FILE NO. 260529

Petitions and Communications received from May 7, 2026, through May 14, 2026, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on May 19, 2026.

Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information will not be redacted.

From the Office of the Mayor (MYR), pursuant to Charter, Section 3.100(18), making nominations to the following body. Copy: Each Supervisor. (1)

- (Re)nominations pursuant to Charter, Section 4.109, to the Police Commission:
  - Mattie Scott - term ending April 30, 2030 (Renomination)
  - Lawrence Low - term ending April 30, 2030 (Nomination)

From the Office of the Controller (CON), submitting an Economic Impact Report on Raising the Overpaid Executive Gross Receipts Tax /Reducing Business Taxes. Copy: Each Supervisor. (2)

From the San Francisco Arts Commission (ART), submitting agendas for the May 20, 2026, meeting of the Visual Arts Committee; May 19, 2026, meeting of the Entertainment Commission; and the May 18, 2026, meeting of Civic Design Review. Copy: Each Supervisor. (3)

From the Building Inspection Commission (BIC), regarding potential mergers involving the Department of Building Inspection (DBI). Copy: Each Supervisor. (4)

From the San Francisco Municipal Transportation Agency (SFMTA), submitting the Interdepartmental Staff Committee on Traffic and Transportation for Temporary Street Closures (ISCOTT) agenda for the May 14, 2026, meeting. Copy: Each Supervisor. (5)

From the Commission on the Status of Women, submitting a resolution titled, “Condemning the Detention of Angelina Lopez-Jimenez and Her Daughter at San Francisco International Airport”. Copy: Each Supervisor. (6)

From the Department of Public Works (DPW), pursuant to Ordinance No. 252-23, submitting a report summarizing the status of Tier 3 Love Our Neighborhoods permit applications for the first quarter of the 2026 calendar year. Copy: Each Supervisor. (7)

From the California Fish and Game Commission, submitting a revised agenda for their meeting of May 19, 2026. Copy: Each Supervisor. (8)

From members of the public, regarding the proposed Ordinance amending the Administrative Code to state that it is City policy to expand the availability of Site-Based Permanent Supportive Housing ("PSH") that prohibits on-site illicit drug use among residents ("Drug-Free PSH") to meet the demand of people experiencing homelessness who prefer such a residential option; bar the City from funding new Site-Based PSH for people experiencing homelessness that prohibits evictions on the basis of drug use alone ("Drug-Tolerant PSH"), except where operation of the housing as Drug-Free PSH would conflict with standards imposed by law or by a condition of other funding, or the Board of Supervisors has waived the funding prohibition based on specific findings; and require the Department of Homelessness and Supportive Housing ("HSH") to survey residents of Site-Based PSH to assess their interest in living in either Drug-Tolerant PSH or Drug-Free PSH and report on the survey findings and HSH's strategies to meet PSH residents' demands. File No. 251003. 30 Letters. Copy: Each Supervisor. (9)

From members of the public, regarding the proposed Ordinance amending the Business and Tax Regulations Code to, for transfers occurring on or after July 1, 2026: halve the real property transfer tax rate from 5.5% to 2.75% when the consideration or value of the property conveyed equals or exceeds $10,000,000 but is less than $25,000,000, and from 6% to 3% when the consideration or value equals or exceeds $25,000,000; exempt from these reductions the transfer of single-family residences; reduce the penalties for delinquent real property transfer taxes; and affirming the Planning Department's determination under the California Environmental Quality Act. File No. 260178. 12 Letters. Copy: Each Supervisor. (10)

From Linda Shah, regarding the Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 21685, approving a Conditional Use Authorization, identified as Planning Case No. 2023-007010CUA, for a proposed project at 1310 Junipero Serra Boulevard; and conditionally approving a Conditional Use Authorization for the same Planning Case and property with additional conditions, subject to the adoption of written findings by the Board in support of this determination. File No. 250282, Motion No. 25-62. Copy: Each Supervisor. (11)

From Justin LeClaire, regarding the proposed Ordinance amending the Health Code to prohibit smoking in outdoor patios of bars and taverns; eliminate exceptions allowing indoor smoking in bars with no employees, bars with historically compliant semi-enclosed smoking rooms, and hotel rooms, to conform to provisions of California law; and repeal suspended and superseded provisions regulating smoking in certain locations. File No. 260361. Copy: Each Supervisor. (12)

From a member of the public, regarding the Hearing to consider objections to a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.18.1, 102A.18.2, 102A.19, 102A.19.5, 103A.3.3, 108A, and Section 110A, Table 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above; scheduled

pursuant to Motion No. M26-036 (File No. 260330), approved on April 7, 2026; and Resolution approving Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.18.1, 102A.18.2, 102A.19, 102A.19.5, 103A.3.3, 108A, and Section 110A, Table 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations. File Nos. 260331, 260332. Copy: Each Supervisor. (13)

From members of the public, regarding the renovation of the Crocker Amazon baseball and softball fields. 9 Letters. Copy: Each Supervisor. (14)

From members of the public and various organizations, regarding a proposed housing development at 15 Marina Boulevard. 4 Letters. Copy: Each Supervisor. (15)

From Jeff Lintner, regarding the City and County of San Francisco’s internal Employee Assistance Program (EAP). Copy: Each Supervisor. (16)

From the San Francisco Deputy Sheriffs' Association regarding the Sheriff’s Department Oversight Board. Copy: Each Supervisor. (17)

From members of the public, regarding traffic safety. 2 Letters. Copy: Each Supervisor. (18)

From members of the public, regarding the San Francisco budget. 4 Letters. Copy: Each Supervisor. (19)

From Ericka Scott, regarding Ella Hill Hutch Community Center. Copy: Each Supervisor. (20)

From Darris Thomas, regarding artificial intelligence (AI) governance. Copy: Each Supervisor. (21)

From Richard Skaff, regarding various subjects. 3 Letters. Copy: Each Supervisor. (22)

From Sophia De Anda, regarding their experience using public transportation. Copy: Each Supervisor. (23)

From Vivian Shao, regarding banning plastic cigarette filters. Copy: Each Supervisor. (24)

From Marquai Williams, regarding the Ordinance amending the Administrative Code to establish the E-Bike Incentive Fund to support implementation of an electric bicycle (or “e-bike”) incentive program administered by the Department of the Environment. File No. 240967, Ordinance No. 268-24. Copy: Each Supervisor. (25)

From Janel Ramsey-Primus, regarding parking enforcement. Copy: Each Supervisor. (26)

From the Coalition on Homelessness, regarding the Our City, Our Home Oversight Committee. Copy: Each Supervisor. (27)

From Andrea Casalett, regarding homelessness. Copy: Each Supervisor. (28)

From Brenton Prouty, regarding the Ordinances: General Plan Amendments - Family Zoning Plan; Zoning Map - Family Zoning Plan; Planning, Business and Tax Regulations Codes - Family Zoning Plan; and Planning, Business and Tax Regulations Codes - Family Zoning Plan. File Nos. 250966, 250700, 250701, and 251072. Ordinance Nos. 243-25, 244-25, and 245-25. Copy: Each Supervisor. (29)

From Pacific Gas & Electric Company (PG&E), submitting a report regarding the Mission Substation Event on December 20, 2025. Copy: Each Supervisor. (30)

BOARD of SUPERVISORS

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

MEMORANDUM

Date: May 7, 2026

To: Members, Board of Supervisors

From: Angela Calvillo, Clerk of the Board

Subject: Mayoral (Re)nominations - Police Commission

On May 5, 2026, the Office of the Mayor submitted the following complete nomination packages. Pursuant to Charter, Section 4.109, these (re)nominations shall be subject to confirmation by the Board of Supervisors at a public hearing and vote within 60 days (July 4, 2026).

(Re)nominations to the Police Commission:

- **Mattie Scott** - term ending April 30, 2030 (Renomination)
- **Lawrence Low** - term ending April 30, 2030 (Nomination)

If the Board fails to act on the nomination within 60 days from the date the Notice of Appointment was received by the Clerk of the Board, the appointment shall be deemed approved.

Pursuant to Board Rule 2.18.1, the Clerk of the Board shall refer these motions to the Rules Committee and work with the Rules Committee Chair to schedule these (re)nominations for hearings.

c: President Rafael Mandelman - Board of Supervisors
Supervisor Shamann Walton - Chair, Rules Committee, Board of Supervisors
Alisa Somera - Legislative Deputy
Victor Young - Rules Clerk
Brad Russi - Deputy City Attorney
Adam Thongsavat - Mayor's Liaison to the Board of Supervisors
Andre Adeyemi - Mayor's Director of Appointments

OFFICE OF THE MAYOR
SAN FRANCISCO

DANIEL LURIE
MAYOR

Notice of Renomination and Nomination

May 5, 2026

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

Honorable Board of Supervisors:

Pursuant to Charter §4.109 and §4.127, of the City and County of San Francisco, I make the following renomination: Mattie Scott, for appointment to the Police Commission for a four-year term ending April 30, 2030 (seat 7).

In addition, I make the following nomination: Lawrence Low, for appointment to the Police Commission for a four-year term ending April 30, 2030, to the seat formerly held by Larry Yee (seat 6) term expired.

I am confident that they will serve our community well. Attached are their qualifications to serve, which demonstrate how these appointments represent the communities of interest of the City and County of San Francisco.

Should you have any questions about these nominations, please contact my Director of Appointments, Andre Adeyemi, at (415) 554-4000.

All my best,

Daniel Lurie
Mayor, City and County of San Francisco

Item 2

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS); Jalipa, Brent (BOS)
Subject:	FW: Raising the Overpaid Executive Gross Receipts Tax/Reducing Business Taxes: Economic Impact Report
Date:	Thursday, May 14, 2026 10:07:49 AM
Attachments:	OET_Economic_Impact_Report.pdf image004.png image005.png image006.png

Dear Supervisors,

Please see below and attached, from the Office of the Controller (CON), submitting document titled "Raising the Overpaid Executive Gross Receipts Tax /Reducing Business Taxes: Economic Impact Report".

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: San Francisco Controller's Office Reports <controller.reports@sfgov.org>
Sent: Thursday, May 14, 2026 5:00 AM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Raising the Overpaid Executive Gross Receipts Tax/Reducing Business Taxes: Economic Impact Report

Alternate text

San Francisco's Overpaid Executive Gross Receipts Tax (OET) applies to certain large businesses where the highest-paid managerial employee earns significantly more than the median pay of San Francisco employees. Proposition D on the June ballot would re-define and raise the rates of the tax. Proposition C would raise it more modestly, and also raise the small business exemption for the City's Gross Receipts Tax.

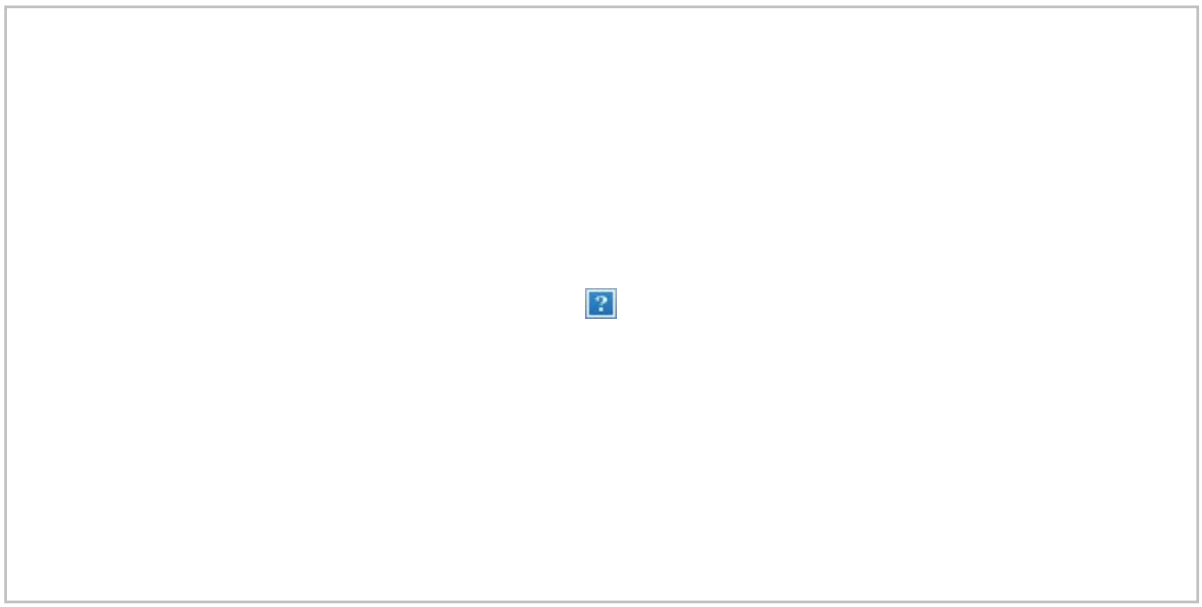
The Controller's Office has estimated that Proposition D will generate $250–$300 million annually in General Fund revenue, while Proposition C will result in a $30–$40 million decline in General Fund revenue.

Both measures would change how much businesses owe in taxes, which would in turn affect how much the City spends. We forecast that the economic impact of Proposition C is quite small: a net gain of 90 jobs, on average over the next 20 years, and a GDP gain of $20 million.

The impact of Proposition D is forecast to be larger, and negative. Employment gains in the public sector are projected to be more than outweighed by losses across the private sector, with a loss of 944 jobs, and a decline in GDP of $210 million, on average over the next 20 years.

The revenue from Proposition D will mainly come from large businesses, who have already been reducing their presence in the city since the pandemic. This forecast does not consider the possibility that this concentration could generate a larger adverse impact on the city's economy.

View the full report



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This is a send-only email address.

For questions about the report, please contact Chief Economist Ted Egan. Ph.D. at ted.egan@sfgov.org.

For press queries, please contact the Controller's Office at controller@sfgov.org.

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Raising the Overpaid Executive Gross Receipts Tax / Reducing Business Taxes: Economic Impact Report

Office of the Controller

Office of Economic Analysis

May 14, 2026

Introduction

- San Francisco's Overpaid Executive Gross Receipts Tax (OET) applies to certain large businesses with a high ratio of the compensation of their highest-paid managerial employee, to their median employee in San Francisco.
- The tax is progressive, based on this ratio, and generally applied against a business's San Francisco gross receipts. The highly-compensated individual is not taxed.
- A ballot measure (Proposition D on the June 2026 ballot) would re-define and raise the rates of the OET. The OET is a general tax, meaning the new revenue generated by the ballot measure may be used for any governmental purpose.
- A competing measure (Proposition C on the June ballot) would also raise OET rates, but by a much lower level, and also raise the small business exemption for the City's Gross Receipts Tax.
- The Office of Economic Analysis has prepared this report because the proposed measures could have a material impact on the city's economy.

History of San Francisco's Overpaid Executives Tax

- The OET was originally enacted through a ballot measure in 2022.
- In 2024, Proposition M reduced OET rates by 80%. That measure also raised Gross Receipts tax rates, to make up the 80% drop in OET revenue.
- The proposed Proposition D would raise the OET rates above the levels originally approved by voters in 2022. According to the Controller's Office, the proposal would generate an additional $250 million to $300 million annually for the City's General Fund. This is roughly double what the OET generated in 2023, its first year of operation.

OET Rate History

- The original, current, and proposed OET rates shown below apply to a business's San Francisco gross receipts, and are paid in addition to the Gross Receipts Tax and any other applicable business taxes.
- Proposition M (2024) scheduled small increases in current OET rates, in tax years 2027 and 2028. Currently, in tax years 2028 and beyond, the rates will range from 0.021% to 0.129%, up from the levels shown in the "Current OET" column below.

Ratio	Original 2022 OET	Current OET	Proposed OET
0 – 100	0%	0%	0%
100 – 200	0.100%	0.020%	0.183%
200 – 300	0.200%	0.040%	0.374%
300 – 400	0.300%	0.060%	0.556%
400 - 500	0.400%	0.080%	0.748%
500 – 600	0.500%	0.100%	0.930%
600+	0.600%	0.120%	1.121%

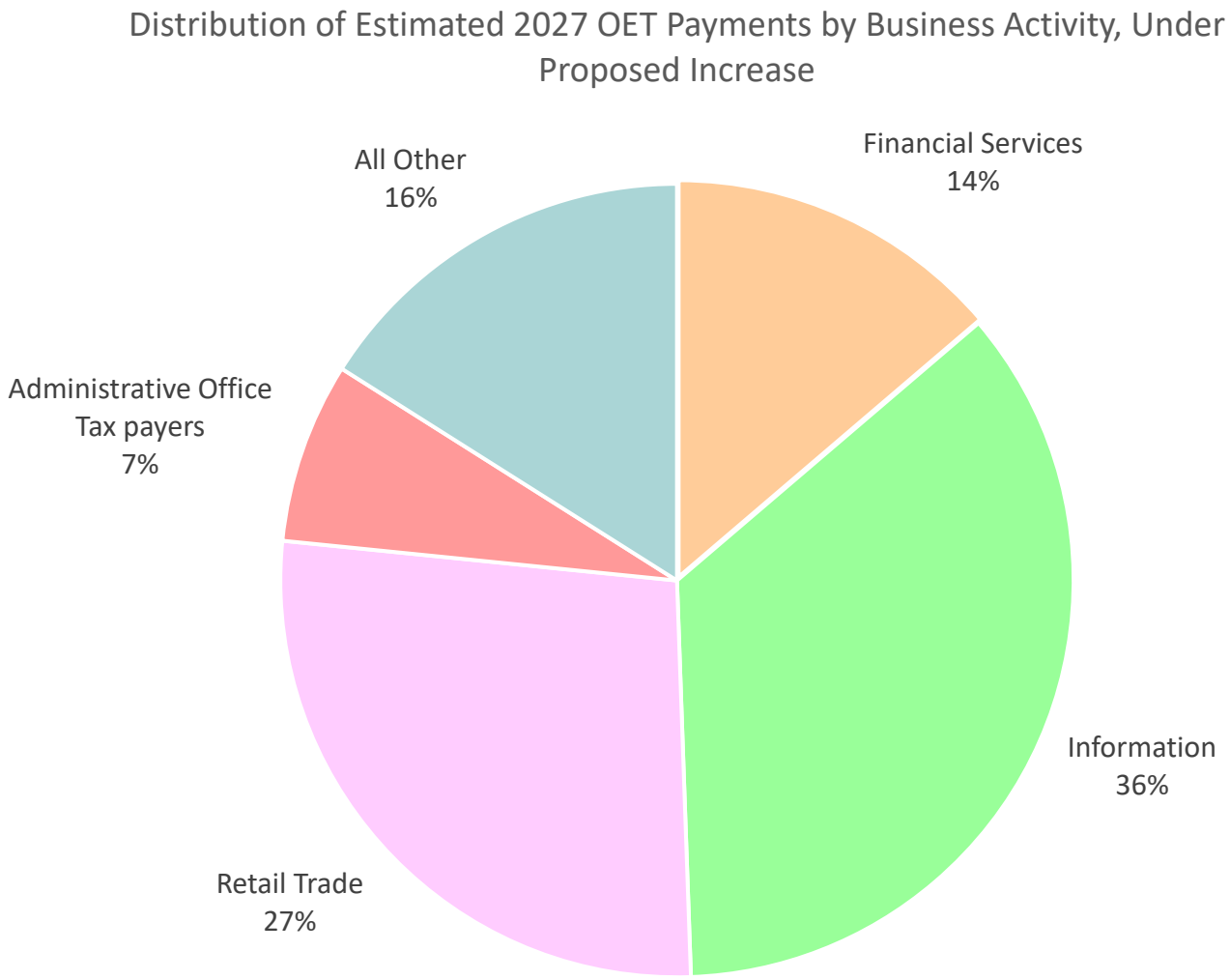
Proposition D: Additional Details

- In addition to raising the rates, Proposition D would make an additional change to the OET.
- Under the original OET, the ratio of the compensation of the highest-paid managerial employee, to the median compensation of employees in San Francisco, was used to calculate the tax rate.
- Under the proposal, the median compensation of all employees, regardless of location, is used to calculate the ratio. Since San Francisco wages are approximately 40% higher than U.S. average wages, on average, the average ratio of companies will rise. This implies that more companies will pay the tax than currently do. Mathematically, a 40% reduction in the median wage would lead to a 67% increase in the ratio.

Details of the Legislation: Proposition C

- Proposition C would make two changes to the City's business tax system:
  1. It would bring forward the OET rate increases that are now scheduled for 2028, so that they would apply as of tax year 2027.
  2. It would raise the small business exemption for the City's Gross Receipts Tax and OET, from its current level of $5 million, to $7.5 million. Most businesses whose San Francisco Gross Receipts are below the small business exemption are exempt from the taxes.
- The Controller's Office has estimated that Proposition C would reduce the City's revenues by between $30 million and $40 million annually.

Context: Estimated OET Payment by Industry



Source: Office of the Treasurer and Tax Collector; Controller's Office

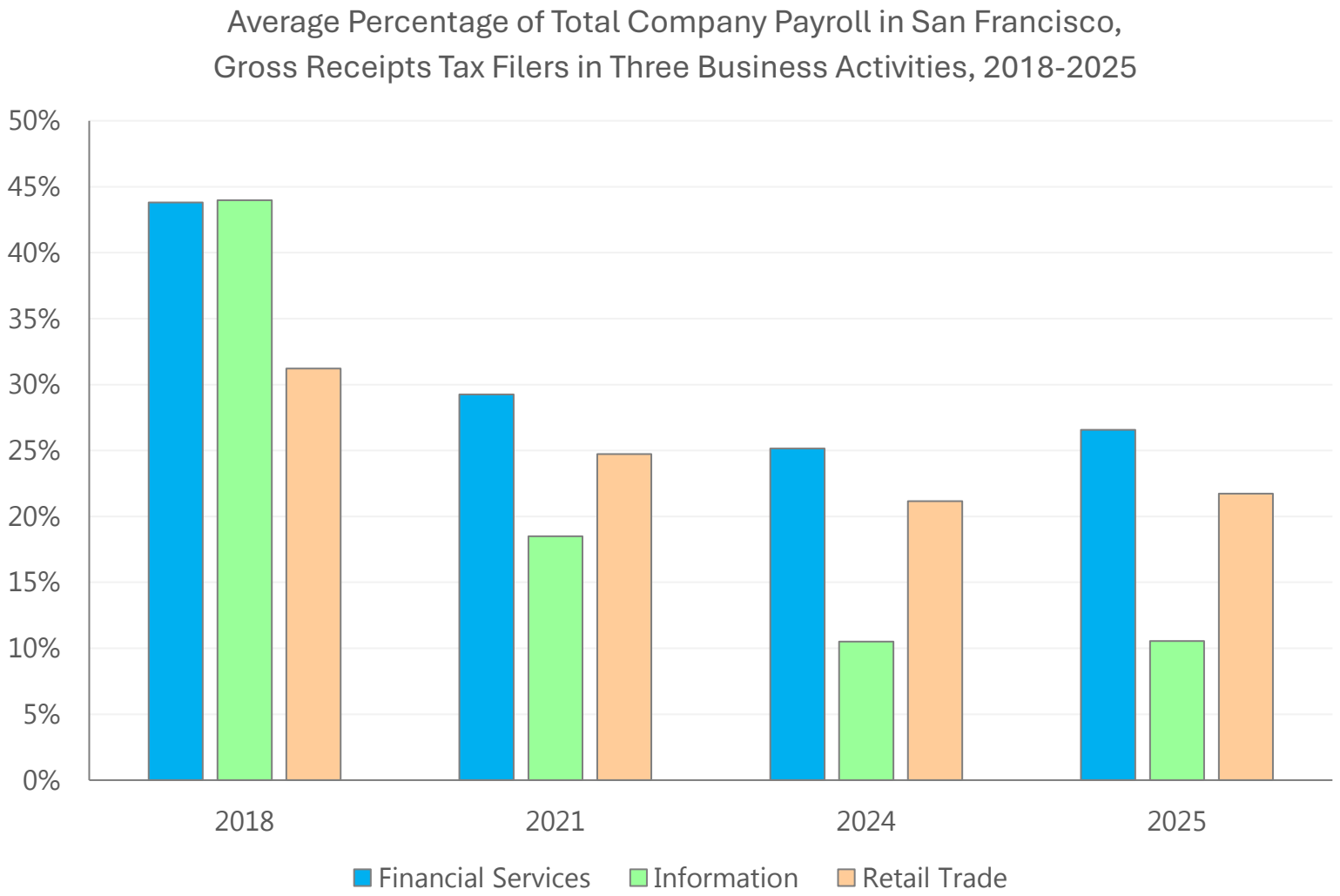
The Controller's Office has estimated how much each Gross Receipts Tax paying business will owe in OET, should the proposed increase (Proposition D) go into effect.

Based on the industry which accounted for most of their San Francisco Gross Receipts in 2024, an estimate of OET tax liability by industry can created, as shown to the left.

It indicates that the Information industry, will account for the largest share of the total, at 36%. Information, Retail Trade, and Financial Services are expected to account for 77% collectively.

To put these figures in context, in 2024 , the Information, Financial Services, and Retail Trade industries accounted for 33%, 19%, and 5% respectively. The OET is likely over-concentrated in Retail Trade and Information, compared to the broader tax base.

Context: Payroll Concentration in San Francisco



Source: Office of the Treasurer and Tax Collector

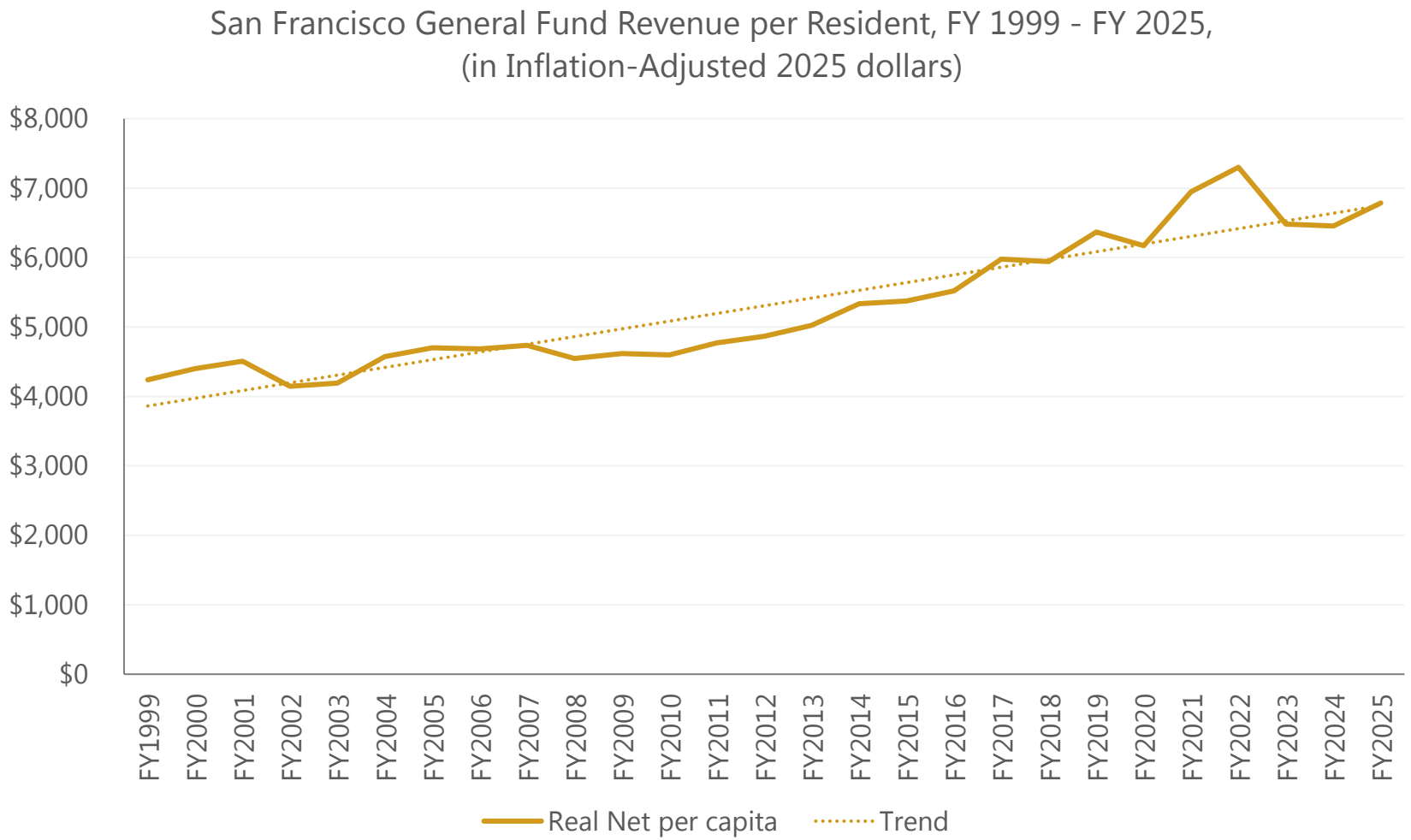
The industry sectors that will be most subject to the proposed OET increase have been reducing their presence in San Francisco since 2018, relative to other cities.

Among companies that mostly operate in the Information sector and filed taxes in 2018, 2021, 2024 and 2025, the average company had 44% of their total payroll in San Francisco in 2018, 19% in 2021, and 11% in 2024 and 2025. For Financial Services, the percentage fell from 44% to 27%, and for Retail Trade, from 31% to 22%.

There are likely a number of reasons for this decline, including the shift to remote work during the pandemic, the city's falling population, and business tax increases enacted since 2018.

Regardless of the reasons, these trends are an indication of a weakening business tax base. These trends are not restricted to these three business activities but are found in every major business activity in the city.

Context: Trend in General Fund Revenue per Resident



As noted earlier, the OET is a general tax, meaning it can be expended for any governmental purpose. The tax cuts associated with Proposition C will likewise impact the General Fund.

Over the past 25 years, the City's General Fund has been on a consistent upwards trajectory, when adjusted for inflation and the size of the city's population. The Fiscal Year (FY) 2025 figure of $6,784 per resident is 7% larger than what it was in Fiscal Year 2019, before the pandemic, after adjusting for inflation.

While FY25 levels are below the FY21 and FY22 peaks, when the city experienced a COVID population shock, the most recent levels are on trend and are not signs of a prolonged downturn.

Source: Controller's Office; Bureau of Economic Analysis; Census Bureau

Tax Impacts for Individual Hypothetical Businesses

- As noted earlier, Proposition D would make several changes to the existing OET, including raising rates and re-defining the compensation ratio.
- The apportionment rules of the City's Gross Receipts tax were also redefined in Proposition M, the 2024 business tax reform measure. Previously, the way most

  businesses' total gross receipts were apportioned to San Francisco for tax purposes was either entirely based on how much of its payroll expense was incurred in San Francisco, or a 50/50 split between the location of its payroll expense, and its sales.
- With the 2024 measure, that ratio shifted to being 75% based on the location of sales and 25% on the location of payroll. In general, this shift reduces the tax penalty associated with creating employment in San Francisco.
- Understanding the impact of the proposed OET changes on individual businesses involves considering these three changing features of the tax at the same time. On the pages that follow, pro-forma examples explore the original, current, and proposed tax's financial impact on representative, but hypothetical, San Francisco businesses.

Hypothetical Tax Impacts: Large Tech (Information) HQ

Sector:	Information
Total Gross Receipts	$30,000,000,000
Local Sales	$30,000,000
% of Payroll in SF	40%
Ratio - original calculation	350

	Original	Current	Proposed
San Francisco Gross Receipts*	$6,015,000,000	$3,022,500,000	$3,022,500,000
Applicable ratio - current and new version	350	350	583.45
OET Tax Rate	0.3000%	0.0600%	0.9300%
OET Tax	$18,045,000	$1,813,500	$28,109,250
If Payroll Factor = 0%	$45,000	$13,500	$209,250
OET Tax savings from eliminating all SF payroll	$18,000,000	$1,800,000	$27,900,000
% Savings of OET Tax by eliminating all SF payroll	99.8%	99.3%	99.3%

* San Francisco Gross Receipts were redefined by Proposition M in 2024, which is why they are lower for the Current and Proposed examples.

Each of these models calculate San Francisco Gross Receipts for a hypothetical business, based on its assumed total Gross Receipts, within-San Francisco sales, and its share of total payroll expense incurred in the city. An assumption is also made for the ratio used in the OET rate calculation. It is assumed to be 67% higher under the Proposal, because of how Proposition D redefines the ratio.

The first yellow row shows what the OET for the company would have been under the original, current, and proposed rates. The second yellow row shows how much OET could be saved by moving all jobs/payroll expense out of San Francisco.

In this example, the proposal would lead to a substantial increase in OET liability. Although San Francisco Gross Receipts are now based only 25% on payroll, for this locally-headquartered company, the payroll factor contributes most to Gross Receipts, and this accounts for the tax savings from reducing payroll in the city.

Hypothetical Tax Impacts: Other Information Company

Sector:	Information
Total Gross Receipts	$10,000,000,000
Local Sales	$10,000,000
% of Payroll in SF	5%
Ratio - original calculation	450

	Original	Current	Proposed
San Francisco Gross Receipts*	$255,000,000	$132,500,000	$132,500,000
Applicable ratio - current and new version	450	450	750.15
OET Tax Rate	0.4000%	0.0800%	1.1210%
OET Tax	$1,020,000	$106,000	$1,485,325
If Payroll Factor = 0%	$20,000	$6,000	$84,075
OET Tax savings from eliminating all SF payroll	$1,000,000	$100,000	$1,401,250
% Savings of OET Tax by eliminating all SF payroll	98.0%	94.3%	94.3%

* San Francisco Gross Receipts were redefined by Proposition M in 2024, which is why they are lower for the Current and Proposed examples.

The same dynamic applies to a large tech company that is headquartered elsewhere, and has only 5% of its total payroll expense in the city.

Again, its OET liability would be higher under the proposal than under the current or the original OET. This is because both the ratio and its corresponding tax rate are much higher than under the original or current OET.

Note that the Proposition M redefinition of apportionment rules reduces this company's San Francisco Gross Receipts by nearly half. Nevertheless, the OET rate is high enough that the company's OET is more than 40% higher than under the original OET.

Despite the fact that the city only accounts for 5% of the company's payroll expense, the bulk of its gross receipts are still due to that payroll factor. Thus, it would reduce its OET liability by 94% by moving all jobs/payroll expense out of the city.

Hypothetical Tax Impacts: Large Retailer

Sector:	Retail Trade
Total Gross Receipts	$90,000,000,000
Local Sales	$350,000,000
% of Payroll in SF	1%
Ratio - original calculation	250

	Original	Current	Proposed
San Francisco Gross Receipts*	$625,000,000	$487,500,000	$487,500,000
Applicable ratio - current and new version	250	250	416.75
OET Tax Rate	0.2000%	0.0400%	0.7480%
OET Tax	$1,250,000	$195,000	$3,646,500
If Payroll Factor = 0%	$350,000	$105,000	$1,963,500
OET Tax savings from eliminating all SF payroll	$900,000	$90,000	$1,683,000
% Savings of OET Tax by eliminating all SF payroll	72%	46%	46%

A large national retailer, headquartered elsewhere with only 1% of its payroll expense in San Francisco, would nevertheless pay more under the proposal than either the current or original OET. Again, this is because its ratio under the proposal is higher than under the original or current OET, and because the rates are higher at each tier.

This hypothetical retailer derives much more of its San Francisco Gross Receipts from local sales as opposed to local payroll, so its savings from moving all jobs/payroll out of the city would amount to only 46%.

* San Francisco Gross Receipts were redefined by Proposition M in 2024, which is why they are lower for the Current and Proposed examples.

Economic Impact Factors

- Both measures involve a change in business tax liabilities, paired with a corresponding change in City spending from the General Fund.
- For the Proposition D increase to the OET rates, the tax increase will encourage affected businesses to reduce their tax burden by reducing employment in the city, or by raising prices; both reactions would weaken the city's economy. On the other hand, the growth in City revenue will tend to expand public sector spending and employment, and this tends to expand the city's economy.
- For the Proposition C tax reduction, the increase in the small business exemption will benefit affected businesses and encourage their expansion in San Francisco. The reduction in City revenue will have contractionary effects on City spending and employment.
- The very small increase in OET rates in Proposition C is not considered.

Economic Impact Assessment

- To model both measures, the OEA used its REMI model of the San Francisco economy to estimate the net impact of the production cost and City revenue changes described on the previous page.
- For Proposition D, we modeled the impact of a $275 million increase in production costs for the industries described on page 7, and a $275 million increase in City spending.
- For Proposition C, we modeled the impact of a $35 million decrease in production costs via the higher small business exemption, against a $35 million decrease in City spending.

Economic Impact Assessment Results

- The REMI simulation suggests that the impact of Proposition C is quite small: a net gain of 90 jobs, on average over the next 20 years, and a GDP gain of $20 million.
- The impact of Proposition D is larger, and negative, as shown in the table below. Employment gains in the public sector are projected to be more than outweighed by losses across the private sector.
- The REMI model uses average industry impacts and does not account for the possibility that a tax concentrated on large companies, which are already generally reducing their presence in the city, could generate a larger adverse impact on the city's economy.

Indicator	**20-Year Average Impact Under Prop D**
Total Employment	-944
Gross Domestic Product (Million 2025 $)	-$206
Real Disposable Personal Income per Capital (2025 $)	-$108
PCE Price Inflation	0.1%

Conclusions

- San Francisco's post-COVID economy features a weakening business and property tax base, alongside continued growth in per capita General Fund revenue. This situation, while not inherently unsustainable, creates heightened risk.
- Recognizing both the vulnerability of the City's business tax base to remote work, and its over-reliance on a few large companies, Proposition M in 2024 attempted to reduce the tax incentive associated with relocating jobs out of San Francisco. It did so, in part, by reducing the OET, which disproportionately affects those companies.
- Proposition D would reverse this aspect of the reform effort. It represents a policy choice to raise business taxes in a period when there is substantial evidence that businesses are reducing their presence in San Francisco, relative to other locations.
- San Francisco's economy cannot credibly be described as being in a downward spiral at the moment. But raising taxes on a shrinking tax base—and thus encouraging further relocation out of the city—does raise that risk. If the City deferred major business tax policy changes until its economy and finances are stabilized, the long-term risk to the economy would be mitigated.

Staff Contact

Ted Egan, Ph.D., Chief Economist ted.egan@sfgov.org

Item 3

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	Arts Commission Agendas - 3 letters
Date:	Thursday, May 14, 2026 3:11:09 PM
Attachments:	Arts Commission 3 letters.pdf

Dear Supervisors,

Please see the attached 3 letters, from the Arts Commission, submitting agendas for the May 20, 2026, meeting of the Visual Arts Committee; May 19, 2026, meeting of the Entertainment Commission; and the May 18, 2026, meeting of Civic Design Review.

Regards,

Richard Lagunte
Office of the Clerk of the Board – Operations Division
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-7709 | Fax (415) 554-5163
richard.lagunte@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From:	Cotz, Paris (ART)
To:	Dhaliwal, Manraj (ART)
Cc:	Peterson, Tara (ART); Chou, Mary (ART)
Subject:	May 20, 2026 Visual Arts Committee Agenda
Date:	Friday, May 8, 2026 1:28:05 PM
Attachments:	May 20 2026 VAC Agenda.pdf Outlook-Logo__Desc.png

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Hello,

Please find the agenda for the Visual Arts Committee Meeting coming up on Wednesday, May 20, 2026 attached via PDF and here: https://www.sf.gov/meeting--may-20-2026--visual-arts-committee-meeting

Thank you,
Paris

Paris Cotz
Program Associate, Public Art
Pronouns: she/her
Email: paris.cotz@sfgov.org
Mobile: 415-539-6213

San Francisco Arts Commission
401 Van Ness Avenue, Suite 325
San Francisco, CA 94102

www.sfartscommission.org

Newsletter | Flickr | LinkedIn | Facebook | Instagram | TikTok | Twitter | YouTube

The San Francisco Arts Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone. We affirm the sovereign rights of their community as First Peoples and are committed to supporting the traditional and contemporary evolution of the American Indian community and uplifting contemporary indigenous voices and culture.

Please be mindful that all correspondence and documents submitted to the San Francisco Arts Commission are public records and, as such, are subject to the Sunshine Ordinance and can be requested by the public. If this happens, personal information such as personal emails, Social Security numbers and phone numbers will be redacted.

City and County of San Francisco
Daniel Lurie, Mayor

Agenda for Visual Arts Committee, May 20, 2026

sfac san francisco arts commission

Commissioners

- Chair Suzie Ferras, JD Beltran, J. Riccardo Benavides, Nabiel Musleh, Al Perez, Debra Walker.

Date and Time

Wednesday, May 20, 2026
2:00 p.m. to 4:00 p.m.

Location

City Hall, Room 416,
1 Dr. Carlton B. Goodlett Place.

Members of the committee will attend this meeting in-person at the location listed above. Members of the public are invited to observe the meeting in person at the physical meeting location listed above or remotely online.

Members of the public attending the meeting in-person will have an opportunity to provide up to three minutes of public comment on every agenda item.

- Watch on SFGovTV (captioned) Live Stream – Visual Arts Committee Meeting

Agenda items

1. Call to Order, Roll Call, Agenda Changes, Land Acknowledgment

1. Call to order
2. Roll call / Confirmation of quorum
3. Agenda Changes
4. Ramaytush Ohlone Land Acknowledgement

The San Francisco Arts Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the ancestors, elders and relatives of the Ramaytush Community and by affirming their sovereign rights as First Peoples. As a department dedicated to promoting a diverse and equitable Arts and Culture environment in San Francisco, we are committed to supporting the traditional and contemporary evolution of the American Indian community.

2. **General Public Comment**

Discussion

(This item is to allow members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's consideration.)

3. **Revisions to Policies and Guidelines of the Civic Art Collection and Public Art Program**

Discussion and possible action

Discussion and possible action to approve the recommended edits to the Policies and Guidelines for the Civic Art Collection of the City and County of San Francisco Under the Jurisdiction of the San Francisco Arts Commission; last updated by Resolution #0605-23-092.

Presenter: Director of Public Art and Civic Art Collection, Mary Chou
Presentation time: Approximately 10 minutes
Explanatory Document: Policies and Guidelines of the Civic Art Collection and Public Art Program

4. **Staff Report**

Discussion

Presentation of Civic Art Collection and Public Art Program updates.

Presenter: Civic Art Collection & Public Art Program Director Mary Chou
Presentation Time: Approximately 5 minutes

5. **New Business and Announcements**

Discussion

(This item is to allow the Commissioners to introduce without discussion new agenda items for consideration, to report on recent arts activities and to make announcements in accordance with Prop D.)

6. **Adjournment**

Action

Agenda posted 5/7/2026, 3:00pm, pc

Policies

Accessibility Meeting Policy

Per the American Disabilities Act and the Language Access Ordinance, Chinese, Spanish, and/or American Sign Language interpreters will be available upon request. Additionally, every effort will be made to provide a sound enhancement system, meeting materials in alternative formats, and/or a reader. Minutes may be translated after they have been adopted by the Commission. For all these requests, please contact Program Associates Tara Peterson and Paris Cotz at least 48 hours before the meeting at 415-252-2219, tara.peterson@sfgov.org or 415-539-6213, paris.cotz@sfgov.org. Late requests will be honored if possible. The meeting room is wheelchair accessible.

利便参與會議的相關規定

根據美國殘疾人士法案和語言服務條例，中文、西班牙語、和/或美國手語翻譯人員在收到要求後將會提供翻譯服務。另外，我們將盡力提供擴音設備。同時也將會提供不同格式的會議資料， 和/或者提供閱讀器。此外，翻譯版本的會議記錄可在委員會通過後提供。上述的要求， 請於會議前最少48小時致電415-252-2219向 Tara Peterson, tara.peterson@sfgov.org 提出。逾期提出的請求，若可能的話，亦會被考慮接納。聽證室設有輪椅通道。

POLITICA DE ACCESO A LA REUNIÓN

De acuerdo con la Ley sobre Estadounidenses con Discapacidades (American Disabilities Act) y la Ordenanza de Acceso a Idiomas (Language Access Ordinance) intérpretes de chino, español, y lenguaje de señas estarán disponibles de ser requeridos. En adición, se hará todo el esfuerzo posible para proveer un sistema mejoramiento de sonido, materiales de la reunión en formatos alternativos, y/o proveer un leedor. Las minutas podrán ser traducidas luego de ser aprobadas por la Comisión. Para solicitar estos servicios, favor contactar a Tara Peterson, por lo menos 48 horas antes de la reunión al 415-252-2219, tara.peterson@sfgov.org. Las solicitudes tardías serán consideradas de ser posible. La sala de audiencia es accesible a silla de ruedas.

Patakaran para sa pag-access ng mga Miting

Ayon sa batas ng American Disabilities Act at ng Language Access Ordinance, maaring mag-request ng mga tagapagsalin wika sa salitang Tsino, Espanyol at/o sa may kapansanan pandinig sa American Sign Language. Bukod pa dito, sisikapin gawan ng paraan na makapaglaan ng gami t upang lalong pabutihin ang inyong pakikinig, maibahagi ang mga kaganapan ng miting sa iba't ibang anyo, at/o isang tagapagbasa.
Ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon.
Sa mga ganitong uri ng kahilingan, mangyari po lamang makipag ugnayan kay Tara Peterson sa 415-252-2219, tara.peterson@sfgov.org.
Magbigay po lamang ng hindi bababa sa 48 oras na abiso bago ng miting.
Kung maari, ang mga late na hiling ay posibleng tanggapin.
Ang silid ng pagpupulungan ay accessible sa mga naka wheelchair.

Agenda Item Information/Materials Available

Each item on the agenda may include the following documents:
1) Department or Agency or report;

2) Public correspondence;
3) Other explanatory documents.

Explanatory documents listed above, as well as documents created or distributed after the posting of this agenda to the Arts Commission will be available only electronically, please contact: Program Associates Tara Peterson or Paris Cotz at tara.peterson@sfgov.org or paris.cotz@sfgov.org or 415-252-2219 or 415-539-6213. PLEASE NOTE: The Arts Commission often receives documents created or submitted by other City officials, agencies or departments after the posting of the Arts Commission agenda. For such documents or presentations, members of the public may wish to contact the originating agency if they seek documents not yet provided to the Arts Commission.

Archives Available

A recording of this meeting will be available online, 48 hours after the meeting. View Visual Arts Committee Meeting Recordings

Cell Phone Or other Electronic Device Use at Hearings

Please silence all cell phones, pagers, and other sound-producing devices before the meeting begins.

If a device does go off during the meeting, please note that the Chair or President may ask the person responsible to step out of the room.

Disability Access

To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact Tara Peterson or Paris Cotz at tara.peterson@sfgov.org or paris.cotz@sfgov.org or 415-252-2219 or 415-539-6213, at least 48 hours before the meeting, except for Monday meetings, for which the deadline is 4:00 p.m. the previous Friday.

- Wheelchair accessible entrance is at Van Ness Avenue and Grove Street.

- There are elevators and accessible restrooms located on every floor.

Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity.

For more information about the Lobbyist Ordinance, contact the Ethics Commission.

- 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102
- (415) 252-3100
- Ethics.Commission@sfgov.org

Meeting Procedures

1. Agenda items will normally be heard in order. Please note, that on occasion a special circumstance may necessitate that an agenda item be taken out of order. To ensure that an agenda item is not missed, it is advised to arrive at the beginning of the meeting. All agenda changes will be announced by the Chair at the top of the meeting.

2. Public comment will be taken before or during the Committee's consideration of each agenda item. Each speaker will be allowed to speak for the time allotted by the Chair at the top of the meeting or up to three (3) minutes.

3. During General Public Comment, members of the public may address the Commissioners on matters that are within the Arts Commission's jurisdiction and are not on the agenda.

4. Persons who spoke during the public comment period at a meeting of the

Arts Commission may supply a brief written summary of the comments to be included in the minutes if it is 150 words or less. The Arts Commission may reject the summary if it exceeds the prescribed word limit or is not an accurate summary of the speaker's public comment.

5. Persons unable to attend an Arts Commission meeting may submit correspondence to the Arts Commission in connection with an agenda item. Written comments submitted to and received by Arts Commission staff via email to tara.petrson@sfgof.org or paris.cotz@sfgov.org by 5:00 p.m. before the date of the meeting will be brought to the attention of the commission and made part of the official record. Comments received afer the meeting may also be included in the record. The program associates will post these documents adjacent to the agenda if they are one page in length. If they are longer than one page, the Arts Commission will make such documents available for public inspection and copying. Please note, correspondence submitted to the Arts Commission will NOT be read aloud during the meeting. Names and addresses included in these submittals will be public. Submittals may be made anonymously. Written comments pertaining to this meeting should be submitted to art-info@sfgov.org.

Public Comment

Public comment in regard to specific agenda items will be taken before or during consideration of the item. Each speaker may speak for up to three minutes per agenda item, unless the Chair has announced a different length of time at the beginning of the meeting. Speakers may not transfer their time to another person. Any person speaking during a public comment period may supply a written summary of their comments to be included in the minutes if it is 150 words or less.

NOTE: The San Francisco Arts Commission is discontinuing remote public 0.comment for all public meetings starting in December 2023. Public comment will be taken in-person, with remote access provided for those who require an ADA accommodation. Requests for accommodation must be made at least 48 hours in advance of the meeting, pursuant to Administrative

Code Section 97.7. Late requests will be honored if possible. Please reach out to art-info@sfgov.org or by calling 415-252-2255 with any questions or to make an accommodation request

Sensitivity to chemical-based products

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from by printing Chapter 67 of the San Francisco Administrative Code on the Internet, http://www.sfgov.org/sunshine/

For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact by mail to Administrator, Sunshine Ordinance Task Force.

- 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102
- (415) 554-7724
- By fax at 415-554 7854
- sotf@sfgov.org

From:	Liang, May (ADM)
To:	Liang, May (ADM)
Cc:	Commission, Entertainment (ADM); Weiland, Maggie (ADM)
Subject:	Notice of Entertainment Commission Meeting - May 19, 2026
Date:	Monday, May 11, 2026 3:09:28 PM
Attachments:	EC Agenda May 19 2026_Final.pdf image001.png

Hello all:

Please note that our next regular Entertainment Commission meeting will be held **in-person and can be viewed remotely on Tuesday, May 19, 2026**. The meeting agenda is attached.

Notice of Entertainment Commission Meeting:
Date: Tuesday, May 19, 2026
Time: 5:30PM
Location:

- **In-person at City Hall Room 416,** 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102
- **Viewed remotely via Microsoft Teams: https://shorturl.at/a5uAK**

Refer to the "Remote Access to Information and Participation" section at the end of the agenda document for detailed instructions on how to participate remotely due to an accommodation for a disability.

Thank you,
May

May Liang 梁闊 (she/her)
Commission Secretary | Permit Administrator
San Francisco Entertainment Commission
49 South Van Ness, Suite 1482
San Francisco, CA 94103
628-652-6035 (direct line) | 628-652-6030 (EC main line)
Facebook | Website | Instagram
Sign up for the Entertainment Commission e-mail list

SAN FRANCISCO
ENTERTAINMENT COMMISSION

Please be mindful that all correspondence and documents submitted to the Entertainment Commission are public records and, as such, are subject to the **Sunshine Ordinance** and can be requested by the public. If this happens, personal information such as Social Security numbers and phone numbers, will be redacted.

Entertainment Commission
City and County of San Francisco

Notice and Agenda for Regular Meeting
Tuesday, May 19, 2026, 5:30 P.M.
Meeting will be held in-person and can be viewed online on Microsoft Teams.

IN-PERSON MEETING:
San Francisco City Hall, Room 416
1 Dr. Carlton B. Goodlett Pl.
San Francisco, CA 94102

TO VIEW ONLINE:
Watch live on Microsoft Teams: https://shorturl.at/a5uAK
The above link should take you directly to the meeting but if needed:
Meeting ID: 223 229 986 647 0
Passcode: 53Kj3e7w

Refer to the "Remote Access to Information and Participation" section at the end of this agenda document for detailed instructions on how to participate remotely due to an accommodation for a disability.

Commissioners:
Ben Bleiman, *President* - *Industry Representative*
Cyn Wang, *Vice President* - *Urban Planning Representative*
Maria Davis, *Commissioner* - *Industry Representative*
Lt. Leonard Poggio, *Commissioner* - *Law Enforcement Representative*
Anthony Schlander, *Commissioner* - *Neighborhood Representative*
Laura Thomas, *Commissioner* - *Public Health Representative*
Jordan Wilson, *Commissioner* - *Neighborhood Representative*

1. CALL TO ORDER AND ROLL CALL

2. General Public Comment: Members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission. With respect to agenda items, members of the public may address the Commission for up to three minutes at the time such item is called.

3. Approval of Meeting Minutes: Discussion and possible action to approve the minutes of the April 21 and May 6, 2026 Commission meetings. [Discussion and Possible Action Item]
Explanatory Documents:
https://www.sf.gov/sf-entertainment-commission-minutes-for-april-21-2026
https://www.sf.gov/sf-entertainment-special-commission-minutes-for-may-6-2026

4. Report from Executive Director: Legislative/Policy Update: none; Staff and Office Update: Review of 16th Annual Nightlife and Entertainment Summit; Update on Board of Appeals Actions: none; Corrective Actions: none. [Discussion and Possible Action Item]

5. Report from Senior Inspector: Senior Inspector Andrew Zverina reports on recent enforcement activities. [Discussion and Possible Action Item]

6. Hearing and Possible Action regarding applications for permits under the jurisdiction of the Entertainment Commission. [Discussion and Possible Action Item]

Commissioners will discuss and may vote to approve the permits listed below.

Consent Calendar:
All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Entertainment Commission, and will be acted upon by a single roll call vote of the Commission. There will be no separate discussion of these items unless a member of the Commission, the public, or staff so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item at this or a future hearing.

Consent Agenda:

a. EC-1932 - Sean Coyne of TWOSIDESOFACOYNE LLC, ***dba Sacred Taco***, 1875 Union St, Limited Live Performance

Regular Agenda:

b. EC-1928 - Wissam Habr of SF LAUNDROMAT LLC, ***dba Hideaway Café***, 850 Jones St, Limited Live Performance that includes outdoor amplified sound

c. EC-1925 – Michael Nolan of SF EVENTS AND PRODUCTIONS LLC, ***dba The Howard House***, 847 Howard St, Place of Entertainment

d. EC-1931 – Osilio & Sal Florese of STEPS OF ROME LLC, ***dba Steps of Rome Trattoria***, 401 Columbus, Limited Live Performance that includes outdoor amplified sound

e. EC-1933 – Jamilah Kenya Richardson, Dorcia Darling White, Nina Moore, Dottie Moore of EVERETT & JONES BBQ SF INTERNATIONAL LLC, ***dba Everett & Jones BBQ***, 300 Jefferson, Limited Live Performance that includes outdoor amplified sound

f. EC-1934 – Abbas Hdwan of BIG APPLE PIZZA N GRILL, ***dba Big Apple Pizza n Grill***, 127 Eddy St, Extended Hours Premises

g. EC-1935 – Onur "Oz" Ozkaynak of CHA3 HAIGHT, ***dba Cha Cha Cha***, 1801 Haight St, Limited Live Performance that includes outdoor amplified sound

h. EC-1936 – Jonathan Ojinaga of AZUCAR LOUNGE LLC, ***dba Azucar Lounge***, 299 9th St, Place of Entertainment that includes outdoor amplified sound

7. Commissioner Comments & Questions; New Business Request for Future Agenda Items: This item is to allow Commissioners to introduce agenda items for future consideration, and to make announcements. [Action item and Discussion]

8. ADJOURNMENT

Remote Access to Information and Participation

The public can view the meeting via computer with a Microsoft Teams link, or listen to via telephone.

In addition to in-person public comment, the Entertainment Commission will hear remote public comment **only for those who have received a prior accommodation due to disability.**

How to Request Accommodation for a Disability:

Effective March 17, 2026, remote public comment is available only to those requiring accommodation due to a disability who cannot attend in-person. To request accommodation, contact the Commission Secretary **by 12 PM (Noon) the day of the Commission meeting** by email at entertainment.commission@sfgov.org or via calling (628) 652-6030.

Meeting materials may be viewed at the Entertainment Commission webpages: https://www.sf.gov/departments--city-administrator--entertainment-

commission/events/upcoming

To access the Meeting by Computer/Smartphone/Tablet or by Telephone:
To access by computer/smartphone/tablet, please click the following link (or paste it into your browser): **Join the meeting now**: **https://shorturl.at/a5uAK**
The above link should take you directly to the meeting but if needed:
Meeting ID: 223 229 986 647 0
Passcode: 53Kj3e7w

To access by telephone, call +1-415-906-4659 and enter the Meeting ID **427 382 840#** (please read the notes, below, prior to calling in).

How to make a remote public comment during meetings for those who have requested an accommodation for a disability:

Please read below to help facilitate this process for remote public comment:

Follow these best practices to improve your call:

1. Call from a quiet location
2. Speak slowly and clearly
3. Turn down radios or televisions.

Raising Your Hand in a Remote Meeting:

If you would like to speak during public comment, please listen for your agenda item to be called, then wait until the public comment section is announced. When it is your turn, staff will confirm your disability accommodation and enter you into the meeting to speak.

By computer, smartphone, or tablet:
Step 1: Select the hand icon with the word "Raise"

at the top-right of the Microsoft Teams window/screen.
Step 2: When you are prompted to unmute, click on the microphone icon with the word "Mic"

at the top-right of the Microsoft Teams window/screen to speak.

By telephone:
Step 1: Dial *5 to raise your hand.
Step 2: When it is your turn, Commission staff will tell you to unmute. Dial *6 to unmute/mute.
*Dial *1 to hear the command menu which provides descriptions of dial-pad commands that are available.*

Things to Remember:

The Commission's staff will indicate how much time you will have to provide your verbal comment. You will be alerted when you have 30 seconds remaining.

Once your public comment time has ended, you will be moved out of the live speaker line and back listening to the meeting (unless you disconnect).

DISABILITY ACCESS

City Hall Room 416 is wheelchair accessible. **Wheelchair-accessible entrances are located on Van Ness Avenue and Grove Street.** There are elevators and accessible restrooms located on every floor.

Remote public participation is available upon request for individuals who cannot attend in person due to disability. Making a request to participate remotely no later than 12pm of the meeting date.

Sign Language Interpretation is also available upon request. If requesting remote Sign Language Interpretation, please submit an accommodation request a minimum of 48 business hours prior to the start of the meeting. Allowing a minimum of 48 business hours for all other accommodation requests (for example, for other auxiliary aids and services) helps ensure availability. To request accommodation, please contact us at entertainment.commission@sfgov.org.

To view previous meetings on-line

Watch an archived Entertainment Commission meeting: https://sanfrancisco.granicus.com/ViewPublisher.php?view_id=99
Watch meetings on demand for other City Commissions, Councils and Boards: www.sfgovtv.org

CELLPHONE AND/OR SOUND PRODUCING ELECTRONIC DEVICE USAGE AT HEARINGS

The ringing and use of cell phones and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, or other similar sound-producing electronic devices (Sunshine Ordinance 67A.1).

SENSITIVITY TO CHEMICAL BASED PRODUCTS

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals

KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Ordinance Task Force (sfgov.org/sunshine) the San Francisco Public Library. and on the City's website at sfgov.org**.** For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact:

Sunshine Ordinance Task Force
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
Office: (415) 554-7724
(Fax): (415) 554-5163
(E-mail): SOTF@sfgov.org
(Web): sfgov.org/sunshine

WRITTEN COMMENTS

Persons attending the meeting and those unable to attend may submit written comments regarding the subject of the meeting. Such comments will be made part of the official public record and will be brought to the attention of the Commission. Written comments should be submitted to the Entertainment Commission via email to entertainment.commission@sfgov.org by 12pm on the day of the meeting.

EXPLANATORY DOCUMENTS

Copies of explanatory documents listed in this agenda, and other related materials received by the Entertainment Commission after the posting of this agenda, can be obtained by emailing Entertainment.Commission@sfgov.org during normal business hours, and also, to the extent possible, will be available on the Commission's website at: https://www.sf.gov/departments--city-administrator--entertainment-commission/events/upcomings.

LANGUAGE ACCESS

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon requests. Meeting Minutes may be translated, if requested, after they have been adopted by the Commission. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact us at entertainment.commission@sfgov.org at least 48 hours in advance of the hearing. Late requests will be honored if possible.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local policy or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, telephone 415/252- 3100, fax 415/252-3112 and website: www.sfgov.org/ethics.

--

如對會議有任何疑問，請致電 628-652-6035 查詢。當會議進行時，嚴禁使用手機及任何發聲電子裝置。會 議主席可以命令任何使用手機或其他發出聲音裝置的人等離開會議場所。

了解你在陽光政策下的權益

政府的職責是為公眾服務，並在具透明度的情況下作出決策。市及縣政府的委員會，市參事會，議會和其 他機構的存在是為處理民眾的事務。本政策保證一切政務討論都在民眾面前進行，而市政府的運作也公開 讓民眾審查。如果你需要知道你在陽光政策 (San Francisco Administrative Code Chapter 67) 下擁有的權利， 或是需要舉報違反本條例的情況，請聯絡：

陽光政策 專責小組行政官 地址：
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
電話號碼: 415-554-7724 ; 傳真號碼 415- 554-5163
電子郵箱: SOTF@sfgov.org

陽光政策的文件可以通過陽光政策專責小組秘書、三藩市公共圖書館、以及市政府網頁 www.sfgov.org 等途徑索取。民眾也可以到網頁 http://www.sfbos.org/sunshine 閱覽有關的解釋文件，或根據以上提供的地址和電話向委員會秘書索取。

語言服務

根據語言服務條例(三藩市行政法典第 91 章)，中文、西班牙語和/或菲律賓語（泰加洛語）傳譯人員在收到 要求後將會提供傳譯服務。翻譯版本的會議記錄可在委員會通過後透過要求而提供。其他語言協助在可能 的情況下也將可提供。上述的要求，請於會議前最少 48 小時致電 628-652-6035 或電郵至 may.k.liang@sfgov.org 向委員會秘書 May Liang 提出。逾期提出的請求，若可能的話，亦會被考慮接納。

遊說者法令

依據「三藩市遊說者法令」 (SF Campaign & Governmental Conduct Code 2.100) 能影響或欲影響本地立法或行政的人士或團體可能需要註冊，並報告其遊說行為。如需更多有關遊說者法令的資訊，請聯絡位於 Van Ness 街 25 號 220 室的三藩市道德委員會，電話號碼:415- 252-3100， 傳真號碼 415-252-3112， 網址: sfgov.org/ethics。

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Para preguntas acerca de la reunión, por favor contactar el 628-652-6035. El timbrado de y el uso de teléfonos celulares, localizadores de personas, y artículos electrónicos que producen sonidos similares, están prohibidos en esta reunión. Por favor tome en cuenta que el Presidente podría ordenar el retiro de la sala de la reunión a cualquier persona(s) responsable del timbrado o el uso de un teléfono celular, localizador de personas, u otros artículos electrónicos que producen sonidos similares.

CONOZCA SUS DERECHOS BAJO LA ORDENANZA SUNSHINE

El deber del Gobierno es servir al público, alcanzando sus decisiones a completa vista del público. Comisiones, juntas, concilios, y otras agencias de la Ciudad y Condado, existen para conducir negocios de la gente. Esta ordenanza asegura que las deliberaciones se lleven a cabo ante la gente y que las operaciones de la ciudad estén abiertas para revisión de la gente. Para obtener información sobre sus derechos bajo la Ordenanza Sunshine (capitulo 67 del Código Administrativo de San Francisco) o para reportar una violación de la ordenanza, por favor póngase en contacto con:

Administrador del Grupo de Trabajo de la Ordenanza Sunshine (Sunshine Ordinance Task Force Administrator)
City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
415-554-7724 (Oficina); 415-554-5163 (Fax);
Correo electrónico: SOTF@sfgov.org

Copias de la Ordenanza Sunshine pueden ser obtenidas del Secretario del grupo de Trabajo de la Ordenanza Sunshine, la Biblioteca Pública de San Francisco y en la página web del internet de la ciudad en www.sfgov.org. Copias de documentos explicativos están disponibles al público por Internet en http://www.sfbos.org/sunshine; o, pidiéndolas al Secretario de la Comisión en la dirección o número telefónico mencionados arriba.

ACCESO A IDIOMAS

De acuerdo con la Ordenanza de Acceso a Idiomas "Language Access Ordinance" (Capítulo 91 del Código Administrativo de San Francisco "Chapter 91 of the San Francisco Administrative Code") intérpretes de chino, español y/o filipino (tagalo) estarán disponibles de ser requeridos. Las minutas podrán ser traducidas, de ser requeridas, luego de ser aprobadas por la Comisión. La asistencia en idiomas adicionales se tomará en cuenta siempre que sea posible. Para solicitar asistencia con estos servicios favor comunicarse con

Entertainment.commission@sfgov.org por lo menos 48 horas antes de la reunión. Las solicitudes tardías serán consideradas de ser posible.

ORDENANZA DE CABILDEO

Individuos y entidades que influencian o intentan influenciar legislación local o acciones administrativas podrían ser requeridos por la Ordenanza de Cabildeo de San Francisco (SF Campaign & Governmental Conduct Code 2.100) a registrarse y a reportar actividades de cabildeo. Para más información acerca de la Ordenanza de Cabildeo, por favor contactar la Comisión de Ética: 25 de la avenida Van Ness , Suite 220, San Francisco, CA 94102, 415-252-3100, FAX 415-252-3112, sitio web: sfgov.org/ethics.

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Kung mayroon kayong mga tanong tungkol sa miting, mangyaring tumawag lang sa 628-652-66035. Ang pagtunog at paggammit ng mga cell phone, mga pager at kagamitang may tunog ay ipinagbabawal sa pulong. Paalala po na maaring palabasin ng Tagapangulo ang sinumang may-ari o responsible sa ingay o tunog na mula sa cell-phone, pager o iba pang gamit na lumilikha ng tunog o ingay.

ALAMIN ANG INYONG MGA KARAPATAN SA ILALIM NG SUNSHINE ORDINANCE

Tungkulin ng Pamahalaan na paglinkuran ang publiko, maabot ito sa patas at medaling maunawaan na paraan. Ang mga komisyon, board, kapulungan at iba pang mga ahensya ng Lungsod at County ay mananatili upang maglingkod sa pamayanan.Tinitiyak ng ordinansa na ang desisyon o pagpapasya ay ginagawa kasama ng mamamayan at ang mga gawaing panglungsod na napagkaisahan ay bukas sa pagsusuri ng publiko. Para sa impormasyon ukol sa inyong karapatan sa ilalim ng Sunshine Ordinance (Kapitulo 67 sa San Francisco Administrative Code) o para mag report sa paglabag sa ordinansa, mangyaring tumawag sa Administrador ng Sunshine Ordinance Task Force .

City Hall – Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
415-554-7724 (Opisina); 415-554-7854 (Fax)
E-mail: SOTF@sfgov.org

Ang mga kopya ng Sunshine Ordinance ay makukuha sa Clerk ng Sunshine Task Force, sa pampublikong aklatan ng San Francisco at sa website ng Lungsod sa www.sfgov.org. Mga kopya at mga dokumentong na nagpapaliwanag sa Ordinance ay makukuha online sa http://www.sfbos.org/sunshine o sa kahilingan sa Commission Secretary, sa address sa itaas o sa numero ng telepono.

PAG-ACCESS SA WIKA

Ayon sa Language Access Ordinance (Chapter 91 ng San Francisco Administrative Code), maaaring mag-request ng mga tagapagsalin sa wikang Tsino, Espanyol, at/o Filipino (Tagalog). Kapag hiniling, ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Maari din magkaroon ng tulong sa ibang wika. Sa mga ganitong uri ng kahilingan, mangyaring tumawag sa entertainment.commission@sfgov.org sa hindi bababa sa 48 oras bago mag miting. Kung maari, ang mga late na hiling ay posibleng pagbibigyan.

LOBBYIST ORDINANCE

Ayon sa San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code 2.100], ang mga indibidwal o mga entity na nag iimpluensiya o sumusubok na mag impluensiya sa mga lokal na pambatasan o administrative na aksyon ay maaring kailangan mag register o mag report ng aktibidad ng lobbying. Para sa karagdagan na impormasyon tungkol sa Lobbyist Ordinance, mangyaring tumawag sa San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, (415) 252-3100, FAX (415) 252-3112, website: sfgov.org/ethics

From: Dhaliwal, Manraj (ART)
Subject: May 18, 2026 SFAC Civic Design Review Agenda Posted
Date: Thursday, May 14, 2026 11:53:31 AM
Attachments: image001.png

Hello,

The agenda for the Monday, May 18, 2026, Civic Design Review meeting has been posted:

Civic Design Review Meeting | San Francisco (sf.gov)

Agenda

Thank you,
Manraj

Manraj Dhaliwal
Commission Secretary
Pronouns: he/him
Email: manraj.dhaliwal@sfgov.org
Phone: 415-252-2247
Mobile: 415-940-1803

San Francisco Arts Commission
401 Van Ness Avenue, Suite 325
San Francisco, CA 94102

www.sfartscommission.org

Newsletter | Flickr | LinkedIn | Facebook | Instagram | TikTok | Twitter | YouTube

The San Francisco Arts Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone. We affirm the sovereign rights of their community as First Peoples and are committed to supporting the traditional and contemporary evolution of the American Indian community and uplifting contemporary indigenous voices and culture.

Please be mindful that all correspondence and documents submitted to the San Francisco Arts Commission are public records and, as such, are subject to the Sunshine Ordinance and can be requested by the public. If this happens, personal information such as personal emails, Social Security numbers and phone numbers will be redacted.

City and County of San Francisco
Daniel Lurie, Mayor

Agenda for Civic Design Review, May 18, 2026

sfac san francisco arts commission

Commissioners

- Patrick Carney, Chair; Seth Brenzel, Chuck Collins, Al Perez, McKenna Quint, Jessica Rothschild, Janine Shiota.

Date and Time
Monday, May 18, 2026
2:00 p.m. to 4:00 p.m.

Location
City Hall, Room 416,
1 Dr. Carlton B. Goodlett Place.

Members of the committee will attend this meeting in-person at the location listed above. Members of the public are invited to observe the meeting in person at the physical meeting location listed above or remotely online.

Members of the public attending the meeting in-person will have an opportunity to provide up to three minutes of public comment on every agenda item.

- Watch on SFGovTV (captioned) Live Stream – Civic Design Review Meeting

Agenda items

1. **Call to Order, Roll Call, Agenda Changes, Land Acknowledgment**
    1. Call to order
    2. Roll call / Confirmation of quorum
    3. Agenda Changes
    4. Ramaytush Ohlone Land Acknowledgement

The San Francisco Arts Commission acknowledges that we are on the unceded ancestral homeland of the Ramaytush Ohlone who are the original inhabitants of the San Francisco Peninsula. As the indigenous stewards of this land and in accordance with their traditions, the Ramaytush Ohlone have never ceded, lost nor forgotten their responsibilities as the caretakers of this place, as well as for all peoples who reside in their traditional territory. As guests, we recognize that we benefit from living and working on their traditional homeland. We wish to pay our respects by acknowledging the ancestors, elders and relatives of the Ramaytush Community and by affirming their sovereign rights as First Peoples. As a department dedicated to promoting a diverse and equitable Arts and Culture environment in San Francisco, we are committed to supporting the traditional and contemporary evolution of the American Indian community.

2. General Public Comment
Discussion

(This item is to allow members of the public to comment generally on matters within the Commission's purview as well as to suggest new agenda items for the Commission's consideration.)

3. SFO Terminal 3 West Project – Post Phase 3 Review
Discussion and possible action

Discussion and possible action for Post Phase 3 Review for SFO Terminal 3 West Project.

Presentation time: Approximately 15 minutes

Project team:
Project Designer(s): Terence Young
Project Manager(s): Julia Katz
Architect: Ryan Fetters

This project was previously reviewed on November 17, 2025

SFO Terminal 3 West Project: Post Phase 3 Review, Request for Review
SFO Terminal 3 West Project: Post Phase 3 Review, Presentation

4. Harvey Milk Plaza – Phase 3 Review
Discussion and possible action

Discussion and possible action for Phase 3 Review for Harvey Milk Plaza

Presentation time: Approximately 10 minutes

Project team:
Project Designer: SWA Group/Mar Jang Architecture
Project Manager(s): Christine Hunt
Architect: Karen Mar
Landscape Architect: Daniel Cunningham

This project was previously reviewed on September 20, 2021.

Harvey Milk Plaza: Phase 3 Review, Request for Review
Harvey Milk Plaza: Phase 3 Review, Presentation
Harvey Milk Plaza: Phase 3 Review, Art Enrichment
Harvey Milk Plaza: Phase 3 Review, Construction Documents

5. New Business and Announcements
Discussion

(This item is to allow the Commissioners to introduce without discussion new agenda items for consideration, to report on recent arts activities and to make announcements in accordance with Prop D.)

6. Adjournment
Action

Agenda posted 05/14/2026, 11:45 am, mscd

Policies

Accessibility Meeting Policy
Per the American Disabilities Act and the Language Access Ordinance, Chinese, Spanish, Tagalog, and/or American Sign Language interpreters will

be available upon request. Additionally, every effort will be made to provide a sound enhancement system, meeting materials in alternative formats, and/or a reader. Minutes may be translated after they have been adopted by the Commission. For all these requests, please contact Commission Secretary Manraj Dhaliwal at least 48 hours before the meeting at 415-252-2247, manraj.dhaliwal@sfgov.org. Late requests will be honored if possible. The meeting room is wheelchair accessible.

利便参與會議的相關規定

根據美國殘疾人士法案和語言服務條例，中文、西班牙語、和/或美國手語翻譯人員在收到要求後將會提供翻譯服務。另外，我們將盡力提供擴音設備。同時也將會提供不同格式的會議資料， 和/或者提供閱讀器。此外，翻譯版本的會議記錄可在委員會通過後提供。上述的要求，請於會議前最少 48 小時致電 415-252-2247 向 Manraj Dhaliwal, manraj.dhaliwal@sfgov.org 提出。逾期提出的請求，若可能的話，亦會被考慮接納。聽證室設有輪椅通道。

POLITICA DE ACCESO A LA REUNIÓN

De acuerdo con la Ley sobre Estadounidenses con Discapacidades (American Disabilities Act) y la Ordenanza de Acceso a Idiomas (Language Access Ordinance) intérpretes de chino, español, y lenguaje de señas estarán disponibles de ser requeridos. En adición, se hará todo el esfuerzo posible para proveer un sistema mejoramiento de sonido, materiales de la reunión en formatos alternativos, y/o proveer un leedor. Las minutas podrán ser traducidas luego de ser aprobadas por la Comisión. Para solicitar estos servicios, favor contactar a Commission Secretary, Manraj Dhaliwal, por lo menos 48 horas antes de la reunión al 415-252-2247, manraj.dhaliwal@sfgov.org. Las solicitudes tardías serán consideradas de ser posible. La sala de audiencia es accesible a silla de ruedas.

Patakaran para sa pag-access ng mga Miting

Ayon sa batas ng American Disabilities Act at ng Language Access Ordinance, maaring mag-request ng mga tagapagsalin wika sa salitang Tsino, Espanyol at/o sa may kapansanan pandinig sa American Sign Language. Bukod pa dito, sisikapin gawan ng paraan na makapaglaan ng gami t upang lalong pabutihin ang inyong pakikinig, maibahagi ang mga kaganapan ng miting sa iba't ibang anyo, at/o isang tagapagbasa.

Ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon.

Sa mga ganitong uri ng kahilingan, mangyari po lamang makipag ugnayan kay Commission Secretary Manraj Dhaliwal sa 415-252-2247, manraj.dhaliwal@sfgov.org. Magbigay po lamang ng hindi bababa sa 48 oras na abiso bago ng miting. Kung maari, ang mga late na hiling ay posibleng tanggapin. Ang silid ng pagpupulungan ay accessible sa mga naka wheelchair.

Agenda Item Information/Materials Available

Each item on the agenda may include the following documents:

1) Department or Agency or report;
2) Public correspondence;
3) Other explanatory documents.

Explanatory documents listed above, as well as documents created or distributed after the posting of this agenda to the Arts Commission will be available only electronically, please contact: Commission Secretary Manraj Dhaliwal at manraj.dhaliwal@sfgov.org or 415-252-2247. PLEASE NOTE: The Arts Commission often receives documents created or submitted by other City officials, agencies or departments after the posting of the Arts Commission agenda. For such documents or presentations, members of the public may wish to contact the originating agency if they seek documents not yet provided to the Arts Commission.

Archives Available
A recording of this meeting will be available online, 48 hours after the meeting.

Cell Phone Or other Electronic Device Use at Hearings
Please silence all cell phones, pagers, and other sound-producing devices before the meeting begins.

If a device does go off during the meeting, please note that the Chair or President may ask the person responsible to step out of the room.

Disability Access
To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact Manraj Dhaliwal at manraj.dhaliwal@sfgov.org or 415-252-2247, at least 48 hours before the meeting, except for Monday meetings, for which the deadline is 4:00 p.m. the previous Friday.

- Wheelchair accessible entrance is at Van Ness Avenue and Grove Street.
- There are elevators and accessible restrooms located on every floor.

Lobbyist Ordinance
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code sections 2.100-2.160) to register and report lobbying activity.

For more information about the Lobbyist Ordinance, contact the Ethics Commission.

- 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102
- (415) 252-3100
- Ethics.Commission@sfgov.org

Meeting Procedures

1. Agenda items will normally be heard in order. Please note, that on occasion a special circumstance may necessitate that an agenda item be taken out of order. To ensure that an agenda item is not missed, it is advised to arrive at the beginning of the meeting. All agenda changes will be announced by the Chair at the top of the meeting.

2. Public comment will be taken before or during the Committee's consideration of each agenda item. Each speaker will be allowed to speak for the time allotted by the Chair at the top of the meeting or up to three (3) minutes.

3. During General Public Comment, members of the public may address the Commissioners on matters that are within the Arts Commission's jurisdiction and are not on the agenda.

4. Persons who spoke during the public comment period at a meeting of the Arts Commission may supply a brief written summary of the comments to be included in the minutes if it is 150 words or less. The Arts Commission may reject the summary if it exceeds the prescribed word limit or is not an accurate summary of the speaker's public comment.

5. Persons unable to attend an Arts Commission meeting may submit correspondence to the Arts Commission in connection with an agenda item. The Commission Secretary will post these documents adjacent to the agenda if they are one page in length. If they are longer than one page, the Arts Commission will make such documents available for public inspection and copying. Please note, correspondence submitted to the Arts Commission will NOT be read aloud during the meeting. Names and addresses included in these submittals will be public. Submittals may be made anonymously. Written comments pertaining to this meeting should be submitted to art-info@sfgov.org.

Public Comment

Public comment in regard to specific agenda items will be taken before or during consideration of the item. Each speaker may speak for up to three minutes per agenda item, unless the Chair has announced a different length of time at the beginning of the meeting. Speakers may not transfer their time to another person. Any person speaking during a public comment period may supply a written summary of their comments to be included in the minutes if it is 150 words or less.

NOTE: The San Francisco Arts Commission is discontinuing remote public comment for all public meetings starting in December 2023. Public comment will be taken in-person, with remote access provided for those who require an ADA accommodation. Requests for accommodation must be made at least 48 hours in advance of the meeting, pursuant to Administrative Code Section 97.7. Late requests will be honored if possible. Please reach out to art-info@sfgov.org or by calling 415-252-2255 with any questions or to make an accommodation request

Sensitivity to chemical-based products

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity, or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.

Sunshine Ordinance

Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

Citizens interested in obtaining a free copy of the Sunshine Ordinance can request a copy from by printing Chapter 67 of the San Francisco Administrative Code on the Internet, http://www.sfgov.org/sunshine/

For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact by mail to Administrator, Sunshine Ordinance Task Force.

- 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102
- (415) 554-7724
- By fax at 415-554 7854
- sotf@sfgov.org

Item 4

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: BIC Merger Letter
Date:	Wednesday, May 13, 2026 9:50:30 AM
Attachments:	BIC_merger letter bos.pdf

Dear Supervisors,

Please see below and attached from the Building Inspection Commission (BIC).

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: Harris, Sonya (DBI) <sonya.harris@sfgov.org>
Sent: Tuesday, May 12, 2026 3:25 PM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Carroll, John (BOS) <john.carroll@sfgov.org>
Cc: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: BIC Merger Letter

Good afternoon Honorable Supervisors,

Please find the enclosed letter from the members of the Building Inspection

Commission (BIC).

Thank you.

Sonya Harris
Commission Secretary

Sonya Harris (she/her)
Secretary
Building Inspection Commission
City & County of San Francisco
Department of Building Inspection
49 South Van Ness Avenue, 5th Floor
San Francisco, CA 94103
628-652-3510 Phone Email: Sonya.Harris@sfgov.org
SF.gov/DBI
Sign up for our customer email list

BUILDING INSPECTION COMMISSION (BIC)

Department of Building Inspection **Voice (628) 652 -3510**
49 South Van Ness Avenue, 5th Floor San Francisco, California 94103

May 12, 2026

Daniel Lurie
Mayor

COMMISSION

Alysabeth Alexander-Tut
President

Catherine Meng
Vice-President

Dan Calamuci
Judy Lee
Lindsey Maclise
Bianca Neumann
Kavin Williams

Sonya Harris
Secretary

David Kane
Interim Director

Ms. Angela Calvillo
Clerk of the Board
Board of Supervisors, City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4694

Dear Members of the Board of Supervisors and Mayor,

We write as the Commissioners charged with providing oversight and direction to the Department of Building Inspection (DBI). We share your commitment to streamlining processes, improving service delivery, and exploring bold solutions that benefit the people of San Francisco.

While decisions regarding potential departmental mergers fall outside the formal purview of our Commission, DBI's policy direction and performance remain our responsibility. In that spirit, we respectfully offer the following guiding principles and shared goals for your consideration as you evaluate any proposed merger involving DBI, now or in the future.

Solutions Should Address Clearly Defined Problems, and Protect Progress

Any proposed solution should be rooted in a clearly identified problem and a demonstrated need for that solution. If the problem is lack of coordination between stakeholders in multiple departments, the proposed solution should center this problem and define a vision for collaboration amongst those stakeholders. That solution, then, should not automatically apply to the entirety of each existing department's scope.

Over the past five years, DBI has undergone significant cultural and operational transformation. The department is now more customer-focused, innovative, and responsive to community needs. It has met nearly all established performance goals and continues to improve efficiency and turnaround times.

Importantly, DBI today is not the DBI of 2018. Its current structure supports continued progress and forward momentum. Through sustained effort the department has also achieved financial stability – providing predictability for customers and the industries that rely on its services. This progress has even allowed DBI to limit fee increases this year, a meaningful accomplishment. Any merger proposal should be tailored to fit a particular problem while

carefully preserving and building upon this achieved stability, particularly in maintaining the reliability of DBI's core safety and compliance functions.

Safety and Compliance Must Remain Paramount

While efficiency and customer service are essential, DBI's mission is fundamentally grounded in public safety. Permit review is a core function that has been publicly addressed as having opportunities for cross-departmental collaboration. Yet, equally critical are inspection services, which directly protect construction workers, residents, and the public.

Safety is not only a set of procedures – it is a culture. Inspectors must be empowered to enforce building codes consistently and without compromise, with clear support from leadership at all levels. Any future merger must preserve and structurally reinforce this culture of safety, accountability, and independent enforcement.

Tenant Protection Must Not Be Diminished

The Building Inspection Commission (BIC) is a key body overseeing habitability standards for San Francisco's rental housing stock. Any merger must not dilute policy-making authority or reduce transparency and accountability for enforcing housing standards.

In recent years, the BIC has been a staunch advocate for the continuation of funding for the culturally competent, multilingual community-based code enforcement programs. These Community Based Organization (CBO) programs reach residents – often among the City's most vulnerable – who may not otherwise report unsafe living conditions due to fear, language barriers, or lack of awareness. This includes SRO residents, immigrant families, and low-income seniors.

Reducing outreach does not reduce need. It increases the likelihood that unsafe conditions go unaddressed, leading to displacement, homelessness, or serious health consequences. Any merger must protect and prioritize funding for these programs and ensure that tenant protections remain robust and accessible. If oversight responsibilities are shifted, such changes must not weaken tenant protections citywide.

Governance and Specialized Functions Must Be Protected

DBI's work is deeply embedded in the industries and communities it serves, from construction professionals to tenants relying on habitability standards. The department's responsibilities extend beyond permitting and inspections to include highly specialized and technical functions, such as:

- High-rise and complex building peer review.
- Development of technical bulletins and information sheets.
- Oversight of safety programs like the Concrete Building Safety Program and Facade Inspection Program.
- Administration of major initiatives, including the Soft Story Retrofit Program and Accessible Business Entrance Program.
- Stewardship of critical records and data systems.

These functions require focused governance, technical expertise, and continuity. Any reorganization must ensure these capabilities remain intact, well-supported, and clearly accountable. Any future charter should spell out these duties and protect their future.

The current SF practice is to ensure that the head of building inspection services is a Certified Building Official, reflecting the technical and public safety responsibilities of the role. This leadership structure must be preserved. The Certified Building Official should retain authority over core safety functions and appropriate discretion over related departmental operations to ensure consistency, accountability, and professional standards.

The biggest threat to safety is cultural and structural. Today, if there is a dispute regarding safety between the departments, the DBI Director and Planning Director stand on equal footing and can freely represent their positions and escalate them. A merger that results in a department director who is not a technical expert or Certified Building Official should not dilute the technical perspective in this new model. How can the City ensure that it prioritizes enforcement rigor and independence of permit review and on-site inspectors over other organizational priorities over time, regardless of which individuals are in leadership positions?

Financial Autonomy

Maintaining DBI's financial autonomy remains a significant concern. DBI's budget should not be vulnerable to budget cuts.

Ethics Measures to Protect the Public Interest and Root out Corruption

In 2021, the Controller's Office conducted a *Public Integrity Review of the Department of Building Inspection's Permitting and Inspection Processes*. The Controller's assessment, and a subsequent directive from the Mayor, were released with a review of DBI's operations and details on the procedural and managerial lapses that produced unethical and illegal behavior in the past. The documents also offered a blueprint to help the department build a stronger organization by providing detailed improvement measures that would be fully implemented with the BIC's help and support.

Former Director O'Riordan asked for the BIC's ongoing support in re-establishing an ethical tone at the top, keeping the department accountable to both the BIC and the public, and helping DBI implement the reform measures they committed to achieving. DBI provided regular updates to the BIC on the Department's progress in implementing reform measures and BIC provided essential guidance, resulting in systemic and meaningful changes to the department.

As a result, DBI succeeded in implementing key reforms to the Administration, Inspections, and Permit Services and Plan Review Divisions, as well as overseeing an Internal Audit. These reforms include:

- Updating DBI's Code of Conduct.

- Modernizing DBI's technology to provide better data monitoring, transparency, and automation.
- Adding more transparency to enforcement and inspection notes.
- Increasing senior staff oversight of daily inspection reports and weekly inspection activities, greater control and transparency in scheduling and assignments, and regular audits of inspection patterns for senior inspectors.
- Implementing that Expanded Compliance Control (ECC) Ordinance
- Implementing a series of customer service initiatives, including Electronic Plan Review (EPR), expanded remote permitting, checklists for project submittals, and an online customer registration system for in-person customers.
- Conducting a quality control audit to identify properties, permits or projects that merit for additional review.

A recent example of the constructive relationship between DBI and BIC is the Awning Amnesty Program. One person submitted dozens of anonymous complaints about unpermitted awnings at businesses across the city (especially small businesses in Chinatown). DBI investigated the complaints and confirmed dozens of unpermitted awnings, a majority of which did not pose any safety issues. The normal process for legalizing an awning required hiring a design professional, submitting plans to the department, paying for the permit and inspections. Many small business owners found this process daunting because of cost or language barriers. DBI worked with BIC and the Board of Supervisors to develop the awning amnesty ordinance, which waived fees and streamlined the process for obtaining an awning permit. With BIC oversight and guidance, DBI did extensive outreach to the impacted businesses to ensure they obtained their permit. It's imperative that we preserve this type of engagement with the community and sensitivity to its needs.

Commission Independence

The roles of the BIC and the Planning Commission are fundamentally distinct and should remain independent. The Planning Commission is responsible for the San Francisco General Plan and approvals under the Planning Code, while the BIC oversees enforcement of the Building Codes, with a primary focus on life safety.

These codes serve different purposes, and approval by one body should not compromise or constrain the authority of the other. Maintaining independent commissions ensures clarity of mission, avoids conflicts in decision-making, and preserves strong oversight of both planning and safety functions.

And finally, the structure, membership, and meeting frequency of each commission differ significantly. If the commissions are combined, it would result in larger time commitments from its commissioners. Current BIC commissioners include tenant representatives, affordable housing developers, architects, engineers, labor representatives, and working parents. Maintaining separate bodies supports broader civic participation and ensures representation from diverse communities and professional backgrounds.

We appreciate your leadership and your willingness to consider transformative approaches to improving city services. As you evaluate potential structural changes,

we urge careful consideration of the progress DBI has made and the essential role it plays in safeguarding the public.

We stand ready to support thoughtful, data-driven solutions that strengthen – not disrupt – the department's ability to serve San Franciscans.

Respectfully,

Building Inspection Commission

Alysabeth Alexander-Tut
Catherine Meng
Dan Calamuci
Judy Lee
Lindsey Maclise
Bianca Neumann
Kavin Williams

Item 5

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: ISCOTT Hearing on Thu, May 14 - Agenda - Temporary Street Closure Requests
Date:	Thursday, May 14, 2026 3:35:56 PM
Attachments:	ISCOTT_1615_Agenda.pdf

Dear Supervisors,

Please see below and attached, from the San Francisco Municipal Transportation Agency (SFMTA), submitting the Interdepartmental Staff Committee on Traffic and Transportation for Temporary Street Closures (ISCOTT) agenda for the May 14, 2026, meeting.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: SpecialEvents <SpecialEvents@sfmta.com>
Sent: Thursday, May 7, 2026 9:10 AM
To: SpecialEvents <SpecialEvents@sfmta.com>
Subject: ISCOTT Hearing on Thu, May 14 - Agenda - Temporary Street Closure Requests

Good morning –

Attached is the agenda for the upcoming ISCOTT hearing on Thursday, May 14.

If you have any questions, please email us.

Nick Chapman
Manager, ISCOTT and SFMTA Special Events
San Francisco Municipal Transportation Agency
1 South Van Ness Ave, 7th Floor
San Francisco, CA 94103
Pronouns: he/him, they/them

Please consider the environment before using AI to respond to this email

ISCOTT AGENDA

INTERDEPARTMENTAL STAFF COMMITTEE
ON TRAFFIC AND TRANSPORTATION FOR
TEMPORARY STREET CLOSURES

Meeting of May 14, 2026 - Thursday, 9:00 AM
1615th Regular Meeting

Online Participation	Please join Microsoft Teams Meeting at SFMTA.com/ISCOTTHearing Click on the Raise your hand icon. When you are prompted to unmute, click on the microphone icon to speak.
Phone Participation	Please dial +1 415-523-2709,,397937701# Find a local number Phone conference ID: 397 937 701# Dial *5 to be placed in the queue for public comment. When prompted dial *6 to unmute yourself.

Please ensure that you are in a quiet location, speak clearly, and turn off any TVs or radios around you.

Written Participation	Submit your written comments to SpecialEvents@SFMTA.com with "Public Hearing" in the subject line or by mail to SFMTA, 1 South Van Ness, 7th Floor, San Francisco, CA 94103. Written comments must be received by 12 noon on the day prior to the hearing to be considered.

415.646.2414: For free interpretation services, please submit your request 48 hours in advance of meeting. / 如果需要免費口語翻譯，請於會議之前 48 小時提出要求 / Para servicios de interpretación gratuitos, por favor haga su petición 48 horas antes de la reunión./ Para sa libreng serbisyo sa interpretasyon, kailangan mag-request 48 oras bago ang miting.

MINUTES OF THE APRIL 23, 2026, MEETING (ACTION ITEM)
The Committee to adopt the Minutes.

PUBLIC COMMENT
Members of the public may address ISCOTT members on matters that are within ISCOTT purview and are not on today's agenda.

TEMPORARY STREET CLOSURES (ACTION ITEMS)
These proposed actions are an Approval Action as defined by S.F. Administrative Code Chapter 31.

CONSENT CALENDAR
If there are no objections from the committee or the public, the following items will be voted on as a group.

A. 5th Avenue between Lincoln Way and Hugo Street
Saturday, September 26, 2026, 9 am to 10 pm
Block Party – 5th Avenue

B. Battery Street between Greenwich and Union streets
Saturday, September 19, 2026, 4 am to 10 am
Bike MS Waves to Wine

C. 3rd Street (westernmost traffic/parking lane only) between Howard and Mission streets
Thursday, June 11, 2026, 6 am to
Friday, June 19, 2026,11 pm
Databricks Data AI Summit [loading]

D. Hayes Street between Octavia and Gough streets
Saturday, June 6, 2026, through
Saturday, June 5, 2027
7 am to 3 pm, each Saturday
Hayes Valley Farmers Market [correcting date]

REGULAR CALENDAR

E. Sanchez Street between Elizabeth and 23rd streets
Saturday, June 6, 2026, 9 am to 5 pm
Block Party - Sanchez St - Summer Kick-off

F. Ellis Street between Leavenworth and Hyde streets
Friday, May 29, 2026, 12 pm to 7 pm
SFPAL World Cup

G. Joice Street between Clay and Sacramento streets
Friday, May 29, 2026, 2 pm to 9 pm
OUT 出 Museum Opening Ceremony

H. 20 Norton/Mission Lot between Mission Street and Alemany Boulevard
Saturday, June 13, 2026, 8 am to 5 pm
Community Safety Event

I. Sunnydale Avenue between Hahn and Sawyer streets
Friday, June 19, 2026, 3 pm to
Saturday, June 20, 2026, 8 pm
Peace, Love, and Soul Food Festival

J. Sunnydale Avenue from Hahn to Sawyer streets
Saturday, September 12, 2026, 8 am to 5 pm
River of Life Prayer Breakfast

K. Front Street between California and Sacramento streets; Halleck Street between Front and Battery streets
Friday, July 31, 2026, 8 am to 11:59 pm
and
Friday, August 21, 2026, 8 am to 11:59 pm
and
Friday, October 9, 2026, 8 am to 11:59 pm
Fridays on Front Street

L. Keith Street between Armstrong and Carroll avenues
Intersection closed: Keith Street at Bancroft Avenue
Saturday, June 13, 2026, 9 am to 7 pm
Coleman Advocates/Dooda Activities

M. San Bruno Avenue between Bacon and Burrows streets
Saturday, July 25, 2026, 5 am to 7 pm
Festival Restauración 2026

N. 24th Street between Bryant and Hampshire streets
(Intersection of 24th Street at York Street to remain open.)
Saturday, October 17, 2026, 8 am to 9 pm
Brava Block Party

O. Utah Street between 16th and Alameda streets; 15th Street between Potrero Avenue and Vermont Street; Alameda Street between Utah Street and San Bruno Avenue; San Bruno Avenue between 15th and Alameda streets
Intersections closed: Utah Street at 15th Street; 15th Street at San Bruno; San Bruno at Alameda; Alameda at Utah
Friday, June 26, 2026, 8 am to
Monday, June 29, 2026, 8 am
Pink Block Pride 2026

P. Gilman Avenue between Hawes Street and Arelious Walker Drive; Bill Walsh Way between Gilman and Ingerson avenues; Ingerson Avenue between Bill Walsh Way and Gilroy Street
Intersections closed: Gilman Avenue at Bill Walsh Way and at Griffith Street; Bill Walsh Way at Ingerson Avenue
Sunday, June 21, 2026, 5 am to 8 pm
Bayview Juneteenth Father's Day Festival

Q. Fillmore Street between Geary Blvd and Fulton Street; O'Farrell Street between Steiner and Fillmore streets; Eddy Street between Steiner and Webster streets; Turk Street between Steiner and Webster streets; Golden Gate Avenue between Steiner and Webster streets; McAllister Street between Steiner and Webster streets
Intersections closed: Fillmore Street at O'Farrell, Eddy, Turk, Golden Gate, McAllister
Saturday, June 13, 2026, 4 am to 11:59 pm
Fillmore Juneteenth

R. O'Farrell Street between Fillmore and Steiner streets
Friday, May 22, 2026, 11 am to 10:30 pm
Fillmore After Dark Night Market

S. Green Street between Powell Street and Columbus Avenue
Sunday, July 19, 2026, 8 am to 5 pm
Volo Block Party - World Cup Final Watch Party

T. San Bruno Avenue between Bacon and Felton streets; Burrows Street between San Bruno Avenue and easterly terminus
Intersection closed: San Bruno Avenue at Burrows Street
Sunday, June 7, 2026, 8 am to 3:30 pm
Dim Sum & Cars

U. Clement Street between Arguello Blvd and 4th Avenue
(All intersections to remain open to traffic.)
Sunday, June 28, 2026, through
Sunday, June 27, 2027
7 am to 3:30 pm, each Sunday
Clement Street Farmers Market

V. Haight Street between Masonic Avenue and Ashbury Street
Wednesday, July 1, 2026, 3 pm to 11:30 pm
Haight First Wednesdays

W. Third Street (westernmost travel lane and parking lane only) between Folsom and Howard streets; Fourth Street (easternmost travel lane) between Minna and Howard streets
Thursday, June 18, 2026, 10:30 pm to
Friday, June 19, 2026, 3:00 am
and
Thursday, June 25, 2026, 10:30 pm to
Friday, June 26, 2026, 3:00 am
K-rail install/removal for Figma Config 2026

Howard Street between 3rd and 4th streets; Howard Street (southernmost travel lane and parking lane only) between Hawthorne and 3rd streets; Third Street (westernmost 2 lanes) between Folsom and Howard streets; Third Street (westernmost lane) between Howard and Mission streets; Folsom Street (northernmost travel lane and parking lane) between 3rd and 4th streets; Fourth Street (easternmost travel lane) between Howard and Folsom streets
Friday, June 19, 2026, 6:01 am to
Saturday, June 27, 2026, 6:30 pm
Figma Config 2026

X. Ellis Street between Mason and Larkin streets
Sunday, June 14, 2026, 9 am to 5:30 pm
Sunday Streets Tenderloin

Y. Chestnut Street between Pierce and Divisadero streets; Scott Street between Chestnut Street and 90-feet northerly
Intersections closed: Chestnut Street at Scott and Avila streets
Saturday, August 22, 2026, 8 am to 9 pm
Guardsmen Marina Block Party

Z. Grove Street between Polk and Larkin streets
Tuesday, June 23, 2026, 9 am to
Tuesday, June 30, 2026, 9 am
and
Fulton Street between Larkin and Hyde streets,
Thursday, June 25, 2026, 7 pm to
Tuesday, June 30, 2026, 9 am
and
Dr. Carlton B. Goodlett Place between Grove and McAllister streets; Larkin Street between McAllister and Market streets
Thursday, June 25, 2026, 7 pm to
Monday, June 29, 2026, 6 am
and
Grove Street between Van Ness Avenue and Hyde Street
Friday, June 26, 2026, 9 am to
Monday, June 29, 2026, 6 am
and
Dr. Tom Waddell Place (Lech Walesa) between Van Ness Avenue and Polk Street; Polk Street between Grove and Hayes streets; McAllister Street between Van Ness Avenue and Leavenworth Street; Hyde Street between McAllister and Grove streets; Continuum Place from Golden Gate Avenue to Terminus; Hyde Street between Golden Gate Avenue and McAllister Street; Larkin Street between Golden Gate Avenue and McAllister Street; Polk Street between Golden Gate Avenue and McAllister Street; Redwood Street between Polk Street and Van Ness Avenue
Friday, June 26, 2026, 8 pm to
Monday, June 29, 2026, 6 am
and
Leavenworth Street between McAllister and Market streets; Sutter Street between Sansome and Market streets; Sansome Street (northbound) between Sutter and Bush streets
Sunday, June 28, 2026, 12:01 am to 5 pm
and
Market Street between 8th and 9th streets
Sunday, June 28, 2026, 6 am to 5 pm
San Francisco Pride Parade and Celebration

Categorically exempt from CEQA: CEQA Guidelines Section 15304 Class 4(e) minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas trees, etc. and/or Section 15305 Class 5(b) minor alterations in land use limitations, including street closings and equipment for special events

_____

Forrest Chamberlain Date
San Francisco Municipal Transportation Agency

ROADWAY SHARED SPACES CLOSURES (ACTION ITEMS)

The following item has been environmentally cleared by the Planning Department on April 19, 2021, Addendum #2 to San Francisco Better Streets Plan Project [Case No. 2021-003010ENV (addendum to Case No. 2007.1238E)]:

NONE

ROADWAY SHARED SPACES CLOSURES (INFORMATIONAL ITEMS)

The following items are presented for informational purposes and public comment. Closures are subject to review and approval by the SFMTA Board.

AA. Via Bufano between Columbus Avenue and 75-feet northerly
(local access maintained from Greenwich Street)
Tuesday, June 2, 2026, through
Wednesday, June 2, 2027
3 pm to 11:59 pm, ***each Tuesday through Friday***
3 pm to 1 am, ***each Saturday***
1 pm to 10 pm, ***each Sunday***
Bodega – Shared Space

***SUPPORTING DOCUMENTATION FOR INTERDEPARTMENTAL STAFF COMMITTEE AGENDA ITEMS ARE AVAILABLE FOR REVIEW AT THE MUNICIPAL TRANSPORTATION AGENCY'S OFFICES, ONE SOUTH VAN NESS, SAN FRANCISCO, CA 94103, DURING NORMAL BUSINESS HOURS. PLEASE CONTACT TEMPORARY STREET CLOSURES/SPECIAL EVENTS AT specialevents@sfmta.com. ***

Sound Producing Devices
The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of cell phone, pager, or other similar sound-producing electronic devices.

Disability Access
To obtain a disability-related modification or accommodation, including auxiliary aids or services, to participate in the meeting, please contact (415) 701-4683 at least two business days before the meeting. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights under the Sunshine Ordinance
Government's duty is to serve the public, reaching its decision in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force Administrator by mail to Sunshine Ordinance Task Force, One Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102, by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at *sotf@sfgov.org*. Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Sunshine Ordinance Task Force Administrator or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at web site *http://www.sfgov.org/sunshine*.

Lobbyist Registration and Reporting Requirements
Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102, telephone (415) 581-2200, fax (415) 581-2217, web site *www.sfgov.org/ethics*.

California Environmental Quality Act (CEQA) Appeal Rights under S.F. Admin. Code Chapter 31: For identified Approval Actions**,** the Planning Department or the SFMTA has issued a CEQA exemption determination or negative declaration, which may be viewed online at the Planning Department's website**.** Following approval of the item by ISCOTT, the CEQA determination is subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16 which is typically within 30 calendar days. For information on filing a CEQA appeal, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or submitted in writing to the City prior to or at such hearing, or as part of the appeal hearing process on the CEQA decision.

Item 6

From: Board of Supervisors (BOS)
To: BOS-Supervisors; BOS-Legislative Aides
Cc: Calvillo, Angela (BOS); Somera, Alisa (BOS); Ng, Wilson (BOS); De Asis, Edward (BOS)
Subject: FW: Resolution – Condemning the Detention of Angelina Lopez-Jimenez and Her Daughter
Date: Tuesday, May 5, 2026 12:16:00 PM
Attachments: Outlook-5401lznb.png
COSW Resolution Condemning the Detention of Angelina Lopez-Jimenez and Her Daughter.pdf

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Dear Supervisors,

Please see the attached resolution from the Commission on the Status of Women.

Thank you,

Eileen McHugh
Executive Assistant
Office of the Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
eileen.e.mchugh@sfgov.org| www.sf.gov/bos

From: Blakely, Dominique (HRC) <dominique.blakely@sfgov.org>
Sent: Tuesday, May 5, 2026 10:31 AM
To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Resolution – Condemning the Detention of Angelina Lopez-Jimenez and Her Daughter

Good morning, Madam Clerk,

On behalf of the San Francisco Commission on the Status of Women, please find attached the **Resolution – Condemning the Detention of Angelina Lopez-Jimenez and Her Daughter at San Francisco International Airport,** adopted at the April 22, 2026 Commission on the Status of Women meeting. We kindly request that this resolution be distributed to all members of the Board.

Thank you for your assistance.

Best regards,
Dominique

Dominique Blakely | Commission Secretary
she/her
San Francisco Dept. on the Status of Women
Engage. Educate. Empower.
p: (415) 252-3205
w: Department on the Status of Women | SF.gov

The Commission on the Status of Women

THE CITY AND COUNTY OF SAN FRANCISCO

DIANE JONES LOWREY
President

ANI RIVERA
Vice President

SOPHIA ANDARY
Commissioner

CECILIA CHUNG
Commissioner

DR. SHOKOOH MIRY
Commissioner

DR. ANNE MOSES
Commissioner

DR. RAVEENA RIHAL
Commissioner

DOMINIQUE BLAKELY
Commission Secretary

May 5, 2026

Dear Members of the San Francisco Board of Supervisors:

At the meeting of the Commission on the Status of Women on Wednesday, April 22, 2026, the following resolution was adopted:

RESOLUTION 26-04

APPROVAL TO ACCEPT THE RESOLUTION CONDEMNING THE DETENTION OF ANGELINA LOPEZ-JIMENEZ AND HER DAUGHTER AT SAN FRANCISCO INTERNATIONAL AIRPORT ON MARCH 22, 2026, BY FEDERAL OFFICIALS, AND AFFIRMING COMMITMENT TO SANCTUARY VALUES.

RESOLVED, the Commission on the Status of Women (COSW) strongly condemns the actions of federal agents in detaining Angelina Lopez-Jimenez and her daughter at San Francisco International Airport on March 22, 2026, and expresses deep concern about the impact on the safety of women and children, including the significant psychological trauma inflicted on both mother and child. COSW stands firm in its commitment to San Francisco's sanctuary city values and California's broader sanctuary protections, recognizing their essential role in preventing harm, and promoting public trust, safety, and equitable access to services for all residents.

AYES: Commissioners Andary, Chung, Miry, Moses, Rihal, and President Jones Lowrey

EXCUSED: Vice President Rivera

Sincerely,

Dominique Blakely

Dominique Blakely
Commission Secretary
San Francisco Commission on the Status of Women

cc: Diane Jones Lowrey
President, SF Comission on the Status of Women

FILE NO. RESOLUTION NO. 26-04

[RESOLUTION CONDEMNING THE DETENTION OF ANGELINA LOPEZ-JIMENEZ AND HER DAUGTER]

RESOLUTION CONDEMNING THE DETENTION OF ANGELINA LOPEZ-JIMENEZ AND HER DAUGHTER AT SAN FRANCISCO INTERNATIONAL AIRPORT ON MARCH 22, 2026, BY FEDERAL OFFICIALS, AND AFFIRMING COMMITMENT TO SANCTUARY VALUES.

WHEREAS, the San Francisco Commission on the Status of Women (COSW) is established under the San Francisco Charter to advance the status of women and girls, eliminate discrimination, and promote equity, safety, and opportunity for women, girls, and non-binary communities; and

WHEREAS, COSW is charged with conducting research, issuing recommendations, advising the Mayor and Board of Supervisors, and advocating for policies that promote gender equity, protect human rights, and address systemic barriers, including for those facing intersecting forms of marginalization; and

WHEREAS, COSW's mandate includes elevating the lived experiences of those impacted by violence, discrimination, poverty, immigration enforcement, and inequitable access to public systems, and advancing solutions rooted in dignity, safety, and justice; and

WHEREAS, San Francisco has long upheld its identity as a sanctuary city grounded in inclusion and public safety, recognizing that trust between immigrant communities and local institutions is essential to community well-being; and

WHEREAS, sanctuary policies are designed to ensure that all residents—regardless of immigration status—can access services, report harm, and participate in civic life without fear, particularly women, survivors of violence, and non-binary communities; and

WHEREAS, on the evening of March 22, 2026, Angelina Lopez-Jimenez and her 9-year-old daughter were approached and detained by federal agents at San Francisco International Airport. The agents were reported to be in plain clothes rather than traditional uniforms, and bystander footage showed the mother being restrained while both she and her daughter cried out, compounding the trauma and raising serious concerns about safety, dignity, privacy, and civil liberties; and

WHEREAS, immigration enforcement disproportionately harms women—especially survivors of violence, caregivers, and members of mixed-status families—causing family separation, trauma, economic instability, and barriers to safety and support; and

WHEREAS, such actions undermine trust in public institutions and deter immigrant communities from seeking essential services, reporting harm, or engaging with protective systems; and

WHEREAS, COSW affirms that all women, regardless of immigration status, deserve dignity, respect, safety, and protection of their human rights; and

WHEREAS, condemning actions that threaten the safety, dignity, and well-being of women and children aligns with COSW's mandate to promote equity, prevent harm, and advance accountability; now, therefore, be it

RESOLVED, The Commission on the Status of Women strongly condemns the actions of federal agents in detaining Angelina Lopez-Jimenez and her daughter at San Francisco International Airport on March 22, 2026, and expresses deep concern about the impact on the safety of women and children, including the significant psychological trauma inflicted on both mother and child; and

FURTHER RESOLVED, COSW stands firm in its commitment to San Francisco's sanctuary city values and California's broader sanctuary protections, recognizing their

essential role in preventing harm, and promoting public trust, safety, and equitable access to services for all residents; and

FURTHER RESOLVED, COSW urges City leaders, agencies, and community partners to monitor and respond to such enforcement actions in alignment with sanctuary laws and values, including by providing legal resources and other necessary services for affected communities; and

FINALLY RESOLVED, COSW commits to elevating the voices and experiences of impacted women and families and advocating for policies that uphold human rights, due process, equitable treatment, and accountability for those affected by immigration enforcement actions.

Item 7

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Public Works Tier 3 Love Our Neighborhoods permit applications for the first quarter of the 2026 calendar year.
Date:	Thursday, May 14, 2026 4:14:58 PM
Attachments:	2026 Q1 LON Report.docx.pdf

Dear Supervisors,

Please see below and attached, from Public Works (DPW), pursuant to Ordinance No. 252-23, submitting a report summarizing the status of Tier 3 Love Our Neighborhoods permit applications for the first quarter of the 2026 calendar year.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: Schneider, Ian (DPW) <ian.schneider@sfdpw.org>
Sent: Friday, May 8, 2026 5:00 PM
To: BOS-Operations <bos-operations@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; DPW-BSM Love Our Neighborhoods <LoveOurNeighborhoods@sfdpw.org>
Subject: Public Works

Hello Office of the Clerk and BOS team,

Pursuant to Board of Supervisors Ordinance 252-23, San Francisco Public Works hereby provides the attached written report summarizing the status of Tier 3 Love Our Neighborhoods permit applications for the first quarter of the 2026 calendar year.

If you have any questions, please contact myself or Logan Hehn at logan.hehn@sfdpw.org

Thank you,

Ian Schneider (he/him)
Government Affairs Manager

San Francisco Public Works | City and County of San Francisco
49 S. Van Ness Ave, Suite 1600 | San Francisco, CA 94103
sfpublicworks.org

Docusign Envelope ID: CCB1FBDF-B91F-479B-857C-118F708D621A

Permits
T. 628.271.2000 | 49 South Van Ness Ave. 3rd Floor, San Francisco, CA 94103

Date: May 8, 2026

To: Attn: Clerk of the Board of Supervisors
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Through: Bruce Robertson, Acting Director DS BR

Subject: 2026 Quarter 1 Report—Love Our Neighborhoods Tier 3 Applications

Dear Clerk of the Board,

In accordance with the reporting requirements for the Love Our Neighborhoods (LON) Program, Public Works is submitting this correspondence to provide the status of Tier 3 applications for the first quarter of the 2026 calendar year.

Public Works confirms that no Tier 3 Love Our Neighborhoods applications were received during Quarter 1. As such, there are no projects to report for this period.

Please feel free to contact our office should you require any additional information or clarification.

Sincerely,

Logan Hehn (he/him/his)
Director's Office
San Francisco Public Works | City and County of San Francisco
49 South Van Ness Avenue, Suite 1600 | San Francisco, CA 94103 | 415-527-8031

Item 8

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Revised May 19 agenda for California Fish and Game Commission meeting
Date:	Thursday, May 14, 2026 2:55:56 PM
Attachments:	CAFGC_Mtg_2026_0519_Agenda_Final_Rev_050826.pdf

Dear Supervisors,

Please see below and attached, from the California Fish and Game Commission, submitting the revised agenda for their meeting of May 19, 2026.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: California Fish and Game Commission <fgc@public.govdelivery.com>
Sent: Saturday, May 9, 2026 9:01 AM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Revised May 19 agenda for California Fish and Game Commission meeting

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Reef

California Fish and Game Commission
Wildlife Heritage and Conservation Since 1870

Revised May 19, 2026 Meeting Agenda

Topic: Regional Marine Protected Area (MPA) Petitions (Los Angeles through San Diego counties, including Santa Catalina Island)

Greetings,

The agenda for the May 19, 2026 California Fish and Game Commission meeting has been revised to:

- Indicate that the meeting will be conducted via teleconference, with commissioners participating in San Clemente and Trinidad;
- Combine previous agenda items 6 and 7 as Agenda Item 6 (A) and (B); and
- Adjust the start time of the meeting to 8:30 a.m.

Instructions on how to participate will be posted to the Commission website prior to the meeting. While the Commission will make a reasonable effort to ensure remote access is available, it cannot guarantee the accessibility or functionality of these options.

Note that due to a significant agenda and anticipated number of speakers, attendees should prepare for the timing identified in the agenda and meeting expectations document. While we did signal that the chair of the meeting may adapt timing as the meetings evolve and lessons are learned, we cannot guarantee consistency in speaking time from one meeting to the next.

A table showing how all petitions are distributed across the three regional meetings is posted on the Commission meetings page and is available at this link.

Please refer to the agenda for important meeting information and deadlines, including detailed meeting goals, expectations, and speaking guidelines, and format.

Melissa Miller-Henson
Executive Director
California Fish and Game Commission

Click Here for Meeting Agenda

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California Fish and Game Commission
715 P Street, Sacramento, CA 95814

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Saint Helena
Darius Anderson, Vice President
Kenwood
Jacque Hostler-Carmesin, Member
McKinleyville
Samantha Murray, Member
La Jolla
Erika Zavaleta, Member
Santa Cruz

STATE OF CALIFORNIA
Gavin Newsom, Governor

Fish and Game Commission

Wildlife Heritage and Conservation
Since 1870

Melissa A. Miller-Henson
Executive Director
P.O. Box 944209
Sacramento, CA 94244-2090
(916) 653-4899
fgc@fgc.ca.gov

www.fgc.ca.gov

Revised* Regional Marine Protected Area Petitions
(Los Angeles through San Diego counties, including Santa Catalina Island)

Teleconference Meeting Agenda
May 19, 2026; 8:30 AM

* This agenda is revised to indicate that the meeting will be conducted via teleconference, with commissioners participating in San Clemente and Trinidad, and to adjust the start time. In addition, agenda items 7 and 6 have been combined under Agenda Item 6 as (A) and (B).

Holiday Inn Express **35 Via Pico Plaza** **San Clemente, CA 92672**	**Trinidad Rancheria** **Tribal Council Chambers** **1 Cher-Ae Lane** **Trinidad, CA 95570**

Join in person in San Clemente or Trinidad to provide public comment or observe the meeting.

Options for Remote Public Comment via Zoom or Phone

To join the meeting remotely via Zoom (video and audio), click directly on the meeting link at https://us02web.zoom.us/j/83585460211. You can access detailed instructions for joining by phone or Zoom by clicking here or visit the Commission meetings page at fgc.ca.gov/meetings; for instructions on how to join by phone (audio only), refer to Option 3.

The Commission will make a reasonable effort to provide the public additional opportunities to observe or provide comment in the meeting through the Zoom webinar platform by computer, mobile device, or telephone connections. However, the Commission cannot guarantee the accessibility or functionality of the remote connection options. Should technical issues affect remote attendee access or webinar quality, an attempt will be made to resolve them; however, the meeting will continue with in-person attendees.

Option for Remote Observation Without Public Comment

To watch or listen only on the day of the meeting visit http://www.fgc.ca.gov (link is on the right side of the page). The Commission will make a reasonable effort to live-stream the meeting to allow the public to observe the meeting from a remote location without providing comments. However, the Commission cannot guarantee the accessibility or functionality of the webcast.

Meeting Goals, Expectations, and Format

The California Fish and Game Commission (Commission) is holding this meeting as one of three regional meetings (April 21, May 5-6, and May 19) to consider recently evaluated marine protected area (MPA) petitions. We expect to hear comments from people with varied perspectives and deeply held values about California's ocean and coastal places. In these meetings, the Commission is committed to supporting an environment where everyone can safely participate, while also protecting free speech. Meeting goals, expectations, and format information have been created to support a respectful, constructive environment where all voices are heard; we share them here to enhance transparency for regional meeting participants.

Regional Meeting Goals

- Provide a safe and inclusive environment for sharing knowledge, experiences, and perspectives.
- Uphold the Commission's Justice, Equity, Diversity, and Inclusion (JEDI) Policy and goals, including centering principles of environmental justice and access for underserved communities; recognizing and honoring the perspectives and traditional knowledge and practices of California tribes and tribal communities; and working from a shared understanding of key JEDI-related definitions and terms.
- Ensure all commissioners can hear and participate in petition dialogue in real time.
- Receive overview of petitions, ask questions, and discuss petitions and evaluations.
- Daylight areas of agreement or disagreement, as well as potential modifications and compromises.
- Gather input to inform Commission recommendations or make requests for additional information for future consideration.
- Deliberate on petition content without making final decisions, which will occur at later publicly noticed Commission meetings; real-time negotiation or resolution may not be possible within the meeting time.

Regional Meeting Expectations: Commitment to a Respectful Environment and Free Speech

We acknowledge that regional meeting participants care deeply about California's marine and coastal places and public trust resources. These meetings are intended to provide space to openly and respectfully share relevant information and perspectives on MPA petitions. The following content is intended to set expectations and tone for these meetings.

The Commission is committed to creating and maintaining an environment where all participants feel safe, respected, and able to contribute meaningfully. It therefore strongly discourages personal attacks, intimidation, harassment, hateful expressions (including racial or other identity-based comments), or other conduct that targets individuals rather than issues. These comments can diminish the quality of public dialogue, discourage community participation, and potentially reduce the likelihood that commissioners will give weight to comments delivered in this manner.

The Commission upholds the right to free speech. All individuals possess this right and are entitled to use their full speaking time to express their views, including critiques, alternative perspectives, and disagreement. However, disruptions to the meeting will not be tolerated. Profanity, obscenity, personal threats or attacks on members, staff or other commenters, references to protected characteristics, offensive speech, yelling, interruptions, audible and disruptive reactions, or disputing another speaker during their speaking time may constitute a disruption to the meeting, depending on the circumstances.

The Commission may restrict an individual's right to speak when necessary to avoid disrupting the orderly conduct of the meeting. In these cases, the presiding commissioner may gavel or mute a speaker's microphone. If the disruptive behavior continues, after a call for decorum and a warning, the person or people disrupting the orderly conduct of the meeting may be removed from the meeting, the meeting may be suspended, and the room may be cleared.

Regional Meeting Participation Logistics: Day of Engagement and Written Comments

Participating in Person, on Zoom, or by Phone

All meetings are subject to the Bagley-Keene Open Meeting Act and open to the public. Participation and comment are available in person, via Zoom webinar, or by phone; meetings are also live streamed for listening or viewing only. The presiding commissioner will explain how to indicate your interest in speaking and time limits. Staff are available to answer logistical questions. Audio and video archives are posted to the Commission website after each meeting.

To speak on an agenda item in-person*,* please complete a "speaker card" and provide it to the designated staff member before the agenda item is announced. Please complete one speaker card per agenda item. Cards will be available near the entrance of the meeting room. In-person speakers will be identified in groups; please be prepared to approach the podium when your name is called.

To speak on an agenda item via Zoom or phone*,* please "raise" your hand either through the Zoom function or by pressing *9 once on your phone when prompted at the beginning of the agenda item. Speakers on Zoom or phone will be identified by your display name or the last three digits of your phone number; listen closely for when your name or number is called.

Visual Presentations: Slides, Videos, and Graphics

All electronic presentations must be submitted by the ***Supplemental Comment Deadline*** and approved by the Commission executive director before the meeting.

- Electronic presentations must be provided by email to fgc@fgc.ca.gov. If the file is too large to send via email, contact staff to identify an alternative method for submitting the file.
- Specify to which meeting date and petition/geography it pertains.
- All electronic formats must be Windows PC compatible.
- If presenting at the in-person meeting location, it is recommended that you bring a print copy of your presentation in case of technical difficulties.
- Approval is at the discretion of the presiding commissioner and is not guaranteed.

Persons with Disabilities or Accommodation Needs

Individuals with disabilities and/or needing reasonable accommodation to participate in Commission meetings may contact the Civil Rights Office (CRO) of the California Department of Fish and Wildlife at civilrights@wildlife.ca.gov. Requests for facility or meeting accessibility and requests for American Sign Language interpreters should be submitted at least 72 hours before the meeting to help ensure that the requested accommodation can be met. If an accommodation is no longer needed, please notify CRO immediately.

Individuals relying on an interpreter are entitled to at least twice the allotted speaking time pursuant to Government Code Section 11125.7(c), and are asked to provide at least 72 hours' notice. Additional time for other accommodation needs may be granted at the presiding commissioner's discretion to ensure equal opportunity to address the Commission.

Written Public Comments and Submission Deadlines

The public is encouraged to submit written comments on any agenda item. Written comments can be more detailed than what you may have the opportunity to share with commissioners in verbal comments made during the meeting. If written comments are received before the deadline, they will be shared with Commissioners before the meeting; you may wish to refer to your full written comments during your verbal testimony during the meeting.

Submit written comments by one of three methods:

- E-mail to fgc@fgc.ca.gov
- Mail to California Fish and Game Commission, P.O. Box 944209, Sacramento, CA 94244-2090
- Deliver to California Fish and Game Commission, 715 P Street, 16th Floor, Sacramento, CA 95814 (call at least one business day in advance to arrange delivery)

Meeting Date	***Comment Deadline****	***Supplemental Comment Deadline*****
May 19, 2026	May 11, 5:00 PM	May 14, 12:00 PM

* Written comments received at the Commission office by the ***Comment Deadline*** will be made available to the Commissioners prior to the meeting, made available to the public, and may be posted online with meeting materials.

** Written comments received at the Commission office by the ***Supplemental Comment Deadline*** will be made available to Commissioners at the meeting, but not posted online.

After these deadlines, written comments may be delivered in person to the meeting. Please bring twelve (12) copies of written comments and hand them to the designated staff member just prior to speaking.

Regional Meeting Expectations: Agenda and Format

Meeting Agenda

The meeting agenda outlines the planned sequence of items, during which presentations, discussion, and public comment will occur. Each meeting includes a designated public

comment period for each agenda item, as well as a “general public comment” agenda item for topics not on the agenda.

Meeting Format

For each regional meeting, the Commission will discuss from four to seven MPA petitions (with eight to fifteen proposed actions). Information on which petitions will be heard at which regional meetings are available in the petition distribution tables available here.

During regional meetings, each MPA petition agenda item will follow the same general format:

- Petitioner presentation for 10-12 minutes, depending on whether a petition is tribally led or co-led and on the number of nested actions within the petition, covering:
    - Regulatory actions requested
    - Purpose of requested action
    - Updates since petition was submitted in November 2023 or since amended in March 2025
    - A focus on regionally or locally relevant components, especially if petition spans multiple regions
- Commission staff re-cap of evaluation recommendations
- Commissioner questions
- Ceded speaker time
- Public comment and Commission discussion

Regional Meeting Expectations: Guidelines on Speaker Time

Under Commission procedures, the presiding commissioner allocates a maximum speaking time (typically one to three minutes, with exceptions) for each agenda item. For the regional MPA petition meetings, the Commission aims to support a more flexible, conversational dialogue whenever possible, to reflect the spirit of the Marine Resources Committee meetings. The Commission understands that many participants travel long distances or rearrange commitments to attend, whether in person or remotely.

The Commission expects the regional meetings to be well attended, potentially with large numbers of speakers. The Commission is committed to hearing all scheduled petitions, while also maximizing the amount of information and number of viewpoints shared by attendees.

To balance these goals, the presiding commissioner will seek to ensure discussions are focused, respectful, and efficient, and that as many voices as possible can be heard. In that spirit, the presiding commissioner will specify a target maximum speaking time for those wishing to speak on a petition.

Tools the Presiding Commissioner May Use to Maximize Viewpoints Shared

To help participants prepare for regional meetings, we share here proposed speaker time guidelines, as well as other tools the presiding commissioner may use to manage large numbers of speakers on any given petition. Note that at any time, the presiding commissioner may choose to use these or other tools to focus comments and/or maximize participation. Please keep these guidelines in mind as you prepare your public comments.

- **If there are 25 or fewer speakers:** Speakers may be asked to speak for no more than **two to three minutes** each.
- **If there are more than 25 speakers*:*** Speakers may be asked to speak for no more than **one minute** each.

If there are large numbers of speakers for any petition: The presiding commissioner may also choose to rely on group sentiment tools to allow participants to indicate their views, when there is not enough time for all individuals to speak. These tools are strategies to broaden participation, not to limit viewpoints.

- **Levels-of-Support Checks:** Quick indicators such as "I like it," "I can live with it," or "I cannot support it"
- **Group Sentiment Capture:** Hand-raising or digital reactions when not everyone can speak individually
- **Time Management Adjustments:** Modifying pacing, structure, or feedback tools so all petitions can be addressed during the meeting

Additional Time for Speakers with Ceded Time

A speaker may be approved to speak for **up to three minutes** if five or more participants cede their time to them. This allows a group to designate spokespeople to provide comment on a specified MPA petition agenda item. Participants ceding their time:

- must be present (in person or on Zoom) when the agenda item is called; and
- forego their own opportunity to speak on that agenda item.

If you plan to cede time:

- **In-person:** the five participants ceding their time must complete speaker cards and approach the staff table with the spokesperson before the agenda item begins so staff can confirm the presence of those ceding time.
- **Remote (via Zoom or phone):** participants who wish to cede their time must notify the Commission at fgc@fgc.ca.gov by the Supplemental Comment Deadline and include the name of the individual to whom they are ceding time. All individuals ceding time must also be present on Zoom or phone during the agenda item.

Considerations for Giving Effective Public Comment

When addressing the Commission, please give your name and the name of any organization you represent. To facilitate a positive meeting experience for all, please remember to:

- Respect the meeting environment, other speakers, staff, and commissioners, as outlined above.
- Treat all participants with courtesy and recognize diverse experiences.
- Listen respectfully; one person speaks at a time.
- Avoid personal accusations, stereotyping, or deliberate misinformation.
- Come prepared and keep comments centered on the topic.
- Focus on clear, concise contributions that support productive dialogue.

- If there are several speakers with the same concerns, you are encouraged to appoint a spokesperson and avoid repetitive comments.
- Treat disagreements as shared problems to solve.
- When offering critique, propose alternative ideas when appropriate.
- To help first-time participants organize comments, it may be helpful to focus on:
    - Do you support or oppose the petition and why?
    - Why is it important to you, your community, or your work?
    - What action(s) would you like the Commission to consider?

Call to Order and Roll Call to Establish a Quorum

1. Consider Approving Agenda and Order of Items

Discussion and Action Items

Marine Protected Area (MPA) Petitions
For each MPA petition, receive presentations from the petitioner(s), followed by public comment and discussion. The Commission may develop recommendations for consideration at a future meeting. *No formal action will be taken today.*
(Pursuant to Section 662, Title 14, California Code of Regulations)

Viewing petitions and public comments:

- *MPA petitions and compiled public comments to date are available to view through the Commission's website at California Marine Protected Areas - Initial Webpage or Status of MPA Petitions for Regulation Change.*

Viewing petition evaluations:

- *Department petition evaluations with recommendations are available to view through the Department's Bin 2 MPA Petition Evaluations StoryMap.*
- *A recording of the Department's presentation of MPA petition evaluations and recommendations, given during the April 15-16, 2026 Commission meeting, can be viewed by visiting the CAL-SPAN Network.*
- *California Ocean Protection Council petition policy letter (see Latest News dated March 20, 2026) and evaluations (date TBD) are available to view through its website at California Ocean Protection Council.*

2. ***Petition 2023-24MPA_AM1****:* Request to shift the nearshore boundary between the Laguna Beach State Marine Conservation Area (SMCA) (No Take) and the Dana Point SMCA south to the Laguna Beach city limit, thereby increasing the nearshore area within the no-take SMCA.

3. ***Petition 2023-14MPA****:* Request to allow the commercial take of sea urchin in Point Dume SMCA, Point Vicente SMCA (No Take), and Swami's SMCA.

4. ***Petition 2023-33MPA_AM1****:* Request to expand the western boundary of Point Dume SMCA and change the take allowances to allow recreational take from shore by hook and line and spearfishing; and expand the boundaries of Cabrillo SMR westward and northward.

5. ***Petition 2023-34MPA****:* Request to change the current take allowance at Farnsworth Onshore SMCA and Farnsworth Offshore SMCA to allow only recreational spearfishing.

6. **General Public Comment, Future Meetings, and New Business**

   (A) ***General public comment for items not on the agenda***
   Receive public comment regarding topics within the Commission's authority that are not included on the agenda.
   Note: The Commission may not discuss or take action on any matter raised during this item, except to decide whether to place the matter on the agenda of a future meeting (sections 11125 and 11125.7(a), Government Code).

   (B) ***Future meetings and new business***
   Review logistics and agenda items for the next Commission meeting (June 17-18). Consider any changes to previously approved meeting dates or locations and introduce any new business for inclusion on a future meeting agenda.

Adjourn

California Fish and Game Commission
Meeting Schedule

Note: As meeting dates and locations can change, please visit www.fgc.ca.gov for the most current list of meeting dates and locations. All Commission meetings will include a webinar/teleconference option for attendance, and every effort will be made to ensure that committee meetings include the same.

Meeting Date	Commission Meeting	Committee Meeting
June 17-18, 2026	Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814	
July 16, 2026		**Marine Resources** Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
August 11, 2026		**Tribal** Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
August 12-13, 2026	Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814	
September 10, 2026		**Wildlife Resources** Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
October 14-15, 2026	Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814	
November 12, 2026		**Marine Resources** Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
December 14, 2026		**Tribal** Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814
December 15-16, 2026	Natural Resources Headquarters Building 715 P Street, 2nd Floor Sacramento, CA 95814	

Other Meetings of Interest

Meetings listed here are organizations for which the Commission: (1) is a member, or (2) takes action based upon regulations developed by that organization.

Association of Fish and Wildlife Agencies

- September 13-16, 2026 – Lancaster, PA

Pacific Fishery Management Council

- June 11-16, 2026 – Spokane, WA
- September 17-22, 2026 – Vancouver, WA
- November 13-18, 2026 – Garden Grove, CA
- December 31, 2026 – Location TBD

Pacific Flyway Council

- August or September 2026 – Date and location TBD

Western Association of Fish and Wildlife Agencies

- June 1-5, 2026 – Boise, ID

Wildlife Conservation Board

- May 28, 2026 – Sacramento, CA
- August 27, 2026 – Sacramento, CA
- November 19, 2026 – Sacramento, CA

Item 9

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	File No. 251003 - 28 Letters
Date:	Tuesday, May 12, 2026 12:40:49 PM
Attachments:	251003 28 letters.pdf

Dear Supervisors,

Please see attached 28 letters from members of the public and various organizations regarding:

> File No. 251003 - Ordinance amending the Administrative Code to state that it is City policy to expand the availability of Site-Based Permanent Supportive Housing ("PSH") that prohibits on-site illicit drug use among residents ("Drug-Free PSH") to meet the demand of people experiencing homelessness who prefer such a residential option; bar the City from funding new Site-Based PSH for people experiencing homelessness that prohibits evictions on the basis of drug use alone ("Drug-Tolerant PSH"), except where operation of the housing as Drug-Free PSH would conflict with standards imposed by law or by a condition of other funding, or the Board of Supervisors has waived the funding prohibition based on specific findings; and require the Department of Homelessness and Supportive Housing ("HSH") to survey residents of Site-Based PSH to assess their interest in living in either Drug-Tolerant PSH or Drug-Free PSH and report on the survey findings and HSH's strategies to meet PSH residents' demands.

Regards,

Richard Lagunte
Office of the Clerk of the Board – Operations Division
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-7709 | Fax (415) 554-5163
richard.lagunte@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From:	Adam Francis
To:	Dorsey, Matt (BOS); Board of Supervisors (BOS); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); DorseyStaff (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS)
Cc:	Oo, Heyman (UCSF); Modi, Kunal (MYR); Calvillo, Angela (BOS); RUSSI, BRAD (CAT); Thongsavat, Adam (MYR); Conrad Amenta
Subject:	RE: Rebuttal to SFMMS opposition to Drug-Free Supportive Housing legislation (File No. 251003)
Date:	Monday, May 4, 2026 3:15:25 PM
Attachments:	SFMMS Response on Ordinance 251003 (Dorsey) 2026.pdf

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Hello All,

Please see a response from the San Francisco Marin Medical Society attached.

Thank you,

Adam Francis
Senior Director, Advocacy and Policy
San Francisco Marin Medical Society
Phone: 415.561.0850 ext. 200
www.sfmms.org

From: Dorsey, Matt (BOS) <matt.dorsey@sfgov.org>
Sent: Monday, May 4, 2026 7:50 AM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Sherrill, Stephen (BOS) <Stephen.Sherrill@sfgov.org>; Sauter, Danny (BOS) <Danny.Sauter@sfgov.org>; Wong, Alan (BOS) <alan.wong@sfgov.org>; Mahmood, Bilal (BOS) <bilal.mahmood@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; Melgar, Myrna (BOS) <myrna.melgar@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Fielder, Jackie (BOS) <Jackie.Fielder@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Chen, Chyanne (BOS) <Chyanne.Chen@sfgov.org>
Cc: Oo, Heyman (UCSF) <Heyman.Oo@ucsf.edu>; Adam Francis <afrancis@sfmms.org>; Modi, Kunal (MYR) <kunal.modi@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; RUSSI, BRAD (CAT) <Brad.Russi@sfcityatty.org>; Thongsavat, Adam (MYR) <adam.thongsavat@sfgov.org>
Subject: Rebuttal to SFMMS opposition to Drug-Free Supportive Housing legislation (File No. 251003)

Dear Colleagues,

Please find attached my detailed rebuttal to the San Francisco Marin Medical Society's letter of opposition to the Expanding Drug-Free Supportive Housing legislation (File No. 251003) that is up for a vote on first reading tomorrow.

Please note that two of the nation's leading experts in addiction medicine — Dr. Keith Humphreys and Dr. Anna Lembke, both of Stanford University's School of Medicine — have endorsed this legislation. As my letter explains, the sweeping last-minute amendments SFMMS has proposed are highly problematic for being ill-advised, antithetical to the legislation's intent, unsupported by facts or evidence, and needlessly duplicative of existing law.

If you have any questions, please don't hesitate to contact me or my staff. I'm happy to discuss it.

Thanks so much for your consideration!

Best,
MATT DORSEY

Member, Board of Supervisors, District 6
CITY AND COUNTY OF SAN FRANCISCO
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, Calif. 94102
+ 1 (415) 554-7970

SAN FRANCISCO MARIN MEDICAL SOCIETY

May 4, 2026

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

Re: Ordinance 251003 (Dorsey) Response

Dear San Francisco Board of Supervisors:

The San Francisco Marin Medical Society (SFMMS) represents more than 3,500 physicians of every medical specialty and mode of practice in San Francisco and Marin Counties and is a component society of the California Medical Association. Many of our physician members work in community clinics, hospitals, treatment centers, and emergency rooms, and are experts in addiction medicine and behavioral health. They continue to save lives and help in the recovery journeys of countless individuals struggling with substance use disorders and homelessness. Additionally, SFMMS has presented conferences on substance use disorders (SUD) and addiction for years, co-sponsored with UCSF and the San Francisco Department of Public Health. UCSF has renowned programs in training, treating, and researching SUD and addiction. These physician experts and their colleagues inform and determine SFMMS policies and positions on legislation, including proposed amendments, based on extensive experience, education, and training.

SFMMS recognizes that Supervisor Dorsey is addressing serious and complex issues pertaining to substance use disorders in San Francisco. SFMMS has worked closely with the Supervisor on related ordinance, and our physicians stood proudly next to Mayor Lurie when the Supervisor's "Recovery First" ordinance was signed into law. Supporting Housing First principles does not have to be in direct conflict with the goal of adding and prioritizing sober-living options in San Francisco. This false dichotomy unnecessarily pits advocates with the same goal – helping people overcome their substance use disorders – against one another. In that spirit, SFMMS remains focused on core aspects of this ordinance, which we continue to believe can be improved. To that end, SFMMS feels compelled to clarify its position so that our proposed amendments might be considered in the same spirit in which they were offered.

"Oppose Unless Amended" is a routine position to take based on the contents of a bill. It does not indicate an intransigence or unwillingness to reach compromise, or that the organization is opposed to the concept of the bill and all of its provisions. If specific areas of the bill were appropriately addressed, the organization would remove its Opposition and possibly Support the bill's passage. Unfortunately, there are aspects of the current version of the Drug-Free Housing ordinance to which SFMMS must object if not changed. The most pressing of which are:

1) SFMMS believes if an individual is evicted from housing based solely on their addiction to and use of an illicit substance, the language of the bill should ensure that this individual is not at risk of a return to homelessness as a result of that eviction.
2) SFMMS believes, at a time of constrained funding and access to supportive housing, the city should prioritize drug-free housing but not create new obstacles or be restrictive in funding for supportive housing.

While there are other provisions in the legislation that SFMMS would like to see changed, the two policy issues above are of significant importance. Of note, the Mayor's sponsored state bill, AB 1556 (Haney), contains language that appropriately addresses these issues, explicitly protecting evicted tenants and providing flexibility in funding, which is why SFMMS has adopted a Support position on AB 1556. SFMMS' proposed amendments were intended to add similar minimum requirements to the Supervisor's ordinance.

An individual with a substance use disorder evicted from housing because of relapses should be moved to a setting with *more* intensive services. The ordinance as currently written does not contain minimum guardrails that, at the very least, would ensure that the evicted individual is not relegated to an undetermined setting with less support and possibly homelessness. An amendment to create this minimum protection seems both reasonable and in keeping with the goals of the administration, and should not be left to an indeterminate process.

Supervisor Dorsey rightly points out that funding for drug-free and recovery housing is restricted at the State level. SFMMS agrees that this type of housing should be prioritized in San Francisco and has worked to support State legislation that would create flexibility in funding. This call for change is based on the belief that San Francisco needs to offer a range of housing best suited for an individual or family's needs. It seems inconsistent that the ordinance as currently written works against that principle of flexibility, designating city funds to only one purpose and creating obstacles to adjust that requirement.

We appreciate the partnership of our legislators, and continue to be available to Supervisor Dorsey, staff and members of the Board of Supervisors, and any government official or organization who might want more information about our positions and the evidence-based rationale behind them.

Sincerely,
Heyman Oo, MD
Chair, Advocacy and Policy Committee
San Francisco Marin Medical Society

CC: Angela Cavillo, Clerk to the Board of Supervisors
Kunal Modi, Office of Mayor Daniel Lurie, Chief of Health, Homelessness, and Family Services
Brad Russi, Deputy City Attorney

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Thursday, May 7, 2026 12:16:09 PM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

David Shields

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Thursday, May 7, 2026 10:06:11 PM

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• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

Jacob Blair

94102

From: Anne Richards
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Thursday, May 7, 2026 10:22:03 PM

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BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

This ordinance undermines Housing First, the evidence-based model that California has established as its standard for addressing homelessness. Housing First works because it treats stable housing as the foundation for recovery. A study of over 6,500 people across 86 California programs found that those with high fidelity to Housing First principles reduced days spent homeless by 87%, compared to just 34% in programs that deviated from the model. In San Francisco, 97% of PSH residents remain successfully housed. This ordinance moves the city away from a framework with a proven track record.

Overdose deaths in Permanent Supportive Housing are a crisis that demands serious response. But this ordinance misdiagnoses the cause. The City places its most vulnerable residents in PSH: people with severe substance use disorders, mental health conditions, and chronic health needs. A high overdose rate in that setting is not an indictment of the housing model. It is an indictment of uneven service provision across the portfolio. San Francisco PSH sites with peer-led overdose prevention programs are preventing deaths right now. Episcopal Community Services has implemented a successful Narcan floor captain program in its buildings that includes trained peer responders, onsite behavioral health services, and Narcan distribution. This ordinance does not require a single one of those interventions. Instead, it offers eviction.

PSH operators in San Francisco already evict tenants with extraordinary regularity and without meaningful accountability. Drug use that causes disruptive behavior is already grounds for lease enforcement. This ordinance does not solve a gap in the system. It hands publicly funded landlords another tool to cycle vulnerable tenants back to the street while collecting city contracts to do so. At the same time, it blocks the creation of new PSH during a period when

federal Continuum of Care funding faces cuts of up to $22 million and the Lurie administration has announced plans to close existing PSH buildings. The result is a bottleneck with no mechanism to address it: more people pushed out of housing, fewer units to take them in, and longer waitlists for everyone. Eviction does not lead to recovery. It severs people from services, pushes them beyond the reach of care, and increases their risk of overdose and death.

I ask you to vote no on File No. 251003.

Sincerely,

Anne Richards
District 8 Resident

Anne Richards
annierichards@proton.me
117 Sanchez St
San Francisco, California 94114-1301

From: Anne Richards
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Thursday, May 7, 2026 10:22:04 PM

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BOS Clerk BOS Clerk,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

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District 8 Resident

Anne Richards
annierichards@proton.me
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From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Friday, May 8, 2026 8:21:55 AM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

Hugo Mercado

94103

From: Calvin Fiske
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 8:40:51 AM

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

BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

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I ask you to vote no on File No. 251003.

Calvin Fiske
calvinfiske715@gmail.com
454 S VAN NESS AVE
San Francisco, California 94103

From: Calvin Fiske
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 8:40:52 AM

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BOS Clerk BOS Clerk,

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I ask you to vote no on File No. 251003.

Calvin Fiske
calvinfiske715@gmail.com
454 S VAN NESS AVE
San Francisco, California 94103

From: Andy Simionas
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 9:46:45 AM

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BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

Andy Simionas
andysimionas@gmail.com
1839 Fulton
San Francisco , California 94117

From: Andy Simionas
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 9:46:45 AM

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BOS Clerk BOS Clerk,

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I ask you to vote no on File No. 251003.

Andy Simionas
andysimionas@gmail.com
1839 Fulton
San Francisco , California 94117

From: Joey Tillapaugh
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 9:57:21 AM

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BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

Joey Tillapaugh
joeytillapaugh@gmail.com
646 ASHBURY ST
SAN FRANCISCO, California 94117

From: Lily Crawford
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 10:03:56 AM

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federal Continuum of Care funding faces cuts of up to $22 million and the Lurie administration has announced plans to close existing PSH buildings. The result is a bottleneck with no mechanism to address it: more people pushed out of housing, fewer units to take them in, and longer waitlists for everyone. Eviction does not lead to recovery. It severs people from services, pushes them beyond the reach of care, and increases their risk of overdose and death.

I ask you to vote no on File No. 251003.

Lily Crawford
lilymcrawford22@gmail.com
954 POTRERO AVE
San Francisco, California 94110

From: ellumun@gmail.com
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 10:11:14 AM

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

BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

ellumun@gmail.com
109 valleyview way
South San Francisco , California 94080

From: Ann Krabbenschmidt
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 10:23:37 AM

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BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

Ann Krabbenschmidt
akrabbenschmidt@gmail.com
364 30th ave
San Francisco , California 94121

From: Wren Murphy
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 5:19:13 PM

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BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

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I ask you to vote no on File No. 251003.

Wren Murphy
ldevonnemurphy@gmail.com
190 Paloma Ave
Pacifica , California 94044

From: Cole Rothman
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Friday, May 8, 2026 11:51:48 PM

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

BOS Clerk BOS Clerk,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

Cole Rothman
colenator14@gmail.com
1215 pacific Ave
San Francisco , California 94109

From: Monica Berini
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Saturday, May 9, 2026 7:51:44 AM

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

BOS Clerk BOS Clerk,

Dear Members of the Board of Supervisors,

I love in D11, and I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

Monica Berini
mbsaysdotherightthing@proonmail.com
651A Morse
San Francisco , 9412

From: Jotform
To: Board of Supervisors (BOS); Crayton, Monique (BOS); info@drugfreesidewalks.org
Subject: Re: Support Drug-Free Housing Ordinance (File #251003) - Walter Garrison
Date: Saturday, May 9, 2026 10:18:40 AM

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

Dear Board of Supervisors,

I'm writing to express my support for expanding Drug-Free Permanent Supportive Housing (PSH). Data from the Office of the Chief Medical Examiner highlights the need for improvements in our housing policy - between June 2024 and July 2025, 26% of overdose deaths occurred in PSH, a higher percentage than in shelters, hospitals, private homes, or on the street.

Today, under California's Housing First law, state funds are prohibited from being used for drug-free housing. San Francisco funds are not subject to the same law, however San Francisco voluntarily decided to follow suit. As a result, if a family or an individual living deeply below the poverty line qualifies for permanent supportive housing, almost 100% of these units allow illicit drug use. A single PSH building averages two calls per day to the police. This is a tough environment for a person in recovery, much less a child.

We have nearly 10,000 site-based PSH units and their status as drug-tolerant will not change under this ordinance. But we can change future permanent supportive housing funded by the city to be drug-free so that people have options.

The last thing I want to see is an increase in the number of people living on the streets. The good news is that this ordinance has been written so that people who have a single relapse are not automatically evicted, instead they will be offered relapse services. And, if a person's behavior continues to substantially disrupt their building, the City will seek to find the person housing that is appropriate for their situation.

The number of overdose deaths barely budged between 2024 and 2025 in San Francisco. It's time to expand our housing solutions and it starts by allowing drug-free housing options.

Thank you.
Walter Garrison

From: Luca Nelson
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Saturday, May 9, 2026 2:52:07 PM

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BOS Clerk BOS Clerk,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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I ask you to vote no on File No. 251003.

Luca Nelson
luca.c.nelson@gmail.com
2315 Mission St
San Francisco, California 94110

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Saturday, May 9, 2026 4:18:11 PM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

Thiago Esteves Marinho

94102

From: Dimitry Yakoushkin
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Sunday, May 10, 2026 2:20:27 PM

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BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

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I ask you to vote no on File No. 251003.

Dimitry Yakoushkin
dimitry.multi@gmail.com
29 Ford St
San Francisco, California 94114

From: Kristin Tieche
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Monday, May 11, 2026 1:46:00 PM

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BOS Clerk BOS Clerk,

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I ask you to vote no on File No. 251003.

Kristin Tieche
ktieche@gmail.com
2277 Fulton Street
San Francisco, California 94117

From: Kristin Tieche
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Monday, May 11, 2026 1:46:07 PM

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BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

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I ask you to vote no on File No. 251003.

Kristin Tieche
ktieche@gmail.com
2277 Fulton Street
San Francisco, California 94117

From: Steve Hong
To: Board of Supervisors (BOS)
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Monday, May 11, 2026 2:24:01 PM

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

BOS Clerk BOS Clerk,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

This ordinance undermines Housing First, the evidence-based model that California has established as its standard for addressing homelessness. Housing First works because it treats stable housing as the foundation for recovery. A study of over 6,500 people across 86 California programs found that those with high fidelity to Housing First principles reduced days spent homeless by 87%, compared to just 34% in programs that deviated from the model. In San Francisco, 97% of PSH residents remain successfully housed. This ordinance moves the city away from a framework with a proven track record.

Overdose deaths in Permanent Supportive Housing are a crisis that demands serious response. But this ordinance misdiagnoses the cause. The City places its most vulnerable residents in PSH: people with severe substance use disorders, mental health conditions, and chronic health needs. A high overdose rate in that setting is not an indictment of the housing model. It is an indictment of uneven service provision across the portfolio. San Francisco PSH sites with peer-led overdose prevention programs are preventing deaths right now. Episcopal Community Services has implemented a successful Narcan floor captain program in its buildings that includes trained peer responders, onsite behavioral health services, and Narcan distribution. This ordinance does not require a single one of those interventions. Instead, it offers eviction.

PSH operators in San Francisco already evict tenants with extraordinary regularity and without meaningful accountability. Drug use that causes disruptive behavior is already grounds for lease enforcement. This ordinance does not solve a gap in the system. It hands publicly funded landlords another tool to cycle vulnerable tenants back to the street while collecting city contracts to do so. At the same time, it blocks the creation of new PSH during a period when

federal Continuum of Care funding faces cuts of up to $22 million and the Lurie administration has announced plans to close existing PSH buildings. The result is a bottleneck with no mechanism to address it: more people pushed out of housing, fewer units to take them in, and longer waitlists for everyone. Eviction does not lead to recovery. It severs people from services, pushes them beyond the reach of care, and increases their risk of overdose and death.

I ask you to vote no on File No. 251003.

Steve Hong
steveandcathy@gmail.com
P.O. Box 210774
San Francisco , California 94121

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Monday, May 11, 2026 3:32:00 PM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

Steffan Ammons

94102

From: Kendal Peirce
To: Board of Supervisors (BOS); BOS-Legislative Aides
Subject: Vote No on: Expanding Drug-Free Permanent Supportive Housing (File No. 251003)
Date: Monday, May 11, 2026 6:41:24 PM

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

BOS Supervisors & Legislative Aides Supervisors & Legislative Aides,

Dear Members of the Board of Supervisors,

I urge you to vote no on the Expanding Drug-Free Permanent Supportive Housing ordinance (File No. 251003). This ordinance is being presented as an expansion of sober housing, a goal that San Franciscans across the political spectrum share. But it does not simply create a sober housing option. It prohibits city funding for any new Permanent Supportive Housing that does not adopt a sobriety-conditioned model, effectively blocking the creation of housing that keeps people off the streets. Sober housing can and should be expanded without restricting the Permanent Supportive Housing pipeline. This ordinance does the opposite, and it will leave people homeless.

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Overdose deaths in Permanent Supportive Housing are a crisis that demands serious response. But this ordinance misdiagnoses the cause. The City places its most vulnerable residents in PSH: people with severe substance use disorders, mental health conditions, and chronic health needs. A high overdose rate in that setting is not an indictment of the housing model. It is an indictment of uneven service provision across the portfolio. San Francisco PSH sites with peer-led overdose prevention programs are preventing deaths right now. Episcopal Community Services has implemented a successful Narcan floor captain program in its buildings that includes trained peer responders, onsite behavioral health services, and Narcan distribution. This ordinance does not require a single one of those interventions. Instead, it offers eviction.

PSH operators in San Francisco already evict tenants with extraordinary regularity and without meaningful accountability. Drug use that causes disruptive behavior is already grounds for lease enforcement. This ordinance does not solve a gap in the system. It hands publicly funded landlords another tool to cycle vulnerable tenants back to the street while collecting city contracts to do so. At the same time, it blocks the creation of new PSH during a period when

federal Continuum of Care funding faces cuts of up to $22 million and the Lurie administration has announced plans to close existing PSH buildings. The result is a bottleneck with no mechanism to address it: more people pushed out of housing, fewer units to take them in, and longer waitlists for everyone. Eviction does not lead to recovery. It severs people from services, pushes them beyond the reach of care, and increases their risk of overdose and death.

I ask you to vote no on File No. 251003.

Kendal Peirce
kepeirce@gmail.com
1666 Page St, Apt B
San Francisco, California 94117

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Monday, May 11, 2026 7:59:41 PM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

Lorena Hernández

94102

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Monday, May 11, 2026 10:17:57 PM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

David Lovell

94110

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Calvillo, Angela (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS); Crayton, Monique (BOS); Carroll, John (BOS); BOS Legislation, (BOS)
Subject:	File No. 251003 - 2 Letters
Date:	Thursday, May 14, 2026 12:01:08 PM
Attachments:	251003 2 letters.pdf

Dear Supervisors,

Please see attached 2 letters, from members of the public, regarding:

> File No. 251003 - Ordinance amending the Administrative Code to state that it is City policy to expand the availability of Site-Based Permanent Supportive Housing ("PSH") that prohibits on-site illicit drug use among residents ("Drug-Free PSH") to meet the demand of people experiencing homelessness who prefer such a residential option; bar the City from funding new Site-Based PSH for people experiencing homelessness that prohibits evictions on the basis of drug use alone ("Drug-Tolerant PSH"), except where operation of the housing as Drug-Free PSH would conflict with standards imposed by law or by a condition of other funding, or the Board of Supervisors has waived the funding prohibition based on specific findings; and require the Department of Homelessness and Supportive Housing ("HSH") to survey residents of Site-Based PSH to assess their interest in living in either Drug-Tolerant PSH or Drug-Free PSH and report on the survey findings and HSH's strategies to meet PSH residents' demands.

Regards.

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Tuesday, May 12, 2026 4:02:32 PM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

Michael Lata

94114

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Crayton, Monique (BOS); blueprint@sfblueprint.org
Subject: Support Ordinance #251003: Support Drug-Free Housing.
Date: Wednesday, May 13, 2026 2:23:25 PM

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

Dear Members of the San Francisco Board of Supervisors,

I am writing to urge you to support Supervisor Matt Dorsey's ordinance to expand drug free housing options in San Francisco.

Supportive housing residents deserve a real choice in the kind of environment they live in. For many, that means the option to live in a safe, drug free residential community.

San Francisco's current approach inflicts a 100 percent drug tolerant Housing First model on everyone. It allows rampant illegal drug use, including fentanyl and methamphetamine, with zero consequences. That is why Supervisor Dorsey is sponsoring this legislation to give residents of permanent supportive housing the choice to live in safe, drug free communities.

This legislation is about:

• Giving residents the ability to choose what works for them

• Creating safer and more stable living environments

• Moving beyond a one size fits all system

No one should be forced into a housing environment that does not support their well being.

Please vote yes on this ordinance.

Sincerely,

Lillyana Lonzanida

94110

Item 10

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS); Jalipa, Brent (BOS)
Subject:	File No. 260178 Transfer Tax - 7 letters
Date:	Thursday, May 14, 2026 2:03:33 PM
Attachments:	260178 7 letters.pdf

Dear Supervisors,

Please see the attached 7 letters from members of the public regarding:

> File No. 260178 - Ordinance amending the Business and Tax Regulations Code to, for transfers occurring on or after July 1, 2026: halve the real property transfer tax rate from 5.5% to 2.75% when the consideration or value of the property conveyed equals or exceeds $10,000,000 but is less than $25,000,000, and from 6% to 3% when the consideration or value equals or exceeds $25,000,000; exempt from these reductions the transfer of single-family residences; reduce the penalties for delinquent real property transfer taxes; and affirming the Planning Department's determination under the California Environmental Quality Act.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: CRUSSOSF@PROTON.ME
To: Calvillo, Angela (BOS)
Subject: Protect Prop. I: no tax breaks for rich landlords!
Date: Thursday, May 7, 2026 5:02:25 PM

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

Clerk of the Board Angela Calvillo,

Dear Members of the Board of Supervisors,

Do not repeal the transfer tax on luxury real estate deals.

San Francisco voters approved Proposition I to make sure that when properties worth over $10 million change hands, the wealth generated at the top helps fund affordable housing and prevent displacement. That was the deal — and it's working.

Prop I has already delivered more than $200 million for affordable housing, rent relief, and building preservation with real results, including:

- $42 million funded the most comprehensive COVID rent relief program in the country, saving 25,000+ San Franciscans from eviction.
- $64 million supported a housing acquisition program that took hundreds of homes off the speculative market and made them permanently affordable.
- $40 million purchased sites that will create 550+ new affordable homes.

These funds have kept families housed, protected our communities, and supported new affordable housing opportunities.

Now, with rents climbing higher than ever, the proposal to repeal or weaken this tax is outrageous. Cutting this funding puts San Francisco's state-mandated housing goals (RHNA) at risk and threatens the future of over 17,600 affordable homes currently in our development pipeline. The BUILD Act (File No. 260178) would be a costly giveaway to billionaire developers and corporate property owners at the expense of working people.

San Francisco cannot afford to slash one of its most effective housing funding tools. Not during a housing crisis. Not when families are being pushed out. Not when affordable housing projects are stalled for lack of gap financing.

We need big real estate to pay their fair share, now more than ever.

I urge you to reject this tax giveaway and uphold the will of the voters. Protect Prop I funds and invest them in the affordable housing and rent relief our communities urgently need.

Sincerely,

Carl Russo

1965 Page Street, Apt. 303
San Francisco, CA. 94117

CRUSSOSF@PROTON.ME

,

From: kimdjohnson415@gmail.com
To: Calvillo, Angela (BOS)
Subject: Stop the Tax Giveaway! Protect Affordable Housing Funds
Date: Thursday, May 7, 2026 5:08:25 PM

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

Clerk of the Board Angela Calvillo,

Dear Members of the Board of Supervisors,

Do not repeal the transfer tax on luxury real estate deals.

San Francisco voters approved Proposition I to make sure that when properties worth over $10 million change hands, the wealth generated at the top helps fund affordable housing and prevent displacement. That was the deal — and it's working.

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San Francisco cannot afford to slash one of its most effective housing funding tools. Not during a housing crisis. Not when families are being pushed out. Not when affordable housing projects are stalled for lack of gap financing.

We need big real estate to pay their fair share, now more than ever.

I urge you to reject this tax giveaway and uphold the will of the voters. Protect Prop I funds and invest them in the affordable housing and rent relief our communities urgently need.

Sincerely,

kimdjohnson415@gmail.com

,

From: Shiba Bandeeba
To: Calvillo, Angela (BOS)
Subject: Stop the Tax Giveaway! Protect Affordable Housing Funds
Date: Thursday, May 7, 2026 7:22:22 PM

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

Clerk of the Board Angela Calvillo,

Dear Members of the Board of Supervisors,

My name is Shiba Bandeeba. I am a resident District 4 and a concerned member of the San Francisco community. As many of you know, District 4 has had a very difficult year, with the transition of former supervisor. I strongly believe that without proper and continuous representation of the needs of this community as well has the voice of this community, it is truly appalling that many of you would have no push back during the initial establishment of this piece of legislation.

As a member of this community, I ask you not repeal the transfer tax on luxury real estate deals. The Prop I Dollars have done a lot of great things for our most vulnerable families, women, pregnant people, TAY, youth, single parents and individuals.

San Francisco voters approved Proposition I to make sure that when properties worth over $10 million change hands, the wealth generated at the top helps fund affordable housing and prevent displacement. That was the deal — and it's working.

Prop I has already delivered more than $200 million for affordable housing, rent relief, and building preservation with real results, including:

- $42 million funded the most comprehensive COVID rent relief program in the country, saving 25,000+ San Franciscans from eviction.
- $64 million supported a housing acquisition program that took hundreds of homes off the speculative market and made them permanently affordable.
- $40 million purchased sites that will create 550+ new affordable homes.

These funds have kept families housed, protected our communities, and supported new affordable housing opportunities.

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San Francisco cannot afford to slash one of its most effective housing funding tools. Not during a housing crisis. Not when families are being pushed out. Not when affordable housing

projects are stalled for lack of gap financing.

We need big real estate to pay their fair share, now more than ever.

I urge you to reject this tax giveaway and uphold the will of the voters. Protect Prop I funds and invest them in the affordable housing and rent relief our communities urgently need.

Sincerely,
Shiba Bandeeba

Shiba Bandeeba
shibabandeeba@gmail.com

San Francisco, California 94116

From:	zcFjejhlkrHcTUtSyUMomE
To:	Lurie, Daniel (MYR); Mandelman, Rafael (BOS); MandelmanStaff (BOS)
Cc:	jrw.ic.hne.r@gmail.com; Board of Supervisors (BOS); Jalipa, Brent (BOS)
Subject:	Do not repeal Prop I—protect social housing funding
Date:	Friday, May 8, 2026 8:29:28 AM

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

Dear Supervisor Rafael Mandelman and Mayor Daniel Lurie,

I am writing to ask you to protect Proposition I and its funding for the Social Housing Program.

In 2020, San Francisco voters passed Prop I, which levied a transfer tax on properties worth over $10 million. 64.7% of District 8 voted for Prop I. The Board of Supervisors unanimously passed a resolution assuring voters that Prop I revenue would fund a Social Housing Program—permanently affordable, publicly-owned housing for a wide mix of incomes.

Do not repeal Prop I. Oppose the BUILD Act (File No. 260178) as it is currently written. Spend Prop I's revenue on the Social Housing Program as voters intended. Oppose any attempt to remove or reduce the property transfer tax until equal or greater substitute funding for social housing is secured and passed into law.

Hundreds of my fellow San Franciscans for Social Housing have already signed onto a petition asking you to spend Prop I revenue on the Social Housing Program as voters intended. Please don't take away our city's only tool to fund social housing. Please don't gut Prop I.

San Franciscans need real housing solutions. Prop I is one of the few tools we have to fund them. Do not undermine a law voters approved only a few years ago. Fulfill the promise of Prop I.

Sincerely,
zcFjejhlkrHcTUtSyUMomE
HwuZCzMBgtyxHTejUS
jrw.ic.hne.r@gmail.com
District 8 resident

From: Anastasia Yovanopoulos
To: Calvillo, Angela (BOS)
Subject: Stop the Tax Giveaway! Protect Affordable Housing Funds
Date: Friday, May 8, 2026 10:47:44 AM

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

Clerk of the Board Angela Calvillo,

Dear Members of the Board of Supervisors,

Do not repeal the transfer tax on luxury real estate deals.

San Francisco voters approved Proposition I to make sure that when properties worth over $10 million change hands, the wealth generated at the top helps fund affordable housing and prevent displacement. That was the deal — and it's working.

Prop I has already delivered more than $200 million for affordable housing, rent relief, and building preservation with real results, including:

- $42 million funded the most comprehensive COVID rent relief program in the country, saving 25,000+ San Franciscans from eviction.
- $64 million supported a housing acquisition program that took hundreds of homes off the speculative market and made them permanently affordable.
- $40 million purchased sites that will create 550+ new affordable homes.

These funds have kept families housed, protected our communities, and supported new affordable housing opportunities.

Now, with rents climbing higher than ever, the proposal to repeal or weaken this tax is outrageous. Cutting this funding puts San Francisco's state-mandated housing goals (RHNA) at risk and threatens the future of over 17,600 affordable homes currently in our development pipeline. The BUILD Act (File No. 260178) would be a costly giveaway to billionaire developers and corporate property owners at the expense of working people.

San Francisco cannot afford to slash one of its most effective housing funding tools. Not during a housing crisis. Not when families are being pushed out. Not when affordable housing projects are stalled for lack of gap financing.

We need big real estate to pay their fair share, now more than ever.

I urge you to reject this tax giveaway and uphold the will of the voters. Protect Prop I funds and invest them in the affordable housing and rent relief our communities urgently need.

Sincerely,
Anastasia Yovanopoulos
Sf, CA 94114

Anastasia Yovanopoulos
repsf@googlegroups.com

San Francisco, California 94114

From:	rrjjqdWSSowRtcJwHlnkgT
To:	Lurie, Daniel (MYR); Chen, Chyanne (BOS); ChenStaff
Cc:	ashilling@stny.rr.com; Board of Supervisors (BOS); Jalipa, Brent (BOS)
Subject:	Do not repeal Prop I—protect social housing funding
Date:	Friday, May 8, 2026 12:48:25 PM

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

Dear Supervisor Chyanne Chen and Mayor Daniel Lurie,

I am writing to ask you to protect Proposition I and its funding for the Social Housing Program.

In 2020, San Francisco voters passed Prop I, which levied a transfer tax on properties worth over $10 million. The Board of Supervisors unanimously passed a resolution assuring voters that Prop I revenue would fund a Social Housing Program—permanently affordable, publicly-owned housing for a wide mix of incomes.

Do not repeal Prop I. Oppose the BUILD Act (File No. 260178) as it is currently written. Spend Prop I's revenue on the Social Housing Program as voters intended. Oppose any attempt to remove or reduce the property transfer tax until equal or greater substitute funding for social housing is secured and passed into law.

Hundreds of my fellow San Franciscans for Social Housing have already signed onto a petition asking you to spend Prop I revenue on the Social Housing Program as voters intended. Please don't take away our city's only tool to fund social housing. Please don't gut Prop I.

San Franciscans need real housing solutions. Prop I is one of the few tools we have to fund them. Do not undermine a law voters approved only a few years ago. Fulfill the promise of Prop I.

Sincerely,
rrjjqdWSSowRtcJwHlnkgT
YRwPchxmbQjrpQYFSKAeOGcM
ashilling@stny.rr.com
District 11 resident

Item 11

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: from Linda Shah, St.Thomas More - File No. 250282, Motion No. M25-62
Date:	Thursday, May 14, 2026 11:17:02 AM

Dear Supervisors,

Please see below from Linda Shah regarding:

File No. 250282, Motion No. M25-62 - Motion conditionally disapproving the decision of the Planning Commission by its Motion No. 21685, approving a Conditional Use Authorization, identified as Planning Case No. 2023-007010CUA, for a proposed project at 1310 Junipero Serra Boulevard; and conditionally approving a Conditional Use Authorization for the same Planning Case and property with additional conditions, subject to the adoption of written findings by the Board in support of this determination.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Linda Shah <lp1114@aol.com>
Sent: Monday, May 11, 2026 6:34 PM
To: ChanStaff (BOS) <chanstaff@sfgov.org>; SherrillStaff <SherrillStaff@sfgov.org>; SauterStaff <SauterStaff@sfgov.org>; WongStaff (BOS) <WongStaff@sfgov.org>; MahmoodStaff <MahmoodStaff@sfgov.org>; MandelmanStaff (BOS) <mandelmanstaff@sfgov.org>; Fielder, Jackie

(BOS) <Jackie.Fielder@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; ChenStaff <ChenStaff@sfgov.org>; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Cc: Lurie, Daniel (MYR) <daniel.lurie@sfgov.org>
Subject: from Linda Shah, St.Thomas More

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Dear Supervisors:

In case you missed his comments – made at the beginning of the SF Planning Commission Hearing on May 7, 2026 - I thought you would like to reflect on the experience of Mr. Gilbert Williams, Planning Commissioner. It might move you to take some action according to your conscience and the principles of the oath of office you took upon your election to represent the people.

After a recent visit to a school site adjacent to a major construction project in District 7, I believe it is fair to say Mr. Williams was aghast at the harm that noise and dust could cause to a school's normal operations and the young children who are learning there. He mentioned that this is not an isolated incident in our fair city. At Marshall Elementary School (near 15th Street and Capp), the K – 5 school is experiencing the very same effects from dust and noise off a large-scale construction project.

You should already know that dust particles of the PM10 size and smaller cause long term ill health effects to youngsters, especially those 12 years of age and younger. Wood dust is a known Grade 1 human carcinogen if inhaled in measurable quantities. Loud noise can and is undermining the learning process in classrooms, not to mention that windows need to remain closed even in extreme heat due to the very same noise and dust conditions.

Workers on the adjacent job sites are mandated to wear ear and respiratory equipment for their protection. Teachers and students have no such protections, nor should they need to in their schools. Even outdoor activities such as recess, PE classes and lunch time are being impacted.

If you are like me, we very likely would never have been impacted by man-made noise and air quality issues like exist at these two schools on a daily basis. If you are parents or grandparents now, I know you could not stay quiet on the sidelines. The present city administration could be commended for seeking to push ahead on economic revival in our city – but I hope you as supervisors are measuring all the costs. It has always been"majority rules, minority rights" in a democracy of any merit. Not even one city department seems willing or able to improve unhealthful conditions around a school v. construction project. They cite that it is either someone else's job, or the General Plan and the Planning/Building Codes are being already adhered to as written. Special instructions can and should be written into the guidance and performance codes around schools!

Is there ***even one*** senior city official willing to take on writing an amendment to the Codes, where the health and well being of our youngest kids are being so adversely affected? Remember that asthma and respiratory illnesses in children are already at record highs. Remember... that the construction project in District 7 is a large industrial maintenance facility – where the future operations can continue to pose harm to nearby community schools. Remember...that if it's two schools today, many more could be added to that list in our tomorrows.

I am asking you to have COURAGE.

Linda Shah

Grandmother of a 2nd Grader

Saint Thomas More School, District 7

Item 12

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); Mchugh, Eileen (BOS); BOS-Operations; Board of Supervisors (BOS); Carroll, John (BOS)
Subject:	FW: Opposition to File No. 260361 – Proposed Ban on Smoking on Outdoor Bar Patios
Date:	Thursday, May 14, 2026 11:20:36 AM

Dear Supervisors,

Please see below, from Justin LeClaire, regarding:

File No. 260361 - Ordinance amending the Health Code to prohibit smoking in outdoor patios of bars and taverns; eliminate exceptions allowing indoor smoking in bars with no employees, bars with historically compliant semi-enclosed smoking rooms, and hotel rooms, to conform to provisions of California law; and repeal suspended and superseded provisions regulating smoking in certain locations.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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-----Original Message-----
From: Justin LeClaire <justinmclr@gmail.com>
Sent: Wednesday, May 13, 2026 10:37 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Opposition to File No. 260361 – Proposed Ban on Smoking on Outdoor Bar Patios

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

Dear San Francisco Board of Supervisors,

I am writing as a San Francisco resident, and as a former bartender at a local bar with a smoking patio, to express my strong opposition to File No. 260361, the proposed ordinance banning smoking on outdoor bar patios.

Quite frankly, this legislation feels like a solution in search of a problem. From everything I have seen, neither bar owners nor patrons were meaningfully consulted before this proposal was introduced. Many small businesses are still struggling to recover from the pandemic, changing nightlife trends, and declining alcohol sales, yet the City is now considering imposing another unnecessary restriction on one of the few remaining spaces where smokers can legally gather.

What frustrates me most is that this proposal would likely create the exact problem it claims to solve. Smoking on bar patios occurs in confined, open-air, adults-only (21+) environments in select bars, where patrons knowingly choose whether to participate. If someone does not want to be exposed to secondhand smoke, they can simply avoid those patios or choose the nonsmoking areas that all bars already maintain.

By contrast, banning patio smoking would push smokers onto public sidewalks and curbs, where smoke exposure becomes unavoidable for pedestrians, nearby residents, and yes, even children. Sidewalks do not provide the same element of consent or separation that a dedicated smoking patio does. Several bar owners have already raised this exact concern publicly, and I believe they are correct.

Supervisor Melgar has referred to the current allowance for patio smoking as a “loophole,” but historically that is simply inaccurate. Outdoor patios were intentionally preserved as a compromise when indoor smoking in bars was prohibited decades ago. Businesses accepted those restrictions with the understanding that outdoor smoking areas would remain available. This was not an accidental oversight — it was part of the balance struck at the time.

Smokers in San Francisco already face extensive restrictions. They cannot smoke indoors in bars, restaurants, apartments, many balconies, parks, or restaurant patios. The City has also banned the sale of flavored electronic cigarettes, which has pushed some nicotine users back toward traditional cigarettes. Outdoor bar patios are one of the very last contained spaces left where adults can smoke legally and socially.

Furthermore, as a former bartender at a local bar with a smoking patio, I never once felt unsafe or harmed by smoking. Smokers were respectful by confining it to corners of the room and never exposed staff to secondhand smoke. The bar monitored air quality on the patio and it never once reached unsafe or unhealthy levels.

I am not writing this on behalf of “Big Tobacco,” nor am I claiming smoking is healthy. It obviously is not. But smokers exist, nicotine dependence is real, and people are going to smoke regardless of whether this ordinance passes. The question is whether smoking should occur in designated, limited, adults-only patio spaces, or whether it should spill onto public sidewalks throughout the city.

I would much rather smoking remain contained in small, open-air bar patios than be dispersed onto every surrounding street corner.

I also believe there are far more urgent issues facing San Francisco than policing legal smoking by adults on a handful of outdoor open-air bar patios. If the City truly wants to eliminate smoking altogether, then it should honestly debate banning cigarette sales entirely. Short of that, continually restricting and stigmatizing smokers while still permitting cigarette sales feels inconsistent and punitive.

Instead of a ban, I would encourage the Board to consider a more balanced approach. For example, bars that permit outdoor smoking could simply be required to post clear signage warning patrons that smoking occurs on the patio, similar to existing California-required warnings regarding other health risks. That would preserve personal choice while still informing the public.

I respectfully urge you to oppose File No. 260361 and support San Francisco’s small businesses, nightlife community, and practical harm-reduction approaches rather than symbolic restrictions that will likely worsen the very issues they claim to address.

Thank you for your time and consideration.

Sincerely,

Justin LeClaire
1483 Sutter Street, Unit 405
San Francisco, CA 94109

Item 13

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS); BOS Legislation, (BOS)
Subject:	FW: May 19 2026 - File Nos. 260331, 260332
Date:	Thursday, May 14, 2026 12:36:03 PM
Attachments:	image001.png Statement of the Case to SF Board of Supervisors 5.19.26.pdf

Dear Supervisors,

Please see below and attached, from a member of the public, regarding:

> File No. 260331 - Hearing to consider objections to a report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.18.1, 102A.18.2, 102A.19, 102A.19.5, 103A.3.3, 108A, and Section 110A, Table 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above; scheduled pursuant to Motion No. M26-036 (File No. 260330), approved on April 7, 2026.
>
> File No. 260332 - Resolution approving Report of Delinquent Charges for Assessment Costs submitted by the Director of the Department of Building Inspection for delinquent charges for code enforcement violations and associated fees pursuant to Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.18.1, 102A.18.2, 102A.19, 102A.19.5, 103A.3.3, 108A, and Section 110A, Table 1A-K and 1A-G, the costs thereof having accrued pursuant to code enforcement violations.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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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.

From: mihal emberton <mihal.emberton@gmail.com>
Sent: Thursday, May 14, 2026 8:36 AM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; BOS Legislation, (BOS) <bos.legislation@sfgov.org>
Subject: Fwd: May 19 2026

Dear Board of Supervisors team,

Attached is the PDF statement of our case for the public record and for the Supervisors to review prior to the Public Hearing on Tuesday May 19, 2026 to discuss DBI's filing of charges and plan to place a lien on our property.

Thank you,

Mihal.

---------- Forwarded message ---------
From: **BOS Legislation, (BOS)** <bos.legislation@sfgov.org>
Date: Mon, May 4, 2026 at 2:18 PM
Subject: RE: May 19 2026
To: mihal.emberton@gmail.com <mihal.emberton@gmail.com>
Cc: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>, BOS Legislation, (BOS) <bos.legislation@sfgov.org>

Greetings,

You may submit written correspondence and email it to bos@sfgov.org and bos.legislation@sfgov.org, which will be forwarded to all Supervisors and included in the official file for public viewing. When the President opens the hearing, he will call for public comment, and will invite all parties to speak for up to the allotted time of up to two minutes. There is a laptop and overhead projector in the chamber you may use during public comment. Please let us know if you have any additional questions.

Best regards,
Jocelyn Wong
Legislative Clerk
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
T: 415.554.7702 | F: 415.554.5163
jocelyn.wong@sfgov.org | www.sf.gov/sfbos

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From: mihal emberton <mihal.emberton@gmail.com>
Sent: Sunday, May 3, 2026 9:19 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Re: May 19 2026

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Sorry Angela about your last name being autocorrected...

On Sun, May 3, 2026 at 5:59 PM mihal emberton <mihal.emberton@gmail.com> wrote:

> Dear Angela Calvino,
>
> I believe that we have been placed on the agenda for Tuesday, May 19, 2026, at 3pm in room 250, to discuss DBI's Order of Abatement regarding our safe property at 201 Ashton Ave.
>
> - Will we be able to present a written brief to the Board of Supervisors for the public record, and if so, can you clarify any requirements for a brief in terms of length, word count, exhibits, font, etc.?

- Is the allotted time for us to present our case 10 minutes with 3 minutes for rebuttal?
- Will we have access to an audio-visual system during the hearing so that we can present a powerpoint presentation?

Thank you,

Mihal

May 14, 2026

QUESTION for the SF Board of Supervisors:

> Should the Supervisors ratify DBI's unconstitutional searches/seizures of private property and unlawful violation notices for safe property, which violate our Constitutions, State Law, municipal code, and Code Enforcement's legal duty, and which violate the public interest in safe property,
>
> OR
>
> Should the Supervisors instead ensure that Code Enforcement searches/seizures of private property and violation notices *adhere to Constitutional and Statutory Safeguards* to protect and reinstate fundamental rights of Substantive Due Process, Procedural Due Process, and Equal Protection, to protect fundamental interests of property (dominion | privacy) and liberty from unlawful deprivation by SF Code Enforcement?

INTRODUCTION

SF Code Enforcement, managed by the City Attorney, maintains a categorical deficiency of substantive and procedural due process, establishing a program centered, not on the public interest of safety (*Substantive Due Process*), but rather centered on the interest of generating income by conducting unconstitutional searches/seizures and falsifying evidence to criminalize safe property (*annihilating Substantive Due Process*) to justify gratuitous and unlawful mandates for permits, variances, hearings, and abatements *despite safe (code-compliant)*

property, irreparably harming the public. This corruption not only deprives the public of their constitutional rights of Substantive and Procedural Due Process and Equal Protection, but it also deprives fundamental interests of liberty and property (dominion | privacy) without any public benefit from such deprivation, condemning citizens guilty-until-proven-innocent without any ability to prove innocence, a catastrophic failure of democracy.

SF Code Enforcement agents violate the Fourth, Fifth and Fourteenth Amendments, and CA Constitution Article I §7(a), when they willfully deny due process and equal protection by (1) conducting government searches without substantive due process of probable cause of unsafe property, without procedural due process of warrant or consent, and without due process confines in area and duration, by (2) falsifying evidence to allege, convict, and sentence innocent citizens for maintaining safe property, by (3) falsifying evidence to convert private property to a City-owned unpaved sidewalk leading to nowhere to further deprive citizens their liberty and property (dominion | privacy), by (4) convicting some safe property without convicting all safe property in violation of equal protection, and by (5) maintaining a categorical deficiency of due process to challenge Code Enforcement searches and refute Code Enforcement convictions for non-existent crime a further violation of equal protection, which are crimes, CA Penal

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Code §829.5,[1] CA Evidence Code §668,[2] CA Evidence Code §669,[3] 18 U.S. Code §242,[4] 18 U.S.C. §241,[5] 42 U.S. Code §1983,[6] 42

[1] The City's Code Enforcement Officers have "enforcement authority for health, safety, and welfare requirements."

[2] "An unlawful intent is presumed from the doing of an unlawful act."

[3] 'The failure of a code enforcement agent to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[4] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[5] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[6] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

U.S. Code §1981,[7] 42 U.S. Code §1985,[8] 18 U.S. Code §1962,[9] and CA Civil Code §52.1.[10]

Our case demonstrates not merely one deprivation of property (dominion | privacy) from a Code Enforcement search & seizure void substantive due process of a probable cause of unsafe property, void procedural due process of a warrant or consent, void due process confines in area and duration, and void any procedural due process hearing to challenge the lawfulness of such a search/seizure, but more profoundly demonstrates *a pattern* of Code Enforcement deprivation of property (dominion | privacy) from searches & seizures by multiple agencies on more than one occasion that further defy the public interest in safe

[7] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[8] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[9] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[10] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

property by falsifying evidence from the search/seizure to convict innocent citizens maintaining safe property of non-existent crime and to convert private land to city property, depriving/defying the mandatory Constitutional provision of due process and equal protection, and Code Enforcement Officers' legal duty to protect the public from unsafe property, CA Penal Code §829.5,[11] CA Evidence Code §668,[12] CA Evidence Code §669,[13] 18 U.S. Code §242,[14] 18 U.S.C. §241,[15] 42 U.S. Code §1983,[16] 42 U.S. Code

[11] The City's Code Enforcement Officers have "enforcement authority for health, safety, and welfare requirements."

[12] "An unlawful intent is presumed from the doing of an unlawful act."

[13] 'The failure of a code enforcement agent to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[14] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[15] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[16] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

§1981,[17] 42 U.S. Code §1985,[18] 18 U.S. Code §1962,[19] and CA Civil Code §52.1.[20]

And the City Attorney's management of, participation in, and defense of this *pattern* of Code Enforcement deprivation of property (dominion | privacy) from government searches & seizures by multiple agencies on more than one occasion that defy the public interest in safe property, falsify evidence from the search/seizure to convict innocent citizens maintaining safe property of non-existent crime, and convert private land to city property, deprives/defies the mandatory Constitutional provision of due process and equal protection, and attorneys' legal duty 'to

[17] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[18] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[19] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[20] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

prevent corrupt proceedings,' CA BPC §6068,[21] CA Evidence Code §668,[22] CA Evidence Code §669,[23] 18 U.S. Code §242,[24] 18 U.S.C.

[21] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[22] "An unlawful intent is presumed from the doing of an unlawful act."

[23] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[24] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

§241,[25] 42 U.S. Code §1983,[26] 42 U.S. Code §1981,[27] 42 U.S. Code §1985,[28] 18 U.S. Code §1962,[29] and CA Civil Code §52.1.[30]

The City Attorney violates the Fourth, Fifth and Fourteenth Amendments, and CA Constitution Article I §7(a), when they willfully deny due process and equal protection by (1)

---

[25] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[26] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[27] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[28] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[29] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[30] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

authorizing Code Enforcement searches without substantive due process of probable cause, without procedural due process of warrant or consent, and without due process confines in area and duration, by (2) authorizing Code Enforcement convictions without any evidence of any crime, by (3) maintaining a categorical deficiency of due process to challenge Code Enforcement searches and refute Code Enforcement convictions for non-existent crime, by (4) acting as judge and respondent for city claims and Code Enforcement proceedings, and by (5) maintaining a financial interest in Code Enforcement searches/seizures, Code Enforcement convictions, Code Enforcement claims, and Code Enforcement proceedings, which are crimes, CA BPC §6068,[31] CA Evidence Code §668,[32] CA

[31] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[32] "An unlawful intent is presumed from the doing of an unlawful act."

Evidence Code §669,[33] 18 U.S. Code §242,[34] 18 U.S.C. §241,[35] 42 U.S. Code §1983,[36] 42 U.S. Code §1981,[37] 42 U.S. Code §1985,[38]

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[33] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[34] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[35] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[36] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[37] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[38] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

18 U.S. Code §1962,[39] and CA Civil Code §52.1.[40] And the City Attorney further violates the Fourth, Fifth and Fourteenth Amendments, and CA Constitution Article I §7(a) when the City Attorney willfully denies due process and equal protection during trial court proceedings by (6) representing conflicting interests in the same litigation, by (7) demurring the *only* available and *necessary* due process, by (8) manufacturing financial barriers to accessing writ relief, by (9) submitting falsified evidence/law, and by (10) denying/defying proper procedural due process, which are crimes, CA BPC §6068,[41] CA Evidence Code §668,[42] CA Evidence

[39] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[40] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

[41] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[42] "An unlawful intent is presumed from the doing of an unlawful act."

Code §669,[43] 18 U.S. Code §242,[44] 18 U.S.C. §241,[45] 42 U.S. Code §1983,[46] 42 U.S. Code §1981,[47] 42 U.S. Code §1985,[48] 18 U.S. Code §1962,[49] and CA Civil Code §52.1.[50]

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[43] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[44] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[45] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[46] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[47] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[48] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[49] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

Our case was filed with SF Superior Court in August 2022 after unsuccessful requests for due process for Code Enforcement's unlawful searches/seizures and violation notices, of the City Attorney (Exhibit EE, QQ, RR), Code Enforcement leadership (Exhibits F, G, H, I, K, GG, II, AF, Appendix DBI Proceeding), and the SF Board of Appeals (Exhibits FF, HH). Despite Code Enforcement's *categorical deficiency of due process* to challenge unlawful searches/seizures and to refute unlawful convictions for non-existent property crime, the City Attorney elicited an erroneous Younger Abstention, *Younger v. Harris*, 401 US 37 - Supreme Court 1971, further denying due process, and forcing us to undergo City proceedings that (1) lack jurisdiction[51] to cure unlawful searches/seizures and unlawful violation notices, and (2) lack essential elements of a 'fair hearing' as (a) Code Enforcement agents falsify evidence (Sixth Cause of Action), *Devereaux v. Abbey*, 263 F. 3d 1070 - Court of Appeals, 9th

[50] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

[51] BOA answers questions about permits and Zoning Administrator decisions, SF City Charter §4.106, AAB answers questions about abatements, SF Building Code §105A.2, and DBI Director's hearings answer questions about why mandated permits remain unresolved, SFBC §102A.5. None of these hearings have jurisdiction to determine if City searches are constitutional nor if violation notices are lawful. (*see* Appendix Proceedings)

Circuit 2001,[52] *Mooney v. Holohan*, 294 US 103 - Supreme Court 1935,[53] *Thompson v. Louisville*, 362 US 199 - Supreme Court 1960,[54] *Jackson v. Virginia*, 443 US 307 - Supreme Court 1979,[55] and (b) the City Attorney is both respondent and judge during Board of Appeals and Abatement Appeals Board hearings, occupying two practically and seriously inconsistent positions further negating due process, *Tumey v. Ohio*, 273 US 510 - Supreme Court 1927,[56] CA CCP §1094.5,[57] and maintaining a financial interest in administrative proceeding outcomes even further negating due process, Gov. Code §§ 87100,[58] 87103.[59]

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[52] Citizens have "a clearly established constitutional due process right not to be subjected to criminal charges on the basis of false evidence that was deliberately fabricated by the government."

[53] It is well-established law that Due Process is violated when "a State has contrived a conviction through the pretense of a trial which in truth is but used as a means of depriving a defendant of liberty through a deliberate deception of court and jury by the presentation of testimony known to be perjured. Such a contrivance by a State to procure the conviction and imprisonment of a defendant is as inconsistent with the rudimentary demands of justice as is the obtaining of a like result by intimidation."

[54] "it a violation of due process to convict and punish a man without evidence of his guilt.[13]."

[55] "conviction based upon a record wholly devoid of any relevant evidence of a crucial element of the offense charged is constitutionally infirm."

[56] "A situation in which an official perforce occupies two practically and seriously inconsistent positions, one partisan and the other judicial, necessarily involves a lack of due process of law in the trial of defendants charged with crimes before him."

[57] "The inquiry in such a case shall extend to the questions whether there was a fair trial."

[58] "A public official at any level of state or local government shall not make, participate in making, or in any way attempt to use the public official's official position to influence a governmental decision in which the official knows or has reason to know the official has a financial interest."

[59] "A public official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a

Moreover, the City-hearings' lack-of-jurisdiction to cure unlawful searches/seizures and unlawful violation notices ensures these proceedings *assume*-constitutional the City's searches/seizures and *assume*-lawful violation notices, *a presumption-of-guilt defying due process*, *Marshall v. Jerrico, Inc.*, 446 US 238 - Supreme Court 1980,[60] CA Penal Code §1096,[61] and establishing decisions ignorant of evidence, CCP §1094.5,[62] for which Writs of Mandate, CPF-24-518717 | CPF-25-518888 | CPF-25-519122 | CPF-25-519138, have been filed.

Our Eighth Amended Complaint lists: First, Second, Third, and Fourth causes of action for conversion of private property. Fifth cause of action for extortion. Additional causes of action: Sixth,[63] Seventh (Bane Act),[64] Eighth & Nineth (unconstitutional

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material financial effect, distinguishable from its effect on the public generally, on any business entity in which the public official holds any position of management."

[60] The Due Process Clause entitles a person to an impartial and disinterested tribunal in both civil and criminal cases. This requirement of neutrality in adjudicative proceedings safeguards the two central concerns of procedural due process, the prevention of unjustified or mistaken deprivations and the promotion of participation and dialogue by affected individuals in the decisionmaking process… ensuring that no person will be deprived of his interests in the absence of a proceeding in which he may present his case with assurance that the arbiter is not predisposed to find against him."

[61] "A defendant in a criminal action is presumed to be innocent until the contrary is proved."

[62] "Abuse of discretion is established if the order or decision is not supported by the findings, or the findings are not supported by the evidence."

[63] City's false claims and falsified evidence (fraud) condemn the innocent and harm the public interest.

[64] Civil Code §52.1(c) provides standing to any citizen to prosecute for damages, injunctive relief and other appropriate equitable relief caused by violation of rights secured by 'the Constitution or laws of the United States, or the Constitution or laws of this state, including declaratory relief to eliminate a pattern or practice of violating any legal rights.' Bane creates a

searches/seizures), Tenth,[65] Eleventh,[66] Twelfth,[67] Thirteenth,[68] Fourteenth,[69] Fifteenth is violation of Equal Protection,

private right of action for Code Enforcement's violations of law (categorical deficiency of due process and equal protection) that deprive fundamental rights of liberty and property (dominion | privacy) discussed in this case.

[65] City's allegations-convictions-sentencing (violation notices) lack any procedural due process to challenge the allegations, condemning the innocent and harming the public interest.

[66] City's allegations-convictions-sentencing for safe property violate substantive due process condemning the innocent and harming the public interest.

[67] City's Orders of Abatement for safe property violate substantive due process, the City General Plan, and municipal code, condemning the innocent and harming the public interest.

[68] City's administrative hearings *assume*-lawful searches and violation notices resulting in decisions ignorant of evidence which criminalize safe property violating both Procedural and Substantive Due Process, condemning the innocent and harming the public interest.

[69] City's administrative hearings lack jurisdiction to cure unlawful searches and violation notices violating Procedural Due Process, condemning the innocent, and harming the public interest.

Sixteenth,[70] Seventeenth,[71] Eighteenth is for defamation, Nineteenth,[72] and Twentieth.[73]

And our DOJ Civil Rights Division, Criminal Section (Report 146960-VLZ filed on March 29, 2022) or CA State Bar seem to likely provide the only functional oversight of the City Attorney's ratification and defense of the City Attorney's management of SF Code Enforcement's deprivation of civil rights as evidenced by (1) Case 2122-119 filed with SF Ethics Commission on April 29, 2022, which was dismissed as being outside of the Ethics Commission's jurisdiction, however, the City

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[70] City's Code Enforcement Policy or Custom of depriving fundamental rights of privacy, liberty, and property from (a) unconfined searches, (b) falsely claiming a violation when only safe (code complaint) property exists, (c) denying substantive due process of a valid government interest in violation notices, (d) denying a hearing to appeal violation notices, and (e) maintaining hearings that lack jurisdiction to cure unlawful searches and violation notices, condemn the innocent and harm the public interest.

[71] City's Code Enforcement Policy or Custom fails to train employees that (a) unconfined searches are unlawful, (b) falsely claiming a violation when only safe (code complaint) property exists is unlawful, (c) denying substantive due process of a valid government interest in violation notices is unlawful, (d) denying a hearing to appeal violation notices is unlawful, and (e) maintaining hearings that lack jurisdiction to cure unlawful searches and violation notices is unlawful.

[72] Code Enforcement decisions to conduct *unconstitutional* searches and issue *unlawful* violation notices to convict innocent citizens are abuses of discretion for the absence of any evidence of any crime, CA Penal Code §871, and which are also in excess of jurisdiction as agents are only endowed with "enforcement authority for health, safety, and welfare requirements," CA Penal Code §829.5, *not* authority to criminalize safe property, requiring judicial cure, CA CCP §1094.5.

[73] Code Enforcement decisions to conduct *unconstitutional* searches and issue *unlawful* violation notices to convict innocent citizens of non-existent crime are abuses of discretion which violate mandatory duties prescribed by our Constitutions (substantive and procedural due process), CA Law (Civil Code §1714 and Penal Code §829.5), and municipal code (Chapter 80 and SFBC §102A) requiring judicial cure, CA CCP §1085.

Attorney's *Ethics & Elections team* "provides legal advice to the Ethics Commission," https://sfcityattorney.org/aboutus/legal-teams/, allowing the City Attorney to occupy two practically and seriously inconsistent positions as respondent and judge negating due process and violating the mandatory duty of an attorney to follow the Constitutions, CA law, and State Bar Rules of Professional Conduct (*Tumey v. Ohio*, 273 US 510 - Supreme Court 1927,[74] CA CCP §1094.5[75]); (2) Case filed with SF Civil Grand Jury on May 5, 2022, for systemic civil rights violations by the City Attorney's Code Enforcement; (3) Case reviewed with SF Human Rights Commission (HRC) on May 10, 2022, for systemic civil rights violations by the City Attorney's Code Enforcement, which was closed as being outside of HRC's jurisdiction, however, the City Attorney's *Government team* "provides legal advice and serves as general counsel to San Francisco's Human Rights Commission,"[76] allowing the City Attorney to occupy two practically and seriously inconsistent positions as respondent and judge negating due process and violating the mandatory duty of an attorney to follow the Constitutions, CA law, and State Bar Rules of Professional

[74] "A situation in which an official perforce occupies two practically and seriously inconsistent positions, one partisan and the other judicial, necessarily involves a lack of due process of law in the trial of defendants charged with crimes before him."

[75] "The inquiry in such a case shall extend to the questions whether there was a fair trial."

[76] https://careers.sf.gov/role/?id=3743990005698457#:~:text=The%20Government%20Team%20may%20also%20advise%20on:,Service%20Commission%2C%20and%20Department%20of%20Police%20Accountability, accessed 4/28/26

Conduct (*Tumey v. Ohio*, 273 US 510 - Supreme Court 1927,[77] CA CCP §1094.5[78]); and (4) Case 202205-16957610 filed with CA Civil Rights System on May 30, 2022, for systemic civil rights violations by the City Attorney's Code Enforcement, which was closed as the agency's staff did not acknowledge innocence as a protected class.

"Both the United States Constitution and the California Constitution make it emphatically clear that [] in no case shall the right of the people to be secure against unreasonable searches and seizures be violated," *Cahan*. And SF citizens have "a clearly established constitutional due process right not to be subjected to criminal charges on the basis of false evidence that was deliberately fabricated by the government," *Devereaux* . It is well-established law that Due Process is violated when "a State has contrived a conviction through the pretense of a trial which in truth is but used as a means of depriving a defendant of liberty through a deliberate deception of court and jury by the presentation of testimony known to be perjured. Such a contrivance by a State to procure the conviction and imprisonment of a defendant is as inconsistent with the rudimentary demands of justice as is the obtaining of a like result by intimidation," *Mooney*. Code Enforcement's

[77] "A situation in which an official perforce occupies two practically and seriously inconsistent positions, one partisan and the other judicial, necessarily involves a lack of due process of law in the trial of defendants charged with crimes before him."

[78] "The inquiry in such a case shall extend to the questions whether there was a fair trial."

Constitutional violations and the conviction of innocent citizens maintaining safe property are catastrophic failures of democracy inflicting profound and irreparable harm to the citizens of San Francisco, *Coffin v. United States*, 156 US 432 - Supreme Court 1895,[79] *In re winship*, 397 US 358 - Supreme Court 1970,[80] *Katzberg v. Regents of University of Cal.*, 58 P. 3d 339 - Cal: Supreme Court 2002.[81]

[79] 'Protecting the innocent from wrongful persecution is fundamental to a free society.'

[80] "[W]e explicitly hold that the Due Process Clause protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged."

[81] "`Where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, notice and an opportunity to be heard are essential' [Citations.] In such a case, due process would accord an opportunity to refute the charge before University officials."

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STATEMENT OF THE CASE

A. STATUTORY BACKGROUND

The San Francisco City Attorney manages Code Enforcement (https://sfcityattorney.org/code/).[82] The purpose of Code Enforcement is to fulfill the public interest in safe property to prevent disease, injury, and death, which is the Substantive Due Process[83] mandatory-provision of the Fourth, Fifth, and Fourteenth Amendments, and CA Constitution Section 7 of Article I. In order to fulfill the public interest in safe property, CA Penal Code §829.5 endows the City's Code Enforcement Officers with "enforcement authority for health, safety, and welfare requirements," to conduct *Constitutional* searches and seizures for probable cause of unsafe property[84] and to issue

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[82] "The Office of the City Attorney coordinates the efforts of the Building, Health, Planning, Public Works, Fire, and Police Departments to identify and respond effectively to health and safety threats and other public nuisance issues in San Francisco's neighborhoods. When a code violation is reported, the Code Enforcement Team at the City Attorney's Office responds by coordinating the investigation and abatement process by the relevant city agencies and, when necessary, pursuing additional remedies against violators through court action."

[83] *Camara v. Municipal Court of City and County of San Francisco*, 387 US 523 - Supreme Court 1967: "The primary governmental interest at stake is to prevent even the unintentional development of conditions which are hazardous to public health and safety."

[84] SF Administrative Code Chapter 80 - ANTI-BLIGHT ENFORCEMENT PROCEDURE: "Any thing or condition…that threatens injury or damage to the health, safety, welfare or property of members of the public, that obstructs the free use of property of others or of the public way or commons, or otherwise interferes with the comfortable enjoyment of life or property."

SF Building Code §102A – UNSAFE BUILDINGS, STRUCTURES OR PROPERTY: "All buildings, structures, property, or parts thereof [] that are structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to human life, safety, or health of the

lawful violation notices for evidence of unsafe property.[85] However, the City Attorney's Code Enforcement (1) conducts *individual*, *very personal*, *unlimited in scope*, *searches for evidence of a crime* (deprivation of privacy and property) without substantive due process of probable cause of a public interest, without procedural due process of consent or warrant, without any due process confines in area and duration, and without any procedural due process to challenge the decision to search (deprivations of due process and equal protection); and the City Attorney's Code Enforcement (2) issues legally irrational violation notices, *allegation* (deprivation of liberty), *conviction* (deprivation of liberty), *sentencing* (deprivation of property) *for safe property*, predicated on false claims, predicated on an absence of any evidence of a building or safety code violation, predicated on the absence of any evidence of unsafe property,

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occupants or the occupants of adjacent properties or the public by reason of inadequate maintenance, dilapidation, obsolescence or abandonment."

[85] SF Administrative Code §80.5 prescribes that *evidence of unsafe property* is a mandatory provision of a violation notice: "Where the Director determines that any condition constitutes a blighted property, the Director shall issue a notice of violation to the property owner. At the time the notice of violation is issued, the Director shall take one or more photographs of the property showing the blighted conditions... The photographs shall be dated and retained as a part of the file for the violation… The burden of proof to establish that the property is blighted shall be on the City. The owner shall be entitled to present evidence and demonstrate that his or her property is not blighted."

And SF Building Code §102A further prescribes that *evidence of unsafe property* is a mandatory provision of a violation notice: "When the Building Official observes or otherwise determines any condition which renders the building, structure or property unsafe, the Building Official shall, within 15 days, serve a Notice of Municipal Code Violation ("NOV") upon the building owner… The NOV shall identify [] the violations which render the building, structure or property unsafe," SFBC §102A.4.

predicated on a non-existent public right-of-way, resulting from unconstitutional searches of private property to unlawfully seize knowledge of conditions of that property, and with a categorical deficiency of due process to refute the charges of property crime, condemning citizens guilty-until-proven-innocent with no opportunity to prove innocence (deprivations of due process and equal protection) causing profound harm.

B. COMPLAINT AUTHORIZING CODE ENFORCEMENT SEARCHES/SEIZURES

In 2017, we repaired/replaced a blighted, 4-foot wooden fence along our property line following local codes regarding blight and sidewalk safety[86] and CA Civil Code §1714(a),[87] Exhibit M, after which a neighbor filed a music complaint:

> "The resident at this address has been consistently doing construction and playing loud music from 10am-6pm/7pm most days of the week. I would like to request the music volume be lowered or turned off. I can hear it in my apartment all day."

[86] Removing blight is mandated by SF Administrative Code Chapter 80, SF Housing Code Chapter 10 §1001, and SF Building Code §102A. The addition of safety lighting to enhance nighttime pedestrian safety along the sidewalk is supported by SF Public Works Code Article 15 §706. The style of the fence to prevent "nuisance," "vegetable matter," "grass," "weeds," and "vegetation overgrowth" from impinging the sidewalk is supported by SF Public Works Code Article 5.1 §174. The increased visibility and safety of the repaired fence also protects the Ingleside Terraces Landmark Pillars in alignment with SF Planning Code Article 10 §1008.

[87] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

The City used this music complaint to authorize code enforcement *individual*, *very personal*, *unlimited in scope*, *searches for evidence of a crime* by DBI Carl Weaver on 9/11/17 (Exhibit A, A2), Planning Ada Tan on or around 10/27/2021 (Exhibit NN), DPW staff on 11/24/2021, and DBI staff on 7/8/2024 (Exhibit LL) without consent (or warrant), without probable cause of any public interest in safety, without confines in area or duration, and without any process to appeal the decision to search. *See* CA Supreme Court Case No: S295215, requesting resolution of the conflict within the Courts around Fourth Amendment protections by ratifying jurisprudence that (1) privacy is determined by ownership, *not* trespass, *or* lack of public view, and (2) a search is intentional, *not* accidental.

City searches/seizures void probable cause of unsafe property in violation of the mandatory provision of Substantive Due Process, and City searches/seizures void warrant/consent and confines-in-area-and-duration in violation of the mandatory provision of Procedural Due Process are searches/seizures that *irreparably harm the public interest* by depriving fundamental rights of property (dominion | privacy) without any valid government interest in the deprivation because there is no public safety concern.

C. NO EVIDENCE RULE

No evidence of unsafe property was identified during these searches. Only evidence of safe (and code-compliant) property

was seized from these searches, *Thompson v. Louisville*, 362 US 199 - Supreme Court 1960,[88] *Jackson v. Virginia*, 443 US 307 - Supreme Court 1979.[89] However, the seizure of evidence of only safe property was *falsified* to issue *legally irrational* violation notices (*allegation-conviction-sentencing* for safe property) mandating gratuitous and unlawful permits, variances, hearings, and abatements,[90] *without evidence* of unsafe property or violation of code, nor any appeal process, condemning citizens guilty-until-proven-innocent with no opportunity to prove innocence[91] causing profound harm.

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[88] "[j]ust as 'Conviction upon a charge not made would be sheer denial of due process,'[12] so is it a violation of due process to convict and punish a man without evidence of his guilt.[13]."

[89] "conviction based upon a record wholly devoid of any relevant evidence of a crucial element of the offense charged is constitutionally infirm."

[90] (1) ORDERS OF ABATEMENT for safe (and code compliant) property, (2) conversion of a private easement to a City-owned unpaved sidewalk leading to nowhere, and (3) extortion of $165,354.25 for maintaining safe (and code compliant) property violate Substantive Due Process (the public interest in safe property), CA Civil Code §1714(a), the No Evidence Rule, CA Penal Code §871, SF Planning Code §101.1's requirement that City decisions comply with the SF General Plan, SF Administrative Code Chapter 80, SF Building Code 102A, and CA Constitution Section 7 of Article XI, "A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws," condemning the innocent.

[91] Innocence is a "protected class" as unwaveringly held by our highest Courts: *In re winship*, 397 US 358 - Supreme Court 1970, "the Due Process Clause protects the accused against conviction except upon proof beyond a reasonable doubt of every fact necessary to constitute the crime with which he is charged;" *Coffin v. United States*, 156 US 432 - Supreme Court 1895, 'Protecting the innocent from wrongful persecution is fundamental to a free society;' *Devereaux v. Abbey*, 263 F. 3d 1070 - Court of Appeals, 9th Circuit 2001, citizens have "a clearly established constitutional due process right not to be subjected to criminal charges on the basis of false evidence that was deliberately fabricated by the government;" *Mooney v. Holohan*, 294 US 103 - Supreme Court 1935, it is well-established law that Due Process is violated

First, the City's violation notices are legally irrational because the *alleged code violations are false*: (1) DBI Carl Weaver *falsely* alleged that SFBC §103A requires a permit to maintain a safe 4-ft fence, *when in fact* SFBC §103A merely recommends that property adhere to the building code, which our fence does. (2) Planning Ada Tan *falsely* alleged that our trellis/solarium

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when "a State has contrived a conviction through the pretense of a trial which in truth is but used as a means of depriving a defendant of liberty through a deliberate deception of court and jury by the presentation of testimony known to be perjured. Such a contrivance by a State to procure the conviction and imprisonment of a defendant is as inconsistent with the rudimentary demands of justice as is the obtaining of a like result by intimidation;" and *Katzberg v. Regents of University of Cal.*, 58 P. 3d 339 - Cal: Supreme Court 2002, "`Where a person's good name, reputation, honor, or integrity is at stake because of what the government is doing to him, notice and an opportunity to be heard are essential' [Citations.] In such a case, due process would accord an opportunity to refute the charge before University officials." (Ibid.)[3] The Court of Appeal stated that it would assume for purposes of analysis that a similar liberty interest exists under article I, section 7(a) of the state Constitution."

Innocence is a "protected class" as established by statute: (1) Fifth Amendment: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation;" (2) Fourteenth Amendment: "nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws;" (3) CA Constitution Article I §7(a): "A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws;" (4) CA Gov. Code §820.4: "Nothing in this section exonerates a public employee from liability for false arrest or false imprisonment;" (5) CA Penal Code §1096: "A defendant in a criminal action is presumed to be innocent until the contrary is proved, and in case of a reasonable doubt whether his or her guilt is satisfactorily shown, he or she is entitled to an acquittal, but the effect of this presumption is only to place upon the state the burden of proving him or her guilty beyond a reasonable doubt;" (6) CA Penal Code §871: "If, after hearing the proofs, it appears either that no public offense has been committed or that there is not sufficient cause to believe the defendant guilty of a public offense, the magistrate shall order the complaint dismissed and the defendant to be discharged."

violates Planning Code §136 "because the trellis is not attached to the home" and Planning Code §175 because it does not have a building permit, *when in fact* (a) the trellis/solarium is credited as "private usable open space" defined and beholden to Planning Code §135, not §136, (b) SF Building Code §106A.2 exempts this open-air structure without a roof[92] from needing a building permit,[93] and (c) Planning Code §175 does not create any permit requirement for the trellis/solarium but rather guides Planning in their work. And (3) DPW *falsely* alleged that the City owns our private property easement as an unpaved sidewalk (claims themselves that violate CA Building Code,[94] SF Public Works Code,[95] and SF Administrative Code[96] governing sidewalks as

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[92] CA Building Code (2022) Chapter 9 – ROOF ASSEMBLIES defines "roof" as "the roof deck, substrate or thermal barrier, insulation, vapor retarder and roof covering," which are not components of the open-air trellis/solarium.

[93] The *licensed* landscape contractor with more than 30 years of experience who built the trellis/arbor/solarium, upon hearing that Planning, Ada Tan, issued a violation notice to "[r]emove the trellis from the front setback," stated that he was "*surprised that this is an issue because it is an open structure on the sides and top. I have never had to permit an arbor like this and it has never been an issue in the thirty years that I have been building in the city*."

[94] CA Building Code (2022) 1113A.1 mandates sidewalk "surfaces shall be stable, firm and slip resistant."

[95] SF Public Works Code §703 mandates sidewalks "shall be of concrete," §703.1 "brick, quarry-tile, exposed concrete aggregate, or other commonly-used sidewalk paving material." SF Public Works Code §723 legislates "It shall be unlawful for any person, firm or corporation, to pile, cap, or otherwise obstruct or place obstructions or encroachments upon, above, or below, any public right-of-way."

[96] SF Admin. Code §80.4 legislates "Any thing or condition that obstructs the public way or commons is a public nuisance. Such public nuisances are prohibited within the City and no person shall create or participate in the creation or maintenance of such a public nuisance."

well as violate Adverse Possession Law[97] and Constitutional property law), *when in fact*, we (and all of the property owners in Ingleside Terraces) own our easement.

Second, the City's violation notices are legally irrational because *only evidence of safe property benefiting the public was seized*: (Exhibit BB) 57 public signatures attesting:

> "I am a neighbor of Mihal Emberton and Raelyn Ruppel, who own 201 Ashton Avenue, San Francisco, and I support their repair of the 30-year old, dilapidated, hazardous, 4-foot wooden fence surrounding their front yard as the repairs are architecturally pleasing, decrease crime, improve property values, improve pedestrian safety, and encourage neighbors to spend time outside, participating in community engagement;"

(Exhibit AA) 10 written public comments regarding the public benefit of the 2017 repair of the dilapidated 4-ft fence; (Exhibit AI, Appendix of Planning Variance Proceeding) oral testimony from 3 members of the public regarding the public benefit of the safe fence for the Planning Department Variance Hearing on July

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[97] The City *cannot, by Law*, claim adverse possession of land that was not being devoted to a public purpose during the period that the City claimed to be an adverse possessor, as "[immunity] doctrine does not extend to subdivisions of the Commonwealth like counties or municipal governments when land is not being used for a public purpose. *Galdo* holds that leaving land vacant for potential future use does not count as such a public purpose for adverse possession purposes," (Harvard's Joseph Singer referencing *City of Philadelphia v. Galdo*, 217 A. 3d 811 - Pa: Supreme Court 2019) | Singer J. "Adverse possession available against city when land was not being used for a public purpose." Harvard Law School. August 18, 2020. https://faculty.law.harvard.edu/joseph-singer/2020/08/18/adverse-possession-available-against-city-when-land-was-not-being-used-for-a-public-purpose/. Accessed in 2024, 4/3/2025, and 1/24/26).

25, 2018; and (Exhibit Z) 26 written public comments received up to October 6, 2024, regarding the public benefit of the trellis/arbor including its compliance with Planning's Residential Design Guidelines and the Recreation and Open Space Element of Planning's SF General Plan, an absence of unsafe property, and evidence that the arbor does not obstruct any public right-of-way. Code Enforcement violation notices (*allegation, conviction, and sentencing for 'unsafe property'*) void any *evidence of unsafe property* violate the mandatory constitutional provision of Substantive Due Process that 'Code Enforcement's deprivation of liberty (violation notice's allegation and conviction of unsafe property) and property (violation notice's sentencing for unsafe property) fulfill "[t]he primary governmental interest [] to prevent even the unintentional development of conditions which are hazardous to public health and safety,'" *Camara*, CA Penal Code §871,[98] Fifth and Fourteenth Amendments, and CA Constitution Section 7 of Article I. Violation notices void of evidence of unsafe property in violation of the mandatory provision of Substantive Due Process are violation notices that *irreparably harm the public interest* by depriving fundamental rights of liberty and property without any valid government interest in the deprivation because there is no public safety concern.

[98] "If, after hearing the proofs, it appears either that no public offense has been committed or that there is not sufficient cause to believe the defendant guilty of a public offense, the magistrate shall order the complaint dismissed and the defendant to be discharged.'"

And third, the City's violation notices are legally irrational because (1) requiring a permit to follow the law transforms the State's "self-executing" mandatory duty of CA Civil Code §1714(a)[99] and mandatory duty of Substantive Due Process to uphold the public interest in safe property, into a City's discretionary decision to bar the mandatory-duty-to-maintain-safe-property by denying a permit to maintain safe property, defying Preemption and violating CA Constitution Section 7 of Article XI, "A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." (2) The Federal Supreme Court further holds that it is unlawful to require a permit to maintain safe property and follow the law: "A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution… a person cannot be compelled 'to purchase, through a license fee or a license tax, the privilege freely granted by the constitution.'[9] Blue Island v. Kozul, 379 Ill. 511, 519, 41 N.E.2d 515," *Murdock v. Pennsylvania*, 319 US 105 - Supreme Court 1943. And (3) requiring *permission* from the City to follow municipal codes and State and Constitutional Laws requiring safe property exceeds the jurisdiction and authority of Code Enforcement officers who are only endowed with "enforcement authority for health, safety, and welfare requirements," CA Penal Code §829.5, *not* authority to

[99] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

criminalize safe property by requiring a permit to maintain safe property.

D. NO PROCEDURAL DUE PROCESS TO CHALLENGE VIOLATION NOTICES OR SEARCHES/SEIZURES

Despite the City's countless violation notices from DBI Carl Weaver alleging violation of SFBC §103A, Planning Ada Tan alleging violation of Planning Code §§ 136, 175, and DPW staff alleging the City somehow owns the private property easement to claim violations of *public* right-of-way codes, it is a fact that there is no procedural due process to refute any of these charges as evidenced by the violation notices themselves, Exhibits A2, NN, D, E, F, G, H, I, and confirmed by Nicolas Huff, DPW Bureau Manager of Street-Use & Mapping, with his June 13, 2022, reply to our request that DPW participate in an SF Superior Court Alternative Dispute Resolution (ADR) process to appeal Code Enforcement searches and violation notices, Exhibit K:

> "The application of the codes has been long established and isn't open to mediation. If you would like to pursue a legal avenue you can reach out to your representative with the Board of Supervisors for special Major Encroachment legislation. If legislation is not possible you can file for litigation with the City."

E. DBI PROSECUTION FOR SAFE PROPERTY

Despite the legally irrational DBI violation notice that additionally lacks any procedural due process to defend oneself against such charges, we filed fence-repair permit application 2017-1011-0923 on October 11, 2017, and paid $1,351.00 for

Enforcement Case 2017-012837ENF. The City then established as a pre-requisite to finalization of the fence-repair permit, a Variance for the 4-foot height of the historically 4-foot fence while our Ingleside Terraces neighbors' 4-foot fences do not require a Variance to exist, a violation of Equal Protection, *Village of Willowbrook v. Olech*, 528 US 562 - Supreme Court 2000,[100] and *People v. Hofsheier*, 129 P. 3d 29 - Cal: Supreme Court 2006.[101] We paid $1,078.34 for the mandated Variance 2018-002358VAR which was approved on July 20, 2019, and Notice of Special Restrictions (NSR) allowing the 4-ft height of the historically 4-ft fence was notarized on March 28, 2021, and processed by the Assessor-Recorder's Office on June 6, 2021. We paid the recording fee $105 and attorney's fee $325.

On November 24, 2021, DBI and Planning approved the fence-repair permit, but DPW placed a hold on the fence-repair permit until we comply with the City's conversion of our 9-ft public utility easement into an unpaved City sidewalk. DPW's purpose of converting the private easement into a City-owned unpaved sidewalk is to unlawfully mandate numerous permits

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[100] ""`[t]he purpose of the equal protection clause of the Fourteenth Amendment is to secure every person within the State's jurisdiction against intentional and arbitrary discrimination, whether occasioned by express terms of a statute or by its improper execution through duly constituted agents.'" *Sioux City Bridge Co., supra*, at 445 (quoting *Sunday Lake Iron Co.* v. *Township of Wakefield*, 247 U. S. 350, 352 (1918))."

[101] ""The first prerequisite to a meritorious claim under the equal protection clause is a showing that the state has adopted a classification that affects two or more *similarly situated* groups in an unequal manner." (*In re Eric J.* (1979) 25 Cal.3d 522, 530, 159 Cal.Rptr. 317, 601 P.2d 549; *Cooley v. Superior Court* (2002) 29 Cal.4th 228, 253, 127 Cal.Rptr.2d 177, 57 P.3d 654.)

relevant to sidewalks (*public* rights-of-way).[102] DPW's claim of an unpaved City sidewalk leading to nowhere with a fence obstructing the paved sidewalk from the unpaved side violates CA Building Code,[103] SF Public Works Code,[104] and SF Administrative Code[105] governing sidewalks, and violates

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[102] DPW Kevin Li's February 3, 2022, emailed violation notice (Exhibit G) *falsely asserts*:

> "The Planning Department Zoning Variance (front setback variance) only applies to fences within your property line as specified in the variance decision document. Planning does not have jurisdiction in the public right-of-way. All other portions of the fence are located in the public right-of-way and subject to DPWs requirements. Thus, DPW's fence height and location requests supersede any other department.
>
> As I mentioned above, the public right-of-way is DPW's jurisdiction and subject to DPW requirements and thus supersedes Building Departments issuance of a 2015 plumbing permit for the gas fire table located in the right-of-way. Under that permit, you are only allowed to have the gas fire table within your property line. Since the gas fire table is currently not within your property line, you are required to acquire a building permit with plans and another plumbing permit to correct this.
>
> In addition, you are required to acquire a DPW General Excavation permit to remove the gas line and pergola and restore the right-of-way to City Standards."

[103] CA Building Code (2022) 1113A.1 mandates sidewalk "surfaces shall be stable, firm and slip resistant."

[104] SF Public Works Code §703 mandates sidewalks "shall be of concrete," §703.1 "brick, quarry-tile, exposed concrete aggregate, or other commonly-used sidewalk paving material." SF Public Works Code §723 legislates "It shall be unlawful for any person, firm or corporation, to pile, cap, or otherwise obstruct or place obstructions or encroachments upon, above, or below, any public right-of-way."

[105] SF Admin. Code §80.4 legislates "Any thing or condition that obstructs the public way or commons is a public nuisance. Such public nuisances are prohibited within the City and no person shall create or participate in the creation or maintenance of such a public nuisance."

Adverse Possession Law[106] and Constitutional Law[107] governing private property.

DBI held a Director's Hearing March 7, 2023 due to DPW's hold on the fence-repair permit, (Exhibit AF, transcript, Appendix DBI Proceeding), during which hearing officer Brett Howard at 00:11:36 ordered "We're not going to wait for the federal court to make its decision [about who owns the easement], so I'm going to move to issue an Order of Abatement." DBI's Order of Abatement with CES fee of $4,725.43 was not predicated on any unsafe property which is a violation of law:

> "This hearing is being recorded and conducted under section 102A inclusive to the San Francisco building code. The purpose of these hearings is to allow property representatives to show cause as to why the buildings on

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[106] The City *cannot, by Law*, claim adverse possession of land that was not being devoted to a public purpose during the period that the City claimed to be an adverse possessor, as "[immunity] doctrine does not extend to subdivisions of the Commonwealth like counties or municipal governments when land is not being used for a public purpose. *Galdo* holds that leaving land vacant for potential future use does not count as such a public purpose for adverse possession purposes," (Harvard's Joseph Singer referencing *City of Philadelphia v. Galdo*, 217 A. 3d 811 - Pa: Supreme Court 2019) | Singer J. "Adverse possession available against city when land was not being used for a public purpose." Harvard Law School. August 18, 2020. https://faculty.law.harvard.edu/joseph-singer/2020/08/18/adverse-possession-available-against-city-when-land-was-not-being-used-for-a-public-purpose/. Accessed in 2024, 4/3/2025, and 1/24/26).

[107] (1) Fifth Amendment, "no person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation;" (2) Fourteenth Amendment, "nor shall any State deprive any person of life, liberty, or property, without due process of law;" and (3) CA Constitution Section 7 of Article I, "A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws."

> today's agenda should not be ordered to be vacated, repaired, altered, or demolished as is appropriate."

DBI's Order of Abatement violates Fourth, Fifth and Fourteenth Amendments' and CA Constitution's Substantive Due Process mandatory requirement[108] and SFBC §102A's mandatory requirement that *evidence of unsafe property exist* in order to issue a violation notice and order of abatement,[109] and is instead predicated on DPW's hold on the fence-repair permit which is predicated on DPW's unlawful claim that the City owns the private easement listed on the property title, Exhibit B.

The Order of Abatement was brought to the Abatement Appeals Board, but because the Abatement Appeals Board does not have jurisdiction to determine if DBI searches are constitutional nor if DBI's or DPW's violation notices are lawful, SF Building Code §105A.2, they are prevented from being able to evaluate or cure DPW's claim that the City owns the public utility easement listed on the private property title, a lack of jurisdiction confirmed by Commissioner Eppler, during the June 26, 2024 Board of Appeals hearing at 01:02:50: "There's a

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[108] *Camara v. Municipal Court of City and County of San Francisco*, 387 US 523 - Supreme Court 1967: "The primary governmental interest at stake is to prevent even the unintentional development of conditions which are hazardous to public health and safety."

[109] SF Building Code §102A prescribes that *evidence of unsafe property* is a mandatory provision of a violation notice: "When the Building Official observes or otherwise determines any condition which renders the building, structure or property unsafe, the Building Official shall, within 15 days, serve a Notice of Municipal Code Violation ("NOV") upon the building owner… The NOV shall identify [] the violations which render the building, structure or property unsafe," SFBC §102A.4.

question that was raised by the Appellant of whether this is public land or private land, and that is not a question that we're going to answer because that's a State Court question." (Appendix AAB Proceeding) And despite evidence of only safe (code-complaint) property, despite evidence that we and all of our neighbors own our public utility easement, despite evidence that there is no unpaved sidewalk on the Ingleside Terraces properties, despite the evidence that DBI's mandate to remove a safe fence violates Substantive Due Process' mandatory provision that 'prior to taking any action the City shall find that the proposed City action improves public safety,' despite the evidence that DBI's mandate to remove the fence that enhances safety and property values harms the public interest, and despite evidence that DBI's allegations of property crime are false, the Abatement Appeals Board ratified DBI's Order of Abatement on March 6, 2025. Writ of Mandate for this decision in excess of jurisdiction, prejudicial abuse of discretion for this decision not supported by the evidence, DBI and DPW's prejudicial abuse of discretion for not proceeding in the manner required by law, and a lack of a fair trial was filed on May 22, 2025, Case No.: CPF-25-519122.

F. PLANNING PROSECUTION FOR SAFE PROPERTY

After Planning's unconstitutional search of property to unlawfully seize knowledge of conditions of safe, code-compliant property, Planning Ada Tan *falsely* alleged that (1) our trellis/solarium violates Planning Code §136 "because the trellis is not attached to the home" and Planning Code §175 because it does not have a building permit, *when in fact* (a) the

trellis/solarium is credited as "private usable open space" defined and beholden to Planning Code §135, not §136, (b) SF Building Code §106A.2 exempts this open-air structure without a roof[110] from needing a building permit,[111] and (c) Planning Code §175 does not create any permit requirement for the trellis/solarium but rather guides Planning in their work. And Planning Ada Tan *falsely alleged* that (2) our private property easement is instead an unpaved city sidewalk which erroneously places the front setback in the middle of the yard and erroneously changes the width of the front setback violating front setback laws that require a truthful size and location of the front setback.

Based on these false allegations, Planning mandated removal of the safe and code-compliant trellis/solarium, in violation of Substantive Due Process[112] and SF Planning Code §101.1's mandatory provision that 'prior to taking any action the City shall find that the proposed City action is consistent with the General Plan,' harming the public interest because *removing*

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[110] CA Building Code (2022) Chapter 9 – ROOF ASSEMBLIES defines "roof" as "the roof deck, substrate or thermal barrier, insulation, vapor retarder and roof covering," which are not components of the open-air trellis/solarium.

[111] The *licensed* landscape contractor with more than 30 years of experience who built the trellis/arbor/solarium, upon hearing that Planning, Ada Tan, issued a violation notice to "[r]emove the trellis from the front setback," stated that he was "*surprised that this is an issue because it is an open structure on the sides and top. I have never had to permit an arbor like this and it has never been an issue in the thirty years that I have been building in the city*."

[112] *Camara v. Municipal Court of City and County of San Francisco*, 387 US 523 - Supreme Court 1967: "The primary governmental interest at stake is to prevent even the unintentional development of conditions which are hazardous to public health and safety."

the arbor/solarium violates 20 policies of the Recreation and Open Space Element of Planning's own SF General Plan (Eighth Amended Complaint para 115):

Violation #	Removal of the safe, code-compliant arbor/solarium:	Policy violated
1	Destroys, Prevents, and Prohibits the dynamic and flexible use of existing open space by Preventing and Prohibiting a variety of recreation and open space uses	1.1
2	Makes existing open space vulnerable to being converted to other uses and vulnerable to encroachment from other uses, allowing loss of quantity and/or quality of open space.	1.3
3	Destroys, Prevents, and Prohibits public art, an essential component of open space design, as the homeowners have taken an active role in both the design of this architectural landscape feature as well as the curation of the living urban canopy it supports.	1.7
4	Destroys, Prevents, and Prohibits urban agriculture and local food security by Destroying, Preventing, and Prohibiting A Structure that Hosts edible plants and food production.	1.8
5	Destroys, Prevents, and Prohibits sunlight in open spaces by allowing building encroachments.	1.9
6	Allows open space to become unsafe for the City's population by Destroying, Preventing, and Prohibiting a visible deterrent to oncoming traffic during the day and by Destroying, Preventing, and Prohibiting lighting at night that acts as a visible deterrent to oncoming traffic as well as to urban crime.	1.10
7	Destroys, Prevents, and Prohibits private recreational activities on private land that provides a community benefit, particularly to low and moderate-income residents as evidenced by Preventing and Prohibiting open space from being used as an outdoor school during pandemics,	1.11

	Preventing and Prohibiting open space from being used as a recreational after-school space for community families, and by Preventing and Prohibiting open space from being used as a safe gathering space for a community book club, meetings for community groups and non-profits, and other community social and recreational activities.	
8	Allows the historic and culturally significant Ingleside Terrace Pillars to become vulnerable to vehicular damage from oncoming traffic as well as vandalism.	1.12
9	Prevents and Prohibits a variety of high-quality outdoor opportunities for San Franciscans, such as school and afterschool play and study space, an edible garden shared with the community, and a meeting and gathering space that showcases the beauty of the outdoors.	2.2
10	Destroys, Prevents, and Prohibits a civic-serving open space that hosts children, community groups and non-profits, and the neighborhood.	2.6
11	Prevents and Prohibits privately developed residential open space from being usable, beautiful, and environmentally sustainable.	2.11
12	Destroys the urban forest by removing structural and environmental support for countless fruiting and flowering trees, plants, and shrubs.	3.6
13	Destroys, Prevents, and Prohibits local biodiversity by removing structural and environmental support for trees as well as countless fruiting and flowering plants and shrubs that were added to the landscape.	4.1
14	Destroying, Preventing, and Prohibiting the integration of local biodiversity into open space management and maintenance.	4.3
15	Destroying, Preventing, and Prohibiting environmentally sustainable practices, and Destroying, Preventing, and Prohibiting the curation of open spaces for the purpose of both climate protection and human enjoyment.	4.4

16	Destroys, Prevents, and Prohibits civic design and curation of our open space to Destroy, Prevent, and Prohibit civic engagement opportunities.	5.1
17	Destroys, Prevents, and Prohibits awareness of our City's open space system.	5.2
18	Destroys, Prevents, and Prohibits our community-initiated and community-supported open space development.	5.3
19	Destroys, Prevents, and Prohibits our environmental and civic stewardship of our open spaces.	5.5
20	Destroys, Prevents, and Prohibits our creative and financial investment in maintaining and enhancing our open space, and Destroys, Prevents, and Prohibits an open-space beacon for the neighborhood and larger community.	6.1

See also Exhibit Z, public comment regarding the safety and public benefit of the trellis/solarium.

And despite evidence of only safe (code-complaint) property, despite evidence that we and all of our neighbors own our public utility easement, despite evidence that there is no unpaved sidewalk on the Ingleside Terraces properties, despite the evidence that Planning's placement of the front setback in the middle of the yard (predicated on a non-existent unpaved sidewalk) is falsified evidence, and despite evidence that Planning's allegations of property crime are false, Planning mandated a Variance to maintain our safe, code-compliant arbor/trellis.

On February 19, 2022, we submitted Project Application (PRJ) 2022-001463PRJ and Variance Supplemental Form to

Planning and paid $1,137.50 for the Variance process on April 15, 2022. And despite evidence of only safe (code-complaint) property, despite evidence that we and all of our neighbors own our public utility easement, despite evidence that there is no unpaved sidewalk on the Ingleside Terraces properties, despite the evidence that Planning's mandate to remove the trellis/solarium violates SF Planning Code §101.1's mandatory provision that 'prior to taking any action the City shall find that the proposed City action is consistent with the General Plan,' despite the evidence that Planning's mandate to remove a safe trellis/solarium violates Substantive Due Process' mandatory provision that 'prior to taking any action the City shall find that the proposed City action improves public safety, despite the evidence that Planning's mandate to remove the trellis/solarium harms the public interest, and despite evidence that Planning's allegations of property crime are false, the Zoning Administrator denied the Variance on August 26, 2024, a decision in excess of jurisdiction demonstrating prejudicial abuse of discretion for a decision not supported by the evidence with prejudicial abuse of discretion for enforcement officers not proceeding in the manner required by law, which is a deprivation of due process. We paid the Public Notification fee of $443.30.

Planning's mandate for and then denial of a Variance and subsequent Notice of Violation (NOV) violate Fourth, Fifth and Fourteenth Amendments' and CA Constitution's Substantive Due

Process mandatory requirement,[113] and SF Building Code §102A's[114] and SF Administrative Code §80.5's[115] mandatory requirement that *evidence of unsafe property exist* in order to issue a violation notices (NOE, NOV), and is instead predicated on Planning's false allegations of code violations.

The mandate for and then denial of the Variance and the Notice of Violation were brought to the Board of Appeals (charging $1200 for these hearings), but because the Board of Appeals does not have jurisdiction to determine if Planning's searches are constitutional nor if Planning's violation notices are lawful, SF City Charter §4.106, they are prevented from being able to evaluate or cure Planning's claim of code violations. And despite evidence of only safe (code-complaint) property, despite evidence that we and all of our neighbors own our public utility

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[113] *Camara v. Municipal Court of City and County of San Francisco*, 387 US 523 - Supreme Court 1967: "The primary governmental interest at stake is to prevent even the unintentional development of conditions which are hazardous to public health and safety."

[114] *Evidence of unsafe property* is a mandatory provision of a violation notice: "When the Building Official observes or otherwise determines any condition which renders the building, structure or property unsafe, the Building Official shall, within 15 days, serve a Notice of Municipal Code Violation ("NOV") upon the building owner… The NOV shall identify [] the violations which render the building, structure or property unsafe," SFBC §102A.4.

[115] E*vidence of unsafe property* is a mandatory provision of a violation notice: "Where the Director determines that any condition constitutes a blighted property, the Director shall issue a notice of violation to the property owner. At the time the notice of violation is issued, the Director shall take one or more photographs of the property showing the blighted conditions... The photographs shall be dated and retained as a part of the file for the violation… The burden of proof to establish that the property is blighted shall be on the City. The owner shall be entitled to present evidence and demonstrate that his or her property is not blighted."

easement, despite evidence that there is no unpaved sidewalk on the Ingleside Terraces properties, despite the evidence that Planning's placement of the front setback in the middle of the yard (predicated on a non-existent unpaved sidewalk) is falsified evidence, despite the evidence that Planning's mandate to remove the trellis/solarium violates SF Planning Code §101.1's mandatory provision that 'prior to taking any action the City shall find that the proposed City action is consistent with the General Plan,' despite the evidence that Planning's mandate to remove a safe trellis/solarium violates Substantive Due Process' mandatory provision that 'prior to taking any action the City shall find that the proposed City action improves public safety, despite the evidence that Planning's mandate to remove the trellis/solarium harms the public interest, and despite evidence that Planning's allegations of property crime are false, the Board of Appeals ratified Planning's mandate for and then denial of a Variance and subsequent Notice of Violation (NOV) and Order of Abatement (OOA). Writs of Mandate for these decisions in excess of jurisdiction, prejudicial abuse of discretion for decisions not supported by the evidence, Planning's prejudicial abuse of discretion for not proceeding in the manner required by law, and a lack of a fair trial were filed on January 30, 2025, CPF-25-518888 and June 5, 2025, CPF-25-519138.

G. DPW PROSECUTION FOR SAFE PROPERTY

On November 17, 2021, Planning emailed, "The Department of Public Works, Bureau of Street-Use and Mapping (DPW-BSM) is also required to review/approve the permit before

it can be issued. I checked in with their agency and they confirmed that the Public right of way (PROW) is 15 feet measured from the curb (along both Ashton Ave and Holloway Ave). Portions of the fence are located within the PROW and DPW stated that a minor encroachment permit is required before they can sign off on the building permit for the fence," Exhibit D.

However, it is a fact that the Ingleside Terraces neighborhood has 6-ft sidewalks and a 9-ft public utility easement (*private* right-of-way):[116] (1) the sidewalks measure 6-feet in width, (2) the 2024 Boundary Exhibit for our property, Exhibit O, confirms the 6-foot width of the sidewalks and adjacent location of the 9-foot easement, CA Gov. Code §66475,[117] (3) E.J. Morser's 1912 Subdivision Map of Ingleside Terraces' 792-house lots confirms the presence of the easement for a "sub-surface sewer right of way," Exhibits R, S, (4) the Historic Sanborn Map of our property shows water pipes located in the Public Utility Easement confirming the purpose of the private

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[116] The Law distinguishes between *public* and *private* rights-of-ways as held by CA Court of Appeals in *County of Sacramento v. Pacific Gas & Elec. Co.*, 193 Cal. App. 3d 300 – Cal: Court of Appeal, 3rd Appellate Dist. 1987:

> "Long ago our Supreme Court made clear the difference between public and private rights of way: 'Public ways, as applied to ways by land, are usually termed "highways" or "public roads," and are such ways as every citizen has a right to use. A private way relates to that class of easements in which a particular person, or particular description or class of persons, have an interest or right as distinguished from the general public.'"

[117] "There may be imposed by local ordinance a requirement of dedication or irrevocable offer of dedication of real property within the subdivision for streets, alleys, including access rights and abutter's rights, drainage, public utility easements and other public easements."

easement is for public utility, Exhibit C, (5) Ingleside Terraces photographs *circa* 1912-1915 from SF Public Library History Center confirm 6-foot sidewalks with an adjacent private easement housing the public utility streetlights (image 1, image 2, image 3, image 4, image 5, image 6), and (5) California Land Title Association (CTLA) Report describes only one Easement, reserved for Public Utility, dated September 18, 1922, Exhibit B, CA Evidence Code §662;[118] (evidence also confirming the City's conversion of a private easement into a City-owned unpaved sidewalk (void any public purpose) as fact).

On November 24, 2021, after Planning and DBI signed off on the fence-repair permit, our family watched DPW use computer technology to search our property for evidence of a crime without probable cause, without consent or a warrant, and without any confines of area or duration. This search recovered evidence of only safe property, a private easement that complies entirely with building code, public works code, and the SF General Plan, a private easement that has *not* been used by the public as an unpaved sidewalk because our property does not land-lock any public lands. DPW placed the fence permit [with Variance and NSR] on hold and mandated a Minor Sidewalk Encroachment Permit (despite the absence of any encroachment and despite the absence of an unpaved city sidewalk on our property) as a perquisite to signing off on the fence-repair permit.

[118] "The owner of the legal title to property is presumed to be the owner of the full beneficial title."

This permit-mandate lacked any appeal process in violation of due process.

On December 4, 2021, we submitted Minor Sidewalk Encroachment Permit Application and paid the fee of $206.55. On January 13, 2022, DPW, Exhibit F, expanded their false claims predicated on conversion of private property:

> "After review of your application, it has been determined that the fence can remain subject to the following conditions/alterations: (1) Fence height to be reduced to 3 feet (2) 3 feet clearance around the streetlight pole and box on Holloway Ave required by SFPUC… (3) 3 feet path of travel required between the trees and fence on Holloway Ave (provide photos with tape measure clearly showing the path of travel width). In addition, the approximate 10 ft X 10 ft cedar pergola and the propane fire table shall be removed from the right-of-way. The right-of-way is a public space and shall not be altered for private use."

We challenged these mandates because (1) we have a Planning Variance *legalizing* the 4-ft height of the fence, (2) the streetlight is accessible, appropriately, from the public utility easement, (3) we have a DBI permit *legalizing* the gas fire table, (4) there is *no public* right-of-way on or through our property so there is no encroachment, and (5) we own our easement as listed on our property Title (Exhibit B). However, on February 3, 2022, DPW, Exhibit G, further ratified their false claims predicated on conversion of private property:

> "The Planning Department Zoning Variance (front setback variance) only applies to fences within your property line as specified in the variance decision document. Planning does not have jurisdiction in the

> public right-of-way. All other portions of the fence are located in the public right-of-way and subject to DPWs requirements. Thus, DPW's fence height and location requests supersede any other department.
>
> As I mentioned above, the public right-of-way is DPW's jurisdiction and subject to DPW requirements and thus supersedes Building Departments issuance of a 2015 plumbing permit for the gas fire table located in the right-of-way. Under that permit, you are only allowed to have the gas fire table within your property line. Since the gas fire table is currently not within your property line, you are required to acquire a building permit with plans and another plumbing permit to correct this.
>
> In addition, you are required to acquire a DPW General Excavation permit to remove the gas line and pergola and restore the right-of-way to City Standards."

DPW repeatedly ratified their false claims predicated on conversion of private property, Exhibits H, I.

On December 1, 2023, DPW denied the Minor Sidewalk Encroachment permit, "Per our conversations with the City Attorneys it was time to deny the permit at this point."[119] We appealed the mandate for and then denial of the Minor Sidewalk Encroachment Permit, paying a hearing fee of $300.

However, during three Board of Appeals' hearings, DPW falsely claimed that the Ingleside Terraces' 6-ft sidewalk and 9-ft private easement were *instead* a 15-ft sidewalk of which 9-ft was unpaved and leading to nowhere, and with a fence obstructing

[119] February 7, 2024, Board of Appeals Hearing, 00:23:09.

the paved from the unpaved side,[120] Exhibit AK. The 1903[121] and 1910 ordinances that DPW claimed established 15-ft sidewalks for the Ingleside Terraces Neighborhood, were in fact created when the land in question was *not* a neighborhood but was rather the Ingleside Racetrack. The Ingleside Racetrack was not purchased by the Urban Realty Improvement Co. until 1911 and the Subdivision Map for the 792-house lots of Ingleside Terraces Neighborhood was not notarized by the City until April 24, 1912, Exhibits R, S. And the Lakeview Neighborhood streets listed in ordinance 1098, Exhibit P, are confirmed by the Lakeview Subdivision Map from 1908, Exhibit Q.

DPW's purpose of converting the private easement into a City-owned unpaved sidewalk is to unlawfully mandate numerous permits relevant to sidewalks (*public* rights-of-way), Exhibit G. DPW's claim of an unpaved City sidewalk leading to nowhere with a fence obstructing the paved sidewalk from the unpaved side violates CA Building Code,[122] SF Public Works

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[120] "The official sidewalk width for this portion of Ashton Ave. is 15 feet and was established by Ordinance 1098 on March 9, 1910. The sidewalk width along Holloway Ave. is 15 feet and was established in 1903… the official sidewalk width may or may not be paved with concrete. As can be seen in Figure 1(a), only a portion of the official 15 foot sidewalk on both Ashton and Holloway Avenues is paved and the remainder has been occupied with various improvements associated with the fronting properties."

[121] The Clerk of the Board of Supervisors confirmed that the 1903 document referenced by DPW was "destroyed in the 1906 earthquake and resulting fire."

[122] CA Building Code (2022) 1113A.1 mandates sidewalk "surfaces shall be stable, firm and slip resistant."

Code,[123] and SF Administrative Code[124] governing sidewalks, and violates Adverse Possession Law[125] and Constitutional Law[126] governing private property.

Because of the lack of jurisdiction to review the legality of 'a violation notice converting a private easement to an unpaved sidewalk to mandate a Minor Sidewalk Encroachment permit,' the Board of Appeals merely overruled the denial of the permit. The reinstatement of the Minor Sidewalk Encroachment Permit

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[123] SF Public Works Code §703 mandates sidewalks "shall be of concrete," §703.1 "brick, quarry-tile, exposed concrete aggregate, or other commonly-used sidewalk paving material." SF Public Works Code §723 legislates "It shall be unlawful for any person, firm or corporation, to pile, cap, or otherwise obstruct or place obstructions or encroachments upon, above, or below, any public right-of-way."

[124] SF Admin. Code §80.4 legislates "Any thing or condition that obstructs the public way or commons is a public nuisance. Such public nuisances are prohibited within the City and no person shall create or participate in the creation or maintenance of such a public nuisance."

[125] The City *cannot, by Law*, claim adverse possession of land that was not being devoted to a public purpose during the period that the City claimed to be an adverse possessor, as "[immunity] doctrine does not extend to subdivisions of the Commonwealth like counties or municipal governments when land is not being used for a public purpose. *Galdo* holds that leaving land vacant for potential future use does not count as such a public purpose for adverse possession purposes," (Harvard's Joseph Singer referencing *City of Philadelphia v. Galdo*, 217 A. 3d 811 - Pa: Supreme Court 2019) | Singer J. "Adverse possession available against city when land was not being used for a public purpose." Harvard Law School. August 18, 2020. https://faculty.law.harvard.edu/joseph-singer/2020/08/18/adverse-possession-available-against-city-when-land-was-not-being-used-for-a-public-purpose/. Accessed in 2024, 4/3/2025, and 1/24/26).

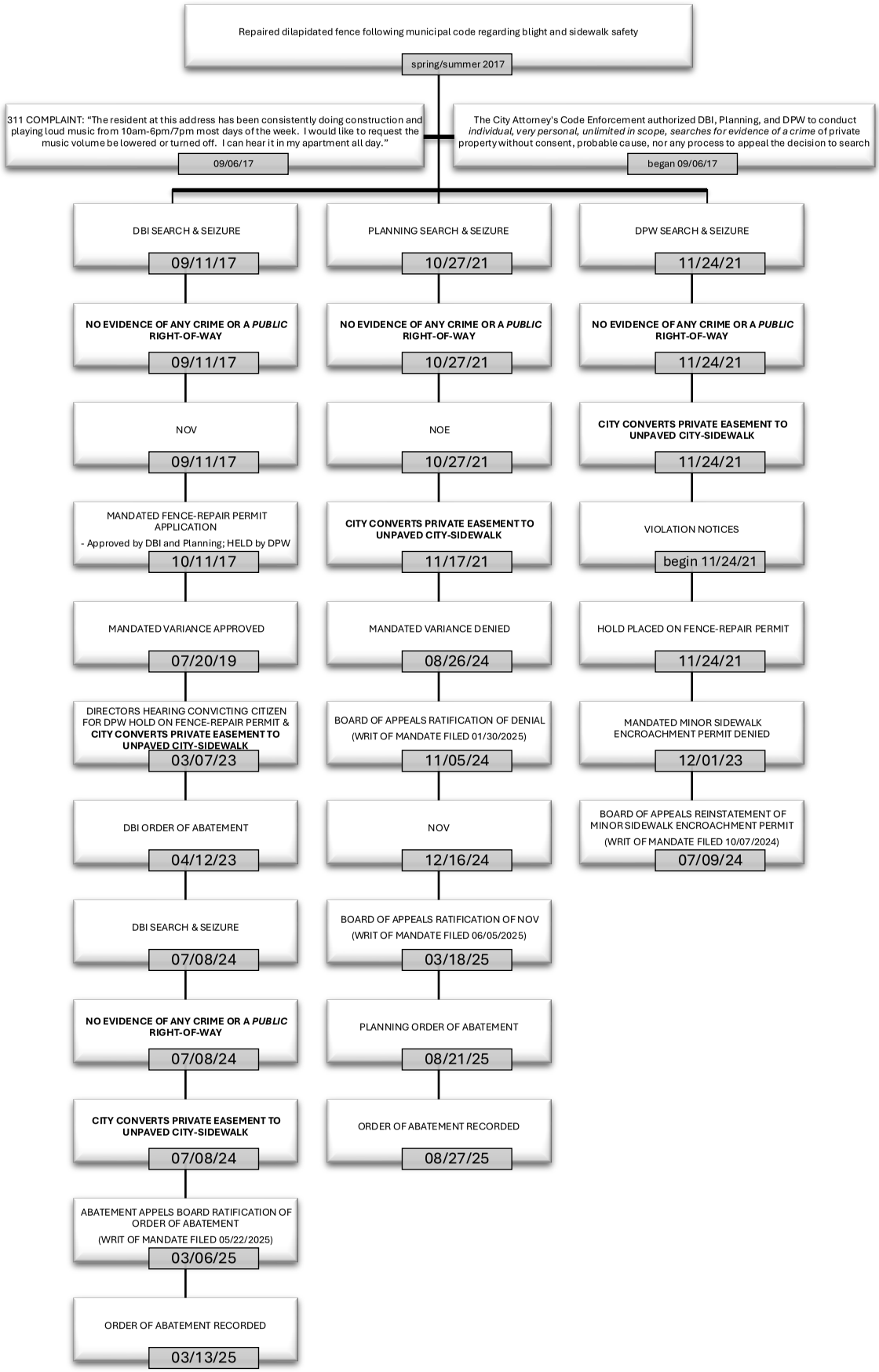
[126] (1) Fifth Amendment, "no person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation;" (2) Fourteenth Amendment, "nor shall any State deprive any person of life, liberty, or property, without due process of law;" and (3) CA Constitution Section 7 of Article I, "A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws."

effectually ratified the City's conversion of private property in excess of BOA jurisdiction. Commissioner Eppler confirmed this excess of BOA jurisdiction: "There's a question that was raised by the Appellant of whether this is public land or private land, and that is not a question that we're going to answer because that's a State Court question."[127] Writ of Mandate CPF-24-518717 was filed on October 7, 2024, for this decision in excess of jurisdiction, prejudicial abuse of discretion for a decision not supported by the evidence of the absence of a *public* right-of-way, DPW's prejudicial abuse of discretion for not proceeding in the manner required by law by falsifying evidence, and a lack of a fair trial.

H. TIMELINE OF CODE ENFORCEMENT ACTIONS

[127] June 26, 2024, Board of Appeals hearing, 01:02:50.

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.



I. AUTHORIZING DEPRIVATION OF FUNDAMENTAL RIGHTS INCLUDING DUE PROCESS VIOLATES ATTORNEYS' LEGAL DUTY

The City Attorney's management of and participation in Code Enforcement places the City Attorney as respondent and judge for City Claims, as respondent and judge during Board of Appeals hearings, and as respondent and judge during Abatement Appeals Board hearings, two practically and seriously inconsistent positions further negating due process, *Tumey v. Ohio*, 273 US 510 - Supreme Court 1927,[128] CA CCP §1094.5,[129] which also establish a financial interest in searches/seizures, violation notices, claims' decisions, and administrative proceeding outcomes even further negating due process, CA Gov. Code §§ 87100, 87103.

The City's categorical deficiency of due process to challenge the factual and legal basis for searches and violation notices prescribes The Courts as the only purveyor of procedural due process.

The City Attorney's defiance/deprivation of due process is further evidenced by the City Attorney's defense of the City

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[128] "A situation in which an official perforce occupies two practically and seriously inconsistent positions, one partisan and the other judicial, necessarily involves a lack of due process of law in the trial of defendants charged with crimes before him."

[129] "The inquiry in such a case shall extend to the questions whether there was a fair trial, and whether there was any prejudicial abuse of discretion. Abuse of discretion is established if the respondent has not proceeded in the manner required by law."

Attorney's management of Code Enforcement, establishing as client in this litigation *both* the City Attorney's management of Code Enforcement and their interest to criminalize safe property to deprive fundamental rights of privacy, liberty, property, due process, and equal protection, *and* the City and County of San Francisco and its interest to maintain safe property and prevent human disease, injury, and death, clients with directly adverse interests, *Flatt, supra*, 9 Cal.4th at p. 284, fn. 3, 36 Cal. Rptr.2d 537, 885 P.2d 950[130] as referenced by *San Francisco v. Cobra Solutions, Inc.*, 135 P. 3d 20 - Cal: Supreme Court 2006.[131] This unwaivable conflict-of-interest violates State Bar Rules of Professional Conduct because (A) competent and diligent representation cannot be provided to each client, CRPC 1.7(d)(1),[132] as held by *Klemm v. Superior Court*, 75 Cal. App. 3d 893 - Cal: Court of Appeal, 5th Appellate Dist. 1977,[133] (B) the

[130] "It is also an attorney's duty to protect his client in every possible way, and it is a violation of that duty for him to assume a position adverse or antagonistic to his client []. By virtue of this rule an attorney is precluded from assuming any relation which would prevent him from devoting his entire energies to his client's interests."

[131] "An attorney who seeks to simultaneously represent clients with directly adverse interests in the same litigation will be automatically disqualified."

[132] "Representation is permitted under this rule only if the lawyer reasonably believes* that the lawyer will be able to provide competent and diligent representation to each affected client."

[133] "As a matter of law a purported consent to dual representation of litigants with adverse interests at a contested hearing would be neither intelligent nor informed. Such representation would be per se inconsistent with the adversary position of an attorney in litigation, and common sense dictates that it would be unthinkable to permit an attorney to assume a position at a trial or hearing where he could not advocate the interests of one client without adversely injuring those of the other."

representation of the City Attorney's Code Enforcement interest to deprive fundamental rights of privacy, liberty, property, due process, and equal protection is prohibited by law CA BPC §6068(a), 18 U.S.C. § 242, CRPC 1.7(d)(2),[134] and (C) this representation involves the City and County of SF's claim that Code Enforcement should maintain safe property to prevent human disease, injury, and death, which fundamentally contradicts the City Attorney's claim that their Code Enforcement can deprive fundamental rights of privacy, liberty, property, due process, and equal protection to criminalize safe property, CRPC 1.7(d)(3).[135] This unwaivable conflict-of-interest breaches the City Attorney's legal duty by mandating that *opposing counsel* (*this Plaintiff/Petitioner*), rather than the City Attorney, represent City and County of SF's interest in public safety and due process, a fundamental denial of due process constituting a federal crime, 18 U.S.C. § 242.

A City Attorney violates the Fifth and Fourteenth Amendments, and CA Constitution Section 7 of Article I, when they deny due process by (1) representing conflicting interests in the same litigation, by (2) demurring the *only* available and *necessary* due process (to challenge code enforcement searches and violation notices), by (3) manufacturing financial barriers to

[134] "Representation is permitted under this rule only if the representation is not prohibited by law."

[135] "Representation is permitted under this rule only if the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal."

accessing writ relief, by (4) submitting falsified evidence/law, by (5) defying proper procedural due process, and by (6) defending municipal denial of due process from (a) government searches without substantive due process of probable cause, without procedural due process of warrant or consent, and without due process confines in area and duration, from (b) municipal convictions without any evidence of any crime, from (c) a categorical deficiency of due process to challenge government searches and municipal convictions, from (d) unfair proceedings with the City Attorney occupying two practically and seriously inconsistent positions as both judge and respondent, and from (e) the City Attorney's preservation of their financial interest in city searches/seizures, city convictions, city claims, and municipal proceedings negating due process, which are violations of an attorney's mandatory duty, CA Business and Professions Code §6068(a)(c)(d)(g)(h), violations of CA State Bar Rules of Professional Conduct 8.4(a)(b)(c)(d)(e)(f), 'the commission of an act involving moral turpitude, dishonesty or corruption constituting a cause for disbarment or suspension,' CA BPC §6106, and federal crimes, 18 U.S.C. § 242, constituting malpractice, CA Civil Code §1714(a), CA Evidence Code §§ 668, 669, establishing municipal liability, CA Government Code §815.6.

FACTS

A fact is a real event that happened, a true circumstance, or a physical thing that exists:

TABLE OF CONTESTED FACTS

Fact	Injury from deprivation of:	City's Challenge
Code Enforcement searches occurred.	Privacy Property	No search occurred.
Code Enforcement searches lack substantive due process of probable cause of a public-safety interest.	Privacy Property Due Process Equal Protection	No search occurred.
Code Enforcement searches lack procedural due process of a warrant or consent.	Privacy Property Due Process Equal Protection	No search occurred.
Code Enforcement searches lack due process confines in area and duration.	Privacy Property Due Process Equal Protection	No search occurred.
There is no procedural due process to challenge the City's decision to search.	Privacy Property Due Process Equal Protection	No search occurred.
Ingleside Terraces Neighborhood sidewalks are 6 ft. wide. It is a fact that the Ingleside Terraces neighborhood has 6-ft sidewalks and a 9-ft public utility easement (*private* right-of-way):[136] (1) the	Liberty Property Due Process Equal Protection	Ingleside Terraces Neighborhood sidewalks are 15 ft. wide.

[136] The Law distinguishes between *public* and *private* rights-of-ways as held by CA Court of Appeals in *County of Sacramento v. Pacific Gas & Elec. Co.*, 193 Cal. App. 3d 300 – Cal: Court of Appeal, 3rd Appellate Dist. 1987:

> "Long ago our Supreme Court made clear the difference between public and private rights of way: 'Public ways, as applied to ways by land, are usually termed "highways" or "public roads," and are such ways as every citizen has a right to use. A private way relates to that class of easements in which a particular person, or particular

Fact	Injury from deprivation of:	City's Challenge
sidewalks measure 6-feet in width, (2) the 2024 Boundary Exhibit for our property, Exhibit O, confirms the 6-foot width of the sidewalks and adjacent location of the 9-foot easement, CA Gov. Code §66475,[137] and (3) Ingleside Terraces photographs *circa* 1912-1915 from SF Public Library History Center confirm 6-foot sidewalks with an adjacent private easement housing the public utility streetlights (image 1, image 2, image 3, image 4, image 5, image 6).		
The 1903[138] and 1910 ordinances established 15-ft sidewalks for the Lakeside Neighborhood, when the land in question was *not* a neighborhood but was rather the Ingleside Racetrack.[139]	Liberty Property Due Process Equal Protection	The 1903[140] and 1910 ordinances established 15-ft sidewalks for the Ingleside Terraces Neighborhood.
Ingleside Terraces properties have a private	Liberty Property	The City owns the Ingleside Terraces private

description or class of persons, have an interest or right as distinguished from the general public.'"

[137] "There may be imposed by local ordinance a requirement of dedication or irrevocable offer of dedication of real property within the subdivision for streets, alleys, including access rights and abutter's rights, drainage, public utility easements and other public easements."

[138] The Clerk of the Board of Supervisors confirmed that the 1903 document referenced by DPW was "destroyed in the 1906 earthquake and resulting fire."

[139] The Ingleside Racetrack was not purchased by the Urban Realty Improvement Co. until 1911 and the Subdivision Map for the 792-house lots of Ingleside Terraces Neighborhood was not notarized by the City until April 24, 1912, Exhibits R, S. And the Lakeview Neighborhood streets listed in ordinance 1098, Exhibit P, are confirmed by the Lakeview Subdivision Map from 1908, Exhibit Q.

[140] The Clerk of the Board of Supervisors confirmed that the 1903 document referenced by DPW was "destroyed in the 1906 earthquake and resulting fire."

Fact	Injury from deprivation of:	City's Challenge
easement for public utility listed in Property Titles: (1) E.J. Morser's 1912 Subdivision Map of Ingleside Terraces' 792-house lots confirms the presence of the easement for a "sub-surface sewer right of way," Exhibits R, S, (2) the Historic Sanborn Map of our property shows water pipes located in the Public Utility Easement confirming the purpose of the private easement is for public utility, Exhibit C, and (3) California Land Title Association (CTLA) Report describes only one Easement, reserved for Public Utility, dated September 18, 1922, Exhibit B, CA Evidence Code §662,[141] evidence also confirming the City's conversion of a private easement into a City-owned unpaved sidewalk, (void any public purpose), as fact.	Due Process Equal Protection	easement as an unpaved sidewalk, [which is conversion].
The front setback is located at the front-edge of the property.	Liberty Property Due Process Equal Protection	The front setback is located in the middle of the yard.
Our fence complies with municipal code.	Liberty Property Due Process Equal Protection	Code violations exist.
Our arbor/solarium complies with municipal code.	Liberty Property Due Process Equal Protection	Code violations exist.

[141] "The owner of the legal title to property is presumed to be the owner of the full beneficial title."

Fact	Injury from deprivation of:	City's Challenge
Our fire table complies with municipal code confirmed by Plumbing Permit #PW20150706557 "NEW GAS LINE FROM METER TO FIRE PIT" approved on 8/25/2015	Liberty Property Due Process Equal Protection	Code violations exist.
Our fence is safe property.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property.
Our arbor/solarium is safe property.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property.
Our fire table is safe property.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property.
DBI violation notice is for a fence that adheres to building and safety code violating procedural due process.	Liberty Property Due Process Equal Protection	Code violations exist.
Planning violation notices are for an arbor/solarium that adheres to planning, building, and safety code violating procedural due process.	Liberty Property Due Process Equal Protection	Code violations exist.
DPW violation notices are for a non-existent unpaved sidewalk violating procedural due process.	Liberty Property Due Process Equal Protection	Code violations exist.
DBI violation notice is for a safe fence that benefits the public violating substantive due process.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are

Fact	Injury from deprivation of:	City's Challenge
		adequate to *convict for* unsafe property.
Planning violation notices are for a safe arbor/solarium that benefits the public violating substantive due process.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property.
DPW violation notices are for a private easement for which DPW has no jurisdiction violating substantive and procedural due process.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property.
Administrative proceedings lack jurisdiction to cure unconstitutional searches and unlawful violation notices violating procedural due process.	Liberty Property Due Process Equal Protection	Administrative proceedings have jurisdiction to cure unconstitutional searches and unlawful violation notices.
Administrative proceedings lack a neutral judge as the City Attorney is both judge and respondent violating procedural due process.	Liberty Property Due Process Equal Protection	[Administrative proceedings maintain a neutral judge as the City Attorney is not both judge and respondent.]
Falsified evidence was submitted by code enforcement agents during administrative proceedings (Sixth Cause of Action) violating procedural due process.	Liberty Property Due Process Equal Protection	[No falsified evidence was submitted by code enforcement agents during administrative proceedings OR code enforcement agents can submit falsified evidence because they have immunity.]
Administrative-proceeding outcomes are ignorant of evidence, convicting innocent citizens in violation of substantive and procedural due process.	Liberty Property Due Process Equal Protection	[Administrative proceeding outcomes are not ignorant of evidence, so no innocent citizens are convicted.]
The City Attorney's management of code	Privacy Liberty	[The City Attorney's management of code

Fact	Injury from deprivation of:	City's Challenge
enforcement centered on fines and fees for non-existent crime rather than centered on property safety, creates a financial interest in searches, violation notices, city claims, and administrative proceeding outcomes violating substantive and procedural due process.	Property Due Process Equal Protection	enforcement is not centered on fines and fees for non-existent crime so there is no financial interest in the fines and fees resulting from searches, violation notices, city claims, and administrative proceeding outcomes.]
Our family's fundamental interest is in safe property, not being convicted of a non-existent crime, and due process protection of innocence.	Privacy Liberty Property Due Process Equal Protection	The Plaintiff/Petitioner's interest is in maintaining unsafe property, getting away with maintaining unsafe property, and harming the public interest.
No unsafe property exists to justify code enforcement's deprivation of privacy, liberty, and property.	Privacy Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property to justify code enforcement's deprivation of privacy, liberty, and property (irrespective of innocence).

TABLE OF CONTESTED LAW

Rule of Law	**Injury from deprivation of:**	**City's Challenge**
Government searches are *not* negated by lack of trespass.	Privacy Property Due Process Equal Protection	Government searches are negated by lack of trespass.
Government searches are *not* negated by the type of evidence seized in a search.	Privacy Property Due Process Equal Protection	Government searches are negated based on the type of evidence seized.
Government searches for evidence of property crime or behavioral crime both deprive fundamental interests of privacy and property.	Privacy Property Due Process Equal Protection	Code enforcement searches are not searches and thus do not deprive fundamental interests.
Code Enforcement officers have discretion to search or not search a property. Code Enforcement officers do *not* have discretion to conduct unconstitutional searches. Code Enforcement officers have a mandatory duty to comply with our Constitutions and Laws.	Privacy Property Due Process Equal Protection	Code Enforcement Officers have immunity to violate the Constitutions and State Law.
Code enforcement agent's choice to conduct an unconstitutional search and seizure violates that employee's mandatory duty.	Privacy Property Due Process Equal Protection	[No searches occurred so there is no violation of a government agent's legal duty] And Code Enforcement Officers have immunity to violate the Constitutions and State Law
The City Attorney's authorization of unconstitutional searches	Privacy Property Due Process Equal Protection	[No searches occurred so there is no violation of Attorney's legal duty.]

Rule of Law	Injury from deprivation of:	City's Challenge
and seizures violates City Attorney's legal duty.		
Allegations, convictions, and sentencing (violation notices) for safe property violate both substantive and procedural due process to deprive citizens of their fundamental rights of liberty and property.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property (irrespective of innocence).
Code Enforcement officers have discretion to issue or not issue a violation notice. Code Enforcement officers do *not* have discretion to issue unlawful violation notices. Code Enforcement officers have a mandatory duty to comply with our Constitutions and Laws.	Liberty Property Due Process Equal Protection	Code Enforcement Officers have immunity to violate the Constitutions and State Law
Code enforcement agent's choice to issue a violation notice for safe property violates that employee's mandatory duty.	Liberty Property Due Process Equal Protection	Code Enforcement Officers have immunity to violate the Constitutions and State Law.
The City Attorney's authorization of unlawful violation notices for safe property violates City Attorney's legal duty.	Liberty Property Due Process Equal Protection	No evidence of unsafe property is needed because *alleged* code violations are adequate to *convict for* unsafe property (irrespective of innocence).
It is unlawful to require a permit to follow the law.[142]	Liberty Property	A permit is required to maintain safe property.

[142] (1) requiring a permit to follow the law transforms the State's "self-executing" mandatory duty of CA Civil Code §1714(a) and mandatory duty of Substantive Due Process to uphold the public interest in safe property, into a City's discretionary decision to bar the mandatory-duty-to-maintain-safe-property by denying a permit to maintain safe property, defying Preemption and violating CA Constitution Section 7 of Article XI, "A county or city may make and enforce within its limits all local,

Rule of Law	Injury from deprivation of:	City's Challenge
	Due Process Equal Protection	
An unpaved City sidewalk leading to nowhere with a fence obstructing the paved sidewalk from the unpaved side violates CA Building Code,[143] SF Public Works Code,[144] and SF Administrative Code[145] governing sidewalks, and violates Adverse Possession Law[146] and Constitutional	Liberty Property Due Process Equal Protection	An unpaved City sidewalk leading to nowhere with a fence obstructing the paved sidewalk from the unpaved side is lawful.

police, sanitary, and other ordinances and regulations not in conflict with general laws." (2) The Federal Supreme Court further holds that it is unlawful to require a permit to maintain safe property and follow the law: "A state may not impose a charge for the enjoyment of a right granted by the Federal Constitution… a person cannot be compelled 'to purchase, through a license fee or a license tax, the privilege freely granted by the constitution.'[9] Blue Island v. Kozul, 379 Ill. 511, 519, 41 N.E.2d 515," *Murdock v. Pennsylvania*, 319 US 105 - Supreme Court 1943. And (3) requiring *permission* from the City to follow municipal codes and State and Constitutional Laws requiring safe property exceeds the jurisdiction and authority of Code Enforcement officers who are only endowed with "enforcement authority for health, safety, and welfare requirements," CA Penal Code §829.5, *not* authority to criminalize safe property by requiring a permit to maintain safe property.

[143] CA Building Code (2022) 1113A.1 mandates sidewalk "surfaces shall be stable, firm and slip resistant."

[144] SF Public Works Code §703 mandates sidewalks "shall be of concrete," §703.1 "brick, quarry-tile, exposed concrete aggregate, or other commonly-used sidewalk paving material." SF Public Works Code §723 legislates "It shall be unlawful for any person, firm or corporation, to pile, cap, or otherwise obstruct or place obstructions or encroachments upon, above, or below, any public right-of-way."

[145] SF Admin. Code §80.4 legislates "Any thing or condition that obstructs the public way or commons is a public nuisance. Such public nuisances are prohibited within the City and no person shall create or participate in the creation or maintenance of such a public nuisance."

[146] The City *cannot, by Law*, claim adverse possession of land that was not being devoted to a public purpose during the period that the City claimed to be an adverse possessor, as "[immunity] doctrine does not extend to subdivisions of the Commonwealth like counties or municipal governments when land is not being used for a public purpose. *Galdo* holds that leaving land vacant for potential future use does not count as such a public purpose for adverse possession purposes," (Harvard's Joseph Singer referencing *City of Philadelphia v. Galdo*, 217 A. 3d 811 - Pa: Supreme Court 2019) | Singer J. "Adverse possession available against city when land was not being used for a public purpose." Harvard Law School. August 18, 2020. https://faculty.law.harvard.edu/joseph-singer/2020/08/18/adverse-possession-

Rule of Law	Injury from deprivation of:	City's Challenge
Law[147] governing private property.		

available-against-city-when-land-was-not-being-used-for-a-public-purpose/. Accessed in 2024, 4/3/2025, and 1/24/26).

[147] (1) Fifth Amendment, "no person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation;" (2) Fourteenth Amendment, "nor shall any State deprive any person of life, liberty, or property, without due process of law;" and (3) CA Constitution Article I §7(a), "A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws."

ARGUMENT FOR RELIEF

I. Code Enforcement Agents' legal duty preserves due process, equal protection, and fundamental rights

CA Penal Code §829.5 and our Constitutions outline the 'mandatory duties of a Code Enforcement agent,' CA Civil Code §1714(a):[148] The City's Code Enforcement Officers have "enforcement authority for health, safety, and welfare requirements," for which they must (1) conduct only lawful searches/seizures with substantive due process of a probable cause of unsafe property, with procedural due process of a warrant or consent, with due process confines in area and duration, and with procedural due process hearing to challenge the lawfulness of such a search/seizure, and must (2) file only lawful violation notices (allegation – conviction – sentencing for property crime) which must be predicated only on evidence of

[148] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

unsafe property, SF Administrative Code §80.5,[149] SF Building Code §102A.[150]

Code Enforcement officers have discretion to search or not search a property; Code Enforcement officers do *not* have discretion to conduct unconstitutional searches - Code Enforcement officers have a mandatory duty to comply with our Constitutions and Laws. And second, Code Enforcement officers have discretion to issue or not issue a violation notice; Code Enforcement officers do *not* have discretion to issue unlawful violation notices - Code Enforcement officers have a mandatory duty to comply with our Constitutions and Laws.

[149] *Evidence of unsafe property* is a mandatory provision of a violation notice: "Where the Director determines that any condition constitutes a blighted property, the Director shall issue a notice of violation to the property owner. At the time the notice of violation is issued, the Director shall take one or more photographs of the property showing the blighted conditions... The photographs shall be dated and retained as a part of the file for the violation… The burden of proof to establish that the property is blighted shall be on the City. The owner shall be entitled to present evidence and demonstrate that his or her property is not blighted."

[150] E*vidence of unsafe property* is a mandatory provision of a violation notice: "When the Building Official observes or otherwise determines any condition which renders the building, structure or property unsafe, the Building Official shall, within 15 days, serve a Notice of Municipal Code Violation ("NOV") upon the building owner… The NOV shall identify [] the violations which render the building, structure or property unsafe," SFBC §102A.4.

SF Code Enforcement agents violate the Fourth,[151] Fifth[152] and Fourteenth[153] Amendments, and CA Constitution Article I §7(a),[154] when they willfully deny due process and equal protection by (1) conducting government searches without substantive due process of probable cause of unsafe property, without procedural due process of warrant or consent, and without due process confines in area and duration, by (2) falsifying evidence to allege, convict, and sentence innocent citizens for maintaining safe property, by (3) falsifying evidence to convert private property to a City-owned unpaved sidewalk leading to nowhere to further deprive citizens their liberty and property (dominion | privacy), by (4) convicting some safe property without convicting all safe property in violation of equal protection, and by (5) maintaining a categorical deficiency of due process to challenge Code Enforcement searches and refute Code Enforcement convictions for non-existent crime a further violation of equal protection, which are federal crimes, 18 U.S.C. § 242, 18 U.S.C. §241, 18 U.S. Code §1962, and State crimes, CA

[151] "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

[152] "No person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation."

[153] "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

[154] "A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws."

Civil Code §52.1, establishing City and County liability for profound injury from unlawful deprivation of fundamental rights of due process, equal protection, liberty, and property (dominion | privacy) without any valid government interest in public safety, CA Evidence Code §668,[155] CA Evidence Code §669,[156] 18 U.S. Code §242,[157] 18 U.S.C. §241,[158] 42 U.S. Code §1983,[159] 42 U.S.

[155] "An unlawful intent is presumed from the doing of an unlawful act."

[156] 'The failure of a code enforcement agent to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[157] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[158] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[159] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

Code §1981,[160] 42 U.S. Code §1985,[161] 18 U.S. Code §1962,[162] and CA Civil Code §52.1.[163]

II. Attorney's legal duty preserves due process, equal protection, and fundamental rights

CA Business and Professions Code §6068 outlines the "mandatory duties of an attorney," CA Civil Code §1714(a):[164] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are

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[160] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[161] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[162] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[163] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

[164] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

CA Business and Professions Code §6068 mandates "it is the duty of an attorney to do all of the following…" CA Business and Professions Code §6068 does *not* state that "the following" are discretionary duties that an attorney may exercise or not as they choose.

And an attorney commits malpractice when they breach their statutorily prescribed mandatory duty, CA Evidence Code §668,[165] CA Evidence Code §669,[166] 18 U.S. Code §242,[167] 18

[165] "An unlawful intent is presumed from the doing of an unlawful act."

[166] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[167] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

U.S.C. §241,[168] 42 U.S. Code §1983,[169] 42 U.S. Code §1985,[170] 18 U.S. Code §1962,[171] and CA Civil Code §52.1,[172] and *Zamora v. Clayborn Contracting Group, Inc.*, 47 P. 3d 1056 - Cal: Supreme Court 2002's holding that "'conduct falling below the professional standard of care [] is not therefore excusable. To hold otherwise would be to eliminate the express statutory requirement of

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[168] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[169] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[170] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[171] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[172] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

excusability and effectively eviscerate the concept of attorney malpractice.'"

III. Government attorney's legal duty further preserves due process, equal protection, and fundamental rights

In addition to the legal duties of an attorney, a *city* attorney, as a public official of local government, has additional "mandatory duties" to protect due process, CA Government Code §815.6,[173] by 'not making, participate in making, or in any way attempting to use the City Attorney's official position to influence a government (Code Enforcement) decision in which the City Attorney knows or has reason to know the City Attorney has a financial interest,' CA Government Code §87100.

And being a public official of local government further solidifies as mandatory the City Attorney's duty to follow constitutional provisions, CA Government Code §815.6, as our Supreme Court has consistently held: "Article I, section 26 of the California Constitution states: 'The provisions of this Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise.' Under this provision, 'all branches of government are required to comply with constitutional directives,'" *Katzberg v. Regents of University of*

[173] "Where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty."

Cal., 58 P. 3d 339 - Cal: Supreme Court 2002. And "if the Government becomes a law-breaker, it breeds contempt for law, it invites everyman to become a law unto himself; it invites anarchy," *People v. Cahan*, 282 P. 2d 905 - Cal: Supreme Court 1955.

Therefore, a government attorney commits malpractice, CA Evidence Code §668,[174] CA Evidence Code §669,[175] 18 U.S. Code §242,[176] 18 U.S.C. §241,[177] 42 U.S. Code §1983,[178] 42 U.S. Code

[174] "An unlawful intent is presumed from the doing of an unlawful act."

[175] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[176] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[177] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[178] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

§1981,[179] 42 U.S. Code §1985,[180] 18 U.S. Code §1962,[181] and CA Civil Code §52.1,[182] when they breach their mandatory duty statutorily prescribed by CA Business and Professions Code §6068,[183] CA Civil Code §1714(a),[184] and CA State Bar Rules of

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[179] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[180] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[181] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[182] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

[183] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[184] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

Professional Conduct 8.4,[185] including and especially the protection and preservation of fundamental rights of due process, equal protection, liberty, and property (dominion | privacy) mandatorily prescribed by Fourth, Fifth, and Fourteenth Amendments, CA Constitution Section 7 of Article I, and CA Government Code §§ 87100, 87103, which also establishes government liability for such breach of duty, 42 U.S. Code §1983,[186] 42 U.S. Code §1981,[187] 42 U.S. Code §1985,[188] 18 U.S.

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[185] "It is professional misconduct for a lawyer to: (a) violate these rules or the State Bar Act, knowingly* assist, solicit, or induce another to do so, or do so through the acts of another; (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud,* deceit, or reckless or intentional misrepresentation; (d) engage in conduct that is prejudicial to the administration of justice; (e) state or imply an ability to influence improperly a government agency or official, or to achieve results by means that violate these rules, the State Bar Act, or other law; or (f) knowingly* assist, solicit, or induce a judge or judicial officer in conduct that is a violation of an applicable code of judicial ethics or code of judicial conduct, or other law."

[186] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[187] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[188] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

Code §1964,[189] CA Government Code §815.6,[190] and CA Civil Code §52.1.[191] and establishes attorney-license liability, "the commission of any act involving moral turpitude, dishonesty or corruption, whether the act is committed in the course of his relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, constitutes a cause for disbarment or suspension [and] conviction thereof in a criminal proceeding is not a condition precedent to disbarment or suspension from

[189] "Any person injured in his business or property by reason of a violation of section 1962 of this chapter [it shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise] may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee."

[190] "Where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty."

[191] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

practice therefor," CA BPC 6106, 18 U.S. Code §242,[192] 18 U.S.C. §241,[193] 18 U.S. Code §1962.[194]

III. Managing a government program that deprives fundamental rights violates an attorney's legal duty

The San Francisco City Attorney manages Code Enforcement (https://sfcityattorney.org/code/). The purpose of Code Enforcement is to fulfill the public interest in safe property to prevent disease, injury, and death, which is the Substantive Due Process[195] mandatory-provision of the Fourth, Fifth, and Fourteenth Amendments, and CA Constitution Section 7 of Article I. However, the City Attorney authorizes (1) *individual*, *very personal*, *unlimited in scope*, *searches for evidence of a crime*

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[192] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[193] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[194] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[195] *Camara v. Municipal Court of City and County of San Francisco*, 387 US 523 - Supreme Court 1967: "The primary governmental interest at stake is to prevent even the unintentional development of conditions which are hazardous to public health and safety."

(deprivation of privacy and property) without substantive due process of probable cause of a public interest, without procedural due process of consent or warrant, without any due process confines in area and duration, and without any procedural due process to challenge the decision to search (deprivations of due process and equal protection); and the City Attorney authorizes (2) legally irrational violation notices, *allegation* (deprivation of liberty), *conviction* (deprivation of liberty), *sentencing* (deprivation of property) *for safe property*, predicated on false claims, predicated on an absence of any evidence of a building or safety code violation, predicated on the absence of any evidence of unsafe property, predicated on a non-existent public right-of-way, resulting from unconstitutional searches of private property to unlawfully seize knowledge of conditions of that property, and with a categorical deficiency of due process to refute the charges of property crime, condemning citizens guilty-until-proven-innocent with no opportunity to prove innocence (deprivations of due process and equal protection) causing profound harm.

The City Attorney (1) violates the Fourth, Fifth, and Fourteenth Amendments, and CA Constitution Section 7 of Article I, when they, without any public-safety interest in the deprivation, authorize deprivation of fundamental rights of property (dominion | privacy), liberty, due process, and equal protection through unconstitutional code-enforcement searches, unlawful violation notices with a categorical deficiency of substantive due process, procedural due process, and equal protection. The City Attorney's Code Enforcement also (2)

violates CA Government Code §§ 87100, 87103 by (a) extracting fees for *alleged property crime* mandating permits, hearings, variances, and abatements which in this case alone has exceeded $165,354.25 for *following the law and maintaining safe property*, Exhibit M, and (b) converting private property to City property without any public purpose and in violation of Constitutional and property law, ensuring a financial interest in Code Enforcement's searches/seizures and violation notices (convictions), decisions which have a material effect on the departments of Building, Planning, and Public Works under the City Attorney's management (https://sfcityattorney.org/code/). These violations of an attorney's mandatory duty, CA Business and Professions Code §6068,[196] CA Civil Code §1714(a),[197] and violations of CA State Bar Rules of Professional Conduct 8.4,[198] are also 'the commission

[196] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[197] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[198] "It is professional misconduct for a lawyer to: (a) violate these rules or the State Bar Act, knowingly* assist, solicit, or induce another to do so, or do so through the acts of another; (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud,* deceit, or reckless or intentional misrepresentation; (d) engage in conduct that is prejudicial to the administration of justice; (e) state or imply an ability to influence improperly a government agency or official, or to achieve results by means that violate these rules, the State Bar Act, or other law; or (f) knowingly* assist, solicit, or induce a judge or judicial officer in conduct that

of an act involving moral turpitude, dishonesty or corruption constituting a cause for disbarment or suspension,' CA BPC §6106,[199] and are federal crimes, 18 U.S. Code §242,[200] 18 U.S.C. §241,[201] 18 U.S. Code §1962,[202] constituting malpractice, CA Civil Code §1714(a),[203] CA Evidence Code §668,[204] CA Evidence Code §669,[205] which also establish municipal liability, 42 U.S. Code

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is a violation of an applicable code of judicial ethics or code of judicial conduct, or other law."

[199] "The commission of any act involving moral turpitude, dishonesty or corruption, whether the act is committed in the course of his relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, constitutes a cause for disbarment or suspension [and] conviction thereof in a criminal proceeding is not a condition precedent to disbarment or suspension from practice therefor."

[200] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[201] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[202] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[203] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[204] "An unlawful intent is presumed from the doing of an unlawful act."

[205] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his

§1983,[206] 42 U.S. Code §1981,[207] 42 U.S. Code §1985,[208] 18 U.S. Code §1964,[209] CA Government Code §815.6,[210] CA Civil Code §52.1.[211]

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person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[206] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[207] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[208] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[209] "Any person injured in his business or property by reason of a violation of section 1962 of this chapter [it shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise] may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee."

[210] "Where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty."

[211] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory

IV. Ratifying a government program that deprives fundamental rights violates an attorney's legal duty

The San Francisco City Attorney participates in Code Enforcement proceedings by providing legal counsel to the Board of Appeals, to the Abatement Appeals Board, and for City Claims, https://sfcityattorney.org/aboutus/legal-teams/. And when the City Attorney's management of Code Enforcement is the subject of a City Claim or a hearing at the Board of Appeals or Abatement Appeals Board, the City Attorney's legal counsel to the Judge of that claim/hearing allows the City Attorney to occupy two practically and seriously inconsistent positions as both respondent and judge negating due process and violating the mandatory duty of an attorney to follow the Constitutions, CA law, and State Bar Rules of Professional Conduct,[212] as fundamentally held by *Tumey v. Ohio*, 273 US 510 - Supreme

relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

[212] Rule 8.4(d): "It is professional misconduct for a lawyer to engage in conduct that is prejudicial to the administration of justice."

Court 1927,[213] CA CCP §1094.5,[214] and CA Gov. Code §§ 87100,[215] 87103.[216]

The City Attorney (https://sfcityattorney.org/aboutus/legal-teams/) (1) violates the Fifth and Fourteenth Amendments, and CA Constitution Section 7 of Article I, when they provide legal counsel to the Board of Appeals, the Abatement Appeals Board, and for City Claims to (a) ratify their own Code Enforcement's deprivation of fundamental rights of property (dominion | privacy), liberty, due process, and equal protection from unconstitutional code enforcement searches, unlawful violation notices, and categorical deficiency of due process, and to (b) occupy two practically and seriously inconsistent positions as both respondent and judge negating due process. And the City Attorney (2) further violates CA Government Code §87100 when that City Attorney ratifies their management of Code

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[213] "A situation in which an official perforce occupies two practically and seriously inconsistent positions, one partisan and the other judicial, necessarily involves a lack of due process of law in the trial of defendants charged with crimes before him."

[214] "The inquiry in such a case shall extend to the questions whether there was a fair trial, and whether there was any prejudicial abuse of discretion. Abuse of discretion is established if the respondent has not proceeded in the manner required by law."

[215] "A public official at any level of state or local government shall not make, participate in making, or in any way attempt to use the public official's official position to influence a governmental decision in which the official knows or has reason to know the official has a financial interest."

[216] "A public official has a financial interest in a decision within the meaning of Section 87100 if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on any business entity in which the public official is a director, officer, partner, trustee, employee, or holds any position of management."

Enforcement by providing legal counsel for City Claims about Code Enforcement, by providing legal counsel for Board of Appeals' decisions about Code Enforcement, and by providing legal counsel for Abatement Appeals Board's decisions about Code Enforcement, decisions which have a material effect on the departments of Building, Planning, and Public Works under the City Attorney's management (https://sfcityattorney.org/code/). These violations of an attorney's mandatory duty, CA Business and Professions Code §6068,[217] CA Civil Code §1714(a),[218] and violations of CA State Bar Rules of Professional Conduct 8.4,[219] are also 'the commission of an act involving moral turpitude,

[217] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[218] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[219] "It is professional misconduct for a lawyer to: (a) violate these rules or the State Bar Act, knowingly* assist, solicit, or induce another to do so, or do so through the acts of another; (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud,* deceit, or reckless or intentional misrepresentation; (d) engage in conduct that is prejudicial to the administration of justice; (e) state or imply an ability to influence improperly a government agency or official, or to achieve results by means that violate these rules, the State Bar Act, or other law; or (f) knowingly* assist, solicit, or induce a judge or judicial officer in conduct that is a violation of an applicable code of judicial ethics or code of judicial conduct, or other law."

dishonesty or corruption constituting a cause for disbarment or suspension,' CA BPC §6106,[220] and are federal crimes, 18 U.S. Code §242,[221] 18 U.S.C. §241,[222] 18 U.S. Code §1962,[223] constituting malpractice, CA Civil Code §1714(a),[224] CA Evidence Code §668,[225] CA Evidence Code §669,[226] which also establish

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[220] "The commission of any act involving moral turpitude, dishonesty or corruption, whether the act is committed in the course of his relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, constitutes a cause for disbarment or suspension [and] conviction thereof in a criminal proceeding is not a condition precedent to disbarment or suspension from practice therefor."

[221] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[222] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[223] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[224] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[225] "An unlawful intent is presumed from the doing of an unlawful act."

[226] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

municipal liability, 42 U.S. Code §1983,[227] 42 U.S. Code §1981,[228] 42 U.S. Code §1985,[229] 18 U.S. Code §1964,[230] CA Government Code §815.6,[231] CA Civil Code §52.1.[232]

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[227] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[228] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[229] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[230] "Any person injured in his business or property by reason of a violation of section 1962 of this chapter [it shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise] may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee."

[231] "Where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty."

[232] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

V. Defending a government program that deprives fundamental rights violates an attorney's legal duty

First, because truth (the foundation of democracy) is the exclusive asset of justice, injustice can only be defended with falsification of evidence/law (negating due process), in violation of an attorney's legal duty as evidenced by the City Attorney's defense of their Code Enforcement (which deprives fundamental rights) during both the City's administrative hearings as well as during trial court proceedings.

It is a fact that the Ingleside Terraces neighborhood has 6-ft sidewalks and a 9-ft public utility easement (*private* right-of-way):[233] (1) the sidewalks measure 6-feet in width, (2) the 2024 Boundary Exhibit for our property, Exhibit O, confirms the 6-foot width of the sidewalks and adjacent location of the 9-foot easement, CA Gov. Code §66475,[234] (3) E.J. Morser's 1912 Subdivision Map of Ingleside Terraces' 792-house lots confirms

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[233] The Law distinguishes between *public* and *private* rights-of-ways as held by CA Court of Appeals in *County of Sacramento v. Pacific Gas & Elec. Co.*, 193 Cal. App. 3d 300 – Cal: Court of Appeal, 3rd Appellate Dist. 1987:

> "Long ago our Supreme Court made clear the difference between public and private rights of way: 'Public ways, as applied to ways by land, are usually termed "highways" or "public roads," and are such ways as every citizen has a right to use. A private way relates to that class of easements in which a particular person, or particular description or class of persons, have an interest or right as distinguished from the general public.'"

[234] "There may be imposed by local ordinance a requirement of dedication or irrevocable offer of dedication of real property within the subdivision for streets, alleys, including access rights and abutter's rights, drainage, public utility easements and other public easements."

the presence of the easement for a "sub-surface sewer right of way," Exhibits R, S, (4) the Historic Sanborn Map of our property shows water pipes located in the Public Utility Easement confirming the purpose of the private easement is for public utility, Exhibit C, (5) Ingleside Terraces photographs *circa* 1912-1915 from SF Public Library History Center confirm 6-foot sidewalks with an adjacent private easement housing the public utility streetlights (image 1, image 2, image 3, image 4, image 5, image 6), and (5) California Land Title Association (CTLA) Report describes only one Easement, reserved for Public Utility, dated September 18, 1922, Exhibit B, CA Evidence Code §662;[235] (evidence also confirming the City's conversion of a private easement into a City-owned unpaved sidewalk (void any public purpose) as fact).

However, during Board of Appeals' hearings, the Respondent DPW falsely claimed that the Ingleside Terraces' 6-ft sidewalk and 9-ft private easement were *instead* a 15-ft sidewalk of which 9-ft was unpaved and leading to nowhere, and with a fence obstructing the paved from the unpaved side.[236] DPW's

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[235] "The owner of the legal title to property is presumed to be the owner of the full beneficial title."

[236] DPW's Nicolas Huff, PE, Bureau Manager's brief (Exhibit AK) for the February 7, 2024, Board of Appeals' Hearing, *falsely asserts*:

> "The official sidewalk width for this portion of Ashton Ave. is 15 feet and was established by Ordinance 1098 on March 9, 1910. The sidewalk width along Holloway Ave. is 15 feet and was established in 1903… the official sidewalk width may or may not be paved with concrete. As can be seen in Figure 1(a), only a portion of the official 15 foot sidewalk on both Ashton and Holloway Avenues is paved and the remainder has been

purpose of converting the private easement into a City-owned unpaved sidewalk is to unlawfully mandate numerous permits relevant to sidewalks (*public* rights-of-way).[237] DPW's claim of an unpaved City sidewalk leading to nowhere with a fence obstructing the paved sidewalk from the unpaved side violates

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> occupied with various improvements associated with the fronting properties."

However, it is a fact that the 1903 ordinance (destroyed in the 1906 earthquake and resulting fire) and 1910 ordinance that DPW claimed established 15-ft sidewalks for the Ingleside Terraces Neighborhood, were created when the land in question was *not* a neighborhood but was rather the Ingleside Racetrack. The Ingleside Racetrack was not purchased by the Urban Realty Improvement Co. until 1911 and the Subdivision Map for the 792-house lots of Ingleside Terraces Neighborhood was not notarized by the City until April 24, 1912, Exhibits R, S. And the Lakeview Neighborhood streets listed in ordinance 1098, Exhibit P, are confirmed by the Lakeview Subdivision Map from 1908, Exhibit Q.

[237] DPW Kevin Li's February 3, 2022, emailed violation notice (Exhibit G) *falsely asserts*:

> "The Planning Department Zoning Variance (front setback variance) only applies to fences within your property line as specified in the variance decision document. Planning does not have jurisdiction in the public right-of-way. All other portions of the fence are located in the public right-of-way and subject to DPWs requirements. Thus, DPW's fence height and location requests supersede any other department.
>
> As I mentioned above, the public right-of-way is DPW's jurisdiction and subject to DPW requirements and thus supersedes Building Departments issuance of a 2015 plumbing permit for the gas fire table located in the right-of-way. Under that permit, you are only allowed to have the gas fire table within your property line. Since the gas fire table is currently not within your property line, you are required to acquire a building permit with plans and another plumbing permit to correct this.
>
> In addition, you are required to acquire a DPW General Excavation permit to remove the gas line and pergola and restore the right-of-way to City Standards."

CA Building Code,[238] SF Public Works Code,[239] and SF Administrative Code[240] governing sidewalks, and violates Adverse Possession Law[241] and Constitutional Law[242] governing private property. Despite DPW's legally irrational claims that also violate the law, (1) City Attorney Jen Huber misled the Board of Appeals (February 7, 2024 at 57 min, 38 sec): "according to City records, the land [private easement] is owned by the

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[238] CA Building Code (2022) 1113A.1 mandates sidewalk "surfaces shall be stable, firm and slip resistant."

[239] SF Public Works Code §703 mandates sidewalks "shall be of concrete," §703.1 "brick, quarry-tile, exposed concrete aggregate, or other commonly-used sidewalk paving material." SF Public Works Code §723 legislates "It shall be unlawful for any person, firm or corporation, to pile, cap, or otherwise obstruct or place obstructions or encroachments upon, above, or below, any public right-of-way."

[240] SF Admin. Code §80.4 legislates "Any thing or condition that obstructs the public way or commons is a public nuisance. Such public nuisances are prohibited within the City and no person shall create or participate in the creation or maintenance of such a public nuisance."

[241] The City *cannot, by Law*, claim adverse possession of land that was not being devoted to a public purpose during the period that the City claimed to be an adverse possessor, as "[immunity] doctrine does not extend to subdivisions of the Commonwealth like counties or municipal governments when land is not being used for a public purpose. *Galdo* holds that leaving land vacant for potential future use does not count as such a public purpose for adverse possession purposes," (Harvard's Joseph Singer referencing *City of Philadelphia v. Galdo*, 217 A. 3d 811 - Pa: Supreme Court 2019) | Singer J. "Adverse possession available against city when land was not being used for a public purpose." Harvard Law School. August 18, 2020. https://faculty.law.harvard.edu/joseph-singer/2020/08/18/adverse-possession-available-against-city-when-land-was-not-being-used-for-a-public-purpose/. Accessed in 2024, 4/3/2025, and 1/24/26).

[242] (1) Fifth Amendment, "no person shall be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation;" (2) Fourteenth Amendment, "nor shall any State deprive any person of life, liberty, or property, without due process of law;" and (3) CA Constitution Section 7 of Article I, "A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws."

City;" (2) Deputy City Attorney Thomas S. Lakritz misled the Federal trial Court with (a) Motion and Motion for Judgment on January 6, 2023, and with (b) Motion to Dismiss on April 25, 2023, and misled the Superior Court with (c) demurrer on August 30, 2023, and with (d) demurrer on January 2, 2024: "the public right-of-way extends 15' feet from the curb;" (3) Deputy City Attorney Raymond Rollan misled the Superior Court with demurrer on May 17, 2024: "the public right-of-way extends 15' feet from the curb;" and (4) Deputy City Attorney Brian F. Crossman misled the Superior Court with demurrer on December 19, 2024: "the Department of Public Works ("DPW") inspected the street frontage of Plaintiff's home, and discovered [] encroach[ments] into the public right of way… the public right-of-way extends 15 feet from the curb."

A City Attorney commits a crime against public justice when they falsify evidence such as claiming a 6-ft sidewalk is instead 15-ft which is a felony, CA Penal Code §134,[243] violating an attorney's mandatory duty, CA Business and Professions Code

[243] "Every person guilty of preparing any false or ante-dated book, paper, record, instrument in writing, or other matter or thing, with intent to produce it, or allow it to be produced for any fraudulent or deceitful purpose, as genuine or true, upon any trial, proceeding, or inquiry whatever, authorized by law, is guilty of felony."

§6068,[244] CA Civil Code §1714(a),[245] and violating CA State Bar Rules of Professional Conduct 8.4,[246] felony which is also 'the commission of an act involving moral turpitude, dishonesty or corruption constituting a cause for disbarment or suspension,' CA BPC §6106,[247] and are federal crimes, 18 U.S. Code §242,[248] 18

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[244] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[245] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[246] "It is professional misconduct for a lawyer to: (a) violate these rules or the State Bar Act, knowingly* assist, solicit, or induce another to do so, or do so through the acts of another; (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud,* deceit, or reckless or intentional misrepresentation; (d) engage in conduct that is prejudicial to the administration of justice; (e) state or imply an ability to influence improperly a government agency or official, or to achieve results by means that violate these rules, the State Bar Act, or other law; or (f) knowingly* assist, solicit, or induce a judge or judicial officer in conduct that is a violation of an applicable code of judicial ethics or code of judicial conduct, or other law."

[247] "The commission of any act involving moral turpitude, dishonesty or corruption, whether the act is committed in the course of his relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, constitutes a cause for disbarment or suspension [and] conviction thereof in a criminal proceeding is not a condition precedent to disbarment or suspension from practice therefor."

[248] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United

U.S.C. §241,[249] 18 U.S. Code §1962,[250] constituting malpractice, CA Civil Code §1714(a),[251] CA Evidence Code §668,[252] CA Evidence Code §669,[253] which also establish municipal liability, 42 U.S. Code §1983,[254] 42 U.S. Code §1981,[255] 42 U.S. Code

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States, shall be fined under this title or imprisoned not more than one year, or both."

[249] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[250] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[251] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[252] "An unlawful intent is presumed from the doing of an unlawful act."

[253] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[254] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[255] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

§1985,[256] 18 U.S. Code §1964,[257] CA Government Code §815.6,[258] CA Civil Code §52.1.[259]

And so far, the City Attorney has been allowed to submit falsified evidence to the trial courts to infuse bias and malfeasance to deny due process (for which Writ of Review was filed with the CA Supreme Court challenging the trial court's complicity with attorney malpractice, Case No: S295680), despite rule of law that "It is morally incongruous for the state to flout constitutional rights and at the same time demand that its

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[256] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[257] "Any person injured in his business or property by reason of a violation of section 1962 of this chapter [it shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise] may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee."

[258] "Where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty."

[259] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

citizens observe the law… any process of law that sanctions the imposition of penalties upon an individual through the use of the fruits of official lawlessness tends to the destruction of the whole system of restraints on the exercise of the public force that are inherent in the 'concept of ordered liberty,'" *People v. Cahan*, 282 P. 2d 905 - Cal: Supreme Court 1955.

Second, because due process is the purveyor of justice, injustice can only be championed through the annihilation of due process in violation of an attorney's legal duty, as evidenced by the City Attorney's defense of their Code Enforcement (which deprives fundamental rights) during trial court proceedings.

It is a fact that there is no procedural due process to challenge the constitutionality of Code Enforcement searches/seizures of private property, nor to refute Code Enforcement allegations, convictions, and sentencing for non-existent crime, as confirmed by Nicolas Huff, DPW Bureau Manager of Street-Use & Mapping, on June 13, 2022:

> "The application of the codes has been long established and isn't open to mediation. If you would like to pursue a legal avenue you can reach out to your representative with the Board of Supervisors for special Major Encroachment legislation. If legislation is not possible you can file for litigation with the City."

It is a fact that the administrative proceedings available lack jurisdiction[260] to cure unconstitutional searches/seizures and

[260] Board of Appeals answers questions about permits and Zoning Administrator decisions, SF City Charter §4.106, Abatement Appeals Board answers questions about abatements, SF Building Code §105A.2, and DBI

unlawful violation notices. It is a fact that because administrative proceedings lack jurisdiction, CA CCP §1094.5, to determine the constitutionality of City searches/seizures and lawfulness of violation notices, the proceedings *assume*-constitutional the City's searches/seizures and *assume*-lawful violation notices, *a presumption-of-guilt defying due process*, *Marshall v. Jerrico, Inc.*, 446 US 238 - Supreme Court 1980,[261] CA Penal Code §1096,[262] and establishing decisions ignorant of evidence, CA Penal Code §871,[263] CCP §1094.5,[264] (for which Writs of Mandate, CPF-24-518717 | CPF-25-518888 | CPF-25-519122 | CPF-25-519138, have been filed). It is a fact that because administrative proceedings lack jurisdiction to determine the constitutionality of City searches/seizures and the lawfulness

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Director's hearings answer questions about why mandated permits remain unresolved, SFBC §102A.5. None of these hearings have jurisdiction to determine if City searches are constitutional nor if violation notices are lawful.

[261] The Due Process Clause entitles a person to an impartial and disinterested tribunal in both civil and criminal cases. This requirement of neutrality in adjudicative proceedings safeguards the two central concerns of procedural due process, the prevention of unjustified or mistaken deprivations and the promotion of participation and dialogue by affected individuals in the decisionmaking process… ensuring that no person will be deprived of his interests in the absence of a proceeding in which he may present his case with assurance that the arbiter is not predisposed to find against him."

[262] "A defendant in a criminal action is presumed to be innocent until the contrary is proved."

[263] "If, after hearing the proofs, it appears either that no public offense has been committed or that there is not sufficient cause to believe the defendant guilty of a public offense, the magistrate shall order the complaint dismissed and the defendant to be discharged."

[264] "Abuse of discretion is established if the order or decision is not supported by the findings, or the findings are not supported by the evidence."

of violation notices, The Courts provide the *only* and *necessary* procedural due process required by our Constitutions to determine the constitutionality of these searches/seizures and the lawfulness of these violation notices.

(1 of 4) Because The Courts provide the only and necessary due process mandatorily required by both State and Federal Constitutions, filing a Motion to Dismiss and filing a Demurrer to completely annihilate due process to challenge the constitutionality of Code Enforcement searches/seizures and to refute the legality of Code Enforcement convictions for maintaining safe property is a federal crime, 18 U.S. Code §242,[265] 18 U.S.C. §241.[266]

(2 of 4) The City Attorney's deprivation of due process was evidenced with their March 6, 2025, counsel that 'in order for our family to file a Writ of Mandate we are required to pay the City and County of San Francisco $50,000 to $100,000 to prepare an administrative record with check sent c/o the City Attorney,' Exhibit VV, Exhibit XX, counsel which falsifies law to

[265] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[266] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

manufacture a financial barrier to due-process writ relief, a federal crime, 18 U.S. Code §242,[267] 18 U.S.C. §241.[268]

(3 of 4) On September 25, 2025 the City Attorney defaulted after invalidating their own stipulation ('that the City's "Notice of Entry of Order" allows the City 40 days to respond to an amended complaint') by not signing their own stipulation (Exhibit BQ), *Beck v. American Health Group Internat., Inc.*, 211 Cal. App. 3d 1555 - Cal: Court of Appeal, 2nd Appellate Dist., 7th Div. 1989.[269] However, after filing a post-default signature and after filing a post-default demurrer (fundamental deprivations/defiance of procedural due process constituting federal crime, 18 U.S. Code §242,[270] 18 U.S.C. §241,[271] the trial court erased the City's default

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[267] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[268] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[269] "Where it is part of the understanding between the parties that the terms of their contract are to be reduced to writing and signed by the parties, the assent to its terms must be evidenced in the manner agreed upon or it does not become a binding or completed contract."

[270] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[271] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in

in violation of CA CCP §473(a)(1)[272] (*Zamora v. Clayborn Contracting Group, Inc.*, 47 P. 3d 1056 - Cal: Supreme Court 2002)[273] by establishing precedent that (a) proper consent is not a required element of a lawful agreement/stipulation (contract), (b) judicial decisions can be predicated on evidence known to be false, (c) stipulations can falsify law, (d) the "mandatory duty" of the Court clerk to enter a default into the court record, CA CCP §471.5,[274] CA Rules of Court, Rule 3.110(g),[275] CA Rules of Court, Rule 5.401(a),[276] CA CCP §1085,[277] can be transformed into a

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the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[272] 'The court may *in furtherance of justice* enlarge the time for answer or demurrer. The court may likewise, in its discretion, allow upon any terms *as may be just*, an answer to be made after the time limited by this code.'

[273] "'conduct falling below the professional standard of care, such as failure [] to properly advance an argument, is not therefore excusable. To hold otherwise would be to eliminate the express statutory requirement of excusability and effectively eviscerate the concept of attorney malpractice.'"

[274] "The defendant shall answer the amendments, or the complaint as amended, within 30 days after service thereof, and judgment by default may be entered upon failure to answer."

[275] "If a responsive pleading is not served within the time limits specified in this rule and no extension of time has been granted, the plaintiff must file a request for entry of default within 10 days after the time for service has elapsed."

[276] "Upon proper application of the petitioner, the clerk must enter a default if the respondent or defendant fails within the time permitted to make an appearance [a response or answer] as stated in rule 5.62."

[277] "A writ of mandate may be issued by any court to any inferior tribunal, corporation, board, or person, to compel the performance of an act which the law specially enjoins, as a duty resulting from an office, trust, or station, or to compel the admission of a party to the use and enjoyment of a right or office to which the party is entitled, and from which the party is unlawfully precluded by that inferior tribunal, corporation, board, or person."

permissive power that a Court clerk may exercise or not as they choose, and (e) litigants are not entitled to a lawful default, precedent (judicial discretion) annihilating due process and obliterating rule of law.

(4 of 4) The City Attorney's negation of due process is evidenced by the City Attorney's defense of the City Attorney's management of Code Enforcement, establishing as client in this litigation *both* the City Attorney's management of Code Enforcement and their interest to criminalize safe property to deprive fundamental rights of liberty, property (dominion | privacy), due process, and equal protection, *and* the City and County of San Francisco and its interest to maintain safe property and prevent human disease, injury, and death, clients with directly adverse interests, *Flatt, supra*, 9 Cal.4th at p. 284, fn. 3, 36 Cal. Rptr.2d 537, 885 P.2d 950,[278] *San Francisco v. Cobra Solutions, Inc.*, 135 P. 3d 20 - Cal: Supreme Court 2006.[279] This unwaivable conflict-of-interest violates State Bar Rules of Professional Conduct because (A) competent and diligent representation cannot be provided to each client, CRPC

[278] "It is also an attorney's duty to protect his client in every possible way, and it is a violation of that duty for him to assume a position adverse or antagonistic to his client []. By virtue of this rule an attorney is precluded from assuming any relation which would prevent him from devoting his entire energies to his client's interests."

[279] "An attorney who seeks to simultaneously represent clients with directly adverse interests in the same litigation will be automatically disqualified."

1.7(d)(1),[280] as held by *Klemm v. Superior Court*, 75 Cal. App. 3d 893 - Cal: Court of Appeal, 5th Appellate Dist. 1977,[281] (B) the representation of the City Attorney's Code Enforcement interest to deprive fundamental rights of liberty, property (dominion | privacy), due process, and equal protection is prohibited by law CA BPC §6068(a),[282] 18 U.S. Code §242,[283] 18 U.S.C. §241,[284] CRPC 1.7(d)(2),[285] and (C) this representation involves the City and County of SF's claim that Code Enforcement should maintain safe property to prevent human disease, injury, and death, which fundamentally contradicts the City Attorney's claim that their

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[280] "Representation is permitted under this rule only if the lawyer reasonably believes* that the lawyer will be able to provide competent and diligent representation to each affected client."

[281] "As a matter of law a purported consent to dual representation of litigants with adverse interests at a contested hearing would be neither intelligent nor informed. Such representation would be per se inconsistent with the adversary position of an attorney in litigation, and common sense dictates that it would be unthinkable to permit an attorney to assume a position at a trial or hearing where he could not advocate the interests of one client without adversely injuring those of the other."

[282] "It is the duty of an attorney: (a) To support the Constitution and laws of the United States and of this state."

[283] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[284] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[285] "Representation is permitted under this rule only if the representation is not prohibited by law."

Code Enforcement can deprive fundamental rights of liberty, property (dominion | privacy), due process, and equal protection to criminalize safe property, CRPC 1.7(d)(3).[286] This unwaivable conflict-of-interest breaches the City Attorney's legal duty by mandating that *opposing counsel* (*this Plaintiff/Petitioner*), rather than the City Attorney, represent City and County of SF's interest in public safety and due process, a fundamental denial of due process constituting federal crime, 18 U.S. Code §242,[287] 18 U.S.C. §241.[288]

A City Attorney violates the Fourth, Fifth and Fourteenth Amendments, and CA Constitution Section 7 of Article I, when they deny due process by (1) representing conflicting interests in the same litigation, by (2) demurring the *only* available and *necessary* due process (to challenge code enforcement searches and violation notices), by (3) manufacturing financial barriers to accessing writ relief, by (4) submitting falsified evidence/law, by

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[286] "Representation is permitted under this rule only if the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal."

[287] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[288] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

(5) defying proper procedural due process, and by (6) defending municipal denial of due process from (a) government searches without substantive due process of probable cause, without procedural due process of warrant or consent, and without due process confines in area and duration, from (b) municipal convictions without any evidence of any crime, from (c) a categorical deficiency of due process to challenge government searches and municipal convictions, from (d) unfair proceedings with the City Attorney occupying two practically and seriously inconsistent positions as both judge and respondent, and from (e) the City Attorney's preservation of their financial interest in city searches/seizures, city convictions, city claims, and municipal proceedings negating due process. These violations of an attorney's mandatory duty, CA Business and Professions Code §6068,[289] CA Civil Code §1714(a),[290] and violations of CA State Bar Rules of Professional Conduct 8.4,[291] are also 'the commission

[289] "It is the duty of an attorney (a) To support the Constitution and laws of the United States and of this state; (c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just; (d) To employ those means only as are consistent with truth, and never to seek to mislead the judge or any judicial officer by an artifice or false statement of fact or law; (g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest; [and] (h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed."

[290] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[291] "It is professional misconduct for a lawyer to: (a) violate these rules or the State Bar Act, knowingly* assist, solicit, or induce another to do so, or do so through the acts of another; (b) commit a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer in other respects; (c) engage in conduct involving dishonesty, fraud,* deceit, or reckless or intentional misrepresentation; (d) engage in conduct that is

of an act involving moral turpitude, dishonesty or corruption constituting a cause for disbarment or suspension,' CA BPC §6106,[292] and are federal crimes, 18 U.S. Code §242,[293] 18 U.S.C. §241,[294] 18 U.S. Code §1962,[295] constituting malpractice, CA Civil Code §1714(a),[296] CA Evidence Code §668,[297] CA Evidence Code

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prejudicial to the administration of justice; (e) state or imply an ability to influence improperly a government agency or official, or to achieve results by means that violate these rules, the State Bar Act, or other law; or (f) knowingly* assist, solicit, or induce a judge or judicial officer in conduct that is a violation of an applicable code of judicial ethics or code of judicial conduct, or other law."

[292] "The commission of any act involving moral turpitude, dishonesty or corruption, whether the act is committed in the course of his relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, constitutes a cause for disbarment or suspension [and] conviction thereof in a criminal proceeding is not a condition precedent to disbarment or suspension from practice therefor."

[293] "Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Common wealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, shall be fined under this title or imprisoned not more than one year, or both."

[294] "If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same — They shall be fined under this title or imprisoned not more than ten years, or both."

[295] "It shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise."

[296] "Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person."

[297] "An unlawful intent is presumed from the doing of an unlawful act."

§669,[298] which also establish municipal liability, 42 U.S. Code §1983,[299] 42 U.S. Code §1981,[300] 42 U.S. Code §1985,[301] 18 U.S. Code §1964,[302] CA Government Code §815.6,[303] and CA Civil Code §52.1.[304]

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[298] 'The failure of an attorney to exercise due care is presumed if (1) they violated a statute; (2) the violation proximately caused injury to person or property; (3) the injury resulted from an occurrence of the nature which the statute was designed to prevent; and (4) the person suffering the injury to his person or property was one of the class of persons [innocent] for whose protection the statute was adopted.'

[299] "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

[300] "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens."

[301] "If one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation, against any one or more of the conspirators."

[302] "Any person injured in his business or property by reason of a violation of section 1962 of this chapter [it shall be unlawful for any person who has received any income derived from a pattern of racketeering activity or through collection of an unlawful debt, to use or invest any part of such income in the operation of any enterprise] may sue therefor in any appropriate United States district court and shall recover threefold the damages he sustains and the cost of the suit, including a reasonable attorney's fee."

[303] "Where a public entity is under a mandatory duty imposed by an enactment that is designed to protect against the risk of a particular kind of injury, the public entity is liable for an injury of that kind proximately caused by its failure to discharge the duty unless the public entity establishes that it exercised reasonable diligence to discharge the duty."

[304] "Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the

And so far, the City Attorney has been allowed to deny/defy due process during both municipal and trial court proceedings (for which Writ of Review was filed with the CA Supreme Court challenging the trial court's complicity with attorney malpractice, Case No: S295680), despite rule of law that "It is morally incongruous for the state to flout constitutional rights and at the same time demand that its citizens observe the law… any process of law that sanctions the imposition of penalties upon an individual through the use of the fruits of official lawlessness tends to the destruction of the whole system of restraints on the exercise of the public force that are inherent in the 'concept of ordered liberty,'" *People v. Cahan*, 282 P. 2d 905 - Cal: Supreme Court 1955.

VI. Jurisprudence that Property = Dominion + Privacy resolves the Fourth Amendment conflict within the courts, for which Writ of Certiorari to US Supreme Court is pending

Rather than ensure that Code Enforcement searches/seizures are constitutional, the City Attorney claims that Code Enforcement searches do not need to maintain any Constitutional protections because they do not qualify as

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Constitution or laws of this state, has been interfered with, or attempted to be interfered with, may institute and prosecute in their own name and on their own behalf a civil action for damages, injunctive relief, and other appropriate equitable relief to protect the peaceable exercise or enjoyment of the right or rights secured, including appropriate equitable and declaratory relief to eliminate a pattern or practice of conduct as described in subdivision (b)."

searches/seizures; s*ee* CA Supreme Court Case No: S295215[305] which is now in process for review by the US Supreme Court. This legal error causes profound harm to the public and is a catastrophic failure of democracy.

The Supreme Court, in direct contrast to the City Attorney's claims, established that 'observations of conditions in public view do constitute search and seizure within the meaning of the Fourth Amendment,' *Kyllo v. United States*, 533 US 27 – Supreme Court 2001,[306] which is consistent with *Katz v. United States*, 389 US 347 - Supreme Court 1967, "the 'trespass' doctrine [] can no longer be regarded as controlling," and *Bonivert v. City of Clarkston*, 883 F. 3d 865 - Court of Appeals, 9th Circuit 2018, "it is a `basic principle of Fourth Amendment law' that warrantless searches of the home or the curtilage surrounding the home 'are presumptively unreasonable,'" because searches, *intentional acts of looking for something the government does not own*, from the public street or Google Earth are fundamentally deprivations of privacy (right of the exclusion of others) from the search irrespective of their 'plain view' and irrespective of their lack of trespass.

EXCERPT FROM WRIT OF CERTIORARI TO US SUPREME COURT: Dominion and privacy comprise property:

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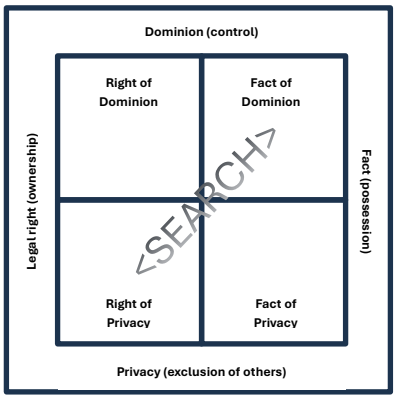
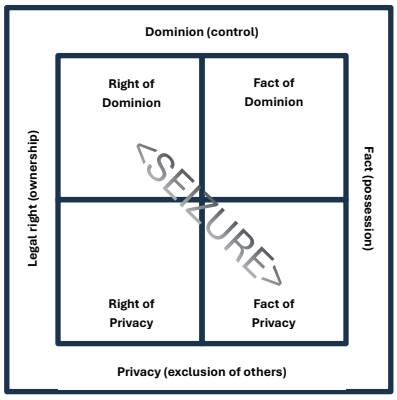
[305] requesting resolution of the conflict within the Courts around Fourth Amendment protections, ratifying jurisprudence that (1) privacy is determined by ownership, *not* trespass, *or* lack of public view, and (2) a search is intentional, *not* accidental.

[306] "We hold the Thermovision imaging [from the public street] to have been an unlawful search" because it was without a Warrant."

land, money, information sourced from person or property, and intellectual currency. CA Civil Code §654 confirms "The ownership of a thing is the right of one or more persons to possess and use it [dominion] to the exclusion of others [privacy]. In this Code, the thing of which there may be ownership is called property. *(Enacted 1872.)*" And the jurisprudence that a (1) Search is the *fact* of intentional exertion of dominion to deprive the *right* of privacy (the exclusion of others), and a (2) Seizure is the *fact* of inclusion of others to deprive the *right* of dominion (to control it), has been well-recognized by our Courts: "A search compromises the individual interest in privacy; a seizure deprives the individual of dominion over his or her person or property," *Horton v. California*, 496 US 128 - Supreme Court 1990, and "Violation of the Fourth Amendment requires an intentional acquisition of physical control," *Brower v. County of Inyo*, 489 US 593 - Supreme Court 1989.





Thus, the privacy-deprived from a government (Code Enforcement) search is not determined by a lack of visibility (lack of plain-view) of the property being searched as three Federal

Supreme Courts have erroneously held (*Marshall*,[307] *Ciraolo*,[308] *Dow*[309]), but rather the privacy-deprived from a government search is the deprivation of 'the right of the exclusion of others,' a fundamental component of property-ownership, as more than seven Federal Supreme Courts have recognized (*Boyd*,[310] *Mapp*,[311] *Griswold*,[312] *Katz*,[313] *United States*,[314] *Horton*,[315] *Kyllo*[316]).

CONCLUSION

Thus, intervention is fundamental to and necessary for protecting and reinstating fundamental rights of liberty, property (dominion | privacy), due process, and equal protection from San Francisco's Code Enforcement and from SF City Attorney's Management of Code Enforcement which deprive Constitutional liberties, as profoundly described by our CA Supreme Court, *People v. Cahan*, 282 P. 2d 905 - Cal: Supreme Court 1955:

> "It is morally incongruous for the state to flout constitutional rights and at the same time demand

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[307] *Marshall v. Barlow's, Inc.*, 436 US 307 - Supreme Court 1978

[308] *California v. Ciraolo*, 476 US 207 - Supreme Court 1986

[309] *Dow Chemical Co. v. United States*, 476 US 227 - Supreme Court 1986

[310] *Boyd v. United States*, 116 US 616 - Supreme Court 1886

[311] *Mapp v. Ohio,* 367 US 643 - Supreme Court 1961

[312] *Griswold v. Connecticut*, 381 US 479 - Supreme Court 1965

[313] *Katz v. United States*, 389 US 347 - Supreme Court 1967

[314] *United States v. United States Dist. Court for Eastern Dist. of Mich.*, 407 US 297 - Supreme Court 1972

[315] *Horton v. California,* 496 US 128 - Supreme Court 1990

[316] *Kyllo v. United States*, 533 US 27 - Supreme Court 2001

that its citizens observe the law. The end that the state seeks may be a laudable one, but it no more justifies unlawful acts than a laudable end justifies unlawful action by any member of the public. Moreover, any process of law that sanctions the imposition of penalties upon an individual through the use of the fruits of official lawlessness tends to the destruction of the whole system of restraints on the exercise of the public force that are inherent in the "concept of ordered liberty." (See Allen, *The Wolf Case,* 45 Ill.L.Rev. 1, 20.) "Decency, security, and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperilled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a law-breaker, it breeds contempt for law, it invites everyman to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means — to declare that the Government may commit crimes in order to secure the conviction of a private criminal — would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face." (Brandeis, J., dissenting in *Olmstead* v. *United States,* 277 U.S. 438, 485 [48 S.Ct. 564, 72 L.Ed. 944, 66 A.L.R. 376]; see also *State* v. *Owens,* 302 Mo. 348, 377 [259 S.W. 100, 32 A.L.R. 383]; *Atz* v. *Andrews,* 84 Fla. 43 [94 So. 329, 332]; *Youman* v. *Commonwealth,* 189 Ky. 152 [224 S.W. 860, 866, 13 A.L.R. 1303]; *State* v. *Arregui,* 44 Idaho 43 [254 P. 788, 792]; *State* v. *Gooder,* 57 S.D. 619 [234 N.W. 610, 613].)"

DATED:
May 14, 2026

In humble solidary for justice achieved,

/s/*Mihal Emberton*
Mihal Emberton,
in Propria Persona, Vox Populi

VERIFICATION

I, Mihal Emberton, declare I am the Petitioner/Plaintiff in the related pending SF Superior Court Case No.: CGC-22-601288, the Petitioner in the four related pending Writs of Mandate with the SF Superior Court, the Petitioner in the related pending Petition for Review in CA Supreme Court challenging the trial court's complicity with attorney malpractice, Case No: S295680, and am the Petitioner in the related pending Writ of Certiorari requesting resolution of the Fourth-Amendment-conflict within the courts (CA Supreme Court Case No: S295215) to the US Supreme Court. I have written this request and know its contents. The matters stated in this request are true. The facts alleged in this request are within my personal knowledge and I know these facts to be true. I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct and that this verification was executed on May 14, 2026.

DATED:
May 14, 2026

/s/*Mihal Emberton*
Mihal Emberton,
in Propria Persona

LIST OF REFERENCED EXHIBITS

Exhibit	Subject	Date Filed with Court
A	Original Department of Building Inspection (DBI) violation notice (NOV) dated September 11, 2017	10/7/24
A2	Original Department of Building Inspection (DBI) violation notice (NOV) issued by Carl Weaver, dated September 11, 2017.	9/15/25
B	Page 4 of the California Land Title Association (CTLA) Report containing the conditions under which the title company issued title insurance to our property, which describes only one Easement, reserved for Public Utility, dated September 18, 1922.	10/7/24
C	Historic Sanborn Map from the City and County of San Francisco, Office of the Assessor-Recorder's Website showing water pipes in the public utility easement.	10/7/24
D	Violation notice from Ada Tan (Planning) claiming the presence of a (non-existent) public right-of-way and claiming that the arbor is in violation of the Planning code because it is not attached to the home, dated November 17, 2021.	10/7/24
E	Violation notice from Nicholas Persky (DPW) reinforcing DPW's unlawful public right-of-way claim, dated December 10, 2021	10/7/24
F	Violation notice from Kevin Li (DPW) reinforcing DPW's public right-of-way claim and mandating additional unlawful permits and excavations, dated January 13, 2022	10/7/24
G	Violation notice from Kevin Li (DPW) reinforcing DPW's unlawful public right-of-way claim, dated February 3, 2022	10/7/24
H	Violation notice from Javier Rivera (DPW), associate engineer, reinforcing DPW's unlawful public right-of-way claims, dated April 5, 2022	10/7/24
I	Violation notice from Nicolas Huff (DPW), bureau manager, reinforcing DPW's unlawful public right-of-way claim, dated May 4, 2022.	10/7/24

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Exhibit	Subject	Date Filed with Court
K	June 13, 2022, email from Nicolas Huff, DPW Bureau Manager of Street-Use & Mapping, emphasizing the lack of due process to appeal Code Enforcement searches and violation notices upon our asking DPW to participate in an SF Superior Court Alternative Dispute Resolution (ADR) process.	10/7/24
O	Boundary Exhibit of 201 Ashton Avenue confirms the 6-foot width of the sidewalks and adjacent location of the 9-foot easement, created by Foresight Land Surveying, Inc., dated March 2024.	10/7/24
P	City and County of San Francisco, Ordinance 1098, BILL NO. 1232, Amending Ordinance No. 1061. Entitled "Regulating the width of sidewalks," approved March 9, 1910, for the Lakeview Neighborhood to the East of the Ingleside Racetrack.	10/7/24
Q	July 1908 Subdivision Map of Lakeview to the East of the Ingleside Racetrack.	10/7/24
R	E.J. Morser's 1912 Subdivision Map of Ingleside Terraces detailing 792-house lots of Ingleside Terraces with a sub-surface sewer right-of-way (public utility easement) that was notarized in and for the City and County of San Francisco on April 24, 1912.	10/7/24
S	Legend details of E.J. Morser's 1912 Subdivision Map of Ingleside Terraces detailing the sub-surface sewer right-of-way (public utility easement) for the 792-house lots of Ingleside Terraces that was notarized in and for the City and County of San Francisco on April 24, 1912.	10/7/24
EE	Our first attempt to meet and confer with the City Attorney's office to correct Code Enforcement's civil rights violations, dated December 11, 2021.	10/17/24
FF	Plaintiff/Petitioner's emailed request to the SF Board of Appeals for a hearing on DBI, Planning, and DPW's decisions to conduct unlawful searches and file unlawful violation notices dated January 13, 2022.	2/27/25
GG	Plaintiff/Petitioner's emailed request to Planning Zoning Administrator, Corey Teague for Procedural Due Process (functional oversight) regarding DBI, Planning, and DPW's unlawful searches and violation notices dated January 13, 2022.	2/27/25

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Exhibit	Subject	Date Filed with Court
HH	Response from Alec Longaway, Legal Assistant for the Board of Appeals, to our January 13, 2022 request for a Board of Appeals hearing on DBI, Planning, and DPW's unlawful searches and violation notices, reinforcing San Francisco City Charter §4.106 that the Board of Appeals does not have the jurisdiction to review DBI, Planning, and DPW's unlawful searches or unlawful violation notices, dated January 18, 2022.	2/27/25
II	Response from Corey Teague, Zoning Administrator, to our January 13, 2022, request for Procedural Due Process (functional oversight) regarding DBI, Planning, and DPW's unlawful searches and violation notices, emphasizing the Zoning Administrator's lack of jurisdiction to review DBI, Planning, and DPW's unlawful searches or unlawful violation notices, dated January 14, 2022	2/27/25
LL	DBI's CODE ENFORCEMENT SECTION ABATEMENT APPEALS BOARD STAFF REPORT submitted to the Abatement Appeals Board for the August 2024 hearing including pictures from DBI's July 8, 2024, unconstitutional search with label, "Top Photo: Photo captured on 7/8/2024 @ the corner of Ashton/Holloway Ave."	2/27/25
NN	Planning Ada Tan's violation notice (Notice of Enforcement) dated October 27, 2021.	2/27/25
QQ	City Attorney, David Chiu's, and City Claims Adjuster, Remy Weiland's, DENIAL of our February 7, 2022, City Claim 22-01204 requesting Due Process to review DBI, Planning's, and DPW's unlawful searches and unlawful violation notices, dated March 23, 2022.	2/27/25
RR	City Attorney, David Chiu's, and City Claims Adjuster, Remy Weiland's, DENIAL of our June 18, 2022, City Claim 22-02095 requesting Due Process to review DBI, Planning's, and especially DPW's unlawful searches and unlawful violation notices, dated July 21, 2022.	2/27/25
AF	Transcript of the DBI Director's Hearing on March 7, 2023, Hearing Number: 201703961, due to DPW's hold on fence-repair permit 2017-1011-0923 which resulted in DBI's Order of Abatement, despite the *absence* of any unsafe property to abate.	7/17/25

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Exhibit	Subject	Date Filed with Court
AI	Transcript of the Planning Department Variance Hearing on July 25, 2018, for variance 2018-002358VAR application to legalize the 4-ft height of the *historically* 4-ft fence, which was approved July 30, 2019, by Scott Sanchez, Acting Zoning Administrator.	7/17/25
AK	DPW's Brief, submitted February 1, 2024, for February 7, 2024, Board of Appeals hearing for case #23-067 – Emberton vs. SFPW-BSM [DPW].	7/17/25
BQ	Voicemail notice and follow up email exchange between Plaintiff/Petitioner and the City Attorney Kathy Shin with the City's stipulation only signed by one party.	10/17/25

EXHIBITS

Exhibit	Subject	Date Filed with Court
M	Image of the dilapidated 4-ft wooden fence before the 2017 fence repair which also shows the absence of a public right-of-way on the property, and a true and correct image of the repaired 4-foot wooden fence which continues to show the enduring absence of a public right-of-way on the property.	10/7/24
Z	The 26 public comments received up to October 6, 2024, regarding the public benefit of the arbor including its compliance with Planning's Residential Design Guidelines, its compliance with 20 policies of the Recreation and Open Space Element of Planning's SF General Plan, an absence of unsafe property, and evidence that the arbor does not obstruct any public right-of-way.	10/7/24
AA	The 10 public comments regarding the public benefit of the 2017 repair of the dilapidated 4-ft fence submitted to the Planning Department for July 25, 2018, Variance Hearing to allow the 4-ft height of the historically 4-ft fence.	10/7/24
BB	The 57 public signatures attesting, "I am a neighbor of Mihal Emberton and Raelyn Ruppel, who own 201 Ashton Avenue, San Francisco, and I support their repair of the 30-year old, dilapidated, hazardous, 4-foot wooden fence surrounding their front yard as the repairs are architecturally pleasing, decrease crime, improve property values, improve pedestrian safety, and encourage neighbors to spend time outside, participating in community engagement," for the July 25, 2018 Variance Hearing to allow the 4-ft height of the *historically* 4-ft fence.	10/7/24
VV	Excerpt from the emailed correspondence between Plaintiff/Petitioner and Deputy City Attorney Brian Fraser Crossman regarding Thursday March 6, 2025, Meet-and-Confer requested by Brian F. Crossman to provide counsel that a writ of mandate requires Plaintiff/Petitioner to pay $50,000-$100,000 to the City and County of San Francisco.	3/12/25
XX	Deputy City Attorney Brian Fraser Crossman's follow-up-letter regarding Thursday March 6, 2025, Meet-and-Confer requested by Brian F. Crossman,	3/12/25

	confirming his counsel that a writ of mandate requires Plaintiff/Petitioner to pay at least $10,000-$50,000 to the City and County of San Francisco.	

Exhibit M

Exhibit M

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

ABOVE: Dilapidated 4-ft wooden fence before the 2017 repair/replacement and the absence of a *public* right-of-way on the property.

BELOW: Repaired 4-ft wooden fence, CA Civil Code §1714(a), SF Admin. Code Chapter 80, SF Housing Code Chapter 10 §1001, SF Building Code §102A, which prevents "nuisance," "vegetable matter," "grass," "weeds," and "vegetation overgrowth" from impinging the sidewalk, SF Public Works Code Article 5.1 §174, protects the Ingleside Terraces Landmark Pillars, SF Planning Code Article 10 §1008, with the addition of safety lighting for the sidewalk, SF Public Works Code Article 15 §706, and the enduring absence of a *public* right-of-way on the property.

Exhibit Z

Exhibit Z

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Gmail mihal emberton <mihal.emberton@gmail.com>

support for arbor at 201 Ashton Ave

m.w.peterson@gmail.com <m.w.peterson@gmail.com> Sat, Sep 7, 2024 at 4:37 PM
To: boardofappeals@sfgov.org
Cc: mihal emberton <mihal.emberton@gmail.com>, Raelyn Ruppel <raelyn98@hotmail.com>, Amy Peterson <zinnias@gmail.com>

Dear Members of the Board of Appeals,

We are writing to express our deep appreciation for the arbor located at 201 Ashton Avenue, a space that has become an invaluable asset to our community and the broader public. As neighbors and residents of San Francisco, our family has witnessed firsthand the positive impact this beautiful structure has had on our local environment and the lives of those who frequent the area.

Mihal Emberton's and Raylyn Ruppel's arbor, adorned with lush plants and vines, serves not just as a visual centerpiece but also as a vital green space in our urban landscape. It contributes to the beautification of our neighborhood, offering a refreshing contrast to the concrete and buildings that dominate our city. This little creative oasis provides a serene environment where residents and visitors alike can escape the hustle and bustle of city life, even if just for a moment.

Beyond its aesthetic appeal, the arbor has become a cherished gathering spot for our community. Children play beneath its shade, using it as a safe and welcoming space to explore their imaginations. Families often meet here for casual gatherings, and it has even become a venue for small celebrations such as birthday parties and sports team get-togethers. The sense of community fostered by this space is palpable, as it brings people together, fostering relationships that might not otherwise develop in a busy urban setting.

The arbor's role as a meeting place extends beyond casual socialization. It has become a spot where neighbors can come together to discuss local issues, share ideas, and support one another. In this way, it has inadvertently contributed to the strengthening of our community bonds, making our neighborhood a more connected and cohesive place to live.

We believe it is important to highlight how the arbor aligns with the City of San Francisco's values and goals, particularly those related to environmental sustainability and community engagement. The greenery it supports not only enhances the local ecosystem by providing habitat for birds and insects but also contributes to improving air quality and reducing the urban heat island effect. Furthermore, the space encourages residents to engage with one another, fostering a sense of belonging and shared responsibility for our environment.

In closing, we urge the Board of Appeals to consider the significant public benefits this arbor provides. It is much more than a simple garden structure; it is a vital part of our community's identity and a beacon of the type of urban space that San Francisco should continue to cultivate. Preserving this arbor would not only maintain its current benefits but also set a precedent for valuing and protecting similar spaces throughout our city.

Thank you for your attention to this matter. We hope the Board will recognize the importance of this arbor to our neighborhood and the broader community.

Sincerely,

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Matt and Amy Peterson
191 Corona St
San Francisco, CA 94127
m.w.peterson@gmail.com

To the zoning administrator,

I wanted to write you as a member of our community on behalf of Raelyn Ruppel and Mihal Emberton about their beautiful yard.

I have lived in our neighborhood since 2003, and so much has changed for better and for worse in those years. I remember the way that their yard used to look before they were here and I remember the drug dealer that hung out outside of the liquor store across the street. The beauty of the space they have created there was something that my family and I have admired since before we knew who lived there. The difference is stunning. And that street went from one we avoided on the walk to visit friends of my oldest child a few blocks up, to the starting off point for their trick or treating.

There are still shady things going on all around Ocean Ave and the surrounding streets but that intersection is not a place super frequented byt that world because no one really wants to try to sling drugs or break into cars in day light hours in an area where playdates are happening and PCO parents are hanging out and watching.

They have created a home base for so many beginnings of the type of community that all of us should want for our home. My little family in particular only has eachother, we dont have family near us to help us if something goes wrong or seek for support or a soft place to land. We haven't really ever had someone close enough that could take our kids or feed our animals or something if we couldn't. We have many friends that live far away but its such a challenge to make deep community connections with other families with a one bedroom apartment and no yard, and the parks being a pretty big hike away. This couple is creating this beautiful atmosphere and family feeling with their home base for things that lead to the connections where you know people enough to reach out for and to help. There is nothing more valuable to a family with children then support and love and trust beyond the nuclear family unit.

They hosted a school PCO meet and greet that was able to be outside and still covid safer in their beautiful space and it was so wonderful to sit in their arbor and discuss how we all plan to support everything extra that we try to provide to our children beyond what little the school district provides. I know they host a book club and they have the kids of some families that need care for different afternoons which is a huge thing that just isnt available without payment in communities anymore. These types of things are so huge especially to families like mine who dont have family or friends that feel like family in their in-person lives. They connect people and bring the truly special things that make a home place truly a home and not just a place where people live near eachother.

I dont understand going after and trying to destroy something and people that bring nothing but good to everyone. There is no downside to it being there. I dont understand making a priority of something like this when there are so many huge problems in our area, like the scary tiny island muni stops in the middle of the very very busy Ocean ave down the street, that I saw another middle school child hit next to today. Or the falling apart movie theater church building on

Ocean. Or the many dangerous sidewalks that a stroller or wheelchair cant get through because of lifted and broken concrete or bushes that push you into the road, or places badly lit at night. Maybe helping the laundromats that are experiencing daily robbery and vandalism. Just taking a walk around other areas, you can see so many things that need help and looking into. I would love the opportunity to really show the problems to those that make the decisions and dont see the real problems. This beautiful yard isnt a problem, its something that solves so many of them amd hasn't costed our neighborhood anything.

I wish there where more people trying to do real things like this beautiful family to help make our special area better and foster a healthy and caring community for all those that live here. It leads to people feeling a part of it and wanting to make it better, and this neighborhood can use more of that not less.

Thank you for your time,
cristine Kelsey
415-734-7617
flamingobean@gmail.com

San Francisco Planning Department
49 S Van Ness Avenue
Suite 1400
San Francisco, California 94103

September 29, 2022

Dear San Francisco Planning Department,

I am a San Francisco resident writing to express my support for the arbor at 201 Ashton Avenue.

I have lived in the 94112 zipcode for over ten years, driving and walking past 201 Ashton Avenue hundreds of times. I have also had the pleasure of meeting Raelyn and Mihal, the owners and residents of the home at 201 Ashton, through our children's school, Commodore Sloat Elementary, where both dedicate many hours to the improvement and beautification of our school site.

Over the years, Mihal and Raelyn have transformed a spot that was previously a run-down space at a busy intersection and turned it into a source of beauty, pride and community for the neighborhood and our public school community. Several days a week, Raelyn watches my son (and others) afterschool. Without fail when I arrive to pick him up, I find neighbors paused at the corner talking with her or Mihal and enjoying the garden they have built. On one occasion, I was standing in the front yard when an older gentleman approached and said that as a boy he had a paper route in the neighborhood and he was passing by and had to stop and admire what the home and yard look like now. He talked with us for over twenty minutes sharing stories about the neighborhood in years past.

Raeyln and Mihal value building these types of connections. With their front yard and arbor, they have created a safe and welcoming space to forge community. This has been critically important these last few years as we have all struggled to keep connected with one another during the pandemic and to find places where we can come together- often through safe outdoor spaces. Their front yard and arbor have hosted parties for our school sports teams, a community book club and other gatherings- both impromptu and planned.

Of late, in an increasingly divided society, the importance of weavers is recognized. Weavers are people who value connections in their community and who weave a social fabric that allows us to see, know and trust one another. Raelyn and Mihal are weavers for our small corner of San Francisco. I wish that our city had more people like them and the spaces they create.

Please consider allowing their arbor to stand.

Sincerely,

Temple Cooley

To: Corey Teague, San Francisco Zoning Administrator

Dear Mr. Teague,
My name is Chip Blazey, and I'm writing this letter on behalf of my family to support the efforts by Mihal Emberton and Raelyn Rupple to maintain their arbor at 201 Ashton Avenue.
My wife, Nha-Ai Nguyen-Duc, and I are longtime residents of San Francisco. Except when she was earning her medical degree and completing her residency, Nha-Ai has lived her whole life in the city since coming here with her family as a toddler in 1976. I moved to San Francisco 20 years ago when I started work after completing my Ph.D. at UC Berkeley. We can honestly say there is nowhere else we would rather live, and that's due in no small part to the dedication of people like Mihal and Raelyn who go to great lengths to foster community and to try to help San Francisco grow and improve.
We've known Mihal and Raelyn since our children started attending Commodore Sloat Elementary School together in 2017. They've been heavily engaged in the school's community since the first day our kids started kindergarten. Mihal is just starting her second year serving as co-president of the Parent Club Organization, and Raelyn has been a regular fixture at just about every school-improvement event for the past five years. Mihal and Raelyn are thoughtful and committed when it comes to social and community activism, and you can be confident that the decisions they make regarding the layout and appearance of their property are sincere reflections of their interests in their community.
We can vouch personally for the communal value of the arbor they installed in their front yard. We've attended many an outdoor celebration at 201 Ashton, and in each case, the arbor has served as a comfortable gathering point for friendly conversation and thoughtful discussion. But the value of the arbor extends beyond planned events. It's also a natural facilitator of spontaneous community interaction.
When the country locked down for COVID in 2020, I abandoned my indoor gym workouts in favor of long runs through the city for exercise. In plotting out my running routes, I deliberately developed one that took me past Mihal and Raelyn's home with the expectation that I would occasionally catch them out in their yard as I passed by. Sure enough, that's exactly what has happened over the past 2 ½ years. When the timing and weather accommodate, they'll be out under the arbor enjoying the day when I run by, and I'll stop to catch up for a bit before heading off to complete my run. Invariably while we chat, friends and neighbors will wander by and say hello, clearly demonstrating that Mihal and Raelyn have cultivated a friendly familiarity with their community.
The outdoor space that Mihal and Raelyn have created at 201 Ashton facilitates the types of neighborhood interaction that the City of San

Francisco should value, and the arbor is the central communal feature of the yard. We think the value of the arbor to the neighborhood is obvious. Not only should it be allowed to stay, but the City should encourage similar structures throughout San Francisco when space allows.
Thank you for your time and consideration.
Sincerely,
Chip Blazey and Nha-Ai Nguyen-Duc

Dear Zoning Administrator,

I'm writing in support of the beautiful garden and arbor at 201 Ashton.

In a neighborhood that is high on cement and low on greenery, the corner garden at 201 Ashton is an oasis. The arbor, adorned with vines and soft lights, sits over a fire table, surrounded by an urban garden. It's a gathering spot, a place to host neighborhood events, children, book clubs, community meetings, and more.

Studies conducted (in many places, including San Francisco) link increased heat with a higher amount of concrete. In light of our increasingly hot summers, and the broader issue of climate change, it's hard to understand why anyone would ask the owners to remove any part of their garden.

Heat and environmental issues aside, the corner garden is simply lovely. The Ingleside neighborhood is a diverse community, encompassing both beautiful and run down homes. The home at 201 Ashton is what we all want in our neighborhoods – a property that is beautifully maintained, with neighbors who are outside, chatting with passersby, growing fruit and vegetables that can be shared over the gate, participating in their community – in essence, the definition of a good neighbor.

Please do not insist that the owners take down any of their garden – we need their beautiful, welcoming space, an anchor and gathering spot for a strong, diverse community.

Regards,
Jessica Franklin
District 7 resident

201 Ashton Avenue

My name is Chris Moreno and I am a lifelong resident of Ashton Avenue. My father Paul, who passed away in 2000, was also a lifelong resident of Ashton Avenue. His parents - my Grandparents - immigrated from Spain and began our family on Ashton avenue. In total, my father's side of our family has invested close to 90 years of dedication, support and love to San Francisco, the Ingleside/Lakeview neighborhood, and most importantly – Ashton Avenue. To say we know a little about the area would be an understatement. We've seen the ups and downs, the good and the bad……and through it all, my wife and I – like so many others – have decided to raise our son in this magnificent area we call home.

Prior to 2012, 201 Ashton Avenue was bleak and lifeless. The immediate area was struggling. Persistent vehicle traffic, trash, unkept front yards and a broken sense of community all contributed to the slow decline of a once proud and vibrant area. But along came the Embertons……

Over the years, Mihal and Raelyn have transformed their front yard into an oasis of beauty and a landmark for community pride and togetherness. During neighborhood walks with my family, I often see passerby's gathering in front of their house, inspired by their creation and motivated to follow suit.

The Emberton's have brought life back to our neighborhood by opening their front yard for all to see and appreciate. I thank them for taking steps to improve their home with neighbors, friends, and community in mind. They are a true gift to our area, and I am honored and proud to speak on their behalf.

To: Zoning Administrator
San Francisco, CA.

We have been residents at 218 Ashton Avenue for close to 35 years and have seen the neighborhood experience multiple changes over that time. No change has been as positive as the work Mihal Emberton and Raelyn Ruppel have done to beautify their front yard. Not only has their work created a very pleasant garden, which we can enjoy from the windows of our home, but more importantly created a gathering space for leisurely contact with many of our neighbors who also enjoy this lovely meeting space.

Beyond the natural surrounding this space creates for casual meetings their Arbor also supports the neighborhood by creating a space for a monthly book club, after school play space and neighborhood parties and gatherings. The entire front yard bordering Ashton and Holloway also adds to the neighborhood through the natural beauty of the many plants and trees. A benefit to our climate environment as well. The lighting they have installed acts as a safety enhancement by lighting up a busy and somewhat irregular intersection at Holloway and Ashton. The work they have done to create this Arbor and surrounding garden is truly a major benefit to our neighborhood and adds to our living space both environmentally and socially.

As stated previously we have been residents on Ashton Avenue for close to 35 years and have witnessed and at times tolerated some very distasteful behaviors from previous neighbors. Raelyn and Mihal have created a transformation on their property that has benefitted the entire neighborhood and is enjoyed by many, way beyond the residents of their home. We strongly support the work they have done and are willing to support their continued efforts to maintain and develop their "neighborhood living space" on the corner of Holloway and Ashton.

Greg and Linda Souza
218 Ashton Avenue
San Francisco, CA 94112

Greg Souza
Linda Souza

San Francisco Planning Department
49 South Van Ness Avenue
San Francisco, CA 94103

Dear Corey Teague, Zoning Administrator:

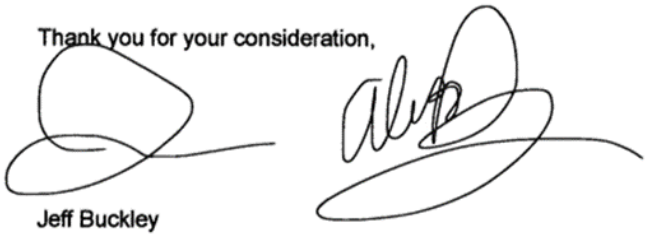
We are writing to express our support for a planning variance for Raelyn Ruppel and Mihal Emberton's landscape improvements to their property as well as their pergola structure at **201 Ashton Avenue**.

This variance is necessary for the preservation and enjoyment of their yard for not only the property owners, but also the community. Rather than being detrimental to the public welfare or injurious to improvements in the vicinity, it *adds* to the public welfare and neighborhood improvements.

As neighbors, we enjoy the beauty and calming effect their garden has brought to the intersection. We have lived in the neighborhood for twelve years and they have turned what was an eyesore into a property that the entire neighborhood takes pride in. What an improvement!

As community members, we have benefitted from Raelyn and Mihal opening their yard to host school events, such as Commodore Sloat Parents' Club Organization meetings, and social events, such as a monthly meeting of the best book club in the world. They are great hosts and truly community- and volunteer-oriented, which means this variance would benefit the public, not just the private owners.

Thank you for your consideration,



Jeff Buckley
Alissa Buckley
471 Faxon Avenue

October 22, 2022

Zoning Administrator
San Francisco, CA

Dear Zoning Administrator,

I am writing to communicate our value and support of the beautified, community-enhancing spaces created and maintained by the Emberton-Ruppel family. As such, we are requesting the support of the Zoning Administration and the city of San Francisco for this wonderful family of San Franciscans.

First, the enhancements to their property has dramatically improved the neighborhood. When we moved into our home nearby on Head Street, around 10 years ago, the intersection of Ashton and Holloway was a somewhat "sketchy" corner. It was the site of shootings, drug deals, and unsafe loiterers. Additionally, the properties in the area were more often in a state of disrepair with weed-filled overgrown yards and rusty chain fences. The Emberton-Ruppel family slowly but surely worked to improve this small area of our neighborhood. Their corner lot is nothing short of beautiful: color- coordinated flowers and plants, small decorative wooden arbors, a raised bed garden with veggies we share, wisteria draped over a gorgeous front arbor with seating. We love visiting their little urban oasis and so do many of our neighbors and our kids' classmates' families. We've spent many an evening under the arbor talking and laughing together, always leaving grateful for the community and friends we have. With their consistent attention to their property and the area around them, Raelyn and Mihal have gotten to know almost all of the neighbors, including some of the transient and unhoused neighbors who pass by frequently. There is a clear and direct correlation to the improved safety, sense of community and neighborly support around the area.

Another important thing to note is how much this family supports the community beyond their corner lot. Mihal is the President of our school's Parent Club Organization (Commodore Sloat Elementary). Raelyn has consistently been the most active member of the Commodore Sloat Parent Community- caring for the school grounds when there is really no one else to do so. One small but impactful example of Raelyn's impact is that she leads the quarterly Green-up Clean-Up that draws the entire school community together to participate in upkeep and improvements to the school and its surrounding

THE DEIGNAN FAMILY 860 HEAD STREET SAN FRANCISCO, CA 94132

campus. This benefits the City beyond the attendees of the school, as the Sloat campus is enjoyed by the public on weekends or non-school days.

Lastly, I know personally how much angst and stress the actions are causing this family. From years of frustration, to financial burden from the numerous fees, to stress-related health issues, the actions the City of San Francisco against these genuinely well-intended citizens' efforts have been costly and, quite frankly, unacceptable. As San Francisco residents, we expect our city's resources, elected officials and personnel to be dedicated to supporting and safe-guarding San Francisco residents. This situation has proven to be quite the opposite. The actions and resources put toward penalizing this wonderful family appear to be nothing short of harassment.

The Emberton- Ruppel family is dedicated to cultivating beauty and community in San Francisco. They are a kind and respectful family who actively show their love and support of San Francisco, our SFUSD school, and their community of friends. We are grateful to be their neighbors, classmates and friends. We ask that the city of San Francisco to support this family and their efforts to make a positive impact to our amazing City and to our community and approve the variance for the arbor.

Sincerely yours,

Gina and Jeff Deignan

Gina and Jeff Deignan

860 Head Street

San Francisco, CA 94132

Regan Dayton
662 Cayuga Ave
San Francisco, CA 94112
(415) 987-5044

October 17, 2022

Zoning Administrator
San Francisco Planning Dept
49 S Van Ness Ave, Ste 1400
San Francisco, CA 94103

Dear Sir or Madam,

This letter is regarding the requested zoning Variance for 201 Ashton Ave. I am writing in support of the variance as I believe the arbor in question brings a beautiful and much needed community feel to an otherwise desolate intersection.

The intersection of Ashton and Holloway is a wide, paved intersection largely bereft of mature greenery. The arbor at 201 Ashton bears a thriving wisteria and is framed by trees and other greenery which beckon to drivers and pedestrians alike as they approach from Holloway. As a city San Francisco falls behind other major cities like Los Angeles, New York City, Portland, and Seattle in tree cover so we should be encouraging residents to add greenery to the most public facing portions of their properties. The beauty and greenery the arbor and yard provide to this intersection are valuable and should be cherished.

The arbor at 201 Ashton also provides a public space for neighbors to interact. Simply sitting under the arbor invites interest and communication from the numerous passersby, adding a much needed social scene to the bleak surroundings of that intersection. In addition, the property owners have hosted numerous functions in support of our public schools, and provided a vital space for students to be together outdoors during the pandemic. It would be a tremendous shame and regretful loss to the community should the variance not be granted. I urge you to grant the variance and save this beautiful space.

Sincerely,

Regan Dayton

From: **Colleen Carrigan** colleencarrigan@gmail.com
Subject: **Letter of Support**
Date: **Oct 1, 2022 at 10:52:01 AM**
To: **Raelyn Ruppel** raelyn98@hotmail.com, **Mihal Emberton** mihal.emberton@gmail.com

Dear Zoning Administrator,

I am writing in support of the homeowners at 201 Ashton Avenue.

Raelyn and Mihal are the embodiment of responsible and engaged San Franciscans. Their home sits on the lopsided intersection of Holloway and Ashton Avenues, a consequence of an older approach to street and neighborhood design. This outdated decision causes safety issues for pedestrians and people living adjacent to it.

Additionally, it is proven that lighting up outdoor spaces helps to deter crime and increase pedestrian safety. So too does community gathering spaces and neighbors getting to know each other. Every neighbor benefits when citizens are active in their community. Raelyn and Mihal's home invites neighbors to get to know each other. Their home welcomes the young and the old.

Stepping into their garden protected from street traffic sparks curiosity in children to learn about science and nature. Sitting under their arbor filled with the fragrance of wisteria invites relaxation and serenity from the cars rounding that crooked intersection. Access to these lovely outdoor spaces was necessary during the pandemic and remains so afterwards.

I hope this letter helps you to visualize the community benefits that are readily available to that corner of the City.

What Raelyn and Mihal have created is inspirational.

Sincerely,

Colleen Carrigan
Owner, 450 Monticello Street

From: **Raelyn Ruppel** raelyn98@hotmail.com
Subject: **Fwd: Letter of support**
Date: **Oct 11, 2022 at 9:37:07 PM**
To: **Mihal Emberton** mihal.emberton@gmail.com

Sent from my iPhone

Begin forwarded message:

From: erin peters <erinkpeters@me.com>
Date: October 11, 2022 at 9:01:32 PM PDT
To: Raelyn Ruppel <raelyn98@hotmail.com>
Subject: Letter of support

October 11, 2022

To Whom it May Concern,

I am writing in support of Raelyn and Mihal. It is my understanding that the city is holding a hearing about the outdoor garden and arbor on their property.

This amazing garden and outdoor space is beautiful. It is meticulously kept and enhances the neighborhood. I truly wish their were more spaces like this in the city.

Not only does this space improve the feel of the neighborhood, it is also shared with the community. Raelyn and Mihal choose to share their garden and arbor with others. They have hosted children and families during the pandemic and continue to hold monthly book club meetings (of which I am part).

Please consider finding in Raelyn and Mihal's favor allowing them to keep the arbor and this welcoming space.

Sincerely,

Erin Peters
14 Nordhoff Street

San Francisco, CA

From: **Danica Fujimori** dgfujimori@gmail.com
Subject: **201 Ashton ave arbor**
Date: **Oct 18, 2022 at 2:15:38 PM**
To: **mihal emberton** mihal.emberton@gmail.com, **Raelyn Ruppel** raelyn98@hotmail.com

Dear Raelyn and Mihal,

Please feel free to include this email in support of your arbor in your correspondence with the zoning administration.

To the Zoning Administrator:

We are writing with regard to the arbor at the house of Raelyn Ruppel and Mihal Emberton at 201 Ashton Ave. As neighbors and community members, we are grateful that this space exists in our neighborhood. Raelyn and Mihal have generously shared their front yard space with our school community by hosting end of the season celebration events. The arbor has a perfect venue for these events, especially during the ongoing pandemic given the reluctance of many families, our included, to socialize indoors. This inviting space has been a perfect solution - with enough shade for sunny weather and added warmth for cold westside evenings.

In addition, the arbor enhances the safety of the neighborhood. Our older child, a thirteen year old, often walks to Minnie and Lovie for soccer practices. On his way, he passes by 201 Ashton. Light at the arbor makes him feel safer. To us, this enables us to give him more independence, while being less concerned about his safety.

Best regards,
Danica Galonic Fujimori and Shinji Fujimori
101 Pinehurst Way
San Francisco CA 94127

October 9, 2022

Dear Zoning Administrator,

I am a long-time friend of Mihal Emberton and Raelyn Ruppel, and am writing this letter in support of their efforts to keep their arbor. Their arbor provides invaluable community benefits by supporting civic engagement through monthly book club meetings, after school play space, and neighborhood parties and gatherings. Their arbor also enables them to easily engage with local businesses, and has played an especially important role in their community during the Covid-19 pandemic as a safe, outdoor space for friends, family and neighbors to gather, and gain reprieve from the isolation imposed upon us during the pandemic. I myself have spent many afternoons and evenings with Mihal and Raelyn, relaxing under their arbor and taking a break from my hectic life, so I can attest to the important role that their arbor plays in their community.

Furthermore, their arbor adds to the urban canopy of their community by supporting thriving wisteria, and many other plants and trees. Lastly, their arbor improves neighborhood safety by lighting up a busy and irregular intersection. I sincerely hope that they will be permitted to keep their arbor, so that it may continue to support their community for many years to come. Thank you for your time.

Best Regards,

Neetu Kellison

Neetu Kellison

From: **Stacey Palevsky Lewis** staceydebra@gmail.com
Subject: **Letter of support**
Date: **Sep 29, 2022 at 9:06:00 PM**
To: **mihal emberton** mihal.emberton@gmail.com, raelyn98@hotmail.com

Dear Zoning Administrator,

I'm writing to express my support for the beautiful garden created by Mihal Emberton and Raelyn Ruppel in their front yard at 201 Ashton Avenue. I am lucky enough to enjoy their oasis yard once a month as part of a book club Raelyn hosts for mothers from Sloat Elementary School. I consider their garden/yard to be a quasi-community center that is a huge asset to the neighborhood. It enriches the lives of everyone lucky enough to be invited in!

Thank you,
Stacey Lewis
SF Resident, 66 Saint Elmo Way
Sloat Elementary Parent

- - -
Stacey Palevsky Lewis | staceydebra@gmail.com | 415.652.4196

September 28, 2022

Zoning Administrator
San Francisco Planning Department
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103

Dear Zoning Administrator,

It has come to my attention that there will be a variance hearing next month regarding the arbor at 201 Ashton Avenue. I am asking you to consider granting this property, and its owners Mihal Emberton and Raelyn Ruppel, a variance for the existing arbor.

I became part of their invaluable community and space two years ago in the midst of the pandemic. My older daughter had just started Kindergarten at Commodore Sloat School and all of the instruction that year was online. As a result, I was a new parent to a new community that I could not be a part of. I immediately felt isolated due to the fact that no in person classes or events were happening and therefore had no way of meeting new people and connecting to the community and neighbors. This was until I was invited by a member to join a book club for the parents. Raelyn and Mihal, owners of 201 Ashton Ave., were gracious enough to open their outdoor arbor as a place for us to meet safely and at a distance. Through their generosity and welcoming, I was able to find community and connect with people during trying and isolating times. I know I am by no means the only person who has found respite and a sense of community and belonging below their arbor. To this day, we still continue to gather and connect in this space regularly. This is why I am asking that you consider granting this variance to them, so that we can continue to meet, connect and form community in the neighborhood.

Sincerely,

Sarah Bookwalter

From: **Raelyn Ruppel** raelyn98@hotmail.com
Subject: **Fwd: Letter of Support for 201 Ashton Avenue**
Date: **Sep 28, 2022 at 6:30:43 PM**
To: **Mihal Emberton** mihal.emberton@gmail.com

Sent from my iPhone

Begin forwarded message:

From: Serena Warner <serenawarner@gmail.com>
Date: September 28, 2022 at 12:03:57 PM PDT
To: raelyn98@hotmail.com
Subject: Letter of Support for 201 Ashton Avenue

To The Zoning Administrator,

I write in regards to the upcoming variance hearing on October 26th in relation to the arbor at 201 Ashton Avenue.

Raelyn Ruppel and Mihal Emberton are huge proponents of community involvement, beautification and engagement. They have created a beacon at their home for the Ingleside community, and the arbor adds a huge benefit. During 2020-2021, the Emberton-Ruppel home functioned as a safe and welcoming outdoor space where children who were isolating at home could go to have a bit of socialization during the most strict months of shelter-in-place. The arbor provided shade and cover for these kids to interact and study, without the dangers of the beating sun. The arbor has also been a place of refuge for community book clubs, soccer and baseball team meetings and end-of-season parties, and still functions as a daily haven for a continuing pod of children who still don't feel safe in a larger after-care setting, as COVID remains present and continues to affect all of our lives. The space has benefited the community at-large. It has removed what was once a blight to the street, and deters crime, as people are outside, building community, and have an eye on the goings on in the neighborhood. I can't begin to express what a benefit this arbor has had for our family in particular, as my child has been part of the continuing Pod that is able to safely play and enjoy the arbor each day after school. It is a lovely and pleasing-

to-the-eye addition to the block and the Ingleside community as a whole, and would be a sad and needless loss to the neighborhood if it were to be removed.

Please consider allowing the arbor at 201 Ashton Avenue to remain in place! It is causing no harm, and benefiting the entire Ingleside community!

Thank you so much for your time,

Serena Warner, community member
415-225-8752

Dear Zoning Administration;

As a resident of Ingleside Terraces, I can remember driving past 201 Ashton years ago before I even knew Raelyn and Mihal. I remember their front yard had a pergola and these beautiful wreaths in their windows at Christmas, and really nothing else. But over the years, their front yard has become an oasis that I am so thankful I get to enjoy. They have put so much time and money into creating an amazing space for outdoor living.

About 4 years ago, a group of us moms from Commodore Sloat School decided to create a book club. We first started meeting at Whole Foods on Ocean in their coffee shop. But it was loud and very public. Luckily, Raelyn joined our club and opened up her garden to us. By this time, her yard was much more than a pergola and wreaths at Christmas. There was a fire pit and comfy Adirondack chairs, lush trees, beautiful hydrangeas, hanging lights, a fountain, and creeping vines. Covid shut down our group for a while, but having a safe place to meet-up in person was a godsend for us moms who had been home with our kiddos 24/7 for months and months. Each month we are so blessed to meet up and enjoy each other's company and discuss books and life. It's a beautiful space that is an asset to our neighborhood.

I am saddened to hear of all the trouble the city has given this amazing family for beautifying their home and our entire community. If more people took such care of their yards, our neighborhood would be much improved.

Sincerely,
Suzanne Howe
820 Urbano Dr.

Richard Hendry

September 21, 2022

Corey Teague

Zoning Administrator

City and County of San Francisco

corey.teague@sfgov.org

Re: Zoning variance for 201 Ashton Avenue, San Francisco CA 94112

Dear Mr. Teague:

I understand that you are requiring a zoning variance for an arbor in our neighbors Mihal and Raelyn's front yard at the above address.
I am writing to ask that you allow the variance as this arbor, which supports a very beautiful white wisteria, adds a great deal to the neighborhood.
There are so many blights upon our neighborhood; from the typical houses that are directly on the sidewalk, paved-over their front yards for parking, yards surrounded by ugly cyclone fence and covered with egregious plastic 'grass,' or, worse, are abandoned. In contrast Mihal and Raelyn have created an inviting front yard that has abundant flowers, flowering trees, and vegetable beds. This transforms the lot into an outward-facing park-like corner and adds to the overall livability of the neighborhood.
In addition, because of the inviting, outward-facing yard, Mihal and Raelyn's house is a focal point for walkers to drop by and talk and generally serves as a positive influence in the neighborhood.
Please approve the variance without any further imposition on Mihal and Raelyn or on our neighborhood.
Sincerely,
Richard Hendry

423 FAXON AVENUE, APT. A, SAN FRANCISCO, CA 94112 415-823-9988

Karen Bloski-Simon
(415) 994-4615
karenabloski@gmail.com

11th September 2022

Zoning Administrator
San Francisco Planning Department
49 South Van Ness Ave, Suite 1400
San Francisco, CA 94103

Dear Zoning Administrator,

I am writing in support of Mihal Emberton & Raelyn Ruppel, owners of 201 Ashton Ave, San Francisco, CA at their upcoming Variance Hearing.

Raelyn and Mihal have generously opened their garden and front yard space, including the welcoming space under their arbor, for many community events of which I have been a part of. The space serves as an anchor within the community - during most events neighbors come by, as well, on their regular walks and receive a warm welcome and maybe even a gift of some vegetables from the garden. The space contributes to a sense of community and well-being that San Francisco has strived to create.

As a long time resident of SF since 2004 and a former educator at the former St. Emydius campus, I have witnessed the transformation of the yard at 201 Ashton from an abandoned-appearing space, to one that is a model for the neighborhood, making the nearby students and neighbors feel proud and inspired. It is my opinion that the hard work that has been placed into the creation of the yard, in particular the striking arbor and the warm, secure space it creates, has helped to spur the improvement of many neighboring properties, thereby transforming the neighborhood.

I implore you to consider granting the property a variance to allow the arbor to continue to exist in its current format. To remove or drastically alter it would have a direct negative impact on the community connections and model that the beautification of the yard, in particular the arbor, have created.

Sincerely,

KBS

Karen Bloski-Simon

From: **loretta jones** lorettaj_jones@yahoo.com
Subject: **For the Zoning Administrator**
Date: **Sep 19, 2022 at 8:37:43 PM**
To: **raelyn98@hotmail.com, mihal.emberton@gmail.com**

Dear Sir/Madam --

I'm a neighbor of Raelyn and Mihal and writing to you about the arbor in their yard. I support the arbor (and their garden in general) for a variety of reasons --

1) it's a relaxing and safe place for neighborhood gatherings -- offering an extremely pleasant, natural sanctuary for the neighborhood.

2) The aesthetics of the arbor fits in well with the overall landscape and design of the outdoor area with the garden and fountain. It supports the climbing plants which add to the beauty of the area.

3) Both the arbor and the yard are well maintained.

4) At night the outdoor lighting offers additional safety and a possible deterrent to home invasions/property thefts - which unfortunately are quite rampant in San Francisco these days.

Happy to speak more in person if required.

Thanks!

Loretta Jones
840 Head St, SF, CA 94132
650-218-6280

September 26, 2022

Dear San Francisco Zoning Administrator,

This letter is regarding the arbor and outdoor front yard space at 201 Ashton Ave in San Francisco. My family and I have had the pleasure of enjoying this space for community events such as monthly book club meetings, our elementary school's Parent Club Organization meeting, and SF Youth Baseball League team parties, along with numerous other group gatherings. The space Raelyn Ruppel and Mihal Emberton have created adds beauty, safety, and builds community. It would be a huge loss for this neighborhood if it was removed. Please consider all the wonderful things this outdoor space provides our community and let us continue to enjoy it as it is now.

Thank you,
Joanna Pfeffer and family

From: **Raelyn Ruppel** raelyn98@hotmail.com
Subject: **Fwd: letter of support**
Date: **Oct 1, 2022 at 11:04:13 AM**
To: **Mihal Emberton** mihal.emberton@gmail.com

Sent from my iPhone

Begin forwarded message:

From: Dimitri Stamatis <dstamatis@gmail.com>
Date: September 30, 2022 at 9:52:45 PM PDT
To: raelyn98@hotmail.com
Cc: Colleen Carrigan <colleencarrigan@gmail.com>
Subject: letter of support

To whom it may concern:

I am very familiar with the intersection of Holloway & Ashton, as it's the south-eastern corner of the Ingleside Terraces neighborhood, where I've lived since 2015.

I appreciate the tremendous effort that Raelyn and Mihal have put into beautifying their garden. They've added a welcomed bit of charm, nature and beauty to what would otherwise be a drab, paved intersection.

I have also visited their lovely garden, when they've graciously hosted Commodore Sloat Elementary's PCO (Parents' Club Organization) meetings.

It is a lovely space, maintained by equally lovely and caring neighbors.

Thank you.

Dimitri Stamatis

Owner, 450 Monticello Street.

Tami Volker
14 Glenview Drive
San Francisco, CA 94131
415-637-9153

Zoning Administrator

San Francisco Planning Department
49 South Van Ness Ave
San Francisco, CA 94103

Dear Zoning Administrator,

I am writing in support of the beautiful arbor in the front yard of Mihal Emberton and Raeyln Ruppel at 201 Ashton Avenue. The arbor provides a wonderful meeting place for the community, as well as beautifies the neighborhood. I attend monthly book club meetings held under the arbor. During the pandemic, the front yard and arbor were one of the few places that people could meet and socialize safely. Since then, it has continued to serve as a gathering place for book club, youth baseball and soccer team gatherings, and kids after school groups. I treasure the time I spend there, as does my child. The community and neighborhood are a better place because of Mihal and Raelyn's beautiful arbor and yard. It would be both unjust and a detriment to the community if their variance were not granted and the arbor was taken down.

Thank you for your sincere consideration,

Tami Volker

Tami Volker
10/02/2022

From: **Raelyn Ruppel** raelyn98@hotmail.com
Subject: **Fwd: Letter of support**
Date: **Oct 5, 2022 at 9:34:38 AM**
To: **Mihal Emberton** mihal.emberton@gmail.com

Sent from my iPhone

Begin forwarded message:

From: Gitanjali Rawat <geetlee@gmail.com>
Date: October 5, 2022 at 9:07:31 AM PDT
To: raelyn98@hotmail.com
Subject: Letter of support

Raelyn, I'm so sorry that I'm late. Just in case this helps.

Dear City officials,

I am Raelyn Ruppel and Mihal Emberton's neighbor. I live a block away from their beautiful home and have enjoyed their outdoor space on many occasions. Particularly, I want to highlight that I have enjoyed community gatherings in their lovely garden. Having recently moved to my new home, I was actively seeking ways to connect with my neighbors and community. Raelyn hosts a book club monthly and this has been an excellent way for me to meet with and strengthen relationships with fellow book readers.

Please consider my letter of support in your considerations.

Warmly,
Gitanjali Rawat
137 Ashton Ave, San Francisco, CA 94112
Ph: 512-879-7580

To Whom It May Concern. Pertaining To The Property At 201 Ashton. The Property Owners, Raelyn & Mahal, Built a Beautiful Arbor, A Fire Pit, Added Nice Plants And Made The Front Of Their House Very Attractive, And They Continue To Beautify The Neighborhood.

Michael + Deborah Mulcahy
901 Holloway Ave.

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Exhibit AA

Exhibit AA

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Richard Hendry

423 Faxon Avenue, San Francisco CA 94112

415-823-9988
Rhendry1000@gmail.com

September 30, 2017

To Whom It May Concern,

This is to state that the new fence at 201 Ashton is a good improvement to the neighborhood.

The area is a mix of cared-for and neglected houses. The street-side fence at 201 Ashton was run down and even falling until the current owners put in an excellent replacement. Previously, the fence was a detriment to the neighborhood. Run down properties invite crime and lower the quality of life of all of us.

In addition, the new fence better defines a difficult intersection, as this is a corner lot where Holloway has a jog to one side. The intersection is very large therefore and the old fence was proportionately too small; it got lost and was less visible to drivers negotiating the intersection. The new fence looks much more in place and fits the overall dimensions of the intersection much better. The fence is in proportion to the shrubbery at this address and the neighboring properties, as well as existing neighborhood fences and walls.

I join the other neighbors with whom I have spoken in supporting this improvement to the area. I hope the City will expeditiously approve the construction.

Warm regards,

RAELYN AND MAHAL RUPPEL OWN THE HOUSE AT 201 ASHTON. THEY HAVE MADE MANY IMPROVEMENTS TO THEIR HOME INCLUDING THE NEW FENCE THAT RAELYN HAS BUILT. THE FENCE BLENDS IN NICELY WITH THEIR HOME AND ALSO BEAUTIFIES THE NEIGHBORHOOD. MY NAME IS MIKE MULESKY, RETIRED S.F.F.D., AND I LIVE ACROSS THE STREET AT 901 HOLLOWAY.

Mike Mulesky
9-29-2017

Karen and Rudyard Vance
920 Holloway Ave
San Francisco, CA 94132

September 11, 2017

To whom it may concern:

I live as the next door neighbor of Raelyn Ruppel and Mihal Emberton who reside on 201 Ashton Ave. I have lived here for over 30 years and I find them being neighbors has been an asset to our block and community. They have fixed up the outside appearance of their home with painting, landscape, outside lighting, wooden Pergola, water fountain, and a fence.

The fence was completed by Raelyn Ruppel and was a replacement to the old fence that was falling down and was an eye sore to the neighborhood. The replacement was a different design but was the same height and length as the old fence.

I am so happy that we have someone in our community that is putting an effort into making the outside appearance of their home a priority and I hope others follow.

Raelyn Ruppel and Mihal Emberton are wonderful, respectful, and quiet neighbors.

Rudyard Vance

920 Holloway, S.F., CA

The Cool Guys Market
845 Holloway Avenue• San Francisco, CA 94112
Phone: 415-452-1404

Date: 9/11/2017

Department of Building Inspection
Inspector: Carl Weaver
City and County of San Francisco
1660 Mission Street
San Francisco, CA 94103
415-558-6096

Dear Building Inspection Division:

My brother and I have owned our apartment building and corner market since 1995. Our property is directly across the street from Raelyn Ruppel and Mihal Emberton, the owners of 201 Ashton Avenue, and we have known them ever since they moved into their home in the fall of 2012. We have found both Raelyn and Mihal to be respectful and community-minded neighbors. We have witnessed their efforts to invest in the neighborhood, not only with their property improvements, but also with their enthusiasm in building relationships throughout the community.

In regards to their property improvements, we wholeheartedly support them. They have chosen to replace a derelict, rotting 4-foot fence, which had been in place for more than 20 years, with a well-built, attractive 4-foot fence and we couldn't be more pleased. We regularly encourage their efforts and daily watch countless neighbors, passersby, police officers, and the nearby firefighters relay sentiments of approval and praise as they drive by the property. In addition to the stately fence, Raelyn and Mihal have been able to plant about 20 trees in the front yard, put in outdoor lighting that helps to light the neighborhood, and have built a patio to allow them to enjoy spending time in the yard and therefor, the neighborhood.

We are also in our store from 6:30 AM until 10 PM every day and, in regards to Raelyn and Mihal's character, we have never found them to be noisy, disruptive or disrespectful. In contrast, they have proven to be engaged and involved community and neighborhood advocates. We are honored to have them as our neighbors and friends.

Sincerely,

Sukhjinder Singh

Sukhjinder Singh

September 11, 2017

To Whom It May Concern:

I am writing this letter in support of our neighbor Raelyn Ruppel and her family at 201 Ashton Avenue. My husband Greg and I have lived at 218 Ashton for 30 years, and we are thrilled with the beautiful home improvement project Raelyn has been working on in replacing her fence. The old fence was in need of replacement. We as well as all the neighbors love the new fence. She and her family are a wonderful addition to the family, and if you went and asked all the surrounding neighbors, I'm sure you would hear the same. There has never been any problem with noise from her project or music, so we are puzzled as to why someone would feel the need to complain. It's very misguided. Raelyn helps keep an eye on the neighborhood for everyone while she is working at home. She is always respectful of the neighbors and the neighborhood and has taken the time to get to know everyone and the neighborhood is better for her and her family. She is a much needed and welcome addition to the neighborhood.

Please feel free to contact us with any questions.

Sincerely,

Linda and Greg Souza
218 Ashton Avenue
San Francisco, CA 94112

David R. McCauley
Akio K. Kawai
850 Head Street
San Francisco, CA 94132
Tel (415) 307-4390, (415) 350-7185

November 11, 2017

San Francisco Department of Building Inspection
1660 Mission Street
1st, 2nd, 5th Floor
San Francisco, CA 94103
Attn: Permit Services

Re: Fence at Residential Address 160 Ashton Avenue

Dear Permit Services Personnel,

My name is David McCauley and my partner Akio Kawai and I have owned a home in Ingleside Terraces for the past 8 years. We are extremely proud to call this neighborhood our home and are favorably impressed when our neighbors take pride in their properties by maintaining, improving and beautifying their homes and yards.

It has come to our attention that that our friends and neighbors Mihal Emberton and Raelyn Ruppel have been informed by the City that the new fence that they have worked hard to build over this past summer has been found to be in violation of building codes due to a height restriction. While remaining respectful of local rules and ordinances we are asking that the City reconsider its position in this matter by allowing the fence to remain in place, at its current height. We offer the following for your consideration.

The fence is handmade, unique, and well-built. It complements the home and yard that it surrounds, does not obstruct the Ingleside Terraces stone gate, and neatly demarcates the line between public and private property. Keeping in mind that their home is situated at a very busy intersection, with several businesses nearby, we feel that the height of the fence suits the mixed-use neighborhood in which it is situated, and provides a measure of privacy and security for Mihal and Raelyn's family, which includes a young daughter and two large dogs.

We would be happy to meet with the individuals responsible for considering waivers in matterssuch as this to provide more insight to the unique characteristics and dynamics of our neighborhood and in particular this property and its busy location.

Respectfully Yours,
David McCauley
Akio Kawai

201 Ashton - 2018-002358VAR

Patrick Otellini <patrickotellini@gmail.com>

Sat 7/7/2018 10:25 AM

To: jeffery.horn@sfgov.org <jeffery.horn@sfgov.org>

Cc: raelyn98@hotmail.com <raelyn98@hotmail.com>

To whom it may concern,

My wife and I are the owners of 225 Ashton Avenue and we have no objections to the variance application regarding 201 Ashton Avenue. The owners have been fantastic neighbors since they moved in.

Patrick and Marissa Otellini

Sent from my iPhone

7/25/18 Public Hearing for Variance for Fences at 201 Ashton Avenue

Mame Campbell <mamesf@gmail.com>
Tue 7/17/2018 8:19 PM

To: jeffrey.horn@sfgov.org <jeffrey.horn@sfgov.org>

Cc: Raelyn Ruppel <raelyn98@hotmail.com>

Mr. Horn,

I am the owner and resident of the property located at 235 Ashton Avenue.

I am writing to you to state that I have **no objection** to the solid wooden fences constructed on Ashton and Holloway Avenues for the property at 201 Ashton Avenue, owned by Raelyn Ruppel. The fences create a lovely front yard for my neighbors and I hope the variance will be approved.

If you have any questions, you can contact me at mamesf@gmail.com.

Thank you.
Mariellen Campbell

Public Hearing/Variance

Sue Fahey <suefahey7@gmail.com>
Mon 7/16/2018 3:48 PM
To: Jeffrey.horn@sfgov.org <Jeffrey.horn@sfgov.org>
Cc: Raelyn98@hotmail.com <Raelyn98@hotmail.com>
Re: Variance 2018-002358V (201 Ashton Avenue)

Dear Jeff,

I am a property owner on Holloway Avenue, just a few houses away from Raelyn Ruppel, the applicant in the above variance.

Unfortunately, I am not able to attend the July 25th Public Hearing, but would like to submit to you, my concerns and comments as follows:

1) this was a like-for-like project, replacing a blighted, 4-foot wood fence, with a new, 4-foot wood fence. The removal of blight is an important factor in improving our property values and reducing crime in this neighborhood. Here is an article that supports those ideas: https://www.fs.fed.us/nrs/pubs/jrnl/2016/nrs_2016_troy_001.pdf

2) the fence does not limit community engagement but rather has encouraged it as our neighbors regularly enjoy what the new fence brings to the community and we often meet and converse over the short, 4-foot fence. (I have even met new neighbors gathered at the fence) The short height of the fence also allows neighbors to enjoy the 28 trees and countless plants and flowers that the homeowners have already added to the yard. Of note, the homeowners have planted 10 citrus trees, 6 pear varieties on 2 espaliered pear trees, 6 Apple

varieties on 2 espaliered Apple trees, and 6 Mt. Fuji Japanese Cherry trees, to name some of the homeowners' accomplishments. This is a major improvement from previous owners.

3) as the homeowners have a young child and young niece, as well as host play-dates for their child, the 4-foot height of the fence creates an ideal amount of safety from the traffic of the busy corner and the adjacent business districts, to allow the children to play outside safely.

4) the homeowners live at the corner of a busy and unusual intersection and prior to their ownership, the home has been hit by cars on multiple occasions. The fence is appropriately visible and should act to catch the attention of distracted drivers to prevent an additional accident.

5) the beautiful structure of the fence has been instrumental in preventing blowing trash from accumulating along it and really complements the home and the neighborhood. As a neighbor, I much prefer this elegant fence to a chain link, which may comply with city rules but does not add beauty or value to a neighborhood.

I do hope you consider these concerns not only for our Ingleside neighborhood but for Raelyn Ruppel as well,

Sincerely,

Sue Fahey
Holloway Avenue
Ingleside Terraces

Public Hearing- Fence at 201 Ashton

Gina Deignan <gpazdan@gmail.com>

Tue 7/17/2018 11:12 AM

To: jeffrey.horn@sfgov.org <jeffrey.horn@sfgov.org>; Raelyn Ruppel <Raelyn98@hotmail.com>

Cc: JD <jdeignan@gmail.com>

Dear Mr. Horn,

My husband and I will not be able to make the Public Hearing on Wednesday, July 25th because we will be at work. However, we would like to voice our support to legalize the fences that are the subject of the upcoming public hearing, which are located along the property at 201 Ashton Avenue. (Record # 2018-002358VAR).

First, we were surprised and disappointed that there was any issue about this fence, as it was a great improvement over what had been in its place before- a rickety old fence of similar size. This solid wooden fence is also far nicer than the chain-link fences along other properties on Holloway, which inevitably end up in dangerous disrepair as they break and rust, creating a hazard along a popular walking route and where my kids often ride bikes. This fence aligns with the beautification efforts that the area is working to promote, currently focused only along Ocean Avenue.

Second, this family is concerned about safety of their family, and we share that concern. We moved into our house in 2013, and shortly thereafter there were several incidents of gunshots along Ashland. Of course wooden fences do not stop bullets, but we are so grateful that a nice family (who happens to have a daughter the same age as ours, 6) moved into this home and is interested in maintaining a safe, pleasant, family-oriented neighborhood. And, especially at this corner along Ashland, a closed fence is important for additional safety while the kids and families spend time outside in their yard.

Third, it is clear that Ingeside and Ingleside Terrace has a mix of homeowners who care for their homes/properties and some that, unfortunately, clearly do not. We wish, for the sake of our property

value, aesthetics and an overall positive sense of community, more homeowners took even a fraction of the pride and time to maintain such a lovely exterior space around their home. Ultimately this contributes significantly to building a better community, one home at a time.

Thank you for considering my family's perspective on this issue. We hope to hear that this fence will be legalized without issue. And thanks to Raelyn and Mihal for helping to make Ingleside Terrace a safer and more beautiful neighborhood!

Kind regards,
Gina & Jeff Deignan
860 Head Street, SF

Exhibit BB

Exhibit BB

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

I am a neighbor of Mihal Emberton and Raelyn Ruppel, who own 201 Ashton Avenue, San Francisco, and I support their repair of the 30-year old, dilapidated, hazardous, 4-foot wooden fence surrounding their front yard as the repairs are architecturally pleasing, decrease crime, improve property values, improve pedestrian safety, and encourage neighbors to spend time outside, participating in community engagement.

Signature	Printed Name	Address	Phone Number (optional)
	Omar S. Arenas	960 Holloway Ave	(415)542-8353
	Bob Shelly	980 Holloway Ave.	(415) 596-4445
	Julia Lampaiter	975 Holloway Ave.	(415) 866-1051
	SANDRA ALBERT	565 BRIGHT STREET	(415) 504-2871
	Jane DeWitt	561 Bright St	(415) 587-7286
	ARLENE JOCH	557 BRIGHT ST 3F	415-587-7518
	Gloria Williams	541 Bright St. SF	415 577-7435
	Christine Hayes	529 Bright	415-200-8740
	Yorah Huang	517 Bright	415-333-3556
	Jason Blandon	554 Bright St	(415) 533 5560
	DAVID SANDEN	558 BRIGHT ST	415-706-9460
	Jack Reeder	566 Bright ST	
	TAMARA CHIN	572 BRIGHT ST.	~~415~~ 916-217-9369

1

I am a neighbor of Mihal Emberton and Raelyn Ruppel, who own 201 Ashton Avenue, San Francisco, and I support their repair of the 30-year old, dilapidated, hazardous, 4-foot wooden fence surrounding their front yard as the repairs are architecturally pleasing, decrease crime, improve property values, improve pedestrian safety, and encourage neighbors to spend time outside, participating in community engagement.

Signature	Printed Name	Address	Phone Number (optional)
	Cyrus Jung	695 Orizaba Ave S.F.	
	David Keith	687 Orizaba	
	Sara Chen	671 Orizaba Ave	
	Lisa Leiva	667 Orizaba Ave	
	Steve Mui	663 Orizaba Ave	
	CHARLES KULAS	651 ORIZABA AVE	
	RICHARD GLATTER	659 ORIZABA AVE	
	BRIAN TENG	647 ORIZABA AVE	
	Susan Pnick	631 Orizaba Ave.	
	AMBER HOWSER	604 ORIZABA AVE	
	Matthew CATTELL	101 Ashton Ave	
	Eric Ng	100 Ashton Ave.	
	Anthony	111 Ashton	

2

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

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Signature	Printed Name	Address	Phone Number (optional)
	KELVIN WONG	117 ASHTON AVE, SF	415-812-1011
	Sharon Cappers	118 Ashton Ave SF	415 361-8885
	Raelle Nicols	141 Ashton Ave SF	
	ELISA GAO	145 ASHTON AVE	
	David Woo	156 Ashton Ave	
	Emma Risano	149 Ashton Ave	
	PETER RIDEI	160 ASHTON	
	Landis Lee	169 Ashton	
	John Dunn	174 Ashton Ave	
	Ed Splichal	174 Ashton Ave	
	Shelly Stam	110 Ashton Ave, SF	4158167055
	Pei Hui He	211 ASHTON AVE	
	Lori St. John Baldwin	549 Bright Street	415.377.3429

3

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

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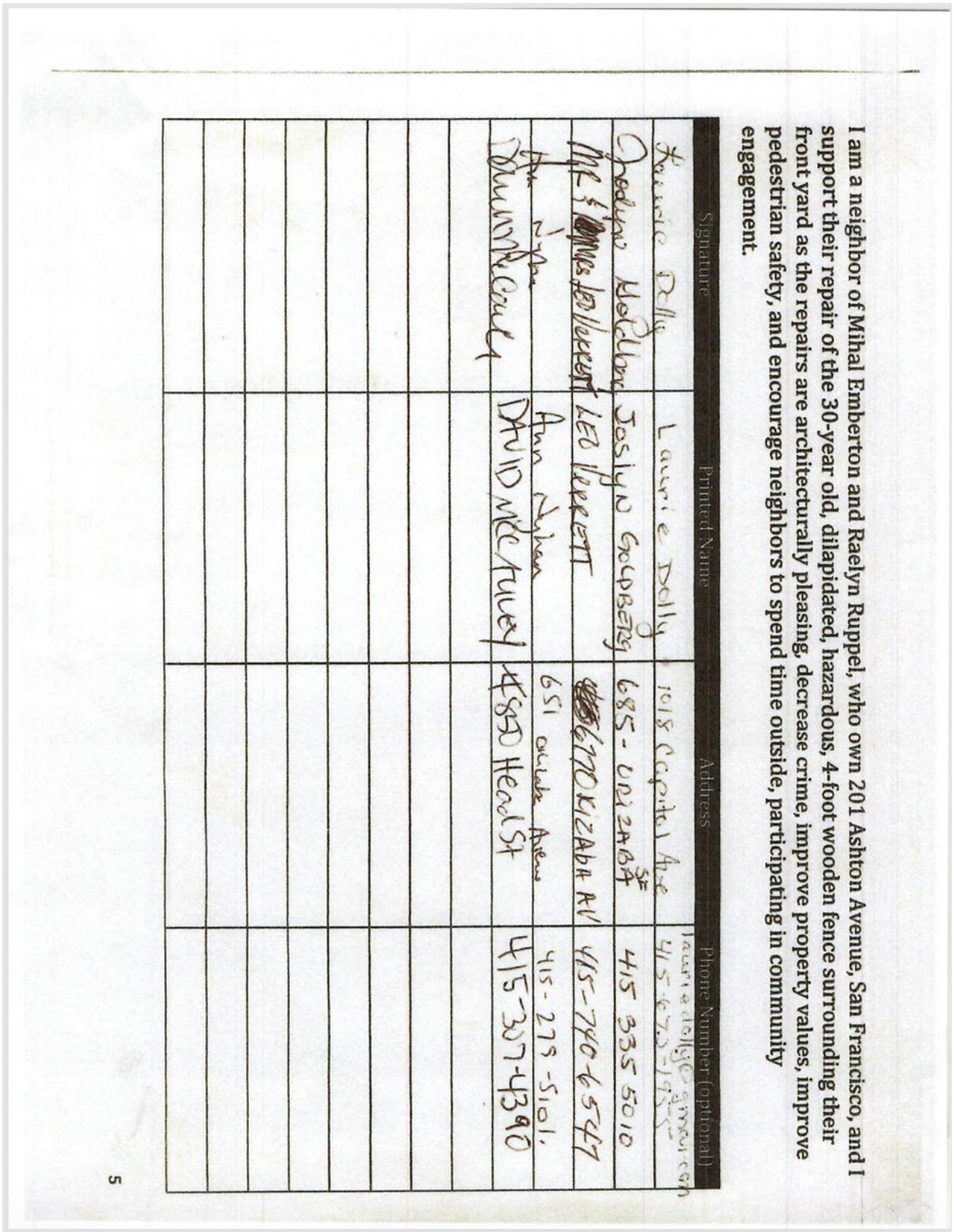
Signature	Printed Name	Address	Phone Number (optional)
	Chris MORENO	134 Ashton ave S.F	510-290-1420
	Shirela Moreno	134 Ashton ave SF	(650 558-7428
	Sue Fahey	950 Holloway Ave	415-586-2719
	[illegible]	930 Holloway Ave	(415) 531-3865
	René J. Peraino	533 Bright Street	415-205-0596
	Stephen M Doyle	549 Bright St.	(707) 701-1105
	Mimi Lee	930 Holloway Ave	415-333-6438
	Malcolm BELL	530 BRIGHT	(415)5873614
	Southern P. Pinto	960 Holloway Ave	415-286-4384
	Wilson Mei	110 Byxbee ct S.F 94132	415-333-8857
	Mrs. Josephine Garrett	576 BRIGHT St.	415-490-7850 415-577-7402
	ADRIENNE KLOPF	23 Jules Avenue	415.606.7469
	LINDA HOPE	200 MIRAMAR & HOLLOWAY	415.334.3603

4



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Signature	Printed Name	Address	Phone Number (optional)
Laurie Dolly	Laurie Dolly	1018 Capitol Ave	laurie.dolly@gmail.com 415-672-1955
Joslyn Goldberg	Joslyn Goldberg	685 - [illegible] 24th St	415 335 5010
[illegible] LEO HERBERT	LEO HERBERT	[illegible] 770 KIZABA AV	415-740-6547
Ann Nolan	Ann Nolan	651 Cumbre Ave	415-279-5101
DAVID MCCAULEY	DAVID MCCAULEY	4550 Head St	415-307-4390

Exhibit VV

Exhibit VV

That still works for me. You can reach me at (415) 554-4690 Thursday morning. Talk to you then.

Brian

Brian F. Crossman
Deputy City Attorney
Office of City Attorney David Chiu
(415) 554-4690 Direct

www.sfcityattorney.org

Find us on: Facebook Twitter Instagram

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mihal emberton <mihal.emberton@gmail.com> Thu, Mar 6, 2025 at 12:11 PM
To: "Crossman, Brian (CAT)" <Brian.Crossman@sfcityatty.org>

Dear Brian,

Thank you for meeting and conferring today, March 6, 2024, at 10AM to just before 11AM via phone, to ask for assistance with understanding how the 7th Amended Complaint addresses the Judge's Order Sustaining the Demurrer with leave to amend and for discussing SF Superior Court case, CPF-25-518888, Emberton vs Board of Appeals requesting judicial review of the Board of Appeals' decision to sustain Planning's mandate for and then denial of a Variance for a garden feature that does not violate planning code.

Specifically regarding the Writ of Mandate case, CPF-25-518888, you mentioned that *the Petitioner must request the administrative record from the City* as part of the legal Writ-of-Mandate process and the Petitioner must then provide the cost of such an administrative record which you shared requires a $5,000.00 deposit and can range in cost from $50,000.00 to $100,000.00 *or more* without any ability of the City Attorney's Office to provide an accurate estimate for such services. I expressed concern that such a cost can and would create an insurmountable barrier in accessing Judicial review for civil rights violations from the City's final administrative decisions.

In reviewing State Law describing the requirements and process for obtaining the administrative record for a petition for a Writ of Mandate,

> ***CCCP §1089.5*** *legislates: "Where a petition for writ of mandate is filed in the trial court pursuant to Section 1088.5, and* ***where a record of the proceedings to be reviewed has been filed with the petition or where no record of a proceeding is required,*** *the*

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

respondent shall answer or otherwise respond within 30 days after service of the petition. ***However, where a record of the proceeding to be reviewed has been requested pursuant to Section 11523 of the Government Code, or otherwise,*** **and has not been filed with the petition**, *the party upon whom the petition has been served, including any real party in interest, shall answer or otherwise respond within 30 days following receipt of a copy of the record."*

And ***CA Government Code §11523*** *legislates: "Judicial review may be had by filing a petition for a writ of mandate in accordance with the provisions of the Code of Civil Procedure, subject, however, to the statutes relating to the particular agency. Except as otherwise provided in this section, the petition shall be filed within 30 days after the last day on which reconsideration can be ordered. The right to petition shall not be affected by the failure to seek reconsideration before the agency.* **On request of the petitioner for a record of the proceedings,** ***the complete record of the proceedings, or the parts thereof as are designated by the petitioner in the request****, shall be prepared by the Office of Administrative Hearings or the agency and shall be delivered to the petitioner, within 30 days after the request, which time shall be extended for good cause shown, upon the payment of the cost for the preparation of the transcript, the cost for preparation of other portions of the record and for certification thereof. The complete record includes the pleadings, all notices and orders issued by the agency, any proposed decision by an administrative law judge, the final decision, a transcript of all proceedings, the exhibits admitted or rejected, the written evidence and any other papers in the case. If the petitioner, within 10 days after the last day on which reconsideration can be ordered, requests the agency to prepare all or any part of the record, the time within which a petition may be filed shall be extended until 30 days after its delivery to him or her. The agency may file with the court the original of any document in the record in lieu of a copy thereof. If the petitioner prevails in overturning the administrative decision following judicial review, the agency shall reimburse the petitioner for all costs of transcript preparation, compilation of the record, and certification."*

And ***CCCP §1094*** *legislates:* ***"the case may be heard on the papers of the applicant."***

And ***CCCP §1094.5*** *legislates:* ***"All or part of the record of the proceedings before the inferior tribunal, corporation, board, or officer may be filed with the petition, may be filed with respondent's points and authorities,*** **or may be ordered to be filed by the court."**

And ***CCCP §1094.5*** *further legislates: "Where the petitioner has proceeded pursuant to Article 6 (commencing with Section 68630) of Chapter 2 of Title 8 of the Government Code and the Rules of Court implementing that section* ***and where the transcript is necessary to a proper review of the administrative proceedings, the cost of preparing the transcript shall be borne by the respondent.*** *Where the party seeking the writ has proceeded pursuant to Section 1088.5, the administrative record shall be filed as expeditiously as possible, and may be filed with the petition, or by the respondent after payment of the costs by the petitioner, where required, or as otherwise directed by the court."*

I could not find any rule of law that mandates that the Petitioner request the administrative record in order for the Court to move forward on a petition for a Writ of Mandate, especially when the record of the proceedings has already been filed with the petition for the Wrist of Mandate. Rather CCCP §1094 states specifically that ***"the case may be heard on the papers of the applicant."*** Please do share the State Laws that informed your statement,

'*Petitioner must request the administrative record from the City* as part of the legal Writ-of-Mandate process and the Petitioner must then provide the cost of such an administrative record which you shared requires a $5,000.00 deposit and can range in cost from $50,000.00 to $100,000.00 or more without any ability of the City Attorney's Office to provide an accurate estimate for such services,'

if there is a State statute that I have overlooked….

Best,

Mihal

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Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Exhibit XX

Exhibit XX

CITY AND COUNTY OF SAN FRANCISCO

DAVID CHIU
City Attorney

OFFICE OF THE CITY ATTORNEY

BRIAN F. CROSSMAN
Deputy City Attorney

Direct Dial: (415) 554-4690
Email: brian.crossman@sfcityatty.org

March 11, 2025

Via Email Only

Mihal Emberton
201 Ashton A venue
San Francisco, CA 94112

Re: *Emberton v. SF Board of Appeals; City & County of San Francisco* (SF Superior Court Case No. CPF-25-518888); Administrative Record

Dear Mihal:

I am writing to follow up on our telephone call on March 6 and in response to your subsequent email that same day regarding the administrative record of proceedings in the above-referenced matter. We discussed the legal requirements for preparing the administrative record and in your email, you asked for clarification on a petitioner's obligation to request the record from the City. Please see Code of Civil Procedure section 1094.6(c), which provides that for a petition for writ of mandate, such as yours, "[t]he complete record of the proceedings shall be prepared by the local agency … and shall be delivered to the petitioner within 190 days *after he has filed a written request therefor*." (Code Civ. Proc., § 1094.6(c) [emphasis added].) Thus, under section 1094.6(c), the petitioner files a written request for the administrative record, which by law, must be prepared by the City, not the petitioner.

Though the City must prepare the record, as the petitioner in this matter, you are responsible for the cost of preparation. (Code Civ. Proc., § 1094.5(a) ["the cost of preparing the record shall be borne by the petitioner."].) Your obligation to pay for the record includes the cost of two copies—yours and the court's copy. (*Foster v. Civil Service Commission of Los Angeles County* (1983) 142 Cal.App.3d 444, 453 ["[I]t is the responsibility of the petitioner to make available to the trial court an adequate record of the administrative proceeding"].) The final cost of the record represents the actual costs the City incurs in preparing the copies of the record, including certified transcripts of each of the relevant hearings, and the record's index, as well as the cost of reviewing and copying the documents, exclusive of secretarial time. Our paralegals, who prepare the records, bill out at hourly rates of approximately $185.00 to $236.00. As we discussed, it is not uncommon for the cost of preparing a record of proceedings to range from $10,000 to $50,000, and the City requires a standard deposit of $5,000 before significant work on the record will commence. If the actual cost of preparing the record is less than $5,000, you will be refunded the difference.

The City is entitled to advance payment for an administrative record and may withhold delivery of the record to you and the court until payment is received. (See *Black Historical Society v. City and County of San Diego* (2005) 134 Cal.App.4th 670, 677–78.) Thus, the City will not provide copies of the completed record until the City has been fully reimbursed for the time and costs incurred.

CITY HALL · 1 DR. CARLTON B. GOODLETT PLACE, ROOM 234 · SAN FRANCISCO, CALIFORNIA 94102-4682
RECEPTION: (415) 554-4700 · WWW.SFCITYATTORNEY.ORG

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At a minimum, the administrative record must include a transcript of all proceedings, all pleadings, all notices and orders, any proposed decision, the final decision, all exhibits, all written evidence, and any other papers in the case. (Code Civ. Proc., § 1094.6(c).) Though your petition appears to primarily challenge the Board of Appeals' denial of your variance (Appeal No. 24-051), the relief you request is much broader. (See, e.g., Petition, ¶ 602 [stay of pending administrative proceedings]; ¶ 606 [reversal of denial of encroachment permit]; ¶ 607 [reversal of DPW email violation notices]; ¶¶ 609–611 [declarations and writs of mandate regarding City policy]; ¶¶ 612–620 [injunctions and civil penalties].) Accordingly, the administrative record of proceedings in this matter is not limited to the records attached to the petition or even the Board of Appeals' file for Appeal No. 24-051, but rather would also include hearing transcripts, records pertaining to the ongoing administrative proceedings you seek to stay, as well as department files concerning the notices and policies that you seek to have reversed. The City remains open to meeting and conferring regarding narrowing the scope of the record in a way that may reduce the cost of preparation.

If you'd like the City to proceed with preparation of the administrative record, you may submit payment by check for the deposit in the amount of $5,000, made out to the City and County of San Francisco, sent to my attention to the following address:

Brian Crossman
San Francisco City Attorney's Office
City Hall, Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102-4682

The City will begin organizing and indexing the administrative record once the deposit has been received and will share a draft of the index with you for review and comment prior to finalizing the record.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

DAVID CHIU
City Attorney

BRIAN CROSSMAN
Deputy City Attorney

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APPENDIX

CITY PROCEEDINGS

SF DBI (Department of Building Inspection) Proceedings

Hearing	Documents
Recording of 3/7/23 DBI Director's Hearing No: 201703961, to discuss DPW's hold on fence-repair permit 2017-1011-0923 preventing finalization, and which resulted in DBI's Order of Abatement, despite the *absence* of any unsafe property to abate. UNSAFE PROPERTY IS REQUIRED BY BUILDING CODE 102A (SUBSTANTIVE DUE PROCESS) TO JUSTIFY AN ORDER OF ABATEMENT 0:0:21 Hearing Officer Brett Howard: "This hearing is being recorded and conducted under section 102A inclusive to the San Francisco building code. The purpose of these hearings is to allow property representatives to show cause as to why the buildings on today's agenda should not be ordered to be vacated, repaired, altered, or demolished as is appropriate." NO JURISDICTION TO REVIEW UNCONSTITUTIONAL SEARCHES OR UNLAWFUL VIOLATION NOTICES 0:7:28 Brett Howard: "I'm trying to interrupt for one second. This is not a court of law, so we don't need all of this. This is a bit much. Let's deal with the fact that there was a permit that was filed in 2017. Why wasn't it picked up and why wasn't the work done?" NO JURISDICTION TO CURE DPW'S UNLAWFUL HOLD ON THE FENCE-REPAIR PERMIT 0:9:47 Appellant: "So I don't know how to resolve the hold on the permit by DPW." Housing Inspection and Code Enforcement Representative, John Hinchion: "You would submit revised drawings showing the fence being reduced to 3-feet. That's still…" Appellant: "Despite the fact, despite the fact that we had a variance hearing legalizing the 4-foot height of the fence?" Brett Howard: "That's something you bring up with DPW I assume. I mean I don't know. If they granted you a variance hearing for the 4-foot height of the fence then they would have no issue about signing off on the permit." Appellant: "That's correct."	Exhibit AE Appellant's brief submitted to DB Exhibit AF Transcript of 3.7.2023 DBI Direct

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Hearing	Documents
Brett Howard: "So why don't we do that?" Appellant: "That would be great." Brett Howard: "So why don't you follow up with DPW?" Appellant: "We have followed up with DPW multiple, multiple times, there's an email string going all the way up to Nicolas Huff, who does not believe that the variance hearing was proper jurisdiction, and they believe that they have jurisdiction and Planning does not, and that is an impasse. I asked to meet an Alternative Dispute Resolution in Court, and he said that that is not going to happen and its impossible." CONVERSION RATIFIED BY DBI WITH DECISION IGNORANT OF EVIDENCE 00:10:49 John Hinchion: "You are aware that some of the work you did was in the public way, which they would have jurisdiction over?" Appellant: "They are alleging that 9-feet of our property is a public way when it is not, and I added documentation in the folder for that." Brett Howard: "This has been going on for far too long. This back and forth between you, yourselves and your clients, and DPW whatever, that you say that is your property and they say is their property, um" Appellant: "There is a case in federal court regarding this." Brett Howard: "We're not going to wait for the federal court to make its decision, so I'm going to move to issue an Order of Abatement. Next Case."	

SF Planning Variance Proceedings

Date	Hearing	Documents
7/25/18	Recording of Planning Hearing on Application for Zoning Variance 2018-002358VAR, 201 ASHTON AVENUE, to legalize the 4-ft height of the *historically* 4-ft fence as a prerequisite to being able to complete the fence-repair permit. ORAL TESTIMONY FROM 3 MEMBERS OF THE PUBLIC REGARDING THE PUBLIC BENEFIT OF THE SAFE, REPAIRED FENCE	Exhibit AI Transcript of 7.25.2018 Variance Exhibit AA 10 public comments of support

Date	Hearing	Documents
	00:36:15 Scott F. Sanchez, Zoning Administrator: "Is there any public comment, item number 8 for 201 Ashton Ave? Please step forward." 00:36:17 Eva Atijera-Taylor, Recording Secretary: "You have 3 minutes, ma'am." 00:36:17 Laurie Dolly, Public Comment in Support of Variance: "Morning. My name is Laurie Dolly. I've lived in the neighborhood since 1981. Been a homeowner since 1987. Everyone drives by this house. It is the main drive between getting off of 280 and going to San Francisco State University. Before they put in a stop sign there, that house was regularly hit by cars going through that intersection and those columns that they show, they were, that's what was getting bashed. I mean, the front door was being saved because the cars were hitting those columns. Everybody knows our new neighbors. I talked to some of the old neighbors before, but they couldn't play outside, their kids couldn't play outside; it simply wasn't safe. So even before they built the fence, they built a water fountain. They've got a nice fire pit out in front and they started building the fence. What they didn't show you is a picture at night. On the Holloway side, Raelyn put in down lights right there, so when you're walking your dog, which is how we originally met because we both have dogs, I was out for a walk. They've made the whole side of the neighborhood and the sidewalk safer. That fence is low enough to pet their dog. Their fence is low enough to have a conversation. Because they are outside like they said, people do stop and talk to them. In the photograph, if you could see it up close, actually doesn't do the fence justice. It's beautiful. And one of my daughters is moved away, so when she comes back for Christmas, she's been looking at the progress over the time; she goes, "Wow, that looks really nice. That looks really really nice." And so many people in the neighborhood did sign the petition. I don't know if anyone here is old enough to remember, but that neighborhood in the 80s was kind of blighted and there were a lot of drugs in the neighborhood and people like Mihal and Raelyn have moved in, improved their properties, and you	 Exhibit BB 57 Public Signatures of Support

Date	Hearing	Documents
	know, AKA the, you know, the Broken Window Theory, that whole neighborhood, that whole street has gotten a lot nicer and a lot safer. Thank you. 00:38:46 Scott F. Sanchez, Zoning Administrator: "Thank you very much. Any other public comment on item number 8 for 201 Ashton Ave?" 00:38:56 Eva Atijera-Taylor, Recording Secretary: "You also have 3 minutes, Sir." 00:38:58 Sukhjinder Singh, Public Comment in Support of Variance: "I have a store next door to this house. And this fence, *she made it*, is so beautiful and is so strong that it raised the value of *my* property. So, before this, long time back, this house used to be a drug house in the 70s. And after that two owners have seen there, but they have not made any improvements to this house. And now they moved about 6-7 years back and they have made much improvement. This fence is so beautiful that everybody appreciate when they were making it; at least 50 customers, *mine*, they say she working so hard on this fence. So, this fence is beautiful. If it there any kind of clause that not satisfied, that should be overseen, that's the point. Thank you." 00:39:48 Scott F. Sanchez, Zoning Administrator: "Thank you. Any other public comment? Please step forward Sir." 00:40:04 Eva Atijera-Taylor, Recording Secretary: "You have 3 minutes, Sir." 00:40:04 Richard Hendry, Public Comment in Support of Variance: "I'm Richard Hendry. I live at 423 Faxon which is a couple of blocks up Holloway. And I've, we moved into the neighborhood in 2013. In the 60s, I lived across the hill in Ocean View and being like 10-12 years old at the time, we wandered all over the neighborhood. And I can definitely tell you that this area used to be, I mean my area used to be dangerous, this area was dangerous with different gangs. That's a long time ago and of course everything has changed, but when we moved in in	

Date	Hearing	Documents
	2013, the old picket fence was out front, the house was painted differently, the yard wasn't fixed up. And again, like others, I got to know the ladies by walking my dog. I can say that I make a point of walking past this house, because if they're out in the yard I get to talk to them. And I'll lean on the fence, I'm only five-six so it's not that bad, and pet their dog as was said, and we talk about all kinds of things. We talk about, sometimes about the petty theft in the neighborhood, package stealing. Someone said that there used to be drugs. Well, there's still drugs. It's far less. But, and by the way, I go into the Good Guys market *because I'm up there*. And it's one of the few remaining corner stores in the area, but there's stuff down along Ocean, there's Whole Foods, there's a Safeway up the hill. And I, I go in and get my lottery ticket. This to me is a vast improvement [*gesturing to the overhead projection of the repaired fence*]. I like it. I think the design of the fence is *perfect* with the house. And I also want to say that I, I was, one of the one of the things I noticed was the danger of that intersection because I drive there. And I'm one of the ones who, I travel, so I'm headed down Holloway to get to 280 to get to the airport. And a lot of times, you know that intersection right there, you, you drive from, come down Holloway *straight at that house* and then there's a dodge-let. So, this fence I think does improve safety and it's certainly better for the little kids I see playing there, and seeing the little kids makes my life better. So that's all." 00:43:28 Scott F. Sanchez, Zoning Administrator: "OK. Thank you. So, with that, I'll take the, close public hearing. I appreciate, I appreciate all public comment, but in particular appreciate the fact that the public comes out in support of a project as something even kind of as small as this, to take time out of the day to come out to support your neighbors, it says a lot, and I appreciate the the comments that were provided. They're very helpful."	
1/25/23	Video of Planning Hearing on Application for Zoning Variance 2022-001463VAR, 201 ASHTON	Agenda.

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Date	Hearing	Documents
	AVENUE, to legalize the safe, code-compliant arbor/solarium. NO JURISDICTION TO EVALUATE THE LEGALITY OF SEARCHES AND VIOLATION NOTICES = PRESUMPTION OF GUILT WITHOUT DUE PROCESS: Zoning Administrator, Corey Teague: "The challenge with the Variance is that we're dealing with features that are generally proposed in such a way that don't meet the Planning code and the findings for a Variance require that there has to be some kind of exceptional and extraordinary circumstance that's creating a hardship or impractical difficulty. I think, without making any final decisions on this case, I think that's where the challenges rise. The subject property is kind of a standard lot size for this area…It is a corner lot, so it gets a little bit more light and air than maybe other more midblock lots. It does have a flat, very usable rear yard space so it is not necessarily a situation where the front setback is the only option for any open space. And while the way this [arbor] has been designed and built out may be very attractive as it is, obviously this type of feature isn't a necessary component of usable open space and it is located within the required front setback. So I think those are the challenges when reviewing this Variance."	Exhibit Y Appellant's Brief for Planning's Va Exhibit Z 26 public comments of support

SF Board of Appeals Proceedings

Appeal	Documents
(1 of 3) Video of 2/7/24, Board of Appeals Hearing, Board of Appeals #23-067 – Emberton vs. SFPW-BSM [DPW], appealing DPW's denial of mandated Minor Sidewalk Encroachment Permit. NO PROBABLE CAUSE 0:35:20 Commissioner Trasviña: "What triggered the City's attention on this one [property]?" DPW: "In this case I believe there was a complaint for something else on the property." Commissioner Trasviña: "It was for music… Is it wrong to look at this as 'somebody complained about loud music' and now this property owner and similarly situated property owners are described as privatizing a part of what they consider to be their property at a danger of losing their property?... I'm asking	Meeting Minutes. Appellant's and Respondent's Briefs. Exhibit AL Appellants slide deck for 2.7.202

Appeal	Documents
whether the department's priorities have resulted in that situation?" UNCONFINED SEARCHES 0:37:41 Commissioner Swig: "When there is an NOV in my experience, does that not stimulate stuff? So, if a building has an NOV on it, Mr. Birmingham [DBI acting chief building inspector] goes out and investigates the NOV and sees, a uh oh, a couple more things that are really wrong, does that not stimulate an action? Does that stimulate the same action as it would for Mr. Birmingham, if DBI went and investigated an NOV and found, yup, that's wrong, but oh my goodness, what's this? Is that kind of the action that happens?" DPW: "That does happen, yes. So, yes, like I said, a 311 call could trigger an inspection, an inspector to go out there. Or an inspector checking something else, so a DBI inspector may be out there visiting for whatever reason, and they could realize that there is an encroachment, or a problem, or a possible encroachment and yes, trigger that further action." CONVERSION IS UNSUPPORTED 0:40:53 Commissioner Trasviña: "In this area that's in dispute, is it the City's position that it belongs to the City or that it belongs to the homeowner?" DPW: "It belongs to the City." Commissioner Trasviña: "So for decades that's been in disrepair with a bad fence. I happen to have walked that block I think as early as 1961, and the testimony from the neighbors is that this homeowner has made tremendous improvements. So, I'm wondering, has the City done anything to address the problems that have existed there over the years?" DPW: "As far as Noticing to Repair?" Commissioner Trasviña "The record says there's been a 4-foot fence for years, the difference now is that it's a fence that has design, its picturesque, people like it. Before it was a mess; so, that was the City's fence. What has the City done over these years to fulfill its responsibilities to that property?" DPW: "We don't actively go, our inspectors are not actively going from block to block looking for these types of situations and tagging them throughout the City." Commissioner Trasviña: "But it's the City's property, you're saying; so the City is not doing much to maintain its own property." DPW: "No…"	

Appeal	Documents
FALSIFIES EVIDENCE VIOLATING ATTORNEY'S LEGAL DUTY 0:57:18 City Attorney, Jen Huber: "Public Works has determined that a permit is required because, according to City records, the land is owned by the City." CONVERTING ONE EASEMENT WITHOUT CONVERTING ALL EASEMENTS VIOLATES DUE PROCESS AND EQUAL PROTECTION AND ATTORNEY'S LEGAL DUTY 0:58:01 City Attorney, Jen Huber: "there were questions around whether this would affect other neighbors, I don't believe that it would." DEPRIVATION OF SUBSTANTTIVE DUE PROCESS & EQUAL PROTECTION 1:7:21 Commissioner Trasviña: "I also don't quite understand how we can say that we are going to recognize the City's determination of the right-of-way, which is in dispute, and not have it affect other property owners? As Commissioner Swig said, 'this property owner is not being singled out.' If that's the case, then every other property owner, similarly situated, is at risk of losing part of their property that they have had and enjoyed, and previous people have enjoyed, for 100 years?! 100 years?! And the City is now saying, because of a music complaint?! I don't understand the priorities of some of these departments. We're hemorrhaging money as a City budget, and we're spending money going after one property owner who put up a fence that unanimously the neighbors, I think to the tune of 98 pages of comments from neighbors saying 'this is an improvement over what was there,' and anybody that's lived out there knows that this property looks better than any time. And if it was belonging to the City, then where was the City for that 100 years to take care of it?... It is not fair for this property owner to have improved that corner to the extent that they have as demonstrated in the record, and then end up with, 'oh, you're privatizing this area.' Privatizing the area?! This is her home. This is their home and yes, they have improved it, and the City hadn't done that for decades. So, I am not pleased by the approach that's been taken by the department and the potential that this could affect many, many homeowners… I also think that there are others who should look at this situation and if it is a widespread situation then there are some other remedies and actions that the City should aid departments and the supervisors should take to not penalize and not make a homeowner, who has improved property, in a much worse situation than they previously were."	

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Appeal	Documents
(2 of 3) Video of 5/15/24, Board of Appeals Hearing, Board of Appeals #23-067 – Emberton vs. SFPW-BSM [DPW], appealing DPW's denial of mandated Minor Sidewalk Encroachment Permit.	Meeting Minutes. Appellant's and Respondent's Briefs. Exhibit AO Appellant's slide deck
(3 of 3) Video of 6/26/24, Board of Appeals Hearing, Board of Appeals #23-067 – Emberton vs. SFPW-BSM [DPW], appealing DPW's denial of mandated Minor Sidewalk Encroachment Permit. CONVERSION 0:54;18 Commissioner Swig: "What the Appellant, property owner, put forth in her testimony just now, which was eloquent, convincing. I'm not a specialist in law, nor unlike my four cohorts up here am I a lawyer, so I haven't had a chance to do my due diligence, but it was convincing, it was eloquent. But it also, in my view, if we accepted it [that the right-of-way is private property], nullify just about every action taken by DPW as a matter of course in the City of San Francisco for seemingly decades. So, when somebody presents testimony eloquently and convincingly as she did and then five minutes before a representative from DPW presents eloquently and substantially what has been reasonable and customary behavior for decades, how do you deal with that? Is it something that should be beyond our jurisdiction and should be taken up by Superior Court in a civil action? Or are we in a position to completely nullify and fly in the face of the actions of the City of San Francisco for a period of at least decades?" LACK OF JURISDICTION 1:2:50 Commissioner Eppler: "There's a question that was raised by the Appellant of whether this is public land or private land, and that is not a question that we're going to answer because that's a State Court question."	Meeting Minutes. Appellant's and Respondent's Briefs. Exhibit AS Appellant's slide deck for 6.26.20
Video of 10/23/24, Board of Appeals Hearing, Appeal No. 24-051, Emberton vs. Zoning Administrator, subject property at 201 Ashton Avenue, appealing Planning's denial of mandated Variance.	Meeting Minutes. Appellant's and Respondent's Briefs.

Statement of Code Enforcement case at 201 Ashton Ave. to be included in the public record for Public Hearing on May 19, 2026, with SF Board of Supervisors.

Appeal	Documents
	Exhibit BA Appellant's slide deck for 10.23.2(
Video of 3/5/25, Board of Appeals Hearing, Appeal No. 25-001, Emberton vs. Zoning Administrator, subject property at 201 Ashton Avenue, appealing Planning's Notice of Violation predicated on denial of mandated Variance.	Meeting Minutes. Appellant's and Respondent's Briefs. Exhibit BG Appellant's slide deck for 3.5.202

SF Abatement Appeals Board Proceedings

Appeal	Document
Video of 8/21/24 Abatement Appeals Board Hearing, CASE NO. 6925: 201 ASHTON Ave. - Complaint # 201703961: Appellant appeals Order of Abatement and assessment of costs. LACK OF JURISDICTION TO EVALUATE THE CONSTITUTIONALITY OF SEARCHES AND THE LAWFULNESS OF VIOLATION NOTICES 0:19:53 President Evita Chavez: "Before we get started, I do want to make sure we're understanding what the discretion and jurisdiction of the Board are for today is. So we're looking specifically at whether or not there was a permit for this work. That's what the Notice of Violation originally was, that this was an unpermitted building? I'm asking whoever can answer." Matthew Grene, Secretary to the Board: "That's correct. The Notice of Violation was they built the fence at the font without a permit that is required and there is still no permit as of today. I guess you're you're determining whether the Order of Abatement was issued properly." Commissioner Alysabeth Alexander Tut: "To To build on that I just want to ask some questions about what we're not hearing today? Maybe I'll ask the negative and then if you confirm then I'll understand. There's the the Appellant brought up an issue of no notification because the 15-day notice but this is, we're not, there's not a challenge of jurisdiction here? We're hearing the case, correct?"	Meeting Minutes. DBI Staff Report and Appellant Statement. Exhibit KK Appellants slide deck and transcr

Appeal	Document
Unknown AAB Member: "Yup. There's ya, there's not a jurisdiction." Commissioner Alysabeth Alexander Tut: "So, and then the question of the easement is not before us today? Is that correct? Matthew Grene, Secretary to the Board: "That's correct." Commissioner Alysabeth Alexander Tut: "Thank you. And then the question about the access to the streetlight is not before us today? Is that correct?" Matthew Grene, Secretary to the Board: "That's correct." Commissioner Alysabeth Alexander Tut: "Ok, we're just talking about the fence and the permit. The facts. Is there a permit, was there, was it, was this issued properly." Matthew Grene, Secretary to the Board: "Those issues you mentioned might come up at the permit approval process." Commissioner Alysabeth Alexander Tut: "Correct, but that's those questions as individual questions are not before us today." Matthew Grene, Secretary to the Board: "That is correct." Commissioner Alysabeth Alexander Tut: "Thank you." 0:24:21 Commissioner Angie Sommer: "Sure but we are only, we were just told, we are only talking about, and for better or worse I don't know if it's more or less helpful or confusing, but we are isolating the issue to what is in our purview, right? Which is does the fence need a permit, did it have a permit, no. So it sounds like yes, it did need a permit because it is taller than the 3 feet and no it did not have a permit. Yes there's been stuff happening since then but that's what you're saying? Matthew Grene, Secretary to the Board: "Yes, that's the jist of the case." 0:29:14 Commissioner Kavin Williams: "I think an issue we have is like a lot of this we don't have jurisdiction over. We have, like this, we're just a Building Inspection Commission. We can't we can't send an order to Superior Court and say you have to hear this. We don't have that kind of jurisdiction at all."	

Ingleside Terraces photographs *circa* 1912-1915 from SF Public Library History Center

Image 1

Image 2

Image 3

Image 4

Image 5

Image 6

Item 14

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	Crocker Amazon baseball and softball fields - 9 letters
Date:	Thursday, May 14, 2026 1:38:17 PM
Attachments:	Crocker Amazon 9 Letters.pdf

Dear Supervisors,

Please see the attached 9 letters from members of the public regarding the renovation of the Crocker Amazon baseball and softball fields

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From:	Ellen Stephens
To:	Lurie, Daniel (MYR); Commission, Recpark (REC)
Cc:	Board of Supervisors (BOS); John-Baptiste, Alicia (MYR)
Subject:	RE: Opposition to Artificial Turf for Crocker Amazon Ball Field Renovation
Date:	Thursday, May 7, 2026 2:59:39 PM

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

Dear Mayor Lurie and Commissioners,
I am writing to urge you to protect Crocker Amazon Park from a proposal that would replace it's natural open space with a fenced-in artificial turf sports complex.

The plan proposed by the San Francisco Recreation and Park Department in partnership with the San Francisco Giants and team owner/Trump donor Charles B. Johnson is being framed as a "gift". However, many neighbors did not ask for this project and do not support paving over meadows, cutting down mature trees, and fencing off large portions of a beloved community park.

Artificial turf also raises serious concerns. Synthetic fields are associated with higher surface temperatures, increased injury rates compared to well-maintained natural grass, and exposure to toxins like PFAS and microplastics. It's particularly troubling that the majority of artificial turf installations have been clustered in neighborhoods already burdened by asthma and environmental justice challenges.

I strongly support renovating Crocker Amazon Park, but doing so the right way. I say:
Yes to meaningful community input;
Yes to natural grass fields and open green space;
Yes to preserving mature trees and the park's character;
Yes to space for seniors, families, cricket players, dog walkers and youth sports alike;
However, I say NO to expanding toxic artificial turf;
NO to increased traffic, noise and late-night bright field lighting;
NO to privatization and fencing that limits access; and,
NO to cutting down the majority of existing tress.

Please stand with neighborhood residents and protect this city treasure. Invest in improvements that enhance public health, environmental justice, and shared access, not in plastic infrastructure that narrows and intensifies use.

Sincerely,
Ellen C. Stephens, R.N., J.D.

From: Chandra Gonzales
To: Lurie, Daniel (MYR); Commission, Recpark (REC)
Cc: Board of Supervisors (BOS); John-Baptiste, Alicia (MYR)
Subject: Opposition to Artificial Turf for Crocker Amazon Ball Field Renovation
Date: Thursday, May 7, 2026 10:14:23 PM

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

Dear Mayor Lurie and Commissioners,

I am a resident, parent, and a teacher in the Crocker Amazon neighborhood. Crocker Amazon Park is very important to our community. It is the main open space that my son and the other children in this neighborhood have to play field sports like baseball and football. Every year at my elementary school, we have our Field Day event at Crocker Amazon park, because it provides the best conditions in the area for our children to participate in events. Everyone here can agree that the park could use some rehabilitation, however it is very important to our neighborhood that this place remains a natural open space where our children can play sports like baseball without worrying about excess heat and abrasions from artificial turf. Specifically, the installation of artificial turf and the removal of many large trees, would not improve Crocker Amazon Park. I believe those actions are unnecessary, harmful, and shortsighted. Instead, we should invest in keeping the park covered in grass and well shaded with trees.

I am dismayed by the idea that many of the great shade trees which have been here for more years than most of us have been alive, would be cut down without an adequate reason to do so, other than to make space for the renovated fields. To quote John Muir, “Any fool can destroy trees. They cannot run away; and if they could, they would still be destroyed - chased and hunted down as long as fun or dollar could be got out of their bark hides, branching horns, or magnificent bole backbones.”

I also take issue with the lack of opportunity for the local community to provide their input into such an impactful project. The plans for the project were drawn up and agreed upon without notifying the local community. I only recently heard about this from a local group of citizens, and looked into the issue myself afterwards. We deserve to be heard in any decision that directly changes our neighborhood. I also attended the workshop on April 26 to get more information. Unfortunately, staff that were there to answer questions and to listen to community concerns were not sincere in their efforts.

At the station about the artificial turf, a man named Dan, was talking about how the artificial turf would be maintained every month. I asked him how much of the artificial grass blades come out every month that would end up in the landfill. Instead of answering my question, he tried to divert attention away from the question by bringing up people supposedly

littering in the park. When I asked my question again, he said that he did not know the answer to my question, but decided to add that he found it was “irrelevant”. Then he rudely said I should come with scientific information and not my feelings. I was appalled by his response. Instead of providing the information, as a member of this community is entitled to, he tried to intimidate me, in order to end a line of questioning that he was uncomfortable answering. He knows how badly he behaved because afterwards, he made some clumsy and disingenuous apology for his actions.

I noticed similar dismissive interactions toward other community members who were asking questions and raising concerns. This occurred at other stations where the people working there did not have answers for the valid concerns people had, and instead tried to focus on telling them what the current plan will be. I felt that leaving a comment on their index cards would be pointless from the behavior that was on display. The attitude on display by the Rec & Parks representatives show that this plan for Crocker Amazon Park is not taking into account the concerns of the local community, which is unacceptable for public servants.

Public parks are meant to provide communal space for local citizens and they should not be forced to endure, in my opinion, harmful changes to that space. I hope that the city and the people that are offering the funding for this project will rethink how to better support our neighborhood, and ensure local residents can continue to enjoy a safe and natural park.

Sincerely,
Chandra Gonzales

From:	david karlin
To:	Lurie, Daniel (MYR); Commission, Recpark (REC)
Cc:	John-Baptiste, Alicia (MYR); Board of Supervisors (BOS)
Subject:	Opposition to Artificial Turf for Crocker Amazon Ball Field Renovation
Date:	Monday, May 11, 2026 9:32:57 AM

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

Dear Mayor Lurie and Commissioners,

I am sure you are being inundated with these letters…… take action please!

I am writing to urge you to protect Crocker Amazon Park from a proposal that would replace its natural open space with a fenced-in artificial turf sports complex.

The plan proposed by the San Francisco Recreation and Park Department in partnership with the San Francisco Giants and team owner/Trump donor Charles B. Johnson is being framed as a "gift." However, many neighbors did not ask for this project and do not support paving over meadows, cutting down mature trees, and fencing off large portions of a beloved community park.

Artificial turf also raises serious concerns. Synthetic fields are associated with higher surface temperatures, increased injury rates compared to well-maintained natural grass, and exposure to toxins like PFAS and microplastics. It's particularly troubling that the majority of artificial turf installations have been clustered in neighborhoods already burdened by asthma and environmental justice challenges.

I strongly support renovating Crocker Amazon Park, but doing so the right way:

- Yes to meaningful community input.
- Yes to natural grass fields and open green space.

- Yes to preserving mature trees and the park's character.
- Yes to space for seniors, families, cricket players, dog walkers, and youth sports alike.
- No to expanding toxic artificial turf.
- No to increased traffic, noise, and late-nightly bright field lighting.
- No to privatization and fencing that limits access.
- No to cutting down the majority of existing trees.

Please stand with neighborhood residents and protect this city treasure. Invest in improvements that enhance public health, environmental justice, and shared access, not in plastic infrastructure that narrows and intensifies use.

Sincerely

David karlin

From: ericafischercolbrie@gmail.com
To: Commission, Recpark (REC)
Cc: SauterStaff; Board of Supervisors (BOS); John-Baptiste, Alicia (MYR)
Subject: Crocker Amazon Development
Date: Monday, May 11, 2026 2:11:52 PM

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

Commissioners

I am writing to express heavy opposition to the development proposal at Crocker Amazon

Converting a beautiful natural park to artificial turf is a huge loss for San Francisco, and reduces usability of the park for many. We do not want our toddlers crawling through a bed of cancer causing plastics, and we will not in my lifetime be able to recover the 100 mature trees we will lose

Turf also is known to cause higher rates of ACL and Achilles injuries compared to well-maintained natural grass, so this is a terrible outcome for athletes as well.

Rec & Park has already concentrated approximately 85% of its synthetic turf installations in neighborhoods with the highest asthma. As currently proposed, this project would increase that concentration to roughly 90% of the City's total artificial turf acreage in poor areas.

We should invest in natural grass fields, similar to the improvements made at West Sunset Playground, preserve trees, avoid unnecessary plastic pollution, and maintain a welcoming, multi-use park

I ask that you vote to prioritize a renovation plan that protects public health, advances environmental justice, preserves mature trees, and keeps Crocker Amazon a park for everyone, young and old.

All the best
Erica

From:	Paul Biggs
To:	Lurie, Daniel (MYR); Commission, Recpark (REC)
Cc:	Board of Supervisors (BOS); John-Baptiste, Alicia (MYR)
Subject:	Opposition to Artificial Turf for Crocker Amazon Ball Field Renovation
Date:	Monday, May 11, 2026 5:10:12 PM

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

Dear Mayor Lurie and Commissioners,

I'm writing to urge you to revise and substantially improve the proposed renovation plan for Crocker Amazon Park.

Crocker Amazon is a city treasure, enjoyed by generations of San Franciscans. Please do not allow the San Francisco Recreation and Park Department to cut down over 100 mature trees and convert natural grass meadows into a fenced-in, 20-acre artificial turf baseball complex. Artificial turf is petroleum-based, sheds microplastics, and has been associated with higher rates of ACL and Achilles injuries compared to well-maintained natural grass. Converting this shared, multi-generational and multi-ethnic public space into a specialized facility serving a narrow user group would fundamentally change the character of the park and limit access for many current users.

Organically managed natural grass fields do not carry the same environmental justice burdens as plastic turf. Rec & Park has already concentrated approximately 85% of its synthetic turf installations in neighborhoods with the highest asthma rates and a documented history of racial and environmental inequities. As currently proposed, this project would increase that concentration to roughly 90% of the City's total artificial turf acreage in historically disenfranchised communities.

We can and must do better. Investing in high-quality, organically

managed natural grass fields, similar to the improvements made at West Sunset Playground, would preserve trees, avoid unnecessary plastic pollution, and maintain a welcoming, multi-use park for residents of all ages.

I ask that you prioritize a renovation plan that protects public health, advances environmental justice, preserves mature trees, and keeps Crocker Amazon a park for everyone, young and old.

Sincerely,

Paul Biggs

From: Wesley Saunders
To: Chen, Chyanne (BOS); Lurie, Daniel (MYR); John-Baptiste, Alicia (MYR)
Cc: Mahmood, Bilal (BOS); Board of Supervisors (BOS); ChenStaff; Chan, Connie (BOS); Sauter, Danny (BOS); DorseyStaff (BOS); Fielder, Jackie (BOS); Melgar, Myrna (BOS); Real Keep Crocker; SherrillStaff; Walton, Shamann (BOS); WongStaff (BOS); MandelmanStaff (BOS)
Subject: Crocker Amazon Park-The People's Plan 2.0
Date: Monday, May 11, 2026 8:48:08 PM

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

Dear Mayor Lurie,

This is our second version of the Peoples Plan for Crocker Amazon Park. Our online survey had nearly 200 respondents along with the 75 responses we received during our community meeting in September of 2025. This plan would need no additional funds other than the $22M the city has already committed. **In the current scheme the city is the largest single source of funding.**

The survey responses overwhelmingly support a park with more seating, more community activity and improved walkways. We added some decorative flourishes to better represent the character of the area. We think this makes a good people-focused start to the parks design.

Many people found the 4/26 RPD "workshop" to be a disappointment. The people manning the booths lacked in depth information and were not as helpful as hoped. It was great for us to be able to connect with so many people opposed to the RPD plan

We question how RPD is conflating the The Crocker Amazon Project LLC with the San Francisco Giants. To date we have not seen any commitments from the Giants to the project and they are not the named donor. Continuing to associate them with project conveys positive good will to the Giants that is not deserved. It seems to be a value the city is granting them while receiving no benefit from the Giants. **The Giants name should be removed from this project.**

Keep Crocker Real has grown to over **300 members** with the majority living close to the park. We have generated more than **4,000 letters** to the commission in opposition . We have over **10,000 signatures** on our petitions calling for a halt to artificial turf. We have over **50 local**, regional and national organizations endorsing our city-wide moratorium on artificial turf including the Natural Resource Defense Council, Baykeeper, Clean Water Action and the Refuse/Refuse. The Urban Forestry Council and the San Francisco Youth Commission passed resolutions last week against RPD's plans. We are available to discuss alternatives.

Thank you,

People’s Plan v2.0 05.01.26

Keep Crocker Real

From: Libby Karolczak
To: Lurie, Daniel (MYR); Board of Supervisors (BOS)
Subject: OPPOSE: Artificial Turf Installation at Crocker Amazon Park
Date: Tuesday, May 12, 2026 1:49:44 PM

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

Dear Mayor Lurie & SF Board of Supervisors,

I am writing to you today as a concerned parent, long time kids sports proponent, and community advocate who recently completed the UC Climate Stewards program to strongly urge you to reconsider the plan to replace the natural grass and trees at Crocker Amazon Park with artificial turf.

The precedent of replacing living ecosystems with plastic is deeply worrying. Our public spaces should be safe havens, yet synthetic fields introduce unnecessary risks to the most vulnerable members of our community—our children and our pets.

Based on the concerns raised by the "Keep Crocker Real" initiative, here is why I am standing against this installation:

- **Toxic "Forever Chemicals":** It is unsettling to think about children and dogs playing on surfaces manufactured with PFAS and heavy metals like lead. Kids are constantly on the ground, and we shouldn't have to worry about what's absorbing into their skin or what they're breathing in while they play.
- **Dangerously High Temperatures:** On sunny days, artificial turf can reach temperatures that are literally high enough to blister a child's hand or burn a dog's paws. Natural grass is a built-in air conditioner for the neighborhood; plastic is a heat trap.
- **Bacteria and "Turf Burn":** Unlike real soil, which has a natural microbiome to break down waste, plastic surfaces can harbor nasty bacteria like *Staph*. When you combine that with the painful "turf burns" kids get from sliding on plastic, it's a recipe for infection.
- **A Permanent Waste Problem:** We teach our children to reduce plastic waste, yet this project would install tons of it. These fields only last about a decade, but once they are ripped up, that plastic and rubber infill stays in a landfill forever. It's not a sustainable investment; it's a future environmental crisis.

Harder Impacts: As a mom, I want kids to stay active, but the "give" of natural soil is much more forgiving on growing joints than the hard backing of synthetic turf, which is linked to higher rates of concussions and ACL injuries.

We should be investing in the health of our soil and the shade of our trees, not in plastic carpets that come with a warning label. Please choose a natural, living park for San Francisco’s families and the nature that all humans depend on.

Sincerely, Libby Karolczak, UC Climate Steward

From:	Mike Stolte
To:	Lurie, Daniel (MYR); Commission, Recpark (REC)
Cc:	ChenStaff; Board of Supervisors (BOS)
Subject:	Opposition to Artificial Turf for Crocker Amazon Ball Field Renovation
Date:	Tuesday, May 12, 2026 5:26:33 PM

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

Dear Mayor Lurie and Commissioners,

I am writing to urge you to protect Crocker Amazon Park from a proposal that would replace its natural open space with a fenced-in artificial turf sports complex.

The plan proposed by the San Francisco Recreation and Park Department in partnership with the San Francisco Giants and team owner/Trump donor Charles B. Johnson is being framed as a "gift." However, many neighbors did not ask for this project and do not support paving over meadows, cutting down mature trees, and fencing off large portions of a beloved community park.

Artificial turf also raises serious concerns. Synthetic fields are associated with higher surface temperatures, increased injury rates compared to well-maintained natural grass, and exposure to toxins like PFAS and microplastics. It's particularly troubling that the majority of artificial turf installations have been clustered in neighborhoods already burdened by asthma and environmental justice challenges.

I strongly support renovating Crocker Amazon Park, but doing so the right way:
- Yes to meaningful community input.
- Yes to natural grass fields and open green space.
- Yes to preserving mature trees and the park's character.
- Yes to space for seniors, families, cricket players, dog walkers, and youth sports alike.
- No to expanding toxic artificial turf.
- No to increased traffic, noise, and late-nightly bright field lighting.
- No to privatization and fencing that limits access.
- No to cutting down the majority of existing trees.

Please stand with neighborhood residents and protect this city treasure. Invest in improvements that enhance public health, environmental justice, and shared access, not in plastic infrastructure that narrows and intensifies use.

Sincerely,
Mike Stolte

From: Eli Navarro
To: Board of Supervisors (BOS)
Subject: Concern about Crocker Amazon Park renovation
Date: Wednesday, May 13, 2026 3:50:09 PM

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

My Name is Elizabeth Navarro. I am writing to you to express my concern about the plans to renovate Crocker Amazon Park. I have live in the Excelsior neighborhood for over thirty years and I am greatly distraught by the proposed plans of installing five new artificial turf fields and removing 120 mature trees. The real grass and trees are not only important for our community, but they are vital for the biodiversity of the park. The trees and grass not only provide food and shelter for our local species including the endangered Tri Colored blackbird, but for migratory birds as well. The trees at Crocker Park provide critical ecology and environmental value because they are a resting and nesting site for the migratory birds. The park functions as a necessary stopover point in an urbanized landscape. The park's mature trees and natural ground cover are essential for birds to rest and find refuge during migration. 49% percent of migratory bird population has declined because of habitat loss due to human development. Habitat loss remains the biggest threat for migratory birds with 90% tidal marsh in the San Francisco Bay Area already eliminated. This turf development is a threat to the trees and living grass that provide food and shelter for the migratory birds and according to the Migratory Bird Treaty Act, industrial projects that destroy nest or habitats of migratory birds are in violation of this act. As stated in a study published in 2019 by Cornell Lab of Ornithology, the North American bird population is down to 2.9 billion breeding adults since the 1970s primarily due to habitat loss.

San Fracisco is a well known and important city recognized worldwide. We should set an example by protecting our flora and fauna. We should be leaders in protecting our environment, starting with our community parks. I urge you to reconsider these renovation plans and keep our parks real. The trees help meet San Francisco’s climate goals by providing carbon storage and they help cleanse the air and protect the watershed, offering a healthier environment. Artificial turf is not only detrimental to humans, but is harmful for animals, and our environment. I am not only writing to you for myself, but I am speaking for my daughter, for the animals, and the trees. Although I cannot save the whole planet, I am asking you today to join me and help me save our park. Crocker Amazon Park is very dear to my heart and it will truly be a tragedy with catastrophic losses if the renovation plans proceed. Everything we do has ripple effects and affect the world on a greater scale. So I ask you, " Will you be part of the problem or the solution?"
Late anthropologist Jane Goodall said, " You cannot get through a single day without

having an impact on the world around you. What you do makes a difference, and you have to decide what kind of difference you want to make."

Thank you for you time,
Elizabeth

Item 15

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	15 Marina Blvd Proposed Project
Date:	Thursday, May 14, 2026 9:25:15 AM
Attachments:	Drury 15 Marina Blvd.pdf

Dear Supervisors,

Please see attached, from Lozeua Drury, LLP, on behalf of Marina Community Association, Cow Hollow Association, Golden Gate Valley Neighborhood Association, and Marina-Cow Hollow Neighbors and Merchants, regarding the proposed project located at 15 Marina Boulevard.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

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BY E-MAIL AND US MAIL

May 1, 2026

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RE: 11-15 Marina Boulevard (Marina Safeway) AB 2011 Application [Project #: 2025-011405PRJ].

Dear Director Phillips, President Campbell, Vice-President Moore, Honorable Commissioners and Mr. Horn:

I am writing on behalf of Marina Community Association ("MCA"), Cow Hollow Association ("CHA"), Golden Gate Valley Neighborhood Association ("GGVNA"), and Marina-Cow Hollow Neighbors and Merchants ("MCHNM"), all nonprofit organizations for the public benefit; and Neighborhoods United SF ("NUSF"), an alliance of community organizations. These long-established organizations are deeply concerned with the specific, adverse impacts of this project on our neighborhoods.

NUSF hereby objects to the Notice of Conditional Project Eligibility for AB 2011 ("AB 2011 Notice") issued by the City Planning Department staff on March 11 2026 for a project ("Project") proposed by Marina Property Owner, LLC, and Align Real Estate ("Align") at 11-15 Marina Blvd, San Francisco ("Project Site"). As discussed below, the Project does not qualify for streamlining under the newly adopted AB 2011 (Gov. Code section 65912.100, et seq.) or SB 330. While the Project may or may not be allowed to proceed, without AB 2011, it may not be exempted from review under the California Environmental Quality Act ("CEQA"), and public hearings are required before the City Planning Commission and Board of Supervisors because the

Project flagrantly violates applicable objective height, density and setback requirements. CEQA review is necessary to analyze and mitigate the Project's impacts and to propose feasible mitigation measures and alternatives. Public hearings are Constitutionally required to allow the affected community to have a voice in a Project that will impact the neighborhood and the entire City for decades to come.

I. Project Description.

Align proposes to construct an approximately 800-unit mixed use residential project on the Project Site, which is currently occupied by a Safeway grocery store constructed in 1959. The Project consists of two towers, one 20-stories and one 25-stories that would yield just under a million square feet, including 721,120 square feet of housing, 63,220 square feet for the replacement grocery store, and 161,020 square feet for the subterranean garage.

The Project Site is currently zoned for a maximum of 40-feet in height and 4-stories. The Project vastly exceeds existing, objective zoning limits. Align seeks to skirt zoning requirements by invoking the State Density Bonus Law, (Gov. Code section 65915), and seeks to avoid review under the California Environmental Quality Act ("CEQA") by invoking the recently enacted AB 2011. Without AB 2011, project review would be required under CEQA since the Density Bonus Law ("DBL") does not exempt the Project from CEQA review. The court of appeal has held that the City must comply both with CEQA and the DBL. (*Wollmer v City of Berkeley* (2011) 193 Cal.App.4th 1329, 1349.) Also, without reliance on AB 2011, the Project would be required to go through normal review and appeals before the City Planning Commission since the Project is wildly inconsistent with applicable height, setback and density requirements.

II. AB 2011

AB 2011 creates a streamlined "ministerial" approval process for certain residential projects proposed on commercial properties. Since the AB 2011 process is "ministerial," CEQA review is not required, and public hearings are not allowed.

However, AB 2011 contains several very important exceptions. The Legislature excluded from AB 2011 any projects that will have significant listed environmental impacts. In creating these exceptions, the Legislature made clear that AB 2011 was only intended to be used for run-of-the-mill residential projects without significant listed environmental impacts. AB 2011 expressly provides that streamlining is not allowed under the law if unless the project "satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4." Section 65913.5(a)(6) (SB 35), identifies categories of projects that are not subject to CEQA streamlining, if the project site is in the coastal zone, on prime farmland, wetlands, very high fire hazard severity zone, hazardous waste site listed pursuant to Section 65962.5 (the "Cortese List"), within an earthquake fault zone, with a flood hazard zone, habitat for special status species, lands under conservation easement. As discussed below, the Project fails to meet several requirements of Section 65913.4(a)(6).

A. The Project is not Subject to AB 2011 Because the Project Site is a Hazardous Material Site Listed on the Cortese List.

The Align Project is not entitled to streamlining under AB 2011 because it is a contaminated site on the State's Cortese List. The Project Site is contaminated with toxic chemicals far above residential screening levels due to over 60-years of industrial use.

A project is not entitled to streamlining under AB 2011 if the project site, is "A hazardous waste site that is listed pursuant to Section 65962.5 …" unless certain exceptions apply. (Gov. Code section 65913.4(a)(6)(E).)_The applicant also cannot use SB 330 streamlining of the Project site is so listed. (Gov. Code section 65941.1.)

Government Code section 65962.5 is commonly known as the "Cortese List." The Cortese List is the State's list of contaminated sites, which is required to be updated annually. (Gov. Code § 65962.5) The Cortese list is a list of sites that have, or have had, contaminated soil, water, air, vapor intrusion, negative health impacts on the public safety and/or impact local governments. The name came from the Legislator who authored the legislation that was enacted in 1985. Therefore, the Cortese list references the various federal and state agencies that report on and sometimes enforce environmental standards, such as those listed under CEQA. (See, California EPA, Cortese List Background and History, https://calepa.ca.gov/sitecleanup/corteselist/background/).

The Cortese List, is composed of five lists compiled by various state agencies, (Gov. Code § 65962.5(a)): (1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code; (2) All land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code; (3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land; (4) All sites listed pursuant to Section 25356 of the Health and Safety Code; (5) All sites included in the Abandoned Site Assessment Program.

The largest portion of the Cortese List is the GeoTracker database, compiled with the State Water Board. 15 Marina Boulevard is listed on GeoTracker and is therefore on the Cortese List. The Project Sites' Geotracker listing is attached hereto as Exhibit A. Since the Project Site is on the Cortese List, the Project may not be streamlined under AB 2011 and is not subject to SB 330.

The Project Site has a long history of heavy industrial use. The Project Site overlies an area that was previously part of San Francisco Bay's Gashouse Cove before the filling of the northwest portion of the Site began in the latter half of the 1800s. The Site was used for industrial purposes beginning in about 1893 by Phelps Manufacturing Company, which made screws, cables, and rail car components using coal-fired furnaces and boilers. In about 1900, the Site was cleared, and a steam electric plant was constructed, which appears on the 1905 Sanborn Fire Insurance Map. The steam electric plant was operated until 1942. During the course of operations, Pacific Gas and Electric Company first leased and later acquired the plant. In 1956, the former plant was dismantled, and the Site was redeveloped into a grocery store that continues to operate. The Project Site included three above-ground storage tanks ("ASTs"), including one massive AST containing over 1.2 million gallons of petroleum products. (See Exhibit B, Illustrated Site Chronology)

The Water Board found an "exceedance of the Commercial/Industrial Direct Exposure Soil Environmental Screening Level (ESL) is in a 5.5-foot depth sample at SWB-06B… Multiple VOCs [volatile organic compounds] as well as TPHg were detected in soil vapor samples above their laboratory reporting limit. Chloroform and tetrachloroethene (PCE) were detected in soil vapor samples at concentrations exceeding the RWQCB commercial/industrial ESLs of 18 micrograms per cubic meter (µg/m3) and 67 µg/m3, respectively." (SFRWQCB Letter p. 9 (Nov. 27, 2024) (Exhibit C).) Chloroform and PCE are chemicals known to cause cancer in humans. It is important to note that these tests found toxic and cancer-causing chemicals above commercial-industrial levels. Residential levels are far lower and more health protective.

The GeoTracker website contains a recent report by the Langan firm dated Feb. 20, 2026. That report states that six out of 32 soil samples "contained concentrations of TPHd [total petroleum hydrocarbons diesel] exceeding the Commercial/Industrial ESLs [environmental screening levels]." (Langan p. 2 (Feb. 20, 2026) (Exhibit D)). Langan recommended 14 additional test borings to further delineate the extent and nature of the contamination.

The Water Board issued a "closure" letter on November 27, 2024. However, the closure expressly stated that it was issued only for commercial-industrial uses, and that any change of use would require further evaluation. This is because much higher levels of contamination are allowed at commercial-industrial sites, where adult workers are exposed for at most 8-hours per day, whereas must more stringent cleanup levels are required for residential uses, where sensitive populations such as infants and elderly people may be exposed up to 24-hours per day. The Water Board letter states:

> While the information provided indicates the subject site is satisfactorily cleaned up to standards consistent with intended commercial/industrial land use, we may reconsider these findings should land use change, the configuration of site features change, or new information be discovered regarding previously undetected contamination. (RWQCB Letter, p. 1, (Nov. 27, 2024) (Exhibit C).

Since the proposed streamlined Project would change use from commercial-industrial to residential, the closure letter is no longer valid. Also, the more recent report from Langan identified significant toxic contamination that constitutes "new information."

Finally, despite the Water Board's commercial-industrial closure letter, the Project Site remains on the Cortese List. (Exhibit A). While there is a process to have a site removed from the Cortese List, that has not occurred.

The court of appeal has held that Cortese List sites may not be exempted from CEQA review even if they are listed as "closed." As the Court of Appeal has stated, "We agree that the Legislature intended that projects on these [Cortese List] sites should not be categorically exempt from CEQA because they may be more likely to involve significant effects on the environment." (*Parker Shattuck Neighbors v. Berkeley City Council,* 222 Cal. App. 4th 768, 781 (2013); *McQueen v. Mid-Peninsula Board*, 202 Cal.App.3d 1136, 1149, ("the known existence of…..hazardous wastes on property to be acquired is an unusual circumstance threatening the environment" and the project may not be exempted from CEQA review); *Association for a Cleaner Environment v. Yosemite Comm. College*, 110 Cal.App.4th 629 (2004) (presence of

hazardous materials makes CEQA exemption improper).) The CEQA statute states: "No project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code [Cortese List] shall be exempted from this division pursuant to subdivision (a)[categorical exemptions]." (Pub. Res. Code § 21084(c).) While AB 2011 is a statutory exemption, not a categorical exemption, it has expressly imported the Cortese List exception via referent to Government Code section 65913.4(a)(6), so the same legal requirements and rationale applies.

In short, since the Project Site is on the Cortese List, it is not subject to streamlining under AB 2011.

B. The Applicant Failed to Disclose the Project Site's Presence on the Cortese List.

The Applicant and Agency failed to disclose that the Project Site is on the Cortese list. The Applicant's AB 2011 application states falsely that the Project Site is not on the Cortese List. The City Planning Department's AB 2011 Preliminary Approval also falsely states that the Project Site is not on the Cortese List.

CEQA requires the lead agency to disclose the existence of a site on the Cortese List at the time the Project is first proposed and considered by the agency, and the Government Code requires project applications for any development to submit a hazardous waste statement to the lead agency identifying the project site's presence on the Cortese List. PRC § 21092.6(a) ("lead agency shall consult the lists compiled pursuant to Section 65962.5 of the Government Code to determine whether the project and any alternatives are located on a site which is included on any list…The lead agency shall specify the list and include the information in the statement required pursuant to subdivision (f) of Section 65962.5 of the Government Code, in the notice required pursuant to Section 21080.4, a negative declaration, and a draft environmental impact report"); Gov. Code § 65962.5 (applicant for any development project shall consult the lists of sites affected by hazardous wastes and submit a signed statement indicating whether the project and any alternatives are located on affected site before agency can accept application as complete).

In this case, Align failed to provide the hazardous waste statement to the City in their Project application, and the City failed to make known to the public that the site was on the Cortese List. The Applicant and City may argue that the fact that the Project Site was "closed" to commercial-industrial standards renders the Cortese Listing ineffective. Such an argument is contrary to the plain language of the statute. There is no CEQA provision or case law that distinguishes between sites on the Cortese List for which remediation has been performed and those for which it has not. Quite the opposite. Guidelines section 15300.2(e) broadly applies to projects "located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code." 14 CCR §15300.2(e) (emphasis added). Under the Guidelines, it is the mere fact of a site's inclusion on the Cortese List – not the status of remediation efforts –that governs the preclusion of a categorical exemption under CEQA. "The statute's plain meaning controls the court's interpretation." (*Green v. State of California* (2007) 42 Cal.4th 254, 260.) Here, CEQA's plain language states that if a project site is located on the Cortese List, then it may not be exempted from CEQA. It does not state, "unless the project is listed as closed." There are good reasons for the broad language. The fact that a site is listed on the Cortese List means that at some time there was significant contamination on the property. The CEQA drafters may well have

believed that the fact of historical contamination should at least trigger an Initial Study to determine if any residual contamination remains above levels appropriate for the new project. This is precisely the case here, where the site was allegedly cleaned up to commercial standards, but not residential.

C. The Project is not Subject to AB 2011 Because it is Not Consistent with "Objective Standards."

To qualify for streamlining under AB 2011, a project must be consistent with "objective zoning standards." (Gov. Code section 65912.113 (f).) The Project violates the objective height standards set forth in the zoning code of 4-stories and 40-feet. It also violates objective setback and density standards applicable to the site. The Project also violates the objective shadow standards set forth in Proposition M, codified in the San Francisco zoning code at Section 295 of the San Francisco Planning Code. Shadow analysis is an objective science. The attached shadow map shows that the Project will cast significant shadows over the adjacent park at Fort Mason. (Exhibit E). Since the Project fails to comply with objective zoning standards, it is not subject to streamlining under AB 2011.

D. The Project is not Subject to AB 2011 Because it is in a Flood Zone.

A project is not subject to AB 2011 if it is "Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency." (Gov. Code section 65913.4(a)(6)(G).) The site is within a known "vulnerability zone" bounded by the historic shoreline within Marina Blvd, Bay St, Laguna St, and Fillmore St.. The Marina has been subject to frequent flooding (much more than once every 100 years) The San Francisco Department of Public Works issued a report in 2022 documenting flooding problems in the immediate area. (Exhibit F). The site is completely within San Francisco's Tsunami Evacuation and Inundation Zones Map. There is actually a street sign on the west side of Buchanan at North Point that says: "Leaving Tsunami Evacuation Zone." (https://sfgov.maps.arcgis.com/apps/instant/basic/index.html?appid=05ed171c2be8403fb7368be2284bf2ff.)

The Project Site is also in a liquefaction zone and a tsunami evacuation zone. While AB 2011 does not expressly exclude tsunami and liquefaction zones, when the combined risk of contamination, plus liquefaction, plus tsunami, plus groundwater interaction exists, this raises unusual circumstances showing that this Project will have highly significant environmental risks that the Legislature intended to exclude from streamlining under AB 2011.

E. The Project May not be Subject to AB 2011 Because it Requires the Destruction of a Historic Resource.

AB 2011 streamlining is not allowed if "The development would require the demolition of a historic structure that was placed on a national, state, or local historic register." (Gov. Code section 65912.121(h)(3). The Marina Safeway is a potential historic building. It was one of the first modern Safeway stores, designed by master architect William Wurster, and was prototype for stores that followed. The Project requires destruction of this historic building. The project is not

subject to AB 2011 or SB 330 and therefore a standard Historic Resource Evaluation would be required under CEQA.

F. Inadequate Sewer Infrastructure.

The Project Site lacks adequate sewer infrastructure. The Department of Public Works has documented serious overflows of the combined sewer systems that serves the area. (Exhibit F). The sewer system is already overflowing raw sewage into people's homes, creating a significant public health and safety risk. Adding another 800 residential units will only exacerbate this public health risk. This is precisely the type of impact on public services that should be analyzed and mitigated through CEQA review.

G. Tribal Consultation is Required.

The AB 2011 Application wrongly states that tribal consultation is not required. This is incorrect. Government Code section 65912.111(h) requires tribal "consultation as described by Section 21080.3.1 of the Public Resources Code," for development on any "vacant site." Vacant site is defined in San Francisco as:

1. Any undeveloped parcel containing no existing buildings;
2. Any parcel that contains only a surface parking lot and no existing buildings, except buildings that are accessory to a surface parking lot use, such as a guard station or kiosk, whether or not said surface parking lot was established with the benefit of a permit; or
3. Any parcel over 15,000 square feet in size that contains a surface parking lot use, structures that are accessory to a surface parking lot use, such as those supporting General Advertising Signs, and a building that does not exceed 800 square feet in building area.

(Planning Director's Bulletin No. 9).

The Project includes two sites: 11 Marina Blvd, and 15 Marina Blvd. While 15 Marina Blvd. is not vacant (it has the Safeway Store), 11 Marina Blvd. is a vacant site and is subject to tribal consultation. 11 Marina contains only a parking lot and no existing buildings. While the Applicant seeks to merge the two sites, they are currently not merged and the 11 Marina site is subject to tribal consultation.

III. AB 2011 IS UNCONSTITUTIONAL.

A. AB 2011 Unconstitutionally Grants Non-Delegable Zoning Authority to Private Parties.

Municipalities cannot lawfully delegate their legislative or police power to others. (*Kugler v. Yocum* (1968) 69 Cal.2d 371, 375.) "An unconstitutional delegation of authority occurs when a legislative body (1) leaves the resolution of fundamental policy issues to others or, (2) fails to provide adequate direction for the implementation of that policy." (*Carson Mobilehome Park*

Owners' Assn. v. City of Carson (1983) 35 Cal.3d 184, 190.) The City's approval of the Project unconstitutionally delegates the City's police powers by allowing rezoning and general plan overrides through Density Bonus Law determinations without meaningful City discretion, in violation of constitutional non-delegation principles (see *Kugler v. Yocum, supra*).

Approval of the Project with the added density and waivers of development standards requested by Align pursuant to the Density Bonus Law unlawfully delegates the City's police powers to a private entity because it delegates to Align the power to rezone the Project parcel, to amend numerous general plan and zoning policies that apply to the Project parcel, or to obtain a variance from applicable general plan and municipal development code requirements. The City's general plan establishes the City's fundamental policies governing land use development. "Because of its broad scope, long-range perspective, and primacy over subsidiary land-use decisions, the general plan has been aptly described as the constitution for all future developments within the city or county." (*Denham, LLC v. City of Richmond* (2019) 41 Cal.App.5th 340, 344 [internal quotes omitted].) The State Planning and Zoning Law requires "uniformity" of zoning rules within zoning districts, stating: "All such [zoning] regulations shall be uniform for each class or kind of building or use of land throughout each zone, but the regulation in one type of zone may differ from those in other types of zones." (Government Code, § 65852; *Neighbors in Support of Appropriate Land Use v. County of Tuolumne* (2007) 157 Cal.App.4th 997, 1008.) The State Planning and Zoning Law also requires vertical consistency between local agencies general plans, zoning ordinances, and land use permits. (Government Code § 65860(c) ["County or city zoning ordinances shall be consistent with the general plan of the county or city"]; see *DeVita v. County of Napa* (1995) 9 Cal.4th 763, 772 ["A general plan is a "'constitution' for future development' [citation omitted] located at the top of 'the hierarchy of local government law regulating land use'"].) The Density Bonus Law forces the City to violate these fundamental requirements of zoning and general plan consistency, in violation of state law and the Constitution.

Both state and City planning law provide a process for landowners to obtain a "variance" from the "uniformity" of zoning limits that, while appropriate for the zone district in general, would impose undue hardship due to unique characteristics of a specific parcel. Government Code section 65906 governs the grant of zoning variances by municipalities and prohibits local agencies from granting "special privileges" to individual landowners. The City's zoning limits height to 40-feet or four-stories. The 25-story Project is wildly out of scale with the neighborhood, clearly violates the City General Plan's density and building scale policies, and clearly violates the City's development code standards that apply to the zone district.

For the City to approve this gross land use aberration based on the requirements of the Density Bonus Law would unconstitutionally delegate the City's police powers to the applicant. By authorizing a private business entity to waive an unlimited number of development standards, such approval delegates to a private party the power to rezone the project parcel, to amend numerous general plan policies that apply to the project parcel, or to obtain a variance from applicable general plan and development code requirements. The power to rezone, to amend the general plan, or to grant a variance are core police powers of the City that require the exercise of discretion to determine whether granting such relief is in the public interest. Neither the state legislature nor the City, nor both acting in concert, have the legal authority to delegate the resolution of such fundamental policy issues to others. Even if they could, the delegation in this

case fails to provide adequate direction for the implementation of those policies. (See e.g., *Bayside Timber Co. v. Board of Supervisors* (1971) 20 Cal.App.3d 1).

B. AB 2011 Denies the Public Constitutional Due Process Rights.

AB 2011 unconstitutionally infringes on the due process rights of nearby property owners. Absent SB 2011, a mixed-use project of this size requires that the City consider whether to issue a discretionary use permit and whether to grant variances. It is well-settled that nearby property owners who may suffer deprivation of substantial property rights have a procedural due process right to notice and opportunity to be heard before approval of such a use permit. (*Horn v. County of Ventura* (1979) 24 Cal.3d 605, 612.) This right attaches to discretionary, adjudicatory decisions, which include the City's decision to issue a use permit. (Ibid.) When a local zoning official, by oversight or legal error combined with the operation of AB 2011, causes an otherwise ineligible project to be deemed consistent with AB 2011's eligibility criteria as a matter of law, neighboring property owners who may suffer deprivation of substantial property interests would be deprived of their due process right to notice and opportunity to be heard before issuance of a discretionary use permit.

The Legislature and City cannot deprive its citizens of constitutional due process rights. (*Selinger v. City Council* (1989) 216 Cal.App.3d 259, 274 (*Selinger*.) In *Selinger*, the applicant for a subdivision map contended that the agency inaction caused the permit to be approved by the passage of time and agency inaction pursuant to the automatic approval provision of the Permit Streamlining Act (PSA). *Selinger* held the PSA's automatic approval provision unconstitutional because it leads to approval of development applications without providing notice and a hearing to affected landowners. AB 2011 similarly deprives the public of any constitutionally required due process hearing.

CONCLUSION

As discussed above, the Project does not qualify for streamlining under either AB 2011 or SB 330. Therefore, review is required under CEQA. Also, public notice and hearings are required before the Planning Commission.

Sincerely,

Richard Toshiyuki Drury
LOZEAU DRURY LLP

CC:
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Phil Faroudja, President, Golden Gate Valley Neighborhood Association, administrator@goldengatevalley.org
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EXHIBIT A

STATE WATER RESOURCES CONTROL BOARD

GEOTRACKER

CASE SUMMARY

REPORT DATE | HAZARDOUS MATERIAL INCIDENT REPORT FILED WITH OES?

I. REPORTED BY -

UNKNOWN

CREATED BY

UNKNOWN

III. SITE LOCATION

FACILITY NAME
SF Marina Safeway

FACILITY ID

FACILITY ADDRESS
15 Marina Boulevard
San Francisco, CA 94123
SAN FRANCISCO COUNTY

ORIENTATION OF SITE TO STREET

CROSS STREET

V. SUBSTANCES RELEASED / CONTAMINANT(S) OF CONCERN

CRUDE OIL
TOTAL PETROLEUM HYDROCARBONS (TPH)

VI. DISCOVERY/ABATEMENT

DATE DISCHARGE BEGAN

DATE DISCOVERED | HOW DISCOVERED | DESCRIPTION

DATE STOPPED | STOP METHOD | DESCRIPTION

VII. SOURCE/CAUSE

SOURCE OF DISCHARGE | CAUSE OF DISCHARGE

DISCHARGE DESCRIPTION

VIII. CASE TYPE

CASE TYPE

IX. REMEDIAL ACTION

NO REMEDIAL ACTIONS ENTERED

X. GENERAL COMMENTS

This property is a former steam electric power plant that operated between about 1900 and 1942. Crude oil was the fuel for energy generation. During investigations around the edge of the property in 2017, some petroleum contamination was discovered in soil. During spring 2023, an investigation of soil, soil gas and groundwater was performed.

XI. CERTIFICATION

I HEREBY CERTIFY THAT THE INFORMATION REPORTED HEREIN IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

XII. REGULATORY USE ONLY

LOCAL AGENCY CASE NUMBER | REGIONAL BOARD CASE NUMBER

LOCAL AGENCY

UNKNOWN
REGIONAL BOARD
UNKNOWN

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EXHIBIT B

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

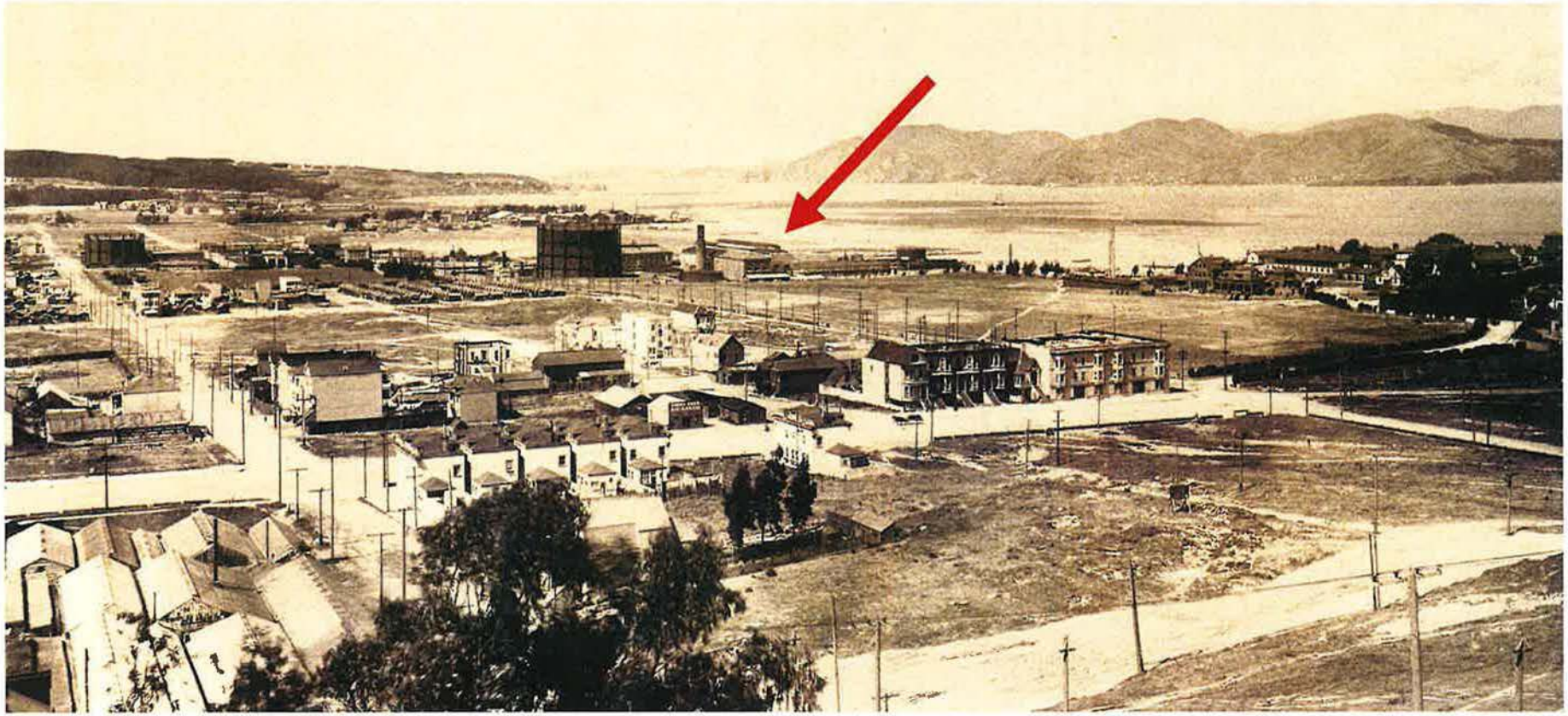


Figure 3: Detail of 1890 view from Russian Hill showing newly constructed buildings and oil tanks at site. Source: SFPL History Center AAB-9207.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

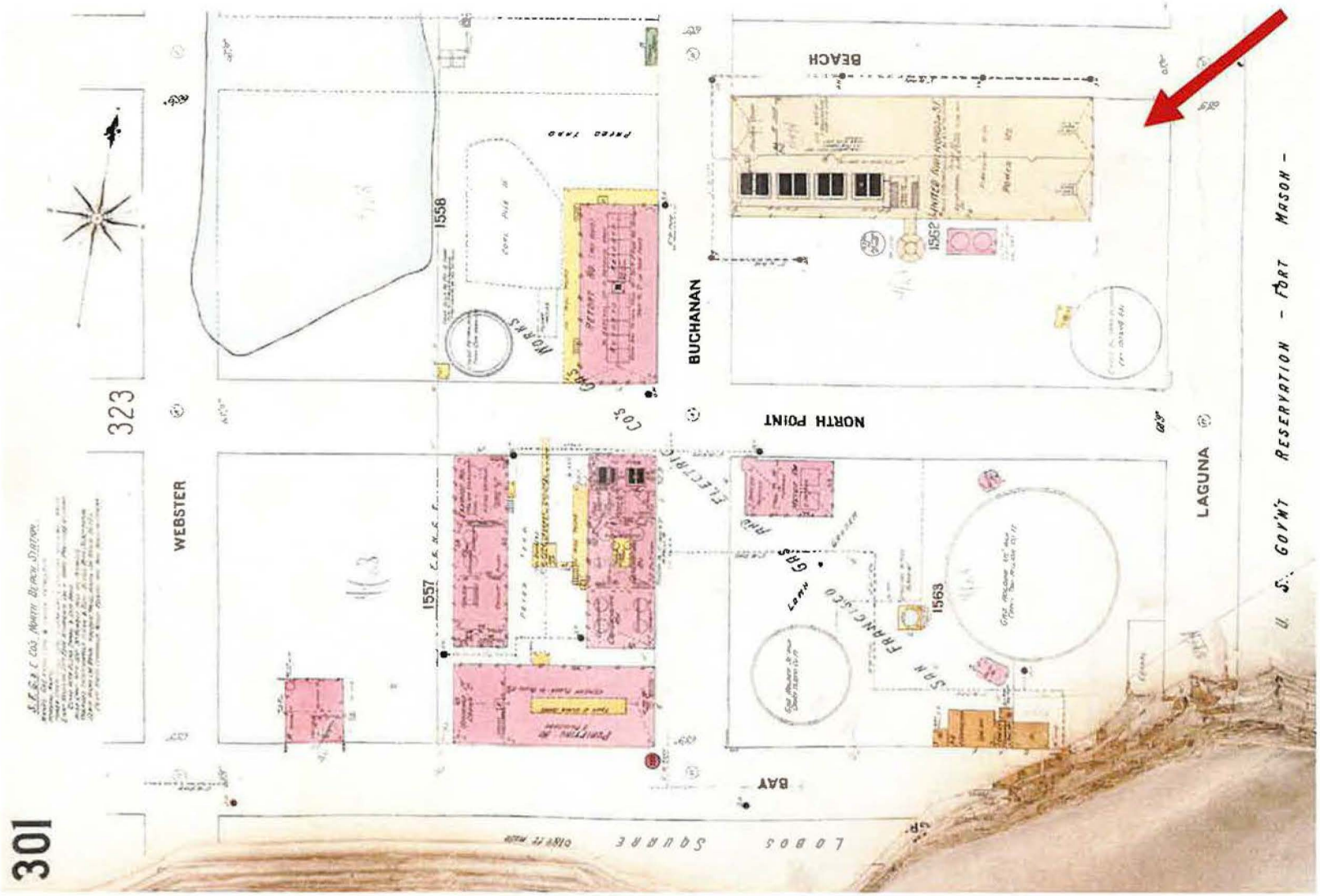


Figure 4: 1905 Sanborn Fire Insurance Map. Detail Vol 3 Sheet 301. Illustrates multiple oil tanks on 11 Marina Blvd parcel. Source: David Rumsey Maps.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

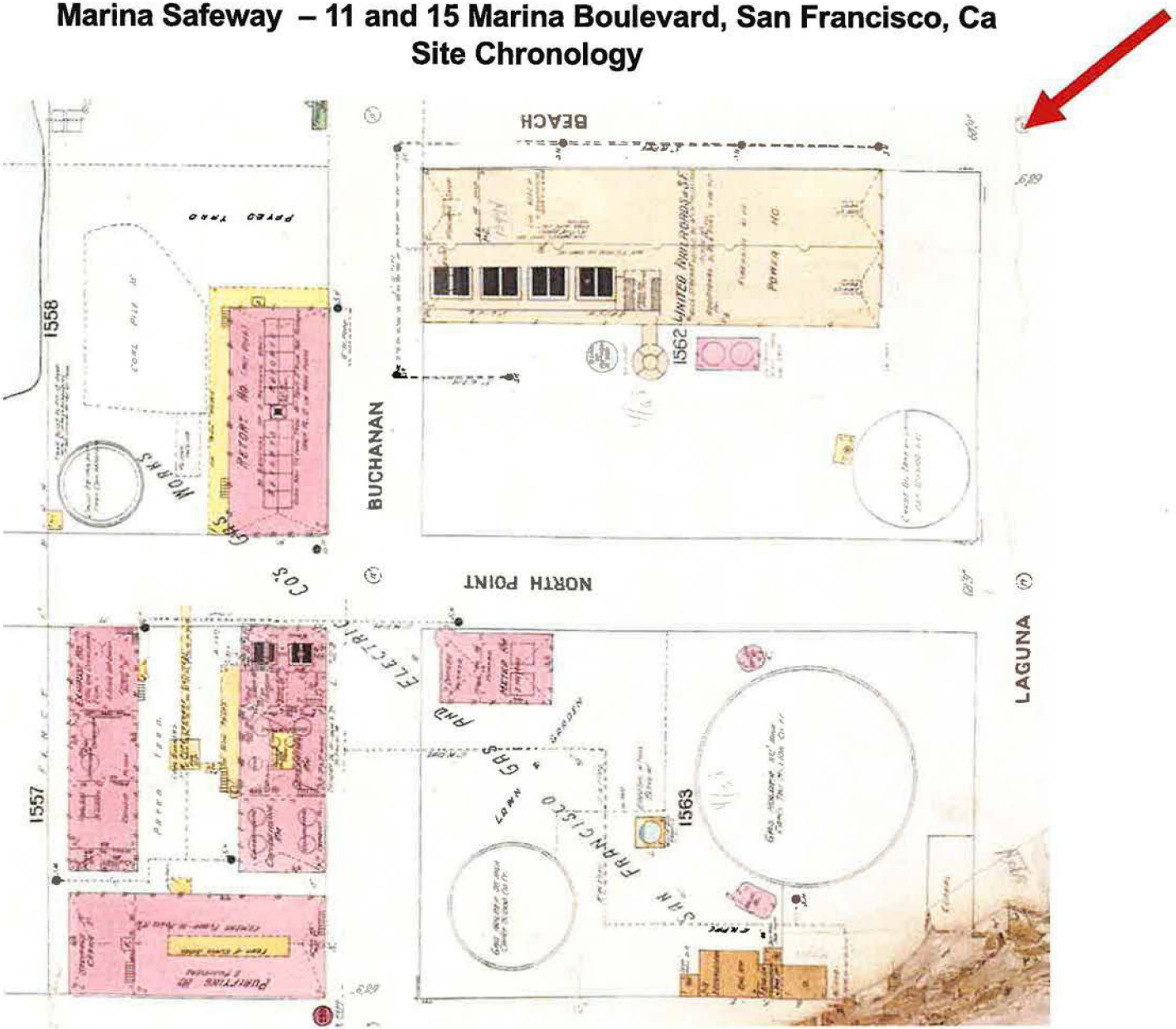


Figure 5: Detail 1905 Sanborn Fire Insurance Map. Detail Vol 3 Sheet 301. Source: David Rumsey Maps.

Figure 6: Circa 1906-07. Just after 1906 Earthquake. Rebuilding of large tank to north of site. Temporary tent camps visible in what is now Moscone Park and at Fort Mason. Source: SFPL History Center AAB-9347.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

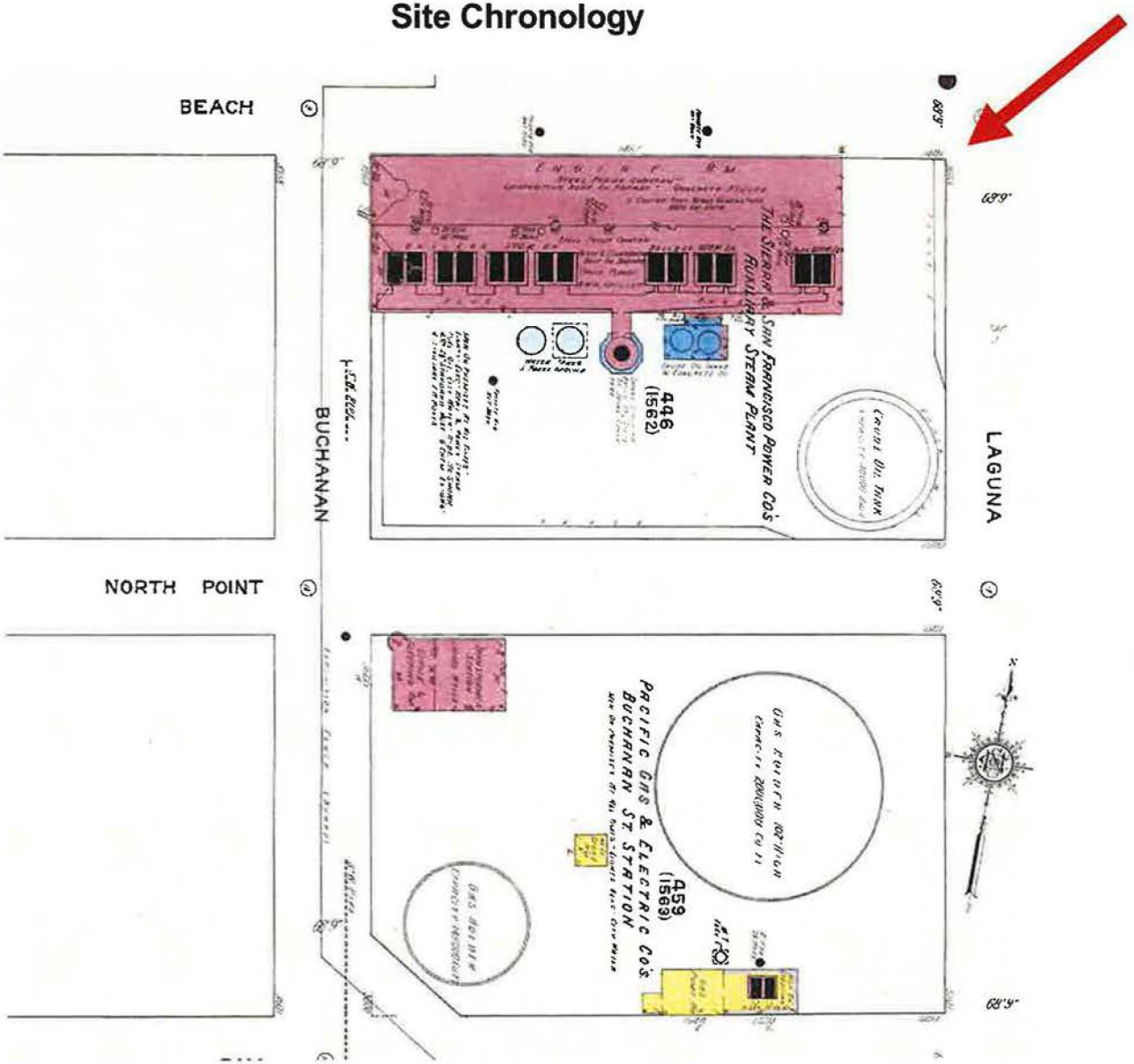


Figure 7: 1913 Sanborn Fire Insurance Map. Detail Vol 3 Sheet 245. Continues to show multiple oil tanks on the site. Source: SFPL FIMO

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

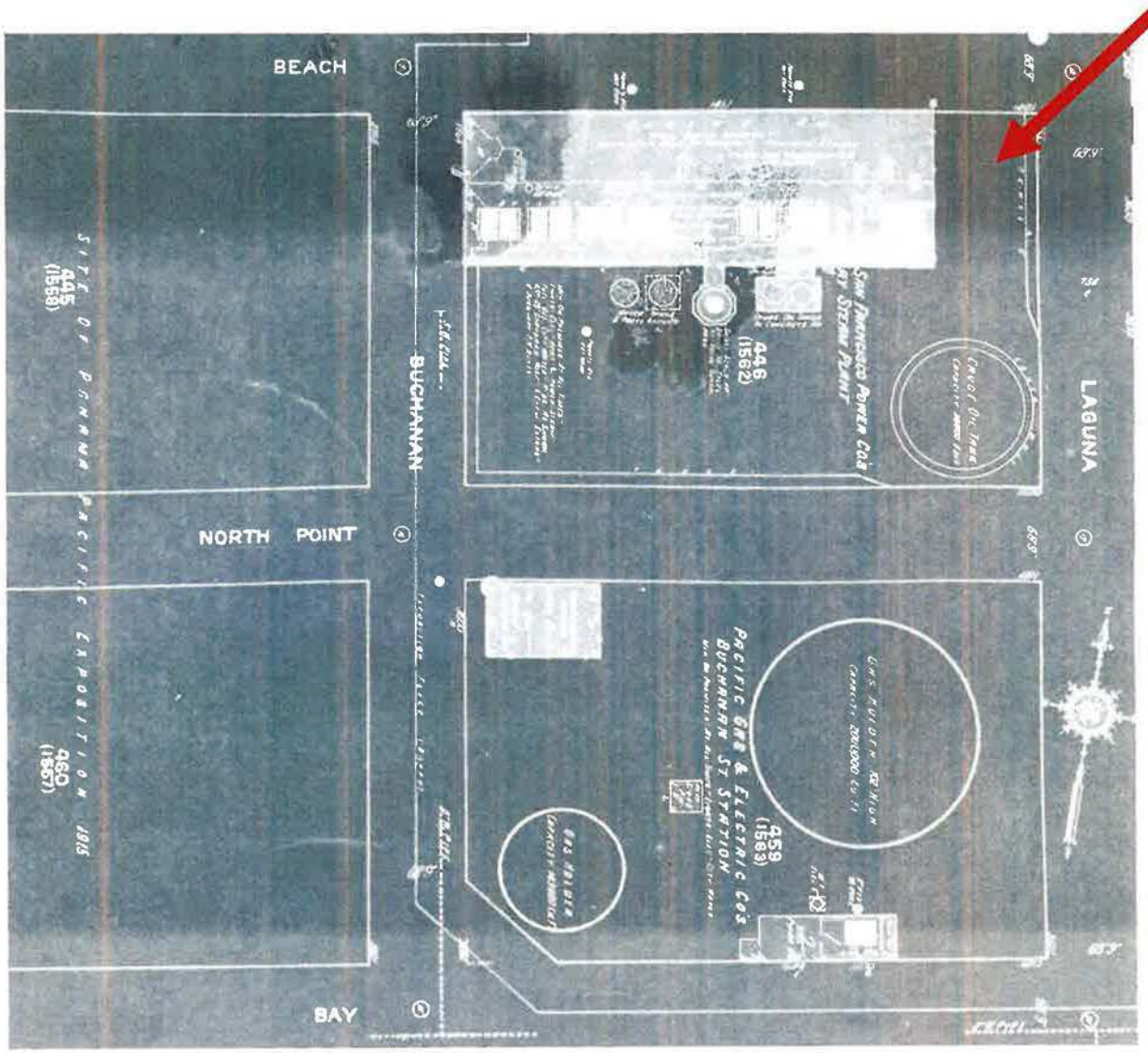


Figure 8: 1919 Sanborn Fire Insurance Map. Detail Vol 3 Sheet 245. Source: San Francisco Planning Department.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

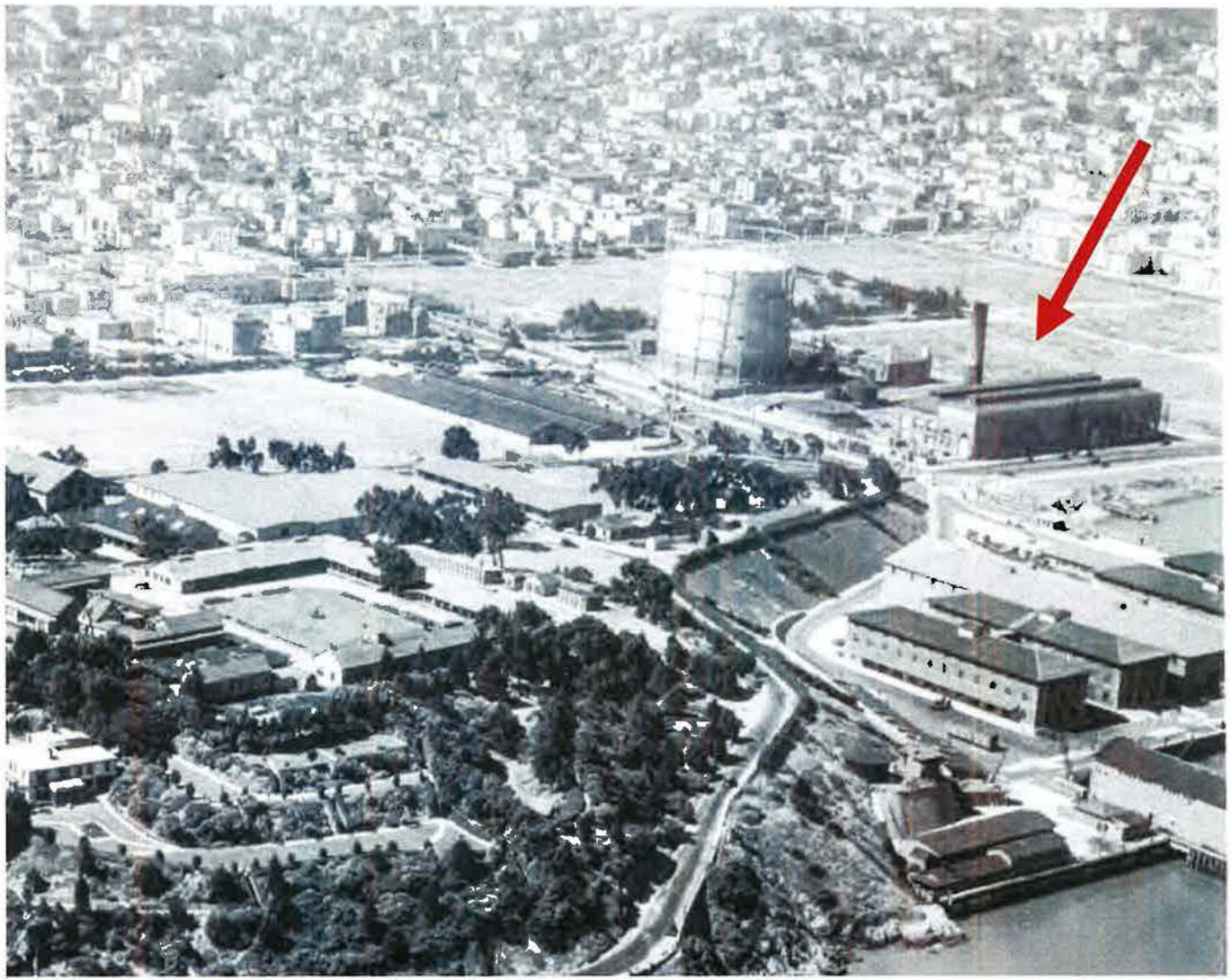


Figure 9: July 12, 1927. Aerial Map, detail. Illustrates tank on site. Source: OpenSFHistory.org.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

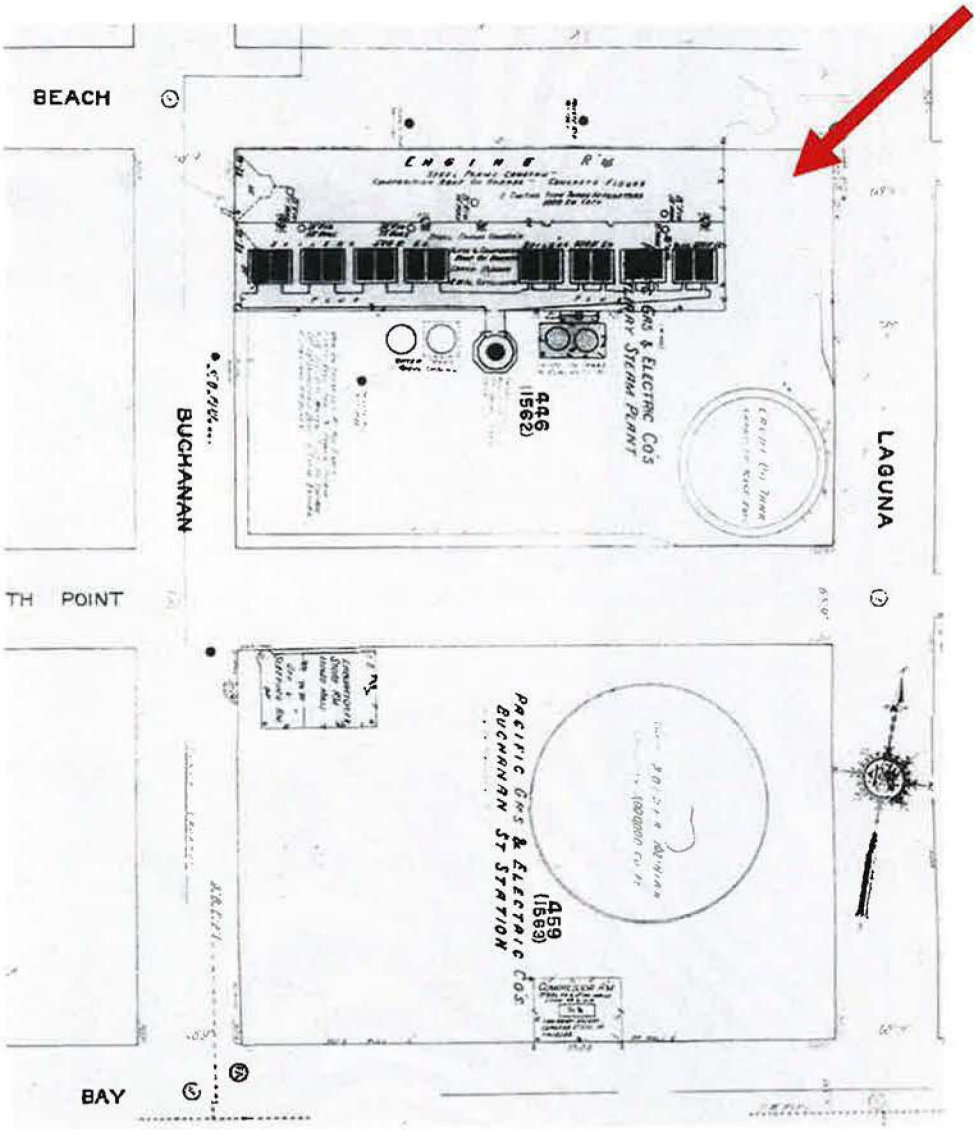


Figure 10: 1929 Sanborn Fire Insurance Map. Detail Vol 3 Sheet 245. Continues to show multiple oil tanks on the site. Source: SFPL FIMO

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

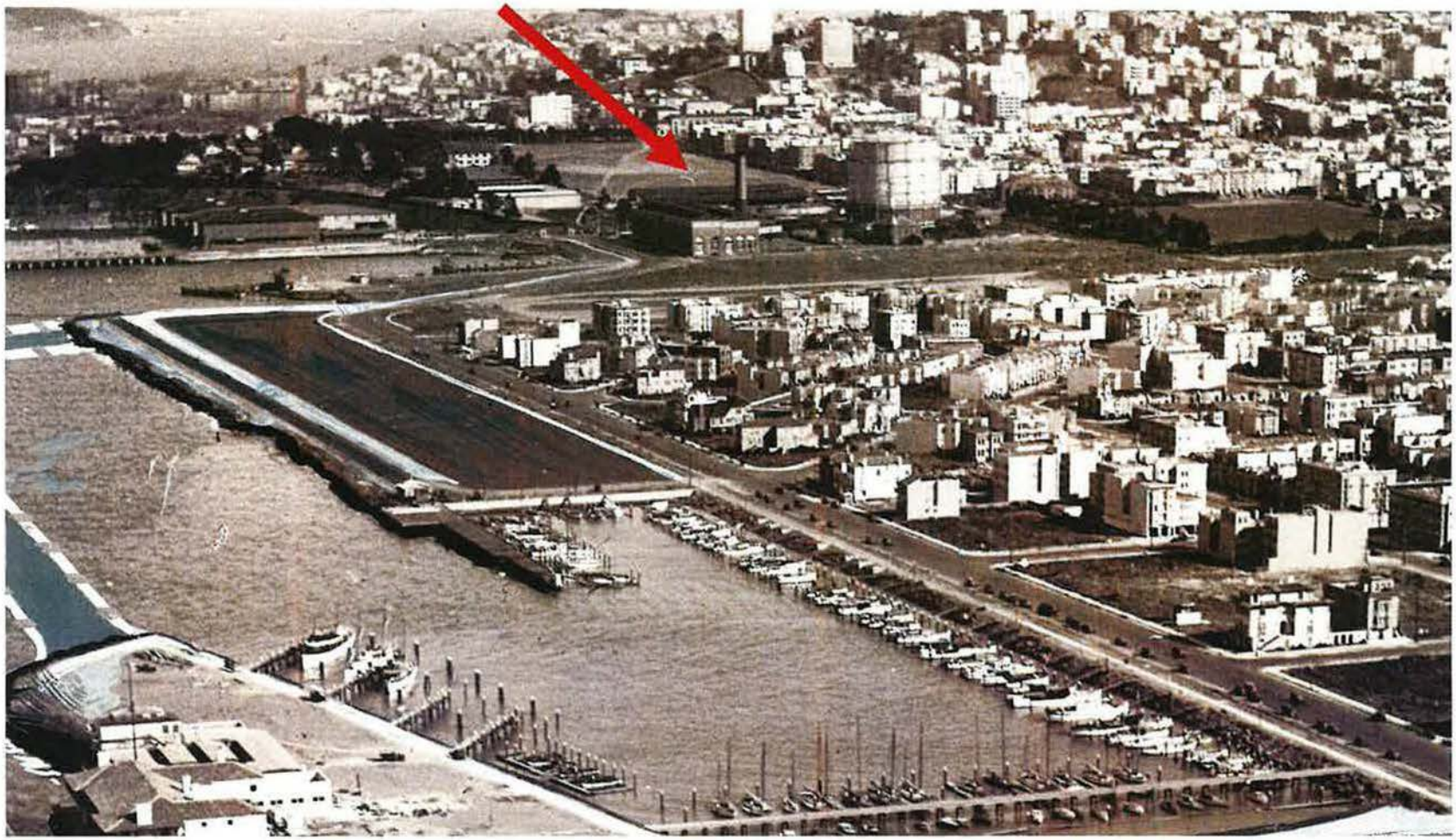


Figure 11: May 27, 1929, Detail view looking southeast. Source: SFPL History Center AAB-9432.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

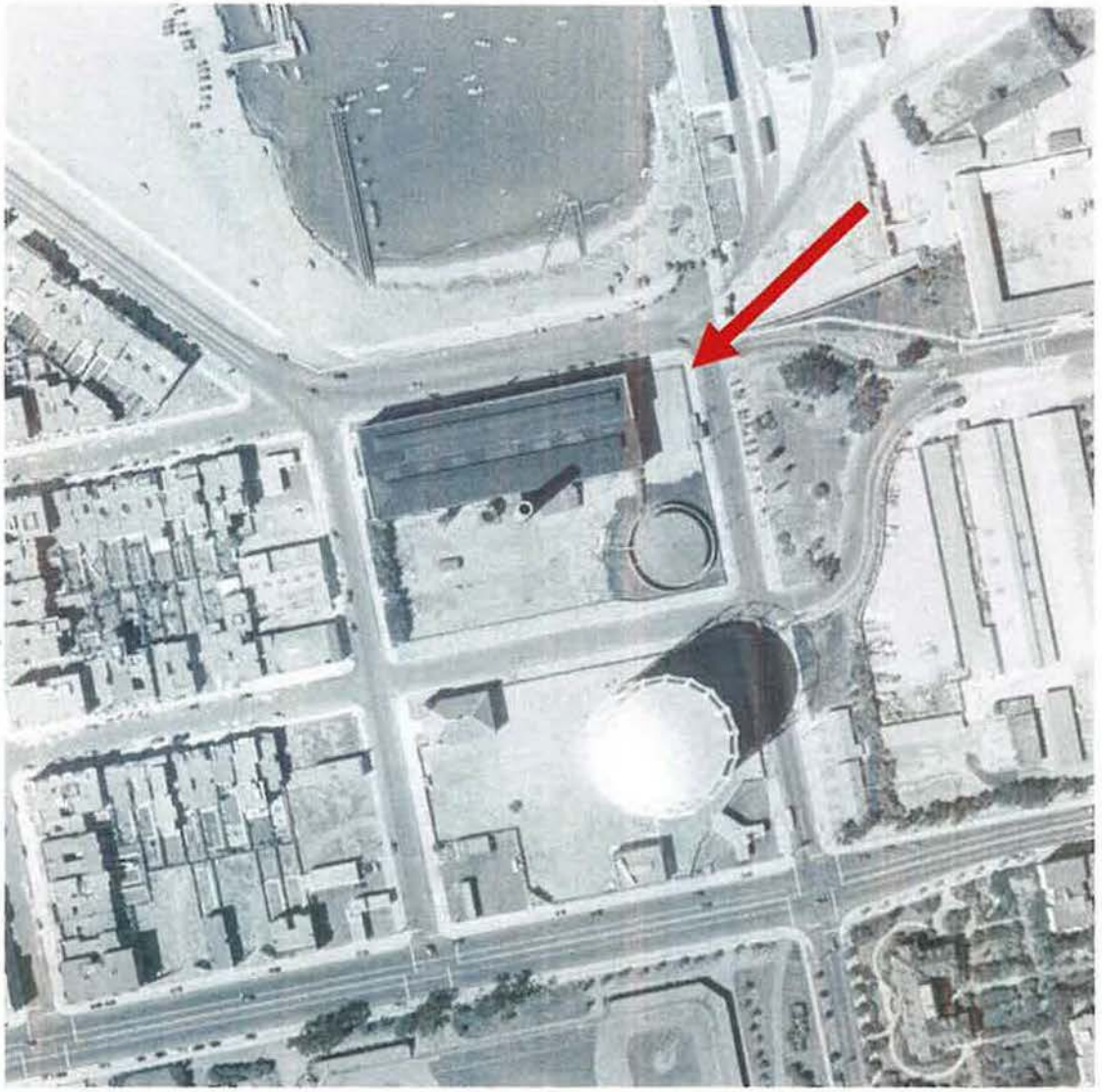


Figure 12: 1938 Aerial Photograph Harrison Ryker, Continues to show multiple oil tanks on the site. Source: David Rumsey Maps.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

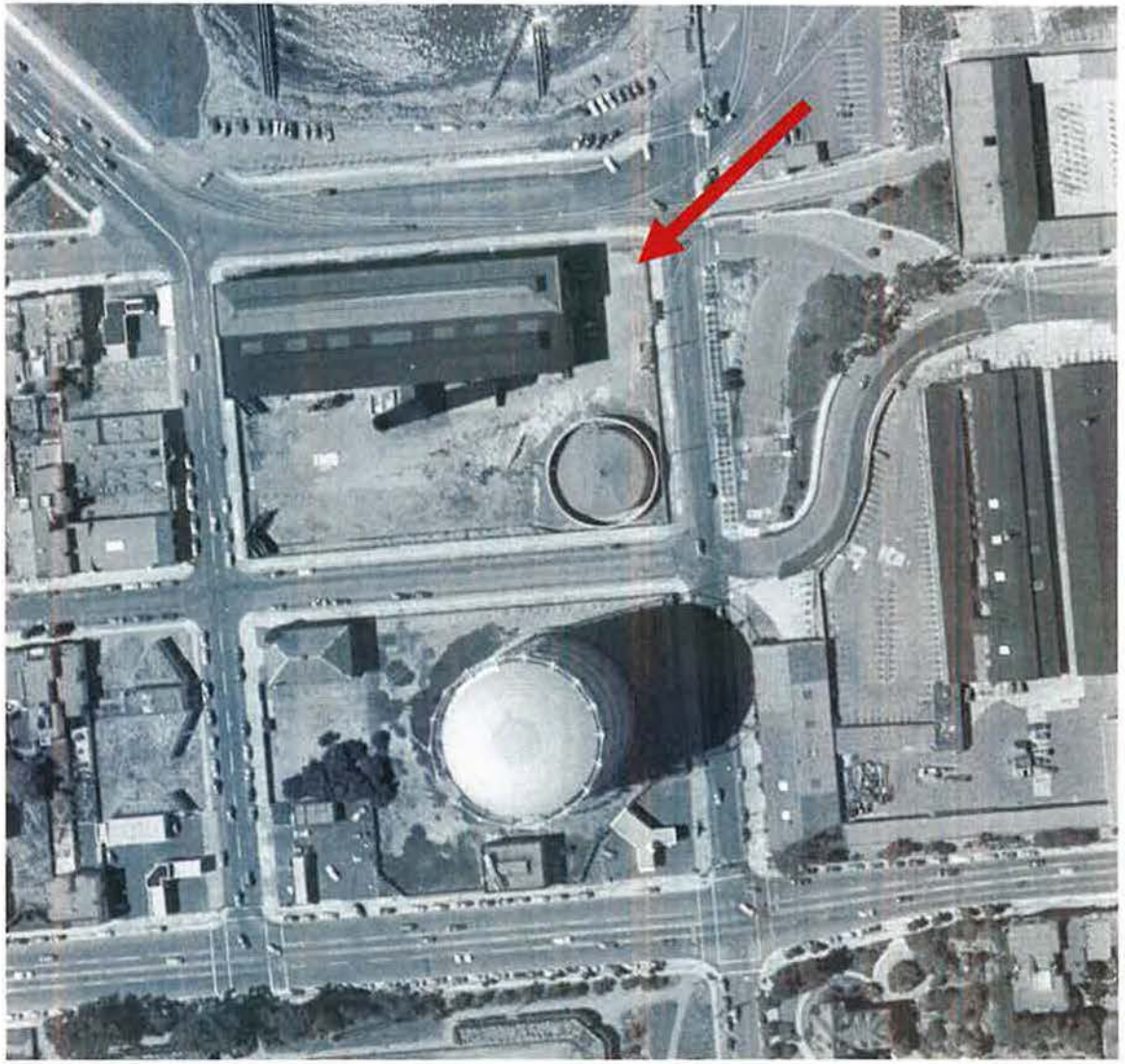


Figure 13: 1948 Aerial Photograph Harrison Ryker, Continues to show multiple oil tanks on the site. Source: David Rumsey Maps.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

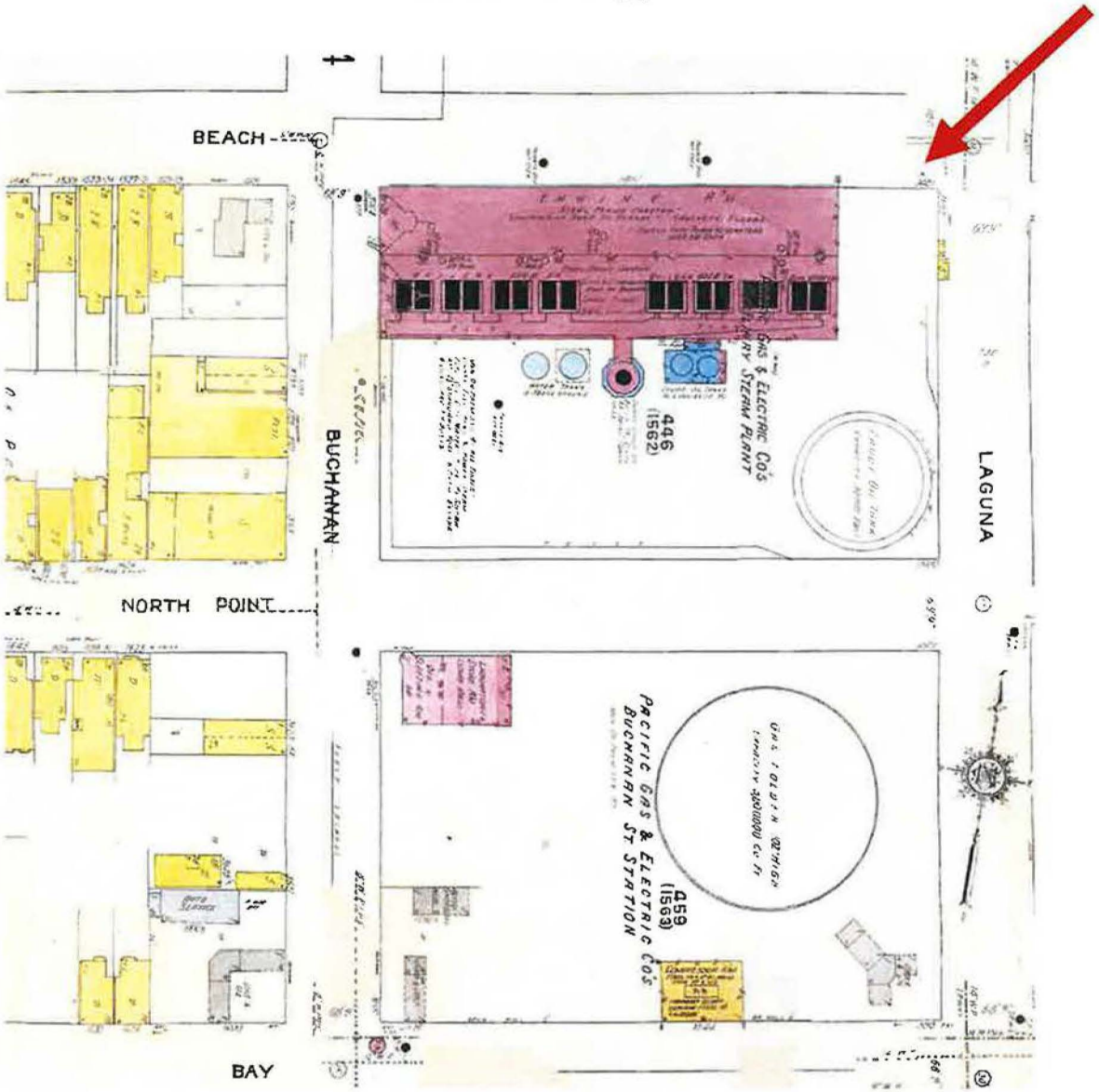


Figure 14: 1950 Sanborn Fire Insurance Map. Detail Vol 3 Sheet 245. Continues to show multiple oil tanks on the site. Source: SFPL FIMO.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

Figure 15: Aerial March 31, 1953, Looking North. Shows oil tank at 11 Marina Blvd parcel. Source: SFPL History Center AAC-2195.

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

Figure 16: Aerial 1954, Looking North. Shows oil tank at 11 Marina Blvd parcel. Source: GGNRA. Park Archives, GOGA 2316-77-C0380

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

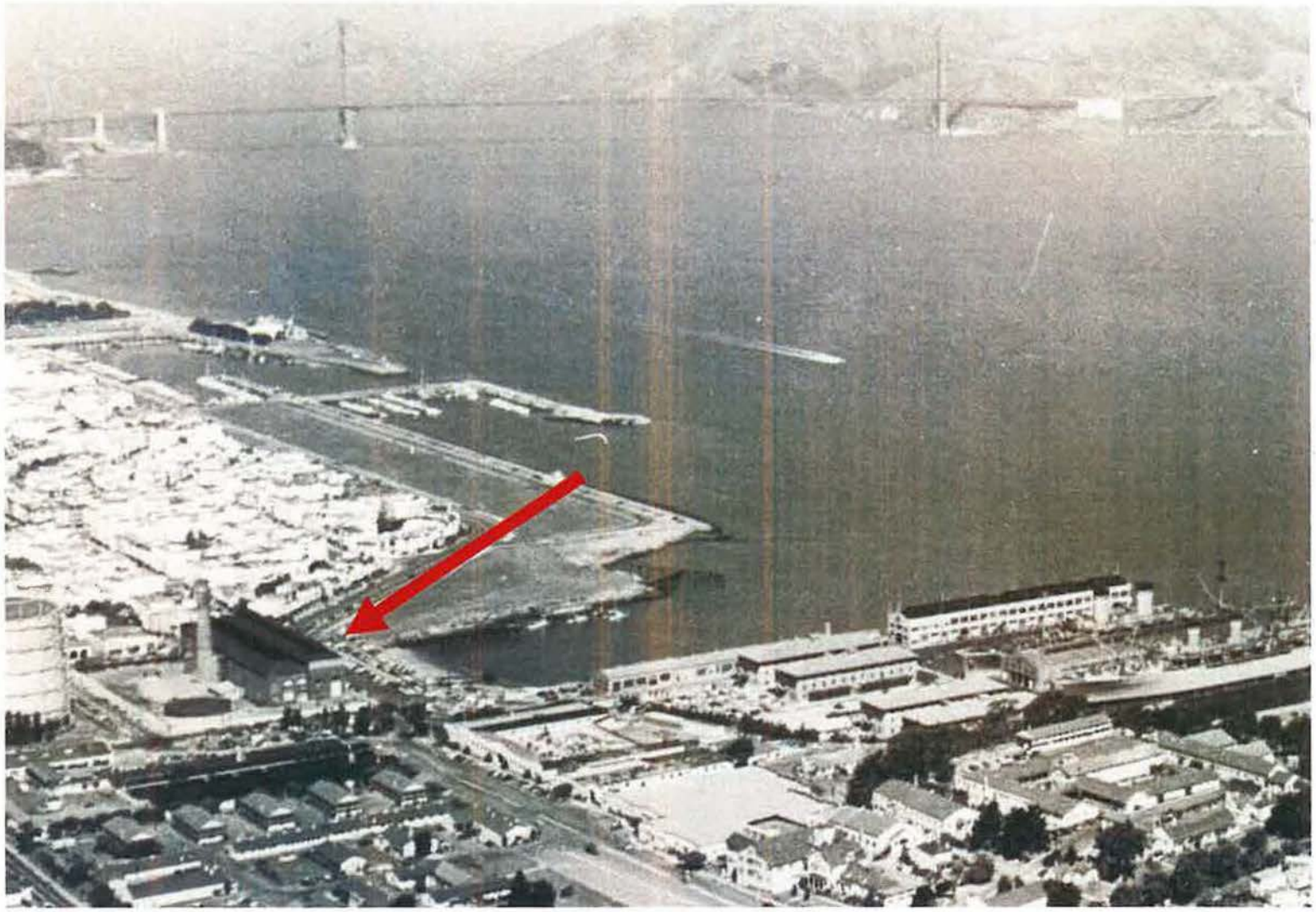


Figure 17: Detail, Aerial 1954, Looking North, Shows tank present on site.
Source: GGNRA. Park Archives, GOGA 38794-22

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

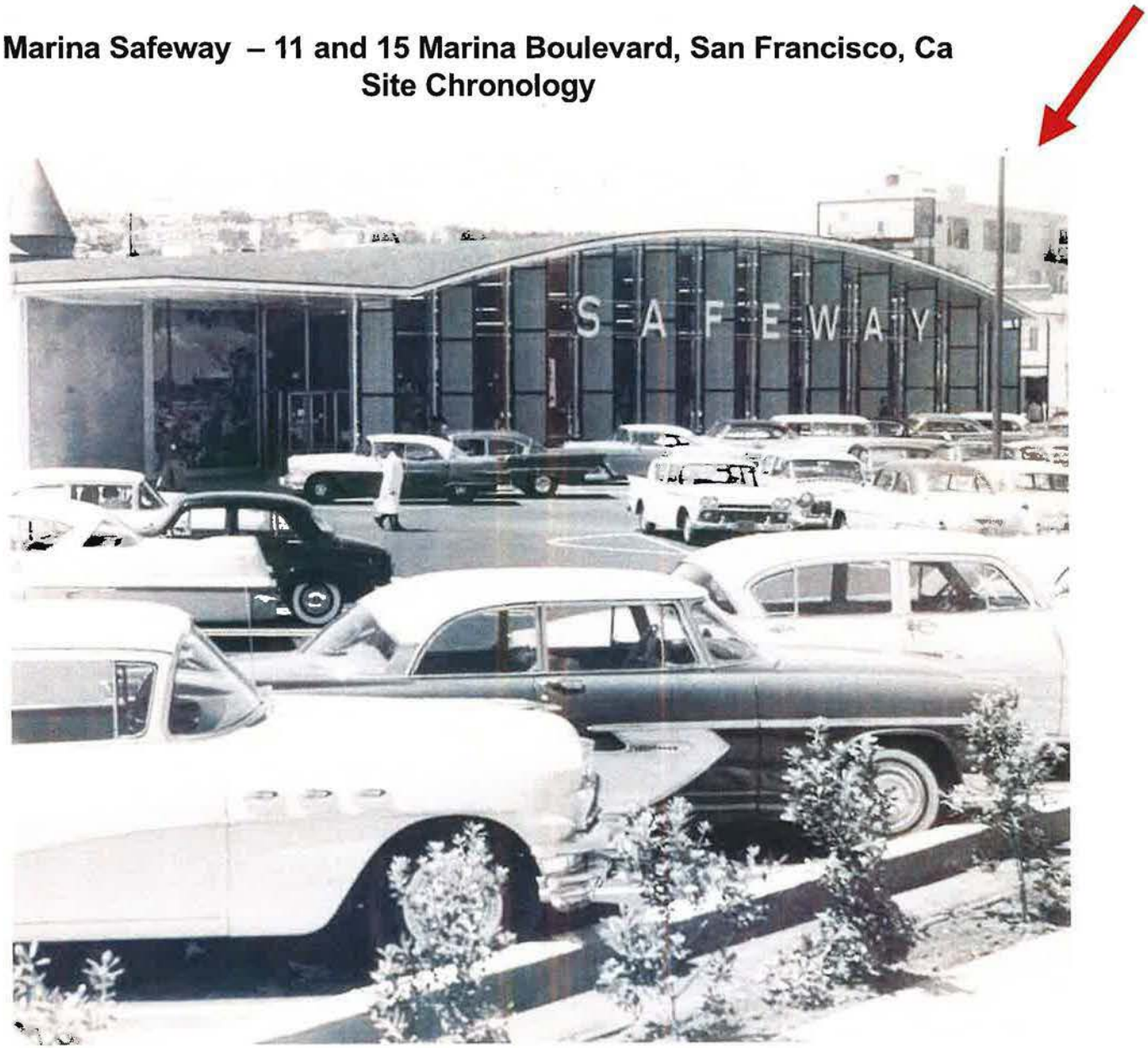


Figure 18: June 25, 1959 Completed Safeway and parking. Source: SFPL History Center

Marina Safeway – 11 and 15 Marina Boulevard, San Francisco, Ca
Site Chronology

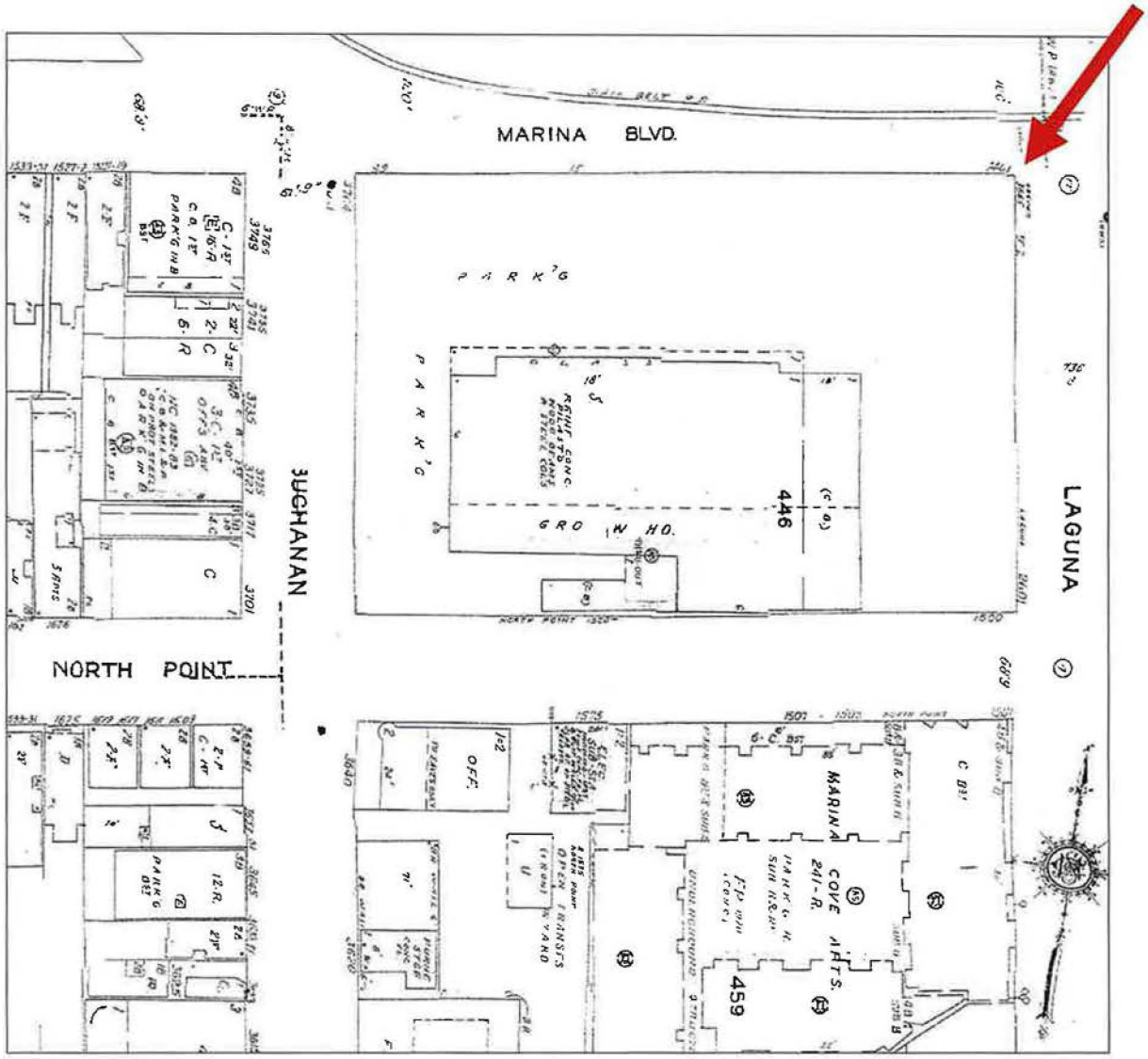


Figure 19: 1990 Sanborn Fire Insurance Map. Detail Vol 3 Sheet 245. Ilustrates Marina Safeway building and parking on the site. Source: San Francisco Planning Department.

EXHIBIT C

San Francisco Bay Regional Water Quality Control Board

November 27, 2024
GeoTracker ID: T10000017511

Pacific Gas and Electric Company (PG&E)
Environmental Remediation Department
Attn: Brenda McConathy
300 Lakeside Drive
Oakland, CA 94612-3534
Email: Brenda.McConathy@pge.com

Albertsons
Attn: Dean Frederickson
250 E Parkcenter Blvd
Boise, ID 83706
Email: Dean.Frederickson@albertsons.com

Subject: No Further Action, San Francisco Marina Safeway, 15 Marina Boulevard, San Francisco, San Francisco County

Dear Brenda McConathy and Dean Frederickson:

This letter confirms the completion of site investigation for the pollutant releases at the subject site. The attached Case Closure Summary describes our case-closure rationale.

Based upon the available information, including the current land use, and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action (NFA) related to the pollutant releases at the subject site is required at this time.

Basis and Assumptions

This NFA status applies only to releases of petroleum hydrocarbons associated with historical site use (storage of crude oil for steam electric power plant). While the information provided indicates the subject site is satisfactorily cleaned up to standards consistent with intended commercial/industrial land use, we may reconsider these findings should land use change, the configuration of site features change, or new information be discovered regarding previously undetected contamination.

This NFA assumes that shallow groundwater beneath the site is not suitable for drinking water or other potential uses, such as landscape and garden irrigation, and will not be used without further assessment and mitigation of potential risks.

Land Use Controls/Covenants

This NFA status does not require a land use controls/covenant or deed restriction to secure the conditions and requirements presented below.

Conditions and Requirements

To ensure protection of public health, safety, or the environment, and to be consistent with the land and groundwater use assumptions above, the following conditions/requirements apply:

- San Francisco Department of Public Health Notification – Maher Ordinance: the Site is within the expanded Maher zone and subject to requirements of the City and County of San Francisco Maher Ordinance. This requires site assessment if more than 50 cubic yards of soil will be disturbed during construction. The objective of Maher investigation and mitigation tasks is to ensure that hazardous materials encountered during excavation or present at properties, if any, are properly managed.

- Regional Water Board Notification – Land/Groundwater Use Change: The Regional Water Board must be notified of any proposed changes in future land use or groundwater use at the site. Formal Regional Water Board concurrence may be required.

- Site Management Plan: On August 28, 2024, the Regional Water Board concurred with the August 14, 2024, Site Management Plan (SMP) prepared for the subject site. The Site Management Plan shall be followed for future site work that involves the handling of soil or otherwise involves subsurface disturbance or repairs. The plan describes the environmental conditions (i.e. contamination left-in-place) and required procedures and notifications should contaminated soil or buried features (e.g., pipes) be encountered during any subsurface activities. If there are any questions, please contact the Regional Water Board.

Closing

The Regional Water Board may require a separate cost recovery agreement for regulatory oversight with the future landowner to evaluate conditions or to review any proposed change in land use, site configuration, or groundwater use.

If you have any questions, please contact Jacob T. Henry of my staff at 510.622.2408 or via email at jacob.henry@waterboards.ca.gov.

Sincerely,

Eileen M. White, P.E.
Executive Officer

Attachment:
Case Closure Summary

Copy:
Gina Withy, PG&E contract project manager, gina.withy@arcadis.com
Jane Anderson, Albertsons, jane.anderson@albertsons.com

CASE CLOSURE SUMMARY

I. AGENCY INFORMATION

Preparation Date: November 27, 2024

Agency Name: San Francisco Bay Regional Water Quality Control Board	Address: 1515 Clay Street, Suite 1400
City/State/Zip: Oakland, CA 94612	Phone: 510-622-2300
Responsible Staff Person: Jacob T. Henry, P.G.	Title: Engineering Geologist

II. SITE INFORMATION

Site Facility Name: San Francisco Marina Safeway		
Site Facility Address: 15 Marina Boulevard, San Francisco CA 94123		
Regional Water Board Case No.: GeoTracker ID T10000017511	Local Case No.: Not applicable	Priority: Not applicable
Responsible Parties (include addresses and phone numbers)		
Former Owner/Operator: Pacific Gas and Electric Company, 300 Lakeside Drive, Oakland, CA 94612. Attn: Brenda McConathy, Brenda.McConathy@pge.com, 916-201-8571		
Property Owner: Albertsons, 250 E Parkcenter Boulevard, Boise, ID 83706. Attn: Dean Frederickson, Dean.Frederickson@albertsons.com, 208-571-1486		

Above-Ground Tank No.	Size in Gallons	Contents	Closed In—Place/Removed?	Date
1	16,000	Crude oil	Removed	By 1956
2	16,000	Crude oil	Removed	By 1956
3	1,260,000 (30,000 barrels)	Crude oil	Removed	By 1956

III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and Type of Release: Unknown. Potential releases during operation or during dismantling of the former steam electric plant with three above ground storage tanks containing petroleum crude oil.	
Site characterization complete?	Date Approved by Oversight Agency:

CASE CLOSURE SUMMARY
San Franciso Marina Safeway

Yes	January 2, 2024	
Monitoring wells installed? No	Number: Not applicable	Proper screened interval? Not applicable
Highest GW Depth Below Ground Surface: 11.1 feet	Lowest Depth: 17 feet bgs	Flow Direction: North, towards San Francisco Bay
Most Sensitive Current Use: Commercial (grocery store)		
Most Sensitive Potential Use: Residential and Probability of Use: Low. Property is zoned commercial		
Are drinking water wells affected? No	Aquifer Name: Marina	
Is surface water affected? No	Nearest surface water name: San Francisco Bay	
Offsite Beneficial Use Impacts (Addresses/Locations): Not applicable		
Report(s) on file? Yes	Where is report(s) filed? GeoTracker ID T10000017511	

Treatment and Disposal of Affected Material

Material	Amount (Include Units)	Action (Treatment or Disposal w/Destination)	Date
Remediation was neither required nor performed.			

Maximum Documented Pollutant Concentrations For Key Constituents

POLLUTANT	Soil (mg/kg)	Water (µg/L)	Soil Vapor (µg/m^3)
Benzene	ND	ND	1.4
Ethylbenzene	ND	ND	4.0
Naphthalene	26	ND	4.8
Benzo[a]pyrene	77	n/a	n/a
Petroleum-Gasoline	ND	66	18
Petroleum-Diesel	2,500	450	n/a
Petroleum-Motor Oil	5,600	2,000*	n/a

Petroleum Hydrocarbon Oxidation Products (HOPs)**	n/a	28 to 918	n/a

Comments:
n/a – not applicable or not analyzed
ND – non-detect
* – This result likely indicates that contaminated soil was mixed in the sample during the process of collecting groundwater from a soil boring. Therefore, the concentration is biased high.
** – HOPs concentration range was estimated per the 2019 ESL User's Guide (see section 4.5.3) for both TPHd and TPHmo. Then, the results for TPHd and TPHmo were added together to provide broader representation of the HOPs present. Additionally, reporting or detection limits for non-detect results were halved and included in the HOPs calculation.

IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? Not applicable. Existing beneficial uses are protected.

Does completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? Not applicable. Potential beneficial uses are protected.

Does corrective action protect public health for current land use? Not applicable. There are no unacceptable public health risks for the current land use

Risk Management Measures, Conditions and Requirements:

This NFA status does not require a land use controls/covenant or deed restriction to secure the conditions and requirements presented below. However, given the presence of residual petroleum-related pollutants in soil and groundwater, to ensure protection of public health, safety, or the environment, and to be consistent with the land and groundwater use assumptions in the related "No Further Action" letter the following conditions/requirements apply:

- San Francisco Department of Public Health Notification – Maher Ordinance: the Site is within the expanded Maher zone and subject to requirements of the City and County of San Francisco Maher Ordinance. This requires site assessment if more than 50 cubic yards of soil will be disturbed during construction. The objective of Maher investigation and mitigation tasks is to ensure that hazardous materials encountered during excavation or present at properties, if any, are properly managed.

- Regional Water Board Notification – Land/Groundwater Use Change: The Regional Water Board must be notified of any proposed changes in future land use or groundwater use at the site. Formal Regional Water Board concurrence may be required.

• Site Management Plan: On August 28, 2024, the Regional Water Board concurred with the August 14, 2024, Site Management Plan (SMP) prepared for the subject site. The Site Management Plan shall be followed for future site work that involves the handling of soil or otherwise involves subsurface disturbance or repairs. The plan describes the environmental conditions (i.e., contamination left-in-place) and required procedures and notifications should contaminated soil or buried features (e.g., pipes) be encountered during any subsurface activities. If there are any questions, please contact the Regional Water Board.		
Monitoring Wells Decommissioned: Not applicable	Number Decommissioned: Not applicable	Number Retained: Not applicable
List Enforcement Actions Taken: Water Code Section 13267 Order dated April 12, 2022		
List Enforcement Actions Rescinded: Not applicable		

V. ADDITIONAL COMMENTS, DATA, ETC.

This case meets the criteria in the Regional Water Board's 2009 Assessment Tool for Closure of Low-Threat Chlorinated Solvent Sites (Low-Threat Assessment Tool) as described in Attachment 1 (closure rationale).

VI. TECHNICAL REPORTS, CORRESPONDENCE, ETC., THAT THIS CLOSURE RECOMMENDATION WAS BASED UPON

Report	Issuance Date
Site Characterization Investigation Work Plan (includes Site History Report in Appendix A)	10/28/2022
Report on Site Characterization Investigation Report	11/03/2023
Results of Indoor Air Sampling	5/17/2024
Site Management Plan	8/14/2024

This document and the related NO FURTHER ACTION LETTER shall be retained by the lead agency as part of the official site file.

Attachments:

- Attachment 1 Rationale for Closure
- Figure 1 Project Locus
- Figure 2 Investigation Locations
- Figure 3 Soil Analytical Results
- Figure 4 Groundwater Analytical Results

Attachment 1 to the Case Closure Summary: Rationale for Closure
San Francisco Marina Safeway
15 Marina Boulevard
San Francisco

Site Description

The San Francisco Marina Safeway (Site) occupies the property bound by Marina Boulevard, Laguna Street, North Point Street, and Buchanan Street and partially overlies an area that was previously part of San Francisco Bay's Gashouse Cove before the filling of the northwest portion of the Site began in the latter half of the 1800s. The Site was used for industrial purposes beginning in about 1893 by Phelps Manufacturing Company, which made screws, cables, and rail car components using coal-fired furnaces and boilers. In about 1900, the Site was cleared, and a steam electric plant was constructed. The steam electric plant was operated until 1942. During the course of operations, Pacific Gas and Electric Company first leased and later acquired the plant. In 1956, the former plant was dismantled, and the Site was redeveloped into a grocery store that continues to operate.

This case meets the criteria in the San Franciso Bay Regional Water Quality Control Board's (Regional Water Board's) 2009 Assessment Tool for Closure of Low-Threat Chlorinated Solvent Sites (Low-Threat Assessment Tool) as described herein.

Criterion 1a (Pollutant sources are identified and evaluated)

The primary sources—three above ground storage tanks (AST) containing petroleum crude oil—were removed by 1956. The chemicals of potential concern (COPCs) are petroleum hydrocarbons, primarily total petroleum hydrocarbons (TPH) in the motor oil range (TPHmo; C24-C36) and some TPH as diesel (TPHd; C10-C24). The primary contaminated media are soil and to a lesser extent groundwater. Soil vapor is not significantly impacted. The COPCs are consistent with the former steam electric plant operations, which were powered using crude oil.

Criterion 1b (The site is adequately characterized)

The nature, distribution, and extent of contamination in subsurface media (soil, soil vapor, and groundwater) have been adequately characterized. The distribution and magnitude of detected COPCs is consistent with the past use. Since no significant soil vapor impacts were encountered, a summary of the soil and groundwater impacts is presented below.

- Soil – There are two areas of petroleum-contaminated soil at the Site. The first area is around the former 1,260,000-gallon AST in the southeastern portion of the Site (borings SWB-01, SWB-02, SWB-03, and former location TG-28). TPHmo-contaminated soil is present at depths of approximately 5 feet below ground surface. The second area is in the northwestern portion of the Site, near the former boiler and engine rooms with TPHmo at similar depths along with

some TPHd-contaminated soil at boring location SWB-06B. The only exceedance of the Commercial/Industrial Direct Exposure Soil Environmental Screening Level (ESL) is in a 5.5-foot depth sample at SWB-06B.

- Groundwater – Groundwater contamination is limited to the area near the former 1,260,000-gallon AST, at borings SWB-01 and SWB-03. The TPHd and TPHmo results with and without silica gel cleanup (SGC) were reviewed along with the chromatograms. The detections of TPHd and TPHmo after SGC at these borings indicate that the materials detected are hydrocarbons. This result likely indicates that contaminated soil was mixed in the sample during the process of collecting groundwater from a soil boring. Therefore, the concentration is biased high. The TPHd concentrations were detected up to 450 µg/L, which is below the TPHd Aquatic Habitat ESL of 640 ug/L, the most relevant exposure pathway. Review of the chromatograms for TPHd and TPHmo after SGC indicate that petroleum hydrocarbon oxidation products (HOPs) are present. The HOPs concentration range was estimated per the 2019 ESL User's Guide (see section 4.5.3) for both TPHd and TPHmo. Then, the results for TPHd and TPHmo were added together to provide broader representation of the HOPs present. Additionally, reporting or detection limits for non-detect results were halved and included in the HOPs calculation. The estimated concentration at SWB-03 is 918 µg/L, which is approximately twice the HOPs Aquatic Habitat ESL of 510 µg/L. However, the presence of HOPs is an indication biodegradation is occurring. Coupled with no threat of a release to the Bay means there is no to very low risk.

Criterion 1c (Exposure pathways, receptors, and potential risks, threats, and other environmental concerns are identified and assessed)

Based on available soil vapor data, residual COPCs do not present a significant soil vapor intrusion risk. The relevant exposure pathways for soil are direct contact for commercial workers and construction/maintenance workers for situations where there is subsurface work. The relevant exposure pathway for groundwater is potential discharge to the Bay (aquatic habitat). Although groundwater concentrations are above the Aquatic Habitat ESLs, the contamination is isolated and not migrating to the Bay where exposure could occur. Drinking water exposures are unlikely given that there is supplied municipal drinking water and that shallow groundwater conditions in the area meets the beneficial use exception criteria in State Water Resources Control Board Resolution No. 88-63 and Regional Water Board Resolution No. 89-39 as described in the Regional Water Board July 14, 2023, letter.

Criterion 2a (Pollutant sources are remediated to the extent feasible)

The residual COPC concentration strengths are low, such that source remediation is not warranted.

Criterion 2b (Unacceptable risks to human health, ecological health, and sensitive receptors, considering current and future land and water uses, are mitigated)

There are no unacceptable risks to human or ecological (i.e., aquatic habitat) receptors considering the current and reasonably foreseeable future land and water uses. Though there are exceedances of the appropriate soil and groundwater ESLs, the exceedances are isolated and exposure is unlikely to occur. Moreover, the concentrations likely will decline over time due to biodegradation, which will improve water quality.

Sea level rise (SLR) and groundwater rise (GWR) are not a concern for this site given the low residual mass in soil and groundwater. However, a more in-depth assessment of SLR and GWR was completed to be consistent with standard practices employed by the Regional Water Board.

The Regional Water Board relied on two documents to assess potential risks due to SLR: State Agency Sea Level Rise Action Plan for California (February 2024) (Action Plan) and State of California Sea Level Rise Guidance (June 2024) (SLR Guidance). The Action Plan advocates for the assessment of five potential sea level rise scenarios (low, intermediate-low, intermediate, intermediate-high, and high), which are dependent on the nearest tide gauge and a range of years up to 2150. Application of the SLR Guidance should account for variability in the prediction models and ensure resiliency of existing infrastructure (including remedial), buildings, and remaining contamination. Regional Water Board staff evaluated the potential adverse effects from an intermediate, intermediate-high, and high SLR scenario using the San Francisco tide gauge. This assessment included the potential for flooding and erosion due to SLR that could expose the residual contamination and the increased potential for contaminant dissolution, mobilization, and soil vapor generation due to GWR rise.

Based on the recommendation in the Action Plan and the SLR Guidance, along with publicly available sea level rise interactive models from Our Coast Our Future (OCOF) and Adapting To Rising Tides (ART), Regional Water Board staff conducted the assessment to determine if SLR and GWR would present an unacceptable risk to human health or the environment. Based on the assessment and the continued attenuation of remaining impacts, it is reasonable to assume remaining impacts will continue to present a low risk as per the Low-Threat Assessment Tool if SLR reaches 6.5 feet by 2100.

Below are the key findings from the assessment:

Intermediate to High SLR of 0.8 to 1.3 Feet by 2050: The OCOF and ART models were set to the closest available SLR scenarios that represent a SLR of 0.8 feet, 1.0 feet, and 1.3 feet. Both models show no flooding will occur at the Site. The OCOF model also accounts for potential GWR and even with a SLR of 1.6 feet (closest to 1.3 feet predicted), groundwater would be expected at approximately similar levels currently measured (7 to 11 feet deep) at the Site.

Intermediate to High SLR of 3.1 to 6.5 Feet by 2100: The OCOF and ART models were set to the closest available SLR scenarios that represent a SLR of 3.1 feet, 4.8 feet, and 6.5 feet. Both models show no flooding will occur at the Site. The OCOF model also accounts for potential GWR and even with a SLR of 6.6 feet (closest to 6.5 feet predicted), groundwater would be expected at a depth of less than 1 foot to over 16 feet at the Site.

Criterion 2c (Unacceptable threats to groundwater and surface water resources, considering existing and potential beneficial uses, are mitigated)

There are no significant threats to groundwater or surface water resources (see Criteria 1c and 2b).

Criterion 3a (Groundwater plumes are decreasing)

The groundwater plume is limited in areal extent and predominantly consists of HOPs, which are an indicator of the breakdown of petroleum hydrocarbons. Water quality is expected to improve over time.

Criterion 3b (Cleanup standards can be met within a reasonable timeframe)

No cleanup is required. See also Criteria 2a, 2b, and 3b.

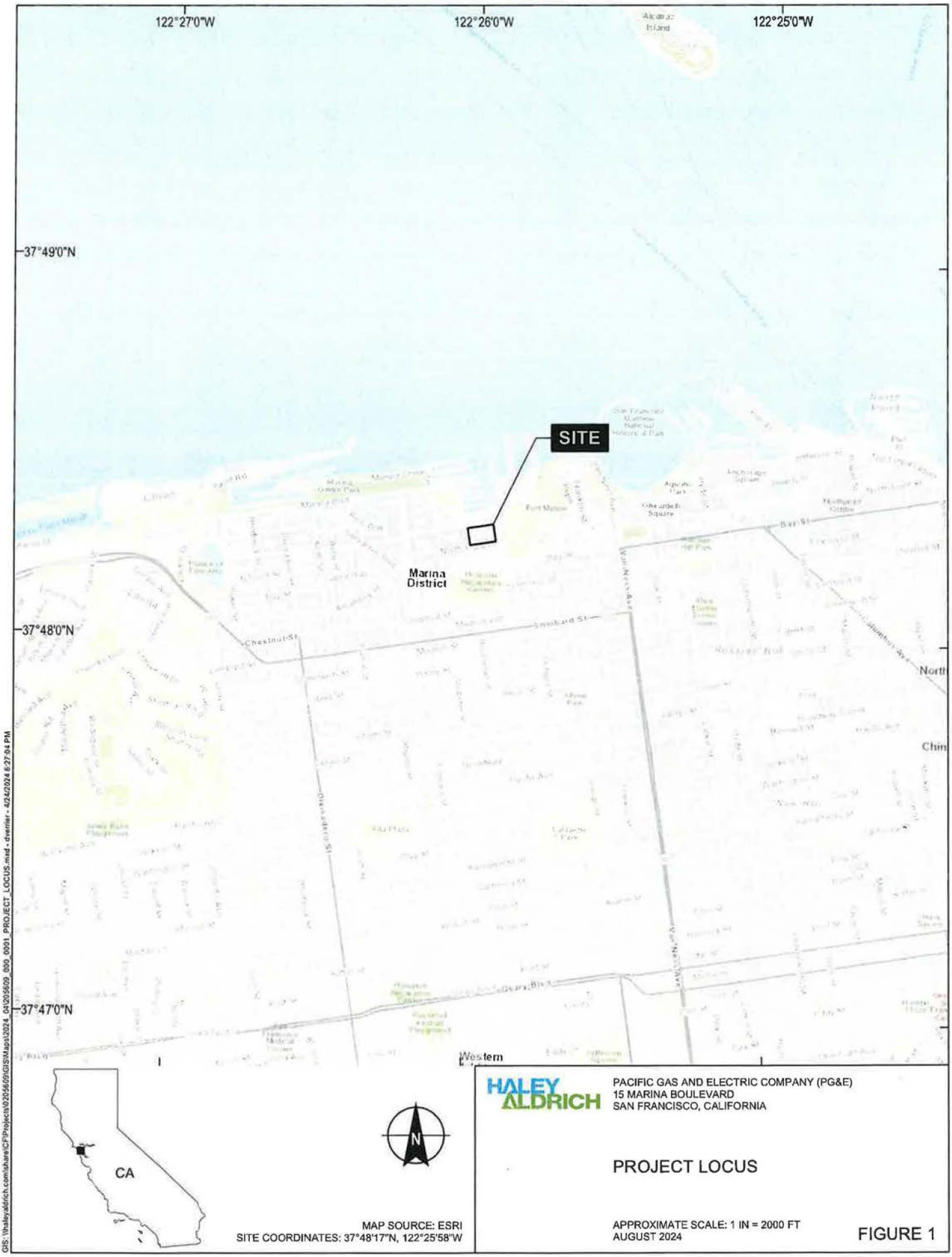
Criterion 3c (Risk management measures are appropriate, documented, and do not require future Water Board oversight)

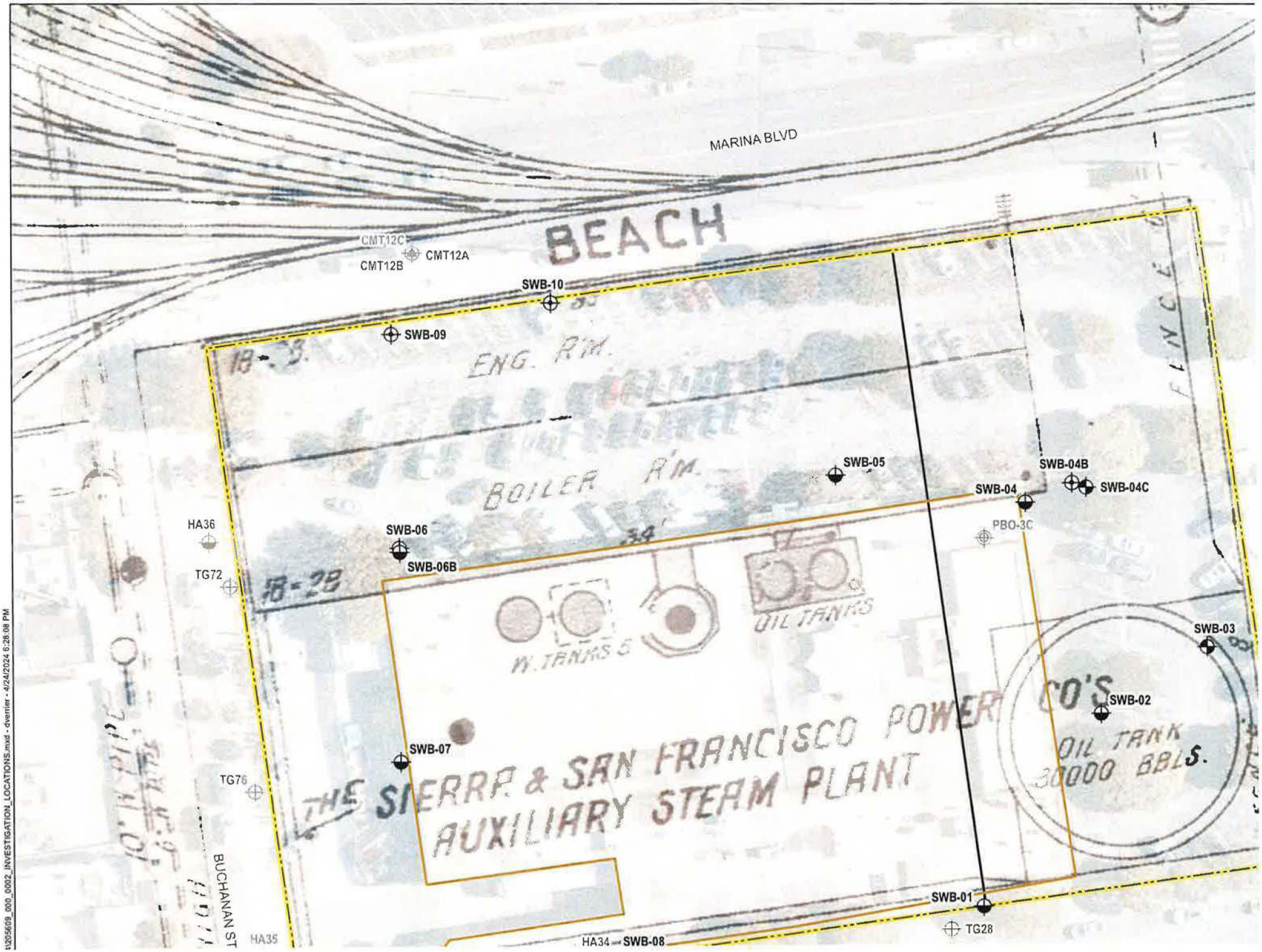
This NFA status does not require a land use controls/covenant or deed restriction to secure the conditions and requirements presented below. However, given the presence of residual petroleum-related pollutants in soil and groundwater, to ensure protection of public health, safety, or the environment, and to be consistent with the land and groundwater use assumptions in the related "No Further Action" letter the following conditions/requirements apply:

- San Francisco Department of Public Health Notification – Maher Ordinance: the Site is within the expanded Maher zone and subject to requirements of the City and County of San Francisco Maher Ordinance. This requires site assessment if more than 50 cubic yards of soil will be disturbed during construction. The objective of Maher investigation and mitigation tasks is to ensure that hazardous materials encountered during excavation or present at properties, if any, are properly managed.

- Regional Water Board Notification – Land/Groundwater Use Change: The Regional Water Board must be notified of any proposed changes in future land use or groundwater use at the site. Formal Regional Water Board concurrence may be required.

- Site Management Plan: On August 28, 2024, the Regional Water Board concurred with the August 14, 2024, Site Management Plan (SMP) prepared for the subject site. The Site Management Plan shall be followed for future site work that involves the handling of soil or otherwise involves subsurface disturbance or repairs. The plan describes the environmental conditions (i.e., contamination left-in-place) and required procedures and notifications should contaminated soil or buried features (e.g., pipes) be encountered during any subsurface activities. If there are any questions, please contact the Regional Water Board.


122°27'0"W
122°26'0"W
122°25'0"W
37°49'0"N
37°48'0"N
37°47'0"N
SITE
Marina District
Chestnut St
Bay St
Lombard St
Western
CA
N
MAP SOURCE: ESRI
SITE COORDINATES: 37°48'17"N, 122°25'58"W
HALEY ALDRICH
PACIFIC GAS AND ELECTRIC COMPANY (PG&E)
15 MARINA BOULEVARD
SAN FRANCISCO, CALIFORNIA
PROJECT LOCUS
APPROXIMATE SCALE: 1 IN = 2000 FT
AUGUST 2024
FIGURE 1
GIS: \\haleyaldrich.com\share\CF\Projects\02056\09\GIS\Maps\2024_04\205609_000_0001_PROJECT_LOCUS.mxd - dverrier - 4/24/2024 6:27:04 PM



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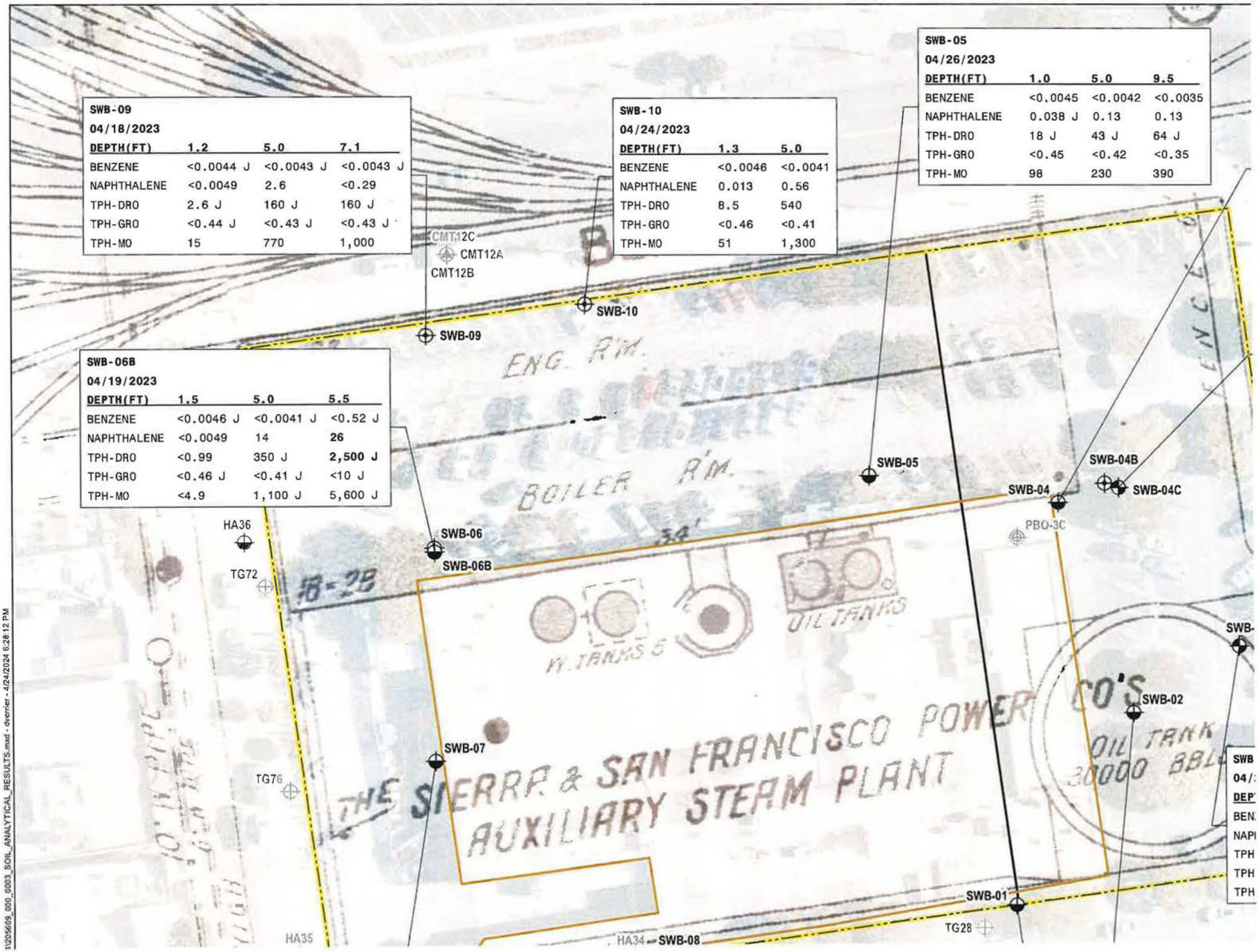

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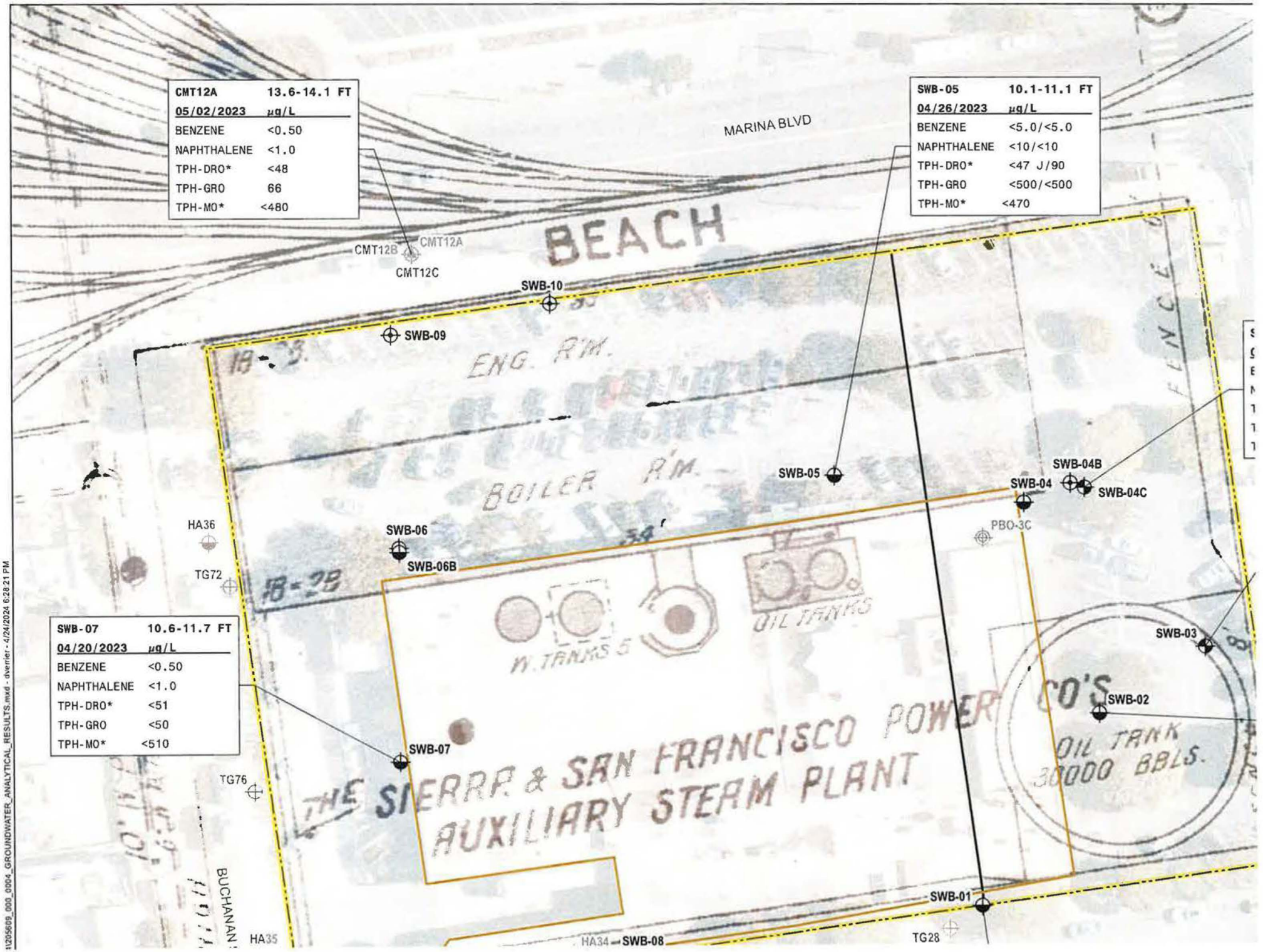


I:\205609_000_0004_GROUNDWATER_ANALYTICAL_RESULTS.mxd - dverrier - 4/24/2024 6:28:21 PM

EXHIBIT D

20 February 2026

Mr. Ryan Casey, PE
Administrative Engineer
San Francisco Department of Public Health
49 South Van Ness Avenue, Suite 600
San Francisco, California 94103

SUBJECT: Phase II Work Plan
11 - 15 Marian Boulevard
San Francisco, California
EHB-SAM Case Number 2361
Langan Project No. 731786102

Dear Mr. Casey,

On behalf of Marina Property Owner, LLC (client), Langan CA, Inc. (Langan) is pleased to present this *Phase II Work Plan* (Work Plan) to perform soil sampling for the proposed new mixed-use development at 11-15 Marina Boulevard, San Francisco, California (site; Figure 1). This Work Plan was prepared to characterize site conditions to satisfy the requirements of the San Francisco Department of Public Health (SFDPH) Environmental Health Branch, Site Assessment and Mitigation Program (EHB-SAM), as part of Maher Ordinance compliance, which requires Subsurface Sampling and Analysis.

Project Description

The site is located at 11-15 Marina Boulevard and is bound by Marina Boulevard to the north, Laguna Street to the east, North Point Street to the south, and Buchanan Street to the west (Figure 1). The site can be accessed from Buchanan Street, Marina Boulevard, or Laguna Street. The site is approximately 2.62-acres and is improved with an approximately 40,212-square-foot (sqft), single-story retail building. The building is located on the southern portion of the site, and the remainder of the site is improved with asphalt-paved parking and vegetation. Langan understands the proposed development includes the demolition of the existing structure and the construction of a multi-story mixed-use building which will include sub-surface parking, a ground-label grocery store, and a residential tower. Excavation depth for the sub-surface parking will be approximately 20 feet below the ground surface (bgs).

Based on previously conducted investigations at the site, soil to approximately 10 feet bgs has been identified as artificial fill based on the presence of anthropogenic material and debris. Soils generally consist of poorly graded sand, with pockets of clayey sand or silty sand to depths of 17 feet bgs. Refusal had been encountered at approximately seven to eight feet bgs at multiple drilling locations due to the presence of a flat concrete surface which is believed to be a former building slab. Groundwater has been encountered at 10 to 15 feet bgs.

Site Background

The site formerly operated as a steam electric power plant which operated from the 1900s through the 1950s and utilized crude oil for fuel. In April 2022, the Regional Water Quality Control Board (RWQCB) issued a letter requesting a subsurface investigation be conducted. Haley & Aldrich (H&A) conducted a subsurface investigation between April and August 2023 which included the collection of 32 soil, seven groundwater, and six soil vapor samples. Soil samples were analyzed for total petroleum hydrocarbons (TPH) as gasoline (TPHg), diesel (TPHd) and motor oil (TPHmo), benzene, toluene, ethylbenzene, and xylene (BTEX), and polycyclic aromatic hydrocarbons (PAHs). Groundwater was analyzed for TPHg, petroleum hydrocarbons and BTEX. Soil vapor samples were analyzed for TPHg, TPHd, TPHmo, and volatile organic compounds (VOCs).

Based on the updated 2025 RWQCB Environmental Screening Levels (ESLs) six of the soil samples contained concentrations of TPHd exceeding the Commercial/Industrial ESLs. None of the TPHmo detections exceeded 2019 or 2025 RWQCB Commercial/Industrial ESLs. Additionally, six PAHs were detected at concentrations exceeding 2019 and 2025 RWQCB ESLs in eight soil samples. TPHd was detected in groundwater samples exceeding the respective RWQCB ESL for Saltwater Ecotox Aquatic Habitat. Multiple VOCs as well as TPHg were detected in soil vapor samples above their laboratory reporting limit. Chloroform and tetrachloroethene (PCE) were detected in soil vapor samples at concentrations exceeding the RWQCB commercial/industrial ESLs of 18 micrograms per cubic meter ($\mu g/m^3$) and 67 $\mu g/m^3$, respectively.

H&A prepared a SMP for the site, on behalf of PG&E, to provide guidelines for any subsurface activities that may disturb soil and/or groundwater. The SMP provides mitigation measures for managing potentially impacted soil and groundwater at the site. The RWQCB granted case closure in a letter dated 27 November 2024 (Appendix B). The closure letter states that based on the previous subsurface investigations performed; no further action was required related to potential release of petroleum hydrocarbons associated with the historical PG&E use of the site. However, the RWQCB requires notification regarding any proposed changes in future land use or groundwater use at the site and that the August 2024 SMP is to be followed for future work involving the handling of soil or subsurface disturbance.

Based on the presence of PCE and chloroform in soil vapor at concentrations exceeding RWQCB ESLs, EKI Environmental & Water, Inc. (EKI) conducted indoor and ambient air sampling at the subject property to assess whether vapor intrusion is occurring. Seven indoor air samples and two ambient air samples were collected over an eight-hour period consistent with the commercial use of the property. EKI concluded that although PCE and chloroform are present in soil vapor at concentrations exceeding indoor air RWQCB ESLs, vapor intrusion does not appear to be occurring at the subject property.

Based on the recently conducted investigations at the site and the established SMP, Langan proposes the advancement of fourteen exploratory borings for the characterization of soil quality at the site to adequately characterize site soils per Article 22A and off-site disposal options. Additional groundwater sampling will not be performed during this investigation, however, given the anticipated depth of excavation for site redevelopment, groundwater dewatering and

potential treatment prior to discharge may be required. Also, based on the previous results of the soil vapor sampling collected at the site, no additional soil vapor sampling is included.

Field Investigation

Prior to commencing field work, we will prepare a health and safety plan for the drilling and sampling activities, contact Underground Service Alert (USA), and retain a private utility locator to conduct underground utility clearances at the boring locations. A drilling permit will be obtained from the SFDPH prior to commencing work. The objective of our sampling will be to evaluate potential for contaminated soil at the site, if any, by analyzing samples collected from fourteen borings to a maximum depth of 20 feet below ground surface (bgs) at the locations shown on Figure 2.

Soil Sampling

Fourteen exploratory borings will be advanced to 20 feet bgs using direct push methods on the existing pavement outside of the current building footprint. Soil samples will be collected from each of the borings at approximate depths of 1.5, 3.0, 5.0, 7.0, 10.0, 12.5, 15.0, and 20.0 feet bgs.

Laboratory Analytical Testing

Soil samples will be collected and analyzed for a combination of some or all of the chemical parameters discussed below at McCampbell. Samples proposed for initial analysis and samples proposed to be held pending potential future analysis are presented in Table 1. The chemical analytical schedule was chosen to satisfy Article 22A requirements and waste profiling scenarios generally accepted by landfills. The Maher Ordinance requires that samples be analyzed for a combination of some or all of the following:

- TPH-d, and TPHmo by United States Environmental Protection Agency (EPA) Method 8015.
- TPHg and VOCs by EPA Method 8260D (EnCore® samplers [EPA Method 5035]).
- Semi-volatile organic carbons (SVOCs) including PNAs and PAHs by EPA Method 8270C.
- Polychlorinated biphenyls (PCBs) by EPA Method 8082.
- California Assessment Manual (CAM) 17 metals by EPA Method 6020.
- Total cyanides by Standard Method SM 4500-CN.
- pH by EPA Method 9045D.
- Percent moisture.
- Asbestos by CARB Method 435; and
- Sulfides by Method SM4500 SD.

Each sample tube, made of stainless steel, will be sealed with Teflon and plastic caps, labeled, and placed on ice in a cooler for delivery to the State of California certified analytical laboratory under chain of custody procedures. For samples being analyzed for VOCs and TPHg, soil samples will be collected as independent, discrete samples, in accordance with USEPA Method 5035 using a 5-gram Encore sampling device. Samples will be sealed using the Encore sampler and a zip lock bag. Sample containers will be closed as soon as they are filled, chilled immediately to 4°C before being wrapped in bubble wrap, and processed for shipment to the laboratory.

If metal concentrations exceed the Total Threshold Limit Concentrations (TTLC) or if total metals exceed the soluble threshold limit concentration (STLC) by 10 times, samples will be analyzed by the California waste extraction test (WET) method to evaluate if the results exceed the California Class I hazardous waste criteria. If a soluble metal result exceeds the STLC, the sample will be analyzed by Toxicity Characteristic Leaching Procedure (TCLP), to evaluate if results exceed the Resource Conservation and Recovery Act (RCRA) or Federal hazardous waste criteria.

Data Evaluation and Reporting

After the conclusion of the sampling and analysis, Langan will prepare an Environmental Site Characterization (ESC) report describing investigation procedures and subsurface conditions and include laboratory results, boring logs, and tables illustrating the data collected. The ESC will outline our opinion regarding the presence of hazardous materials beneath the site, and constituents detected in soil that may impact future site users. The ESC will present recommended measures to mitigate potential risks to the environment and to protect construction workers, nearby residents, workers, and/or pedestrians from potential exposure to hazardous substances and underground structures that may be encountered during soil excavation and grading activities. The ESC will be sent to the SFDPH for review and approval prior to the start of any redevelopment activities.

If you have any questions, please call.

Sincerely,
Langan CA, Inc.

Dulce M Rodriguez Rivera, EIT
Senior Staff Engineer

Peter J. Cusack
Associate Principal

cc: Julian Marsh - Marina Property Owner, LLC

Attachments: Table 1 – Proposed Sample and Analysis Plan
Figure 1 – Site Location Map
Figure 2 - Site Plan with Proposed Boring Locations

TABLE

Table 1
Sampling and An
11-15 Marina B
San Francisco, (

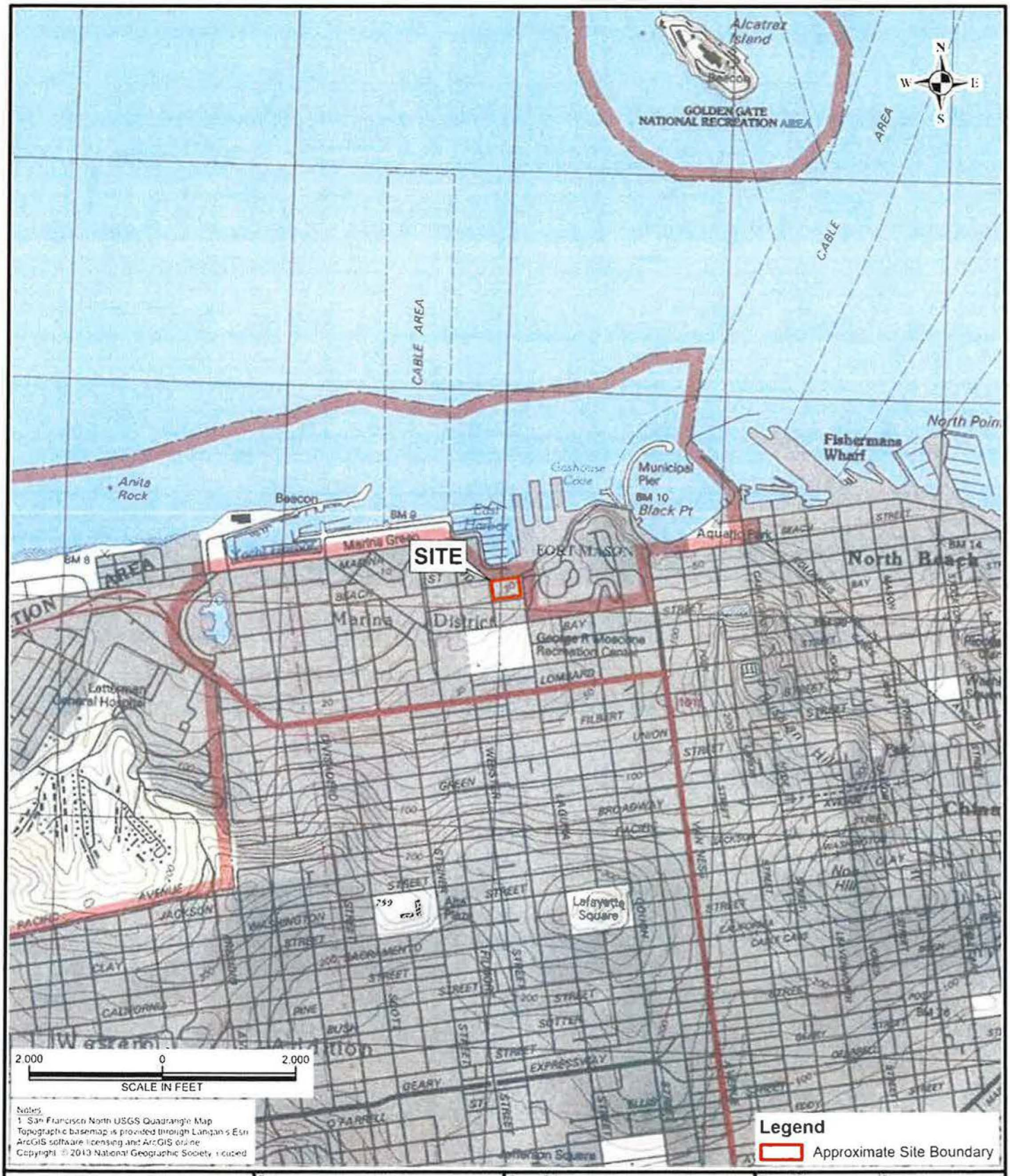
Sample ID	Depth (feet bgs)	TPH g,d,mo by EPA 8015M	VOCs by EPA 8260B	SVOCs by EPA 8270C	PCBs by EPA 8082	CA Met EPA
EB-1	1.5	X	X	X	X	
	3.0					
	5.0	X	X	X	X	
	7.0	X				
	10.0					
	12.5	X				
	15.0					
	20.0					
EB-2	1.5	X	X	X	X	
	3.0					
	5.0	X				
	7.0					
	10.0	X	X	X	X	
	12.5					
	15.0	X				
	20.0					
EB-3	1.5	X	X	X	X	
	3.0	X	X	X	X	
	5.0					
	7.0	X				
	10.0					
	12.5					
	15.0					
	20.0	X				
EB-4	1.5	X	X	X	X	
	3.0					
	5.0	X				
	7.0					
	10.0	X	X	X	X	
	12.5					
	15.0	X				
	20.0					
EB-5	1.5	X				
	3.0					
	5.0	X				
	7.0					
	10.0	X				
	12.5	X				
	15.0					

Table 1
Sampling and An
11-15 Marina B
San Francisco, (

EB-11	1.5	X	X	X	X	
	3.0	X				
	5.0	X				
	7.0					
	10.0	X	X	X	X	
	12.5					
	15.0					
	20.0					
EB-12	1.5	X	X	X	X	
	3.0					
	5.0	X				
	7.0					
	10.0					
	12.5	X	X	X	X	
	15.0	X				
	20.0					
EB-13	1.5	X				
	3.0	X	X	X	X	
	5.0	X				
	7.0	X	X	X	X	
	10.0					
	12.5					
	15.0					
	20.0					
EB-14	1.5	X	X	X	X	
	3.0					
	5.0	X				
	7.0					
	10.0	X	X	X	X	
	12.5	X				
	15.0					
	20.0					

Notes:
bgs - below ground surface
TPHg - Total Petroleum Hydrocarbons as Gasoline, EPA Method 8015M
TPHd - Total Petroleum Hydrocarbons as Diesel, EPA Method 8015M
TPHmo - Total Petroleum Hydrocarbons as Motor Oil, EPA Method 8015M
EPA - Environmental Protection Agency
VOCs - Volatile Organic Compounds, EPA Method 8260B
SVOCs - Semi-volatile Organic Compounds, EPA Method 8270C
PCBs - Polychlorinated Biphenyls, EPA Method 8082
CAM 17 - California Assessment Manual Metals
Asbestos by California Air Resource Board (CARB) 435 Method

FIGURES



Notes
1. San Francisco North USGS Quadrangle Map
Topographic basemap is provided through Langan's Esri ArcGIS software licensing and ArcGIS online.
Copyright © 2013 National Geographic Society, i-cubed

Legend

Approximate Site Boundary

LANGAN

Langan CA, Inc.

135 Main Street, Suite 1500
San Francisco, CA 94105

T: 415.955.5200 F: 415.955.5201
www.langan.com

Project	15 MARINA BOULEVARD SAN FRANCISCO SAN FRANCISCO COUNTY, CALIFORNIA
Figure Title	SITE LOCATION MAP
Project No.	731786102
Date	2/10/2026
Scale	1" = 2,000 feet
Drawn By	GS
Figure	1

© 2026 Langan.

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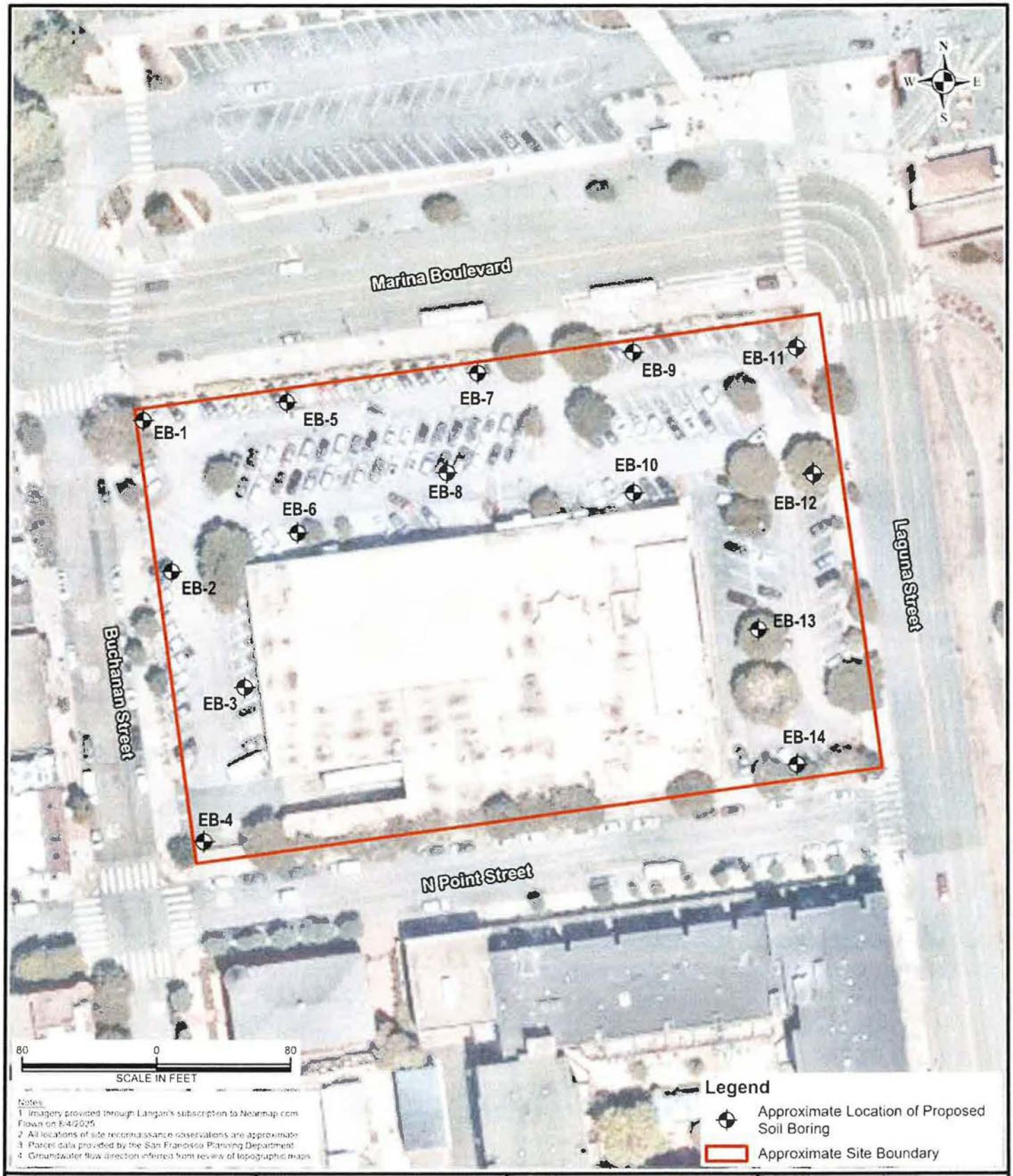
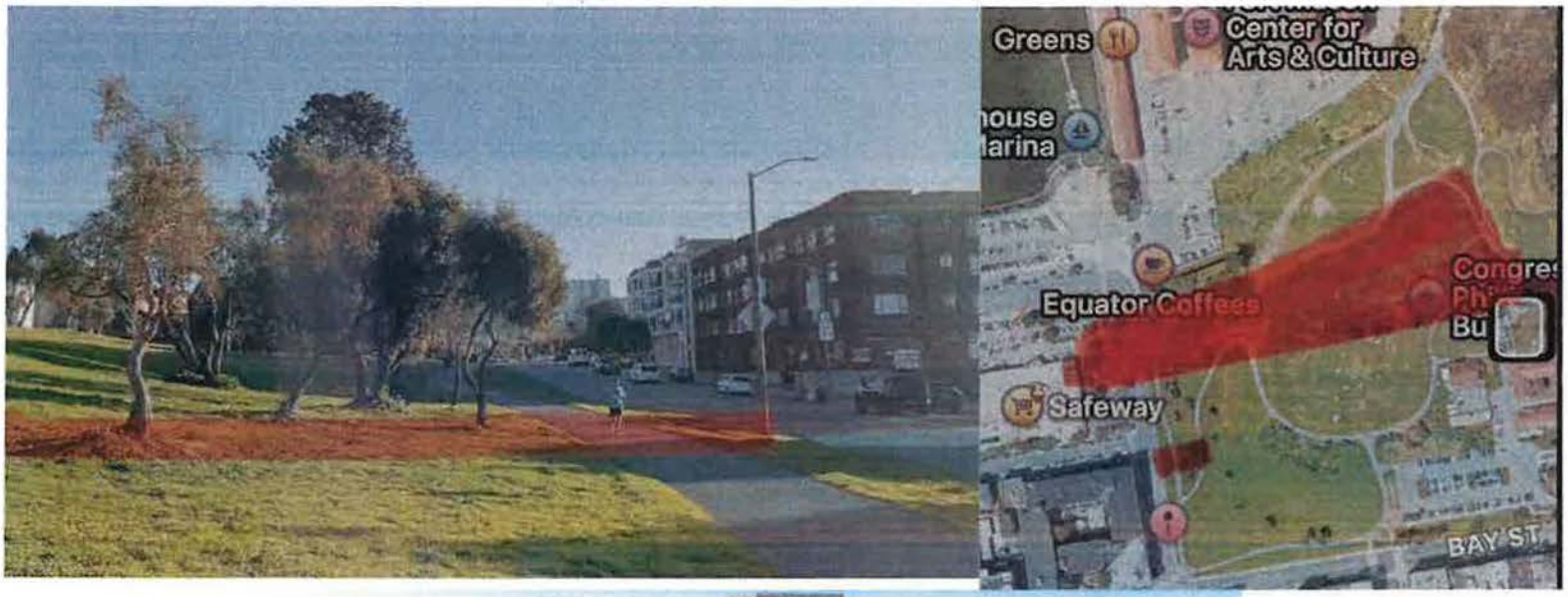


LANGAN Langan CA, Inc. 135 Main Street, Suite 1500 San Francisco, CA 94105 T: 415.955.5200 F: 415.955.5201 www.langan.com	Project **15 MARINA BOULEVARD** SAN FRANCISCO SAN FRANCISCO COUNTY CALIFORNIA	Figure Title **SITE MAP WITH PROPOSED SOIL BORING LOCATIONS**	Project No: 731786102 Date: 2/10/2026 Scale: 1" = 80 feet Drawn By: GS	Figure 2

Path: \\langan.com\data\SF\Data\731786102\Project Data\ArcGIS\APRX\731786102_731786102.aprx

EXHIBIT E

The shadow cast by a 4-story building, left. Imagine the shadow once expanded by 7.5x, right. An AI generated image of shadow is below.



Conclusion: This development denies everyone else the opportunity to enjoy sunny shared public space.

EXHIBIT F

Search

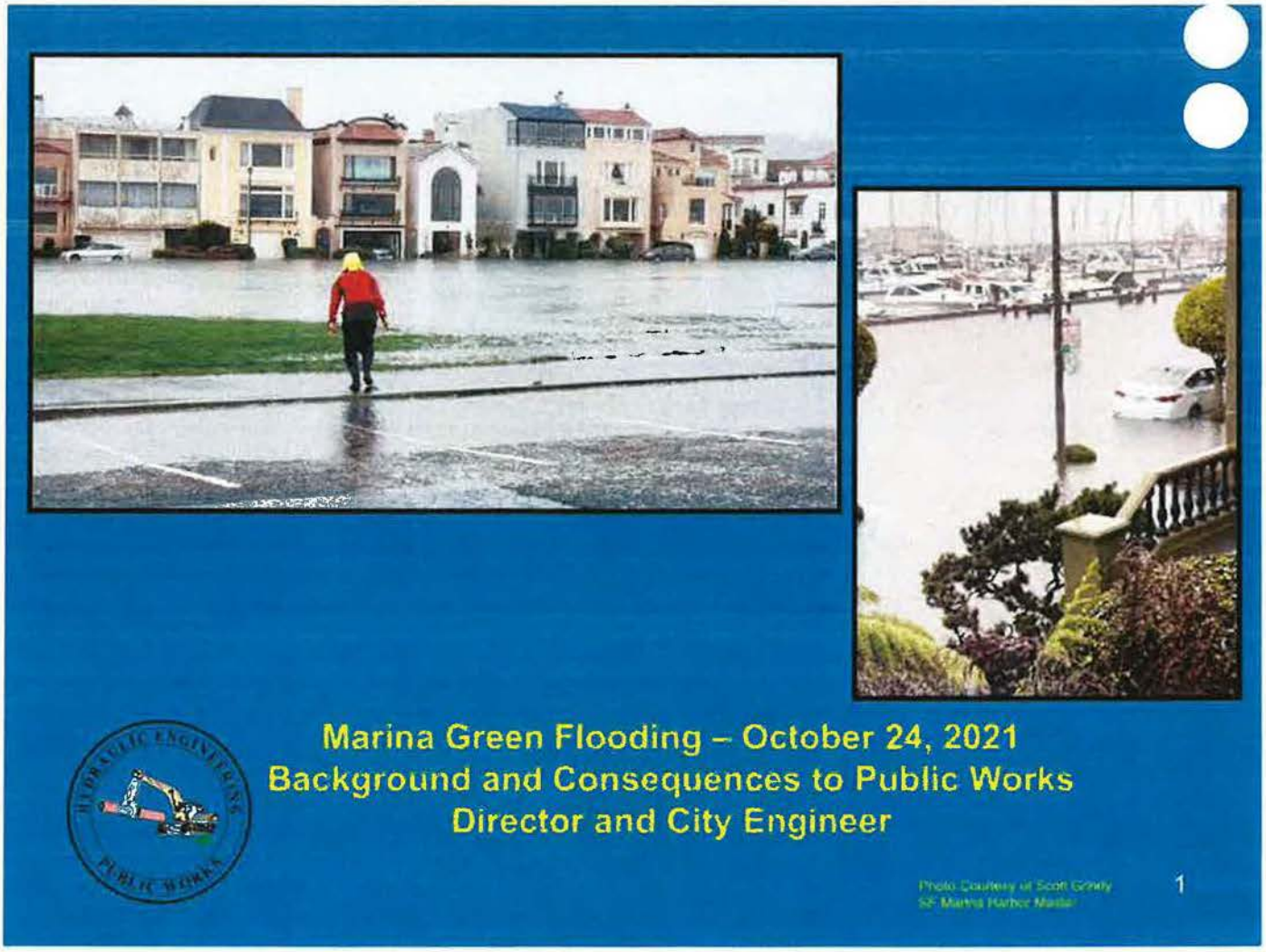
Uploaded by **friendsofmissioncree** 56 views

Marina Green Flooding Analysis by DPW engineers

AI-enhanced description

The document discusses the flooding at Marina Green, caused by the closure of the Pierce outfall, which was based on misleading information. It emphasizes the need for better oversight by public works

Read more



Study Suggests Lyrics Have Gotten Simpler Over Time

San Francisco's Sewer System

- Combined Sewer Discharges (CSD's)
- Treatment/Disposal (Effluent & Decant)
- Collection/Conveyance (Storage)

2

Collection System Facilities Defined:

- Gravity Conveyance
  - Catchbasins

- Catchbasins
  - Side Sewers
  - Manholes/Structures
  - Main Sewers
  - Tunnels
  - Roadway Surface
- Transport/Storage Box Structures
- Discharge Structures/Outfalls
- Force Mains
- Pump Stations

3

AD

CSD and Treatment Facilities Defined:

Treatment Facilities

Southeast Plant

North Point Facilities

Oceanside Plant

Outfalls

Northeast Bay Outfall

Southeast Bay Outfall

Southwest Ocean Outfall

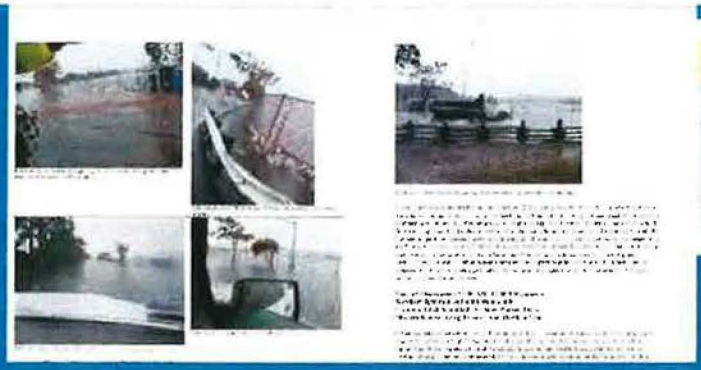
Islais Creek Outfall

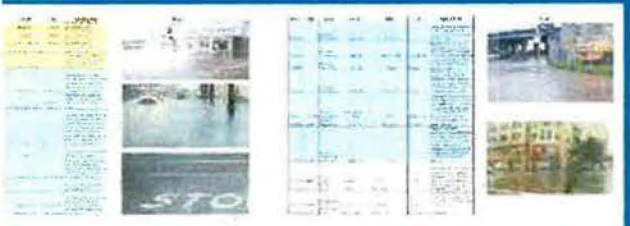
Division Street Outfall

Other Outfalls including formerly Pierce Street Outfall

4

Marina Green Area was never an issue.





5

AD

Dry Weather Flow

6

Design Storm Flow – Pierce OF

< 0
>= 0
>= 40
>= 80
>= 120
>= 160
>= 200
Max. Flow (cfs)
7

AD

Design Storm Flow – Pierce
Baker
< 0

8

Marina Green Flooding

Conclusion and Recommendation:

The results of the H&H and Water Quality modeling performed indicate that closure of the Pierce CSD outfall will not affect the long-term average annual CSD frequency for the Northshore, will not increase the frequency or severity of flooding, and will have a net water quality benefit.

Excerpt from Assessment to Decommission Pierce CSD Memo - AECOM

Pierce Decommissioning. MC discussed the memo regarding recommendation for closure of Pierce where cracks were identified during annual inspection and led to the discussion on potential for closure of this outfall.

a. Three different modeling analyses were done to evaluate the closure:
- H&H model runs for typical year to evaluate the change in CSD events and volume for all six outfalls in North Shore basin. Results indicate that closure of Pierce outfall shifts flows to other outfalls with no net increase in North Shore basin.
- Receiving water quality model runs for done to assess the impact of flows shifted to other outfalls to the receiving water quality. Results indicate a total net positive benefit to the receiving water in North Shore.
- H&H model runs to evaluate the impact on flooding in LOS storm. Model results indicate marginal increase in HGL immediately at the outfall, and no change in surface flooding in the area.

b. The staff recommends closure of Pierce CSD
c. GN agreed with staff recommendation to decommission the CSD

Excerpt from Pierce CSD Decommissioning Meeting with WWE AGM Minutes

Project Needs

Summary

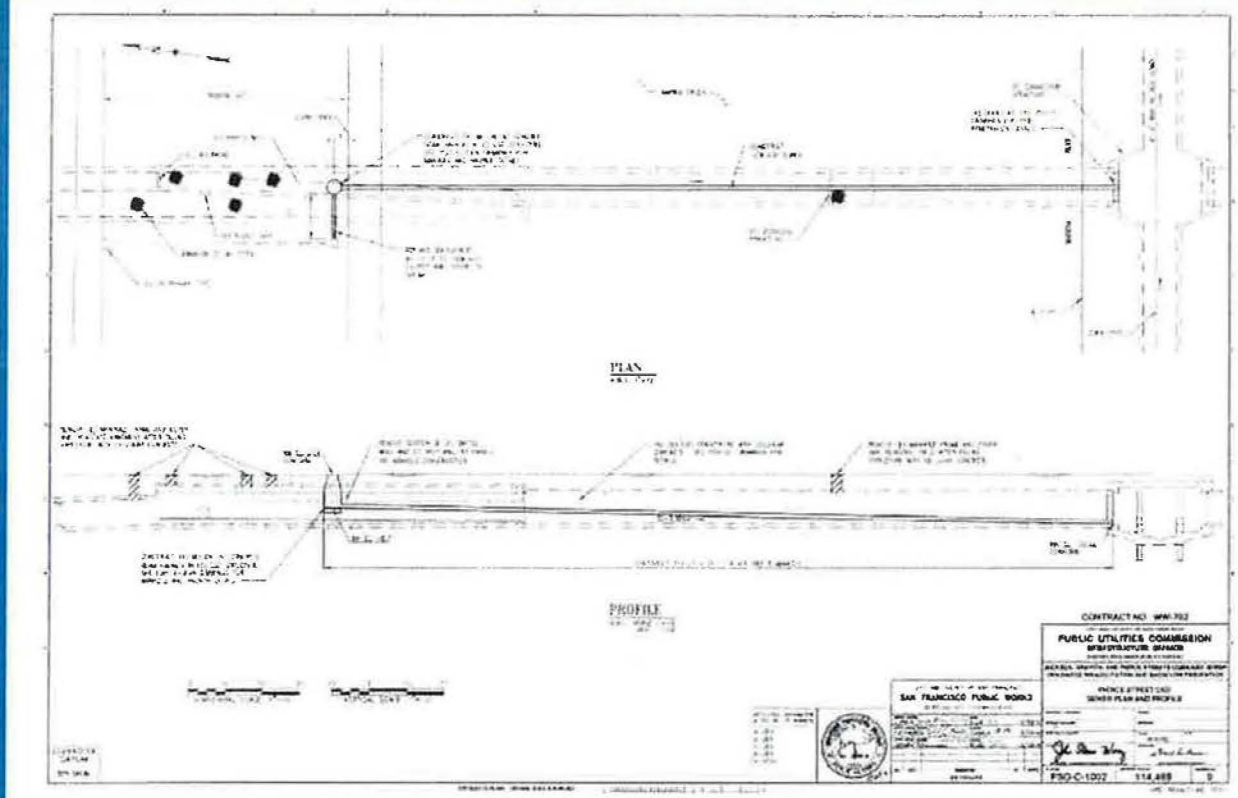
- Pierce St CSD structure is old and requires rehabilitation
- This CSD has the lowest weir elevation in the City without backflow prevention
- The CSD requires structural rehabilitation and backflow prevention or decommissioning
- Pierce CSD Decommissioning was proposed by staff and was approved by WWE AGM (11/19/2018)
- Preferred concept identified in alternatives analysis
  - Decommission the CSD [illegible] and abandon in place

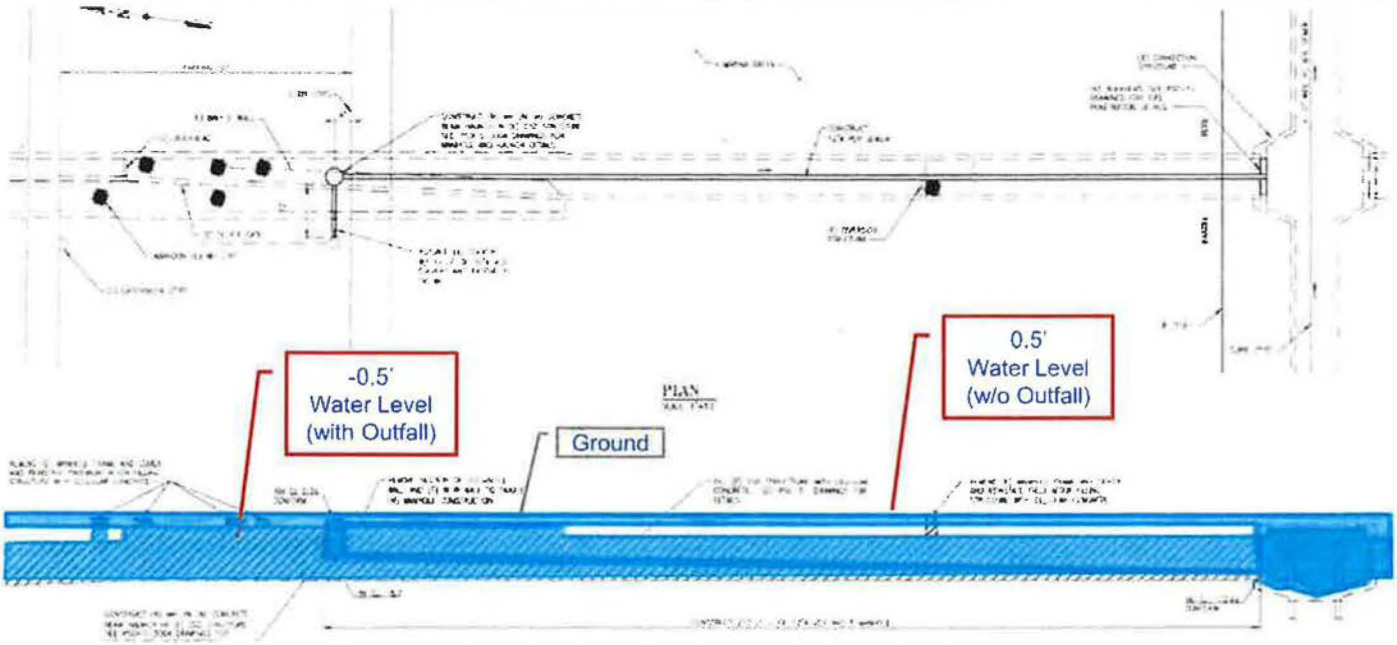
Excerpt from Pierce St CSD Decommissioning Project TSC Presentation

9

AD

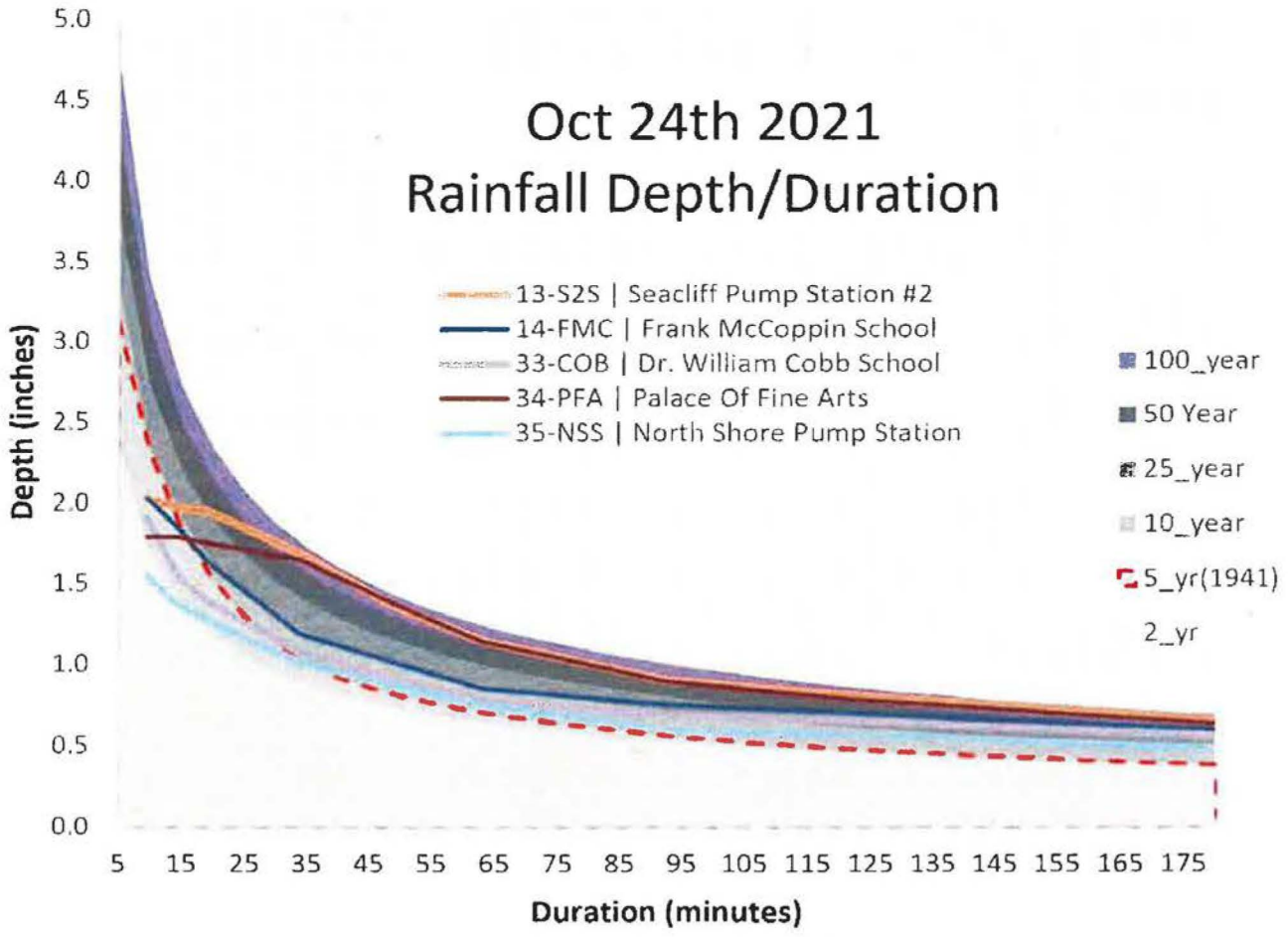
Marina Green Flooding

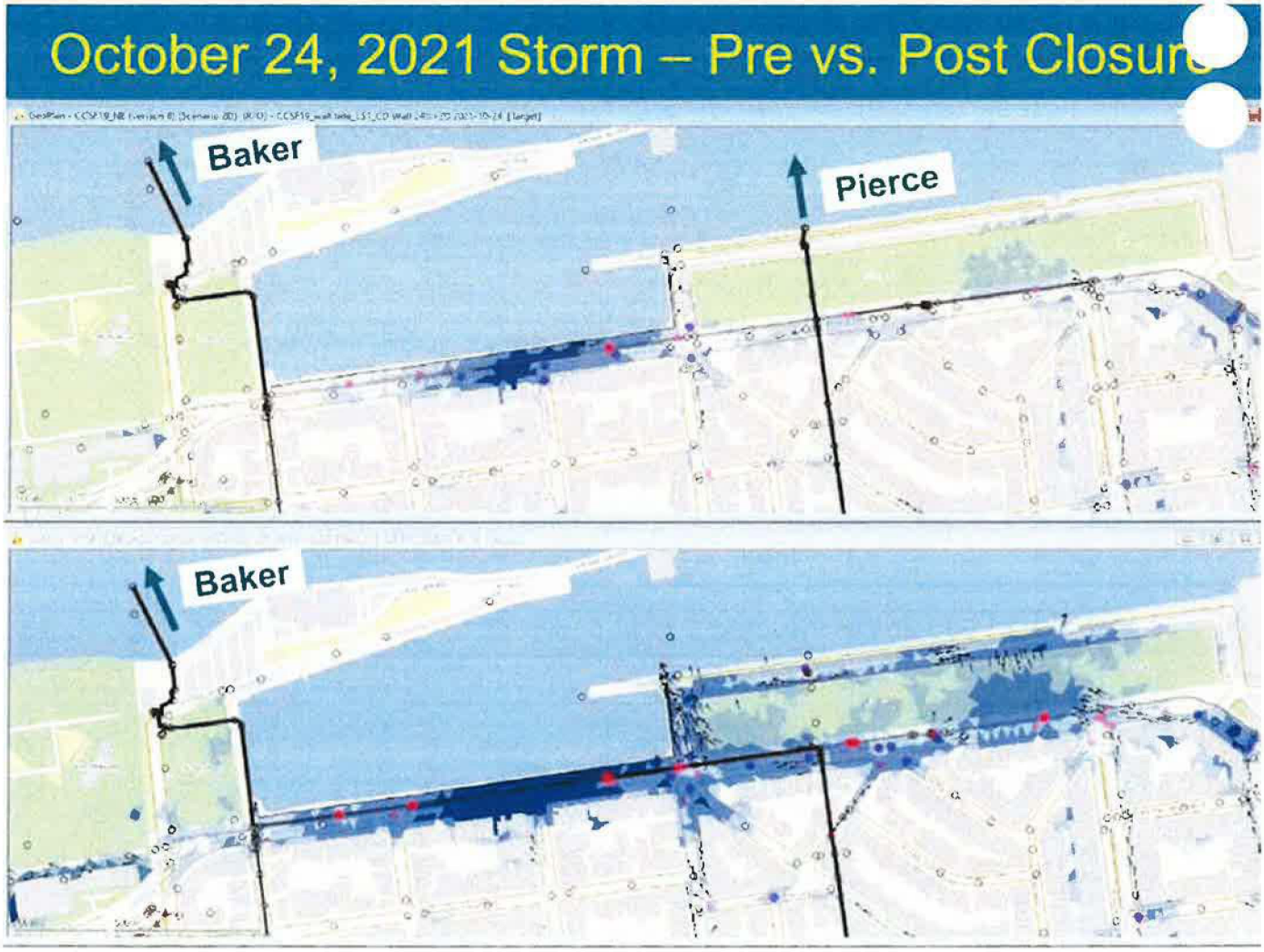




PROFILE

AD


Oct 24th 2021
Rainfall Depth/Duration
13-S2S | Seacliff Pump Station #2
14-FMC | Frank McCoppin School
33-COB | Dr. William Cobb School
34-PFA | Palace Of Fine Arts
35-NSS | North Shore Pump Station
100_year
50 Year
25_year
10_year
5_yr(1941)
2_yr
Depth (inches)
5.0
4.5
4.0
3.5
3.0
2.5
2.0
1.5
1.0
0.5
0.0
5 15 25 35 45 55 65 75 85 95 105 115 125 135 145 155 165 175
Duration (minutes)



AD

Marina Green Flooding

- EHY provided the table. Wrong conclusions were drawn by PMC without our input

Exhibit A | Closure of Pierce CSD Outfall, June 2017 (SFPW)

Table 1: Peak Flood Conditions for Baseline and CSD Closure at Pierce Scenarios

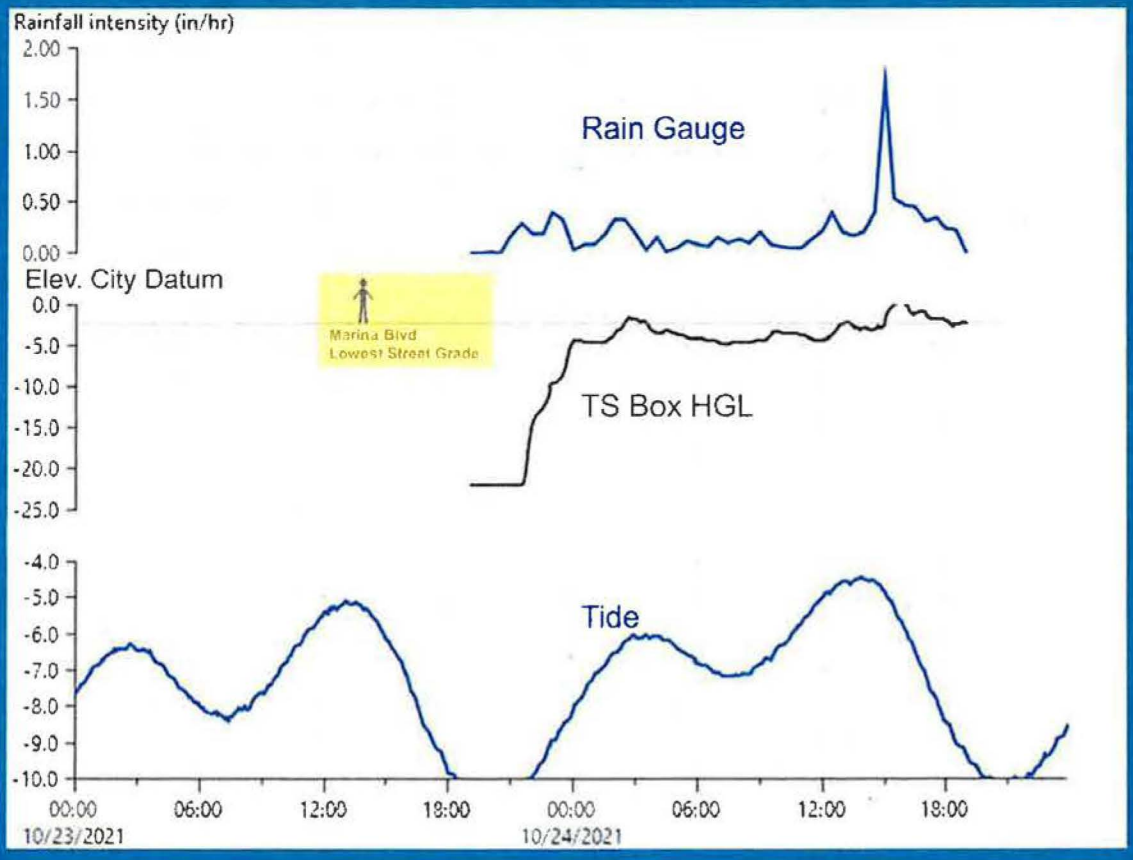
Design Storm	Flooding Sensitive Areas	Location	Peak Flood Depth, feet	
			Baseline	CSD Closure at Pierce
5-year 3-hour	Marina	Pierce St. & Marina Blvd	0.1	0.4
	North Beach	Jefferson St. & Taylor St.	-0.2	-0.1
	North Financial District	Jackson St. & Davis St.	2.1	2.0

3. H&H model runs were performed to evaluate the impact on flooding in LOS storm. Model results indicate marginal increase in HGL immediately at the outfall, and no change in surface flooding in the area.

These results were presented to AGM Wastewater Greg Norby on November 19, 2018, and minutes are provided in Exhibit C.

14

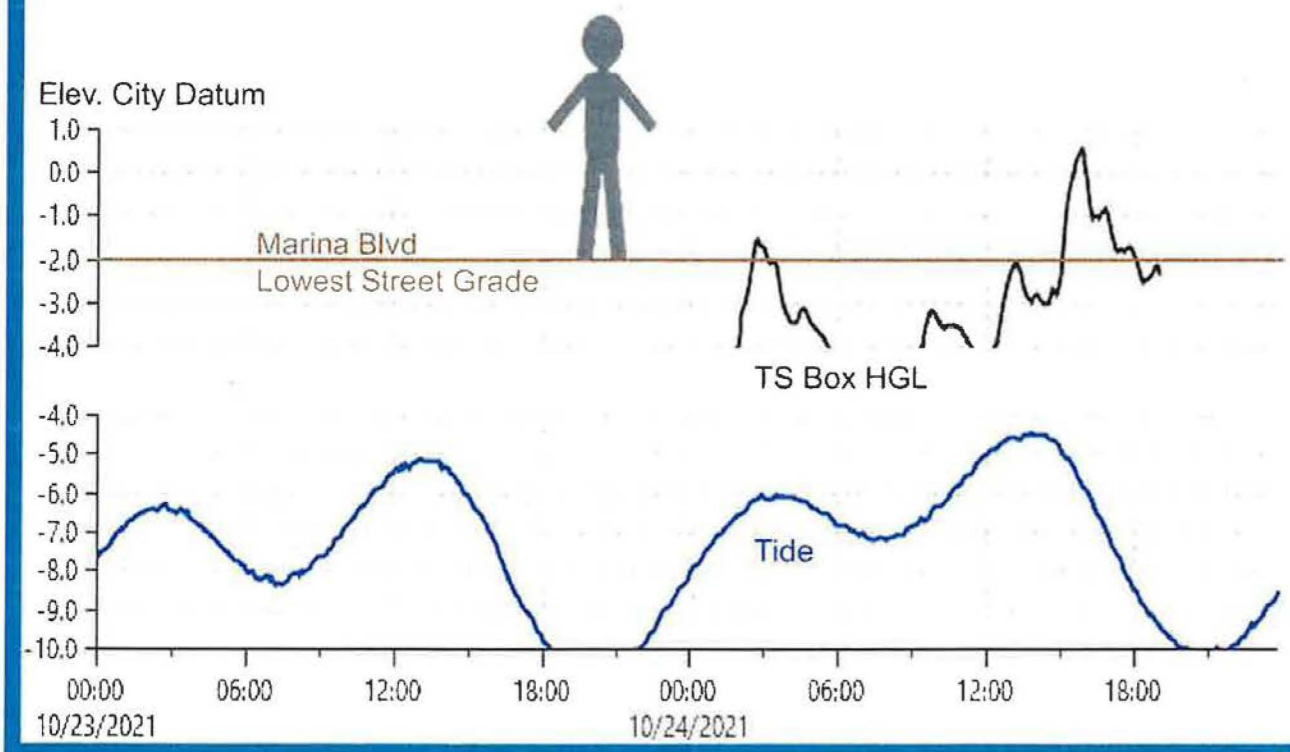
October 24, 2021 Storm



15

AD

October 24, 2021 Storm

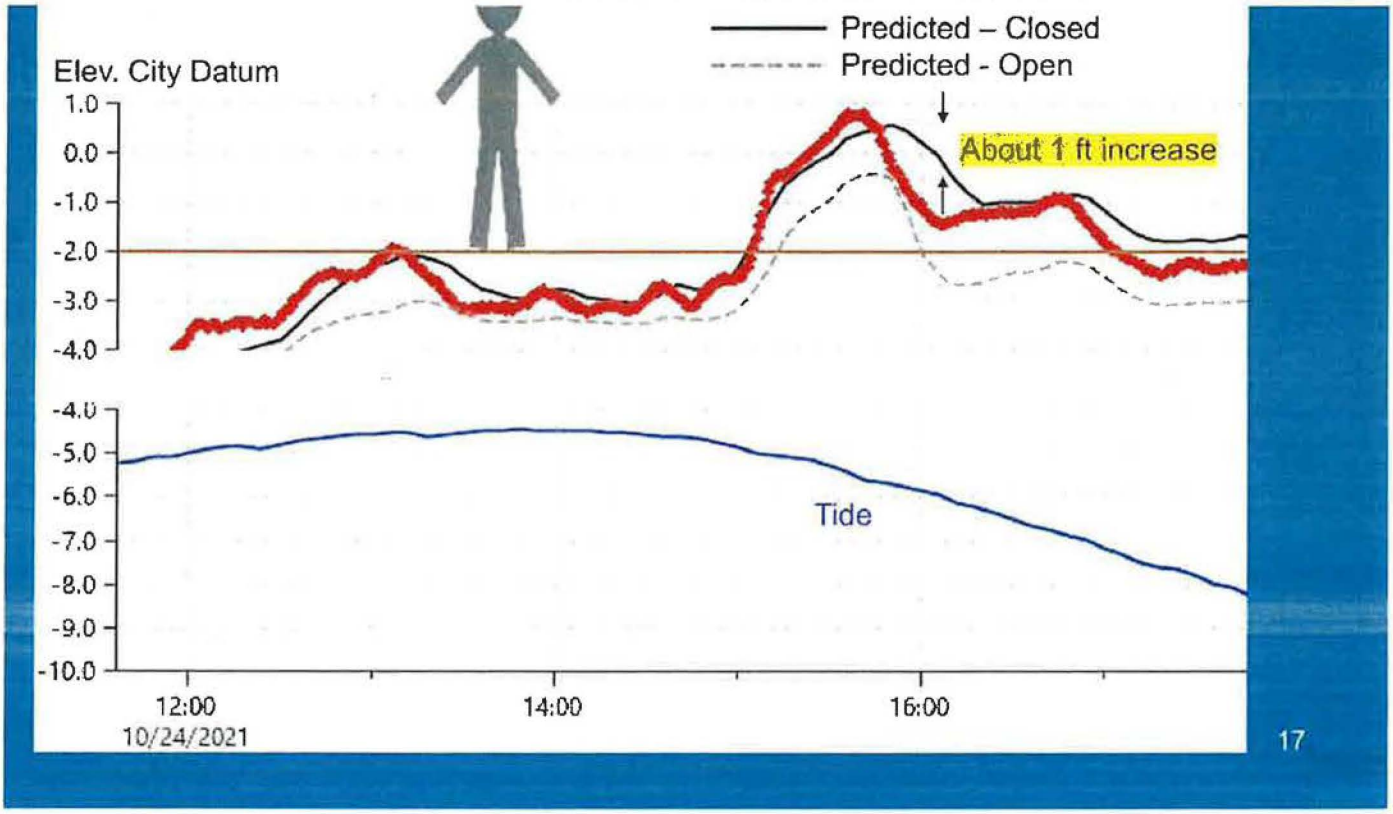


16

Pre vs Post Outfall Closure

TS Box HGL

Observed


Predicted – Closed
Predicted - Open
Elev. City Datum
1.0
0.0
-1.0
-2.0
-3.0
-4.0
About 1 ft increase
-4.0
-5.0
-6.0
-7.0
-8.0
-9.0
-10.0
Tide
12:00
10/24/2021
14:00
16:00
17

AD

October 24, 2021 - Marina Green Lawn

Grease chunk

Floatables

Baby wipes

S:\HYD\Storm_Watch\2021-2022\2021-10-24\observations\Marina_Green\photos_from_megans_phone\IMG_3650.MOV

18

October 24, 2021 - Marina Boulevard

Snapchat-7021774226767540422_madison.mp4

Snapchat-7021775585541789942_madison.mp4

Pictures Courtesy of City Staff and Tik Tok User

19

AD

Conclusions

- **Administrative decision to close the Pierce outfall based on misleading information provided to the SFPUC AGM led to intractable consequences, which is the new norm during high storm events.**
- The Pierce outfall closure not only caused the adjacent flood damage to the Marina Green area, but it has additional far-reaching impacts.
- Role of most City Engineers is constant vigilance and critical oversight to the public ROW (i.e., surface drainage flooding issues).
- Public Works Engineering must play a more assertive role in City's storm/wet weather issues as we have now demonstrated its impact to SFPUC/AECOM's "fatal flaw" concepts with Marina Green and other SSIP projects.
- Climate change will worsen rainfall and increase sea-level, both detrimental to our drainage service

20

AD

Drainage System

Universal Engineering Practice

2021 July 19

Agenda

- Case-by-case Sewer Design Criteria for projects
- PUC is asking DPW to *ignore* Engineering Standards for drainage design
- Result will be increase in flooding of public right-of-way
- Numerous instances of *intimidation* of DPW Engineers from fulfilling their professional obligations
- DPW leadership is the only safeguard for flood resiliency

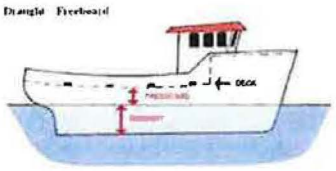
- Lessons from *Flint Water Crisis*

AD

Lessons from the Past

- Origin of a flood may not be obvious at the flood site itself
- Exceptions made in design, years before, far from the flood site, can cause unexpected flood damages
- City Engineers keep the City resilient to flooding by cohesively bringing all stakeholders together

Freeboard



AD

Hydraulic Design Standard

C. Hydraulic Considerations

The Subdivider shall select sewer sizes so that the hydraulic grade line shall, in general, be four feet below the pavement or ground surface, and at no point less than two feet.

The Subdivider shall use tidal elevation in hydraulic computations, where applicable, which is -3.5', Old City datum. Subdividers shall consult with the City and County Surveyor for conversion information to the newer CS-13 Datum.

The Subdivider shall address in large sewers hydraulic losses in bends where the velocity is seven feet per second or more.

75

Rainfall Return Periods

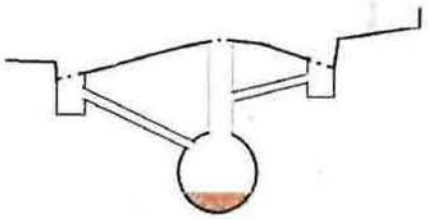
- Minor Storm
  - Sewer Service
    - 5-year 3-hour Rain
- Major Storm
  - FEMA Flood
    - 100-year 24-hours

RAIN INCHES

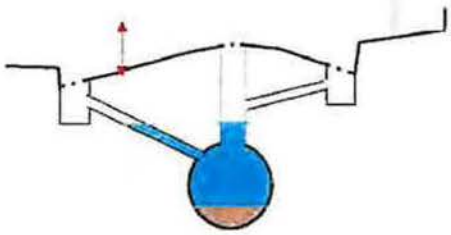
Duration	Average recurrence interval (years)				
	1	5	25	50	100
5-min	0.14	0.22	0.31	0.35	0.40
30-min	0.34	0.53	0.74	0.84	0.94
60-min	0.48	0.74	1.04	1.18	1.32
3-hr	0.84	1.27	1.78	2.01	2.26
6-hr	1.14	1.74	2.44	2.77	3.11
12-hr	1.49	2.33	3.33	3.82	4.32
24-hr	1.91	3.06	4.44	5.10	5.81

AD

R.O.W. cross-sections

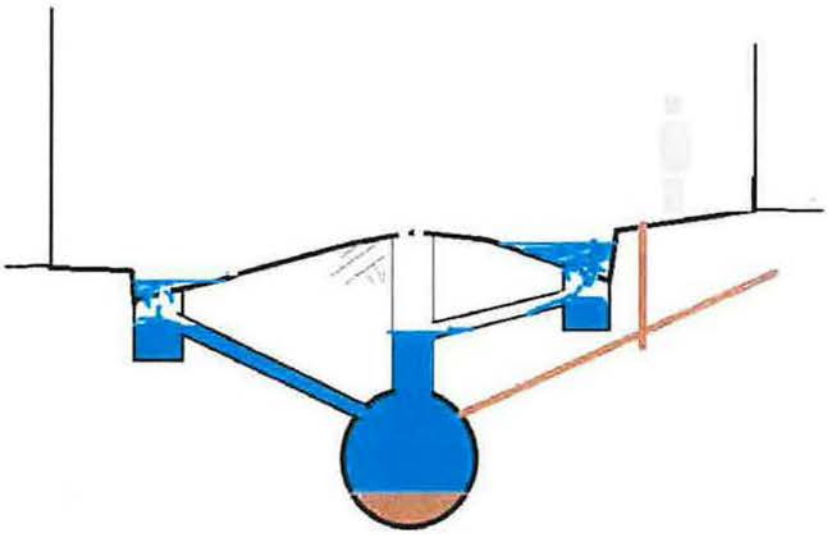


Sanitary Flow Only



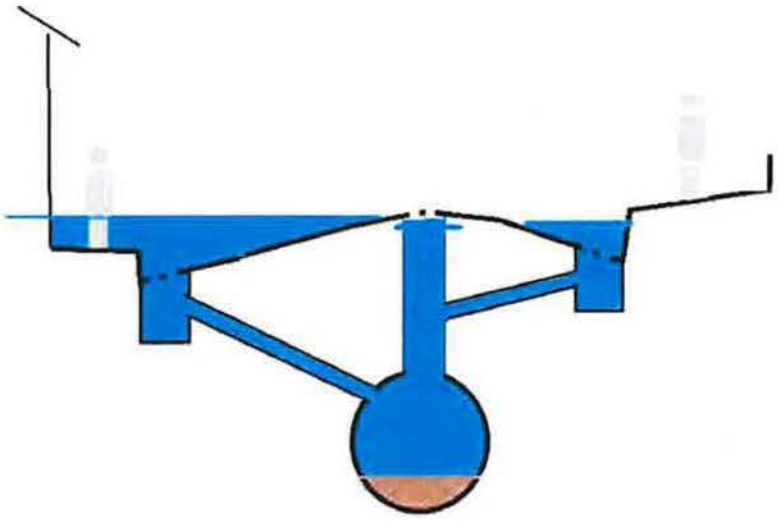
Combined Sewer during Rain

5-yr Design Storm



AD

Proposal
No-freeboard "Standard"



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Marina Green Flooding Analysis by DPW engineers

1. 1 Marina Green Flooding– October 24, 2021 Background and Consequences to Public Works Director and City Engineer Photo Courtesy of Scott Grindy SF Marina Harbor Master P U BLIC W ORK S
2. 2 San Francisco's SewerSystem • Combined Sewer Discharges (CSD's) • Treatment/Disposal (Effluent & Decant) • Collection/Conveyance (Storage)
3. 3 Collection System FacilitiesDefined: • Gravity Conveyance – Catchbasins – Side Sewers – Manholes/Structures – Main Sewers – Tunnels – Roadway Surface • Transport/Storage Box Structures • Discharge Structures/Outfalls • Force Mains • Pump Stations

4. 4 CSD and TreatmentFacilities Defined: Outfalls Treatment Facilities Northeast Bay Outfall Southeast Bay Outfall Southwest Ocean Outfall Southeast Plant Oceanside Plant North Point Facilities Islais Creek Outfall Division Street Outfall Other Outfalls including formerly Pierce Street Outfall
5. 5 Marina Green Areawas never an issue.
6. 6 Dry Weather Flow
7. 7 Design Storm Flow– Pierce OF Max. Flow (cfs)
8. 8 Design Storm Flow– Pierce OF Max. Flow (cfs)
9. 9 Marina Green Flooding Excerptfrom Assessment to Decommission Pierce CSD Memo - AECOM Excerpt from Pierce CSD Decommissioning Meeting with WWE AGM Minutes Excerpt from Pierce St CSD Decommissioning Project TSC Presentation
10. 10 Marina Green Flooding
11. Ground 0.5' Water Level (w/o Outfall) -0.5' WaterLevel (with Outfall)
12. 12
13. 13 October 24, 2021Storm – Pre vs. Post Closure
14. 14 Marina Green Flooding •EHY provided the table. Wrong conclusions were drawn by PMC without our input
15. 15 October 24, 2021Storm Marina Blvd Lowest Street Grade TS Box HGL Tide Rain Gauge Elev. City Datum
16. 16 October 24, 2021Storm Marina Blvd Lowest Street Grade Elev. City Datum TS Box HGL Tide
17. 17 Pre vs PostOutfall Closure About 1 ft increase Elev. City Datum TS Box HGL Observed Predicted – Closed Predicted - Open Tide
18. 18 October 24, 2021- Marina Green Lawn S:HYDStorm_Watch2021-20222021-10-24observationsMarina_Greenphotos_from_megans_phoneIMG_3650.MOV Grease chunk Floatables Baby wipes
19. 19 October 24, 2021- Marina Boulevard Snaptik_7022774226767580422_madison.mp4 Snaptik_7022775583641799942_madison.mp4 Pictures Courtesy of City Staff and Tik Tok User
20. 20 Conclusions • Administrative decisionto close the Pierce outfall based on misleading information provided to the SFPUC AGM led to intractable consequences, which is the new norm during high storm events. • The Pierce outfall closure not only caused the adjacent flood damage to the Marina Green area, but it has additional far-reaching impacts. • Role of most City Engineers is constant vigilance and critical oversight to the public ROW (i.e., surface drainage flooding issues). • Public Works Engineering must play a more assertive role in City's storm/wet weather issues as we have now demonstrated its impact to SFPUC/AECOM's "fatal flaw" concepts with Marina Green and other SSIP projects. • Climate change will worsen rainfall and increase sea-level, both detrimental to our drainage service
21. 21 Discussion
22. Drainage System Universal EngineeringPractice 2021 July 19
23. Agenda • Case-by-case SewerDesign Criteria for projects • PUC is asking DPW to ignore Engineering Standards for drainage design • Result will be increase in flooding of public right-of-way • Numerous instances of intimidation of DPW Engineers from fulfilling their professional obligations • DPW leadership is the only safeguard for flood resiliency • Lessons from Flint Water Crisis
24. Lessons from thePast •Origin of a flood may not be obvious at the flood site itself •Exceptions made in design, years before, far from the flood site, can cause unexpected

flood damages •City Engineers keep the City resilient to flooding by cohesively bringing all stakeholders together

25. Freeboard
26. Hydraulic Design Standard
27. Rainfall Return Periods •MinorStorm Sewer Service • 5-year 3-hour Rain •Major Storm FEMA Flood • 100-year 24-hours
28. R.O.W. cross-sections Sanitary FlowOnly Combined Sewer during Rain
29. 5-yr Design Storm
30. Proposal No-freeboard "Standard"

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From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	15 Marina Blvd. - 3 letters
Date:	Thursday, May 14, 2026 1:51:39 PM
Attachments:	15 Marina Blvd 3 letters.pdf

Dear Supervisors,

Please see the attached 3 letters, from members of the public, regarding the proposed project located at 15 Marina Boulevard.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Anacleto Telhado
To: Lurie, Daniel (MYR); investor-relations@albertsons.com; Board of Supervisors (BOS); SherrillStaff; media@albertsons.com; PIC, PLN (CPC); ssemblymember.stefani@assembly.ca.gov
Subject: Re: YES, IT CAN REALLY HAPPEN . . .
Date: Sunday, May 10, 2026 8:03:33 PM

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YES, IT CAN REALLY HAPPEN . . .

First Name	Monica
Last Name	Anacleto Telhado
Email Address	Telhadomonica@gmail.com
Street Address	3731 Webster St
Email Subject	Request to Reconsider the Scale of the Marina Safeway Project
Email Message Body	Dear City Leaders and Project Sponsors, This message is directed to the San Francisco Planning Department, the Mayor's Office, the Board of Supervisors, Albertsons/Safeway, Scott Weiner, Catherine Stefani and Align Real Estate regarding the proposed Marina Safeway redevelopment. I'm writing regarding the proposed redevelopment of the Marina Safeway site. While many of us support adding housing in San Francisco, the current Marina Safeway proposal — including two towers of 20 and 25-stories — is far out of scale with the Marina and with other of Safeway/Align's planned redevelopments (Bernal,Richmond,San Mateo). Just because something can be built under current rules does not mean it should be. A project in the range of 6-8 stories could still deliver substantial housing while respecting the surrounding neighborhood and the people who live there. Residents are being urged to boycott Safeway stores until a more balanced plan is developed. We hope Safeway, Align, city and state officials will reconsider the scale of this project and work toward a proposal that better reflects the community you serve. Sincerely,

You can edit this submission and view all your submissions easily.

From: MacKenzie
To: Lurie, Daniel (MYR); investor-relations@albertsons.com; Board of Supervisors (BOS); SherrillStaff; media@albertsons.com; PIC, PLN (CPC); ssemblymember.stefani@assembly.ca.gov
Subject: Re: YES, IT CAN REALLY HAPPEN . . .
Date: Monday, May 11, 2026 11:44:20 AM

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YES, IT CAN REALLY HAPPEN . . .

First Name	Libby
Last Name	MacKenzie
Email Address	libbyamack@gmail.com
Street Address	3233 Octavia Street #4
Email Subject	Request to Reconsider the Scale of the Marina Safeway Project
Email Message Body	Dear City Leaders and Project Sponsors, This message is directed to the San Francisco Planning Department, the Mayor's Office, the Board of Supervisors, Albertsons/Safeway, Scott Weiner, Catherine Stefani and Align Real Estate regarding the proposed Marina Safeway redevelopment. I'm writing regarding the proposed redevelopment of the Marina Safeway site. While many of us support adding housing in San Francisco, the current Marina Safeway proposal — including two towers of 20 and 25-stories — is far out of scale with the Marina and with other of Safeway/Align's planned redevelopments (Bernal,Richmond,San Mateo). Just because something can be built under current rules does not mean it should be. A project in the range of 6-8 stories could still deliver substantial housing while respecting the surrounding neighborhood and the people who live there. Residents are being urged to boycott Safeway stores until a more balanced plan is developed. We hope Safeway, Align, city and state officials will reconsider the scale of this project and work toward a proposal that better reflects the community you serve. Sincerely,

You can edit this submission and view all your submissions easily.

From:	BARBARA STURLA
To:	Board of Supervisors (BOS)
Subject:	Save Waterfront
Date:	Wednesday, May 13, 2026 8:10:15 PM

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

Hi to you all, esteemed Supervisors ,
I recently read where possible plans might be forthcoming to build housing units plus high rises on our beautiful waterfront. My family ,3rd generation
San Franciscans, surely hope this will not be a plan you would support.
Our world famous waterfront, our iconic neighborhoods are what make San Francisco .
Our city is rightfully world famous for its breath taking views and character .
Preserving the character of our beloved city is your responsibility. Vote to preserve rather than destroy that beauty.
Thank you for taking the time to read my comments.
Best, Barbara Sturla
Sent from my iPhone

Item 16

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Potential loss of 2 internal Sr. EAP Counselors
Date:	Wednesday, May 13, 2026 8:22:04 AM

Dear Supervisors,

Please see below from Jeff Lintner regarding the proposed elimination of the City and County of San Francisco's internal Employee Assistance Program (EAP).

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Jeff Lintner <jeff.lintner@sbcglobal.net>
Sent: Tuesday, May 12, 2026 5:13 PM
To: aflores@ifpte21.org; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; SherrillStaff <SherrillStaff@sfgov.org>; SauterStaff <SauterStaff@sfgov.org>; WongStaff (BOS) <WongStaff@sfgov.org>; MahmoodStaff <MahmoodStaff@sfgov.org>; MandelmanStaff (BOS) <mandelmanstaff@sfgov.org>; FielderStaff <FielderStaff@sfgov.org>; Waltonstaff (BOS) <waltonstaff@sfgov.org>; ChenStaff <ChenStaff@sfgov.org>
Subject: Potential loss of 2 internal Sr. EAP Counselors

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

Honorable Members of the Board of Supervisors,

I'm writing this letter today in response to the decision by the director of Health Service System (HSS) to lay off the two current Sr. Employee Assistance Program (EAP) Counselors. I believe this decision is misguided and I am calling on the Board of Supervisors to prevent this layoff from happening.

I was an internal EAP Counselor/Sr. EAP Counselor for the City's EAP for over 30 years, having retired in 2023. I took pride in delivering a service that I believed improved the personal and organizational lives of CCSF employees and by extension the public they serve.

The value of an internal EAP Counselor is knowing and working within the organization to which they provide services. It takes years to learn the nuances of the City system including civil service rules, progressive discipline, the role of the unions, EEOC policies, and Worker's Comp procedures and resources. Knowing these within the City system is what helps a competent EAP Counselor provide targeted, accurate and useful interventions to help solve the problems employees, supervisors, managers, Departmental Personnel Officers (DPO), and departmental leaders bring them.

Here is one example from my 30 years of experience with the City.

A manager calls the internal EAP because a supervisor and subordinate are chronically arguing. The manager has tried to provide guidance, but the manager's skills in conflict resolution are wanting. The supervisor has started disciplinary action against the subordinate. The employee brings in their union and files an EEOC complaint of harassment and gender discrimination. As this conflict grows, team productivity declines. The rest of the team wishes the manager had the knowledge and willingness to handle this conflict. The services these employees provide to the public, your constituents, suffers.

The current Sr. EAP Counselors know how to handle this type of problem. An outside EAP Counselor, residing in another city or state, will at best provide cookie cutter advice but would never be able to provide services comparable to the current internal EAP Sr. Counselors. An external EAP Counselor who cannot know the City system will never be as useful or effective as an internal Sr. EAP Counselor.

HSS leadership is trying to solve their budgetary problem by attempting to lay off the two internal Sr. EAP Counselors. HSS may solve its budgetary problems but will create problems for all other departments, forcing them to rely on an external vendor who offers a less specialized and less competent service. Worse, the other department heads, DPO's, managers, supervisors and employees who trust the integrity and competency of the internal EAP will never know this level of service has been taken away from them…until they call needing the services they have come to trust.

I call on the Board of Supervisors to challenge the misguided decision by HSS leadership to lay off the current internal Sr. EAP Counselors. It is a bad decision for the City as an organization and ultimately for the citizens whom they serve.

Respectfully,

Jeff Lintner

Item 17

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: SFDSA Correspondence Regarding Sheriff's Department Oversight Board
Date:	Tuesday, May 12, 2026 9:37:26 AM
Attachments:	2026.05.12 Letter to BOS President Mandelman regarding Palmer .pdf

Dear Supervisors,

Please see below and attached from the San Francisco Deputy Sheriffs' Association regarding the Sheriff's Department Oversight Board.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: President <president@sanfranciscodsa.com>
Sent: Tuesday, May 12, 2026 6:47 AM
To: Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>
Cc: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; MandelmanStaff (BOS) <mandelmanstaff@sfgov.org>; SherrillStaff <SherrillStaff@sfgov.org>; SauterStaff <SauterStaff@sfgov.org>; WongStaff (BOS) <WongStaff@sfgov.org>; MahmoodStaff <MahmoodStaff@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; FielderStaff <FielderStaff@sfgov.org>; Waltonstaff (BOS) <waltonstaff@sfgov.org>; ChenStaff <ChenStaff@sfgov.org>; Executive Board <eboard@sanfranciscodsa.com>

Subject: SFDSA Correspondence Regarding Sheriff's Department Oversight Board

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

President Mandelman and Honorable Members of the Board of Supervisors,

Please see the attached correspondence from the San Francisco Deputy Sheriffs' Association regarding concerns surrounding the continued service of William Palmer on the Sheriff's Department Oversight Board.

The SFDSA recognizes the importance of civilian oversight, rehabilitation, and reentry advocacy. However, we also believe individuals serving in oversight leadership positions must maintain the professionalism, judgment, and conduct necessary to preserve public confidence in the integrity of the oversight process.

Our correspondence outlines the SFDSA's concerns regarding recent public reporting and publicly released San Francisco Sheriff's Office body-worn camera footage involving Mr. Palmer, as well as the broader impact these incidents have had on confidence in the Oversight Board's leadership.

We appreciate your time and consideration of this matter and remain available should the Board wish to discuss these concerns further.

Respectfully,

Danilo Quintanilla
President
San Francisco Deputy Sheriffs' Association

Cell (415) 279-8083
Landline (415) 696-2428

SAN FRANCISCO DEPUTY SHERIFFS' ASSOCIATION

"Serving the Deputy Sheriffs' of San Francisco since 1952"

President	Vice President	Secretary	Sgt. At Arms	Treasurer	Parliamentarian
Danilo Quintanilla	Greg Petty	Angelica Bac	Sotero Santos	Jim Irving	Kevin Conway

May 12, 2026

Honorable Rafael Mandelman
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Concerns Regarding William Palmer and Leadership of the Sheriff's Department Oversight Board

President Mandelman,

On behalf of the San Francisco Deputy Sheriffs' Association, I write to express serious concerns regarding the continued service of William Palmer on the Sheriff's Department Oversight Board.

The SFDSA recognizes the importance of rehabilitation, reentry advocacy, and civic participation by formerly incarcerated individuals. We also acknowledge the resilience Mr. Palmer has demonstrated in redefining himself following decades of incarceration, as well as his efforts to become involved in community advocacy and public service. San Francisco has long valued restorative justice principles and the inclusion of diverse perspectives in public policy discussions.

However, service on a law enforcement oversight body requires professionalism, emotional restraint, impartiality, sound judgment, and conduct that promotes confidence in the integrity of the oversight process. Recent public reporting and publicly released San Francisco Sheriff's Office body-worn camera footage involving Mr. Palmer have caused substantial concern and significantly undermined confidence in his ability to effectively serve in such a sensitive leadership position.

One example of this concern was Mr. Palmer's conduct during a recent traffic stop captured on SFSO body-worn camera footage and later discussed in media reporting. Based on the publicly available footage and information, the interaction appeared unnecessarily confrontational and escalatory. During the encounter, Mr. Palmer repeatedly invoked his official role as President of the Sheriff's Department Oversight Board while interacting with deputies conducting a routine enforcement stop. From the SFDSA's perspective, the repeated invocation of his oversight position during a personal law enforcement encounter created the appearance that official status was being leveraged during the stop.

Additionally, the interaction reflected a level of hostility, erratic behavior, and volatility that many observers would not expect from an individual entrusted with overseeing law enforcement operations and evaluating deputy conduct. Oversight officials should model professionalism and de-escalation, particularly during interactions with peace officers performing their duties.

SAN FRANCISCO DEPUTY SHERIFFS' ASSOCIATION
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The SFDSA's concerns are not based on any single allegation, citation, or isolated incident. Rather, they stem from what appears to be a broader and increasingly public pattern of conduct that has eroded confidence in the Oversight Board's leadership and distracted from the legitimate purpose of civilian oversight.

Under San Francisco Charter Section 4.137, members of the Sheriff's Department Oversight Board may only be removed for "official misconduct." Charter Section 15.105 further defines official misconduct as conduct falling below "the standard of decency, good faith and right action impliedly required of all public officers."

As the appointing authority, the Board of Supervisors has a responsibility to ensure that individuals serving in oversight positions maintain the professionalism, impartiality, and credibility necessary to preserve public trust in the oversight process. The SFDSA respectfully requests that the Board review whether Mr. Palmer's continued service is compatible with the standards expected of individuals serving in positions of public oversight and trust.

At this time, the SFDSA believes restoring confidence in the Sheriff's Department Oversight Board requires new leadership and representation. Our position is not rooted in opposition to restorative justice or reentry advocacy, but rather in the belief that oversight bodies must maintain credibility, professionalism, stability, and the trust of both the public and the employees subject to oversight.

The SFDSA sincerely hopes Mr. Palmer continues working on himself and that, in the future, he is able to continue contributing as an effective advocate for reentry and community issues in a manner that positively contributes to the broader San Francisco community.

We appreciate your attention to this matter and remain available should the Board wish to discuss these concerns further.

Respectfully,

Danilo Quintanilla
San Francisco Deputy Sheriffs' Association President

cc: Members, Board of Supervisors

P.O. Box 77590 **San Francisco, CA 94107** **www.SanFranciscoDSA.com**
Cell: (415) 279-8083 **Phone: (415) 696-2428** **Fax: (415) 658-7210**

Item 18

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Mission and College street pedestrian safty
Date:	Tuesday, May 12, 2026 9:44:08 AM

Dear Supervisors,

Please see below from HOA College Avenue regarding pedestrian safety.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: HOA College <hoacollege@gmail.com>
Sent: Tuesday, May 12, 2026 9:30 AM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; Lurie, Daniel (MYR) <daniel.lurie@sfgov.org>
Subject: Mission and College street pedestrian safty

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

To Whom It May Concern,

I'm writing to raise a safety concern about the intersection of Mission and College Avenue.

When I moved into the neighborhood six years ago, I was immediately struck by how hazardous the crosswalk on Mission is. Drivers rarely stop for pedestrians. I have personally witnessed several near-misses, including a mother with a stroller who was almost hit, and my own neighbors, one of whom came close to being struck by a bus while crossing.

I raised this issue with the city in 2019–2020, and after a survey was conducted, the response was that pedestrians could simply walk up the block to use the signalized crosswalk instead. I don't believe that adequately addresses the problem, as many people will continue to use the existing crosswalk regardless.

Last week, a group of motorcycle officers conducted a sting operation at this intersection, ticketing drivers who failed to yield to pedestrians. I watched as a significant number of citations were issued in a short period of time. While enforcement efforts like this are valuable, they don't provide a lasting solution to what is clearly an ongoing safety hazard.

I'm worried it is only a matter of time before someone is seriously injured here. I would like to request that the city revisit this intersection and consider additional safety measures — such as a pedestrian-activated signal, flashing crosswalk lights, a raised crosswalk, or improved signage and visibility.

Thank you for your time and attention to this matter. I would appreciate hearing back about what steps, if any, can be taken to make this crossing safer for the community.

Thank you!
Jennifer Michelson
HOA College Ave

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Can you deal with this?
Date:	Thursday, May 14, 2026 11:55:07 AM

Dear Supervisors,

Please see below, from a member of the public, regarding traffic safety.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Girish Gupta <girish@girishgupta.com>
Sent: Tuesday, May 12, 2026 9:51 AM
To: Lurie, Daniel (MYR) <daniel.lurie@sfgov.org>; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Re: Can you deal with this?

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

No one. Will you care when one of my kids gets killed, or just bullshit about how sad it is

and do everything you can to stay in power?

Perhaps you'll give me your prayers.

On Tue, May 5, 2026 at 17:32 Girish Gupta <girish@girishgupta.com> wrote:

> Who is going to actually do something about the awful driving in this city? I see zero progress.
>
> On Tue, May 5, 2026 at 17:26 Girish Gupta <girish@girishgupta.com> wrote:
>
> > I have emailed you so many times and you always ignore me. What the fuck is the purpose of your leadership?
> >
> > On Tue, May 5, 2026 at 17:25 Girish Gupta <girish@girishgupta.com> wrote:
> >
> > > This cunt drove into me. Deal with it.

Item 19

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS); Jalipa, Brent (BOS)
Subject:	Budget - 10 letters
Date:	Thursday, May 14, 2026 12:19:22 PM
Attachments:	Budget 10 letters.pdf

Dear Supervisors,

Please see the attached 10 letters, from members of the public, regarding the San Francisco Budget.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Jalipa, Brent (BOS); Kittler, Sophia (MYR); blueprint@sfblueprint.org
Subject: Fix the City Budget the right way - no short term fixes.
Date: Friday, May 8, 2026 2:07:53 PM

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

Dear Mayor and Members of the San Francisco Board of Supervisors,

I am writing to urge the City to confront San Francisco's long-term structural budget deficit, which could grow to over $1 billion by 2030, with a clear-eyed, responsible approach that restores fiscal stability and public trust.

As the City's own financial projections make clear, San Francisco is facing a persistent spending problem. Our City is simply spending money it does not have. The deficit is a serious structural problem that if not solved, will harm our quality of life and lead to cuts to services that we cherish such as our libraries and parks.

Critically, this deficit cannot be solved by relying on strategies that merely delay hard decisions. San Francisco must address its budget gap while following the below principles:

• Do not use reserves, which exist to protect the City during true emergencies and economic shocks and not to paper over recurring imbalances.

• Do not use one-time fixes and shortcuts, which provide temporary relief while worsening the long-term outlook.

• Do not increase taxes, which would further burden residents and businesses already struggling with affordability and economic uncertainty.

Using reserves, one-time fixes, or new taxes may appear expedient in the short run, but each approach ultimately weakens the City's fiscal foundation and compounds the problem in future budget cycles.

Instead, the City should focus on sustainable solutions that align recurring spending with recurring revenues. That means taking a hard look at baseline costs, staffing levels, and program effectiveness including roughly $1.6 billion in annual nonprofit spending, where repeated audits and scandals have revealed weak oversight, misuse of funds, and poor accountability for results.

It also means confronting the City's own irresponsible spending practices. San Francisco has poured billions into homelessness programs with little improvement in outcomes and even raided a dedicated healthcare fund to paper over short-term budget gaps. These practices reflect a broader failure to track spending, measure performance, and enforce accountability.

San Franciscans expect and deserve a budget strategy that is honest about the scale of the challenge and disciplined in how it is addressed. Tackling the structural deficit

responsibly is essential not only to the City’s financial health, but to its credibility, economic recovery, and ability to deliver on its commitments to residents.

I respectfully urge you to prioritize long-term fiscal sustainability and to commit to solutions that solve the problem at its root rather than passing it forward to future leaders, future taxpayers, and future budgets.

Thank you for your leadership and consideration.

Sincerely,

Olga Milan-Howells

From:	Jordan Wasilewski
To:	Board of Supervisors (BOS); ChanStaff (BOS); Chan, Connie (BOS); Walton, Shamann (BOS); Waltonstaff (BOS); DorseyStaff (BOS); Dorsey, Matt (BOS); Sauter, Danny (BOS); SauterStaff; Mandelman, Rafael (BOS); MandelmanStaff (BOS); Christopher Mika
Subject:	DBI Budget On Wednesday
Date:	Tuesday, May 12, 2026 11:26:34 AM

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

I wanted to forward you this letter I sent to the previous iteration of the Budget & Appropriations committee back in 2022 because....the issues around the SRO Collaboratives still exist today.

The 2022 email led to then chair Ronen elevating these issues at the May 18, 2022 Budget & Appropriations Committee, but nothing got done.

Here is a video of highlights from that interrogation I mixed. Aside from some goofiness and weird pop culture references, there are good points.

https://www.instagram.com/reel/DYDC1JWgRbZ/?igsh=MzRlODBiNWFlZA==

Please, I believe that reform is long overdue. I do believe that there should be SRO Collaboratives, but they must NOT be fiscally agented under landlords, and they must be real incubators for tenant organizing, not landlord PR firms.

I have also looped in Christopher M., who may have some perspectives as well.

-J

---------- Forwarded message ---------
From: **Jordan Davis** <jodav1026@gmail.com>
Date: Tue, May 17, 2022, 1:23 PM
Subject: File 220491 At Budget And Appropriations (Concerns About DBI Budget)
To: Ronen, Hillary <hillary.ronen@sfgov.org>, <jennifer.ferrigno@sfgov.org>, Saini, Nikita (BOS) <nikita.saini@sfgov.org>, Lerma, Santiago (BOS) <santiago.lerma@sfgov.org>, <ana.herrera@sfgov.org>, <ahsha.safai@sfgov.org>, <safaistaff@sfgov.org>, Mar, Gordon (BOS) <gordon.mar@sfgov.org>, <Karen.Chan@sfgov.org>, <Li.Lovett@sfgov.org>, <Edward.W.Wright@sfgov.org>, Wong, Alan (BOS) <Alan.Wong1@sfgov.org>, Walton, Shamann (BOS) <shamann.walton@sfgov.org>, <Abe.Evans@sfgov.org>, Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>, Gee, Natalie (BOS) <natalie.gee@sfgov.org>, Burch, Percy (BOS) <percy.burch@sfgov.org>, <connie.chan@sfgov.org>, <winston.parsons@sfgov.org>, <kelly.groth@sfgov.org>, <frances.hsieh@sfgov.org>, Yu, Angelina (BOS) <Angelina.Yu@sfgov.org>
Cc: Christopher Mika <mika.christopher@gmail.com>, fred S-Z Housing Rights SF <fred@hrcsf.org>, <Board.Of.Supervisors@sfgov.org>

Good afternoon, my name is Jordan Davis (she/her), and I would like to address the issues relating to the DBI budget, especially as it concerns funding to various non-profit landlords to run SRO Collaboratives, which hold themselves out and are intended to be independent watchdogs for the tenants concerning conditions in this housing stock, often occupied by vulnerable people, but are instead run by non-profit SRO landlords, specifically.

-The Chinatown SRO Collaborative is run by Chinatown Community Development Center, a non-profit affordable housing provider, all with funding through DBI
-The Mission SRO Collaborative is run by Dolores Street Community Services, which counts among its functions, management of Casa Quezada, a supportive housing site. all with funding from DBI
-The Central City SRO Collaborative is, with funding through DBI, run by the Tenderloin Housing Clinic, a major supportive housing provider who has been under scrutiny for years due to conditions and practices, and whose buildings were featured prominently in a 4/26 expose from the Chronicle,

As a Tenderloin Housing Clinic tenant, I have to deal with not only reduced rights, infantilizing practices, and have had to deal with facilities that were falling apart, but also the fact that THC has an in-house evictor on their staff is troubling as well. They get lucrative contracts from the city to supposedly help SRO tenants, but they also have the power to evict.

But you have the power, as the Budget and Appropriations committee, to push to make this right.

No matter what your feelings on these organizations are, **IT IS A CONFLICT OF INTEREST TO GIVE CONTRACTS FOR SRO COLLABORATIVES TO WHAT ARE ESSENTIALLY NON-PROFIT LANDLORDS AND HOUSING PROVIDERS.** I, and so many other tenants, demand that this issue be brought up with DBI at tomorrow's hearing, and we demand that at the very least, Central City SRO Collaborative be completely severed from the Tenderloin Housing Clinic, and that CCSRO be placed under a non-profit that doesn't do property management and that has not come under extreme fire for it's treatment of tenants..

I am Italian on my mom's side, and there is an old Italian saying "la moglie di Cesare deve essere al di sopra di ogni sospetto". The THC's arrangement with DBI is not above suspicion, neither is DSCS or CCDC's arrangement with DBI. We need reform of the collaboratives.

Despondently,

-Jordan

From:	Julien DeFrance
To:	Lurie, Daniel (MYR); Mayor, MYR (MYR); Board of Supervisors (BOS); Board of Supervisors (BOS); ChanStaff (BOS); Chan, Connie (BOS); Chen, Chyanne (BOS); ChenStaff; Dorsey, Matt (BOS); DorseyStaff (BOS); Wong, Alan (BOS); WongStaff (BOS); Fielder, Jackie (BOS); FielderStaff; MahmoodStaff; Mahmood, Bilal (BOS); Mandelman, Rafael (BOS); MandelmanStaff (BOS); Melgar, Myrna (BOS); MelgarStaff (BOS); Sauter, Danny (BOS); SauterStaff; Sherrill, Stephen (BOS); SherrillStaff; Walton, Shamann (BOS); Waltonstaff (BOS)
Subject:	A BALANCED BUDGET ISN'T OPTIONAL. JUST MAKE MORE CUTS.
Date:	Tuesday, May 12, 2026 6:29:25 PM

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

Dear Mayor and Supervisors,

A BALANCED BUDGET ISN'T OPTIONAL. MORE CUTS ARE DESPERATELY NEEDED.

You've promised us "accountable leadership", please deliver on it, and go back to the drawing board.

Once again, A BALANCED BUDGET ISN'T OPTIONAL.

Make it happen.

Best regards,

JD.

From:	Julien DeFrance
To:	Mayor, MYR (MYR); Lurie, Daniel (MYR); Board of Supervisors (BOS); Board of Supervisors (BOS); ChanStaff (BOS); Chan, Connie (BOS); Chen, Chyanne (BOS); ChenStaff; Dorsey, Matt (BOS); DorseyStaff (BOS); Wong, Alan (BOS); WongStaff (BOS); Fielder, Jackie (BOS); FielderStaff; MahmoodStaff; Mahmood, Bilal (BOS); Mandelman, Rafael (BOS); MandelmanStaff (BOS); Melgar, Myrna (BOS); MelgarStaff (BOS); Sauter, Danny (BOS); SauterStaff; Sherrill, Stephen (BOS); SherrillStaff; Walton, Shamann (BOS); Waltonstaff (BOS)
Subject:	SF BUDGET FOLLOW-UP: Cut City Hall Staff, Commissions, and Nonprofit Grants - NOW!
Date:	Wednesday, May 13, 2026 3:13:35 PM

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

Dear Mayor Lurie and Members of the Board of Supervisors,

I am writing again because the message bears repeating: cut spending. Not next year. Now.

Specifically, I demand immediate action on three fronts:

1. CITY HALL STAFF — San Francisco's city workforce is bloated by any reasonable measure. Cut it further. Eliminate redundant management layers. Consolidate departments. The private sector operates with far leaner overhead; city government should too.

2. COMMISSIONS — San Francisco has dozens of commissions, boards, and advisory bodies, many of which produce little of measurable value. Audit every single one. Eliminate those that are redundant, ineffective, or whose functions can be absorbed elsewhere. The cost in staff time, salaries, and overhead is unjustifiable during a $643 million deficit.

3. NONPROFIT GRANTS — The city hands tens of millions in contracts and grants to nonprofit organizations, many of whose executives draw six-figure salaries with minimal accountability. This spending must be audited immediately and non-performing contracts terminated. Taxpayer money is not a jobs program for nonprofit administrators.

I also want to be unambiguous: I oppose any attempt to close this deficit through new taxes or fees.

San Franciscans are already among the most heavily taxed residents in the country. The answer is not to take more from us — it is to spend less.

A BALANCED BUDGET is your OBLIGATION, not an aspiration.

We San Franciscans have yet to see your promises of accountable leadership in action. Please do not disappoint.

Best regards,

JD.

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Jalipa, Brent (BOS); Board of Supervisors (BOS); blueprint@sfblueprint.org
Subject: Support the BUILD Act (#260178): Reduce the Real Estate Transfer Tax.
Date: Thursday, May 14, 2026 11:02:58 AM

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

Dear Members of the San Francisco Board of Supervisors,

I urge you to support reducing San Francisco's Real Estate Transfer Tax to stimulate economic activity and make our city more competitive.

Right now, San Francisco has some of the highest transfer tax rates in the country, reaching as high as 5.5% to 6% on large transactions. These elevated rates have created real barriers to real estate investment and development that our City needs for our economic recovery.

As a result, tens of thousands of approved housing units and the jobs that come with them remain stalled because projects simply don't pencil under current economic conditions.

Lowering rates would:

• Make housing projects financially viable again - reducing the tax could reduce construction costs by $32,000/housing unit.

• Help unlock tens of thousands of approved but unbuilt homes.

• Encourage investment that brings jobs, housing, and economic activity back to San Francisco.

When transfer taxes are too high, they don't just generate revenue, they discourage the very activity our city depends on: construction, investment, and economic growth.

Ordinance #260178 is what we need to fix this problem and boost SF's economic recovery.

I respectfully urge you to show your support for SF's continued economic comeback by voting to pass Ordinance #260178.

Sincerely,

Remi Tan

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Jalipa, Brent (BOS); Kittler, Sophia (MYR); blueprint@sfblueprint.org
Subject: Fix the City Budget the right way - no short term fixes.
Date: Thursday, May 14, 2026 11:05:17 AM

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

Dear Mayor and Members of the San Francisco Board of Supervisors,

I am writing to urge the City to confront San Francisco's long-term structural budget deficit, which could grow to over $1 billion by 2030, with a clear-eyed, responsible approach that restores fiscal stability and public trust.

As the City's own financial projections make clear, San Francisco is facing a persistent spending problem. Our City is simply spending money it does not have. The deficit is a serious structural problem that if not solved, will harm our quality of life and lead to cuts to services that we cherish such as our libraries and parks.

Critically, this deficit cannot be solved by relying on strategies that merely delay hard decisions. San Francisco must address its budget gap while following the below principles:

• Do not use reserves, which exist to protect the City during true emergencies and economic shocks and not to paper over recurring imbalances.

• Do not use one-time fixes and shortcuts, which provide temporary relief while worsening the long-term outlook.

• Do not increase taxes, which would further burden residents and businesses already struggling with affordability and economic uncertainty.

Using reserves, one-time fixes, or new taxes may appear expedient in the short run, but each approach ultimately weakens the City's fiscal foundation and compounds the problem in future budget cycles.

Instead, the City should focus on sustainable solutions that align recurring spending with recurring revenues. That means taking a hard look at baseline costs, staffing levels, and program effectiveness including roughly $1.6 billion in annual nonprofit spending, where repeated audits and scandals have revealed weak oversight, misuse of funds, and poor accountability for results.

It also means confronting the City's own irresponsible spending practices. San Francisco has poured billions into homelessness programs with little improvement in outcomes and even raided a dedicated healthcare fund to paper over short-term budget gaps. These practices reflect a broader failure to track spending, measure performance, and enforce accountability.

San Franciscans expect and deserve a budget strategy that is honest about the scale of the challenge and disciplined in how it is addressed. Tackling the structural deficit

responsibly is essential not only to the City’s financial health, but to its credibility, economic recovery, and ability to deliver on its commitments to residents.

I respectfully urge you to prioritize long-term fiscal sustainability and to commit to solutions that solve the problem at its root rather than passing it forward to future leaders, future taxpayers, and future budgets.

Thank you for your leadership and consideration.

Sincerely,

Jorge Garcia

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Jalipa, Brent (BOS); Kittler, Sophia (MYR); blueprint@sfblueprint.org
Subject: Fix the City Budget the right way - no short term fixes.
Date: Thursday, May 14, 2026 11:08:16 AM

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

Dear Mayor and Members of the San Francisco Board of Supervisors,

I am writing to urge the City to confront San Francisco's long-term structural budget deficit, which could grow to over $1 billion by 2030, with a clear-eyed, responsible approach that restores fiscal stability and public trust.

As the City's own financial projections make clear, San Francisco is facing a persistent spending problem. Our City is simply spending money it does not have. The deficit is a serious structural problem that if not solved, will harm our quality of life and lead to cuts to services that we cherish such as our libraries and parks.

Critically, this deficit cannot be solved by relying on strategies that merely delay hard decisions. San Francisco must address its budget gap while following the below principles:

• Do not use reserves, which exist to protect the City during true emergencies and economic shocks and not to paper over recurring imbalances.

• Do not use one-time fixes and shortcuts, which provide temporary relief while worsening the long-term outlook.

• Do not increase taxes, which would further burden residents and businesses already struggling with affordability and economic uncertainty.

Using reserves, one-time fixes, or new taxes may appear expedient in the short run, but each approach ultimately weakens the City's fiscal foundation and compounds the problem in future budget cycles.

Instead, the City should focus on sustainable solutions that align recurring spending with recurring revenues. That means taking a hard look at baseline costs, staffing levels, and program effectiveness including roughly $1.6 billion in annual nonprofit spending, where repeated audits and scandals have revealed weak oversight, misuse of funds, and poor accountability for results.

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I respectfully urge you to prioritize long-term fiscal sustainability and to commit to solutions that solve the problem at its root rather than passing it forward to future leaders, future taxpayers, and future budgets.

Thank you for your leadership and consideration.

Sincerely,

Todd Davis

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Jalipa, Brent (BOS); Kittler, Sophia (MYR); blueprint@sfblueprint.org
Subject: Fix the City Budget the right way - no short term fixes.
Date: Thursday, May 14, 2026 11:36:15 AM

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

Dear Mayor and Members of the San Francisco Board of Supervisors,

I am writing to urge the City to confront San Francisco's long-term structural budget deficit, which could grow to over $1 billion by 2030, with a clear-eyed, responsible approach that restores fiscal stability and public trust.

As the City's own financial projections make clear, San Francisco is facing a persistent spending problem. Our City is simply spending money it does not have. The deficit is a serious structural problem that if not solved, will harm our quality of life and lead to cuts to services that we cherish such as our libraries and parks.

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Thank you for your leadership and consideration.

Sincerely,

David Shapiro

From: Blueprint SF
To: Lurie, Daniel (MYR); Chan, Connie (BOS); Sherrill, Stephen (BOS); Sauter, Danny (BOS); Wong, Alan (BOS); Mahmood, Bilal (BOS); Dorsey, Matt (BOS); Melgar, Myrna (BOS); Mandelman, Rafael (BOS); Fielder, Jackie (BOS); Walton, Shamann (BOS); Chen, Chyanne (BOS); Board of Supervisors (BOS); Jalipa, Brent (BOS); Kittler, Sophia (MYR); blueprint@sfblueprint.org
Subject: Fix the City Budget the right way - no short term fixes.
Date: Thursday, May 14, 2026 11:36:43 AM

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Dear Mayor and Members of the San Francisco Board of Supervisors,

I am writing to urge the City to confront San Francisco's long-term structural budget deficit, which could grow to over $1 billion by 2030, with a clear-eyed, responsible approach that restores fiscal stability and public trust.

As the City's own financial projections make clear, San Francisco is facing a persistent spending problem. Our City is simply spending money it does not have. The deficit is a serious structural problem that if not solved, will harm our quality of life and lead to cuts to services that we cherish such as our libraries and parks.

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I respectfully urge you to prioritize long-term fiscal sustainability and to commit to solutions that solve the problem at its root rather than passing it forward to future leaders, future taxpayers, and future budgets.

Thank you for your leadership and consideration.

Sincerely,

Oleg Godovykh

From:	Julien DeFrance
To:	Mayor, MYR (MYR); Lurie, Daniel (MYR); blueprint@sfblueprint.org; Board of Supervisors (BOS); Board of Supervisors (BOS); ChanStaff (BOS); Chan, Connie (BOS); Chen, Chyanne (BOS); ChenStaff; Dorsey, Matt (BOS); DorseyStaff (BOS); Wong, Alan (BOS); WongStaff (BOS); Fielder, Jackie (BOS); FielderStaff; MahmoodStaff; Mahmood, Bilal (BOS); Mandelman, Rafael (BOS); MandelmanStaff (BOS); Melgar, Myrna (BOS); MelgarStaff (BOS); Sauter, Danny (BOS); SauterStaff; Sherrill, Stephen (BOS); SherrillStaff; Walton, Shamann (BOS); Waltonstaff (BOS)
Subject:	BUDGET FOLLOW-UP: End the Nonprofit Executive Pay Racket — AUDIT, CAP, and CUT NOW!
Date:	Thursday, May 14, 2026 11:55:09 AM

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Mayor Lurie and Members of the Board of Supervisors,

I have a simple question: if these organizations are genuine nonprofits serving the public good, why are their executives paying themselves $100,000, $200,000, $300,000, or even $400,000 a year — largely funded by San Francisco taxpayers?

The word “nonprofit” is not a blank check. It is a legal designation that is supposed to reflect a mission-driven, community-serving organization. It is not supposed to be a vehicle for executives to enrich themselves on the public dime while city residents go without adequate services.

Yet that is exactly what is happening. The city of San Francisco funnels tens of millions of dollars annually to these organizations with little transparency, weak oversight, and virtually no performance accountability.

Meanwhile, we are told by Connie Chan herself, that there is no money left to cut.

I demand the following immediately:

1. A full public audit of every nonprofit receiving city funds, including the compensation of all executives and senior staff.

2. An immediate cap on city-funded compensation. No executive at any organization receiving San Francisco taxpayer dollars should be collecting more than the salary of the Mayor himself. Make them work the minimal wage, in the true sense of public service and the so-called non-profit values they so much aspire to.

3. Termination of any contract with organizations that cannot demonstrate clear, measurable outcomes for the communities they claim to serve.

4. Full public disclosure of all nonprofit grant recipients, contract amounts, and executive pay — posted online in plain language for every resident to see.

This is not about punishing legitimate charitable work. It is about ending the abuse of a system that has allowed connected insiders to profit handsomely while the city bleeds red ink.

The gravy train stops here. Do your jobs.

Thank you!

Item 20

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); Mchugh, Eileen (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Letter of Support for Ella Hill Hutch
Date:	Tuesday, May 12, 2026 4:52:15 PM
Attachments:	Keep Ella Hill Hutch Open Peterian.pdf

Dear Supervisors,

Please see below from Rachel Peterian regarding Ella Hill Hutch Community Center.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From: intern <intern@blackwomenrevolt.org>
Sent: Tuesday, May 12, 2026 3:48 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; MahmoodStaff <MahmoodStaff@sfgov.org>
Subject: Letter of Support for Ella Hill Hutch

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With Gratitude,
Rachel

Rachel Peterian

Community Outreach Fellow

Black Women Revolt Against Domestic Violence

Work: 1(888) 260-1498 Ext.103

Email: intern@blackwomenrevolt.org

Please Note: Our case management and crisis line are now operating **Monday–Friday** from **12:00 PM – 4:00 PM** until **June 30, 2026**.

CONFIDENTIAL: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. If you are not the named addressee, you should not disseminate, distribute or copy this email.

Take the BWRADV Healthy Relationships Pledge: *bit.ly/Take-The-Pledge-BWRADV*

May 12, 2026

Keep Ella Hill Hutch Open - Support for Booker T. Washington CSC

To: Honorable Mayor Daniel Lurie and District 5 Supervisor Bilal Mahmood
CC: The Honorable Members of the San Francisco Board of Supervisors, Sally Oerth, Director, City Real Estate Division

I am writing this letter in support of Booker T. Washington Community Service Center's forthcoming operation and continuation of free community services of Ella Hill Hutch Community Center at 1050 McAllister Street. **Please do not let our community suffer another loss of critical services and space.**

As San Francisco's oldest Black-led organization, with 107 years of service, Booker T. has always shown up for the Western Addition and Fillmore community; that commitment does not waver today. Assuming stewardship of the Ella Hill Hutch Community Center is not just an operational transition. It is a promise that the children, families, and seniors who depend on these critical services will not lose access to care. With your support, these services will continue in June 2026.

As a fellow community-serving organization, we have witnessed firsthand the vital role the Booker T. Washington Community Service Center plays in supporting Black families, youth, and seniors through trusted leadership, culturally responsive services, and longstanding commitment to the Western Addition community.

It is crucial that the doors of Ella Hill Hutch stay open and the community doesn't experience a disruption in services. The work Booker T. is doing aligns directly with City priorities, including housing, youth and senior services, food security, therapy, wellness programs and public safety.

The Fillmore and Western Addition have faced redlining, redevelopment, and gentrification for generations. Booker T. and Ella Hill Hutch have stood through it all.

It is historically acknowledged that **when doors close on Black institutions, they rarely reopen**. Booker T.'s willingness to step in not only preserves history, but protects the legacy of the Fillmore, especially the Black/African American community.

We urge Mayor Lurie and the SF Board of Supervisors to help keep the doors of Ella Hill Hutch open and support Booker T. Washington's stewardship.

The health, wellness, and safety of the Fillmore and Western Addition community depend on the continuity of services. We believe that Booker T. Washington Community Service Center, with their proven track record, competency, financial strength, and impact, is the right choice to steward this institution.

In community,

First and Last Name: Rachel Peterian

Signature: Rachel Peterian

Organization (if applicable): Black Women Revolt Against Domestic Violence

Address and Zipcode: 1485 Bayshore Blvd, San Francisco, CA, 94124

Phone: (415) 699-7093

Email: rmpeterian@outlook.com

Item 21

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Invitation: New Research on AI Governance in Bay Area Municipal Legal Systems
Date:	Thursday, May 14, 2026 10:14:18 AM
Attachments:	Justice on Autopilot Final Capstone Paper Darris Thomas.pdf

Dear Supervisors,

Please see below and attached, from Darris Thomas, regarding artificial intelligence governance.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Darris Thomas <dthomas7@dons.usfca.edu>
Sent: Thursday, May 14, 2026 10:07 AM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Cc: ChanStaff (BOS) <chanstaff@sfgov.org>; WongStaff (BOS) <WongStaff@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Waltonstaff (BOS) <waltonstaff@sfgov.org>; SherrillStaff <SherrillStaff@sfgov.org>; MahmoodStaff <MahmoodStaff@sfgov.org>; MandelmanStaff (BOS) <mandelmanstaff@sfgov.org>; ChenStaff <ChenStaff@sfgov.org>; SauterStaff <SauterStaff@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; FielderStaff <FielderStaff@sfgov.org>
Subject: Invitation: New Research on AI Governance in Bay Area Municipal Legal Systems

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

Dear Supervisors,

I have completed a research project examining how artificial intelligence is reshaping legal decision-making in Bay Area municipalities, including San Francisco. The work, completed as my Master's Capstone at the University of San Francisco, documents both the scope of predictive litigation technology adoption and significant gaps in governance frameworks.

While San Francisco has established itself as a national leader in algorithmic accountability and technological oversight, my research reveals that municipal legal departments—city attorneys' offices, district attorneys, courts—represent an understudied domain where similar governance frameworks are largely absent. These institutions are deploying predictive settlement analytics, pretrial risk assessments, and case prioritization tools without transparent processes, community input, or equity impact analysis.

What makes this research relevant to the Board's work is that it identifies concrete governance mechanisms that could address these gaps: transparency and disclosure requirements, equity impact assessments before tool deployment, community participation in procurement and oversight, and data governance agreements that protect communities most affected by AI-driven legal decisions.

The research also documents variation across Bay Area jurisdictions (what works in some counties, what remains absent in others) providing comparative analysis that could inform San Francisco's policy development. Notably, several promising initiatives (like Alameda County's Harvard Data Use Agreement) have been discontinued, suggesting that without formal governance structures, equity-focused approaches remain fragile.

I believe this work could contribute valuable perspective to the Board's ongoing efforts to ensure that technology innovation serves public accountability and racial justice rather than inadvertently entrenching existing inequities.

I would be honored to share findings with the Board and discuss how San Francisco can extend its commitment to algorithmic accountability into the municipal legal domain.

Respectfully,
Darris Thomas
M.A. degree candidate
Urban and Public Affairs
University of San Francisco

Enclosure: Capstone Paper

Canva Link to Capstone Presentation: https://canva.link/n2xggrau1bjcooq

Justice on Autopilot: Comparing Predictive Litigation and Data Justice in Bay Area Municipal Governments

By Darris Thomas

Submitted in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Urban and Public Affairs

College of Arts and Sciences

University of San Francisco

May 2026

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ACKNOWLEDGEMENTS

This capstone project would not have been possible without the generous support and intellectual guidance of many individuals and institutions. I am deeply grateful to my faculty advisor for their thoughtful mentorship, incisive feedback, and unwavering commitment to helping me navigate the complex intersection of technology, law, and justice. Their encouragement to think critically about algorithmic governance and to center the voices of affected communities fundamentally shaped the direction and quality of this research.

I am also indebted to the faculty members and colleagues at the University of San Francisco who challenged my assumptions, offered alternative perspectives, and helped me refine my analytical frameworks. The rigorous discussions in seminars on urban policy, data justice, and algorithmic accountability deepened my understanding of these crucial issues and pushed my thinking beyond initial conceptualizations.

This research would lack grounding without the public servants, legal advocates, and municipal officials in the San Francisco Bay Area who generously shared their time, expertise, and insights. I am particularly grateful to Supervisor David Canepa and the staff members of the San Mateo County Board of Supervisors, for their candid discussions about the challenges and opportunities of implementing algorithmic governance at the county level. The interviews and conversations with city attorneys, public defenders, county counsel offices, and civil rights organizations provided invaluable real-world context that brought the theoretical frameworks to life. Their willingness to speak openly about the tensions they navigate daily between efficiency and equity, technology and accountability, was essential to this project.

I extend my thanks to the organizations and institutions that made archival research and public records access possible, particularly those working in government transparency and

algorithmic accountability. Their commitment to making municipal AI decision-making more visible and contestable is essential to the kind of democratic scrutiny this paper advocates.

On a personal level, I am grateful to my family and friends for their patience, encouragement, and willingness to engage with difficult conversations about technology and justice. Their support sustained me through the research and writing process, and their reminders of why this work matters kept me grounded.

Finally, I acknowledge the communities most affected by the technologies examined in this capstone: defendants navigating pretrial detention decisions, litigants facing municipal legal action, and residents of neighborhoods over-surveilled by algorithmic systems. Their experiences and resistance to unjust technological systems are the moral foundation of this research. I hope this work contributes, however modestly, to building legal institutions and governance frameworks that center human dignity, procedural fairness, and the possibility of meaningful recourse.

CHAPTER 1: INTRODUCTION

In the spring of 2025, Kyle Kjoller, a 57-year-old welder, was ordered held without bail in Nevada County, California, on multiple counts of illegal gun possession. He protested, arguing the charges were not serious enough under California law to justify months of pretrial detention. Prosecutors responded with an 11-page brief, but when Kjoller's lawyers scrutinized it, they discovered citations to cases that did not exist, references to legal precedents that had been fabricated, and a mischaracterization of a provision of the California state Constitution.[1] The errors bore the hallmarks of what artificial intelligence practitioners call "hallucinations", which are fictional authority invented by AI software and inserted into a legal document as if it were real. The Civil Rights Corps subsequently filed a petition with the California Supreme Court seeking sanctions against the Nevada County District Attorney's Office, arguing that submitting fabricated legal authority was tantamount to submitting fabricated evidence.[2] As Kate Chatfield, Executive Director of the California Public Defenders Association, put it starkly: "When a district attorney submits fake law, that's equivalent to submitting fake evidence."[3] The implications were not abstract. A man sat in jail, his liberty contingent on the authority of cases that had never existed.

---

[1] Amici Curiae (Professors, Scientists, and Scholars), "Amicus Letter in Support of Petition for Review, *Kjoller v. Superior Court of Nevada County*, Case No. S293723," https://www.law.berkeley.edu/wp-content/uploads/2025/11/Amicus-Letter-in-support-of-PFR-Kjoller-Filed-11.21.25.pdf

[2] Sharon Bernstein, "AI Caused Errors in a Criminal Case, Northern California Prosecutor Says," *Sacramento Bee*, November 2025, https://www.sacbee.com/news/local/article312815223.html

[3] Noah Anderson, "Nevada County DA Facing Backlash for Inaccurate AI Court Documents," *FOX40 News* (via MSN), December 10, 2025, https://www.msn.com/en-us/news/us/nevada-county-da-facing-backlash-for-inaccurate-ai-court-documents/ar-AA1S7nKu

The Nevada County episode, moreover, was not an isolated curiosity; rather, it was a warning. Lawyers for affected defendants identified four separate criminal case briefs from the same district attorney's office that contained incorrect citations, used quotations not found in cited materials, named the wrong courts issuing opinions, and wrongly construed legal precedent.[4] Each of those briefs concerned a real person navigating a criminal justice system that is supposed to be governed by verifiable law. Critically, the office had no AI policy in place when these filings were made; only afterward did it implement an office-wide directive, conduct AI-specific training for attorneys, and appoint an AI Policy Coordinator.[5] The governance framework, in other words, came after the harm. The guardrails were built after the car had already gone off the road. This sequence (adoption first, accountability second, reform only under public pressure) is not unique to Nevada County. It is, as this research will argue, a defining feature of how AI is entering American legal institutions at every level.

What makes this pattern so consequential, furthermore, is not merely the technical fallibility of AI tools, though that fallibility is real and well-documented. It is the institutional context into which these tools are being inserted: a criminal legal system already characterized by profound racial disparities, resource asymmetries between prosecution and defense, and a long history of subordinating procedural fairness to prosecutorial efficiency. When artificial intelligence enters this environment without adequate oversight, it does not operate as a neutral

---

[4] Thomas Angell and Civil Rights Corps, quoted in "1 Prosecution Brief Had AI Hallucinations, but Other Issues Were Human Error, District Attorney Says," *ABA Journal*, November 26, 2025, https://www.abajournal.com/news/article/da-admits-1-prosecution-brief-had-ai-hallucinations-but-says-other-issues-due-to-human-error

[5] "Nevada County District Attorney Jesse Wilson Statement on AI Use in Legal Filing," December 4, 2025, reproduced at *YubaNet*, https://yubanet.com/regional/nevada-county-district-attorney-jesse-wilson-statement-on-ai-use-in-legal-filing/

corrective. It operates as an accelerant that is capable of entrenching existing power imbalances, obscuring the human decision-making behind automated outputs, and placing new and formidable barriers between defendants and meaningful legal recourse. This is the central problem this Capstone project confronts.

The Rise of Predictive Litigation Technology

Against this backdrop, it is essential to understand what predictive litigation technologies are, how they entered municipal government, and why their appeal has proven so difficult to resist. In recent years, artificial intelligence has fundamentally transformed how municipal governments approach legal decision-making. From predictive policing algorithms to risk assessment tools in criminal justice, AI technologies promise efficiency, cost savings, and data-driven objectivity. Yet beneath this veneer of technological progress lies a troubling paradox: the same systems designed to improve justice outcomes may be automating and amplifying the very inequities they claim to address. Nowhere is this tension more visible than in the deployment of predictive litigation analytics, which are AI-powered tools that forecast case outcomes, estimate settlement costs, and guide legal strategy in municipal law offices across the Bay Area and, increasingly, across the country.

Predictive litigation technologies represent a comparatively new frontier in the application of artificial intelligence to government operations. City attorneys, district attorneys, public defenders, and county counsel offices increasingly rely on these systems to predict case outcomes, manage workloads, optimize resource allocation, and reduce legal costs. Proponents argue that such tools bring scientific rigor to inherently uncertain legal processes, enabling cash-strapped municipalities to make more informed decisions about which cases to settle, which to litigate, and how to allocate limited legal resources. The promise is compelling: faster resolution

times, reduced litigation expenses, and more consistent outcomes across similar cases. In a political environment where municipal budgets face constant pressure and legal departments are perennially under-resourced, these efficiencies are not trivial. They represent real savings that can be redirected to public services, and real reductions in the prolonged uncertainty that litigation imposes on both governments and plaintiffs.

Yet the appeal of efficiency must be weighed against a more fundamental question: efficient for whom, and at what cost? Predictive analytics in legal settings do not merely assist human decision-makers; moreover, they shape the terrain on which decisions are made. When an algorithm tells a city attorney that a particular case has a low probability of plaintiff success, it does not simply provide information; it nudges toward a course of action, often without surfacing the assumptions, data sources, or historical patterns that produced that prediction. When a risk assessment tool flags a defendant as high-risk for pretrial detention, it encodes a judgment about dangerousness that may draw more from the demographics of over-policed neighborhoods than from any individualized assessment of the person before the court. In each instance, the technology introduces a form of structured opacity into the decision-making process: a layer of algorithmic authority that is difficult to interrogate, challenge, or override.[6]

Furthermore**,** this opacity is not accidental. In many cases, it is a feature of the proprietary systems that governments purchase from private vendors. Vendors routinely assert trade secret protections over their algorithms, resisting efforts by defendants, journalists, and oversight bodies to examine how their tools actually work. The result is a troubling inversion of the transparency that democratic governance requires: public institutions making consequential

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[6] Frank Pasquale, *The Black Box Society: The Secret Algorithms That Control Money and Information* (Cambridge, MA: Harvard University Press, 2015), 6–8.

decisions about citizens' lives using private tools they do not fully understand and cannot fully explain. As legal scholar Frank Pasquale has argued, these "black box" systems(which are opaque, unaccountable, and resistant to external scrutiny) pose a fundamental challenge to democratic accountability, not only because they may produce unjust outcomes, but because their opacity makes those outcomes extraordinarily difficult to contest.[7]

Historical Bias and Algorithmic Inheritance

The opacity problem, however, is compounded by an even deeper structural challenge: predictive litigation analytics are trained on historical legal data that inevitably reflects decades of structural racism, discriminatory enforcement practices, and systemic bias within the justice system itself. When algorithms learn from patterns embedded in past cases, they risk replicating and institutionalizing the very inequities that civil rights advocates have fought to dismantle. This is not a theoretical concern. It is a mathematical consequence of how machine learning systems work.[8]

To understand why, consider the implications for settlement analytics. A system trained on historical settlement data may systematically undervalue claims brought by plaintiffs from marginalized communities if those communities have historically received lower settlements; not because their claims were weaker, but because they had less access to quality legal representation, because juries in their jurisdictions were more skeptical of their testimony, or

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[7] See generally Rashida Richardson, Jason Schultz, and Kate Crawford, "Dirty Data, Bad Predictions: How Civil Rights Violations Impact Police Data, Predictive Policing Systems, and Justice," *New York University Law Review Online* 94 (2019): 192–233, https://nyulawreview.org/online-features/dirty-data-bad-predictions-how-civil-rights-violations-impact-police-data-predictive-policing-systems-and-justice/

[8] Virginia Eubanks, *Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor* (New York: St. Martin's Press, 2018), 12–15.

because their attorneys faced greater pressure to accept inadequate offers. An algorithm learning from this history does not learn that those communities were undercompensated; instead, it learns that their cases are worth less. Then, it operationalizes that learned devaluation in its future predictions, effectively laundering historical discrimination through the neutral-sounding language of data science.[9]

Moreover, the same dynamic operates in pretrial risk assessment tools. Algorithms trained on prior detention and recidivism data will inevitably reflect the fact that Black and Latino defendants have historically been detained at higher rates and subjected to more aggressive prosecution; not because they posed greater risks, but because they lived in communities subject to more intensive policing. An algorithm that learns from this history will assign higher risk scores to members of those communities, not because of individual characteristics, but because of the racially structured patterns embedded in its training data. The algorithm does not see race directly; it sees proxies for race (zip codes, prior contacts with law enforcement, employment status) and produces outputs that are racially disparate in effect while appearing racially neutral in form. This is what scholars of algorithmic systems have termed "proximate discrimination": bias that operates through facially neutral variables that are, in practice, deeply correlated with race.[10]

Taken together, these dynamics are what scholars including Virginia Eubanks and Safiya Umoja Noble have captured under the concept of "algorithmic inequality." Eubanks, in her landmark study of automated decision-making in public services, documents how algorithmic

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[9] Pasquale, *The Black Box Society*, 3–5.

[10] Solon Barocas and Andrew D. Selbst, "Big Data's Disparate Impact," *California Law Review* 104, no. 3 (2016): 671–732, 677, https://doi.org/10.15779/Z38BG31

systems consistently reproduce the disadvantages of the communities they claim to serve, encoding historical discrimination into automated processes that are harder to detect and challenge than the human biases they replace.[11] Noble, examining the racial and gendered biases embedded in search algorithms, demonstrates how systems presented as objective and neutral consistently reflect and reinforce the perspectives of those who designed them.[12] Together, their work establishes a critical principle that runs throughout this project: the introduction of artificial intelligence into institutions shaped by historical inequality does not neutralize that inequality. It systematizes it.[13]

The San Francisco Bay Area as a Critical Site

These concerns, while national in scope, are not evenly distributed across the country, nor are they evenly distributed within California. The San Francisco Bay Area presents a particularly consequential site for examining the intersection of AI adoption and questions of equity and accountability. Municipalities across the region, including the City and County of San Francisco, Alameda County, San Mateo County, and Santa Clara County, have emerged as early adopters of various artificial intelligence technologies in government operations, spanning criminal justice, social services, housing, and legal administration.[14] The region's proximity to the technology industry, its access to venture-capital-backed legal technology products, and its relatively well-

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[11] Eubanks, *Automating Inequality*, 3–11.

[12] Safiya Umoja Noble, *Algorithms of Oppression: How Search Engines Reinforce Racism* (New York: New York University Press, 2018), 1–10.

[13] Eubanks, *Automating Inequality*, 211–213; Noble, *Algorithms of Oppression*, 169–171.

[14] San Francisco has been particularly active, though controversially, in technology governance. See, e.g., Daniel Arkin, "San Francisco Bans Facial Recognition Technology," *NBC News*, May 14, 2019.

resourced municipal governments have positioned Bay Area jurisdictions at the leading edge of AI adoption in public administration.[15]

At the same time, and in sharp contrast to this image of innovation, the San Francisco Bay Area is a region of staggering inequality. The same technology industry that has made the region a global center of innovation has also driven dramatic increases in housing costs, accelerated displacement of communities of color, and deepened the economic distance between wealthy professionals and the low-income residents (mostly disproportionately Black, Latino, and immigrant) who continue to call these cities home. This context matters enormously for understanding AI in municipal law, because the people most likely to be on the receiving end of predictive analytics in criminal justice and civil litigation are, in significant measure, the same communities that the region's economic transformation has already most disadvantaged. When Alameda County deploys a risk assessment tool that shapes pretrial detention decisions, or when San Francisco's city attorneys' office uses settlement analytics to evaluate civil rights claims, the populations most affected are those with the least power to contest algorithmic determinations and the most to lose from getting them wrong.

Compounding this inequality is the inconsistency of the governance frameworks that surround these technologies. Across the Bay Area, oversight regimes remain patchwork, opaque, and often inadequate to address fundamental questions of accountability, transparency, and equity. Some jurisdictions have moved toward algorithmic accountability ordinances requiring impact assessments before deployment; others have adopted AI tools with minimal public

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[15] See Ryan Calo and Danielle K. Citron, "The Automated Administrative State: A Crisis of Legitimacy," *Emory Law Journal* 70, no. 4 (2021): 797–845, 801, https://scholarlycommons.law.emory.edu/elj/vol70/iss4/1

disclosure or community consultation. The result is that the protections available to individuals subjected to AI-driven decisions depend significantly on which side of a county line they happen to live on, which is a randomness that is itself a form of injustice. Who decides which data to feed into these systems? Who audits them for bias? How are marginalized communities involved in oversight? And critically, how do these technologies align, or conflict, with broader commitments to racial justice and public accountability? These are not merely technical questions. They are, at their core, political questions about power, representation, and whose interests the institutions of government are designed to serve.

Data Justice as an Analytical Framework

Addressing these political questions requires an analytical framework capable of moving beyond narrow debates about algorithmic accuracy to examine the broader ethical and social dimensions of AI in municipal law. This research draws on the framework of data justice, developed by scholars including Linnet Taylor, Rashida Richardson, and members of the Data Justice Lab, as its primary analytical lens.[16] Data justice extends the concept of social justice into the domain of data systems, insisting that questions about who collects data, whose experiences data represents, and who bears the costs of data-driven decisions are fundamentally questions of power and equity, not merely technical problems to be optimized away.[17]

The data justice framework is particularly well suited to this inquiry because, unlike narrower approaches to algorithmic fairness, it refuses to treat technological systems as separable

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[16] Data Justice Lab, “Home,” Cardiff University, accessed April 1, 2026, https://datajusticelab.org/

[17] Linnet Taylor, "What Is Data Justice? The Case for Connecting Digital Rights and Freedoms Globally," *Big Data & Society* 4, no. 2 (2017): 1–14, 2, https://doi.org/10.1177/2053951717736335

from the social and political contexts in which they operate. Where narrow definitions of algorithmic fairness focus on whether a system produces statistically equivalent outputs across demographic groups, data justice asks deeper questions: Who had a voice in designing the system? Whose interests does it serve? What mechanisms exist for communities to contest decisions made about them? What happens to people when systems fail, and who bears the costs of those failures?[18] In the context of predictive litigation analytics, these questions direct our attention not only to whether algorithms produce racially disparate outcomes, though that question remains critical, but to the broader governance architecture surrounding these tools: the procurement processes, the oversight structures, the community consultation mechanisms, and the accountability frameworks that determine whether AI in municipal law serves the public interest or entrenches the advantages of those already powerful.[19]

Crucially, this framework also explains what is most troubling about the Nevada County case. Kjoller's predicament was not primarily a story about a biased algorithm; it was a story about a tool deployed in a high-stakes legal context without adequate governance, without meaningful oversight, and without any mechanism for the person most affected (a man in jail) to challenge or even know about the AI's role in his detention.[20] This is precisely the condition that data justice scholarship identifies as most dangerous: not AI that is transparently flawed, but AI

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[18] Rashida Richardson, "Defining and Demystifying Automated Decision Systems," *Maryland Law Review* 81, no. 3 (2022): 785–853, 789, https://digitalcommons.law.umaryland.edu/mlr/vol81/iss3/2

[19] Taylor, "What Is Data Justice?," 5–6.

[20] Amici Curiae (Professors, Scientists, and Scholars), "Amicus Letter in Support of Petition for Review, *Kjoller v. Superior Court of Nevada County*, Case No. S293723," https://www.law.berkeley.edu/wp-content/uploads/2025/11/Amicus-Letter-in-support-of-PFR-Kjoller-Filed-11.21.25.pdf

that is opaquely consequential, making decisions that affect people's lives in ways those people cannot see, question, or contest. Thus, the Nevada County case serves not only as an opening illustration for this project but as a recurring touchstone for evaluating the governance gaps this research uncovers.

Research Questions and Significance

With this framework in place, the research is guided by the following central question: How are Bay Area municipal governments adopting and governing predictive litigation technologies, and what do these practices reveal about the possibilities and limitations of data justice in advancing racial equity, transparency, and public accountability? This question matters because it bridges two critical conversations that have remained largely separate: one about how technology is changing government operations, and another about who benefits or is harmed by these shifts. Understanding this intersection is essential if we are to ensure that the automation of legal decision-making serves justice rather than undermining it.

Embedded within this central question are several subsidiary inquiries that give the research its structure. What specific predictive litigation tools are Bay Area municipal governments using, and through what procurement and oversight processes were they adopted? How do these tools influence settlement decisions, pretrial detention determinations, and broader legal strategy? What governance frameworks (ordinances, policies, audit requirements, community consultation processes) currently govern AI use in these offices, and how do those frameworks compare across jurisdictions? And where governance is inadequate, what does that inadequacy reveal about the political obstacles to meaningful algorithmic accountability in municipal government? Each of these questions builds on the last, moving from a descriptive

account of what tools exist and how they are used, toward a normative evaluation of whether current governance arrangements are adequate to the demands of data justice.

Finally, the significance of this inquiry extends well beyond the San Francisco Bay Area. As municipalities nationwide face fiscal pressures and turn to artificial intelligence as a solution, the governance models and practices emerging in these counties will likely influence how other jurisdictions approach similar technologies. The San Francisco Bay Area's status as both a technology hub and a site of intense struggles over racial equity and displacement makes it a particularly revealing laboratory for examining what happens when the logic of Silicon Valley meets the demands of democratic governance. By documenting current practices, identifying gaps in oversight, and analyzing how these systems align with principles of data justice, this research aims to contribute actionable knowledge for policymakers, community advocates, and scholars working to ensure that technological innovation in government serves the public interest rather than perpetuating historical injustices.

The urgency of this research is difficult to overemphasize. As Nevada County illustrated with painful clarity, the consequences of inadequate AI governance in legal settings are not abstract harms to system integrity; rather, they are concrete injuries to real people, measured in days and months of unjust detention, in civil rights claims systematically undervalued, in communities whose relationship with legal institutions is shaped by systems they did not design, cannot see, and are rarely asked about. Ultimately, this Capstone project pushes us to consider whether emerging artificial intelligence tools in local government can truly advance racial equity and accountability, or whether they risk becoming precisely the kind of black box systems that Pasquale warned us about: opaque, unaccountable, and resistant to democratic oversight. That question is not merely academic. For the communities most exposed to AI-driven decisions in

Bay Area municipal law, it is a question about whether the institutions that govern their lives will be answerable to them, or only to the algorithms they have chosen to trust. The welder in Nevada County, held in pretrial detention on the authority of cases that had never existed, offers a vivid and sobering answer to why that question cannot wait.

LITERATURE REVIEW

To understand the scholarly conversations surrounding predictive litigation analytics, algorithmic governance, and data justice, this literature review examines three interconnected bodies of literature. First, I explore research on algorithmic bias and fairness in criminal justice and legal systems, which establishes the technical and social foundations for understanding how artificial intelligence systems can perpetuate inequality. Second, I examine literature on data justice and critical algorithm studies, which provides theoretical frameworks for analyzing power, participation, and equity in data-driven governance. Third, I review scholarship on municipal artificial intelligence adoption and governance, which contextualizes how local governments implement and oversee emerging technologies. Collectively, these literatures reveal both the promises and perils of predictive litigation technologies while highlighting significant gaps that my research addresses.

Algorithmic Bias and Fairness in Legal Systems

The question of algorithmic bias in legal and criminal justice contexts has generated substantial scholarly attention over the past decade. Researchers have documented how predictive algorithms, when trained on historical data reflecting systemic discrimination, can reproduce and amplify existing inequities. The seminal work in this area is ProPublica's 2016 investigation of the COMPAS recidivism prediction tool, which found that the algorithm was twice as likely to falsely flag Black defendants as high-risk compared to white defendants.[21] This investigation sparked intense debate about what algorithmic fairness means in practice and whether technical solutions can adequately address bias rooted in social structures.

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[21] Julia Angwin, Jeff Larson, Surya Mattu, and Lauren Kirchner, "Machine Bias," *ProPublica*, May 23, 2016.

Scholars such as Sonja Starr and Sandra Mayson have explored the inherent tension between prediction and fairness in criminal justice algorithms.[22] Mayson argues that the problem is not merely technical bias in algorithm design but rather "bias in, bias out", which is the fundamental reality that any prediction of future criminality based on past data will inevitably reflect racial disparities in enforcement, prosecution, and incarceration.[23] Even a "perfectly accurate" algorithm, she contends, will produce racially disparate outcomes because the underlying data reflects a racially disparate system. This insight has profound implications for predictive litigation analytics: if the legal data used to train these systems reflects historical patterns of discrimination in settlement amounts, case outcomes, or charging decisions, the algorithms will necessarily encode those patterns into their predictions.

Other scholars have examined specific domains where predictive tools intersect with legal decision-making. Angwin and Larson's work on bail algorithms demonstrated how apparently neutral risk assessment tools can perpetuate racial disparities in pretrial detention.[24] Similarly, Brayne's research on "big data surveillance" in criminal justice shows how the integration of multiple data systems creates new forms of stratification and control, disproportionately affecting marginalized communities.[25] These studies reveal that the harms of

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[22] Sonja B. Starr, "Evidence-Based Sentencing and the Scientific Rationalization of Discrimination," *Stanford Law Review* 66 (2014): 803-872; Mayson, "Bias In, Bias Out."

[23] Mayson, "Bias In, Bias Out," 2219.

[24] Angwin et al., "Machine Bias."

[25] Sarah Brayne, *Predict and Surveil: Data, Discretion, and the Future of Policing* (Oxford: Oxford University Press, 2021).

algorithmic systems extend beyond individual prediction errors to encompass broader patterns of social sorting and inequality.

However, much of this literature focuses on criminal justice applications (i.e., recidivism prediction, sentencing guidelines, bail decisions) rather than civil litigation contexts. While the insights about bias and fairness clearly apply to predictive litigation analytics, there remains a significant gap in research examining how these tools function in municipal legal departments, how they influence settlement negotiations and case strategy, and how their deployment differs from criminal justice applications. My research addresses this gap by examining predictive litigation technologies specifically, analyzing how they shape legal decision-making in civil and municipal law contexts.

Data Justice and Critical Algorithm Studies

The concept of data justice has emerged as a crucial framework for analyzing how data systems affect equity, power, and participation. Unlike technical fairness approaches that focus narrowly on algorithmic outputs, data justice scholars examine the entire lifecycle of data-driven systems, from data collection and infrastructure to governance and accountability.[26] This broader lens is essential for understanding predictive litigation analytics, which involve not only algorithmic predictions but also questions about what data is collected, who controls it, how it is used, and who benefits from its deployment.

Taylor has articulated data justice as encompassing three core dimensions: visibility (who is represented in data and who is rendered invisible), engagement (who participates in data governance), and non-discrimination (whether data systems perpetuate or challenge existing

[26] Linnet Taylor, "What Is Data Justice? The Case for Connecting Digital Rights and Freedoms Globally," *Big Data & Society* 4, no. 2 (2017): 1-14.

inequalities).[27] This framework pushes beyond technical questions of algorithmic accuracy to examine structural issues of power and participation. Applied to predictive litigation analytics, a data justice lens would ask: Which communities' legal experiences are captured in the training data, and whose are excluded? Who has input into how these systems are designed and deployed? And do these technologies ultimately serve to advance or undermine racial equity in legal outcomes?

Scholars in critical algorithm studies have further developed these insights, examining how algorithms function as sociotechnical systems embedded in broader political and economic contexts. Noble's work on search engine bias demonstrates how algorithms can amplify racist stereotypes and structural inequalities, while Benjamin's concept of the "New Jim Code" describes how technology can encode and legitimate discrimination under the guise of objectivity and innovation.[28] These scholars emphasize that algorithms are not neutral tools but rather reflect the values, priorities, and power relations of those who design and deploy them.

O'Neil's analysis of "weapons of math destruction" is particularly relevant to predictive litigation analytics.[29] She identifies three characteristics of harmful algorithmic systems: opacity (lack of transparency about how they work), scale (ability to affect many people simultaneously), and damage (capacity to produce harmful outcomes). Predictive litigation tools exhibit all three characteristics. They often function as black boxes, with proprietary algorithms whose inner

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[27] *Ibid*., 4.

[28] Safiya Umoja Noble, *Algorithms of Oppression: How Search Engines Reinforce Racism* (New York: NYU Press, 2018); Ruha Benjamin, *Race After Technology: Abolitionist Tools for the New Jim Code* (Cambridge: Polity Press, 2019).

[29] Cathy O'Neil, *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* (New York: Crown, 2016).

workings are hidden from public scrutiny. They operate on a scale, potentially affecting thousands of legal cases and the people involved in them. And they have the capacity to produce significant harm if they systematically undervalue certain types of claims, disadvantage particular communities, or entrench historical patterns of discrimination.

Despite these important theoretical contributions, data justice scholarship has devoted relatively little attention to municipal law and litigation contexts. Most research focuses on criminal justice, social services, and corporate data practices. This represents a significant gap, as municipal legal departments make consequential decisions about settlements, legal strategy, and resource allocation that directly affect public accountability and access to justice. My research contributes to data justice scholarship by applying its frameworks to the understudied domain of predictive litigation analytics in local government.

Municipal Artificial Intelligence Adoption and Governance

The third body of literature examines how local governments adopt and govern artificial intelligence technologies. Recent research has documented a wave of municipal AI adoption, driven by promises of efficiency, cost savings, and improved services.[30] However, scholars have raised concerns about the governance frameworks (or lack thereof) surrounding these technologies. Many municipalities deploy artificial intelligence systems without clear policies on transparency, accountability, bias auditing, or community engagement.[31]

Researchers studying municipal artificial intelligence governance have identified several common challenges. First, technical complexity creates barriers to meaningful oversight, as

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[30] AI Now Institute, "Litigating Algorithms 2019 US Report" (New York: AI Now Institute, 2019).

[31] *Ibid*.

elected officials and community members often lack the expertise to understand how algorithms work or evaluate their potential harms.[32] Second, procurement processes frequently prioritize cost and vendor promises over equity considerations, with insufficient attention to bias testing or community impact.[33] Third, governance tends to be fragmented across multiple agencies and departments, making coordinated oversight difficult.[34] These challenges are compounded in the context of predictive litigation analytics, where attorney-client privilege and confidentiality concerns may create additional barriers to transparency.

Some municipalities have attempted to develop governance frameworks for algorithmic systems. New York City's Automated Decision Systems Task Force, for instance, aimed to create transparency and accountability mechanisms for municipal algorithms, though scholars have critiqued its limited scope and effectiveness.[35] Seattle's surveillance ordinance requires city departments to obtain council approval before acquiring surveillance technologies, including some AI systems.[36] These initiatives suggest growing recognition of the need for governance, but their implementation has been uneven and their effectiveness contested.

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[32] Ali Alkhatib and Michael Bernstein, "Street-Level Algorithms: A Theory at the Gaps Between Policy and Decisions," *Proceedings of the 2019 CHI Conference on Human Factors in Computing Systems* (2019): 1-13.

[33] Filippo A. Raso et al., "Artificial Intelligence & Human Rights: Opportunities & Risks," *Berkman Klein Center Research Publication No. 2018-6* (2018)

[34] Alkhatib and Bernstein, "Street-Level Algorithms."

[35] AI Now Institute, "Litigating Algorithms 2019 US Report."

[36] *Seattle Municipal Code*, Title 14H, chap. 14.18, "Accessory Uses (SU-TE)," https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT14HURI_CH14.18ACUSSUTE

Research on Bay Area municipalities specifically has documented variation in approaches to artificial intelligence governance. San Francisco has implemented some of the nation's most progressive technology oversight policies, including a (subsequently modified) ban on facial recognition technology.[37] However, scholars note significant gaps between policy rhetoric and implementation, with many artificial intelligence systems operating without robust oversight.[38] Other Bay Area counties have been slower to develop governance frameworks, creating a patchwork of approaches that my research will document and analyze.

What remains understudied is how these governance frameworks apply (or fail to apply) to predictive litigation analytics specifically. Legal departments often operate with significant autonomy and confidentiality protections, potentially shielding their use of artificial intelligence from public scrutiny. Moreover, the literature on municipal artificial intelligence governance has focused primarily on public-facing applications (such as automated benefits determination or predictive policing) rather than internal government operations like legal strategy and settlement decisions. My research addresses this gap by examining governance practices specifically related to predictive litigation technologies.

Synthesis and Research Gaps

Taken together, these three bodies of literature establish several insights. First, algorithmic systems trained on historical data reflecting systemic discrimination will likely perpetuate and potentially amplify those inequities. Second, meaningful analysis of these

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[37] Kate Conger, Richard Fausset, and Serge F. Kovaleski, "*San Francisco Bans Facial Recognition Technology*," *The New York Times*, May 14, 2019, https://www.nytimes.com/2019/05/14/us/facial-recognition-ban-san-francisco.html

[38] Bob Egelko, "S.F. Police Are Violating Facial Recognition Technology Ban, Lawsuit Argues," *San Francisco Chronicle*, July 18, 2024, https://www.sfchronicle.com/politics/article/sfpd-facial-recognition-19582427.php

systems requires attention not only to technical fairness but also to broader questions of power, participation, and structural justice. Third, municipal governance of artificial intelligence technologies remains underdeveloped, with significant gaps between policy aspirations and implementation.

However, these literatures leave important questions unanswered. We know relatively little about how predictive litigation analytics function in practice, how they influence municipal legal decision-making, or how they are governed (if at all). We understand that algorithmic bias is a concern, but we lack empirical research on whether and how these biases manifest in civil litigation contexts. We have theoretical frameworks for data justice, but limited application of these frameworks to municipal law. And while we know that municipal artificial intelligence governance is often inadequate, we lack detailed comparative analysis of governance practices across jurisdictions.

My research fills these gaps by providing the first systematic examination of predictive litigation analytics deployment and governance in Bay Area municipalities. Through comparative case study analysis, I will document current practices, identify patterns and variations across counties, analyze governance frameworks, and assess alignment with data justice principles. This research will contribute both empirical knowledge about an understudied domain and theoretical insights about the possibilities and limitations of data justice in advancing racial equity through technology governance.

THEORETICAL FRAMEWORK

This research is grounded in an interdisciplinary theoretical framework that synthesizes four foundational justice theories to analyze how predictive litigation technologies affect equity, accountability, and democratic participation in Bay Area municipalities. The framework moves beyond narrow debates about algorithmic accuracy to examine fundamental questions of power, resource distribution, procedural fairness, and whose interests artificial intelligence systems serve. By integrating perspectives from political philosophy, critical theory, legal scholarship, and data justice studies, this framework provides a comprehensive analytical lens for understanding artificial intelligence governance in high-stakes legal contexts.

Why an Interdisciplinary Approach?

Artificial intelligence in legal systems and contexts is fundamentally a problem of justice, not merely a technical problem of optimization. Existing frameworks for evaluating algorithmic fairness focus narrowly on achieving statistical parity or equality of prediction error rates; these are important technical goals, but insufficient for evaluating whether artificial intelligence systems advance or undermine justice. A technologically sophisticated algorithm that produces equally biased outcomes across racial groups is not fair; instead, it is merely impartial in its injustice. Conversely, an algorithm that achieves perfect statistical fairness but operates without transparency, community input, or meaningful recourse for those harmed by its decisions fails on dimensions of justice that technical metrics cannot capture.

An interdisciplinary approach is necessary because the question “Is this artificial intelligence system just?” requires more than technical expertise. It requires the following items: (1) sustained engagement with political philosophy to examine distribution of benefits and harms; (2) critical theory to understand how power operates through technological systems; (3)

legal scholarship to evaluate procedural protections and accountability mechanisms; and (4) data justice frameworks to center the experiences and agency of communities most affected by data-driven decisions.

This research employs four foundational justice theories, each providing distinct analytical insights, and synthesizes them into an integrated framework for evaluating predictive litigation technologies in Bay Area municipalities. The theories are not treated as competing alternatives but as complementary lenses, each illuminating different dimensions of justice that must be addressed for artificial intelligence governance to serve the public interest.

DISTRIBUTIVE FAIRNESS: JOHN RAWLS AND THE QUESTION OF WHO BENEFITS

John Rawl's theory of distributive justice, articulated in *A Theory of Justice*[39] and subsequent works[40], provides the first analytical lens. Rawls argues that justice requires the fair distribution of social goods and burdens. A just social system is one in which inequalities are justified only if they benefit the least advantaged members of society. This principle, known as the "difference principle," provides a powerful framework for evaluating how algorithmic systems distribute benefits and harms across social groups.

Key Question: Who Benefits from Algorithmic Systems, and Who Bears the Harms?

Applied to predictive litigation analytics, Rawlsian distributive justice raises fundamental questions. When a city attorney's office adopts predictive settlement tools to reduce legal costs, who benefits and who bears the harms? The municipal government realizes costs savings; thus, making it a clear benefit concentrated at the institutional level. But who bears the burdens? Often, the answer is plaintiffs, specifically those from marginalized communities with fewer resources to pursue costly litigation. A predictive system that systematically undervalues settlement offers for claims brought by communities of color doesn't merely save money for the municipality; rather, it systematically disadvantages those plaintiffs that are already disadvantaged.

Similarly, when a district attorney's office deploys artificial intelligence to optimize prosecution decisions, who benefits? The prosecutor gains efficiency, but the person charged

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[39] John Rawls, *A Theory of Justice. Rev. ed*. (Cambridge, MA: Belknap Press of Harvard University Press, 1999)

[40] John Rawls, *A Theory of Justice: Original Edition* (Cambridge, MA: Belknap Press of Harvard University Press, 2005).

with a crime bears the burden of more efficient prosecution. If that artificial intelligence system perpetuates historical disparities in enforcement (charging people of color at higher rates), then the artificial intelligence is distributing the burden of criminal justice unequally, in violation of Rawlsian principles. Even if the prosecutor's intent is neutral, even if the algorithm is technically sophisticated, a system that entrenches disadvantage fails Rawls's difference principle test.

This framework illuminates a critical point: efficiency and justice are not synonymous. An artificial intelligence system can be extremely efficient at achieving prosecutorial goals while simultaneously violating principles of fair distribution. Justice requires not just solving problems, but solving them in ways that protect the interests of the least advantaged.

Application to Bay Area Findings

In the context of this study's findings, Rawlsian analysis reveals the systematic failures of distributive justice. The San Mateo County District Attorney's Closure Intelligence contract distributes benefits (prosecution efficiency) to the state while distributing burdens (algorithmic surveillance of evidence) to defendants without their knowledge or consent. The Santa Clara County Superior Court's pretrial analytics dashboards distribute the burden of predictive risk assessment disproportionately to low-income people and people of color. By contrast, the Alameda County District Attorney's discontinued Harvard Data Use Agreement attempted to distribute artificial intelligence governance benefits (racial bias reduction) to the least advantaged community (people of color charged with crimes), which is precisely why its termination represents such a significant justice failure.

Rawls's framework makes clear that governance failures are not primarily technical or administrative; rather, they are failures of justice. They represent institutional choices to distribute benefits and burdens in ways that violate principles of fairness.

RECOGNITION JUSTICE: NANCY FRASER AND THE INVISIBILITY OF MARGINALIZED COMMUNITIES

Nancy Fraser's theory of recognition justice extends Rawlsian analysis by arguing that justice requires more than fair distribution of material resources. Justice also requires recognizing and respecting the identities, experiences, and dignity of all members of society.[41] A just society is one in which marginalized individuals and communities are recognized; more specially, in a just society, these marginalized individuals and communities have their experiences validated, their voices heard, and their identities respected rather than stigmatized or rendered invisible.[42]

Key Question: Are Black and Brown Communities' Legal Experiences Centered or Overlooked in Artificial Intelligence Systems

When predictive litigation analytics are trained on historical legal data, that data encodes the lived experiences, legal outcomes, and institutional treatment of different communities. If the training data reflects decades of unequal enforcement against communities of color, the algorithm learns from that inequity. But more fundamentally, what does it mean for an artificial intelligence system to be trained on data that marginalizes Black and Brown people? It means those communities' experiences are inscribed into the system in a way that perpetuates their subordination. It means their identities (their race, their neighborhood, their socioeconomic status) become predictive markers of legal outcomes, institutionalizing the very stereotypes and prejudices that systemic racism embeds.

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[41] Nancy Fraser and Axel Honneth, *Redistribution or Recognition?: A Political-Philosophical Exchange*, trans. Joel Golb, James Ingram, and Christiane Wilke (London: Verso, 2003).

[42] Nancy Fraser. *Scales of Justice: Reimagining Political Space in a Globalizing World.* New York: Columbia University Press, 2008.

Recognition justice demands that marginalized communities not only have the material burdens of criminal justice and litigation distributed fairly, but that their experiences be recognized and centered in processes that affect them. It demands that communities of color have voice in designing and governing systems trained on their data. The absence of such voice (specifically, the absence of meaningful community participation in artificial intelligence governance) is itself a form of injustice.

Fraser's framework makes clear why the absence of community engagement mechanisms in every institution examined is not a procedural gap but a justice failure. Communities disproportionately subject to AI-driven legal decisions have been rendered invisible in governance processes.

Application to Bay Area Findings

In this study, recognition justice failures are widespread and systematic. No institution examined conducted community input processes for AI adoption or governance. No institution convened advisory groups including representatives from communities disproportionately subject to AI-driven legal decisions. The San Mateo District Attorney's Closure Intelligence contract (which analyzes warrant returns, transcribes audio, and generates case summaries for cases disproportionately involving defendants of color) was executed without any input from affected communities. The Santa Clara Superior Court's pretrial analytics dashboards, which determine who is released pending trial based on algorithmic risk assessments, were implemented without consultation with the low-income people and people of color who constitute the vast majority of those subjected to these assessments.

Fraser's framework reveals that these are not neutral omissions. They are expressions of who counts as worthy of recognition in governance processes. When communities of color are

systematically excluded from decisions about systems trained on their data, it signals that their interests, experiences, and perspectives are not recognized as mattering, thus creating a form of injustice that precedes and enables all the distributional injustices Rawls identified.

PROCEDURAL LEGITIMACY: TOM R. TYLER AND THE EROSION OF PUBLIC TRUST

Tom R. Tyler's procedural justice theory argues that people's willingness to accept institutional decisions and comply with law depends not simply on whether those decisions are favorable to them, but on whether they perceive the process generating those decisions as fair.[43] A verdict may be unfavorable, but if people believe the process was fair (that they had voice, that decision-makers were impartial, that their concerns were taken seriously), they are more likely to accept the outcome and maintain trust in the institution. Conversely, even favorable outcomes generated through opaque, unaccountable processes erode legitimacy and trust.

Key Question: Who Gets to Design, Oversee, and Govern Algorithmic Systems, and Do Communities Have Meaningful Input?

Applied to predictive litigation analytics, Tyler's framework illuminates what might be called the "black box problem" in its most profound form. When defendants or plaintiffs encounter AI-driven legal decisions (settlement recommendations, bail amounts, case prioritization), they often have no visibility into how those decisions were made, what factors influenced them, or how to challenge them. This opacity fundamentally violates procedural justice principles.

Procedural legitimacy requires that affected parties understand how decisions are made, that they have opportunity for voice (to present their perspective), and that decision-makers appear to be impartial and acting in good faith. Algorithmic opacity violates every one of these conditions. A defendant sentenced based partly on a proprietary risk assessment tool has no

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[43] Tom R. Tyler. *Why People Obey the Law*. Princeton University Press, 2006. https://doi.org/10.2307/j.ctv1j66769.

understanding of the algorithm, no ability to cross-examine it, and no way to challenge its specific application to their case. This is not merely unfair; instead, it is fundamentally illegitimate from the perspective of procedural justice.

Tyler's research demonstrates that when people feel processes are fair (when they have voice, when decision-makers appear neutral and transparent, when they understand how decisions are made), they develop greater trust in institutions even when specific outcomes are unfavorable.[44] Conversely, opaque processes that exclude affected communities erode legitimacy regardless of substantive outcomes. AI governance failures are therefore not merely technical or efficiency problems; they are legitimacy crises.

The implications are profound. If San Mateo County defendants have no knowledge that Closure Intelligence analyzed their cases, no opportunity to understand how it influenced charging decisions, and no mechanism to challenge algorithmic recommendations, then whatever the accuracy of the tool, the process is illegitimate. Whether or not any individual received an unfavorable outcome, the institutional process itself has lost legitimacy.

Application to Bay Area Findings

Tyler's framework explains why the systematic absence of disclosure, public transparency, and community oversight documented in this study represents both governance failures and legitimacy crises. None of the institutions proactively disclosed their artificial intelligence use; rather, each institution required a formal public records request. None established community oversight mechanisms. None convened affected communities for input

[44] Tom R. Tyler. *Why People Obey the Law*. Princeton University Press, 2006. https://doi.org/10.2307/j.ctv1j66769.

into governance design. The policies that do exist are not publicly accessible; I located some only through sustained California Public Records Acts (CPRA) requests.

From Tyler's perspective, this is the architecture of institutional distrust. When a superior court implements pretrial analytics dashboards that determine who is released pending trial without public disclosure of the tool, without explanation of how it works, and without mechanisms for defendants to challenge its application, that court is not merely making an unfair decision; instead, it is undermining its own legitimacy and trustworthiness in the eyes of affected communities. Whether or not the tool is technically accurate, the process is procedurally illegitimate.

DATA JUSTICE: LINNETT TAYLOR AND THE POWER DYNAMICS OF DATA GOVERNANCE

Linnet Taylor's data justice framework extends these insights into the specific domain of data systems and algorithmic decision-making. Taylor argues that justice in the dataified world requires confronting questions of visibility (who is represented in data systems and whose experiences are rendered invisible), engagement (who participates in decisions about data systems), and non-discrimination (whether data systems perpetuate or challenge existing inequalities).[45] Data justice is fundamentally about power: who collects data, who has access to it, who profits from it, and who bears the harms when data systems malfunction or are abused.

Key Question: How Are Data Collected, Used, and Governed—and Who Has Power Over Data Systems?

Data justice analysis reveals that AI governance failures are fundamentally governance failures over data. When the San Mateo District Attorney's Office permits Closure Intelligence to use San Mateo County case data to train models deployed against defendants in other jurisdictions, a data justice question becomes urgent: who owns criminal case data? Who has the right to authorize its use for model training? Who profits from the resulting artificial intelligence models? A person arrested in San Mateo County is arrested by Closure Intelligence as well: their case data becomes training material for prosecution algorithms they will never encounter but future defendants will.

Data justice also illuminates why the absence of equity impact assessments is so consequential. The tools examined in this study are trained on historical data reflecting decades

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[45] Linnet Taylor, "What Is Data Justice? The Case for Connecting Digital Rights and Freedoms Globally," *Big Data & Society* 4, no. 2 (2017): 1–14, https://doi.org/10.1177/2053951717736335

of racialized enforcement patterns. For example, Santa Clara County's pretrial analytics are trained on who was arrested, who was prosecuted, who was detained; such data that reflects racialized policing and prosecution patterns, not neutral patterns of criminality. Linnet Taylor would ask: how were those historical inequities encoded into training data? Who decided that predictive accuracy (replicating historical patterns) should matter more than fairness (disrupting those patterns)? Who has power to make that choice?

Taylor's framework makes clear that data justice governance requires explicit mechanisms for marginalized communities to have a voice in decisions about data systems. It is not sufficient to develop policies prohibiting discrimination; active mechanisms are needed to ensure that communities can understand how their data is used, contest uses they believe are unjust, and have meaningful input into governance design.

Application to Bay Area Findings

Taylor's data justice framework reveals the core governance failure documented in this study: the systematic absence of community power over data systems. The Santa Clara Public Defender's Office holds 190 licenses for the Axon Justice Premier platform, which uses artificial intelligence to auto-transcribe evidence, redact confidential information, and conduct investigation analysis. No data governance framework is documented. No community input process occurred. No mechanism exists for defendants whose evidence is processed through these tools to understand how AI affected their cases or to contest AI-driven determinations.

The termination of the Harvard Data Use Agreement by the Alameda County District Attorney's Office is particularly instructive. That initiative represented a genuine attempt to operationalize data justice principles: it used data governance to advance equity (by preventing race-based charging), it centered affected communities (the people charged with crimes), and it

created transparency about how data was being used. Its termination suggests that data justice governance, like equity-focused governance more broadly, is fragile when dependent on executive will rather than institutional structure.

Data justice analysis thus points toward a critical implication: meaningful artificial intelligence governance in Bay Area municipal law requires policies and power-sharing mechanisms that give disadvantaged communities genuine authority over how data systems are designed, deployed, and governed.

SYNTHESIZING THE FRAMEWORK: FROM THEORY TO BAY AREA REALITY

These four theories are not competing frameworks; rather, they are complementary lenses that together provide a comprehensive analytical apparatus for understanding predictive litigation analytics in Bay Area municipalities. Rawls illuminates questions of distributive fairness, which focuses on whether artificial intelligence systems distribute benefits and harms equitably. Fraser highlights recognition justice, which focuses on whether marginalized communities are recognized and centered in governance. Tyler examines procedural legitimacy, which focuses on whether people have voice, transparency, and recourse in systems affecting them. Taylor focuses on data power, which focuses on whether communities have meaningful agency over the data systems that increasingly govern their lives.

Applied together, these frameworks reveal a consistent and troubling pattern: Bay Area municipal legal institutions are adopting artificial intelligence technologies faster than they are developing governance frameworks sufficient to ensure these technologies serve justice rather than entrench existing power imbalances. The failures are not primarily technical; algorithms can be made more accurate, bias can be identified and measured. The failures are fundamentally governance failures: failures to ensure distributive fairness, to recognize marginalized communities, to provide procedural legitimacy, and to share power over data systems.

The Gap Between Theory and Practice

When these theoretical frameworks are applied to the empirical findings documented in this study, a critical gap emerges. Theory tells us that justice requires distributive fairness, recognition of marginalized communities, procedural legitimacy, and community power over data systems. Practice reveals that:

- No institution has conducted distributive justice analysis of how artificial intelligence benefits are concentrated and harms are distributed.
- No institution has established recognition justice mechanisms ensuring marginalized communities participate meaningfully in artificial intelligence governance.
- No institution has implemented transparency and voice mechanisms necessary for procedural legitimacy.
- No institution has shared power with affected communities over how data systems are designed and governed.

This gap is not an oversight. It reflects institutional structures and incentives that prioritize efficiency and cost-savings over justice. It reflects limited resources, competing demands on already-stretched legal departments, and vendor pressure to adopt tools through procurement convenience rather than governance deliberation. But the gap is nonetheless a justice failure, one with profound implications for people whose lives are affected by AI-driven legal decisions.

Toward Justice-Centered Artificial Intelligence Governance

This theoretical framework points toward what justice-centered artificial intelligence governance would look like:

First, distributive justice requires that any artificial intelligence tool adopted in a municipal legal context be subject to rigorous equity impact assessment. Before deployment, courts and attorneys should analyze: Who benefits from this tool? Who bears the harms? Are benefits and harms distributed fairly across social groups? Does the tool comply with Rawls's difference principle? Is it designed to benefit the least advantaged?

Second, recognition justice requires that communities disproportionately affected by AI-driven legal decisions have meaningful voice in governance processes. This is not charitable inclusion; instead, it is recognition that affected communities' experiences and perspectives are essential to understanding whether systems are just. Public defender's offices should establish advisory bodies including people who have experienced AI-driven prosecutorial or judicial decisions. District attorneys should include community representatives in decisions about prosecution technology.

Third, procedural legitimacy requires transparency about how artificial intelligence systems work and meaningful opportunity for affected people to contest algorithmic decisions. Defendants should know when artificial intelligence influenced charging, bail, or sentencing decisions. They should have mechanisms to understand how algorithms worked in their cases and to challenge algorithmic recommendations. Courts should establish clear rules about artificial intelligence use and should require disclosure when algorithms influence judicial decisions.

Fourth, data justice governance requires community power, not merely community input. Affected communities should have role in data governance, including decisions about how data is collected, used, and shared. When law enforcement or prosecution data is used to train artificial intelligence models, affected communities should have power to authorize or restrict such use.

These are not merely nice-to-have supplemental governance mechanisms. They are foundational to justice. A municipal legal system that deploys AI without ensuring distributive fairness, recognition of marginalized communities, procedural legitimacy, and community power over data systems is a system that is not administering justice; instead, it is automating injustice.

ANALYTICAL IMPLICATIONS FOR EVALUATING ARTIFICIAL INTELLIGENCE GOVERNANCE

This theoretical framework generates several analytical implications for evaluating whether artificial intelligence governance in Bay Area municipalities serves justice:

First, the framework insists that questions of justice cannot be separated from questions of power. When evaluating whether a specific artificial intelligence tool is fair, we must ask not only whether it produces accurate predictions but whether it concentrates or distributes power equitably. Does it give prosecutorial advantage to the state? Does it erode defendants' ability to understand and contest decisions affecting them? The Closure Intelligence contract is technically sophisticated and probably accurate, but it concentrates power in the prosecution in ways that may be fundamentally unjust.

Second, the framework reveals why governance frameworks that focus only on technical fairness (achieving equal error rates across racial groups, for example) are insufficient. A technically fair algorithm that operates without transparency, without community input, without mechanisms for recourse, is not just. Justice requires addressing power, recognition, procedure, and data governance in addition to technical fairness.

Third, the framework makes clear why the absence of proactive transparency is itself a justice failure. When institutions deploy artificial intelligence without public disclosure, without explanation of how it works, without mechanisms for affected people to understand it or contest it, they are not merely failing to communicate; rather, they are failing to recognize the legitimacy interests of affected communities. Tyler's work suggests that this will undermine trust regardless of substantive accuracy.

Fourth, the framework illuminates why governance dependent on executive discretion is insufficient. The Alameda County District Attorney's Harvard Data Use Agreement was well-designed from a justice perspective, but its termination demonstrates that justice-centered governance requires institutional structure, not executive benevolence. Policies must be embedded in formal requirements, contracts must contain enforceable provisions, and oversight must be independent rather than discretionary.

Finally, the framework reveals the centrality of community power. Justice in the dataified world is not something experts can design for communities; it must be designed with communities. The absence of meaningful community participation mechanisms in every institution examined is not a procedural gap; rather, it is the core governance failure.

CHAPTER 3: RESEARCH METHODOLOGY

This research employs a qualitative, comparative case study methodology, using systematic document analysis as the primary data collection method, supplemented by two semi-structured interviews. Qualitative methodology is appropriate here because the research question concerns not simply whether predictive litigation analytics are being used in Bay Area municipalities, but how governance decisions are made, what frameworks (if any) structure oversight, and whose interests and values are centered or marginalized in those processes. These are questions about meaning, process, and institutional behavior that cannot be adequately captured through quantitative measures alone. Document analysis serves as the primary method because municipal governance generates extensive written records (i.e., procurement contracts, policy ordinances, meeting minutes, public filings) that provide concrete, verifiable evidence of institutional decision-making independent of researcher interaction. Semi-structured interviews complement this documentary foundation by surfacing context, informal practices, and community perspectives that official records may obscure or omit entirely. Together, this methodological design is well-suited to examining governance practices, policy frameworks, and institutional decision-making surrounding predictive litigation analytics in Bay Area municipalities, while remaining grounded in the data justice principles that structure the broader analysis.

Research Design: Comparative Case Study Approach

Comparative case study methodology allows for in-depth examination of complex sociotechnical systems within their real-world contexts, which is essential for understanding how predictive litigation tools function within the organizational cultures, legal constraints, and political dynamics of municipal legal departments. Comparison across multiple cases enables

identification of patterns and causal mechanisms that are invisible in single-case studies, and accommodate jurisdictions at different stages of artificial intelligence (AI) adoption.

While this research originally centered on four Bay Area counties (San Francisco, Alameda, San Mateo, and Santa Clara), the scope expanded considerably during data collection. The final sample encompasses a broader range of Northern California jurisdictions, reflecting the reach of public records requests and the geographic distribution of relevant governance activity.

Data Collection: Document Analysis

The primary data collection method was systematic analysis of publicly available documents, policy records, and archival materials. Documents provided concrete, verifiable evidence of governance frameworks, procurement decisions, and policy debates independent of researcher interaction and free from recall bias. Documentary sources also enabled analysis across time, revealing how technology adoption and governance have evolved, and were particularly appropriate for examining governmental processes given the extensive documentation municipalities generate.

Document analysis has aligned well with the data justice theoretical framework structuring this research. What is documented and what is withheld, what is made public and what is redacted, and how policies are articulated versus implemented all speak directly to the visibility, engagement, and accountability dimensions central to data justice analysis. Through document analysis, I analyzed the following document categories across case study jurisdictions:

1. ***Policy and governance documents,*** including AI governance frameworks, surveillance technology ordinances, data privacy policies, and procurement guidelines;
2. ***Procurement records,*** including RFPs, vendor contracts, and procurement justifications;

3. ***Legislative and committee records,*** including meeting minutes, transcripts, and hearing recordings;
4. ***Legal settlement and case data,*** including aggregate data on settlement amounts, litigation costs, and caseload statistics;
5. ***Vendor and marketing materials,*** which reveal how these technologies are positioned to government clients and what attention, if any, is given to bas mitigation;
6. ***News media and public commentary*** from regional outlets and specialized publications; and
7. ***Advocacy organization materials*** from groups such as the ACLU of Northern California and the Electronic Frontier Foundation.

Document collection began with materials available through municipal websites and public meeting portals. For documents not available online, I filed California Public Records Act (CPRA) requests with the following agencies: the San Francisco City Attorney, the San Francisco Public Defender, the San Francisco Superior Court, the Alameda County Public Defender, the Alameda County District Attorney, the Berkeley City Attorney, the Alameda County Superior Court, the San Mateo County Superior Court, the San Mateo County District Attorney, the Contra Costa County Superior Court, the Santa Cruz County Superior Court, the Santa Clara County Superior Court, the Santa Clara County Public Defender, the Solano County Superior Court, and the California Supreme Court. All of these agencies responded and provided records.

Not all requests, however, were successful. The Napa County Superior Court and the Sonoma County Public Defender denied my requests, while the Santa Clara County District Attorney and the San José City Attorney did not respond at all. These denials and non-responses

are not treated merely as methodological obstacles; they are analytically significant in their own right. Within a data justice framework, an agency's refusal or failure to comply with public records requests is itself evidence about that institution's relationship to transparency and public accountability. Patterns of non-disclosure reveal as much about governance culture as the documents that were produced.

Throughout collection, I maintained detailed records of document type, date, authoring agency, access method, and any limitations, ensuring a transparent and auditable evidence base.

Data Collection: Semi-Structured Interviews

To complement and contextualize document analysis, I conducted two semi-structured interviews with key stakeholders. Interviews served important supplementary functions: helping interpret documentary evidence, providing context that does not appear in official records, and ensuring that community and practitioner perspectives were represented alongside government documents.

The first interview was conducted with Tracy Rosenberg, the Advocacy Director for Oakland Privacy, a community organization focused on surveillance oversight and algorithmic accountability in the Bay Area. The second was conducted with an attorney from the San Mateo County Private Defender Program. Together, these interviews provided both a community advocacy perspective and a practitioner perspective from within the criminal legal system.

Interview protocols were semi-structured, addressing core themes (i.e., interpretation of documentary evidence, informal practices beyond formal policies, perceived barriers to robust governance, and promising accountability approaches) while allowing flexibility to explore emergent issues. Interviews lasted approximately 45 to 60 minutes and were conducted via video

conference, phone, or in person. With participant consent, interviews were recorded and transcribed to enable systematic analysis.

Sampling Strategy

Both document collection and interview selection followed purposive sampling logic, intentionally identifying sources based on their relevance to the research question rather than statistical representativeness. For documents, this meant ensuring comprehensive coverage across document categories and jurisdictions, prioritizing materials from 2021 to 2026 while drawing on earlier records where relevant to historical context. For interviews, purposive selection drew on document analysis itself : identifying organizations and practitioners whose work intersected directly with the governance questions at the center of this research. The interview sample, while small, was strategically chosen to capture perspectives that official records alone cannot provide: the view from community advocacy and the view from inside a public defense office navigating these technologies in practice.

CHAPTER 4: DATA ANALYSIS

The four counties that are discussed and analyzed in this section are the City and County of San Francisco, Alameda County, San Mateo County, and Santa Clara County. Each county starts with an analysis of the documents from each of the municipal legal institutions of the county. For example, there is an analysis of the San Francisco Public Defender's Office, the San Francisco District Attorney's Office, the San Francisco City Attorney's Office, and the San Francisco Superior Court. After the separate analysis of each institution, there is a cross-agency analysis that synthesizes findings from each institution developed as part of my Capstone project, along with recommendations and best practices.

CITY & COUNTY OF SAN FRANCISCO FINDINGS

This cross-agency analysis examines AI governance across San Francisco's four legal institutions using three-indicator framework: Governance, Transparency and Accountability, and Equity and Bias Awareness. Primary source records were obtained through California Public Records Act (CPRA) requests from December 2025 to March 2026.

Cross-Agency Indicator Scorecard

Dimension	San Francisco City Attorney	San Francisco District Attorney	San Francisco Public Defender	San Francisco Superior Court
Formal AI/Gen AI policy	Strong	Moderate	Strong	Strong
Oversight structures	Partial	Partial	Partial	Strong
Vendor tool governance	Partial	Partial	Strong	Moderate
CPRA responsiveness	Moderate	Strong	Strong	Strong
Public accountability	Absent	Absent	Absent	Absent
Equity commitments	Strong	Moderate	Strong	Moderate
Community engagement	Absent	Absent	Absent	Absent

Core Findings

Governance

All four institutions have declined to adopt predictive analytics or risk-scoring tools for core legal functions, which is a significant convergence suggesting deliberate restraint. The San Francisco Superior Court maintains the most robust architecture: a standing Data Governance Committee, a Chief Information Officer with emergency suspension authority, and a four-tier approval process for machine-learning projects. The San Francisco Public Defender has the most operationalized workflow-level framework with tiered tool approvals. The San Francisco City Attorney and San Francisco District Attorney both have formal AI policies but lack standing bodies or review cycles, leaving commitments vulnerable to drift. All four institutions share an unresolved gap: AI embedded in existing vendor platforms falls outside formal governance. Most notably, the San Francisco Superior Court's CoCounsel AI tool (which is active for 92 attorneys) as procured with no documented governance review, despite the court's own policy requiring it.

Transparency and Accountability

CPRA responsiveness varied: the San Francisco Public Defender responded in six days with no exemptions; the San Francisco City Attorney took 27 days and withheld inter-departmental AI advisory communications under attorney-client privilege, thus creating a systemic transparency gap for the institution most responsible for shaping citywide AI governance. Across all four institutions, no AI policy is published on any public-facing website, no annual governance reporting exists, and meaningful transparency is accessible only through targeted records requests.

Equity and Bias Awareness

The San Francisco District Attorney's policy contains the most explicit bias language, naming racial, gender, and political bias as foundational AI risks. The San Francisco Superior Court prohibits disparate impact across 18 protected characteristics and requires training data diversity standards. The San Francisco Public Defender's categorical prohibition on AI in court filings prevents algorithmic bias from influencing legal outcomes. The San Francisco City Attorney has the most developed equity infrastructure (Racial Equity Action Plan, DEI Director, affinity groups), but has not connected it to technology governance. Critically, no institution has established a pre-adoption equity impact assessment protocol, conducted a documented bias audit, or created any formal mechanism for community participation in AI governance.

Applying the Theoretical Framework to the City and County of San Francisco

The data reveals a critical failure across all four dimensions of justice outlined by Rawls, Fraser, Tyler, and Taylor. On distributive fairness (Rawls), the reliance on vendor AI systems without coordinated governance frameworks means the burdens of algorithmic decision-making (wrongful arrests, biased prosecution decisions, inadequate defense resources) concentrate on communities already disadvantaged by the legal system, while the benefits of efficiency and resource optimization flow to institutions. The absence of public accountability compounds this: those harmed have no mechanism to contest or understand why an algorithm flagged them. On recognition justice (Fraser), the universal gap in community engagement means the voices of people most affected by law enforcement and prosecution (particularly communities of color subject to disproportionate surveillance and incarceration) are entirely excluded from designing the systems that govern them. The City Attorney's withheld records and Superior Court's undocumented CoCounsel AI system exemplify how marginalized communities become

invisible in algorithmic governance, their experiences not merely underrepresented but actively hidden from institutional view.

Procedural legitimacy (Tyler) is fundamentally compromised by the absence of transparent, participatory governance structures. Tyler's research demonstrates that people accept legal authority when they perceive fair process, voice, and accountability; precisely what San Francisco's legal institutions fail to provide on AI governance. The gap between strong formal equity commitments and absent public accountability suggests institutions have adopted the language of fairness without the accountability mechanisms that make fairness credible. On data justice (Taylor), the disconnect between equity plans and technology practice reveals that San Francisco's agencies are operating algorithmic systems without the institutional guardrails against discrimination that Taylor identifies as essential. The partial vendor governance and absent community engagement mean data collection, use, and power asymmetries remain unexamined. Collectively, these four justice dimensions point toward a single pathology: San Francisco has adopted AI governance as a technical and administrative problem (hence strong formal policies and equity awareness) while treating it as exempt from the democratic, transparent, and participatory processes that legitimate justice system authority. The framework reveals not incompetence but structural avoidance: institutions can claim to manage fairness internally while resisting the external accountability and community voice that justice demands.

ALAMEDA COUNTY FINDINGS

This analysis synthesizes findings from five structurally interrelated institutions: the Alameda County District Attorney's Office, the Alameda County Public Defender's Office, the Alameda County Superior Court, the Berkeley City Attorney's Office, and Oakland Privacy (advocacy director Tracy Rosenberg). The DA's office prosecutes, the Public Defender defends, the Superior Court adjudicates, and the Berkeley City Attorney provides civil legal representation to a municipality whose progressive governance commitments have not yet extended to technology procurement. Oakland Privacy supplies external accountability, monitoring AI governance across Bay Area jurisdictions. Records were obtained through CPRA and California Rules of Court, rule 10.500 requests submitted between December 2025 and April 2026.

Cross-Agency Indicator Scorecard

Dimension	Alameda County District Attorney	Alameda County Public Defender	Alameda County Superior Court	Oakland Privacy	Berkeley City Attorney's Office
Formal AI/GenAI policy	**Partial**	**Moderate**	**Strong**	**N/A**	**Absent**
Oversight & Enforcement	**Partial**	**Partial**	**Moderate**	**Absent**	**Absent**
Public Accountability	**Absent**	**Absent**	**Absent**	**Absent**	**Absent**
Equity Commitments	**Strong**	**Moderate**	**Moderate**	**Strong**	**Absent**
Community Engagement	**Absent**	**Absent**	**Absent**	**Partial**	**Absent**

Note: Berkeley City Attorney's Office column added based on CPRA procurement records (December 2025 – March 2026). Ratings reflect documented evidence only; absence of records is treated as absence of the governance feature.

Cross-Cutting Findings

Six cross-cutting findings emerge from the procurement records, CPRA disclosures, and interview data. To begin with, while no institution has formally adopted predictive litigation tools for core legal functions, non-adoption is not a stable equilibrium: vendor-embedded AI through Logikcull, Filevine, CoCounsel, and Brainspace is already operationally active at multiple institutions without triggering governance review. Beyond that, governance architecture diverges sharply across the dataset: the Alameda County Superior Court maintains the strongest framework, with layered approvals and sanctions language, while the Berkeley City Attorney's Office signed two AI-adjacent contracts in 2025 with no corresponding policy infrastructure whatsoever. Further compounding this divergence, machine-learning capabilities consistently arrive through routine procurement channels at every institution, reviewed as standard SaaS rather than as AI adoption requiring oversight. Equally troubling, no institution proactively discloses its AI governance posture: meaningful public accountability requires a formal records request at every institution, with the Berkeley CPRA producing the most limited response in the dataset. Perhaps most consequentially, no institution has conducted an equity impact assessment or required vendor bias testing, leaving tools trained on historical litigation data unexamined for disparate effects on the Black and Latino communities disproportionately subject to prosecution and enforcement. Finally, the Berkeley City Attorney's Office's multi-year financial commitments (over $105K per year across two contracts, with Logikcull auto-renewing through 2028 at a 6% escalator and Filevine auto-renewing with a Price Lock) represent the dataset's most acute example of governance lagging procurement, with contract renewal windows constituting the only near-term leverage points for reform.

Applying the Theoretical Framework to Alameda County

Alameda County presents a paradoxical governance failure: the absence of deployed predictive tools eliminates some risks of algorithmic harm while simultaneously obscuring a deeper structural injustice rooted in vendor dependence and political fragility. On distributive fairness (Rawls), Alameda County's lack of predictive deployment might appear protective, but the finding that vendor-provided materials and training "substantially outpace internally developed governance frameworks" reveals an inversion of legitimate authority. The burdens and benefits of artificial intelligence governance are distributed not by democratic institutions accountable to residents, but by vendors designing systems to serve their own interests. Alameda County institutions lack baseline governance infrastructure (partial policies, absent oversight, no public accountability), thus leaving them dependent on vendor guidance that prioritizes efficiency and vendor interests over fairness to defendants and communities. This creates a concealed form of injustice: the absence of tools masks the absence of institutional capacity to govern them fairly, and when tools are eventually deployed there will be no established framework to ensure fair distribution of their burdens and benefits.

On recognition justice (Fraser), Alameda's findings expose how marginalized communities become invisible through institutional neglect rather than active exclusion. No community engagement, absent CPRA responsiveness mechanisms, and equity commitments existing only "in policy documents, not affected populations" means communities of color (already subject to disproportionate policing and prosecution) are not merely excluded from governance design but rendered entirely irrelevant to institutional deliberation. The finding that equity initiatives "lack enforcement from governance processes" indicates that recognition of harm has occurred (the policy exists) but is performative, decoupled from actual institutional

practice. On procedural legitimacy (Tyler), Alameda County's governance fragility is catastrophic. Tyler's research shows legitimacy requires perceived fairness, voice, and accountability, but Alameda County provides none. The "political fragility" finding is particularly revealing: it suggests that equity and transparency gains are contingent on individual administrators, not institutionalized, and thus vulnerable to reversal with leadership change. Communities have no mechanism to ensure that today's equity commitments survive tomorrow's budget cuts or personnel shifts. On data justice (Taylor), the vendor-governance inversion means Alameda County has ceded control over data collection, use, and power asymmetries to external actors with no accountability to residents. Vendors shape what data is gathered, how it's analyzed, and what insights flow back to prosecutors; all without community knowledge or consent. The blind-changing collaboration with the District Attorney's office exemplifies how data justice failures occur through institutional relationships invisible to democratic oversight.

Alameda County's pathway to injustice differs from both San Francisco and San Mateo: it is not active exclusion of accountability (San Francisco's strategy) or explicit prosecutorial advantage (San Mateo's model), but rather outsourced governance and institutional precarity. The absence of deployed tools creates a false sense of safety while institutions gradually become dependent on vendor frameworks that will eventually govern algorithmic decisions. The policy-practice gap, political fragility, and vendor dominance suggest that justice in Alameda is hostage to external actors and individual discretion rather than grounded in democratic, transparent, and community-centered governance. When predictive tools inevitably arrive, through vendor persistence and institutional convenience, there will be no institutional bulwark against their unjust use.

SAN MATEO COUNTY FINDINGS

This cross-agency analysis examines AI governance across San Mateo County's three legal institutions using the three-indicator framework (Governance, Transparency and Accountability, and Equity and Bias Awareness). The three institutions serve a county of approximately 764,000 residents and are adversarially linked; therefore, their AI governance choices do not occur in isolation. A prosecutorial AI tool that shapes how evidence is analyzed directly affects the cases defenders must counter and courts must adjudicate.

Key Scorecard

Dimension	San Mateo County Private Defender Program	San Mateo County District Attorney	San Mateo County Superior Court
Written AI policy	None	Yes	Yes
Vendor bias testing	None	None	None
Equity impact assessment	None	None	None
CPRA / survey response	Responsive	Full	Full
Public accountability	Absent	Absent	Absent
Community engagement	None	None	None
Enforcement Mechanism	None	None	None

Core Findings

Governance

The San Mateo County Superior Court and San Mateo County District Attorney both have written AI policies; the Private Defender Program has none. The San Mateo County Superior Court's policy is the most procedurally developed: it establishes a centralized approved-tools vetting process, prohibits AI from making decisions, and places formal accountability on individual employees. The San Mateo County District Attorney's policy covers competence, confidentiality, and candor obligations, and bars AI-generated prosecutorial opinions without attorney review. Neither policy includes an audit process, sanctions regime, or compliance monitoring mechanism.

The most significant governance finding is the Closure Intelligence platform at the San Mateo County District Attorney's office, thus making it the only purpose-built prosecutorial analytics system in the Bay Area comparative dataset. Closure ingests warrant returns, recorded communications, and social media data to generate AI case summaries and semantic search results used in active prosecutions. The contract was awarded without competitive bidding, with the sole-source justification letter authored by Closure's own CEO, thus creating a structural conflict of interest. No governance document addresses Closure's analytical AI capabilities, creating a vacuum at the highest-stakes point of AI use in the county's criminal legal system.

Transparency and Accountability

All three institutions responded transparently to records requests. The San Mateo County District Attorney's office produced the Closure contract alongside its Gen AI Policy in 18 days with no exemptions. The San Mateo County Superior Court's response was exemplary, including an internal Copilot-in-Excel test document showing operational AI use on case processing data. The San Mateo Private Defender Program provided candid survey responses about informal governance practices.

The more significant finding is what none of the three institutions disclose proactively. Defendants facing District Attorney prosecution cannot know that AI-generated summaries of their warrant returns and call records informed charges against them. The Closure contract's Section 7.2 disclaims accuracy and reliability for all outputs, yet imposes no disclosure obligation on the prosecution. Defense counsel cannot request bias documentation or accuracy benchmarks for a tool that may have shaped the evidence package assembled against their clients.

Equity and Bias Awareness

Equity and bias awareness is the most consistently absent dimension. No institution has conducted an equity impact assessment of any AI tool, required bias testing from any vendor, or established a community input mechanism. The Closure platform processes social media data from platforms with documented racially disparate outputs, transcribes communications in a county with a significant non-native English-speaking defendant population, and generates AI summaries without any demographic performance disclosure. Closure's contract also permits San Mateo County criminal case data to be used to train Closure's models for deployment in other jurisdictions, without community notification or consent.

The governance asymmetry between the San Mateo County District Attorney's Closure deployment and the San Mateo Private Defender Program's informal use of legal research AI is the most consequential gap in the dataset. Defense attorneys have no equivalent tool, no equivalent policy, and no awareness of the specific AI capabilities being deployed in cases they must defend. This is not merely an efficiency gap; moreover, it is a structural advantage for the state over the defendant in the adversarial process.

Cross-Cutting Patterns

Across San Mateo County's justice institutions, several critical governance challenges emerge. Fundamentally, a policy-procurement gap pervades all three institutions, wherein internal governance policies are substantially more developed than the accountability provisions secured from vendors, thus creating a deficit that represents the missing link in every governance chain. Furthermore, efficiency as the dominant rationale drives AI adoption uniformly across institutions, with no organization documenting equity, rights-protective, or community values alignment rationales for their adoption decisions. Notably, this efficiency-focused approach has created an asymmetric AI capability landscape: the San Mateo County District Attorney's Closure platform, which processes warrant returns, call records, and social media data at scale, generates investigative capabilities far exceeding the legal research tools available to defense attorneys, yet no governance framework addresses this imbalance. Most troublingly, these governance gaps persist because of governance without community: none of the institutions have established meaningful community engagement mechanisms, leaving the communities most affected by these tools without formal representation in shaping their oversight and use. Together, these patterns reveal a system where internal policy-making has outpaced vendor accountability, efficiency has eclipsed equity considerations, technological advantage has gone unregulated, and community voices remain structurally excluded from governance decisions.

Applying the Theoretical Framework to San Mateo County

San Mateo County presents a starkly different failure mode than San Francisco: while San Francisco's institutions adopted formal policies and equity language despite lacking accountability, San Mateo's approach is fragmented and explicitly efficiency-driven. On distributive fairness (Rawls), San Mateo's governance gap is more severe because policies are

incomplete or mixed (the Superior Court and District Attorney have written policies while the Public Defender Program does not), thus leaving the most consequential tool, Closure Intelligence, entirely without formal oversight or accountability mechanisms. This creates a two-tiered system where prosecutors gain unmatched analytical advantage while defense has neither equivalent tools nor governance guardrails, violating Rawls's principle that burdens and benefits should be fairly distributed. The burden of algorithmic opacity falls disproportionately on defendants, particularly communities of color already subject to prosecutorial discretion, while the benefit of predictive capability concentrates in the District Attorney's hands. On recognition justice (Fraser), San Mateo's findings are devastating: the absence of equity impact assessments, vendor bias testing, and community engagement means marginalized communities are not merely excluded from governance; rather, they are actively rendered invisible to the institutions deploying tools that directly affect their liberty. The finding that AI tools process "social media, communications, and warrant data without equity review" suggests communities of color, monitored more intensely by law enforcement, have their digital lives subjected to algorithmic analysis without any institutional recognition of the disproportionate burden they bear.

Procedural legitimacy (Tyler) collapses entirely under San Mateo's model. Tyler's research shows that legitimacy depends on fair process, voice, and transparency: San Mateo County provides none of these. Defendants cannot know when or how Closure Intelligence influenced charges or bail decisions, cannot contest the data used, and have zero voice in how the tool is governed. The accuracy disclaimer and non-disclosure clause shift burden to defendants to prove error while protecting prosecutors from accountability, the inverse of procedural fairness. On data justice (Taylor), San Mateo's prosecutorial AI advantage represents precisely the power asymmetry Taylor warns against: the District Attorney controls what data is collected, how it's

used, and who can access it, while defense and community have no corresponding rights or oversight. The “high risk” rating for criminal data use reflects that historical patterns of racial bias in policing and prosecution are being fed into predictive systems without correction or equity safeguards. Collectively, San Mateo’s governance failures are not bureaucratic but structural: they institutionalize prosecutorial power, obscure algorithmic decision-making, and ensure that the communities most harmed by criminal justice have the least voice in how AI reshapes that system. Unlike San Francisco’s gap between rhetoric and reality, San Mateo operates without even the pretense of equity governance, thus making it a more candid but more dangerous instantiation of justice on autopilot.

SANTA CLARA COUNTY FINDINGS

Overview

Santa Clara County presents the most technologically integrated legal ecosystem identified in this study. Its four institutions (the Public Defender's Office, Superior Court, District Attorney's Office, and San José City Attorney's Office) combine AI-assisted evidence management, pretrial analytics, AI-enabled legal research, and citywide generative AI governance within a single regional infrastructure serving approximately 1.9 million residents. AI governance decisions here do not occur in isolation: choices made by prosecutors and defenders affect court adjudication, while municipal legal guidance from the City Attorney shapes technology policy across more than 100 city departments.

Key Scorecard

DIMENSION	SANTA CLARA COUNTY PUBLIC DEFENDER	SANTA CLARA COUNTY SUPERIOR COURT	SANTA CLARA COUNTY DISTRICT ATTORNEY	SAN JOSÉ CITY ATTORNEY'S OFFICE
Written AI Policy	None	Yes	None Produced	Draft/Emerging
Vendor Bias Testing	None	None	None	None
Equity Impact Assessment	None	Limited Prospective Requirements Only	None	None
CPRA/Survey Response	Responsive	Full	Limited/Incomplete	Partial
Public Accountability	Partial	Partial	Absent	Absent
Community Engagement	None	None	None	None
Enforcement Mechanism	None	Partial	None	None

Core Findings

Governance

The Santa Clara County Superior Court has the most developed AI governance framework in the county, with its November 2025 policy establishing approved-tools procedures, human-in-the-loop requirements, risk assessments, and bias avoidance obligations covering commercial tools including Lexis+ AI, ChatGPT, Claude, Gemini, and Westlaw Precision.

The most significant governance gap is a shared AI infrastructure operating across adversarial institutions without coordinated oversight. Through Agreement #CW2253048, the Public Defender, District Attorney, and Alternate Defender all use Axon Justice Premier, an AI-assisted evidence management platform, yet there aren't any county-wide mechanism coordinates oversight or standardizes accountability. Additionally, the Superior Court's Resultant/Teknion pretrial analytics platform, in operation since 2022 and delivering $0 Bail and Pretrial Analytics dashboards affecting liberty determinations, may fall outside the scope of the Court's new governance framework, which does not clearly apply retroactively.

The San José City Attorney's Office is developing citywide generative AI governance proactively, but its framework does not yet extend to predictive coding, eDiscovery analytics, or machine-learning-assisted litigation tools.

Transparency and Accountability

The Superior Court demonstrated the strongest transparency practices, disclosing procurement records, RFP evaluation score sheets, and its full AI policy, thus notably making artificial intelligence capability a formally scored procurement criterion. The Public Defender's Office also proactively supplemented its CPRA response to disclose the Axon Justice Premier contract, which earlier District Attorney responses had not revealed.

Despite these disclosures, defendants and litigants are not notified when AI-assisted systems process evidence, transcriptions, redactions, or pretrial analytics affecting their cases. The Resultant platform operates without public methodology documentation or demographic performance disclosures. The Court's AI Policy also explicitly excludes judicial officers in adjudicative roles, leaving the highest-stakes institutional function outside its scope. Across all four institutions, no vendor is contractually required to conduct independent bias testing or submit to public algorithmic audits.

Equity and Bias Awareness

Equity protections remain the weakest dimension across the ecosystem. The Superior Court's AI Policy contains the strongest language (prohibiting discriminatory use across eighteen protected characteristics and requiring representative training datasets), but these provisions govern future projects rather than operational infrastructure already affecting outcomes.

The Resultant pretrial analytics platform has no documented bias audit or disparate impact assessment despite influencing liberty determinations in a county where low-income residents and communities of color are disproportionately represented in the criminal legal system. Axon Justice Premier's Auto-Transcribe and Redaction Assistant modules process evidence types known to generate disparate error rates across dialects, accents, and languages, yet the contract contains no fairness standards or auditing obligations. The Public Defender's Office serves overwhelmingly low-income and racially marginalized clients, concentrating AI error risk among the most vulnerable populations.

The central cross-agency finding is that Santa Clara County's institutions are rapidly expanding AI capacity without equivalent development of rights-protective safeguards: no

county-wide bias testing standards, no defendant notification obligations, and no community accountability mechanisms exist across any of the four institutions.

Cross-Cutting Findings

The most significant cross-cutting pattern in Santa Clara County's legal ecosystem is the deployment of shared AI infrastructure across adversarial institutions without any coordinating oversight mechanism: the Public Defender, District Attorney, and Alternate Defender all operate through the same Axon Justice Premier platform, while the Resultant pretrial analytics system has shaped liberty determinations since 2022, likely outside the scope of the Superior Court's new governance policy. This structural gap is compounded by systematic non-notification: although individual institutions like the Court and the Public Defender demonstrated meaningful transparency in procurement disclosures, none of them inform defendants when AI processes their evidence, transcriptions, or pretrial assessments, and no vendor across the ecosystem faces contractual audit or bias-testing obligations. Underlying both failures is a consistent deprioritization of equity: the Court's policy contains the strongest written protections in the Bay Area dataset, yet these govern future projects rather than the operational systems already affecting outcomes, while the City Attorney's emerging framework contains no racial equity or disparate impact component despite cascading across more than 100 city departments. Taken together, these patterns reveal a county that is rapidly expanding institutional AI capacity without building the democratic oversight, litigant notification, or rights-protective safeguards needed to keep pace with it.

Applying a Theoretical Framework to Santa Clara County

Santa Clara County exemplifies a governance collapse rooted in fragmentation and reactive institutional response. On distributive fairness (Rawls), the county's distributed vendor

adoption without coordinated governance means burdens and benefits of algorithmic systems are allocated by chance and vendor preference rather than democratic deliberation. Communities in housing, child welfare, and public safety (which are already vulnerable to state intervention) face algorithmic risk assessment without any institutional framework ensuring fair distribution of those risks. Critically, the moderate formal AI policy coupled with partial oversight and absent public accountability reveals that Santa Clara County has adopted policies as defensive documents rather than enforceable commitments. The burden of algorithmic error falls on vulnerable communities across fragmented domains (housing, child welfare, public safety) with no unified mechanism for redress or appeal, while the benefits of automation and efficiency concentrate in agency operations.

On recognition justice (Fraser), Santa Clara's systematic underrepresentation of marginalized voices is both explicit and structurally embedded. Communities of color, immigrants, youth, and low-income residents face algorithmic systems that directly determine housing eligibility, child custody, and criminal justice outcomes, yet have zero meaningful participation in governance design. The finding that these communities lack recognition "in AI system design or impact assessment" means institutions have deliberately chosen not to see how their algorithmic decisions harm those already marginalized. On procedural legitimacy (Tyler), Santa Clara's moderate CPRA responsiveness masks absent public accountability: records exist but are discoverable only through legal compulsion, not proactive disclosure. Communities cannot challenge algorithmic decisions they cannot understand or even identify as algorithmic. The moderate formal policy is performative: it exists but lacks enforcement mechanisms that would make procedures fair and visible. On data justice (Taylor), Santa Clara's equity-by-design failure is the most dangerous finding: "data practices often reproduce bias through proxies"

indicates that systems are perpetuating historical discrimination while institutions claim neutrality through technical rhetoric. Without equity-integrated procurement and audits, Santa Clara County is institutionalizing algorithmic discrimination across housing, child welfare, and criminal justice simultaneously, thus making this the most expansive injustice among the Bay Area counties. The cross-cutting theme captures the essential pathology: Santa Clara has adopted AI tools for efficiency without adopting the democratic, equitable, and transparent governance structures that justice requires.

RECOMMENDATIONS AND POLICY IMPLICATIONS

The findings of this Capstone project demonstrate that Bay Area municipal governments are entering a new era of algorithmic governance in which artificial intelligence systems increasingly shape legal decision-making, prosecutorial strategy, evidentiary review, and institutional administration. Across the City and County of San Francisco, Alameda County, San Mateo County, and Santa Clara County, the evidence reveals a consistent pattern: operational adoption of artificial intelligence technologies is advancing more rapidly than the accountability structures necessary to govern them responsibly. Although most institutions examined have not formally adopted fully autonomous predictive litigation systems, AI-assisted tools are already deeply embedded in legal workflows through prosecutorial analytics platforms, generative AI research tools, automated evidence review systems, and vendor-integrated machine-learning technologies. These systems are influencing the administration of justice long before comprehensive governance frameworks have matured.

This project has argued that the central challenge posed by predictive litigation technologies is not simply technological accuracy but democratic accountability. Drawing on theories of distributive justice, recognition justice, procedural legitimacy, and data justice, the research demonstrates that current governance systems remain insufficiently equipped to address the racial, procedural, and institutional inequities that algorithmic systems may reproduce or intensify. The risks are not hypothetical. The San Mateo County District Attorney’s use of Closure Intelligence, the spread of AI-assisted legal analysis tools across public institutions, and the broader absence of enforceable transparency and equity safeguards collectively illustrate how algorithmic systems can reshape power relationships within the criminal legal system while remaining largely invisible to the public.

At the same time, the findings also reveal that meaningful governance is possible. Several institutions, particularly within San Francisco and portions of Alameda County, have begun developing internal safeguards, AI policies, racial equity language, and review procedures that provide important foundations for future accountability structures. These emerging practices suggest that municipal governments are not powerless in the face of rapid technological change. Rather, they are at a critical institutional crossroads: one path leads toward increasingly opaque and vendor-driven automation of legal decision-making, while the other leads toward governance models grounded in transparency, public participation, equity, and democratic oversight.

The recommendations that follow are designed not as abstract technological ideals, but as actionable governance interventions grounded directly in the evidence gathered throughout this study. They aim to help municipal governments move beyond reactive, fragmented, and procurement-driven approaches toward durable governance systems capable of protecting civil rights, preserving procedural fairness, and ensuring that artificial intelligence technologies serve the public interest rather than institutional convenience alone. Collectively, these recommendations advance a central principle of this Capstone project: that artificial intelligence in municipal legal systems must remain subordinate to democratic accountability, constitutional protections, and the broader pursuit of justice. Together, these recommendations provide a framework for justice-centered artificial intelligence governance that can help Bay Area municipalities navigate the growing integration of artificial intelligence into public legal institutions while safeguarding equity, legitimacy, and democratic trust.

CITY AND COUNTY OF SAN FRANCISCO: COMBINED CONCLUSION AND RECOMMENDATIONS

The City and County of San Francisco presents the most institutionally developed artificial intelligence governance environment in the comparative dataset, yet also reveals the clearest example of a widening gap between formal policy commitments and operational practice. Across the San Francisco City Attorney's Office, San Francisco Public Defender's Office, San Francisco District Attorney's Office, and the San Francisco Superior Court, no institution has formally adopted predictive analytics or risk-scoring systems for core legal decision-making. This convergence suggests that non-adoption is not incidental but instead reflects a deliberate institutional restraint toward high-risk algorithmic decision-support systems.

At the same time, however, AI-adjacent technologies are already deeply embedded within daily legal workflows. Vendor-bundled machine-learning systems such as CoCounsel, Relativity Assisted Review, Brainspace, and Microsoft Copilot are operationally active across multiple institutions, often entering through ordinary procurement channels without triggering formal governance review. The San Francisco Superior Court possesses the strongest governance architecture in the study, including a standing Data Governance Committee, formal machine-learning project approval requirements, and explicit disparate-impact language. The San Francisco Public Defender's Office demonstrates the most operationalized workflow governance, with clear restrictions on artificial intelligence use in court filings and strong confidentiality safeguards. Yet even these comparatively advanced institutions leave critical governance gaps unresolved, particularly regarding vendor-procured artificial intelligence tools, external transparency, and community participation.

The most consistent countywide weakness is public accountability. None of the four institutions proactively publishes its AI governance policies, annual AI reports, approved tools lists, or vendor accountability standards on publicly accessible websites. Meaningful transparency exists only through targeted CPRA requests. Similarly, no institution has established a formal community advisory structure, litigant notification process, or external disclosure standard for AI-assisted legal work product. The governance systems remain overwhelmingly internal-facing despite the profound consequences these technologies may have for defendants, litigants, and communities disproportionately exposed to the criminal legal system.

Equity commitments across San Francisco are substantial rhetorically but uneven operationally. The Public Defender's Office explicitly frames artificial intelligence governance through racial justice concerns. The District Attorney's Office formally acknowledges racial, gender, and political bias risks. The Superior Court prohibits disparate impacts across protected classes. The City Attorney's Office maintains an extensive racial equity infrastructure. Nevertheless, none of the institutions has conducted a formal equity impact assessment, commissioned an independent bias audit, or required vendors to disclose fairness testing or demographic performance data. As a result, the county's governance framework currently relies more on aspirational commitments than enforceable accountability mechanisms.

Taken together, San Francisco demonstrates that policy sophistication alone is insufficient. Governance frameworks without vendor accountability, independent auditing, public participation, and enforceable equity review risk becoming symbolic rather than structural protections. The county's institutions have established the foundations for meaningful artificial intelligence governance, but those foundations remain incomplete so long as artificial

intelligence systems affecting legal outcomes continue to operate without comprehensive public oversight.

SAN FRANCISCO COMBINED COUNTYWIDE RECOMMENDATIONS

Governance

- Require every legal institution to maintain a continuously updated AI inventory covering both standalone and vendor-embedded artificial intelligence systems.
- Extend all governance frameworks explicitly to vendor-bundled AI tools such as CoCounsel, Brainspace, Relativity, and Microsoft Copilot.
- Designate a formal AI Governance Coordinator or Accountability Officer within each institution with authority over procurement review, policy enforcement, and compliance monitoring.
- Establish mandatory annual policy review cycles tied to developments in State Bar guidance, procurement practices, and AI capabilities.
- Require independent third-party audits and documented risk assessments before deployment and throughout operational use.
- Develop a specialized citywide criminal legal AI governance framework addressing *Brady* obligations, due process, equal protection, and algorithmic fairness.

Transparency and Accountability

- Mandate proactive publication of all AI policies, approved tools lists, annual governance reports, and vendor standards on institutional websites.
- Establish external disclosure requirements for AI-assisted legal work product, including prosecutorial filings, court-generated materials, and litigant-facing functions.

- Develop litigant and defendant notification standards whenever AI tools materially influence case processing, legal analysis, or evidence review.
- Require annual public reporting on AI incidents, governance reviews, policy violations, and mitigation measures.
- Create standardized regional CPRA guidance for AI-related public records requests.

Equity and Community Oversight

- Require formal pre-adoption and ongoing equity impact assessments for all AI systems affecting legal proceedings or public rights.
- Mandate vendor disclosure of training data practices, fairness testing, model validation procedures, and demographic performance differentials.
- Integrate existing racial equity structures, including Racial Equity Action Plans and Racial Justice Committees, directly into artificial intelligence procurement and governance processes.
- Establish formal community advisory boards including civil rights organizations, defense advocates, impacted residents, and technologists.
- Adopt a countywide presumption against AI use in charging, sentencing, or adjudicatory decision-making absent rigorous independent review and demonstrated equity safeguards.

ALAMEDA COUNTY: COMBINED CONCLUSION AND RECOMMENDATIONS

Alameda County reveals the strongest contrast in the study between ambitious equity rhetoric and limited institutional accountability capacity. Across the Alameda County District Attorney's Office, Alameda County Public Defender's Office, Alameda County Superior Court, Berkeley City Attorney's Office, and the external perspective provided by Oakland Privacy, the evidence demonstrates that artificial intelligence governance remains fragmented, uneven, and heavily dependent on institutional discretion rather than stable structural safeguards.

Although no institution formally adopted predictive litigation tools for core legal functions, machine-learning systems are already operationally embedded across the county through products such as CoCounsel, Westlaw AI features, Logikull, Filevine Docs+, and JCATS. These tools entered legal workflows largely through ordinary procurement processes rather than formal governance deliberation, creating a countywide pattern in which operational AI use outpaces institutional oversight.

The Alameda County Superior Court maintains the most developed governance framework in the county, with comparatively sophisticated disclosure provisions and explicit anti-discrimination language. By contrast, the Berkeley City Attorney's Office possesses virtually no documented artificial intelligence governance infrastructure despite maintaining active AI-adjacent vendor contracts. The Alameda County Public Defender's Office has adopted a posture of non-use toward predictive systems, but its clients remain directly exposed to algorithmic tools used by adversarial agencies, leaving defenders structurally disadvantaged in confronting AI-generated evidence and analysis.

The Alameda County District Attorney's Office illustrates the study's central tension most clearly. The office briefly pursued one of the dataset's most ambitious equity-oriented initiatives through the Harvard blind charging project intended to reduce racial bias in prosecution. Yet that initiative was terminated before implementation following a leadership transition, while commercial artificial intelligence systems such as CoCounsel simultaneously expanded into operational use without equivalent oversight. The resulting pattern demonstrates the fragility of reform efforts dependent on executive discretion rather than institutionalized governance structures.

The Oakland Privacy interview further underscores the governance vacuum surrounding predictive litigation technologies. From the perspective of external advocates, accountability mechanisms remain opaque, decision-making authority is difficult to identify, and communities affected by these systems lack meaningful participation in governance decisions. Informal governance practices, undocumented procurement decisions, and absent audit trails create conditions where transparency obligations often produce null results because no formal records exist.

Across Alameda County, the central governance problem is therefore not simply whether artificial intelligence is used, but whether institutions possess the infrastructure necessary to evaluate, monitor, disclose, and contest artificial intelligence use once it becomes operational. Current governance systems remain largely reactive, procurement-driven, and institution-specific, despite the interconnected nature of the county's criminal legal ecosystem.

ALAMEDA COUNTY COMBINED COUNTYWIDE RECOMMENDATIONS

Governance

- Develop institution-specific artificial intelligence governance policies for agencies currently lacking dedicated frameworks, particularly the Berkeley City Attorney's Office and the Alameda County Public Defender's Office.
- Expand Alameda County's GenAI policy to govern analytical and predictive systems in addition to generative AI.
- Require all future and renewing contracts to include AI governance clauses covering model updates, bias documentation, data-use restrictions, audit rights, and data portability.
- Extend governance standards explicitly to vendor-embedded AI tools including CoCounsel, Logikcull, Filevine Docs+, Brainspace, and Westlaw AI.
- Require independent third-party audits for all AI systems in active use and integrate audit requirements into procurement contracts.
- Establish institutional protections ensuring professional legal judgment supersedes AI-generated recommendations.
- Create governance structures that survive leadership transitions, including Board-authorized standards and formalized review procedures.

Transparency and Accountability

- Mandate proactive public disclosure of AI governance policies, vendor relationships, approved tools lists, and annual governance reports.
- Establish disclosure obligations for AI-assisted legal work product, including charging decisions, evidence analysis, and prosecutorial communications.
- Require publication of decision-making authority for all AI procurements, including identifying approving officials and oversight bodies.

- Develop standardized public reporting on AI incidents, policy violations, and audit findings.
- Address vendor lock-in risks by requiring contractual sunset reviews, portability rights, and periodic procurement reassessment.

Equity and Community Oversight

- Require formal pre-adoption equity impact assessments for all AI systems affecting individual liberty, prosecution, or legal representation.
- Mandate demographic outcome tracking to detect disparate impacts across settlement patterns, charging outcomes, detention practices, and case processing.
- Require vendors to disclose fairness testing results, training data practices, and demographic performance metrics.
- Establish formal community advisory structures including civil rights organizations, defense advocates, impacted residents, and community oversight groups.
- Build institutional capacity within public defense offices to identify, scrutinize, and challenge AI-generated evidence and algorithmic decision-making.
- Develop countywide standards specifically addressing constitutional concerns related to *Brady* obligations, equal protection, Sixth Amendment rights, and racial justice.

SAN MATEO COUNTY: COMBINED CONCLUSION AND RECOMMENDATIONS

San Mateo County presents the clearest example in the study of operational artificial intelligence deployment occurring without corresponding accountability infrastructure. While the county's three legal institutions demonstrated comparatively strong responsiveness to records requests and openly disclosed existing practices, the evidence reveals that transparency alone does not constitute governance. Across the San Mateo County District Attorney's Office, the San Mateo County Superior Court, and the San Mateo County Private Defender Program, artificial intelligence systems are already shaping legal workflows in ways that remain largely unregulated, unaudited, and inaccessible to the communities most affected by them.

The defining governance issue in San Mateo County is the Closure Intelligence platform used by the San Mateo County District Attorney's Office. Closure represents the only purpose-built prosecutorial analytics system identified anywhere in the comparative dataset. The platform processes warrant returns, social media data, recorded communications, and investigative materials to generate AI-assisted summaries and semantic search outputs used in active prosecutions. Yet the system was procured without competitive bidding, without independent equity review, and without any contractual requirements for bias testing, demographic performance disclosure, or public accountability. The vendor contract further permits county criminal case data to contribute to future model development without community consent or notification.

This prosecutorial AI capability creates a significant asymmetry within the county's adversarial legal system. The San Mateo County Private Defender Program relies primarily on informal use of legal research AI tools embedded in existing subscriptions and operates without a written governance framework, training standards, or institutional safeguards. Defense counsel,

therefore, confront AI-assisted prosecutorial evidence analysis without equivalent technical capacity, disclosure rights, or procedural protections. The resulting imbalance is not merely technological but structural, thus potentially altering the balance of power between the state and defendants.

The San Mateo County Superior Court maintains the county's most developed procedural governance framework, including approved-tools vetting and restrictions on AI decision-making. Nevertheless, its governance mechanisms remain internally focused and lack enforcement structures, audit procedures, litigant notification standards, and public-facing accountability systems. Across all three institutions, no equity impact assessments, independent bias audits, community advisory processes, or vendor fairness disclosure requirements currently exist.

Therefore, San Mateo County illustrates a central finding of this study: operational AI adoption is advancing more rapidly than the governance structures necessary to ensure transparency, fairness, and democratic accountability. The institutions themselves have demonstrated openness about what exists and what does not. The unresolved question is whether that openness will translate into enforceable reforms capable of addressing the structural risks introduced by prosecutorial analytics systems and vendor-driven AI expansion.

SAN MATEO COUNTY COMBINED COUNTYWIDE RECOMMENDATIONS

Governance

- Extend San Mateo County's artificial intelligence governance framework to cover analytical and predictive systems in addition to generative AI.

- Establish a countywide criminal justice AI oversight body including representatives from the District Attorney's Office, Superior Court, Private Defender Program, civil rights organizations, and impacted communities.
- Require competitive procurement standards for all future AI systems, including equity review criteria and independent technical evaluation.
- Mandate independent third-party audits for all prosecutorial and court AI systems prior to renewal or expansion.
- Require all institutions to adopt formal written AI governance policies with audit procedures, sanctions mechanisms, and compliance monitoring.

Transparency and Accountability

- Develop countywide litigant and defendant notification standards whenever AI tools materially affect evidence analysis, case processing, or adjudicatory workflows.
- Require prosecutors to disclose when AI tools were used to analyze evidence, generate summaries, or inform charging and plea decisions.
- Publish annual countywide AI governance reports identifying active tools, procurement status, audit findings, and policy incidents.
- Require vendors to disclose accuracy limitations, hallucination rates, training data practices, and demographic performance differentials.
- Prohibit vendor use of criminal case data for model training without explicit public authorization and community review.

Equity and Structural Fairness

- Conduct formal equity impact assessments for all artificial intelligence systems operating within the county's criminal legal system.
- Commission an independent audit of the Closure Intelligence platform examining racial bias, language-access disparities, accuracy limitations, and CJIS compliance.
- Develop procedural protections ensuring defense counsel can access, scrutinize, and challenge AI-assisted evidence analysis.
- Expand access to comparable legal research AI tools and AI governance training for defense attorneys to reduce prosecutorial advantage.
- Establish standing community advisory structures with representation from communities disproportionately impacted by prosecution and surveillance.
- Integrate equity, due process, and Sixth Amendment considerations directly into procurement and governance standards for all future criminal legal AI systems.

SANTA CLARA COUNTY: COMBINED CONCLUSION AND RECOMMENDATIONS

Santa Clara County presents the most technologically sophisticated and institutionally interconnected legal AI ecosystem identified in this study. Across the Santa Clara County Superior Court, Public Defender's Office, District Attorney's Office, and San José City Attorney's Office, AI-assisted systems are already operationally embedded within evidence management, legal research, analytics infrastructure, and emerging municipal governance processes. Unlike the more fragmented adoption patterns observed elsewhere in the Bay Area, Santa Clara County demonstrates a uniquely integrated legal technology environment in which prosecution, defense, court administration, and municipal legal governance are increasingly linked through shared AI-enabled infrastructure.

The county's most significant finding is the emergence of cross-agency artificial intelligence integration without corresponding ecosystem-wide governance coordination. The Axon Justice Premier platform operates simultaneously across adversarial institutions, including the District Attorney's Office, Public Defender's Office, and Alternate Defender's Office, processing evidence, transcription, redaction, and investigative materials through AI-assisted workflows. At the same time, the Superior Court's Resultant/Teknion analytics infrastructure powers pretrial and operational dashboards affecting bail and case-processing decisions. Together, these systems illustrate how AI adoption in Santa Clara County is no longer isolated to individual offices but increasingly embedded throughout the broader criminal legal system.

The Santa Clara County Superior Court possesses the county's strongest governance framework and one of the most sophisticated governance systems identified anywhere in the comparative dataset. The Court's November 2025 Local Policy for the Use of Machine Learning and Generative Artificial Intelligence establishes approved-tools procedures, human-in-the-loop

requirements, machine-learning project approval processes, risk-assessment obligations, transparency standards, and explicit anti-discrimination provisions covering more than eighteen protected characteristics. The Court also demonstrated unusually robust procurement transparency through the LexisNexis legal research procurement process, where artificial intelligence functionality itself became an explicitly weighted evaluation criterion.

Yet the county's most consequential artificial intelligence systems remain partially outside these governance protections. The Resultant pretrial analytics platform predates the Court's 2025 AI policy and appears not to be subject to retroactive compliance review, bias auditing, or litigant notification obligations despite directly influencing pretrial liberty-related determinations. Similarly, the Axon Justice Premier platform operates without documented demographic performance testing, fairness auditing requirements, or publicly available validation standards. As a result, Santa Clara County demonstrates a recurring pattern throughout this study: governance sophistication for future AI systems coexists with substantial accountability gaps surrounding operational infrastructure already affecting legal outcomes.

The Santa Clara County Public Defender's Office illustrates this contradiction very clearly. The office demonstrated meaningful transparency and institutional responsiveness by proactively disclosing the Axon Justice Premier contract and related records through the CPRA process. However, no internal governance policies, attorney verification standards, client notification procedures, or bias-assessment requirements governing AI-assisted evidence processing were identified. This gap carries heightened constitutional significance because the office represents disproportionately low-income clients and communities of color who are already most exposed to systemic inequities within the criminal legal system. AI-assisted transcription and evidence-processing tools with documented demographic error disparities

therefore operate in one of the county's highest-risk institutional environments without enforceable equity safeguards.

The San José City Attorney's Office occupies a distinct but equally important governance position. Unlike comparator jurisdictions that have operationalized predictive litigation technologies, the office has deliberately refrained from adopting predictive analytics or algorithmic litigation support systems. Instead, it is developing citywide generative AI governance through coordination with the City Privacy Officer and IT Department. This posture of strategic non-adoption represents one of the few examples in the dataset where a legal institution still retains the opportunity to implement proactive governance before predictive systems become operationally entrenched. Nevertheless, the office's current governance efforts remain narrowly focused on generative AI and lack formal equity frameworks, community participation mechanisms, and broader accountability structures capable of governing future litigation analytics or machine-learning-assisted legal systems.

Across Santa Clara County, the most persistent governance weakness is the absence of coordinated public accountability. No institution has established formal countywide standards for litigant notification, independent bias auditing, demographic performance disclosure, or community oversight. Vendor accountability mechanisms remain particularly underdeveloped. Neither Axon Enterprise, Resultant, LexisNexis, nor prospective municipal AI vendors are contractually required to conduct independent bias testing, publish demographic performance metrics, or submit to public algorithmic audits. Procurement governance consistently prioritizes operational modernization and technological capability while leaving civil rights accountability largely unaddressed.

Therefore, the county reveals a central finding of this Capstone project: institutional AI capacity is expanding more rapidly than democratic accountability infrastructure. Santa Clara County possesses the technical sophistication, procurement capacity, and governance expertise necessary to become a regional leader in legal artificial intelligence oversight. However, meaningful accountability will require moving beyond fragmented institution-specific policies toward ecosystem-level governance capable of addressing the interconnected constitutional, equity, and due process implications of AI-assisted criminal legal administration.

SANTA CLARA COUNTY COMBINED COUNTYWIDE RECOMMENDATIONS

Governance

- Establish a countywide criminal legal artificial intelligence oversight council including the Superior Court, Public Defender's Office, District Attorney's Office, San José City Attorney's Office, civil rights organizations, technologists, defense advocates, and impacted community representatives.
- Require all legal institutions to maintain continuously updated AI inventories covering standalone, embedded, and vendor-integrated AI systems.
- Extend governance frameworks explicitly to operational AI infrastructure already in use, including the Resultant/Teknion pretrial analytics platform and Axon Justice Premier system.
- Require independent third-party audits, risk assessments, and retroactive compliance reviews for all operational AI systems affecting evidence processing, pretrial determinations, or legal analysis.

- Mandate formal human-in-the-loop oversight standards and attorney verification procedures for all AI-generated transcriptions, summaries, redactions, investigative outputs, and analytical recommendations.
- Expand the San José City Attorney's emerging governance framework to include predictive coding, litigation analytics, eDiscovery systems, and machine-learning-assisted legal tools before operational adoption occurs.
- Require all AI-enabled procurement contracts to include audit rights, model update disclosure obligations, data-use limitations, portability protections, and independent oversight provisions.

Transparency and Accountability

- Develop countywide defendant and litigant notification standards whenever AI systems materially influence evidence processing, pretrial analytics, legal research, charging decisions, discovery preparation, or case-processing workflows.
- Require public disclosure of all AI governance policies, approved-tools lists, procurement records, audit findings, and annual governance reports across county legal institutions.
- Mandate publication of demographic performance metrics, accuracy limitations, hallucination risks, and bias-testing results for all operational AI systems.
- Establish disclosure requirements identifying when AI-assisted systems contribute to prosecutorial filings, judicial workflows, evidence summaries, or court-generated materials.
- Publish public methodology documentation for all pretrial analytics dashboards and machine-learning systems affecting liberty-related determinations.

- Create standardized countywide CPRA guidance governing AI-related procurement, governance, and operational records.

Equity and Community Oversight

- Require formal pre-adoption and ongoing equity impact assessments for all AI systems affecting legal rights, evidence processing, pretrial liberty, prosecution, or defense representation.
- Commission independent bias audits of the Resultant/Teknion pretrial analytics platform and Axon Justice Premier modules, including demographic performance testing across race, ethnicity, language, gender, disability, socioeconomic status, and ZIP code.
- Mandate vendor disclosure of training data practices, fairness-testing methodologies, validation procedures, and demographic error-rate differentials.
- Integrate racial equity and algorithmic justice principles directly into procurement evaluation criteria, governance review procedures, and operational oversight standards.
- Establish standing community advisory structures including civil rights organizations, legal aid providers, public defenders, impacted residents, and technical experts.
- Develop procedural safeguards ensuring defense counsel and litigants can access, scrutinize, and challenge AI-assisted evidence analysis and algorithmic decision-making.
- Adopt countywide standards addressing Brady obligations, due process protections, Sixth Amendment rights, equal protection concerns, and racial justice implications associated with AI-assisted criminal legal systems.

Ultimately, Santa Clara County demonstrates both the greatest promise and the greatest risk within the comparative dataset. The county has already developed many of the institutional

capacities necessary for meaningful AI governance, including formal policy infrastructure, procurement transparency, and operational awareness of algorithmic risk. Yet those advances remain incomplete so long as the county's most consequential AI systems continue operating without comprehensive auditing, enforceable vendor accountability, democratic oversight, or sustained public participation. Therefore, Santa Clara County stands not only as a case study in technological modernization, but also as a defining test of whether local legal institutions can build governance systems capable of preserving constitutional accountability in an increasingly AI-mediated administration of justice.

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Item 22

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	accessibility of City websites - 2 letters
Date:	Thursday, May 14, 2026 2:38:06 PM
Attachments:	2 letters.pdf

Dear Supervisors,

Please see attached 2 letters from Richard Skaff regarding accessibility of City websites.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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.*

From:	Richard Skaff
To:	Gelardin, Eli (HSA); Kaplan, Debby (HSA)
Cc:	PIU.PIU@doj.ca.gov; Lurie, Daniel (MYR); Board of Supervisors (BOS)
Subject:	City of San Francisco Web Pages That Don"t Appear To Meet Federal 508 Accessibility Requirements
Date:	Sunday, May 10, 2026 2:17:08 PM

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

Eli Gelardin, Director
Office on Disability and Accessibility
City of San Francisco

Eli,

It appears that there are City documents on the internet that may not meet the mandates of the federal 508 regulations for accessible websites. Here's an example of one document I found that has numerous photos that don't appear to have the required "tags" that are "readable" by computer programs for those who have limited vision or are blind:

https://www.sfmta.com/media/23297/download?inline

What is your office doing to oversee the City departments and their online presence to ensure that all documents on the City's website meet the federal 508 requirements? This is not a new requirement, so it's quite surprising to find documents the City has posted on its website that don't appear to meet the federal standards!

I look forward to your timely email response.

Richard Skaff, Executive Director
Designing Accessible Communities
Cell: 707-755-1681
Email: richardskaff1@gmail.com
"Get in good trouble, necessary trouble,
and redeem the soul of America"
A statement made by civil rights
leader, John Lewis
"Fighting Hate
Teaching Tolerance
Seeking Justice"
The Southern Poverty Law Center
"***Nothing about us without us***"
People with disabilities expect that they will be included in the creation of every policy and decision that affects them
and their ability to be equal participants in their community

From:	Richard Skaff
To:	Gelardin, Eli (HSA); Kaplan, Debby (HSA); Lurie, Daniel (MYR); Board of Supervisors (BOS)
Cc:	PIU.PIU@doj.ca.gov
Subject:	Re: City of San Francisco Web Pages That Don"t Appear To Meet Federal 508 Accessibility Requirements
Date:	Monday, May 11, 2026 7:44:20 PM
Attachments:	Outlook-ofrdiiwt.png

Eli Gelardin, Director
San Francisco Office on Disability and Accessibility (ODA)

Hello, Eli.

Thanks for the response to my email regarding possible federal 508 accessibility "issues" within the City of San Francisco's web site pages.

Your response is, in my opinion, quite inadequate, based on what I had hoped I would hear from you!

You may (or may not) be aware of the history of the development of the federal website requirements for Title II public entities, so I've copied and pasted information about the development of the federal 508 requirements below my signature block.

In my opinion, and based on the many City web pages I've reviewed, the City appears to have substantially failed in its responsibility to ensure that its website and all of the website's sections/pages fully meets the mandates of the federal 508 requirements. And that failure is certainly not because the City hasn't had adequate time and funding to ensure its website is fully accessible. The City's leadership has clearly deemed compliance with the federal 508 web accessibility requirements to be of very limited importance! How could this have happened under your (and your staff's) oversight?

I'm sorry, but your statement that says, "The ***Office on Disability and Accessibility*** works in partnership with the ***Department of Technology's Committee on Information Technology (COIT)*** on digital accessibility, including the adoption and implementation of the Digital Accessibility and Inclusion Standards. ***As a whole, departments are making significant progress in this area. That being said there is more work to do."*** does nothing to resolve the clear violations of the federal 508 website accessibility mandates!

It sounds like (and please correct me if I'm wrong) what you are really saying is that the City needs more time to comply with the federal 508 website accessibility regulations to bring its website site into compliance. Well, that's not acceptable. The City has clearly had many years to meet the mandates of the 508 regulations, but has clearly decided there were other priorities.

Enough! I need to hear from all of you, including you, the City's Board of Supervisors, and Mayor Lurie as to what steps the City will immediately take to bring its website into compliance within the next 90 days.

If the City fails to agree to that timeframe or doesn't get the required work to make its website fully compliant within 90 days, I will then need to take any/all steps necessary to force the City to comply!

I look forward tovyour timely response.

Richard Skaff, Executive Director
Designing Accessible Communities
Cell: 707-755-1681
Email: richardskaff1@gmail.com
"***Get in good trouble, necessary trouble, and redeem the soul of America***"
A statement made by civil rights leader, John Lewis
"***Fighting Hate,***
Teaching Tolerance,
Seeking Justice"
The Southern Poverty Law Center
"***Nothing About Us Without Us!***"
The Disability Community's mantra for full and direct participation and control of all decisions that impact their lives

Federal 508 requirements for accessible websites were established in 1998 via the Rehabilitation Act Amendments, requiring federal agencies to make electronic and information technology accessible. ***Those standards were later significantly updated by the U.S. Access Board in January 2017, with the revised standards going into effect on January 18, 2018***. [1, 2, 3, 4]

Key milestones for Section 508 and website accessibility include:

- August 7, 1998: President Bill Clinton signed the Rehabilitation Act Amendments of 1998 into law, strengthening Section 508 to cover electronic and information technology (including websites).
- December 2000: The Access Board issued the first technical EIT accessibility standards, often called the "original 508 standards".
- January 18, 2017/2018: ***The Access Board published a final rule updating Section 508 requirements to incorporate the Web Content Accessibility Guidelines (WCAG). Those updated standards took effect on January 18, 2018***.
- August 11, 2021: The revised 508 standards were formally incorporated into the Federal Acquisition Regulation (FAR). [1, 2, 3, 4, 5, 6]

The current standards require compliance with WCAG 2.0 Level AA, as highlighted by Recite Me. [1]

On Mon, May 11, 2026, 5:03 PM Gelardin, Eli (HSA) <eli.gelardin@sfgov.org> wrote:

> Hi Richard,
>
> Thank you for reaching out. The Office on Disability and Accessibility works in partnership with the Department of Technology's Committee on Information Technology (COIT) on digital accessibility, including the adoption and implementation of the Digital Accessibility and Inclusion Standards. ***As a whole, departments are making significant progress in this area. That being said there is more work to do.*** We appreciate your feedback and have shared it with the referenced department.
>
> Cheers,
>
> Eli
>
> **Eli Gelardin**
> **(he/him)**
> Director
> San Francisco Office on Disability and Accessibility (ODA)
> **O:** (415) 554-0670
> **C:** (415) 949-8138
> **Office Address:**
> 1455 Market Street, 13th Floor B, San Francisco, CA 94103
>
> Office on Disability and Accessibility | sfhsa.org
>
> ---
>
> **From:** Richard Skaff <richardskaff1@gmail.com>
> **Sent:** Sunday, May 10, 2026 2:16 PM
> **To:** Gelardin, Eli (HSA) <eli.gelardin@sfgov.org>; Kaplan, Debby (HSA) <deborah.kaplan@sfgov.org>
> **Cc:** PIU.PIU@doj.ca.gov <PIU.PIU@doj.ca.gov>; Lurie, Daniel (MYR) <daniel.lurie@sfgov.org>; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
> **Subject:** City of San Francisco Web Pages That Don't Appear To Meet Federal 508 Accessibility

Requirements

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

Eli Gelardin, Director
Office on Disability and Accessibility
City of San Francisco

Eli,

It appears that there are City documents on the internet that may not meet the mandates of the federal 508 regulations for accessible websites. Here's an example of one document I found that has numerous photos that don't appear to have the required "tags" that are "readable" by computer programs for those who have limited vision or are blind:

https://www.sfmta.com/media/23297/download?inline

What is your office doing to oversee the City departments and their online presence to ensure that all documents on the City's website meet the federal 508 requirements? This is not a new requirement, so it's quite surprising to find documents the City has posted on its website that don't appear to meet the federal standards!

I look forward to your timely email response.

Richard Skaff, Executive Director
Designing Accessible Communities
Cell: 707-755-1681
Email: richardskaff1@gmail.com
"Get in good trouble, necessary trouble,
and redeem the soul of America"
A statement made by civil rights
leader, John Lewis
"Fighting Hate
Teaching Tolerance
Seeking Justice"
The Southern Poverty Law Center
"***Nothing about us without us***"
People with disabilities expect that they will be included in the creation of every policy and decision that affects them
and their ability to be equal participants in their community

CCSF-HSA - All outbound HSA email is automatically scanned for PII and PHI by Zix Email Encryption

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); Mchugh, Eileen (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Shared Rental Scooters On San Francisco Sidewalks And Curb Ramps
Date:	Thursday, May 14, 2026 12:32:18 PM

Dear Supervisors,

Please see below, from Richard Skaff, regarding electric rental scooters.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Richard Skaff <richardskaff1@gmail.com>
Sent: Thursday, May 7, 2026 1:43 PM
To: Lurie, Daniel (MYR) <daniel.lurie@sfgov.org>
Cc: PIU.PIU@doj.ca.gov; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; Eli Gelardin <mcileli@gmail.com>; Kaplan, Debby (HSA) <deborah.kaplan@sfgov.org>
Subject: Shared Rental Scooters On San Francisco Sidewalks And Curb Ramps

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

Mayor Daniel Lurie
City of San Francisco

Mayor Lurie,

I'm sending you this email with the URL for a KQED article about electric rental scooters that are permitted in San Francisco, to ask why the City of San Francisco is extending contracts for the placement of those electric scooters on San Francisco sidewalks without first resolving the chaos and dangerous conditions those rental scooters are and have been creating for vulnerable seniors and people with disabilities who, in many cases, are unable to use City sidewalks and curb ramps specifically designed for those who walk with difficulty or are using manual/electric wheelchairs and other electric mobility devices, and those who are low visioned or blind.

So far, since those rental scooters have been allowed to be on City sidewalks, and even if the City has a policy that doesn't allow those rental scooters to be left helter skelter on City sidewalks and blocking curb ramps, as the picture in the following article shows, those scooters are being left all over City sidewalks in a way that makes those sidewalks and curb ramps dangerous and in many cases, unusable. And that's not OK!

https://www.kqed.org/news/12082380/sfs-e-scooter-complaints-more-than-doubled-the-city-moves-to-extend-lime-spin-permits-anyway

At your earliest convenience, please inform me as to what the City will immediately do to resolve this untenable and dangerous situation, and how the City will hold the companies that are placing these electric rental scooters on City sidewalks, based on their contract with the City, responsible and financially liable for the dangerous condition those scooters are and have been creating on the City's sidewalks.

I look forward to your timely response.

Thank you.

Richard Skaff, Executive Director
Designing Accessible Communities
Cell: 707-755-1681
Email: richardskaff1@gmail.com
"***Get in good trouble, necessary trouble, and redeem the soul of America***"
A statement made by civil rights leader, John Lewis

"***Fighting Hate,***
Teaching Tolerance,
Seeking Justice"
The Southern Poverty Law Center
"***Nothing About Us Without Us!***"
The Disability Community's mantra for full and direct participation and control of all decisions that impact their lives

Item 23

From: Board of Supervisors (BOS)
To: BOS-Supervisors; BOS-Legislative Aides
Cc: Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject: FW: San Francisco Muni Transit Fare Inspectors Requesting Proof of U.S. Citizenship and Demand California Identification, Passport, Green Card To Ride Muni
Date: Thursday, May 14, 2026 2:10:30 PM

Dear Supervisors,

Please see below from Sophia De Anda regarding their experience using public transportation.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Juan De Anda <1native4u@gmail.com>
Sent: Thursday, May 7, 2026 5:02 PM
To: jeff.sparks@sen.ca.gov
Cc: naomi.hui@sen.ca.gov; jordi.barrientos@sen.ca.gov; omar.rincon@sen.ca.gov; sherman.wan@sen.ca.gov; jaiwen.wang@sen.ca.gov; krista.phefferkorn@sen.ca.gov; anna.esparza@sen.ca.gov; erik.mebust@sen.ca.gov; severiano.christian@sen.ca.gov; stella.fontus@sen.ca.gov; radhika.gawde@sen.ca.gov; raayan.mohtashemi@sen.ca.gov; Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; melgar.staff@sfgov.org; julie.kirshchbaum@sfmta.com; Harmon, Virginia (MTA) <Virginia.Harmon@sfmta.com>; viktoriaya.a.wise@sfmta.com; Jones, Brent (MTA) <Brent.Jones@sfmta.com>; Simpliciano, Sophia (MTA) <Sophia.Simpliciano@sfmta.com>; mtaboard@sfmta.com; Silva, Christine (MTA) <Christine.Silva@sfmta.com>; tips@missionlocal.com; lydia.chavez@missionlocal.com; eallday@sfchronicle.com
Subject: San Francisco Muni Transit Fare Inspectors Requesting Proof of U.S. Citizenship and Demand California Identification, Passport, Green Card To Ride Muni

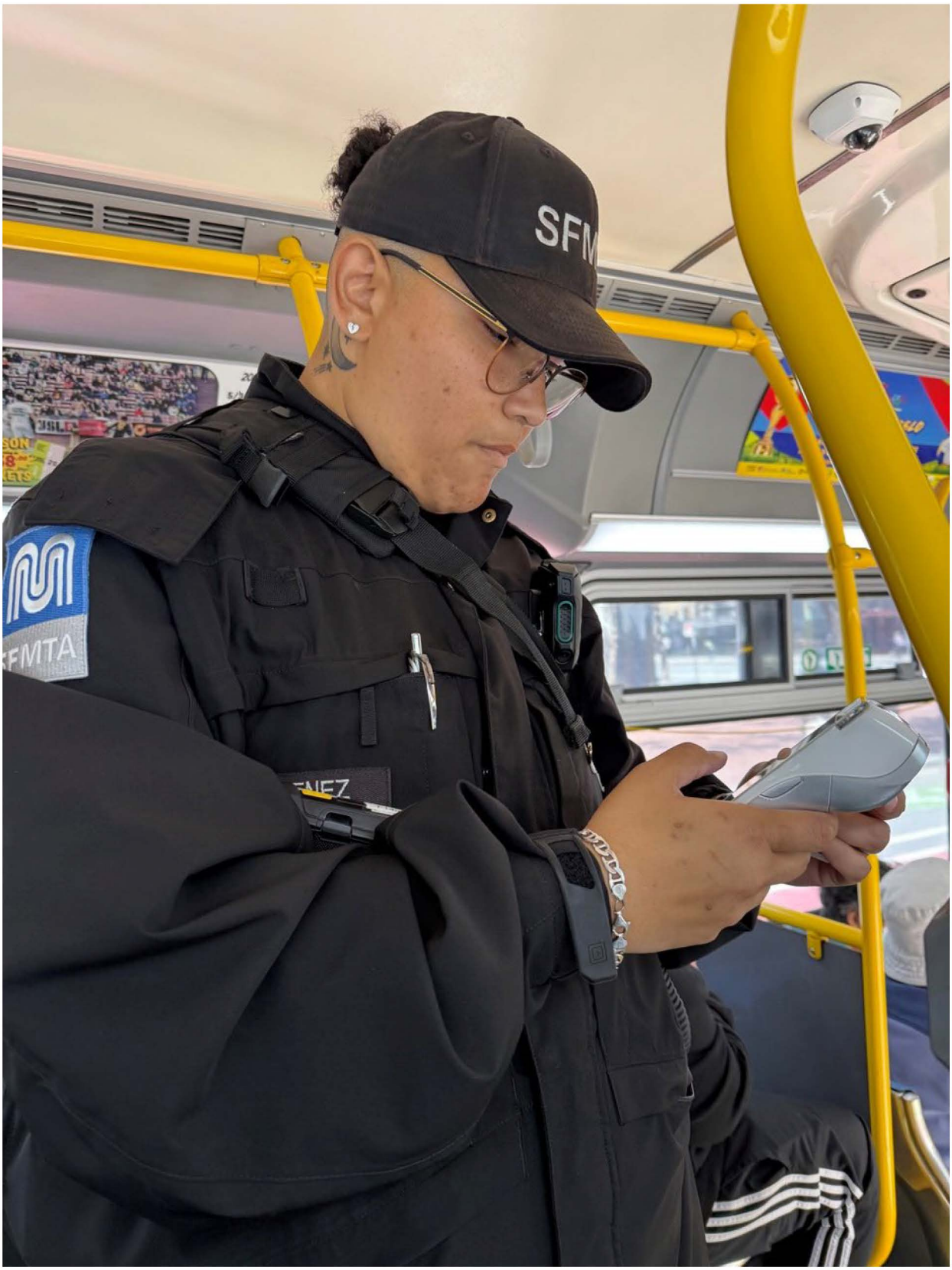
This message is from outside the City email system. Do not open links or attachments from untrusted sources.

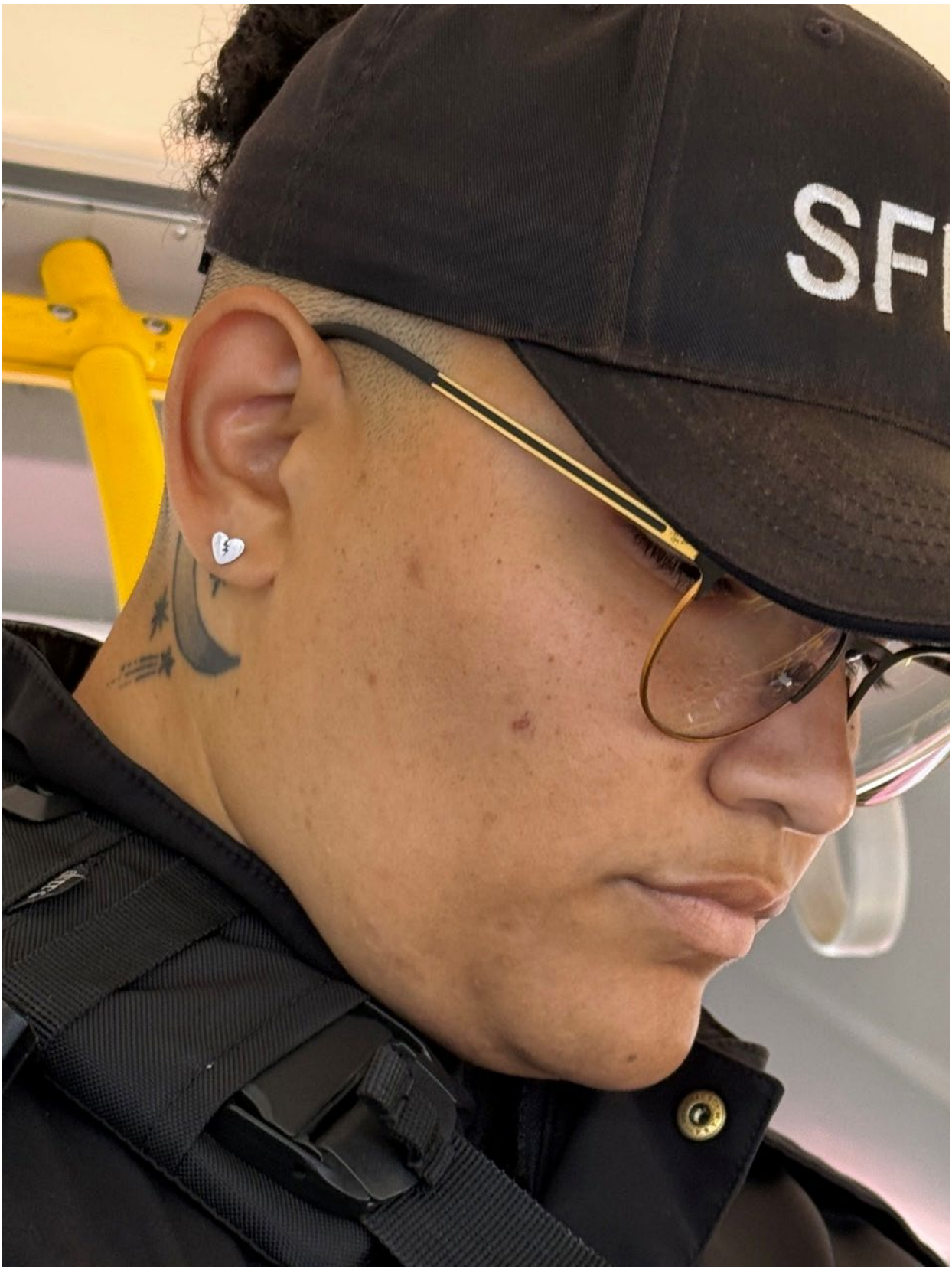
Dear Senator Scott Weiner,

I currently use Regional Transit Card (RTC) because I travel to multiple counties and use multiple transit systems and have a balance of $84.00 on my Clipper Card but today Thursday May 7th, 2026 @ 12:50 p.m. I was stopped Market Street/Larkin and their SFMTA Fare Inspector wasn't satisfied with the picture of my RTC and demanded proof of U.S. Citizenship but I didn't have any ID but she disrupted my trip and she radioed to confirm my RTC card, and balance which they confirmed was but there is genuine fear SFMTA Fare Inspectors are now violating San Francisco Sanctuary City Policies and enforcing Immigration Customs Enforcement (ICE) and U.S. Department Homeland Security (DHS) federal laws we must be U.S. Citizens to ride SFMTA. Please note I'm legally disabled and have two disabilities including for "HEARING" and been waiting to get hearing aids but my insurance refuses to pay therefore I can't afford to wear any but SFMTA Fare inspector, Ms. Jimenez, was aggressive to force me to speak without understanding her instructions but I did have RTC which I'm registered to proof I'm legally disabled with doctors letters but Ms. Jimenez wanted to "rough me up"but I suspect SFMTA has placed daily "QUOTAS"on SFMTA Fare Inspectors but will use intimidation, bullying, hazing, fear to intimidate immigrant transit riders demanding PROOF OF U.S. CITIZENSHIP. I did file a 311 complaint with MUNI today and they created Service Request#101004013287 and I contacted San Francisco Board of Supervisor, Ms. Myra Melger, transportation committee chairwoman, whose oversee's SFMTA but did she approve PROOF OF CITIZENSHIP when riding MUNI and carry Passport, Green Card, or California ID to avoid being detained by SFMTA and reported to ICE & DHS? Could please introduce State law to protect riders when using Public Transit and Fare Inspectors do not report us to ICE or DHS!

Sincerely,

Sophia De Anda


SFM
FMTA


SF

Item 24

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: It's Time for San Francisco to Ban Plastic Cigarette Filters
Date:	Thursday, May 14, 2026 2:14:10 PM

Dear Supervisors,

From Vivian Shao, regarding banning plastic cigarette filters.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Vivian Shao <noreply@adv.actionnetwork.org>
Sent: Saturday, May 9, 2026 10:10 AM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: It's Time for San Francisco to Ban Plastic Cigarette Filters

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SF Board of Supervisors ,

I’m writing to urge you to introduce or support legislation to ban plastic cigarette filters in San Francisco. These filters—commonly known as cigarette butts—are the single most littered item on our planet and one of the most toxic forms of plastic pollution affecting our city’s streets, parks, and waterways.

Each year, cigarette butts make up nearly one-third of all litter by count. They are non-biodegradable, leach harmful chemicals into our soil and ocean, and provide no health benefit to smokers. Despite their small size, their collective impact is enormous: contaminating storm drains, poisoning marine life, and adding to the growing burden of microplastics in our environment.

Santa Cruz recently took bold, commonsense action to ban plastic cigarette filters, setting a precedent for coastal communities across California. San Francisco—long recognized as a leader in environmental protection—now has the opportunity to do the same.

On October 29, a coalition of advocates, scientists, and community members will gathered at Manny’s for The Cigarette Surfboard film screening and action night. This event, featured Senator Scott Wiener, City Attorney David Chiu, and environmental leaders from across the state, shone a spotlight on the devastating impact of cigarette filter pollution and mobilize public support for policy change.

We have the data, the precedent, and the public will. What we need now is political leadership to turn awareness into action. I respectfully ask that you work with your colleagues to introduce or back legislation to phase out or ban plastic cigarette filters in San Francisco.

Together, we can keep toxic waste off our streets and beaches, protect marine ecosystems, and set a model for the rest of the state—and the nation.

Thank you for your time, leadership, and continued commitment to environmental stewardship.

With respect and urgency.

Vivian Shao
vivianshao2000@gmail.com
1630 Hyde St.
San Francisco, California 94109

Item 25

From: Board of Supervisors (BOS)
To: BOS-Supervisors; BOS-Legislative Aides
Cc: Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject: FW: Please fund the e-bike incentive program - File No. 240967, Ord. No. 268.24
Date: Thursday, May 14, 2026 2:19:31 PM

Dear Supervisors,

Please see below from Marquai Williams regarding:

File No. 240967, Ordinance No. 268-24 - Ordinance amending the Administrative Code to establish the E-Bike Incentive Fund to support implementation of an electric bicycle (or "e-bike") incentive program administered by the Department of the Environment.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

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From: Marquai Williams <noreply@adv.actionnetwork.org>
Sent: Saturday, May 9, 2026 7:40 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Please fund the e-bike incentive program to help families, working people, and all San Franciscans shift trips to bikes, reduce car traffic, demand for parking, noise, air pollution, climate emissions, and fatalities/injuries, while increasing public s...

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

The Board of Supervisors,

I am writing to urge you to fund the E-Bike Incentive Program, which will help more families, workers, and other people shift trips from cars to bikes, increasing safety, affordability, and equity, while reducing car traffic, demand for car parking, noise, air pollution, climate emissions, roadway construction and maintenance costs, and roadway crashes, fatalities, and injuries. Please work with the advocates behind the original program proposal to secure funding for the program from City, SFCTA, MTC, state, federal, and other funding sources (e.g. philanthropic foundations, wealthy individuals).

The e-bike incentive program — inspired by, and modeled off, effective programs in Denver, Colorado, Austin, Texas, and Atlanta, Georgia — will reduce the financial burden for families, workers, and other people who want to use bikes for transportation, with a larger incentive for low-income individuals and families who qualify. By helping more people purchase or lease e-bikes, you will decrease car traffic, demand for parking, costs related to roadway construction/maintenance, noise, air pollution, climate emissions, and road fatalities/injuries while increasing economic activity, revenue for local businesses, community connectedness, public health, and public land available for trees, seating, parks, playgrounds, housing, and other more effective land uses. Due to the cost-saving effect of increased bike ridership and bike infrastructure, the e-bike incentive program may well net cost savings for the City, County, and state, something that is especially needed and beneficial given the budget deficit and crisis.

You can find more information about the original program proposal and related grassroots campaign at https://url.avanan.click/v2/r01/___https://eBikeSF.org___.YXAzOnNmZHQyOmE6bzowZTMyN2I0OTRhNjI5Y2E1MDBkZTYyMGFmOTY4MzJiMDo3OjU1NTU6MjFlODY2MjIOTRlMmM0MjBkNjc3NjU2Mjg5ZDBhMTE2MmRhMTUzOTAyNDRlNjFmOTFhMzE2ZmEwZjc3YTlhMDp0OlQ6Tg.

In order for this program to be created and have its full potential impact, we need you to secure funding for the program. Will you commit to doing everything in your power to secure as much funding as possible as soon as possible?

Thank you.

Marquai Williams
kimosabeyaughn@gmail.com
704 bush street San Francisco ca
San Francisco, California 94108

Item 26

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Concern Regarding Residential Parking Conditions and Excessive Enforcement in Bayview Neighborhood
Date:	Thursday, May 14, 2026 2:21:36 PM

Dear Supervisors,

Please see below from Janel Ramsey-Primus regarding parking enforcement.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

Pronouns: he, him, his

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From: Janel Ramsey <janelramsey0119@gmail.com>
Sent: Tuesday, May 12, 2026 11:34 AM
To: Waltonstaff (BOS) <waltonstaff@sfgov.org>
Cc: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>; 311 <311@sfgov.org>
Subject: Concern Regarding Residential Parking Conditions and Excessive Enforcement in Bayview Neighborhood

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

Dear Supervisor,

I hope you are doing well. I am reaching out regarding ongoing parking issues impacting residents in the Bayview/Hunters Point neighborhood where my family has owned and lived in our home for many years.

Our family residence located near the 1500 block of Revere Avenue has experienced ongoing parking hardship as the current parking infrastructure no longer appears sufficient to reasonably accommodate the density of residents and vehicles within the neighborhood. As a result, longtime residents are often left with very limited practical parking options near their homes.

Unfortunately, enforcement efforts appear to have intensified without corresponding solutions for neighborhood residents. Recently, my brother received over $500 in parking citations related to parking near our family driveway despite the ongoing lack of available street parking nearby.

While we understand the need for parking regulations and public safety, the current situation feels unsustainable for many longtime residents simply trying to park near their homes.

I respectfully ask whether your office can help advocate for:
- A neighborhood parking assessment;
- Review of current enforcement practices;
- Expanded residential parking accommodations;
- Community meetings to discuss realistic parking solutions for residents.

We are not seeking to disregard parking laws, but rather to encourage fair and practical solutions that reflect the realities residents are facing daily in our neighborhood.

Thank you for your time, leadership, and consideration of this concern. Any guidance or support from your office would be sincerely appreciated.

Respectfully,

Janel Ramsey-Primus
(510) 593-7526
Janelramsey0119@gmail.com

Item 27

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Concern about removal of Prop C Oversite
Date:	Thursday, May 14, 2026 2:25:31 PM
Attachments:	charter-support OCOH.pdf

Dear Supervisors,

Please see below and attached, from the Coalition on Homelessness, regarding Our City, Our Home Oversight Committee.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

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From: Jennifer Friedenbach <jfriedenbach@cohsf.org>
Sent: Friday, May 8, 2026 5:22 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Concern about removal of Prop C Oversite

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

Dear Supervisors,

It has come to our attention that the Supervisor sponsored charter amendment relating to the Commission Streamlining Taskforce is potentially including language that would eliminate the Our City Our Home Oversight body.

Attached is a letter detailing our concerns.

In sum, the body creates an investment plan that crosses multiple departments, to creates a cohesive whole to strategically address homelessness. That would be impossible if the work lays inside the HOC, or is across separate departments. The Homeless Oversight Commission (HOC) is far too busy to do this in-depth work - and the OCOH body is extremely active with knowledgeable members. Voters were promised that oversight would ensure their dollars are well spent and strategic. This work has been very successful.

“If it aint’ broke, don’t fix it”

Thank you for your consideration.

J

Jennifer Friedenbach (she,her)
jfriedenbach@cohsf.org
Coalition on Homelessness
280 Turk Street
San Francisco, CA 94102
(415)346-3740
https://url.avanan.click/v2/r01/___http://www.cohsf.org/___.YXAzOnNmZHQyOmE6bzo4ODk4MWQzOWRhYWUxNjk0NDE5NzM5NTU4MWY1YjgxNTo3Ojc2MjQ6ZjQzOWNkY2YzZGFkNzJjNzgzMWEwZTRjY2E3MmJiMmU4NGRiNzQ1NzNhZDkxZTNhNGE1NWZiZjlhYTIzOTRlNTp0OlQ6Tg
Twitter @TheCoalitionSF
Instagram coalitiononhomelessness
Facebook

Donate now to the Coalition on Homelessness!

"Love is the only force capable of transforming an enemy into a friend."

Martin Luther King, Jr.

COALITION ON HOMELESSNESS

May 8, 2026

Dear Supervisors,

The Our City Our Home oversight body is an advisory body responsible for overseeing the homeless gross receipts tax and develops an annual investment plan. It also is required to publish an annual report. The budget recommendations from OCOH go through the normal budget process and cross multiple departments. This creates an opportunity to ensure mutually supportive and strategic investments across departments. Given the large amount of funds and the necessary subject expertise to ensure a successful investment plan, the Our City Our Home Oversite body plays a critical role.

The body is extremely active, members conduct research, hold listening sessions, gather information from stakeholders and are exceptionally committed to ending homelessness for as many people as possible. This means the city gets free time from citizens who - how wonderful is this – are able to ensure the city effectively address the most pressing issue of our city.

As the organization who led this voter initiative at the November 2018 ballot, we made over 70,000 calls to voters and knocked on over 35,000 doors. What we heard repeatedly is that voters liked the idea but were worried that the money would be misspent or wasted. We explained that the fund would have an oversight body appointed by the Board of Supervisors, Mayor and Controller's Office. Voters who were skeptical were reassured and were persuaded to support the

measure. Changing that now would erode trust among voters.

San Francisco has a long history of participatory democracy. The processes of the Our City Our Home is incredibly collaborative and only through collaboration can innovation arise. The Our City Our Home oversight body has ensured funds are spent wisely – for example, recommending that the safe sleep sites were not cost effective and should be phased out. The city was spending $120,000 per tent, and residents had poor conditions, including being negatively impacted by inclement weather, and faced rodent infestations. The oversite body also recommended data driven aggressive spending on OCOH funds, especially communities that were seeing increased homelessness such as families, Bayview residents and youth. The oversight body also saw to a diversification of the shelter system, adding new components such as tiny homes, semi and non-congregate beds. The behavioral health system also saw new innovations in approaches to mental health and substance use issues such as the successful SOMA rise program and a new crisis stabilization unit.

Overall, the oversight body has ensured by working with city and county staff that over 5,000 people have been successfully housed including 1,700 children, over 15,000 people receiving behavioral health services including the addition of 400 more beds, almost 4,000 households sheltered, and over 22,000 households receiving prevention services

Going forward, the body will help city staff, the board and mayor make tough decisions to address the operating budget deficit given the Mayor's very critical but difficult decision to use of one-time funds to pay for new programs with ongoing operating costs, an approximate $40 million operating deficit in Behavioral Health and $30 million deficit in shelter. These recommendations will come out of a deep dive into data looking at success rates, cost benefit analysis and input from front line workers and unhoused people themselves. Doing this work outside of a political context is incredibly important to ensure success on this issue. It also takes far more elbow grease than the far too busy homeless department staff has time for.

Thank you for consideration and support keeping the highly effective Our City Our Home oversight body as designed. If it isn't broke – don't fix it.

Sincerely,

Jennifer Friedenbach
Executive Director

Item 28

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Homelessness
Date:	Thursday, May 14, 2026 2:43:15 PM

Dear Supervisors,

Please see below from Andrea Casalett regarding the unhoused population.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

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-----Original Message-----
From: Andrea Casalett <acasalett1@yahoo.com>
Sent: Wednesday, May 13, 2026 7:11 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Homelessness

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

SF Board,

I have been a Bay Area native my entire life and an SF resident for 26 years. I have seen the city go through many highs and lows and am no stranger to homeless issues and have volunteered my time for many homeless issues since law school, which I also attended in the city. I know the city is on an upswing, which I am hugely grateful for, but lately I have seen a drastic uptick in homeless in lower Pacific Heights. Many more encampments, drug use, almost out of the blue in our neighborhood as it had been much better the past year and tonight we had a homeless person urinate and deficate on our front porch. This is a first. We are dedicated to living in this city but this is concerning.

My question is what is happening that our neighborhood suddenly seems a significant uptick in homeless issues? Is

there a significant push from other parts of the city moving the homeless to encamp elsewhere? I understand the complexities of this issue, and am a very supportive of housing and drug assistance issues, but wanted to make you were aware of what many of us have seen in the past month.

Thank you,

Andrea Casalett
415-370-1110

Item 29

From:	Board of Supervisors (BOS)
To:	BOS-Supervisors; BOS-Legislative Aides
Cc:	Calvillo, Angela (BOS); Mchugh, Eileen (BOS); Ng, Wilson (BOS); Somera, Alisa (BOS); De Asis, Edward (BOS); BOS-Operations; Board of Supervisors (BOS)
Subject:	FW: Don"t Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]
Date:	Thursday, May 14, 2026 2:50:22 PM

Dear Supervisors,

Please see below, from Brenton Prouty, regarding Ordinances: General Plan Amendments - Family Zoning Plan; Zoning Map - Family Zoning Plan; Planning, Business and Tax Regulations Codes - Family Zoning Plan; and Planning, Business and Tax Regulations Codes - Family Zoning Plan. File Nos. 250966, 250700, 250701, and 251072. Ordinance Nos. 243-25, 244-25, and 245-25.

Regards,

Richard Lagunte
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Voice (415) 554-5184 | Fax (415) 554-5163
bos@sfgov.org | www.sf.gov/sfbos

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-----Original Message-----
From: brentprouty@everyactioncustom.com <brentprouty@everyactioncustom.com>
Sent: Sunday, May 10, 2026 4:51 PM
To: Board of Supervisors (BOS) <board.of.supervisors@sfgov.org>
Subject: Don't Block Common-Sense and Compliant Amendments [File Nos. 250700, 251073, 251072, 230001, 250701, 250985, 251071, 250966]

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Dear Board of Supervisors,

The Land Use Committee, on a vote of 2-1, has blocked Supervisor Chan's amendments and its Chair declined to invite HCD, the state oversight agency, to answer questions publicly.

The Committee must advance these compliant amendments for the protection of sound housing, historic resources, and our coastline to the full Board so the public can see where every Supervisor stands.

HCD leadership should also appear before the Board to explain how the housing numbers are calculated and how the proposed upzoning affects compliance.

San Franciscans deserve transparent and accountable planning.

Additional comments:
I support this effort to block this development. As someone who lived on Bay Street near Ghirardelli, I saw first hand how outsized projects have an outsized impact on San Francisco long-term. We must not let this happen.

Sincerely,
Brenton Prouty
San Francisco, CA 94115

Item 30

From: Board of Supervisors (BOS)
To: BOS-Supervisors; BOS-Legislative Aides
Cc: Calvillo, Angela (BOS)
Subject: FW: PG&E Mission Substation Event – Direct Cause Evaluation Report
Date: Friday, May 8, 2026 10:43:00 AM
Attachments: image001.png
Mission X Outage Event 12.20.25 Direct Cause Evaluation.pdf

Dear Supervisors,

Please see the attached report from PG&E regarding the Mission Substation Event on December 20, 2025.

Thank you,

Eileen McHugh
Executive Assistant
Office of the Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244
San Francisco, CA 94102-4689
Phone: (415) 554-7703 | Fax: (415) 554-5163
eileen.e.mchugh@sfgov.org| www.sf.gov/bos

From: Dilger, Rosie <Rosie.Dilger@pge.com>
Sent: Friday, May 8, 2026 10:31 AM
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Subject: PG&E Mission Substation Event – Direct Cause Evaluation Report

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Dear Supervisors,

For more than 120 years, through natural disasters, earthquakes, and major storms, PG&E has had the privilege and responsibility of powering the City and County of San Francisco. This

immense privilege demands an unwavering commitment to our customers, and a dedication to transparency, continuous improvement, and the highest standards of service.

As part of our commitment to transparency, we are sharing the results of the independent direct cause investigation into the December 20, 2025, Mission Substation fire and power outage. You can read our news release which links to the full report here. Conducted over multiple months by third-party expert Exponent, the report reflects an exhaustive, scientific, and forensic review providing detailed insight into the direct cause of the event.

The report found there was no single cause, but rather a combination of factors that led to the event. PG&E is not aware of a similar incident involving this combination of factors that has occurred at the Mission Substation or elsewhere in the system. PG&E is committed to applying the learnings from this event to make the electric system in San Francisco more reliable and resilient.

Additionally, it is important to acknowledge that PG&E did not wait for the results of this investigation. While our inspection standards are generally consistent with industry practices, we recognize they need to be further enhanced. We've taken corrective actions including developing and implementing enhanced standards and strengthening our inspections protocols and maintenance practices to mitigate recurrence of such an event. This includes:

- Completed more than 3,000 enhanced, comprehensive inspections for all 31 San Francisco substations;
- Accelerating testing and enhanced maintenance, including replacing circuit breakers, transformers and other critical electrical equipment;
- Installing humidity mitigations and additional weatherproofing to protect sensitive infrastructure at all 16 indoor substations; and
- Enhancing monitoring and situational awareness using infrared inspections, electrical testing and targeted sensors.

We look forward to discussing the findings in more detail and continuing to partner as we strive to achieve our shared goal of delivering safe, affordable and more reliable energy to all our customers across this great city and county.

Sincerely,

Rosie Dilger

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Local Government Affairs
Pacific Gas and Electric Company
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Subject: PG&E Response Letters

Dear Mayor Lurie, President Mandelman, and Public Safety and Neighborhood Services Committee members Sup. Wong, Sup. Mahmood and Sup. Dorsey,

Please see the attached letters in response to the letter received regarding your intent to ask the CPUC for an investigation into the outage, as well as a letter to the Public Safety and Neighborhood Services Committee to provide additional information and address issues raised at the hearing on February 12, 2026.

We appreciate your partnership and will continue to collaborate in every way to serve the City and County of San Francisco.

Thank you,

Rosie Dilger

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Exponent®

SF X (Mission)
Substation Outage Event
December 20, 2025

Direct Cause Evaluation

SF X (Mission) Substation Outage Event
December 20, 2025

Direct Cause Evaluation

Prepared for:

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May 5, 2026

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Limitations

At the request of PG&E, Exponent is conducting a causal evaluation of the SF X (Mission) Substation outage event on December 20, 2025. The purpose of this evaluation is to determine the direct cause[1] of this event. The results and conclusions of this evaluation are based on information supplied by PG&E and public records, as well as inspection, investigation, and analysis by Exponent. The opinions and comments formulated during this assessment are based on observations and information available at the time of this assessment. Only facts and observations deemed relevant to the direct cause of the incident are included in this report. Exponent's investigation into the root cause(s)[2] of this incident is on-going and will be documented in a separate report.

We understand that our duty in performing this investigation is to assist PG&E, the city of San Francisco, the CPUC, and any other interested parties in determining the cause of the outage event at the SF X (Mission) Substation on December 20, 2025. We have complied with, and will continue to comply with, that duty as independent experts. In this regard, we note that the findings presented herein are made to a reasonable degree of engineering certainty, meaning the conclusions have been reached on a more-likely-than-not basis and can be logically supported by the available facts. If new data becomes available or there are perceived omissions or misstatements in this report regarding any aspect of those conditions, we ask that they be brought to our attention as soon as possible so that we have the opportunity to fully address them.

[1] For the purposes of this report, Exponent adopts PG&E's definition of a direct cause as being "an action, flaw or force that is the immediate cause of an event. Occurs immediately prior to the incident; directly results in its occurrence and, if eliminated or modified, would have prevented the undesired outcome." (See PGE GOV-6102P-13.)

[2] For the purposes of this report, Exponent adopts PG&E's definition of a root cause as being "the most basic reason(s), lowest actionable level of management control, for a problem whose removal prevents, or minimizes the probability of recurrence of the problem." (See PGE GOV-6102P-13.)

Executive Summary

On December 20, 2025, at approximately 1304 hours, an arc-flash event and subsequent fire occurred at the Mission Substation 12 kV switchgear cubicle 1112/12 ("Incident Cubicle"), located at 8th and Mission Street in the City of San Francisco. The event led to an unplanned, sustained outage affecting more than 120,000 customers at its peak. Approximately eighty percent of the total affected customers were restored within 13 hours, and the remainder were restored over the course of three days.[3] To determine the origin and cause of the arc-flash event and subsequent ignition, PG&E retained Exponent to lead an independent investigation into the direct cause of the incident.

Exponent applied the scientific method to systematically investigate the event and objectively evaluate the evidence to determine the most likely cause of the equipment failure and subsequent ignition. What follows is a background followed by our findings related to the direct cause. These findings are based on our review and examination of the documents and evidence, including inspection of the incident breaker ("Incident Breaker No. 52"), inspection of the Incident Cubicle and its associated components, analysis of digitally recorded data, review of examination reports and hardware for similar components in other cubicles, and our technical knowledge and expertise.

Background:

1- The arc-flash originated within the Incident Cubicle at Cell No. 5. The arc-flash incident was captured by security camera footage and digitally recorded by the protective relays.
2- Cell No. 5 contained Incident Breaker No. 52 in the top cubicle (the Incident Cubicle, also known as X-1112/12) and Circuit Breaker No. 94 in the bottom cubicle (X-1112/22). The Incident Cubicle consists of multiple components, including the cubicle's rear electrical-insulation system, Incident Breaker No. 52, and a barrier insulating board ("Incident Insulating Board").
3- The rear electrical-insulation system of the cubicle consists of several components, including the current transformers (CTs) and the CT insulating tubes, as well as the busbar penetration

[3] PG&E Integrated Logging and Information System (ILIS) report No. 25-0134456.

wall. Other equipment located at the rear of the cubicle includes the CT wiring and the bus-work connections.

4- Incident Breaker No. 52 consists of breaker arms that connect to the bus work at the rear of the cubicle, vacuum tubes that contain the breaker's internal contacts, a grounded housing that includes the front grounded plate, and electrical insulation materials that provide isolation between the energized parts and ground. Incident Breaker No. 52 was racked into the Incident Cubicle on November 16, 2025, and remained racked inside the cubicle at the time of the event. Incident Breaker No. 52 was in the open position when the arc-flash event occurred.

5- The Incident Insulating Board was positioned behind Incident Breaker No. 52 and in front of the metal shutter plates that would close when the breaker was racked out. When the breaker was racked in, Incident Breaker No. 52's arms extended through the Incident Insulating Board's through-holes to reach the bus work at the rear of the cubicle. In the Incident Cubicle, the upper three holes correspond to the bus-section side contacts, and the lower three correspond to the feeder-side contacts of the breaker. Throughout this report, the Incident Insulating Board is described as a separate component and not as part of the cubicle's rear insulation system.

Summary of the Finding:

1- The most likely direct cause of the arc-flash event within the Incident Cubicle is surface breakdown of the Incident Insulating Board. This is based on the following:
   a. Evidence of metal erosion is observed on the breaker arms of the circuit breaker (Circuit Breaker No. 56) that had been in service in the Incident Cubicle immediately prior to the installation of Incident Breaker No. 52 in November 2025. The location of this erosion at the ends of the breaker arms is consistent with contact between the arms and the edges of the Incident Insulating Board's through-holes while the breaker was racked in. Similar erosion patterns are observed on another circuit breaker that was removed from service in a different cell.

b. The Incident Insulating Board was mostly destroyed as a result of the arc-flash event and subsequent fire. However, damage patterns on different barrier insulating boards at similar locations, consistent with early stages of arcing, have been documented and reported from other cells within the substation. This further supports the presence of contact between the edge of the through-holes and the breaker arms at the Incident Insulating Board.

c. Digitally recorded data from the time of the arc-flash event show that a fault initiated between phase B and phase C on the feeder side approximately half a cycle before the involvement of phase A and ground. The feeder-side voltage also dropped simultaneously. A review of Incident Breaker No. 52 construction shows that any initial phase-to-phase failure at the breaker would have had to occur through the existing insulating materials and/or their surfaces, given the large separation distances between phases in open air.

d. Barrier insulating boards retrieved from other breaker cells at the 12 kV bus section D switchgear at the Mission Substation exhibited similar damage patterns, indicating contact between the edges of the through-holes and the breaker arms.

e. Damage observed on Circuit Breaker No. 56 arms, along with the corresponding damage pattern on the Incident Insulating Board photographed on or around November 2025 – prior to the racking of Incident Circuit Breaker 52 in the Incident Cubicle – shows evidence of contact between the breaker arms and the Incident Insulating Board. This further supports the likelihood that the Incident Insulating Board made contact with Incident Breaker No. 52's arms, leading to elevated electrical stress and ultimately insulation failure of the Incident Insulating Board.

f. Surface tracking, driven by contact of energized conductors with insulating surfaces in the presence of moisture and contamination, is a known cause of insulation failure, which can result in arc flashes within electrical equipment.[4]

[4] SANDIA Report, "High Energy Arcing Fault Fires in Switchgear Equipment, A Literature Review," SAND2008-4820, printed February 2009.

2- Based on the evidence, failure of Incident Breaker No. 52 or the cubicle's rear electrical insulation system[5] has been ruled out as the initiating cause of the arc-flash. This conclusion is based on the following:

a. Destructive examination of the Incident Cubicle revealed no metal erosion at the busbar tabs entering the cubicle, which would have indicated electrical arcing. However, components and electrical insulation surfaces at the rear of the cubicle were thermally damaged. The lack of evidence of arcing indicates that the insulation damage resulted from the subsequent fire and post-failure events rather than being the initiating cause of the arc-fault failure.

b. Significant metal erosion and melting were observed at all three phases of Incident Breaker No. 52's arms and at the outer ends of the vacuum bottles, while the grounded housing and front plate exhibited substantially less melting damage. The separation distances between breaker arms of different phases, combined with the nominal phase-to-phase voltage of a 12 kV switchgear, make a spontaneous phase-to-phase breakdown between breaker arms unlikely under normal operating conditions. Therefore, the observed melting and metal erosion between the breaker-arm phases most likely resulted from subsequent arcing events following the initial failure. The likely reason for the observed evidence of arcing between the largely separated breaker arms after the initial failure is described next.

c. Computed Tomography Scanning ("CT Scan") of Incident Breaker No. 52 did not show metal erosion or melting at the breaker's open contacts inside the vacuum bottles, whereas the exterior surfaces of the bottles and the breaker arms exhibited significant melting and metal loss, despite large separation distances. This indicates that the large separation distances between phases were likely bridged by conductive particles and ionized material generated during earlier events, significantly reducing the insulating properties of the air between phases when the observed damages occurred. In contrast, the smaller separation distances between the breaker contacts inside the vacuum bottles retained their insulating integrity,

[5] For the purposes of this report, the Incident Insulating Board is not considered part of the Incident Cubicle's rear electrical-insulation system.

preventing arcing within the bottles, as evidenced by the absence of metal erosion at the contacts. This further supports the opinion that the majority of the damage observed outside the bottles and at the breaker arms occurred after the initial failure. Therefore, failure of Incident Breaker No. 52 could be ruled out as the initiating cause of the arc-flash within the Incident Cubicle.

d. Copper globules were discovered inside the Incident Cubicle, most likely associated with the CT wires. While CTs can develop high induced voltages if their secondary wiring is severed or left open, their ability to sustain an arc-flash rapidly diminishes as arc impedance increases when interacting with plastics and other insulating materials within the cubicle. Therefore, although the evidence at the CT wiring indicates localized electrical arcing, more likely than not, the arcing was a consequence of the initial event.

3- The most likely failure mechanism is degradation of surface insulation of the Incident Insulating Board, likely assisted by moisture and surface contamination, that resulted in the failure of the Incident Insulating Board. Bases for this opinion include:

a. It is likely that placement of the Incident Insulating Board within the Incident Cubicle could allow the sides of the through-holes to come into contact with the back end of the breaker arms when the breaker was fully racked in. This contact, combined with surface contamination and moisture, are competent drivers of degradation of the Incident Insulating Board. Degradation to insulation most likely resulted in failure of the Incident Insulating Board and the arc-flash event.

b. Incident Cubicle was equipped with a space heater to mitigate the relative humidity content within the cubicle; however, the heater was likely not energized at the time of the event. This is because the cubicle's heater was configured to be energized when both breakers in the cell were in the open position, while only one of the breakers in the cell (Incident Breaker No. 52) was in the open position at the time of the arc-flash event.[6]

[6] PG&E Drawing No. 4050371, Rev. 1, "12 kV Switchgear (Cells 1-14T), Bus Section 'D' – Auxiliary Equipment," issued per PG&E As-Built, 3/16/2011.

c. The substation building appeared to be prone to elevated humidity and moisture due to two factors around the time of the arc-flash event:

   i. The building is ventilated with unconditioned outside air, and the lack of heating, cooling, and humidity control for this ventilation air exposes the building interior to the variability of the outdoor climate, including high relative humidity and large/uncontrolled temperature swings. It is known that such conditions can also lead to condensation under certain weather conditions. Specifically, condensation can occur when there are sudden temperature changes during periods of high humidity, such as a long duration of cool weather that brings the equipment and surrounding structure to a low temperature, followed by a rapid warm front with rain or fog. In such a situation, higher dew point outdoor air may be introduced into the building before the structure and equipment can warm up sufficiently to prevent condensation. This is exactly the weather pattern that preceded the arc-flash event, with warmer temperatures and rain starting on December 17 after almost two weeks of consistently cooler weather. Moreover, since the heater in Cell No. 5, which serves to mitigate high relative humidity, was off at the time of the event, condensation on insulating surfaces within the Incident Cubicle would be more likely to form.

   ii. Open, unprotected ventilation shafts that extend from the roof to the basement, as well as the ventilation air intake pits, allow rainwater intrusion into the basement level of the building during rain events. Exponent observed ponding of water on the basement floor directly below these openings after a rain event - evaporation of this ponded water would increase any existing humidity levels in the basement area. Although it is not clear to what extent this increase in the existing humidity contributed to the event, the room with the Incident Cubicle does receive ventilation air via the air intake pit (which was observed to be holding water), and the basement level and any increase in humidity due to standing water in these areas would lead to a higher humidity and a higher probability of condensation in the switchgear room.

d. At the time of Exponent's site visit, the filters for the ventilation air[7] to the incident room had been compromised by water and were no longer providing filtration of the outside air. However, how long the filters were in this condition and the extent to which lack of air filtration for the ventilation air in the switchgear room contributed to the arc-flash event are unknown.

These conclusions have been reached to a level of at least more likely than not, and the findings can be explained in light of the facts and observations using logical reasoning. This summary does not contain all of Exponent's technical evaluations, analyses, conclusions, or recommendations. Hence, the main body of this report is at all times the controlling section. This report summarizes the findings of the direct cause evaluation of the incident. The root cause evaluation in this matter is ongoing.

[7] Ventilation air for the incident switchgear room is drawn into the building through a below-grade opening, passes through a filter bank to the supply fan, and is then routed upward through floor openings into the switchgear room. Exponent's investigation found that the four supply fans were non-operational and air was being drawn through them, presumably by the rooftop exhaust fans.

1 Purpose

The purpose of this report is to address the direct cause of the initial arc-flash event at the Mission Substation at 1304 hours on December 20, 2025. This report provides background on the event and status of the actions and assessments related to determining the cause of the arc-flash and subsequent fire event. Information related to the restoration events after the initial arc-flash was not part of the direct cause evaluation. However, information that is relevant to determining the cause of the initial arc-flash is included in this report.

Exponent continues to work with PG&E to investigate and evaluate the root causes of the incident. The findings will be provided at the conclusion of the root cause investigation.

2 Investigation Approach

Exponent's investigation into the direct cause[8] of the December 20, 2025 outage event in San Francisco, California, encompassed five major phases rooted in the scientific method of inquiry. Exponent's investigation process was not linear, and major investigation phases overlapped as hypotheses were developed, challenged, and refined.

2.1 Investigation Phases

Investigation Initiation

December 22, 2025 – January 20, 2026

This phase began when Exponent was notified of the event by PG&E and concluded once Exponent received a contractual agreement to perform the investigation.

Data Collection and Fact Gathering

December 22, 2025 – April 23, 2026

During this phase, Exponent investigators collaborated with PG&E personnel to gather the data and information needed **to** analyze the arc-flash event and determine the probable direct cause. This included site visits to the Mission Substation as well as identification and retention of electrical equipment and materials of interest. Additionally, this phase included retention of perishable data sources such as relay oscillography, security camera footage, and post incident monitoring of interior building temperature and relative humidity. Lastly, PG&E, the Incident Breaker No. 52 manufacturer (Eaton Corporation), and the switchgear manufacturer (Powercon Corporation) supported Exponent's requests for relevant design, maintenance, and communication records.

[8] Direct Cause Evaluation (DCE) uses the scientific method to systematically evaluate the evidence to determine the most likely action, flaw, force, or process that is the immediate cause of an event and, if eliminated or modified, would have prevented the undesired outcome.

Data Analysis and Evidence Examination

December 29, 2025 – April 24, 2026

During this phase, Exponent analyzed the data collected to develop and rule out potential failure mechanisms. This included an examination and evaluation of collected materials, an evaluation of the building's performance in managing moisture, and a review of the operational and maintenance history of Incident Breaker No. 52 and Incident Cubicle.

Determination of Probable Direct Cause

March 2, 2026 – April 24, 2026

During this phase, Exponent investigators evaluated and weighed the information collected to determine the most probable direct cause of the incident. These findings are subsequently reviewed internally as part of the Exponent's quality assurance process and subsequently validated by PG&E.

Documentation and Acceptance of Findings

March 3, 2026 – May 5, 2026

During this phase, Exponent documented the information and analyses performed to determine and support the most probable direct cause in a technical report. This final work product is provided to PG&E.

2.2 Investigation Timeline

- **December 20, 2025:** SF X (Mission) Outage Event
- **December 22, 2025:** PG&E – Exponent incident investigation kickoff; data collection activities initiated
- **December 23, 2025 – January 17, 2026:** Initial site inspections and evidence preservation
- **December 24, 2025:** System Protection/Relay data secured
- **December 29-30, 2025:** Substation swab and wipe sampling initiated; temporary building environmental condition monitoring sensors (temperature, humidity) installed. Cell No. 5 extracted from Bus Section D.

- **January 2, 2026:** Building envelope and ventilation system inspection during an active weather event.
- **January 9, 2026:** Reviewed PG&E Computerized Maintenance Management Systems (CMMS) (i.e., SAP and APM) for Incident Breaker No. 52
- **January 16, 2026:** First Non-Destructive Evidence Examination at PG&E's Applied Technology Services (ATS) facility in San Ramon, California; PG&E System Protection Analysis (Rev 1) published
- **January 23, 2026:** Reviewed PG&E's System Protection Event Analysis
- **January 27, 2026 – February 21, 2026:** Additional Non-destructive/Minimally Intrusive Multi-party Evidence Examinations (including Light Detection and Ranging (LiDAR) scanning, X-Ray, Computed Tomography (CT) scanning)
- **February 23, 2026:** Multi-party Destructive Evidence Examination at PG&E ATS
- **March 2, 2026:** Multi-party Non-Destructive Evidence Examination at PG&E ATS
- **April 15, 2026:** Non-destructive evidence examination (photograph) of other Bus Section D barrier insulation boards at PG&E ATS
- **April 23, 2026:** Multi-party Destructive Evidence Examination of select barrier insulation boards at Exponent Laboratory in Menlo Park, California
- **May 5, 2026:** Direct cause evaluation technical report issued

3 General Mission Substation Description

The San Francisco X (Mission) Substation is a key element in supplying power to the City of San Francisco. Mission is an indoor substation housed in a three-story enclosed structure located at 8th Street and Mission Street in San Francisco (Figure 1). The substation serves customers in downtown San Francisco, as well as the Sunset, Richmond, Western Addition, Chinatown, and North Beach neighborhoods. Mission Substation was built in the late 1940s with a small extension in 1956 and a seismic strengthening project in 2003. After substation fire events in 2003 and 2005, the building was renovated and the high-voltage electrical equipment was replaced and rebuilt over a period of time from 2008 to 2015.[9]

The Mission Substation is connected to the 115 kV system through the following sources:[10]

- X-Y #1, 115 kV cable (Mission to Larkin)
- P-X #1, 115 kV cable (Mission to Hunter's Point)
- P-X #2, 115 kV cable (Mission to Hunter's Point)
- A-X #1, 115 kV cable (Mission to Potrero)

There are five 115/12 kV transformers that feed the 12 kV switchgear (including Bus Section D by Transformer Banks 1 and 2; Bus Section E by Transformer Bank 4; and Bus Section F by Transformer Banks 5 and 6).[11,12] The 12 kV switchgear is shown in Figure 2. The 12 kV bus section provides service to distribution radial feeders, network feeders, and tie cables.

[9] Pacific Gas and Electric, Mission Substation Rebuild, February 23, 2015, filename: Mission Rebuild old 2015.ppt.

[10] PG&E Drawing No. 4050040 Rev 7, Single Line Diagram, San Francisco X (Mission) Substation, dated December 16, 2022.[11] Ibid.

[11] Ibid.

[12] There is no Transformer Bank 3 currently at Mission Substation.

Figure 1. Mission Substation.

Figure 2. 12 kV Switchgear at Mission Substation.

4 Background

4.1 Existing Electrical Conditions Prior to the Event

For the event that is the subject of this report, the key elements are Transformer Banks 1 and 2, Station Service Bank 2, and Bus Section D (where the event originated). The configuration of the station prior to the event is shown in Figure 3. This figure shows the 115 kV bus (top of Figure 3) and 12 kV bus section D (bottom of Figure 3). 12 kV bus sections E and F were minimally involved in the initiating event and are not shown here but can be found in the PG&E Single Line Diagram.[13] At this time prior to the event, the station status was:[14]

- All four 115 kV sources into Mission were energized.
- All five 115/12 kV transformers were energized.
- 12 kV Bus 1 Section D was energized by Transformer Bank 1 and had tie cables NX-1 through NX-4. The tie breaker (1150/12) between 12 kV Bus 1 Sections D and E was in the closed position.
- 12 kV Bus 2 Section D was energized by Transformer Bank 2 and had tie-cables KX-1 through KX-4, Network X3 (circuits X-1105, X-1106, X-1112, X-1114, X-1115, X-1121), Station Service Bank 2, and 12/4 kV Transformer Bank 9. The tie-breaker (1150/22) between 12 kV Bus 2 Sections D and E was open.
- 12 kV Bus 1 Section E was energized by Transformer Bank 1 through closed tie-breaker CB-1150/12. Bus 2 Section E was energized by Transformer Bank 4. Buses 1 and 2 in Section F were energized by Transformer Banks 5 and 6.

[13] PG&E Drawing No. 4050040 Rev 7, Single Line Diagram, San Francisco X (Mission) Substation, dated December 16, 2022.

[14] Mission Outage Protection Timeline 12-20-2025 REV2.pdf.

There were additional pre-existing conditions that existed at the time of the outage including:

- Incident Breaker No. 52, which was located in Cell No. 5, cubicle X-1112/12 at the time of the event, was placed into service on November 16, 2025, from the spare breaker inventory. Circuit Breaker No. 56, which had been in Cell No. 5, cubicle X-1112/12 previously, was removed from service on November 2, 2025. Suspected water damage was reported after removal from service.[15]
- Incident Breaker No. 52 was in the open position at the time of the arc-flash event and energized on both the 12 kV Bus 1 Section D and X-1112 feeder sides (the lower cubicle breaker in the same cell, Circuit Breaker No. 94, was in the closed position).[16]
- The four NX tie cables and the four KX tie cables are all located within the same bus section (Section D).[17]
- Heaters in Cell No. 5 cubicles were not configured to turn on at the time of the event (by design) due to the 1112/22 breaker being closed.[18,19]
- 115/12 kV Banks 1 and 2 were loaded within a typical range.[20]

[15] LC notification no. 132018244, Water Damage CB 1112/12, created November 14, 2025, completed November 16, 2025.

[16] Mission Outage Protection Timeline 12-20-2025 REV2.pdf.

[17] PG&E Drawing No. 4050040 Rev 7, Single Line Diagram, San Francisco X (Mission) Substation, dated December 16, 2022.

[18] PG&E Drawing No. 4050371, Rev. 1, "12 kV Switchgear (Cells 1-14T), Bus Section 'D' – Auxiliary Equipment."

[19] Interviews with PG&E personnel and review of the PG&E As-Built Drawing No. 4050371, Rev. 1

[20] EDPI, Bank 1 and 2 Average Amps on December 20, 2025, at 1304 hours, 1188A and 1137A at 12 kV, respectively.

Figure 3. Configuration Prior to Event.[21] (Note: “green” is an open breaker and “red” is a closed breaker.)

4.2 Event Description

At 1304 hours on Saturday, December 20, 2025, an arc-flash occurred at the Mission Substation in the 12 kV switchgear Cell No. 5 circuit breaker location X-1112/12 (top cubicle location in the cell). This circuit breaker, Circuit Breaker No. 52 (“Incident Breaker No. 52”), was in the open position but was energized from 12 kV Bus 1 Section D and from the feeder side that was energized by Bus 2 Section D. Also, the breaker in the lower cubicle at Cell No. 5 (Cubicle X-1112/22) was in the closed position at the time of the arc-flash event. Therefore, although Circuit Breaker No. 52 was in the open position, the feeder side of its contacts remained energized. A camera inside the substation captured the event, which shows a flash, the upper cubicle door opening first, and continued arcing or fire.[22] A photograph taken from the video is shown in Figure 4. The event resulted in a fire within the cell, which also burned and damaged

[21] Mission Outage Protection Timeline 12-20-2025 REV2.pdf.

[22] CB 52 Explosion.mp4.

control wiring above the cell. A photograph of the damaged Incident Breaker No. 52 is shown in Figure 5. The damaged Incident Breaker No. 52 was manufactured by Eaton Cutler Hammer (Model No. 150VCPW50C), and the switchgear was designed and built by PowerCon Corporation.

Figure 4. Ignition following arc-flash event in Cell No. 5 (red arrow).

Figure 5. Damaged Circuit Breaker from Cell No. 5 (Incident Breaker No. 52).[23]

[23] PG&E Post-Incident Site Inspection, December 21, 2025, filename: IMG_0307.JPG.

4.3 Protection Response

Prior to the event, CB X-1112/12 (Incident Breaker No. 52)[24] was open and energized from the 12 kV bus section D. The fault began as a phase B-C fault approximately half a cycle before the involvement of ground and one and a half cycles before the involvement of all three phases and ground. Overlapping zones of protection operating indicated that the fault was located at CB X-1112/12. The initial fault was cleared within 60 milliseconds as designed.[25]

After the initial fault and arc-flash occurred, the protection systems operated to isolate the fault on CB X-1112/12. The protection systems tripped seven circuit breakers:[26]

- CB X-1112/22[27]
- CB BK-1/12[28]
- CB 1150/12[29]
- CBs NX-1/12, NX-2/12, NX-3/12, and NX-4/12[30]

Figure 6 shows these protection actions in the "immediate protection actions."[31] These protection actions occurred as intended. This initial action resulted in the loss of 12 kV Bus 1 Section D and resulted in about 14,000 sustained customer outages and about 17,000 momentary outages (from opening of tie-breaker CB-1150/12 and closing of Bank 4 CB BK-4/12 to re-energize 12 kV Bus 1 Section E seven seconds later, as intended).[32] Captured data of the initial event by the system protection shows that the initial contact between phase B and phase C on the feeder side

[24] At the time of the incident, CB X-1112/12 contained Circuit Breaker No. 52 ("Incident Breaker No. 52").

[25] Mission Outage Protection Timeline 12-20-2025 REV2.pdf.

[26] Ibid.

[27] At the time of the incident, CB X-1112/22 contained Circuit Breaker No. 94, per the post-incident equipment audit performed by the PG&E Substation Operational Readiness Team on December 21, 2025.

[28] At the time of the incident, CB BK-1/12 contained Circuit Breaker No. 60, per the post-incident equipment audit performed by the PG&E Substation Operational Readiness Team on December 21, 2025.

[29] At the time of the incident, CB 1150/12 contained Circuit Breaker No. 90, per the post-incident equipment audit performed by the PG&E Substation Operational Readiness Team on December 21, 2025.

[30] At the time of the incident, CB NX-1/12 contained Circuit Breaker (CB) No. 54, NX-2/12 contained CB No. 58, NX-3/12 contained CB No. 64, and NX-4/12 contained CB No. 68, per the post-incident equipment audit performed by the PG&E Substation Operational Readiness Team on December 21, 2025.

[31] Mission Outage Protection Timeline 12-20-2025 REV2.pdf.

[32] Ibid.

occurred approximately half a cycle before the involvement of phase A and ground. The feeder-side voltage also dropped simultaneously. This information is displayed in Figure 7.

Subsequent events occurred after the initial arc-flash but were not related to the direct cause of the arc flash event.

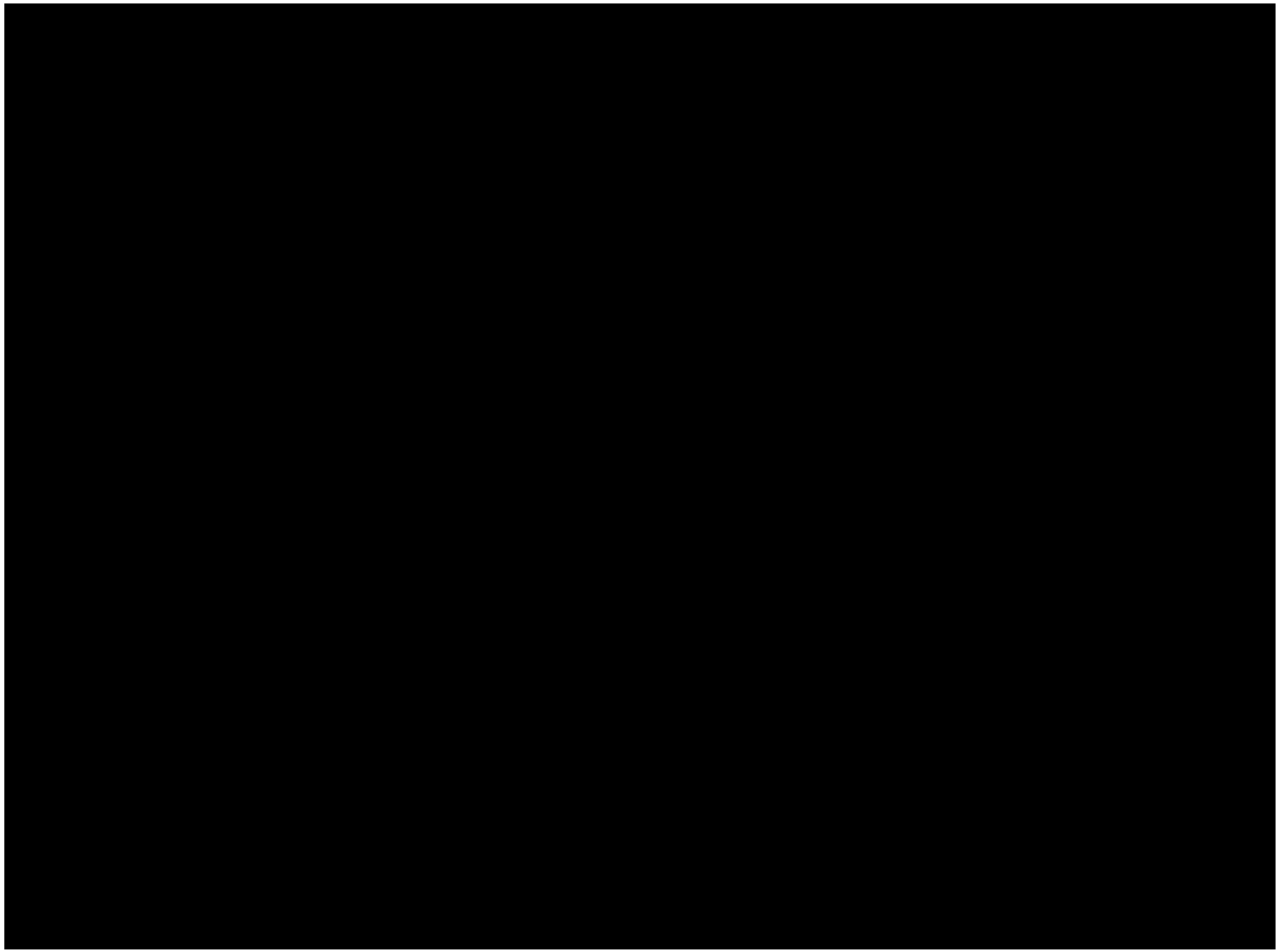

Figure 6. Initial Fault and Immediate Protection Response.

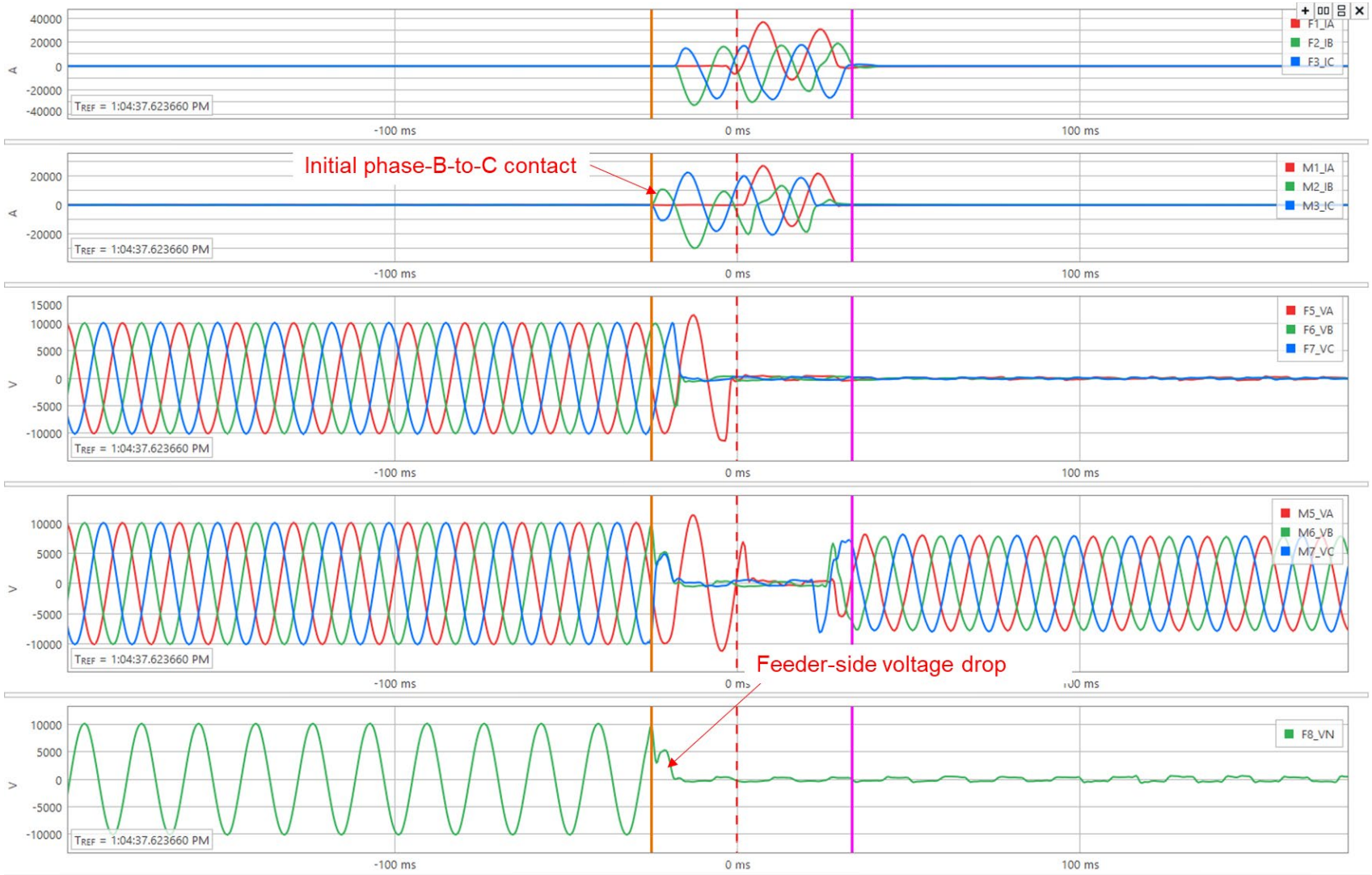

Figure 7. Captured protection data during the initial fault.

4.4 Building and Environmental Condition

Built in the late 1940s to house high-voltage electrical equipment, this three-story electrical substation is a cast-in-place reinforced concrete slab-and-beam structure with steel columns cast in concrete.[33] The building rises 61 feet above grade and includes a single subterranean level extending 13 to 16 feet below ground. A northwest corner addition was completed in 1958, and the building's exterior was redesigned in 2013.

The roof assembly consists of a built-up system with a gravel surface, contained by a three-foot-high parapet. The parapet is capped and waterproofed with a granulated sheet membrane, which is sealed along the top with mastic. The roof slopes toward a grid of interior drains aligned with the structural columns. Several prominent features are above and at the main roof plane: a stairway penthouse at the west end, a 32-by-20-foot elevator shaft enclosure to the north, and two large 8-by-30-foot air intake openings along the northeast and southeast elevations, which have associated ventilation shafts that extend vertically downward through the building all the way to the basement. These two ventilation shafts (topped by unprotected openings at the roof plane) and two additional air intake pits on the ground level of the northwest and southwest elevations allow precipitation to enter the building and collect in the basement during and after rain events, like the one that preceded the arc-flash event (see Figure 8). Based on the inspection of the building, there does not appear to be an interior drain system that would drain water out of these basement locations. Following the December 31 through January 6 rain event, Exponent observed ponded water for several days on the basement floor directly below each of the vertical ventilation shaft roof openings. Evaporation of this ponded water would serve to increase the existing relative humidity inside the basement even after the rain event has ended. Exponent did not observe any evidence of liquid water entering the first floor where the switchgear is located, although our inspection was limited due to access constraints, and it was not possible to observe the ceiling directly above the Incident Cubicle at that time.[34]

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[33] Pacific Gas and Electric, Mission Substation Rebuild, February 23, 2015, filename: Mission Rebuild old 2015.ppt.

[34] During the time Exponent was documenting the existing conditions at Mission Substation, for safety reasons, Exponent was unable to thoroughly document the existing condition of the ceiling above the 12 kV bus section D, Cell No. 5.

Based on Exponent's site observations and review of mechanical drawings for the building, the building is intended to be mechanically ventilated with unconditioned outside air via a variety of supply fans located in the basement and exhaust fans located in a rooftop penthouse. The northwest side of the building (containing high-voltage switchgear) and the southeast side of the building (containing the transformers) have separate mechanical ventilation systems. Review of the ventilation diagram indicates that the design intent was for four supply fans in the basement to draw in ventilation air for the incident switchgear room through a below-grade opening (air intake pit) and a filter bank, then route it upward through floor openings into the switchgear room (see Figure 9). Exponent's investigation found that the four supply fans were non-operational and air was being drawn through them, presumably by the rooftop exhaust fans.

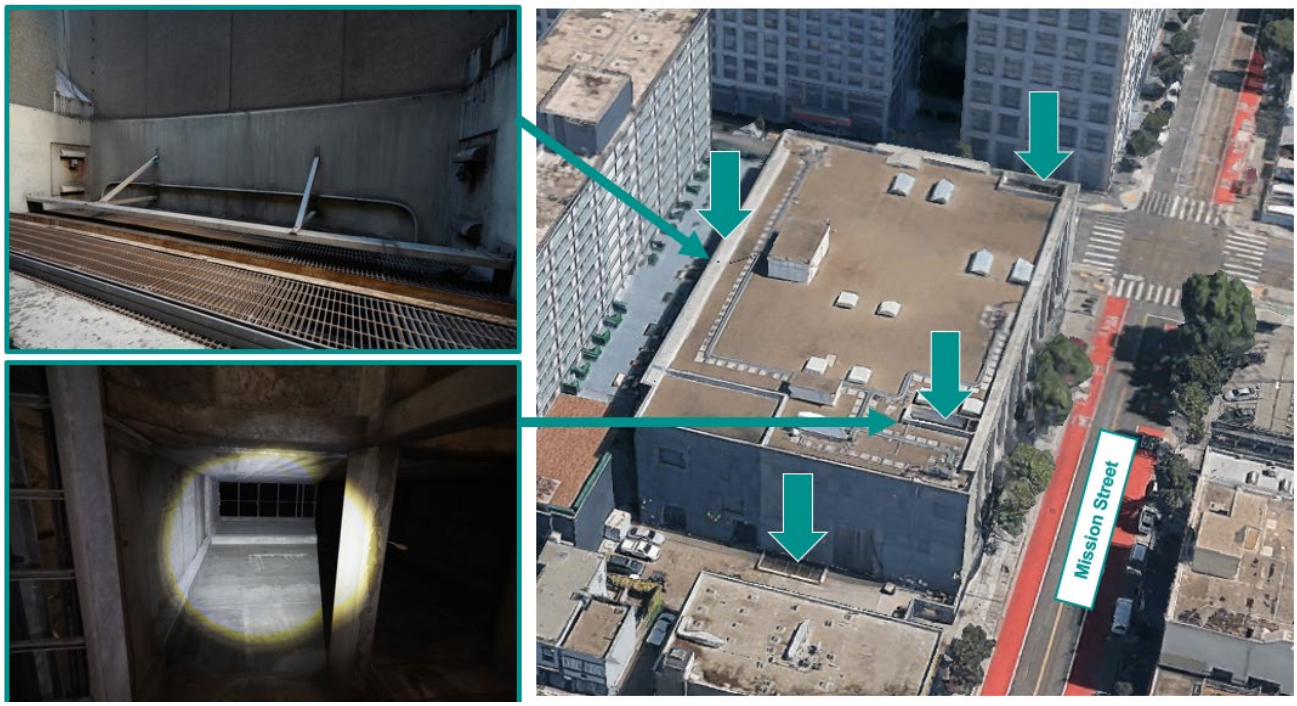

Figure 8. North is to the left of the aerial image. Indicated by vertical arrows are four exterior intake locations; two large openings at the roof and two below grade locations (one along the north elevation and one at the west elevation).

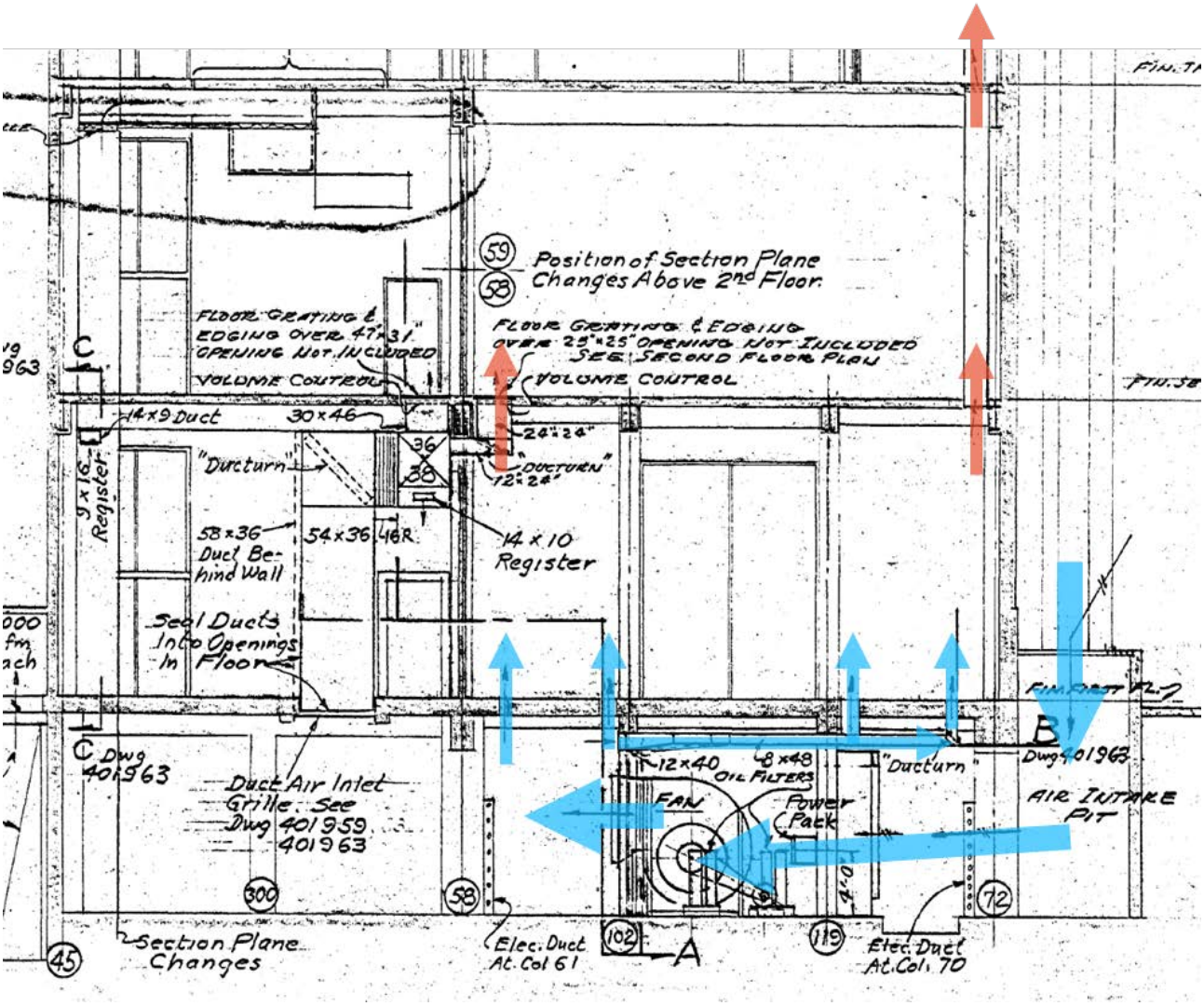

Figure 9. Diagram of intended outside air flow path for the ventilation of the switchgear room.[35]

Because the ventilation air is unconditioned, there is no control over the temperature or moisture content of the ventilation air, and it will have similar properties (temperature, humidity, dew point, etc.) to the outside air. The lack of heating, cooling, and humidity control exposes the building interior to the variability of the outdoor climate, including high relative humidity, large/uncontrolled temperature swings, and potentially condensation under certain conditions. For example, it is known[36] that condensation can occur on building surfaces and electrical equipment in the event of a

[35] From Cross Section E-E on PG&E Drawing 401964, Change 3, dated 10-23-87 (file "00367241.pdf"). Colored arrows were added on top of existing arrow on the drawing for clarity.

[36] IEEE Std C37.100.1-2018, IEEE Standard for Common Requirements for High-Voltage Power Switchgear Rated Above 1000V.

weather pattern with a long period of cold/dry weather (during which the high thermal inertia equipment and concrete cool) followed by a warmer, rainy period in which high dew point air enters the building before the building components can warm to a temperature above the dew point.

As shown in Figure 10, this is exactly the weather pattern that preceded the arc-flash event: two weeks of cool temperatures (averaging around 50°F) from December 1 through December 15, followed by a storm front that brought in higher temperatures (close to 60°F) and rain starting on December 17. The high dew points associated with that warmer rain event (close to 60°F) may have resulted in condensation on cool, unheated surfaces within the building that had come into thermal equilibrium with the approximate 50°F temperatures of the prior two weeks and were below the dew point of the ventilation air. Such cool surfaces could include electrical equipment that is either de-energized and/or not supplied with supplemental heat (as was the case for the Incident Cubicle). Weather data collected from the official National Weather Service San Francisco Airport Weather Station (NWS Code: KSFO), located approximately 13 miles from Mission Substation, indicate that the conditions at the time of the arc-flash event were around 57°F and 94% humidity, which corresponds to a dew point of 55°F.[37] A dew point of 55°F means that condensation will occur on any surface that is below 55°F. It should be noted that weather data from a personal weather station (PWS Code: KCASANFR1753[38]) located less than one mile from Mission Substation indicates the conditions at the time of the event were around 59.9°F and 99% humidity, with a dew point of 59.5°F.[39]

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[37] National Weather Service. (2025, December 20–21). *Time series observations for KSFO (San Francisco International Airport)*. National Oceanic and Atmospheric Administration. Retrieved March 25, 2026, from https://www.weather.gov/wrh/timeseries?site=KSFO&hours=72&units=english&chart=on&headers=on&obs=tabular&hourly=false&pview=standard&font=12&history=yes&start=20251220&end=20251221&plot=

[38] This information is gathered from a personal weather station (PWS) via wunderground.com. It is not officially certified or maintained by the National Weather Service or the NOAA. Accuracy cannot be verified.

[39] Weather Underground. (2025, December 20). *Personal weather station KCASANFR1753 daily observations*. Retrieved March 25, 2026, from https://www.wunderground.com/dashboard/pws/KCASANFR1753/table/2025-12-20/2025-12-20/daily

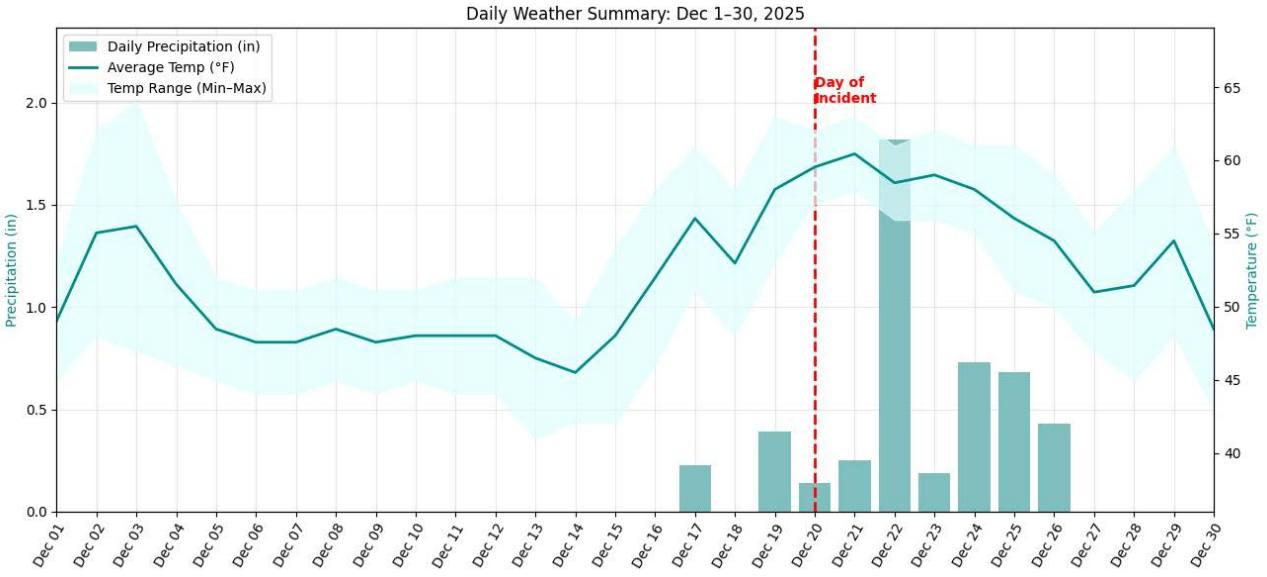

Figure 10. Daily Precipitation and Temperature data.[40]

It is also known that elevated humidity can also result from the evaporation of rainwater that enters and becomes trapped in subterranean locations (e.g., liquid water entering through cable conduits connected to the equipment.)[41] Given that the incident switchgear room receives ventilation air via the basement and Exponent observed ponded water in portions of the basement, it is possible that increased humidity in the basement due to the evaporation of ponded water further increased the humidity in the switchgear room, thus increasing the likelihood of condensation in the switchgear room.

Exponent's investigation also found that the filters for the ventilation system were in poor/degraded condition due to water saturation and were not providing filtration of the outside ventilation air for the incident switchgear room.[42] The resultant lack of filtration may have contributed to higher-than-normal accumulation of particulates on surfaces in the building.

[40] NOAA National Centers for Environmental Information (NCEI). (2024). *Global Historical Climatology Network – Daily (GHCN-D)*. [Dataset]. U.S. Station ID: USW00023272. Accessed via NCEI Climate Data Online web services.

[41] IEEE Std C37.100.1-2018, IEEE Standard for Common Requirements for High-Voltage Power Switchgear Rated Above 1000V.

[42] Exponent Site Visit, dated January 2, 2026.

5 Evidence Examination and Data Analysis

This section details the various evidence examination and data analysis activities relevant to the determination of the probable direct cause of the initiating arc flash event. The relevant activities related to determining the cause of the initiation are:

- Examination of physical evidence and analysis of the results
- Asset operational and maintenance history

5.1 Examination of Physical Evidence

This report section addresses the physical evidence collected and subsequently examined. Both non-destructive and destructive examination techniques were used to gain insight into the failure mechanism that occurred on December 20.

Key Physical Evidence Examined

- Incident Breaker No. 52 and associated damaged Incident Insulating Board
- Circuit Breaker No. 56
- Circuit Breaker No. 79 and associated barrier insulating board
- Circuit Breaker No. 94 and associated barrier insulating board
- Incident Cubicle
- Additional Insulating Boards from the 12 kV bus section D.

Examination Techniques

- Visual
- Digital photography
- X-Ray
- Computed Tomography (CT)
- Light Detection and Ranging (LiDAR)
- Scanning Electron Microscopy (SEM)
- Energy-Dispersive Spectroscopy (EDS)
- Cross sectioning and optical microscopy

Physical Evidence Collected

During Exponent's visits to Mission Substation between December 23, 2025, and March 2, 2026, evidence was collected and inspected by PG&E and Exponent. PG&E Law Claims collected hardware from within the Mission Substation, tagged it, and ultimately transferred it to its ATS facility for inspection.

Exponent inspected the evidence at the PG&E ATS facility, including the Incident Breaker No. 52 and Cell No. 5, which contains two cubicles, including the upper 1112/12 breaker cubicle (the Incident Cubicle). Additional evidence included the circuit breaker from the lower cubicle of Cell No. 5 (Circuit Breaker No. 94) and a breaker that had been removed from the top of Cell No. 5 approximately one month before the arc-flash event (Circuit Breaker No. 56). Other collected items included the circuit breaker in Cell No. 19 associated with the station service transformer (Circuit Breaker No. 79), barrier insulating board from the bottom of Cell No. 19, collected bus work, damaged control cables, protective relays, and one of the heaters from Cell No. 5. Additionally, Exponent received barrier insulating boards from selected breaker cells at the 12 kV bus section D of the Mission Substation ("Additional Insulating Boards"). All Additional Insulating Boards were visually inspected, and a selected number of them were destructively examined in laboratory conditions. Photographs of some of the items inspected by Exponent are shown in Figure 11.

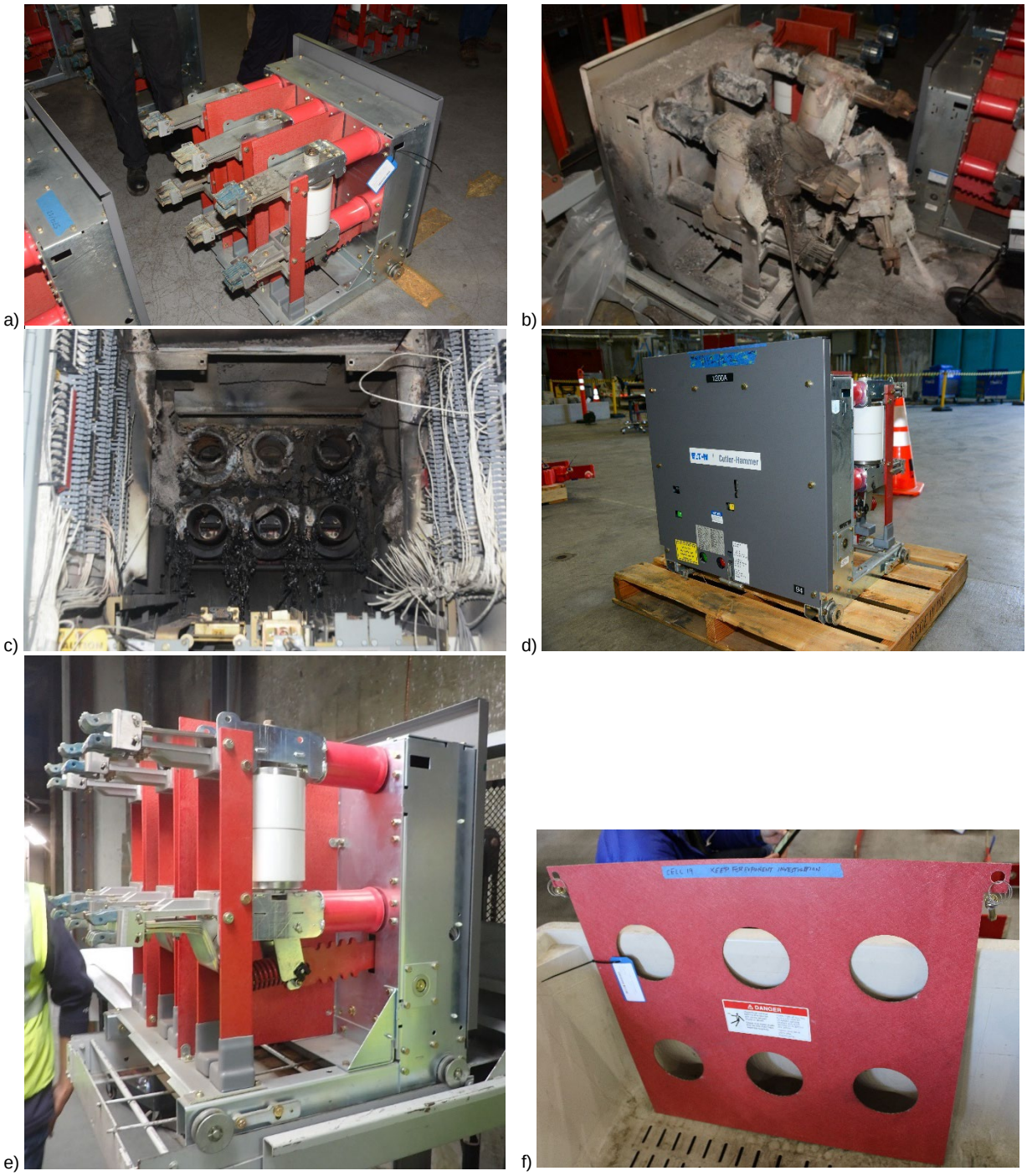

Figure 11. Examples of evidence collected by PG&E: a) Circuit Breaker No. 56 - Replaced from Top of Cell No. 5 prior to Incident; b) Circuit Breaker No. 52 from Top of Cell No. 5 (Incident Breaker No. 52); c) Cell No. 5 top cubicle (Incident Cubicle); d) Circuit Breaker No. 94 from the lower cubicle of Cell No. 5; e) Circuit Breaker No. 79 from Bottom of Cell No. 19; and f) Barrier insulating board from Bottom of Cell No. 19.

Evidence Observations

Exponent conducted evidence inspections on December 23, 26, 27, and 29 at the Mission Substation. The collected evidence was then transferred by PG&E to its Advanced Technology Services (ATS) facility in San Ramon, where Exponent performed additional examinations. Non-destructive, minimally destructive, and destructive techniques were used to clean debris and inspect the incident hardware. Exponent further received Additional Insulating Boards from selected breaker cells at the 12 kV bus section D of the Mission Substation and performed destructive laboratory examinations on selected boards.

As part of the evidence inspection at ATS, the front portion of Cell No. 5 that contains the Incident Cubicle was separated to get better access to the back of the cell, and the electrical-insulating surfaces were separated for closer inspection. Incident Breaker No. 52 and debris from that cabinet were packaged and transported to Waygate Technologies[43] for CT scanning. The process was thoroughly documented for future reference. The CT scan of Incident Breaker No. 52 did not show metal erosion or melting at the breaker's open contacts inside the vacuum bottles (Figure 12).

The CT scan of Incident Breaker No. 52 also showed evidence of metal erosion on the breaker arms, suggesting contact with the Incident Insulating Board. However, the location of the metal erosion appeared slightly lower than what was observed on Circuit Breaker No. 56. This difference in contact location may be attributed to variations in the position of the Incident Insulating Board within the cubicle or to movement of the board resulting from contact with the breaker arms.

[43] Waygate Technologies USA LP, Customer Solutions Center, 11988 Tramway Drive, Cincinnati, Ohio 45039.

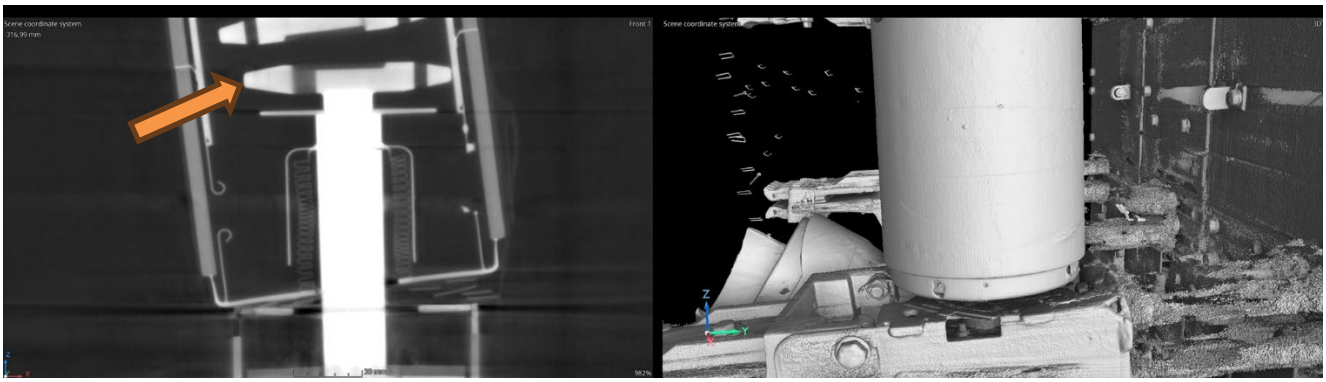

Figure 12. CT Scan imaging of the Incident Breaker No. 52's Vacuum bottle showing the condition of the breaker contacts (orange arrow).

Incident Breaker No. 52 suffered significant thermal damage. On the front face, there is smoke deposition just above the midplane of the breaker. Discoloration and clean burn patterns can be observed on the top third of the front face (see Figure 13).

Figure 13. Discoloration and clean burn patterns on the top third of the front face on Incident Breaker No. 52 (red arrow).

The vacuum bottle on the B-phase was entirely detached from the insulators. The ceramic exterior of the B-phase vacuum bottle was damaged with a large crack on the bottom half that separated part of the exterior. A crack was also visible on the top half of the B-phase vacuum bottle that separated part of the ceramic exterior. The contacts were visible on this cracked vacuum bottle and did not appear damaged by arcing. The A and C phase vacuum bottles were detached at the top insulator but appeared loosely connected at the bottom. The C-phase vacuum bottle had a crack on the lower half of the ceramic exterior. The A, B, and C phase vacuum bottles had clear damage patterns on the front-facing side of the ceramic exterior (see Figure 14).

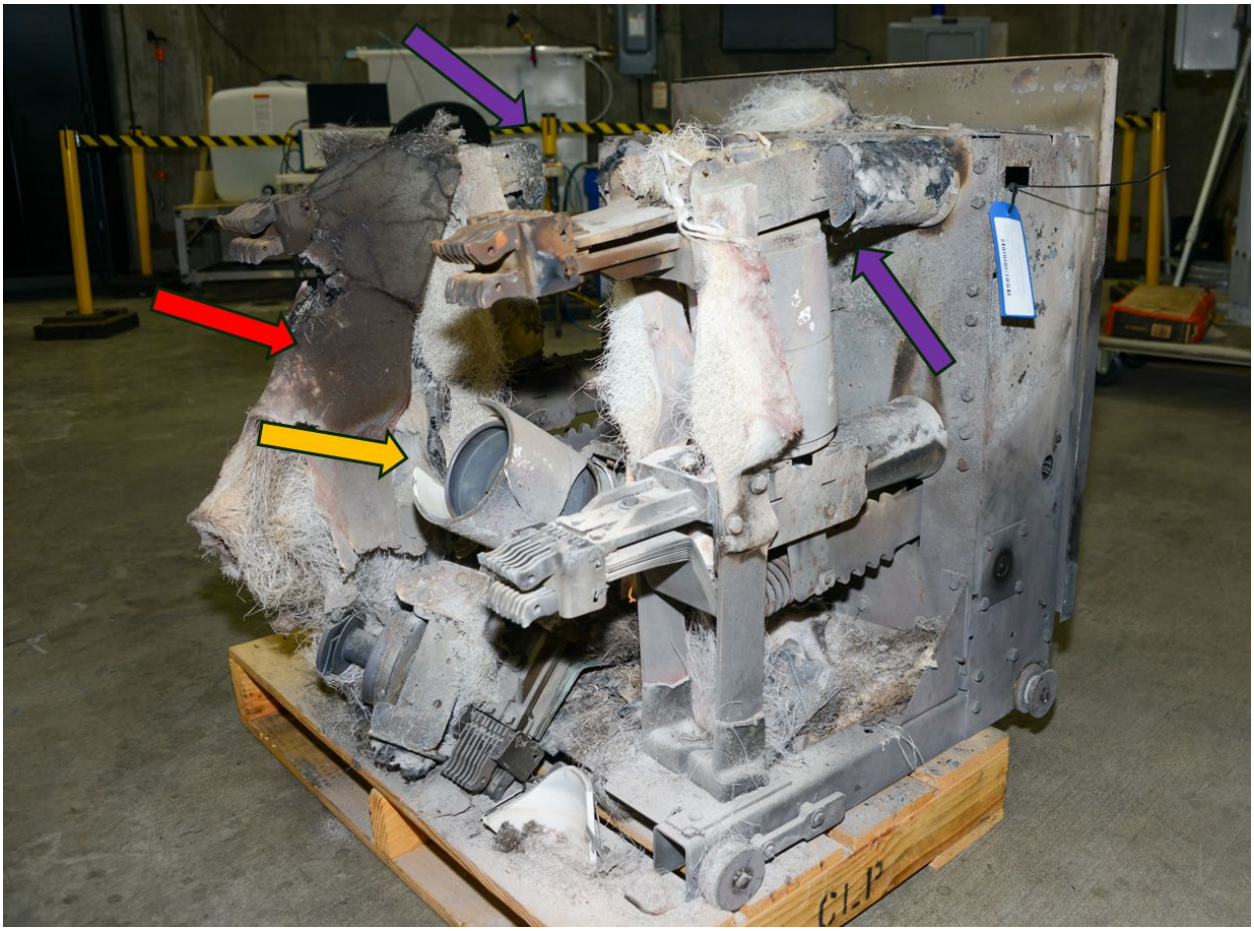

Figure 14. Incident Breaker No. 52 showing detached insulators (purple arrows), damage to the B-phase vacuum bottle (yellow arrow), and burned Incident Insulating Board (red arrow).

The electrical insulators for electrically isolating the vacuum bottles were thermally damaged, suffering mass loss with fibrous material remaining in places. The thinner vertical boards between phases were almost entirely consumed. The vertical bars, two connected per phase, were

significantly damaged on the top half of the A and C phase sides, while the B-phase bars were consumed by fire. Rubber insulators at the bottom had minor melt damage on the front and upward-facing side (Figure 15). Melted aluminum was found in various locations throughout the breaker.

Figure 15. Thermally damaged electrical insulators for electrically isolating the vacuum bottles (orange arrows), damaged vertical insulating bars at each phase (red arrow), and rubber insulators at the bottom (blue arrow).

Figure 16. A-phase vacuum bottle detached from the top insulator. Evidence of arcing to the bottom metallic cap and connecting arm (green arrows). Clean burn pattern on the front-facing side (red arrow).

Significant metal erosion and melting were observed at all three phases of the breaker arms and at the outer ends of the vacuum bottles (Figure 16), while the front grounded plates exhibited substantially less damage. The steel connecting arms were damaged above and below the vacuum bottles, showing melting damage and mass loss. The top B-phase connecting arm showed the most significant melting damage and mass loss. Damages to the connecting bolts, washers, and surrounding area on the top were particularly severe on all three phases, with washers missing and bolt heads melted. The A, B, and C phase vacuum bottles also had mass loss and melting spots on the bottom metallic cap and corresponding evidence of arcing on the bottom connector arms nearby. Melting and mass loss were also observed on the back side of the top B-phase metallic cap. There was no evidence of beading on the steel teeth that connect to the bus work on any phase.

Figure 17. Detached top B-phase connecting arm showing evidence of arcing on the arm and metallic cap of the vacuum bottle (red arrows). No evidence of arcing on connecting teeth or vacuum bottle contacts (blue arrows).

Circuit Breaker No. 56 had been installed in the Incident Cubicle until approximately one month before the event. It was removed on November 2, 2025, and upon inspection, it showed metal erosion and discoloration on the connecting arms above and below the vacuum bottles. The bottom of the phase B and C connecting arms showed evidence of metal loss and discoloration, consistent with copper corrosion. The top of phases A, B, and C connecting arms each had discoloration and metal loss spots on the underside near the vacuum bottles. Circuit Breaker No. 56 was subsequently replaced by Incident Breaker No. 52 in November 2025 (see Figure 18). Circuit Breaker No. 56 was taken out of service after the observed damages and reported as “water damage” (see section 5.2.1 of this report for more details). However, Exponent’s evidence examination after the arc-flash event indicated that the damage and metal loss at the breaker arms were likely due to arcing at the contact points with the Incident Insulating Board and not water intrusion.

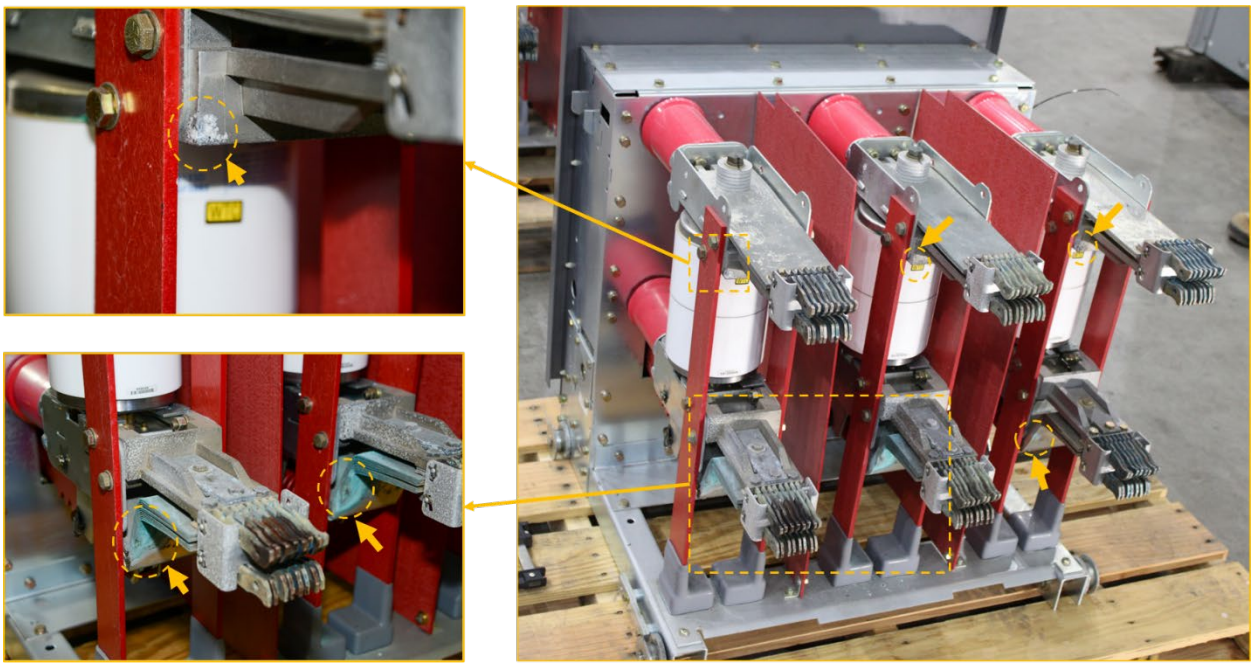

Figure 18. Metal erosion and damage at the top and lower breaker arms of Circuit Breaker No. 56 (previously racked in the Incident Cubicle).

Furthermore, placing the barrier insulating board recovered from cubicle X-1112/22 (Cell No. 5, bottom cubicle) against the circuit breaker that had previously been racked in the Incident Cubicle (Circuit Breaker No. 56) shows that the sides of the through-holes align with points of contact on the breaker arms where metal erosion and damage are observed (see Figure 19). This indicates the likelihood of contact between the edge of the through holes and the breaker arms between the

Incident Insulating Board and the Incident Breaker No. 52. Contact between the edge of the through-holes and the breaker arms is further supported by similar damage patterns on other barrier insulating boards recovered from the switchgear (see Figure 20).

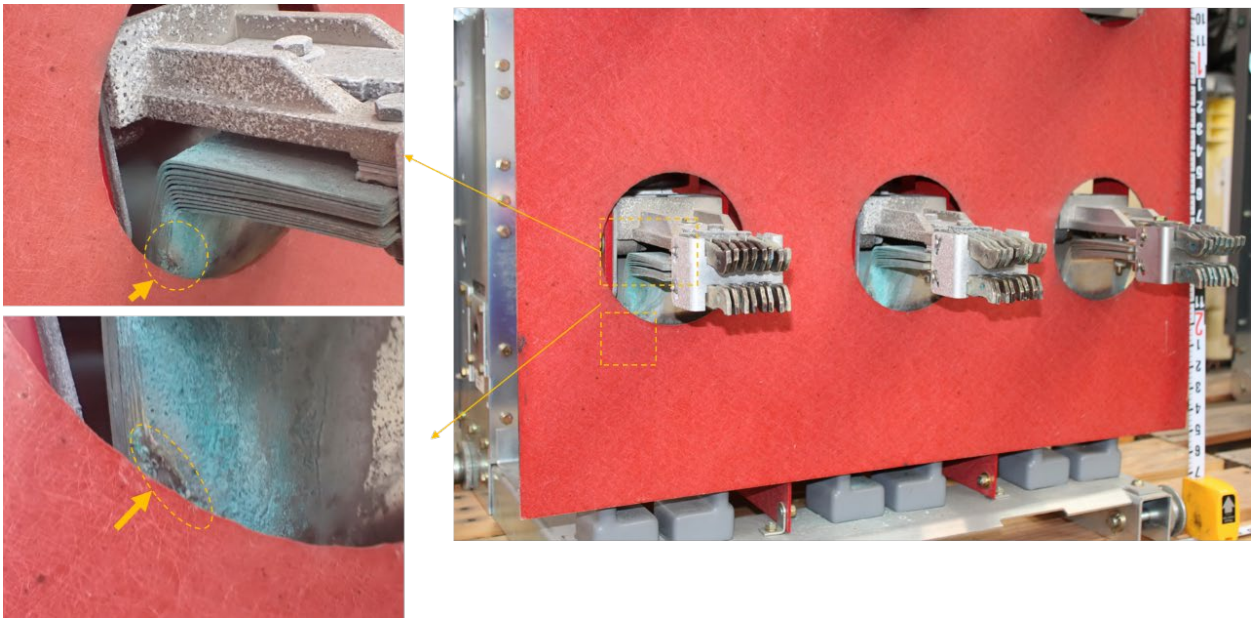

Figure 19. Sides of the through-holes align with points of contact on the breaker arms where metal erosion and damage observed on the arms of Circuit Breaker No. 56.

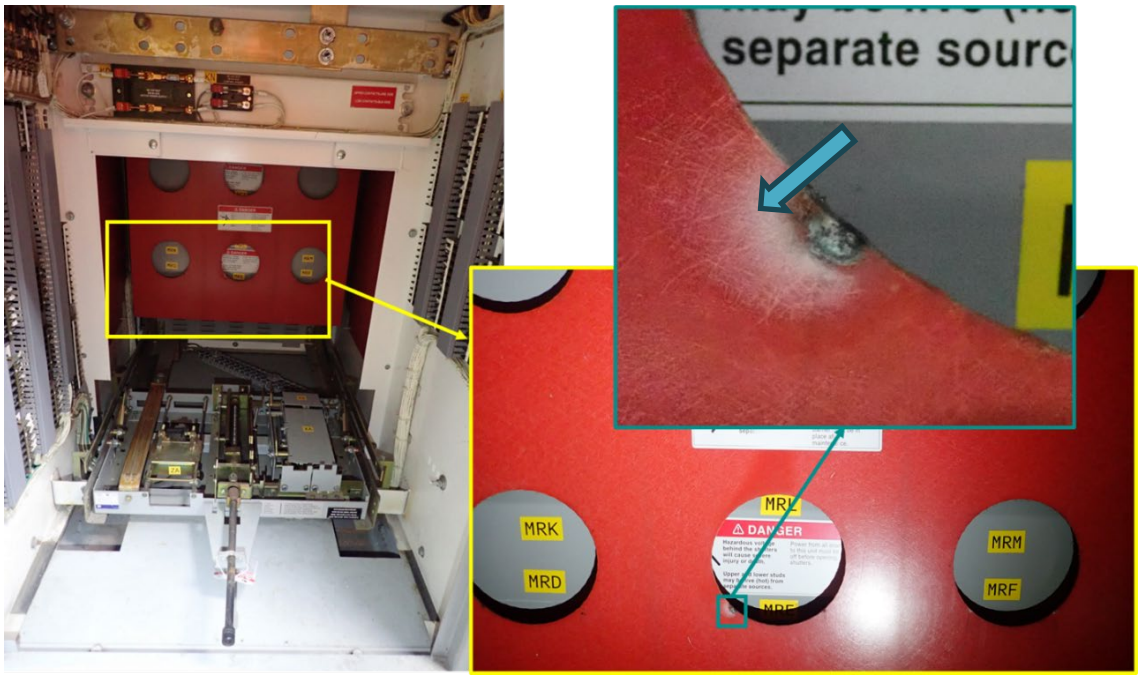

Figure 20. Evidence of contact between the barrier insulating board and circuit breaker arm at another cubicle (NX-2/22, Cell No. 6) (blue arrow)

Additionally, barrier insulating boards retrieved from other breaker cells within the 12 kV bus section D switchgear at the Mission Substation exhibit similar damage patterns, indicating contact between the edges of the through-holes and the breaker arms. The similarity in contact locations and damage patterns across multiple cells further supports that the breaker arms contacted the edges of the through-holes (Figure 21).

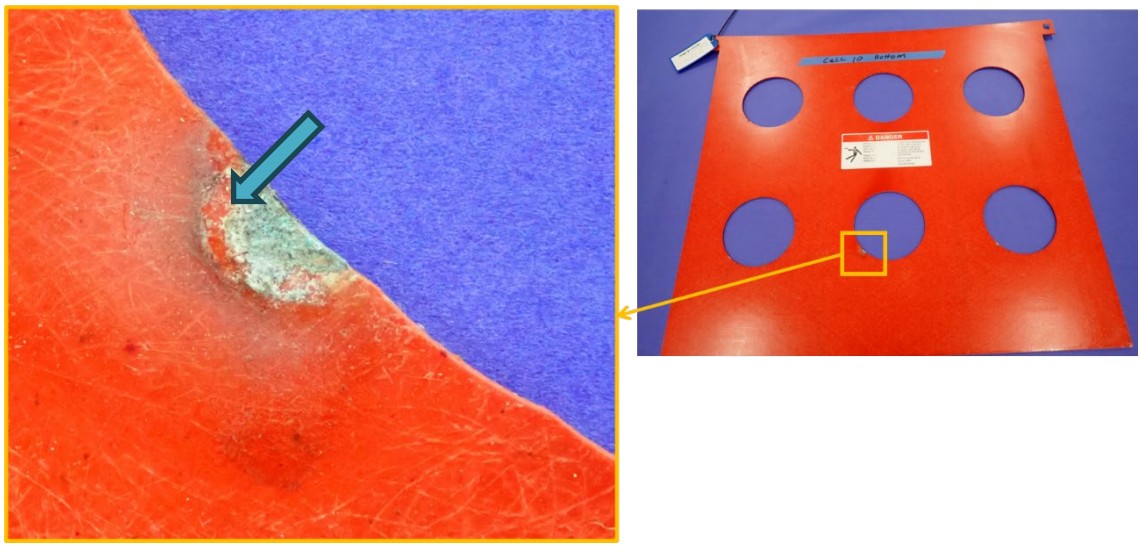

Figure 21. Barrier insulating board from Cell No. 9, bottom cubicle (blue arrow).

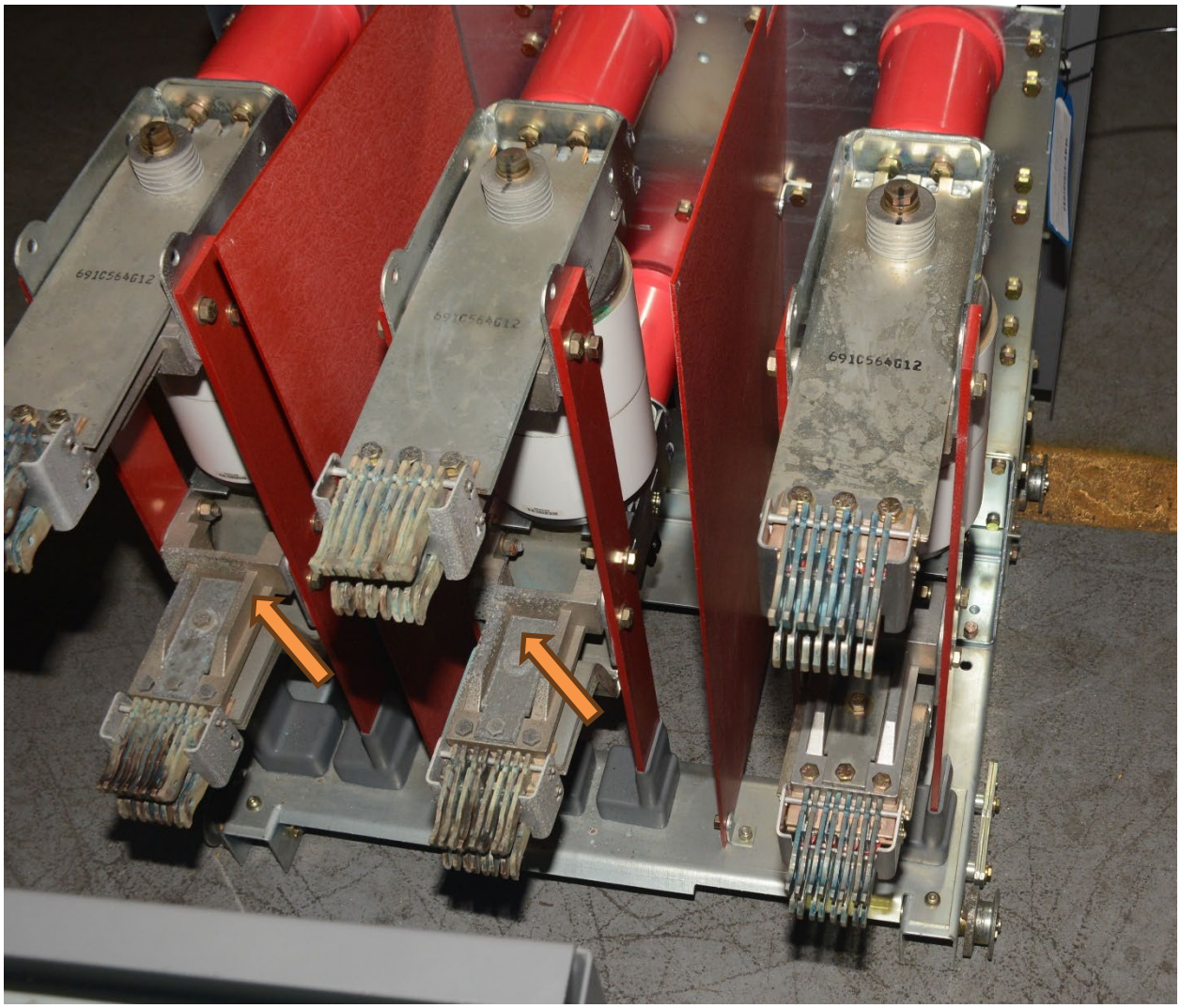

Figure 22. Metal damage and discoloration on lower connecting arms Circuit Breaker No. 94 (orange arrows).

Circuit Breaker No. 94 (Figure 22) was racked in below Incident Breaker No. 52 at the time of the arc-flash event (X-1112/22 cubicle). No significant metal erosion or damage was observed at this breaker. Black marks were observed on the bottom through-holes of the barrier insulating board behind Circuit Breaker No. 94.

Cell No. 5 housed Incident Breaker No. 52 in the top cubicle (X-1112/12 cubicle) and Circuit Breaker No. 94 in the bottom cubicle (X-1112/22 cubicle) at the time of the incident. Significant thermal damage occurred to the top cubicle of Cell No. 5. Damage generally increased from front to back (see Figure 23 and Figure 24).

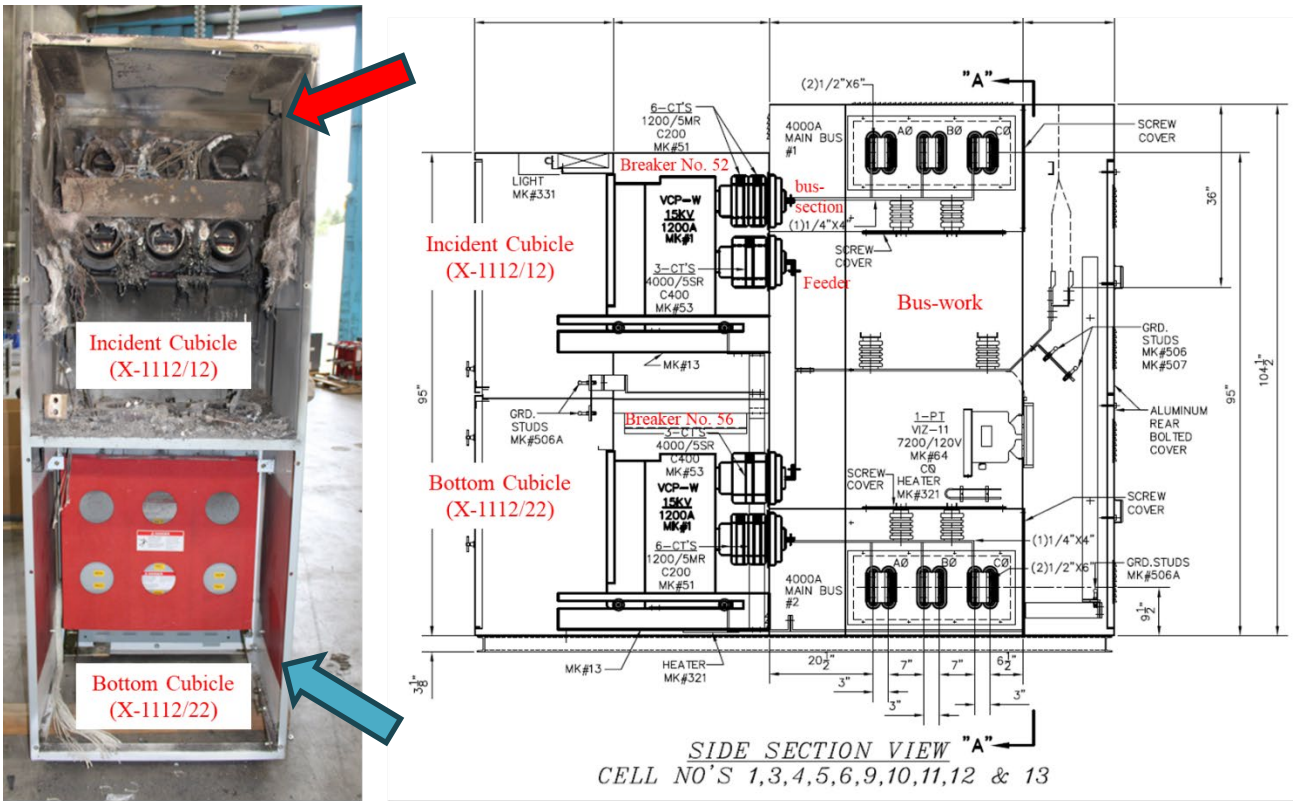

Figure 23. Cell No. 5 with the top cubicle that housed the Incident Breaker No. 52 (red arrow) and the relatively undamaged bottom cubicle (blue arrow).

Three Current Transformers (CTs) on the bus side A and B phases fell down during the incident and subsequent transportation as their housings melted during the incident and were found on the floor of the top cabinet at the time of the inspection. The internal wiring of these three CTs did not show visible evidence of copper erosion or melting. Housings of the CTs that did not fall down also partially melted and exposed internal windings. These exposed CT areas also did not show visible evidence of internal arcing. However, beading of copper wires was observed away from the CTs. Attempts to trace the wires were halted due to the fragility of the wires; however, the location of the beaded wires suggests that they are most likely CT wires.

Figure 24. Back, top, A-phase side of Cell No. 5 with most severe damage. No evidence of arcing on bus work connections (blue arrow).

Figure 25. Evidence of electrical arcing on CT wires (green arrows).

The bus work connections in the top of Cell No. 5 did not show metal erosion or evidence of arcing. There was light smoke and debris in the bottom compartment of Cell No. 5. Bus work and insertion taps in the back of Cell No. 5 also did not show evidence of arcing. This was further confirmed by X-ray imaging and destructive examination of the Incident Cubicle.

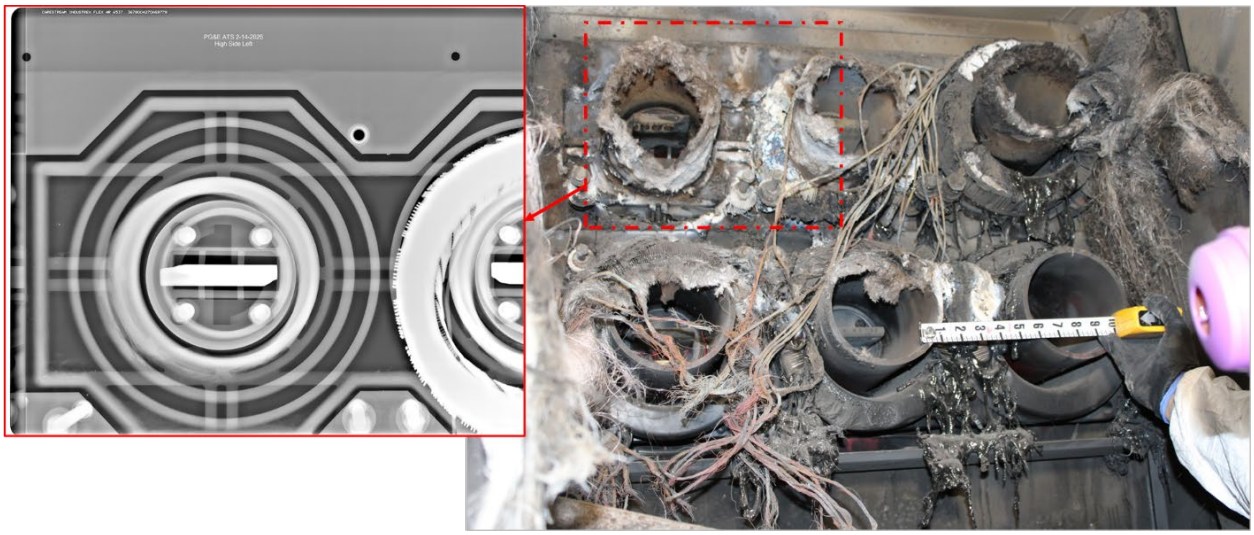

Figure 26. X-ray imaging at the back of the Incident Cubicle did not show evidence of metal erosion and arcing at the current transformers or the busbar tabs entering the cubicle.

Figure 27. Cubicle's rear electrical-insulation system and components (lower row) showing CT insulating tubes (orange arrows), busbar penetration wall (blue arrow), and current transformers (green arrows).

Additional Insulating Board Examinations

PG&E removed barrier insulating boards from several non-incident cells within the 12 kV bus section D at the Mission substation as part of the investigation into the arc-flash event that occurred in December 2025. The barrier insulating boards were subsequently transferred to Exponent for further examination and testing. Figure 28 shows a photograph of the Additional Insulating Boards in the Exponent laboratory.

Figure 28. Additional Insulating Boards from the 12 kV bus section of the Mission Substation transferred to Exponent for laboratory examination.

Several of the barrier insulating boards exhibited signs of mechanical damage as well as thermal damage, consistent with previously observed damage patterns indicating contact between the breaker arms and the edges of the through-holes. Two boards showing more pronounced damage, specifically the barrier insulating boards from Cell No. 6 and Cell No. 10, bottom cubicles, were selected for additional examination (Figure 29 and Figure 30). The barrier insulating board from Cell No. 10, bottom cubicle, also showed signs of mechanical damage indicating physical contact with the breaker arm (Figure 31).

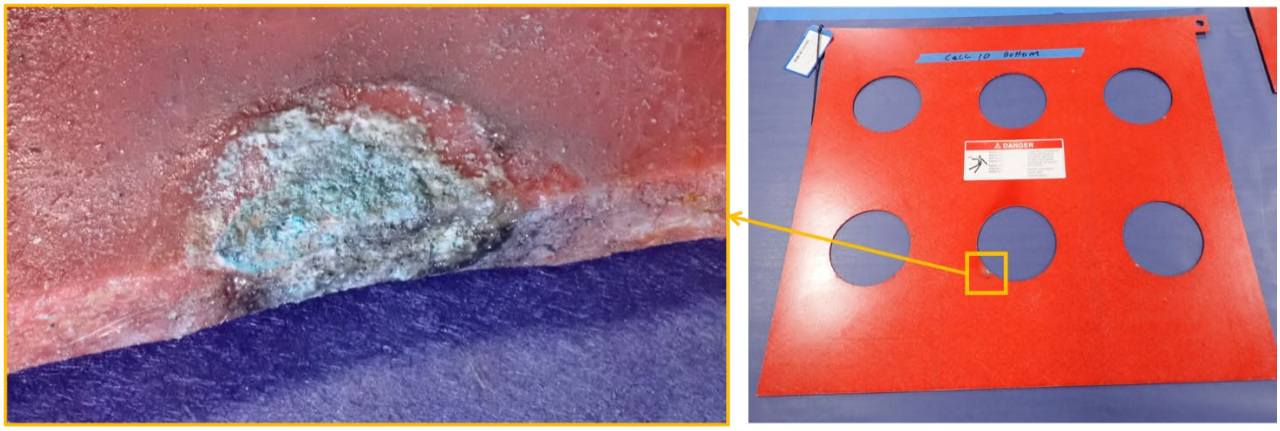

Figure 29. Thermal damage on the barrier insulating board from Cell No. 10 (bottom) of the 12 kV bus section D.

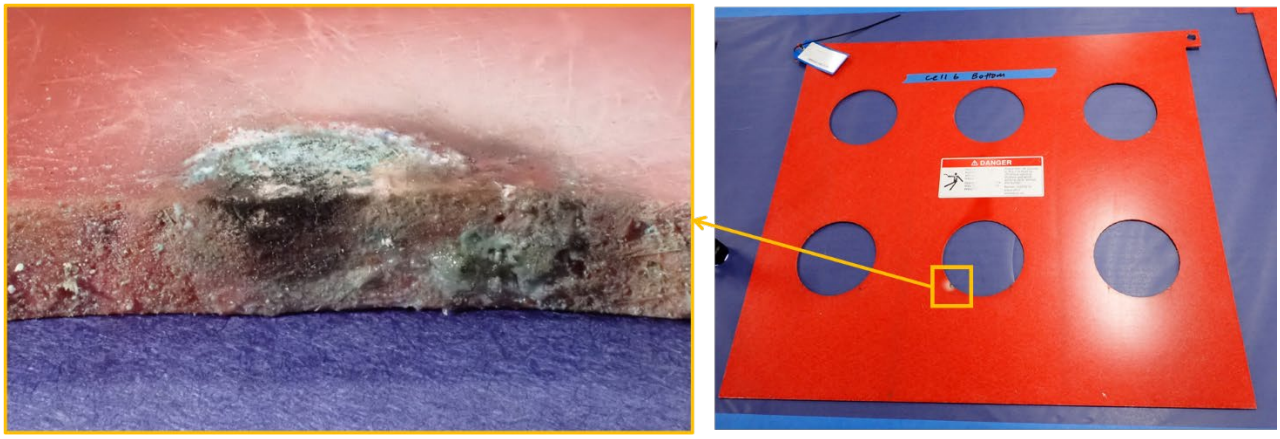

Figure 30. Thermal damage on the barrier insulating board from Cell No. 6 (bottom) of the 12 kV bus section D.

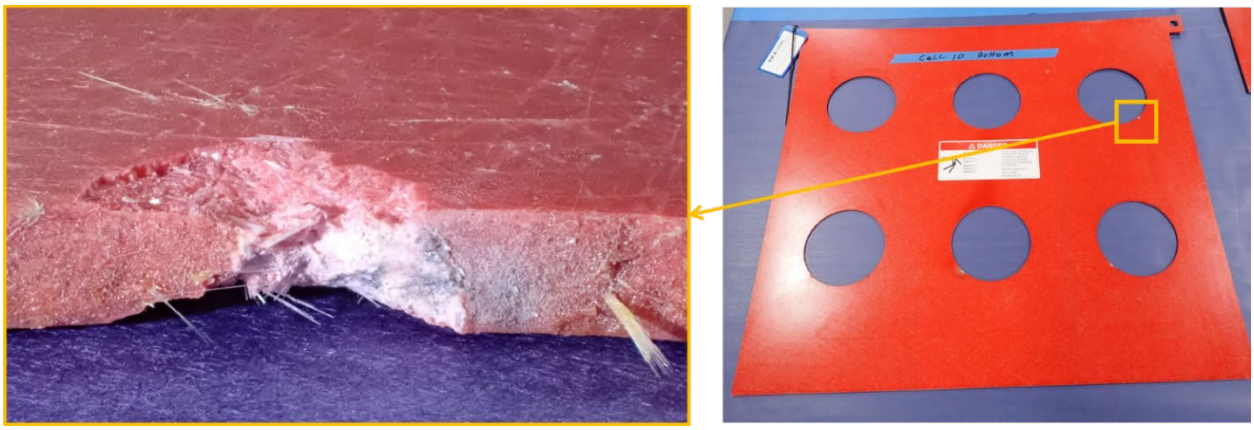

Figure 31. Mechanical damage on the barrier insulating board from Cell No. 10 (bottom) of the 12 kV bus section D.

Exponent performed X-ray imaging on the barrier insulating boards from Cell No. 6 and Cell No. 10, focusing on the areas with visible physical damage. However, the damaged locations did not appear clearly in the X-ray scans due to the low-density composition of the boards and the nature of the damage. Figure 32 shows a barrier insulating board positioned inside the X-ray machine.

Figure 32. Barrier insulating board positioned inside the X-ray machine.

Exponent also performed insulation-resistance testing between selected locations near the edges of the through-holes on the barrier insulating boards from Cell No. 6 and Cell No. 10. Figure 33 shows the general setup for the insulation-resistance testing using a calibrated insulation tester. Figure 34 depicts the selected test locations on the barrier insulating boards. The marked locations corresponding to the insulation-resistance measurements for the barrier insulating boards from Cell No. 10 and Cell No. 6 are presented in Table 1 and Table 2, respectively. The insulation resistance tests were performed at 5 kV DC for the duration of one minute. The measured insulation resistances were all in the range of Gita Ohms (billion Ohms). Therefore, no meaningful differences between damaged and undamaged locations could be observed.

Figure 33. Insulation resistance test set up between selected locations on a barrier insulation board.

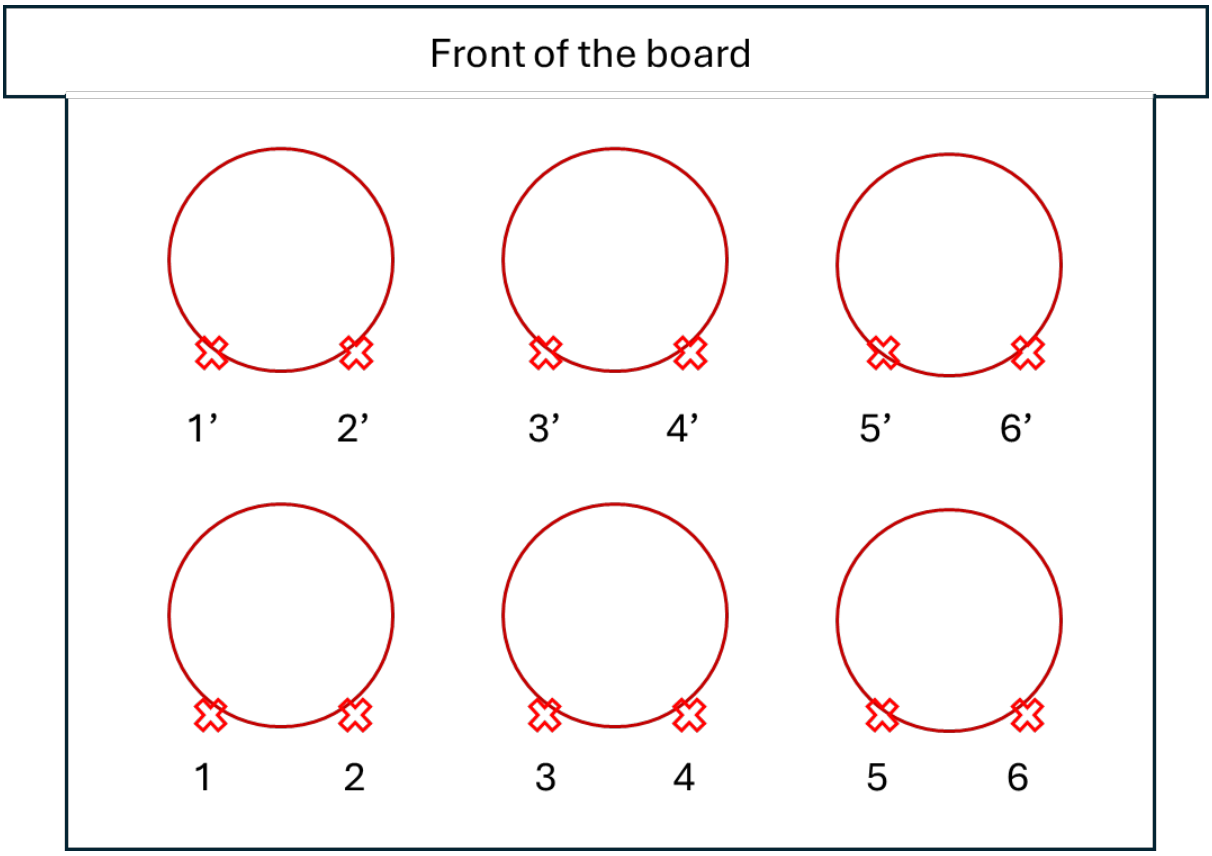

Figure 34. Schematic diagram of a barrier insulating board with numbering of the select locations for insulation resistance testing.

Table 1. Cell No. 10 (bottom) barrier insulating board insulation resistance measurements

Bottom Row		Top Row	
Measurement points	Resistance in Giga Ohms	Measurement points	Resistance in Giga Ohms
1’ – 3’	141	1’ – 3’	158
1’ – 4’	277	1’ – 4’	159
2’ – 3’	96	2’ – 3’	95
2’ – 4’	214	2’ – 4’	93
3’ – 5’	41	3’ – 5’	96
3’ – 6’	108	3’ – 6’	124
4’ – 5’	75	4’ – 5’	103
4’ – 6’	173	4’ – 6’	135

Table 2. Cell No. 6 (bottom) barrier insulating board insulation resistance measurements

Bottom Row		Top Row	
Measurement points	Resistance in Giga Ohms	Measurement points	Resistance in Giga Ohms
1’ – 3’	92	1’ – 3’	167
1’ – 4’	263	1’ – 4’	196
2’ – 3’	77	2’ – 3’	148
2’ – 4’	253	2’ – 4’	185
3’ – 5’	110	3’ – 5’	148
3’ – 6’	122	3’ – 6’	143
4’ – 5’	296	4’ – 5’	172
4’ – 6’	281	4’ – 6’	186

Next, the areas with the most visible damage at the edges of the through-holes on the barrier insulating boards from Cell No. 6 and Cell No. 10 were carefully cut out of the boards. The cuts were made sufficiently far from the visible damage locations to preserve the integrity of the damaged regions within the extracted samples (Figure 35 and Figure 36). No visible carbonization channels or internal material charring indicative of insulation degradation were observed at the cut edges (Figure 37). This suggests that the insulation failure at the Incident Insulating Board was external to the board rather than within its width.

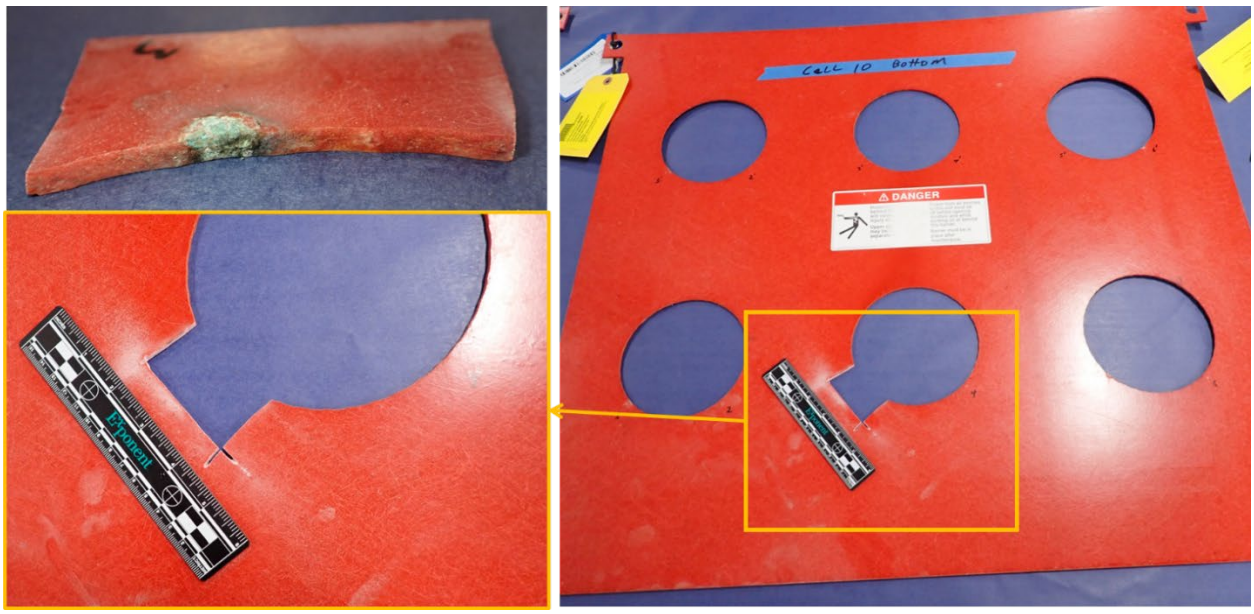

Figure 35. Area with most damage cut from the Cell No. 10 (bottom) barrier insulating board

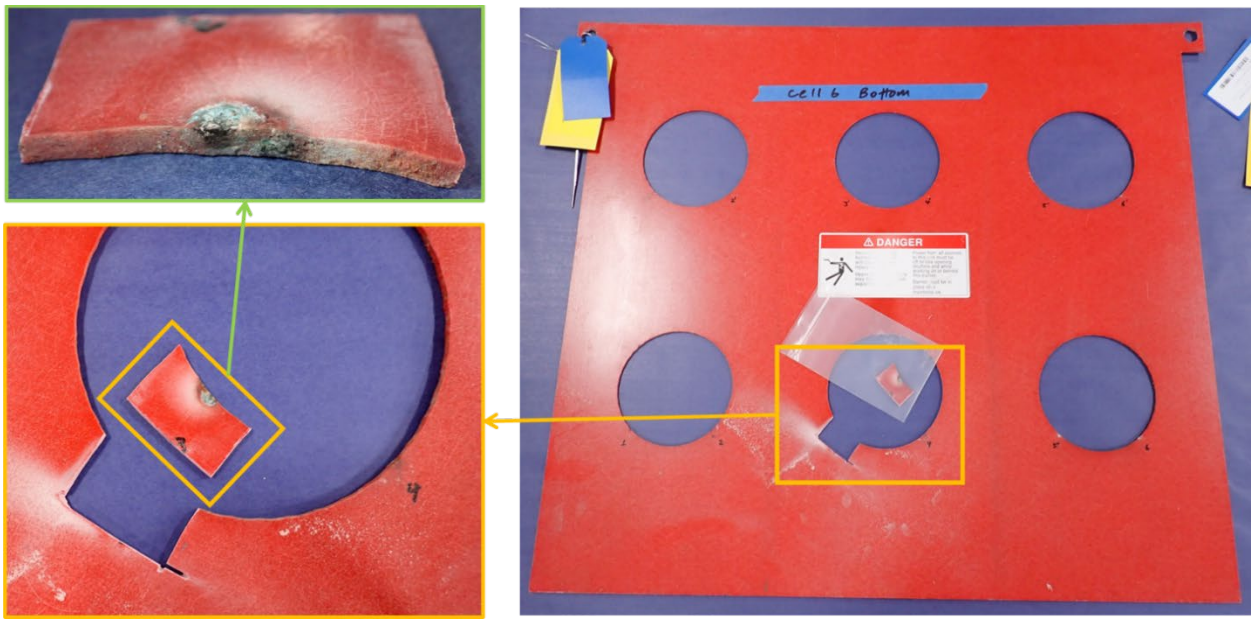

Figure 36. Area with most damage cut from the Cell No. 6 (bottom) barrier insulating board

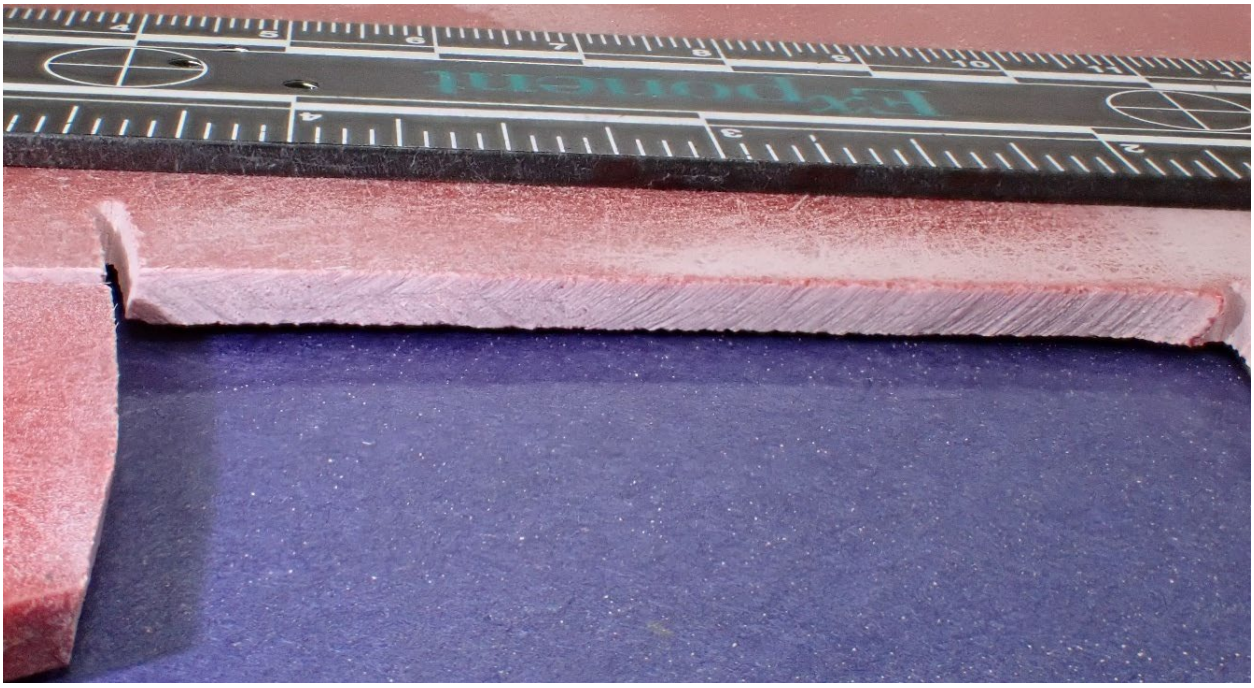

Figure 37. No visible evidence of carbonization channels at the cut edges of the examined barrier insulating boards

Scanning Electron Microscopy (SEM) and Energy Dispersive Spectrometry (EDS) were performed on selected surfaces of the cut samples. Figure 38 shows an image of the damaged surface of the Insulating Board from Cell No. 10 under SEM. The resulting EDS spectrum and the identified

elements at a selected surface of the cut samples are presented in Figure 39. The elemental composition analysis did not reveal any unusual foreign species in the tested samples.

The cut samples were then mounted in epoxy and polished to target surfaces. The polished cross sections indicate that the observed damage originated from the outside of the board inward (Figure 40). This further suggests that the insulation failure at the Incident Insulating Board was external to the board.

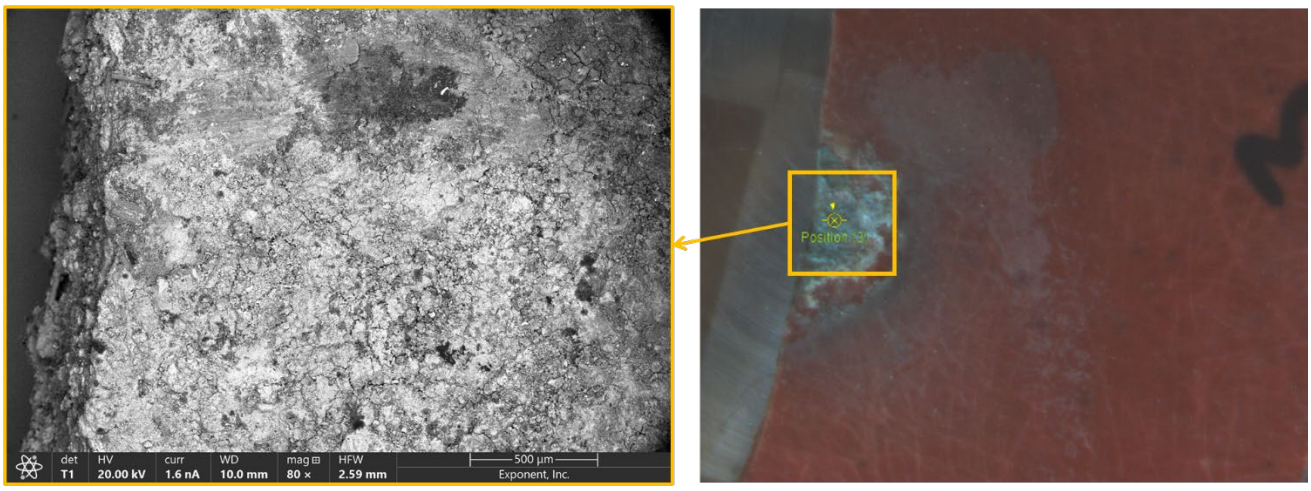

Figure 38. SEM image of the damaged surface of the barrier insulating board from Cell No. 10 (bottom)

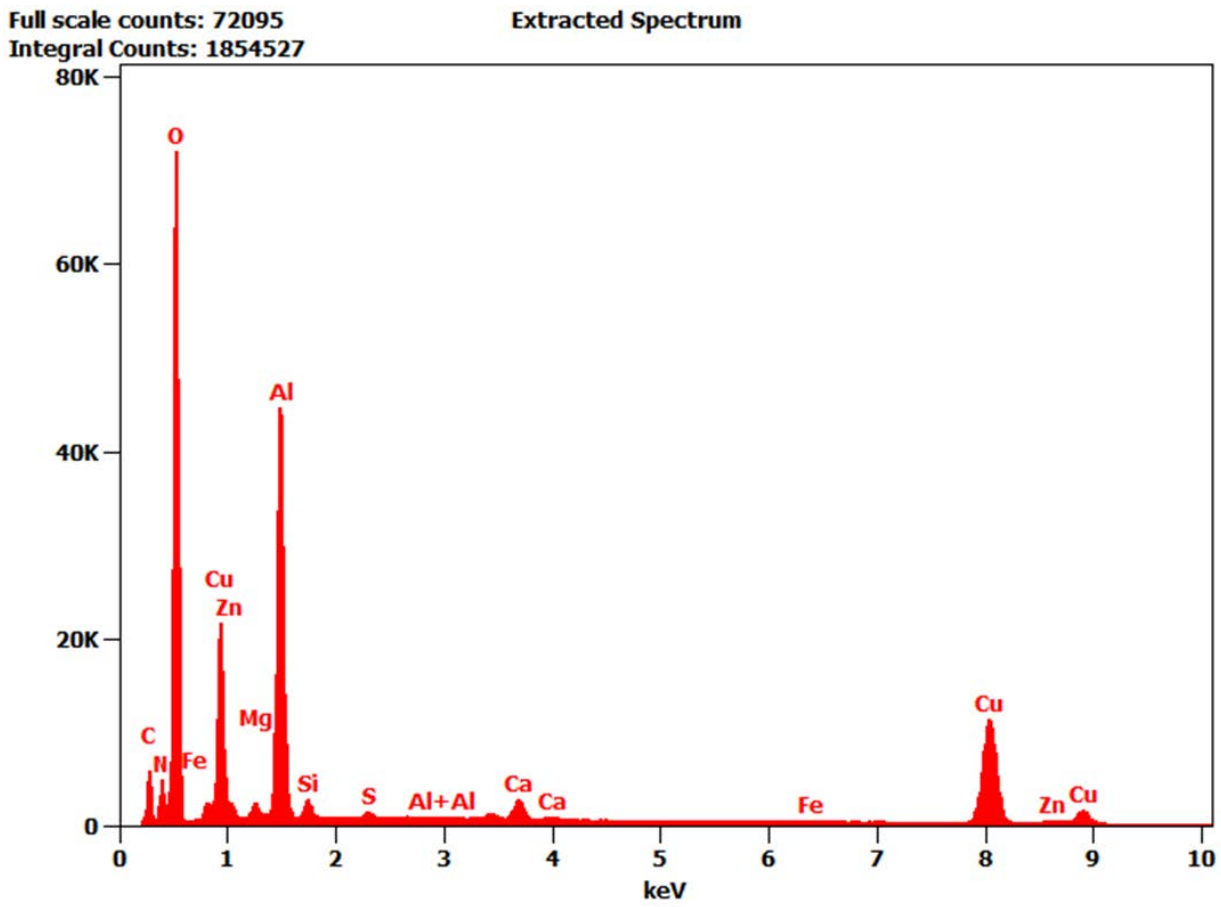

Figure 39. The EDS spectrum and the identified elements at a selected surface on the damaged area of the barrier insulating board from Cell No. 10 (bottom)

Figure 40. Mounted samples of the barrier insulating board from Cell No. 10 (bottom), showing cross section of the damaged area.

5.2 Asset Operational and Maintenance History

Exponent reviewed PG&E's Computerized Maintenance Management Systems, including Systems Applications and Products (SAP) and Bentley Systems Asset Performance Management (APM), and the Supervisory Control and Data Acquisition (SCADA) Data Historian (EDPI) to characterize the operational and maintenance history of the Incident Breaker No. 52, Incident Cubicle 1112/12, and the incident 12 kV switchgear bus section D in an effort to discover any preconditions or precursors for the observed failure.

From this review, the following observations were made:

- Incident Breaker No. 52 [44] and Circuit Breaker No. 56[45] were manufactured in 2008 and initially installed in 2009 under phase 1 of the Mission Substation Rebuild, PM order 30603611.[46]
- At the time of initial installation, Incident Breaker No. 52 received a visual examination of the breaker, contact erosion measurements, megger testing, high-pot testing, and operating timing tests. The installation testing did not identify any abnormal conditions that would require correction prior to operation.[47]
- Incident Breaker No. 52 was originally located in cubicle 1106/12 at its 2009 installation[48] and was moved to 1106/22 at some point prior to February 2016, where it remained until December 2017.[49] There was no observed record of Incident Breaker No. 52 being installed in any other cubicle until it replaced Circuit Breaker No. 56 in cubicle X-1112/12 in November 2025 as a spare. [50]
- CB X-1112/12 was normally in the open position, whereas CB X-1112/22 was normally in the closed position.

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[44] SAP equipment ID 42633985.

[45] SAP equipment ID 42634583.

[46] Mission-Sub-IH08.xlsx.

[47] CB 52 New BRKR Installation Form 5.2.2009.pdf.

[48] CB 52 New Equipment Form.pdf. The form does not specify the breaker number but lists a serial number, 080303091, matching the serial number in SAP.

[49] APM indicates Incident Breaker No. 52 was located in cubicle 1106/22 at least from February 2016 (earliest data available).

[50] CB 52 New Equipment Form.pdf. The form does not specify the breaker number but lists a serial number, 080303091, matching the serial number in SAP.

- Heater position (normally off) was designed not to turn on in a cell if breakers are racked in and one of the breakers is closed.[51]

Data in APM is organized into "checksheets," each of which contains multiple "indicators" recording various data points. Each station inspection documents the breaker's counter reading. Different indicators note the number of operations, with fault operations tracked distinctly from switching and maintenance operations. There also are indicators for counter discrepancies.[52] Figure 41 summarizes the operational history of Incident Breaker No. 52, including the counter history over time. When non-zero operations were noted in APM, they are shown next to the counter reading. All operations in APM for Incident Breaker No. 52 were under the "ACC – Switching or Maintenance Ops" indicator; any fault operation or counter discrepancy indicators had values of zero.[53] In most cases, the number of recorded operations matches the change in the counter readings between successive inspections, but in 2017, when the Incident Breaker No. 52 was installed in 1106/22, there are changes in the counter not explained by the operations indicators. EDPI data for the Incident Breaker No. 52 while it was installed in 1106/22 was not available; therefore, the possibility of fault operations occurring during this time cannot be ruled out. After the removal of the Incident Breaker No. 52 from 1106/22, all changes in the counter coincided with preventative maintenance (exercise or mechanism service) at the intervals described in Section 5.2.1. The number of fault operations of Incident Breaker No. 52 has no direct relevance to this failure, as the identified failure mode is associated with the Incident Insulating Board rather than the circuit breaker itself. Figure 42 contains EDPI data from the year prior to the arc-flash event.[54] After installation of Incident Breaker No. 52 on November 16, 2025, the reference date for the LC notification to replace Circuit Breaker No. 56, EDPI shows no operation until after the incident.

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51 Interviews with PG&E personnel and review of the PG&E As-Built Drawing No. 4050371, Rev. 1.

52 EI251220A_San Fran X Updated_Received01032026.xlsx, EI251220A_San Fran X. Updated_Received01112026.xlsx, Mission CB 52.xlsx, and 2019 APM Station Inspections.xlsx.

53 Counter readings are entered during station inspections. The electrician documents the reasoning for the counter change, either fault operations or switching and maintenance. If this information is not entered, it generates an alarm for the supervisor to acknowledge and research. Note that although the indicator name for Switching or Maintenance Ops has a prefix of "ACC," this does not mean that these are fault operations.

54 SF X 1112_12 Position - 01-14-2026 14-57-52 - 12-01-2015 15-56 to 01-01-2026 15-57.csv.

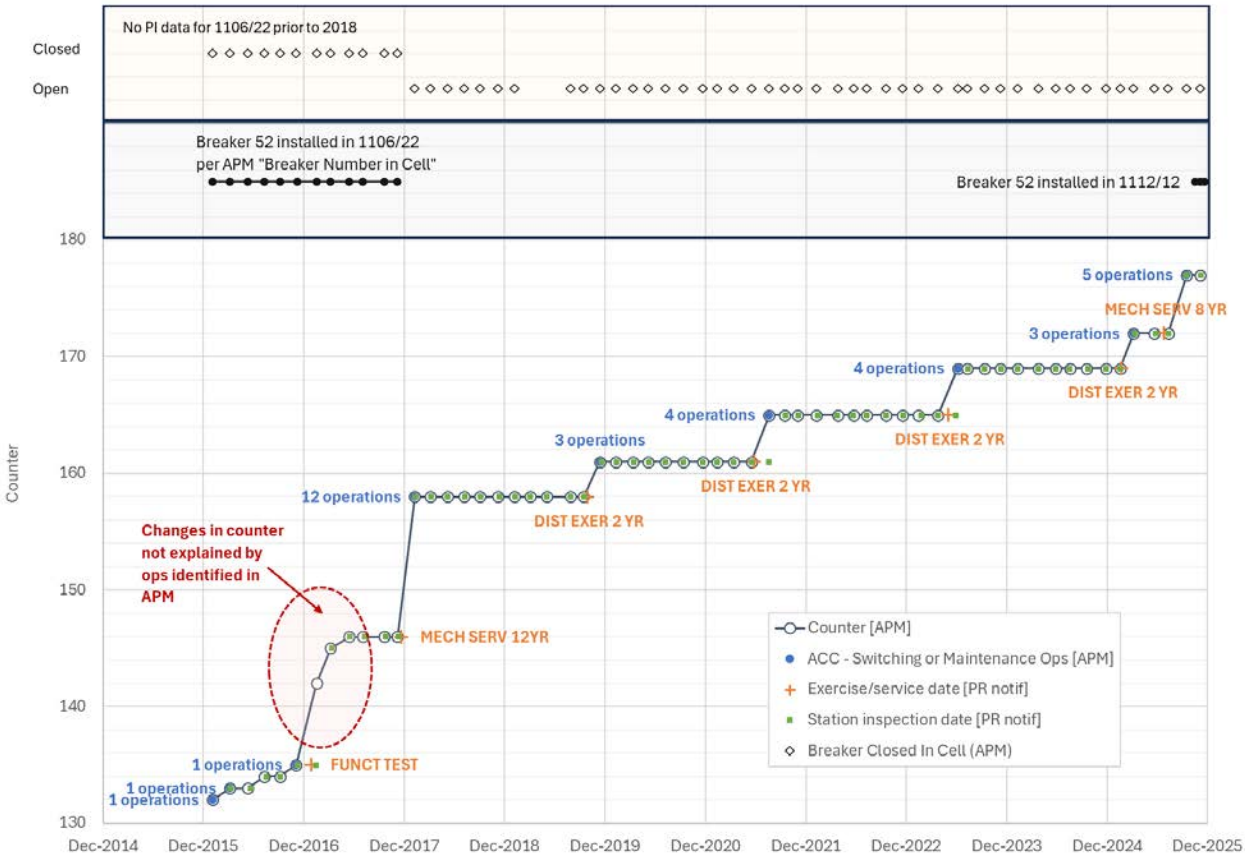

Figure 41. Incident Breaker No. 52's operational history.

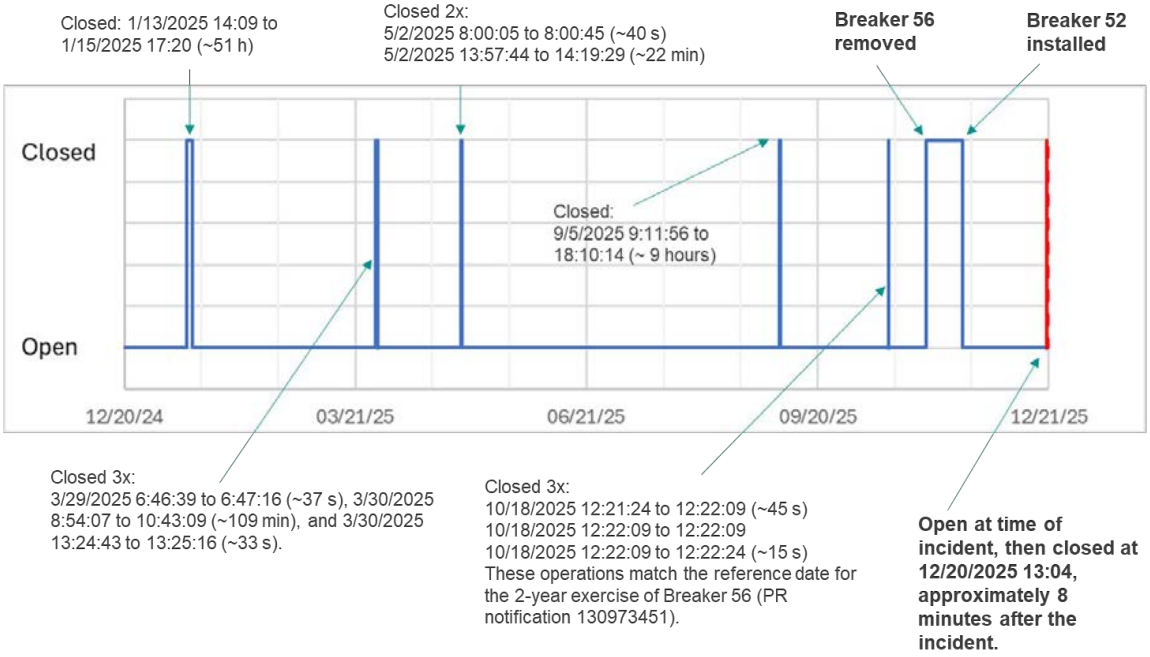

Figure 42. 1112/12 switching history in the year prior to the arc-flash event. Close Breaker position after the arc-flash event cannot be verified.

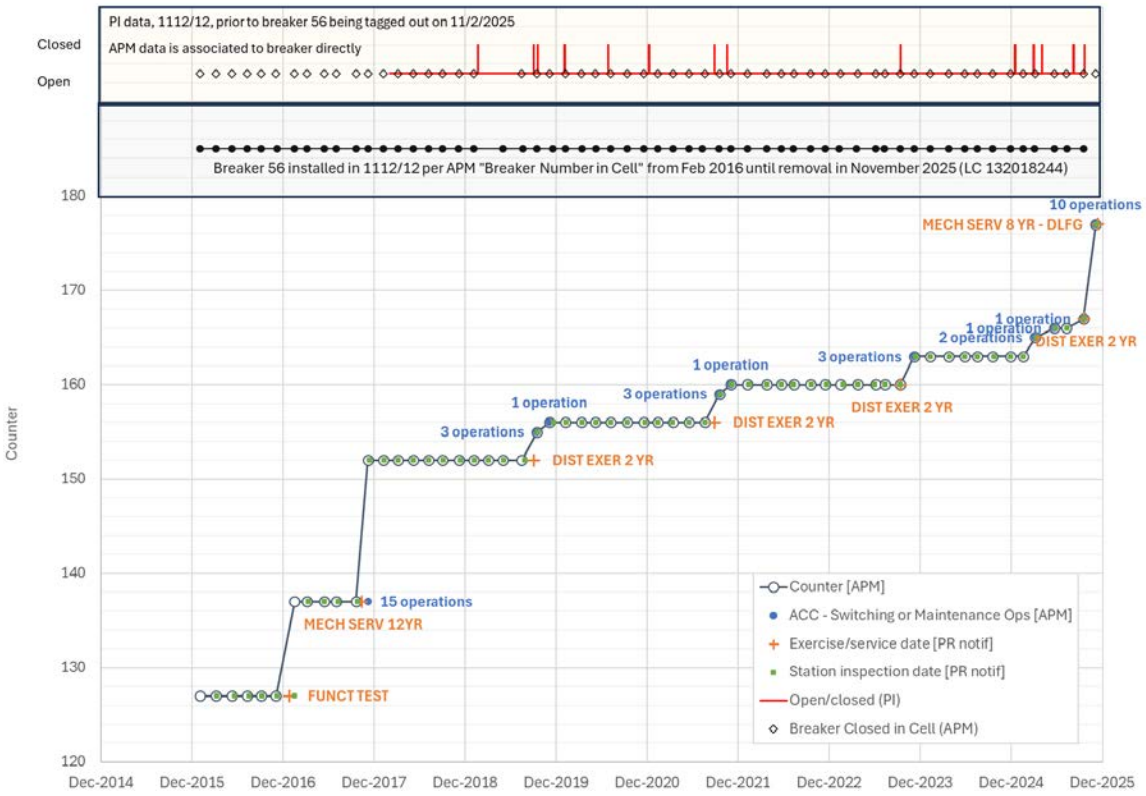

Figure 43. Circuit Breaker No. 56's operational history.

Figure 43 summarizes the operational history of Circuit Breaker No. 56. All operations in APM for Circuit Breaker No. 56 were under the "ACC – Switching or Maintenance Ops" indicator; any fault operation or counter discrepancy indicators had values of zero. In all cases, the number of recorded operations matches the change in the counter readings between successive inspections, and all changes in the counter coincide with preventative maintenance (exercise or mechanism service) at the intervals described in Section 5.2.1 below. EDPI shows that the breaker was only closed for short durations, consistent with the station inspection data in APM showing the breaker position as open (also see the details of the previous year in Figure 42). While most operations in EDPI occur at a similar time as counter changes reported in APM, there are some operations, such as in early 2019, that do not appear to have a corresponding change in the APM counter.

Maintenance History

PG&E Utility Standard TD-3322S and its attachments define preventative and corrective maintenance requirements applicable to the incident equipment.[55]

Station inspections are required on a monthly or bimonthly interval under TD-3322S, Attachment 11, depending on the station categorization.[56] Preventative maintenance (PR) notifications for Mission substation document completed station inspections monthly from February 2013 to August 2014 and every two months thereafter. The two-month frequency is consistent with Type 2 substations in Attachment 11. The PR notifications in SAP track completed station inspections at a high level; detailed results for each of the indicators are stored in APM. The months in which APM data is available are consistent with the completion months of the station inspection PRs.[57] APM checksheets for the breakers included indicators for "Bus Work and Conductors" and "Insulators" through February 2019. All inspections reported no problems found.[58] Data for subsequent station inspections did not include these indicators, as conditions related to these items transitioned to exception-based reporting, in which a record is generated only when an issue is found.

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[55] Utility Standard TD-3322S, Rev. 10, "Substation Equipment Maintenance Requirements," 6/6/2024.

[56] Utility Standard TD-3322S, Attachment 11, Rev. 3, "PG&E Substation Inspection Program Summary," 3/3/2022.

[57] EI251220A_San Fran X Updated_Received01032026.xlsx, EI251220A_San Fran X Updated_Received01112026.xlsx, Mission CB 52.xlsx, 2019 APM Station Inspections.xlsx.

[58] No problems were reported for Incident Breaker No. 52 and Circuit Breaker No. 56, or for any of the other 12 kV switchgear, in 5168 different indicator readings.

TD-3322S Attachment 7 contains additional maintenance requirements for circuit breakers, including an exercise requirement every two years if the breaker was not operated within 24 months and a mechanism service requirement every eight years.[59] Section 1.3 of TD-3322S states that preventative maintenance with a cycle of 1 year or longer must be completed before the first day of the year following the year containing the required end date for the PR notification. PR notifications in SAP since 2017 show that the maintenance history of Incident Breaker No. 52 and Circuit Breaker No. 56 is consistent with these requirements.[60]

Both breakers have exercise PRs at 2-year intervals, in 2019, 2021, 2023, and 2025.[61] Additionally, two "Circuit Breaker Exercise Record" forms were provided for the 2019 and 2021 tests of Incident Breaker No. 52.[62] These forms indicated that the breaker was operated, but they do not contain further notes. The requirement for circuit breaker exercise started in June 2017, when it replaced the previous Functional Performance Testing.[63] Both breakers received a Functional Performance Test in January 2017.

Incident Breaker No. 52 received its most recent mechanism service in July 2025, with the previous service occurring in December 2017, consistent with the 8-year required interval.[64] Forms TD-3322M-F13, "Distribution Circuit Breaker Functional Performance Test Form," and -F14, "Circuit-Breaker Maintenance Form, Metalclad Circuit Breaker Mechanism Service," documented the 2017 service.[65] These forms did not indicate any conditions requiring correction; however, the insulation resistance testing was listed as unavailable for reading and not completed in both the 2017 and 2025 services. The 2025 mechanism service records are in APM and consist of indicators in three separate

[59] Utility Standard TD-3322S, Attachment 7, Rev. 14, "Circuit Breaker Maintenance Template," 3/3/2022. The time-based triggers in Table 1 of the attachment depend on the breaker characteristics. Distribution breakers without current trip coils and not ABB Type R-MAG and AMVAC have the intervals listed above. The breaker manual, IB131006EN, "Instructions for installation, operation, and maintenance of type VCP-W vacuum circuit breakers," indicates the breaker uses shunt trip coils rather than current trip coils.

[60] SFX_DR019 All 12kV Switchgear Notifications.xlsx.

[61] Ibid.

[62] CB 52 EXER 10.27.2019.pdf, CB 52 EXER 6.25.21.pdf.

[63] Utility Bulletin TD-3322B-060, Rev. 0, "Updated Distribution Circuit Breaker Exercise Requirements," 5/5/2017, effective 6/1/2017.

[64] SFX_DR019 All 12kV Switchgear Notifications.xlsx.

[65] CB 52 Mech SVC & FPT 12.20.2017 (2).pdf.

checksheets.[66] Notes state that the breaker was not installed in a cell and was a spare "on the floor." Consequently, all indicators in the "Metalclad Cubicle Maintenance" checksheet and the indicators associated with the cell in the "BRKR Metalclad Oper Mechanism Service" checksheet were marked as "Unavailable for Reading." These unavailable indicators include "Corrosion/Rust," "Cubicle Cleaning," "Cubicle Moisture," "Cubicle Ventilation," and "Cabinet Seals, Filters, and Heaters."

The 2025 mechanism service included various test and measurement results in the "BRKR Metalclad Oper Mechanism Service" and "BRKR Vacuum Interrupter Measurements" checksheets. Both checksheets contain contact erosion/wear measurements, but there are differences that may be due to incorrect transcription of the results. In the "BRKR Metalclad Oper Mechanism Service" checksheet, "Metalclad - Contact Wear - CB Closed Dimension" and associated reference dimension indicators were recorded as 0.12%, but the "Metalclad - Interrupter Wear" indicators were 0.00% for all three phases. In the "BRKR Vacuum Interrupter Measurements," the "Contact Erosion Meas" and reference dimension indicators were 0.125 inches, and the "% Of Erosion" was 0.00%, which also matches the results in the 2017 service. Finally, the manual states that when contact erosion reaches ⅛ inches, the interrupter must be replaced, further suggesting that the 0.12% values should have been 0.125 inches.[67]

During the service, the breaker passed high potential testing at a 27 kV test voltage. Minimum-to-trip and minimum-to-close tests also were documented. TD-3322M-F14 states that these tests are performed to verify the breaker will trip and close at the lowest voltage levels on the nameplate's operating voltage range.[68] These tests passed with values of 40 V, showing that the breaker would trip and close below the lowest voltage levels on the nameplate, 70 V and 100 V, respectively. Contact timing tests yielded values of 30.60-30.95 ms to trip and 40.00-40.20 ms to close. Indicators in APM for the ranges are provided and are consistent with the breaker manual, which states that "opening and closing times for the circuit breakers vary depending on the control voltage and the power rating" and lists ranges of 30-45 ms to trip and 45-60 ms to close in a table under

[66] CB 52 Mech Service.xlsx.

[67] Section 5.2.2 of IB131006EN, "Instructions for installation, operation, and maintenance of type VCP-W vacuum circuit breakers."

[68] TD-3322M-F14, R 13, Metalclad Circuit Breaker Mechanism Service.pdf.

"Milliseconds (maximum)."[69] The time to trip was within the manufacturer's range, while the time to close was outside (faster than) the manufacturer's range.

Circuit Breaker No. 56 received a mechanism service in November 2017, which did not result in any corrective notifications. On November 2, 2025, Circuit Breaker No. 56 reportedly failed the high pot test during its 8-year mechanism service. The interrupter bottles were reported as "bad" with "condensation seen coming from CB 56 vacuum bottles during the high-pot test," damaged flex connectors, suspected hard water mineral deposits, and signs of damage on the X-1112/12-line side center phase female contact. "Minor" damage to the Incident Cubicle was reported, including debris and surface rust on hardware within the cubicle, and "burned spots" and "warping" of the Insulation Board (Figure 44 and Figure 45). PG&E reportedly performed several visual inspections of the reported damage, including an inspection of Bus 1 Section D on November 16, 2025. As a result, PG&E created corrective notification LC 132018244 on Circuit Breaker No. 56, noting it had water damage, replaced it with Incident Breaker No. 52, and reportedly cleaned the cubicle, including wiping down the breaker-facing (front) surface of the Incident Insulating Board and vacuuming the interior of the Incident Cubicle. The Incident Insulating Board was not reportedly removed, and consequently the CT-facing side (back) was neither inspected nor cleaned. The inspections did not identify any sources of water intrusion into the Incident Cubicle.

The PR notification for the 2025 mechanism service of Circuit Breaker No. 56 was given a "Deletion Flag" status after the incident with a comment stating that the breaker was removed from service and being sent to ATS.[70] The PR was closed in SAP on December 12, 2025, before the January 1, 2026 compliance date derived using the guidance in TD-3322S from its November 11, 2025 required end date. Because the mechanism service for Circuit Breaker No. 56 was not completed before its removal from the cubicle and the mechanism service for Incident Breaker No. 52 was performed while it was still a spare, there is no recent data available for the portion of the mechanism service related to the cubicle.

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[69] Section 5.4.1 of IB131006EN, "Instructions for installation, operation, and maintenance of type VCP-W vacuum circuit breakers." Eaton states that the interval shall be within the range specified.

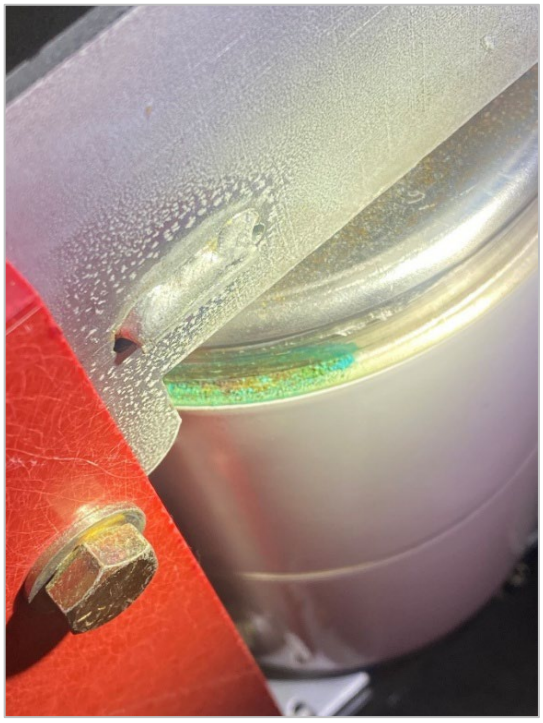
[70] CB 56 PRs.xlsx.

Figure 44. Incident Cubicle (X-1112/12). Photo taken November 6, 2025 (courtesy PG&E).

a)

b)

c)



d)

Figure 45. Photos of identified damage to Incident Cubicle and Circuit Breaker No. 56. a) Incident Insulating Board feeder side (bottom row) B-phase (middle) through-hole, b) Line side (top row) B-phase bus contact, c) B-phase vacuum bottle- top view, d) Feeder side (bottom row) C-phase breaker arm. Photo taken November 2, 2025 (courtesy PG&E).

Prior to the arc-flash event, the only corrective maintenance for the equipment located in 1112/12 was LC notification 132018244, dated November 14, 2025, which noted that Circuit Breaker No. 56 had water damage.[71] Removal and replacement with Incident Breaker No. 52 occurred under this LC.[72] The subsequent station inspection on December 3, 2025, had two indicators related to this LC.[73] The "Bushing Damage and Contamination" indicator had a value "3-Adjustments, repairs, or replace required," with notes specifying that it failed high-pot testing, had water contamination, and was out of service. The "Corrosion/Rust" indicator had a value of "3-Moderate corrosion (cont. monitoring)," and notes specified "corrosion on the stabs." The history of these two indicators for Circuit Breaker No. 56 prior to its removal from service always had values "1-No problems found."

While the Incident Breaker No. 52 had no previous LC notifications, station inspections between April and December 2016 had the "Protective Relay Conditions" indicator value "2-Abnormal conditions found," with notes "SET A RELAY TROUBLE LIGHT ON: BAD IRIG SIGNAL."[74] Starting with the February 2017 inspection, this indicator specified "1-No problems found." BAD IRIG refers to a bad IRIG-B GPS clock signal for accurate relay timestamps, but in this application has no positive or negative impact on the ability of the relay to perform its protection system functions.

PR and LC notifications for all 12 kV circuit breakers at the Mission substation were reviewed. Over 99% of PR notifications were completed by the compliance deadlines calculated from their required end dates. Out of 185 PRs for mechanism service, only one was completed after the compliance date, but had an approved deferral noted in the long text, and the intervals between completed mechanism services did not exceed eight calendar years.[75] Out of 772 PRs for exercise (or "function testing" prior to 2017), only four were completed after their compliance dates, all with approved

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71 Although moisture may have contributed to the observed damage at Circuit Breaker No. 56, direct water intrusion is unlikely given the location of the damage and the absence of similar conditions at adjacent locations.

72 SFX_DR019 All 12kV Switchgear Notifications.

73 EI251220A_San Fran X Updated_Received01112026.xlsx.

74 Ibid.

75 SFX_DR019 All 12kV Switchgear Notifications.xlsx, CB 56 PRs.xlsx. Notification 113743533, for the 2017 mechanism service of CB 90, had a required end date of 12/31/2017, yielding an out-of-compliance date of 1/1/2018. The work was completed on 1/8/2018. A long text comment states that the work was "deferred per approval from acting superintendent and specialist, pending receipt of documentation to attach to order"; however, the order and notification do not contain any attached documentation.

deferrals noted in the long text.[76] PRs for exercise of a given breaker sometimes occurred more than two calendar years apart, but exercising the breakers as a preventative maintenance activity is not required if the breaker has been operated recently.

Review of historic LC notifications on 12 kV switchgear at the station did not reveal other corrosion or water issues apart from the LC on Circuit Breaker No. 56.[77] The most common issues were counter replacements (10 LCs identified between 2018 and 2022) and PT issues (9 LCs identified in 2018). Two out of 33 LCs reviewed were past their out-of-compliance dates.[78] Review of Material Problem Reports (MPR) since 2002 did not identify any reported issues applicable to Incident Breaker No. 52 .[79]

The station inspections documented in APM include a checksheet for "Yard and Building Conditions."[80] The available data contain different indicators depending on the year, several of which pertain to the building cleanliness and environmental conditions or the fire protection system.[81] Indicators for "Fire Protection Systems and Plans," "Other Substation Equipment," and "Temp F Ambient" were in the reviewed data between 2016 and 2025. The indicators for "Building Neat and Clean," "Corrosion/Rust," and "Ventilation and Sump Pump Equipment" were only present until August 2019, after which reporting on these issues became exception-based.

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[76] SFX_DR019 All 12kV Switchgear Notifications.xlsx, CB 56 PRs.xlsx. Notifications 106952025 and 106952026, for CBs 88 and 89, had required end dates of 12/8/2013, yielding an out-of-compliance date of 1/1/2014. The work was completed on 5/24/2014 and 9/10/2014, respectively. Notifications 107565059 and 107565060, for CBs 126 and 127, had required end dates of 7/19/2014, yielding an out-of-compliance date of 1/1/2015. The work was completed on 3/15/2015 for both breakers.

[77] SFX_DR019 All 12kV Switchgear Notifications.xlsx.

[78] LC 129694862, stating that breaker 109 "won't close in cell," with a required end date of 10/16/2025 and E-priority, yielding an out-of-compliance date of 1/1/2026, was completed on 1/26/2026 and closed in SAP on 2/5/2026. A long text comment on 1/8/2026 states there is an operational constraint. LC 114413857, for a PT replacement on 1117/12, with a required end date of 6/10/2018 and B priority, yielding an out-of-compliance date of 8/1/2018, was not completed until 9/8/2018.

[79] Data from PG&E SME in response to SFX_DR039.

[80] An additional checksheet for "Environmental Checks" focuses on hazmat and oil leakage.

[81] EI251220A_San Fran X Updated_Received01032026.xlsx, EI251220A_San Fran X Updated_Received01112026.xlsx, and 2019 APM Station Inspections.xlsx.

Fan issues are documented under several LC notifications and APM indicators, including issues with the south side transformer supply fans and the north side basement ventilation and roof exhaust fans.[82]

Focusing on the north side,[83] issues with the roof exhaust fans were noted in 2004, when dampers on the fans were replaced under order number 30409385; in March 2011 under LC notification 105244293, stating the fans were non-operational; and in station inspections between February 2022 and April 2023, noting a fan above the third floor was failing and noisy to the point that hearing protection was required.[84]

Three LC notifications were created between 2012 and 2016 for intake filter replacement.[85] The first was delete-flagged in 2012, and the remaining two were completed in 2016. Basement supply fan #4 was noted as noisy and needing lubrication during inspections between October 2016 and April 2017. An unspecified fan was noted under LC 112428192 as needing repair or replacement. Basement/intake fans were noted under LC 115001129 in September 2018 and in February 2022 and April 2022 station inspections as needing repair.[86] Basement supply fans #1 through #4 had broken fan belts documented during December 2023, August 2024, and October 2024 station inspections. LC 127654855 for repair of the basement fans was not completed until January 2026, after the arc-flash event and after the out-of-compliance date of the notification.

The "Building Neat and Clean" indicator documented general untidiness and dustiness due to ongoing construction between February 2016 and October 2016 and materials from old jobs requiring removal between February 2017 and December 2017.[87]

The "Corrosion/Rust" indicator reported no problems found from the start of the data in February 2016 to the final value for the indicator in February 2019. Temperatures were recorded during each

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[82] While the air filtration fans have their own SAP equipment ID, 42676754, and their own PR notifications with the description "INDOOR FAN FILTRATION SYSTEM MAINT," there is not a separate checksheet for inspecting the fans, and all indicators in APM referencing the fans are in the checksheet for "Yard and Building Conditions."

[83] APM or LC comments specifying a bank are assumed to refer to transformer cooling fans on the south side.

[84] The LC was delete-flagged in 2013 without noting when the fans were repaired.

[85] LCs 106125137, 110532331, and 111593962.

[86] LC 115001129 was closed in the same month it was created.

[87] EI251220A_San Fran X Updated_Received01032026.xlsx, EI251220A_San Fran X Updated_Received01112026.xlsx, 2019 APM Station Inspections.xlsx.

bimonthly inspection, ranging from 45°F in February 2019 to 80°F in July 2022. While it is not clear why this particular indicator was used, the “Structures and Conductors” indicator in December 2025 stated that the sink from the second floor was draining into the main control room.[88]

[88] Ibid.

6 Conclusion

Based on Exponent's evaluation of the evidence, the following major conclusions were reached.

1- The most likely direct cause of the arc-flash event within the Incident Cubicle is surface breakdown of the Incident Insulating Board.

   a. Failure of Incident Breaker No. 52 or the cubicle's rear electrical insulation system[89] was ruled out as the initiating cause of the arc-flash.

2- The most likely failure mechanism is degradation of surface insulation of the Incident Insulating Board, likely assisted by moisture and surface contamination.

[89] For the purposes of this report, the Incident Insulating Board is not considered part of the Incident Cubicle's rear electrical-insulation system.

7 Recommended Next Steps

This section offers PG&E recommendations to reduce the likelihood of recurrence based on the direct cause evaluation of this incident. Additional recommendations may be offered as an outcome of the root cause evaluation.

R1. PG&E may consider inspecting, replacing, or removing the barrier insulating boards in the 12 kV switchgear. This recommendation is based on the conclusion that eventual surface breakdown of the Incident Insulating Board was the most likely direct cause of the incident. It is also supported by the switchgear manufacturer's impulse withstands (BIL) and low-frequency high-potential test results on the switchgear, both with and without the barrier insulating board.

R2. PG&E may consider laboratory testing of sample insulating boards under prescribed electrical stress and varying moisture and surface-contamination conditions to characterize how moisture and contamination may contribute to board failure when the board's through-hole sidewalls are in contact with energized conductors.

R3. PG&E may consider monitoring environmental conditions, including relative humidity. The installation of permanent data loggers for continuous monitoring of temperature and relative humidity may be considered to support long-term assessment of moisture behavior within the structure.

R4. PG&E may consider performing a comprehensive evaluation of the roof system and building envelope to identify and mitigate water intrusion pathways, including wall cracks, roof vents, and roof openings.

R5. PG&E may consider upgrading the Mission Substation HVAC systems to meet environmental requirements of the 12 kV switchgear and other electrical equipment within the building enclosure. This may include deployment of heaters and dehumidification equipment to reduce indoor humidity levels and minimize the potential for condensation formation, particularly in areas with known risk of moisture accumulation.

R6. PG&E may consider revisiting the existing switchgear heating control logic at Mission Substation to improve control of relative humidity inside the cubicles.

R7. PG&E may consider the installation of air filters in the cubicles in the 12 kV switchgear at Mission Substation to further protect cubicle electrical components and insulation surfaces from contamination.

R8. PG&E may consider performing an extent-of-condition analysis to identify and mitigate this failure mode in other switchgear units of similar design.