

From: [Christine Hanson](#)
To: [Board of Supervisors \(BOS\)](#); [Wong, Jocelyn \(BOS\)](#); [Lew, Lisa \(BOS\)](#)
Cc: [Peskin, Aaron \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [PrestonStaff \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [RonenStaff \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [MandelmanStaff \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Walton, Shamann \(BOS\)](#)
Subject: Proposed Balboa Reservoir Project - Appeal BOS File no 200804
Date: Tuesday, August 11, 2020 3:20:11 PM
Attachments: [City Claim in Access Agreement negotiations.png](#)
[FEIR Lee ave pg185.pdf](#)
[final easement from BOT agenda City version.pdf](#)

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Dear Supervisors,

This appeal is attempting to address the San Francisco City Administration's approach to planning community development by partnering with commercial interests to finalize goals that become policy without the input of the community that these decisions affect.

Despite the advertised extensive public input, throughout the 5 year Balboa Reservoir CAC process the issues raised in 2015 are exactly the same ones being argued in this FEIR appeal: that public land should be used for the best public good and if housing is to be built that it should be 100% affordable housing and that if a development is built to share the reservoir with City College then the college must be protected.

The proof of this bias against City College is documented in SF Planning's own Response to Comments document Section 2.I.2, Local Agencies on SEIR pp. 2-50 to 2-51: listed twice in the 27 item list of approvals is the:

Approval of an amended easement and access agreement with City College of the San Francisco Community College District for roadway access

This access agreement, along with the MOU between the developer and City College cited elsewhere in the EIR are the necessary agreements that Chancellor Verdian wrote to this Board requesting more time to complete. Instead of granting the polite request for a short extension Board President Yee cites the need to "respect the City's deliberations on this matter" however if you investigate the arguments put forward by the City around City College's handling of the Lee Avenue extension you can easily see that the City has not acted in good faith during the time of negotiations by presenting and maintaining false information and the District is finally sorting out the false history that has been handed to them by the City.

Attached is the false representations made by the City in the draft Access Agreement and the true history as represented in the PEIR to this EIR in the Balboa Park BART Station Area Plan.

Sincerely,
Christine Hanson

AMENDED AND RESTATED ACCESS EASEMENT AGREEMENT AND DEED
(Portion of Assessor's Parcel No. 1, Block 3180)

This Amended and Restated Access Easement Agreement and Deed (this "**Agreement**"), by and between the CITY AND COUNTY OF SAN FRANCISCO, a municipal corporation ("**City**"), and the SAN FRANCISCO COMMUNITY COLLEGE DISTRICT, an institution of higher education organized under the State of California Education Code ("**College**"), is executed as of _____, 2020 (the "**Effective Date**"). City and College are sometimes collectively referred to in this Agreement as the "**Parties**" or singularly as a "**Party**."

RECITALS

A. City and College are parties to that certain Access Easement Agreement dated as of May 17, 2012, and recorded in the official records of the City and County of San Francisco ("**Official Records**") on May 17, 2012 as Document No. 2012-J414058-00 (the "**Original Agreement**").

B. City owns that certain real property under the jurisdiction of the San Francisco Public Utilities Commission ("**SFPUC**") described on the attached Exhibit A (the "**City Property**") and College owns that certain adjacent real property described on the attached Exhibit B (the "**College Property**").

C. The Original Agreement contemplated that College would construct and provided for the construction, use, operation, maintenance, and repair of an Accessway (defined in Section 3 below). As of the date of this Agreement, College has not constructed the Accessway as required by the Original Agreement.

With the Area Plan the affected intersections would all operate at LOS D. With a shift of a portion of CCSF traffic from Phelan Avenue to Lee Avenue, however, the intersection of Ocean Avenue/Lee Avenue would degrade from LOS D to LOS F, which would constitute a significant traffic impact solely attributable to accommodating CCSF traffic through the extension of the Lee Avenue. The Lee Avenue connection to the CCSF campus is not part of the proposed Area Plan and, therefore, this significant impact would not be attributable to implementation of the Area Plan. In order to avoid this significant impact, the provision of vehicular access to City College parking facilities through Lee Avenue is not recommended.

The impacts of accommodating CCSF parking access through the Lee Avenue extension could possibly be mitigated by creating a dedicated eastbound left lane between the tracks at the

Free Recording Requested Pursuant to
Government Code Section 27383

Recording requested by and
when recorded mail to:

City and County of San Francisco
San Francisco Public Utilities Commission
Real Estate Director
525 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

with a copy to:

Real Estate Division
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102
Attn: Director of Property

(Space above this line reserved for Recorder's use only)

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C. The Original Agreement contemplated that College would construct and provided for the construction, use, operation, maintenance, and repair of an Accessway (defined in Section 3 below). As of the date of this Agreement, College has not constructed the Accessway as required by the Original Agreement.

D. City is contemplating a development project (the “**Project**”) on the City Property, which Project is anticipated to deliver 1,100 units of much needed housing including 550 affordable housing units. Approximately 150 of the affordable housing units are planned to be occupied by educators, and College employees are planned to have first priority for those affordable educator units.

E. College installed certain utilities, consisting of an eight inch (8”) diameter fire water line, an eight inch (8”) diameter sanitary sewer line, a sixty inch (60”) diameter storm drain line, an eighteen inch (18”) diameter storm drain, and other related equipment or appurtenances (“**Unpermitted Utility Facilities**”) and geothermal wells and related equipment (“**Geothermal Wells**”) that are in the approximate locations more particularly described in the attached Schedule 1. The Unpermitted Utility Facilities and Geothermal Wells were not contemplated or permitted by the Original Agreement (or any other agreement with the City), occupy property both within the Access Easement Area as defined in the Original Agreement (the “**Original Access Easement Area**”) as well as City Property adjacent to the Original Access Easement Area, and will be relocated by City or Constructing Party (defined in Section 3 below) in accordance with the terms and conditions of this Agreement.

F. The Original Access Easement Area is comprised of two distinct areas: a north-south oriented segment which is anticipated to connect with the existing Lee Avenue and is more particularly described on the attached Exhibit C (the “**North-South Portion**”), and an east-west oriented segment which is currently anticipated to run along the northern boundary of the College Property, between the College and Archbishop Riordon High School, and is more particularly described on the attached Exhibit D (the “**East-West Portion**”). The North-South Portion and the East-West Portion are depicted on the attached Exhibit D-1. The Original Access Easement Area comprising the North-South Portion is located on property owned by City, and the East-West Portion is located on property owned by the College. In order to develop the Project, the Original Access Easement Area comprising the North-South Portion must be widened by approximately eleven feet (11’) along the eastern boundary of the City Property and by approximately eleven feet (11’) along the western boundary of the College Property, and a street must be constructed to City standards on the widened area. In addition, the Original Access Easement Area comprising the East-West Portion must be widened by approximately two feet (2’) and a street must be constructed to City standards on the widened area. Therefore, the “College Property Easement Area” as defined in the Original Agreement will be modified by this Agreement to include **(1)** additional land included within the North-South Portion comprising approximately eleven feet (11’) in width along the eastern boundary of the College Property, and **(2)** additional land included within the East-West Portion comprising approximately two feet (2’) in width, all as depicted on the attached Exhibit E and more particularly described on the attached Exhibit E-1 (the “**College Property Easement Area**”). The “City Property Easement Area” as defined in the Original Agreement will be modified by this Agreement to include additional land included within the North-South Portion comprising approximately eleven feet (11’) in width along the western boundary of the City Property, as depicted on the attached Exhibit F and more particularly described on Exhibit F-1 (the “**City Property Easement Area**”). The City Property Easement Area and the College Property Easement Area are referred to collectively in this Agreement as the “**Access Easement Area**” as depicted on the attached Exhibit G and more particularly described on Exhibit G-1.

G. The proposed developer of the Project has agreed that, in exchange for conveyance in fee of the revised College Property Easement Area to City, it will remove and relocate the Unpermitted Utility Facilities and may close out and cap the Geothermal Wells at the developer's sole cost if the Project proceeds. In addition, City will relieve College of its obligation to construct the Accessway to current City standards as required by the Original Agreement, and if the Project is developed then City or its designee will assume the obligation to construct the Accessway in accordance with the Development Agreement and Master Infrastructure Plan relating to the Project. The Parties anticipate that City will designate the developer of the Project or its contractor to construct the Accessway if the Project proceeds.

AGREEMENT

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are acknowledged, City and College agree that, as of the Effective Date, the Original Agreement is amended and restated in its entirety and replaced by this Agreement.

1. Recitals. The foregoing recitals are true and correct and are incorporated herein by reference.

2. Grants of Property Interests. Pursuant to the terms and conditions specified in this Agreement:

(a) Grants of Easement and Fee.

(i) City grants to College a temporary, non-exclusive access easement for pedestrian and vehicular access, for sidewalk, street, and roadway purposes (the "**Permitted Uses**") on and over the City Property Easement Area (the "**City Property Access Easement**"), and

(ii) Subject to a reserved, temporary, non-exclusive access easement for the benefit of College for the Permitted Uses (the "**College Property Access Easement**"), College grants to City the fee interest in the real property comprising the College Property Easement Area as depicted on the attached Exhibit E and more particularly described in Exhibit E-1 attached hereto (the "**Land**"), including all improvements and fixtures located on or under the Land, including, without limitation, all structures located on or under the Land, all apparatus, equipment and appliances located on or under the Land used in connection with the operation or occupancy of the Land, its improvements, and in used connection with the operation or occupancy of College's adjacent property (collectively, the "**Improvements**"), and any and all rights, privileges, and easements incidental or appurtenant to the Land or Improvements, including, without limitation, any and all minerals, oil, gas and other hydrocarbon substances on and under the Land, as well as any and all development rights, air rights, water, water rights, riparian rights and water stock relating to the Land, and any and all easements, rights-of-way or other appurtenances used in connection with the beneficial use and enjoyment of the Land or Improvements (collectively, the "**Appurtenances**"), and

(iii) College grants to City a Temporary Construction Easement in the Temporary Construction Easement Area for the Temporary Construction Easement Term.

As used in this Agreement, “**Temporary Construction Easement Area**” means the area of land owned by College that is five (5) feet in width and located along the eastern boundary of the North-South Portion, and the area of land owned by College that is five (5) feet in width and located along the southern boundary of the East-West Portion, as depicted on the attached Exhibit H and more particularly described on Exhibit H-1. “**Temporary Construction Easement Term**” means the period of time commencing as of the Effective Date and expiring on the date when City completes the construction of the Accessway, together with such reasonable period of time following such completion as necessary for City to remove the construction-related items placed in the Temporary Construction Easement Area. “**Temporary Construction Easement**” means a temporary, exclusive easement in, on, over, upon and across the Temporary Construction Easement Area for purposes of staging for the construction of the Accessway (including, without limitation, the storage of construction and building materials, the location of any temporary construction sheds or trailers, and the parking of construction vehicles and equipment (including, without limitation, bulldozers, compactors, graders, and trucks)), and pedestrian and vehicular access to and from the Accessway.

The City Property Access Easement and the College Property Access Easement are referred to collectively in this Agreement as the “**Access Easement**.” The Access Easement will automatically terminate and be of no further force or effect upon acceptance by the City and County of San Francisco, at its sole discretion, of the Accessway as a road that is part of its street system (a “**Public Road**”).

(b) **Potential Relocation of East-West Portion of College Property Easement Area**. The Parties agree that, after the date of this Agreement, it may be beneficial for each of them to relocate the East-West Portion of the College Property Easement Area approximately two hundred (200) feet to the south, as depicted on the attached Exhibit I and more particularly described on Exhibit I-1 (the “**Alternative College Property Easement Area**”) in order to align North Street with Cloud Circle and thus provide better circulation for the benefit of both the College and the Project. If, at their sole discretion, City’s Director of Property and Director of Public Works, and College’s Chancellor and Vice Chancellor each approve the Alternative College Property Easement Area, then this Agreement may be amended and then recorded in Official Records to adjust the College Property Easement Area and the Access Easement Area to reflect the Alternative College Property Easement Area, without further approval or action required by City’s Public Utilities Commission or Board of Supervisors and without further approval or action required by College’s Board of Trustees. If the Parties approve the Alternative College Property Easement Area, then (i) the Access Easement Area will also be modified as depicted on the attached Exhibit J and more particularly described on Exhibit J-1 (the “**Alternative Access Easement Area**”), and the Temporary Construction Easement Area will be modified as depicted on the attached Exhibit K and more particularly described on Exhibit K-1 (the “**Alternative Temporary Construction Easement Area**”). If, by June 30, 2021, City and College have not approved amendment and recordation of this Agreement to reflect the relocation of the East-West Portion of the College Property Easement Area to the Alternative College Property Easement Area, modification of the Access Easement Area to the Alternative Access Easement Area, and modification of the Temporary Construction Easement Area to the Alternative Temporary Construction Easement Area, then the East-West Portion of the College Property Easement Area will not be relocated.

(c) **Minor Boundary Adjustments.** Because the actual boundaries of rights of way and street improvements often vary in minor ways after actual conditions on the site are discovered and accommodated during the course of construction and other minor changes are made to construction plans, the Parties will work together in good faith to amend and restate the property descriptions set forth in Exhibit E and Exhibit E-1, Exhibit F and Exhibit F-1, Exhibit G and Exhibit G-1, Exhibit I and Exhibit I-1, and Exhibit J and Exhibit J-1, as needed to reflect the actual area required for the improvements and utilities installed for the Public Road. The legal descriptions and this Agreement may be amended accordingly without further approval or action required by City’s Public Utilities Commission or Board of Supervisors and without further approval or action required by College’s Board of Trustees, so long as (i) City’s Director of Property and Director of Public Works, and College’s Chancellor and Vice Chancellor approve the revised legal descriptions, and (ii) the adjustments to the legal descriptions are minor in nature and do not increase the overall square footage of the City Property Easement Area or the College Property Easement Area.

3. Construction of Accessway.

(a) City may (i) construct the Accessway at any time, or (ii) delegate at any time or times the right to construct the Accessway to a party (the “**Constructing Party**”) designated by City in writing to College (the “**Designation Notice**”). The Constructing Party may be City or any other third-party. City may replace the Constructing Party at any time by delivering a subsequent Designation Notice to College. City anticipates that it will designate the developer of the Project or its contractor as the Constructing Party. Constructing Party will have the right to construct within the Access Easement Area a roadway, including bicycle lanes, sidewalks, and above ground as well as underground utility facilities, including water, sanitary sewer, drainage, greywater, electrical, gas, telecommunications, and other utility lines and facilities and related public improvements, in conformity with the requirements and standards included in the Development Agreement and Master Infrastructure Plan relating to the Project, and pursuant to plans and specifications approved by City acting in its regulatory capacity, or in the event that the Development Agreement and Master Infrastructure Plan relating to the Project are no longer applicable, in compliance with then-applicable City and County of San Francisco standards for construction of public improvements and in material conformance with plans and specifications approved in advance by City acting in its regulatory capacity (collectively, as the same may be hereafter modified by City, the “**Accessway**”).

(b) After approval of final plans and specifications for the Accessway by City, acting in its regulatory capacity, and during the period of construction of the Accessway, the Constructing Party may take such measures to limit the access of other parties, including College, to the Access Easement Area but only to the extent reasonably necessary to facilitate construction of the Accessway. Constructing Party will make commercially reasonable efforts to allow the Permitted Uses on the Access Easement Area to continue throughout construction to the extent feasible.

4. Use of the Access Easement Area. Except as necessary in connection with construction of the Accessway, neither Party will do anything at any time in, on, under, or about the Access Easement Area that could damage, endanger, or interfere with the Permitted Uses, or enter into any license, lease, or other contract or agreement that would conflict with or adversely

affect the Permitted Uses. Without limiting the foregoing, College will not undertake or permit any of the following activities within the Access Easement Area without first obtaining the City's prior written consent, which may be given or withheld at its sole discretion: **(a)** plant trees or shrubs; **(b)** construct or place any structures, fences, walls, or improvements of any kind or character, including any pavement, asphalt, or similar impermeable ground cover; or **(c)** perform any excavation or construction activities.

5. Construction and Maintenance Activities. In addition to complying with all requirements specified elsewhere in this Agreement, all construction or maintenance activities performed in the Access Easement Area and the Temporary Construction Easement Area by City or Constructing Party will comply with the following conditions:

(a) All construction and maintenance activities will comply with all applicable all applicable federal, state, City, and local laws, statutes, ordinances, regulations, and other legal requirements ("**Laws**") and be performed using sound construction practices and in a manner that minimizes interference with the operation and use of the Accessway, the Access Easement Area, the College Property, or the City Property. Constructing Party will diligently pursue to completion all construction commenced by it in the Access Easement Area.

(b) Constructing Party will give at least thirty (30) days' prior written notice of construction of the Accessway to College, and to City if City is not Constructing Party, together with a copy of any plans and specifications or other materials reasonably sufficient to describe such planned activities. Such notice will specify if such activities will interfere with the use and operation of the Access Easement Area and, if so, the extent of the expected interference and Constructing Party's proposed actions to minimize such interference. Constructing Party may restrict access to the Access Easement Area while conducting any construction or maintenance activities therein if such restricted access is reasonably necessary to protect public health and safety.

(c) Constructing Party will not be obligated to provide prior written notice of its construction or maintenance activities in the Access Easement Area in the event of any immediate danger to health or property, in which case Constructing Party will verbally notify College and City, if City is not Constructing Party, as soon as reasonably possible.

(d) Constructing Party will secure and pay for any building and other permits and approvals, government fees, licenses, and inspections necessary for the proper performance and completion of its activities.

(e) Except as otherwise provided in connection with the removal and relocation of the Unpermitted Utility Facilities, Constructing Party will have the sole responsibility of locating any utilities that may be on, in, or under the Access Easement Area and the Temporary Construction Easement Area, protect them from damage while conducting any construction or maintenance activities, and arrange and pay for any necessary temporary relocation of College, City, and public utility company facilities, subject to the prior written approval by operator of such affected facilities.

6. Removal and Relocation of Unpermitted Utility Facilities and Right to Close Out Geothermal Wells.

(a) **Unpermitted Utility Facilities.** Concurrently with the construction of the Accessway and prior to acceptance of the Accessway as a Public Road, Constructing Party will cause the Unpermitted Utility Facilities together with such other utility facilities that are discovered in the Access Easement Area and those in City Property to be removed at Constructing Party's sole cost and will cause such Unpermitted Utility Facilities and other utility facilities that exist at the common border shared by the College Property and City Property to instead be connected to the corresponding utility facilities within Lee Avenue or Frida Kahlo Way via the Accessway, as needed or required, such that College Property will continue to receive the benefit of the services provided by the Unpermitted Utility Facilities on an uninterrupted basis (except for a commercially reasonable period of interruption of service not to exceed one (1) day for those Unpermitted Utility Facilities other than the storm drain, and after at least ten (10) business days prior notice by Constructing Party to College specifying the dates, nature and anticipated duration of such service interruptions, in order to accomplish the connection of the Unpermitted Utility Facilities that exist at the common border shared by the College Property and City Property to instead be connected to the corresponding utility facilities within the Accessway). The removal of the Unpermitted Utility Facilities and the relocation of such facilities will be performed in compliance with all Laws (including securing, prior to commencement of such work, all required consents, permits, and approvals from City acting in its regulatory capacity, and from any other governmental authority having jurisdiction over such work and any utility companies operating or connecting to the Unpermitted Utility Facilities whose consent is required in connection therewith).

(b) **Geothermal Wells.** Constructing Party will have the right, but not the obligation (unless required by City), to close out and cap the Geothermal Wells, at Constructing Party's sole cost and expense, in compliance with all applicable Laws (including securing, prior to commencement of such work, all required consents, permits, and approvals from City acting in its regulatory capacity and/or any other governmental authority having jurisdiction over such work and/or any utility company(ies) whose consent is required in connection therewith). College acknowledges and agrees that once capped or closed out, the Geothermal Wells will not be operable.

(c) **Consent.** College acknowledges and agrees that has consented to the work described in this Section 6 and that no additional consents or approvals whatsoever will be required from College if such work is conducted in accordance with this Section 6, and that College will have no claims against City or Constructing Party as a result thereof (including claims resulting from the loss of the use of the Unpermitted Utility Facilities and/or Geothermal Wells), it being acknowledged and agreed by College that College did not previously install the Unpermitted Utility Facilities and/or Geothermal Wells in accordance with any right granted by the City.

7. Maintenance and Repair. During the period after completion of the Accessway and prior to acceptance of the Accessway as a Public Road, City will require the developer of the Project or its approved assignee, at its sole cost, to maintain the Accessway in good working order and in a clean, safe, and sanitary condition at all times, even if damaged by casualty.

8. Hazardous Materials.

(a) Neither Party will use, store, locate, handle, or cause or permit the dumping or other disposal or release on or about the Access Easement Area or the Temporary Construction Easement Area of any Hazardous Material (or permit its Agents (defined in Section 10(a) below) to do the same). Nothing in this Section 8 is intended, however, to prohibit the use, storage, and disposal of ordinary and customary amounts of Hazardous Materials by Constructing Party to the extent the same are necessary for construction of the Accessway in compliance with this Agreement and provided that Constructing Party first obtains all permits, licenses, and approvals that are required by any applicable Laws for such use, storage, or disposal prior to commencement of such activities, and such use, storage, and disposal is performed by Constructing Party in full compliance with all required permits, licenses, and approvals and all applicable Laws related to such use, storage, or disposal.

(b) “**Hazardous Material**” means material that, because of its quantity, concentration, or physical or chemical characteristics, is at any time now or hereafter deemed by any federal, state, or local governmental authority to pose a present or potential hazard to public health, welfare, or the environment. “Hazardous Material” includes any material or substance defined as a “hazardous substance, pollutant, or contaminant” pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. Sections 9601 et seq., or pursuant to Section 25316 of the California Health & Safety Code; a “hazardous waste” listed pursuant to Section 25140 of the California Health & Safety Code; any asbestos and asbestos containing materials, whether or not such materials are part of the Access Easement Area or the Temporary Construction Easement Area or are naturally occurring substances in the Access Easement Area or the Temporary Construction Easement Area, and any petroleum, including crude oil or any fraction thereof, natural gas, or natural gas liquids. The term “**release**” or “**threatened release**” when used with respect to Hazardous Material will include any actual or imminent spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing in, on, under, or about the Access Easement Area or the Temporary Construction Easement Area.

(c) If either Party (or the Agents of such Party) defaults in its obligations under this Section, then such defaulting Party will indemnify, defend, and hold harmless the other Party against any and all Claims (defined below) arising at any time as a result of such default, except to the extent the other Party or its Agents are responsible for such Claims. “**Claims**” will mean all liabilities, losses, costs, claims, judgments, settlements, damages, liens, fines, penalties, and expenses, including direct and vicarious liability of every kind. Each Party’s foregoing indemnity obligation will survive the termination or extinguishment of this Agreement or the easements granted hereunder.

9. Insurance.

(a) Except during the period that a Party maintains the insurance required pursuant to Section 9(b), each Party will procure at its expense and keep in effect at all times, in form and from an insurer reasonably accept to the other Party, as follows:

(i) Commercial general liability insurance with limits not less than \$2,000,000 each occurrence, combined single limit for bodily injury and property damage, including coverage for contractual liability, personal injury, broad form property damage, products, and completed operations. Any deductible under such policy will not exceed \$25,000 for each occurrence.

(ii) Business automobile liability insurance with limits not less than \$1,000,000 for each occurrence combined single limit for bodily injury and property damage, including coverage for owned, non-owned, and hired automobiles, as applicable. Any deductible under such policy will not exceed \$10,000 for each occurrence.

(iii) Workers' Compensation Insurance, including Employers' Liability, with limits not less than \$1,000,000 for each accident, covering all employees employed in or about the Access Easement Area to provide statutory benefits as required by the laws of the State of California.

(b) During the period of any Construction Activity on or about the Accessway, in lieu of the insurance required by Section 9(a), the Party undertaking the Construction Activity will procure and keep in effect insurance required by this Section 9(b). As used in this Agreement, "**Construction Activity**" commences upon such Party's first site permit, first demolition permit, or first building permit relating to the Accessway, and continues until the Accessway has had its final inspection and is ready for public use and occupancy.

(i) Commercial general liability insurance with limits not less than \$10,000,000 each occurrence, combined single limit for bodily injury and property damage, including coverage for contractual liability, personal injury, broad form property damage, products, and completed operations. Any deductible under such policy will not exceed \$100,000 for each occurrence.

(ii) Business automobile liability insurance with limits not less than \$3,000,000 for each occurrence combined single limit for bodily injury and property damage, including coverage for owned, non-owned, and hired automobiles, as applicable. Any deductible under such policy will not exceed \$10,000 for each occurrence.

(iii) Workers' Compensation Insurance, including Employers' Liability, with limits not less than \$1,000,000 for each accident, covering all employees employed in or about the Access Easement Area and the Temporary Construction Easement Area to provide statutory benefits as required by the laws of the State of California.

(iv) Pollution legal liability and environmental remediation liability, including coverage for bodily injury, sickness, or disease, sustained by any person, including death; Environmental Damages; property damage including physical injury to or destruction of tangible property including the resulting loss of use thereof, clean-up costs, defense costs, charges, and expenses incurred in the investigation, adjustment of defense claims for such compensatory damages; sudden and non-sudden pollution conditions including the discharge, dispersal, release, or escape of Hazardous Materials into or upon City's property, the atmosphere, or watercourse or body of water, which results in

Environmental Damages; transportation coverage for the hauling of any Hazardous Materials by such Party or its Agents, from the City's real property to the final disposal location; and first party environmental remediation that pays for the cost of cleanup and remediation of the City's real property required to comply with all applicable Laws. Such insurance must be endorsed to provide third-party disposal site coverage that covers third-party bodily injury, property damage, and cleanup coverage for pollution conditions emanating from a disposal site or landfill used by the Party or its Agents. Such Party will maintain limits no less than: Two Million Dollars (\$2,000,000) per accident and Four Million Dollars (\$4,000,000) policy aggregate for bodily injury and property damage. City and its Agents must be included as additional insureds under the Pollution Legal Liability Insurance Policy.

(v) During the period of any Construction Activity within fifty (50) feet of any railway, Railroad Protective Liability insurance with limits not less than \$2,000,000 each occurrence combined single limit (true occurrence form), and \$6,000,000 in the aggregate for bodily injury, property damage, and physical damage, including loss of use applicable to all operations of contractor and its subcontractors within 50 feet of trackway. The applicable Railway shall be the first named insured on the policy.

(c) All insurance policies required hereunder will (i) be written on an occurrence basis (except for Pollution Legal Liability), (ii) name the other Party, together with its officers, agents, and employees, as additional insureds, (iii) specify that such policies are primary insurance to any other insurance available to the additional insureds with respect to any claims arising out of this Agreement and that insurance applies separately to each insured against whom claim is made or suit is brought, (iv) be issued by one or more companies of recognized responsibility approved to do business in the State of California with financial rating of at least a Class A- VII (or its equivalent successor) status, as rated in the most recent edition of A.M. Best's "Best's Insurance Reports," (v) provide for severability of interests and that an act or omission of one of the named insureds which would void or otherwise reduce coverage will not reduce or void the coverage as to any insured, (vi) afford coverage for all claims based on acts, omissions, injury, or damage which occurred or arose (or the onset of which occurred or arose) in whole or in part during the policy period, and (vii) each Party shall provide the thirty (30) day's prior written notice of cancellation, intended non-renewal, or reduction in coverage to the other Party.

(d) This Agreement may be amended unilaterally ten (10) years after the Effective Date and from time to time thereafter by City upon notice to College, to impose such insurance, bond, guaranty, and indemnification requirements as City determines are necessary and appropriate to protect its interests, consistent with City's or the SFPUC's custom and practice and in a manner that will not unnecessarily interfere with or materially increase the cost or risk of College's ability to perform under this Agreement, or if such amendment would unnecessarily interfere with or materially increase College's cost or risk, such amendment must be consistent with commercial industry practice.

(e) If requested, a Party will deliver to the other Party certificates of insurance in form and with insurers satisfactory to the requesting Party, evidencing the coverages required hereunder, together with complete copies of the policies at such requesting Party's request. If a Party fails to procure such insurance, or to deliver such policies or certificates, the other Party may

procure, at its option, such insurance on such defaulting Party's behalf, and the defaulting Party will pay the acting Party for the cost thereof within five (5) days of the acting Party's delivery of bills therefor.

(f) Should any of the required insurance (except for Pollution Legal Liability) be provided under a form of coverage that includes a general annual aggregate limit or provides that claims investigation or legal defense costs be included in such general annual aggregate limit, such general aggregate limit will double the occurrence or claims limits specified above.

(g) A Party's compliance with the provisions of this Section will in no way relieve or decrease such Party's indemnification obligations or other obligations under this Agreement. Each Party will be responsible, at its own expense, for separately insuring its personal property.

(h) Notwithstanding anything to the contrary contained herein, each Party hereby waives any right of recovery against the other Party for any loss or damage sustained by such damaged Party with respect to the Access Easement Area and the Temporary Construction Easement Area, whether or not such loss is caused by the fault or negligence of the other Party, to the extent such loss or damage is covered by insurance that the damaged Party is required to purchase under this Agreement or is otherwise actually recovered from valid and collectible insurance covering such damaged Party. Each Party agrees to obtain a waiver of subrogation endorsement from each insurance carrier issuing policies relative to the Access Easement Area and the Temporary Construction Easement Area; provided, however, that failure to do so will not affect the above waiver.

(i) College acknowledges that City maintains a program of self-insurance and agrees that City will not be required to carry any insurance with respect to this Agreement; provided, however, that if any of City's successors or assigns under this Agreement is not a public entity, or City designates a Constructing Party other than City, such non-public successor or assign or Constructing Party, as the case may be will carry the insurance specified in this Section.

10. Indemnity.

(a) City will indemnify, defend, reimburse, and hold harmless College from and against any and all Claims arising out of or relating to the activities of City or any City Agent in the Access Easement Area and the Temporary Construction Easement Area, except to the extent caused by the intentional acts or negligence of College or any College Agents or the failure of College to perform or comply with its obligations under this Agreement; provided, however, that City will not be liable to College under any circumstances for any consequential, incidental, or punitive damages. "Agents" will mean a Party's officers, agents, employees, representatives, trustees, or contractors

(b) College will indemnify, defend, reimburse, and hold harmless City and City's Agents and each of them, from and against any and all Claims arising out of or relating to the use of the Access Easement Area and the Temporary Construction Easement Area by College or any College Agents, except to the extent caused by the intentional acts or negligence of City or any City Agents, or the failure of City to perform or comply with its obligations under this

Agreement; provided, however, that College will not be liable to City under any circumstances for any consequential, incidental, or punitive damages.

(c) The foregoing indemnities will include reasonable attorneys', experts', and consultants' fees and costs, and will survive any termination or extinguishment of this Agreement or the easements granted hereunder.

11. Notices. All notices, demand, consents, or approvals given hereunder will be in writing and will be personally delivered, or sent by a nationally-recognized overnight courier service that provides next business day delivery services, provided that next business day service is requested, or by United States first-class mail, postage prepaid, to the following addresses (or any other address that a Party designates by written notice delivered to the other Party pursuant to the provisions of this Section):

If to City: Real Estate Director
San Francisco Public Utilities Commission
525 Golden Gate Avenue, 10th Floor
San Francisco, CA 94102

With a copy to: City and County of San Francisco
Real Estate Division
25 Van Ness Avenue, Suite 400
San Francisco, CA 94102
Attn: Director of Property

If College: _____
[Vice Chancellor of Finance and Administration]
San Francisco Community College District

San Francisco, CA _____

with a copy to: _____

A properly addressed notice transmitted by one of the foregoing methods shall be deemed received upon the confirmed date of delivery, attempted delivery, or rejected delivery, whichever occurs first. Any e-mail addresses, telephone numbers, or facsimile numbers provided by one Party to the other shall be for convenience of communication only; neither Party may give official or binding notice orally or by e mail or facsimile. The effective time of a notice shall not be affected by the receipt, prior to receipt of the original, of an oral notice or an e mail or telefacsimile copy of the notice.

12. Waiver of Claims. Notwithstanding anything to the contrary set forth in this Agreement, each Party covenants and agrees that the other Party will not be responsible for or liable for, and hereby waives all rights against the other Party and its Agents and releases the other

Party and its Agents from, any and all Claims relating to any injury, accident, or death of any person or loss or damage to any property, in or about the Access Easement Area or the Temporary Construction Easement Area, from any cause whatsoever, including the Unpermitted Utility Facilities, Geothermal Wells, the removal and relocation of the Unpermitted Utility Facilities and closing of the Geothermal Wells, and any other utility facilities discovered in the Access Easement Area or City Property. Nothing herein will relieve a Party from liability to the extent caused by the negligence or willful misconduct of such Party or its Agents or its failure to perform its obligations pursuant to this Agreement, but neither Party will be liable under any circumstances for any consequential, incidental, or punitive damages. City and College would not be willing to enter into this Agreement in the absence of a waiver of liability for consequential or incidental damages due to the acts or omissions of City, the College, or either of their Agents, and City and College each expressly assume the risk with respect thereto. Accordingly, as a material part of the consideration for this Agreement, each Party fully RELEASES, WAIVES, AND DISCHARGES forever any and all Claims, and covenants not to sue, the other Party or its Agents for any matters arising out of this Agreement, the Access Easement Area, or the Temporary Construction Easement Area, except to the extent such Claims result from the negligence and willful misconduct of the other Party or their Agents or the failure of a Party to perform or comply with its obligations under this Agreement. In connection with the foregoing release, each Party acknowledges that it is familiar with Section 1542 of the California Civil Code, which reads:

“A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.”

Each Party acknowledges that the releases contained herein include all known and unknown, disclosed and undisclosed, and anticipated and unanticipated claims. Each Party realizes and acknowledges that it has agreed to this Agreement in light of this realization and, being fully aware of this situation, it nevertheless intends to waive the benefit of Civil Code Section 1542, or any statute or other similar law now or later in effect. The releases contained herein will survive any termination or extinguishment of this Agreement or the easements granted hereunder.

13. City Acceptance of Accessway as a Public Road. If, at its sole discretion, the City accepts the Accessway as a Public Road, then the Access Easement will automatically terminate and be of no further force or effect. At City’s request, College shall **(a)** deliver any documents reasonably required by City to document termination of the easement interests granted and reserved to College pursuant to this Agreement, and **(b)** duly execute and acknowledge and deliver to City a quitclaim deed in substantially the form attached as Exhibit F to transfer any real property interest of College in the Access Easement Area.

14. Run with the Land; Exclusive Benefit of Parties. The rights and obligations in this Agreement will run with the land and will bind and inure to the benefit of the successors and assigns of the Parties. This Agreement is for the exclusive benefit of College and City and their respective successors and assigns (including any Constructing Party) and is not for the benefit of, nor will it give rise to any claim or cause of action by, any other person or entity.

15. Proprietary Capacity. College understands and agrees that City is entering into this Agreement in its proprietary capacity and not as a regulatory agency with certain police powers. Notwithstanding anything to the contrary herein, no agreement by City set forth in this Agreement nor any other approvals by City in this Agreement will be deemed to constitute approval of City acting in its regulatory capacity or any governmental or regulatory authority with jurisdiction over the Access Easement Area or the Temporary Construction Easement Area.

16. As Is Condition. COLLEGE ACCEPTS THE ACCESS EASEMENT AREA IN ITS "AS IS" CONDITION, AND ACKNOWLEDGES AND AGREES THAT NEITHER CITY NOR ANY OF ITS AGENTS HAVE MADE, AND CITY HEREBY DISCLAIMS, ANY REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCESS EASEMENT AREA. CITY ACCEPTS THE ACCESS EASEMENT AREA AND THE TEMPORARY CONSTRUCTION EASEMENT AREA IN ITS "AS IS" CONDITION, AND ACKNOWLEDGES AND AGREES THAT NEITHER COLLEGE NOR ANY OF ITS AGENTS HAVE MADE, AND COLLEGE HEREBY DISCLAIMS, ANY REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACCESS EASEMENT AREA OR THE TEMPORARY CONSTRUCTION EASEMENT AREA. Without limiting the foregoing, this Agreement is made subject to all applicable Laws governing the use of the Access Easement Area and the Temporary Construction Easement Area, and to any and all covenants, conditions, restrictions, easements, encumbrances, claims of title, and other title matters affecting the Access Easement Area or the Temporary Construction Easement Area, whether foreseen or unforeseen, and whether such matters are of record or would be disclosed by an accurate inspection or survey. It is each Party's and their Agents' sole obligation to conduct an independent investigation of the Access Easement Area, the Temporary Construction Easement Area, and all matters relating to its use hereunder, including the suitability of the Access Easement Area and the Temporary Construction Easement Area for such uses. At its own expense, each Party will obtain such permission or other approvals from any third parties with existing rights as may be necessary for such Party or its Agents to make use of the Access Easement Area and the Temporary Construction Easement Area in the manner contemplated hereby.

17. No Liens, Encumbrances. Each Party will keep the Access Easement Area and the Temporary Construction Easement Area free from liens arising out of any work performed, material furnished, or obligations incurred by such Party or its Agents.

18. Possessory Interest Taxes. College recognizes and understands that this Agreement may create a possessory interest subject to property taxation and that College may be subject to the payment of property taxes levied on such interest under applicable law. College shall pay taxes of any kind, including possessory interest taxes, if any, that may be lawfully assessed on College's interest under this Agreement or use of the Access Easement Area and the Temporary Construction Easement Area pursuant to this Agreement and to pay any other taxes, excises, licenses, permit charges or assessments based on College's usage of the Access Easement Area that may be imposed upon College by applicable law. College will pay all of such charges when they become due and payable and before delinquency.

19. Prevailing Wages. The provisions of Section 6.22(E) of the San Francisco Administrative Code, as such provisions may be amended from time to time, are incorporated by this reference in this Agreement to the extent applicable. Any person performing labor for the

Easement Work (as defined below) will be paid not less than the highest prevailing rate of wages as required by Section 6.22(E) of the San Francisco Administrative Code, will be subject to the same hours and working conditions, and will receive the same benefits as in each case are provided for similar work performed in San Francisco, California. Each Party will include, in any contract for any Easement Work, a requirement that all persons performing labor under such contract will be paid not less than the highest prevailing rate of wages for the labor so performed. Each Party will further require that any contractor performing any of the Easement Work will provide, and will deliver to City upon request, certified payroll reports with respect to all persons performing labor in the construction of any Easement Work. “**Easement Work**” means the construction of the Accessway or any other improvements to the Access Easement Area pursuant to this Agreement or in the maintenance, repair, or replacement of the Accessway or such other improvements.

20. Covenant Not to Discriminate. Neither Party will discriminate on the basis of the fact or perception of a person’s race, color, creed, religion, national origin, ancestry, age, sex, sexual orientation, gender identity, domestic partner status, marital status, disability, weight, height or Acquired Immune Deficiency Syndrome or HIV status (AIDS/HIV status) against any employee or, any employee working with, or applicant for employment with, such Party in any of such Party’s operations within the United States, or against any person seeking accommodations, advantages, facilities, privileges, services, or membership in all business, social, or other establishments or organizations operated by either Party.

21. General Provisions. (a) This Agreement may be amended or modified only by a writing signed by City and College and recorded in the Official Records of the City and County of San Francisco. (b) No waiver by any Party of any of the provisions of this Agreement will be effective unless in writing and signed by an officer or other authorized representative, and only to the extent expressly provided in such written waiver. (c) This Agreement contains the entire agreement between the Parties with respect to the matters set forth herein and all prior negotiations, discussions, understandings, and agreements are merged herein. (d) This Agreement will be governed by California law and City’s Charter. (e) If either Party commences an action against the other or a dispute arises under this Agreement, the prevailing Party will be entitled to recover from the other reasonable attorneys’ fees and costs. For purposes hereof, reasonable attorneys’ fees will be based on the fees regularly charged by private attorneys in City with comparable experience, notwithstanding City’s or College’s use of its own attorneys. (f) This Agreement does not create a partnership or joint venture between City and College as to any activity conducted by College or City on, in or relating to the Access Easement Area or the Temporary Construction Easement Area. (g) City’s obligations hereunder are contingent upon approval of this instrument by City’s Public Utilities Commission and the City’s Board of Supervisors and Mayor, each at its sole discretion, and the easements granted by City hereunder and this Agreement will be null and void if such approval is not obtained, and College’s obligations hereunder are contingent upon approval of this instrument by the College’s Board of Trustees, at its sole discretion, and the easements granted by City hereunder and this Agreement will be null and void if such approval is not obtained. (h) Time is of the essence of this Agreement and each Party’s performance of its obligations hereunder. (i) All representations, warranties, waivers, releases, and indemnities given or made in this Agreement will survive the termination of this Agreement or the extinguishment of the easements granted by City hereunder. (j) If any provision of this Agreement is deemed invalid by a judgment or court order, such invalid provision will not affect any other provision of this Agreement, and

the remaining portions of this Agreement will continue in full force and effect, unless enforcement of this Agreement as partially invalidated would be unreasonable or grossly inequitable under all of the circumstances or would frustrate the purpose of this Agreement. **(k)** All section and subsection titles are included only for convenience of reference and will be disregarded in the construction and interpretation of the Agreement. **(l)** College represents and warrants to City that the execution and delivery of this Agreement by College and the person signing on behalf of College below has been duly authorized, and City represents and warrants to College that the execution and delivery of this Agreement by City and the person signing on behalf of City below has been duly authorized. **(m)** Each attached exhibit to this Agreement is incorporated herein and made a part hereof as if set forth in full. Use of the word “**Section**” refers to the particular Section of this Agreement unless indicated otherwise. **(n)** Use of the word “including” or similar words will not be construed to limit any general term, statement, or other matter in this Agreement, whether or not language of non-limitation, such as “without limitation” or similar words, are used.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

COLLEGE:

SAN FRANCISCO COMMUNITY COLLEGE DISTRICT,
an institution of higher education organized under the
State of California Education Code

By: _____
[Name]
[Vice Chancellor of Finance and Administration]

Date: _____

APPROVED AS TO FORM:

By: _____

CITY:

CITY AND COUNTY OF SAN FRANCISCO,
a municipal corporation

By: _____
Andrico Q. Penick
Director of Property

Date: _____

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By: _____
Elizabeth A. Dietrich
Deputy City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF CITY PROPERTY

Exhibit A

Legal Description of City Property

All that real property situate in the City and County of San Francisco, State of California, described as follows:

A portion of that certain tract described as Parcel 22 in that certain deed from the Spring Valley Water Company, a Corporation, to the City and County of San Francisco, a Municipal Corporation, recorded March 3, 1930, in Book 2002 at page 1, Official Records of the City and County of San Francisco, also being a portion of that certain parcel described in that certain deed from the City and County of San Francisco to the San Francisco Community College District, recorded October 15, 1992 in Book F-734, page 746, Official Records, more particularly described as follows:

BEGINNING at a point on the southerly line of that certain parcel described in that certain deed from the City and County of San Francisco, to the Roman Catholic Archbishop of San Francisco, recorded July 28, 1947, in Book 4661 at page 278, Official Records, from which the southeasterly corner of said Parcel bears North 89°36'00" East, 366.02 feet distant; said corner also being on the westerly line of Phelan Avenue, (78.403 feet wide), as now established and shown on that certain map entitled "Map Showing the Widening of Phelan Avenue & Ocean Avenue from Ocean Avenue to Judson Avenue" filed February 15, 1954 in Book R of Maps at page 56, Official Records; thence westerly along said southerly line of said parcel

1. South 89° 36' 00" West 656.18 feet, to the southwesterly corner of said parcel, said corner also being the northwesterly corner of said Parcel 22; thence southerly along the westerly line of last said Parcel
2. South 00°24' 00" East, 1078.75 feet to a point, from which the southwest corner of said Parcel 22, said point also being on the northerly line of Ocean Avenue (80.00 feet wide), bears South 00°24'00" East, 155.32 feet distant; thence leaving the line of said Parcel 22 and along the southerly line of said parcel described in said deed from the City and County of San Francisco to the San Francisco Community College District
3. South 75°22'33" East 584.33 feet; thence
4. North 14°38'04" East 13.86 feet; thence
5. North 89°01'17" East 94.17 feet to a point westerly 366.02 feet perpendicularly distant from the westerly line of said Phelan Avenue; thence leaving said southerly line along a line parallel with and westerly 366.02 feet perpendicularly distant from said westerly line of Phelan Avenue
6. North 00°40'45" West 1215.91 feet to the **POINT OF BEGINNING.**

Being a portion of Assessor's Block 3180, lot 1

Containing an area of 17.60 acres, more or less.

EXHIBIT B

LEGAL DESCRIPTION OF COLLEGE PROPERTY

Exhibit B

Legal Description of College Property

All that real property situate in the City and County of San Francisco, State of California, described as follows:

A portion of that certain tract described as Parcel 22 in that certain deed from the Spring Valley Water Company, a Corporation, to the City and County of San Francisco, a Municipal Corporation, recorded March 3, 1930, in Book 2002 at page 1, Official Records of the City and County of San Francisco, also being a portion of that certain parcel described in that certain deed from the City and County of San Francisco to the San Francisco Community College District, recorded October 15, 1992 in Book F-734, page 746, Official Records, more particularly described as follows:

BEGINNING at the southeast corner of that certain parcel described in that certain deed from the City and County of San Francisco, to the Roman Catholic Archbishop of San Francisco, recorded July 28, 1947, in Book 4661 at page 278, Official Records, said corner also being on the westerly line of Phelan Avenue, (78.403 feet wide), as now established and shown on that certain map entitled "Map Showing the Widening of Phelan Avenue & Ocean Avenue from Ocean Avenue to Judson Avenue" filed February 15, 1954 in Book R of Maps at page 56, Official Records; thence westerly along the southerly line of said parcel South 89° 36' 00" West 366.02 feet, more or less, to a point westerly 366.02 feet perpendicularly distant from said westerly line of Phelan Avenue; thence leaving said southerly line along a line parallel with and westerly 366.02 feet perpendicularly distant from the westerly line of Phelan Avenue

1. South 00°40'45" East 1215.91 feet to the southerly line of that parcel described in that certain deed from the City and County of San Francisco to the San Francisco Community College District, recorded October 15, 1992 in Book F-734, page 746, Official Records; thence along said southerly line
2. North 89°01'17" East 148.03 feet; thence leaving said southerly line,
3. South 00°58'43" East, 58.00 feet; thence
4. North 89°01'17" East 217.67 feet to said westerly line of Phelan Avenue; thence northerly along said westerly line
5. North 00°40'45" West 1270.21 feet to the **POINT OF BEGINNING.**

Being a portion of Assessor's Block 3180, lot 1

Containing an area of 10.49 acres, more or less

EXHIBIT C

NORTH – SOUTH PORTION

EXHIBIT C – NORTH-SOUTH PORTION

LEGAL DESCRIPTION FOR ROAD EASEMENT

All that real property situated in the City and County of San Francisco, State of California,

A portion of that certain tract described as Parcel 22 in that certain deed from the Spring Valley Water Company, a Corporation, to the City and County of San Francisco, a Municipal Corporation, recorded March 3, 1930, in Book 2002 at page 1, Official Records of the City and County of San Francisco, more particularly described as follows:

An **EASEMENT** for road access purposes over a strip of land, fifty (50) feet wide, the easterly line of which is described as follows:

COMMENCING at the southeast corner of that certain parcel described in that certain deed from the City and County of San Francisco, to the Roman Catholic Archbishop of San Francisco, recorded July 28, 1947, in Book 4661 at page 278, Official Records, said corner also being on the westerly of Phelan Avenue, (78.403 feet wide), as now established and shown on that certain map entitled "Map Showing the Widening of Phelan Avenue & Ocean Avenue from Ocean Avenue to Judson Avenue" filed February 15, 1954 in Book R of Maps at page 56, Official Records; thence westerly along the southerly line of said parcel South 89° 36' 00" West 366.02 feet, more or less, to a point westerly 366.02 feet perpendicularly distant from said westerly line of Phelan Avenue, said point being the **TRUE POINT OF BEGINNING**; thence leaving said southerly line along a line parallel with and westerly 366.02 feet perpendicularly distant from the westerly line of Phelan Avenue South 00°40'45" East 1215.91 feet to the southern line of that parcel quitclaimed to the San Francisco Community College District, from the City and County of San Francisco, described in that exchange deed recorded October 15, 1992 in Reel F734 at Image 746, Official Records of the City and County of San Francisco.

Being a portion of Assessor's Block 3180, Lot 190

Containing an area of 1.40 acres (60,808 square feet), more or less

The Basis of Bearing for this parcel is the westerly line of the Spring Valley Water Company Parcel as said parcel is shown on that certain map entitled "Map of Westwood Park" filed in Book H of Maps, at pages 65-71, inclusive, Official records of the City and County of San Francisco, taken as South 00°24'00" East.

This real property description was prepared by me, or under my direction in conformance with the Land Surveyors Act.

William E. Blackwell Jr.
William E. Blackwell Jr. P.L.S. No. 8251
Survey Associate
City and County of San Francisco, Ca.

4/24/2017
Dated



EXHIBIT D
EAST-WEST PORTION

EXHIBIT D - EAST-WEST PORTION

**LEGAL DESCRIPTION
FOR
ROAD EASEMENT**

All that real property situated in the City and County of San Francisco, State of California.

A portion of that certain tract described as Parcel 22 in that certain deed from the Spring Valley Water Company, a Corporation, to the City and County of San Francisco, a Municipal Corporation, recorded March 3, 1930, in Book 2002 at page 1, Official Records of the City and County of San Francisco, described as follows:

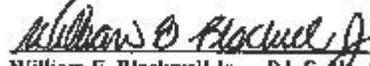
An **EASEMENT** for road access purposes over a strip of land, sixty (60) feet wide, the northerly line of which is described as follows:

BEGINNING at the southeast corner of that certain parcel described in that certain deed from the City and County of San Francisco, to the Roman Catholic Archbishop of San Francisco, recorded July 28, 1947, in Book 4661 at page 278, Official Records, said corner also being on the westerly of Phelan Avenue, (78.403 feet wide), as now established and shown on that certain map entitled "Map Showing the Widening of Phelan Avenue & Ocean Avenue from Ocean Avenue to Judson Avenue" filed February 15, 1954 in Book R of Maps at page 56, Official Records; thence westerly along the southerly line of said parcel South 89° 36' 00" West 366.02 feet, more or less, to a point westerly 366.02 feet perpendicularly distant from said westerly line of Phelan Avenue.

Being a portion of Assessor's Block 3180, Lot 191.

Containing an area of 0.50 acres (21,953 square feet), more or less. The Basis of Bearing for this parcel is the westerly line of the Spring Valley Water Company Parcel as said parcel is shown on that certain map entitled "Map of Westwood Park" filed in Book H of Maps, at pages 65-71, inclusive, Official records of the City and County of San Francisco, taken as South 00° 24' 00" East.

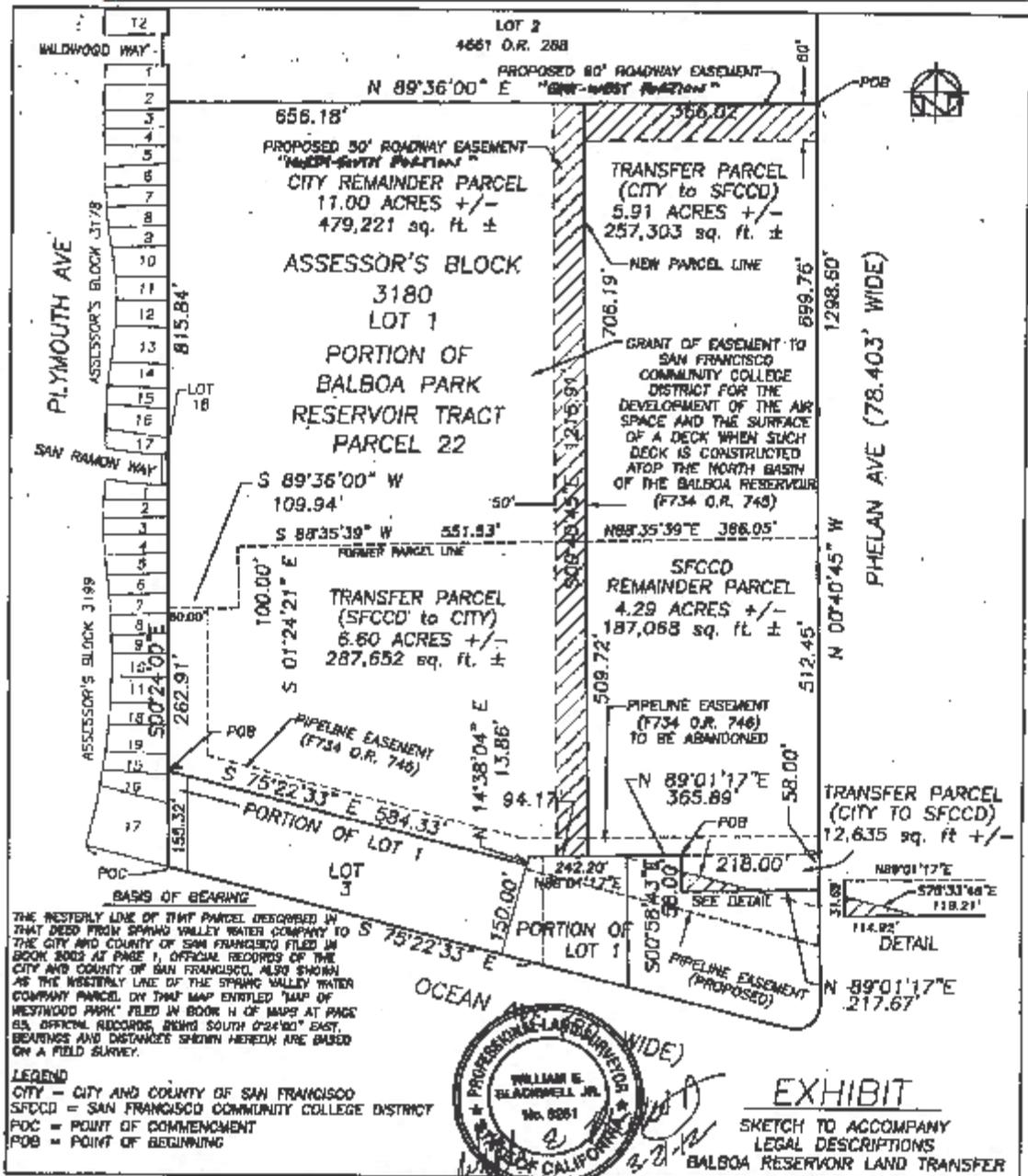
This real property description was prepared by me, or under my direction in conformance with the Land Surveyors Act.


William E. Blackwell Jr. P.L.S. No. 8251
Survey Associate
City and County of San Francisco, Ca.

4-24-2012
Dated



EXHIBIT D-1 - NORTH-SOUTH PORTION AND EAST-WEST PORTION



BY WJ CHKD. DATE 01/18/2012 SCALE 1" = 200' SHEET 6 of 8 JOB NO. 2012-03

CITY AND COUNTY OF SAN FRANCISCO
 DEPARTMENT OF PUBLIC WORKS
 BUREAU OF STREET USE AND MAPPING

870 STEVENSON STREET Rm 410
 SAN FRANCISCO, CA 94103
 (415) 554-5833

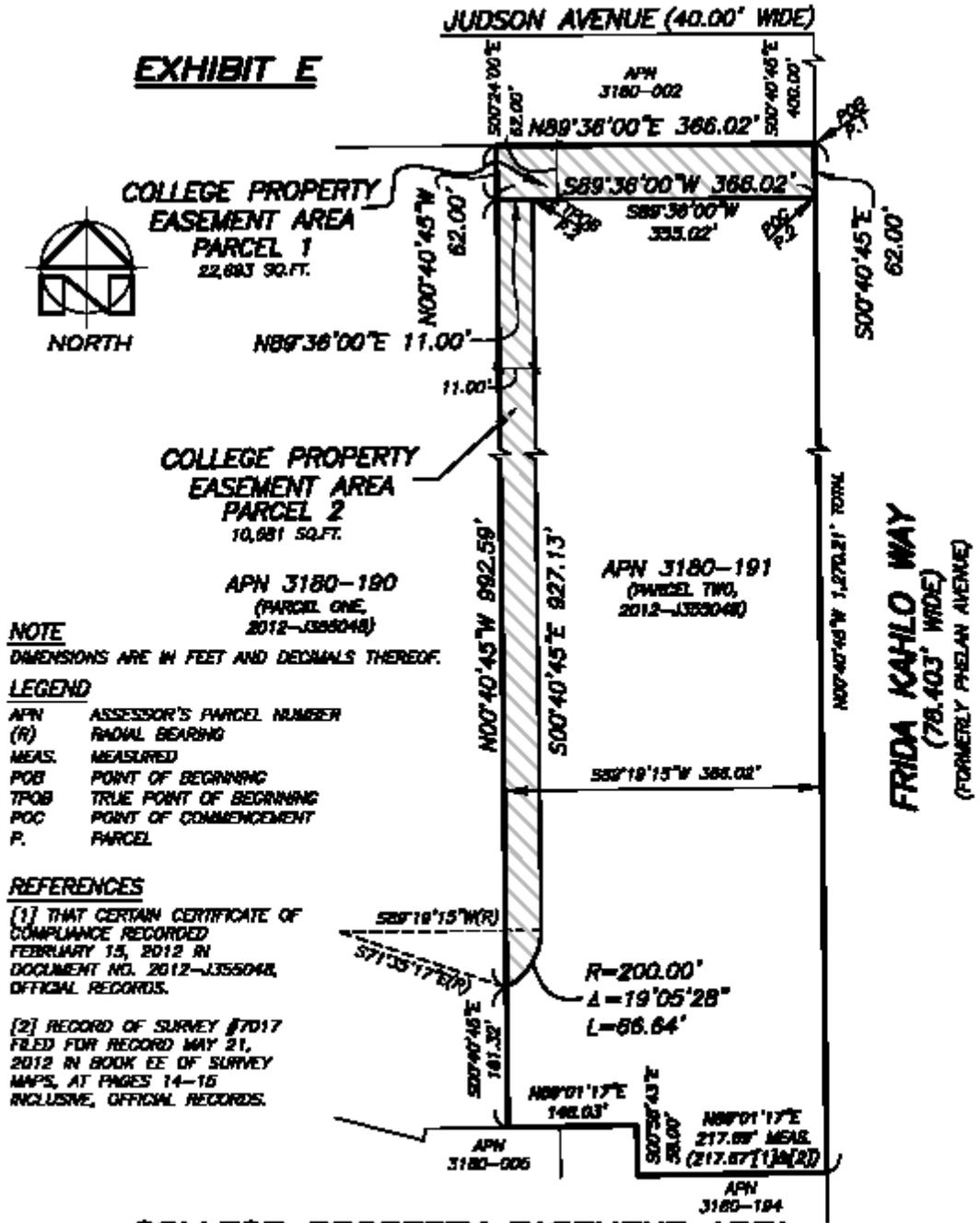
San-Ordw 588001
 Dec. 2012-41455 REC ALL.

Page 24 of 27

Requested By: Jacob Neely, Printed: 02/16/2010 10:04 AM

EXHIBIT E

COLLEGE PROPERTY EASEMENT AREA



SUBJECT: **COLLEGE PROPERTY EASEMENT AREA**

BY DR CHKD. BR DATE 5-19-20 NOT TO SCALE SHEET 1 OF 1 JOB NO. S-9888

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS
S-9888 CITY COLLEGE EASEMENT.DWG

859 HARRISON STREET
SAN FRANCISCO, CA 94107
(415) 543-4600

EXHIBIT E-1

S-9668
5-19-20
PAGE 1 OF 2

LEGAL DESCRIPTION

"COLLEGE PROPERTY BASEMENT AREA"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO,
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID
PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED
FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL TWO, SAID CORNER BEING ON
THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN AVENUE, (78.403 FEET
WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP SHOWING THE WIDENING OF
PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO JUDSON AVENUE" RECORDED
FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56, OFFICIAL RECORDS; THENCE
ALONG SAID WESTERLY LINE OF FRIDA KAHLO WAY S00°40'45"E 62.00 FEET TO A POINT
THAT IS PERPENDICULARLY DISTANT 62.00 FEET SOUTHERLY FROM THE NORTHERLY LINE
OF SAID PARCEL TWO; THENCE S89°36'00"W, PARALLEL WITH SAID NORTHERLY LINE OF
PARCEL TWO, 366.02 FEET TO THE WESTERLY LINE OF SAID PARCEL TWO; THENCE ALONG
SAID WESTERLY LINE N00°40'45"W 62.00 FEET TO SAID NORTHERLY LINE OF PARCEL
TWO; THENCE ALONG SAID NORTHERLY LINE N89°36'00"E 366.02 FEET TO THE POINT OF
BEGINNING.

CONTAINING AN AREA OF 22,693 SQ. FT., MORE OR LESS



EXHIBIT E-1

S-9668
5-19-20
PAGE 2 OF 2

"COLLEGE PROPERTY EASEMENT AREA"

PARCEL 2:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN AVENUE, (78.403 FEET WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP SHOWING THE WIDENING OF PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO JUDSON AVENUE" RECORDED FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56, OFFICIAL RECORDS, DISTANT THEREON S00°40'45"E 62.00 FEET FROM THE NORTHEAST CORNER OF SAID PARCEL TWO TO A POINT THAT IS PERPENDICULARLY DISTANT 62.00 FEET SOUTHERLY FROM THE NORTHERLY LINE OF SAID PARCEL TWO; THENCE S89°36'00"W, PARALLEL WITH SAID NORTHERLY LINE OF PARCEL TWO, 355.02 FEET TO A POINT THAT IS PERPENDICULARLY DISTANT 11.00 FEET EASTERLY FROM THE WESTERLY LINE OF SAID PARCEL TWO, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S00°40'45"E, PARALLEL WITH SAID WESTERLY LINE OF PARCEL TWO, 927.13 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 200.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 19°05'28", AN ARC LENGTH OF 66.64 FEET TO SAID WESTERLY LINE OF PARCEL TWO; THENCE ALONG SAID WESTERLY LINE OF PARCEL TWO N00°40'45"W 992.59 FEET TO A LINE THAT IS PERPENDICULARLY DISTANT 62.00 FEET SOUTHERLY FROM SAID NORTHERLY LINE OF PARCEL TWO; THENCE ALONG SAID LINE N89°36'00"E 11.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING AN AREA OF 10,681 SQ.FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK 88 OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



EXHIBIT F

CITY PROPERTY EASEMENT AREA

NOTE
DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

EXHIBIT F

LEGEND

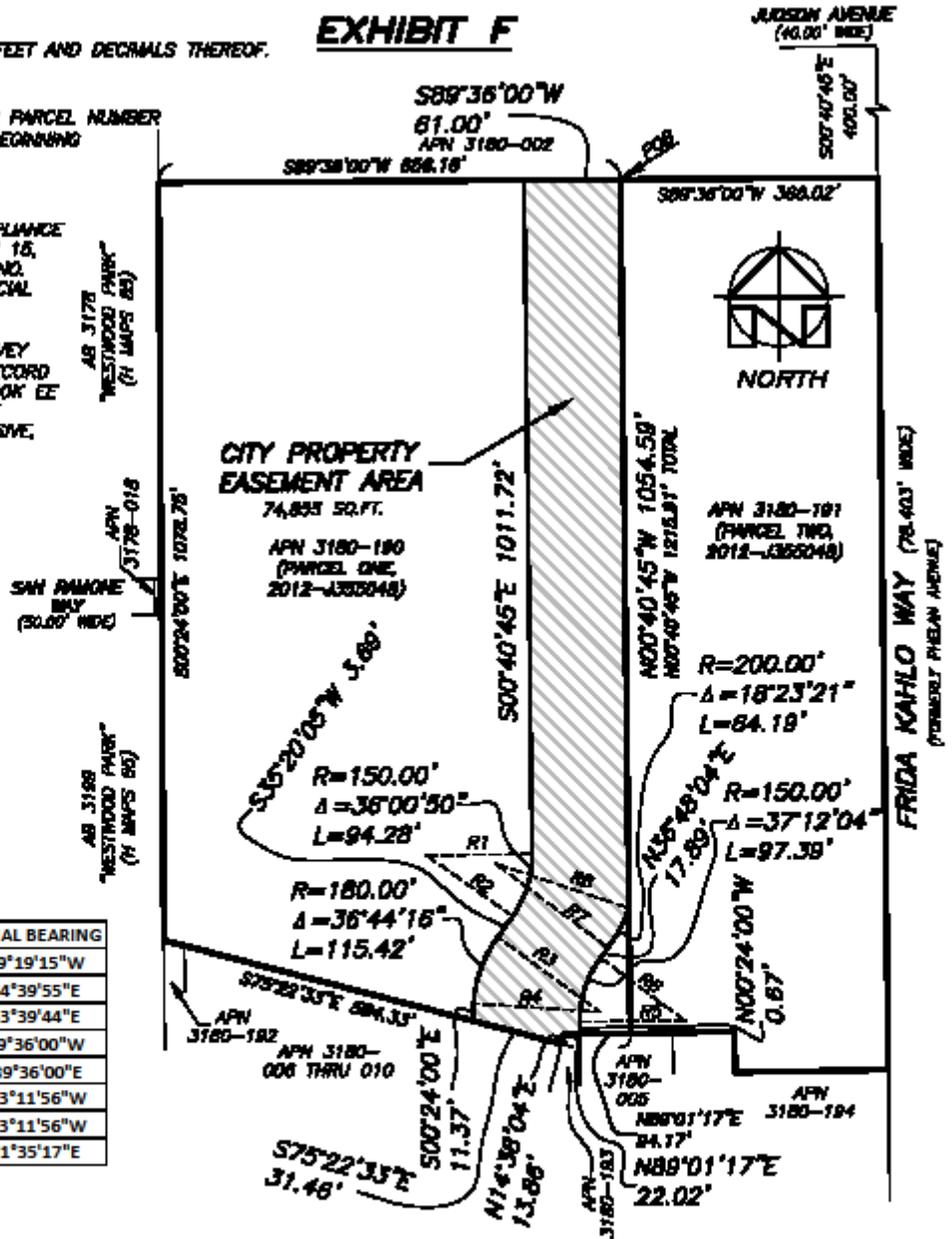
APN ASSESSOR'S PARCEL NUMBER
POB POINT OF BEGINNING

REFERENCES

[1] THAT CERTAIN
CERTIFICATE OF COMPLIANCE
RECORDED FEBRUARY 15,
2012 IN DOCUMENT NO.
2012-J355048, OFFICIAL
RECORDS.

[2] RECORD OF SURVEY
#7017 FILED FOR RECORD
MAY 21, 2012 IN BOOK EE
OF SURVEY MAPS, AT
PAGES 14-15 INCLUSIVE,
OFFICIAL RECORDS.

NO.	RADIAL BEARING
R1	S89°19'15"W
R2	S54°39'55"E
R3	S53°39'44"E
R4	S89°36'00"W
R5	N89°36'00"E
R6	N53°11'56"W
R7	N53°11'56"W
R8	S71°35'17"E



SUBJECT: **CITY PROPERTY EASEMENT AREA**

BY DR. CHKD. BR. DATE 5-18-20 NOT TO SCALE SHEET 1 OF 1 JOB NO. 5-8688

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS

858 HARRISON STREET
SAN FRANCISCO, CA 94107
(415) 543-4900

5-8688 CITY COLLEGE EASEMENT.DWG

EXHIBIT F-1

S-9668
5-19-20

LEGAL DESCRIPTION

"CITY PROPERTY BASEMENT AREA"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL ONE (CITY AND COUNTY OF SAN FRANCISCO), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL ONE; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL ONE S89°36'00"W 61.00 FEET; THENCE S00°40'45"E 1011.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 150.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 36°00'50", AN ARC LENGTH OF 94.28 FEET; THENCE S35°20'05"W 3.69 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST WHOSE RADIUS POINT BEARS S53°39'44"E 180.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 36°44'16", AN ARC LENGTH OF 115.42 FEET; THENCE S00°24'00"E 11.37 FEET TO THE SOUTHERLY LINE OF SAID PARCEL ONE; THENCE ALONG SAID SOUTHERLY LINE S75°22'33"E 31.46 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID SOUTHERLY LINE N14°38'04"E 13.86 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID SOUTHERLY LINE N89°01'17"E 22.02 FEET; THENCE N00°24'00"W 0.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37°12'04", AN ARC LENGTH OF 97.39 FEET; THENCE N36°48'04"E 17.89 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 200.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18°23'21", AN ARC LENGTH OF 64.19 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL ONE; THENCE ALONG SAID EASTERLY LINE N00°40'45"W 1054.59 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 74,855 SQ. FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK 88 OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



EXHIBIT G

ACCESS EASEMENT AREA

NOTE

DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

LEGEND

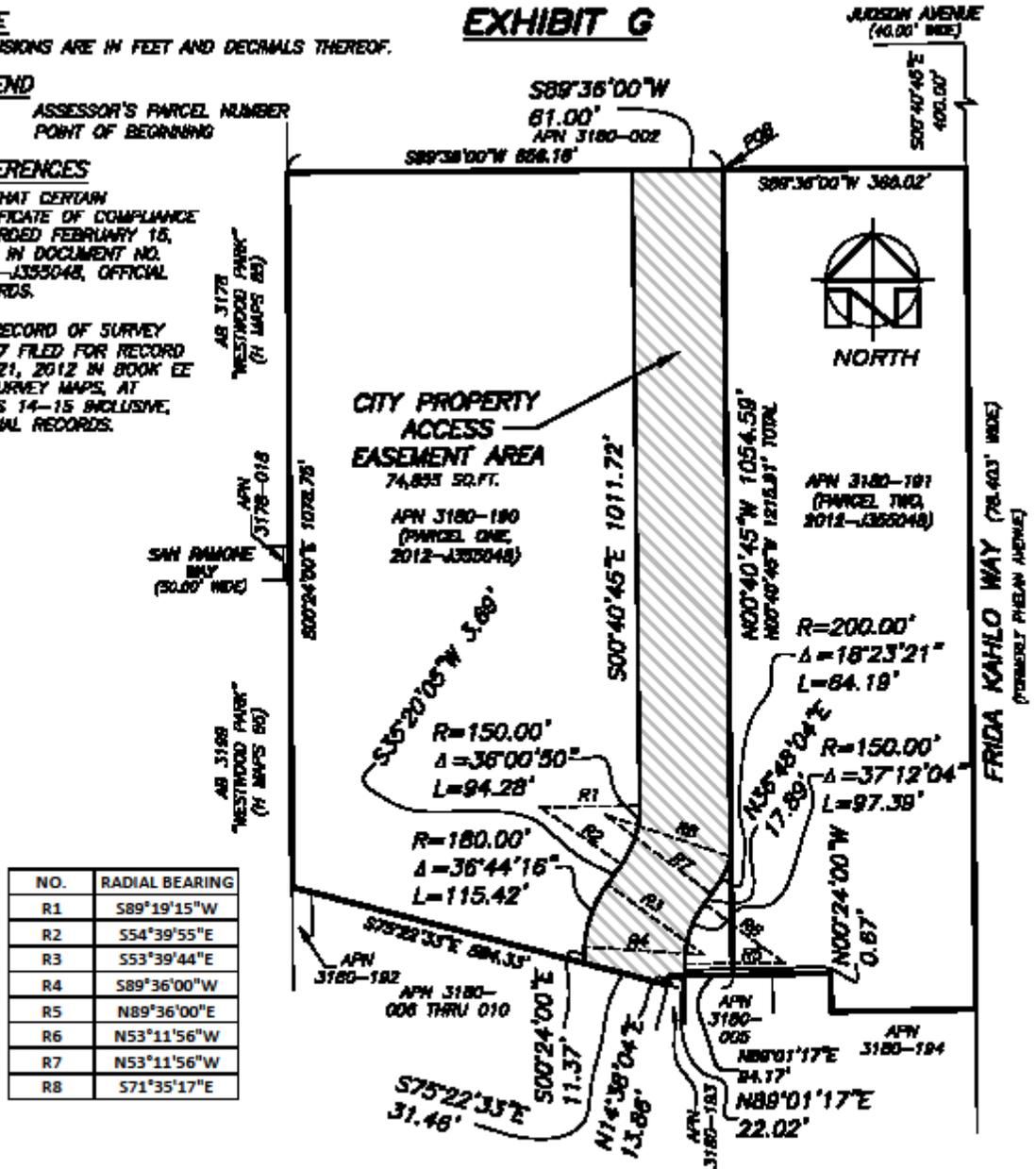
APN ASSESSOR'S PARCEL NUMBER
POB POINT OF BEGINNING

REFERENCES

[1] THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-135504B, OFFICIAL RECORDS.

[2] RECORD OF SURVEY #7017 FILED FOR RECORD MAY 21, 2012 IN BOOK EE OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS.

EXHIBIT G



SUBJECT: **ACCESS EASEMENT AREA**

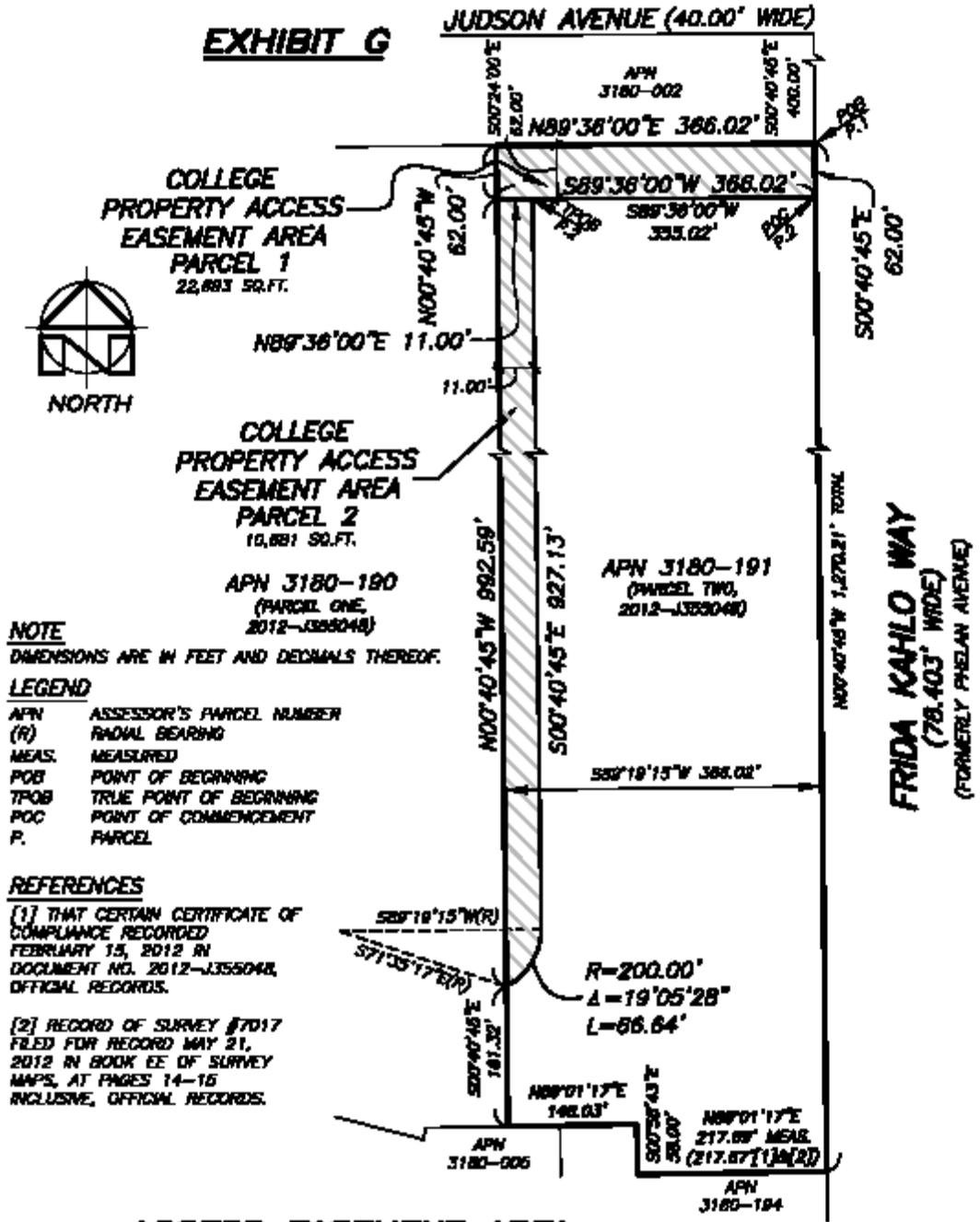
BY DR. CHKD. BR. DATE 5-18-20 NOT TO SCALE SHEET 1 OF 2 JOB NO. 5-8688

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS

858 HARRISON STREET
SAN FRANCISCO, CA 94107
(415) 543-4900

5-8688 CITY COLLEGE EASEMENT.DWG

EXHIBIT G



NOTE
DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

LEGEND
 APN ASSESSOR'S PARCEL NUMBER
 (R) RADIAL BEARING
 MEAS. MEASURED
 POB POINT OF BEGINNING
 TPOB TRUE POINT OF BEGINNING
 POC POINT OF COMMENCEMENT
 P. PARCEL

REFERENCES
 [1] THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS.
 [2] RECORD OF SURVEY #7017 FILED FOR RECORD MAY 21, 2012 IN BOOK EE OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS.

SUBJECT: ACCESS EASEMENT AREA

BY DR CHKD. BR DATE 5-19-20 NOT TO SCALE SHEET 2 OF 2 JOB NO. S-9888

MARTIN M. RON ASSOCIATES, INC.
 LAND SURVEYORS
 S-9888 CITY COLLEGE EASEMENT.DWG

858 HARRISON STREET
 SAN FRANCISCO, CA. 94107
 (415) 543-4500

EXHIBIT G-1

S-9668
5-19-20
PAGE 1 OF 3

LEGAL DESCRIPTION

"ACCESS EASEMENT AREA"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

"CITY PROPERTY ACCESS EASEMENT AREA"

A PORTION OF PARCEL ONE (CITY AND COUNTY OF SAN FRANCISCO), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL ONE; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL ONE S89°36'00"W 61.00 FEET; THENCE S00°40'45"E 1011.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 150.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 36°00'50", AN ARC LENGTH OF 94.28 FEET; THENCE S35°20'05"W 3.69 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS S53°39'44"E 180.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 36°44'16", AN ARC LENGTH OF 115.42 FEET; THENCE S00°24'00"E 11.37 FEET TO THE SOUTHERLY LINE OF SAID PARCEL ONE; THENCE ALONG SAID SOUTHERLY LINE S75°22'33"E 31.46 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID SOUTHERLY LINE N14°38'04"E 13.86 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID SOUTHERLY LINE N89°01'17"E 22.02 FEET; THENCE N00°24'00"W 0.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37°12'04", AN ARC LENGTH OF 97.39 FEET; THENCE N36°48'04"E 17.89 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 200.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18°23'21", AN ARC LENGTH OF 64.19 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL ONE; THENCE ALONG SAID EASTERLY LINE N00°40'45"W 1054.59 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 74,855 SQ. FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK 88 OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



EXHIBIT G-1

S-9668
5-19-20
PAGE 2 OF 3

LEGAL DESCRIPTION

"ACCESS EASEMENT AREA"

"COLLEGE PROPERTY ACCESS EASEMENT AREA"

PARCEL 1:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL TWO, SAID CORNER BEING ON THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN AVENUE, (78.403 FEET WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP SHOWING THE WIDENING OF PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO JUDSON AVENUE" RECORDED FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56, OFFICIAL RECORDS; THENCE ALONG SAID WESTERLY LINE OF FRIDA KAHLO WAY S00°40'45"E 62.00 FEET TO A POINT THAT IS PERPENDICULARLY DISTANT 62.00 FEET SOUTHERLY FROM THE NORTHERLY LINE OF SAID PARCEL TWO; THENCE S89°36'00"W, PARALLEL WITH SAID NORTHERLY LINE OF PARCEL TWO, 366.02 FEET TO THE WESTERLY LINE OF SAID PARCEL TWO; THENCE ALONG SAID WESTERLY LINE N00°40'45"W 62.00 FEET TO SAID NORTHERLY LINE OF PARCEL TWO; THENCE ALONG SAID NORTHERLY LINE N89°36'00"E 366.02 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 22,693 SQ. FT., MORE OR LESS



EXHIBIT G-1

S-9668
5-19-20
PAGE 3 OF 3

LEGAL DESCRIPTION

"ACCESS EASEMENT AREA"

"COLLEGE PROPERTY ACCESS EASEMENT AREA"

PARCEL 2:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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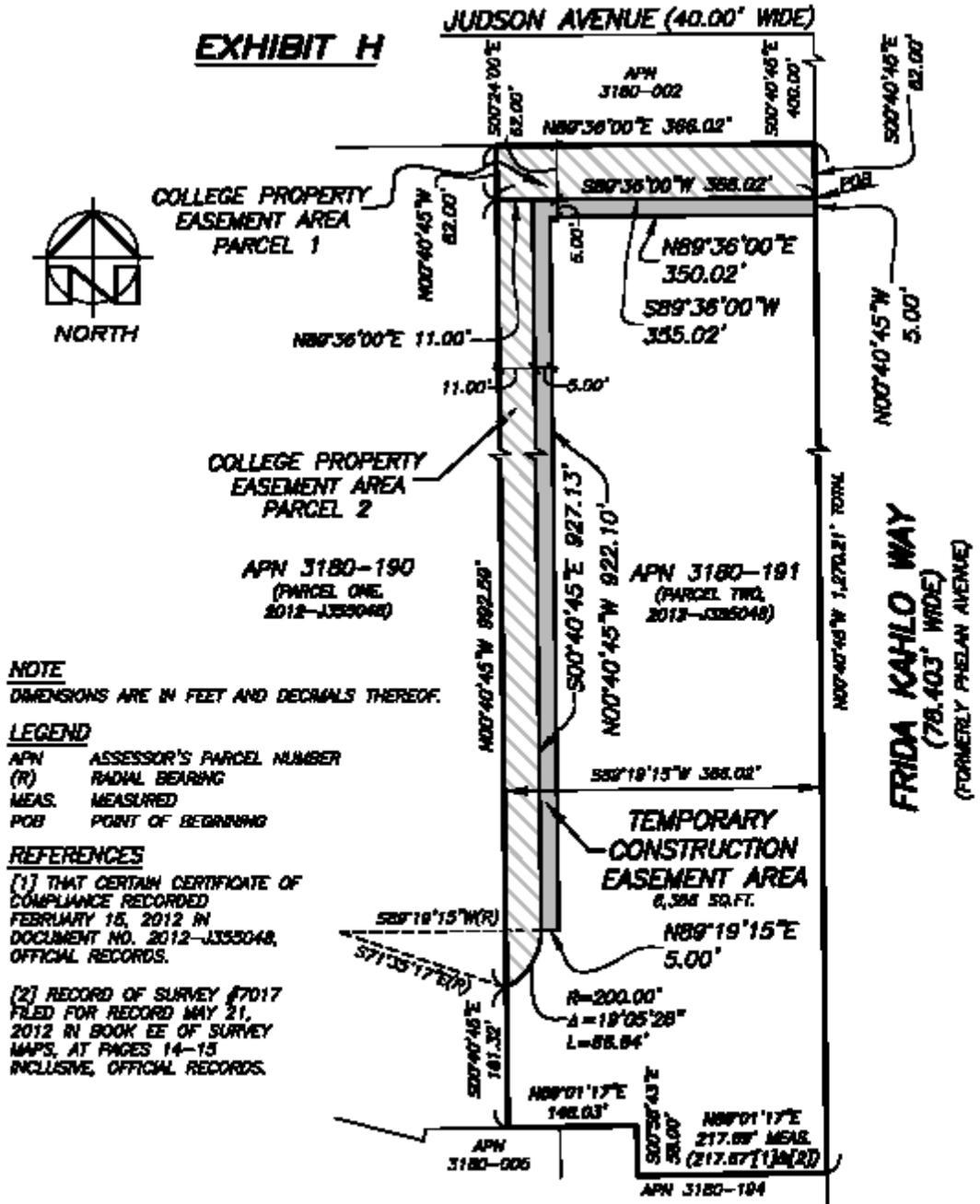
CONTAINING AN AREA OF 10,681 SQ. FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK EE OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



EXHIBIT H

TEMPORARY CONSTRUCTION EASEMENT AREA



SUBJECT: **TEMPORARY CONSTRUCTION EASEMENT AREA**

BY DR. CHKD. BR. DATE 5-19-20 NOT TO SCALE SHEET 1 OF 1 JOB NO. 5-9888

MARTIN M. RON ASSOCIATES, INC.
 LAND SURVEYORS
 5-9888 CITY COLLEGE EASEMENT.DWG

859 HARRISON STREET
 SAN FRANCISCO, CA 94107
 (415) 543-4600

EXHIBIT H-1

S-9668
5-19-20

LEGAL DESCRIPTION

"TEMPORARY CONSTRUCTION EASEMENT AREA"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO,
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID
PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED
FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN
AVENUE, (78.403 FEET WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP
SHOWING THE WIDENING OF PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO
JUDSON AVENUE" RECORDED FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56,
OFFICIAL RECORDS, DISTANT THEREON S00°40'45"E 62.00 FEET FROM THE NORTHEAST
CORNER OF SAID PARCEL TWO TO A POINT THAT IS PERPENDICULARLY DISTANT 62.00
FEET SOUTHERLY FROM THE NORTHERLY LINE OF SAID PARCEL TWO; THENCE
S89°36'00"W, PARALLEL WITH SAID NORTHERLY LINE OF PARCEL TWO, 355.02 FEET TO
A POINT THAT IS PERPENDICULARLY DISTANT 11.00 FEET EASTERLY FROM THE WESTERLY
LINE OF SAID PARCEL TWO; THENCE S00°40'45"E, PARALLEL WITH SAID WESTERLY LINE
OF PARCEL TWO, 927.13 FEET; THENCE N89°19'15"E 5.00 FEET; THENCE N00°40'45"W
922.10 FEET; THENCE N89°36'00"E 350.02 FEET TO SAID WESTERLY LINE OF FRIDA
KAHLO WAY; THENCE ALONG SAID WESTERLY LINE OF FRIDA KAHLO WAY N00°40'45"W
5.00 FEET TO THE POINT OF BEGINNING.

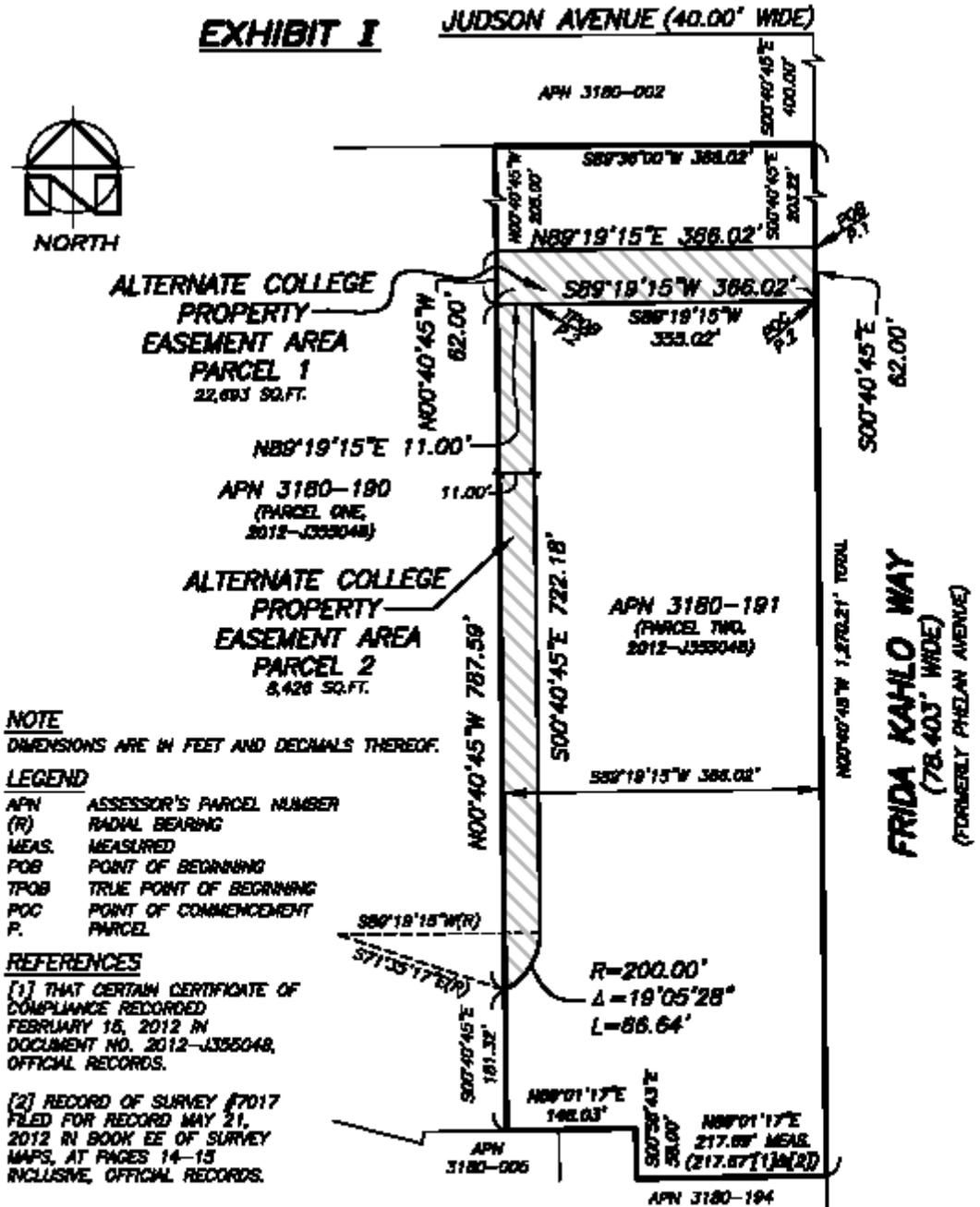
CONTAINING AN AREA OF 6,386 SQ.FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN
AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF
SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK 88 OF SURVEY MAPS, AT
PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN
FRANCISCO.



EXHIBIT I

ALTERNATE COLLEGE PROPERTY EASEMENT AREA



SUBJECT: **ALTERNATE COLLEGE PROPERTY EASEMENT AREA**

BY DR. CHKD. BR. DATE 5-19-20 NOT TO SCALE SHEET 1 OF 1 JOB NO. 5-9868

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS
5-9868 CITY COLLEGE EASEMENT.DWG

859 HARRISON STREET
SAN FRANCISCO, CA 94107
(415) 543-4600

EXHIBIT I-1

S-9668
5-19-20
PAGE 1 OF 2

LEGAL DESCRIPTION

"ALTERNATE COLLEGE PROPERTY BASEMENT AREA"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO,
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID
PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED
FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN
AVENUE, (78.403 FEET WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP
SHOWING THE WIDENING OF PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO
JUDSON AVENUE" RECORDED FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56,
OFFICIAL RECORDS, DISTANT THEREON S00°40'45"E 203.22 FEET FROM THE NORTHEAST
CORNER OF SAID PARCEL TWO; THENCE ALONG SAID WESTERLY LINE OF FRIDA KAHLO WAY
S00°40'45"E 62.00 FEET; THENCE S89°19'15"W 366.02 FEET TO THE WESTERLY LINE
OF SAID PARCEL TWO; THENCE ALONG SAID WESTERLY LINE N00°40'45"W 62.00 FEET;
THENCE N89°19'15"E 366.02 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 22,693 SQ. FT., MORE OR LESS



EXHIBIT I-1

S-9668
5-19-20
PAGE 2 OF 2

"ALTERNATE COLLEGE PROPERTY BASEMENT AREA"

PARCEL 2:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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CONTAINING AN AREA OF 8,426 SQ.FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK EE OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



EXHIBIT J

JUDSON AVENUE (40.00' WIDE)



ALTERNATE COLLEGE
PROPERTY ACCESS
EASEMENT AREA
PARCEL 1
22,863 SQ.FT.

APN 3180-180
(PARCEL ONE,
2012-J333048)

ALTERNATE COLLEGE
PROPERTY ACCESS
EASEMENT AREA
PARCEL 2
8,428 SQ.FT.

APN 3180-191
(PARCEL TWO,
2012-J333048)

FRIDA KAHLO WAY
(78.403' WIDE)
(FORMERLY PHELAN AVENUE)

NOTE

DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.

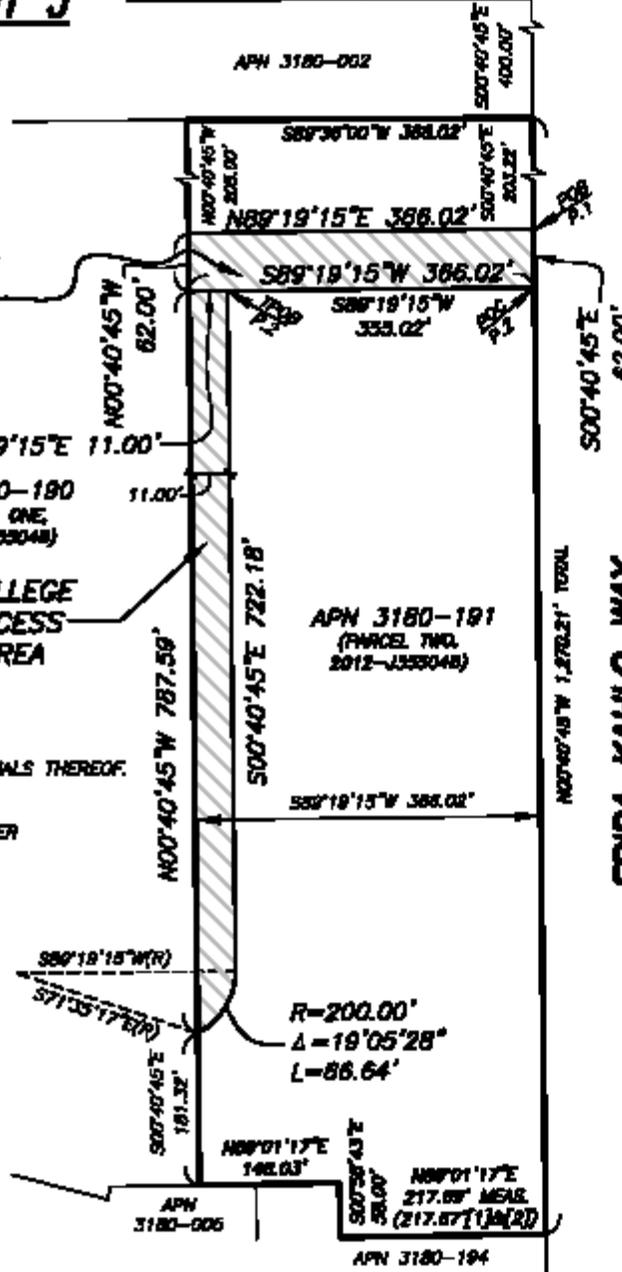
LEGEND

APN ASSESSOR'S PARCEL NUMBER
(R) RADIAL BEARING
MEAS. MEASURED
POB POINT OF BEGINNING
TPOB TRUE POINT OF BEGINNING
POC POINT OF COMMENCEMENT
P. PARCEL

REFERENCES

(1) THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J335048, OFFICIAL RECORDS.

(2) RECORD OF SURVEY #7017 FILED FOR RECORD MAY 21, 2012 IN BOOK EE OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS.



SUBJECT: ALTERNATE ACCESS EASEMENT AREA

BY DR CHKD. BR DATE 5-19-20 NOT TO SCALE SHEET 2 OF 2 JOB NO. S-9888

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS
S-9888 CITY COLLEGE EASEMENT.DWG

858 HARRISON STREET
SAN FRANCISCO, CA. 94107
(415) 543-4500

EXHIBIT J-1

S-9668
5-19-20
PAGE 1 OF 3

LEGAL DESCRIPTION

"ALTERNATE ACCESS EASEMENT AREA"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

"CITY PROPERTY ACCESS EASEMENT AREA"

A PORTION OF PARCEL ONE (CITY AND COUNTY OF SAN FRANCISCO), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL ONE; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL ONE S89°36'00"W 61.00 FEET; THENCE S00°40'45"E 1011.72 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 150.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 36°00'50", AN ARC LENGTH OF 94.28 FEET; THENCE S35°20'05"W 3.69 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS POINT BEARS S53°39'44"E 180.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 36°44'16", AN ARC LENGTH OF 115.42 FEET; THENCE S00°24'00"E 11.37 FEET TO THE SOUTHERLY LINE OF SAID PARCEL ONE; THENCE ALONG SAID SOUTHERLY LINE S75°22'33"E 31.46 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID SOUTHERLY LINE N14°38'04"E 13.86 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID SOUTHERLY LINE N89°01'17"E 22.02 FEET; THENCE N00°24'00"W 0.67 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 150.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 37°12'04", AN ARC LENGTH OF 97.39 FEET; THENCE N36°48'04"E 17.89 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 200.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 18°23'21", AN ARC LENGTH OF 64.19 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL ONE; THENCE ALONG SAID EASTERLY LINE N00°40'45"W 1054.59 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 74,855 SQ. FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK 88 OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



EXHIBIT J-1

S-9668
5-19-20
PAGE 2 OF 3

LEGAL DESCRIPTION

"ALTERNATE ACCESS BASEMENT AREA"

"ALTERNATE COLLEGE PROPERTY ACCESS BASEMENT AREA"

PARCEL 1:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN AVENUE, (78.403 FEET WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP SHOWING THE WIDENING OF PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO JUDSON AVENUE" RECORDED FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56, OFFICIAL RECORDS, DISTANT THEREON S00°40'45"E 203.22 FEET FROM THE NORTHEAST CORNER OF SAID PARCEL TWO; THENCE ALONG SAID WESTERLY LINE OF FRIDA KAHLO WAY S00°40'45"E 62.00 FEET; THENCE S89°19'15"W 366.02 FEET TO THE WESTERLY LINE OF SAID PARCEL TWO; THENCE ALONG SAID WESTERLY LINE N00°40'45"W 62.00 FEET; THENCE N89°19'15"E 366.02 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 22,693 SQ. FT., MORE OR LESS



EXHIBIT J-1

S-9668
5-19-20
PAGE 3 OF 3

LEGAL DESCRIPTION

"ALTERNATE ACCESS EASEMENT AREA"

"ALTERNATE COLLEGE PROPERTY ACCESS EASEMENT AREA"

PARCEL 2:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN AVENUE, (78.403 FEET WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP SHOWING THE WIDENING OF PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO JUDSON AVENUE" RECORDED FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56, OFFICIAL RECORDS, DISTANT THEREON S00°40'45"E 265.22 FEET FROM THE NORTHEAST CORNER OF SAID PARCEL TWO; THENCE S89°19'15"W 355.02 FEET TO A POINT THAT IS PERPENDICULARLY DISTANT 11.00 FEET EASTERLY FROM THE WESTERLY LINE OF SAID PARCEL TWO, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE S00°40'45"E, PARALLEL WITH SAID WESTERLY LINE OF PARCEL TWO, 722.18 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 200.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 19°05'28", AN ARC LENGTH OF 66.64 FEET TO SAID WESTERLY LINE OF PARCEL TWO; THENCE ALONG SAID WESTERLY LINE OF PARCEL TWO N00°40'45"W 787.59 FEET TO A LINE THAT IS PERPENDICULAR TO SAID WESTERLY LINE OF FRIDA KAHLO WAY AND RUNS THROUGH THE TRUE POINT OF BEGINNING; THENCE ALONG SAID PERPENDICULAR LINE N89°19'15"E 11.00 FEET TO THE TRUE POINT OF BEGINNING.

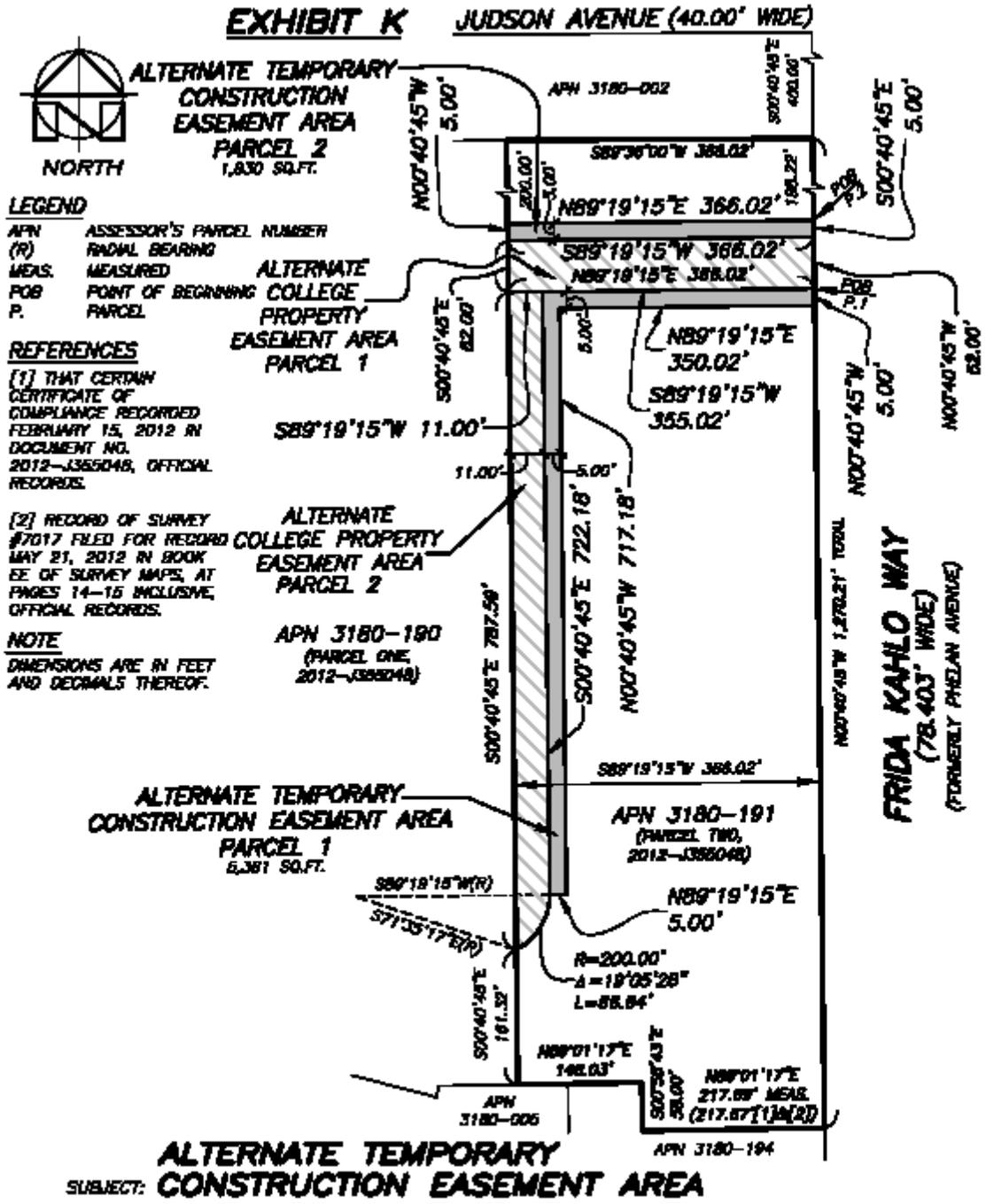
CONTAINING AN AREA OF 8,426 SQ.FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK 88 OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



EXHIBIT K

ALTERNATE TEMPORARY CONSTRUCTION EASEMENT AREA



SUBJECT: **ALTERNATE TEMPORARY CONSTRUCTION EASEMENT AREA**

BY DR. CHKD. BR. DATE 5-19-20 NOT TO SCALE SHEET 1 OF 1 JOB NO. 5-9868

MARTIN M. RON ASSOCIATES, INC.
 LAND SURVEYORS
 5-9868 CITY COLLEGE EASEMENT.DWG

859 HARRISON STREET
 SAN FRANCISCO, CA 94107
 (415) 543-4600

EXHIBIT K-1

S-9668
5-19-20
PAGE 2 OF 2

"ALTERNATE TEMPORARY CONSTRUCTION EASEMENT AREA"

PARCEL 2:

A PORTION OF PARCEL TWO (SAN FRANCISCO COMMUNITY COLLEGE DISTRICT), AS SAID PARCEL IS DESCRIBED IN THAT CERTAIN CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 15, 2012 IN DOCUMENT NO. 2012-J355048, OFFICIAL RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF FRIDA KAHLO WAY, FORMERLY PHELAN AVENUE, (78.403 FEET WIDE), AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP SHOWING THE WIDENING OF PHELAN AVENUE & OCEAN AVENUE FROM OCEAN AVENUE TO JUDSON AVENUE" RECORDED FEBRUARY 15, 1954 IN BOOK R OF MAPS AT PAGE 56, OFFICIAL RECORDS, DISTANT THEREON S00°40'45"E 198.22 FEET FROM THE NORTHEAST CORNER OF SAID PARCEL TWO; THENCE ALONG SAID WESTERLY LINE OF FRIDA KAHLO WAY S00°40'45"E 5.00 FEET; THENCE S89°19'15"W 366.02 FEET TO THE WESTERLY LINE OF SAID PARCEL TWO; THENCE ALONG SAID WESTERLY LINE N00°40'45"W 5.00 FEET; THENCE N89°19'15"E 366.02 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 1,830 SQ.FT., MORE OR LESS

THE BASIS OF BEARINGS FOR THE ABOVE DESCRIPTION IS THE MONUMENT LINE ON OCEAN AVENUE FROM MIRAMAR AVENUE TO LEE AVENUE SHOWN AS S75°22'33"E ON "RECORD OF SURVEY #7017" FILED FOR RECORD ON MAY 21, 2012 IN BOOK EE OF SURVEY MAPS, AT PAGES 14-15 INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO.



From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors; BOS Legislation, \(BOS\)](#)
Subject: FW: In Support - Balboa Reservoir Project - 8-11-2020
Date: Tuesday, August 11, 2020 11:35:04 AM
Attachments: [BOS Balboa Reservoir Project 8-11-2020.pdf](#)

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

From: r and k <woloso1@yahoo.com>
Sent: Monday, August 10, 2020 9:57 PM
To: Yee, Norman (BOS) <norman.yee@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Rafael Mandelman <rafaelmandelman@yahoo.com>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>
Subject: In Support - Balboa Reservoir Project - 8-11-2020

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am writing in support of the Balboa Reservoir Project. I have also included some thoughts on transportation improvements:

I applaud the design of this greenhouse neutral development.

Consistent with my activities in the broader neighborhood and in recognition of the changing economic and housing situations, I believe that a well-designed project with density and 50% low income housing will benefit our broader community and neighborhoods, City College and the City.

Our communities desperately need many of the amenities that are a part of the development design including parks and open space, housing for teachers, students and families, community space and a gateway to City College and public transportation.

This project will also bring much needed year-round foot traffic to the Ocean Avenue Retail District.

A. Bicycle and pedestrian access at San Ramon Paseo are essential: To provide safe entry parallel to Ocean Avenue into the new development and the amenities specifically parks, childcare, walking trails and bike paths as well as easy access to City College and the Muni transit center on Frida Kahlo Way

To allow Westwood Park residents and other neighbors direct and easy access to the same amenities that will be available in the new development.

To fully and seamlessly integrate this new neighborhood into the general community.

B. Multi-Generational Accessibility:

Creating peaceful spaces where people can gather and watch kids play, get together to have a conversation or just sit and read should be incorporated into housing designed with benches, lighting, stoops with accessible ramps and community "nooks."

C. Community Gateway: The concept that the Unity Plaza Design Committee had was that the Plaza would be a gateway and to that end joining the Plaza to this new community via the PUC access area is very important and it seems to me to be achievable.

D.Hazards: In addition to the comments and recommendations regarding designs, building materials and colors that take into consideration our general environment which includes strong ocean winds, fog, humidity that encourages mold, I would also like to point out the grime from heavy street traffic and pigeons. The area along Ocean Avenue has had a history of flooding and recommend that wherever possible permeable pavers or like materials be incorporated in the design and building materials.

E.Community Advisory Committee: I wish to thank the Balboa Reservoir Community Advisory Committee for their due diligence in making this such an effective forum and support the continuation of this Committee in monitoring the project as it moves to the next steps.

F. Comment on Transportation, Bicycle and Pedestrian Safety and other Needed Improvements:

Transportation: 1) Underground the K; 2) Increase frequency (decrease headway) of bus and streetcar lines serving City College; 3) Create the K and T as independent lines with the K based at Metro and T based at Metro East; 4) Re-route the T to link to Balboa Park station from the Sunnydale terminus; and 5) create an independent localized shuttle line.

Pedestrian and Bicycle: 1) Remove berm from the Wellness Center to Frida Kahlo Way to widen the road, create a bicycle lane, wider pedestrian walkway and smooth freeway egress; 2) Create pedestrian only all way crossing times; 3) Utilize Paseo San Ramon as safe entry parallel to Ocean Avenue into the new development and the amenities specifically parks, childcare, walking trails and bike paths as well as easy access to City College and the Muni transit center on Frida Kahlo Way.

By way of reference, I am a resident of Westwood Park (42+ years) and active in the community. I am currently a member of the Ocean Avenue Association Street Life and Business Improvement Committees, the OMI Cultural Participation Project, and other organizations supporting the Ocean Avenue/Ingleside neighborhoods, Arts and Culture District and retail corridor. I am a former member of the Westwood Park Association Board of Directors (President 2009-2016), and Balboa Reservoir Community Advisory Board (Vice Chair 2015-2016) and member of the Mercy Housing and Unity Plaza Design Committees.

Sincerely, Kate Favetti

August 10, 2020

Honorable Board of Supervisors, City and County of San Francisco

To: President Norman Yee
Supervisor Sandra Lee Fewer
Supervisor Catherine Stefani
Supervisor Aaron Peskin
Supervisor Gordon Mar
Supervisor Dean Preston
Supervisor Matt Haney
Supervisor Rafael Mandelman
Supervisor Hillary Ronen
Supervisor Shamann Walton
Supervisor Ahsha Safai

Attention: Angela Calvilla, Clerk, San Francisco Board of Supervisors

RE: In Support - Balboa Reservoir Project

I am writing in support of the Balboa Reservoir Project. I have also included some thoughts on transportation improvements:

Overall Project and Density: I applaud the design of this greenhouse neutral development. I started this process in December 2014 with the opinion, based on previous plans presented by developers over the years, that even 500 units were too many for this space casting the dissenting vote as the Vice-Chair of the Community Advisory Committee on the Principles and Parameters in support of my neighbors and my neighborhood, Westwood Park.

However, consistent with my activities in the broader neighborhood and in recognition of the changing economic and housing situations, I believe that a well-designed project with density and 50% low income housing will benefit our broader community and neighborhoods, City College and the City.

Our communities desperately need many of the amenities that are a part of the development design including parks and open space, housing for teachers, students and families, community space and a gateway to City College and public transportation.

This project will also bring much needed year-round foot traffic to the Ocean Avenue Retail District.

A. Bicycle and pedestrian access at San Ramon Paseo are essential:

- 1) To provide safe entry parallel to Ocean Avenue into the new development and the amenities specifically parks, childcare, walking trails and bike paths as well as easy access to City College and the Muni transit center on Frida Kahlo Way.
- 2) To allow Westwood Park residents and other neighbors direct and easy access to the same amenities that will be available in the new development.
- 3) To fully and seamlessly integrate this new neighborhood into the general community.

- B. **Multi-Generational Accessibility:** Creating peaceful spaces where people can gather and watch kids play, get together to have a conversation or just sit and read should be incorporated into housing designed with benches, lighting, stoops with accessible ramps and community "nooks."
- C. **Community Gateway:** The concept that the Unity Plaza Design Committee had was that the Plaza would be a gateway and to that end joining the Plaza to this new community via the PUC access area is very important and it seems to me to be achievable.
- D. **Hazards:** In addition to the comments and recommendations regarding designs, building materials and colors that take into consideration our general environment which includes strong ocean winds, fog, humidity that encourages mold, I would also like to *point out the grime from heavy street traffic and pigeons*. The area along Ocean Avenue has had a history of flooding and recommend that wherever possible permeable pavers or like materials be incorporated in the design and building materials.
- E. **Community Advisory Committee:** I wish to thank the Balboa Reservoir Community Advisory Committee for their due diligence in making this such an effective forum and support the continuation of this Committee in monitoring the project as it moves to the next steps.
- F. **Comment on Transportation, Bicycle and Pedestrian Safety and other Needed Improvements:**

Transportation: 1) Underground the K; 2) Increase frequency (decrease headway) of bus and streetcar lines serving City College; 3) Create the K and T as independent lines with the K based at Metro and T based at Metro East; 4) Re-route the T to link to Balboa Park station from the Sunnydale terminus; and 5) create an independent localized shuttle line.

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Sincerely,



Kate Favetti

C: Jen Low, Legislative Aide

From: [Somera, Alisa \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Subject: FW: Rezoning of the Balboa Reservoir
Date: Tuesday, August 11, 2020 9:54:59 AM

Alisa Somera
Legislative Deputy Director
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
415.554.7711 direct | 415.554.5163 fax
alisa.somera@sfgov.org

(VIRTUAL APPOINTMENTS) To schedule a “virtual” meeting with me (on Microsoft Teams), please ask and I can answer your questions in real time.

Due to the current COVID-19 health emergency and the Shelter in Place Order, the Office of the Clerk of the Board is working remotely while providing complete access to the legislative process and our services.

Click [HERE](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

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

From: Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>  
Sent: Monday, August 10, 2020 6:03 PM  
To: Mchugh, Eileen (BOS) <[eileen.e.mchugh@sfgov.org](mailto:eileen.e.mchugh@sfgov.org)>; Somera, Alisa (BOS) <[alisa.somera@sfgov.org](mailto:alisa.somera@sfgov.org)>  
Subject: FW: Rezoning of the Balboa Reservoir

For tomorrows Balboa items -

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

From: Hong, Seung Yen (CPC) <[seungyen.hong@sfgov.org](mailto:seungyen.hong@sfgov.org)>  
Sent: Monday, August 10, 2020 2:07 PM  
To: Calvillo, Angela (BOS) <[angela.calvillo@sfgov.org](mailto:angela.calvillo@sfgov.org)>  
Subject: FW: Rezoning of the Balboa Reservoir

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

From: CPC-Commissions Secretary <[commissions.secretary@sfgov.org](mailto:commissions.secretary@sfgov.org)>

Sent: Monday, August 10, 2020 12:11 PM  
Cc: Feliciano, Josephine (CPC) <josephine.feliciano@sfgov.org>; Hong, Seung Yen (CPC) <seungyen.hong@sfgov.org>  
Subject: FW: Rezoning of the Balboa Reservoir

Commission Affairs  
San Francisco Planning Department  
PLEASE NOTE OUR NEW ADDRESS AND PHONE NUMBER AS OF AUGUST 17:  
49 South Van Ness Avenue, Suite 1400, San Francisco, CA 94103  
Direct: 628.652.7600 | [www.sfplanning.org](http://www.sfplanning.org) San Francisco Property Information Map

REDUCED CAPACITY DURING THE SHELTER IN PLACE ORDER -- The Planning Department is open for business. Most of our staff are working from home and we're available by e-mail. Our Public Portal, where you can file new applications, and our award-winning Property Information Map are available 24/7. Similarly, the Board of Appeals and Board of Supervisors are accepting appeals via e-mail despite office closures. To protect everyone's health, all of our in-person services at 1650 and 1660 Mission Street are suspended, and the Planning and Historic Preservation Commissions are cancelled until April 9, at the earliest. [Click here for more information.](#)

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

From: Russell Carpenter <[russellcarpenter@yahoo.com](mailto:russellcarpenter@yahoo.com)>  
Sent: Monday, August 10, 2020 11:16 AM  
Subject: Rezoning of the Balboa Reservoir

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings. I would like to voice my strong opposition to the above-captioned project. As a San Francisco resident since 1973, I have never observed such density in The City. I believe the project would greatly exceed the building height limits, decimate parking in the area (particularly for existent residents and CCSF students), greatly increase density in the area, create traffic congestion (as well as possibly traffic safety), nearly eliminate public open space in the area, and quite possibly overwhelm the public transportation in that hub of The City. Isn't it enough we will be burdened and have been boondoggled by the outlandish expansion of apartments at Park Merced? The area looks like an RV camp for squatters and homesteaders. This doesn't even address why many of the RV owners were forced from the Lower Great Highway but apparently have found a new home near Stonestown Galleria and/or Park Merced. But to get back on point, I urge you to stop this inanity and insanity in its tracks and highly recommend a bouleversement, and to kindly direct the greedy real estate developers to the on-ramp of Highway 101 to head out of town. The residents of The City deserve far better. Thank you, Dr. Russell K. Carpenter.

**From:** [Hunter Cutting](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Cc:** [BeckyE](#)  
**Subject:** Balboa Reservoir Project Affordability and Transit Issues  
**Date:** Wednesday, August 5, 2020 8:30:16 PM  
**Attachments:** [image001.png](#)  
[BalboaProjectLetterSierraClubApproved5Aug2020.pdf](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Angela Calvillo:

On behalf of Becky Evans, Chair of the San Francisco Sierra Club, please accept this letter below and attached for the members of the Board of Supervisors.

Sincerely,

Hunter Cutting

—

San Francisco Group of the San Francisco Bay Chapter

Reply to:  
Sierra Club, San Francisco Group  
1474 Sacramento St., #305  
San Francisco, CA 94109

August 5, 2020

San Francisco Board of Supervisors  
One Dr. Carlton B Goodlett Place, #244  
San Francisco, California 94102

Dear Supervisors:

The Sierra Club has serious concerns regarding the Balboa Reservoir development proposed for 16 acres of public land next to City College of San Francisco. The Sierra Club supports infill development in urban areas to prevent the environmental consequences associated with suburban sprawl. However, this proposal does not make the best use of this unique resource. Given the crucial importance of this development and the critical needs of the community, we request that you continue Board consideration of this proposal so that the issues outlined below can be resolved in order to ensure this development delivers everything the project could and should to the community, particularly the provision of more affordable housing than currently proposed and better mass transit improvements for this project and for City College students and faculty.

Despite the evidence that as much as 100% affordable housing is possible at this site,\* this project only provides 50% affordable housing at a time when the City is suffering from an affordability crisis. The project does not guarantee affordable housing for the students and

faculty at the adjacent City College of San Francisco. The project does not mitigate the project's environmental impacts on the area, nor does it resolve transportation problems associated with this project, undermining transportation access to City College.

This complex and potentially problematic proposal has only recently arrived at the Board of Supervisors, and new elements of the proposal just emerged in the form of new amendments to the Development Agreement between the City and the developer submitted at the Budget and Finance Committee hearing. Given that the Balboa Reservoir is one of the very few remaining large parcels of public land available for development, it is imperative that the Board of Supervisors takes the time to get this right. Review by the Board of Supervisors is an important part of the public process and provides the final check on proposals that have failed, for whatever reason, to mature into projects that are in the best interest of the City and its residents.

-

### **Failure to maximize affordable housing**

The most striking feature of this proposal is that it calls for the City to sell public land at a huge discount to a private developer for a project that will not provide 100% affordable housing, but rather will instead devote 50% of the project to private, market-rate housing.

San Francisco has already met and exceeded its RHNA goals for market-rate housing. And producing more will do extremely little to provide for those who cannot afford market rate housing. Worse, the development of market-rate housing can drive gentrification and displacement, according to a City Planning Department nexus study on the housing impacts of new market-rate housing construction.

Prioritization of affordable housing is a key element for ensuring the success of in-fill housing in minimizing suburban sprawl. Poorly planned hyper-development in urban cores has the perverse effect of driving gentrification and displacement of low-income communities to more affordable outer-ring suburbs where dependency on single-occupancy vehicles and long commutes are necessitated because of the lack of viable public transportation options.

There is considerable evidence that the project could in fact tap revenue streams to make the project 100% affordable.\* While the revenue streams for financing affordable housing are limited, the availability of public land, especially parcels of this size, is much more limited. Further, the revenue streams for affordable housing are regular and ongoing, while the amount of public land in San Francisco is finite and scarce. The budget deficits facing the city primarily affect other revenue streams.

When building affordable housing on public land, the primary limiting factor is the scarcity of public land, not the revenue streams for construction of affordable housing. The answer to providing more affordable housing is not through the sale of public land, but rather is through creating more and larger revenue streams for affordable housing - such as the measures on the fall ballot.

Disturbingly, the Development Agreement appears to provide that the developer has no obligation to build anything at any time, and further it appears that the developer has the ability to sell off any portion of the property at market rate.\*

### **Failure to mitigate significant environmental impacts**

The Subsequent Environmental Impact Report (SEIR) for the project fails to fully identify and mitigate significant impacts on noise, air quality, transit delay, pedestrian and bicyclist safety. In addition, the development would scrap one-third of the geothermal power capacity currently on-site, a significant loss of renewable energy. These heat pump wells currently produce enough power to provide heating/cooling for three large buildings.

### **Failure to address transportation impacts**

The importance of addressing transportation is critical. City College students and employees live throughout San Francisco, as well as the surrounding counties. Current mass transit options for students and employees are extremely limited and impractical for many. More than 80% of the students at City College are low-income and/or persons of color. Many of these students have part-time jobs as well as family obligations. The failure to provide additional mass transit to City College means many of these students must drive in order to squeeze classes in between other responsibilities. About one-third of CCSF students drive alone to school, and about two-thirds of employees drive alone. That represents thousands of students and employees who, should they lose parking without the provision of adequate mass transit alternatives, will find it difficult, if not impossible, to get to their classes or their jobs. Transit to City College via MUNI/BART takes well over an hour from many parts of the City.

### **Conclusion**

For the sake of present residents, students and faculty, and for future generations of San Franciscans, we ask that the Board of Supervisors continue consideration of this important project to ensure that the issues outlined above are resolved.

Sincerely,



Becky Evans, Chair  
SF Group

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[\*] Memo, Balboa Reservoir Development Proposal. Joseph Smooke, 21 July 2020



San Francisco Group of the San Francisco Bay Chapter

Reply to:  
Sierra Club, San Francisco Group  
1474 Sacramento St., #305  
San Francisco, CA 94109

August 5, 2020

San Francisco Board of Supervisors  
One Dr. Carlton B Goodlett Place, #244  
San Francisco, California 94102

Dear Supervisors:

The Sierra Club has serious concerns regarding the Balboa Reservoir development proposed for 16 acres of public land next to City College of San Francisco. The Sierra Club supports infill development in urban areas to prevent the environmental consequences associated with suburban sprawl. However, this proposal does not make the best use of this unique resource. Given the crucial importance of this development and the critical needs of the community, we request that you continue Board consideration of this proposal so that the issues outlined below can be resolved in order to ensure this development delivers everything the project could and should to the community, particularly the provision of more affordable housing than currently proposed and better mass transit improvements for this project and for City College students and faculty.

Despite the evidence that as much as 100% affordable housing is possible at this site,\* this project only provides 50% affordable housing at a time when the City is suffering from an affordability crisis. The project does not guarantee affordable housing for the students and faculty at the adjacent City College of San Francisco. The project does not mitigate the project's environmental impacts on the area, nor does it resolve transportation problems associated with this project, undermining transportation access to City College.

This complex and potentially problematic proposal has only recently arrived at the Board of Supervisors, and new elements of the proposal just emerged in the form of new amendments to the Development Agreement between the City and the developer submitted at the Budget and Finance Committee hearing. Given that the Balboa Reservoir is one of the very few remaining large parcels of public land available for development, it is imperative that the Board of Supervisors takes the time to get this right. Review by the Board of Supervisors is an important part of the public process and provides the final check on proposals that have failed, for whatever reason, to mature into projects that are in the best interest of the City and its residents.

### **Failure to maximize affordable housing**

The most striking feature of this proposal is that it calls for the City to sell public land at a huge discount to a private developer for a project that will not provide 100% affordable housing, but rather will instead devote 50% of the project to private, market-rate housing.

San Francisco has already met and exceeded its RHNA goals for market-rate housing. And producing more will do extremely little to provide for those who cannot afford market rate housing. Worse, the development of market-rate housing can drive gentrification and displacement, according to a City Planning Department nexus study on the housing impacts of new market-rate housing construction.

Prioritization of affordable housing is a key element for ensuring the success of in-fill housing in minimizing suburban sprawl. Poorly planned hyper-development in urban cores has the perverse effect of driving gentrification and displacement of low-income communities to more affordable outer-ring suburbs where dependency on single-occupancy vehicles and long commutes are necessitated because of the lack of viable public transportation options.

There is considerable evidence that the project could in fact tap revenue streams to make the project 100% affordable.\* While the revenue streams for financing affordable housing are limited, the availability of public land, especially parcels of this size, is much more limited. Further, the revenue streams for affordable housing are regular and ongoing, while the amount of public land in San Francisco is finite and scarce. The budget deficits facing the city primarily affect other revenue streams.

When building affordable housing on public land, the primary limiting factor is the scarcity of public land, not the revenue streams for construction of affordable housing. The answer to providing more affordable housing is not through the sale of public land, but rather is through creating more and larger revenue streams for affordable housing - such as the measures on the fall ballot.

Disturbingly, the Development Agreement appears to provide that the developer has no obligation to build anything at any time, and further it appears that the developer has the ability to sell off any portion of the property at market rate.\*

### **Failure to mitigate significant environmental impacts**

The Subsequent Environmental Impact Report (SEIR) for the project fails to fully identify and mitigate significant impacts on noise, air quality, transit delay, pedestrian and bicyclist safety. In addition, the development would scrap one-third of the geothermal power capacity currently on-site, a significant loss of renewable energy. These heat pump wells currently produce enough power to provide heating/cooling for three large buildings.

### **Failure to address transportation impacts**

The importance of addressing transportation is critical. City College students and employees live throughout San Francisco, as well as the surrounding counties. Current mass transit options for students and employees are extremely limited and impractical for many. More than 80% of the students at City College are low-income and/or persons of color. Many of these students have part-time jobs as well as family obligations. The failure to provide additional mass transit to City College means many of these students must drive in order to squeeze classes in between other responsibilities. About one-third of CCSF students drive alone to school, and about two-thirds of employees drive alone. That represents thousands of students and employees who, should they lose parking without the provision of adequate mass transit alternatives, will find it difficult, if not impossible, to get to their classes or their jobs. Transit to City College via MUNI/BART takes well over an hour from many parts of the City.

### **Conclusion**

For the sake of present residents, students and faculty, and for future generations of San Franciscans, we ask that the Board of Supervisors continue consideration of this important project to ensure that the issues outlined above are resolved.

Sincerely,

A handwritten signature in blue ink that reads "Becky Evans". The signature is written in a cursive, flowing style.

Becky Evans, Chair  
SF Group

**From:** [Sheri Miraglia](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Cc:** [swilliams](#); [ltemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [rvurdien@ccsf.edu](#); [lmilloy@ccsf.edu](#)  
**Subject:** Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Thursday, August 6, 2020 8:03:50 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please postpone the approvals of the Balboa Reservoir Project.

The most critical issue is the loss of parking for CCSF students. Without first ensuring other viable transportation options, this dramatic loss will make it difficult, if not impossible, for many of the low-income students and students of color to access the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations. By eliminating parking without some significant mitigation, you essentially will be preventing students from getting the education they need. Many students may drive to other colleges in the east bay or peninsula increasing traffic congestion and pollution.

Parking is not the only issue, and no doubt you are hearing about several others. But to give developers who are rich more \$\$ and take away a needed resource from low-income students is unconscionable and alone is enough to postpone/rethink this project.

Best regards;

**Sheri Miraglia**  
(650) 400-8505 (mobile)  
[miraglsj@gmail.com](mailto:miraglsj@gmail.com)

**From:** [Glenn Rogers](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Yee, Norman \(BOS\)](#); [Maybaum, Erica \(BOS\)](#); [Low, Jen \(BOS\)](#)  
**Subject:** Balboa Reservoir  
**Date:** Friday, August 7, 2020 9:22:15 AM  
**Attachments:** [Balboa Reservoir Resolution.pdf](#)

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Glenn Rogers, RLA  
Vice President  
Coalition for San Francisco Neighborhoods  
[alderlandscape@comcast.net](mailto:alderlandscape@comcast.net)  
<http://csfn.net/wp/>



## **COALITION FOR SAN FRANCISCO NEIGHBORHOODS RESOLUTION REGARDING BALBOA RESERVOIR**

**Whereas**, the SF Public Utilities Commission, in close cooperation with various San Francisco agencies, is proceeding with plans to build a private housing development on public land currently owned by the SF Public Utilities Commission (the "Development"); and;

**Whereas**, this Development is located on the section of the Balboa Reservoir that City College of San Francisco ("CCSF") has improved and leased from the PUC for decades and;

**Whereas**, public land should remain in public hands for the public good and;

**Whereas**, this Development would provide mainly market rate, not affordable, housing and;

**Whereas**, this Development would eliminate parking with no corresponding improvement of transit alternatives, thereby limiting access for students who do not have other viable options;and;

**Whereas**, construction of this Development could delay or prevent completion of the CCSF Performing Arts and Education Center (the "PAEC") approved by voters in 2001 and 2005 bond measures and;

**Whereas**, San Francisco public agencies must abide with State Surplus Land Statute 54222, which requires that any local agency disposing of surplus land shall send, prior to disposing of that property, a written offer to sell or lease the property . . . to any school district in whose jurisdiction the land is located and;

**Whereas**, this Development would have significant environmental impacts in the surrounding area and;

**Be it resolved**, the Coalition for San Francisco Neighborhoods (CSFN) asks the SF PUC to transfer this public property to City College of San Francisco and furthermore,

**Be it resolved**, the CSFN urges the CCSF Board of Trustees to exercise their right as a public institution to ask the SF PUC to transfer this public property to CCSF so as to keep it forever in public hands for the public good and furthermore;

**Be it resolved**, the CSFN urges the CCSF Board of Trustees to remain vigilant to ensure that the PAEC be built before any development on the Balboa Reservoir goes forward and furthermore;

**Be it resolved**, in the event that the transfer of title to the property to CCSF does not take place, and the Development is pursued, the CSFN urges the CCSF Board of Trustees to remain vigilant to ensure that any loss of parking be mitigated before any development on the Balboa Reservoir goes forward so as not to limit the educational access of any student.

George Wooding, President, CSFN

**From:** [Monica Collins](#)  
**To:** [Board of Supervisors, \(BOS\); fightbacksaveccsf13@googlegroups.com](#)  
**Subject:** Balboa Reservoir & AvalonBay Developers  
**Date:** Friday, August 7, 2020 10:36:02 AM

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Esteemed Board Members:

Am begging you to reject the profoundly misbegotten Balboa Reservoir project and virtual land giveaway from PUC to for profit private Fortune 500 developers, AvalonBay. There is every reason to allow CCSF itself to purchase the land with bond money already approved, or a consortium of CCSF faculty/ staff, retirees, supporters, students, neighbors & community members. This would give the neighborhood, city and Bay Area a fantastic performing arts center housing the fabulous jewel, the Diego Rivera Murals, now housed in the small inadequate Rivera theater. It would be a tremendous investment that would pay for itself quickly, as a similar one already built in Folsom, CA, has. Folsom should not steal SF's thunder! What does that say about our cosmopolitan, culture loving and heavily touristed city? Imagine everything from rap to jazz concerts. Mexican Ballet Folklorico, my favorite, light opera. International dance fests. Maybe Tony Bennett could sing! Art films, local productions, you name it.

Over Whole Foods a few blocks away on Ocean, AvalonBay has market rate apartments for rent. A one BR efficiency apartment goes for \$4,000, please check this out.

As to the definition of affordable housing, it's been pointed out that this merely means someone can afford it. As to income limits, number of units available as affordable, or PRICE of a unit, that is murky. Those who say they know are probably the ones promising a fabulous large park ( now a little dinky park!) I propose that the word "affordable" be replaced with the word "nice". It's just as meaningful! "WE PROMISE TO BUILD NICE HOUSING!" Might as well!

Prior to COVID pandemic, at market / expensive units went begging. Today, with a huge recession under way, it's far worse. There couldn't be a worse time for this unneeded project. As useless as teats on a boar.

Car shaming is not a policy. It's a feel good, Puritanical "answer" for desperate commuters. Limiting parking, same. If you aren't providing serious funding and PLANNING, it's doomed to fail when vehicles swarm all over the project from UBER/ Lyft to Amazon to UPS to USPS to Fed Ex to food delivery services 24/7.

Did I say traffic and parking? These are already terrible now. The BalRes parking lot is filled almost always during school term. Last time I drove I spent 20 min looking for a parking place. Frida Kahlo Way is a one lane thoroughfare adjoining two parts of town, though not originally engineered as such. The firehouse on the corner at Ocean Bl has to dispatch emergency vehicles & firetrucks to the Sunnyside, Glen Park using FKW. On school days the street is jammed with 20 to 30 minute delays morning through evening. In the summer one's car engine may overheat as you sit in the sun without moving for 10 minutes and traffic pours onto FKW from Cloud Circle/ campus and from BalRes lot. Students wanting to save money may block neighbor's garage, just 6 inches on either side so they can't drive out of the garages. It's happened a lot and we're asking for more.

The shocking dearth of reservoirs & hydrants in the west part of town has caused many fire

chiefs/ firefighters to cry out in horror and to show the maps that show what shocking peril we are in. We're definitely not prepared for a lot of housing there.

A huge percentage of CCSF students are 2nd Chance or dare I say, maybe last chance folks looking for that elusive opportunity. Many a student is a thirty something with a 3 year old in day care and a student in grade school. Lots are commuters from say, Pinole, not near a BART line. Up at 4am to drop one child then the other and off to their first job, then to CCSF for academic or vocational course of study. Countless grads have thanked me once off to university or their new job, proud, happy taxpayers at last. This sort of education is also an investment- one that pays off nine fold! And that ugly unfashionable parking lot is their lifeline. If you provide quick & affordable alternatives, that might help! Working class PoC, women and genderqueer folks, etc definitely need more than just lip service and verbal support.

Further, many faculty are older. 55 year old p/t adjunct faculty struggling to carry 50 pounds of teaching aids/ papers/ books, or two sizable musical instruments from/ to BART then CCSF, are in a hurry as they need more than one such job to survive. It's no joke.

I've sat through all of the CAC meetings and watched the razzle dazzle from the developers.

Am I stunned that almost none of these are materializing? No. Who remembers the "25 schools for Mission Bay development"? How many were built? surprise- zero. Yes, I get a little cynical about large developments like this. The corporate tail wags the community dog! Have also observed YIMBY in action. I was shocked to realize they are overwhelmingly white, upper middle class and feeling that sense of entitlement some locals unfortunately have. They want cut rate housing for themselves. Irony: most locals had to take the same risks & make the same sacrifices everyone else did. We aren't entitled to cut rate housing because of an accident of geography or birth here. Many YIMBY have elite educations, like USF or masters' degrees. Yes I feel for them, but nature saw fit to make this a little 7x7 spit of land. We aren't Dallas, Atlanta or LA. Our beauty is in not looking just like them with mega clusters of ordinary looking housing or big new towers.

The city of Paris has of course 20 Arrondissements that are protected. Paris knows it's considered an architectural jewel and protects their assets the way we don't here. Housing for most is therefore in the banlieux, suburbs, outside the city limits and served by RER or a commute train.

And in NYC, few demand the right to crowd onto Manhattan- there are four residential boroughs for that, and other suburbs in NY, NJ etc.

There is a lot of fallow land literally two minutes from SF on Geneva Corridor. Much of it a great investment as other developers have put nice condos & apartments right on Geneva. There are no compelling reasons to build a large complex in SF, imo, but if you do, there's a lot of fallow land including lots at 19th Ave/ Sloat, vacant since early sixties, Alemany & Geneva, barren for 20+ years, and a few others. Offering the likely absentee owners a nice price for this land could be doing them a world of good. Win/win!

Apologies for the great length of this letter. See, there are so many reasons to oppose this shocking sweetheart deal, as it seems, and as media watchdogs suggest. It's also a very bad look now that this cat is out of the proverbial bag.

Thank you for having read all this. Please support this wonderful beloved and very popular school! Very grateful.

Sincerely,

Monica Collins

40 year Sunnyside Dist 7 resident, 25 year CCSF staffer.

**From:** [Beth Lewis](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Fewer, Sandra \(BOS\)](#)  
**Subject:** Oppose the Balboa Reservoir Project: No to Corporate Welfare – Yes to CCSF  
**Date:** Friday, August 7, 2020 12:55:16 PM

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Supervisors, Mayor Breed and Trustees,

I am writing to ask you to oppose the Balboa Reservoir Project which you will soon be voting on.

The City is about to sell the Balboa Reservoir, which is public land, to a corporate housing developer whose CEO makes \$10M/year. The developer claims that by building 550 market rate units it will be able to subsidize an additional 550 affordable, or below market rate units. In reality, it is mainly city and state funds that will subsidize the affordable units.

The housing crisis in San Francisco is an affordable housing crisis. This Project, built on public land, should be a 100% truly affordable development.

Even worse, the City is selling the land at a deep discount to this private developer, subsidizing a wealthy corporation with tax payers' dollars. It's a sweetheart deal, corporate welfare at its worst and should not be tolerated.

An additional concern is that by building separate market rate and affordable units, the Project results in a development that creates de facto segregation. This is inconsistent with San Francisco's inclusionary housing policy, which mandates that affordable and market rate units should all be under the same roof, creating a diverse housing community.

This project will also cause irreparable harm to City College of San Francisco. The Balboa Reservoir land has been used by CCSF for decades. Currently it provides commuter students, staff, and faculty access to CCSF with essential parking. Loss of this parking, without first ensuring other viable transportation options, will make it difficult, if not impossible, for many of the low-income students and students of color to access the campus and get the education and professional training they need.

This is a city-wide issue. We need a City government that fights for housing justice and education.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely,  
Beth Lewis  
571 25th Avenue  
SF, CA 94121

**From:** [Harry Bernstein](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** for August 11, on the appeal of the final SEIR for the Balboa Reservoir project  
**Date:** Friday, August 7, 2020 4:51:33 PM

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Dear Board of Supervisors

The CEQA process for the Balboa Reservoir began last year and there was a high level of participation.

Incidentally, I am reminded that the Planning Department has a plan, probably on its way to you, to further restrict the use of CEQA for environmental review, which is unwise. For as long as development projects pose environmental risks, there must be a way for the public to participate in reviewing and evaluating them.

So how is it that after processing the voluminous material making up the record for the CEQA review on this project, and a subsequent set of published answers to the initial citizen responses there is still ample justification for this appeal?--it amounts to a form of public protest to flawed procedures. You'll soon be discussing the details and evaluating the merits of the case. I've been hearing for weeks that the public assumes that this review process will be handled expeditiously and that the appeal will be rejected. But if you proceed as Alvin Ja--a neighbor and supporter of City College of San Francisco, and one of today's appellants--has observed that your own rules say you're supposed to, it's not clear that you would come to that conclusion. He wrote:

This is how the Board of Supervisors is supposed to handle Appeals, per Administrative Code 31.16 (b)(6):

*(6) The Board shall conduct its own independent review of whether the CEQA decision adequately complies with the requirements of CEQA. The Board shall consider anew all facts, evidence and issues related to the adequacy, accuracy and objectiveness of the CEQA decision, including, but not limited to, the sufficiency of the CEQA decision and the correctness of its conclusions.*

Can you honestly say that you have done due diligence to this submission? Mr. Ja has pointed out to you that for the CEQA process in San Francisco, one wing of the Planning Department (Environmental) is charged with evaluating critiques of the work from the other part. The goal of the responses is to find a way to invalidate or undermine the objections raised by the public. Sometimes, when there were some problems legitimately acknowledged in an earlier draft of the EIR, the evidence of those faults magically vanished in the final draft--Mr. Ja has supplied detailed examples of this process.

So, the process itself is one of the issues. The refusal to even evaluate a 100% affordable alternative is problematic. True, conventional wisdom says that this wouldn't work within the for-

profit model because it does not generate enough profits. But if the BR project proposes to produce 500 units of affordable housing, of which the City has an ample supply after overproducing for that market for years, in order to pay for the affordable units, then you can only do it by privatizing the land and virtually giving it away at a bargain basement price. But the incredible level of State and local subsidies that the developer raised to go with its modest 21% contribution means that you and I, moreso than the developer, were relied on to provide so much of the project's funding. In another part of the equation, the ratepayers of the Water Department, for whose benefit the property is being sold, aren't getting the benefit that they have been promised for years. On August 26, 2015, when the BRCAC was established, the SFPUC had a presentation about the Balboa Reservoir--the presentation is still on their website. PowerPoint slide 23, in describing the SFPUC Surplus Land Process says that "under CA law, property/land must be sold at fair market value to compensate SFPUC ratepayers." Then slide 24, in describing Balboa Reservoir and the SFPUC notes that "Property sale proceeds must be invested back in to water system to fund operations, maintenance or capital projects." This was a presentation for community people, not specialists, who would have accepted those words for what they seemed to mean. They would not have known that "sold at fair market value" could ever mean selling the property at a 95% discount. But those assurances were trotted out repeatedly at various public meetings I've attended over the years. The Budget and Finance Committee last month had quite an involved discussion trying to entangle that and justify that process; maybe you'll have more luck on that than I did.

And just briefly, City College is seen in the CEQA process as a neighborhood and neighboring entity, but the impacts on the College are not reckoned fairly, sometimes not at all. This is a failing. Likewise, so much of the data gathered so painstakingly for CEQA review have become inapplicable, even obsolete due to the changes that have resulted from the current pandemic. But conventional face-to-face classes will resume some day--we hope soon. Regardless, the impact of a six-year construction process with inevitable noise dust and air pollution don't make for a salubrious atmosphere. The fact that for part of that time City College expects to have its own construction project on the Upper Reservoir site--even though this construction was mistakenly overlooked when the developer suggested that 220 replacement parking spaces would be adequate for the College, especially for those periods of times when grading would be underway and no outside parking would be available, also at the beginning weeks of the semester. Such considerations should have been part of the public discussion from the beginning.

Finally, returning one last time to the concept of 100% affordable housing, you have heard much of the proposal for 550 units of 100% affordable housing. Some Supervisors, during private discussions, complained that such an alternative was being brought to them at the last minute, and for a good reason. The CEQA process failed to explore that option for insufficient reasons. It was only because a small group of individuals sought to have this option explored and the funding mechanism explained that Mr. Smooke's expertise was drawn on to provide an alternative proposal. An existing mock-up was slightly modified to allow viewers to better visualize what such a project could look like. Yes, it's a different project, yet it is in concept of what should have been an intrinsic part of this very CEQA process that is being discussed today. The SEIR is not accurate or adequate. When you thoroughly review the evidence presented in the documents in light of the points articulated in the appeal itself, you will find that the evidence does not lead to the conclusions claimed by the promoters. You should not accept the findings of the SEIR.

Thank you for your consideration.

Harry Bernstein

District 11

**From:** [Allan Fisher](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** Balboa Reservoir Project  
**Date:** Friday, August 7, 2020 7:37:07 PM

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## Balboa Reservoir project - Public Comment

I urge the BOS to oppose the use of public land to construct privately owned market rate housing as proposed. The developer is committed to building 33% for “low and moderate income” use, but there is no clear commitment of what this means since no estimate has been given as to what such units would be rented for. A smaller project with 100% affordable housing units, truly affordable to low and moderate income residents, owned by the city or by CCSF, should be built instead.

The ridiculous sale price of 11 million dollars for 16 acres of land appears to be a give-away to a private for-profit developer. With all the public subsidies, the developer will be responsible to finance only a small amount of the “affordable” units and be able to profit enormously through the 50 – 67% of market rate housing that will be built. Furthermore, apparently after 57 years, the developer will have rights to jack up the rents.

This massive project will not be beneficial to the people of the neighborhood, and especially to the working-class students who will not be able to afford these units. Instead students, staff and faculty will suffer from reduced and more expensive parking, noisy and dusty construction, and the increased street congestion will make it more difficult and time consuming to access CCSF. To propose this project without a guarantee of increased and more efficient mass-transit possibilities, without proper compensation for CCSF, and permitting the transfer of public land to a private developer is unconscionable.

Sincerely,

Allan and Ana Fisher  
800 Shields Street  
SF 94132

--

Allan Fisher  
[afisher800@gmail.com](mailto:afisher800@gmail.com)  
415-954-2763

--

Allan Fisher  
[afisher800@gmail.com](mailto:afisher800@gmail.com)  
415-954-2763

**From:** [J Sneed](#)  
**To:** [Board of Supervisors \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Cc:** [swilliams](#); [Itemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [rvurdien@ccsf.edu](#); [lmlloy@ccsf.edu](#)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Sunday, August 9, 2020 10:21:49 AM

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Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved.

Some of the issues are:

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
- ensuring adequate affordable educator housing
- loss of parking, without first ensuring other viable transportation options, will make it difficult, if not impossible, for many of the low-income students and students of color to access the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations. This project would profoundly downsize City College.

***Please protect City College. Be sure that all outstanding issues are resolved before you approve this project.***

In addition to City College, the City of San Francisco is at risk by this sale of public land to a corporate housing developer whose CEO makes \$13 M/year. The developer claims that by building 550 market rate units it will be able to subsidize an additional 550 affordable, or below market rate units. In reality, it is mainly city and state funds that will subsidize the affordable units, not the developer.

The housing crisis in San Francisco is an affordable housing crisis. This Project, built on public land, should be a 100% truly affordable development.

Even worse, the City is selling the land at a deep discount to this private developer, subsidizing a wealthy corporation with tax payers' dollars. It's a sweetheart deal, corporate welfare at its worst and should not be tolerated.

An additional concern is that by building separate market rate and affordable units, the Project results in a development that creates de facto segregation. This is inconsistent with San Francisco's inclusionary housing policy, which mandates that affordable and market rate units should all be under the same roof, creating a diverse housing community.

This is a city-wide issue, not solely a District 7 issue! We need a City government that fights for housing justice and education.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely,

Jane Sneed, CCSF Faculty, Emerita

San Francisco Resident, District 8

**From:** [macbook](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** Balboa Reservoir  
**Date:** Sunday, August 9, 2020 10:33:53 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please do not allow the Balboa Reservoir to be turned into a massive for-profit housing project. It will have zero benefit to the surrounding neighborhoods and have a terrible impact on City College.

San Francisco should not be building expensive housing at a time when we are entering into the worst economic depression in 100 years during a major pandemic.

Thousands of people have been laid off, business have shuttered and unemployment is at its peak. This is no time to launch huge new building projects designed to line the pockets of greedy developers.

Willa Owings

[wowings@ccsf.edu](mailto:wowings@ccsf.edu)

Willa Owings

[wowings@ccsf.edu](mailto:wowings@ccsf.edu)

**From:** [Suzanne Kirkham](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Cc:** [swilliams](#); [ltemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [rvurdien@ccsf.edu](#); [lmilloy@ccsf.edu](#)  
**Subject:** Save City College, Oppose the Balboa Reservoir Project No to Corporate Welfare – Yes to CCSF  
**Date:** Sunday, August 9, 2020 10:42:49 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**From:** Suzanne Kirkham, owner 954 Teresita Blvd, S.F. District 7 voter, and senior student SF City College

Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. Some of the issues are:

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
- ensuring adequate affordable educator housing
- loss of parking, without first ensuring other viable transportation options, will make it difficult, if not impossible, for many of the low-income students and students of color to access the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations. This project would profoundly downsize City College.

***Please protect City College. Be sure that all outstanding issues are resolved before you approve this project.***

In addition to City College, the City of San Francisco is at risk by this sale of public land to a corporate housing developer whose CEO makes \$13 M/year. The developer claims that by building 550 market rate units it will be able to subsidize an additional 550 affordable, or below market rate units. In reality, it is mainly city and state funds that will subsidize the affordable units, not the developer.

The housing crisis in San Francisco is an affordable housing crisis. This Project, built on public land, should be a 100% truly affordable development.

Even worse, the City is selling the land at a deep discount to this private developer, subsidizing a wealthy corporation with tax payers' dollars. It's a sweetheart deal, corporate welfare at its worst and

should not be tolerated.

An additional concern is that by building separate market rate and affordable units, the Project results in a development that creates de facto segregation. This is inconsistent with San Francisco's inclusionary housing policy, which mandates that affordable and market rate units should all be under the same roof, creating a diverse housing community.

This is a city-wide issue, not solely a District 7 issue! We need a City government that fights for housing justice and education.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely, Suzanne Kirkham

**From:** [Thomas Kuhn](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** Tuesday's 3 pm meeting request  
**Date:** Sunday, August 9, 2020 11:45:53 AM

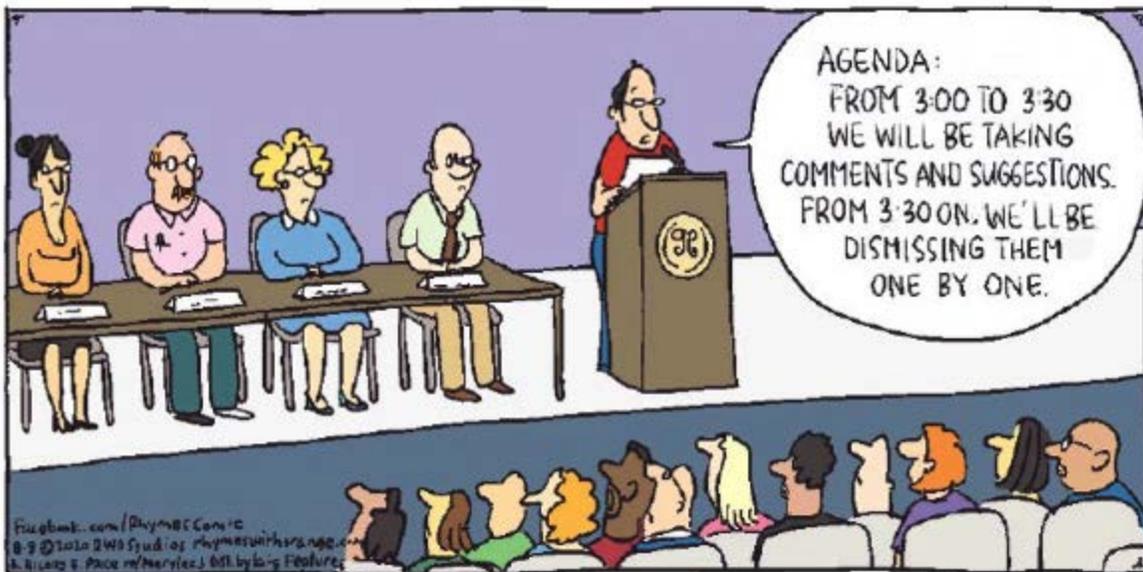
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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors Secretary,

Please don't make this the predetermined rule for meeting.

**RHYMES WITH ORANGE** *Hilary B. Price*



I oppose the Balboa Reservoir Project. Among many reasons, It disregards the overwhelming support for Prop A (\$845 M Bond for CCSF), which showed that SF voters desire the development and expansion of CCSF. The Balboa Reservoir is critical for CCSF's growth. Privatizing this land contradicts and undermines the public interest.

Thank You,

Tom Kuhn DDS  
2383 California St  
San Francisco CA 94115

O: [415/921-2448](tel:4159212448)  
H: [415/751-6925](tel:4157516925)  
C: [415/205-2477](tel:4152052477)

**From:** [Ann Wettrich](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Sunday, August 9, 2020 11:58:26 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved.

Some of the issues are:

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
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- loss of parking, without first ensuring other viable transportation options, will make it difficult, if not impossible, for many of the low-income students and students of color to access the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations. This project would profoundly downsize City College.

***Please protect City College. Be sure that all outstanding issues are resolved before you approve this project.***

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The housing crisis in San Francisco is an affordable housing crisis. This Project, built on public land, should be a 100% truly affordable development.

Even worse, the City is selling the land at a deep discount to this private developer, subsidizing a wealthy corporation with tax payers' dollars. It's a sweetheart deal, corporate welfare at its worst and should not be tolerated.

An additional concern is that by building separate market rate and affordable units, the Project

results in a development that creates de facto segregation. This is inconsistent with San Francisco's inclusionary housing policy, which mandates that affordable and market rate units should all be under the same roof, creating a diverse housing community.

This is a city-wide issue, not solely a District 7 issue! We need a City government that fights for housing justice and education.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely,

Ann Wettrich

Former CCSF student and concerned citizen

**From:** [Frank Farrell](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [lmilloy@ccsf.edu](mailto:lmilloy@ccsf.edu); [rvurdien@ccsf.edu](mailto:rvurdien@ccsf.edu); [Yee, Norman \(BOS\)](#)  
**Cc:** [swilliams](mailto:swilliams); [ttemprano@ccsf.edu](mailto:ttemprano@ccsf.edu); [bdavila@ccsf.edu](mailto:bdavila@ccsf.edu); [ivylee@ccsf.edu](mailto:ivylee@ccsf.edu); [alexrandolph](#); [jrizzo@ccsf.edu](mailto:jrizzo@ccsf.edu); [tselby; studenttrustee@mail.ccsf.edu](mailto:tselby; studenttrustee@mail.ccsf.edu)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Sunday, August 9, 2020 1:13:58 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor Breed, SF Board of Supervisors, CCSF Chancellor and Trustees-

Please postpone the Approval of the Balboa Reservoir Project, until all pending issues are resolved and until alternative proposals have been fully vetted. If the Appeal is not approved, then please OPPOSE this project.

City lands must not be sold to Avalon Development Co.

City College and the surrounding lands must be used in ways that maximize the education of San Franciscans, and provide affordable educational and affordable housing opportunities for SF students and faculty. San Franciscans have already voted to have a tuition-free educational opportunity for its residents. San Franciscans have already voted funds to build new buildings [theatre and STEAM building], and to support the Mission of City College. We must support and build upon those interests and not jeopardize those efforts. The City of San Francisco already has vacant 'market value housing'- more is not needed.

I speak as a San Franciscan who has raised 3 young women in the City— and who also is mentoring a young man who was raised in the Foster Care system, and has been able to now attend CSLB after spending 3 invaluable years at CCSF. As a larger community, in one of the wealthiest cities in the US, we must maximally support these opportunities- in direct education and in the support system to provide a free education [supporting the faculty, etc...].

Two of my daughters are artists, and I am disheartened to see how the Arts curricula have been drastically cut at CCSF. CCSF must maintain and support a diversity of educational interests.

Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. Some of the issues are:

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
- ensuring adequate affordable educator housing
- loss of parking, without first ensuring other viable transportation options, will make it difficult, if not impossible, for many of the low-income students and students of color to

access the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations. This project would profoundly downsize City College.

*Please protect City College. Be sure that all outstanding issues are resolved before you approve this project. If the appeal is not approved, then please OPPOSE this project- and oppose the sale of city property to Avalon.*

Sincerely,  
Isabelle Ryan, MD  
Frank Farrell, MD

**From:** [Christopher Pederson](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Yee, Norman \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)  
**Subject:** Balboa Reservoir - deny appeal, affirm EIR, approve project (agenda items 36-41)  
**Date:** Sunday, August 9, 2020 2:11:11 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear President Yee and Supervisors:

As a neighbor of City College, I strongly urge you to deny the appeal and affirm the certification of the EIR for the Balboa Reservoir project. Maximizing the amount of multi-family housing, including affordable housing, is the most environmentally and socially beneficial use of the site.

The current large but mostly unused parking lot is an ideal location for multi-family housing – close to BART, multiple Muni lines (even now during the pandemic), a major employment center (City College), and the Ocean Avenue commercial district. Building abundant transit- and pedestrian-oriented housing with limited parking is crucial for reducing the City’s greenhouse gas emissions. The housing, including 550 affordable units, will also be a vital step in addressing the City’s affordable housing crisis.

The appeal seeks to perpetuate the environmentally destructive status quo while trying to divert attention away from that reality by speculating about an illusory shrunken project that would drain the City’s affordable housing funds. The spillover parking lot serves one function: promoting automobile commuting. That destructive function would persist indefinitely because the reduced housing project that the appellants propose as an alternative has no basis in reality. Given the significant up-front costs of preparing the site for any housing, a 100 percent affordable project would drain the City’s limited affordable housing funds – and would therefore almost certainly never happen at all.

The appeal also pretends as if denial of the market-rate component of the project would mean that the 550 households that would otherwise live in those homes would disappear. To the contrary, those 550 households would simply bid up the price of housing in other neighborhoods – neighborhoods that may be much more vulnerable to displacement and gentrification than Westwood Park. If they move to neighborhoods that have less transit or that are further away from jobs and commerce, they will also almost certainly drive more, causing more pollution and greenhouse gas emissions.

Therefore, please deny the appeal, affirm the certification of the EIR, and approve all measures necessary to allow the proposed mixed-income housing to move forward now.

Thank you.

Sincerely,

Christopher Pederson

**From:** [Susan Schechter](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Cc:** [swilliams](#); [ttemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [rvurdien@ccsf.edu](#); [lmilloy@ccsf.edu](#)  
**Subject:** Balboa Reservoir Project - Please Postpone approvals  
**Date:** Sunday, August 9, 2020 6:45:04 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Supervisors,

As a long-time SF resident, taxpayer and voter, I urge you to please vote against the Balboa Reservoir Project housing development - we do not need to give money to a private developer to make even more money off public land. In addition, the number of units is outrageous. As someone who lives in the neighbor, I am not opposed to some number being built but without adequate planning for parking, transportation and other infrastructure support, this is not a good idea for Ocean Avenue, Westwood, Ingleside, Sunnyside and more. The housing there should be used to support educators and other lower and middle income folks - to support City College and the communities around.

Please, please postpone the vote/approvals, and vote no on Tuesday, Aug. 11.

Thank you,  
Sue Schechter

**From:** [Maira Murdock](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Sunday, August 9, 2020 6:57:17 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

**Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. Some of the issues are:**

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
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***Please protect City College. Be sure that all outstanding issues are resolved before you approve this project.***

In addition to City College, the City of San Francisco is at risk by this sale of public land to a corporate housing developer whose CEO makes \$13 M/year. The developer claims that by building 550 market rate units it will be able to subsidize an additional 550 affordable, or below market rate units. In reality, it is mainly city and state funds that will subsidize the affordable units, not the developer.

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Even worse, the City is selling the land at a deep discount to this private developer, subsidizing a wealthy corporation with tax payers' dollars. It's a sweetheart deal, corporate welfare at its worst and should not be tolerated.

An additional concern is that by building separate market rate and affordable units, the Project results in a development that creates de facto segregation. This is inconsistent with San Francisco's inclusionary housing policy, which mandates that affordable and market rate units should all be under the same roof, creating a diverse housing community.

This is a city-wide issue, not solely a District 7 issue! We need a City government that fights for housing justice and education.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely,  
Moira Murdock, San Francisco District 9 Resident, Artist, Supporter of City College and affordable  
education

**From:** [Tim Wood](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Subject:** Please Vote in Favor of the Proposed Balboa Reservoir Housing Plan  
**Date:** Sunday, August 9, 2020 7:36:04 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Please vote in favor of the proposed Balboa Reservoir housing plans, file #s 200422, 200635, 200423, 200740.

Opponents of the plan, Public Lands for Public Good, advance familiar, provincial arguments against expansion of housing in San Francisco. The soft bigotry of the term "gentrification" bears examining. In pushing for their non-viable "100% affordable" plan, the opponents would apply a social litmus test to middle-class families seeking housing in San Francisco. If those families are insufficiently "diverse," make a little too much money, or come from another neighborhood or city, they don't rate consideration for access to the housing in this plan. Yet this plan explicitly caps market-rate units at 50%; the rest of development is directed toward just those constituencies the opposition claims to represent. Their own FAQ states, "If we simply wrangle over percentages of 'affordability' in majority-luxury housing developments [a distortion], we facilitate gentrification, essentially giving up the fight for our much-loved, diverse San Francisco." Translation: If any new housing may go to people we don't like, we'll oppose it. Redlining, anyone?

PLPG goes on to suggest they will mount spurious opposition to the EIR; they weigh in strongly for leaving the vast tract of land as a parking lot, and increased congestion of the area by private cars. This fealty to the automobile is rich, doubtless coming from many of the same people who support slow streets, expanded bike lanes and expanded transit-only lanes. The better plan is to add the free BART shuttle, re-organize the Geneva/Ocean/F. Kahlo intersection with a private right-of-way and signal preference for LRVs, and restore the right-turn lane onto F. Kahlo from Ocean Ave. westbound. The lack of "viable transportation alternatives" allegation by PLPG is inaccurate and political.

San Francisco does not have another five years to work on PLPG's pipe dreams for funding and realizing their "100% affordable" development notions. Instead, the City and the College need to move forward with an equitable plan to expand housing there, and housing access in San Francisco.

Sincerely,  
Timothy Wood  
San Francisco

**From:** [Brent Green](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** Balboa Reservoir Project  
**Date:** Sunday, August 9, 2020 8:02:01 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm a Bay Area resident who has lectured at the CC of SF and write to you as a concerned citizen.

Please postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. Some of the issues are:

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
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Lack of low income housing is a crisis as we all know. Consider housing the homeless at the Presidio and have group homes supervised by trained homeless people.

Thank you,

Brent Green, Ph.D., MPH

**From:** [m mm](#)  
**To:** [Mar, Gordon \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [Board of Supervisors, \(BOS\)](#)  
**Cc:** [swilliams](#); [ltemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Sunday, August 9, 2020 9:27:46 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This parking lot is usually full when school is in session. Now, more than ever, we need parking! Mass transit doesn't work so well when transit vehicles are packed. This land should belong to all of us, not private developers.

Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. Some of the issues are:

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
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An additional concern is that by building separate market rate and affordable units, the Project results in a development that creates de facto segregation. This is inconsistent with San Francisco's inclusionary housing policy, which mandates that affordable and market rate units should all be under the same roof, creating a diverse housing community.

This is a city-wide issue, not solely a District 7 issue! We need a City government that fights for housing justice and education.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely,

Maria Markoff

former CCSF student and district #4 San Francisco resident and grandmother of a current  
CCSF student

**From:** [Jean Barish](#)  
**To:** [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [swilliams](#); [Tom Temprano](#); [davila](#); [Ivy Lee](#); [alexrandolph](#); [John Rizzo](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [rvurdien@ccsf.edu](#); [lmlloy@ccsf.edu](#)  
**Subject:** Open Letter - Balboa Reservoir Project  
**Date:** Sunday, August 9, 2020 9:45:22 PM  
**Attachments:** [Balboa Reservoir Project Open Letter.docx](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

Attached for your consideration is an Open Letter opposing the proposed Balboa Reservoir Project, scheduled for your consideration on August 11, 2020, and requesting postponement of any decisions regarding this Project until all outstanding issues have been resolved.

# OPEN LETTER

August 7, 2020

San Francisco Board of Supervisors  
One Dr. Carlton B Goodlett Place, #244  
San Francisco, California 94102

## **Re: Protect City College. Do Not Approve the Balboa Reservoir Project**

Dear Supervisors:

We, the undersigned, are writing with regard to the Balboa Reservoir Project, scheduled for your approval at the August 11, 2020 meeting of the Board of Supervisors. For the reasons set forth below, we request that you postpone consideration of this project until all outstanding issues have been resolved.

You are being asked to approve a project that will sell over sixteen acres of public land to a corporate developer at a deep discount, subsidizing a wealthy corporation with tax payers' dollars. This land sale will provide an unjustified windfall profit to a private company, while at the same causing irreparable harm to City College and the surrounding neighborhoods.

This valuable public land should not be privatized. It must be kept in public hands and used for a project that is 100% affordable, meeting the growing need in San Francisco for affordable, not market rate, housing, while at the same time protecting City College.

The developer claims that by building 550 market rate units it will be able to subsidize an additional 550 affordable units. But, in fact, City and State funds, not funds from the developer, are paying for most of the affordable units in this project. A 100% affordable project, therefore, is fiscally feasible.

This project will cause significant harm to CCSF as well as the surrounding neighborhoods. It will gentrify a stable neighborhood of hard-working San Franciscans; make access to CCSF impossible for many and very difficult for many others; create challenging public transit problems, and cause dangerous traffic safety and traffic congestion problems.

The Board of Supervisors should not approve this project until all underlying issues have been resolved. There is no need to rush this process. Hitting the pause button is the best action at this time.

Sincerely,

*The Undersigned Organizations and Individuals*

cc: Mayor London Breed  
City College of San Francisco Board of Trustees  
City College of San Francisco Chancellor Rajen Vurdien

## **Organizations**

CCSF4All  
CCSF Associated Students Executive Council  
Defend City College Alliance  
Higher Education Action Team  
Our City SF  
Public Lands for Public Good  
Richmond District Rising  
Westwood Park Association

## **Individuals**

John Avalos – Former Member, SF Board of Supervisors  
Eric Mar - Former Member, SF Board of Supervisors  
George Wooding - CSFN President Emeritus; San Francisco Land Use Coalition\*  
Eric Brooks – Coordinator, Our City SF  
Jocelyn Cohen – Former Member, Urban Forest Council  
Emil De Guzman - Former President International Hotel Tenants Association; Former Member,  
SF Human Rights Commission  
Henry Der - Former State Deputy Superintendent for Public Instruction  
Hilary Hsu - Former CCSF Chancellor  
Leslie Smith – CCSF AVC Governmental Relations Emerita  
Julie Tang - Retired Judge, Former Co-Chair “Comfort Women” Justice Coalition  
Ling-chi Wang - Founder, Chinese for Affirmative Action  
Dr. Carlota Texidor del Portillo - Retired Dean, CCSF Mission Campus  
Aliya Chisti – Candidate, CCSF Board of Trustees  
Anita Martinez - Candidate, CCSF Board of Trustees  
Geramye Teeter - Candidate, CCSF Board of Trustees

Michael Adams - Black Votes Matter\*  
Michael Ahrens - President, Westwood Park Association Board of Directors\*  
Darlene Alioto - CCSF Faculty  
Jude Allard - CCSF Student  
Magick Altman - DSA Justice Committee\*  
Elena Asturias, Esq. - President, Board of CARECEN\*  
Noa Bar - Community Member  
Nicole Barends - CCSF Faculty  
Jean Barish - Former CCSF Faculty  
Genika Beasley - CCSF Student

Lyn Beeson – Community Member  
Dr. Harry Bernstein - CCSF Instructor  
Eleanor Bertino - Community Member  
Karen Boyle - CCSF Faculty  
Michelle Brant – Community Member  
Eleanor Brown - Retired CCSF Faculty  
Margie Hom Brown - Member Board of Directors, Planning Association for the Richmond  
Lori Cabansag - CCSF Faculty  
Malcolm Campbell - CCSF Alumnus  
Flora Colao - Community Member  
Anthony Costa - CCSF Student, CCSF Faculty  
Ken Crizer- CCSF Engineering Faculty Emeritus  
Deniz Demiray - CCSF Faculty  
Stardust Doherty - CCSF Alum  
Steven Evans - CCSF Alumnus  
Marria Evbuoma - Core Member Richmond District Rising\*  
Alan Firestone - CCSF Faculty  
Ana Garcia - CCSF Faculty  
Deborah Garfinkle - CCSF Student  
Julia Glanville - Community Member  
Sarah Glanville - CCSF Alumni  
Gloria Gonzalez - CCSF Student  
Michelle Gorthy - CCSF Faculty  
Christine Hanson - CCSF Continuing Student  
Simon Hanson - CCSF Faculty  
Donna Hayes - CCSF Counselor, Retired  
Marilee Hearn - Equity For Older Students\*  
Patricia Hewett - Community Member  
Paul G. Hewitt - CCSF Physics Faculty Emeritus  
Lillian Lee Hewitt – Community Member  
Manuel K. Hewitt – Community Member  
Armen Hovhannes - CCSF Student, CCSF Faculty  
Alvin Ja – CCSF Student  
Jason Jakaitis - Community Member  
Pauline Jue - Westwood Park Association Board of Directors\*  
Pamela Kamatani - Community Member  
Wynd Kaufmyn - CCSF Engineering Instructor  
Nancy Kelly - CCSF Faculty  
Sidney Keith - CCSF Student

Eira Kien - CCSF Collective/CCSF student  
Elaine H. Kim - Professor Emerita, Asian American and Asian Disapora Studies, UC Berkeley  
Joe Koman - Westwood Park Association Board of Directors\*  
Thomas Kuhn, DDS – Community Member  
Jarek Kupsc - CCSF Student  
Vicki Legion - CCSF Faculty, Retired  
Sharon Leong - CCSF Student  
Beth Lewis – Community Member  
Lisa Ley - CCSF Faculty  
Stephanie Lister - Community Member  
Nancy Loewen - Community Member  
Francine Lofrano - Westwood Park Association Board of Directors\*  
Barbara Mann – Community Member  
Richard Marler - CCSF Student  
Terri Massin - CCSF Faculty  
William Maynez - Historian, Diego Rivera Pan American Unity Mural  
Shawn McGrew - Former SF RDP Aquatics Dir.  
Shawna McGrew - SF RPD Supervisor, Ret  
Tomasita Medál – Community Member  
Charles Metzler - CCSF Faculty, Retired  
Don Misumi – Member, Richmond District Rising\*  
Marlayne Morgan – President, Cathedral Hill Neighborhood Association\*  
Rev. Amy Zucker Morgenstern - Community Member  
Joseph Morlan - CCSF Faculty  
Michael Moss - Community Member  
Madeline Mueller- Chair, CCSF Music Department  
Moirra Murdock - Community Member  
Julie Napolin - Community Member  
Joseph Nelson - CCSF Student  
Lauren O'Connor - CCSF Student  
Eileen O'Hara - Former CCSF Student  
Michele Oross - CCSF Faculty  
An Hoang Pham - CCSF Student  
Evelyn Posamentier – Community Member  
Brittnay Proctor - Adjunct Faculty, UCI  
Sarah Pyle - CCSF Student  
Amy Rathbone - Community Member  
Linda Ray - Community Member

Faustino Relova - CCSF Classified Staff  
David Rotenberg - Community Member  
Robin Roth - Community Member  
Dyan Ruiz – Member, Richmond District Rising\*  
Karen Saginor - Former President, CCSF Academic Senate  
Leslie Simon – CCSF Faculty  
Joseph Smooke – Member, Richmond District Rising\*  
Jane Sneed - CCSF Faculty Emerita  
Judy Stein – Community Member  
Jack Sugawara - CCSF Faculty  
Anjali Sundaram - CCSF Faculty  
Judih Sundaram - Supporter of Community  
Anita Theoharis - Westwood Park Association Board of Directors\*  
Stephen Theoharis - Westwood Park Resident  
Karim Tulloch - CCSF Student  
Sheila Tully – Member, Richmond District Rising\*  
Michael Vitolo - Community Member  
Indika Walimuni - CCSF Faculty  
Emily Wheeler - Community Member  
Michael Wong, MSW – Former CCSF student  
Ying Ying Wu - Community Member

*\*For identification purposes only; signing as an individual and not on behalf of an organization*

**From:** [krista94404@aol.com](mailto:krista94404@aol.com)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#); [swilliams](#); [ttemprano@ccsf.edu](mailto:ttemprano@ccsf.edu); [davila](#); [ivylee@ccsf.edu](mailto:ivylee@ccsf.edu); [alexrandolph](#); [jrizzo@ccsf.edu](mailto:jrizzo@ccsf.edu); [tselby](#); [studenttrustee@mail.ccsf.edu](mailto:studenttrustee@mail.ccsf.edu); [rvurdien@ccsf.edu](mailto:rvurdien@ccsf.edu); [lmilloy@ccsf.edu](mailto:lmilloy@ccsf.edu)  
**Subject:** Balboa Reservoir Project  
**Date:** Sunday, August 9, 2020 9:50:29 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: San Francisco Board of Supervisors:

The Balboa Reservoir property is public land that should not be privatized. It should be used to provide affordable public housing, not private housing.

Please do not approve this project.

Do approve the appeal and reverse the certification of the project's EIR .

If you deny the appeal, then I ask that you vote against final approval of the project

Respectfully,  
Krista Terstiege,

**From:** [anjali sundaram](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)  
**Subject:** Balboa Reservoir Project  
**Date:** Sunday, August 9, 2020 9:54:51 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor London Breed and SF Board of Supervisors,

Building this kind of housing **does not in any way address the current housing crisis**--it does not lower rents nor house those who have been evicted due to gentrification. It does nothing for the homeless. **It simply invites more wealthy tech families to move here.** It is not a simple case of supply and demand when there is an ever-growing outside pool of applicants.

Middle class families cannot afford the small percentage of "affordable units" promised by this big developer. Most of the units will be offered at a highly **inflated market rate** (The Federal Reserve subsidizes Wall Street. Wall Streets' venture capital subsidizes many overrated, under-performing, unicorn Silicon Valley start-ups. The money in turn fuels San Francisco's unsustainable real estate bubble.)

**Public land should go to housing all San Franciscans rather than offer a huge discount to a developer building obscenely expensive housing.**

The price of a college education has also skyrocketed. One of the few avenues to social mobility and jobs for middle class & low-income San Franciscans is CCSF. This project will house neither students nor faculty. It will create traffic and transportation issues that will become an obstacle to CCSF growing enrollment or even maintaining its current size.

It feels futile for people like me to write letters like this. San Francisco politicians seem to be content with an explosion of Ellis Act evictions and ever-increasing, tent-city homelessness. But they tell us we live in a democracy where the majority has a say... I urge you to look deep into your conscience and ask yourselves whom do I work for? The wealthy few or all San Franciscans?

Yours sincerely,

Anjali Sundaram

**From:** [Steven Brown](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)  
**Cc:** [swilliams](#); [ttemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [rvurdien@ccsf.edu](#); [lmilloy@ccsf.edu](#)  
**Date:** Monday, August 10, 2020 10:46:17 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**The Balboa Reservoir Housing Project, a huge development of 1,100 units near City College of San Francisco, one of San Francisco's treasures.** This project will cause significant harm to CCSF as well as the surrounding neighborhoods and other schools. It will allow a private developer to convert public land into a housing development for their own profit, with many expensive, market-rate units; gentrify the south side of town; make access to CCSF impossible for many and very difficult for many others; cause unbearable traffic congestion and traffic safety issues; and create challenging public transit problems. This is an important issue of education justice for the whole of San Francisco and the Bay Area -- it is not solely a District 7 issue.

The Board of Supervisors needs to postpone all approvals of the project until all underlying issues have been fully and openly resolved, with adequate time for community consideration, unlike the heavily managed process that has railroaded the project to this point, to secure outcomes sought by the developer. In particular, City College has many outstanding issues that if left unresolved, will cause incalculable damage to the college. There's no need to rush this process. Hitting the pause button is the best action right now.

**From:** [James Hofmann](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Subject:** Balboa Reservoir Project  
**Date:** Monday, August 10, 2020 11:11:15 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As a CCSF student, I often ride the Muni 43 bus to the campus.

I wish to emphasize the role of parking in the neighborhood. Peak demand hours on the Ocean campus are tight with the existing space. Interruption of parking services with no accommodations will further damage CCSF during a vulnerable time, and during peak hours, will make the neighborhood's roads congested with desperate students rushing to find a space before class. It will result in pedestrian deaths.

The Balboa development proposal must either accommodate the existing parking spaces, or fund additional transit services and programs to reduce the impact of lost parking. Transit has the power to reduce traffic throughout the neighborhood, and it needs coordinated support in a period of service cutbacks. Please analyse potential uses of this development to fund transit. This supports the transit-oriented premise, and allows the Balboa project to coexist with the needs of the campus.

Thank you,  
James Hofmann  
District 7 Resident

**From:** [Margaret Brickner](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Monday, August 10, 2020 11:18:33 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As a former student and employee of CCSF and a 50 year resident and home owner in SF I implore you to not harm City College of San Francisco! There is not a gathering one attends that there is not someone who has been positively affected by CCSF. Allow future students that gift. You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. You are aware of the issues by now.

***Please protect City College. Be sure that all outstanding issues are resolved before you approve this project.***

This is a city-wide issue, not solely a District 7 issue! We need a City government that fights for housing justice and for the future of education for our youth.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely,

*Margaret Brickner*

**From:** [Donna Davies](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** Support for the Balboa Park Reservoir  
**Date:** Monday, August 10, 2020 12:14:30 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am a long time resident of Mountain View and a member of Advocates for Affordable Housing (AAH) that promote the development of the best possible housing in the Bay Area serving *the highest public good*.

That's why I'm especially excited about the Balboa Park Project. Currently, the property is one vast, hot island of asphalt and cars. available a proposed 500 spaces to City College students, staff and faculty, and existing neighbors.

The project is within walking distance of BART. The cars will move into a garage with a proposed one space for every two homes and 500 spaces for City College. Buildings will rise to accommodate 1100 new homes, half of which will be affordable. Many of the new homes will have 2-3 bedrooms so families can be accommodated and there will be a large onsite day care center half of which is dedicated to low and middle income workers. The project includes four acres of public open space and recreational parkland with 400 new trees. Coupled with an onsite community room, these resources will promote the building of community among the residents and their neighbors in Sunnyside, Westwood Park, and Ocean Avenue. 150 apartments are reserved for CCSF faculty and staff, eliminating their commutes and some of the difficulty CCSF has in recruiting and retaining teachers. Finally, the project includes \$10 million in fees to the city for transit and infrastructure improvements thus freeing up city money to be used for other affordable projects elsewhere.

By building the Balboa Park Project, San Francisco will be 1100 units closer to its goal of planned new homes which not only serves the *highest public good* but helps ensure compliance with state mandates. Finally, it will provide many construction jobs during the coming economic recovery.

Donna Davies

**From:** [pjdiva1994](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** CCSF Project  
**Date:** Monday, August 10, 2020 1:06:01 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am protesting that the BOS may approve the proposed 1100 units on the CCSF. I've wondered why there seemed to be a rush to get this project approved in light of how Covid-19 will change so many things, such as the elimination of countless jobs, the move to working from home, the need for retraining. Conducting the relevant meetings via electronic access meant many San Franciscans would not be allowed to participate. That didn't seem to matter. Nor did it seem to matter that CCSF would now be denied the opportunity to be involved, while struggling with its own management problems.

But everything became very clear after reading Supervisor Yee's interview in today's Chronicle. The rush is to get the project approved as a *legacy* for his time on the Board.

Never mind that he has lied to neighbors about his desire for a smaller number of units. Never mind that there are about environment concerns and lack of water for possible fires on the westside. Never mind that CCSF will lose out on the possibility to erect new buildings.

All that seems to matter to Supervisor Yee is his ego. I'm embarrassed and disgusted.

Pauline Jue

Sent from Samsung tablet.

**From:** [Jean Barish](#)  
**To:** [Fewer, Sandra \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Haney, Matt \(BOS\)](#); [Yee, Norman \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#)  
**Subject:** Please Say NO to the Balboa Reservoir Project  
**Date:** Monday, August 10, 2020 1:55:31 PM  
**Attachments:** [Att. 1 Smooke Letter & Resume.pdf](#)  
[Att. 2 Berkson Report.pdf](#)

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

At the August 11, 2020, meeting of the Board of Supervisors, you'll be considering the Balboa Reservoir Project Environmental Impact Report and other issues related to this development.

I'm writing to urge you not to approve this project as currently proposed.

At the last meeting of the Board of Supervisors' Land Use and Transportation Committee, Supervisor Gordon Mar held a hearing on the City's Housing Affordability and Stability Needs. What was clear from that hearing was that there is an oversupply of market rate housing, and a severe undersupply of affordable housing.

But despite this data, the City appears determined to continue its policy of partnering with for-profit developers rather than supporting the construction of 100% affordable housing developments. As Supervisor Mar's hearing clearly demonstrated, this policy is obsolete. And it is this obsolete policy that is driving the support of the Balboa Reservoir Project.

Now is the time to start looking forward, not backward. Now is the time to reconsider the misguided policy that is not meeting our City's need for affordable housing and has created a glut on the market of empty market-rate units. Now is the time to work toward a housing policy that meets the needs of all the hard working, ordinary San Franciscans who can't find a place to live in the City, and who must commute for hours to work in our hospitals, and drive our buses and repair our streets.

I've been told that this Project has been in the planning stages for years. And that it's too late to change this Project from a public-private partnership to a 100% affordable development. What I keep hearing is that "the train has left the station," and "the horse is out of the barn." But it's never too late to pull the train back into the station to fix it or return the horse to the barn until it's ready to go onto the track.

Attached is a report prepared by affordable housing expert Joseph Smooke outlining how a 100% project at this site is fiscally feasible. Please, read this report before you attend Tuesday's Board meeting.

And, then, using your compassion, strong intellect, and common sense, support the EIR appeal and do not approve this development.

Thank you very much for your consideration.

*Jean*

Jean B Barish  
jeanbbarish@hotmail.com  
415-752-0185

*Stay safe and be well*

**21 July 2020**

**Public Lands for Public Good  
Defend City College Alliance**

**Re: Balboa Reservoir Development Proposal  
Legislative Files 200422, 200423, 200635, 200740**

Dear Public Lands for Public Good and Defend City College Alliance:

Please accept this letter of my analysis as to why the Board of Supervisors should reject the Balboa Reservoir Project as proposed when the above referenced legislative files relating to this project come to the Board for a vote. I submit this letter as a professional with years of experience in many different facets of real estate development, primarily as a developer of affordable housing in San Francisco (resume attached).

**Introduction**

The Balboa Reservoir presents a unique opportunity for the people of this City. It is a large (16.4 acres), publicly owned site (SF Public Utilities Commission), adjacent to the main campus of City College of San Francisco and in close proximity to a major regional transit station. These are more than sixteen acres of blank canvas on which could be built something visionary. Instead the project that has been presented to the Board of Supervisors privatizes our public resources and lines a developer's pockets.

The proposed project describes 1,100 total units of which half (550 units) will be "below market rate" (affordable). What follows is a proposal for a project that would ensure that this public land is developed as 100% affordable housing.

**One Hundred Percent Affordable Housing at the Balboa Reservoir**

Affordable housing developers typically pay market price for land and then have to pay for their development to tie into existing infrastructure such as water, electricity, sewer, etc. This site has none of the typically available infrastructure to tie into, so building that infrastructure is a cost unique to this development. As we'll see, however, the narrative that these costs are a barrier to 100% affordable housing is false.

A typical affordable housing development budget assumes paying market value for the land. In this case, the PUC is required to sell the land for its full market value, unless the Board of Supervisors passes a resolution saying that the site should be sold for less than the market value in order to achieve a significant public benefit. There is a model for this type of transaction at 1100 Ocean where the MTA (another enterprise department) sold that site to MOHCD at a below market price in order to facilitate 100% affordable housing. This Balboa Reservoir site should follow that same template. This site should be sold to MOHCD for a below market price (as close to zero as possible) so the site stays in public ownership in order to facilitate 100% affordable housing.

Assuming the land is sold at or close to no cost to the affordable housing developer, they still have to deal with the infrastructure costs which are of course much higher than for a typical infill site. Thankfully, there are significant grant sources available from the State that can cover most of those costs. If the only State grant comes from the Infill Infrastructure Grant Program and is limited to \$30M, this would cover all but \$18M of the cost of the infrastructure which is estimated

to be \$48M over 3 phases. In order to cover those costs, if the project was 100% affordable housing, and the affordable housing developer paid \$18M to cover those infrastructure costs instead of paying for the land, this would still be a bargain at \$33,000/ unit for land associated costs (assuming 550 units).

Once the land and infrastructure have been paid for, the remaining financial challenge is to fund the construction of the affordable housing. Based on the Berkson Fiscal Feasibility Report (attached), the affordable housing construction should cost \$348,000 per unit. Assuming that there will be some inflation in materials and labor costs, let's use \$400,000 per unit for the purpose of this analysis. Since MOHCD typically provides roughly 35% of the total project cost, this would mean roughly \$77M coming from MOHCD to pay for their portion of 550 units. At \$140,000 per unit, this represents a bargain for the City because of the economy of scale and the low cost for land and infrastructure. If the City is not able to come up with \$77M all at once, then the project could be built in 2 phases. This would mean \$38.5M of MOHCD funding for each of 2 phases. If that's still too ambitious, it could be split into 3 phases of \$25.7M each.

The remainder of the funding for each phase would come from a combination of LIHTC (low income housing tax credits), State grants, and other affordable housing capital subsidies for a total of about 45% of the project cost. The final 20% would come from a bank loan or through the sale of tax exempt bonds (if using LIHTCs from the non-competitive pool). This is a typical leveraging structure that MOHCD expects when it invests in affordable housing.

100% affordable housing is both visionary and financially feasible- using City resources to meet a critical need for the long term viability of our City. Unfortunately, however, the City has chosen to present for approval a scheme for privatizing this site. This is a strategy that benefits the for-profit developer greatly, but creates financial and policy problems for both the City and the people who might live at this proposed development.

### **The Development Agreement Should Not Be Approved**

Under the deal as proposed, the City is not only selling more than sixteen acres of public land to a private developer at a heavily discounted rate (\$11.4M), the Development Agreement says that the developer has no obligation to build anything at any time. Not only does the developer have no obligation to develop anything, but they have the ability to sell off any portion of the property. If the developer sells there is no requirement that they sell at a discounted amount. Most likely, if the current developer sells any portion of this development, the new developer would purchase at full market rate and might go back to the City to renegotiate this deal due to the different circumstances.

Rather than the City retaining ownership of the land and making sure that the housing gets built, and that the housing that is built is 100% affordable, under the proposed deal, the City literally gets a guaranty of nothing, while the developer gets a guaranty of future profits- either from the market rate housing they develop, or from selling the properties that have had a step up in market value because of the actions of the Board of Supervisors to enable this deal. The City potentially loses big, but the developer has no risk whatsoever and only stands to profit.

### **Additional Policy and Financial Concerns**

If the developer does decide to proceed with building the housing that is outlined in the proposed project, the result will be a lesser public benefit than you think you are getting, which raises another level of financial and policy related problems.

This development has both rental and ownership components. The obligations for providing the affordable rental units seem fairly clear, On the ownership side, however, the developer has a few different options- one of which is not to provide the affordable units at all, but to pay a fee to the City in lieu of building any affordable ownership units. Therefore, we may get 530 affordable units at this site instead of 550.

Making matters worse, the affordable units don't even seem to meet the definition of "affordable" as defined in the City's "inclusionary" program. The inclusionary program sets "low income" rents as being affordable to households making 55% of AMI. This project is defining "low income" as 60% of AMI which is 5% more expensive. Low income is presented as a range of incomes, but the required average is 60%, not 55% of AMI.

The proposed project also has affordable units for "moderate income" households. The inclusionary program sets "moderate income" rents as being affordable to households earning 80% of AMI. This project is defining "moderate income" as 100% of AMI which is 20% more expensive. Moderate income is presented as a range of incomes, but the average is 100%, not 80% of AMI. Not only are these "low" and "moderate" income units more expensive than what are typically provided by developers providing "inclusionary" or "below market rate" units, but they set a bad policy precedent by redefining - or at least complicating- the definitions of "low income" and "moderate income."

Perhaps most insidious of all is the segregation and class divide that this project creates. Consider that the "affordable" units are all rental while there is a chance that there will be no affordable ownership units. The affordable units that are provided will all be built in buildings that are separate from the market rate units. In a typical market rate development with "inclusionary" units, those inclusionary (affordable) units are distributed throughout the building. They are literally "included" into the market rate development. What is proposed for this site should either be considered as "off site" inclusionary housing which would trigger a 30% requirement, or it should be viewed as a development with what is typically called a "poor door" situation where the upper income market rate residents go in through one door and the residents in the affordable units go in through a separate door. Inclusionary legislation is intentionally crafted to ensure that developers are not able to create these "poor door" conditions.

To make the segregation and class divide issues even worse, the open space at the center of the development is a privately owned public open space (POPOS). The owner and manager of this POPOS is the group of homeowners who live in the ownership units. What people do in the open space and at what hours are determined by the homeowners association for everyone who might live or visit.

For those who might be concerned about a 100% affordable housing development presenting a similar problem of segregation, this would be fallacy. A typical affordable housing development funded with Low Income Housing Tax Credits accommodates a range of residents' incomes. Large scale affordable housing developments are successful under nonprofit management and MOHCD oversight because of the high quality of the housing and the significant resources that are committed. These households like the ones at 1100 Ocean have a range of incomes and live in safe, high quality housing with dignity. Once residents move in, these developments invariably fit right in with the social and aesthetic fabric of the neighborhoods in which they are located.

The fact that this project has come so far through the approval in this form is beyond comprehension. The scheme of privatization without accountability, the confusing of definitions of what is "affordable" to guarantee higher levels of cash flow for the developer, and the segregation of wealthy and non-wealthy and of owner versus renter all add up to a misuse of public resources and of the public trust. As such my recommendation is to urge the Board of Supervisors to reject this development proposal and commit to a new development proposal that ensures 100% affordable housing is built at the Balboa Reservoir.

Sincerely,

Joseph Smooke  
Consultant

366 10th Avenue  
San Francisco, CA 94118  
415-831-9177  
[josephsmooke@gmail.com](mailto:josephsmooke@gmail.com)

# Joseph Smooke

[people. power. media]

**Co-Founder, CEO, Producer, Photographer, Videographer**

**July 2012 to Present**

Co-founded this nonprofit media organization that produces video news features and analyses about communities impacting public policy with a focus on housing and land use. Produced a six-part animation, "Priced Out" which has been featured in film festivals in San Francisco, Los Angeles, Chicago and New York City, and in workshops to more than 1,200 people.

**Housing Rights Committee of San Francisco**

**Westside Program Director, 2015 - 2019**

Led the expansion of Housing Rights Committee's community organizing and tenant counseling to the Richmond and Sunset Districts.

**Supervisor David Campos, District 9**

**Legislative Aide, 2013, 2014, 2015**

Worked three temporary terms of employment as an Aide to Supervisor Campos, focusing primarily on housing and land use issues.

**The Philippine Reporter**

**Photographer and Writer, 2011 - 2014**

Worked as staff photographer and writer for this newspaper in Toronto, Canada.

**Supervisor Eric Mar, District 1**

**Legislative Aide, 2011**

Staffed Supervisor Mar primarily for his work as Chair of the Land Use Committee.

**Bernal Heights Neighborhood Center**

**Executive Director, 2005 - 2011**

**Housing Director, 1997 - 2005**

Promoted to Executive Director of this multi-service community based nonprofit organization after leading its housing development and asset management work. Led the housing program's growth from small scale developments to being a citywide developer. Created the Small Sites Program and developed the first prototype small sites acquisition project. Also led the organization to become involved in land use planning.

**Innovative Housing for Community**

**Housing Development Project Manager, 1993 - 1996**

Developed and managed housing throughout San Francisco, Sonoma, Marin, San Mateo and Santa Clara Counties for this nonprofit provider of affordable, supportive, shared housing. Created the first affordable housing "green building" program in the Bay Area.

**Skidmore Owings and Merrill**  
**Job Captain, Architectural Designer**  
**Los Angeles Office, 1988 - 1992**  
**San Francisco Office, 1992 - 1993**

Worked on all phases and aspects of large scale commercial and institutional buildings throughout the US and in Taiwan, including the Southern California Gas Company Tower and the Virginia State Library and Archives. Also worked on a large scale urban planning project in Changchun, China.

## **Awards and Recognitions**

**Outstanding Community Service, Coalition for San Francisco Neighborhoods, 2017**

**Dolores St Community Services Open Palm Award for BHNC, 2008**

**Central American Resource Center (CARECEN), 2007**

**Bank of America, Neighborhood Excellence Initiative, Local Hero Award, 2004**

## **Education**

**University of California at Berkeley**  
**Bachelor of Arts in Architecture, High Honors, 1988**  
Alpha Rho Chi, Departmental Award for Professional Promise

## **Boards of Directors and Active Affiliations**

**South of Market Community Action Network (SOMCAN), 2010 - Present**  
Chair of SOMCAN's Board

**San Francisco Antidisplacement Coalition, 2016 - Present**

**Richmond District Rising, 2017 - Present**  
Steering Committee and Housing Committee

**Westside Tenants Association, 2019 - Present**

**Community Housing Partnership, 2000 - 2006**  
Member, Board of Directors



# REPORT

## BALBOA RESERVOIR PROJECT

### FINDINGS OF FISCAL RESPONSIBILITY AND FEASIBILITY

Prepared for the City and County of San Francisco

Prepared by Berkson Associates

February 9, 2018



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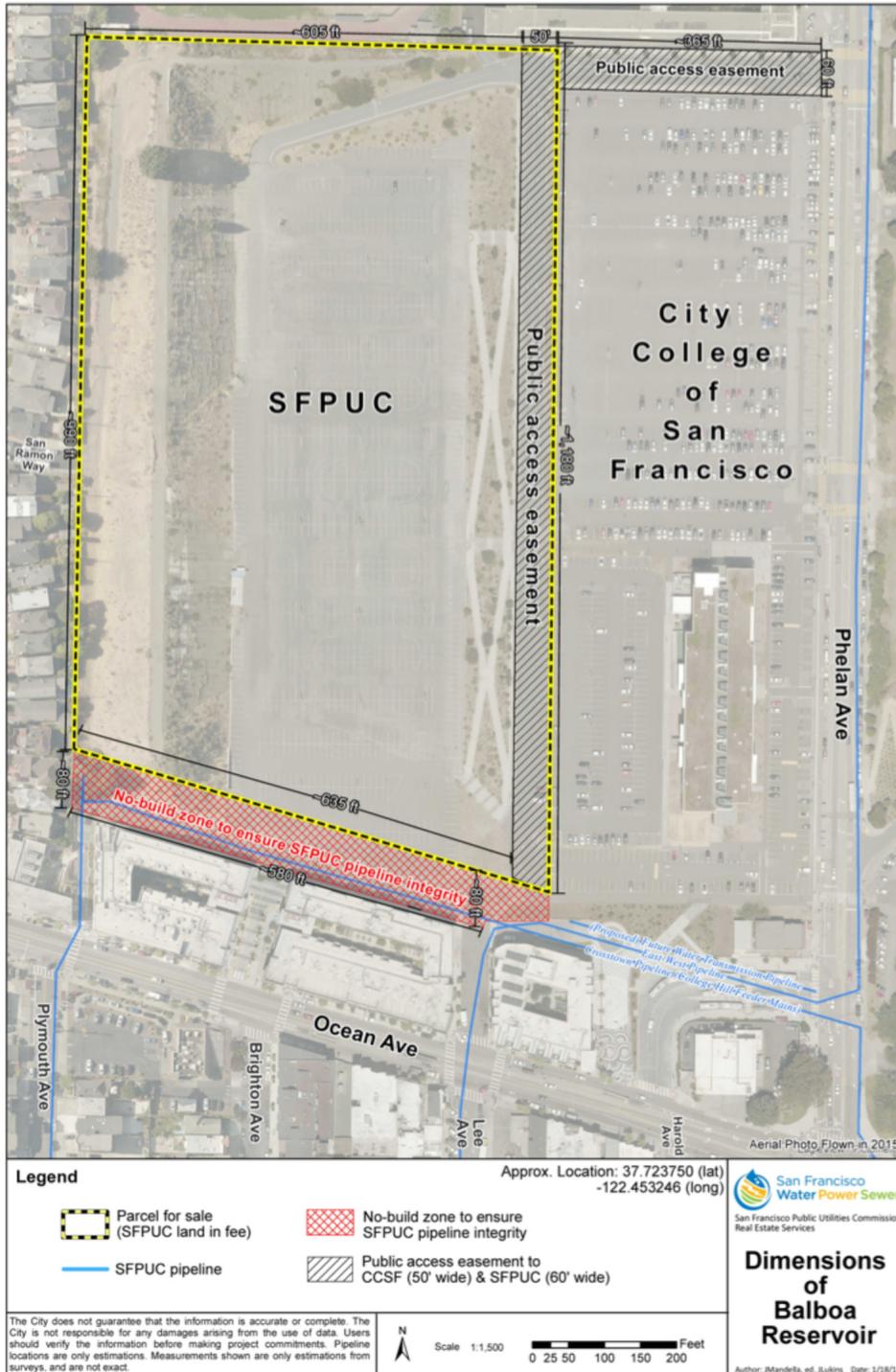
## EXECUTIVE SUMMARY

Chapter 29 of the City's Administrative Code requires that the Board of Supervisors make findings of fiscal feasibility for certain development projects before the City's Planning Department may begin California Environmental Quality Act ("CEQA") review of those proposed projects. Chapter 29 requires consideration of five factors: (1) direct and indirect financial benefits of the project, including, to the extent applicable, cost savings and/or new revenues, including tax revenues generated by the proposed project; (2) the cost of construction; (3) available funding for the project; (4) the long term operating and maintenance cost of the project; and (5) debt load to be carried by the City department or agency.

This report provides information for the Board's consideration in evaluating the fiscal feasibility of a proposed development (the "Project") at the 17-acre Balboa Reservoir parcel shown in **Figure 1**. The City and County of San Francisco ("City"), under the jurisdiction of the San Francisco Public Utilities Commission ("SFPUC"), owns the parcel ("Site"). The City has entered into exclusive negotiations with a team of developers led by BRIDGE Housing Corporation and AvalonBay Communities (the "Development Team") to create a mixed-income housing project (the "Project") at the Site. The Development Team would purchase the Site and build a mix of apartments, condos and townhouses.

Up to half of the units will be affordable to a range of low, moderate, and middle-income households occupying apartments and the condo units. The first 33 percent of units will be affordable units funded by value created by the Project; the additional affordable units, or up to 17 percent of total units, will be funded by public sources that could potentially include tax credits and other state sources, project-generated sources, future bonds, or the proposed gross receipts tax increase. For the purpose of the current analysis, a scenario consisting of 1,100 units, consistent with the Development Team's initial proposal, is evaluated; it is anticipated that subsequent environmental analysis will consider a range of alternatives.

Figure 1 Balboa Reservoir Project Areas





All dollar amounts are expressed in terms of 2017 purchasing power, unless otherwise noted. Information and assumptions are based on data available as of February 2018. Actual numbers may change depending on Project implementation and future economic and fiscal conditions.

## FISCAL BENEFITS

The proposed Balboa Reservoir Project, if approved, will create approximately \$4 million in new, annual ongoing general tax revenues to the City. After deducting required baseline allocations, and preliminary estimates of direct service costs described in **Chapter 3**, the Project as proposed will generate about \$1.7 million annually to the City, in addition to about \$1 million in other dedicated and restricted revenues. The fiscal results are largely proportional to the number of units, assuming the mix of affordable units remains constant. A reduction in the number of units would reduce the magnitude of the potential benefits, but the net impact on the City General Fund would remain positive.

The Project will generate an additional \$400,000 annually to various other City funds (children's fund, libraries, open space), and \$600,000 annually to other restricted uses including SFMTA (parking taxes), public safety (sales taxes), and San Francisco Transportation Authority (sales taxes).

Additional one-time general revenues, including construction-related sales tax and construction gross receipts tax, total \$3.3 million.

Based on standard fee rates, development impact fees total an estimated \$23 million, although the City may agree to credit some of these fees back to the Project in consideration of public-serving improvements that the Project provides in kind. In addition, certain development fees, including childcare fees and bicycle facility in-lieu fees, could be offset by facilities constructed onsite, according to the City's standard impact fee policy. No affordable housing or jobs housing linkage fees are assumed due to the provision of affordable housing onsite.

The new general revenues will fund direct services needed by the Project, including police and fire/EMS services, and maintenance of roads dedicated to the City. Other services, including maintenance and security of parks and open space, will be funded directly by tenants of the Project. The estimated \$1.7 million in net City general revenues, after deducting service costs and Charter-mandated baseline allocations of general revenues, will be available to the City to fund improved or expanded Citywide infrastructure, services and affordable housing. **Chapter 3** further describes fiscal revenue and expenditure estimates.



## ECONOMIC BENEFITS

The Project will provide a range of direct and indirect economic benefits to the City. These benefits include a range of economic benefits such as new jobs, economic activity, and increased public and private expenditures as described in **Chapter 5** and summarized below:

- Over \$560 million of construction activity and approximately 2,800 construction-related job-years during development, in addition to indirect and induced jobs.
- Approximately 1,100 new residential units, including up to 550 permanently affordable units. This housing is critical to economic growth in San Francisco and the region.

The Project will also create a small number of permanent non-construction jobs onsite related to parking facilities, landscape maintenance, and various services associated with the residential units.

## DIRECT FINANCIAL BENEFITS TO THE SFPUC

The SFPUC, which has exclusive jurisdiction over the Site, will benefit financially from the sale of the Site. The land sale price will be negotiated to reflect the final development and public benefits program. The SFPUC may also realize increased revenues by providing power to the Project's residents.

## NEW PUBLIC FACILITIES

The Project will construct parks and open spaces available to the general public. The Project also includes a childcare center that will be accessible by the public as well as the Project's residents.

## OTHER BENEFITS

The Project may fall within the Ocean Avenue Community Benefits District (CBD), which assesses property owners to provide funding for a range of services within the neighborhood, including maintenance and cleaning of public rights of way, sidewalk operations and public safety, and District identity and streetscape improvements. Parcels within the CBD pay for and receive these services as participants in the CBD. The CBD's applicability and associated tax rate will be determined prior to project approvals.

# 1. THE PROJECT & COSTS OF CONSTRUCTION

The Project will be constructed in two phases with Site preparation and construction planned to begin as early as 2021, Phase 1 units leased and sold as early as 2023, and Phase 2 units leased and sold by 2025, according to current plans. The Project and its development costs total at least \$560 million, as described below. The Development Team will be responsible for planning, construction, marketing and operating the Project. The Development Team will reimburse the City for its costs incurred during the Project planning and environmental review process, including City staff costs. **Chapter 2** describes sources of funding to pay for development costs.

## PROJECT DESCRIPTION

The Balboa Reservoir Site is an approximately 17-acre parcel that the City owns under the SFPUC's jurisdiction. The Site is located in the central southern portion of San Francisco, bounded by City College of San Francisco's Ocean Campus to the east, Riordan High School to the north, the Westwood Park neighborhood to the west, and the Avalon Ocean Avenue apartments to the south.

Plans for the Site's development envision a mixed-income housing Project. The Development Team would purchase the Site and build a mix of apartments, condos and townhouses.

**Residential** – This fiscal analysis assumes a scenario consisting of 1,100 total residential units. This scenario is based on the Development Team's response to the SFPUC Request for Proposals; environmental analysis will evaluate a range of units that may differ from the scenario in this report, and the Project's final unit count may also differ accordingly.

**Affordable Housing** – The Project proposes 50 percent of total units to be affordable, including 18 percent affordable to low-income households,<sup>1</sup> and 15 percent affordable to moderate-income households<sup>2</sup>, for a subtotal of 33 percent affordable housing units. An additional 17 percent of units are proposed to be affordable to a combination of low, moderate, and middle-income households.

**Parking** – The fiscal analysis evaluates 1,010 parking spaces. Of the total spaces, 500 will be constructed in a parking garage and shared with the City College community.

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<sup>1</sup> Low-income rents would not exceed 55% of Area Median Income (AMI), and low-income for-sale prices would not exceed 80% of AMI.

<sup>2</sup> Moderate-income rents and sales prices would not exceed 120% of AMI.

## CONSTRUCTION COSTS AND ASSESSED VALUE

**Table 1** summarizes development costs totaling at least \$560 million,<sup>3</sup> which will be phased through buildout by 2025 depending on future market conditions. Taxable assessed value is estimated based on development cost, with affordable rental housing exempted from property taxes if serving households who earn no more than 80% of AMI . These costs and values provide the basis for estimates of various fiscal tax revenues and economic impacts.

**Table 1 Summary of Construction Costs and Assessed Value**

| Item                                    | Development Cost      |
|-----------------------------------------|-----------------------|
| <u>Residential Buildings (1)</u>        |                       |
| Townhouses (Market-rate)                | \$60,598,000          |
| Condos (Affordable)                     | \$15,360,000          |
| Apartments (Market-rate)                | \$169,412,000         |
| Apartments (Moderate)                   | \$87,818,000          |
| Apartments (Low-income)                 | <u>\$88,031,000</u>   |
| Subtotal, Residential Buildings         | \$421,219,000         |
| <u>Other</u>                            |                       |
| Parking - shared (500 spaces)           | \$13,830,000          |
| Infrastructure (2)                      | \$38,000,000          |
| Other Costs (3)                         | <u>\$86,787,000</u>   |
| <b>Total</b>                            | <b>\$559,836,000</b>  |
| <b>(less) Property Tax-Exempt</b>       |                       |
| Low-income Rental Units (up to 80% AMI) | <b>(\$88,031,000)</b> |
| <b>Net Taxable Assessed Value</b>       | <b>\$471,805,000</b>  |

(1) Includes building hard costs, residential parking, and site development. Site acquisition and community benefits are to be negotiated and are not included.

(2) Master infrastructure includes utilities, roads, grading, parks and open space.

(3) "Other Costs" include soft costs (eg legal, design, finance, furnishings and fixtures).

Permits & Fees not included for purposes of A.V. estimates. 2/9/18

<sup>3</sup> Hard and soft development costs; land costs, community benefits and other mitigations are to be negotiated and are not estimated.

## 2. AVAILABLE FUNDING FOR THE PROJECT

As described in the prior chapter, development costs are anticipated to total \$560 million or more over the course of Project buildout. Several financing mechanisms and sources will assure funding of these costs and development of the Project.

### HORIZONTAL & VERTICAL DEVELOPMENT OF THE SITE

The Development Team will be responsible for funding all horizontal Site improvements, infrastructure and public facilities needed to serve the Project, and vertical building construction with the exception of a portion of the affordable housing, as described in the section that follows. In addition to Developer equity and private financing, Project-based sources of funding and/or reimbursement could include (but may not be not limited to) the following:

- **Net sales proceeds and lease revenues** -- Revenues generated by the Project will help to fund improvements and repay private sources of investment and debt.
- **Mello-Roos Community Facilities District (CFD)** -- Bond proceeds secured by CFD special taxes may help to fund infrastructure costs. CFD special taxes not required for CFD debt service may fund horizontal Site development costs on a “pay-as-you-go” basis.
- **State sources** – No direct City subsidy will be used to build the 33% of the Project’s total housing units that must paid for by the Project. However, the Developer may access non-competitive state funding such as 4% tax credits and tax-exempt bonds

### FUNDING OF AFFORDABLE HOUSING

As described above, 33% of the Project’s total housing units will be affordable housing paid for by the Project, such as with Developer equity or revenues generated by the market-rate portion of the Project, or non-competitive state sources. This baseline 33% rate is based on Proposition K (2015), which set the expectation that housing on property sold by the City will have no less than this amount of affordable housing.

Up to an additional 17% of the Project’s total housing units will be affordable housing paid for with non-Project funds. The Development Team’s initial proposal estimated that a subsidy of approximately \$26 million would be required to provide approximately 187 additional  affordable housing units, although this cost is subject to change as a result of changes in construction costs, availability of state funding, the low income housing tax credit market, and the Project’s unit count or affordable housing program.



Funding sources for this additional affordable housing could potentially include:

- **Gross Receipts Tax.** In June, 2018, San Francisco voters will consider a ballot measure that would raise funds for affordable housing by increasing the gross receipts tax rate for commercial space. If this measure is approved, the Project would be eligible to utilize a portion of the new affordable housing funds.
- **Project-Generated Sources.** As determined by fiscal feasibility analysis, the Project will generate net new General Fund revenue of approximately \$1.7 million. A portion of this revenue could be reinvested back into the Project; the mechanism for this reinvestment could be an infrastructure financing district, an affordable housing investment plan pursuant to AB 1598, or a direct transfer from the City.
- **State Sources.** The Project could apply for one of several funding sources administered at the state level, such as the California's Affordable Housing and Sustainable Communities program and certain low income housing tax credit programs.
- **Bond Revenue.** In November, 2018, California voters will consider a \$4 billion state affordable housing bond. In addition, local affordable housing bonds are likely to be proposed in San Francisco in upcoming years; most recently, in 2015, San Francisco voters approved a \$310 million affordable housing bond.

## OTHER MAINTENANCE FUNDING

In addition to the public tax revenues generated to fund public services and road maintenance, as described in the **Chapter 3** fiscal analysis, CFD special taxes (or HOA fees) will be paid by property owners to fund a range of public services including onsite parks and open space maintenance and operation.



### 3. FISCAL ANALYSIS: INFRASTRUCTURE MAINTENANCE & PUBLIC SERVICES

Development of the Project will create new public infrastructure including streets, parks and open space that will require ongoing maintenance. **Table 2** summarizes total annual general revenues created by the Project, and net revenues available after funding the Project's service costs. The fiscal results are largely proportional to the number of units, assuming the mix of affordable units remains constant. A reduction in the number of units would reduce the magnitude of the potential benefits and an increase in the number of units would increase their magnitude, but in either case the net impact on the City General Fund would remain positive.

**Table 2 Estimated Annual Net General Revenues and Expenditures**

| Item                                                 | Annual Amount                  |
|------------------------------------------------------|--------------------------------|
| <b>Annual General Revenue</b>                        |                                |
| Property Taxes (1)                                   | \$2,682,000                    |
| Property Tax in Lieu of VLF                          | \$567,000                      |
| Property Transfer Tax                                | 391,000                        |
| Sales Tax                                            | 261,000                        |
| Parking Tax (City 20% share)                         | 95,000                         |
| Gross Receipts Tax                                   | <u>63,000</u>                  |
| <b>Subtotal, General Revenue</b>                     | <b>\$4,059,000</b>             |
| (less) 20% Charter Mandated Baseline                 | <u>(\$811,800)</u>             |
| <b>Revenues to General Fund above Baseline</b>       | <b>\$3,247,200</b>             |
| <b>Public Services Expenditures</b>                  |                                |
| Parks and Open Space                                 | <i>Project's taxes or fees</i> |
| Roads (maintenance, street cleaning)                 | 76,000                         |
| Police (2)                                           | 855,000                        |
| Fire (2)                                             | <u>607,000</u>                 |
| <b>Subtotal, Services</b>                            | <b>\$1,538,000</b>             |
| <b>NET Annual General Revenues</b>                   | <b>\$1,709,200</b>             |
| <hr/>                                                |                                |
| <b>Annual Other Dedicated and Restricted Revenue</b> |                                |
| Property Tax to Other SF Funds (1)                   | \$413,000                      |
| Parking Tax (MTA 80% share)                          | \$380,000                      |
| Public Safety Sales Tax                              | \$130,000                      |
| SF Cnty Transportation Auth'y Sales Tax              | <u>\$130,000</u>               |
| <b>Subtotal</b>                                      | <b>\$1,053,000</b>             |
| <b>TOTAL, Net General + Other SF Revenues</b>        | <b>\$2,762,200</b>             |
| <b>Other Revenues</b>                                |                                |
| Property Tax to State Education Rev. Fund (ERAF)     | <b>\$1,195,000</b>             |

(1) Property tax to General Fund at 57%. Other SF funds include the Childrens' Fund, Library Fund, and Open Space Acquisition.

(2) Police and Fire costs based on Citywide avg. cost per resident and per job.

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As noted in the prior **Table 2**, certain service costs will be funded through special taxes or assessments paid by new development and managed by a master homeowners association (HOA). Other required public services, including additional police, fire and emergency medical services (EMS), as well as the maintenance of any new roads that are built by the Project and transferred to the City, will be funded by increased General Fund revenues from new development. MUNI/transportation services may also be affected and will be offset by a combination of service charges, local, regional and State funds.

**Table 3** summarizes development impact fees and other one-time revenues during construction. The impact fee revenue will be dedicated and legally required to fund infrastructure and facilities targeted by each respective fee. Credits may be provided against certain fees to the extent that the Project builds qualifying infrastructure and public facilities onsite, for example, bicycle parking and childcare facilities. The City may also agree to credit some of these fees back to the Project in consideration of public-serving improvements that the Project provides in kind. Certain impact fee revenues may be used Citywide to address needs created by new development. No affordable housing in-lieu fees or jobs housing linkage fees are assumed due to the Project providing affordable units equal to 50 percent of total units.

**Table 3 Estimated Impact Fees and One-Time Revenues**

| Item                                           | Total Amount        |
|------------------------------------------------|---------------------|
| <b><u>City Development Impact Fees (1)</u></b> |                     |
| Balboa Park Community Infrastructure           | \$9,371,000         |
| Jobs Housing Linkage (2)                       | na                  |
| Affordable Housing (3)                         | provided onsite     |
| Child Care (4)                                 | \$2,308,000         |
| Bicycle Parking In-lieu                        | provided onsite     |
| Transportation Sustainability Fee              | <u>\$11,315,000</u> |
|                                                | <b>\$22,994,000</b> |
| <b><u>Other Fees</u></b>                       |                     |
| San Francisco Unified School District          | <b>\$3,957,000</b>  |
| <b><u>Other One-Time Revenues</u></b>          |                     |
| Construction Sales Tax (1% Gen'l Fund)         | \$1,419,000         |
| Gross Receipts Tax During Construction         | <u>\$1,892,000</u>  |
| Total: Other One-Time Revenues                 | <b>\$3,311,000</b>  |

(1) Impact fee rates as of Jan. 1, 2018. Refer to Table A-3 for additional detail.  
 (2) Linkage fee (commercial uses only) assumed offset by Project's affordable housing.  
 (3) Affordable housing will be provided on site.  
 (4) Child Care impact fee may be waived in consideration for the Project's on-site childcare center.

2/9/18

## MAINTENANCE AND SERVICE COSTS

Actual costs will depend on the level of future service demands, and Citywide needs by City departments at the time of development and occupancy.

### **Public Open Space**

The Project will include at least 4.0 acres of public parks and open spaces. The parks consist of a large open space of approximately 2 acres, and at least 1.5 acres, along with “gateway” green spaces to serve as gathering places that unite the Site with the surrounding neighborhoods.

The Recreation and Parks Department (RPD) may express interest in assuming ownership and/or operations and maintenance responsibilities for the proposed large open space, subject to agreement between the Project developer and the City. The developer may engage in discussions with RPD about potentially entering into such an arrangement as part of the Development Agreement. However, absent such an arrangement, the Project will fund the parks and open spaces’ ongoing operating costs, including administration, maintenance, and utility costs using CFD services special taxes (or HOA fees) paid by property owners. A master homeowners association would be responsible for managing maintenance activities, as well as the programming of recreation activities not otherwise provided by the City. Specific service needs and costs will be determined based on the programming of the parks.

### **Police**

The Project Site is served by the SFPD’s Ingleside Station. The addition of the Project’s new residents would likely lead the Ingleside Police District to request additional staffing. Over the past several decades, the SFPD has kept staffing levels fairly constant and manages changing service needs within individual districts by re-allocating existing capacity. If needed to serve new residents associated with the Project, additional officers would most likely be reassigned from other SFPD districts and/or hired to fill vacancies created by retirements.<sup>4 5</sup> For purposes of this analysis, the Project’s police service cost is estimated using the City’s current per capita service rate.

### **Fire and EMS**

The San Francisco Fire Department (SFFD) deploys services from the closest station with available resources, supplemented by additional resources based on the nature of the call. SFFD

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<sup>4</sup> Carolyn Welch, San Francisco Police Department, telephone interview, December 22, 2017.

<sup>5</sup> Jack Hart, San Francisco Police Department, telephone interview, January 3, 2017.

anticipates that it will require additional resources to serve the Site and its vicinity as that area's population grows, but it has not yet determined the anticipated costs.<sup>6</sup> The costs in this report have been estimated based on Citywide averages.

#### **SFMTA**

Using the City's Transportation Demand Management (TDM) Ordinance as a guide, the Project will include a TDM program that encourages the use of sustainable modes of transportation for residents and visitors. This approach will increase demand for and revenues to local public transit service, which includes the J, K, and M MUNI light rail lines and the 8, 29, 43, 49, and 88X bus lines. The Project will also be required to pay the Transportation Sustainability Fee and/or provide equivalent in-kind transportation benefits, as well as provide transportation mitigation measures required as a result of the environmental review process. Specific impacts on transit services, costs, and cost recovery will be studied and determined by the final development program, TDM plan, and environmental review findings.

#### **Department of Public Works (DPW)**

The Project will create new rights of way to provide access into and out of the Site and circulation within it. These improvements may be accepted by the City, provided that they are designed to standards approved by applicable City agencies, in which case DPW would be responsible for cleaning and maintaining them. Based on the anticipated type and intensity of these proposed rights of way, DPW is estimating annual maintenance costs<sup>7</sup>. For purposes of the current analysis, a Citywide average cost per mile of road provides an estimated cost.

The Project may also include some smaller roads and access points that would remain private, in which case the City would not be responsible for their ongoing operation and maintenance. Instead, special taxes paid by owners of Project buildings, for example as participants in a services CFD, could fund their maintenance. The services budget would be sized to pay for ongoing maintenance of facilities as well as periodic "life cycle" costs for repair and replacement of facilities.

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<sup>6</sup> Olivia Scanlon, San Francisco Fire Department, telephone interview, February 8, 2018.

<sup>7</sup> Bruce Robertson, Department of Public Works, correspondence with City Project staff.



## PUBLIC REVENUES

New tax revenues from the Project will include ongoing annual revenues and one-time revenues, as summarized in the prior tables. The revenues represent direct, incremental benefits of the Project. These tax revenues will help fund public improvements and services within the Project and Citywide. The following sections describe key assumptions and methodologies employed to estimate each revenue.

### **Charter Mandated Baseline Requirements**

The City Charter requires that a certain share of various General Fund revenues be allocated to specific programs. An estimated 20 percent of revenue is shown deducted from General Fund discretionary revenues generated by the Project (in addition to the share of parking revenues dedicated to MTA, shown separately). While these baseline amounts are shown as a deduction, they represent an increase in revenue as a result of the Project to various City programs whose costs aren't necessarily directly affected by the Project, resulting in a benefit to these services.

### **Property Taxes**

Property tax at a rate of 1 percent of value will be collected from the land and improvements constructed by the Project.<sup>8</sup> The City receives up to \$0.65 in its General Fund and special fund allocations, of every property or possessory interest tax dollar collected. The State's Education Revenue Augmentation Fund (ERAF) receives \$0.25 of every property tax dollar collected.

The remaining \$0.10 of every property tax dollar collected, beyond the City's \$0.65 share and the \$0.25 State ERAF share, is distributed directly to other local taxing entities, including the San Francisco Unified School District, City College of San Francisco, the Bay Area Rapid Transit District and the San Francisco Bay Area Air Quality Management District. These distributions will continue and will increase as a result of the Project.

Upon the sale of a parcel, building, or individual unit constructed at the Project, the taxable value will be assessed at the new transaction price. The County Assessor will determine the assessed values; the estimates shown in this analysis are preliminary and may change depending on future economic conditions and the exact type, amount and future value of development.

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<sup>8</sup> Ad valorem property taxes supporting general obligation bond debt in excess of this 1 percent amount and other assessments are excluded for purposes of this analysis. Such taxes require separate voter approval and proceeds are payable only for uses approved by the voters.

Certain properties, including non-profits providing low-income rental housing, are exempt from property tax.

It is likely that property taxes will also accrue during construction of infrastructure and individual buildings, depending on the timing of assessment and tax levy. These revenues have not been estimated.

#### **Property Tax In-Lieu of Vehicle License Fees**

In prior years, the State budget converted a significant portion of Motor Vehicle License Fee (VLF) subventions into property tax distributions; previously these revenues were distributed by the State using a per-capita formula. Under the current formula, these distributions increase over time based on assessed value growth within a jurisdiction. Thus, these City revenues will increase proportionate to the increase in the assessed value added by the new development.

#### **Sales Taxes**

The City General Fund receives 1 percent of taxable sales. New residents will generate taxable sales to the City. In addition to the 1 percent sales tax received by every city and county in California, voter-approved local taxes dedicated to transportation purposes are collected. Two special districts, the San Francisco County Transportation Authority and the San Francisco Public Financing Authority (related to San Francisco Unified School District) also receive a portion of sales taxes (0.50 and 0.25 percent, respectively) in addition to the 1 percent local General Fund portion. The City also receives revenues from the State based on sales tax for the purpose of funding public safety-related expenditures.

#### **Sales Taxes from Construction**

During the construction phases of the Project, one-time revenues will be generated by sales taxes on construction materials and fixtures purchased in San Francisco. Sales tax will be allocated directly to the City and County of San Francisco in the same manner as described in the prior paragraph. Construction sales tax revenues may depend on the City's collection of revenues pursuant to a sub-permit issued by the State.

#### **Transient Occupancy Tax (TOT)**

Hotel Room Tax (also known as Transient Occupancy Tax or TOT) will be generated when hotel occupancies are enhanced by the residential uses envisioned for the Project, such as when friends and relatives come to San Francisco to visit Project residents but choose to stay at hotels. The City currently collects a 14 percent tax on room charges. However, given that no hotels are envisioned for the Project (out-of-town visitors to the Site will likely stay at hotels elsewhere in the City), the impact will not be direct and is excluded from this analysis.

**Parking Tax**

The City collects tax on parking charges at garages, lots, and parking spaces open to the public or dedicated to commercial users. The tax is 25 percent of the pre-tax parking charge. The revenue may be deposited to the General Fund and used for any purpose, however as a matter of City policy the SFMTA retains 80 percent of the parking tax revenue; the other 20 percent is available to the General Fund for allocation to special programs or purposes. This analysis assumes that parking spaces envisioned for the Project's 500-space shared parking garage will generate parking tax; no parking tax is assumed from the residential-only parking spaces. Off-site parking tax revenues that may be generated by visitors or new residents are not included.

**Property Transfer Tax**

The City collects a property transfer tax ranging from \$2.50 on the first \$500 of transferred value on transactions up to \$250,000 to \$15.00 per \$500 on transactions greater than \$25 million.

The fiscal analysis assumes that commercial apartment property sells once every ten to twenty years, or an average of about once every 15 years. For estimating purposes, it is assumed that sales are spread evenly over every year, although it is more likely that sales will be sporadic. An average tax rate has been applied to the average sales transactions to estimate the potential annual transfer tax to the City. Actual amounts will vary depending on economic factors and the applicability of the tax to specific transactions.

The for-sale units can re-sell independently of one another at a rate more frequent than rental buildings. This analysis conservatively assumes that the average condominium or townhouse will be sold to a new owner every ten years, on average.

**Gross Receipts Tax**

Commercial activity, including residential rental property, generates gross receipts taxes. Actual revenues from future gross receipt taxes will depend on a range of variables, including the amount of rental income. This analysis assumes the current gross receipts tax rate of 0.3% (applicable to revenues in the \$2.5 million to \$25 million range).

## DEVELOPMENT IMPACT FEES

The Project will generate a number of one-time City impact fees including:

- **Balboa Park Community Infrastructure** (Planning Code Sec. 422) -- These fees "shall be used to design, engineer, acquire, improve, and develop pedestrian and streetscape improvements, bicycle infrastructure, transit, parks, plazas and open space, as defined in the

Balboa Park Community Improvements Program with the Plan Area. Funds may be used for childcare facilities that are not publicly owned or "publicly-accessible."<sup>9</sup>

- **Jobs Housing Linkage** (Planning Code Sec. 413)-- These fees apply only to commercial uses and are assumed to be offset by the affordable housing provided onsite.
- **Affordable Housing** (Planning Code Sec. 415) –All affordable housing will be provided on the Site, and therefore the Project will be exempt from the fees.
- **Child Care** (Planning Code Sec. 414, 414A) – A fee per square foot is charged to residential uses. It is likely that all or some portion of these fees will be offset and reduced by the value of childcare facilities constructed onsite.
- **Bicycle Parking In-lieu Fee** (Planning Code Sec. 430) -- This fee is assumed to be offset by facilities provided onsite.
- **Transit Sustainability Fee (TSF)** (Planning Code Sec. 411A) – This fee, effective December 25, 2015, replaced the Transit Impact Development Fee. It is a fee per square foot paid by residential and non-residential uses.

In addition to the impact fees charged by the City, utility connection and capacity charges will be collected based on utility consumption and other factors. Other fees will include school impact fees to be paid to the San Francisco Unified School District. The Project will also pay various permit and inspection fees to cover City costs typically associated with new development projects.

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<sup>9</sup> San Francisco Planning Code, Article 4, Sec. 422.5(b)(1) Balboa Park Community Improvements Fund, Use of Funds.

## 4. DEBT LOAD TO BE CARRIED BY THE CITY AND THE SFPUC

No debt is anticipated to be incurred by the City or the SFPUC in connection with the Project. However, public financing or other non-Project sources will be required to achieve the target affordable housing rate of 50%, as described above. The City could potentially issue bonds in conjunction with several of these sources, subject to regulatory and/or voter approval, but a number of other financing options would allow the City to avoid issuing new debt.

## 5. BENEFITS TO THE CITY AND SFPUC

The Project will provide a range of direct and indirect benefits to the City and the SFPUC. These benefits include tax revenues that exceed service costs, as well as a range of other economic benefits such as new jobs, economic activity, and increased public and private expenditures.

### FISCAL BENEFITS

As described in **Chapter 3**, the Project is anticipated to generate a net \$1.7 million of annual general City tax revenues in excess of its estimated public service costs, in addition to about \$1 million in other dedicated and restricted revenues. These revenues would be available for expansion of local and/or Citywide services and public facilities. Approximately 20 percent of revenues are allocated to "Baseline" costs, which represents a benefit to the City.

### ECONOMIC BENEFITS TO THE CITY

**New Permanent Jobs** - The Project will create a small number of new jobs related to the parking facilities and services, childcare services at the childcare center, and landscape and other onsite maintenance services. The residential uses will also create janitorial and domestic service jobs. Because the Project is entirely residential, its economic "multiplier" effects are minimal.

**Temporary Jobs** - The construction of the Project will create short-term construction spending and construction jobs, estimated at 2,800 job-years.

**New Housing Supply** - Completion of approximately 1,100 residential units also will have the positive economic benefit of adding a significant amount to the City's total supply of housing. This provides increased access to housing for existing City residents, as well employees working within the City. Importantly, these approximately 1,100 units will include up to 550 units of affordable to low, moderate, and middle-income households, which are populations with acute housing needs in San Francisco.



## DIRECT FINANCIAL BENEFITS TO THE CITY AND SFPUC

The Project will result in several direct financial benefits:

**Proceeds from Property Sale** -- The sale of the property currently owned by the City will generate net proceeds. The SFPUC will receive fair market value for the sale of the property.

**Increased Sale of Public Power** -- The SFPUC may provide electrical power to the Project's residents, generating net revenues to the SFPUC.

## NEW PUBLIC FACILITIES

The Project will construct parks and open spaces, a shared parking garage, and a community room available to the general public. The Project also includes a childcare center that will be accessible by the public as well as the Project's residents. These facilities are expected to be utilized by the City College community and residents of surrounding neighborhoods.

## OTHER BENEFITS

The Project may participate in the Ocean Avenue Community Benefits District (CBD) that provides funding for a range of services within the neighborhood, including maintenance and cleaning of public rights of way, sidewalk operations and public safety, and District identity and streetscape improvements. The CBD's applicability and associated tax rate will be determined prior to project approvals.



## APPENDIX A: FISCAL ANALYSIS

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**Table 1**  
**Fiscal Results Summary, Ongoing Revenues and Expenditures**  
**Balboa Reservoir**

| Item                                                 | Annual Amount                  |
|------------------------------------------------------|--------------------------------|
| <b>Annual General Revenue</b>                        |                                |
| Property Taxes (1)                                   | \$2,682,000                    |
| Property Tax in Lieu of VLF                          | \$567,000                      |
| Property Transfer Tax                                | 391,000                        |
| Sales Tax                                            | 261,000                        |
| Parking Tax (City 20% share)                         | 95,000                         |
| Gross Receipts Tax                                   | <u>63,000</u>                  |
| <b>Subtotal, General Revenue</b>                     | <b>\$4,059,000</b>             |
| (less) 20% Charter Mandated Baseline                 | <u>(\$811,800)</u>             |
| <b>Revenues to General Fund above Baseline</b>       | <b>\$3,247,200</b>             |
| <b>Public Services Expenditures</b>                  |                                |
| Parks and Open Space                                 | <i>Project's taxes or fees</i> |
| Roads (maintenance, street cleaning)                 | 76,000                         |
| Police (2)                                           | 855,000                        |
| Fire (2)                                             | <u>607,000</u>                 |
| <b>Subtotal, Services</b>                            | <b>\$1,538,000</b>             |
| <b>NET Annual General Revenues</b>                   | <b>\$1,709,200</b>             |
| <b>Annual Other Dedicated and Restricted Revenue</b> |                                |
| Property Tax to Other SF Funds (1)                   | \$413,000                      |
| Parking Tax (MTA 80% share)                          | \$380,000                      |
| Public Safety Sales Tax                              | \$130,000                      |
| SF Cnty Transportation Auth'y Sales Tax              | <u>\$130,000</u>               |
| <b>Subtotal</b>                                      | <b>\$1,053,000</b>             |
| <b>TOTAL, Net General + Other SF Revenues</b>        | <b>\$2,762,200</b>             |
| <b>Other Revenues</b>                                |                                |
| Property Tax to State Education Rev. Fund (ERAF)     | <b>\$1,195,000</b>             |

(1) Property tax to General Fund at 57%. Other SF funds include the Childrens' Fund, Library Fund, and Open Space Acquisition.

(2) Police and Fire costs based on Citywide avg. cost per resident and per job.

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**Table 2**  
**Fiscal Results Summary, One-Time Revenues**  
**Balboa Reservoir**

| Item                                           | Total<br>Amount     |
|------------------------------------------------|---------------------|
| <b><u>City Development Impact Fees (1)</u></b> |                     |
| Balboa Park Community Infrastructure           | \$9,371,000         |
| Jobs Housing Linkage (2)                       | na                  |
| Affordable Housing (3)                         | provided onsite     |
| Child Care (4)                                 | \$2,308,000         |
| Bicycle Parking In-lieu                        | provided onsite     |
| Transportation Sustainability Fee              | <u>\$11,315,000</u> |
|                                                | <b>\$22,994,000</b> |
| <b><u>Other Fees</u></b>                       |                     |
| San Francisco Unified School District          | <b>\$3,957,000</b>  |
| <b><u>Other One-Time Revenues</u></b>          |                     |
| Construction Sales Tax (1% Gen'l Fund)         | \$1,419,000         |
| Gross Receipts Tax During Construction         | <u>\$1,892,000</u>  |
| Total: Other One-Time Revenues                 | <b>\$3,311,000</b>  |

(1) Impact fee rates as of Jan. 1, 2018. Refer to Table A-3 for additional detail.

(2) Linkage fee (commercial uses only) assumed offset by Project's affordable housing.

(3) Affordable housing will be provided on site.

(4) Child Care impact fee may be waived in consideration for the Project's on-site childcare center.

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**Table A-1a  
Project Description Summary  
Balboa Reservoir**

| Item (1)                                     | Units, Sq.Ft., or Spaces |                  |
|----------------------------------------------|--------------------------|------------------|
| Apartments                                   |                          |                  |
| Market Rate                                  |                          | 483 units        |
| Affordable                                   |                          | <u>502</u> units |
| Total, Apts                                  |                          | 985 units        |
| Condos and Townhouses                        |                          |                  |
| Market Rate Townhouses                       |                          | 67 units         |
| Affordable Condos                            |                          | <u>48</u> units  |
| Total, Condos and Townhouses                 |                          | 115 units        |
| Total, Residential                           |                          | units            |
| Market Rate                                  | 50%                      | 550 units        |
| Affordable                                   | 50%                      | <u>550</u> units |
|                                              |                          | 1,100 units      |
| Community Gathering Space                    |                          | 1,500 sq.ft.     |
| Childcare Center (capacity for 100 children) |                          | 5,000 sq.ft.     |
| Shared Garage                                |                          | 500 spaces       |
|                                              |                          | 175,000 sq.ft.   |

(1) Number of units and space are preliminary and for evaluation purposes only.  
Further analysis may consider different development program scenarios.

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**Table A-1b  
Project Description Summary -- Affordable Units  
Balboa Reservoir**

| Housing Category                     | %           | Units (1)    |
|--------------------------------------|-------------|--------------|
|                                      | of Total    |              |
| <u>Baseline Affordable Apts.</u>     |             |              |
| Low-Income (Bridge/Mission <55% AMI) | 16%         | 174          |
| Moderate-Income (Bridge <120% AMI)   | 15%         | <u>165</u>   |
| Total Baseline Affordable            |             | 339          |
| <u>Baseline Affordable Condos</u>    |             |              |
| Low-Income (Habitat <80% AMI)        | 2%          | 24           |
| <b>Total Baseline Affordable</b>     | <b>33%</b>  | <b>363</b>   |
| <u>Additional Affordable Apts.</u>   |             |              |
| Low-Income (Bridge <20% & <55% AMI)  | 15%         | 163          |
| <u>Additional Affordable Condos</u>  |             |              |
| Moderate-Income (Habitat <105% AMI)  | 2%          | 24           |
| <b>Total Additional Affordable</b>   | <b>17%</b>  | <b>187</b>   |
| <b>Total Affordable</b>              | <b>50%</b>  | <b>550</b>   |
| Market-Rate Apts                     |             | 483          |
| Market-Rate Townhouses               |             | <u>67</u>    |
| Total, Market Rate                   | <b>50%</b>  | <b>550</b>   |
| <b>TOTAL UNITS</b>                   | <b>100%</b> | <b>1,100</b> |

(1) Number of units and space are preliminary and for evaluation purposes only;  
Further analysis may consider different development program scenarios.

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**Table A-2  
Population and Employment  
Balboa Reservoir**

| <b>Item</b>                                         | <b>Assumptions</b>              | <b>Total</b>   |
|-----------------------------------------------------|---------------------------------|----------------|
| Population                                          | 2.27 persons per unit (1)       | 2,497          |
| <b>Employment (FTEs)</b>                            |                                 |                |
| Residential (2)                                     | 27.9 units per FTE (2)          | 39             |
| Parking                                             | 270 spaces per FTE (2)          | <u>2</u>       |
| Total                                               |                                 | 41             |
| Construction (job-years) (5)                        | \$559,836,000 Construction cost | 2,754          |
| <b>TOTAL SERVICE POPULATION</b>                     |                                 |                |
| Residents                                           |                                 | 2,497          |
| Employees (excluding construction jobs)             |                                 | <u>41</u>      |
| Total Service Population (Residents plus Employees) |                                 | 2,538          |
| <b>CITYWIDE</b>                                     |                                 |                |
| Residents (3)                                       |                                 | 874,200        |
| Employees (4)                                       |                                 | <u>710,300</u> |
| Service Population (Residents plus Employees)       |                                 | 1,584,500      |

(1) ABAG 2015 estimate (citywide); actual Project density will vary depending on unit size and mix.

(2) Residential jobs include building management, janitorial, cleaning/repair, childcare, and other domestic services. Factors based on comparable projects.

(3) Cal. Dept. of Finance, Rpt. E-1, 2017

(4) BLS QCEW State and County Map, 2016Q3.

(5) Construction job-years based on IMPLAN job factors.

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**Table A-3  
San Francisco City Development Impact Fee Estimate  
Balboa Reservoir**

| Item                                                    |                 | Total<br>Sq.Ft. (1) | Total Fees          |
|---------------------------------------------------------|-----------------|---------------------|---------------------|
| <b>Residential</b>                                      |                 |                     |                     |
|                                                         | <b>Units</b>    |                     |                     |
| Market-Rate                                             | 550             | 605,000             |                     |
| Moderate-Income                                         | 189             | 189,000             |                     |
| Low-Income                                              | <u>361</u>      | <u>342,950</u>      |                     |
| <b>Total</b>                                            | 1,100           | 1,136,950           |                     |
| <b>Other</b>                                            |                 |                     |                     |
| Childcare Facility                                      | approximately   | 5,000               |                     |
| Shared Parking (2)                                      |                 | 175,000             |                     |
| <b>City Impact Fees (per gross building sq.ft.) (2)</b> |                 |                     |                     |
| <b>Balboa Park Community Infrastructure</b>             |                 |                     |                     |
| Residential (3)                                         | \$11.32 /sq.ft. | 794,000             | \$8,988,080         |
| Non-Residential (3)                                     | \$2.13 /sq.ft.  | 180,000             | \$383,400           |
| Jobs Housing Linkage (4)                                | na              |                     | na                  |
| Affordable Housing (5)                                  | na              |                     | na                  |
| Child Care (6)                                          | \$2.03 /sq.ft.  | 1,136,950           | \$2,308,009         |
| Bicycle Parking In-lieu Fee (7)                         | na              |                     | na                  |
| <b>Transportation Sustainability Fee</b>                |                 |                     |                     |
| Residential (8)                                         | \$9.71 /sq.ft.  | 794,000             | \$7,709,740         |
| Non-Residential (3)                                     | \$20.03 /sq.ft. | 180,000             | <u>\$3,605,400</u>  |
| <b>Total</b>                                            |                 |                     | <b>\$22,994,629</b> |
| <b>Other Impact Fees (9)</b>                            |                 |                     |                     |
| San Francisco Unified School District                   | \$3.48 /sq.ft.  | 1,136,950           | <b>\$3,956,586</b>  |

(1) Residential fees assume approximately 950 to 1,100 sq.ft./unit. Mix of sizes will vary in final program.

(2) All impact fees are as of January 2018.

(3) Units affordable to a maximum 80% AML exempt from Balboa Park Community Infrastructure Fee.  
100% of non-residential assumed to be subject to TSF & Community Infrastructure Fee.

(4) Jobs Housing Linkage not applicable to residential.

(5) Plans anticipate affordable units sufficient to offset fee requirement.

(6) Child Care impact fee may be waived in consideration for the Project's on-site childcare facility.

(7) Bicycle facilities provided onsite, not subject to fee.

(8) Units affordable to a maximum 80% AML exempt from Transportation Sustainability Fee (TSF).

(9) Additional utility fees and charges will be paid, depending on final Project design.

Sources: City of San Francisco, and Berkson Associates.

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**Table A-4  
Assessed Value Estimate  
Balboa Reservoir**

| <b>Item</b>                             | <b>Development Cost</b> |
|-----------------------------------------|-------------------------|
| <u>Residential Buildings (1)</u>        |                         |
| Townhouses (Market-rate)                | \$60,598,000            |
| Condos (Affordable)                     | \$15,360,000            |
| Apartments (Market-rate)                | \$169,412,000           |
| Apartments (Moderate)                   | \$87,818,000            |
| Apartments (Low-income)                 | <u>\$88,031,000</u>     |
| Subtotal, Residential Buildings         | \$421,219,000           |
| <u>Other</u>                            |                         |
| Parking - shared (500 spaces)           | \$13,830,000            |
| Infrastructure (2)                      | \$38,000,000            |
| Other Costs (3)                         | <u>\$86,787,000</u>     |
| <b>Total</b>                            | <b>\$559,836,000</b>    |
| <b>(less) Property Tax-Exempt</b>       |                         |
| Low-income Rental Units (up to 80% AMI) | <b>(\$88,031,000)</b>   |
| <b>Net Taxable Assessed Value</b>       | <b>\$471,805,000</b>    |

(1) Includes building hard costs, residential parking, and site development. Site acquisition and community benefits are to be negotiated and are not included.

(2) Master infrastructure includes utilities, roads, grading, parks and open space.

(3) "Other Costs" include soft costs (eg legal, design, finance, furnishings and fixtures).

Permits & Fees not included for purposes of A.V. estimates. 2/9/18

**Table A-5  
Property Tax Estimate  
Balboa Reservoir**

| <b>Item</b>                            | <b>Assumptior</b> | <b>Total</b>         |
|----------------------------------------|-------------------|----------------------|
| <b>Taxable Assessed Value (1)</b>      |                   | <b>\$471,805,000</b> |
| <b>Gross Property Tax</b>              | 1.0%              | <b>\$4,718,000</b>   |
| <b>Allocation of Tax</b>               |                   |                      |
| General Fund                           | <b>56.84%</b>     | <b>\$2,682,000</b>   |
| Childrens' Fund                        | 3.75%             | \$177,000            |
| Library Preservation Fund              | 2.50%             | \$118,000            |
| Open Space Acquisition Fund            | <u>2.50%</u>      | <u>\$118,000</u>     |
| <b>Subtotal, Other Funds</b>           | <b>8.75%</b>      | <b>\$413,000</b>     |
| ERAF                                   | 25.33%            | \$1,195,000          |
| SF Unified School District             | 7.70%             | \$363,000            |
| Other                                  | <u>1.38%</u>      | <u>\$65,000</u>      |
|                                        | <b>34.41%</b>     | <b>\$1,623,000</b>   |
| <b>Total, 1%</b>                       | <b>100.00%</b>    | <b>\$4,718,000</b>   |
| Other (bonds, debt, State loans, etc.) | <b>17.23%</b>     | <b>\$813,000</b>     |
| <b>TOTAL</b>                           | <b>117.23%</b>    | <b>\$5,531,000</b>   |

Sources: City of San Francisco, and Berkson Associates

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**Table A-6**  
**Property Tax in Lieu of VLF Estimate**  
**Balboa Reservoir**

| <b>Item</b>                                                          | <b>Total</b>      |
|----------------------------------------------------------------------|-------------------|
| Citywide Total Assessed Value (1)                                    | \$231,000,000,000 |
| Total Citywide Property Tax in Lieu of Vehicle License Fee (VLF) (2) | \$233,970,000     |
| Project Assessed Value                                               | \$559,836,000     |
| Growth in Citywide AV due to Project                                 | 0.24%             |
| <b>TOTAL PROPERTY TAX IN LIEU OF VLF (3)</b>                         | <b>\$567,000</b>  |

(1) Based on the CCSF FY2017 total assessed value, Office of the Assessor-Controller, July 21, 2017.

(2) City and County of San Francisco Annual Appropriation Ordinance for Fiscal Year Ending June 30, 2018, page 127.

(3) Equals the increase in Citywide AV due to the Project multiplied by the current Citywide Property Tax In Lieu of VLF. No assumptions included about inflation and appreciation of Project or Citywide assessed values.

Sources: City of San Francisco, and Berkson Associates

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**Table A-7**  
**Property Transfer Tax**  
**Balboa Reservoir**

| Item                                                       | Assumptions                          | Total            |
|------------------------------------------------------------|--------------------------------------|------------------|
| <u>Annual Transfer Tax From Condo and Townhouses Sales</u> |                                      |                  |
| Assessed Value (AV)                                        | \$75,958,000                         |                  |
| Annual Transactions                                        | 10.0% (avg. sale once/10 years)(4)   | \$7,596,000      |
| Transfer Tax From Condos and Townhouses                    | \$3.40 /\$500 (1)                    | \$52,000         |
| <u>Market-Rate Apartments (5)</u>                          |                                      |                  |
| Assessed Value (AV)                                        | \$169,400,000                        |                  |
| Avg. Sales Value                                           | 6.7% (avg.sale once/15 years)(3),(4) | \$11,293,000     |
| Transfer Tax: Apartment Buildings (annual avg.)            | \$15.00 /\$500 (2)                   | \$339,000        |
| <b>TOTAL ONGOING TRANSFER TAX</b>                          |                                      | <b>\$391,000</b> |

(1) Rates range from \$2.50 per \$500 of value for transactions up to \$250k, \$3.40 up to \$1 million, to \$3.75 per \$500 of value for transactions from \$1 million to \$5 million; applies to sale of affordable and market-rate ownership units.

(2) Assumes rate applicable to sales > \$25 million for market-rate apartment buildings.

(3) Actual sales will be periodic and for entire buildings; revenues have been averaged and spread annually for the purpose of this analysis.

(4) Turnover rates are estimated averages based on analysis of similar projects; actual % and value of sales will vary annually.

(5) No transactions assumed for low-income and moderate-rate apartments owned by non-profits.

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**Table A-8**  
**Sales Tax Estimates**  
**Balboa Reservoir**

| Item                                                                  | Low-Income Apts (<55% AMI) |                 | Moderate-Income Apts (<120% AMI) |                 | Low-Income Condos (<80% AMI) |                |
|-----------------------------------------------------------------------|----------------------------|-----------------|----------------------------------|-----------------|------------------------------|----------------|
|                                                                       | Assumptions                | Total           | Assumptions                      | Total           | Assumptions                  | Total          |
| <b>Taxable Sales From New Residential Uses</b>                        |                            |                 |                                  |                 |                              |                |
| Sale Price                                                            |                            |                 |                                  |                 |                              |                |
| Average Annual Rent or Housing Payment (1)                            |                            |                 |                                  |                 |                              |                |
| Average Household Income                                              | 50% of AMI 2.27/hh         | \$47,700        | 110% of AMI 2.27/hh              | \$104,900       | 70% of AMI 2.27/hh           | \$66,700       |
| Average HH Retail Expenditure (3)                                     | 27%                        | \$12,900        | 27%                              | \$28,300        | 27%                          | \$18,000       |
| New Households                                                        |                            | 337             |                                  | 165             |                              | 24             |
| Total New Retail Sales from Households                                |                            | \$4,347,000     |                                  | \$4,670,000     |                              | \$432,000      |
| New Taxable Retail Sales Captured in San Francisco (4)                | 80% of retail expend       | \$3,477,600     | 80% of retail expend             | \$3,736,000     | 80% of retail expend.        | \$345,600      |
| <b>Net New Sales Tax to GF From Residential Uses</b>                  | 1.0% tax rate              | <b>\$34,800</b> | 1.0% tax rate                    | <b>\$37,400</b> | 1.0% tax rate                | <b>\$3,500</b> |
| <b>TOTAL Sales Tax to General Fund (1%)</b>                           |                            | <b>\$34,800</b> |                                  | <b>\$37,400</b> |                              | <b>\$3,500</b> |
| <b>Annual Sales Tax Allocation</b>                                    |                            |                 |                                  |                 |                              |                |
| Sales Tax to the City General Fund                                    | 1.00% tax rate             | <b>\$34,800</b> | 1.00% tax rate                   | <b>\$37,400</b> | 1.00% tax rate               | <b>\$3,500</b> |
| <b>Other Sales Taxes</b>                                              |                            |                 |                                  |                 |                              |                |
| Public Safety Sales Tax                                               | 0.50% tax rate             | <b>\$17,400</b> | 0.50% tax rate                   | <b>\$18,700</b> | 0.50% tax rate               | <b>\$1,800</b> |
| San Francisco County Transportation Authority (6)                     | 0.50% tax rate             | <b>\$17,400</b> | 0.50% tax rate                   | <b>\$18,700</b> | 0.50% tax rate               | <b>\$1,800</b> |
| SF Public Financing Authority (Schools) (6)                           | 0.25% tax rate             | <b>\$8,700</b>  | 0.25% tax rate                   | <b>\$9,400</b>  | 0.25% tax rate               | <b>\$900</b>   |
| <b>One-Time Sales Taxes on Construction Materials and Supplies</b>    |                            |                 |                                  |                 |                              |                |
| Total Development Cost                                                |                            |                 |                                  |                 |                              |                |
| Direct Construction Costs (exc. land, profit, soft costs, fees, etc.) |                            |                 |                                  |                 |                              |                |
| Supply/Materials Portion of Construction Cost                         | 60.00%                     |                 |                                  |                 |                              |                |
| San Francisco Capture of Taxable Sales                                | 50.00%                     |                 |                                  |                 |                              |                |
| Sales Tax to San Francisco General Fund                               | 1.0% tax rate              |                 |                                  |                 |                              |                |

(1) Incomes from "2017 MAXIMUM INCOME BY HOUSEHOLD SIZE derived from the Unadjusted Area Median Income (AMI) for HUD Metro Fair Market Rent Area (HMFA) that Contains San Francisco". Affordable rents adjusted for average household size of 2.27.

(2) Avg. market rate apartment rent based on average for comparable project (Axiometrics 12/17 survey).

Estimated townhouse sale price from Berkson Associates, August 2017, avg. for new detached homes in San Francisco.

(3) Based on typical household spending as reported for the San Francisco MSA by the State Board of Equalization.

(4) Estimated portion of sales assumed to be captured within the City based on analyses prepared for comparable projects.

**Table A-8**  
**Sales Tax Estimates**  
**Balboa Reservoir**

| Item                                                   | Moderate-Income Townhouses (<105% AMI) |                | Market-Rate Apts    |                  | Market-Rate Townhouses |                 |
|--------------------------------------------------------|----------------------------------------|----------------|---------------------|------------------|------------------------|-----------------|
|                                                        | Assumptions                            | Total          | Assumptions         | Total            | Assumptions            | Total           |
| <b>Taxable Sales From New Residential Uses</b>         |                                        |                |                     |                  |                        |                 |
| Sale Price                                             |                                        |                |                     |                  | \$1,500,000 (2)        |                 |
| Average Annual Rent or Housing Payment (1)             |                                        |                | \$3,300 /unit (2)   | \$39,600         | \$7,300 per household  | \$87,600        |
| Average Household Income                               | 100% of AMI 2.27/hh                    | \$95,400       | 30%                 | \$132,000        | 30%                    | \$292,000       |
| Average HH Retail Expenditure (3)                      | 27%                                    | \$25,800       | 27%                 | \$35,600         | 27%                    | \$78,800        |
| New Households                                         |                                        | 24             |                     | 483              |                        | 67              |
| Total New Retail Sales from Households                 |                                        | \$619,000      |                     | \$17,195,000     |                        | \$5,280,000     |
| New Taxable Retail Sales Captured in San Francisco (4) | 80% of retail expenc                   | \$495,200      | 80% of retail expen | \$13,756,000     | 80% of retail expend.  | \$4,224,000     |
| <b>Net New Sales Tax to GF From Residential Uses</b>   | 1.0% tax rate                          | <b>\$5,000</b> | 1.0% tax rate       | <b>\$137,600</b> | 1.0% tax rate          | <b>\$42,200</b> |
| <b>TOTAL Sales Tax to General Fund (1%)</b>            |                                        | <b>\$5,000</b> |                     | <b>\$137,600</b> |                        | <b>\$42,200</b> |
| <b>Annual Sales Tax Allocation</b>                     |                                        |                |                     |                  |                        |                 |
| Sales Tax to the City General Fund                     | 1.00% tax rate                         | <b>\$5,000</b> | 1.00% tax rate      | <b>\$137,600</b> | 1.00% tax rate         | <b>\$42,200</b> |
| <b>Other Sales Taxes</b>                               |                                        |                |                     |                  |                        |                 |
| Public Safety Sales Tax                                | 0.50% tax rate                         | <b>\$2,500</b> | 0.50% tax rate      | <b>\$68,800</b>  | 0.50% tax rate         | <b>\$21,100</b> |
| San Francisco County Transportation Authority (6)      | 0.50% tax rate                         | <b>\$2,500</b> | 0.50% tax rate      | <b>\$68,800</b>  | 0.50% tax rate         | <b>\$21,100</b> |
| SF Public Financing Authority (Schools) (6)            | 0.25% tax rate                         | <b>\$1,300</b> | 0.25% tax rate      | <b>\$34,400</b>  | 0.25% tax rate         | <b>\$10,600</b> |

(1) Incomes from "2017 MAXIMUM INCOME BY HOUSEHOLD SIZE derived from the Unadjusted Area Median Income (AMI) for HUD Metro Fair Market Rent Area (HMFA) that Contains San Francisco". Affordable rents adjusted for average household size of 2.27.

(2) Avg. market rate apartment rent based on average for comparable project (Axiometrics 12/17 survey).

Estimated townhouse sale price from Berkson Associates, August 2017, avg. for new detached homes in San Francisco.

(3) Based on typical household spending as reported for the San Francisco MSA by the State Board of Equalization.

(4) Estimated portion of sales assumed to be captured within the City based on analyses prepared for comparable projects.

**Table A-8**  
**Sales Tax Estimates**  
**Balboa Reservoir**

| Item                                                            | TOTAL              |
|-----------------------------------------------------------------|--------------------|
| <b>Taxable Sales From New Residential Uses</b>                  |                    |
| Sale Price                                                      | na                 |
| Average Annual Rent or Housing Payment (1)                      | na                 |
| Average Household Income                                        | na                 |
| Average HH Retail Expenditure (3)                               | na                 |
| New Households                                                  | 1,100              |
| Total New Retail Sales from Households                          |                    |
| New Taxable Retail Sales Captured in San Francisco (4)          |                    |
| <b>Net New Sales Tax to GF From Residential Uses</b>            | <b>\$260,500</b>   |
| <b>TOTAL Sales Tax to General Fund (1%)</b>                     | <b>\$260,500</b>   |
| <b>Annual Sales Tax Allocation</b>                              |                    |
| Sales Tax to the City General Fund                              | <b>\$260,500</b>   |
| <b>Other Sales Taxes</b>                                        |                    |
| Public Safety Sales Tax                                         | <b>\$130,300</b>   |
| San Francisco County Transportation Authority (6)               | <b>\$130,300</b>   |
| SF Public Financing Authority (Schools) (6)                     | <b>\$65,300</b>    |
| <b>One-Time Sales Taxes on Construction Materials and</b>       |                    |
| Total Development Cost                                          | \$559,836,000      |
| Direct Construction Costs (exc. land, profit, soft costs, fees) | \$473,049,000      |
| Supply/Materials Portion of Construction Cost                   | \$283,829,000      |
| San Francisco Capture of Taxable Sales                          | \$141,914,500      |
| Sales Tax to San Francisco General Fund                         | <b>\$1,419,000</b> |

(1) Incomes from "2017 MAXIMUM INCOME BY HOUSEHOLD SIZE derived from the Unadjusted Area Median Income (AMI) for HUD Metro Fair Market Rent Area (HMFA) that Contains San Francisco". Affordable rents adjusted for average household size of 2.27.

(2) Avg. market rate apartment rent based on average for comparable project (Axiometrics 12/17 survey).

Estimated townhouse sale price from Berkson Associates, August 2017, avg. for new detached homes in San Francisco.

(3) Based on typical household spending as reported for the San Francisco MSA by the State Board of Equalization.

(4) Estimated portion of sales assumed to be captured within the City based on analyses prepared for comparable projects.

Source: Berkson Associates

**Table A-9  
Parking Tax  
Balboa Reservoir**

| <b>Item</b>                                             | <b>Assumption</b>      | <b>Total</b>     |
|---------------------------------------------------------|------------------------|------------------|
| Garage Revenue (2)                                      |                        | \$1,900,000      |
| Spaces (shared garage) (1)                              |                        | 500              |
| <b><u>Parking Revenues</u></b>                          |                        |                  |
| Annual Total (2)                                        | \$3,800 per year/space | \$1,900,000      |
| <b><u>San Francisco Parking Tax (3)</u></b>             |                        |                  |
| Parking Tax Allocation to General Fund/Special Programs | 25% of revenue         | <b>\$475,000</b> |
| Parking Tax Allocation to Municipal Transp. Fund        | 20% of tax proceeds    | \$95,000         |
|                                                         | 80% of tax proceeds    | \$380,000        |

(1) Shared spaces will be a mix of residents and City College parking.

(2) Based on estimated revenue from parking garage; actual hourly and daily revenue will vary depending on occupancy rates, turnover during the day, and long-term parking rates vs. hourly rates.

(3) 80 percent is transferred to the San Francisco Municipal Transportation Agency for public transit as mandated by Charter Section 16.110.

Source: Berkson Associates

2/9/18

**Table A-10**  
**Gross Receipts Tax Estimates**  
**Balboa Reservoir**

| Item                         | Total Gross Receipts | Gross Revenue Tier (1) |               |                |        | Gross Receipts Tax |
|------------------------------|----------------------|------------------------|---------------|----------------|--------|--------------------|
|                              |                      | up to \$1m             | \$1m - \$2.5m | \$2.5m - \$25m | \$25m+ |                    |
| <u>Business Income</u>       |                      |                        |               |                |        |                    |
| Subtotal                     |                      | na                     |               |                |        | na                 |
| <u>Rental Income (2)</u>     |                      |                        |               |                |        |                    |
| Parking                      | \$1,900,000          | 0.285%                 | 0.285%        | 0.300%         | 0.300% | \$5,700            |
| Residential                  | <u>\$19,127,000</u>  | 0.285%                 | 0.285%        | 0.300%         | 0.300% | <u>\$57,381</u>    |
| Subtotal                     | \$21,027,000         |                        |               |                |        | \$63,081           |
| <b>Total Gross Receipts</b>  | <b>\$21,027,000</b>  |                        |               |                |        | <b>\$63,081</b>    |
| <u>Project Construction</u>  |                      |                        |               |                |        |                    |
| Total Development Value (3)  | \$559,836,000        |                        |               |                |        |                    |
| Direct Construction Cost (4) | \$473,049,000        | 0.300%                 | 0.350%        | 0.400%         | 0.450% | <b>\$1,892,196</b> |

(1) This analysis applies highlighted tax rate in tier for each use.

(2) See tables referenced in Table A-11.

(3) Based on total development cost.

(4) Direct construction costs exclude soft costs, community benefits and land.

Source: Berkson Associates

2/9/18

**Table A-11**  
**Rental Income for Gross Receipts Tax Estimates**  
**Balboa Reservoir**

| Item                                      | Gross Sq.Ft.<br>Units, or Space | Annual<br>Avg. Rent | Total               |
|-------------------------------------------|---------------------------------|---------------------|---------------------|
| Parking (excludes Gross Receipts Tax) (1) | 500 spaces                      |                     | \$1,900,000         |
| Market-Rate Apartments (2)                | 483 units                       | \$39,600            | <u>\$19,126,800</u> |
| <b>TOTAL</b>                              |                                 |                     | <b>\$21,026,800</b> |

(1) Refer to Table A-9 for additional parking detail.

(2) See Table A-8 for estimated market-rate apartment rents.

2/9/18

**Table A-12**  
**Estimated City Services Costs**  
**Balboa Reservoir**

| Item                                 | City<br>Total Budget | Cost per Service<br>Pop. (1) or Mile | Factor                 | Total<br>Cost      |
|--------------------------------------|----------------------|--------------------------------------|------------------------|--------------------|
| Citywide Service Population (1)      |                      |                                      | 1,584,500 service pop. |                    |
| Project Service Population (1)       |                      |                                      | 2,538 service pop.     |                    |
| Citywide DPW Miles of Road (4)       |                      |                                      | 981 miles              |                    |
| Miles of Road in Project (estimated) |                      |                                      | 0.66 miles             |                    |
| Fire Department (2)                  | \$378,948,000        | \$239                                | 2,538 service pop.     | \$607,000          |
| Police Department (3)                | \$533,899,000        | \$337                                | 2,538 service pop.     | \$855,000          |
| Roads (4)                            | \$112,200,000        | \$114,373                            | 0.66 miles             | <u>\$75,815</u>    |
| <b>TOTAL</b>                         |                      |                                      |                        | <b>\$1,462,000</b> |

(1) Service Population equals jobs plus residents (see Table A-2).

(2) Total fire budget (FY17-18 Adopted) excludes "Administration & Support Services", assuming no impact or additional administrative costs required due to Project.

(3) Total police budget (FY17-18 Adopted) excludes "Airport Police".

(4) Road costs (FY16-17) for \$52.1 mill. street resurfacing capital expenditures and \$60.1 mill. environmental services (pothole repair, sidewalks, graffiti, street sweeping, etc.).

Road miles from SFdata, <https://data.sfgov.org/City-Infrastructure/Miles-Of-Streets/5s76-j52p/data>

2/9/18

**From:** [A.C](#)  
**To:** [Board of Supervisors \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Subject:** Save City College-Postpone Approval  
**Date:** Monday, August 10, 2020 2:36:57 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please postpone approval of the Balboa Reservoir Project until all outstanding issues that will damage City College are resolved.

Issues are:

1. Loss of parking will obstruct access for many low-income students and students of color to the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations.
2. Ensuring adequate affordable educator housing
3. Maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.

City of San Francisco is at risk by this sale of public land to a corporate housing developer whose CEO makes \$13 Million a year. The developer claims that by building 550 market rate units it will be able to subsidize an additional 550 affordable, or below market rate units. In reality, it is city and state funds that will subsidize the affordable units, not the developer.

The housing crisis in San Francisco is an **affordable** housing crisis. *This Project, built on public land, should be a 100% truly affordable development.*

This is a city-wide issue! We need a City government that fights for housing justice and education.

Please oppose this project. Say Yes to CCSF.

Sincerely,

A. Chen

**From:** [Brian Haagsman](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Cc:** [Nora Collins](#); [Kearstin Dischinger](#)  
**Subject:** Walk SF's Support for Balboa Reservoir development  
**Date:** Monday, August 10, 2020 3:10:41 PM  
**Attachments:** [Balboa Reservoir Letter - Board of Supervisors - August 10, 2020.pdf](#)

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon Board President Yee and Supervisors,

Attached is Walk SF's letter of support for the Balboa Reservoir development being considered at tomorrow's Board hearing.

Best,  
Brian

--

**Follow Walk SF on social media:** [Instagram](#) | [Twitter](#) | [Facebook](#)

Brian Haagsman  
Vision Zero Organizer  
Walk San Francisco  
333 Hayes St, Suite 202, San Francisco, CA 94102  
[415.431.9255](tel:415.431.9255) | [walksf.org](http://walksf.org)



August 10, 2020

Board of Supervisors  
City Hall  
1 Dr Carlton B Goodlett Pl  
San Francisco, CA 94102

Re: Walk SF's Support for the Balboa Reservoir Project

Dear Board President Yee and Supervisors,

On behalf of Walk San Francisco, I am writing to register our support for the proposed development located at the Balboa Reservoir in San Francisco.

Walk San Francisco is the city's only pedestrian advocacy organization. Our mission is to make San Francisco the most pedestrian-friendly city in the nation by ending traffic violence. Walk SF has been involved in advocating for an improved public realm for over 20 years, and we do this through collaboration with city agencies and partnering with other community-based organizations to improve the engineering and designs of streets as safe, shared public space.

Beginning in 2018, Walk SF began engaging with the team working on the Balboa Reservoir project, including BRIDGE Housing and Avalon Bay. The project team has been responsive to our priorities in making this development an improvement for those walking, biking, and riding transit in the area. They have listened to our feedback and incorporated it into their designs. In May 2018, the developers co-led a walk audit with Walk SF for community members and SFMTA staff.

The development site sits near key transit lines, including BART's Balboa Park station and Muni's M-line. And has the opportunity to develop safe pedestrian connections based on its proximity to major institutions like City College to connect it to neighborhood streets, and commercial corridors like Ocean Avenue. The Brighton and San Ramon Paseos will add much needed connectivity for people walking. We like the proposed safety improvements within the proposed development, including five raised crosswalks and the rapid flashing beacon at Lee Avenue, which indicate a commitment to pedestrian safety. Additionally, while this project adds more parking than we desire, the Transportation Demand Management elements, including on-site childcare, bike-share, and car-share will decrease auto trips for the residents.

We hope that as the transportation designs are refined, additional considerations for a safe walking environment can be incorporated into the Lee Avenue extension. Truck movements should be planned with pedestrian safety in mind. And for the project to be the strong neighborhood connector it should be for people walking, the central open space design should be easily navigable and welcoming to non-residents of the development - it should be unambiguously public.

By allowing housing to be built on an empty parking lot will also provide much-needed transportation fees that can be directed to making Ocean and Geneva Avenues safer for people walking. Drivers on these two streets have injured 134 and killed two people from 2014 - 2018 because of poor street design. With the City's goal of Vision Zero, the elimination of traffic fatalities and injuries by 2024, there is no time to wait to provide the thousands of current and future residents with redesigned safe streets around a major transit hub like Balboa BART station.

Throughout the project, the development team has incorporated street designs that will improve the pedestrian experience for current and future residents of this neighborhood. We ask that you support this project and move forward with the approval without further delays.

Sincerely,



Jodie Medeiros  
Executive Director

CC:  
Nora Collins, Avalon Bay  
Kearstin Dischinger, BRIDGE Housing

**From:** [Lauren Cuttler](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#)  
**Cc:** [tselby](#); [John Rizzo](#); [davila](#); [alexrandolph](#); [Ramalingum Vurdien](#); [swilliams](#); [studenttrustee@mail.ccsf.edu](#); [Leslie Milloy](#); [Tom Temprano](#); [Ivy Lee](#)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved  
**Date:** Monday, August 10, 2020 3:34:05 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. Some of the issues are:**

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
- ensuring adequate affordable educator housing
- loss of parking, without first ensuring other viable transportation options, will make it difficult, if not impossible, for many of the low-income students and students of color to access the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations. This project would profoundly downsize City College.

***Please protect City College. Be sure that all outstanding issues are resolved before you approve this project.***

In addition to City College, the City of San Francisco is at risk by this sale of public land to a corporate housing developer whose CEO makes \$13 M/year. The developer claims that by building 550 market rate units it will be able to subsidize an additional 550 affordable, or below market rate units. In reality, it is mainly city and state funds that will subsidize the affordable units, not the developer.

The housing crisis in San Francisco is an affordable housing crisis. This Project, built on public land, should be a 100% truly affordable development.

Even worse, the City is selling the land at a deep discount to this private developer, subsidizing a wealthy corporation with tax payers' dollars. It's a sweetheart deal, corporate welfare at its worst and should not be tolerated.

An additional concern is that by building separate market rate and affordable units, the Project results in a development that creates de facto segregation. This is inconsistent with San Francisco's inclusionary housing policy, which mandates that affordable and market rate units should all be under the same roof, creating a diverse housing community.

This is a city-wide issue, not solely a District 7 issue! We need a City government that fights for housing justice and education.

Please oppose this project. Say No to Corporate Welfare – Yes to CCSF.

Sincerely,  
Lauren Cuttler

Lauren Cuttler RN, MSN  
Maternal/Newborn Nursing Instructor  
City College of San Francisco  
Pronouns: she/her/hers  
(415) 239-3077  
(415) 713-8801 (cell)

“They may forget your name but they will never forget how you made them feel.” – [Maya Angelou](#)

**From:** [EquityForOlderStudents](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#)  
**Cc:** [Breed, Mayor London \(MYR\)](#)  
**Subject:** Keep Balboa Reservoir in City Hands.  
**Date:** Monday, August 10, 2020 5:14:27 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

Please do not agree to sell the Balboa Reservoir land to a private developer for their forever ownership and concomitant forever loss to the City and/or City College for our public use.

Public land, in a city with such a very limited supply, should stay in public hands for public use -- especially for use by a City College that serves all of the public.

There are many issues others have argued: bad deal, subsidy for forever private gain, and just limited time for so-called "affordable" housing, loss of use by CCSF.

CCSF is a great asset -- don't shrink it and hem it in and close its options for service to its education mission.

Thank you for your attention to this.

Sincerely yours,

Equity for Older Students.

Sent with [ProtonMail](#) Secure Email.

**From:** [Pam Hofmann](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** Balboa Reservoir Project  
**Date:** Monday, August 10, 2020 5:45:08 PM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

**Please do not sell this valuable asset!**

In the COVID-19 pandemic the situation has changed and clarity has been brought to some aspects of the issue.

1. Colleges tend to grow and expand. Selling land that is contiguous is unwise because of the necessity for future expansion of the campus.
2. Now in the COVID-19 pandemic public transportation and Uber and Lyft are no longer necessarily available. MUNI has cut many, many routes and reduced service. Therefore students will need to drive, walk or ride bikes. Students come from all over the City, and with the hills walking and cycling is not so easy particularly at night.
3. Renters are leaving San Francisco in droves. There apartments for rent everywhere and the prices are coming down. It doesn't make sense to build more housing of any kind on this valuable City College property.

Thank your for your consideration.

Sincerely,  
Pamela Hofmann

sent from [Mail](#) for Windows 10

**From:** [Winkyf](#)  
**To:** [Breed, Mayor London \(MYR\)](#)  
**Cc:** [Yee, Norman \(BOS\)](#); [swilliams](#); [ttemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [CCSFChancellorDr.R.Vurdien@aol.com](#); [rvurdien@ccsf.edu](#); [lmilloy@ccsf.edu](#); [swilliams](#); [ttemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [CCSFChancellorDr.R.Vurdien@aol.com](#); [rvurdien@ccsf.edu](#); [lmilloy@ccsf.edu](#)  
**Subject:** City College must be protected! Postpone Approvals of the Balboa Reservoir Project Until Outstanding Issues are Resolved Body of Email:  
**Date:** Monday, August 10, 2020 7:22:38 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Mayor Breed, Supervisors, and CCSF Board Members,

Please do not harm City College of San Francisco! You must postpone the approvals of the Balboa Reservoir Project until outstanding issues that will harm our beloved City College are resolved. Some of the issues are:

- maintaining the geothermal wells that were built on then-CCSF-owned land but will reside under the developers land. These costly wells were built to provide green heating for the Multi-use Building, but also the soon to be built Diego Rivera Theater and STEAM buildings.
- ensuring adequate affordable educator housing
- loss of parking, without first ensuring other viable transportation options, will make it difficult, if not impossible, for many of the low-income students and students of color to access the campus and get the education and professional training they need. 40% of City College students must drive to school, rushing between work and family obligations. This project would profoundly downsize City College.

***Please protect City College. Be sure that all outstanding issues are resolved before you approve this project.***

Thank you,

Winifred Follin

**From:** Pam Hofmann  
**To:** Breed, Mayor London (MYR); Board of Supervisors, (BOS)  
**Cc:** Williams; (temporarily@ccsf.edu; davilla; loyee@ccsf.edu; alexandolph; jrizzo@ccsf.edu; tselby; studenttrustee@mail.ccsf.edu; rwarden@ccsf.edu; lmillroy@ccsf.edu; Board of Supervisors, (BOS); Haney, Matt (BOS); MandelmanStaff, (BOS); Mar, Gordon (BOS); Paskin, Aaron (BOS); Preston, Dean (BOS); Fewer, Sandra (BOS); Roman, Hillary; Safai, Ahsha (BOS); Stefani, Catherine (BOS); Walton, Shamann (BOS); Yee, Norman (BOS)  
**Subject:** Balboa Reservoir Project  
**Date:** Monday, August 10, 2020 9:07:41 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

If we believe the Libertarian Party of San Francisco analysis, this is a leftover from BRIDGE Housing's previous efforts to recover affordable housing kickbacks, which has been defanged due to the FBI investigation. Their City Hall contact has been replaced by an outsider.

Kate Hartley vacated her position in July 2019. Dan Adams filled in the interim position. The new affordable housing director, Eric Shaw, was appointed in April.

<https://www.bizjournals.com/sanfrancisco/c/breed-appoints-new-affordable-housing-director.html>

"Shaw also held leadership positions as the director of the Office of Planning in Washington, D.C., and was director of Community and Economic Development for Salt Lake City. He is a graduate of UCLA and the Harvard University Graduate School of Design."

BRIDGE Housing Corporation and Affiliates Consolidated Financial Statements (With Supplementary Information) and Independent Auditor's Report December 31, 2017 and 2016

[https://www.google.com/url?](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKFwiU0a39J5lrAhW0izQIHW_cDIY4ChAWMAh6BAAgEFAE&url=https%3A%2F%2Fprojects.propublica.org%2Fnonprofits%2Fdownload-audit%3Fdownload%3Dtrue%26filename%3D12083320171&usq=AOvVaw3kKtDmGsUqEAegWblgkqE)

[sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKFwiU0a39J5lrAhW0izQIHW\\_cDIY4ChAWMAh6BAAgEFAE&url=https%3A%2F%2Fprojects.propublica.org%2Fnonprofits%2Fdownload-audit%3Fdownload%3Dtrue%26filename%3D12083320171&usq=AOvVaw3kKtDmGsUqEAegWblgkqE](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKFwiU0a39J5lrAhW0izQIHW_cDIY4ChAWMAh6BAAgEFAE&url=https%3A%2F%2Fprojects.propublica.org%2Fnonprofits%2Fdownload-audit%3Fdownload%3Dtrue%26filename%3D12083320171&usq=AOvVaw3kKtDmGsUqEAegWblgkqE)

Sent from Mail for Windows 10

**From:** [Donna Hayes](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Haney, Matt \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Fewer, Sandra \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Yee, Norman \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)  
**Cc:** [swilliams](#); [ltemprano@ccsf.edu](#); [davila](#); [ivylee@ccsf.edu](#); [alexrandolph](#); [jrizzo@ccsf.edu](#); [tselby](#); [studenttrustee@mail.ccsf.edu](#); [rvurdien@ccsf.edu](#); [lmilloy@ccsf.edu](#)  
**Subject:** Balboa Reservoir Project  
**Date:** Tuesday, August 11, 2020 12:04:53 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Mayor Breed and the San Francisco Board of Supervisors:

This is a time of unprecedented chaos, and the stark inequity of our society has been laid bare. The development of the Balboa Reservoir provides the City of San Francisco with the opportunity to build for citizen needs.

City College of San Francisco offers academic programs for all San Francisco citizens, and has long responded to the needs of lower income residents. The plans for updating and expanding facilities have been long delayed and must go forward as approved by voters. The needs of the CCSF community must be at the center of all development at Balboa Reservoir.

The scheme to sell public land to private interests at bargain basement prices must not go forward. The housing development as proposed serves as a profit-making project, and does not adequately provide for low income housing that is desperately needed and should be a major focus for development.

Please reject this project and work toward building housing and academic facilities that will provide for a truly inclusive San Francisco.

Sincerely,  
Donna Hayes

CCSF Faculty, retired  
San Francisco resident

**From:** [Linda Milhoan](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** OPPOSE SALE OF BALBOA RESERVOIR LAND FOR HOUSING  
**Date:** Tuesday, August 11, 2020 10:12:08 AM

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VOTE NO ON LAND SALE OF BALBOA PARK RESERVOIR! IT'S A GIVEAWAY, CORPORATE WELFARE!!

Gloria Garcia Milhoan  
324 Molimo Drive  
San Francisco, CA 94127

San Francisco Resident and Registered Voter

Sent from [Mail](#) for Windows 10

**From:** [SHIELS EDWARD](#)  
**To:** [Board of Supervisors, \(BOS\)](#)  
**Subject:** Balboa Reservoir Project  
**Date:** Tuesday, August 11, 2020 10:34:37 AM

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please do not sell / give land to private developers. The students of CCSF need and deserve this land for future development of the College. Split the difference ...550 new homes / apartments / condo and leave the rest of the land for the students and future needs and growth

Sent from [Mail](#) for Windows 10

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors; BOS Legislation, \(BOS\)](#)  
**Subject:** FW: In Support - Balboa Reservoir Project - 8-11-2020  
**Date:** Tuesday, August 11, 2020 11:35:00 AM  
**Attachments:** [BOS Balboa Reservoir Project 8-11-2020.pdf](#)

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

From: r and k <woloso1@yahoo.com>  
Sent: Monday, August 10, 2020 9:57 PM  
To: Yee, Norman (BOS) <norman.yee@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Rafael Mandelman <rafaelmandelman@yahoo.com>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>  
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>  
Subject: In Support - Balboa Reservoir Project - 8-11-2020

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am writing in support of the Balboa Reservoir Project. I have also included some thoughts on transportation improvements:

I applaud the design of this greenhouse neutral development.

Consistent with my activities in the broader neighborhood and in recognition of the changing economic and housing situations, I believe that a well-designed project with density and 50% low income housing will benefit our broader community and neighborhoods, City College and the City.

Our communities desperately need many of the amenities that are a part of the development design including parks and open space, housing for teachers, students and families, community space and a gateway to City College and public transportation.

This project will also bring much needed year-round foot traffic to the Ocean Avenue Retail District.

A. Bicycle and pedestrian access at San Ramon Paseo are essential: To provide safe entry parallel to Ocean Avenue into the new development and the amenities specifically parks, childcare, walking trails and bike paths as well as easy access to City College and the Muni transit center on Frida Kahlo Way

To allow Westwood Park residents and other neighbors direct and easy access to the same amenities that will be available in the new development.

To fully and seamlessly integrate this new neighborhood into the general community.

B. Multi-Generational Accessibility:

Creating peaceful spaces where people can gather and watch kids play, get together to have a conversation or just sit and read should be incorporated into housing designed with benches, lighting, stoops with accessible ramps and community "nooks."

C. Community Gateway: The concept that the Unity Plaza Design Committee had was that the Plaza would be a gateway and to that end joining the Plaza to this new community via the PUC access area is very important and it seems to me to be achievable.

D.Hazards: In addition to the comments and recommendations regarding designs, building materials and colors that take into consideration our general environment which includes strong ocean winds, fog, humidity that encourages mold, I would also like to point out the grime from heavy street traffic and pigeons. The area along Ocean Avenue has had a history of flooding and recommend that wherever possible permeable pavers or like materials be incorporated in the design and building materials.

E.Community Advisory Committee: I wish to thank the Balboa Reservoir Community Advisory Committee for their due diligence in making this such an effective forum and support the continuation of this Committee in monitoring the project as it moves to the next steps.

F. Comment on Transportation, Bicycle and Pedestrian Safety and other Needed Improvements:

Transportation: 1) Underground the K; 2) Increase frequency (decrease headway) of bus and streetcar lines serving City College; 3) Create the K and T as independent lines with the K based at Metro and T based at Metro East; 4) Re-route the T to link to Balboa Park station from the Sunnydale terminus; and 5) create an independent localized shuttle line.

Pedestrian and Bicycle: 1) Remove berm from the Wellness Center to Frida Kahlo Way to widen the road, create a bicycle lane, wider pedestrian walkway and smooth freeway egress; 2) Create pedestrian only all way crossing times; 3) Utilize Paseo San Ramon as safe entry parallel to Ocean Avenue into the new development and the amenities specifically parks, childcare, walking trails and bike paths as well as easy access to City College and the Muni transit center on Frida Kahlo Way.

By way of reference, I am a resident of Westwood Park (42+ years) and active in the community. I am currently a member of the Ocean Avenue Association Street Life and Business Improvement Committees, the OMI Cultural Participation Project, and other organizations supporting the Ocean Avenue/Ingleside neighborhoods, Arts and Culture District and retail corridor. I am a former member of the Westwood Park Association Board of Directors (President 2009-2016), and Balboa Reservoir Community Advisory Board (Vice Chair 2015-2016) and member of the Mercy Housing and Unity Plaza Design Committees.

Sincerely, Kate Favetti

August 10, 2020

**Honorable Board of Supervisors, City and County of San Francisco**

To: President Norman Yee  
Supervisor Sandra Lee Fewer  
Supervisor Catherine Stefani  
Supervisor Aaron Peskin  
Supervisor Gordon Mar  
Supervisor Dean Preston  
Supervisor Matt Haney  
Supervisor Rafael Mandelman  
Supervisor Hillary Ronen  
Supervisor Shamann Walton  
Supervisor Ahsha Safai

Attention: Angela Calvillo, Clerk, San Francisco Board of Supervisors

RE: In Support - Balboa Reservoir Project

I am writing in support of the Balboa Reservoir Project. I have also included some thoughts on transportation improvements:

**Overall Project and Density: I applaud the design of this greenhouse neutral development.** I started this process in December 2014 with the opinion, based on previous plans presented by developers over the years, that even 500 units were too many for this space casting the dissenting vote as the Vice-Chair of the Community Advisory Committee on the Principles and Parameters in support of my neighbors and my neighborhood, Westwood Park.

**However, consistent with my activities in the broader neighborhood and in recognition of the changing economic and housing situations, I believe that a well-designed project with density and 50% low income housing will benefit our broader community and neighborhoods, City College and the City.**

**Our communities desperately need many of the amenities that are a part of the development design including parks and open space, housing for teachers, students and families, community space and a gateway to City College and public transportation.**

**This project will also bring much needed year-round foot traffic to the Ocean Avenue Retail District.**

**A. Bicycle and pedestrian access at San Ramon Paseo are essential:**

- 1) To provide safe entry parallel to Ocean Avenue into the new development and the amenities specifically parks, childcare, walking trails and bike paths as well as easy access to City College and the Muni transit center on Frida Kahlo Way.
- 2) To allow Westwood Park residents and other neighbors direct and easy access to the same amenities that will be available in the new development.
- 3) To fully and seamlessly integrate this new neighborhood into the general community.

- B. **Multi-Generational Accessibility:** Creating peaceful spaces where people can gather and watch kids play, get together to have a conversation or just sit and read should be incorporated into housing designed with benches, lighting, stoops with accessible ramps and community "nooks."
- C. **Community Gateway:** The concept that the Unity Plaza Design Committee had was that the Plaza would be a gateway and to that end joining the Plaza to this new community via the PUC access area is very important and it seems to me to be achievable.
- D. **Hazards:** In addition to the comments and recommendations regarding designs, building materials and colors that take into consideration our general environment which includes strong ocean winds, fog, humidity that encourages mold, I would also like to *point out the grime from heavy street traffic and pigeons*. The area along Ocean Avenue has had a history of flooding and recommend that wherever possible permeable pavers or like materials be incorporated in the design and building materials.
- E. **Community Advisory Committee:** I wish to thank the Balboa Reservoir Community Advisory Committee for their due diligence in making this such an effective forum and support the continuation of this Committee in monitoring the project as it moves to the next steps.
- F. **Comment on Transportation, Bicycle and Pedestrian Safety and other Needed Improvements:**

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Sincerely,



Kate Favetti

C: Jen Low, Legislative Aide