

Petitions and Communications received from March 27, 2012, through April 2, 2012, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on April 10, 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 Office of the Clerk of the Board, the following individuals have submitted a Form 700 Statement: (1)

Supervisor Mark Farrell, BOS - Annual
Supervisor Eric Mar, BOS, LAFCo - Annual
Supervisor Malia Cohen, BOS - Annual
Supervisor Jane Kim, BOS - Annual
Supervisor Christina Olague, LAFCo - Assuming
Sheila Chung-Hagen, Legislative Aide - Annual
Adam Taylor, Legislative Aide - Annual
Raquel Redondiez, Legislative Aide - Annual
Judson True, Legislative Aide - Annual
Myrna Iton, Legislative Aide - Leaving
Olivia Scanlon, Legislative Aide - Annual
Megan Hamilton, Legislative Aide - Annual
Raymond McCoy, Legislative Aide - Assuming - Leaving
Deborah Barone, COB - Leaving
Dawn Duran, AAB - Annual
Gregory Blaine, AAB - Annual
Mark Watts, AAB - Annual
Mervin Conlan, AAB - Annual
Edward Campana, AAB - Annual
Nancy Miller, LAFCo - Annual
Jennifer Gore, LAFCo - Annual
Christine Layton, LAFCo - Annual
Matthew McOmer, LAFCo - Annual
Madeline Miller, LAFCo - Annual
Leah Pimental, LAFCo - Annual
Hope Schmeltzer, LAFCo - Annual
David Pilpel, Redistricting Task Force - Annual
Eric McDonnell, Redistricting Task Force - Annual
Mike Alonzo, Redistricting Task Force - Annual
Marily Mondejar, Redistricting Task Force - Annual
Jenny Lam, Redistricting Task Force - Annual
Bruce Wolfe, SOTF - Annual
John Costa Jr., SOTF - Annual
Suzanne Manneh, SOTF - Annual
David Snyder, SOTF - Annual

Allyson Washburn, SOTF - Annual
David Snyder, SOTF - Annual

From Cathy Jackson Lerman, P.A. regarding Leadsonline Sole Source Contracts with San Francisco Police Department. Copy: Each Supervisor (2)

From Katherine Howard, regarding Draft Environmental Impact Report for the Beach Chalet project. (3)

From James Chaffee, regarding comments made at a Library Commission meeting. Copy: Each Supervisor (4)

From concerned citizens, regarding Outdoor Corporation's contract for a billboard on 1650 Mission Street. File No. 120141. 22 Letters. (5)

From concerned citizens, regarding Ross Mirkarimi. 7 letters (6)

From Long Term Care Coordinating Council, regarding the proposed cost-free Muni Youth Pass. Copy: Each Supervisor. (7)

From Urban Forestry Council, submitting the following 2010-2011 fiscal year report. Copy: Each Supervisor. (8)

From the Office of Economic and Workforce Development, submitting the following 2011-2012 Annual Report. Copy: Each Supervisor. (9)

From the Budget and Legislative Analyst, regarding the authorization to waive the City's Competitive Procedure Requirements Related to Contracting Requirements for Certain Improvements to Port Property for the 34th America's Cup. File No. 120282. (10)

From San Francisco Fire Department, regarding 2011 Combined Charities final Report. Copy: Each Supervisor. (11)

From Office of the Mayor, submitting a letter asking a citywide effort to create summer jobs this year for the San Francisco youth. (12)

From James Chaffee, regarding a false arrest lawsuit. Copy: Each Supervisor. (13)

From the Police Commission, submitting letter about a Resolution regarding the approval to declare property located at 2300 Third Street as surplus to the Police Department's need. Copy: Each Supervisor. (14)

From M. R. Wolfe & Associates, P.C., regarding the relocation of the San Francisco Law Library. (15)

From concerned citizens, regarding the destruction of murals at the Bernal Heights Library. 6 letters (16)

From concerned citizens, regarding their support for the continued existing operation of the Masonic Center and Live Nation's professional management. File No. 120183. Copy: Each Supervisor. 19 letters. (17)

From Elliott Schwartz, regarding the CleanPowerSF program. (18)

From concerned citizens, regarding Cowboy Bob's Bum Report. 2 letters. (19)

*(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.)

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:	April 2, 2012
To:	Honorable Members, Board of Supervisors
From:	<i>AC</i> Angela Calvillo, Clerk of the Board
Subject:	Form 700

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

- Supervisor Mark Farrell, BOS – Annual
- Supervisor Eric Mar, BOS – LAFCo - Annual
- Supervisor Malia Cohen, BOS – Annual
- Supervisor Jane Kim, BOS – Annual
- Supervisor Olague, LAFCo – Assuming
- Sheila Chung-Hagen, Legislative Aide – Annual
- Adam Taylor, Legislative Aide – Annual
- Raquel Redondiez, Legislative Aide – Annual
- Judson True, Legislative Aide – Annual
- Myrna Iton, Legislative Aide – Leaving
- Olivia Scanlon, Legislative Aide – Annual
- Megan Hamilton, Legislative Aide – Annual
- Raymond McCoy, Legislative Aide – Assuming – Leaving
- Deborah Barone, COB - Leaving
- Dawn Duran, AAB – Annual
- Gregory Blaine, AAB – Annual
- Mark Watts, AAB – Annual
- Mervin Conlan, AAB – Annual
- Edward Campana, AAB – Annual
- Nancy Miller, LAFCo – Annual
- Jennifer Gore, LAFCo – Annual
- Christine Layton, LAFCo – Annual
- Matthew McOmber, LAFCo – Annual
- Madeline Miller, LAFCo – Annual
- Leah Pimentel – LAFCo – Assuming

Hope Schmeltzer, LAFCo – Annual
David Pilpel, Redistricting – Annual
Eric McDonnell, Redistricting Task Force - Annual
Mike Alonzo, Redistricting Task Force - Annual
Marily Mondejar, Redistricting Task Force - Annual
Jenny Lam, Redistricting Task Force - Annual
Bruce Wolfe, SOTF – Annual
John Costa Jr., SOTF – Annual
Suzanne Manneh, SOTF – Annual
David Snyder, SOTF - Annual
Allyson Washburn, SOTF – Annual
David Snyder, SOTF – Annual

BOS-11 (Electronically)
cpage

CATHY JACKSON LERMAN, P.A.
CATHY J. LERMAN, ESQ.
7857 W. Sample Road
Suite 140
Coral Springs, FL 33071
Phone: (954) 663-5818
Email: clerman@lermanfirm.com

March 30, 2012

Board of Supervisors via fax no: (415) 554-5163
City and County of San Francisco
Via Office of the Clerk of the Board-Please Distribute
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102-4689

City of San Francisco, California
Katharine Hobin Porter via fax no: (415) 554-4757
Deputy City Attorney
1 Dr. Carlton B. Goodlett Place
City Hall, Room 234
San Francisco, CA 94102-4682

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 MAR 30 AM 10:58

**Re: LEADSONLINE SOLE SOURCE CONTRACTS WITH SAN FRANCISCO
POLICE DEPARTMENT**

Dear Ms. Porter:

I am in receipt of your letter of February 29, 2012, in response to my letters of January 26, 2012 and February 7, 2012, directed to the Board of Supervisors and the City Attorney for the City and County of San Francisco ("San Francisco") concerning legal matters arising out of the multi-year sole source contracts between LeadsOnLine LLC ("LOL") and the San Francisco Police Department ("SFPD").

In addition, I am in receipt of approximately 70 pages of documentation which appear to be emails, without the referenced attachments, between SFPD and LOL forwarded to me by Captain John Goldberg of the SFPD ("Goldberg") on or after

2

March 3, 2012 (transmittal letter attached). Goldberg's letter indicates that these documents were produced pursuant to our previous Public Records Request ("PRR") which was filed with SFPD on January 18, 2012 ("January 2012 PRR").

As you are aware, this law firm serves as outside general counsel to Business Watch International (U.S.) Inc. ("BWI"). This letter is being submitted on behalf of BWI. Per your February 29th responsive letter offering to answer any questions we may have about San Francisco's sole sourcing of contracts to my client's competitor, LOL, we have outlined our questions below. We have also attached a Public Records Request under the California Public Records Act for additional information necessitated by new issues raised in both your February 29th letter and the PRR information forwarded by Goldberg one and half months after our PRR.

First, let me address the statement in your letter referencing our "claim," as you state, that BWI is a competitor of LOL. Simply stated, BWI and LOL have directly competed across the country for the award of competitively bid contracts over the last 12 years for the exact same services LOL is now under contract with SFPD to perform. In addition, BWI has contracts with other law enforcement agencies in California performing the same services being provided by LOL to SFPD. We are confident that these undisputed facts make LOL and BWI competitors.

Your letter of February 29th states that you reviewed "the available records regarding SFPD's arrangements with LOL, and have verified that the procurement was authorized by the City's Office of Contract Administration ("OCA"), which determined that the contract was appropriate under San Francisco Administrative Code Section 21.30" ("Section 21.30") and you enclosed a copy of Section 21.30 for which I thank you. But your letter does not address which LOL contracts you are referring to. We now know that LOL and SFPD have been under contract since 2006 not 2008. Please clarify the basis of your legal opinion on this issue.

Your letter implies, but does not actually state, that OCA determined that the LOL contracts were software licensing agreements within the parameters of Section 21.30 and therefore could be awarded outside of the competitive bidding process. Please advise as to whether we have stated the legal position of San Francisco correctly.

In the copies of emails forwarded to me by Goldberg on or after March 3, 2012 pursuant to our January 2012 PRR ("Goldberg March PRR"), the attachments

referenced in those emails were not included. We note that in one of the emails, dated 9/9/2011 and attached hereto, from Jennifer Rush of LOL to Rosa Sanchez, Deputy City Attorney for San Francisco, there is a notation at the bottom of the copy of the email referencing attachments as follows:

[attachment "Leads On Line Subscription Agreement 9-8-11.doc" deleted by Rosa Sanchez/CTY ATT] [attachment "Leads On Line San Francisco Police Agency Agreement 9-8-11.doc" deleted by Rosa Sanchez/CTY ATT] [attachment "LeadsOnline San Francisco AGENCY AGREEMENT 10 5 11.docx" deleted by Rosa Sanchez/CTY ATT] [attachment "LeadsOnline San Francisco Software License Agreement 10 5 11.docx" deleted by Rosa Sanchez/CTTATT].

Please explain why copies of these agreements were not produced pursuant to our October 2011 and January 2012 California Public Records Act requests to San Francisco and SFPD.

In documents created by employees of San Francisco and SFPD, the LOL services are referred to as: "online data search," "online access to data," "online subscriptions," "renewal subscription services," "electronic data transfer services" and "computerized subscriptions." We cannot find any description of LOL services for "software licensing." Please direct us as to where to find that information.

The contract we received pursuant to a PRR that was prepared by San Francisco for the LOL contract period beginning November of 2011 ("LOL Nov. 2011 Contract") is titled "License Agreement for Online Content Provider." The contract prepared by LOL which is designated "Appendix A" to the LOL Nov. 2011 Contract is titled "Agency Agreement." Appendix A refers to LOL's services as an "agent" of San Francisco "for the sole purpose of collecting, maintaining, and disseminating Data from Dealers." LOL further describes the scope of its agreement with SFPD to be "a confidential investigations system accessible electronically exclusively by Law Enforcement Agencies for the sole purpose of identifying merchandise and/or persons suspected to have been involved in crimes." We cannot find any reference to software licensing, software specifications, procurement of software code, etc. in the contract prepared by LOL.

In addition, the LOL Nov. 2011 Contract refers to LOL as "the provider of certain content and information which is published" by LOL and "made digitally accessible via the Internet or private network." The LOL contract prepared by San

Francisco defines the "Licensed Materials" as "the content and information published by Licensor." Again, we cannot find any reference to the licensing of software from LOL by OCA. Please direct us as to where to find this information.

Typically a software licensing agreement contains the following standard terms:

- a. License grant for Software
- b. Distribution of Software
- c. Maintenance of Software
- d. Software Support
- e. Delivery of Software
- f. Warranty of Software
- g. Source Code Escrow for Software

None of these software licensing contract provisions are contained in the 2008, 2009, 2010, or 2011 LOL contracts which were produced to us by San Francisco. In fact, none of the SFPD contracts in our possession even mention "software licensing." If OCA determined that the LOL services were authorized pursuant to Section 21.30 then a sole source waiver would not have been necessary, if we are reading your February 29th letter correctly. Please clarify this.

The history of the SFPD/ LOL contracts leads me to another question raised by the Goldberg March PRR . In those documents there is an email exchange, dated August 16, 2011, between Jennifer Rush of LOL and Shawn Wallace of SFPD which is attached. Wallace requests via email that Rush put together a LOL two year price quote in a word document because "The City Attorney who is putting together the contract would like to red line some changes for your legal team to review."

In response, Ms. Rush states and I quote: "**Here ya go! Please remember and remind her we have been doing business with SFPD since 2006 under the original agreement.**" If LOL and SFPD have been under contract since 2006, then where are the LOL/SFPD 2006 and 2007 contracts? Why weren't copies of those LOL/SFPD contracts and the accompanying documents produced pursuant to our Public Records Request in either October of 2011 or January of 2012? We would appreciate an explanation.

We would also draw your attention to the San Francisco 10/31/2011 internal document which refers to a Blanket Purchase Order for the LOL/SFPD contract. This document refers to the Purchase Authority for the LOL November 2011

contract as "Prof Services NOS" meaning "Professional Services, No Other Source." This internal document produced by San Francisco pursuant to our FOIA request directly contradicts the claim that the LOL sole source contracts were considered "software licensing" agreements. Please explain this discrepancy.

The LOL home page at www.leadsonline.com states that LOL provides a "Web-based electronic reporting service" and "technology service." If LOL is selling software to SFPD or anyone else, they clearly don't know it. LOL is not billing SFPD for software licensing, maintenance, escrow or hardware costs or services. All of the invoices submitted by LOL to SFPD refer to payment by San Francisco for "subscription" services. So please let us know where the information on LOL's software licensing services can be obtained.

We also need for you to respond to the following issues which were not addressed in your responsive letter of February 29th:

1. Has the City Attorney's office determined whether the response by SFPD to our Public Records Request ("PRR") violated the California Public Records Act?
2. Has the City Attorney's office determined why email correspondence between LOL and SFPD was not provided by SFPD to the undersigned until a month and a half after our PRR request?
3. Has the City Attorney's office determined why all of the attachments referenced in the Goldberg March PRR were not provided to the undersigned pursuant to our PRR?
4. What inquiry/investigation was made by the City Attorney's Office or other San Francisco legal counsel as to whether LOL and/or Dave Finley presented a False Claim or Claims to San Francisco as to its contracts from 2006-present?
5. It appears now from the FOIA information we have obtained that the City Attorney's office has an ethical conflict because it prepared some or all of the LOL contracts for San Francisco which now appear to be illegal since they were entered into based upon false information. Has the City Attorney's office forwarded this matter to outside counsel for review and investigation?

Other than a naked assertion that the LOL contracts are software licensing agreements and a random reference to Section 21.30 in some documents, there is nothing in the record of communications or contracts between SFPD and LOL that

were produced to us pursuant to our PRR that reflect any understanding between the parties from 2008 until the present that SFPD was purchasing licenses for software from LOL.

Ms. Porter, I fully appreciate the fact that any admission or acknowledgement by San Francisco or SFPD or the City Attorney's Office for that matter that the LOL contracts were entered into inappropriately or are in violation of the San Francisco False Claims Act creates a multitude of political, legal, ethical and financial issues that LOL, San Francisco, the San Francisco City Attorney's Office, and SFPD would prefer to just ignore. I get that.

However, I don't think that there is really any dispute that the services for SFPD, that are the subject of the LOL/SFPD contracts since 2006, should have been submitted for competitive bid to assure that SFPD and the taxpayers of San Francisco received the best services for the best price. But instead, LOL in 2011 was given a contract extension until 2013 thus providing LOL with a rich, exclusive, sole source contract with SFPD for over 7 years.

I strongly suggest that you and your client rethink your position. It is not my client's intent to cause the taxpayers of San Francisco any further harm or expense. My client has ample, multiple legal grounds to sue San Francisco and SFPD and force them to do the right thing both under the law and as fiscally responsible public agencies.

All BWI is requesting from San Francisco and SFPD is that BWI be given what they are legally entitled to-the opportunity to compete with LOL (assuming, of course, that LOL is not debarred for False Claims) for work with SFPD and the chance to save the taxpayers of San Francisco approximately \$50,000 per year.

I understand that SFPD has offered, in a comment made to a reporter for a news story about this situation, to permit my client to bid for SFPD services at the end of the LOL contract in 2013. That offer is, understandably, not acceptable to my client and it is frankly surprising.

Why would a police agency that claims that they were duped by a vendor into believing the vendor was a sole source reward such conduct by continuing the contract for two more years with that vendor? Particularly when that police agency (which is really the San Francisco taxpayers) is paying DOUBLE the cost for those contractual services.

We believe the services of LOL are expensive when compared to those of BWI. Apparently some members of SFPD agree.

The following email exchange (attached) was contained in the Goldberg March PRR. On 6/16/2011, Wallace emails Captain John Murphy ("Murphy") of SFPD the LOL two year price quote.

Then Murphy forwards the LOL two year price quote to Deborah Landis ("Landis") who is a SFPD Budget Manager with the following question:

Murphy: "This can't be right... what did we pay in years prior?"

Landis: "I am sorry to say that this is what we have been paying. In fact, prior to this year it was \$100,000 and now it's down to \$90k... so it's almost a deal?"

We now know that LOL, through the end of its 2013 contract, will have received approximately \$1.3 Million from San Francisco for its services. If SFPD had contracted with BWI for this same time period, it would have saved the taxpayers of San Francisco approximately \$650,000.

We understand that SFPD has indicated that it did not know LOL had competitors and therefore could not have known that San Francisco was overpaying for these services. However, now SFPD is aware that LOL has competitors and that the taxpayers of San Francisco could have saved over half a million dollars. The \$650,000 that San Francisco would have saved through 2013 by hiring BWI could have been used to acquire other SFPD critical services or perhaps to hire additional personnel.

We do not understand then why San Francisco would want to continue the LOL contract until 2013 and take no action against LOL for the misuse of public funds and mischaracterization of its business market. We cannot imagine how such a result would be acceptable to the Board of Supervisors of San Francisco or its taxpayers.

Finally, Jack Gee, VP of Operations for BWI, will make himself available to meet with representatives of San Francisco and SFPD in San Francisco to demonstrate the BWI RAPID system. By contracting with BWI, SFPD would have access not only to RAPID but also to one of the leading law enforcement experts on the utilization of transaction data from pawn dealers, secondhand dealers, metal

recyclers, mail-in gold buyers, etc. to solve crimes and aid in criminal investigations -at half the cost of the services of LOL.

We await your response.

Very truly yours,


Cathy J. Lerman

Enclosures: Public Records Request
Copies of SFPD PRR

Cc: Client



EDWIN M. LEE
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



GREGORY P. SUHR
CHIEF OF POLICE

March 3, 2012

Ms. Cathy J. Lerman, Esq.
7857 West Sample Road
Suite 140
Coral Springs, FL 33065

Dear Ms. Lerman,

In response to your public records request, the San Francisco Police Department has located additional records responsive to that request and is providing this supplemental response with those records.

As part of the above, certain records are exempt from production under Government Code Section 6254(k) and 6276.04 and California Evidence Code Section 950 et seq.

Should you require additional information, I ask that you contact me at:
(415) 553-1425.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John R. Goldberg".

Captain John R. Goldberg

enclosures

Re: FW: San Francisco - 'att.net Mail'

Page 3 of 3

From: Jennifer Rush <jrush@leadsonline.com>
To: "sfpd.contracts@sbcglobal.net" <sfpd.contracts@sbcglobal.net>, "Rosa.Sanchez@sfgov.org" <Rosa.Sanchez@sfgov.org>
Cc: "mike.biel@sfgov.org" <mike.biel@sfgov.org>
Date: 09/09/2011 06:25 AM
Subject: San Francisco

Officer Wallace,

Attached are the agreements with our changes. Please let me know if you or your team has any additional questions.

Best Regards,

Jennifer Rush
Product Manager
Direct: 972.331.7746
Main: 972.361.0900
TF: 1.800.311.2656

Follow us on Facebook<<http://www.facebook.com/pages/LeadsOnline/147496935298085>> or
Twitter<<http://twitter.com/LeadsOnlineLLC>>

This email and any files transmitted with it are confidential and intended solely for the individual or entity to whom they are addressed. If you have received this email in error destroy it immediately.

*** LeadsOnline Confidential ***

[attachment "Leads On Line Subscription Agreement 9-8-11.doc" deleted by Rosa Sanchez/CTYATT] [attachment "Leads On Line San Francisco Police Agency Agreement 9-8-11.doc" deleted by Rosa Sanchez/CTYATT] [attachment "LeadsOnline San Francisco AGENCY AGREEMENT 10 5 11.docx" deleted by Rosa Sanchez/CTYATT] [attachment "LeadsOnline San Francisco Software Licence Agreement 10 5 11.docx" deleted by Rosa Sanchez/CTYATT]

Re: Fw: RB: San Francisco - 'att.net Mail'

Page 3 of 5



Thanks
Shawn

Officer Shawn Wallace # 1104
SFPD, Legal Division.
415-553-1096

--- On Tue, 8/16/11, Jennifer Rush <jrush@leadsonline.com> wrote:

From: Jennifer Rush <jrush@leadsonline.com>
Subject: RE: San Francisco
To: "sfpd.contracts@sbcglobal.net" <sfpd.contracts@sbcglobal.net>
Date: Tuesday, August 16, 2011, 7:26 AM

Here ya go! Please remember and remind her we have been doing business with SFPD since 2006 under the original agreement.

From: Shawn Wallace [mailto:sfpd.contracts@sbcglobal.net]
Sent: Tuesday, August 16, 2011 8:26 AM
To: Jennifer Rush
Subject: RE: San Francisco

Hi Jennifer,

Could you do me a favor and send me the two year price quote in a word document. The City Attorney who is putting together the contract would like to red line some changes for your legal team to review.

Thanks
Shawn

Officer Shawn Wallace # 1104
SFPD, Legal Division.
415-553-1096

--- On Thu, 6/16/11, Jennifer Rush <jrush@leadsonline.com> wrote:

From: Jennifer Rush <jrush@leadsonline.com>
Subject: RE: San Francisco
To: "sfpd.contracts@sbcglobal.net" <sfpd.contracts@sbcglobal.net>
Date: Thursday, June 16, 2011, 7:54 AM

I apologize... Here is what you need.

From: Shawn Wallace [mailto:sfpd.contracts@sbcglobal.net]
Sent: Thursday, June 16, 2011 8:23 AM

Fw: Re: Fw: LeadsOnline price quote 11-1-11 - 10-31-13 - 'att.net Mail'

Page 1 of 2



Fw: Re: Fw: LeadsOnline price quote 11-1-11 - 10-31-13

Tuesday, June 28, 2011 3:44 AM

From: "Shawn.Wallace@sfgov.org" <Shawn.Wallace@sfgov.org>

To: sfpd.contracts@sbcglobal.net

-----Forwarded by Shawn Wallace/SFPD/SFGOV on 06/28/2011 03:52AM -----

To: Shawn Wallace/SFPD/SFGOV@SFGOV

From: John Murphy/SFPD/SFGOV

Date: 06/17/2011 01:25PM

Subject: Fw: Re: Fw: LeadsOnline price quote 11-1-11 - 10-31-13

FYI

-----Forwarded by John Murphy/SFPD/SFGOV on 06/17/2011 01:25PM -----

To: John Murphy/SFPD/SFGOV@SFGOV

From: Deborah Landis/SFPD/SFGOV

Date: 06/17/2011 12:34PM

Subject: Re: Fw: LeadsOnline price quote 11-1-11 - 10-31-13

I am sorry to say that this is what we have been paying. In fact, prior to this year it was \$100,000 and now it's down to \$90k... so it's almost a deal?

-----John Murphy/SFPD/SFGOV wrote: -----

To: Deborah Landis/SFPD/SFGOV@SFGOV

From: John Murphy/SFPD/SFGOV

Date: 06/16/2011 08:47AM

Subject: Fw: LeadsOnline price quote 11-1-11 - 10-31-13

This can't be right... what did we pay in years prior?

-----Forwarded by John Murphy/SFPD/SFGOV on 06/16/2011 08:47AM -----

To: John.Murphy@sfgov.org

From: Shawn Wallace <sfpd.contracts@sbcglobal.net>

Date: 06/16/2011 08:26AM

Subject: LeadsOnline price quote 11-1-11 - 10-31-13

(See attached file: Leads On Line Price Quote 11-1-11 - 10-31-13.pdf)

Cap,

Do me a favor and take a look at the two year price quote from LeadsOnline and let me know if it works for the Investigations Bureau. If it does work, I'll start working on the new contract.

Thanks
Shawn

Officer Shawn Wallace # 1104

CATHY JACKSON LERMAN, P.A.
7857 W. SAMPLE ROAD
SUITE 140
CORAL SPRINGS, FL 33065
(954) 663-5818 phone
(954) 341-3568 fax

To: Katharine Porter via fax number 415-554-4757
Deputy City Attorney
City of San Francisco

From: Cathy Lerman, Esq. 

Re: Public Records Request under the California Public Records Act directed to the City and County of San Francisco and the San Francisco Police Department for records from January 1, 2005 to the Present Time

Date: March 30, 2012

This is a Public Records Request pursuant to the California Public Records Act. Please provide the records in installments as they become available. Please provide the requested public records in their native format. Native metadata must be provided for all electronic records. Please provide electronic records on a CD and my client will pay for the cost of the CD.

To the extent any portions of the requested records are exempt from disclosure, please redact, in conformity with the Public Records Act, only those exempt portions and provide a complete withholding index and explanation required by the Public Records Act.

We request the following records from the City and County of San Francisco ("San Francisco") and the San Francisco Police Department ("SFPD"):

1. Any and all contracts, documents, emails, and email attachments, agreements, correspondence, minutes or notes of meetings concerning any and all contracts or agreements with LeadsonLine ("LOL").

2. Copies of any and all documents, emails, email attachments, correspondence, minutes of meetings or notes that delineate, discuss, describe or refer to the "software licensing" services of LOL.
3. Copies of any and documents, emails, email attachments, correspondence, minutes of meetings, or notes evidencing, concerning or related to the evaluation of LOL software.
4. Copies of any and all documents, emails, email attachments, correspondence, minutes of meetings or notes that discuss, refer to or reference a determination by San Francisco OCA that LOL services are or were "software licensing" services within the meaning of San Francisco Administrative Code Section 21.30.



Clerk of The Board

SF Ocean Edge ©

Where Golden Gate Park meets Ocean Beach.....

www.sfoceanedge.org

****March 23, 2012****

"Birds of Beach Chalet Need Your Help"

Westside Observer, March 2012

Ilana DeBare writes:

"Some of the Westside residents who would be most affected by the city's Beach Chalet soccer field project haven't shown up at any public hearings on the issue. They're too busy nesting, foraging, and migrating.

"Over 70 species of birds have been identified in the western areas of Golden Gate Park, where city officials are planning to replace nine acres of natural grass soccer fields with artificial turf and powerful night lighting.

"The proposed bright lights and artificial turf —made from plastic and recycled car tires—could threaten birds' breeding and survival in a variety of ways: . . ."

"The city's Draft Environmental Impact Report for the Beach Chalet project did not adequately address the threat to birds such as these."

"Even many frequent users of Golden Gate Park are unaware of the importance of "plain grass fields" to birds and other wildlife. In reality, grass fields like the existing ones at Beach Chalet serve multiple purposes – recreation for people, habitat and food for birds, as well as other environmental functions like absorption of rain water.

"When soccer fields are not in use and standing empty, they only look like they're standing empty," said Mosur, a field trip leader for Golden Gate Audubon Society. "In reality, they're being used by a whole number of species."

See the full article, attached (*Emphasis added*).

*For more information, contact:
Katherine Howard, Member,
Steering Committee,
SF Ocean Edge, 415-710-2402*

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 MAR 23 PM 3:41

Our Mission Statement

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

- Renovation of the existing Beach Chalet grass playing fields with natural grass, better field construction, and better maintenance;
- Use of the remainder of the \$12 million funding for other playing fields and parks, providing recreation opportunities for youth all over San Francisco;
- Preserving Golden Gate Park's woodland and meadows as wildlife habitat and as a parkland heritage for future generations.

Birds of the Beach Chalet Need Your Help

By *Ilana DeBare, Golden Gate Audubon Society*

Some of the Westside residents who would be most affected by the city's Beach Chalet soccer field project haven't shown up at any public hearings on the issue.

They're too busy nesting, foraging, and migrating. Over 70 species of birds have been identified in the western areas of Golden Gate Park, where city officials are planning to replace nine acres of natural grass soccer fields with artificial turf and powerful night lighting.

The proposed bright lights and artificial turf — made from plastic and recycled car tires—could threaten birds' breeding and survival in a variety of ways:

Their food supply will dwindle. Robins live off worms in the soil, dark-eyed juncos eat grass seeds, and swallows hunt low-flying insects that are drawn to tiny flowering plants such as clover. None of these food sources exist in an artificial turf field.

Woodpeckers and other birds that nest in tree cavities will find fewer breeding spots, since the Beach Chalet project calls for the removal of fifty five trees and bushes. Warblers, hawks and other migrating birds may be drawn inland and disoriented by the bright sixty-foot-tall lights as they travel down the coast. "On foggy September or October nights, migrating birds will fly into this maze of light towers, get disoriented, and smash into poles," said Dan Murphy, a volunteer with Golden Gate Audubon Society.

The bright nighttime lighting may help predators like raccoons and skunks that eat bird eggs, making it harder for birds to reproduce successfully.

The Beach Chalet project represents another step in the gradual loss of wildlife habitat in San Francisco. Just

who are the birds who rely on the Beach Chalet area for food, shelter and breeding? Some that you're likely to see there include:

Red-tailed and Red-shouldered Hawks. These majestic hunters nest in trees in Golden Gate Park and live off of gophers, mice, rats and other small mammals or birds that frequent the Beach Chalet fields.

Pygmy Nuthatches and Downy Woodpeckers. They nest in cavities of trees or stumps. Right now we're entering their breeding season, which typically runs from mid-February through July.

Black Phoebes. They live in Golden Gate Park year round and pick off small insects as they fly over open fields.

Dark-eyed Juncos and White-crowned Sparrows. They forage for grass seeds in the Beach Chalet fields and nest in nearby shrubs and trees.

Warblers. Yellow-rumped warblers and other kinds of warblers pass through the western edge of San Francisco as they migrate along the coast toward Mexico or Central America. "They come in off the ocean, see a big green patch, and decide to land," Murphy said. "Most stay for a few days and then continue on. You could get any kind of warbler that's recorded on the West Coast."

Barn swallows. They nest in Golden Gate Park during the summer and spend the winters in South America. They should be returning to San Francisco sometime in the next few weeks. Like phoebes, they hunt for insects over open grassy meadows — of which very few remain in San Francisco.

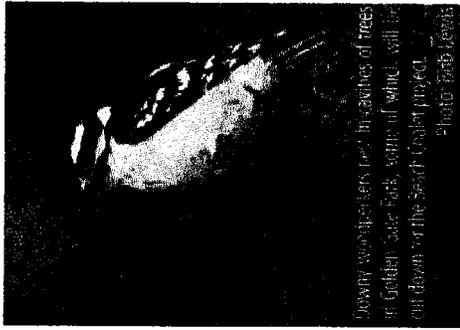
Anna's hummingbirds. Our most common local hummingbird, these four-inch birds eat flower nectar and small insects in flight. During breeding season, which is underway, the red-headed males do a courtship dive where they fly as high as 130 feet and then plummet at speeds of up to 51 miles per hour.

Robins. Some live here year-round, while others just come for the winter. You may spot them hunting for worms in the Beach Chalet grass, along with Brewer's Blackbirds, Red-winged Blackbirds and California towhees which are also foraging for insects or seeds.

Olive-sided fly-catcher. This bird may be harder to spot. It used to nest all over Golden Gate Park, but its numbers have dropped and it is becoming scarce locally. **Black-bellied plovers** and other shorebirds. You won't see these at Beach Chalet every day, but when Ocean Beach is flooded by storms, they have been known to take refuge on the wet grassy soccer fields.

The city's Draft Environmental Impact Report for the Beach Chalet project did not adequately address the threat to birds such as these. The DEIR listed only seven bird species at the soccer field site. But San Francisco

Cont. p. 6



Downy woodpeckers nest in cavities of trees in Golden Gate Park, some of which will be cut down for the Beach Chalet project. Photo: Bob Lewis

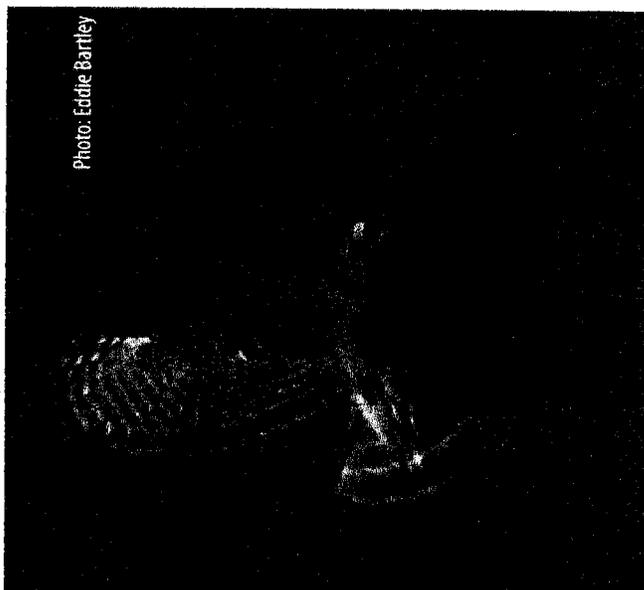


Photo: Eddie Bartley

Beach Chalet Birds (Cont. from p. 2)

ornithologist Dominik Mosur has personally seen 70 to 80 species in the Beach Chalet area, and the online eBird database has records of more than 120 species of passerines (perching birds) in Golden Gate Park.

Even many frequent users of Golden Gate Park are unaware of the importance of "plain grass fields" to birds and other wildlife. In reality, grass fields like the existing ones at Beach Chalet serve multiple purposes - recreation for people, habitat and food for birds, as well as other environmental functions like absorption of rain water.

"When soccer fields are not in use and standing empty, they only look like they're standing empty," said Mosur, a field trip leader for Golden Gate Audubon Society.

"In reality, they're being used by a whole number of species."

Want to learn more about the birds of Golden Gate Park?

Golden Gate Audubon Society offers free bird walks at the Botanical Gardens on the first Sundays in March and April. For information, see <http://www.goldengateaudubon.org/field-trips/fieldtrips/>.

Want to ensure that your children and grandchildren can see thriving populations of birds in Golden Gate Park too?

Make your voice heard on the Beach Chalet project. Call or write to your supervisor and Mayor Lee. Insist upon an alternative solution, such as better-maintained grass fields, that will meet the needs of both people and wildlife.

Ilana DeBare is Communications Director for Golden Gate Audubon Society.

WESTSIDE OBSERVER

VOLUME 25 • NUMBER 2

March 2012



Chaffee -- Controversial Comments Caught on Tape -- SF Examiner

James Chaffee

to:

Mayor Edwin Lee, board.of.supervisors, Carmen.Chu, Christina Olague, David Campos, David Chiu, Eric L. Mar, Jane Kim, John.Avalos, Malia Cohen, Mark Farrell, Scott Wiener, Sean.Elsbernd

04/02/2012 11:36 AM

Hide Details

From: "James Chaffee" <chaffeej@pacbell.net> Sort List...

To: "Mayor Edwin Lee" <mayoredwinlee@sfgov.org>, <board.of.supervisors@sfgov.org>, <Carmen.Chu@sfgov.org>, "Christina Olague" <Christina.Olague@sfgov.org>, "David Campos" <David.Campos@sfgov.org>, "David Chiu" <David.Chiu@sfgov.org>, "Eric L. Mar" <Eric.L.Mar@sfgov.org>, "Jane Kim" <Jane.Kim@sfgov.org>, <John.Avalos@sfgov.org>, "Malia Cohen" <Malia.Cohen@sfgov.org>, "Mark Farrell" <Mark.Farrell@sfgov.org>, "Scott Wiener" <Scott.Wiener@sfgov.org>, <Sean.Elsbernd@sfgov.org>

1 Attachment



CommentsOnTape-SFExaminer.pdf

Dear Friends,

I hope you are all aware that the SF Examiner ran an article about Jewelle Gomez' comments after the meeting of February 2 that were posted on the Library website.

I submitted the following Letter to the Editor.

The original article can be found at this link and a pdf of the hard copy is attached. The library has taken down the comments from their website, but the original comments are posted with the article.

<http://www.sfexaminer.com/local/2012/03/controversial-comments-caught-tape-after-san-francisco-public->

library-commission-mee-0

James Chaffee

Letters to the Editor

Fair comment at the Library Commission

04/02/12 8:09 AM

The context for Ray Hartz's comparison of library commissioners to Roman emperors was that Jewelle Gomez had been re-elected president of the commission after she had been found guilty of "official misconduct" by the Ethics Commission ("Taped comment stirs controversy," Wednesday).

That finding was not only for willfully violating someone's right to public comment, but abusively shouting them down.

The finding of Gomez's official misconduct is the only process of accountability that she is subject to, and when the mayor failed to act to remove her in the first place and tolerated someone found guilty of official misconduct in his administration, he was basically encouraging it.

The library commissioners could have responded that they don't consider themselves to be Roman emperors. The only way Hartz's comment could be even metaphorically threatening was if they considered themselves at risk precisely because they do consider themselves Roman emperors. That it was merely a metaphor was unmistakable, but it was clarified anyway.

But the crucial issue is that after proclaiming her retaliation in profane and violent language, she used her position as a public official to seek her revenge by swearing out a police complaint.

That is the misuse of police power as retaliation against free speech — free speech that was unquestionably fair comment.

If that is not grounds for termination, what would be?

James Chaffee, San Francisco

File
120141

To: BOS Constituent Mail Distribution, Alisa Miller/BOS/SFGOV,
Cc:
Bcc:
Subject: File 120141: Public Comment on item #10 - Billboard Contract for 1650 Mission St.

From: Jonathan Goldberg <jonathan@sfbeautiful.org>
To: Board.of.Supervisors@sfgov.org
Cc: madeleine.licavoli@sfgov.org
Date: 03/27/2012 11:30 AM
Subject: Public Comment on item #10 - Billboard Contract for 1650 Mission St.

To : Angela Calvillo

Attached are our reader's email comments for Board of Supervisors item no. 10, regarding Total Outdoor Corporation's contract for a billboard on 1650 Mission Street.

Thank you for including these in the public record.

Regards,

Jonathan Goldberg
Associate
San Francisco Beautiful
100 Bush Street | Suite 1812 | San Francisco, CA | 94104

(415) 421.2608 | jonathan@sfbeautiful.org

Visit us at sfbeautiful.org
Like us on [Facebook](#)
Follow us on [Twitter](#)
Sign-up for our [e-news](#)

Are you feeling **Young and Beautiful**? RSVP for the launch of our new monthly social - [Designing with Drinks!](#)



Billboard Action Alert Emails.pdf

5

File 120141

Jonathan Goldberg <jonathan@sfbeautiful.org>

 **No New Billboards**

1 message

Erik Honda <EHonda@acalanes.k12.ca.us>

Tue, Mar 27, 2012 at 10:31 AM

To: "jonathan@sfbeautiful.org" <jonathan@sfbeautiful.org>

The Board of Supervisors should be looking for ways to eliminate the blight of billboards entirely from our city landscape, not for ways to profit from them.

With more and more advertising on-line these ugly intrusions on our physical and visual space will hopefully soon be a thing of the past. San Francisco should be forward looking in that as in all other regards.

Erik Honda

Secretary, Duboce Triangle Neighborhood Association

Jonathan Goldberg <jonathan@sfbeautiful.org>

 **No New Billboards**
1 message

Michael Darnaud <michael@darnaud.org>
To: jonathan@sfbeautiful.org

Mon, Mar 26, 2012 at 6:53 PM

There are enough ugly billboards in SF! Instead of adding more we should remove existing ones. Seen from the back destroys the view of the San Francisco skyline!

Best regards,

Michael

Michael J. Darnaud
Cell: (650) 248 5350
michael@darnaud.org

From: Nancy Scotton <scotton@mindspring.com>
Subject: **No New Billboards**
Date: March 19, 2012 10:01:11 PM PDT
To: jonathan@sfbeautiful.org

File 120141

Dear Board of Supervisors, I strongly oppose any new billboards in San Francisco. We already have enough billboard blight. Truly,
Nancy Scotton

File 120141

From: jaime or betsy <ereiss1@yahoo.com>
Subject: **No New Billboards**
Date: March 19, 2012 9:06:44 PM PDT
To: "jonathan@sfbeautiful.org" <jonathan@sfbeautiful.org>
Reply-To: jaime or betsy <ereiss1@yahoo.com>

i agree.

billboards don't belong in a city anyway. if we want to encourage the types of businesses we're courting

then we must pay attention to the fact that they're all graphic experts..walking down valencia street

and listening to the comments the pedestrians make about the graphics on those businesses- you know that we're dealing

with people who are particularly affected by how graphics are perceived by the general public. billboards are offensive.

Jaime Ross

33 Powers Ave

From: Chris Faust <noeneighbors@yahoo.com>
Subject: **No New Billboards**
Date: March 19, 2012 8:53:32 PM PDT
To: jonathan@sfbeautiful.org

File 120141

Thanks Jonathan. I sent the following email to my supervisor:

Dear Scott,

We are losing what is unique about San Francisco. When I first visited 25 years ago, it was like a breath of fresh air to take in the view from the highway, not a billboard in sight. Now the city is looking like every other city, totally succumbing to crass commercialism. A few people profit while everyone loses, including merchants who hope to lure visitors to their businesses and property owners who have their views diminished. I hope we can go back to those days, maybe not immediately but gradually. To propagate more visual trash on public buildings is completely going in the wrong direction. 1650 Mission Street should not get a billboard. That would just be a huge, daily reminder that our leaders have gotten desperate. That sends the wrong message in these difficult times. Hang tough. Let's take pride in our city and do the things that will bring visitors here.

- Chris

P. Christopher Faust
235 30th Street
San Francisco, CA 94131
(415) 205-5855

From: Glanville <cg2906@earthlink.net>
Subject: **Re: New Billboard?! No thanks.**
Date: March 20, 2012 9:52:01 AM PDT
To: jonathan@sfbeautiful.org
Reply-To: Glanville <cg2906@earthlink.net>

File 120141

| Dear SF Beautiful:

| I certainly agree with your position in this huge bill board.

| To make a twenty year commitment in order to get revenue is sheer folly, especially in a building which houses the

| Planning Department. (Ironic) Who can predict what will happen to the area in two decades?

| Consider what can happen in SF in twenty years: Noe Valley changed from blue collar

| to the pricey family oriented place it is now. Look at what is happening in the "trendy Valencia corridor"!

| The Outer Sunset is coming to life.

| But all of this is hardly a necessary argument since, as you point out, the voters

| decided years ago.

| Carol Glanville

| Sorry to reply this way. I couldn't access your reply mail.

-----Original Message-----

From: San Francisco Beautiful
Sent: Mar 19, 2012 4:01 PM
To: cg2906@earthlink.net
Subject: New Billboard?! No thanks.

~~~~~  
SFB Action Alert:

We need your voice on a precedent-setting billboard contract  
The City is on the verge of authorizing a huge billboard at 1650 Mission Street,  
a City-owned building that houses the Planning Department.

File 120141

From: Bob Herman <rherman@hclarchitecture.com>  
Subject: **RE: New Billboard?! No thanks.**  
Date: March 19, 2012 8:15:45 PM PDT  
To: "jonathan@sfbeautiful.org" <jonathan@sfbeautiful.org>

Dear San Francisco Beautiful,

Billboards, like Radio and TV, use the public's airwaves, view corridors, open space as their PRIVATE medium for broadcasting messages to the public. Just as radio and TV, they are regulated.

However, unlike Radio and TV which may be turned off by PRIVATE listeners or viewers, billboard broadcasting offers NO choice to those of us in the public realm to shut off their message..

It's disturbing enough when billboards crown private buildings, sending private messages to the public, but when stationed on top of a PUBLIC place, such as the roof off 1650 Mission Street which houses the City's Planning Department, it symbolically thumbs its nose at the communal meaning of government, representing the common interest.

It began with shrink-wrapped busses, rolling billboards with super graphic advertising, demeaning those inside busses as well as the public transportation system. Will it evolve to billboards atop City Hall's dome, finally and fully privatizing our lives as Enron, Wall Street, Goldman Sachs, Bank of America, Wells Fargo and the rest of the 1% own what was once our public realm?

Honoring boundaries between public and private turf reinforces an understanding of their essential differences between them. We need both public and private, but we need not let the private visually suffocate the public. We, as a community own or control community assets like City Hall, 1650 Mission Street, Golden Gate Park, Golden Gate Bridge, Roads, Schools, Libraries, Museums, etc. Private Billboards should not crown them any more than some irresponsible public figure proposing that a billboard replace the Statue of Liberty's crown.

Sincerely,

Robert Herman  
FAIA

---

**From:** San Francisco Beautiful [mailto:sheila@sfbeautiful.ccsend.com] **On Behalf Of** San Francisco Beautiful  
**Sent:** Monday, March 19, 2012 4:01 PM  
**To:** Bob Herman  
**Subject:** New Billboard?! No thanks.



File 120141

From: jan blum <1janblum@sbcglobal.net>  
Subject: **No New Billboards**  
Date: March 20, 2012 1:52:00 PM PDT  
To: <jonathan@sfbeautiful.org>

**REGARDING NEW BILLBOARDS IN SAN FRANCISCO.**

I do not support permitting ANY new billboards anyplace in San Francisco for any reason whatsoever.

Our present world is chock-a-block with frenzied amounts of advertising on radio, on TV, in magazines, newspapers and on the internet, everywhere. All of this adds to a cluttered, hectic and stressful environment. Citizens are deserving of a less hectic atmosphere, a calmer, more serene visual message which includes more opportunity to see the natural sky, have access to more sunlight and greenery in their surroundings.

I urge the City to move toward implementing the City's visionary program, Better Streets, and include in that vision a complete ban on billboards in perpetuity. And – NO NEW BILLBOARDS or even renewals of those heretofore grandfathered in.

Sincerely,  
Jan Blum  
2160 Leavenworth Street, Apt. 201  
SF CA 94133

File 120141

From: Peter Logan <peter@peterloganlaw.com>  
Subject: **No New Billboards**  
Date: March 19, 2012 5:36:30 PM PDT  
To: jonathan@sfbeautiful.org

The City already has much more advertising billboards than can be accommodated without interfering with the ordinary enjoyment of the landscape/cityscape. Billboards distract us from driving and from each other. Putting a huge billboard on city owned property that house the Planning Department is exactly the wrong "message."

--  
Peter J. Logan  
Peter Logan Law Offices  
1532 Green Street  
San Francisco, CA 94123-5102  
Phone: 415-572-6448  
Fax: 415-366-1507  
[peter@peterloganlaw.com](mailto:peter@peterloganlaw.com)

From: "Kirby Sack" <ksack@sackproperties.com>  
Subject: **No New Billboards**  
Date: March 19, 2012 4:52:41 PM PDT  
To: <jonathan@sfbeautiful.org>

File 120141

I believe to be a world class city, we need to protect the beauty that makes San Francisco special. I am among those who have voted repeatedly to prohibit new billboards and I believe we should seize the opportunity of this location having lapsed, to reduce the negative impact that it formerly contributed to our city experience.

I think the only billboard that might be appropriate for a public building would be an urgent public interest message.

If our dire financial situation is motivating this contract, then the price tag on the public airspace needs to be substantially higher than what has been proposed. I am not an expert on advertising revenue, but I would think we would want a high base rent plus some percentage of any increase in revenue above today's rates in order to approve a long term contract. My gut tells me the annual base price would need to be a seven figure number for me to consider this trade off. If this makes the contract infeasible, we should pass. If over time we can generally reduce the number of billboards, the price on those remaining will rise.

City officials -- please do not sell our public space short.

Thank you.

Kirby

[ksack@sackproperties.com](mailto:ksack@sackproperties.com)  
415-981-8320 ext 25 office

From: dolores donahue <doloresdonahue@sbcglobal.net>  
Subject: Re: New Billboard?! No thanks.  
Date: March 19, 2012 4:45:13 PM PDT  
To: jonathan@sfbeautiful.org

Jul 120141

*How many times must the people of San Francisco tell the Board of Supervisors they do not want billboards that blight the beauty of our city. I agree with all the points that mentioned. It is hard to believe that they the board is in such a rush to push this through.*

On Mar 19, 2012, at 4:01 PM, San Francisco Beautiful wrote:



## SFB Action Alert:

### We need your voice on a precedent-setting billboard contract

The City is on the verge of authorizing a huge billboard at 1650 Mission Street, a City-owned building that houses the Planning Department.

We believe this 20-year **billboard contract** will blight our City skyline and harm this emerging residential community. If you agree, please **submit comment and we'll share your thoughts** with the Board of Supervisor's Land Use Committee on Monday, March 26, at 1 P.M.

For further background, **review our letter** sent to the City's Real Estate Division earlier this month.

Supervisors Mar, Wiener, Cohen, Chiu, Avalos, Campos, Kim, and Olague voted "yes" to refer this contract to the Land Use Committee in order to highlight broader policy implications. Voting "no" were Supervisors Chu, Elsbernd, and Farrell.

Thank you for keeping **SF Beautiful!**

File 120141

From: Jane Morrison <janemorrison@att.net>  
Subject: **Re: New Billboard?! No thanks.**  
Date: March 19, 2012 4:44:11 PM PDT  
To: jonathan@sfbbeautiful.org

SF BEAUTIFUL

In the 1960s, with strong public support, we fought to keep billboards out of neighborhoods.

Recently we fought and won to prohibit billboards high atop proposed new buildings on Market Street -- billboards high enough to be seen in many neighborhoods throughout the City.

We must still keep them out of areas that put them into neighborhood view.

Please, no billboards at 1650 Mission Street.

Jane Morrison

On Mar 19, 2012, at 4:00 PM, San Francisco Beautiful wrote:



**SFB Action Alert:**  
**We need your voice on a precedent-setting billboard contract**

The City is on the verge of authorizing a huge billboard at 1650 Mission Street, a City-owned building that houses the Planning Department.

We believe this 20-year **billboard contract** will blight our City skyline and harm this emerging residential community. If you agree, please **submit comment and we'll share your thoughts** with the Board of Supervisor's Land Use Committee on Monday, March 26, at 1 P.M.

File 120141

From: "John Renesch" <john@renesch.com>  
Subject: **No New Billboards**  
Date: March 19, 2012 4:18:20 PM PDT  
To: <jonathan@sfbbeautiful.org>

How many times do the people of San Francisco have to say "no" to the blight of advertising that defaces our lovely city? Why can't our politicians stop this reoccurring visual assault on the aesthetics of the City and discourage advertisers and landlords from seeking ways of generating profits at the people's expense of the quality of life here.

Please stop this sign and stop more from coming back again and again.

John Renesch  
1000 Chestnut St.  
San Francisco

From: Kathryn MacDonald <kathryn@macdonaldphoto.com>  
Subject: **No New Billboards**  
Date: March 19, 2012 4:05:09 PM PDT  
To: jonathan@sfbeautiful.org

File 120141

As a city resident, I object to the addition of any new billboards to our city scenery. They add no value and are an eyesore. Please do not approve any new billboards in our city!

Thank you

K

Kathryn MacDonald

Kathryn MacDonald Photography & Web Marketing  
690 5th St #107  
San Francisco, CA 94107

415-681-7506  
415-640-7506 cell

[kathryn@macdonaldphoto.com](mailto:kathryn@macdonaldphoto.com)  
[www.macdonaldphoto.com](http://www.macdonaldphoto.com)

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

From: Rick Gerharter <rgerharter@igc.org>  
Subject: **No New Billboards**  
Date: March 20, 2012 8:30:26 PM PDT  
To: jonathan@sfbeautiful.org

File 120141

To the Supervisors:

Please NO MORE billboards and intrusive advertising in our city. We are assaulted daily with too many advertising messages now.

Rather than vote for more, please vote for fewer and fewer billboards. They only push junk that no one needs and add blight to our city.

Thanks you,

Rick Gerharter  
72 Germania Street  
San Francisco 94117

*File 120141*

Jonathan Goldberg <[jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)>



Lea Schick <[leasfo@gmail.com](mailto:leasfo@gmail.com)>

Mon, Mar 26, 2012 at 8:16 PM

To: San Francisco Beautiful <[jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)>

Jonathan:

A question. Didn't the Planning Dept. help SFB in the first place when we first started the billboard ban? I seem to recall that we got lots of help that was critical from the Planning Dept. personnel. Some people were assigned from the Planning Department to do a survey of all the existing billboards, their permits or expirations, whether they were in compliance or not and whatever else the survey required. That data was used successfully in the fight against billboards.

A billboard that large on the Planning Department building itself? Are they kidding? Isn't the ban still in effect? I don't recall the City being granted a dispensation or waiver at the time the Ordinance passed.

Please ask Bob Friese to search his memory. Mine may be faulty. It could be that it was another City Department i.e. Public Works? Bob will remember.

Whether the City needs the money or not, are the bans, ordinances, or laws passed by the Board and mandated by the voters to be toothless and rescinded at will if the City coffers need revenue?

The voters of this City spoke loud and clear when they overwhelmingly voted for that Proposition.

Good luck with this one.

Lea

File 120141

Jonathan Goldberg <[jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)>



**No New Billboards**

1 message

**David Troup** <[david@troup.net](mailto:david@troup.net)>

Mon, Mar 26, 2012 at 8:21 PM

To: [jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)

Another huge billboard to mar our skyline is the last thing that San Francisco needs, and the tiny amount of revenue the billboard would bring is not even remotely justified in light of the blight to the environment in which we live. I'm frankly shocked that this is even being considered -- I thought there was a ban on new billboards in SF? This seems like a case of the city saying, "Do as I say, not as I do."

*File 120141*

Jonathan Goldberg <[jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)>

 **No New Billboards**  
1 message

---

**Susan Walter** <[susan@terradolce.com](mailto:susan@terradolce.com)>  
Reply-To: [susan@terradolce.com](mailto:susan@terradolce.com)  
To: [jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)

Mon, Mar 26, 2012 at 9:08 PM

It's too big. Paint a mural on it!

*File 120141*

Jonathan Goldberg <[jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)>



**No New Billboards**

1 message

**Denis Mosgofian** <[denismosgofian@att.net](mailto:denismosgofian@att.net)>

Mon, Mar 26, 2012 at 11:00 PM

To: [jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)

Dear SF Beautiful,

Thank you for doing battle to stop this billboard. Our lives are filled with in-your-face marketing distractions. Open space without visual assaults are rare. Everywhere – from our computers to our bus stops, from our cell phones to our public transportation vehicles – we are bombarded to distraction.

It is outrageous that the City would even entertain this proposal, let alone put enough energy into it to get it before the Board of Supervisors. Shame on whoever sponsored this.

I don't care how much money this would bring the sponsors, it is wrong. If the city wants money, demand it from the war budgets, demand it from the federal reserve with the nearly free money to the banks, demand it from the banks who were bailed out, but not from imposing more billboards.

Thank you,

Denis Mosgofian

*File 120141*

Jonathan Goldberg <[jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)>



**No**

1 message

---

**Mendell Studio** <[mendellapt@sbcglobal.net](mailto:mendellapt@sbcglobal.net)>

Mon, Mar 26, 2012 at 11:05 PM

To: [jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)

Besides the obvious blight, and the damage all the billboard companies are doing to the trees, the thought of any city official allowing more outdoor advertising after it has been voted by the citizens of San Francisco that no more be allowed is reprehensible.

You can always make money in the short run by doing the wrong thing. It will always cost more in the end.

The city officials should make their legacy the beautification of San Francisco, and be proud to uphold the voters mandates.

Matt Czajkowski  
900 Mendell St  
SF CA 94124

*File 120141*

Jonathan Goldberg <[jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)>

 **No**  
1 message

---

[azrimsek@att.net](mailto:azrimsek@att.net) <[azrimsek@att.net](mailto:azrimsek@att.net)>  
To: [jonathan@sfbeautiful.org](mailto:jonathan@sfbeautiful.org)

Tue, Mar 27, 2012 at 10:26 AM

Why not paint a beautiful mural on this wall?

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Sheriff Mirkarimi emails

From: Leila Radan <mail@change.org>  
To: board.of.supervisors@sfgov.org  
Date: 03/26/2012 08:58 PM  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

---

Greetings,

I just signed the following petition addressed to: SF Mayor Lee (Mayor Ed Lee).

-----  
Mayor Edwin Lee, Stop the witch hunt against Ross Mirkarimi. Let justice run its course. Do not deprive San Francisco of a leading progressive voice and long-serving public servant. Ross has suffered enough for his transgressions. End his public humiliation, let him be reunited with his family.

-----  
Sincerely,

Leila Radan

San Francisco, California

Note: this email was sent as part of a petition started on Change.org, viewable at <http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r>

[oss-mirkarimi-and-his-family](#). To respond, [click here](#)

----- Forwarded by Board of Supervisors/BOS/SFGOV on 03/27/2012 01:12 PM -----

From: Terrie Frye <mail@change.org>  
To: board.of.supervisors@sfgov.org  
Date: 03/27/2012 07:27 AM  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

---

Greetings,

I just signed the following petition addressed to: SF Mayor Lee (Mayor Ed Lee).

-----  
Mayor Edwin Lee, Stop the witch hunt against Ross Mirkarimi. Let justice run its course. Do not deprive San Francisco of a leading progressive voice and long-serving public servant. Ross has suffered enough for his transgressions. End his public humiliation, let him be reunited with his

family.

-----

Sincerely,

Terrie Frye  
San Francisco, California

Note: this email was sent as part of a petition started on Change.org, viewable at  
<http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r>

[oss-mirkarimi-and-his-family](#). To respond, [click here](#)

To:  
Cc:  
Bcc:  
Subject: Your position as Sheriff

---

For the records

Carmen Chu  
SF Board of Supervisors  
District 4  
1 Dr. Carlton B. Goodlett Pl.  
SF, CA 94102  
(415) 554-7460  
[www.sfgov.org/chu](http://www.sfgov.org/chu)

----- Forwarded by Carmen Chu/BOS/SFGOV on 03/30/2012 03:37 PM -----

From: Adam Cole <[acole\\_email@yahoo.com](mailto:acole_email@yahoo.com)>  
To: [Ross4Sheriff@gmail.com](mailto:Ross4Sheriff@gmail.com)  
Cc: [David.Chiu@sfgov.org](mailto:David.Chiu@sfgov.org), [Eric.L.Mar@sfgov.org](mailto:Eric.L.Mar@sfgov.org), [Mark.Farrell@sfgov.org](mailto:Mark.Farrell@sfgov.org), [Carmen.Chu@sfgov.org](mailto:Carmen.Chu@sfgov.org),  
[Christina.Olague@sfgov.org](mailto:Christina.Olague@sfgov.org), [Jane.Kim@sfgov.org](mailto:Jane.Kim@sfgov.org), [Sean.Elsbernd@sfgov.org](mailto:Sean.Elsbernd@sfgov.org), [Scott.Wiener@sfgov.org](mailto:Scott.Wiener@sfgov.org),  
[David.Campos@sfgov.org](mailto:David.Campos@sfgov.org), [Malia.Cohen@sfgov.org](mailto:Malia.Cohen@sfgov.org), [John.Avalos@sfgov.org](mailto:John.Avalos@sfgov.org), [mayoredwinlee@sfgov.org](mailto:mayoredwinlee@sfgov.org)  
Date: 03/29/2012 11:38 PM  
Subject: Your position as Sheriff

---

Dear Sheriff Mirkarimi: I am a resident of San Francisco. Please resign. You have been convicted of a criminal offense. It is no longer appropriate or fair to the residents of this City for you to remain in office. The position of sheriff calls for the highest degree of credibility in the eyes of your constituents. As a criminal convict, you no longer have that credibility and you no longer command confidence. I have been reading with dismay the "fight at all costs" approach you are taking. Please demonstrate integrity at this important time. The issue is not preserving your personal ambitions, but doing what is right for the City you serve. The right thing to do is resign. I speak not only on my behalf, but on behalf of many citizens of San Francisco.

Adam M. Cole  
3401 Clay Street, Apt. 405  
San Francisco, CA 94118

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: 2 Emails concernig Sheriff Mirkarimi

From: michelle white <mail@change.org>  
To: board.of.supervisors@sfgov.org  
Date: 03/29/2012 01:00 PM  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

---

Greetings,

I just signed the following petition addressed to: SF Mayor Lee (Mayor Ed Lee).

-----  
Mayor Edwin Lee, Stop the witch hunt against Ross Mirkarimi. Let justice run its course. Do not deprive San Francisco of a leading progressive voice and long-serving public servant. Ross has suffered enough for his transgressions. End his public humiliation, let him be reunited with his family.

-----  
Sincerely,

michelle white  
San francisc0, California

Note: this email was sent as part of a petition started on Change.org, viewable at  
<http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r>

[oss-mirkarimi-and-his-family](#). To respond, [click here](#)

From: Luis Gervasi <mail@change.org>  
To: board.of.supervisors@sfgov.org  
Date: 03/29/2012 01:01 PM  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

---

Greetings,

I just signed the following petition addressed to: SF Mayor Lee (Mayor Ed Lee).

-----  
Mayor Edwin Lee, Stop the witch hunt against Ross Mirkarimi. Let justice run its course. Do not deprive San Francisco of a leading progressive voice and long-serving public servant. Ross has suffered enough for his transgressions. End his public humiliation, let him be reunited with his family.

-----  
Sincerely,

Luis Gervasi  
San francisc0, California

Note: this email was sent as part of a petition started on Change.org, viewable at [http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r  
oss-mirkarimi-and-his-family](http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r<br/>oss-mirkarimi-and-his-family). To respond, [click here](#)

To:  
Cc:  
Bcc:  
Subject: Your position as Sheriff

From: Adam Cole <acole\_email@yahoo.com>  
To: Ross4Sheriff@gmail.com  
Cc: David.Chiu@sfgov.org, Eric.L.Mar@sfgov.org, Mark.Farrell@sfgov.org, Carmen.Chu@sfgov.org, Christina.Olague@sfgov.org, Jane.Kim@sfgov.org, Sean.Elsbernd@sfgov.org, Scott.Wiener@sfgov.org, David.Campos@sfgov.org, Malia.Cohen@sfgov.org, John.Avalos@sfgov.org, mayoredwinlee@sfgov.org  
Date: 03/29/2012 11:38 PM  
Subject: Your position as Sheriff

---

Dear Sheriff Mirkarimi: I am a resident of San Francisco. Please resign. You have been convicted of a criminal offense that has destroyed your credibility in the eyes of your constituents. As a criminal convict, you no longer have that credibility and you no longer have the right to hold office. The issue is not preserving your personal ambitions, but doing what is right for the City you serve. The right thing

Adam M. Cole  
3401 Clay Street, Apt. 405  
San Francisco, CA 94118

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

From: Gloria Archuleta <mail@change.org>  
To: board.of.supervisors@sfgov.org  
Date: 03/28/2012 01:29 PM  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

---

Greetings,

I just signed the following petition addressed to: SF Mayor Lee (Mayor Ed Lee).

-----  
Mayor Edwin Lee, Stop the witch hunt against Ross Mirkarimi. Let justice run its course. Do not deprive San Francisco of a leading progressive voice and long-serving public servant. Ross has suffered enough for his transgressions. End his public humiliation, let him be reunited with his family.  
-----

Sincerely,

I am signing because Mirkarimi is being railroaded for political reasons. Moreover, Mirkarimi has been punished, denigrated, plunged into financial debt by the City which has not hesitated using its deep pockets to go after Ross. The powers that be - Lee, Gascon, POA - want him out of the sheriff's job, and they are joined by the Domestic Violence Consortium which has in my view dug their fangs into Mirkarimi probably because of frustration with the weak response of officials to violence against women, particularly by cops, This is not a life threatening sustained abuse situation, but the Consortium has undoubtedly seldom been able to make a public campaign about a seriously violent case of abuse by an official, and opportunistically can latch onto the shoulder grab only because they can join the established powers who want one of their own in the sheriff's job. I oppose the campaign, I oppose the Consortium's opportunism, and believe that if Ross were not a high profile public official, or if he were related to certain other high profile folks, this case would never have been sustained as front page news. The campaign against Ross is rotten to the core. We need to support Ross and Ileana and Theo and oppose the hypocrisy of the Lee-Gascon machine. There is no way the argument the should grab rises to the level of front page news, official misconduct, and a full scale assault for months by City officials.

Gloria Archuleta  
SF, California

Note: this email was sent as part of a petition started on Change.org, viewable at [http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r  
oss-mirkarimi-and-his-family](http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r<br/>oss-mirkarimi-and-his-family). To respond, [click here](#)

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

From: Francis Carolfi <mail@change.org>  
To: board.of.supervisors@sfgov.org  
Date: 03/28/2012 01:18 AM  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

---

Greetings,

I just signed the following petition addressed to: SF Mayor Lee (Mayor Ed Lee).

-----  
Mayor Edwin Lee, Stop the witch hunt against Ross Mirkarimi. Let justice run its course. Do not deprive San Francisco of a leading progressive voice and long-serving public servant. Ross has suffered enough for his transgressions. End his public humiliation, let him be reunited with his family.  
-----

Sincerely,

Francis Carolfi  
Drexel Hill, Pennsylvania

Note: this email was sent as part of a petition started on Change.org, viewable at <http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-r>

[oss-mirkarimi-and-his-family](#). To respond, [click here](#)

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

From: Alan Haggard <mail@change.org>  
To: board.of.supervisors@sfgov.org  
Date: 03/27/2012 06:52 PM  
Subject: Stop the Witchhunt - Justice for Ross Mirkarimi

---

Greetings,

I just signed the following petition addressed to: SF Mayor Lee (Mayor Ed Lee).

-----  
Mayor Edwin Lee, Stop the witch hunt against Ross Mirkarimi. Let justice run its course. Do not deprive San Francisco of a leading progressive voice and long-serving public servant. Ross has suffered enough for his transgressions. End his public humiliation, let him be reunited with his family.

-----  
Sincerely,

Alan Haggard  
San Diego, California

Note: this email was sent as part of a petition started on Change.org, viewable at <http://www.change.org/petitions/san-francisco-mayor-edwin-lee-stop-the-witchhunt-justice-for-ross-mirkarimi-and-his-family>. To respond, [click here](#)

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Letter for BOS members from Long Term Care Coordinating Council

From: Bill Haskell/DHS/CCSF@CCSF  
To: Board of Supervisors/BOS/SFGOV@SFGOV  
Date: 03/27/2012 01:51 PM  
Subject: Letter for BOS members from Long Term Care Coordinating Council

---

TO: Clerk of the Board of Supervisors

Please provide the attached letter to each member of the Board of Supervisors. This letter is from the Long Term Care Coordinating Council. It was recently sent to the SFMTA Board of Directors and it concerns the proposed cost-free MUNI Youth Pass and its relationship to seniors and people with disabilities.



MUNI Youth Pass Letter\_LTCCC\_032612.doc

Thank you.

Bill Haskell  
Facilitator, Long Term Care Coordinating Council  
Department of Aging and Adult Services  
1650 Mission Street - 5th Floor  
(415) 355-6782

## **LONG TERM CARE COORDINATING COUNCIL**

*Guiding the development of an integrated network of home, community-based, and institutional long term care services for older adults and adults with disabilities*

March 26, 2012

San Francisco Municipal Transportation Agency (SFMTA) Board of Directors  
One South Van Ness Avenue, Floor 7  
San Francisco, CA 94103-1267

- Tom Nolan, Chairman
- Cheryl Brinkman, Vice Chairman
- Leona Bridges
- Malcolm Heinicke
- Bruce Oka
- Jerry Lee
- Joél Ramos

### **RE: Proposed Cost-Free Youth Pass and its relationship to Seniors and People with Disabilities**

Dear Members of the SFMTA Board of Directors:

It has come to our attention that MUNI is considering implementation of cost-free passes for youth in San Francisco. We would like to applaud the advocacy of the youth sector that has highlighted the ways in which issues such as student truancy rates are impacted by transportation costs. We must also, however, express our deep concern that this proposal is being considered without a thorough analysis of the cost for including the disabled and senior communities in this new fare structure, especially considering the fact that Senior and Disabled MUNI Passes have always been equal in cost to that of Youth MUNI Passes. Our communities are no less "at-risk" than the youth of San Francisco.

Due to recent Federal and State budget cuts, seniors and people with disabilities are already hanging on by a thread. Add to this the fact Social Security has had no cost of living increases for three years, and you can see why more and more of our constituents are having to make the decision to skip medical appointments and purchase lower-nutrition foods from corner stores in lieu of spending money to ride MUNI to the grocery market. The long-term public health costs of such actions are exponential, and the short-term costs are individual affronts to the very idea of a social safety net upon which we, as San Franciscans, like to pride ourselves. While we understand that is by no means the fault of MUNI that these cuts have so jeopardized the lives of people with disabilities and seniors, the political climate in which we find ourselves begs us to call upon your conscience as public servants to consider the question, *Exactly what kind of a community do we want to be?*

Currently, the Senior and Disabled MUNI Pass is slated for a \$2 increase, all the while, a free pass is being considered for youth. This is unacceptable and would only further the segregation of the elderly and disabled populations in San Francisco from the rest of the community at large. This, of course, points to a much larger public policy issue which, in its' short-sightedness, pits the needs of one population against another, instead of seeing the connections between them.

Accordingly, we on the Long Term Care Coordinating Council demand a full analysis of the cost for including seniors and the disabled in the proposal for cost-free MUNI passes.

Sincerely,

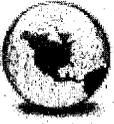
*Sandy Mori*

Sandy Mori  
Co-Chair

*Susan Poor*

Susan Poor  
Co-Chair

cc: Mayor Edwin Lee  
Board of Supervisors  
**District 1** Eric Mar  
**District 2** Mark Farrell  
**District 3** David Chiu \*  
**District 4** Carmen Chu  
**District 5** Christina Olague  
**District 6** Jane Kim  
**District 7** Sean Elsbernd  
**District 8** Scott Wiener  
**District 9** David Campos  
**District 10** Malia Cohen  
**District 11** John Avalos  
Aging and Adult Services Commission  
Nancy Kirshner-Rodriguez, Manager of External Affairs  
SFMTA | Municipal Transportation Agency



Annual Urban Forest Report, fiscal year 2010-2011

Hui, Mei Ling

to:

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

03/27/2012 03:41 PM

Cc:

"Scheid, James", "John Melvin (John.melvin@fire.ca.gov)", Joe Liszewski, Steven Brown, "Short, Carla", "Carter, Tom", "Kern, Dennis", "Cornell, Kelly", "Saltz, Terry", "Brassil, James", "Robbins, Jerry", "Magary, Kerstin", "Cheng, Kay", "pevans@sfsu.edu", "Wu, Aaron", "Lampe, Don", "Bunuan, Max", "Thall, Rick", "Smith, Joel P"

Hide Details

From: "Hui, Mei Ling" <meiling.hui@sfgov.org> Sort List...

To: Board of Supervisors <board.of.supervisors@sfgov.org>, "Avalos, John" <john.avalos@sfgov.org>, "Campos, David" <david.campos@sfgov.org>, "Chiu, David" <david.chiu@sfgov.org>, "Chu, Carmen" <carmen.chu@sfgov.org>, "Cohen, Malia" <malia.cohen@sfgov.org>, "Elsbernd, Sean" <sean.elsbernd@sfgov.org>, "Farrell, Mark" <mark.farrell@sfgov.org>, "Kim, Jane" <jane.kim@sfgov.org>, "Mar, Eric" <eric.l.mar@sfgov.org>, "Olague, Christina" <christina.olague@sfgov.org>, "Wiener, Scott" <scott.wiener@sfgov.org>, "Lee, Mayor" <mayoredwinlee@sfgov.org>

Cc: "Scheid, James" <James.Scheid@fire.ca.gov>, "John Melvin (John.melvin@fire.ca.gov)" <John.melvin@fire.ca.gov>, Joe Liszewski <jliszewski@californiareleaf.org>, Steven Brown <sbrown@ccsf.edu>, "Short, Carla" <carla.short@sfdpw.org>, "Carter, Tom" <tom.carter@sport.com>, "Kern, Dennis" <dennis.kern@sfgov.org>, "Cornell, Kelly" <kelly.cornell@sfgov.org>, "Saltz, Terry" <terry.saltz@sfgov.microsoftonline.com>, "Brassil, James" <james.brassil@flysfo.com>, "Robbins, Jerry" <jerry.robbs@sfmta.com>, "Magary, Kerstin" <kerstin.magary@sfmta.com>, "Cheng, Kay" <kay.cheng@sfgov.org>, "pevans@sfsu.edu" <pevans@sfsu.edu>, "Wu, Aaron" <aaron.w.wu@sfgov.org>, "Lampe, Don" <d Lampe@swater.org>, "Bunuan, Max" <max.bunuan@sfgov.microsoftonline.com>, "Thall, Rick" <rick.thall@sfgov.org>, "Smith, Joel P" <JPSr@pge.com>

1 Attachment



Good Afternoon,

2011 Annual Report FINAL.pdf

The Urban Forestry Council produces an annual report on San Francisco's urban forestry activities for the Board of Supervisors and Mayor, in keeping with the requirements of San Francisco Environment Code Chapter 12 Sec. 1209.

We are pleased to announce the completion of the 2010-2011 fiscal year report, attached here.

The Urban Forestry Council appreciates the input provided by participating organizations and agencies.

Please contact Mei Ling Hui, Urban Forestry Council Coordinator, with any questions.

---

Mei Ling Hui  
Urban Forest and Urban Agriculture Coordinator  
Department of the Environment  
11 Grove Street, San Francisco, CA 94102  
415-355-3731  
[meiling.hui@sfgov.org](mailto:meiling.hui@sfgov.org)  
[www.sfenvironment.org](http://www.sfenvironment.org)

# **SAN FRANCISCO URBAN FORESTRY COUNCIL**



## **ANNUAL URBAN FOREST REPORT**

**JULY 1, 2010-JUNE 30, 2011**

*Submitted to Mayor Edwin M. Lee and the Board of Supervisors by the Department of the Environment, pursuant to San Francisco Environment Code Chapter 12 Sec. 1209.*

The Urban Forestry Council was established to promote a healthy and sustainable urban forest that benefits all San Franciscans while ensuring public health and safety. Council members represent a range of urban forest stakeholders, including city agencies, non-profit organizations, tree management organizations, and community members.

**San Francisco Urban Forestry Council Members:**

**Maria D'Agostino (Chair)** - Industry Professional Representative

**Rose Hillson (Vice-Chair)** - Community Representative

**Larry Costello** - Community/At-Large Representative

**Dan Flanagan** - Nonprofit Organization Representative

**Malcolm Hillan** - Educational Organization Representative

**Sandy Sherwin** - Nonprofit Organization Representative

**Andrew J. Sullivan** - Community Representative

**Megan Sutherland** - Industry Professional Representative

**Kelaine Vargas** - Industry Professional Representative

**Chris Buck** - SF Dept. of Public Works Representative

**Dan Sider** - SF Planning Department Representative

**Mike Barrow** - SF Public Utilities Commission Representative

**Stanley Muraoka** - SF Redevelopment Agency Representative

**Vacant Seats:**

**SF Recreation and Parks Department**

**Golden Gate National Recreation Area**

**San Francisco Urban Forestry Council Staff:**

**Mei Ling Hui** - Urban Forestry Council Coordinator

**Monica Fish** - Commission Secretary

## **Overview of San Francisco's Urban Forest, FY 2010-211**

One of the tasks of San Francisco's Urban Forestry Council is to provide an annual report on the state of the urban forest. To this end, we surveyed 24 agencies involved with trees in San Francisco. We received responses from 20 agencies ranging from those directly involved in planting and caring for trees to state organizations that fund urban forest related projects or that support local tree advocacy groups. (For a complete list of groups see Appendix I, and for tables of the questions and responses see Appendix II.) While this report seeks to be as comprehensive as possible, it is based on data provided by responding agencies and does not include complete information on all urban forestry work within the City.

The goals of the report are as follows:

- To determine the resources used to support the urban forest (funding and labor).
- To track the priorities, needs, and concerns of the agencies, and monitor how they change over time.
- To better understand threats to the future well-being of our urban forest.
- To find ways to increase the contributions that trees provide to our community.

In the fiscal year 2010-2011, 2,753 trees were planted and 1,011 were removed, for a net gain of 1,742. The groups most active in tree planting were Friends of the Urban Forest (FUF), the Department of Public Works (DPW), and the Recreation and Parks Department (RPD). City agencies also cared for 31,315 trees (pruning, inspection, watering), with the same three groups as well as the Port of San Francisco and PG&E being most active in tree care.

San Francisco agencies reported approximately 125 staff positions that dedicate a portion of their time to urban forest programs, and of these staff positions, approximately 67 are dedicated to planting and maintaining trees. Additional contractor and volunteer time was engaged by city agencies and non-profits for tree maintenance.

Responding agencies had a combined dedicated forestry-related budget of \$9.3M, of which \$6.9M was spent on tree planting and tree care. Additional funding for staffing hours was spent on tree management, which is not identified separately from broader organizational landscaping budgets and not included in the \$9.3M figure. These totals only include work performed on trees that are within public jurisdiction.

When asked about issues of concern to the urban forest, most managers emphasized lack of staff and funding for ongoing maintenance of trees. Budget shortfalls and the inability to provide adequate care to trees have resulted in a significant change in DPW policy this year. The department proposes to transfer maintenance responsibility for approximately 24,000 trees to fronting property owners over a seven-year period. Private property owners are currently responsible for the maintenance of approximately 65,000 street trees in San Francisco.

Concerns have been expressed that transferring tree care responsibilities is potentially harmful to the long-term viability of the urban forest. The UFC urges the Mayor and Board of Supervisors to identify sustainable funding mechanisms to ensure that San Francisco's urban forest remains safe and healthy, and that it continues to provide significant social, economic and ecological benefits.

## **Major opportunities and challenges reported by participating organizations**

Management of San Francisco's urban forest is divided among many stakeholders who provide direct care to trees within land under their jurisdiction, as well as nonprofit organizations who engage with agency partners to support forestry activities on city-owned land.

**City College of San Francisco (CCSF)** is highly concerned with their inability to adequately care for trees within their campuses. They lack funding to ensure proper maintenance is performed and are unable to sufficiently address issues caused by disease and storm events. They are highly concerned with staffing and funding constraints, loss of trees due to age and disease, loss of trees related to development, and the low prioritization of forestry programs.

The **Department of Public Works (DPW)** faced additional budget cuts to their arborist crews of \$330K, which resulted in the loss of two arborist technician positions. The continuing lack of stable funding for both planting and maintenance of trees will result in the Department transferring the maintenance responsibility of approximately 24K trees to adjacent property owners. While two-thirds of sidewalk trees are already the maintenance responsibility of adjacent property owners, DPW is concerned that trees may not be properly maintained.

**Friends of the Urban Forest (FUF)** is concerned with overall care of street trees. Studies have shown that the average street tree mortality rates in urban areas are between 3.2% and 4% – or an annual total loss of approximately 4,000 street trees in San Francisco. In light of this, the 335 street trees planted by DPW, along with the 1000+ planted by FUF, are not enough to ensure stability of the street tree population. FUF is highly concerned with the cuts to DPW's budget for tree care and their relinquishment of trees to property owners. Though FUF understands that DPW had no choice when faced with chronic underfunding and staffing reductions, they believe this is a disastrous move for the health and growth of San Francisco's urban forest.

**Pacific Gas and Electric Company (PG&E)** encourages customers to plant low-growing tree species beneath power lines to ensure safety of high voltage lines. PG&E offers educational resources that can be found at [pge.com/trees](http://pge.com/trees). PG&E noted concerns including difficulty in safely pruning trees near cars and the potential hazards trees pose to the electric facilities after car-caused damage.

The **Port of San Francisco (PORT)** began collecting tree inventory data this year, including GPS coordinates, trunk and canopy size, tree basin size, and images of each tree. They also identified and scheduled plantings for empty street tree wells within their jurisdiction. The Port lost 16 total trees this year, four of which were palms affected by Fusarium wilt. They are highly concerned with any future loss of the valuable palms that line the Embarcadero, as the replacement cost of each tree is \$30-\$40K.

The **Recreation and Parks Department (RPD)** is concerned with securing adequate resources for programmatic maintenance of the estimated 131K trees on the 4196 acres of parkland that they manage. RPD Urban Forestry program staffing continues to decline due to inability to fill position vacancies. Additionally, RPD has continuing concerns with the death and loss of trees within their parklands due to pine pitch canker.

The **San Francisco Department of Public Health (SFDPH)** has many facilities with on-site trees, though the General Hospital Facility was the only site to respond to this year's survey. Many trees have been stressed or removed due to the construction of the new hospital. These issues will continue until the project is complete and a final landscape plan is in place. Until then, their gardeners report they will focus on functionality and care of remaining green spaces.

The **San Francisco Housing Authority** (SFHA) entered into a maintenance agreement with DPW to provide project-based tree care services, including inventory, planting, care, and removal work. In addition to this MOU, SFHA also utilizes the services of private contractors and non-arborist Housing Authority staff.

The **San Francisco International Airport** (SFO) is the only reporting agency that is consistently satisfied with funding, staffing, and prioritization of forestry programs within their agency. They note their highest concern is the prioritization of forestry programs within the city at large. While they currently have adequate resources to meet their tree management needs, as their trees mature, they will need to increase maintenance activities, and the associated budget.

The **San Francisco Municipal Transportation Agency** (SFMTA) reports concerns with inefficiencies in forestry programs city-wide. SFMTA is required to maintain landscaping to comply with outside regulatory agencies. Sometimes these areas are within the jurisdiction of other city agencies. Occasionally, this creates management difficulties in coordinating SFMTA operational needs within the limitations of other agencies. For example, SFMTA needs to schedule tree work during hours that they can reduce public transportation services. If the tree maintenance work is under the jurisdiction of another agency, that agency may not have available staff during SFMTA's optimal timeframe.

The **San Francisco Public Utilities Commission** (SFPUC) underwent a restructuring of their forestry programs, with a significant portion of the budget and management responsibilities reassigned to the Natural Resources Lands Management Division. SFPUC continues to be concerned with resource constraints that affect their ability to provide adequate care to new and established trees.

The **San Francisco Redevelopment Agency** (SFRA) maintains trees through various general landscape contracts and is concerned with their ability to provide long-term tree maintenance and providing adequate care to established trees. The City and County of San Francisco will take over maintenance of the Redevelopment Agency trees in future years.

**San Francisco State University's** (SFSU) Site Planning Director reports staffing and funding constraints and concerns with significant tree loss related to age and diseases, along with inability to provide care to established trees. SFSU expressed interest in a replanting plan that will result in a reduction to infrastructure damage from trees, reduce the risk of tree failures, improve the survival rate of newly planted trees, and increase bird habitat.

The **Treasure Island Development Authority's** (TIDA) redevelopment plan calls for new street and streetscape improvements, including street tree planting and removal. Investment in urban forestry programs is limited due to the upcoming implementation of the area redevelopment plan.

The **University of California, San Francisco** (UCSF) is concerned with the health of the trees within their ageing forest as well as how state-wide budgetary constraints may affect this campus.

In addition to the agencies and organizations that provide direct services through management or oversight of portions of the urban forest, several organizations responding to this year's survey support local urban forestry programming through policy, technical assistance, or funding, without directly overseeing or managing city trees. These organizations contributed just over \$1M (12%) to the overall urban forestry programming budget within the City and County of San Francisco.

**The California Department of Forestry and Fire Protection (CalFire)** engages with municipalities through providing technical assistance and funding for local projects. In fiscal year 2010, they awarded \$182K to San Francisco nonprofits to support the care and management of San Francisco's trees. The agency is currently interested in increasing the capacity of the Urban Forest Map, implementing Urban Wood Utilization programs and the creation of sustainable business models that utilize urban wood as a resource rather than waste. CalFire is also interested in positioning urban forest resources within climate adaptation strategies.

**The San Francisco Planning Department (Planning)** received a grant of \$250K from Cal Fire to produce an update to the urban forest master plan and conduct a sample tree inventory. Planning additionally worked with FUF to plant street trees and install sidewalk landscaping on blocks adjacent to Cesar Chavez Street through a \$200K grant from the US EPA.

**California ReLeaf** provided \$379K grant funding to local nonprofits for tree planting and maintenance in this fiscal year. ReLeaf commends San Francisco for being the most prominent politically progressive major metropolitan area in the state of California. They rely on San Francisco partners for support in their endeavors to advance communication, education, and training among their members, as well as engaging in national level issues, such as the 2012 Farm Bill. This year, they officially recognized Arbor Week, advocated for the successful volunteer exemption bill (AB 587), produce their annual conference, and provided funding to various programs.

**The California Urban Forest Council** is a statewide non-profit comprised of diverse membership that advocates for the best possible urban forests in California, oversees Bay Area Forest Council funding and programs. They will be launching the "Invest from the Ground Up" campaign shortly, which will have statewide influence and will supply resources for regional council members use.

**The California Urban Forest Advisory Council** makes recommendations to CalFire on urban forestry matters. Their feedback affects statewide programming which in turn impacts San Francisco urban forestry programming. While a role for local organizations has not yet been defined, a member of this Council also serves on the San Francisco Urban Forestry Council and will facilitate future collaborative opportunities.

## **Appendix I: List of Participating Agencies**

The following agencies responded to the survey:

- California Department of Forestry and Fire Protection (CalFire)
- California ReLeaf
- California Urban Forest Council
- California Urban Forestry Advisory Council
- City College of San Francisco (CCSF)
- Department of Public Works (DPW)
- Friends of the Urban Forest (FUF)
- Pacific Gas and Electric (PG&E)
- The Port of San Francisco (PORT)
- The Recreation and Parks Department (RPD)
- San Francisco Department of Public Health, General Hospital (SFDPH)
- San Francisco Housing Authority (SFHA)
- San Francisco International Airport (SFO)
- San Francisco Municipal Transit Authority (SFMTA)
- San Francisco Planning Department (Planning)
- San Francisco Public Utilities Commission, Natural Areas Division (SFPUC)
- San Francisco Redevelopment Agency (SFRA)
- San Francisco State University (SFSU)
- Treasure Island Development Authority (TIDA)
- University of California, San Francisco (UCSF)

The following organizations and agencies did not respond:

- A Living Library
- Golden Gate National Recreation Area
- Presidio Trust
- San Francisco Unified School District

**Appendix II: Responses from the 2011 Annual Urban Forest Report Survey**

Table 1: Respondents were asked about staffing and budget:

| Agency/<br>Organization | Urban<br>forest-<br>related staff<br>positions | # Staff (or FTE)<br>working only on<br>planting, care,<br>and removal of<br>trees | What is your<br>total<br>organization/<br>agency<br>budget? | What is your<br>urban<br>forestry<br>related<br>budget? | Est. % of UF<br>budget spent on<br>tree planting, care,<br>and removal |       |
|-------------------------|------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------|-------|
|                         |                                                |                                                                                   |                                                             |                                                         | Amount                                                                 | %     |
| CCSF                    | 0                                              | 0                                                                                 | UKN                                                         | \$10K                                                   | 10K                                                                    | 100%  |
| DPW                     | 59                                             | 29                                                                                | \$7.3M                                                      | \$4.1M                                                  | \$1.85M                                                                | 45%   |
| FUF                     | 13.5                                           | 4.5                                                                               | \$1.6 M                                                     | \$1.3M                                                  | \$1.3M                                                                 | 100%  |
| PG&E                    | 1**                                            | UKN*                                                                              | UKN                                                         | UKN**                                                   | UKN                                                                    | UKN   |
| PORT                    | 2                                              | .1                                                                                | \$66M                                                       | \$14K                                                   | \$14K                                                                  | 100%  |
| RPD                     | 29                                             | 29                                                                                | \$127.8M                                                    | \$3.5M                                                  | \$3.5M                                                                 | 100%  |
| SFDPH                   | 2.5                                            | 0                                                                                 | \$900K                                                      | \$15K                                                   | 15K                                                                    | 100%  |
| SFHA                    | 0                                              | 0                                                                                 | \$13M                                                       | 0                                                       | 0                                                                      | 0     |
| SFO                     | 10                                             | UKN*                                                                              | UKN                                                         | \$50K                                                   | \$50K                                                                  | 100%  |
| SFMTA                   | 3*                                             | > 0.5                                                                             | \$780.5K                                                    | \$18.8K                                                 | UKN**                                                                  | UKN** |
| SFPUC                   | 1                                              | 1                                                                                 | UKN                                                         | UKN**                                                   | UKN**                                                                  | UKN** |
| SFRA                    | 0                                              | 0                                                                                 | \$286.1M                                                    | UKN**                                                   | UKN**                                                                  | UKN** |
| SFSU                    | 2.1                                            | 2                                                                                 | \$8M                                                        | \$130K                                                  | \$120K                                                                 | 92%   |
| TIDA                    | 1                                              | 1                                                                                 | \$8.1M                                                      | \$160K                                                  | \$32K                                                                  | 20%   |
| UCSF                    | 1                                              | > 1                                                                               | \$38M                                                       | UKN**                                                   | UKN**                                                                  | UKN** |
| <b>TOTAL:</b>           | <b>125.1</b>                                   | <b>67.1 FTE+</b>                                                                  | <b>\$557.7M+</b>                                            | <b>\$9.3M+</b>                                          | <b>\$6.9M+</b>                                                         |       |

\*Agency utilized services of contractors or agency including forestry maintenance within work plans of staff that had additional duties. Staffing levels are unknown.

\*\*Budget for forestry related work included in broader landscaping or maintenance budgets. Exact amounts unknown.

Table 2: Respondents were asked about work plans:

| Agency                     | How many trees within your agency have been: |               |              | Did your agency work for another agency? | Did another agency work for your agency? |
|----------------------------|----------------------------------------------|---------------|--------------|------------------------------------------|------------------------------------------|
|                            | Planted                                      | Cared for     | Removed      |                                          |                                          |
| CCSF                       | UKN                                          | 12-15         | 5            | No                                       | Yes, RPD                                 |
| DPW                        | 335*                                         | 9603          | 147**        | Yes, PUC                                 | Yes, FUF                                 |
| FUF                        | 1060                                         | 3792          | 0            | Yes                                      | No                                       |
| PG&E                       | UKN                                          | ~2,500        | UKN          | No                                       | Yes, Contractors                         |
| PORT                       | 9                                            | 1644          | 5            | No                                       | Yes, DPW                                 |
| RPD                        | 1119                                         | 657           | 491          | Yes, PUC, CCSF, DPH                      | Yes, Contractors                         |
| SFDPH                      | 0                                            | 12            | 30-40        | No                                       | Yes, Contractors                         |
| SFHA                       | 0                                            | 0             | 0            | No                                       | Yes, DPW and Contractors                 |
| SFO                        | ~ 200                                        | ~2,500        | 3            | Yes, Caltrans                            | No                                       |
| SFMTA                      | 0                                            | 19            | 2            | No                                       | Yes, DPW and Contractors                 |
| SFPUC                      | 20                                           | UKN           | 200          | No                                       | Yes, RPD and DPW                         |
| SFRA                       | UKN                                          | UKN           | UKN          | No                                       | Yes, Contractors                         |
| SFSU                       | UKN                                          | 2,000         | 70           | No                                       | Yes, Contractors                         |
| TIDA                       | 0                                            | 1075          | 25           | No                                       | Yes, Contractor                          |
| UCSF                       | 10                                           | ~7,500        | 28           | No                                       | Yes, FUF and Contractors                 |
| <b>Approximate Totals:</b> | <b>2,753</b>                                 | <b>31,315</b> | <b>1,011</b> | <b>4 Yes, 11 No</b>                      | <b>13 Yes, 2 No</b>                      |

\* DPW additionally issued permits to private property owners to plant 660 trees. Of these, 239 were new trees and 421 replaced trees that were permitted for removal. These trees are not included in the total number of trees planted.

\*\* DPW additionally issued permits to private property owners to remove 515 trees. Of these, 421 were replanted and 94 were not. These trees are not included in the total number of trees removed.

Table 3: Respondents were asked to rate the urban forest-related concerns on a 1-5 scale, with 1 being "not significant" and 5 being "extremely significant"

| Agency                | Inability to provide adequate care to newly planted trees | Inability to provide adequate care to established trees | Inefficiencies in the way forestry programs operate on a city-wide basis | Loss of significant numbers of trees due to age and/or disease | Loss of significant numbers of trees due to vandalism, illegal pruning, and/or illegal removal | Loss of significant numbers of trees due to development |
|-----------------------|-----------------------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| CCSF                  | 5                                                         | 5                                                       | 3                                                                        | 5                                                              | 1                                                                                              | 5                                                       |
| DPW                   | 3                                                         | 4                                                       | 3                                                                        | 3                                                              | 5                                                                                              | 4                                                       |
| FUF                   | 1                                                         | 4                                                       | 2                                                                        | 5                                                              | 3                                                                                              | 4                                                       |
| PORT                  | 4                                                         | 3                                                       | 3                                                                        | 5                                                              | 3                                                                                              | 1                                                       |
| RPD                   | 5                                                         | 5                                                       | 2                                                                        | 5                                                              | 5                                                                                              | 3                                                       |
| SFDPH                 | 2                                                         | 5                                                       | 5                                                                        | 3                                                              | 3                                                                                              | 5                                                       |
| SFO                   | 2                                                         | 2                                                       |                                                                          | 1                                                              | 1                                                                                              | 1                                                       |
| SFMTA                 | 2                                                         | 2                                                       | 4                                                                        | 2                                                              | 1                                                                                              | 1                                                       |
| SFPUC                 | 5                                                         | 5                                                       | 3                                                                        | 5                                                              | 2                                                                                              | 1                                                       |
| SFRA                  | 2                                                         | 4                                                       | 3                                                                        | 2                                                              | 1                                                                                              | 1                                                       |
| SFSU                  | 1                                                         | 5                                                       | 1                                                                        | 5                                                              | 1                                                                                              | 3                                                       |
| TIDA                  | 2                                                         | 2                                                       | 2                                                                        | 5                                                              | 3                                                                                              |                                                         |
| UCSF                  | 2                                                         | 2                                                       | 3                                                                        | 5                                                              | 4                                                                                              | 2                                                       |
| <b>TOTAL</b>          | <b>36</b>                                                 | <b>48</b>                                               | <b>34</b>                                                                | <b>51</b>                                                      | <b>33</b>                                                                                      | <b>31</b>                                               |
| <b>AVERAGED TOTAL</b> | <b>2.8</b>                                                | <b>3.7</b>                                              | <b>2.6</b>                                                               | <b>4</b>                                                       | <b>2.5</b>                                                                                     | <b>2.4</b>                                              |

The San Francisco Housing Authority and Pacific Gas and Electric Company did not supply responses.

Table 4: Respondents were asked to rate the areas of concern that were limiting their ability to excel on a 1-5 scale, with 1 being "not significant" and 5 being "extremely significant"

| Agency                | Funding constraints | Staffing constraints | Prioritization of urban forestry programs within your agency/the city at large | Lack of coordinated efforts to protect and manage the overall urban forest | Lack of tree inventory | Lack of management plan |
|-----------------------|---------------------|----------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|------------------------|-------------------------|
| CCSF                  | 5                   | 5                    | 5                                                                              | 2                                                                          | 3                      | 3                       |
| DPW                   | 5                   | 5                    | 4                                                                              | 3                                                                          | 3                      | 5                       |
| FUF                   | 3                   | 2                    | 1                                                                              | 5                                                                          | 4                      | 1                       |
| PORT                  | 5                   | 5                    | 4                                                                              | 5                                                                          | 1                      | 3                       |
| RPD                   | 5                   | 5                    | 5                                                                              | 3                                                                          | 3                      | 3                       |
| SFDPH                 | 3                   | 4                    | 5                                                                              | 5                                                                          | 3                      | 4                       |
| SFO                   | 1                   | 2                    | 3                                                                              | 2                                                                          | 3                      | 2                       |
| SFMTA                 | 3                   | 5                    | 4                                                                              | 3                                                                          | 2                      | 2                       |
| SFPUC                 | 5                   | 5                    | 3                                                                              | 2                                                                          | 2                      | 2                       |
| SFRA                  | 4                   | 1                    | 2                                                                              | 4                                                                          | 2                      | 1                       |
| SFSU                  | 5                   | 5                    | 3                                                                              | 1                                                                          | 1                      | 1                       |
| TIDA                  | 2                   | 2                    | 4                                                                              | 2                                                                          | 2                      | 1                       |
| UCSF                  | 5                   | 5                    | 2                                                                              | 4                                                                          | 2                      | 2                       |
| <b>TOTAL</b>          | <b>51</b>           | <b>51</b>            | <b>45</b>                                                                      | <b>41</b>                                                                  | <b>31</b>              | <b>30</b>               |
| <b>AVERAGED TOTAL</b> | <b>4</b>            | <b>4</b>             | <b>3.5</b>                                                                     | <b>3.1</b>                                                                 | <b>2.4</b>             | <b>2.3</b>              |

The San Francisco Housing Authority and Pacific Gas and Electric Company did not supply responses.

**MEMORANDUM**

**DATE:** March 26, 2012  
**TO:** Angela Calvillo, Clerk to San Francisco Board of Supervisors  
**FROM:** Rhonda Simmons  
**RE:** San Francisco Local Hiring Policy for Construction Annual Report to the Board

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2012 MAR 26 PM 3:58  
ASD

The Office of Economic and Workforce Development (OEWD) is submitting the following 2011-2012 Annual Report for the San Francisco Local Hiring Policy for Construction to the Board of Supervisors. The additional extension to submit the report had provided OEWD a better analysis of the available data for the Policy and make recommendations to ensure better outcome of the Policy. The report will provide broad performance data for covered projects during the first year, and forecast year two implementation priorities to prepare for the performance rate escalating from 20% to 25%, on March 25, 2012.



# San Francisco Local Hiring Policy for Construction

## 2011-2012 Annual Report

*March 27, 2012*



**To the San Francisco Board of Supervisors**

**SAN FRANCISCO**  
**LOCAL HIRING POLICY FOR CONSTRUCTION**  
2011-12 Annual Report

**TABLE OF CONTENTS**

|                                                 |    |
|-------------------------------------------------|----|
| MESSAGE FROM THE MAYOR                          | 1  |
| INTRODUCTION                                    | 2  |
| EXECUTIVE SUMMARY                               | 3  |
| YEAR ONE IMPLEMENTATION HIGHLIGHTS              | 4  |
| LOCAL HIRE – YEAR ONE                           | 5  |
| LOCAL HIRE PERFORMANCE BY DEPARTMENT            | 7  |
| WORKER DEMOGRAPHIC INFORMATION                  | 12 |
| IMPLEMENTATION CHALLENGES AND REMEDIES          | 14 |
| YEAR TWO IMPLEMENTATION PRIORITIES              | 15 |
| BUILDING THE PIPELINE FOR SAN FRANCISCO WORKERS | 16 |
| CONCLUSION                                      | 17 |

For More Information, contact the OEWD Workforce Division at:

50 Van Ness  
San Francisco, CA 94102  
[Local.Hire.Ordinance@sfgov.org](mailto:Local.Hire.Ordinance@sfgov.org)  
415-581-2363

# Message from the Mayor

---

Greetings!

On behalf of the City and County of San Francisco's Office of Economic and Workforce Development (OEWD), I'm pleased to present this first annual report on the San Francisco Local Hiring Policy for Construction.

Creating jobs and stimulating the local economy is my highest priority, and it has been at the forefront of most of my major initiatives as Mayor. Back in October of 2011, I released a 17-Point Jobs Plan that included hiring more San Franciscans through policies like this one.



In December of 2010, during the midst of the worst economic and jobs crisis in decades, the Board of Supervisors amended Chapter 6.22(G) of the City's Administrative Code, moving from a "good faith" standard of local hiring on City-funded construction projects to mandatory levels of local hiring. In this first year, the Policy required 20% of local-resident hiring by construction trade, and will move to 25% on March 25, 2012 for all covered projects released for bid.

I'm heartened by the results from this first year. While our local hire projects are still in their early stages, the reporting indicates the hiring levels are being met. I'd like to acknowledge the hard work of my staff and that of awarding departments, who coordinated across multiple departments to successfully implement and administer the new Policy within a very demanding timeline. Thanks also to the many contractors who continue to bid on City public works projects and hire locally.

At the same time, I know there's a lot of work ahead in order to prepare for the increase to 25%. I've asked OEWD to continue to provide training and educational workshops to community members, jobseekers, contractors, and labor groups, to ensure we're more than prepared as a City. My hope is this effort is one of many to continue employing more San Franciscans and providing more opportunities for local businesses as we build and develop this great City.

All the best,

A handwritten signature in black ink that reads "Edwin M. Lee". The signature is fluid and cursive, with the first name being the most prominent.

Edwin M. Lee  
Mayor

# Introduction

---

## OFFICE OF ECONOMIC & WORKFORCE DEVELOPMENT MISSION STATEMENT

The **mission** of the Office of Economic and Workforce Development (OEWD) is to support the ongoing economic vitality of San Francisco. Under the direction of Mayor Edwin M. Lee, OEWD provides city-wide leadership for workforce development, business attraction and retention, neighborhood commercial revitalization, international business and development planning.

OEWD's programs are responsible for strengthening San Francisco's many diverse neighborhoods and commercial corridors, creating a business climate where companies can grow and prosper, and ensuring a continually high quality of life for all San Franciscans.

The **strategy** of the Workforce Development Division of the Office of Economic and Workforce Development is designed to improve the responsiveness of the workforce system to meet the demands of sustainable and growing industries, providing employers with skilled workers and expanding employment opportunities for San Francisco residents. This dual customer approach is designed to be flexible and responsive to the changing needs of the labor market.

## SAN FRANCISCO LOCAL HIRING POLICY FOR CONSTRUCTION

In December of 2010, the San Francisco Board of Supervisors approved amendments to Chapter 6.22(g) of the San Francisco Administrative Code and formally adopted the **San Francisco Local Hiring Policy for Construction ("Policy")**, becoming one of the strongest pieces of legislation in the country to promote the utilization of local citizens on locally sponsored projects. Effective March 25, 2011, public construction projects funded by the City and County of San Francisco with an engineer's estimate of \$400,000 or more will require mandatory participation levels of local residents by trade.

**The City's OEWD** was designated to implement and oversee the Policy. The department provides overall administrative guidance and is responsible for producing this annual report to the Board of Supervisors. In the first year of the Policy, the mandatory local hiring requirement was **20% by trade**.

# Executive Summary

## PURPOSE

This *Annual Report to the San Francisco Board of Supervisors on the Local Hiring Policy for Construction* was produced by the City's OEWD to inform the Board of the progress achieved during the Policy's first year of implementation. The report presents department and project-level performance data and discusses workforce demographics. It also lays out challenges the City has encountered. As well, the report proposes remedies and priorities for Year Two.

### 1. Implementation

The combined efforts and commitment of all Policy stakeholders – City departments, community advocates, labor affiliates, trades workers, and the contractor community – have made **YEAR ONE** implementation of the Local Hire Policy for Construction a successful endeavor. Between **March 25, 2011 and March 1, 2012**, the City successfully integrated the Policy into all 50 of the awarded projects that occurred within its guidelines.

### 2. The City

- Installed the Policy's administrative processes, documents and procedures.
- Upgraded the Project Reporting System (PRS) to facilitate documentation, compliance monitoring and reporting.
- Oriented hundreds of staff, contractors, labor representatives and community partners as to the workings of the Policy.
- Negotiated a reciprocity agreement with San Mateo County that benefits both San Francisco and San Mateo County residents.



### 3. Early Findings

Preliminary data for **22 active Public Works Projects** indicate that **34% of total craft hours** and **68% of apprentice hours** have been performed by **San Francisco Residents**.

Twenty-two (22) of the 50 projects awarded got underway in the latter portion of 2011. The performance data presented in this report is gleaned from these 22 active projects. As most of these projects are still in progress, the data provides only an indication as to the preliminary impact of the Policy, rather than definitive results.

- Six Trades performed the majority of the work. These and all other crafts, with the exception of two, reported local resident participation of 20% or more.
- Women performed less than one percent of all the craft hours, and San Francisco women performed about 1.8% of all craft hours performed by local residents.
- San Francisco workers reside throughout the City but more than 60% live in 94134, 94124, 94110, 94112 or 94107 zip codes.

### 4. Year Two Priorities

In Year Two, the City will continue to seek support from Policy stakeholders, particularly a newly forming Mayor's Local Hiring Advisory Committee. It will enhance its partnerships with labor and the contracting community to devise strategies for moving San Franciscans into its craft pipeline.

# Year One Implementation Highlights

**1. STAKEHOLDER COLLABORATION**

**2. RECIPROCITY AGREEMENT**

**3. REPORTING SYSTEMS UPGRADE**

## MARCH 25, 2011 – MARCH 1, 2012

During Year One, the City launched the Local Hiring Policy for Construction on 50 applicable projects. The Policy was fully integrated into these projects and so were a full complement of compliance monitoring and local resident referral services. In putting the Policy into operation, the City focused its activities in two key areas:

- I. Putting in place the administrative infrastructure required to implement the Policy on all applicable City projects, and;
- II. Orientating City departments, contractors, labor unions, and community workforce organizations regarding Policy requirements and procedures.

### 1. Stakeholder Collaboration

The City convened Working and Policy Groups to facilitate the implementation of the Policy. These groups updated all City contracting policies and procedures, and incorporated the Policy into all bid documents and contracts. OEWD hosted public hearings, community meetings, contractor workshops and inter-departmental training to educate stakeholders on the new Policy and to receive feedback on the implementation rollout. This intensive effort contributed greatly to putting the Policy into full operation within its sixty (60) day mandate.

### 2. Reciprocity Agreement

The San Francisco Board of Supervisors finalized a Reciprocity Agreement with the San Mateo County Board of Supervisors that enables contractors working on City sponsored projects located in San Mateo County to receive local hire credit for employing both San Francisco and San Mateo County residents.

### 3. Reporting Systems Upgrade

The City upgraded its Payroll Reporting System (PRS) that is used by City contractors to report weekly payroll and residency information for their workers. New modules were added that allow contractors who are working on projects covered by the Local Hiring Policy to submit compliance forms and receive progress reports online. Also, the improvements enable OEWD to more efficiently track workers, thus enhancing the integrity of residency and demographic data.

**TABLE 1: ACTIVE LOCAL HIRE PROJECTS IN YEAR ONE**

|                           | PUC     | DPW       | RPD        | Port     | SFO       | MTA      | Total   |
|---------------------------|---------|-----------|------------|----------|-----------|----------|---------|
| Number of Active Projects | 6       | 8         | 4          | 2        | 1         | 1        | 22      |
| Total Award               | \$16mil | \$11.5mil | \$10.8 mil | \$2.5mil | \$2.9 mil | \$1.3mil | \$45mil |

REPORTING PERIOD: 3/25/11 – 3/1/12



# Local Hire – Year One

## SUMMARY DATA FOR ALL CITY DEPARTMENTS

MARCH 25, 2011 – MARCH 1, 2012

During this first year, **twenty-two (22)** of the 50 City-sponsored projects covered by the Local Hiring Policy got underway. These projects began in the latter part of 2011. All of the performance information presented in this report is drawn from the data reported through the City’s Project Reporting System for these **22 active projects**. These data are based on a **total of 75,994** reported craft hours and provide **only an indication of the preliminary impact of the City’s new legislation**, rather than definitive results. Following is summary data resulting from these 22 public works projects, sponsored by five City departments.



### ••• Hours of San Francisco Residents

**34% of the total work hours** and **68% of the apprentice hours** have been performed by San Francisco residents.

### ••• Total Number of San Francisco Workers

Of the total 542 **craft workforce**, San Francisco residents comprise **28% or 153** of these workers.

**TABLE 2: HOURS WORKED BY SAN FRANCISCO RESIDENTS BY CITY DEPARTMENTS**

| CITY DEPARTMENTS                     | Craft Hours   |               |            | Apprentice Hours |              |            |
|--------------------------------------|---------------|---------------|------------|------------------|--------------|------------|
|                                      | Total         | Local         | Local %    | Total            | Local        | Local %    |
| Public Utilities Commission          | 30,830        | 9,335         | 30%        | 2,118            | 1,782        | 84%        |
| Department of Public Works           | 22,793        | 8,296         | 36%        | 2,958            | 1,800        | 61%        |
| Recreation & Parks Department        | 4,613         | 1,978         | 43%        | 218              | 106          | 49%        |
| *San Francisco International Airport | 6,026         | 1,183         | 20%        | 1,077            | 547          | 51%        |
| Port of San Francisco                | 8,979         | 3,592         | 40%        | 819              | 558          | 68%        |
| Municipal Transportation Agency      | 2,703         | 1,529         | 57%        | 420              | 395          | 94%        |
| <b>Total</b>                         | <b>75,944</b> | <b>25,913</b> | <b>34%</b> | <b>7,609</b>     | <b>5,187</b> | <b>68%</b> |

REPORTING PERIOD: 3/25/11 – 3/1/12

*\*Pursuant to the terms of the Local Hiring Policy for Construction and a Memorandum of Understanding (MOU) with San Mateo County, SFO projects require a 7% local resident participation rate by trade. This rate is met through a combination of San Francisco and San Mateo County resident hiring. Local percentages for SFO projects reflect hours worked by both San Francisco and San Mateo County residents.*



## Local Hire – Year One

From the summary data depicted in **Tables 2 and 3**, it appears that the contractors working on these projects occurring across all City departments are achieving the required Year One San Francisco resident participation rate of 20%, as well as the San Francisco apprentice participation rate of 50%. However, as the reported hours only represent a fraction of the anticipated craft hours that will be expended throughout these projects, the data can only be considered preliminary and it provides some indication of what is happening. Once additional data is available for these 22 projects and for the other 28 projects that have yet to commence, a more thorough assessment will be possible.

**TABLE 3: CRAFT & APPRENTICE HOURS BY TRADE FOR ALL DEPARTMENTS**

| Trade                               | Total Hours   |               |            | Apprentice Hours |              |            |
|-------------------------------------|---------------|---------------|------------|------------------|--------------|------------|
|                                     | Total         | Local         | Local %    | Total            | Local        | Local %    |
| Carpet, Linoleum, Soft Floor Layer  | 6,026         | 1,183         | 20%        | 1,077            | 547          | 51%        |
| Carpenter And Related Trades        | 4,135         | 1,561         | 38%        | 582              | 550          | 95%        |
| Cement Mason                        | 2,475         | 1,410         | 57%        | 796              | 796          | 100%       |
| Driver and Teamsters                | 3,344         | 556           | 17%        | **               | **           | **         |
| Laborer And Related Classifications | 46,548        | 16,434        | 35%        | 4,649            | 3,182        | 68%        |
| Operating Engineer                  | 8,131         | 2,905         | 36%        | 88               | 8            | 9%         |
| Slurry Seal Worker                  | 1,425         | 189           | 13%        | **               | **           | **         |
| *(12) Other Trades                  | 3,860         | 1,675         | 43%        | 417              | 104          | 25%        |
| <b>Total</b>                        | <b>75,944</b> | <b>25,913</b> | <b>34%</b> | <b>7,609</b>     | <b>5,187</b> | <b>68%</b> |

REPORTING PERIOD: 3/25/11 – 3/1/12

\*Other trades include Asbestos Removal Worker, Iron Worker, Electrician, Drywall Installer/Lather, Landscape Maintenance Laborer, Painter, Parking and Highway Improvement Painter, Pile Driver, Plumber, Roofer, Sheet Metal Worker, and Tile Setter. Minimal hours were reported for these trades but all except Asbestos Removal Workers exceeded the 20% resident participation level.

\*\* These are non-apprenticeable trades and no apprentice hours were reported.

The performance data for each of the City's awarding departments follows. This data includes the rate of participation for San Francisco residents and for San Francisco apprentices regarding all covered projects advertised for bid that commenced work between March 25, 2011 and March 1, 2012. Again, this data is derived from the 22 projects that were active in Year One.



# Local Hire Performance by Department

## PUBLIC UTILITIES COMMISSION

SIX  
CONSTRUCTION  
PROJECTS  
\$16 million



**TABLE 4: PARTICIPATION OF SAN FRANCISCO RESIDENTS ON PUC PROJECTS**

| PROJECTS                          | Completion % | Local Hire Participation | Local Apprentice Participation |
|-----------------------------------|--------------|--------------------------|--------------------------------|
| WD-2606 Forest Hill Pump Station  | 24%          | 10%                      | 92%                            |
| WW-418 Various Locations Sewer    | 53%          | 28%                      | 99%                            |
| WW-433 Buchanan Sewer Replacement | 75%          | 26%                      | 100%                           |
| WW-480, Various Locations Sewer   | 40%          | 16%                      | 100%                           |
| WW-488, As-Needed Main Sewer      | 31%          | 32%                      | **                             |
| *WW-520 Spot Sewer Repair         | *            | 42%                      | 67%                            |
| <b>TOTAL</b>                      |              | <b>30%</b>               | <b>84%</b>                     |

REPORTING PERIOD: 3/25/11 – 3/1/12

\* Construction work is performed on an As-Needed basis and therefore does not have a percentage completion.

\*\* This project only utilized journey level workers to perform their work.

As of March 1, 2012, San Francisco resident rates of participation on Public Utilities Commission (PUC) projects have ranged from 10% to 42% and have averaged 30%. Only two of the active projects currently have participation levels below the required 20%. However, as shown in **TABLE 4**, none of the PUC projects were completed during Year One of the Policy. Moreover, three of the projects are less than 50% complete. This explains the preliminary nature of the performance data. Once these projects are completed there will be more information available regarding the department's performance relative to the Policy.



# Local Hire Performance by Department

## DEPARTMENT OF PUBLIC WORKS

**NINE  
CONSTRUCTION  
PROJECTS  
\$12.8 million**



**TABLE 5: PARTICIPATION OF SAN FRANCISCO RESIDENTS ON DPW PROJECTS**

| PROJECTS                                                              | Completion % | Local Hire Participation | Local Apprentice Participation |
|-----------------------------------------------------------------------|--------------|--------------------------|--------------------------------|
| As-Needed Sidewalk (2035D-4)                                          | *            | 36%                      | 9%                             |
| As-Needed Sidewalk Repair (2116D)                                     | *            | 75%                      | 100%                           |
| Contract 60 New Traffic Signals (1812J) – MTA Project, managed by DPW | 65%          | 57%                      | 94%                            |
| Guerrero Street Pavement (1764J)                                      | 90%          | 21%                      | 99%                            |
| Lawton Street Pavement (1765J)                                        | 90%          | 38%                      | 100%                           |
| Mission and Geneva (1667J)                                            | 99%          | 50%                      | 60%                            |
| SOMA West Improvements (1378J)                                        | 10%          | 4%                       | **                             |
| Various Locations Pavement (1787J)                                    | 99%          | 21%                      | ***                            |
| Various Locations Slurry Sealing (1779J)                              | 99%          | 11%                      | ***                            |
| <b>TOTAL</b>                                                          |              | <b>39%</b>               | <b>65%</b>                     |

REPORTING PERIOD: 3/25/11 – 3/1/12

\* Construction work is performed on an As-Needed basis and therefore does not have a percentage of completion.

\*\*This project is still in its preliminary stage and the contractor has yet to utilize apprentices.

\*\*\*This project only utilized journey level workers to perform their work.

As of March 1, 2012, San Francisco resident rates of participation on Department of Public Works (DPW) projects have averaged 39%. Only two of the nine active projects currently have resident participation rates below 20% and three have rates of 50% and above. While none of these DPW projects have been completed, five are at least 90% complete, providing more accurate hiring data. Of these five projects, all but one has resident completion rates that exceed 20%. The single project with a lower participation rate is utilizing Slurry Seal Workers, a trade in which San Francisco residents are currently underrepresented and that has been targeted by the City as a focus for its pipeline.



# Local Hire Performance by Department

## RECREATION & PARKS DEPARTMENT

FOUR  
CONSTRUCTION  
PROJECTS

**\$10.8 million**



**TABLE 6: PARTICIPATION OF SAN FRANCISCO RESIDENTS ON RPD PROJECTS**

| PROJECTS                                 | Completion % | Local Hire Participation | Local Apprentice Participation |
|------------------------------------------|--------------|--------------------------|--------------------------------|
| Balboa Park Site Improvements            | 25%          | 29%                      | 49%                            |
| Cayuga Clubhouse Renovation(3027V)       | 10%          | 52%                      | **                             |
| Fulton Playground Rehabilitation (3035V) | 10%          | 9%                       | **                             |
| Restroom Renovation (3076V)              | 50%          | 94%                      | ***                            |
| <b>TOTAL</b>                             |              | <b>43%</b>               | <b>49%</b>                     |

REPORTING PERIOD: 3/25/11 – 3/1/12

*\*\*These projects are still in the preliminary stage and the contractor has yet to utilize apprentices. Once vertical construction starts, apprentices will be represented.*

*\*\*\* This project only utilized journey level workers to perform their work.*

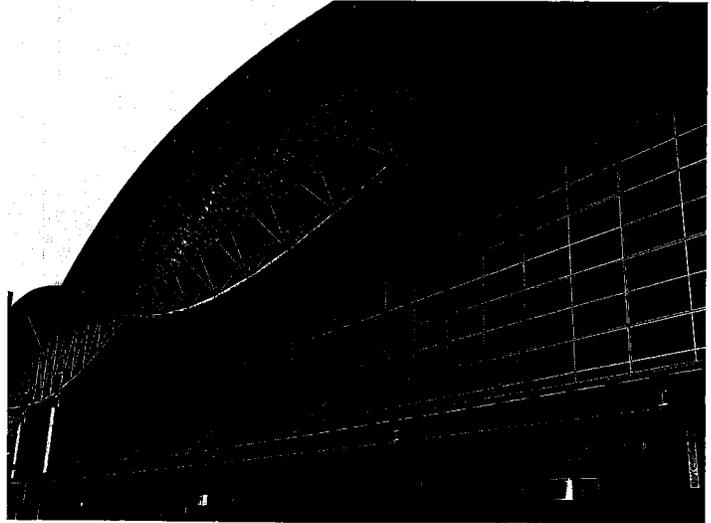
The data for the Recreation and Parks Department (RPD) is very preliminary as only one of its projects achieved 50% completion. However, the participation rate of San Francisco residents is trending in a positive direction.

## Local Hire Performance by Department

### SAN FRANCISCO INTERNATIONAL AIRPORT

*ONE  
CONSTRUCTION  
PROJECT*

**\$2.5 million**



**TABLE 7: PARTICIPATION OF LOCAL RESIDENTS ON SFO PROJECTS**

| <b>SFO PROJECTS</b>           | <b>Completion %</b> | <b>Local Hire Participation</b> | <b>Local Apprentice Participation</b> |
|-------------------------------|---------------------|---------------------------------|---------------------------------------|
| Terminal 3 Carpet Replacement | 95%                 | 20%                             | 51%                                   |
| <b>TOTAL</b>                  |                     | <b>20%</b>                      | <b>51%</b>                            |

**REPORTING PERIOD: 3/25/11 – 3/1/12**

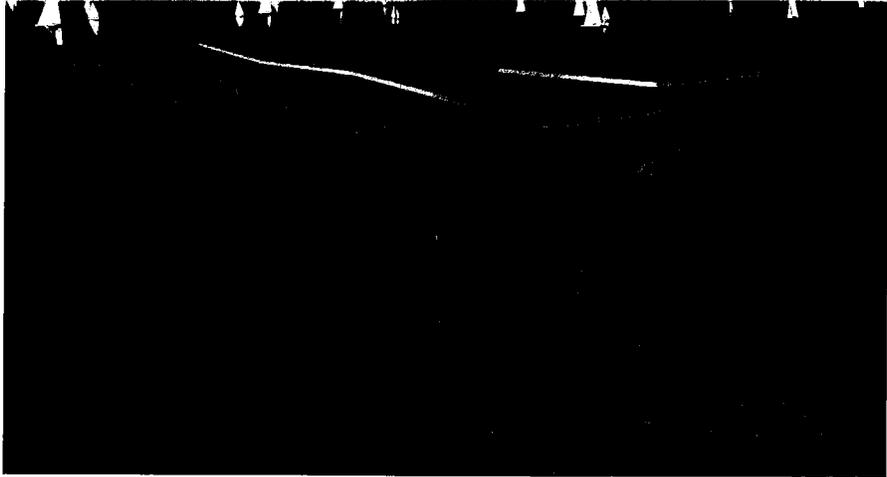
SFO only had one active project during the report period. This project achieved a 20% rate of resident participation. However, in accordance with the MOU between the City and San Mateo County, "Local" for SFO projects includes San Francisco and San Mateo County residents. Therefore, the percentage of Local hire and local apprentice participation reflects hours reported for both San Francisco and San Mateo County residents.



## Local Hire Performance by Department

**PORT OF  
SAN  
FRANCISCO**

**TWO  
CONSTRUCTION  
PROJECTS  
\$2.9 million**



**TABLE 8: PARTICIPATION OF SAN FRANCISCO RESIDENTS ON PORT PROJECTS**

| <b>PORTSF PROJECTS</b>     | <b>Completion %</b> | <b>Local Hire Participation</b> | <b>Local Apprentice Participation</b> |
|----------------------------|---------------------|---------------------------------|---------------------------------------|
| HSB JOS BUILDING           | 10%                 | 21%                             | 69%                                   |
| Pier 35 North Apron Repair | 99%                 | 66%                             | 0%                                    |
| <b>TOTAL</b>               |                     | <b>40.01%</b>                   | <b>68.17%</b>                         |

REPORTING PERIOD: 3/25/11 – 3/1/12

The Port of San Francisco only had two active projects during the report period, one of which is only 10% complete. Resident participation for both of these projects is above the 20% level.

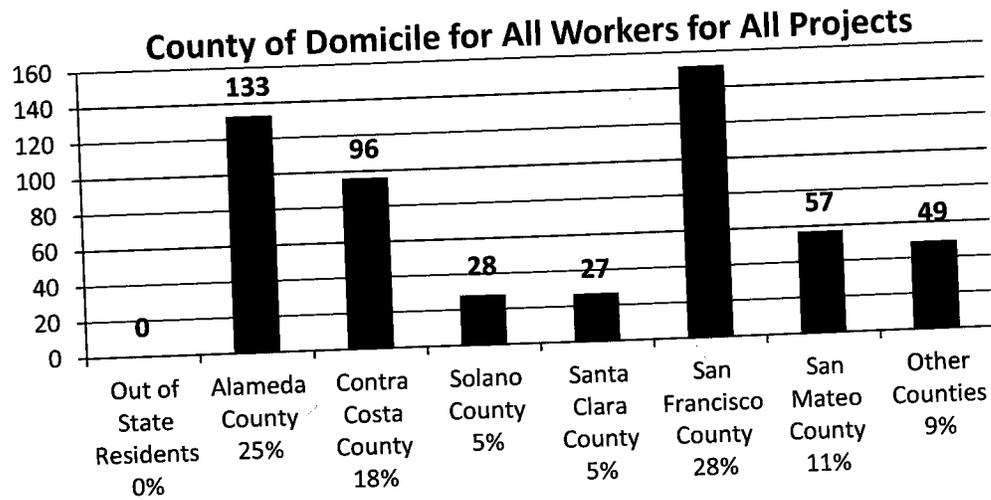


# Worker Demographic Information

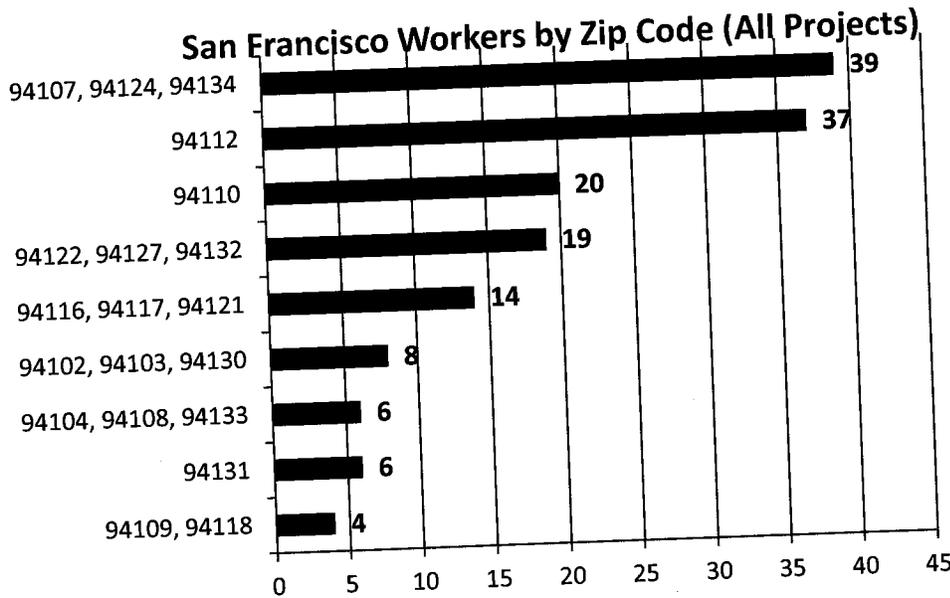
## Domicile Data

The next two charts report more detailed residency information regarding the entire pool of workers, as well as relative to San Francisco workers specifically.

**CHART 1**  
March 25, 2011-  
March 1, 2012



**CHART 2 - March 25, 2011- March 1, 2012**



Workers living in San Francisco constituted the largest number of workers for all 22 active projects, followed by Alameda and Contra Costa Counties. Other Bay Area workers occurred in smaller numbers from San Mateo, Santa Clara and Solano Counties. Of note, **there were no reports of out-of-state workers** for any of the projects.

While San Franciscans working on projects covered by the Policy were from neighborhoods throughout the City, the majority or 63% lived in five local zip codes: 94124, 94134, 94112, 94110, and 94107.

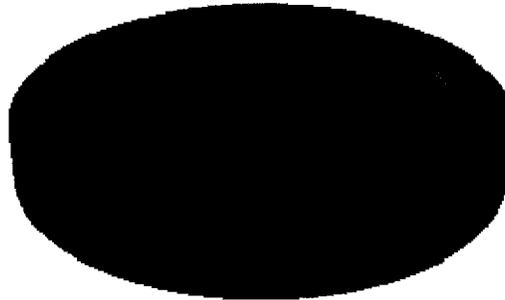


# Worker Demographic Information

The ethnic, residency and gender data was gleaned from the weekly reports submitted by contractors working on the 22 active City projects, which are subject to the Policy during the period March 25, 2011 through March 1, 2012.

**CHART 3**  
March 25, 2011-  
March 1, 2012

## Ethnicity of All Workers for All Projects



- African American - 11
- Asian or Pacific Islander - 41
- Caucasian - 101
- Hispanic - 359
- Other - 30
- Total - 542

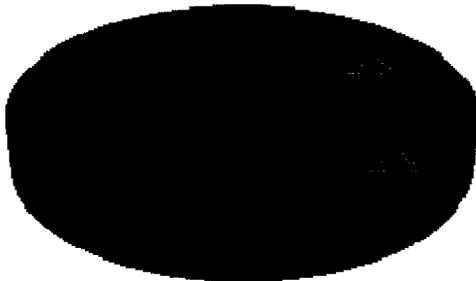
The following chart provides ethnicity information for San Francisco on the 22 active projects.

**CHART 4**  
March 25, 2011 - March 1, 2012

## ANALYSIS

In comparing the ethnic composition of the entire workforce and that of the San Francisco workforce, it appears that African Americans and Asian Pacific Islanders make up a larger proportion of local workers than that of the general pool of workers. However, the proportion of Hispanic workers decreases relative to San Francisco workers, while Caucasian workers remain steady.

## Ethnicity of San Francisco Workers for All Projects



- African American - 10
- Asian or Pacific Islander - 31
- Caucasian - 29
- Hispanic - 70
- Other - 13
- Total: 153

## Gender Data

With regards to the participation of women on the 22 active projects, the following chart highlights the rate of female participation. Of note, San Francisco tradeswomen accounted for 89% of all women working on active projects even though they performed only 0.5 % of the total hours. San Francisco women performed 1.8% of all hours worked by local residents. There were 6 women reported.

**CHART 5**  
Participation of Women on Covered Projects  
March 25, 2011-March 1, 2012

|                            | Total Hours   |
|----------------------------|---------------|
| Total Women                | 508.82        |
| Total Local Resident Women | 454.93        |
| <b>Total All Workers</b>   | <b>75,944</b> |

# Implementation Challenges and Remedies

## NEW PROGRAM COMES WITH LEARNING CURVES

## TRACKING DISADVANTAGED WORKERS

### ••• *New Program Comes with Learning Curves* –

Implementing the new Policy impacted multiple awarding departments, hundreds of contractors and union affiliates, as well as City staff. Departments had to rewrite bid and contract documents, OEWD had to create new compliance processes and forms, and the entire contracting community had to be educated on how the new Ordinance would change the process of doing business in San Francisco. There was a considerable learning curve for all parties involved.

**REMEDY:** Recognizing this challenge, Mayor Lee created a Local Hire Working Group, comprised of representatives from all the awarding departments, OEWD and his office, to oversee the rollout of the new Ordinance. This group coordinated the implementation activities and troubleshoot issues. Its members also reached out to contractor groups, union affiliates, and community organizations. They educated these stakeholders and kept them apprised of the City's progress. This proactive approach contributed greatly to the City's ability to put the Policy into operation on 100% of the applicable projects.



### ••• *Tracking Disadvantaged Workers Problematic*

The new Policy calls for participation of disadvantaged workers *as defined as:*

- Someone who resides in a census tract within the City having an unemployment rate in excess of 150% of the City's unemployment rate, or
- Having a household income of less than 80% of the Average Mean Income(AMI), or
- Someone who faces or has overcome at least one of the following barriers: homelessness, being a custodial single parent, public assistance recipient, lack of a GED or high school diploma, participation in a vocational English as a Second Language program, or having a criminal record or other involvement in the criminal justice system.

OEWD has encountered difficulties obtaining this data for all workers on covered projects.

**REMEDY:** OEWD is exploring the possibility of incorporating an overlay of census tract information with workers' resident addresses in the City's Project Reporting System to create a mechanism for tracking disadvantaged workers. In the short term, OEWD is utilizing worker zip code information to provide some indication of "disadvantaged" status based on demographics regarding particular distressed neighborhoods in the City and County of San Francisco. Likewise, workers referred through or registered with OEWD's system are all "disadvantaged" based on self-reporting of one of the categories, and this data is being tracked.

# Year Two Implementation Priorities

---

## 1. STRENGTHENING PARTNERSHIPS

## 2. BUILDING THE PIPELINE

## 3. ADVISORY COMMITTEE

Preliminary data seems to indicate that the City is meeting its 20% hourly participation rate of San Francisco workers for covered projects. However, the escalation of the local hire participation requirement for Year Two and beyond, may present a challenge to the City that must be addressed in order to ensure continuation of this positive trend. The City is responding strategically to this challenge by focusing its Year Two implementation activities on three priority tasks:

### 1. STRENGTHENING PARTNERSHIPS

The City will enhance the cooperation between OEWD and contractors working on covered projects. In Year One, contractors worked actively with OEWD to familiarize themselves with the new processes and to submit the required paperwork. They identified local labor needs in advance and engaged with OEWD to hire San Francisco residents to meet their requirements. In Year Two, OEWD will enhance its proactive outreach to individual contractors and contractor associations by explaining the Policy and to promote OEWD local hire services. OEWD will also continue to work on simplifying local hire processes while promoting compliance.

### 2. BUILDING THE PIPELINE

The City will work diligently to build the pipeline of local residents for trades that have historically lower participation rates for San Francisco residents. OEWD will work with union affiliates and contractors to identify strategies that can increase the number of San Francisco residents entering these trades. Special emphasis will be placed on extending opportunities to women, whose participation rates are dropping in many craft areas. OEWD alliances with community organizations, CityBuild Academy partners and other workforce organizations will be key factors in implementing these pipeline strategies.

### 3. ADVISORY COMMITTEE

The City has been proactive in outreaching to the contracting, labor and workforce communities during the initial implementation phase of the Local Hiring Policy. Drawing from the success of these efforts, Mayor Lee will appoint a Local Hiring Advisory Committee to provide strategic directions on all issues relating to the implementation of the Local Hiring Policy for Construction.

# Building the Pipeline for San Francisco Workers

## OEWD'S CITYBUILD ACADEMY

*"The local hire ordinance plays an important role, not just for my 2 children and me, but for all San Francisco residents interested in building their city."*



San Francisco's **CityBuild Academy**, its network of **community-based partners** and **City College of San Francisco**, stand as the City's best means of **Building the Pipeline** of local workers to meet upcoming contractor demands. In the past 6 years, the Academy has trained and graduated **502** disadvantaged San Franciscans, of which **421** have worked in union apprenticeship programs for the following trades:

|                          |                    |
|--------------------------|--------------------|
| Bricklayer               | Painter            |
| Carpenter                | Pile Driver        |
| Cement Mason             | Plasterer          |
| Drywall Installer/Lather | Plumber Pipefitter |
| Electrician              | Roofer             |
| Floor Covering           | Waterproofing      |
| Glazier                  | Sheet Metal Worker |
| Hod Carrier              | Sprinkler Fitter   |
| Iron Worker              | Taper              |
| Laborer                  | Tile Finisher      |
| Operating Engineer       | Tile Setter        |



Candice Williams graduated from CityBuild Academy Cycle 13 in December, 2011. She was indentured into Laborer's Union Local 261 and was hired onto a SFPUC project, which is covered under the Local Hiring Policy.

••• **CityBuild Academy** is an 18-week construction skills training program. Graduates receive college credits and 10 construction-related certifications: OSHA 10, Forklift, Scissor Lift, Skid Steer, CPR and First Aid, HAZWOPER, Traffic Control Safety Awareness, Confined Space Safety Awareness, Scaffold Erection, Stairways and Ladders Safety Awareness, and Fall Protection Safety Awareness. Industry specialists confirm that the baseline skills acquired at the Academy prepare graduates for entry into apprenticeship programs and placement relative to entry level construction opportunities.

### ••• **Specialized Training Expands Work Opportunities for Local Workers**

The Academy has partnered with the Iron Workers' Apprenticeship Training Facility regarding its "Gladiators Training" program. The program prepares students to work with reinforced concrete and rebar. This effort paves the way for such specialized training to assist San Francisco residents in other craft areas. In Year Two, OEWD will utilize this partnership model to work with other unions and their apprenticeship programs, to increase the pipeline of apprentices in craft areas where San Francisco residents are currently underrepresented.



“The Board adopted the Local Hiring Policy for Construction to push past Good Faith hiring efforts and create job opportunities for San Franciscans as we rebuild the City’s infrastructure. The policy has been in operation for one year and is already delivering benefits to local workers. As we move forward, I will continue to work with my colleagues on the Board, the Mayor, City staff, and all stakeholders to ensure the Policy continues to advance training opportunities and jobs for San Franciscans.”

*-Supervisor John Avalos, District 11*

## CONCLUSION

In passing this historic legislation, the City addressed the challenge of creating job opportunities for San Franciscans. The City and County’s construction projects were recognized as vehicles for directing residents to construction trades opportunities generated by these projects. As a City, we are facing some key challenges in **YEAR TWO of the Policy**. The targeted resident participation level will increase to 25% for all trades and a significant number of larger infrastructure projects will get underway.

These factors will present challenges in those trade areas where residents are currently underrepresented. The City will need the continuous support of all stakeholders, particularly that of the Mayor’s Local Hiring Advisory Committee, to successfully move forward. It will need to strengthen its partnerships with labor and the contracting community to devise effective strategies for directing more San Franciscan’s into its craft pipeline.

YEAR TWO will produce data that will allow the City to more fully assess the impact of the Policy. At this time next year, we will be able to more definitively determine whether the Local Hiring Policy for Construction is producing the results – the jobs for San Franciscans—as Policy authors intended.

***The Office of Economic and Workforce Development would like to thank our partners in this effort:***

**San Francisco Board of Supervisors**

**Office of the City Administrator**

Naomi Kelly, City Administrator

**SF Public Utilities Commission**

Ed Harrington, General Manager

**SF Municipal Transportation Agency**

Edward D. Reiskin, Director of  
Transportation

**San Francisco International Airport**

John L. Martin, Airport Director

**San Francisco Recreation and Parks**

**Department**

Phil Ginsburg, General Manager

**San Francisco Department of Public Works**

Mohammed Nuru, Director

**San Francisco Port Department**

Monique Moyer, Executive Director

**Office of Labor Standards Enforcement**

Donna Levitt, Division Manager

**Human Rights Commission**

Theresa Sparks, Director

**Community Partners**

Brightline Defense Collaborative

Chinese for Affirmative Action

Mission Hiring Hall

Young Community Developers

Charity Cultural Services

Anders and Anders Foundation

Asian Neighborhood Design

**Contractor Associations**

Associated General Contractors

United Contractors

**Labor Organizations**

Robert Alvarado, NCCRC

Todd Williams, NCCRC

Oscar De La Torre, LiUNA!

Ramon Hernandez, Local 261

Ken Oku, Local 3

Charles Lavery, Local 3

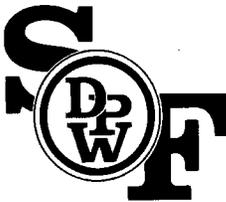
Dave Johnson, Local 300

Pat Karinen, Local 34

Dan Prince, Local 377

Steven Tucker, Local 40

Tim O'Connell, Local 104



**SFMTA**



***For more information about the San Francisco Mandatory Local Hiring Policy,  
contact the OEWD Workforce Development Division at:***

(415) 581-2363

Local.Hire.Ordinance@sfgov.org

CITY AND COUNTY OF SAN FRANCISCO  
BOARD OF SUPERVISORS  
BUDGET AND LEGISLATIVE ANALYST

Victor B/F clerk, COB  
pages  
File # 120282

1390 Market Street, Suite 1150, San Francisco, CA 94102  
(415) 552-9292 FAX (415) 252-0461

To: Each Member of the Board of Supervisors  
From: Budget and Legislative Analyst  
Date: March 29, 2012  
Subject: Authorization to Waive the City's Competitive Procedure Requirements Related to Contracting Requirements for Certain Improvements to Port Property for the 34<sup>th</sup> America's Cup (File 12-0282)

**EXECUTIVE SUMMARY**

**Details of Proposed Legislation**

The proposed ordinance would authorize the Port to waive the City's competitive procedure requirements in order to expedite selection of contractors and subcontractors to construct infrastructure improvements to Port properties that will serve as America's Cup venues. These infrastructure improvements are required by the Lease Disposition Agreement (LDA), between the City and the America's Cup Event Authority (Event Authority), approved by the Board of Supervisors at the Board's March 27, 2012 meeting.

The proposed ordinance would waive provisions in the City's Administrative Code pertaining to (1) the City's competitive procedure requirements for selecting a contractor for construction management/general contractor services; (2) the City's competitive procedure requirements for selecting a contractor for engineering and design services; and (3) the City's competitive procedure requirements for general contractors to select subcontractors. The proposed waiver of the City's competitive procedure requirements are for contractors that perform infrastructure improvements for the 34<sup>th</sup> America's Cup.

The proposed ordinance would not waive prevailing wage, Local Business Enterprise (LBE), or Local Hire provisions of the City's Administrative Code. However, the proposed ordinance would modify the LBE participation goals for subcontractors. Instead of the Administrative Code provision that LBE participation goals are set for each trade subcontract, the proposed ordinance would allow LBE participation goals to be met for subcontractors on a project-wide basis.

The Port is requesting the waiver from the City's requirements of awarding contracts through a competitive procedure because the Port's competitive procedure process takes three to four months, which according to the Port, does not allow sufficient time to construct infrastructure improvements prior to the 34<sup>th</sup> America's Cup. The first of the America's Cup events to be held in San Francisco is scheduled for August 2012.

Under the LDA, as previously approved by the Board of Supervisors, the Port will construct infrastructure improvements, at the Port's expense, to Port properties that will serve as

America's Cup venues, including Pier 19, Pier 23, Pier 27, Pier 29, and Piers 30-32. The Port will also remove, at the Port's expense, Pier ½ and Pier 64.

**Waiver of the City's Required Competitive Procedures for Construction Manager/General Manager Services**

Pier 27-29 will be used for race viewing for America's Cup events. Under the LDA, Pier 27 will be delivered to the Event Authority in March 2013. Infrastructure improvements to Pier 27 are part of the Pier 27 Cruise Terminal project, and, with the exception of site grading to allow for the flow of water to storm water catch basins, such improvements are covered under the existing contract for construction management/general contractor services between the Port and Turner Construction Company (Turner). The existing contract between the Port and Turner is for not-to-exceed \$45,408,424. Turner was selected as the construction manager/general contractor for the Pier 27 Cruise Terminal project through a competitive Request for Proposal (RFP) process, in which Turner submitted the lowest proposal amount and received the highest score of eight proposers. The Port proposes to use Turner as the construction manager/general contractor for the site grading improvements.

Under the LDA, Pier 29 will be delivered to the Event Authority in July 2012. Construction of infrastructure improvements to Pier 29 are expected to begin in May 2012 and completed no later than August 2012. The Port proposes to use Turner for construction of the Pier 29 infrastructure improvements. If the Port is not able to reach agreement with Turner, the Port proposes to enter into negotiations with one of the other Pier 27 Cruise Terminal project proposers, beginning with the proposer, who received the second highest score, for construction of the Pier 29 infrastructure improvements.

Pier 30-32 will be used as a base for the America's Cup teams. Under the LDA, Piers 30-32 will be delivered to the Event Authority in August 2012. Construction of infrastructure improvements to Piers 30-32 are to begin in May 2012 and be completed in August 2012. The Port proposes to use Turner for construction of the Piers 30-32 infrastructure improvements. If the Port is not able to reach agreement with Turner, the Port proposes to enter into negotiations with one of the other Pier 27 Cruise Terminal project proposers, beginning with the proposer, who received the second highest score, for construction of the Piers 30-32 infrastructure improvements. As an alternative, if the Port is not able to reach agreement with Turner or one of the other Pier 27 Cruise Terminal project proposers, the Port proposes assignment to the Port of the contract between the Event Authority and Power Engineering. The Event Authority selected Power Engineering through a competitive process to construct infrastructure improvements to Piers 30-32 under the Host and Venue Agreement. Under the LDA, the Port, rather than the Event Authority, will construct the Piers 30-32 infrastructure improvements. If the contract with Power Engineering is assigned from the Event Authority to the Port, the Port would negotiate contract terms to reflect the reduced scope of Piers 30-32 infrastructure improvements under the LDA.

Pier 19 and Pier 23 will be used for public access to the America's Cup events. Under the LDA, Pier 19 and Pier 23 will be delivered to the Event Authority in July 2012. Completion of construction of Pier 19 and Pier 23 infrastructure improvements is anticipated for March 2013, because, according to Port staff, these two projects have a long lead time before construction can

begin due to project requirements for site investigation, procurement of materials, and site preparation.

According to Mr. Brad Benson, Port Special Projects Manager, the Port is evaluating an option whereby the Port would ask its contractor to perform site investigation, material procurement, and site preparation, and existing Port staff, instead of an outside contractor, would construct the infrastructure improvements, which include repairs to the Pier 19 apron and installation of the Pier 23 handrail.

Under the LDA, the Port will remove Pier ½ and Pier 64 to comply with Bay Conservation and Development Commission permitting requirements. The Port proposes to use Turner for removal of Pier ½ and Pier 64. If the Port is not able to reach agreement with Turner, the Port proposes to enter into negotiations with one of the other Pier 27 Cruise Terminal project proposers, beginning with the proposer, who received the second highest score, for removal of Pier ½ and Pier 64.

#### **Waiver of the City's Required Competitive Procedures for Subcontractors**

Under the existing contract between the Port and Turner for construction of the Pier 27 Cruise Terminal, Turner is responsible for defining the scope of construction work for each of the trades and soliciting the trade subcontractors. Soliciting trade subcontractors includes (a) pre-qualifying at least three subcontractors for each trade based on a Request for Qualifications (RFQ) process, and (b) receiving sealed bid packages from at least three pre-qualified subcontractors for each trade.

The proposed ordinance would waive such competitive procedures, as presently required by the City's Administrative Code, except for infrastructure improvements to Pier 27 and Pier 29 under any amended contract between the Port and Turner.

The proposed ordinance would require the Port to use one of the following two methods for the construction manager/general contractor to enter into subcontracts for required work:

- Bid for at least three trade subcontractors from the list of trade subcontractors who were previously pre-qualified for the Pier 27 Cruise Terminal project for infrastructure improvement projects other than Piers 30-32; or
- Bid for at least two trade subcontractors from the list of trade subcontractors who were previously pre-qualified by the Event Authority for Piers 30-32 infrastructure improvements.

The proposed ordinance would permit the Port and the construction manager/general contractor to amend existing subcontracts, which were previously bid for the Pier 27 Cruise Terminal project, if the construction manager/general manager is not able to bid using the procedures noted above.

The proposed ordinance would also permit the construction manager/general contractor to perform work that would otherwise be performed by trade subcontractors. Performance of this

work must be approved by the Port Director. Such work performed by the construction manager/general contractor would be limited to no more than 7 ½ percent of the cost of all trade subcontract work for the project.

### Waiver of Competitive Procedures for Engineering Services

The Event Authority previously contracted with a private engineering firm, AECOM, to provide engineering and design services for Piers 30-32, including evaluating the condition of Piers 30-32 and necessary pier improvements for use of the piers for the America's Cup. The Port will use construction drawings prepared by AECOM for constructing the infrastructure improvements to Piers 30-32. According to Mr. Benson, the Port is requesting to enter directly into an agreement with AECOM to provide engineering services during the construction of the Piers 30-32 infrastructure improvements rather than select a firm through a competitive process.

### Fiscal Impact

The estimated contract costs for which the City's required competitive procedures would be waived are \$17,140,000.

| Infrastructure Improvement Project                                                       | Estimated Amount    |
|------------------------------------------------------------------------------------------|---------------------|
| Pier 27 and Pier 29 site grading to direct storm water flows to storm water catch basins | \$2,000,000         |
| Pier 29 end wall construction<br>Pier 29 concrete pile repair                            | 1,600,000           |
| Pier 30-32 engineering services during construction of infrastructure improvements       | 240,000             |
| Pier 30-32 construction of infrastructure improvements                                   | 8,000,000           |
| Pier 19 apron repairs                                                                    | 3,000,000           |
| Pier 23 hand rail                                                                        | 700,000             |
| Pier ½ and Pier 64 removal                                                               | 1,600,000           |
| <b>Total Contract Costs</b>                                                              | <b>\$17,140,000</b> |

### Policy Issues

According to the Port, the Port needs to expedite contracting for infrastructure improvements required by the LDA in order to prepare Pier 19, Pier 23, Pier 27, Pier 29 and Piers 30-32 for America's Cup venues, and therefore the Port has proposed waiving the City's competitive procedures, as required by the City's Administrative Code. The proposed ordinance should be amended to clarify that the waiver of the City's competitive procedure requirements do not apply to Pier 27 shed, annex building, and partial Pier 29 shed demolition, which are included in the existing contract between the Port and Turner.

When pending legislation is submitted to the Board of Supervisors to approve the proposed issuance of Certificates of Participation (COPs) to pay for the infrastructure improvement projects required by the LDA, the Port should report to the Board of Supervisors on the selection

of contractors to construct the infrastructure improvements, the details of the contract costs, and contract compliance with the City's contracting goals for LBE and Local Hire participation. This report should also include details of the contract costs of the proposed contract with AECOM to provide engineering services during the construction of the infrastructure improvements.

### **Recommendations**

Amend the proposed ordinance to:

- Clarify that the waiver of the City's competitive procedure requirements do not apply to Pier 27 shed, annex building, and partial Pier 29 shed demolition.
- Request the Port to report to the Board of Supervisors on the selection of contractors to construct the infrastructure improvements related to the 34<sup>th</sup> America's Cup, the details of the contract costs, and contract compliance with the City's contracting goals for LBE and Local Hire participation, when legislation is submitted to the Board of Supervisors to approve the pending issuance of Certificates of Participation (COPs) to pay for the infrastructure improvement projects required by the LDA. The report to be submitted by the Port should also include details of the contract costs of the proposed contract with AECOM to provide engineering services during the construction of the infrastructure improvements.

Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

## MANDATE STATEMENT

Chapter 6 of the City's Administrative Code provides that the Board of Supervisors may direct a department head to perform a public works project in any manner it determines to be in the best interest of the City for public works contracts in excess of \$400,000.

## DETAILS OF PROPOSED LEGISLATION

The proposed ordinance would authorize the Port to waive the City's competitive procedure requirements in order to expedite selection of engineering, construction management, and construction contractors to construct infrastructure improvements to Port properties that will serve as America's Cup venues. The proposed ordinance would waive:

- Administrative Code Section 6.20, requiring public works contracts to be awarded to the lowest bidder through competitive procedures;
- Administrative Code Section 6.21, specifying the advertising requirements for conducting competitive procedures;
- Administrative Code Section 6.68 (A) – (F), specifying the requirements for competitive procedures for construction manager/general contractor services;
- Administrative Code Section 6.68(H)(1), requiring that the construction manager/general contractor solicit at least three bids from pre-qualified subcontractors;
- Administrative Code Section 6.40, specifying the requirements for competitive procurement of professional services for public works projects;
- Administrative Code Section 6.41, specifying the procedures for requesting competitive proposals or qualifications for temporary design, consultant, or construction management services; and
- Administrative Code Section 14B.19(C)(1)-(5), waiving the City's procedures for establishing Local Business Enterprise (LBE) goals for trade (such as carpenter, electrician or welder) subcontractors.

The Port is requesting these waivers because the Port must complete construction of the infrastructure improvements prior to the first 34<sup>th</sup> America's Cup event, which is scheduled for August 2012, allowing insufficient time for the Port to undergo a competitive procedure.

**The Lease Disposition Agreement's Infrastructure Improvement Requirements**

The Board of Supervisors approved the Lease Disposition Agreement (LDA) between the City and the America's Cup Event Authority (Event Authority) at the Board of Supervisors meeting on March 27, 2012. Under the LDA, the Port will make infrastructure improvements, at the Port's sole expense, to the Port properties that will serve as America's Cup venues, and deliver the venues to the Event Authority by certain dates, as shown in Table 1 below.

**Table 1  
 America's Cup Venues, Scope of Infrastructure Work, and Delivery Dates**

| Venue               | Use as America's Cup Venue                    | Scope of Work for Infrastructure Improvements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Delivery Date to Event Authority                                                                                                                                                                                     |
|---------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Piers 27-29         | Race viewing                                  | <ul style="list-style-type: none"> <li>▪ Pier 27 shed and annex building demolition</li> <li>▪ Pier 27 storm water catch basins and site grading</li> <li>▪ Pier 29 partial shed demolition</li> <li>▪ Pier 29 end wall construction</li> <li>▪ Pier 29 concrete pile repair</li> </ul>                                                                                                                                                                                                                                                                      | <p>Pier 27: March 1, 2013</p> <p>Pier 29: Under the LDA, the delivery date is July 1, 2012.</p> <p>According to Port staff, the delivery date may be revised to reflect the actual construction completion date.</p> |
| Piers 30-32         | Team bases for up to five America's Cup teams | <ul style="list-style-type: none"> <li>▪ Pier 30 driveway between The Embarcadero and Pier 30</li> <li>▪ Pier 32 substructure repair to support installation of tower cranes to launch 72-foot catamarans</li> <li>▪ Pier 32 deck and asphalt repairs</li> <li>▪ Pier 32 installation of container leveling beams and steel plates</li> <li>▪ Piers 30-32 marginal wharf repairs between The Embarcadero and the piers</li> <li>▪ Piers 30-32 installation of new electrical transformer and repair or upgrades to existing water and sewer lines</li> </ul> | <p>Under the LDA, the delivery date is August 1, 2012.</p> <p>According to Port staff, the delivery date may be revised to reflect the actual construction completion date but no later than December 2012.</p>      |
| Pier 19 and Pier 23 | Public access for the America's Cup           | <ul style="list-style-type: none"> <li>▪ Pier 19 apron repairs, including replacing rotted decking and up to 80 bearing piles,</li> <li>▪ Pier 23 north apron handrail installation</li> </ul>                                                                                                                                                                                                                                                                                                                                                               | <p>Under the LDA, the delivery date is July 1, 2012.</p> <p>According to Port staff, the Port and its contractors will require site access after the delivery date to complete construction.</p>                     |
| Pier ½ and Pier 64  | Required by BCCD Permit                       | <ul style="list-style-type: none"> <li>▪ Demolition of piers</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | n/a                                                                                                                                                                                                                  |

Source: LDA

The 34<sup>th</sup> America's Cup events to be held in San Francisco in 2012 are a series of races for 45-foot catamarans that will be held from August 23-26, 2012, and October 4-7, 2012. The America's Cup events to be held in San Francisco in 2013 are a series of races for 72-foot catamarans, in which the challengers will compete from July 4, 2013 through September 1, 2013 for the opportunity to race in the final match, and the defender and the challengers will compete from September 7-22, 2013 in the final match.

Table 2 below shows the expected start and completion dates for construction of infrastructure improvements to Pier 19, Pier 23, Pier 27, and Pier 29, and Piers 30-32 to prepare these Port properties to serve as venues for the America's Cup. The Port will deliver these piers to the Event Authority for use as America's Cup venues upon completion of the construction of the infrastructure improvements.

**Table 2**  
**Start Date and Completion Date of Construction**

| <b>Pier</b> | <b>Estimated Construction Start Date</b> | <b>Estimated Construction Completion Date</b>                     |
|-------------|------------------------------------------|-------------------------------------------------------------------|
| Pier 27     | January 2012                             | January 2013                                                      |
| Pier 29     | May 2012                                 | August 2012                                                       |
| Piers 30-32 | May 2012                                 | August 2012                                                       |
| Pier 19     | Not yet determined                       | Final delivery date for completion of Pier 19 apron is March 2013 |
| Pier 23     | Not yet determined                       | Final delivery date for completion of Pier 23 apron is March 2013 |

Source: Port

### **Waiver of the City's Competitive Procedure Requirements**

According to Mr. Brad Benson, Port Special Projects Manager, the Port does not have sufficient time to competitively select contractors to construct infrastructure improvements required by the LDA. The Port's competitive procedure, which includes public advertising, bid protest period, contract award, and final signed contract, takes three to four months after the Port has finalized project designs.

- All Pier 27 infrastructure improvements required by the LDA, except for site grading required to direct storm water flows to storm water catch basins, are currently included in the existing contract between the Port and Turner Construction Company (Turner) for construction of the Pier 27 Cruise Terminal project.
- Pier 29 infrastructure improvements required by the LDA are not included in the existing contract between the Port and Turner for the Pier 27 Cruise Terminal project. According to Mr. Benson, the Pier 29 substructure repairs need to be completed prior to other site work on Pier 29. The Port plans to assign this work to Turner immediately so that construction can take place in May or June 2012.

- Piers 30-32 infrastructure improvements required by the LDA will need to be completed no later than August 2012 when the first America's Cup event is expected to be held in San Francisco. In order to complete these infrastructure improvements by August 2012, construction will need to begin no later than May 2012, or approximately 30 days from the date of this hearing, compared to the 90 days to 120 days (or three to four months) that the Port's competitive procedure takes.
- Pier 19 and Pier 23 infrastructure improvements required by the LDA are not required to be completed until March 2013, although under the LDA, the Port must deliver Piers 19 and 23 to the Event Authority in July 2012, or nine months prior to the estimated completion of the infrastructure improvements. The Pier 19 and Pier 23 infrastructure improvement projects' construction completion dates are not until March 2013 because these two projects have a long lead time before construction can begin due to project requirements for site investigation, procurement of materials, and site preparation. According to Mr. Benson, the Port is evaluating an option whereby the Port would ask its contractor to perform site investigation, material procurement, and site preparation, and Port staff would construct the infrastructure improvements, which include repairs to the Pier 19 apron and installation of the Pier 23 handrail.

#### Construction Management and Construction Services

Under the proposed ordinance, the Port is recommending three alternatives for selecting contractors to construct infrastructure improvements required by the LDA. According to Mr. Benson, the Port is recommending that the Board of Supervisors approve all three of these alternatives to give the Port maximum flexibility in selecting a contractor to construct the infrastructure improvements required by the LDA. Under each of these three alternatives, the Port is recommending waiving the City's competitive procedure requirements.

#### *Alternative 1*

Alternative 1 would authorize the Port to amend the existing construction manager/general contractor contract with Turner for construction management/general contractor services for the Pier 27 Cruise Terminal project to add construction of the infrastructure improvements required by the LDA.

Alternative 1 would waive Administrative Code Section 6.68(H)(1), in which the construction manager/general contractor must solicit bids from at least three pre-qualified subcontractors when subcontracting for the trades (such as carpenters, electrician, or welders). The proposed ordinance would require the Port to use one of the following three methods for Turner to enter into subcontracts for required work:

- Bid for at least three trade subcontractors from the list of trade subcontractors who were previously pre-qualified for the Pier 27 Cruise Terminal project to construct infrastructure improvements to piers other than Piers 30-32;

- Bid for at least two trade subcontractors from the list of trade subcontractors who were previously pre-qualified by the Event Authority to construct Piers 30-32 infrastructure improvements; or
- Amend the previously bid subcontracts for the Pier 27 Cruise Terminal project to construct the Pier 27 and Pier 29 infrastructure improvements.

Administrative Code Section 6.68(H)(3) allows the construction manager/general manager, when authorized by the department head, to negotiate subcontracts for trade work, up to an amount not to exceed 7 ½ percent of the total estimated costs for all work performed by trade subcontractors. Under the proposed ordinance, the construction manager/general manager may perform some of the work that would otherwise be performed by trade subcontractors. In this case, the Port Director would be authorized to negotiate with the construction manager/general manager to perform work that would otherwise be performed by trade subcontractors, up to 7 ½ percent of the total estimated costs for all work performed by trade subcontractors.

Administrative Code Section 14B.19(C)(1)-(5) establishes specific procedures for the construction manager/general contractor to meet LBE participation goals in trade subcontracts. The proposed ordinance would waive these specific procedures but would require the construction manager/general contractor to meet project-wide LBE participation goals established by the Human Rights Commission.

#### *Alternative 2*

Alternative 2 would authorize the Port to negotiate and execute a contract with other construction manager/general contractors who submitted proposals for the Pier 27 Cruise Terminal project, starting with the contractor who received the second highest score, if the Port does not reach agreement with Turner.

Under Alternative 2, the Administrative Code provisions for soliciting bids for trade subcontractors would be waived. The proposed ordinance would require the Port to use one of the following two methods for the contractor to enter into subcontracts for required work:

- Bid for at least three trade subcontractors from the list of trade subcontractors who were previously pre-qualified for the Pier 27 Cruise Terminal project; or
- Bid for at least two trade subcontractors from the list of trade subcontractors who were previously pre-qualified by the Event Authority for Piers 30-32 infrastructure improvements.

The proposed ordinance contains the same provisions for Alternative 2 as for Alternative 1 with regards to Administrative Code Section 6.68(H)(3) and Administrative Code Section 14B.19(C)(1)-(5) (see above).

*Alternative 3*

Alternative 3 would authorize the Port to negotiate a reduced scope and subsequently accept an assignment of the contract between the Event Authority and Power Engineering to construct infrastructure improvements to Piers 30-32 required by the LDA, if the Director of the Port determines that accepting the contract assignment with Power Engineering would be more efficient than amending the existing contract with Turner or entering into a contract with another proposer to the Pier 27 Cruise Terminal project.

Under Alternative 3, the Port recommends waiving all City competitive procedure requirements except requirements to pay prevailing wage, hire local residents (Local Hire), and meet LBE contracting requirements.

Table 3 below summarizes the proposed ordinance.

**Table 3  
 Summary of Three Alternatives for Selecting Contractor  
 And Waiving Competitive Bidding Requirements**

| <b>Alternative</b>                                                                               | <b>Scope of Infrastructure Improvements</b>                                                                                                                                                                                                                                                       | <b>Contracting Requirements <u>Waived</u></b>                                                                                                          | <b>Contracting Requirements <u>Not Waived</u></b>                                                        | <b>Priority of Alternatives</b>                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1: Amend the existing contract or enter into a new contract with Turner                          | <ul style="list-style-type: none"> <li>▪ Pier 29 end wall construction</li> <li>▪ Pier 29 concrete pile repair</li> <li>▪ Pier 19 apron repairs</li> <li>▪ Pier 23 handrail</li> <li>▪ Piers 30-32 construction of infrastructure improvements</li> <li>▪ Pier 1/2 and Pier 64 removal</li> </ul> | <ul style="list-style-type: none"> <li>▪ Competitive bidding of contract</li> <li>▪ Solicitation of at least 3 pre-qualified subcontractors</li> </ul> | <ul style="list-style-type: none"> <li>▪ LBE</li> <li>▪ Local Hire</li> <li>▪ Prevailing Wage</li> </ul> | This is the Port's preferred alternative.                                                                                                                                                                                                                   |
| 2: Enter into a new contract with another proposer on the Pier 27 Cruise Terminal project.       | <ul style="list-style-type: none"> <li>▪ Pier 19 apron repairs</li> <li>▪ Pier 23 handrail</li> <li>▪ Piers 30-32 construction of infrastructure improvements</li> <li>▪ Pier 1/2 and Pier 64 removal</li> </ul>                                                                                  | <ul style="list-style-type: none"> <li>▪ Competitive bidding of contract</li> <li>▪ Solicitation of at least 3 pre-qualified subcontractors</li> </ul> | <ul style="list-style-type: none"> <li>▪ LBE</li> <li>▪ Local Hire</li> <li>▪ Prevailing Wage</li> </ul> | If the Port is not able to amend the existing contract or enter into a new contract with Turner, the Port would enter into negotiations with other proposers on the Pier 27 Cruise Terminal project.                                                        |
| 3: Assignment of existing contract between the Event Authority and Power Engineering to the Port | <ul style="list-style-type: none"> <li>▪ Piers 30-32 construction of infrastructure improvements</li> </ul>                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>▪ Competitive bidding of contract</li> <li>▪ Solicitation of at least 3 pre-qualified subcontractors</li> </ul> | <ul style="list-style-type: none"> <li>▪ LBE</li> <li>▪ Local Hire</li> <li>▪ Prevailing Wage</li> </ul> | If the Port is not able to amend the contract with Turner or enter into a contract with another proposer on the Pier 27 Cruise Terminal project, the Port would accept assignment of the existing contract with Power Engineering from the Event Authority. |

## Selection of a Contractor

### Competitive Process to Select Turner as the Construction Manager/ General Contractor for the Pier 27 Cruise Terminal Project under Alternative 1

The Port awarded a contract to Turner in June 2011 to construct the Pier 27 Cruise Terminal, based on a competitive Request for Proposal (RFP) process. The Department of Public Works (DPW) advertised a contract for a construction manager/general contractor for the Pier 27 Cruise Terminal project in April 2011 on behalf of the Port. DPW pre-qualified 12 firms that responded to the advertisement, and required these 12 pre-qualified firms to demonstrate a commitment to meet the 17 percent LBE subcontracting goal. In May 2011, DPW invited the 12 pre-qualified firms to submit proposals for the Pier 27 Cruise Terminal project and received 8 responses. The responses were reviewed by a three-member selection panel that included one DPW project manager, one Port project manager, and one local San Francisco architect.

The eight firms<sup>1</sup> were requested to submit a proposed fee for pre-construction and construction services. Selection was based on the two firms that submitted the lowest proposal amount, based on (1) cost (70 percent), and (2) an oral interview with non-cost criteria (30 percent). Turner and Cahill were the two lowest proposal amounts.

Turner received the highest score and was selected as the construction manager/general contractor for the Pier 27 Cruise Terminal project as shown below.

| <u>Contractor</u> | <u>Points for Cost Criteria</u> | <u>Points for Non-Cost Criteria</u> | <u>Total Points</u> |
|-------------------|---------------------------------|-------------------------------------|---------------------|
| Turner            | 70.0                            | 27.7                                | 97.7                |
| Cahill            | 63.1                            | 26.7                                | 89.8                |

The existing contract between the Port and Turner for construction of the Pier 27 Cruise Terminal requires 17 percent LBE participation and 20 percent Local Hire participation.

The existing contract between the Port and Turner is for not-to-exceed \$45,408,424, including \$41,480,748 for construction management and construction services for the Pier 27 Cruise Terminal project and a contingency of \$3,927,676. The existing contract provides for Turner to demolish the Pier 27 shed and annex building, install Pier 27 storm water catch basin, relocate Pier 27 shoreside power, and partially demolish the Pier 29 shed, which are required by the LDA. The existing contract between the Port and Turner for construction of the Pier 27 Cruise Terminal does not include site grading for storm water catch basin installation, construction of the Pier 29 end wall, or repair of Pier 29 piles. Therefore, the proposed ordinance should be amended to specify that the waiver of the City's competitive procedure requirements does not apply to Pier 27 shed, annex building, and partial Pier 29 shed demolition.

---

<sup>1</sup> The 8 firms, in order of the low bid were: Turner, Cahill, Webcor Builders, Plant Construction, Charles Pankow Builders, Swinerton Builders, McCarthy Building Company, and Hunt Construction Group.

### *Negotiations with Turner under Alternative 1*

Under Alternative 1, Turner would perform the infrastructure improvements required by the LDA. The Port began discussions with Turner on March 16, 2012 to amend the existing contract to include construction of these improvements. The contract with Turner has three main cost components.

- *General Contractor Fee:* The Port and Turner have tentatively agreed to a 2 percent general contractor fee<sup>2</sup> in the proposed amended contract. Under the existing contract, the general contractor fee is 2 percent of the construction costs up to \$52,000,000. If construction costs exceed \$52,000,000, the general contractor fee increases to 5 percent. According to Mr. Benson, the amended scope of work for the construction of infrastructure improvements required by the LDA would not count toward the construction cost cap of \$52,000,000.
- *Pre-construction Services Fee:* The Port is currently negotiating with Turner on including the pre-construction services fee<sup>3</sup> under the existing contract of \$90 per hour to the proposed amended contract.
- *General Conditions Fee:* The Port is currently negotiating with Turner on the general conditions fee, which includes costs such as performance or surety bonds, insurance and other costs. Under the existing contract, the general conditions fee is 4 percent. Port staff expects this fee to be higher for the amended scope of work because the majority of the work involves in-water construction and is subject to multiple regulatory compliance measures.

### Selection of a Contractor under Alternative 2

Under Alternative 2, if the Port is unable to successfully negotiate with Turner to construct the infrastructure improvements, the Port would enter into negotiations with one of the other contractors who submitted proposals for the Pier 27 Cruise Terminal project, starting with proposer who received the second highest score.

### Selection of Power Engineering Under Alternative 3

Under Alternative 3, the Port would accept assignment from the Event Authority of a contract with Power Engineering to construct infrastructure improvements to Piers 30-32, if the Port does not reach agreement with Turner or one of the other contractors who bid on the Pier 27 Cruise Terminal project.

The Event Authority issued a Request for Qualifications (RFQ) to select a contractor to construct Piers 30-32 infrastructure improvements to prepare for the America's Cup, in accordance with

---

<sup>2</sup> The general contractor is responsible for selecting and managing the various trade subcontractors (such as carpenters, electricians, plumbers, and other trades) to ensure completion of the construction project on time and on budget.

<sup>3</sup> Pre-construction services include reviewing project design and site conditions, recommending constructability of the project, planning for construction operations, developing construction cost estimates for the specific trades, providing overall construction project cost control, developing and enforcing project milestones, and other services.

the Host and Venue Agreement between the City and the Event Authority.<sup>4</sup> The Event Authority hired two consultants, Premier Structures, Inc. and Lend Lease Construction, Inc. to evaluate the four firms<sup>5</sup> that responded to the Request for Qualifications. The consultants scored each firm based on experience, project team qualifications, total estimated costs, project schedule, fee schedule, interview presentation, proposed LBE participation, and proposed Local Hire participation. The consultants recommended Power Engineering to the Event Authority as the contractor to construct the Piers 30-32 infrastructure improvements.

According to Mr. Benson, if the Port accepts assignment from the Event Authority of a contract with Power Engineering, the Port would require (a) the Event Authority to negotiate a contract that established fees and unit prices in accordance with the bid submitted by Power Engineering to the Event Authority in response to the RFQ, and (b) Power Engineering to qualify to do business in the City (such as providing domestic partner benefits) and to meet or exceed the City's contract goals for LBE and Local Hire participation.

When legislation is submitted to the Board of Supervisors to approve the proposed issuance of Certificates of Participation (COPs) to pay for the infrastructure improvement projects required by the LDA, the Port should report to the Board of Supervisors on the selection of contractors to perform the infrastructure improvements, details of the contract costs, and contract compliance with the City's contracting goals for LBE and Local Hire participation.

### **Piers 30-32**

According to Mr. Benson, if the Port selects Turner or another contractor to construct the infrastructure improvements required by the LDA, the Port recommends that Turner or another contractor subcontract with Power Engineering and Dutra Corporation to construct the Piers 30-32 infrastructure improvements. These two firms scored first and second under the Event Authority's RFQ process for Piers 30-32 infrastructure work, noted above.

### **Engineering Services**

The Event Authority previously contracted with a private engineering firm, AECOM, to provide engineering and design services, including evaluating the condition of Piers 30-32 and necessary pier improvements for use of the piers for the America's Cup. The Port Commission authorized the Port on March 27, 2012 to pay AECOM, under the existing contract between the Event Authority and AECOM, for an amount not-to-exceed \$350,000 to develop final construction drawings for the infrastructure improvements to Piers 30-32 required for the America's Cup. The payment by the Port to AECOM under the existing contract between AECOM and the Event Authority is not subject to Board of Supervisors approval. The Port will use these construction drawings for constructing the infrastructure improvements to Piers 30-32.

---

<sup>4</sup> Under the Host and Venue Agreement, the Event Authority was to make infrastructure investments in Piers 30-32 in exchange for long term development rights, reimbursable by the Port through rent credits. On February 27, 2012 the Event Authority notified the City that they would not make the infrastructure investments in Piers 30-32 and other Port property. Under the LDA, the Port is required to make infrastructure improvements to Piers 30-32, at the Port's expense, to prepare Piers 30-32 as an America's Cup venue.

<sup>5</sup> The four firms were: Power Engineering, Dutra Corporation, Manson, and Vortex.

According to Mr. Benson, because AECOM has developed the construction drawings for constructing the infrastructure improvements to Piers 30-32, the Port wants to enter directly into an agreement with AECOM to provide engineering services during the construction of the Piers 30-32 infrastructure improvements rather than competitively bid such services. When the Port reports to the Board of Supervisors on the selection of contractors to perform the infrastructure improvements, the Port should also report on the contract with AECOM, including details of the contract costs, and contract compliance with the City's contracting goals for LBE and Local Hire participation.

## **FISCAL IMPACT**

The estimated contract costs for which the City's competitive procedure requirements would be waived are \$17,140,000, as shown in Table 4 below.

**Table 4**  
**Estimated Costs for Contracts in Which**  
**The City's Competitive Bidding Requirements Would Be Waived**

| <b>Infrastructure Improvement Project</b>                                                                                                                                             | <b>Proposed Contractor</b>                                                                                                                   | <b>Estimated Amount</b>                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>▪ Pier 27 shed and annex building demolition</li> <li>▪ Pier 27 storm water catch basins</li> <li>▪ Pier 29 partial shed demolition</li> </ul> | Turner                                                                                                                                       | Included in the existing contract for the Pier 27 Cruise Terminal project. |
| <ul style="list-style-type: none"> <li>▪ Pier 27 and Pier 29 site grading to direct storm water flows to storm water catch basins</li> </ul>                                          | Turner                                                                                                                                       | \$2,000,000                                                                |
| <ul style="list-style-type: none"> <li>▪ Pier 29 end wall construction</li> <li>▪ Pier 29 concrete pile repair</li> </ul>                                                             | Turner, or<br>Another proposer on the Pier 27 Cruise Terminal project                                                                        | \$1,600,000                                                                |
| <ul style="list-style-type: none"> <li>▪ Pier 30-32 engineering services during construction of infrastructure improvements</li> </ul>                                                | AECOM                                                                                                                                        | \$240,000                                                                  |
| <ul style="list-style-type: none"> <li>▪ Pier 30-32 construction of infrastructure improvements</li> </ul>                                                                            | Turner,<br>Another proposer on the Pier 27 Cruise Terminal project, or<br>Power Engineering                                                  | \$8,000,000                                                                |
| <ul style="list-style-type: none"> <li>▪ Pier 19 apron repairs</li> </ul>                                                                                                             | <u>Site investigation, materials procurement, site preparations</u><br>Turner, or<br>Another proposer on the Pier 27 Cruise Terminal project | \$3,000,000                                                                |
| <ul style="list-style-type: none"> <li>▪ Pier 23 hand rail</li> </ul>                                                                                                                 | <u>Construction of infrastructure improvements</u><br>Turner subcontractor or Port maintenance staff                                         | \$700,000                                                                  |
| <ul style="list-style-type: none"> <li>▪ Pier 1/2 and Pier 64 removal</li> </ul>                                                                                                      | Turner, or<br>Another proposer on the Pier 27 Cruise Terminal project                                                                        | \$1,600,000                                                                |
| <b>Total Contract Costs</b>                                                                                                                                                           |                                                                                                                                              | <b>\$17,140,000</b>                                                        |

## **POLICY ISSUES**

According to the Port, the Port needs to expedite contracting for infrastructure improvements required by the LDA in order to prepare Pier 19, Pier 23, Pier 27, Pier 29 and Piers 30-32 for America's Cup venues, and therefore the Port has proposed waiving the City's competitive procedures, as required by the City's Administrative Code. The proposed ordinance should be amended to specify that the waiver of the City's competitive procedure requirements do not apply to Pier 27 shed, annex building, and partial Pier 29 shed demolition.

When legislation is submitted to the Board of Supervisors to approve the proposed issuance of Certificates of Participation (COPs) to pay for the infrastructure improvement projects required by the LDA, the Port should report to the Board of Supervisors on the selection of contractors to construct the infrastructure improvements, the details of the contract costs, and contract compliance with the City's contracting goals for LBE and Local Hire participation. This report should also include details of the contract costs of the proposed contract with AECOM to provide engineering services during the construction of the infrastructure improvements.

## **RECOMMENDATIONS**

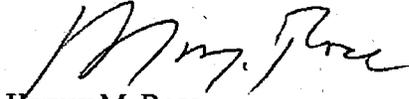
Amend the proposed ordinance to:

- Clarify that the waiver of the City's competitive procedure requirements do not apply to Pier 27 shed, annex building, and partial Pier 29 shed demolition.
- Request the Port to report to the Board of Supervisors on the selection of contractors to construct the infrastructure improvements related to the 34<sup>th</sup> America's Cup, the details of the contract costs, and contract compliance with the City's contracting goals for LBE and Local Hire participation, when legislation is submitted to the Board of Supervisors to approve the pending issuance of Certificates of Participation (COPs) to pay for the infrastructure improvement projects required by the LDA. The report to be submitted by the Port should also include details of the contract costs of the proposed contract with AECOM to provide engineering services during the construction of the infrastructure improvements.

Approval of the proposed ordinance, as amended, is a policy matter for the Board of Supervisors.

Each Member of the Board of Supervisors  
March 29, 2012  
Page 18

Respectfully submitted,



Harvey M. Rose  
Budget and Legislative Analyst

cc: President Chiu  
Supervisor Avalos  
~~Supervisor Campos~~  
Supervisor Chu  
Supervisor Cohen  
Supervisor Elsbernd  
Supervisor Farrell  
Supervisor Kim  
Supervisor Mar

Supervisor Olague  
Supervisor Wiener  
Clerk of the Board  
Cheryl Adams  
Controller  
Kate Howard  
Monique Moyer

To:  
Cc:  
Bcc:  
Subject: 2011 Combined Charities Campaign Final Report

From: Secretary FireChief/SFFD/SFGOV  
To: Olga Ryerson/MAYOR/SFGOV@SFGOV, David.Chiu@sfgov.org  
Cc: Mark Farrell/BOS/SFGOV@SFGOV, Eric L Mar/BOS/SFGOV@SFGOV, Christina Olague/BOS/SFGOV@SFGOV, Sean Elsbernd/BOS/SFGOV@SFGOV, Sean Elsbernd/BOS/SFGOV@SFGOV, Carmen Chu/BOS/SFGOV@SFGOV, Scott Wiener/BOS/SFGOV@SFGOV, David.Campos@sfgov.org, Malia Cohen/BOS/SFGOV@SFGOV, John.Avalos@sfgov.org, Angela Calvillo/BOS/SFGOV@SFGOV  
Date: 03/27/2012 01:54 PM  
Subject: 2011 Combined Charities Campaign Final Report

---

Dear Mayor Lee and President Chiu,

Please find attached the 2011 Combined Charities Campaign Final Report. Should you need additional information, please do not hesitate to contact Chief Hayes-White at 558-3401.



LETTER - Combined Charities Campaign 2011 Final Report.pdf

Kind regards,

Kelly Alves  
Office of the Chief of Department  
San Francisco Fire Department  
698 Second Street  
San Francisco, CA 94107  
Ph: 415.558.3401 / Fx: 415-558-3407 / www.sf-fire.org

JOANNE HAYES-WHITE  
CHIEF OF DEPARTMENT



EDWIN M. LEE  
MAYOR

**SAN FRANCISCO FIRE DEPARTMENT**  
CITY AND COUNTY OF SAN FRANCISCO

March 27, 2012

Mr. Edwin Lee  
Mayor  
City Hall, Room 200  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Mr. David Chiu  
President, Board of Supervisors  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Mayor Lee and President Chiu:

The San Francisco Fire Department was proud to have served as the City's Lead Department for the 2011 Combined Charities Campaign. Pursuant to Administrative Code Article V, Section 16.93-4(b), I am submitting the following report on the success of the 2011 Campaign.

The total amount raised in the 2011 campaign was **\$1,264,089.19**.

A breakdown of employee designations to each Federation, as well as the "Donor's Choice" option (where employees can donate to any charity not listed under a Federation), is detailed below:

**Totals By Federations**

| Federations | Payroll Total  | Check Total  | Grand Total    | Share of Camp |
|-------------|----------------|--------------|----------------|---------------|
| LIC         | \$370,322.97   | \$64,549.33  | \$434,872.30   | 34.40%        |
| CHC         | \$88,987.56    | \$15,794.00  | \$104,781.56   | 8.29%         |
| BABUF       | \$43,446.00    | \$5,150.00   | \$48,596.00    | 3.84%         |
| ESC         | \$36,777.06    | \$6,092.00   | \$42,869.06    | 3.39%         |
| GI          | \$71,797.16    | \$13,797.00  | \$85,594.16    | 6.77%         |
| UW          | \$88,908.73    | \$29,660.00  | \$118,568.73   | 9.38%         |
| DC          | \$327,850.38   | \$100,957.00 | \$428,807.38   | 33.92%        |
|             | \$1,028,089.86 | \$235,999.33 | \$1,264,089.19 | 100.00%       |

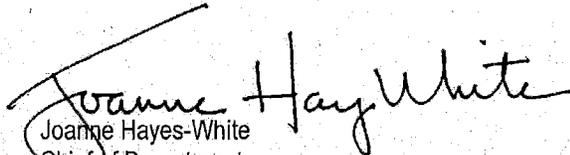
As you know, the Combined Charities campaign does not operate on its own. The Steering Committee, led by my Administrative Officer, Firefighter Mindy Talmadge, and consisting of representatives from several Departments, did an excellent job of directing the Campaign. The Steering Committee expressed their gratitude for the Mayor's active participation in the Campaign this year. Having the support of the Mayor proved vital to the overall success of the campaign.

I would like to acknowledge John Martin from the Airport and Ed Harrington from the PUC for their generosity in covering some costs of the Campaign that our Department Budget could not allow for. I would

also like to especially thank the Mayor's Office and City Hall Events Staff for allowing us to hold the two major Campaign events at City Hall.

Please let me know if I can provide further information regarding the 2011 Campaign.

Very truly yours,

  
Joanne Hayes-White  
Chief of Department

cc: Supervisor Eric Mar  
Supervisor Mark Farrell  
Supervisor Carmen Chu  
Supervisor Christina Olague  
Supervisor Jane Kim  
Supervisor Sean Elsbernd  
Supervisor Scott Wiener  
Supervisor David Campos  
Supervisor Malia Cohen  
Supervisor John Avalos

| Total   |                                | \$1,264,050               | 28,703              | 5,502            | 19.2%                         | 958                         | 807,609                                  | 17.4%                                      | 63.9%                                    | 100.0%                                                |
|---------|--------------------------------|---------------------------|---------------------|------------------|-------------------------------|-----------------------------|------------------------------------------|--------------------------------------------|------------------------------------------|-------------------------------------------------------|
| Dept. # | Department Name                | Total 2011 Dollars Raised | 2011 Employee Count | 2011 Donor Count | 2011 Employee Participation % | 2011 Leadership Giver Count | 2011 Dollars Raised by Leadership Givers | % of 2011 Donors who are Leadership Givers | % of Dollars from 2011 Leadership Givers | % of Donations by Dept. out of total Campaign Dollars |
| 1       | Board of Supervisors           | \$7,097                   | 68                  | 37               | 54.4%                         | 4                           | \$2,860                                  | 10.8%                                      | 40.3%                                    | 0.6%                                                  |
| 2       | Assessor/ Recorder             | \$1,060                   | 140                 | 3                | 2.1%                          | 1                           | \$600                                    | 33.3%                                      | 56.6%                                    | 0.1%                                                  |
| 3       | City Attorney                  | \$19,000                  | 297                 | 28               | 9.4%                          | 18                          | \$16,270                                 | 64.3%                                      | 85.6%                                    | 1.5%                                                  |
| 4       | District Attorney              | \$89                      | 240                 | 1                | 0.4%                          | 0                           | \$0                                      | 0.0%                                       | 0.0%                                     | 0.0%                                                  |
| 5       | Public Defender                | \$10,650                  | 165                 | 14               | 8.5%                          | 8                           | \$9,620                                  | 57.1%                                      | 90.3%                                    | 0.8%                                                  |
| 6       | Sheriff                        | \$36,297                  | 1,056               | 146              | 13.8%                         | 28                          | \$22,680                                 | 19.2%                                      | 62.5%                                    | 2.9%                                                  |
| 8       | Treasurer/Tax Collector        | \$11,593                  | 210                 | 35               | 16.7%                         | 10                          | \$8,505                                  | 26.6%                                      | 73.4%                                    | 0.9%                                                  |
| 9       | Controller                     | \$44,607                  | 199                 | 160              | 80.4%                         | 37                          | \$29,850                                 | 23.1%                                      | 66.9%                                    | 3.5%                                                  |
| 11      | Superior Courts                | \$1,404                   | 541                 | 1                | 0.2%                          | 1                           | \$1,404                                  | 100.0%                                     | 100.0%                                   | 0.1%                                                  |
| 12      | Juvenile Probation             | \$10,385                  | 295                 | 42               | 14.2%                         | 10                          | \$6,240                                  | 23.8%                                      | 60.1%                                    | 0.8%                                                  |
| 13      | Adult Probation                | \$5,808                   | 113                 | 31               | 27.4%                         | 4                           | \$2,950                                  | 12.9%                                      | 50.8%                                    | 0.5%                                                  |
| 14      | SF City College                | \$10,063                  | 0                   | 44               |                               | 7                           | \$3,950                                  | 15.9%                                      | 39.3%                                    | 0.8%                                                  |
| 17      | Child Support Services         | \$6,396                   | 103                 | 19               | 18.4%                         | 9                           | \$4,771                                  | 47.4%                                      | 74.6%                                    | 0.5%                                                  |
| 18      | Ethics Commission              | \$2,100                   | 15                  | 4                | 26.7%                         | 1                           | \$1,664                                  | 25.0%                                      | 79.2%                                    | 0.2%                                                  |
| 19      | Building Inspection            | \$2,886                   | 219                 | 13               | 5.9%                          | 3                           | \$1,560                                  | 23.1%                                      | 54.1%                                    | 0.2%                                                  |
| 21      | Office of Small Business       | \$1,612                   | 66                  | 5                | 7.6%                          | 2                           | \$1,040                                  | 40.0%                                      | 64.5%                                    | 0.1%                                                  |
| 22      | Environmental Commission       | \$8,460                   | 101                 | 25               | 24.8%                         | 6                           | \$6,700                                  | 24.0%                                      | 67.4%                                    | 0.7%                                                  |
| 23      | Children, Youth & Families     | \$0                       | 40                  | 0                | 0.0%                          | 0                           | \$0                                      | 0.0%                                       | 0.0%                                     | 0.0%                                                  |
| 25      | Mayor's Offices                | \$6,379                   | 85                  | 24               | 28.2%                         | 6                           | \$3,900                                  | 25.0%                                      | 61.1%                                    | 0.5%                                                  |
| 27      | Airport                        | \$131,235                 | 1,485               | 735              | 49.5%                         | 88                          | \$79,270                                 | 12.0%                                      | 60.4%                                    | 10.4%                                                 |
| 28      | Arts Commission                | \$828                     | 37                  | 7                | 18.9%                         | 0                           | \$0                                      | 0.0%                                       | 0.0%                                     | 0.1%                                                  |
| 29      | City Planning                  | \$9,443                   | 148                 | 20               | 13.5%                         | 8                           | \$7,462                                  | 40.0%                                      | 79.0%                                    | 0.7%                                                  |
| 30      | Civil Service Commission       | \$2,418                   | 6                   | 6                | 100.0%                        | 2                           | \$2,080                                  | 33.3%                                      | 86.0%                                    | 0.2%                                                  |
| 31      | Fire Dept.                     | \$62,592                  | 1,456               | 230              | 15.8%                         | 45                          | \$32,324                                 | 19.6%                                      | 51.6%                                    | 5.0%                                                  |
| 33      | Human Resources                | \$19,138                  | 142                 | 70               | 49.3%                         | 16                          | \$13,179                                 | 22.9%                                      | 68.9%                                    | 1.5%                                                  |
| 34      | Human Rights Commission        | \$2,418                   | 43                  | 8                | 18.6%                         | 3                           | \$1,560                                  | 37.5%                                      | 64.5%                                    | 0.2%                                                  |
| 35      | SFMTA                          | \$130,026                 | 4,484               | 1,273            | 28.4%                         | 92                          | \$93,004                                 | 7.2%                                       | 71.5%                                    | 10.3%                                                 |
| 37      | Board of Appeals               | \$520                     | 9                   | 1                | 11.1%                         | 1                           | \$520                                    | 100.0%                                     | 100.0%                                   | 0.0%                                                  |
| 38      | SFPD                           | \$145,408                 | 2,678               | 609              | 22.7%                         | 110                         | \$79,936                                 | 18.1%                                      | 55.0%                                    | 11.5%                                                 |
| 38.1    | Office of Citizen Complaints   | \$13,634                  | 35                  | 25               | 71.4%                         | 5                           | \$10,600                                 | 20.0%                                      | 77.7%                                    | 1.1%                                                  |
| 39      | Port of San Francisco          | \$25,615                  | 215                 | 101              | 47.0%                         | 18                          | \$14,935                                 | 17.8%                                      | 58.3%                                    | 2.0%                                                  |
| 40      | Public Utilities Commission    | \$147,481                 | 1,512               | 601              | 33.1%                         | 125                         | \$104,423                                | 25.0%                                      | 70.8%                                    | 11.7%                                                 |
| 41      | Public Library                 | \$14,214                  | 840                 | 35               | 4.2%                          | 16                          | \$11,724                                 | 45.7%                                      | 82.5%                                    | 1.1%                                                  |
| 42      | Recreation & Parks             | \$6,963                   | 1,472               | 41               | 2.8%                          | 2                           | \$1,040                                  | 4.9%                                       | 14.9%                                    | 0.8%                                                  |
| 44      | Retirement Dept                | \$10,136                  | 88                  | 66               | 75.0%                         | 11                          | \$6,356                                  | 16.7%                                      | 62.7%                                    | 0.8%                                                  |
| 45      | Human Services                 | \$72,735                  | 1,687               | 256              | 15.2%                         | 53                          | \$45,968                                 | 20.7%                                      | 63.2%                                    | 5.8%                                                  |
| 46      | War Memorial                   | \$1,482                   | 50                  | 8                | 16.0%                         | 0                           | \$0                                      | 0.0%                                       | 0.0%                                     | 0.1%                                                  |
| 48      | Dept. on Status of Women       | \$1,341                   | 9                   | 9                | 100.0%                        | 1                           | \$700                                    | 11.1%                                      | 52.2%                                    | 0.1%                                                  |
| 60      | Academy of Sciences            | \$7,294                   | 13                  | 12               | 92.3%                         | 4                           | \$5,654                                  | 33.3%                                      | 77.5%                                    | 0.6%                                                  |
| 61      | Fine Arts Museum               | \$1,730                   | 243                 | 5                | 2.1%                          | 3                           | \$1,540                                  | 60.0%                                      | 89.0%                                    | 0.1%                                                  |
| 62      | Asian Art Museum               | \$130                     | 62                  | 1                | 1.6%                          | 0                           | \$0                                      | 0.0%                                       | 0.0%                                     | 0.0%                                                  |
| 63      | Law Library                    | \$0                       | 2                   | 0                | 0.0%                          | 0                           | \$0                                      | 0.0%                                       | 0.0%                                     | 0.0%                                                  |
| 64      | Children & Families Commission | \$0                       | 15                  | 0                | 0.0%                          | 0                           | \$0                                      | 0.0%                                       | 0.0%                                     | 0.0%                                                  |
| 65      | Rent (Arbitration) Board       | \$10,683                  | 26                  | 26               | 100.0%                        | 12                          | \$8,837                                  | 46.2%                                      | 82.7%                                    | 0.8%                                                  |
| 66      | Health Services Systems        | \$5,012                   | 39                  | 19               | 48.7%                         | 3                           | \$2,860                                  | 15.8%                                      | 57.1%                                    | 0.4%                                                  |
| 70      | GSA City Administrator         | \$35,410                  | 774                 | 172              | 22.2%                         | 19                          | \$17,190                                 | 11.0%                                      | 48.5%                                    | 2.8%                                                  |
| 75      | Dept. of Technology            | \$36,691                  | 225                 | 76               | 33.8%                         | 26                          | \$29,040                                 | 34.2%                                      | 79.1%                                    | 2.8%                                                  |
| 76      | Animal Care & Control          | \$2,596                   | 37                  | 11               | 29.7%                         | 3                           | \$1,820                                  | 27.3%                                      | 70.1%                                    | 0.2%                                                  |
| 77      | Emergency Management           | \$27,527                  | 257                 | 65               | 25.3%                         | 16                          | \$20,270                                 | 24.6%                                      | 73.6%                                    | 2.2%                                                  |
| 80      | Elections                      | \$1,378                   | 42                  | 4                | 9.5%                          | 1                           | \$832                                    | 25.0%                                      | 60.4%                                    | 0.1%                                                  |
| 82      | Public Health                  | \$88,274                  | 5,520               | 329              | 6.0%                          | 75                          | \$60,075                                 | 22.8%                                      | 68.1%                                    | 7.0%                                                  |
| 90      | Public Works                   | \$47,499                  | 1,099               | 188              | 17.1%                         | 41                          | \$28,416                                 | 21.8%                                      | 59.8%                                    | 3.8%                                                  |
| R       | Retirees                       | \$14,774                  | 0                   | 0                |                               | 3                           | \$1,500                                  | 0.0%                                       | 10.2%                                    | 1.2%                                                  |
|         | Housing Authority              | \$1,560                   | 0                   | 5                | 0                             | 1                           | \$910                                    | 20.0%                                      | 58.3%                                    | 0.1%                                                  |



March 29, 2012

Dear Department Head:

As Summer 2012 approaches, I write to ask for your Department's full participation in an unprecedented citywide effort this year to create summer jobs and opportunity for San Francisco youth. Nowhere is our focus on creating jobs and opportunity more important than when it comes to our young people, where an early, high-quality job or work experience can be a bridge to a lifetime of success.

This year, we are working in partnership with the United Way of the Bay Area, which was tasked by the White Council for Community Solutions to implement President Obama's Summer Jobs+ initiative in support of local efforts to meet the needs of young people through education, employment and civic participation.

As Mayor, I will be challenging the City's private sector companies from many sectors – technology, healthcare, retail, construction, financial services, manufacturing, hospitality and more – to join City government and many nonprofit organizations in creating an unprecedented number of summer jobs and opportunities for San Francisco youth.

But first we in City Government must step up and lead the way. Therefore, I am asking every City Department Head to identify what work-based or job training programs your department plans to provide this summer for young people ages 14 – 24.

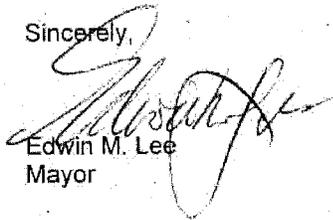
**I have asked the Department of Children, Youth & Their Families to take the lead in gathering this information. Please complete the attached survey in Excel Spreadsheet by 5:00 PM, Tuesday, April 3rd and return it electronically to DCYF Director Maria Su at maria@dcyf.org.**

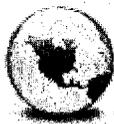
Two examples of excellent programs that depend on City Department support to provide employment opportunities are YouthWorks and Project Pull. YouthWorks is a paid internship program for 11<sup>th</sup> and 12<sup>th</sup> graders that teaches young people crucial job skills while sparking their interest in public service. Project Pull is a paid summer internship program run by the Department of Public Works, Public Utilities Commission and New Ways Workers that provides professional mentorship opportunities to high school students in the areas of architecture, business, engineering and science. Both of these programs currently partner with dozens of city departments and will be able to increase the numbers of youth they reach with additional financial support and willing mentors from city departments.

**I am also asking each of you to join me at 2 pm at City Hall in Room 201 on Thursday, April 5<sup>th</sup> for a Department Head meeting to discuss your plans to create summer jobs and opportunities for youth and learn more about the City's overall summer jobs efforts.**

Thank you for giving your Department's full support to this initiative and for your commitment to creating quality employment opportunities and experiences for our young people this summer. If you have any questions, please contact DCYF Director Maria Su at maria@dcyf.org or call 554-3547.

Sincerely,

  
Edwin M. Lee  
Mayor



Chaffee -- RE: David Chiu Had Me Arrested at a Supervisors Meeting -- Chapter Five:  
Brining Out the Rhetorical Big Guns

James Chaffee

to:

board.of.supervisors, Carmen.Chu, David Campos, David Chiu, Eric L. Mar, Jane Kim,  
John.Avalos, Malia Cohen, Mark Farrell, Christina.Olague, Scott Wiener, Sean.Elsbernd  
03/26/2012 08:58 PM

Hide Details

From: "James Chaffee" <chaffeej@pacbell.net> Sort List...

To: <board.of.supervisors@sfgov.org>, <Carmen.Chu@sfgov.org>, "David Campos"  
<David.Campos@sfgov.org>, "David Chiu" <David.Chiu@sfgov.org>, "Eric L. Mar"  
<Eric.L.Mar@sfgov.org>, "Jane Kim" <Jane.Kim@sfgov.org>, <John.Avalos@sfgov.org>,  
"Malia Cohen" <Malia.Cohen@sfgov.org>, "Mark Farrell" <Mark.Farrell@sfgov.org>,  
<Christina.Olague@sfgov.org>, "Scott Wiener" <Scott.Wiener@sfgov.org>,  
<Sean.Elsbernd@sfgov.org>

Dear Friends,

Earlier today, I delivered the letter below to the supervisors.

James,

---

**Re: David Chiu Had Me Arrested at a Supervisors Meeting  
Chapter Five: Bringing Out the Rhetorical Big Guns**

Dear Supervisor:

My complaint against David Chui for having me arrested at a Supervisors meeting comes up for its first big test on Tuesday, March 27, 2012. Not only has the case been moved to Oakland, but the judge handles all motions for the week on Tuesdays at 2:00 p.m. There is some irony that in order to defend my right to attend Supervisors meetings, I might have to miss a Supervisors meeting.

It is the functional equivalent of a demurrer, but they don't have demurrers in Federal Court, i.e., a motion to dismiss for failure to state a cause of action. The City Attorney has taken the position that the

fact that I am a victim by itself contains probable cause to justify the arrest. For that to be true you would have to assume that every victim is partially responsible for their own case and can be arrested based on that assumption. Do we arrest every rape victim because they must have done something to cause it? Do we arrest every mugging victim because they must have done something to provoke it? If we did that, no one would be able to seek protection of the law.

In fact the concept of “blaming the victim” has gained some purchase as a socially common construct, a sort of “buzz word.” People know that it is unfair to blame the victim even though they may be unaware of how often and how expedient it has become to do so. It is simply a subset of the general phenomenon called, the self-fulfilling prophecy. In other words, it happens because we expect it to happen, and if it is politically useful, a wide spectrum of occurrences simply become another example of it.

So let’s turn the expectations around. There was a book, a John Grisham legal thriller, made into a movie, not too long ago called “A Time to Kill.” The emotional climax comes when the lawyer in the courtroom describing the horrifying crime in general terms ends with, “imagine she’s white.”

So let’s imagine – a sixty-four year old work-class black man comes to public meetings. He is properly dressed, but if you look closely you can tell that he got the jacket and tie at the Goodwill and he comes from a time when he was taught that if you present yourself properly and conduct yourself according to the rules, you are entitled to be there just because you are an American. There is no such thing as a second-class citizen. These anachronisms are slightly amusing and he is not fooling anyone.

At the meeting, gang of white racist youth, we will call them skin-heads to make the scene more vivid, start a demonstration right behind his head, violating the rules by standing, shouting at the chair and jostling the back of his head. After enduring this for some time, the black man shouts at the chair something like, “Time to enforce the rules.” The skin-heads threaten the man, bombard him with racial epithets, claim that they are going to wait outside for him and take care of him, then go to wait outside the door. After a few minutes they get tired of waiting and send a white sheriff’s deputy to come to get him and bring him out. The man, thinking it unwise to go out where these racists are waiting for him, refuses to do so. Besides, he knows he has a right to be there under the law. So the man is then arrested and charged with refusing to leave. I assume we don’t have to explain the concept of Catch-22. The supervisors themselves let it happen because this man is always complaining about the lack of justice and their betrayal of democratic principles. More importantly, he is not a part of their power structure and networks of influence, and seems intent on showing that their power structure to be based on payoffs and corruption, which it is.

Having been arrested he is placed in a holding cell in the basement of City Hall, without a chair for more than an hour, then placed in handcuffs behind his back, paraded out to the street in cuffs, placed in the aluminum-lined box about the size of an oven of a prisoner transport, with an aluminum seat only slightly deeper than his hands held in cuffs. He is taken to the Hall of Justice, given release papers, told that he is not free to return to City Hall and released to walk back.

I hope that we have reached the point in this country where his concerns would not be dismissed as trivial or inconsequential. Ok. Now, imagine he is white. You can do that can’t you? Whatever purchase this has on my readers’ imagination as individuals, as a legal matter we are all in the same boat and in order to enforce the principle that there are protections in society for all of us, we really have to mean “all of us.”

In the interest of full honest I have to admit that this argument did not occur to me until several weeks later. I was only conscious at the time that the supervisors will use any excuse to remove me because of who I am. I am on their enemies list, their “undesirable list,” if you like, because they don’t like what I have to say. There is a “City Hall Family,” including all those who rip off the City and their lobbyists, that does not tolerate outsiders. For this family, trading the illusion that they are aristocrats for money is their life’s blood. When they say, “round up the usual suspects,” they mean me. I once asked a deputy sheriff if the meeting was open and he said, “Not for you it’s not.” The clerk, Angela Calvillo herself, tried to have me removed the last time the election of Board president came up, and she ended up backing down with Gavin Newsom sitting right there.

It is not unrealistic to say that, the Federal Courts being what they are with respect to a pro se litigant, someone who acts as his own lawyer, I could be thrown out of court tomorrow and this could be the end of the line. I hope you realize that if I am, it will be a loss for all of us.

Very truly yours,

James Chaffee

cc: Interested citizens & media



BOS-11  
cpage

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2012 MAR 28 AM 9:29

37

RBC

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2012 MAR 28 AM 9:29

**The Police Commission**  
CITY AND COUNTY OF SAN FRANCISCO

BY \_\_\_\_\_

March 22, 2012

Honorable Board of Supervisors  
City Hall, Room 244  
#1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Dear Supervisors:

THOMAS MAZZUCCO  
President

DR. JOE MARSHALL  
Vice President

PETRA DEJESUS  
Commissioner

ANGELA CHAN  
Commissioner

CAROL KINGSLEY  
Commissioner

R. JAMES SLAUGHTER  
Commissioner

L. JULIUS TURMAN  
Commissioner

Inspector John Monroe  
Secretary

At the meeting of the Police Commission on Wednesday, March 21, 2012, the following resolution was adopted:

**RESOLUTION NO. 12-18**

**APPROVAL TO DECLARE PROPERTY LOCATED AT 2300 THIRD STREET AS SURPLUS TO THE POLICE DEPARTMENT'S NEED AND TO RECOMMEND TO THE DIRECTOR OF REAL ESTATE TO LEASE, SELL OR OTHERWISE TRANSFER OR DISPOSE OF THAT PROPERTY IN ACCORDANCE WITH APPLICABLE STATE AND LOCAL REQUIREMENTS**

WHEREAS, the San Francisco Police Department currently has administrative jurisdiction over certain real property owned by the City and County of San Francisco ("City"), located at 2300 Third Street in San Francisco, designated as Assessors Lot 001 in block 4108 (the "Property"); and

WHEREAS, the Property is an approximately 12,000 square foot parcel, which contains two buildings, one is a two-story 4049 square foot structure, the other an 'annex' single story building of 2113 square feet; and

WHEREAS, the buildings on the Property were constructed in 1915; and

WHEREAS, the Property is located in San Francisco's Dog Patch District, an officially designated historic district of San Francisco; and

WHEREAS, the buildings on the Property are un-reinforced masonry that is currently vacant, and would require extensive seismic and other code improvements for further use; and

WHEREAS, the Police Department has determined that the Property is not required to fulfill the Department's mission; and

WHEREAS, the buildings are currently vacant and the Department has no plans to use or further occupy the Property; and

14

Honorable Board of Supervisors  
Resolution No. 12-18  
March 22, 2012  
Page 2

WHEREAS, the Police Department has determined that the Property is surplus to its needs; and

WHEREAS, the Police Department remains concerned that ultimate uses of the Property somehow reflect the traditions of public service provided to the community from the Property, and speak to the long-standing relationship of the Department with the neighborhood; and

WHEREAS, a lease may be the most appropriate mechanism to renew the Property yet manage future uses; now, therefore be it

RESOLVED, that the Police Commission hereby declares the Property surplus to the Police Department's needs, and recommends that the Director of Real Estate recommend to the Board of Supervisors and the Mayor a transfer of the jurisdiction of the Property to Real Estate; and

FURTHER RESOLVED, that the Police Commission recommend the Director of Real Estate implement a solicitation process to secure a tenancy of the Property that furthers Whereas Clause #9 above and spurs renewal of the asset in accordance with applicable state and local requirements; and

FURTHER RESOLVED, that the Director of Real Estate return to the Police Commission for further discussion and recommendation if an appropriate tenancy of the Property is secured, prior to submission of proposed tenancy to the Board of Supervisors for approval; and

FURTHER RESOLVED, that the Director of Real Estate return to the Police Commission for further discussion and approval of this matter should an appropriate tenancy of the Property not be secured.

AYES: Commissioners Mazzucco, Marshall, Chan, DeJesus  
NAYS: Commissioners Kingsley, Turman  
ABSENT: Commissioner Slaughter

Very truly yours,



Inspector John Monroe  
Secretary  
San Francisco Police Commission

1345/rct

cc: Lieutenant R. Vaswani/Permits  
Director J. Updike/Department of Real Estate

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: San Francisco Law Library - Letter of Support

From: Alexis Mackenzie <amackenzie@mrwolfeassociates.com>  
To: mayoredwinlee@sfgov.org, city.administrator@sfgov.org, Board.of.Supervisors@sfgov.org  
Cc: "mrw@mrwolfeassociates.com" <mrw@mrwolfeassociates.com>, John Farrow  
<jfarrow@mrwolfeassociates.com>  
Date: 03/29/2012 02:53 PM  
Subject: San Francisco Law Library - Letter of Support

---

Please see attached, thank you.

--

Alexis Mackenzie | Administrator | **M. R. Wolfe & Associates, P.C.** | Attorneys-At-Law  
1 Sutter Street | Suite 300 | San Francisco, CA 94104  
Tel: 415.369.9400 | Fax: 415.369.9405 | [www.mrwolfeassociates.com](http://www.mrwolfeassociates.com)

The information in this e-mail may contain information that is confidential and/or subject to the attorney-client privilege. If you have received it in error, please delete and contact the sender immediately. Thank you.



SFLawLibrary\_SupportLetter\_3.28.12.pdf

March 29, 2012

**Via U.S. Mail and E-mail**

The Honorable Edwin M. Lee, Mayor  
City Hall, Room 200, mayoredwinlee@sfgov.org

Ms. Naomi Kelly, City Administrator  
Office of the City Administrator  
City Hall, Room 362, city.administrator@sfgov.org

The Honorable Members of the Board of Supervisors  
Attn: Ms. Angela Calvillo, Clerk of the Board of Supervisors  
City Hall, Room 244, Board.of.Supervisors@sfgov.org

1 Dr. Carlton B. Goodlett Place  
San Francisco, Ca. 94102-4689

**Re: San Francisco Law Library**

Dear Mayor Lee, Honorable Supervisors, and Ms. Kelly:

The San Francisco Law Library is a critical resource to San Francisco's legal community, funded by civil filing fees, and mandated by the Charter of the City and County of San Francisco. Because the Veterans Building must be renovated, the Law Library must be relocated – and this must happen by May 2013.

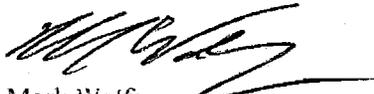
The Law Library is essential to our practice as small public-interest firm, notwithstanding the availability of electronic materials. As a public-interest firm we simply lack the resources to access essential texts and electronic materials. Without that access, we cannot serve our clients, many of whom are themselves public interest organizations. We rely on the Law Library for research on unfamiliar topics and for research using electronic databases that we and our clients cannot afford.

Accordingly, we ask that the Mayor and the Members of the Board of Supervisors ensure the continuity of the Law Library by locating and providing a permanent library facility to replace the Veterans Building location. The matter is urgent given the May 2013 deadline for relocation.

We appreciate your consideration.

Sincerely,

M. R. WOLFE & ASSOCIATES, P.C.

  
Mark Wolfe  
John Farrow

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Bernal Heights Library

From: Nadine May <nmaysf@gmail.com>  
To: jdbeltran@sfgov.org  
Cc: mayoredwinlee@sfgov.org, tom.decaigny@sfgov.org, sharon.page\_ritchie@sfgov.org, sblackman@sfpl.org, lherrera@sfpl.org, John.Avalos@sfgov.org, david.campos@sfgov.org, David.Chiu@sfgov.org, Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, jane.kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, scott.wiener@sfgov.org, Board.of.Supervisors@sfgov.org  
Date: 04/01/2012 07:28 PM  
Subject: Please stop imminent destruction of Victor Jara Mural at Bernal Heights Library

---

President of the Arts Commission:

I am writing to encourage you to vote AGAINST the destruction of the murals at the Bernal Heights Library, and in particular the one depicting Victor Jara.

I was born and raised in San Francisco, and while I have not lived in Bernal Heights for many years, I was in the area when the murals were created and I remember the excitement in the neighborhood, and especially in the Latino Community, and particularly of those Chileans who had been forced into exile by the Pinochet dictatorship and whose new homes were in San Francisco.

Victor Jara is a hero of mine. His name is known throughout Latin America, indeed throughout the world. He was a man who spoke out -- peacefully but forcefully, through word and through song, for the people of Chile, the people of Latin America, indeed anyone who was oppressed anywhere. His hands were broken by Pinochet's soldiers, he was killed by them, and yet the words of his songs live on in the hearts of millions of people.

This mural is incredibly important, not only for historic reasons, but for cultural ones. To destroy it would be to destroy a part of the history of Bernal Heights, the Mission, indeed the history of many in the activist community in San Francisco. We need those strong depictions of people like Victor Jara, of strong working women, of people who were important in the history of the Bernal Heights Neighborhood.

Please allow the murals to stay in place, and allocate funds for their restoration, rather than destroying them. Thank you.

Sincerely,

Nadine May  
554 Sixth Avenue #302  
San Francisco CA 94118

From: "G-mail - Goshayndel" <goshayndel@gmail.com>  
To: <tom.decaigny@sfgov.org>, <mayoredwinlee@sfgov.org>, <Board.of.Supervisors@sfgov.org>, <David.Campos@sfgov.org>  
Cc: <libraryusers2004@yahoo.com>  
Date: 04/01/2012 09:13 PM  
Subject: RE: Bernal Mural Fate at Arts Commission -- Vote MONDAY, 4-2-12

---

Hello,

I am distressed at the possible imminent removal of the beautiful and historic Bernal Heights Branch library mural. This mural represents the diversity of our history, our city, and the various neighborhoods, as well as honoring important people who have impacted us.

The replacement mural is a whitewashed version which leaves out some very significant people, including Victor Jara, Holly Near, Roberta Flack; it represents working women, and children, and is representative of the community of Bernal Heights.

It would be a huge loss to destroy this mural. It should be saved and refurbished. The replacement mural has swirly designs and vague images, but lacks the multicultural history and diversity of the current mural.

The community at large has not been adequately informed about the plans to destroy this mural. I strongly urge you to change your plans and save this historic and beautiful mural.

Sally Goldin  
SF resident  
Use of Bernal Heights Library for many years

\*\*\*\*\*

Sally Goldin, Personal Historian  
415-337-1629  
sally@sallygoldin.com

I help people make books about their lives!  
Check out my web site: [www.sallygoldin.com](http://www.sallygoldin.com)

-From: caroline kleinman <digs\_sf@yahoo.com>  
To: jdbeltran@sfgov.org  
Cc: tom.decaigny@sfgov.org, sharon.page\_ritchie@sfgov.org, sblackman@sfpl.org, lherrera@sfpl.org, 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>, Sean Elsbernd <Sean.Elsbernd@sfgov.org>, Mark Farrell <Mark.Farrell@sfgov.org>, Jane Kim <jane.kim@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Christina.Olague@sfgov.org, Scott Wiener <scott.wiener@sfgov.org>, Board.of.Supervisors@sfgov.org, libraryusers2004 <libraryusers2004@yahoo.com>, cynthia.servetnick@gmail.com, mayoredwinlee@sfgov.org  
Date: 04/01/2012 11:51 PM  
Subject: Please protect the Bernal Heights Branch Library mural!

---

Please do not let San Francisco's history be erased. This entire destruction-happy process has been flawed an

without merit.

Thank you.

**Request for Preservation and Restoration of Bernal Heights Library Mural**

rosemarie picone to: jdbeltran, tom.decaigny,  
sharon.page\_ritchie, sblackman, lherrera, 04/02/2012 11:21 AM  
John Avalos, David Campos, David Chiu,

TO: San Francisco Arts Commission, San Francisco Board of Supervisors, Mayor of San Francisco

RE: Request for Urgent Vote of Approval For Preservation and Restoration of Bernal Heights Library Mural

DUE TO ITS VALUABLE AND RARE HISTORICAL CONTENT INCLUDING THE RARE DEPICTION OF INTERNATIONALLY RECOGNIZED ARTIST, VICTOR JARA, I REQUEST THAT SAN FRANCISCO'S BERNAL HEIGHTS LIBRARY MURAL BE PRESERVED AND RESTORED.

San Francisco's Bernal Heights Library mural is extremely significant to those around the world who recognize the valuable work of Victor Jara, the martyred Chilean artist, composer, playwright, theatre director whose image and words currently grace the entrance to this library.

Critically urgent is that you consider that any decision which would render this mural obsolete, or leading to its destruction instead of its preservation, carries the risk of jeopardizing the valuable international status assigned to the City of San Francisco as a major center dedicated to honoring and preserving the work of internationally recognized muralists past and present -- to wit, the widely available multiple publications that are an increasing testament to San Francisco's historical record of support and preservation of these valuable rare works, and not to a record of their destruction. Your support and vote for preservation and restoration of this mural is critical to this City's history.

Thank you for your valuable consideration,

Sincerely,

Rosemarie Picone

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: [SF Preservation Consortium] Fw: Cynthia, fyi - a beautiful and heartfelt letter about the mural  
Fw: Please stop imminent destruction of Victor Jara Mural at Bernal Heights Library

From: malana moberg <malana@romagroup.net>  
To: mayoredwinlee@sfgov.org, tom.decaigny@sfgov.org, sharon.page\_ritchie@sfgov.org, sblackman@sfpl.org, lherrera@sfpl.org, John.Avalos@sfgov.org, david.campos@sfgov.org, David.Chiu@sfgov.org, Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, jane.kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, scott.wiener@sfgov.org, Board.of.Supervisors@sfgov.org  
Cc: Cynthia Servetnick <Cynthia.Servetnick@gmail.com>  
Date: 04/02/2012 12:05 PM  
Subject: Fwd: [SF Preservation Consortium] Fw: Cynthia, fyi - a beautiful and heartfelt letter about the mural  
Fw: Please stop imminent destruction of Victor Jara Mural at Bernal Heights Library

---

I don't think anyone could have said it better. Art represents many things and shouldn't be callously destroyed. Please put your heads together and FIND A WAY to save this mural.

--- On Sun, 4/1/12, Nadine May <nmaysf@gmail.com> wrote:

From: Nadine May <nmaysf@gmail.com>  
Subject: Please stop imminent destruction of Victor Jara Mural at Bernal Heights Library  
To: jdbeltran@sfgov.org  
Cc: mayoredwinlee@sfgov.org, tom.decaigny@sfgov.org, sharon.page\_ritchie@sfgov.org, sblackman@sfpl.org, lherrera@sfpl.org, John.Avalos@sfgov.org, david.campos@sfgov.org, David.Chiu@sfgov.org, Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, jane.kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, scott.wiener@sfgov.org, Board.of.Supervisors@sfgov.org  
Date: Sunday, April 1, 2012, 7:28 PM

President of the Arts Commission:

I am writing to encourage you to vote AGAINST the destruction of the murals at the Bernal Heights Library, and in particular the one depicting Victor Jara.

I was born and raised in San Francisco, and while I have not lived in Bernal Heights for many years, I was in the area when the murals were created and I remember the excitement in the

neighborhood, and especially in the Latino Community, and particularly of those Chileans who had been forced into exile by the Pinochet dictatorship and whose new homes were in San Francisco.

Victor Jara is a hero of mine. His name is known throughout Latin America, indeed throughout the world. He was a man who spoke out -- peacefully but forcefully, through word and through song, for the people of Chile, the people of Latin America, indeed anyone who was oppressed anywhere. His hands were broken by Pinochet's soldiers, he was killed by them, and yet the words of his songs live on in the hearts of millions of people.

This mural is incredibly important, not only for historic reasons, but for cultural ones. To destroy it would be to destroy a part of the history of Bernal Heights, the Mission, indeed the history of many in the activist community in San Francisco. We need those strong depictions of people like Victor Jara, of strong working women, of people who were important in the history of the Bernal Heights Neighborhood.

Please allow the murals to stay in place, and allocate funds for their restoration, rather than destroying them. Thank you.

Sincerely,

Nadine May  
554 Sixth Avenue #302  
San Francisco CA 94118

File 120183



Masonic Center - Nob Hill Venue  
Christine Capulong

to:

Mayor Ed Lee, President David Chiu, Eric Mar, Mark Farrell, Carmen Chu, Christina Olague, Jane Kim, Sean Elsbernd, Scott Wiener, David Campos, Malia Cohen, John Avalos  
03/27/2012 10:48 AM

Cc:

Angela Calvillo

Hide Details

From: Christine Capulong <christinecapulong@gmail.com> Sort List...

To: Mayor Ed Lee <mayoredwinlee@sfgov.org>, President David Chiu <david.chiu@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Mark Farrell <mark.farrell@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>

Cc: Angela Calvillo <board.of.supervisors@sfgov.org>

Dear Mayor Ed Lee and SF City Council Members,

I am emailing you in support of the continued existing operation of the Masonic Center and Live Nation's professional management, and encourage the approval of the Conditional Use Permit application. I urge the Board to adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Kind Regards,  
Christine Capulong  
650 Delancey Street, #108  
San Francisco, CA 94107

17

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: 4 emails: File 120183

The Clerk's Office received the four emails below today.

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

From: Erin Kelleher <erinbelleher@gmail.com>  
To: mayoredwinlee@sfgov.org, david.chiu@sfgov.org, Eric.L.Mar@sfgov.org, mark.farrell@sfgov.org, carmen.chu@sfgov.org, christina.olague@sfgov.org, ane.kim@sfgov.org, sean.elsbernd@sfgov.org, scott.wiener@sfgov.org, david.campos@sfgov.org, malia.cohen@sfgov.org, john.avalos@sfgov.org, board.of.supervisors@sfgov.org  
Date: 03/27/2012 02:12 PM  
Subject: Masonic Auditorium

---

Good afternoon,

As San Francisco residents and active concertgoers, we are writing to express our support for the continued existing operation of the Masonic Center and Live Nation's professional management of the venue. We encourage approval of the Conditional Use Permit application and we urge you to adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Thank you for your time and consideration.

Sincerely,

Erin & Brendan Kelleher  
35 Beideman Street  
San Francisco, CA 94115

From: Sarah Zenewicz <zenewicz@gmail.com>  
To: Mayor Ed Lee <mayoredwinlee@sfgov.org>, President David Chiu <david.chiu@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Mark Farrell <mark.farrell@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>, Angela Calvillo <board.of.supervisors@sfgov.org>  
Date: 03/27/2012 02:13 PM

Subject: Nob Hill Masonic Center

---

Good afternoon,

As a San Francisco resident and active concertgoer, I am writing to express my support for the continued existing operation of the Masonic Center and Live Nation's professional management of the venue. I encourage approval of the Conditional Use Permit application and I urge you to adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Thank you for your time and consideration.

Sincerely,

Sarah Zenewicz  
3505 19th St. Apt. 204  
San Francisco, CA 94110  
[zenewicz@gmail.com](mailto:zenewicz@gmail.com)

---

From: Ron Vargas <RonVargas@LiveNation.com>  
To: "board.of.supervisors@sfgov.org" <board.of.supervisors@sfgov.org>  
Date: 03/27/2012 03:57 PM  
Subject: Nob Hill Masonic Center-Board of Supervisors Hearing

---

Dear Board of Supervisors,

As an employee of Live Nation, I urge you to consider the Planning Commission's unanimous approval of the Masonic's Conditional Use Permit by rejecting this appeal. Live Nation has successfully managed the Masonic for three years without incident, and has a long history of responsible event management in San Francisco. Our application reaffirms our commitment to dozens of good neighbor policies, including new event limits which reflect the historic use of the Masonic. Please reject the CUP appeal and allow Live Nation to continue its outstanding management practices.

Thank you,

Ron Vargas

**Ron Vargas**  
☎: 415-281-9225  
aim: ronV0Vvargas  
✉: [ronvargas@livenation.com](mailto:ronvargas@livenation.com)  
📍: 251 Rhode Island St. Ste. 200 | San Francisco, CA, 94103

From: Erin King <krazykinger@gmail.com>  
To: mayoredwinlee@sfgov.org, david.chiu@sfgov.org, eric.mar@sfgov.org, mark.farrell@sfgov.org, carmen.chu@sfgov.org, christina.olague@sfgov.org, jane.kim@sfgov.org,

sean.elsbernd@sfgov.org, scott.wiener@sfgov.org, david.campos@sfgov.org,  
malia.cohen@sfgov.org, john.avalos@sfgov.org

Cc: board.of.supervisors@sfgov.org  
Date: 03/27/2012 04:11 PM  
Subject: The Nob Hill Masonic

---

Dear Board of Supervisors,

As a resident of San Francisco, I urge you to consider the Planning Commission's unanimous approval of the Masonic's Conditional Use Permit by rejecting this appeal. Not only is the Masonic a critical aspect to the vibrant and diverse Nob Hill neighborhood, but Live Nation has done an outstanding job managing the venue for over three years. Please join with the Planning Commission in allowing Live Nation to continue their existing operations.

Thank you,

Erin King

415-260-9143

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: File: 120183 Operations of the Masonic Center

From: Zach Miller <zrmiller1@gmail.com>  
To: mayoredwinlee@sfgov.org, david.chiu@sfgov.org  
Cc: board.of.supervisors@sfgov.org  
Date: 03/27/2012 05:12 PM  
Subject: Operations of the Masonic Center

---

Dear Mayor Ed Lee & Board President David Chiu,

I'm emailing you to let you know that I support the continued existing operation of the Masonic Center and Live Nation's professional management, and encourage the approval of the Conditional Use Permit application.

Please adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Very best,  
Zach Miller  
823 B North Point Street  
San Francisco, CA 94109



Masonic Center Support

anna clark

to:

Mayor Ed Lee, President David Chiu, Eric Mar, Mark Farrell, Carmen Chu, Christina Olague, Jane Kim, Sean Elsbernd, Scott Wiener, David Campos, Malia Cohen, John Avalos, Angela Calvillo

03/28/2012 03:07 PM

Hide Details

From: anna clark <annawclark@gmail.com> Sort List...

To: Mayor Ed Lee <mayoredwinlee@sfgov.org>, President David Chiu <david.chiu@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Mark Farrell <mark.farrell@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>, Angela Calvillo <board.of.supervisors@sfgov.org>

Hello Mayor, Board President Chiu, and the Board of Supervisors -

I wanted to let you know that I support the continued existing operation of the Masonic Center and Live Nation's professional management, and encourage the approval of the Conditional Use Permit application.

I urge you to adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Thank you

Anna Clark  
3600 20th St  
Apt 406  
San Francisco, CA  
94110



File 120183: Nob Hill Masonic Center, 1111 California Street, Conditional Use Appeal

Li Chapman

to:

David.Chiu@sfgov.org, John.Avalos@sfgov.org, David.Campos@sfgov.org, Carmen.Chu@sfgov.org, Malia.Cohen@sfgov.org, Sean.Elsbernd@sfgov.org, Mark.Farrell@sfgov.org, Jane.Kim@sfgov.org, Eric.L.Mar@sfgov.org, Christina.Olague@sfgov.org, Scott.Weiner@sfgov.org, Board.of.Supervisors@sfgov.org

03/27/2012 01:36 PM

Cc:

"amy.harmer@gmail.com", "davidcharlesharmer@gmail.com", "sandraassar@yahoo.com", "slp@gomezandpatton.com", "robtvarni@aol.com", Judith Berkowitz, Hiroshi Fukuda, "jbardis@xdm.com", "gumby5@att.net", "choden@sbcglobal.net"

Hide Details

From: Li Chapman <licwa@yahoo.com> Sort List...

To: "David.Chiu@sfgov.org" <David.Chiu@sfgov.org>, "John.Avalos@sfgov.org" <John.Avalos@sfgov.org>, "David.Campos@sfgov.org" <David.Campos@sfgov.org>, "Carmen.Chu@sfgov.org" <Carmen.Chu@sfgov.org>, "Malia.Cohen@sfgov.org" <Malia.Cohen@sfgov.org>, "Sean.Elsbernd@sfgov.org" <Sean.Elsbernd@sfgov.org>, "Mark.Farrell@sfgov.org" <Mark.Farrell@sfgov.org>, "Jane.Kim@sfgov.org" <Jane.Kim@sfgov.org>, "Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>, "Christina.Olague@sfgov.org" <Christina.Olague@sfgov.org>, "Scott.Weiner@sfgov.org" <Scott.Weiner@sfgov.org>, "Board.of.Supervisors@sfgov.org" <Board.of.Supervisors@sfgov.org>

Cc: "amy.harmer@gmail.com" <amy.harmer@gmail.com>, "davidcharlesharmer@gmail.com" <davidcharlesharmer@gmail.com>, "sandraassar@yahoo.com" <sandraassar@yahoo.com>, "slp@gomezandpatton.com" <slp@gomezandpatton.com>, "robtvarni@aol.com" <robtvarni@aol.com>, Judith Berkowitz <sfjberk@mac.com>, Hiroshi Fukuda <Ninersam@aol.com>, "jbardis@xdm.com" <jbardis@xdm.com>, "gumby5@att.net" <gumby5@att.net>, "choden@sbcglobal.net" <choden@sbcglobal.net>

Please respond to Li Chapman <licwa@yahoo.com>

#### 4 Attachments



MuniPStrauss SFMTA Short Range Transit Plan excerpts 3.docx PoliceCodeCamping.docx PlanningCode238NobHillsUD.docx



PlanningCodeEatingandDrinkingBarOtherEntertainment.docx

For: Board of Supervisors

From: Linda Chapman

Re: 1111 California Street, California Masonic Memorial Temple (CMMT): Appeal of Conditional Use approved 1/19/12: 2011.0471C Board file 120183 to 120186

#### Please reject CMMT's application for Conditional Use authorization:

Asking to add, expand, intensify activities related to commercial use-- events, food and alcohol-- beyond the scope allowed by current zoning and historic permitted use of this site.

Asking for physical changes, interior and exterior, to accommodate the commercial use and intensification.

Asking to treat as "legal nonconforming use" a gainful business in alcohol and entertainment-- at a site where recorded conditions to build the facility, and all subsequent zoning maps and regulations for the district where located, show that such commercial activity was NEVER defined as a legal use, before or after zoning changes issued for the Nob Hill Special Use District.

Asking to extend nonconforming use-- alleged to be "legal"-- beyond a date identified by the Planning Code for terminating any "legal" nonconforming use.

The Commission had an obligation to deny Conditional Use for this project:

It proposes to expand unpermitted activities by alleging "lawful nonconforming use;"

It proposes changes inside and outside to accommodate intensified activities;

It proposes food and beverage business not previously existing at the site;

It was not shown to meet the 303(c) requirement to avoid harmful impacts in the vicinity.

#### I. Legal use.

**The proposed project is not allowed by rules specific to the Nob Hill Special Use District.**  
The SUD narrowly defines commercial uses that can be a Conditional Use.

**The proposed use is not allowed in residential zoning districts generally.**  
Zoning underlying the Nob Hill SUD is RM-4, allowing high-density residential use.

**Historic LEGAL use of the site is nonprofit private club-Masonic lodge.**

Planning Department records, and planners for this district at the relevant times, can show:

- (1) Entertainment and commercial activities at CMMT exceeded what was allowed by zoning and conditions of the original project approval;
- (2) Violations continued after notification;
- (3) The enforcement resources available did not correct violations.

**Allowed use for CMMT was similar to other nonprofit institutions that are a Conditional Use in a residential district.**

Parallel Conditional Uses allowed in the Nob Hill SUD do not resemble the Regency Ballroom or Bill Graham Auditorium. They are nonprofit institutions.

In the SUD, institutions that are allowed include private clubs (Pacific Union Club, University Club) and the Episcopal properties.

Institutional buildings often contain assembly space offered for other users; zoning rules do not preclude renting space for public and private events or catering, when ancillary use can support nonprofit operations.

Zoning precludes commercial activities that will change the operation to a gainful business.

**Improvements authorized for CMMT were limited to a private lodge/club house with ancillary commercial garage.**

Use of assembly space, such as CMMT and the Cathedral offer, can comply with zoning limits when entertainment and rental operations are at a level consistent with the approved use AS not-for-profit lodge or church.

Entertainment and events need not be inconsistent with residential districts--when intensity does not exceed an institution's need to support nonprofit operation.

**Authorizing nonprofit institutional use did not authorize the lodge building for commercial use, such as selling events, food and beverages at the level of a primary use, or gainful business.**

**Proposed commercial use for "other entertainment," food and alcohol sales cannot qualify for treatment as "legal non-conforming use."**  
A history of unpermitted use does not change the legal use.

**Nonconforming uses, if the type and intensity were not authorized AT ANY TIME, cannot be legalized under rules that are designed to continue a previously lawful use that was made "nonconforming" by a zoning change.**

If new rules and old both do not authorize a use, then the use that was not lawful remains unlawful.

Failure of city enforcement to terminate violations does not legalize an unlawful use.

**Unauthorized use of CMMT as for-profit venue for entertainment and other commercial use remains illegal.**

## II. Extending (alleged) Nonconforming Use.

**Extension is predicated on a "legal" nonconforming use.**

If the particular use was permitted under the zoning and conditions that existed before zoning changed, the previously conforming activities could continue as a "legal nonconforming use."

Nevertheless, the Planning Code intends to terminate most legal nonconforming uses after a specified period, and not to expand or intensify the use prior to termination.

At the CMMT site, "other entertainment" and for-profit food and beverage sales were never the permitted use.

**There is no obligation to authorize extension-- even for Legal Nonconforming Uses-- in a residential neighborhood beyond the term set by the Planning Code.**

If the CMMT site were found to qualify for treatment as "lawful" nonconforming use, that status already expired.

When a valid NCU expires, or could disrupt neighborhood arrangements, the site should be made to conform to currently allowed uses.

**Previously unlawful use cannot be extended. Attention should be directed toward conforming with C.U.P. conditions for activity level consistent with nonprofit operation.**

## III. Planning Code requires projects to meet the burden of Section 303(c) by the sponsor showing:

- (1) "The proposed use or feature" -- at this location--

"at the size and intensity contemplated,"

will be "necessary or desirable for...the neighborhood or the community"-- and

will be "compatible with the neighborhood or the community."

- (2) the use or feature "WILL NOT BE DETRIMENTAL to the health, safety, convenience or general welfare of persons residing or working IN THE VICINITY;"

WILL NOT "BE INJURIOUS to property improvements or potential development IN THE VICINITY" -- considering impacts that are not limited to the following:

"accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading and of proposed alternatives to off-street parking..."

"safeguards afforded to prevent noxious or offensive emissions such as noise, glare..."

"treatment given to... parking and loading areas, service areas, lighting..."

(3) "the use or feature as proposed **WILL COMPLY** with the applicable provisions of this Code and will not adversely affect the Master Plan

The proposal failed to show it could have no harmful impacts on persons or property in the vicinity, including but not limited to impacts listed in the Code Section.

This application fails to show compliance with the Planning Code and General Plan when it fails to comply with both current zoning and legal historic use (authorized for the site at any time).

**Commercial events and food and beverage sales, as contemplated under Live Nation management, are not consistent with the not-for-profit operation of a lodge building.**

When principal functions become for-profit entertainment and other commercial use, the building could not qualify as a non-profit institution to meet either the C.U. conditions imposed to permit construction, or the subsequent zoning.

#### IV. The CMMT application requires evaluation for compliance with the following and related Attachments:

(1) City Planning Code sections governing the Nob Hill SUD, "bona fide eating place," and other allowable types of on-site food and beverage businesses.

(a) Requirements for proposed new food and drink operation to conform to Nob Hill SUD regulations, which prohibit large fast-food restaurants (Attachments 3 and 4).

(b) Compare all definitions of food and drink operations: Other types of service are precluded by time available to serve before performances; by type of food marketed for customers whose main object is entertainment; by inability to accommodate table service in floor space and time available when the large spaces are used for queuing and entering/exiting the entertainment venue.

(c) See Planning Code definitions to qualify as "bona fide eating place." This defines licensed premises allowed to admit minors, where food service must predominate over alcohol. It specifies the local requirements for food service at premises operating with ABC's Type 47 license (Attachment 4).

(2) City Planning Code requires adequate enclosed off-street loading docks for facilities like the venue now proposing a use that requires regular service by large trucks.

(3) Police Code prohibits the condition imposed for performer vans (auto homes) to park on city streets after 10PM (Attachment 2).

(4) See transportation arrangements alleged to accommodate up to 3,300 individuals leaving concerts in late evening. Compare Attachment 1.

Youths (inebriated or energized by concerts) will head toward "The New Broadway," near CMMT on Polk and California Streets. Either because our NCD was advertised throughout the Bay Area as the place to go for "action"--- or because CMMT customers must traverse our NCD to reach public transportation.

Audiences will traverse residential streets, two or three blocks to the closest bus stops, and socialize under bedroom windows during long waits for transit.

How many hours could it take for Muni to accommodate thousands in limited-capacity Muni vehicles serving this neighborhood?

Where is the convenient transportation promised by the Staff report?

1. Cable cars, with small capacity, and competition from other riders, should be discounted.
2. 27-Bryant stops at California and Hyde (more than two blocks from CMMT, passing residences). **30-minute headways at night.**
3. 1-California stops require traversing more than two blocks to Clay and Taylor inbound. **20-minute headways at night.**
4. Stockton buses are inaccessible without long walks through residential areas: They pass underground from a stop at Sutter north into Chinatown.
5. 27 and 1 lines don't run much later than Live Nation performances on some evenings--and it takes time for large crowds to exit, then find the way a stop.
6. **How many buses will remove audiences from large events-- when two lines run through the neighborhood, vehicles 20 to 30 minutes apart, each accommodating around 50 riders-- assuming buses will arrive empty is not likely to prove true on weekend nights.**
7. Already, 1-California buses are packed late evenings near the Polk NCD, with customers for "The New Broadway."

#### V. Consider related impacts in the Polk Neighborhood Commercial District (NCD):

We can construe impacts of the CMMT plan for residents by observing existing impacts on Lower Nob Hill from alcohol and entertainment venues drawing young crowds from outside the neighborhood.

Testimony and recordings at previous Planning Commission hearings showed disorderly conditions brought to the Polk NCD by marketing alcohol or entertainment to young crowds—and using Type 47 ABC licenses.

**Live Nation applied for a 47 license to admit youths to a venue that is huge compared to Polk NCD venues.**

Residents, merchants, and property owners report quiet enjoyment disrupted for blocks round licensed premises in the NCD drawing a young demographic: noise "like the crowd at a football game," unruly youths obstructing pedestrian and auto right-of-way, vomiting and urinating in the public realm and private property.

Profit-oriented managers marketing to the same demographic that disrupts a nearby district will manage a site that is not equipped with the parking and loading facilities needed for regular use as a large entertainment venue.

The business plan specifically promotes alcohol sales.

The venue is surrounded by dense residences.

Linda Chapman  
1316 Larkin St 94109  
516-5063 cell  
674-3589 home

# SFMTA Short Range Transit Plan excerpts 3

FROM: Peter Straus  
 TO: Chapman, Linda  
 Tuesday, March 29, 2011 4:05 PM

## Message body

Hi, Linda--

As you requested, I've attached scans of three pages (the cover and pp. 45 and 54) of SFMTA's FY2008-2027 Short Range Transit Plan (SRTP), the most recent complete version of this document.

Page 45, in Figure 4.3, gives the maximum load for planning purposes of each of Muni's vehicle types. Muni's standard trolley coaches and motor coaches are both covered as "40-foot coaches" with a 63-passenger maximum capacity for planning purposes.

Page 54, in Figure 4.9, under "Peak Period Load Factors," indicates the agency's policy to limit peak period loads to no more than 85% of these capacity figures, or an average of no more than 54 passengers per 40-foot bus.

--peter

3 Attached files| 3.0MB

FIGURE 4.2  
Muni's Policy Headways

| WEEKDAY   | PEAK | BASE | EVENING | OWL |
|-----------|------|------|---------|-----|
| Radial    | 10   | 15   | 20      | 30  |
| Express   | 10   | —    | —       | —   |
| Crosstown | 15   | 15   | 20      | 30  |
| Feeder    | 20   | 30   | 30      | —   |
| WEEKEND   | BASE |      | EVENING | OWL |
| Radial    | 15   |      | 20      | 30  |
| Crosstown | 20   |      | 20      | 30  |
| Feeder    | 30   |      | 30      | —   |

FIGURE 4.3  
Muni's Planning Load Factors

| VEHICLE            | MAXIMUM LOAD FOR PLANNING PURPOSES |
|--------------------|------------------------------------|
| 30' Coach          | 45                                 |
| 40' Coach          | 63                                 |
| 60' Coach          | 94                                 |
| Light Rail Vehicle | 119                                |
| Historic Streetcar | 70                                 |
| Cable Car          | 63                                 |

- Increased capacity should be provided at equal or lower cost by substituting articulated vehicles where loads and frequencies warrant.
- Consider reducing service without exceeding policy headways on lines that continuously have diminished ridership.

**Stop Policies**

- Passenger stop spacing should be approximately 800-1,000 feet on motor coach and trolley coach lines except where there are steep grades, and 1,000-1,200 feet between stops on LRV surface lines.
- On streets with grades of over 10%, stops should be spaced 500-600 feet apart. On streets with grades of over 15%, such as on Castro between 22nd Street and 24th Street, stops may be spaced as close as 300-400 feet.
- Stops should be on the near side of an intersection at stop signs; where right turns are heavy from the cross street on to the transit street; or where the green time for the transit street is less than half of the traffic signal cycle.
- Stops should be on the far side of an intersection at uncontrolled intersections; where the bus makes a turn; where right turns are heavy from the transit street on to the cross street; or where the green time for the transit street is more than half of the cycle.
- Stops should be mid-block if there is a major traffic generator mid-block, or if pedestrian flows naturally converge at a mid-block location.

- Transit shelters should be installed at high usage boarding locations, generally with more than 125 boarding per day. The shelter site must meet DPW's criteria for sidewalk width to be in conformance with ADA requirements.

**Other Service Goals**

- Expand Metro system accessibility beyond the Key Stops Program (which made higher-ridership surface stops accessible).
- Construct appropriate transit rights-of-way in major corridors to reduce transit travel time and increase capacity.
- Expand transit priority measures, such as bus bulbs, bus-only lanes, and transit signal priority, on the Transit Preferential Streets network, or elsewhere as needed.
- Develop inter-operator fare instruments to facilitate regional travel.
- Provide convenient transfer opportunities with regional transit operators.

The service design policies described in this section are currently being reevaluated as part of Muni's ongoing Transit Effectiveness Project (TEP). The planning process for the TEP began in July 2006 and will last until early 2008. The intended result of this planning process is to produce a revised set of service standards and a set of recommended changes to routes, headways, span of service, and operating practices that can result in higher ridership at lower operating cost per passenger. There is more information about the TEP in Chapter 5 of this document.

**Transit Services and Areas Served**

With the service design described above, Muni provides access to most locations within San Francisco, 19 hours a day, 365 days a year - 24 hours a day to the key trunk corridors.

## **SEC. 97. USE OF VEHICLES FOR HUMAN HABITATION PROHIBITED.**

(a) **No person shall use or occupy or permit the use or occupancy of any house car, camper or trailer coach for human habitation, including but not limited to sleeping, eating or resting, either single or in groups, on any street, park, beach, square, avenue, alley or public way, within the City and County of San Francisco between the hours of 10:00 p.m. and 6:00 a.m.**

(b) **No person shall use or occupy or permit the use or occupancy of any motor vehicle for human habitation, either single or in groups, on any street, park, beach, square, avenue, alley or public way, within a residential neighborhood of the City and County of San Francisco between the hours of 10:00 p.m. and 6:00 a.m.** For the purposes of this Section, "motor vehicle" shall mean any self-propelled vehicle other than a house car, camper or trailer coach. "Residential neighborhood" shall mean any area of the City zoned for R-H, R-M or R-C use under the City Planning Code, and "habitation" shall mean the use of a motor vehicle as a dwelling place, and shall not mean the use of a motor vehicle for alleviation of sickness or temporary physical inability to operate such motor vehicle.

(Amended by Ord. 417-84, App. 10/5/84)

## **SEC. 98. PENALTY.**

Any person who violates any provisions of this Article shall be deemed guilty of a misdemeanor and upon conviction such person shall be punished by a **fine of not to exceed \$1,000 or by imprisonment in the County Jail for a period not to exceed six months, or by both** such fine and imprisonment.

(Added by Ord. 77-71, App. 4/2/71)

## SEC. 238. NOB HILL SPECIAL USE DISTRICT.

In order to provide for an established area with a unique combination of uses and a special identity, there shall be a Nob Hill Special Use District as designated on Sectional Map No. 1 SU of the Zoning Map. The following **provisions shall apply** within such special use district:

(a) A hotel, inn or hostel, as described in Section 209.2(e) of this Code, may be permitted by the City Planning Commission as a conditional use under Section 303 of this Code.

(b) In connection with any permitted principal or conditional use located in such special use district, incidental commercial uses may be permitted by the City Planning Commission as a conditional use under Section 303 of this Code, if designed primarily for occupants of and visitors to the use to which they are incidental, accessible to the general public only from within the building, and not identified outside the building by means of any sign or signs.

(c) **A private lodge, private clubhouse, private recreational facility or community facility other than as specified in Planning Code Subsection 209.4(a) of this Code, and which is not operated as a gainful (for-profit) business may be permitted by the Planning Commission as a conditional use under Section 303 of this Code.**

(d) **Eating and drinking uses as defined in Section 790.34 of this Code, with the exception of large fast-food restaurants as defined in Section 790.90 of this Code, may be permitted by the Planning Commission as a conditional use under Section 303 of this Code.** The limitations on design, accessibility and identification set forth in Subsection (b) above shall not apply to such uses hereby permitted.

(e) Signage for principal permitted uses or for eating and drinking uses within the Nob Hill Special Use District shall be limited as per Planning Code Section 606 with the exception that projecting signs in the form of sign copy on canopies and awnings shall be permitted for eating and drinking uses in lieu of wall signs unless otherwise limited as a condition of approval of a conditional use authorization.

(f) The various uses provided for in Subsections 238(a) through 238(e) above are not permitted in any portion of a building which is devoted to a dwelling unit or to group housing as defined in Section 209.2(a) of this Code.

(g) Awnings, canopies and marquees, as regulated in Section 136.3 of this Code, shall be permitted in the Nob Hill Special Use District.

(Amended by Ord. 443-78, App. 10/6/78; Ord. 329-91, App. 9/11/91)

**SEC. 790.34. EATING AND DRINKING USE.**

A retail use which provides food and/or beverages for either on or off-site food consumption including take-out food, self-service specialty food, bars, full-service restaurants, large fast-food restaurants and small self-service restaurants.

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 445-87, App. 11/12/87; Ord. 245-08, File No. 080696)

**SEC. 790.142. BONA FIDE EATING PLACE.**

**A place which is regularly and in a bona fide manner used and kept open for the service of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking of an assortment of foods which may be required for ordinary meals.**

(a) **"Meals" shall mean an assortment of foods commonly ordered at various hours of the day for breakfast, lunch or dinner. Incidental food service, comprised only of appetizers to accompany drinks is not considered a meal. Incidental, sporadic or infrequent sales of meals or a mere offering of meals without actual sales is not compliance.**

(b) **"Guests" shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this section, however, shall be construed to require that any food be sold or purchased with any beverage.**

(c) **Actual and substantial sales of meals are required, during the normal days and meal hours that a bona fide public eating place is open; provided that "normal days of operation" shall mean a minimum of five days a week and "normal hours" of operation for meal service shall mean approximately 7:00 a.m. to 11:00 a.m. if open for breakfast; 11:00 a.m. to 2:00 p.m. if open for lunch; or 5:00 p.m. to 10:00 p.m. if open for dinner.**

(d) **The premises must be equipped and maintained in good faith. This means the premises must possess working refrigeration and cooking devices, pots, pans, utensils, table service, condiment dispensers, menus, signs and enough goods to make substantial meals. The premises must comply with all regulations of the Department of Public Health.**

(e) **A minimum of 51 percent of the restaurant's gross receipts shall be from food sales prepared and sold to guests on the premises. Records of the restaurant's gross receipts shall be provided to the Department upon request.**

(f) **A "bona fide eating place" does not include an adult entertainment business as defined in Planning Code Section 790.36.**

(Added by Ord. 245-08, File No. 080696)

**SEC. 790.90. RESTAURANT, LARGE FAST-FOOD.**

(a) A retail eating or drinking use which provides **ready-to-eat food to a high volume of customers at a high turnover rate for consumption on or off the premises, which may or may not provide seating.** Such use exhibits the following characteristics:

- (1) A gross floor area of 1,000 square feet or more;
- (2) **A limited menu of ready-to-eat food prepared in advance of customer orders, or food which is able to be quickly prepared for consumption on or off the premises;**
- (3) Food served in disposable wrappers or containers;
- (4) **Food is ordered and served at customer service counter;**
- (5) **Food is paid for prior to consumption;**
- (6) **Public food service area, including queuing areas and service counters without fixed seats, which counters are designed specifically for the sale and distribution of food and beverages;**
- (7) **Food available upon a short waiting time.**

It does not include retail grocery stores with accessory take-out food activity, as described in Section 703.2(b)(1)(C) of this Code, self-service specialty food use, as described in Section 790.93 of this Code, or retail uses which sell prepackaged or bulk ready-to-eat foods with no-site food preparation area, such as confectionery or produce stores. When a fast-food restaurant operates within and in conjunction with another retail use, such as a retail grocery store, the area of the fast-food restaurant use shall be measured to include the area devoted to food preparation and service, seating and separate public food service counters, excluding fish, poultry and meat counters.

(c) It may provide off-site beer, wine, and/or liquor sales for consumption off the premises (with ABC licenses 20 or 21) or on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40, 41 or 60). **If it serves liquor for drinking on the premises (with ABC licenses 47 or 48), or does not admit minors (with ABC licenses 42 or 61), then it shall also be considered a bar,** as defined in Section 790.22 of this Code.

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 445-87, App. 11/12/87; Ord. 245-08, File No. 080696)

**SEC. 790.92. RESTAURANT, FULL-SERVICE.**

A retail eating or eating and drinking use which serves food to customers primarily for consumption on the premises, and is not specifically designed to attract and accommodate high customer volumes or turnover.

**It has seating and serves prepared, ready-to-eat cooked foods for consumption on the premises. Guests typically order and receive food and beverage while seated at tables on the premises and pay for service after the meal is consumed.**

It includes, but is not limited to, lunch counters, coffee shops, soda fountains and full-service dining establishments. **It is distinct and separate from a small or large fast-food restaurant, as defined in Sections 790.90 and 790.91 of this Code.**

It may provide on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40, 41 or 60). **If it serves liquor for drinking on the premises (with ABC licenses 47 or 48), or does not admit minors (with ABC licenses 42 or 61), then it shall also be considered a bar, as defined in Section 790.22 of this Code.**

(Added by Ord. 69-87, App. 3/13/87)

**SEC. 790.91. RESTAURANT, SMALL SELF-SERVICE.**

**(a) A retail eating or eating and drinking use which provides ready-to-eat food for consumption on and off the premises and which may or may not provide seating. Such use exhibits the following characteristics:**

- (1) Contains fewer than 50 seats and less than 1,000 square feet of gross floor area;**
- (2) A limited menu of ready-to-eat food prepared in advance of customer orders, or food which is able to be quickly prepared for consumption on or off the premises;**
- (3) Food served in disposable wrappers or containers;**
- (4) Food is ordered and served at customer service counter;**
- (5) Food is paid for prior to consumption;**
- (6) Public food service area, including queuing areas and service counters without fixed seats, which counters are designed specifically for the sale and distribution of food and beverages;**
- (7) Food available upon a short waiting time.**

It does not include retail grocery stores with accessory take-out food activity, as described in Section 703.2(b)(1)(C) of this Code, self-service specialty food use, as described in Section 790.93 of this Code, or retail uses which sell prepackaged or bulk ready-to-eat foods with no-site food preparation area, such as confectionery or produce stores. When a fast-food restaurant operates within and in conjunction with another retail use, such as a retail grocery store, the area of the fast-food restaurant use shall be measured to include the area devoted to food preparation

and service, seating and separate public food service counters, excluding fish, poultry and meat counters.

(b) It may provide off-site beer, wine and/or liquor sales for consumption off the premises (with ABC licenses 20 or 21) or on-site beer and/or wine sales for drinking on the premises (with ABC licenses 40, 41 or 60). If it serves liquor for drinking on the premises (with ABC licenses 47 or 48) or does not admit minors (with ABC licenses 42 or 61), then it shall also be considered a bar, as defined in Section 790.22 of this Code.

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 445-87, App. 11/12/87; Ord. 245-08, File No. 080696; Ord. 297-10, File No. 101351, App. 12/3/2010)

#### SEC. 790.93. SPECIALTY FOOD, SELF-SERVICE.

(a) **A retail use whose primary function is to prepare and provide ready-to-eat specialty foods to a high volume of customers who carry out the food for off-premises consumption. Such use exhibits each of the following characteristics:** (1) Contains a service counter designed specifically for the sale and distribution of food that has been prepared on site; (2) Food is paid for prior to consumption; (3) **Typically open for retail sales on weekdays during daytime hours;** and (4) **May contain no more than 10 seats** including sidewalk seating. It often includes wholesaling, manufacturing, or processing of foods, goods, or commodities on the premises as an accessory use as set forth in Section 703.2(b)(1)(C)(v).

(b) **It includes, but is not limited to, specialty foods provided by bakeries, delicatessens, and confectioneries meeting each of the above characteristics, but it is distinct from small a self-service restaurant use as defined in Section 790.91, a large fast-food restaurant use as defined in Section 790.90 or a retail coffee store as defined in 790.102(n).** It does not include general or specialty grocery stores with accessory take-out food activity as described in Section 703.2(b)(1)(C) or retail uses which sell prepackaged or bulk ready-to-eat-foods with no on-site food preparation area.

(c) It shall not provide on-site beer and/or wine sales for consumption on the premises, but may provide beer and/or wine sales for consumption off the premises with a California Alcoholic Beverage Control Board License type 20 (off-sale beer and wine) within the accessory use limits as set forth in Section 703.2(b)(1)(C)(vi).

(d) It shall not be required to operate within an enclosed building pursuant to Section 703.2(b)(1) so long as it is also a Mobile Food Facility as defined in Section 102.31. Any associated outdoor seating and/or dining area is subject to regulation as an Outdoor Activity Area as set forth elsewhere in this Code.

(Added by Ord. 245-08, File No. 080696; Ord. 297-10, File No. 101351, App. 12/3/2010)

**SEC. 790.38. ENTERTAINMENT, OTHER.**

A retail use, other than adult entertainment, as defined in Section 790.36 of this Code, which provides live entertainment, including dramatic and musical performances, and/or provides amplified taped music for dancing on the premises, including but not limited to Places of Entertainment and Limited Live Performance Locales, as defined in Section 1060 of the Police Code, and which is adequately soundproofed or insulated so as to confine incidental noise to the premises. Other entertainment also includes a bowling alley, billiard parlor, shooting gallery, skating rink and other commercial recreational activity, but it excludes amusement game arcades, as defined in Section 790.4 of this Code and regulated in Section 1036 of the Police Code.

(Added by Ord. 69-87, App. 3/13/87; amended by Ord. 172-11, File No. 110506, App. 9/12/2011, Eff. 10/12/2011)



Masonic Center  
Tyson Smith

*File 120183*

to:

Mayor Ed Lee, President David Chiu, Eric Mar, Mark Farrell, Carmen Chu, Christina Olague, Jane Kim, Sean Elsbernd, Scott Wiener, David Campos, Malia Cohen, John Avalos, Angela Calvillo

03/27/2012 09:29 AM

Hide Details

From: Tyson Smith <smithtr@gmail.com> Sort List...

To: Mayor Ed Lee <mayoredwinlee@sfgov.org>, President David Chiu <david.chiu@sfgov.org>, Eric Mar <Eric.L.Mar@sfgov.org>, Mark Farrell <mark.farrell@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>, Angela Calvillo <board.of.supervisors@sfgov.org>

Good morning,

As a San Francisco resident who lives close to the Masonic Center, I am writing to express my support for the continued existing operation of the Masonic Center and Live Nation's professional management. I encourage approval of the Conditional Use Permit application. And, I urge you to adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Thanks,  
Tyson Smith  
1252 Union St.  
San Francisco, CA 94109



Nob Hill Masonic Center  
Siobhan Harrington

to:

eric.mar

03/27/2012 08:18 AM

Cc:

board.of.supervisors

Hide Details

From: Siobhan Harrington <skh1010@gmail.com>

To: eric.mar@sfgov.org

Cc: board.of.supervisors@sfgov.org

File 120183

Since your meeting regarding the Masonic Center tonight, i'm writing to urge you to vote in favor of supporting the historic Masonic Center as a music venue and to approve the conditional use permit application. I am a San Francisco native in the inner sunset and I hope that you vote for the kind of thing that makes our city a cultural mecca.

Siobhan Harrington

File 120183

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: File 120183

From: Theresa Nicoletto <tnicoletto@gmail.com>  
To: Mayor Ed Lee <mayoredwinlee@sfgov.org>  
Cc: Angela Calvillo <board.of.supervisors@sfgov.org>  
Date: 03/27/2012 12:50 AM  
Subject:

---

Dear Mayor Lee,

*cc: Bas Members*

I would like to voice my full support of the granting of a permanent liquor license at the Nob Hill Masonic Center under Live Nation's management. Live Nation has run the Masonic Center for three years without incident during an event. I'm an active concertgoer and I am a South Beach resident, so this venue is something I'm personally interested in because of its importance for cultural, entertainment and public gatherings in San Francisco.

The Masonic is currently seeking approval from the City of San Francisco for the continuation of existing operations while a full Environmental Impact Report is completed in connection with a separate application for building upgrades. The current application does not include any enlargement, intensification or physical extension of the use. Its only purpose is to allow the Masonic to continue to operate as it has for the past 50+ years. On January 19th the Planning Commission unanimously approved the Masonic Center's Conditional Use Permit application to continue existing operations with conditions designed to ensure the venue is operated professionally and in keeping with its historic use and location in a mixed-use neighborhood.

Unfortunately, a small but vocal group of neighbors appealed this decision (what else is new in San Francisco??) My plea is this:

Please reward excellent professional operators like the Masonic Center and Live Nation's management on March 27th. It's good for the city and should be held as an example of how we want all operators to conduct their business. I encourage the approval of the Conditional Use Permit application. Please adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Best,  
Theresa Nicoletto  
88 King Street, Unit 324  
San Francisco, CA 94107  
Cell (415) 860-3734



Yes to Concerts at Masonic Center  
Georgeanna Smith

File 120183

to:

Mayor Ed Lee, President David Chiu, Eric Mar, Mark Farrell, carmen.chu, Christina Olague, Jane Kim, Sean Elsbernd, Scott Wiener, David Campos, Malia Cohen, John Avalos

03/26/2012 10:51 PM

Cc:

Angela Calvillo

Hide Details

From: Georgeanna Smith <georgeanna.smith@gmail.com> Sort List...

To: Mayor Ed Lee <mayoredwinlee@sfgov.org>, President David Chiu <david.chiu@sfgov.org>, Eric Mar <eric.mar@sfgov.org>, Mark Farrell <mark.farrell@sfgov.org>, 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>

Cc: Angela Calvillo <board.of.supervisors@sfgov.org>

Dear Mr. Mayor, Board President Chiu, and the Board of Supervisors,

I live in Nob Hill, just two blocks from the Masonic Center, and would like to comment on the hearing tomorrow. I moved to San Francisco 2 1/2 years ago from Chicago and have been in the same apartment ever since. I intent to live at my current address, 1201 Pine St. (at Leavenworth) for at least 3-5 more years.

From the time I began looking for an apartment to today, people tell me that my neighborhood is unsafe. They are so unfamiliar with the area that they think my apartment is in the Tenderloin, when in fact I'm a block away from the very top of Nob Hill. The average person I talk to doesn't know about the thriving restaurants, stores and bars on Polk Street, the beauty of Huntington Park, the many businesses along Bush and Sutter, or how close all of it is to Union Square, Chinatown and the Financial District. And yet, this is one of the most beautiful and walkable parts of the city.

Far from being a nuisance, have more concerts and social events on Nob Hill is an immediate and actionable way to continue revitalizing our city's center. There is admittedly a parking issue in this part of town, but many residents (including me) get along just fine without cars.

As a Masonic Center neighbor, I would welcome music fans to check out our neighborhood, hoof it up

the hill (or catch a cable car from Market) and enjoy a night out in this classic San Francisco neighborhood.

Best,  
Georgeanna Smith

1201 Pine St.  
San Francisco, CA 94109  
(415) 596-5894

--  
Georgeanna Smith  
415.596.5894

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: File 120183: Please deny the appeal of Nob Hill Masonic Center's permit

From: Meredith Marzuoli <mmarzuoli@gmail.com>  
To: Meredith Marzuoli <mmarzuoli@gmail.com>  
Date: 03/26/2012 10:48 PM  
Subject: Please deny the appeal of Nob Hill Masonic Center's permit

---

Dear Supervisors,

It has come to my attention that some neighborhood folks in/around the Nob Hill Masonic Auditorium are appealing the permitting of the Masonic Center and a decision will be made on this tomorrow, March 27th. I have been to the venue numerous times to see live performances and believe it to be a cultural asset to the city and neighborhood. I think that it should be permitted to carry on as it has, and ultimately it should be granted further permits for alcohol. All the times I have been there the crowd has been very respectful and not at all rowdy and I believe that this venue should be allowed to flourish and develop as requested. Please deny the neighborhood association's appeal of the conditional use permit tomorrow.

Thank you,

Meredith Marzuoli  
876 Douglass St.  
San Francisco, CA 94114

--

Meredith E. Marzuoli  
(415) 793-3720

File 120183

**Masonic Center Hearing**

romania daza to: mayoredwinlee, eric.mar, carmen.chu,  
jane.kim, scott.wiener, malia.cohen, david.chiu, 03/26/2012 08:13 PM  
mark.farrell, christina.olague, sean.elsbernd,  
Cc: board.of.supervisors, tommie

Hello,

I urge to the Board to please adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Also, this will keep people employed so that we may continue support our families.

Thank you so much.

Romania Daza

File 120183

Meredith Herrick to: Mayor Ed Lee, President David Chiu  
Eric Mar, Mark Farrell, Carmen Chu,  
Christina Olague, Jane Kim, Sean

03/26/2012 07:15 PM

Please find my support to continue the existing operation of the Masonic Center and Live Nation's professional management, and approval of the Conditional Use Permit application. I urge you to adopt the event limitations approved by the Planning Commission.

As a SF resident I value this facility for a myriad of uses. I have hosted events at this venue on behalf of my employer and work with Live Nation often.

Thank you for your time and consideration.

Regards,  
Meredith

Meredith Herrick  
753 Davis Street  
San Francisco, CA  
Ph: 415-616-7856

CONFIDENTIALITY NOTICE: This e-mail, including attachments, may include confidential and/or proprietary information. This information is intended only for the use of the individual(s) or entity even if addressed incorrectly. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete it from your files.



Masonic Auditorium  
Rebecca Stamey-White  
to:

Mayor Ed Lee, President David Chiu, Eric Mar, Mark Farrell, Carmen Chu, Christina Olague, Jane Kim, Sean Elsbernd, Scott Wiener, David Campos, Malia Cohen, John Avalos, Angela Calvillo

03/26/2012 07:14 PM

Hide Details

From: Rebecca Stamey-White <stameywhite@gmail.com> Sort List...

To: Mayor Ed Lee <mayoredwinlee@sfgov.org>, President David Chiu <david.chiu@sfgov.org>, Eric Mar <eric.mar@sfgov.org>, Mark Farrell <mark.farrell@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>, Angela Calvillo <board.of.supervisors@sfgov.org>

File 120183

Dear Mr. Mayor and Members of the Board of Supervisors:

I am a resident of Nob Hill and am writing to ask you to support the Planning Commission's recent approval of the Conditional Use Permit application at the Masonic Auditorium. The Masonic Auditorium is an important venue in the City of San Francisco, and should be able to continue providing cultural and entertainment events to the city's residents, many of whom choose to pay exorbitant rent to live here because there is something new and interesting to explore every night in this city. I moved to San Francisco from Chicago in 2008 in part because of its status as a world-class city with endless cultural opportunities, and I have attended several events at the Masonic Auditorium over the years that I've lived here. In fact, a large part of my choosing to move to Nob Hill is because of the great nightlife options for such a small neighborhood - from the bars and restaurants on Polk Street, to events at the hotels and venues on the hill, it's a fun neighborhood to live in and be able to explore.

I've heard many of the older neighbors' complaints through my professional involvement in the liquor licensing hearings, and I really think my voice as a neighbor who appreciates the nightlife and attends concerts on a regular basis, has gone unheard at many of these hearings. There are many of us in the neighborhood who love Nob Hill and the many colorful characters within it, and appreciate having a great venue like the Masonic situated at the top of a beautiful city we love, to hear some of our favorite bands when they come through town. I believe the Planning Commission did a great job at balancing the various economic interests and conforming conditions to the historical use while respecting and

protecting the neighbors' interests in a safe, respectable and family-friendly neighborhood.

Thank you for your time and consideration and I hope you will approve the application.

Yours truly,

Rebecca Stamey-White  
1660 Sacramento St, Apt 1  
San Francisco, CA 94109  
415-374-7847

File 120183



Masonic Center Hearing  
William L. Dentino

to:

mayoredwinlee@sfgov.org, david.chiu@sfgov.org, Eric.L.Mar@sfgov.org,  
mark.farrell@sfgov.org, carmen.chu@sfgov.org, christina.olague@sfgov.org,  
jane.kim@sfgov.org, sean.elsbernd@sfgov.org, scott.wiener@sfgov.org,  
david.campos@sfgov.org, malia.cohen@sfgov.org, john.avalos@sfgov.org,  
board.of.supervisors@sfgov.org

03/26/2012 06:56 PM

Hide Details

From: "William L. Dentino" <williamdentino@bsalawfirm.com> Sort List...

To: "mayoredwinlee@sfgov.org" <mayoredwinlee@sfgov.org>, "david.chiu@sfgov.org" <david.chiu@sfgov.org>, "Eric.L.Mar@sfgov.org" <Eric.L.Mar@sfgov.org>, "mark.farrell@sfgov.org" <mark.farrell@sfgov.org>, "carmen.chu@sfgov.org" <carmen.chu@sfgov.org>, "christina.olague@sfgov.org" <christina.olague@sfgov.org>, "jane.kim@sfgov.org" <jane.kim@sfgov.org>, "sean.elsbernd@sfgov.org" <sean.elsbernd@sfgov.org>, "scott.wiener@sfgov.org" <scott.wiener@sfgov.org>, "david.campos@sfgov.org" <david.campos@sfgov.org>, "malia.cohen@sfgov.org" <malia.cohen@sfgov.org>, "john.avalos@sfgov.org" <john.avalos@sfgov.org>, "board.of.supervisors@sfgov.org" <board.of.supervisors@sfgov.org>

Please respond to "William L. Dentino" <williamdentino@bsalawfirm.com>

Dear Mayor Lee, Board President Chiu, and the Board of Supervisors,

I am writing to to tell you that I support the continued existing operation of the Masonic Center and Live Nation's professional management of the same and to encourage the approval of the relevant Conditional Use Permit application. I also urge the Board to adopt the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

My home address is 1534 Chestnut Street, SF CA 94123.

Kindest regards,

**William L. Dentino**  
Partner

**Bonfante Steinbeck**  
101 California Street, Suite 2450  
San Francisco, California 94111

mobile. 415.793.9132  
direct. 415.799.3366  
fax. 415.707.6199  
williamdentino@bsalawfirm.com  
bsalawfirm.com

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including its attachments, if any), unless expressly stated otherwise, was not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any tax-related matter(s) addressed herein.

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not intended recipient, please contact the sender and delete all copies.

File 120183



Masonic Center - Conditional Use Permit  
Carolyn Steinwedel

to:

mayoredwinlee, david.chiu, Eric.L.Mar, Mark Farrell, Carmen Chu, Christina Olague, Jane Kim, Sean Elsbernd, Scott Wiener, David Campos, Malia Cohen, John Avalos

03/27/2012 11:43 AM

Cc:

Angela Calvillo

Hide Details

From: Carolyn Steinwedel <carolyn.steinwedel@gmail.com> Sort List...

To: mayoredwinlee@sfgov.org, david.chiu@sfgov.org, Eric.L.Mar@sfgov.org, Mark Farrell <mark.farrell@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>

Cc: Angela Calvillo <board.of.supervisors@sfgov.org>

Mayor & Board of Supervisors of the City of San Francisco,

As a San Francisco resident who lives in very close proximity to the Masonic Center, I am writing to express my support for the continued existing operation of the Masonic Center and Live Nation's professional management thereof. I live just a few blocks from the venue (@1100 Jackson St.) and have enjoyed attending events there for the past several years. I encourage approval of the Conditional Use Permit application and the adoption of the event limitations approved by the Planning Commission, as they remain in step with the historical use of the venue.

Thank you for your consideration.

Sincerely,  
Carolyn Steinwedel



Masonic Auditorium  
Cynthia Parsons

to:

mayoredwinlee, david.chiu, mark.farrell, christina.olague, sean.elsbernd, david.campos, john.avalos, eric.mar, carmen.chu, jane.kim, scott.wiener, malia.cohen,  
board.of.supervisors

03/30/2012 06:56 PM

Hide Details

From: Cynthia Parsons <cynthia@slotix.com> Sort List...

To: <mayoredwinlee@sfgov.org>, <david.chiu@sfgov.org>, <mark.farrell@sfgov.org>, <christina.olague@sfgov.org>, <sean.elsbernd@sfgov.org>, <david.campos@sfgov.org>, <john.avalos@sfgov.org>, <eric.mar@sfgov.org>, <carmen.chu@sfgov.org>, <jane.kim@sfgov.org>, <scott.wiener@sfgov.org>, <malia.cohen@sfgov.org>, <board.of.supervisors@sfgov.org>

File 120183

Dear Board of Supervisors,

As an employee of Live Nation and a long-time resident of San Francisco, I urge you to consider the Planning Commission's unanimous approval of the Masonic's Conditional Use Permit by rejecting this appeal. Live Nation has successfully managed the Masonic for three years without incident, and has a long history of responsible event management in San Francisco. Our application reaffirms our commitment to dozens of good neighbor policies, including new event limits which reflect the historic use of the Masonic. Please reject the CUP appeal and allow Live Nation to continue its outstanding management practices.

It is my hope that we can maintain and enjoy world-class entertainment right here in this great city.

Thank you,  
Cynthia Parsons  
3523 Sacramento Street  
San Francisco, CA 94118

CONFIDENTIALITY NOTICE:

This message contains information which may be confidential or privileged. If you are not the intended recipient, be aware that any disclos



In support of the CleanPowerSF Communication Choice program

Elliot Schwartz

to:

board.of.supervisors, Mayor Edwin Lee

03/27/2012 10:59 PM

Hide Details

From: Elliot Schwartz <elliot.schwartz@gmail.com>

To: board.of.supervisors@sfgov.org, Mayor Edwin Lee <Edwin.Lee@sfgov.org>

Dear Supervisors, Mayor Lee,

I just read about the CleanPowerSF program in the Sierra Club newsletter, and I am excited to have the opportunity to choose to purchase renewable energy! I ask you to support this program so that San Franciscans can make the choice that's appropriate for them.

Regards,

Elliot Schwartz  
Potrero Hill

18

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Cowboy Bob's Bum Report

From: "Bob Larive" <bob@fior.com>  
To: "Bob Larive" <bob@fior.com>, <lgoodin1@mindspring.com>, <Stephen.Tacchini@sfgov.org>  
Cc: "Craig Schwan" <Craig.Schwan@ihrco.com>, "Aline Estournes" <aestournes@wbcfsf.com>, <dania.duke@hyatt.com>, "Jan Misch" <Jan.Misch@tuscaninn.com>, "Kevin Carroll" <kcarroll@visitfishermanswharf.com>, "quin. orlick@tuscaninn.com" <quin.orlick@tuscaninn.com>, "Steve" <stevev@pier39.com>, <kevin.cashman@sfgov.org>, "cwnevius" <cwnevius@sfchronicle.com>, "kgarcia" <kgarcia@sfexaminer.com>, "Brian Sussman" <briansussman2@yahoo.com>, <SFPDCentralStation@sfgov.org>, "Fred Crisp" <FC174@hotmail.com>, "Lee Housekeeper" <NewsService@aol.com>, <Board.of.Supervisors@sfgov.org>, "Lee Housekeeper" <NewsService@aol.com>, <dsaunders@sfchronicle.com>, <matierandross@sfchronicle.com>, <lgarchik@sfchronicle.com>, <dhussey@sfexaminer.com>, <gavin.newsom@sfgov.org>, <northbeachchamber@gmail.com>, <info@northbeachneighbors.org>, <David.Chiu@sfgov.org>, <Bevan.Dufty@sfgov.org>, <Carmen.Chu@sfgov.org>, <David.Campos@sfgov.org>, <Eric.L.Mar@sfgov.org>, <John.Avalos@sfgov.org>, <Michela.Alioto-Pier@sfgov.org>, <Ross.Mirkarimi@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Sophie.Maxwell@sfgov.org>, "Kristie Fairchild" <fairchild@northbeachcitizens.org>, <info@bimbos365club.com>, <kim@moderneden.com>, <martheschreiber@yahoo.com>, "Ayadi" <ayadipizza@yahoo.com>, "Dan Trwong" <chanh.trwong@wellsfargo.com>, "Darryl White" <info@bicyclerental.com>, "DeLise" <delise@delisesf.com>, "DJ" <dj@sffitlife.com>, "Elif at Fior d'Italia" <elif@fior.com>, "Fior" <fior@fior.com>, "Gary Fiset" <gary@promotion-marketing.com>, "Ken Nguyen" <ken.nguyen@wellsfargo.com>, <kimwalksdogs@gmail.com>, "Konan Pi" <konan.pi@gmail.com>, "Luigi Romani" <caesars.italian@gmail.com>, "Pat" <patscafesf@gmail.com>, "Robert Field" <robertpaulfield@comcast.net>, "Samuel Hernandez" <samuelhdez@me.com>, "Sharon" <sharon@projectzenmassage.com>, "Thomas Field" <thomasfield@earthlink.net>  
Date: 03/28/2012 08:55 AM  
Subject: Cowboy Bob's Bum Report

---

Just a FYI. You might want to look at [www.northnorthbeach.org](http://www.northnorthbeach.org) as we will be active on promoting our area and keeping it clean and safe.

### ***Fior d' Italia***

***America's Oldest Italian Restaurant***

**Bob and Jinx Larive**

**Proprietors**

**2237 Mason Street**

**San Francisco CA 94133**

**(415) 986-1886 [www.fior.com](http://www.fior.com)**

**[fior@fior.com](mailto:fior@fior.com)**

To: BOS Constituent Mail Distribution,  
Cc:  
Bcc:  
Subject: Cowboy Bob's Bum Report

From: "Bob Larive" <bob@fior.com>  
To: "Bob Larive" <bob@fior.com>, <lgoodin1@mindspring.com>, <Stephen.Tacchini@sfgov.org>  
Cc: "Craig Schwan" <Craig.Schwan@ihrc.com>, "Aline Estournes" <aestournes@wbcfsf.com>, <dania.duke@hyatt.com>, "Jan Misch" <Jan.Misch@tuscaninn.com>, "Kevin Carroll" <kcarroll@visitfishermanswharf.com>, "quin. orlick@tuscaninn.com" <quin.orlick@tuscaninn.com>, "Steve" <stevev@pier39.com>, <kevin.cashman@sfgov.org>, "cwnevius" <cwnevius@sfchronicle.com>, "kgarcia" <kgarcia@sfexaminer.com>, "Brian Sussman" <briansussman2@yahoo.com>, <SFPDCentralStation@sfgov.org>, "Fred Crisp" <FC174@hotmail.com>, "Lee Housekeeper" <NewsService@aol.com>, <Board.of.Supervisors@sfgov.org>, "Lee Housekeeper" <NewsService@aol.com>, <dsaunders@sfchronicle.com>, <matierandross@sfchronicle.com>, <lgarchik@sfchronicle.com>, <dhussey@sfexaminer.com>, <gavin.newsom@sfgov.org>, <northbeachchamber@gmail.com>, <info@northbeachneighbors.org>, <David.Chiu@sfgov.org>, <Bevan.Duffy@sfgov.org>, <Carmen.Chu@sfgov.org>, <David.Campos@sfgov.org>, <Eric.L.Mar@sfgov.org>, <John.Avalos@sfgov.org>, <Michela.Alioto-Pier@sfgov.org>, <Ross.Mirkarimi@sfgov.org>, <Sean.Elsbernd@sfgov.org>, <Sophie.Maxwell@sfgov.org>, "Kristie Fairchild" <fairchild@northbeachcitizens.org>, <info@bimbos365club.com>, <kim@moderneden.com>, <martheschreiber@yahoo.com>, "Ayadi" <ayadipizza@yahoo.com>, "Dan Trwong" <chanh.trwong@wellsfargo.com>, "Darryl White" <info@bicyclerental.com>, "DeLise" <delise@delisesf.com>, "DJ" <dj@sffitlife.com>, "Elif at Fior d'Italia" <elif@fior.com>, "Gary Fiset" <gary@promotion-marketing.com>, "Ken Nguyen" <ken.nguyen@wellsfargo.com>, <kimwalksdogs@gmail.com>, "Konan Pi" <konan.pi@gmail.com>, "Luigi Romani" <caesars.italian@gmail.com>, "Pat" <patscafesf@gmail.com>, "Robert Field" <robertpaulfield@comcast.net>, "Samuel Hernandez" <samuelhdez@me.com>, "Sharon" <sharon@projectzenmassage.com>, "Thomas Field" <thomasfield@earthlink.net>  
Date: 03/29/2012 08:21 AM  
Subject: Cowboy Bob's Bum Report

---

**Where are the bums going to eat since the city keeps upping the cost of doing business here? Maybe they need to move too...**

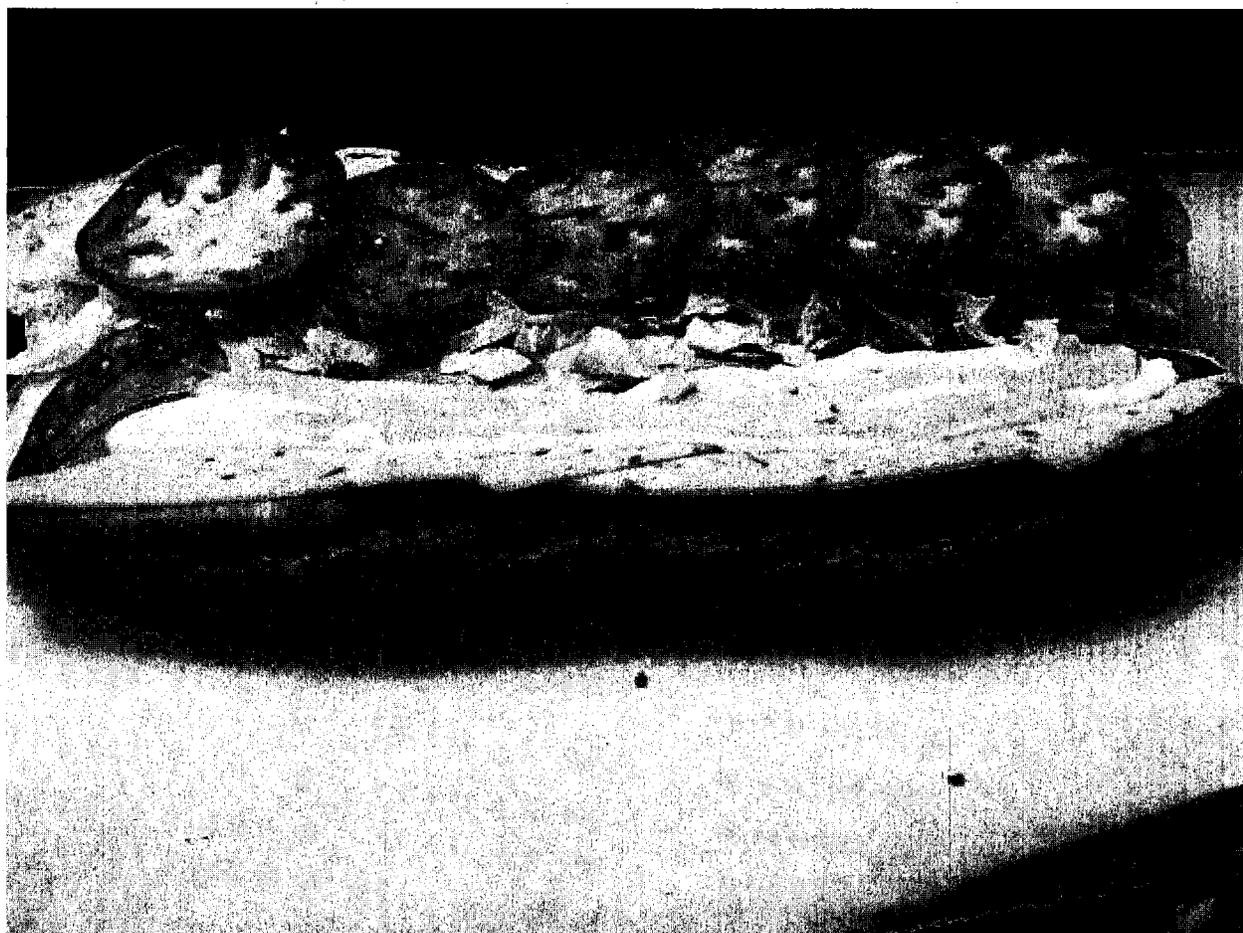
**No Subway \$5 Footlongs In SF, 'Cost of Doing Business' Too High**

**Subway can't make sandwiches for \$5 anymore. Not in San Francisco.**

By **Chris Roberts**

| Thursday, Mar 29, 2012 | Updated 6:35 AM PDT

[View Comments \(56\)](#)



Time Anchor

The catchy Subway sandwich shop jingle involving a variety of foot-long sandwiches available for \$5 doesn't apply in San Francisco.

The sandwich-making chain stopped selling the five-dollar footlongs in San Francisco due to the "high cost of doing business," according to SF Weekly.

Signs posted at Subway sandwich shops sadly inform San Francisco patrons -- we hear Willie Brown is a big fan -- that "all SUBWAY Restaurants in SF County DO NOT PARTICIPATE IN Subway National \$5.00 Promotions," according to the newspaper.

Customers can still buy the sub of the month for \$5, according to an employee at Subway on Market and Castro streets.

Apparently, the city's new minimum wage, raised to \$10.24 as of Jan. 1, make \$5 footlongs an impossible business model.

Unless you want tuna fish, which is the sub of the month. Yum.

### ***Fior d' Italia***

***America's Oldest Italian Restaurant***

**Bob and Jinx Larive**

**Proprietors**

**2237 Mason Street**

**San Francisco CA 94133**  
**(415) 986-1886 [www.fior.com](http://www.fior.com)**  
**[fior@fior.com](mailto:fior@fior.com)**

Just a FYI. You might want to look at [www.northnorthbeach.org](http://www.northnorthbeach.org) as we will be active on promoting our area and keeping it clean and safe.