Tax that will increase economic growth, promote tax equity, and achieve greater revenue stability.
- As part of our research, we have conducted over twenty group meetings, with close to 200 business taxpayers.
- This report presents an alternative to the current payroll tax that better promotes the goals of job creation, equity, and revenue stability.
- Open issues remain to be resolved, should policymakers desire to seek voter approval of an alternative tax structure. Some of these issues are highlighted in the conclusion of this status report.

## History of Payroll Tax Reform in San Francisco

- In the 1970s, San Francisco adopted a hybrid business tax. In this system, businesses calculated a gross receipts payment, and a payroll tax payment, and paid whichever was greater.
- In the late 1990s, a lawsuit in Los Angeles led to that city's similar tax system being declared unconstitutional. As a result, San Francisco abandoned its Gross receipts tax.
- In the process, the City's business tax revenue was reduced by approximately \$25 million in 2001, and the City issued approximately \$70 million in bonds to pay settlement costs with various litigants.
- Subsequent efforts to amend the business tax at the ballot, in 2002 and 2004, were unsuccessful.
- Over the past ten years, the City has adopted several exclusions to the payroll tax, including ones covering the biotechnology industry and Clean Tech industry.
- In 2011, the City adopted additional exclusions covering the Central Market street area, and the stock-based compensation of pre-IPO companies.

# The Payroll Tax is the City's Second Largest Source of General Fund Revenue

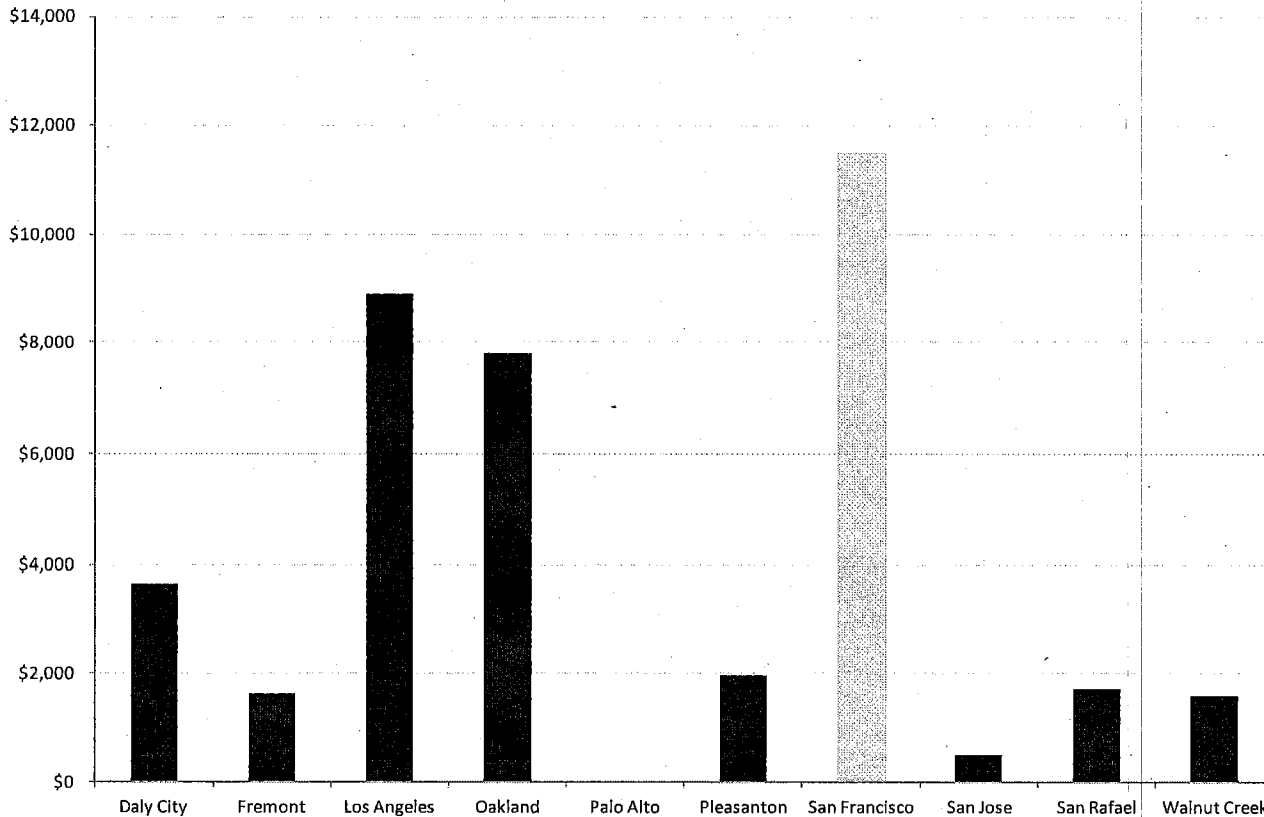
Tax	General Fund Revenue (\$M)
Property Tax	\$1,060
Business Tax (Payroll Tax & Business License Fee)	\$410
Sales Tax	\$188
Hotel Tax	\$177
Property Transfer Tax	\$163
Utility User / Access Line Taxes	\$131
Parking Tax	\$75

Source: Controller's Office, "FY2011-12 Six-Month Budget Status Report", February, 2012



# Taxpaying Businesses Face a Higher Tax Payment in San Francisco Than in Other California Cities

**Annual Business Tax Payment in San Francisco and Other California Cities:  
Typical Small Hardware Store**



San Francisco is the only city in California to base its business tax on payroll. For this reason, it is difficult to directly compare tax rates.

However, it is clear that for a wide range of businesses, their tax payment would exceed what they would owe in other California cities.

For example, a hardware store, with an average number of employees (18), would pay over \$11,000 per in San Francisco. In Los Angeles, the same business would pay \$9,000, while in Oakland it would pay close to \$8,000.

Business taxes are much lower in other cities across the region and state.

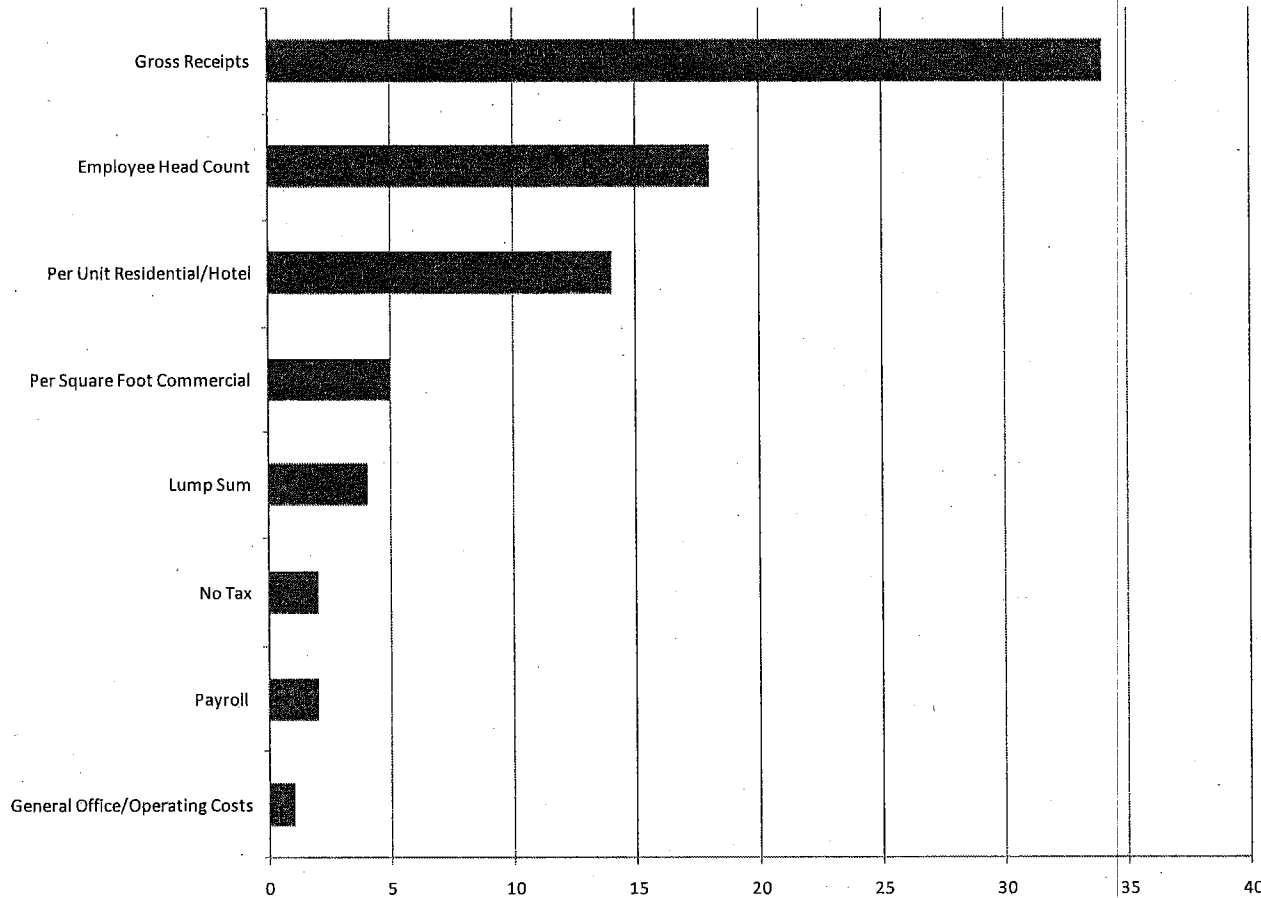
Source: Calculated from 2009 Kosmont-Rose Institute Cost of Doing Business Survey, and city municipal codes.





# Most Large Cities in California Use a Gross Receipts Tax

Types of Tax Used by the 50 Largest California Cities



Over thirty of the largest fifty cities in California use a Gross Receipts Tax, in which a business's revenue, not its payroll, is the basis for calculating the tax payment. It is by far the most common form of local business taxation in the state of California.

Other a Gross Receipts tax, cities also rely on employee head count, residential, hotel, and commercial real estate occupancy, fixed lump sum fees, or no taxes.

Source: 2009 Kosmont-Rose Institute Cost of Doing Business Survey. Note: some cities use more than one type of tax.



## Criteria for Effective Tax Systems

- Based on existing research, the Controller's Office has considered four criteria in evaluating the current, and potential alternative, business tax systems.
  1. **Economic Growth:** Does the tax minimize the cost to the economy of raising revenue?
  2. **Administrability:** Can the tax be administered and collected in a straightforward, inexpensive way? Is it easy for taxpayers to calculate their tax?
  3. **Stability:** Is the tax highly volatile, or unpredictable?
  4. **Equity:** Does the tax align with taxpayer's ability to pay, and/or their use of City services?
- The City's Payroll Tax has been in place for nearly 40 years, and is relatively easy to administer. However, the tax has been faulted on economic, stability, and equity grounds.



## Economic Impact of the Payroll Tax: Prior Reports

"Economists generally agree that a payroll tax is more likely to fall heavily on workers than other kinds of business taxes. Firms faced with a high payroll tax are likely to reduce payroll through wage cuts, layoffs, [and] net attrition and relocation of workforce."

---San Francisco Chamber of Commerce, "The Economic Impact of the Payroll Tax", 2001

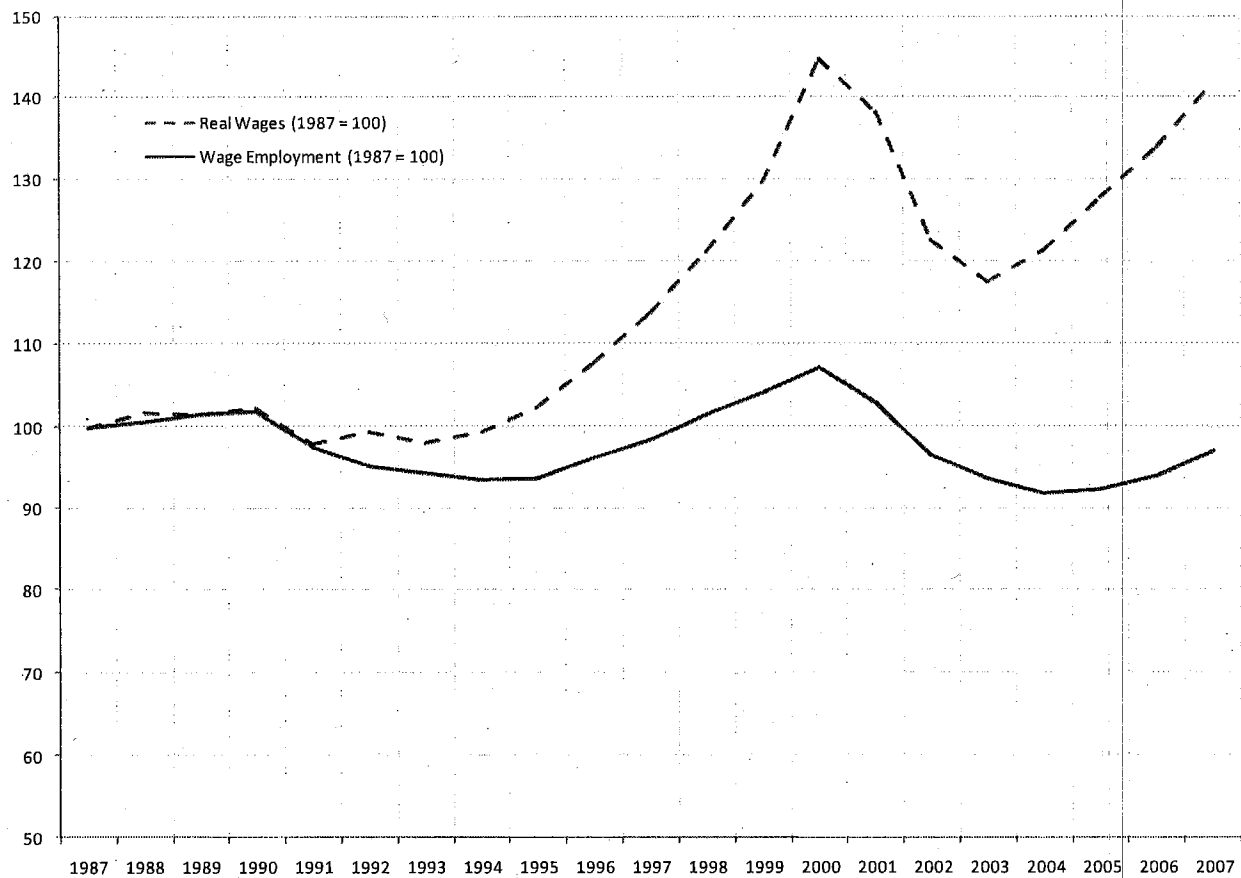
"A payroll tax may also have particularly strong negative effects on employment...It is probably true that gross receipts taxes have less of a direct, negative impact on payrolls through wages and employment levels than do payroll taxes."

---San Francisco Planning and Urban Research (SPUR), "Business Taxes in San Francisco", 2004

"From an economic point of view, a tax on payroll raises the cost of labor to businesses, and discourages hiring."

---Controller's Office, "Improving San Francisco's Business Tax", 2010

# Stability: Payroll Tax Revenue Has Been Volatile



The stability of payroll tax revenue depends on the stability of the underlying tax base.

Over the past twenty years, real wages & total payroll in San Francisco has been much more volatile than other economic indicators, like total employment.

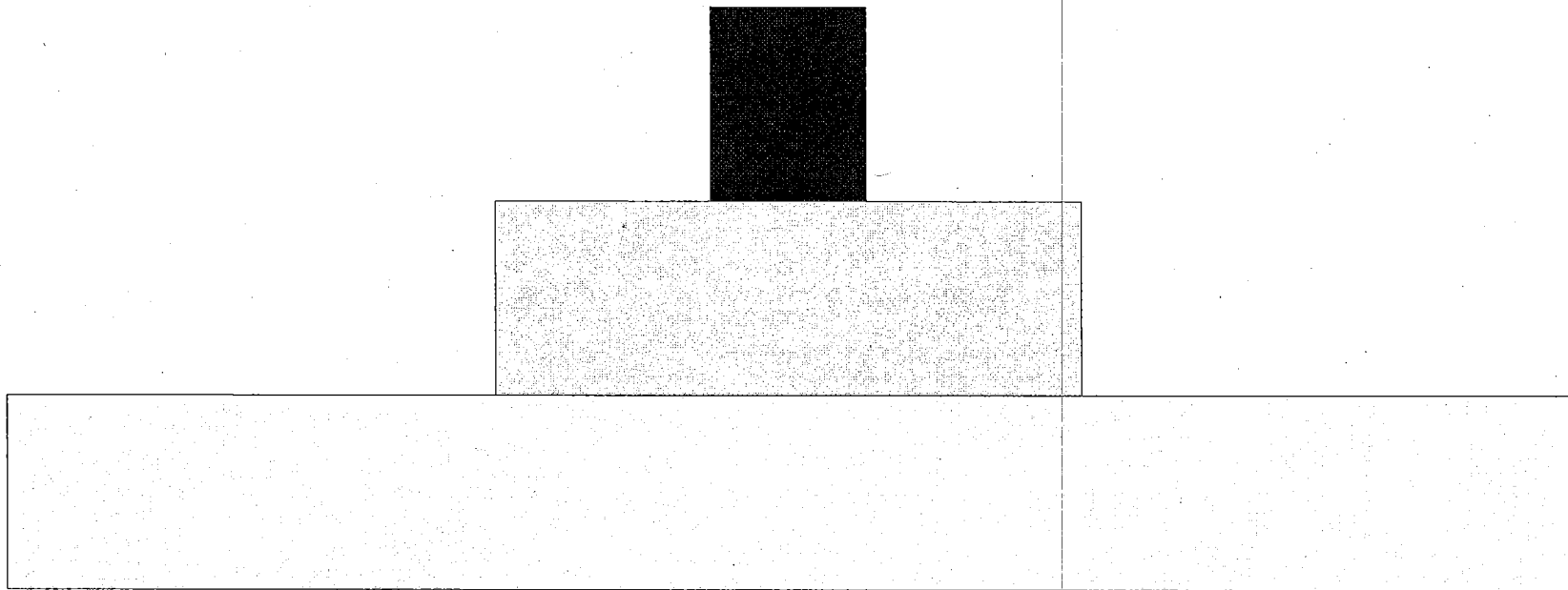
In recent years, payroll tax revenue has both increased and decreased by over 10% per year.

Source: Controller's Office REMI model



# Equity: In 2010, Less Than 10% of Registered Businesses Paid the Payroll Tax

- 7,500 payroll tax payers
- 30,000 under the Small Business Exclusion (\$250k in Payroll)
- 96,000 registered businesses – including sole proprietors and partnerships



Source: Office of the Treasurer / Tax Collector



# Many Potential Tax Options Would be too Small-Scale to Fully Replace the Payroll Tax, Even in Combination

<b>Tax Source</b>	<b>Policy Change</b>	<b>Revenue</b>
Payroll Expense Tax	Current	\$410 million
Utility Users Tax Increase	5% Increase to 12.5%	\$27 million
Business Registration Fee	500% Increase	\$34 million
New Commercial Parcel Tax	\$1,000 / Parcel	\$27 million
Small Business Exemption	Repealing the exclusion	\$30 million
<b>Total of Alternatives</b>		<b>\$118 million</b>

Source: Controller's Office calculations.



## The Controller's Office Has Developed a Gross Receipts Alternative to Replace the Payroll Tax

- The tax is designed to generate as much revenue as the Payroll Tax.
- The tax rates could, however, be changed to accommodate more or less revenue, as policy-makers wish.
- The Gross Receipts Tax would be phased-in over time, as the Payroll Tax is phased-out. The phase-in process will ensure revenue goals are attained.
- The tax has six rate schedules. Businesses are assigned to a rate schedule based on their NAICS\* code.
- Within each schedule, rates are progressive and marginal. All businesses pay the lower rates on their first portion of payroll, and higher rates only on the portions above the specified limits.
- Businesses will apportion their gross receipts to San Francisco by one of three rules. Examples of each rule can be found on pages 18-20.
  - Payroll-based apportionment will apply for receipts derived from services.
  - Property-based apportionment will apply for receipts derived from the use of property.
  - Sales and Payroll apportionment for receipts derived from the sale of tangible and intangible property.

\* The North American Industry Classification System (NAICS) is a common method for defining industries that is used for in state and federal taxation and economic statistics.



# Schedule 1 Rates

Gross Receipts Level	Required Payment
\$0 - \$100,000	\$150 Registration Fee + 0% of Gross Receipts
\$100,001 - \$1,000,000	\$0 Additional Registration Fee + 0.075% of Gross Receipts
\$1,000,001 - \$2.5 million	\$0 Additional Registration Fee + 0.100% of Gross Receipts
\$2.5 million - \$25 million	\$100 Additional Registration Fee + 0.200% of Gross Receipts
\$25 million +	\$250 Additional Registration Fee + 0.300% of Gross Receipts

- Schedule 1 applies to Retail Trade, and Other Services (NAICS 81)





## Schedule 2 Rates

Gross Receipts Level	Required Payment
\$0 - \$100,000	\$150 Registration Fee + 0% of Gross Receipts
\$100,001 - \$1,000,000	\$0 Additional Registration Fee + 0.125% of Gross Receipts
\$1,000,001 - \$2.5 million	\$0 Additional Registration Fee + 0.200% of Gross Receipts
\$2.5 million - \$25 million	\$100 Additional Registration Fee + 0.300% of Gross Receipts
\$25 million +	\$250 Additional Registration Fee + 0.400% of Gross Receipts

- Schedule 2 applies to Manufacturing; Transportation & Warehousing; Information; and Food Services.



# Schedule 3 Rates

Gross Receipts Levels	Required Payment
\$0 - \$100,000	\$150 Registration Fee + 0% of Gross Receipts
\$100,001 - \$1,000,000	\$0 Additional Registration Fee + 0.325% of Gross Receipts
\$1,000,001 - \$2.5 million	\$0 Additional Registration Fee + 0.350% of Gross Receipts
\$2.5 million - \$25 million	\$100 Additional Registration Fee + 0.400% of Gross Receipts
\$25 million +	\$250 Additional Registration Fee + 0.500% of Gross Receipts

- Schedule 3 applies to Financial Services; Real Estate & Rental and Leasing Services; Professional, Scientific, and Technical Services; Accommodations; and Arts, Entertainment, and Recreation.
- Owners of Rent-Controlled Buildings can exclude 50% of the gross receipts associated with those buildings from the tax.



# Schedule 4 Rates

Gross Receipts Levels	Required Payment
\$0 - \$100,000	\$150 Registration Fee + 0% of Gross Receipts
\$100,001 - \$1,000,000	\$0 Additional Registration Fee + 0.525% of Gross Receipts
\$1,000,001- \$2.5 million	\$0 Additional Registration Fee + 0.550% of Gross Receipts
\$2.5 million - \$25 million	\$100 Additional Registration Fee + 0.600% of Gross Receipts
\$25 million +	\$250 Additional Registration Fee + 0.650% of Gross Receipts

- Schedule 4 applies to Private Education and Health Services, Insurance, and Administrative and Support Services.



# Schedule 5 Rates

Gross Receipts Levels	Required Payment
\$0 - \$100,000	\$150 Registration Fee + 0% of Gross Receipts
\$100,001 - \$1,000,000	\$0 Additional Registration Fee + 0.300% of Gross Receipts
\$1,000,001- \$2.5 million	\$0 Additional Registration Fee + 0.300% of Gross Receipts
\$2.5 million - \$25 million	\$100 Additional Registration Fee + 0.300% of Gross Receipts
\$25 million +	\$250 Additional Registration Fee + 0.300% of Gross Receipts

- Schedule 5 applies to Construction.



# Schedule 6 Rates

Gross Receipts Levels	Required Payment
\$0 - \$100,000	\$150 Registration Fee + 0% of Gross Receipts
\$100,001 - \$1,000,000	\$0 Additional Registration Fee + 0.080% of Gross Receipts
\$1,000,001 - \$2.5 million	\$0 Additional Registration Fee + 0.080% of Gross Receipts
\$2.5 million - \$25 million	\$100 Additional Registration Fee + 0.080% of Gross Receipts
\$25 million +	\$250 Additional Registration Fee + 0.080% of Gross Receipts

- Schedule 6 applies to Wholesale Trade.



# Apportionment Example: Payroll Used by Service Industries

## Management Consultant Z

Professional, Technical, and Scientific Services (Schedule 3)

Company total gross receipts (unified, worldwide)

**\$ 100,000,000**

Apportionment

			SF / Total	Weight	Adjusted	
Payroll	San Francisco	\$8,000,000				
	Total	\$40,000,000	20%	100%	20.00%	
					20.00%	<b>20.00%</b>

<b>Taxable Gross Receipts</b>				<b>\$20,000,000</b>
Tier One (\$100K - \$1.0M)	\$900,000	x .325% =		\$2,925
Tier Two (\$1.0M - \$2.5M)	\$1,500,000	x .350% =		\$5,250
Tier Three (\$2.5M - \$25M)	\$17,500,000	x .400% =		\$70,000
Tier Four (\$25M+)	\$0	x .500% =		\$0
<b>Total GR Payment</b>				<b>\$78,175</b>



# Apportionment Example: Property Used by Real Estate and Accommodations

## Hotel Y

### Accommodations (Schedule 3)

San Francisco gross receipts

Apportionment

**\$ 15,000,000**

<b>Taxable Gross Receipts</b>			<b>\$15,000,000</b>
Tier One (\$100K - \$1.0M)	\$900,000	x .325% =	\$2,925
Tier Two (\$1.0M - \$2.5M)	\$1,500,000	x .350% =	\$5,250
Tier Three (\$2.5M - \$25M)	\$12,500,000	x .400% =	\$50,000
Tier Four (\$25M+)	\$0	x .500% =	\$0
<b>Total GR Payment</b>			<b>\$58,175</b>



# Apportionment Example: Sales + Payroll Used by Information, Manufacturing, Trade & Construction

## Video Game Developer X

### Information (Schedule 2)

Company total gross receipts (unified, worldwide)

**\$ 1,000,000,000**

#### Apportionment

			SF / Total	Weight	Adjusted
Payroll expense	San Francisco	\$150,000,000	50%	50%	25.00%
	Total	\$300,000,000			
GR Sales Destination	San Francisco	\$25,000,000	3%	50%	1.25%
	Total	\$1,000,000,000			
					<b>26.25%</b>
					<b>26.25%</b>

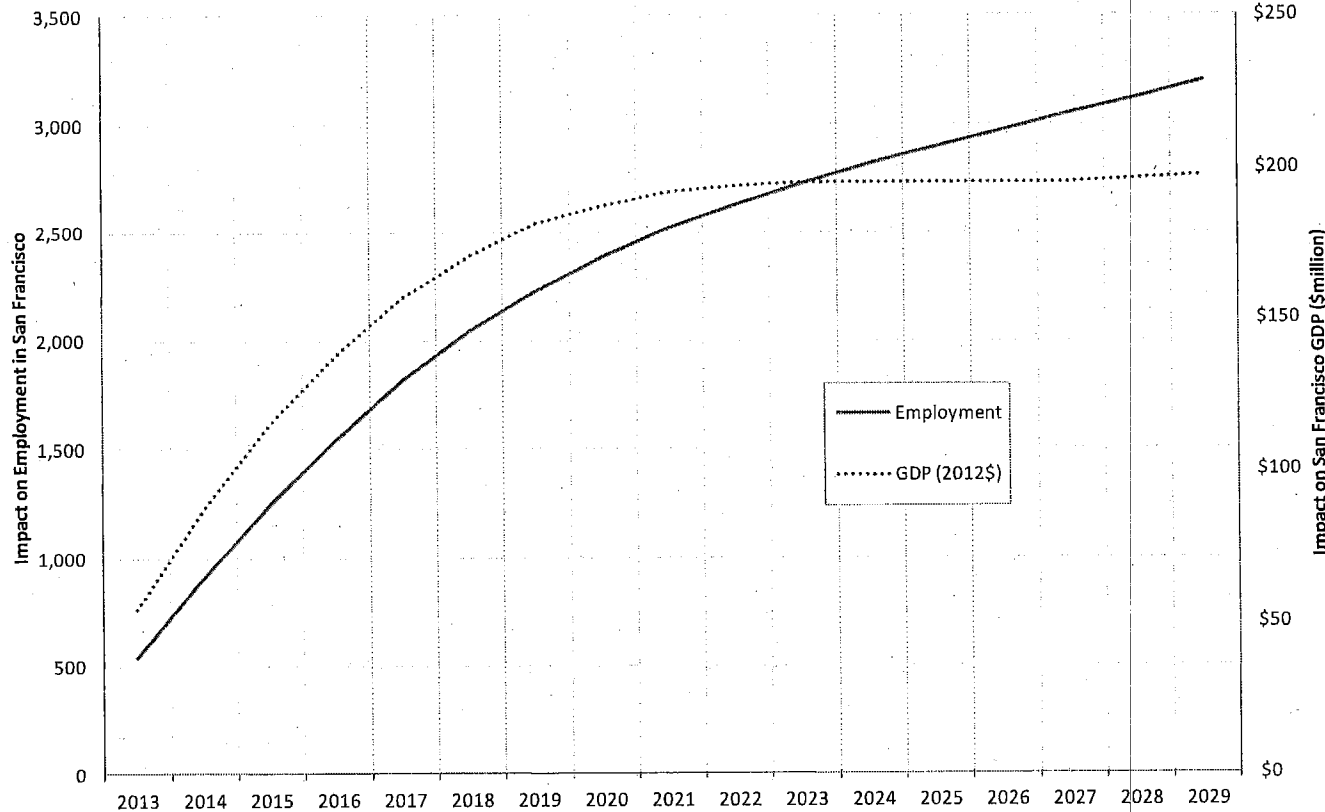
<b>Taxable Gross Receipts</b>		<b>\$262,500,000</b>	
Tier One (\$100K - \$1.0M)	\$900,000	x .125% =	\$1,125
Tier Two (\$1.0M - \$2.5M)	\$1,500,000	x .200% =	\$45,000
Tier Three (\$2.5M - \$25M)	\$22,500,000	x .300% =	\$67,500
Tier Four (\$25M+)	\$237,500,000	x .400% =	\$950,000
<b>Total GR Payment</b>			<b>\$1,063,625</b>





# Economic Impact of the Gross Receipts Proposal

Twenty-Year Employment and Economic Impact of the Payroll Tax Replacement



The alternative is projected to produce economic benefits that will increase over time.

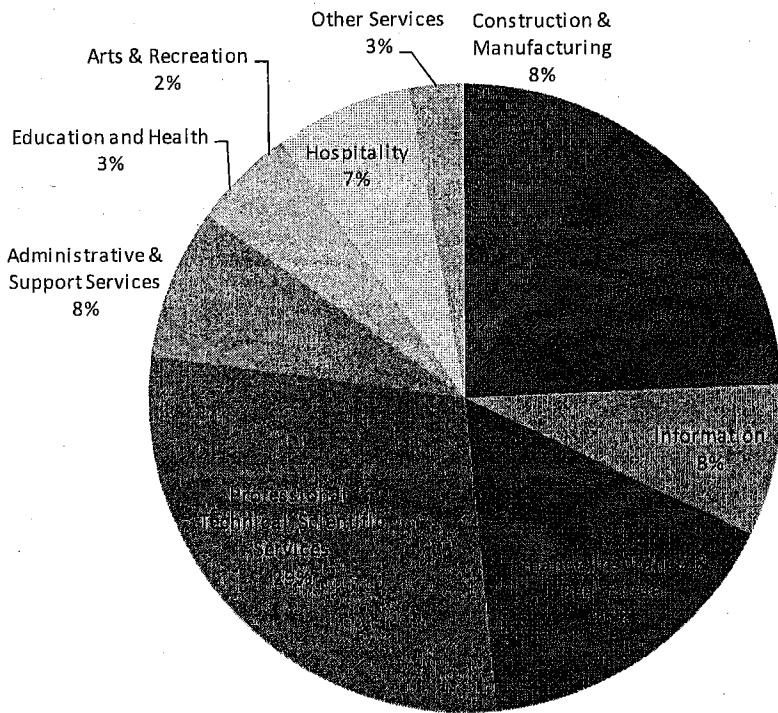
The alternative is projected to create an average of over 2,400 jobs per year, and add \$170 million in GDP, over the next 20 years.

By 2032, the city could have more than 3,000 additional jobs, and over \$200 million in GDP, by changing its business tax to an alternative such as this one.

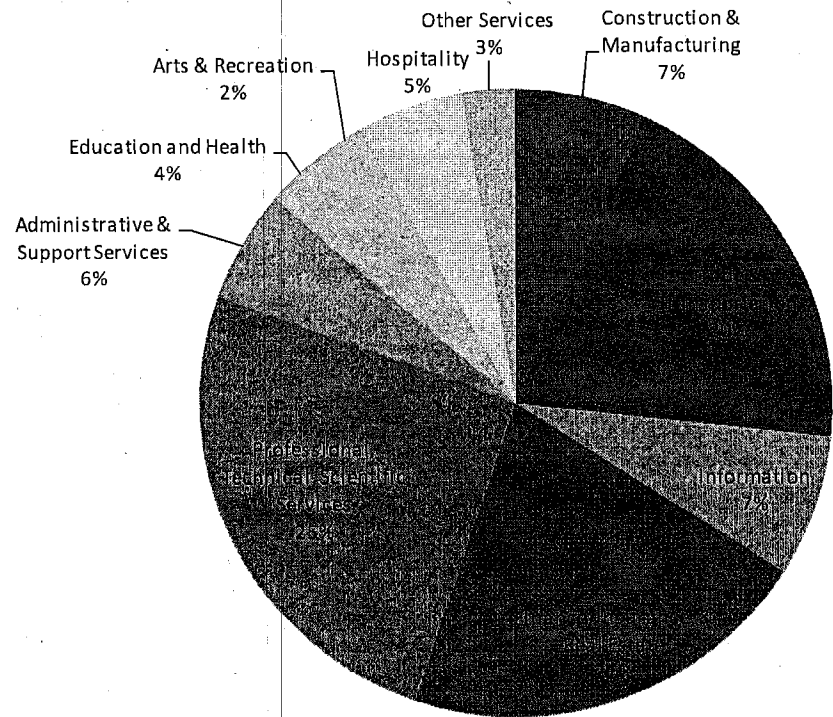


# Impact on Tax Payments by Industry

## Current Payroll Tax



## Gross Receipts Tax Alternative



## Gross Receipts Proposal: Impact of Base Broadening

- In 2010, approximately 7,500 companies paid the payroll tax.
- Under this Gross Receipts Tax proposal, an estimated 33,500 companies would pay the gross receipts tax in some form.
- However, 24,750 of these would pay only the lowest Tier 1 rates.
- Thus, the proposal broadens the tax base, but at the same time recognizes that small businesses have a lower ability to pay than larger businesses.
- The remaining 62,000 registered businesses are below the \$100k gross receipts deductible, and would not pay the tax. They would, however, pay a business registration fee of \$150.

# Summary of Impacts: Revised Gross Receipts Alternative, and Payroll-Only Alternative

Criteria	Current Payroll Tax	Gross Receipts Alternative
Economic Impact	<ul style="list-style-type: none"> <li>• Discourages job creation by raising labor costs</li> <li>• Increasing burden on the economy.</li> <li>• Industry burden is arbitrary.</li> </ul>	<ul style="list-style-type: none"> <li>• Shifts tax burden away from labor costs.</li> <li>• Will grow more slowly in the future.</li> <li>• Industry burden shifted to promote job creation</li> </ul>
Administrability	<ul style="list-style-type: none"> <li>• Easy to administer</li> </ul>	<ul style="list-style-type: none"> <li>• More difficult to administer</li> </ul>
Stability	<ul style="list-style-type: none"> <li>• Less stable, given fluctuations in wages and other compensation paid, including stock compensation.</li> </ul>	<ul style="list-style-type: none"> <li>• Likely to be more stable. The gross receipts base is less volatile, and more payers are included in the tax.</li> </ul>
Equity	<ul style="list-style-type: none"> <li>• Tax paid by less than 10% of businesses.</li> <li>• Sole proprietors and partnerships without employees are untaxed, regardless of earnings.</li> <li>• Businesses in Federal enclaves are untaxed.</li> </ul>	<ul style="list-style-type: none"> <li>• Tax paid by a third of businesses.</li> <li>• Only businesses earning less than \$100k are exempt.</li> <li>• Sole proprietors and partnerships are taxed.</li> <li>• Federal enclaves are taxed.</li> </ul>



## Policy Issues Arising from Meetings with Businesses

- Several industries that could face higher taxes under the proposal, such as commercial real estate, large retailers, and large construction firms, felt the increase was too sharp.
- In the construction industry, it was believed that progressive rates led to large prime contractors shouldering an unfair tax burden, as most of their gross receipts are paid out to subcontractors.
- While some businesses appreciated the base-broadening aspect of the gross receipts proposal, others felt that too many small businesses were being brought into the Gross Receipts tax.
- Many businesses had questions about the status of the payroll tax exclusions that the City has created in recent years.
- Some businesses with multiple establishments in the city had questions about whether the tax applied city-wide, or establishment-by-establishment.
- Policy options are available to alleviate some of the concerns, at a trade-off cost of higher rates to other industries.

## Remaining Technical Issues Needing Resolution

- The phase-in process needs to be designed to provide both certainty around revenue, and limit the period when businesses pay two taxes.
- The definition of gross receipts needs to be clarified, particularly as it relates to financial services, accommodations, and biotechnology.
- Apportionment rules need to be refined, particularly whether they apply to industries, or the receipts themselves.
- Decisions need to be reached regarding how to apportion gross receipts across multiple lines of business.
- Decisions also need to be made regarding the reporting level for gross receipts – at the legal entity-level, or at a unified, company-wide level. This is particularly important for corporate headquarters.
- The costs associated with administering a Gross Receipts tax need to be understood.

## Assumptions and Revenue Uncertainty

- The proposed rates in this report, and the revenue and economic impacts indicated on pages 22-23, are estimates based on U.S. government statistics. Because San Francisco has not levied a Gross Receipts Tax for over 10 years, the City does not have direct estimates of the revenue that a Gross Receipts Tax would generate.
- The U.S. Bureau of Labor Statistics publishes payroll data for NAICS industries in San Francisco. This data closely tracks the City's actual Payroll Tax revenue.
- The U.S. Economic Census reports total U.S.-based gross receipts, and total payroll, for NAICS industries in San Francisco. By calculating an industry's average ratio of gross receipts per dollar of payroll, the impact of a shift from a Payroll Tax to a Gross Receipts Tax on an industry's aggregate tax payment can be estimated.
- The Controller's Office has modified these ratios to reflect the specific apportionment rules proposed on pages 19-21
- These estimates are subject to error in a number of ways. A phase-in process, described on the next page, can ensure that revenue goals are met, by ensuring the Payroll Tax is only phased-in to the extent that a new Gross Receipts Tax generates revenue.

## A Proposed Phase-In Process

- The legislation enacting the Gross Receipts tax would phase-in the new tax at increasing rates, over a four or five year period.
- In the first year, the City would impose a small Gross Receipts Tax, and a slightly reduced Payroll tax.
- In subsequent years, the Gross Receipts tax would increase according to the approved schedule, while the Payroll Tax would be cut according to a formula described in the legislation.
- The formula would reduce the Payroll Tax rate based on how much Gross Receipts Tax revenue was generated in the previous year, with the goal of revenue-neutrality in each year.
- If more Gross Receipts Tax revenue is generated than expected, the Payroll Tax rate would be cut to 0% before the end of the Phase-In period. In this scenario, the final Gross Receipts tax rates will be *lower* than the rates in the legislation.
- If less Gross Receipts Tax revenue is generated than expected, the Payroll Tax would remain above 0% at the end of the Phase-In period, and not be cut further. The City would continue to impose two business taxes, absent further action.



## Outstanding Issues and Revenue Uncertainty

- As described on the previous page, the Phase-In process can significantly reduce the fiscal risk to the City, and to business taxpayers as a whole.
- However, the Phase-In process would *not* guarantee that the estimated industry impacts outlined on page 23 would come to pass. The proposal does not include any mechanism to raise rates to ensure an industry's revenue matches either current or estimated revenue.
- Each of the outstanding policy and technical issues outlined on pages 26-27 could affect an industry's tax payment.

## Next Steps

- Under Proposition 218, any new local tax must be approved by the voters.
- In November, 2012, a general tax may be passed with a simple majority.
- If there is a desire to place a Gross Receipts Tax on the November ballot, it would need to be introduced at the Board by June 12<sup>th</sup>. It would then wait 30 days in committee, and two weeks at the full Board, before the final ballot submission deadline of August 3<sup>rd</sup>.
- Alternatively, it can be directly placed on the ballot by the Mayor or four Supervisors; the deadline for such an action is June 19<sup>th</sup>.
- The Controller's Office is ready to assist decision-makers with further work on the remaining issues, before these deadlines.



**To:** BOS Constituent Mail Distribution,  
**Cc:**  
**Bcc:**  
**Subject:** Save neighborhood theatres

**From:** "Collin Woo" <collin995@msn.com>  
**To:** <mayoredwinlee@sfgov.org>,  
**Cc:** <Board.of.Supervisors@sfgov.org>, "Alfonso Felder" <afelder@sfntf.org>  
**Date:** 05/13/2012 11:10 PM  
**Subject:** Save neighborhood theatres

---

Places such as the Metro theatre or Union street require your intervention in order to preserve their existence-visiting that historic

site will show you that it must be kept for theatre use. The plan to build retail shops isn't feasible since uncertain economic

---

conditions in present and future will only lead to more failed businesses. The only way to bring financial stability, which benefits the

city as a whole, is to reopen the theatre and subsidizing these places, including the Four Star and Balboa Theatre in the Richmond

area. The neighborhood theatre is an alternate for seniors and families to avoid multiplexes. Since the Fairmont hotel was saved by

your protection, these businesses can as well.

Thank you,

Collin W.

City resident



Beach Chalet Soccer Fields

apglk

to:

John Avalos, David Campos, David Chiu, Carmen Chu, Malia Cohen, Mark Farrell, Eric Mar, Scott Wiener, Sean Elsbernd, Jane Kim, Christina Olague, Ed Lee, Board of supervisors

05/11/2012 09:17 PM

Cc:

rm, plangsf, worldweaver21, cwu planning, rodney, mooreuban, hs commish, john rahaim, linda avery, Recparc Comission

Hide Details

From: apglk@comcast.net Sort List...

To: John Avalos <John.Avalos@sfgov.org>, David Campos <David.Campos@sfgov.org>, David Chiu <David.Chiu@sfgov.org>, Carmen Chu <Carmen.Chu@sfgov.org>, Malia Cohen <malia.cohen@sfgov.org>, Mark Farrell <mark.farrell@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Scott Wiener <scott.wiener@sfgov.org>, Sean Elsbernd <Sean.Elsbernd@sfgov.org>, Jane Kim <jane.kim@sfgov.org>, Christina Olague <Christina.Olague@sfgov.org>, Ed Lee <mayoredwinlee@sfgov.org>, Board of supervisors <Board.of.supervisors@sfgov.org>,

Cc: rm@well.com, plangsf@gmail.com, worldweaver21@aol.com, cwu planning <cwu.planning@gmail.com>, rodney@waxmuseum.com, mooreuban@aol.com, hs commish <hs.commiss@yaho.com>, john rahaim <john.rahaim@sfgov.org>, linda avery <linda.avery@sfgov.org>, Recparc Comission <Recparc.Comission@sfgov.org>

Dear Mayor and members of the Board of Supervisors,

Please do not allow the toxic waste to replace grass in the Golden Gate Park!

It's a shame it was placed in the fields all over the city. It would be a crime to put it in the park.

Sincerely,

Anastasia Glikshtern

21



Why Destroy the Natural Beauty and Functionality of the West End of Golden Gate Park?

Sandy Sanders

to:

mayoredwinlee, Board.of.Supervisors, Eric.l.mar, John.avalos, Malia.cohen, David.campos, Sean.elsbernd, Jane.kim, Christina.Olague, Carmen.chu, David.chiu, Mark.farrell, Scott.wiener, Recpark.Commission, rm, plangsf, wordweaver21, cwu.planning, rodney, mooreurban, hs.commish

05/13/2012 01:44 PM

Cc:

sfoceanedge

Hide Details

From: Sandy Sanders <sandyssanders@att.net> Sort List...

To: mayoredwinlee@sfgov.org, Board.of.Supervisors@sfgov.org, Eric.l.mar@sfgov.org, John.avalos@sfgov.org, Malia.cohen@sfgov.org, David.campos@sfgov.org, Sean.elsbernd@sfgov.org, Jane.kim@sfgov.org, Christina.Olague@sfgov.org, Carmen.chu@sfgov.org, David.chiu@sfgov.org, Mark.farrell@sfgov.org, Scott.wiener@sfgov.org, Recpark.Commission@sfgov.org, rm@well.com, plangsf@gmail.com, wordweaver21@aol.com, cwu.planning@gmail.com, rodney@waxmuseum.com, mooreurban@aol.com, hs.commish@yahoo.com,

Cc: sfoceanedge@earthlink.net

Dear Fellow San Franciscans,

As a 3rd generation San Franciscan and fifth generation Bay Area resident I am appalled at the plan to destroy the west end of the park. What are you folks contemplating here? If you want to improve the field, do some natural restoration of the grass and omit the cement, astro turf and lights.

At a time where funds have been cut to parks, hours clamped down and facilities closed you want to do this huge artificial development, costing millions? I don't get it!

GG Park is a wholly natural park that would be destroyed by the typical corporate development invasion that is turning society into a privatized hell for the bottom 80% of society. Fences will go up, local kids will be locked out and only the rich and their ilk will be allowed to use this part of the park. Lights will blast out at night disrupting the peace and tranquility. The birds and wildlife will have living space obliterated and people will find what was bucolic now just more corporate crap. And expensive corporate crap at that.

Please do not do this! I am unable to attend the hearing but am very distressed at these plans that are utterly unnecessary, expensive and anti the entire spirit of Golden Gate Park.

I visit the Park frequently even though I now live in Oakland and do not want to see my park destroyed like this. STOP!!!

Sincerely,

Marshall Sanders  
2200 Adeline St., #250A  
Oakland, CA 94607  
510-763-1935  
sandyssanders@att.net



To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Turf Field yeah!

From: Goldie Nam <goldienam@gmail.com>  
To: Board.of.Supervisors@sfgov.org, John.avalos@sfgov.org, Malia.cohen@sfgov.org,  
david.compos@sfgov.org,  
Cc: eric.l.mar@sfgov.org, mayoredwinlee@sfgov.org  
Date: 05/12/2012 01:27 PM  
Subject: Turf Field yeah!

---

I am in favor of a turf field at Beach Chalet Athletic Field.  
On the East side of town is the Crocker Amazon field. It is a thriving center of kids and families.  
Every day  
of the week and on the weekends you will see a hundred or more children, coaches, High School  
kids and families  
getting exercise and having fun in San Francisco.  
We parents do not have to worry about our children breaking ankles or other parts of their bodies  
due to  
divots, gofer holes and the like. Games are not rescheduled due to a rain storm the night before,  
in the  
morning or a brief shower during the day as they are with a grass field.  
At first I was not in favor of the turf fields. But now I see the value they bring to our citizens and  
the  
safety from injury due to the flat divot free turf.  
I hope we have another field we can use all year long like Crocker Amazon. What a success that  
field is!  
Viking Soccer is a valued league and we support them and the decision to turf the 7 fields in  
Golden Gate Park.  
How luck for us to watch our kids play there. This is truly a great city!  
Goldie Portolos Nam  
[goldienam@gmail.com](mailto:goldienam@gmail.com)  
Goldie Portolos Nam  
[goldienam@gmail.com](mailto:goldienam@gmail.com)