

FILE NO: 170966

Petitions and Communications received from September 1, 2017, through September 11, 2017, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 11, 2017.

**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, pursuant to Administrative Code, Section 2A.233(d), submitting the following appointment and reappointment to the Children, Youth, and Families Oversight Advisory Committee: (1)

Appointing Charley Obermeyer - Term Ending October 1, 2019

Reappointing E'leva Gibson - Term Ending - September 11, 2019

Reappointing Linda Martley-Jordan - Term Ending - September 11, 2019

From the Office of the Controller's Auditor Division, submitting an audit report on the United Council of Human Services. Copy: Each Supervisor. (2)

From the Office of the Controller's Auditor Division, submitting an audit report of the Adult Probation Department Reentry Division's Community Assessment and Services Center. Copy: Each Supervisor. (3)

From the Office of the Controller's Auditor Division, submitting a Summary of Implementation Status of Recommendations Followed up on in FY2016-17. (4)

From the Planning Department, submitting an Environmental Impact Report Certification for One Oak Street. File No. 170812. Copy: Each Supervisor. (5)

From Recreation and Parks, pursuant to Park Code, Section 3.21(f), submitting a Citations Issued annual report for FY16-17. Copy: Each Supervisor. (6)

From the State of California - Office of Historic Preservation Department of Parks and Recreation, submitting notice that 310 7<sup>th</sup> Street is being nominated to the California Register of Historical Resources. Copy: Each Supervisor. (7)

From Diana Smith, Legal Assistant at Lubin Olson, submitting a response to appeal of mitigated negative declaration regarding 3516-3526 Folsom Street. File Nos. 170851-854. Copy: Each Supervisor. (8)

From Ivar C. Satero, Airport Director, regarding the proposed legislation renaming Terminal 1, in honor of Harvey Milk. File No. 170872. Copy: Each Supervisor. (9)

From West Area California Public Utilities Commission, submitting CPUC Notification regarding Verizon Wireless. Copy: Each Supervisor. (10)

From Roger Brandon, regarding a permanent height limit in San Francisco. Copy: Each Supervisor. (11)

From concerned citizens, regarding the proposed medical cannabis dispensary at 2505 Noriega. File Nos 170917 and 170898. 8 letters. Copy: Each Supervisor. (12)

From concerned citizens, regarding the proposed legislation on the Alameda Creek Recapture Project. File Nos. 170893-896. 3 letters. Copy: Each Supervisor. (13)

From the Public Utilities Commission, pursuant to Administrative Code, Chapter 6, Article IV, Section 6.60, submitting a Declaration of Emergency for the Moccassin Powerhouse GSU Transformer and Ancillary Buswork. Copy: Each Supervisor. (14)

From Pete A Lester, regarding the proposed legislation to ban robots on our sidewalks. File No. 170599. Copy: Each Supervisor. (15)

BOARD of SUPERVISORS



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

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**MEMORANDUM**

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Date: September 1, 2017  
To: Honorable Members, Board of Supervisors  
From: *acc* Angela Calvillo, Clerk of the Board  
Subject: APPOINTMENTS BY THE MAYOR

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The Mayor has submitted the following appointment and reappointments:

- Appointing Charley Obermeyer, to Seat 2 of the **Children, Youth and Families Oversight Advisory Committee**, for a term ending October 1, 2019
- Reappointing E'leva Gibson, to Seat 4 of the **Children, Youth and Families Oversight Advisory Committee**, for a term ending September 11, 2019
- Reappointing Linda Martley-Jordan, to Seat 6 of the **Children, Youth and Families Oversight Advisory Committee**, for a term ending September 11, 2019

Under Administrative Code, Section 2A.233(d), a Supervisor may request a hearing; however, there are no provisions for the Board to accept or reject these appointments.

Please notify me in writing by **5:00 p.m., Wednesday, September 13, 2017**, if you want a hearing to be scheduled.

c: Derek Evans - Rules Committee Clerk  
Alisa Somera - Legislative Deputy  
Mawuli Tugbenyoh - Mayor's Legislative Liaison



OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

September 1, 2017

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

Dear Ms. Calvillo,

Pursuant to Section 16.108 of the Charter of the City and County of San Francisco, I hereby make the following appointment and reappointments:

Charley Obermeyer, to Seat 2 of the Children, Youth and Families Oversight and Advisory Committee, for a term ending October 1, 2019

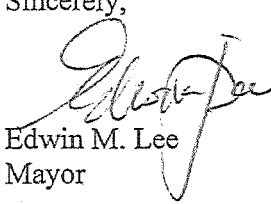
E'leva Gibson, to Seat 4 of the Children, Youth and Families Oversight and Advisory Committee, for a term ending September 11, 2019

Linda Martley-Jordan, to Seat 6 of the Children, Youth and Families Oversight and Advisory Committee, for a term ending September 11, 2019

I am confident that Mr. Charley Obermeyer, Ms. E'leva Gibson and Ms. Linda Martley-Jordan will serve our communities well on the Children, Youth and Families Oversight and Advisory Committee and take steps to ensure that the Children and Youth Fund is administered in a manner accountable to the community. Attached are their qualifications to serve, which demonstrate how these appointments represent the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

Should you have any questions related to these appointments, please contact my Deputy Chief of Staff, Francis Tsang, at (415) 554-6467.

Sincerely,

  
Edwin M. Lee  
Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
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*Charley Obermeyer, 16, is a student at the Bay School. Charley served as a community funder through DCYF's Youth Empowerment Fund, a youth-led philanthropy arm of the department. In his role, Charley read, scored, and administered grant awards to dozens of youth-led and youth-initiated projects over three grant cycles. Additionally, Charley served as a youth leader in Youth Advocacy Day 2017, welcoming dozens of young people to City Hall and the civic center area to engage with city leaders and department representatives. As a queer identified young person, Charley is active in his school's Gay Straight Alliance (GSA) and seeks to stay informed about queer young people's needs. In his application, Charley wrote about his passion for local governance and civic engagement. During his interview, he expressed his desire be involved in and learn about DCYF's relationship with its grantees, as well as the department's role in San Francisco's government structure.*





## OAC YOUTH APPLICANT INFORMATION

Name Charley Obermeyer  
Phone 415-697-4185 Email charleyjames630@gmail.com  
Birth date 06-30-2000 Age 17  
Home Address 490 2nd Ave Zip 94118  
Resident of SF? Yes  No  SF District you live in (1-11) D1

OAC Seat you are applying for:

- Seat 2 (for youth age 19 or under)  
 Seat 7 (for a transitional age youth 18-24)

If you marked Seat 7, confirm you will fill out the "Application for Boards, Commissions, Committees, & Task Forces (attached to this application)"

Occupation Student Employer (if any) Peet's Coffee & Tea  
School you will attend in Fall 2015 (if any) The Bay School of San Francisco  
Other schools you attend or have attended in the past \_\_\_\_\_  
Claire Lilienthal Alternative K-8 School

After-school, summer, or youth programs you are currently involved in \_\_\_\_\_  
N/A

After-school, summer, or youth programs you have been involved with in the past \_\_\_\_\_  
The San Francisco Youth Empowerment Fund, YMCA After School Care, YMCA Summer Camp

### Additional optional information:

Race Caucasian Ethnicity American  
Languages spoken English  
Sexual orientation Bisexual Gender Cis-Male

### Applicant Signature:

Date 7/13/17 Applicant's Signature (required) Charley Obermeyer

(Manually sign or type your complete name. NOTE: By typing your complete name, you are hereby consenting to use of electronic signature.)



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## ESSAY QUESTIONS

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- 1) What communities do you feel connected to and why? How would you represent the diversity of youth in the City and County of San Francisco? (*Examples: Queer, Disabled, Homeless, Teen Parent, Low-Income, Immigrant*). You are not limited to these choices. Please add your own.)

I feel most connected to the community of renting families. Having lived in rented apartment for my entire life, I can empathize and understand the struggles that arise from living in a home that you don't own. I believe that my understanding of problems like gentrification and rent hikes enables me to represent and speak for youth affected by these issues. Additionally, I am very connected to the community of queer youth in San Francisco. I have long been a prominent member in my school's GSA, and regularly attend Pride events around the city. Staying engaged with other queer youth is my way of remaining close to this community and expanding my understanding of what queer youth in SF still need.

- 2) What special skills, insight and experiences would you bring to this position?

The most important thing that I know I would bring to this position is my passion for local governance and civic engagement. In the past, this passion for my work made me a determined and ever-dedicated Community Funder at YEF, and led me to take the lead in discussion, facilitation, and research for our work. As far as skills go, I have a strong work ethic, and ensure that whatever I am doing, I come prepared, having done additional research. I am organized and always strive to improve my quality of work by regularly reviewing my performance. I also have experience in being a thoughtful and measured committee member, as I have been on my school's student judiciary committee for a year and recently became the youth representative of the Geary CAC, a community led taskforce designed to give Geary transit riders representation in planning the Geary BRT changes.

- 3) What are some of your past experiences as a participant or leader in youth-focused activities?

For many years, I took part as a participant in YMCA after school programs at my middle school, and YMCA summer camps during the summers. When I became older, I spent time as a Counselor in Training during one summer and got a closer look at what daycare for younger children entails.

However, the most recent and most significant experience that I have had with youth programs is my time as a Community Funder at YEF. Alongside eight other talented teens, I accepted grant applications from youth all over SF, read their applications, graded them, conducted grantee interviews, and made the final decisions on which projects got funded. I also took part in outreach to spread awareness about the availability of grants, hosted mixers and grantee gatherings, and helped to facilitate Youth Advocacy Day. My time at YEF taught me so much, and led me to become the community leader and politically-active representative for youth that I am today. It was an amazing experience, and gave me so much.



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## RECOMMENDATION

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Recommender Name Breanne Harris  
Organization or Relationship The San Francisco Youth Empowerment Fund  
Best way to contact Email

- Check if recommender will be submitting a separate letter of recommendation.  
Recommendations can be sent to: [youthcom@sfgov.org](mailto:youthcom@sfgov.org)

*Recommender, please share your insights about the applicant's involvement and leadership in youth programs and their ability to advocate for their community.*

(See Attached Letter of Recommendation)





1426 Fillmore St. Suite 204 San Francisco, CA 94115 | 415-561-0631 Ext. 119

July 10, 2017

To Whom It May Concern:

I am writing to recommend Charley Obermeyer for as a youth leader in your organization. I have worked with Charley over the past year while he was a part of YEF's philanthropy and leadership program Youth Giving Project and most recently as his supervisor in his role as a YEF youth staff member (Community Funder). In the months that I have known Charley he has been active, engaged and dependable in both his program participation and his work. I believe that these characteristics along with his passion for city government and global politics make him a great fit any youth leadership role.

At the Youth Empowerment Fund (YEF) our mission is to develop the capacity and leadership of young people to define their own programming, practice leadership and bring about sustainable community change. As a Community Funder, Charley is responsible for advising the disbursement of over \$100,000 in grant funds, facilitating discussions with his peers and supporting the overall work of our organization. YEF asks a lot of their youth staff and Charley is always up for learning and adding new professional skills to his repertoire.

Upon meeting Charley one of the first things he shared about himself was his interest in municipal government, an unusual interest for the average 15 year old. Even though his age may limit his ability to vote in local and national elections, Charley continues to be an extremely engaged young citizen. In working with YEF he has brought many political current events to group discussions to share his knowledge with his peers. More recently Charley served as a youth leader for YEF's annual Youth Advocacy Day event. He was excited to do his part in amplifying the voices of youth in the city and hold city officials accountable to their young constituents. I believe Charley has the necessary skills, passion and concern for the city that is required to serve as a youth leader.

Charley has been a dependable and thoughtful Community Funder and I am excited to see what his future holds. I know that you will find him to be dedicated and passionate if you choose to appoint him to this position. I would be happy to discuss Charley's skills and work at YEF further if necessary. If you have any questions please contact me directly at Breanne@yefsf.org or at 415-561-0631 ext. 119.

Sincerely,

A handwritten signature in black ink, appearing to read 'Breanne Harris', written over a white background.

Breanne Harris  
Associate Director





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**E'leva D. H. Gibson, Ed.D.**

595 John Muir Drive #429, San Francisco, CA. 94132  
(415) 680-5603; elevagibson@yahoo.com

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**OBJECTIVE:** To obtain an educational leadership position that utilizes my strong organizational skills, educational background, and ability to work well with others to improve educational outcomes for students.

### **EDUCATIONAL LEADER**

**Expertise:** Organizational Leadership, Strategic Planning & Implementation, Community Service and Outreach, Family Engagement, Instructional Reform, Professional Development, Public Relations, Curriculum Development & Instruction, Educational Technology, Restorative Practices, Systems Alignment of Early Childhood Learning to Higher Education, 21<sup>st</sup> Century Learning

As an accomplished educational leader, I have utilized my talents and skills to create equitable educational opportunities for students and support for their families. From early childhood learning to higher education, I have worked closely with culturally and linguistically diverse populations (i.e., Asian, African American, Latino, Polynesian, English language learners) and developed partnerships with several educational organizations to serve various communities. I have overseen numerous department units, schools, and programs; and have successfully implemented initiatives at the site, district, and city levels.

### **KEY PROJECTS**

- ✓ Worked in the PK-8 School Division with various departments to promote equity, student achievement, and accountability. Worked closely with the Leadership, Equity, Achievement and Deign (LEAD) Team and the Instructional Reform (IRF) Network to improve site-based structures for effectively utilizing centrally-allocated resources and personnel at focal schools. Coordinated systems of support for schools to increase student engagement and cultivate an effective environment. As a result, developed and worked with targeted schools to utilize Individualized Learning Plans (ILPs) for focal student groups to increase student achievement and parent involvement. Collaborated with student groups, staff, site administration, and district-/city-/community representatives (e.g, Pupil Services, the African American Achievement Leadership Initiative, Human Rights Commission)- to improve school climate issues.
- ✓ Worked collaboratively with the Early Education and Elementary School Divisions to build professional learning communities consisting of principals, teachers, and instructional coaches with grades PreK, TK, K-5, and Out-of-School Time (OST) to align expectations for student progress and achievement. Led the planning and organization of professional development meetings that addressed student assessment data, common core standards, learning foundations, response to intervention, family engagement and support, early literacy development, developmentally-appropriate practices, social emotional development, educational technology (i.e., S.T.E.M), arts, and recreation. As a result, coordinated state/city/community visits to model school sites, developed the Step Up to K accelerated summer program, influenced the integration of P-3 alignment into the Balanced Scorecard, strengthened relationships, promoted communication across departments and divisions within the District, and raised K-readiness scores.
- ✓ Worked with the Early Education Department and led the team to establish the entirely new grade level, Transitional Kindergarten (TK)- beginning with 7 classrooms and growing rapidly to 22 classrooms within a three-year time period. Created systems and built structures, recruited, hired, supervised and managed personnel, conducted observational cycles to evaluate staff work performance, planned professional development for TK teachers and administrators, and led the development of school improvement actions plans for TK sites. Through collective efforts, researched the state's senate bill and its expectations based on the Kindergarten Readiness Act of 2010, identified school sites' needs to establish classrooms and program implementation, developed the program's organizational structure, researched state standards and assessments to modify a core curriculum, created a grade level report card, developed instructional guidelines, monitored and made recommendations for budgetary decisions, collaborated with EPC/Legal to develop a K Waiver policy, and participated in research studies to evaluate program effectiveness (i.e., Stanford University, University of San Francisco, American Institutes for Research).



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## CAREER HISTORY

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SF Children and Families Commission (First 5) – Commissioner  
SF Childcare Planning and Advisory Council (CPAC) – Executive Committee Member  
Department of Children, Youth, and Their Families (DCYF OAC) – Oversight and Advisory Committee  
Our Children, Our Families (OCOF) – Council Member

### San Francisco Unified School District

#### Executive Director/Director

2016 to present

As a member of the Leadership, Equity, Achievement, and Deign (LEAD) Team for the PK-8 School Division, work in partnership with the Assistant Superintendent to oversee 14 elementary schools, 3 alternative PK-8 schools, and 3 comprehensive middle schools. Supervise principals to manage sites utilizing SFUSD's 2016-19 Strategic Plan: *Transform Learning, Transform Lives* and Vision 2025. Monitor strategic planning and budgets in reference to the Balanced Scorecard, grants, and other funding sources; organize district-wide support for principals (e.g., School Planning Summit). Coordinate cohort principal network meetings using the Bryk's framework in particular reference to the Dimensions of Leadership and the 5 Essentials for school improvement; organize and facilitate Instructional Rounds site visits. Work collaboratively with various divisions through the District Leadership Network (DLN) to conduct an inquiry-based case study and develop plans to address the achievement/opportunity gap for focal student groups. Work collaboratively with various departments including Buildings & Grounds, Special Education, Public Relations, Legal, Office of Equity, Human Resources, Labor Relations, Student Family Community Support, and Curriculum & Instruction for quality assurance of schools. Facilitate monthly UESF partnership meetings to address concerns, problem-solve, and develop action plans.

#### Executive Director

2014 to 2016

Oversaw 12 Early Education Schools and 25 Out-of-School Time (OST) Programs, which included principals, teachers, paraprofessionals, clerks, and houseparents who serve PreK, Transitional Kindergarten (TK) and students in K-5<sup>th</sup> grades in the OST programs at both early education and elementary school sites. Directly supported 23 elementary school principals with PreK and 6 with TK grades. Monitored state mandates, district policies, and compliance. Selected, hired, supervise, and evaluated principal performance as it related to the CA Professional Standards for Educational Leaders, SFUSD Leadership Competencies and Action Plans, and the Bryk's Framework. Supported principals in developing the CA Department of Education program action plans as aligned to SFUSD's 2013-15 Strategic Plan: *Impact Learning, Impact Lives* and Vision 2025. Provided direct support to principals to establish new PreK and TK classrooms (e.g., site setup, program design, community outreach). Developed department plans as they related to assessments, S.M.A.R.T. goals, and various funding sources to support efforts. Organized and facilitated business meetings and professional development, which included discussions about social justice, access, equity, and courageous conversations. Provided direct support to principals in analyzing Kindergarten Readiness data (i.e., DRDP, PALS, F&P, QRIS, CLASS, ERS, SACERS). Worked closely with principals to identify areas for improvement and ways to align program focus areas between PreK/TK-5<sup>th</sup>/8<sup>th</sup> grades. Worked collaboratively with various departments including Facilities, Legal, the Education Placement Center. Coordinated, facilitated, and met regularly with UESF and UASF representatives to address concerns, problem-solve, and developed action plans for improvement. Met regularly with representatives from the Department of Social Services, Office of Early Care Education, First 5 Commission, DCYF, and others.

#### Supervisor

2013-2014

Oversaw the PK-3<sup>rd</sup> grade alignment efforts and the organization and structure of the Transitional Kindergarten program including the development of curriculum, instruction, assessment, intervention, and the K Waiver policy. Directly supervised and supported 18 TK sites at both early education and elementary schools. Recruited, hired, observed, and evaluated teachers, instructional coaches, and program specialists. Coached and supported principals and site administrators on establishing the new grade level at school sites by coordinating with numerous district departments: EPC, the Budget Office, HR, SpEd, MPD, Buildings & Grounds; setting up classrooms, revising master schedules, and facilitating administrative meetings. Wrote proposals and monitored budgets related to fiscal operations and programmatic needs. Led the organization and development of professional learning community (PLC) for the PreK-3<sup>rd</sup> Grade Initiative. Worked collectively with early education department program specialists and elementary division instructional reform facilitators to train teachers and orchestrate cross-grade level collaboration to align instructional expectations, support services, and early intervention strategies for students in grades PreK-TK-K including OST programs.



**Principal/Site Administrator****2011 to 2013**

Oversaw the day-to-day operations of multiple school sites such as Tule Elk Park Early Education School and Tenderloin Early Education School, and served as the instructional leader of numerous programs. Recruited, supervised and managed personnel, conducted observational cycles to evaluate staff work performance. Fund raised, wrote grant proposals, and monitored state, district and fiscally-sponsored budgets as they related to Title 5, First 5 Preschool for All, SF School Alliance. Implemented district initiatives, provided and facilitated professional development, built parent and community partnerships, collaborated with staff to develop strategic action plans, utilized quantitative/qualitative data such as DRDPs, PALS, F&P, ERS, SACERS to set school-wide goals, and implemented instructional frameworks such as Learning Foundations, Reggio Emilia Inspired Approach and Creative Curriculum to promote student achievement. Led organizational change and strengthened the learning environment. Worked collaboratively with dedicated parents, staff, and community partners to: raise over \$50,000 to sustain the ecoliteracy program, build a partnership with The Plant Café restaurant to use herbs from the school garden, promote early literacy in collaboration with organizations such as Raising A Reader (also known as Tandem) and the Jewish Coalition for Literacy, implement the Inclusion model for full integration of students with identified needs/disabilities, and establish new classrooms. Led the establishment of Transitional Kindergarten; recruited, hired, observed, and evaluated TK teachers district-wide; and facilitated parent outreach.

**Instructional Reform Facilitator, Reform & Accountability****2008 to 2011**

Elected as a School Site Council member to make decisions concerning master scheduling, organizational plans, and budget. Facilitated educational reform efforts to close the Achievement Gap/Opportunity Gap concerning African American, Latino, English Language Learners (ELL), and students with special needs/disabilities. Piloted district initiatives such as the Balance Scorecard and MAP benchmark assessments, and coordinated instructional programs like SkillsTutor, Word Generation, and AVID. Provided data presentations and designed reports using the Data Director web-based system. Developed curriculum that promoted differentiated instruction for IEP, 504, GATE, and ELLs. Coordinated English learner instruction by orchestrating professional development and support for ELD teachers, was in-charge of the CELDT assessment, monitored ELLs and reported student progress to the English Learners Support Services department. Organized and facilitated staff professional development, orchestrated department collaboration, and provided grade level team support. Served as a Beginning Teacher Support and Assessment (BTSA) provider, mentor to TFA teachers, and coached teachers from beginning to veteran levels utilizing the California Standards for the Teaching Profession (CSTP). Advised student groups (e.g. Student Council, drill team, BSU), arranged individualized tutorials, and collaborated with staff, students, parents, and community-based organizations to produce school-wide literacy initiatives and family events.

**Adjunct Professor, University of San Francisco, School of Education****2009 to 2014**

Course Title: TEC600- Teaching, Learning, and Technology. Designed a course that presents a context for appropriate technology use in elementary and secondary education by studying issues surrounding technology used by society in general, and education in particular. The objectives of this course focused on assisting teacher credential candidates to successfully integrate computers and allied technology into their classroom curriculum, organization, and teaching style. Discuss current educational issues including the achievement gap, student learning trends, and teaching philosophies; review the K-12 California Content Standards and Common Core, National Educational Technology Standards, California Standards for the Teaching Profession Standards, Teaching Performance Expectations, and ways to integrate grade level appropriate instructional strategies using lesson plan templates; and educational theories in relation to the integration of technology.

**Assistant Principal Intern, Oakland Unified School District****Summer 2010**

Served as an elementary school assistant principal intern, supervised students and staff, planned meetings, reviewed benchmark assessments for grades 3-5, conducted observations and walkthroughs, provided direct teacher support, worked on parent communication and newsletter, and interviewed candidates for teacher position.

**Program Director, Children's Defense Fund Freedom Schools****Summer 2004**

Piloted, organized, and led summer school, which served children ages 5 to 18. Coordinated resources and guided the implementation of a project-based curriculum that promoted reading, literacy development, social-emotional learning, conflict resolution, and cultural history and awareness. Recruited, hired, and managed local program staff. Supervised site coordinators and servant leader interns. Coordinated all logistics for summer program operations in partnership with the sponsoring executive director; monitored budgets, coordinated national and local trainings for staff, and organized family engagement events.



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**7th Grade English Language Arts and Reading Teacher, SFUSD****2004 to 2008**

Taught the grade seven California content standards for language arts and successfully raised students' reading comprehension scores on the California Standardized Test. Organized classes to participate in the SF Jazz in the Middle poetry program, collaborated with Streetside Stories to produce iMovies for the Tech Tales digital storytelling program, and conducted a dissertation research study on closing the achievement gap.

**8th Grade English Language Arts and Reading Teacher, SFUSD****2000 to 2004**

Taught the grade eight California content standards for language arts and formulated a research study as a teacher researcher for the Bay Area Writing Project. Served as a program coordinator for Cesar Chavez Service Learning Initiative and orchestrated annual student service learning projects. Served as project coordinator for the Tiger Woods' Start Something Program through Community in Schools' sponsorship to organize the afterschool enrichment program. Developed the BSU Summit for middle/high school students; worked with numerous district/community/city/university representatives to provide funding, information, and resources. Received a teacher of the year and team of the year awards.

**EDUCATION**

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**University of California, Berkeley**

M.A. Educational Leadership

CA Clear Administrative Services Credential

**University of San Francisco**

Ed.D. International &amp; Multicultural Education/Organization &amp; Leadership; Dissertation Title: Touching the Spirit as a Motivating Factor for African American Students to Achieve Academic Excellence

M.A. Educational Technology

CA CLAD Teaching Credential

**San Francisco State University**

B.A. Broadcast Communications

**PROFESSIONAL AFFILIATIONS**

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Emerge California, Children and Families Commission, Children's Council of San Francisco (CPAC) The Links, Incorporated- South Bay Area/Eden Rose Chapter, Alpha Kappa Alpha Sorority, Inc.- Alpha Nu Omega Chapter, initiated through Eta Sigma, Phi Delta Kappa- Chapter 1484, San Francisco, Alliance of Black School Educators, the Omega Boys Club, International Institute of Restorative Practices (IIRP), Advancement Via Individual Determination (AVID) College Prep Program, Infusing Responsibility for Intellectual and Scholastic Excellence (I.R.I.S.E.), Gaining Early Awareness & Readiness for Undergraduate Programs (GearUp)

**GRANTS/FELLOWSHIPS/AWARDS**

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2017 Chinese Bridge Tour to Beijing and Shanghai, China; Hanban/Confucius Institute Headquarters

2016-2017 Innovation Award, San Francisco Unified School District

2014 Regional Leadership Award, Alpha Kappa Alpha Sorority, Incorporated

2013 Principal of the Year Award, San Francisco Mayor's Awards

2009-2010 Berling Scholarship Award, University of California, Berkeley

2007 Outstanding Doctoral Student, University of San Francisco

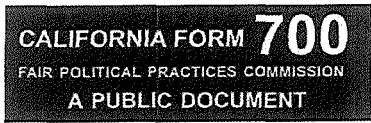
2002-2004 Americorps Fellowship, Teacher Education for Advancement of Multicultural Society (TEAMS)

2004 Teacher of the Year, Alliance of Black School Educators

2003 Team of the Year, Industry Initiatives for Science &amp; Math Education (IISME)







STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE

Date Initial Filing  
Received  
Official Use Only

E-Filed  
03/24/2017  
17:38:37  
Filing ID:  
164257499

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Gibson, E'leva

1. Office, Agency, or Court

Agency Name (Do not use acronyms)  
City and County of San Francisco  
Division, Board, Department, District, if applicable Your Position  
Children & Families First Commission Member  
► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)  
Agency: \*SEE ATTACHED FOR ADDITIONAL POSITIONS Position:

2. Jurisdiction of Office (Check at least one box)

State  Judge or Court Commissioner (Statewide Jurisdiction)  
 Multi-County  County of San Francisco  
 City of San Francisco  Other

3. Type of Statement (Check at least one box)

Annual: The period covered is January 1, 2016, through December 31, 2016  
-or- The period covered is \_\_\_\_\_, through December 31, 2016  
 Assuming Office: Date assumed \_\_\_\_\_  
 Leaving Office: Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_ (Check one)  
 The period covered is January 1, 2016, through the date of leaving office.  
 The period covered is \_\_\_\_\_, through the date of leaving office.  
 Candidate: Election Year \_\_\_\_\_ and office sought, if different than Part 1:

4. Schedule Summary (must complete) ► Total number of pages including this cover page: 2

Schedules attached

Schedule A-1 - Investments – schedule attached  Schedule C - Income, Loans, & Business Positions – schedule attached  
 Schedule A-2 - Investments – schedule attached  Schedule D - Income – Gifts – schedule attached  
 Schedule B - Real Property – schedule attached  Schedule E - Income – Gifts – Travel Payments – schedule attached

-or-

None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)  
San Francisco CA 94102  
DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS  
( )

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 03/24/2017  
(month, day, year)

Signature E'leva Gibson  
(File the originally signed statement with your filing official.)



060600029-NFH-0029

**STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE  
Expanded Statement Attachment**

<b>CALIFORNIA FORM 700</b> FAIR POLITICAL PRACTICES COMMISSION
Name E'leva Gibson

\* This table lists all positions including the primary position listed in the Office, Agency, or Court section of the Cover Page.

Agency	Division/Board/Dept/District	Position	Type of Statement
City and County of San Francisco	Children & Families First Commission	Member	Annual 1/1/2016 - 12/31/2016
City and County of San Francisco	Children Youth and Their Families Oversight and Advisory	Member	Annual 1/1/2016 - 12/31/2016



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## **Linda Martley-Jordan**

Office of the Superintendent, African American Achievement and Leadership Initiative, Post Secondary Pathway Program Manager

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### **Summary**

Linda Jordan is the African American Achievement and Leadership Post Secondary Pathway, Program Manager at San Francisco Unified School District. Ms. Jordan is committed to ensuring access to educational programs, resources and structures to the diverse African American communities whose children are educated in SFUSD high schools. She creates, collaborates and implements culturally relevant educational and college prep programs to serve youth from all over San Francisco who have not had successful experiences in other school settings. To support the mission of ongoing engagement with the community and students she develops partnerships with community-based organizations aimed at engaging students and their families in completing high school successfully with post-secondary options and scholarships. Another passion of Ms. Jordan's is working in collaboration with the college and career team at Mission and the San Francisco Alliance of Black School Educators(SFABSE) in developing a strong college going culture for students. In the fall of 2014 Ms. Jordan is the chairperson of the annual Historically Black College and University (HBCU) Fair sponsored by SFUSD and the SFABSE. Over 45 colleges and university admission directors and counselors were on site to meet with students and provide on-site admission to their institutions. She serves as the faculty advisor for the African American Parent Advisory Council of Mission High School. Ms. Jordan is on the San Francisco Chapter of the NAACP Youth Council as Advisor, SFABSE as HBCU Chair, San Francisco African American Shakespeare Company Educational Committee and Black Women Organize for Political Action (BWOPA) Youth Advisory Coordinator. She is a graduate of Laney College in Oakland, California receiving two AA degrees in African American Studies and Social Science. Ms. Jordan is a graduate of UC Berkeley and has a BA degree in African American Studies with a concentration in Social Science.

---

### **Experience**

#### **Post Secondary Pathway Manager, African American Achievement & Leadership Initiative at San Francisco Unified School District**

September 2009 - Present

#### **Community Resource Specialist/African American Students and Parents at San Francisco Unified School at San Francisco Unified School District**

January 2005 - May 2009 (4 years 5 months)

In accordance with the missions and goals of SFUSD, the work of the Community Resource Specialist/African American Students and Parents falls into five broad categories: mentorship, academic counseling support, college advising, parent engagement and community outreach.

This supportive role entails working with people from diverse backgrounds and experiences, who can build meaningful relationships with parents and members of the African American community, develop pioneering



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community outreach programs, work successfully in professional learning communities, collaborating with colleagues, parents and others to assist students with their goals and use data to develop and guide an effective support program for African American Students.

**Segment Producer**

May 1994 - July 2002 (8 years 3 months)

Segment Producer on "BAY-TV MORNINGS" with Terry McGovern

---

**Education**

**University of California, Berkeley**

Bachelor of Arts (B.A.), African-American/Black Studies, 2002 - 2004

**Activities and Societies:** Black recruitment and Retention Program The George A. Miller Scholars Program  
Ronald McNair Scholars Program

**Harvard University Graduate School of Education**

Public Education Leadership Project, 2015 - 2015

**Laney College**

Associate of Arts (A.A.), African American History, 2000 - 2002

**Activities and Societies:** Black Student Union Phi Delta Kappa International Honor Society

**Laney College**

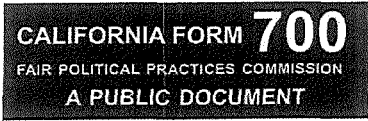
Associate of Arts (A.A.), Social Sciences, 2000 - 2002

**Activities and Societies:** Black Student Union Phi Theta Kappa International Honor Society

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STATEMENT OF ECONOMIC INTERESTS COVER PAGE

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NAME OF FILER (LAST) (FIRST) (MIDDLE) Martley-Jordan, Linda

1. Office, Agency, or Court

Agency Name (Do not use acronyms) City and County of San Francisco Division, Board, Department, District, if applicable Children Youth and Their Families Oversight and Advisory Committee Your Position Member

If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: Position:

2. Jurisdiction of Office (Check at least one box)

State Multi-County City of Judge or Court Commissioner (Statewide Jurisdiction) County of San Francisco Other

3. Type of Statement (Check at least one box)

Annual: The period covered is January 1, 2016, through December 31, 2016 -or- The period covered is through December 31, 2016 Assuming Office: Date assumed Candidate: Election Year and office sought, if different than Part 1: Leaving Office: Date Left (Check one) The period covered is January 1, 2016, through the date of leaving office. The period covered is through the date of leaving office.

4. Schedule Summary (must complete) Total number of pages including this cover page: 1

Schedules attached Schedule A-1 - Investments - schedule attached Schedule A-2 - Investments - schedule attached Schedule B - Real Property - schedule attached Schedule C - Income, Loans, & Business Positions - schedule attached Schedule D - Income - Gifts - schedule attached Schedule E - Income - Gifts - Travel Payments - schedule attached -or- None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE San Francisco CA 94102 DAYTIME TELEPHONE NUMBER E-MAIL ADDRESS

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 04/10/2017 (month, day, year)

Signature Linda Martley-Jordan (File the originally signed statement with your filing official.)



---

**From:** Reports, Controller (CON)  
**Sent:** Monday, August 28, 2017 2:16 PM  
**Subject:** Issued – HSH: Increased Oversight, Fiscal Sponsorship Controls and Accountability Are Needed at United Council of Human Services

The Office of the Controller's City Services Auditor Division (CSA) today issued a report on its audit of the United Council of Human Services (UCHS), a recipient of grant funding managed by the City and County of San Francisco's Department of Homelessness and Supportive Housing (HSH). The audit found that UCHS' operations need some improvement and that:

- The composition of UCHS's board does not comply with UCHS bylaw requirements.
- UCHS's fiscal agent, Bayview Hunters Point YMCA (YMCA), lacks sufficient access to UCHS's critical financial records, which impedes YMCA's ability to ensure that UCHS is a fiscally viable organization.
- Due to missing support, illegible receipts, and misclassified items, there is no way to verify whether \$88,140 of UCHS's expenditures were allowable.

To view the full report, please visit our website at:  
<http://openbook.sfgov.org/webreports/details3.aspx?id=2490>.

This is a send-only e-mail address. For questions about the report, please contact Chief Audit Executive Tonia Lediju at [tonia.lediju@sfgov.org](mailto:tonia.lediju@sfgov.org) or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

Follow us on Twitter @SFController.



# City and County of San Francisco

Office of the Controller – City Services Auditor

## **HOMELESSNESS AND SUPPORTIVE HOUSING:**

**Increased Oversight, Fiscal  
Sponsorship Controls, and  
Accountability Are Needed to  
Improve The United Council of  
Human Services' Operations**



August 28, 2017

**OFFICE OF THE CONTROLLER  
CITY SERVICES AUDITOR**

The City Services Auditor Division (CSA) was created in the Office of the Controller through an amendment to the Charter of the City and County of San Francisco (City) that voters approved in November 2003. Charter Appendix F grants CSA broad authority to:

- Report on the level and effectiveness of San Francisco's public services and benchmark the City to other public agencies and jurisdictions.
- Conduct financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operate a whistleblower hotline and website and investigate reports of waste, fraud, and abuse of city resources.
- Ensure the financial integrity and improve the overall performance and efficiency of city government.

CSA may conduct financial audits, attestation engagements, and performance audits. Financial audits address the financial integrity of both city departments and contractors and provide reasonable assurance about whether financial statements are presented fairly in all material aspects in conformity with generally accepted accounting principles. Attestation engagements examine, review, or perform procedures on a broad range of subjects such as internal controls; compliance with requirements of specified laws, regulations, rules, contracts, or grants; and the reliability of performance measures. Performance audits focus primarily on assessment of city services and processes, providing recommendations to improve department operations.

CSA conducts audits in accordance with the Government Auditing Standards published by the U.S. Government Accountability Office. These standards require:

- Independence of audit staff and the audit organization.
- Objectivity of the auditors performing the work.
- Competent staff, including continuing professional education.
- Quality control procedures to provide reasonable assurance of compliance with the auditing standards.

For questions regarding the report, please contact Chief Audit Executive Tonia Lediju at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393 or CSA at 415-554-7469.

Audit Team: Mamadou Gning, Principal Auditor  
Nicole Kelley, Lead Supervising Auditor  
Jonathan Collum, Supervising Investigator  
Joseph Towner, Senior Auditor  
Michael Bahler, Staff Auditor  
Maggie Chui, Staff Analyst



# City and County of San Francisco

## Office of the Controller - City Services Auditor

**Homelessness and Supportive Housing:  
Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are  
Needed to Improve The United Council of Human Services' Operations**

**August 28, 2017**

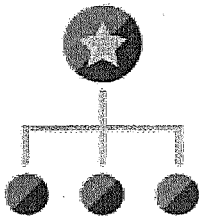
### Why We Conducted the Audit

In 2015 The United Council of Human Services (UCHS), a nonprofit organization, received about \$1.5 million in federal grant funding through the City and County of San Francisco (City) to provide services for the homeless. The audit was conducted to determine whether UCHS used city funds for their intended purposes and whether costs claimed by UCHS were allowable, reasonable, and in accordance with applicable laws, regulations, guidelines, and the terms and conditions of the awards. Also, the audit assessed UCHS's internal controls over its payroll and reimbursement processes. Further, the audit assessed UCHS's internal governance and Board of Directors (board) to determine whether both provide an appropriate level of fiscal oversight.

The City's Human Services Agency, which requested the audit, administered UCHS's grants until the City's Department of Homelessness and Supportive Housing assumed this responsibility in August 2016. The audit also involved the Bayview Hunters Point YMCA (YMCA), which in 2009 became UCHS's fiscal agent to provide fiscal oversight services.

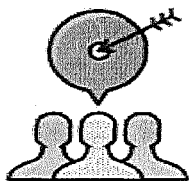
### What We Found

#### UCHS's governance structure impedes its ability to be a sustainable organization.



- UCHS's board does not have some basic policies and does not adhere to its bylaws. Consequently, three board members served longer terms than allowed.
- Board members do not have the required financial expertise to properly oversee UCHS.
- UCHS's board generally does not provide adequate oversight, which increases the risk of ineffective management.

#### Improvement in UCHS's financial operations requires a transition from a fiscal agent to a fiscal sponsor and a new organizational structure.



- UCHS's fiscal agent, YMCA, has insufficient access to the records of UCHS's key financial operations.
- UCHS could lose its nonprofit status and grant funding because it does not always comply with federal tax and audit requirements.
- UCHS's organizational structure hinders its financial viability.

#### UCHS expenditures and payroll processes are flawed. Some payments were not verified as allowable due to insufficient supporting documentation.



- The audit could not verify that \$88,140 of expenditures was reasonable or allowable due to missing support, illegible receipts, and/or misclassified items.
- YMCA overbilled the Human Services Agency \$715 for improperly allocated fees.
- The audit could not verify the employment of 93 percent of former or current UCHS employees sampled because UCHS did not provide files for these employees.

## What We Recommend

The report includes 28 recommendations for the Department of Homelessness and Supportive Housing to improve UCHS's organizational structure and compliance with federal guidelines. Specifically, the Department of Homelessness and Supportive Housing should:

- Direct UCHS to adhere to its bylaws' requirements on board composition and the maximum term of board members.
- Direct UCHS to require its board members to periodically review the organization's governing policies and procedures, including its bylaws, and have board members affirm in writing that they have done so.
- Ensure that UCHS's board includes at least one member with a formal background in finance.
- Assist UCHS's fiscal agent to become UCHS's fiscal sponsor; a fiscal sponsor would have more responsibility over UCHS's operations.
- Ensure that UCHS files its tax returns when due and files for extensions when needed.
- Ensure that UCHS develops a finance team to support the organization's various functions, which include business planning, budgeting, accounting, and human resources activities.
- Require UCHS's fiscal agent to fulfill its duties by ensuring that UCHS provides full and accurate receipt support for food and kitchen supply expenditures.
- Ensure that fees incurred are billed proportionally to each UCHS funding source based on the program assignments of UCHS employees.
- Ensure that UCHS's fiscal agent appropriately maintains all files, records, and documents in a readily accessible location to allow the fiscal agent to properly oversee UCHS's payroll process.

The report also includes two recommendations for the Human Services Agency: to recover overpaid funds, including \$715 from YMCA for a payroll-processing fee and taxes it overcharged, and to require YMCA to review all its payroll records and reimburse the agency for the total amount YMCA overcharged.

*Copies of the full report may be obtained at:*

*Office of the Controller • City Hall, Room 316 • 1 Dr. Carlton B. Goodlett Place • San Francisco, CA 94102 • 415.554.7500  
or on the Internet at <http://www.sfgov.org/controller>*





**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
**Controller**

**Todd Rydstrom**  
**Deputy Controller**

August 28, 2017

Mr. Jeff Kositsky  
Director  
Department of Homelessness and Supportive Housing  
1360 Mission Street, Suite 200  
San Francisco, CA 94103

Mr. Trent Rhorer  
Executive Director  
Human Services Agency  
170 Otis Street, 8<sup>th</sup> Floor  
San Francisco, CA 94103

Dear Mr. Kositsky and Mr. Rhorer:

The Office of the Controller's City Services Auditor Division (CSA) presents its audit report of The United Council of Human Services (UCHS), a recipient of grants now managed by the Department of Homelessness and Supportive Housing (HSH) and formerly managed by the Human Services Agency (Human Services) of the City and County of San Francisco (City). The audit had as its objectives to determine whether costs claimed by UCHS were allowable, reasonable, and in accordance with applicable laws, regulations, guidelines, and the terms and conditions of the grant awards. Also, the audit assessed UCHS's internal controls over its payroll and reimbursement processes. Further, the audit assessed UCHS's internal governance and its Board of Directors (board) to determine whether both provide an appropriate level of fiscal oversight.

Among the audit's conclusions are that:

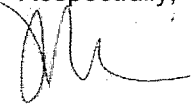
- The composition of the UCHS board does not comply with UCHS bylaw requirements.
- Board members must become more familiar with their responsibilities and the organization's governing procedures, including its bylaws.
- UCHS's fiscal agent, Bayview Hunters Point YMCA (YMCA), has insufficient access to UCHS's critical financial records, which impedes its ability to ensure that UCHS is a fiscally viable organization.
- UCHS expenditures and payroll processes are flawed.
- Due to missing support, illegible receipts, and misclassified items, it is impossible to verify whether \$88,140 of UCHS's expenditures were allowable.

The report includes 28 recommendations for HSH and 2 recommendations for Human Services to ensure that UCHS develops appropriate practices in accordance with fundamental board policies, establishes policies and procedures regarding board member responsibilities, implements adequate oversight of financial operations, and improves the overall payroll and disbursement process.

The responses of HSH, Human Services, and UCHS to the report are attached in the appendices. CSA will work with HSH and Human Services to follow up on the status of the recommendations made in this report.

CSA appreciates the assistance and cooperation of HSH, Human Services, the Mayor's Office of Housing and Community Development, YMCA, and UCHS staff during the audit. For questions about the report, please contact me at [Tonia.Lediju@sfgov.org](mailto:Tonia.Lediju@sfgov.org) or 415-554-5393 or CSA at 415-554-7469.

Respectfully,



Tonia Lediju  
Chief Audit Executive

cc: Board of Supervisors  
Budget Analyst  
Citizens Audit Review Board  
City Attorney  
Civil Grand Jury  
Mayor  
Public Library

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**Office of the Controller, City Services Auditor**  
**Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are Needed to Improve**  
**UCHS's Operations**

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## GLOSSARY OF TERMS

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Board	Board of Directors
City	City and County of San Francisco
Controller	Office of the Controller
CSA	City Services Auditor Division of the Office of the Controller
GAO	U.S. Government Accountability Office
Human Services	Human Services Agency
HSB	Department of Homelessness and Supportive Housing
HUD	U.S. Department of Housing and Urban Development
MOHCD	Mayor's Office of Housing and Community Development
OMB	U.S. Office of Management and Budget
UCHS	United Council of Human Services
VA	U.S. Department of Veterans Affairs
YMCA	Bayview Hunters Point YMCA

## INTRODUCTION

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### Audit Authority

This audit was conducted under the authority of the Charter of the City and County of San Francisco (City), Section 3.105 and Appendix F, which requires that the City Services Auditor (CSA) of the Office of the Controller (Controller) conduct periodic, comprehensive financial and performance audits of city departments, contractors, services, and activities.

### Background

#### United Council of Human Services

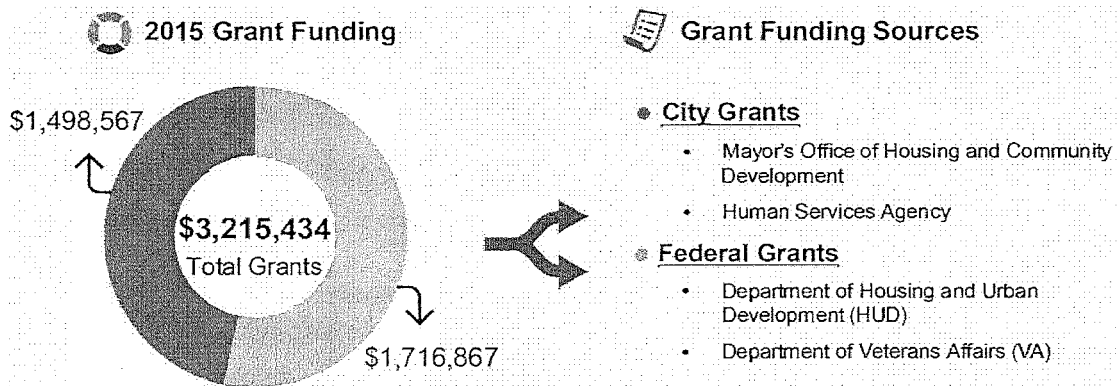
The United Council of Human Services (UCHS) is a nonprofit organization that began in San Francisco as a mobile outreach program more than 30 years ago to provide services to homeless and low-income families. UCHS's Bayview Hunters Point Multi-Service Drop-In Center opened in 1997 and UCHS reports that the center has delivered more than 1 million service units to individuals and families by providing food, clothing, employment assistance, job preparation training, housing assistance, and various other services. UCHS's mission is to reduce hunger and poverty through self-help, one life at a time.

Exhibit 1 shows UCHS's grant funding sources.

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### EXHIBIT 1 UCHS Grant Funding Sources in 2015

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Source: UCHS's 2015 federal tax return.

### **Human Services Agency**

According to the City's Human Services Agency (Human Services), it began doing business with UCHS in 1998 and, in June 2015, had two agreements with UCHS. Human Services managed both agreements at the beginning of the audit period. Human Services is the central resource for public assistance in the City. The department's mission is to promote well-being and self-sufficiency among individuals, families, and communities in San Francisco.

### **Department of Homelessness and Supportive Housing**

The City's Department of Homelessness and Supportive Housing (HSH) launched in August 2016. According to Human Services, later that year management of the City's UCHS agreements was transferred from Human Services to HSH. Thus, most recommendations in this audit report are directed to HSH as the department now responsible for these agreements.

HSH combines key homeless-serving programs and contracts with the City's Department of Public Health, Human Services, Mayor's Office of Housing and Community Development (MOHCD), and Department of Children Youth and Their Families. HSH's mission is to prevent and end homelessness in San Francisco. HSH strives to make homelessness in San Francisco rare, brief, and one-time.

Besides its grant agreements with Human Services, UCHS also has one with MOHCD. Human Services and MOHCD have made grants to UCHS to provide services to low- and moderate-income communities.

Exhibit 2 shows the city grants provided to UCHS during the audit period.

Office of the Controller, City Services Auditor  
Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are Needed to Improve  
UCHS's Operations

**EXHIBIT 2** UCHS's Active City Grants in 2015

Award Amount	Grant Name	Term	Responsible Department <sup>d</sup>
\$6,548,460	UCHS Resource Center Bayview Drop-In	7/1/14 - 6/30/19	Human Services
\$3,936,616 <sup>a</sup>	Hope House and Bayview Drop-In Center <sup>b</sup>	6/1/12 - 6/30/15 <sup>c</sup>	Human Services
\$50,000	Public Services – Homeless Services	7/1/15 - 6/30/16	MOHCD

Notes:

<sup>a</sup> Human Services is a pass-through entity and administers the funds the U.S. Department of Housing and Urban Development (HUD) provides.

<sup>b</sup> Official name per the agreement is "UCHS Fiscal Agent/Hope House/Bayview Drop-in."

<sup>c</sup> Effective 2015 the agreement was extended through 2018 with an additional amount of \$2,538,423.

<sup>d</sup> In August 2016 responsibility for the two Human Services grants was transferred to HSH.

Source: City agreements with UCHS.

According to Human Services, Bayview Hunters Point YMCA (YMCA) was selected as the fiscal agent of UCHS in 2009 due to UCHS's deficiencies in financial recordkeeping and the issues Human Services faced when trying to obtain UCHS's audited financial statements. YMCA was contracted to provide fiscal oversight services on behalf of UCHS for its grant agreements. The agreement between the organizations requires YMCA to provide numerous services to UCHS, which include:

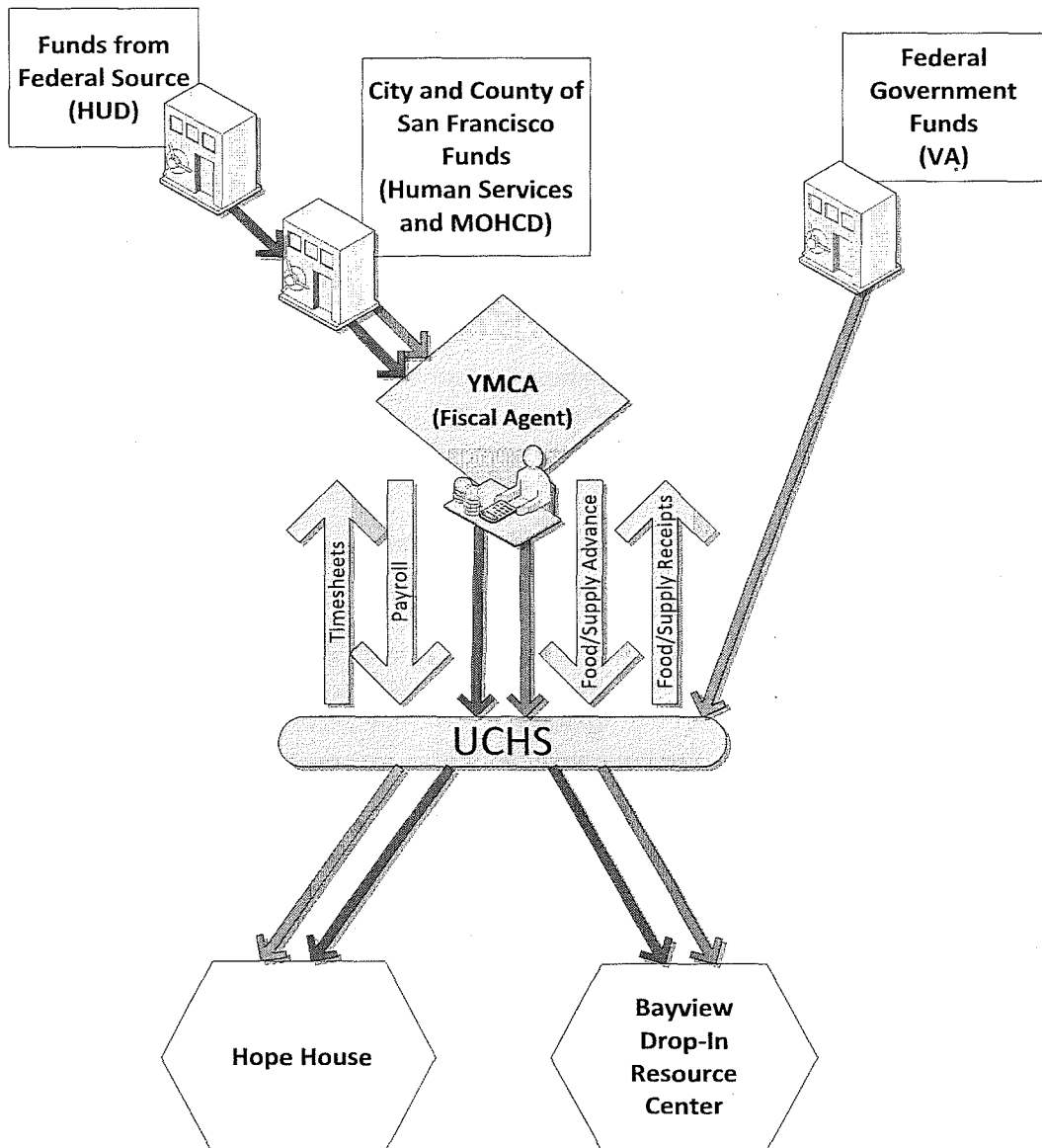
- Research, identify, codify, and implement fiscal and operating policies and procedures UCHS is to use.
- Help UCHS develop its organizational budget and program budgets.
- Train UCHS on effective fiscal management.
- Meet weekly with UCHS to discuss and resolve fiscal and operating issues.
- Submit invoices to Human Services on behalf of UCHS for all programs Human Services funds.
- Assist UCHS with financial reporting and all phases of the fiscal audit process.
- Help UCHS to establish and maintain program records.



Office of the Controller, City Services Auditor  
 Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are Needed to Improve  
 UCHS's Operations

Exhibit 3 shows the flow of federal and city funds to UCHS and the relationship between YMCA and UCHS.

**EXHIBIT 3 Relationship Between YMCA and UCHS**



Note: In August 2016 responsibility for Human Services' agreements with UCHS was transferred to HSH.

Source: UCHS agreements with the City and internal control interviews with relevant stakeholders.

**Office of the Controller, City Services Auditor**  
**Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are Needed to Improve**  
**UCHS's Operations**

**Objectives**

The primary objectives of this audit were to:

1. Determine whether costs claimed by UCHS are allowable, reasonable, and in accordance with applicable laws, regulations, guidelines, and the terms and conditions of the award(s).
2. Assess UCHS's internal controls over its payroll and reimbursement processes to ensure that the organization's practices are consistent with federal internal control guidelines.
3. Assess UCHS's governance and Board of Directors (board) to determine whether both provide an appropriate level of oversight.

**Scope and Methodology**

CSA gathered information to evaluate UCHS's board and fiscal oversight. The audit included UCHS expenditures the City reimbursed during July 1, 2012, through June 30, 2015.<sup>1</sup> Specifically, CSA:

- Reviewed UCHS's agreements and policies to determine applicable requirements.
- Interviewed key staff about UCHS practices and the oversight YMCA and Human Services provide.
- Interviewed or administered an electronic questionnaire to board members to learn about UCHS practices and members' ability to provide necessary oversight.
- Tested a sample of 60 UCHS expenditures from fiscal years 2012-13 through 2014-15 to verify that:
  - Expenses had adequate receipt/invoice support.
  - Expenses appeared to be in line with the agreement.
  - Expenses were charged to the correct cost center.

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<sup>1</sup> Program deliverables required of UCHS by its agreements with the City were outside the audit scope.

**Office of the Controller, City Services Auditor  
Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are Needed to Improve  
UCHS's Operations**

- Food and kitchen supplies were fully supported with receipt support.
- Tested records for a sample of 17 UCHS employees from fiscal years 2013 through 2015. The records were tested to verify that:
  - Wages were paid accurately.
  - Timesheets were appropriately approved.
  - The employee is chargeable to the City.
  - Amount billed to Human Services agrees with payroll records.
- Tested a sample of 14 UCHS personnel files from UCHS's list of former and current employees, provided by YMCA. The personnel files were tested to verify that individuals paid as employees were, in fact, UCHS employees, and that files contained sufficient documentation.

**Statement of Auditing  
Standards**

This performance audit was conducted in accordance with generally accepted government auditing standards. These standards require planning and performing the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. CSA believes that the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

## CHAPTER 1 – UCHS's Governance Structure Impedes Its Ability to Be a Sustainable Organization

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### Summary

UCHS's governance structure needs significant improvement. UCHS's board composition does not comply with its bylaws or meet the organization's needs. The board inadequately oversees the organization, does not have fundamental nonprofit organization policies and procedures, and does not comply with its written policies. Further, some board members are unaware of some of their key responsibilities.

### Finding 1.1

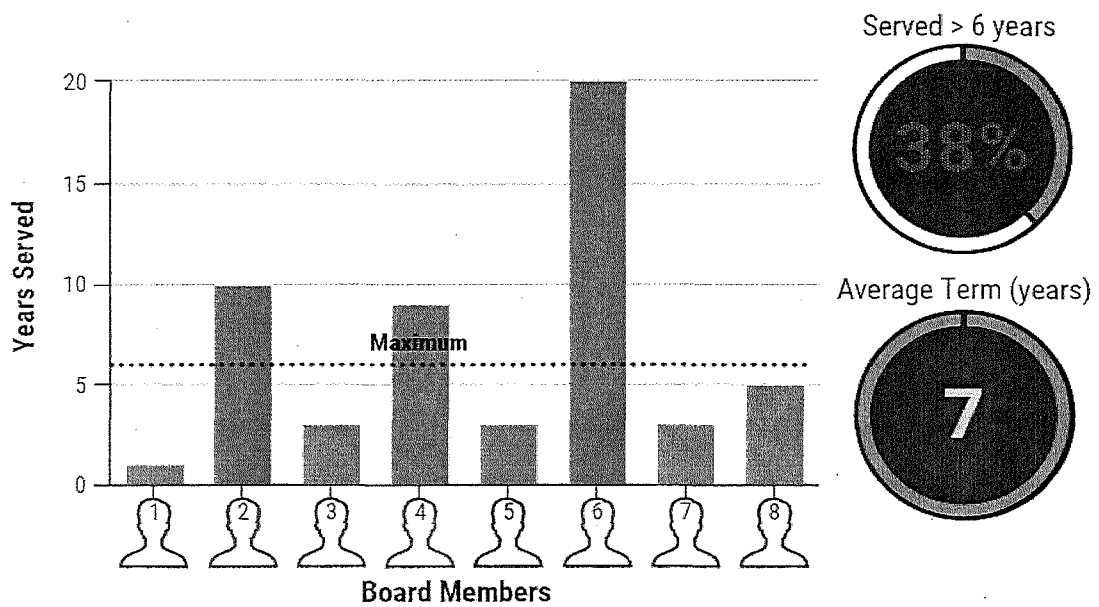
**The composition of the UCHS board does not comply with the organization's bylaws.**

*UCHS's board is smaller than required, some board members have served longer than allowed, and two of its required committees do not exist.*

Contrary to its bylaws, UCHS has fewer than the minimum required 13 board members, has board members that have served for more than the maximum of six consecutive years, and does not have two of the required board committees. UCHS's bylaws state that the board must consist of at least 13 persons and no more than 20 and that no director may serve more than two consecutive three-year terms (six consecutive years). However, according to UCHS's executive director, the board has only eight members, five fewer than the policy requires. Also, of the eight board members, three have been on the board for more than the six consecutive years the bylaws allow.

Exhibit 4 summarizes the board's membership.

**EXHIBIT 4** Three UCHS Board Members Have Served Longer Than the Six-Year Maximum Term Allowed



Note: CSA interviewed two board members and sent the remaining six an electronic questionnaire on board member responsibilities. Of these six, four fully completed the questionnaire, one partially completed it, and one did not respond.

Source: Years of services provided by UCHS executive director and board members' responses to CSA's survey.

Also, UCHS's board does not have two of the four standing committees the bylaws require. The bylaws state there shall be an:

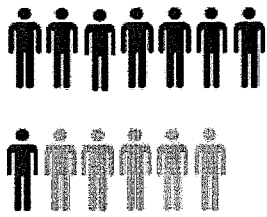
- Executive Committee
- Finance Committee
- Fundraising Committee
- Membership Committee

According to board members interviewed, a Finance Committee exists. Also, two board members surveyed indicated that they were on the Fundraising Committee. However, no board members identified involvement in an Executive Committee or Membership Committee.

Exhibit 5 outlines the board-related exceptions to the requirements of the bylaws.

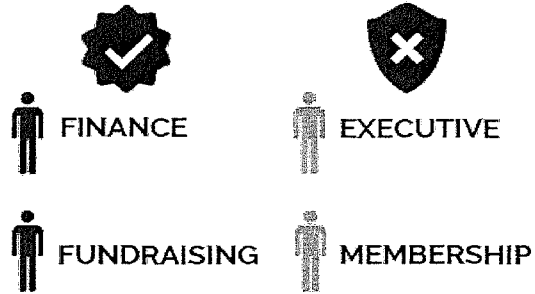
**EXHIBIT 5** The UCHS Board Does Not Meet Some Bylaws Requirements

**13** Board Members  
Required



**5** SEATS VACANT

**4** Board Committees  
Required



**2** COMMITTEES MISSING

Source: UCHS board member responses to CSA's survey and interview questions.

The Executive Committee is imperative, as this committee is to supervise the ordinary business affairs of UCHS and to make decisions in emergency situations when official action is needed on short notice. Without this committee, UCHS's board may be unable to quickly make organizational decisions outside of board meetings.

The fact that UCHS has fewer than the required 13 board members could be a direct result of not having a Membership Committee. UCHS's bylaws state that the Membership Committee is to recruit potential board members.<sup>2</sup> Because it has too few members, the board is less able to create or operate all the committees it should have and, consequently, cannot fulfill some of its oversight duties.

*UCHS's board does not always adhere to its bylaws, which may be because they are outdated or largely ignored.*

Although bylaws exist to guide the organization's activities, the board does not always adhere to this guidance. This may be partly because the bylaws are outdated.

<sup>2</sup> The bylaws state that the Membership Committee is to nominate officers and directors for election and to recruit and recommend potential board members to the organization.

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According to its executive director, UCHS last updated its bylaws in 2010. Also, the board may not follow the bylaws because it is unaware of what they require. For example, one board member indicated that he had never read the organization's bylaws although he had been on the board for about three years. Also, at least two board members stated that they were unaware of when the bylaws were last updated.

**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should direct UCHS to:

1. Adhere to requirements in its bylaws regarding board composition and the board member term limit.
2. Review its bylaws to determine whether all requirements still apply and to update any requirement necessitated by changed conditions and that is in the organization's best interests.
3. Require its board members to periodically review the organization's governing policies and procedures, including its bylaws, and have board members sign a document affirming that they have done so.

**Finding 1.2**

**UCHS's board does not have the financial expertise needed to ensure proper governance of the organization.**

*UCHS board members do not have the finance knowledge needed to successfully oversee the organization.*

UCHS does not have board members with financial expertise, which impedes the board's ability to effectively oversee its critical financial responsibilities.

UCHS's bylaws state that the Finance Committee—which has three members, according to UCHS's executive director—is responsible for overseeing UCHS's fiscal affairs. This responsibility includes overseeing UCHS's assets and recommending financial policies. However, when committee members were asked how they gained experience in reviewing financial statements, all indicated they did not have any formal experience or education in finance. When asked

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if any board member meets the definition of a finance expert,<sup>3</sup> the board president confirmed that no board member has financial expertise.

Finance Committee members do not have the experience and education necessary to ensure that the organization's financial health is intact. Board members must act as trustees of the organization's assets and must exercise due diligence to ensure that the organization is well-managed and that its financial situation remains sound. To do so, according to BoardSource,<sup>4</sup> board members must have the knowledge and experience to properly evaluate financial statements and financial audit reports and be able to recognize warning signs that might indicate a change in the overall health of the organization.

*The UCHS board does not select the organization's outside auditor.*

Reflecting its insufficient role in the organization's fiscal affairs, it appears that UCHS's board is not involved in selecting the organization's external financial auditor.<sup>5</sup> Board members provided varying responses when asked about UCHS's process for identifying and selecting external auditors. Only one member stated that the board was involved in the selection process.

Traditionally, an organization's audit committee recruits and selects an organization's external auditor. However, because UCHS does not have an audit committee, its Finance Committee should fulfill this responsibility.

*UCHS used an auditor with an expired license.*

A 2015 U.S. Department of Veterans Affairs (the VA) Financial Services Center report states that UCHS was notified about problematic issues with its outside auditor. The report states that the public accounting firm UCHS used to complete its 2013 audit had an expired

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<sup>3</sup> In *Effective Audit Committees for Nonprofit Organizations*, BDO USA, LLP, (BDO) recommends that at least one audit committee member have financial expertise, which BDO defines as accounting or audit-related experience or training. According to its website, BDO is a firm that delivers assurance, tax, financial advisory, and consulting services to clients throughout the U.S. and around the globe.

<sup>4</sup> BoardSource, *Fiduciary Responsibilities of Board Members*, 2010. The guidance refers to Andrew S. Lang, *Financial Responsibilities of Nonprofit Boards*, and Ober/Kaler attorneys at law, *The Nonprofit Legal Landscape*. According to its website, BoardSource is a national organization that works to strengthen nonprofit board leadership and its mission is to inspire and support excellence in nonprofit governance and board and staff leadership.

<sup>5</sup> The federal Single Audit Act requires organizations such as UCHS to undergo a financial statement audit (by an independent auditor) annually.



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and delinquent license, which could cause its subsequent audits to be unacceptable.

Having a more qualified and involved Finance Committee could improve UCHS's external auditor selection process because at least some committee members would have the required knowledge and skills to identify and vet qualified auditors. Moreover, all committee members should be able to review and assess financial reports, financial statements, and financial audit reports to fulfill the board's duty to monitor the organization's financial health. The Finance Committee's failure to fulfill these key responsibilities increases the risk that UCHS could become noncompliant with grant guidelines and lose its approximately \$1.7 million in annual federal grant funding.

*The UCHS board does not have key stakeholders. Including stakeholder representatives is a recommended practice.*

Besides having no members with finance expertise, UCHS's board does not have key stakeholder group representatives. According to a board member, the board has neither a member who is a recipient of the organization's services nor one who represents a supporting agency.

Having a key stakeholder group or groups represented on the board could improve communication between UCHS and the community it serves—its clients—as well as between UCHS and supporting agencies. For example, community/recipient representation on the board may improve UCHS services because a current or former service recipient could provide insights about how programs should be improved. Also, a supporting agency representative on the board (as a non-voting member) could be a liaison between the two organizations and help to more quickly resolve any issues that may arise.

Guidance cited by the Minnesota Council of Nonprofits<sup>6</sup> states that the composition and structure of a nonprofit organization's board of directors influence its ability to

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<sup>6</sup> Minnesota Council of Nonprofits, *Board Composition and Structure*. According to its website, the council is the largest statewide association of nonprofits in the U.S., with more than 2,100 nonprofit organizations as members. The council is part of the National Council of Nonprofits, which is the nation's largest network of nonprofits.

function and represent the community served. Board membership should reflect the diversity of the organization's constituencies.

### Recommendations

The San Francisco Department of Homelessness and Supportive Housing should:

4. Ensure that UCHS's board includes at least two members who possess one or more of the following qualities:
  - Has a formal background in finance.
  - Receives or received UCHS's services.
  - Represents a supporting agency. (This would be a non-voting member.)
5. Ensure that UCHS's Finance Committee selects the organization's external financial auditor or recommends a firm or firms to the full Board of Directors so it can make the selection.

### Finding 1.3

**Some UCHS board members are unaware of their key oversight responsibilities and vital aspects of how the organization operates, increasing the risk of ineffective management.**

*UCHS's board generally does not provide adequate oversight, which increases the risk of ineffective management.*

UCHS's board has no unified understanding of how the organization is managed or of its operations. Some board members are unaware of the organization's governing policies. Therefore, the board cannot be assured that the organization is managed effectively or that the governing policies are adhered to. For example, as stated in Finding 1.1, one board member stated that he had never read the organization's bylaws, despite being on the board for nearly three years.

The responses of UCHS board members to CSA's survey<sup>7</sup> indicate that they are unaware of some of their critical oversight responsibilities. Specifically, they do not agree on standard criteria for key board responsibilities such as:

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<sup>7</sup> As mentioned in Finding 1.1, CSA sent six board members a questionnaire about board member responsibilities. Of these six, four fully completed the questionnaire, one partially completed it, and one did not respond.

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- Setting the executive director's compensation.
- Evaluating the executive director's performance.
- Assessing the organization's overall performance.

*Some board members appear to be unaware of who determines salary increases.*

The responsibilities of a board include ensuring financial accountability by overseeing the organization's executive director and having processes to determine whether resources are used prudently.<sup>8</sup> Based on their survey responses, UCHS board members do not agree on—or have only a vague notion of—the board's oversight duties. Specifically, some board member responses indicate that the respondents do not know who determines the executive director's compensation or when the executive director's last salary increase occurred. Unfamiliarity with important UCHS processes such as these increases the risk of improper executive compensation increases and other financial improprieties.

*Board members do not know how often the executive director's performance is evaluated.*

When asked about the frequency of executive director performance reviews and the criteria used in them, board member responses indicated that members did not know how often the executive director's performance is reviewed and that no standard criteria exist for evaluating the executive director's performance.<sup>9</sup>

*Board members disagree on how UCHS's program evaluation system measures the impact of services, and one member does not believe it does so at all.*

When asked whether the board ensured that program evaluations measured the impact of UCHS services, three of the four responding board members stated that impact was measured, but provided inconsistent explanations for how it was measured, and the fourth stated that impact was not measured. This indicates either that UCHS has no standardized system for evaluating impact or that the board is unaware of the organization's program evaluation system, or both.

According to BoardSource, having the proper tools to monitor and evaluate financial performance strengthens a board's capacity to evaluate the health of the

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<sup>8</sup> Connecticut Association of Nonprofits, *Responsibilities of a Non-Profit Board Member from a CPA's Perspective*. According to its website, the association is Connecticut's largest membership organization dedicated exclusively to nonprofits and has collaborated with more than 500 organizations.

<sup>9</sup> The varied responses to this question from the responding board members indicate that they disagree about the evaluation criteria, which were not provided to CSA in writing, and that it appears that no written criteria exist.

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organization. Board members must agree on general guidelines and standards to measure the effectiveness of organizational accomplishments, and appropriate policies must exist to guide management and board decision making to ensure sustainability.

*UCHS has no conflict-of-interest policy or written job descriptions for board members.*

UCHS and its board members are at a disadvantage because the organization has not documented all essential policies or job descriptions for its board. For example, UCHS does not have a conflict-of-interest policy for board members. Of equal concern is the fact that all four responding board members incorrectly stated that UCHS has a conflict-of-interest policy and two of four incorrectly stated that board job descriptions exist. UCHS's executive director and board president confirmed that the organization has no conflict-of-interest policy or job description for its board members.

A policy governing conflicts of interests is perhaps the most important policy a nonprofit board can adopt.<sup>10</sup> A conflict-of-interest policy should require those with a conflict (or who think they may have a conflict) to disclose the conflict or potential conflict and prohibit interested board members from voting on any matter in which there is a conflict.<sup>11</sup> Also, guidance by the Minnesota Council of Nonprofits indicates that any nonprofit organization should have written expectations for board members, including expectations for full board participation in fundraising activities, committee service, and service activities.

When considering new board members, it is of the utmost importance to ensure that all candidates understand the duties and responsibilities they will assume.<sup>12</sup> Also, the board must ensure that the candidates understand the organization, its mission, management, history, financial stability, and liability exposures.

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<sup>10</sup> The National Council of Nonprofits is a resource and advocate for U.S. charitable nonprofits. According to its website, the council is the nation's largest network of nonprofits, with more than 25,000 members.

<sup>11</sup> An example of a conflict of interest is when a board member operates or works for a business that sells a product or service the organization may need, and the board member influences or participates in the purchasing decision.

<sup>12</sup> Connecticut Association of Nonprofits.

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**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should:

6. Require UCHS to establish policies on board member oversight responsibilities, including periodic leadership and program performance reviews.
  
7. Require UCHS to adopt conflict-of-interest policies and formalize board member responsibilities.

## CHAPTER 2 – Improvement in UCHS's Financial Operations Requires a Transition From a Fiscal Agent to a Fiscal Sponsor and a Change of Its Organizational Structure

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### Summary

Because it has insufficient access to UCHS's financial records, YMCA is ill-equipped to ensure that UCHS is a fiscally sound organization. UCHS's fiscal agent should act as a fiscal sponsor and be provided full access to UCHS's fiscal operations. UCHS is at risk of losing its nonprofit status and \$1.7 million in annual grants because it does not adhere to some federal reporting requirements. Further, UCHS's organizational structure does not provide for some key operational functions. As UCHS's fiscal agent, YMCA should be more involved in UCHS's organizational development process and lead UCHS's hiring process to recruit and hire essential staff.

### Finding 2.1

**YMCA has insufficient access to UCHS's critical financial records and operations.**

*To provide adequate fiscal oversight, YMCA needs full access to UCHS's financial records and operations.*

YMCA cannot provide the fiscal oversight required by its fiscal agency agreement because it does not have full access to UCHS's financial records or key fiscal operations. YMCA's access to UCHS's fiscal operations and financial records should be expanded so that YMCA can better ensure UCHS's compliance with fiscal policies and further improve UCHS's ability to become a sustainable organization.

The fiscal agency agreement requires YMCA to assist UCHS in abiding by all fiscal monitoring procedures and reporting requirements of Human Services, the VA, MOHCD, and the City's Office of Economic and Workforce Development. Also, YMCA is required to help UCHS with various other fiscal components of its operations, which include meeting:

- Budget requirements
- Monitoring and reporting requirements
- Program monitoring and reporting requirements

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However, YMCA cannot effectively oversee UCHS's fiscal matters because it does not have the appropriate access to UCHS's fiscal operations. According to YMCA, it has no access to UCHS's financial statements, bank statements, or records of its VA grants (which amounted to \$575,162 in 2015, or 18 percent of all grant funds that year). Not having access to these essential fiscal records has stifled YMCA's ability to adequately accomplish its fiscal agency duties and, thus, allowed UCHS to be noncompliant with various city and federal guidelines.

*Under its agreement with UCHS, YMCA has the responsibilities of a fiscal sponsor, not a fiscal agent, so it should have greater access to UCHS records.*

Although YMCA nominally serves as UCHS's fiscal agent, the fiscal agency agreement indicates that YMCA is to provide UCHS with fiscal sponsorship services, which exceed the services a fiscal agent offers. Specifically, the agreement states that YMCA is to provide fiscal sponsorship services on behalf of UCHS for the Hope House program. As a fiscal sponsor, YMCA would be responsible for managing all UCHS funds, assets, and other resources.<sup>13</sup>

Fiscal sponsors are responsible for the sponsored organization's financial solvency and resiliency, annual budget, and annual audit.<sup>14</sup> Also, fiscal sponsors hire, train, and develop the operational staff, management, and leadership needed to operate in accordance with governing guidelines.<sup>15</sup> Further, fiscal sponsors retain and protect financial and personnel records, required minutes of board meetings, and all other documents in accordance with all applicable laws.<sup>16</sup>

HSH should change UCHS's fiscal agent's status to that of a fiscal sponsor. Being UCHS's fiscal sponsor, with full access to UCHS's fiscal operations, will allow YMCA to fully comply with its responsibilities and to understand UCHS's financial position. When it achieves this, YMCA can ensure the sustainability of UCHS's operations and dictate the course of action needed for

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<sup>13</sup> These responsibilities are best practices for a fiscal sponsor per the National Network of Fiscal Sponsors, *Guidelines for Comprehensive Fiscal Sponsorship*. According to its website, the network promotes the understanding and professional practice of fiscal sponsorship.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

UCHS to become an independent, self-sufficient organization.

**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should:

8. Require UCHS to provide its fiscal agent with access to the fiscal operations related to all UCHS agreements.
9. Assist UCHS's fiscal agent to become UCHS's fiscal sponsor and assume all duties of this role.

**Finding 2.2**

**UCHS could lose its nonprofit status and grant funding because it does not always comply with federal tax and audit requirements; it filed two federal tax returns an average of 549 days late.**

*UCHS filed some of its tax returns late and did not complete some federally mandated annual audits.*

UCHS filed two of three annual federal tax returns late, failed to complete all federally required annual audits, and those audit reports that were submitted were late. Consequently, UCHS is at risk of losing its nonprofit status and \$1.7 million in annual federal grant funding.<sup>17</sup>

As a tax-exempt organization, UCHS must file a federal income tax return annually. U.S. Internal Revenue Service guidance requires nonprofit organizations to file tax returns yearly by May 15<sup>th</sup> unless they have requested and received an extension. Of the three federal returns the audit considered—those for tax years 2013 through 2015—UCHS filed two, those for 2013 and 2014, significantly late. On average, the two tax returns were filed almost 549 days late.

Exhibit 6 outlines UCHS's late tax return filings.

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<sup>17</sup> Grant funding based on HUD and VA grants that UCHS reported to have received on its 2015 Form 990 tax return. Form 990 is an Internal Revenue Service form, filed annually, that provides the public with financial information about a nonprofit organization.



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**EXHIBIT 6 Two of Three UCHS Tax Returns Reviewed by CSA Were Filed Late**

Tax Year	Due Date	Date Accepted by Internal Revenue Service <sup>b</sup>	Days Late
2013	5/15/2014	5/16/2016	735
2014	5/15/2015	5/11/2016	362
2015	8/15/2016 <sup>a</sup>	8/3/2016	Not Applicable

Notes:

<sup>a</sup> UCHS was approved for a three-month extension to submit its 2015 tax return.

<sup>b</sup> For tax years 2014 and 2015, CSA used the dates UCHS's certified public accountant indicated as the dates the Internal Revenue Service accepted the tax returns.

Source: UCHS's federal income tax returns for 2013 through 2015; UCHS's certified public accountant.

*UCHS risks losing its exemption from federal income tax and its eligibility to receive tax-deductible contributions.*

Failure to file tax returns when due puts UCHS's federal tax-exempt status at risk. Although there is no penalty for nonprofit organizations filing their tax returns late, tax-exempt organizations that do not file for three consecutive years automatically lose their tax exemption. When tax-exempt status is revoked, various benefits are forfeited, including loss of exemption from federal income tax and loss of eligibility to receive tax-deductible contributions.

According to its executive director, UCHS filed its tax returns late because YMCA failed to keep accurate financial records on behalf of UCHS, which delayed UCHS in preparing its tax filings. However, YMCA disagreed, stating that it regularly provided financial records to UCHS.

Its single audit<sup>18</sup> report summary<sup>19</sup> shows that, through December 22, 2016, UCHS had failed to complete a single audit for 2014.<sup>20</sup> UCHS submitted its single audit reports for 2012, 2013, and 2015, but some submissions were significantly late, including the 2012 audit report, which was three years late. UCHS

<sup>18</sup> The U.S. Office of Management and Budget (OMB) issued guidance in December 2013, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, requiring all non-federal government agencies and nonprofit organizations that spend \$750,000 or more in federal awards in a year to conduct a "single audit."

<sup>19</sup> CSA used the Federal Audit Clearinghouse's search function to identify single audit reports UCHS submitted. The Federal Audit Clearinghouse operates on behalf of OMB to maintain a public database of completed audits.

<sup>20</sup> Although the Federal Audit Clearinghouse's summary report did not indicate that UCHS submitted a single audit for 2014, UCHS provided CSA documentation that its auditor completed a combined audit report for 2014 and 2015.

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submitted its audit reports for all three years during June through October 2016.

Exhibit 7 outlines the untimeliness of UCHS's single audit reports.

<b>EXHIBIT 7 UCHS Has Not Completed Its 2014 Single Audit and All Others Due Since 2013 Were Submitted Late</b>			
Fiscal Year	Due Date <sup>a</sup>	Date Received <sup>b</sup>	Days Late
2012	9/30/2013	9/30/2016	1,096
2013	9/30/2014	6/9/2016	618
2014	9/30/2015	N/A – Not Completed	N/A – Not Completed
2015	9/30/2016	10/9/2016	9

**Notes:**

<sup>a</sup> Federal guidance requires that single audit reports be submitted 30 days after receipt of the auditor's report(s) or nine months after the end of the fiscal year, whichever comes first. CSA could not determine when the auditor submitted the reports to UCHS, so used a date nine months after UCHS's fiscal year end as the due date.

<sup>b</sup> CSA used the date that UCHS's single audit was initially received by the Federal Audit Clearinghouse as the received date.

Source: Federal Audit Clearinghouse.

*The federal government notified UCHS that it failed to submit its 2013 and 2014 single audit reports.*

A 2015 VA Financial Services Center report indicated that UCHS was notified that it failed to submit its single audit reports for 2013 and 2014. CSA found that the 2013 audit report subsequently had been submitted but, as of December 22, 2016, the 2014 audit was still incomplete.

Failure to comply with the general or specific terms and conditions of a federal award could cause the federal government to impose additional requirements on UCHS to receive funding.<sup>21</sup> However, if the awarding federal agency or pass-through entity determines that noncompliance cannot be remedied by imposing additional conditions, it may take one or more of the following actions, as appropriate in the circumstances:

- Temporarily withhold cash payments until the deficiency is corrected.
- Disallow all or part of the cost of the activity or action not in compliance.

<sup>21</sup> U.S. Office of Management and Budget, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, 2013.

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- Wholly or partly suspend or terminate the federal award.
- Initiate suspension or debarment proceedings.
- Withhold further federal awards for the project or program.
- Take other remedies that may be legally available.

**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should ensure that UCHS:

10. Files its tax returns when due and files for extensions when necessary.
11. Submits its single audits when due and files for extensions when necessary.
12. Completes its 2014 single audit immediately.

**Finding 2.3**

**UCHS's organizational structure hinders its financial viability.**

*Its fiscal sponsor must assist UCHS in hiring and building essential functional units.*

Although UCHS has had a fiscal agent since 2009, UCHS's operations continue to have poor processes and controls. To ensure proper governance, fiscal sustainability and the ability to exist without intermediary assistance, UCHS's fiscal sponsor<sup>22</sup> must develop a strategic plan, and UCHS must strictly adhere to it. The strategic plan should call for the fiscal sponsor to assist UCHS with hiring key staff and building viable teams with the appropriate leadership and technical abilities.

UCHS's organizational structure hinders its ability to be a fiscally responsible, stand-alone organization. UCHS's executive director confirmed that program directors only oversee UCHS's programs and volunteers. The executive director also confirmed that she is solely responsible for directly managing multiple core functions of the organization. Specifically, she manages the following functions without the assistance of a department director, program director, or a dedicated team:

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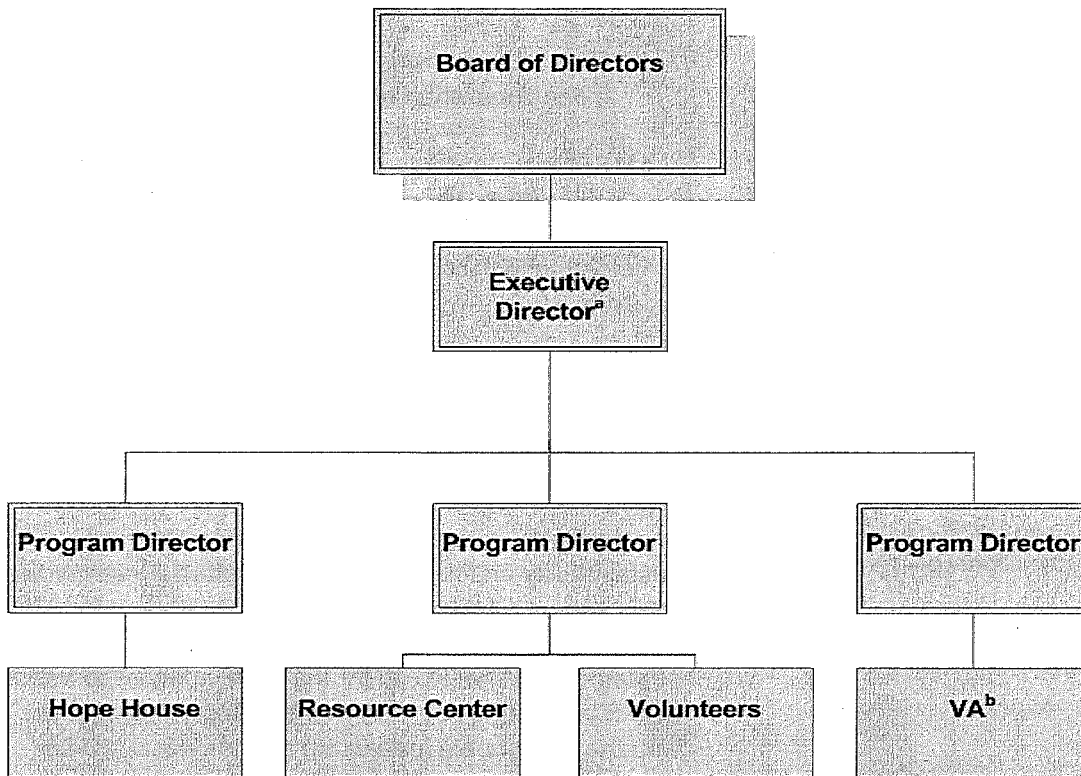
<sup>22</sup> As noted, UCHS has a *fiscal agent*. However, in Finding 2.1 CSA recommends that UCHS's fiscal agent become its *fiscal sponsor*.

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- Finance
- Human resources
- Accounting, audit, and budget
- Payroll

Exhibit 8 depicts UCHS's structure.

**EXHIBIT 8** UCHS's Organizational Structure



Notes:

<sup>a</sup> According to UCHS's executive director, she is also responsible for UCHS's finance, human resources, payroll, accounting, audit, and budget functions.

<sup>b</sup> This program is the VA-funded portion of Hope House.

Source: Documentation provided by UCHS. (UCHS's executive director confirmed this depiction.)

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*UCHS fails to have dedicated leadership over its financial operations.*

As indicated above, UCHS does not have a department head to oversee the organization's financial operations. The various recordkeeping and payroll issues highlighted in Chapter 3 may be directly correlated to this absence of leadership. To become a sustainable organization, independent of a fiscal sponsor or agent, UCHS must have both dedicated staff and leadership for its finance team.

According to the Bridgespan Group,<sup>23</sup> a finance and administration director will manage, hire, and retain an internal team to support various functions, some of which include:

- Finance
- Business planning
- Budgeting
- Payroll
- Accounting
- Human resources

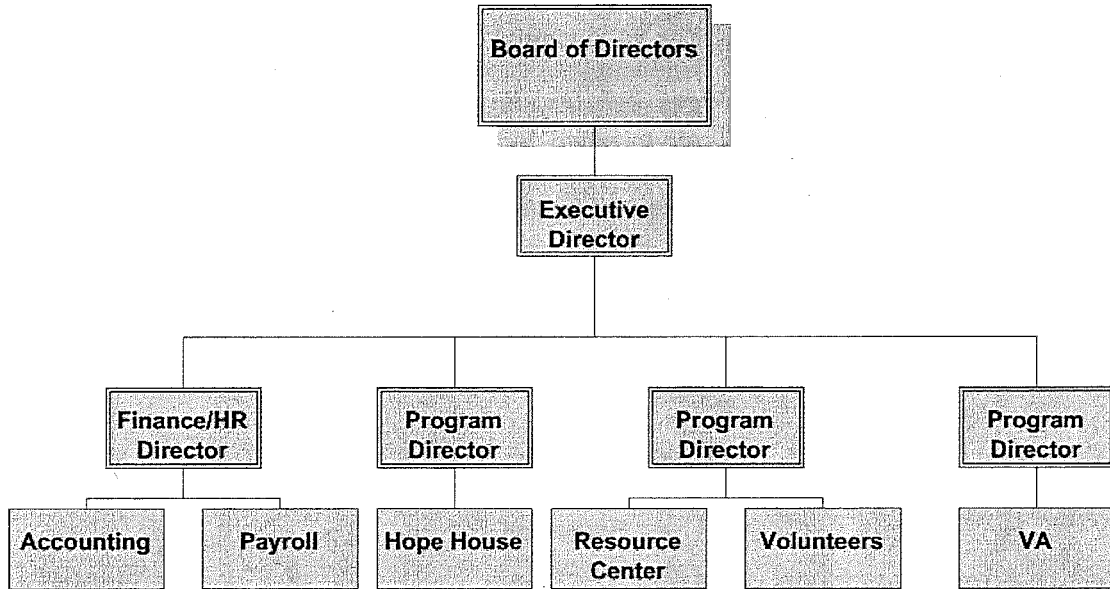
This director can be responsible for a variety of areas under the administrative umbrella, including human resources, information technology, legal, and facilities, and can even oversee building relationships with program recipients.

Exhibit 9 depicts how UHCS should be organized.

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<sup>23</sup> According to its website, the Bridgespan Group is a global, nonprofit organization that works with mission-driven leaders, organizations, and philanthropists to break cycles of poverty and improve the quality of life of those in need.

**EXHIBIT 9 Proposed Organizational Structure of UCHS Based on Best Practices**



Source: CSA's analysis of UCHS's fiscal operations.

The fiscal agency contract requires that mentorship and guidance be provided to UCHS in the areas of board development, capacity building, and resource development and allocation. The fiscal agent also must provide UCHS with a sustainable foundation for its operational and fiscal needs. These responsibilities are intended to help UCHS become an independent, sustainable organization.

A detailed strategic and transition plan is needed to adequately ensure that both YMCA and UCHS have a shared fluency of fiscal sponsorship, which will enable both organizations to be accountable in fulfilling their respective roles as UCHS works toward becoming a stand-alone organization.

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**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should:

13. Ensure that UCHS develops a finance team to support the organization's various functions, which include business planning, budgeting, accounting, and human resources activities.
14. Require UCHS's fiscal agent to develop a strategic plan that will help UCHS develop (including recruiting and hiring staff for) a finance/human resources unit.

## CHAPTER 3 – UCHS's Expenditures and Payroll Processes Are Flawed, and Some Payments Were Not Verified as Allowable Due to Insufficient Supporting Documentation

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### Summary

UCHS must mitigate the multiple control weaknesses in its fiscal process. UCHS consistently fails to provide appropriate supporting documentation for expenditures to its fiscal agent. Similarly, UCHS's payroll process must be strengthened to enforce adequate approval review of timesheets. Further, UCHS fails to adhere to federal guidelines on internal controls for nonprofit organizations.

### Finding 3.1

**The audit could not confirm whether \$88,140 of UCHS expenditures were allowable due to missing support, illegible receipts, and/or misclassified items.**

*24 percent of tested expenditures did not have adequate support.*

UCHS expenditures of \$88,140,<sup>24</sup> for which it was reimbursed by YMCA, could not be confirmed due to insufficient supporting documentation. Of a sample of 60 expenditures totaling \$370,487,<sup>25</sup> the audit could not determine whether 24 expenditures totaling \$88,140 (24 percent) were allowable due to various reasons, including:

- Missing invoice or receipt support
- Illegible receipts
- Misclassified items

Supporting documentation was provided to the audit team by YMCA, UCHS's fiscal agent, who received the

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<sup>24</sup> This amount was calculated by summing the total expenditure amount for all expenditures tested that could not be determined as fully allowable. These include expenditures for which only a portion of the spending could not be confirmed as allowable.

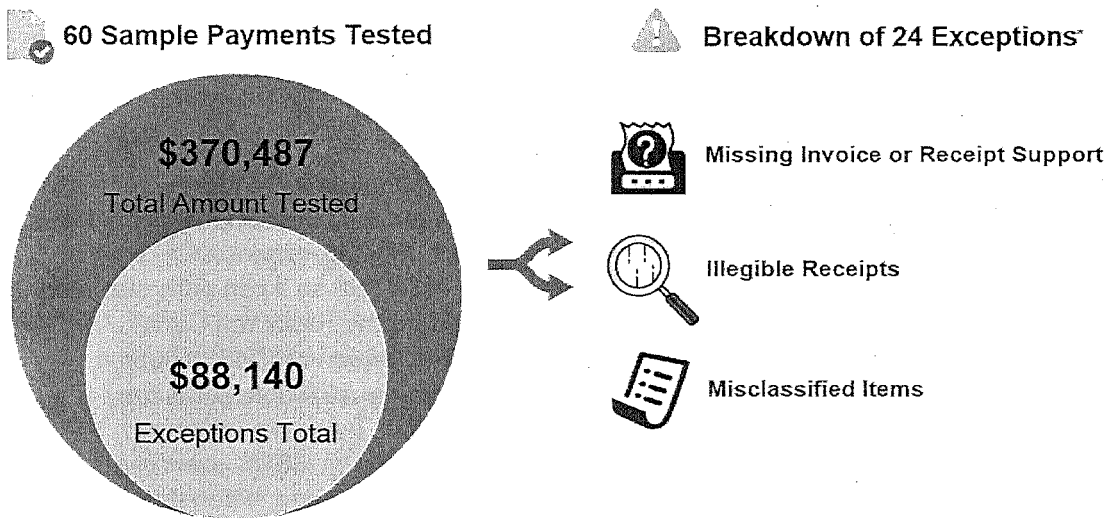
<sup>25</sup> CSA sampled 60 resource center expenditures identified on UCHS's general ledger during the three-year audit period. Expenditures were selected using random (21) and judgmental (39) sampling techniques.



documentation from UCHS at the time invoice payment or reimbursement was sought.<sup>26</sup>

Exhibit 10 outlines the exceptions identified.

**EXHIBIT 10** Exceptions Identified During Expenditure Testing



\*Note: Some expenditures had two or more identified issues.

Source: CSA's analysis of UCHS expenditures in fiscal years 2012-13 through 2014-15.

Its fiscal agency agreement requires YMCA to work with UCHS to establish and maintain program records and documentation of all incurred costs. YMCA must also provide fiscal oversight services for UCHS programs and must ensure submitted invoices are accurate and include all required back-up documentation.

Missing Invoice or Receipt Support

*Some of the documentation to support UCHS expenditures is inadequate.*

YMCA provided CSA with support documentation for a sample of 60 UCHS expenditures, 13 (22 percent) of which did not have adequate invoice support or receipt support.<sup>27</sup> For example, of a sample of seven Sprint and AT&T (telephone service) invoices totaling \$6,862, six

<sup>26</sup> According to YMCA, it directly pays UCHS's expenses. However, YMCA advances funds to or reimburses UCHS for food and kitchen supplies.

<sup>27</sup> According to YMCA, UCHS must provide receipts to support reimbursable expenses and advanced funds. However, YMCA provides UCHS with invoice support for other expenses that YMCA will pay directly.

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(86 percent) totaling \$6,268 (91 percent) had missing pages.

Of the six invoices with pages missing, five did not include most pages and one excluded the back of each page, resulting in every other page missing. Consequently, CSA could not confirm that the charges were allowable. Incomplete support increases the risk that improper purchases of cellular devices and/or services have gone unnoticed.

Illegible Receipts

Of a sample of 60 expenditures, 14 (23 percent) were identified as either food or kitchen supply expenditures. According to its staff, YMCA provides UCHS with monthly advances of \$8,300 so it can purchase food and kitchen supplies for the Resource Center. YMCA staff also stated that it requires UCHS to submit receipts to prove that only allowable items are purchased with the funds that were advanced. YMCA further stated that sometimes UCHS overspends on food and/or kitchen supplies, and, when this occurs, UCHS will provide receipt support and YMCA will reimburse the additional costs.

*Twenty-two of 230 receipts included at least one transactional line item that was illegible.*

UCHS often submitted multiple receipts to support the purchases made with the monthly advances. Therefore, CSA reviewed 230 receipts totaling \$55,072 submitted by UCHS to support the 14 advances sampled and found that 22 (10 percent) of the receipts included at least one illegible transactional line item. These 22 receipts<sup>28</sup> were processed as support for 6 expenditures totaling \$14,218. The illegible line items make YMCA and the City less assured that only allowable items were bought as part of the purchases represented by these 22 receipts.

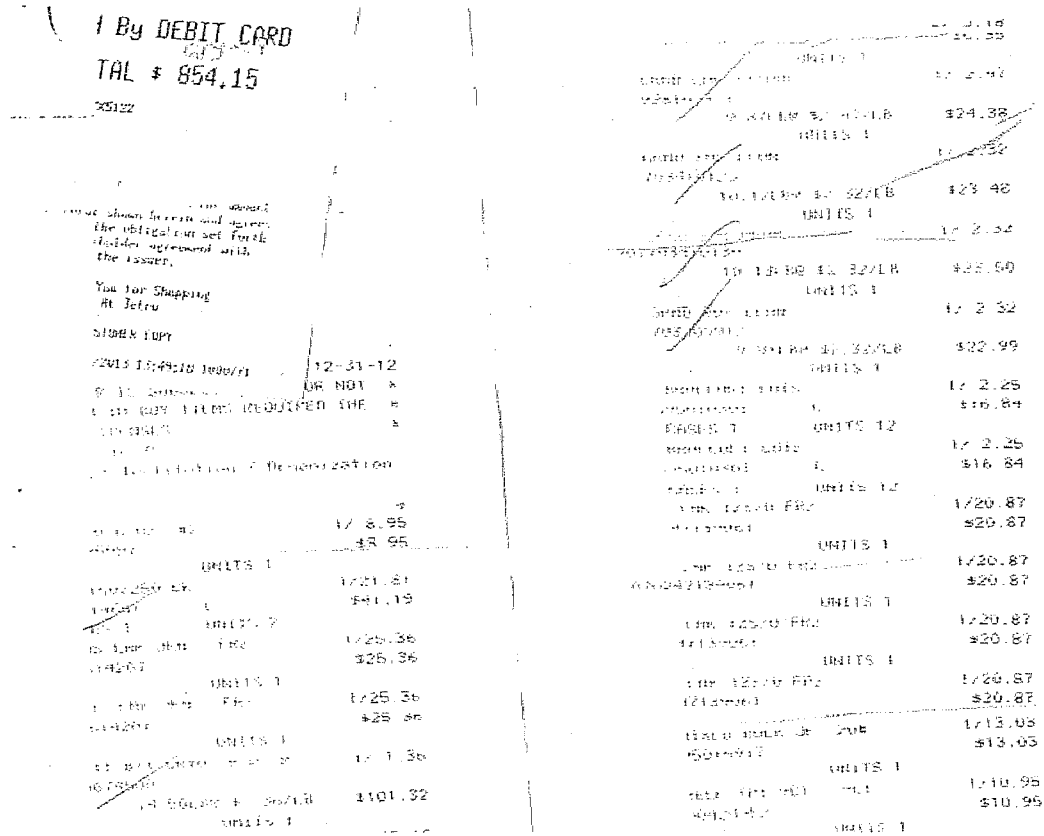
Exhibit 11 is an example of an illegible receipt UCHS provided to YMCA.

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<sup>28</sup> CSA reviewed receipts to ensure that all items were appropriately categorized and allowable. Some expenditures were supported by multiple receipts.

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**EXHIBIT 11 Illegible Receipt Example**



Source: Food purchase receipt UCHS provided to YMCA as support for a cash advance from YMCA. Obtained from YMCA.

*YMCA approved UCHS reimbursements although UCHS did not always provide legible receipts as support.*

YMCA attributed the illegible receipts to UCHS, stating that UCHS may have originally provided YMCA with receipts that had low image quality. Nonetheless, YMCA approved reimbursements without sufficient and complete supporting documentation. UCHS's failure to provide adequate receipts to support its spending undermines YMCA's ability to promptly review UCHS's expenses. Also, UCHS's failure to produce adequate receipt support increases the risk that advanced funds are not fully expended on allowable purchases.

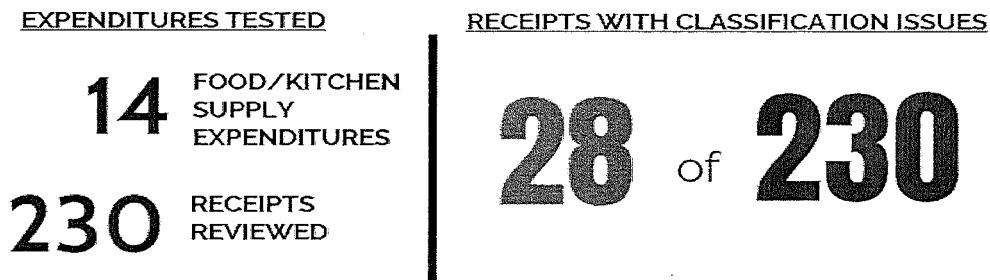
Misclassified Items

Receipts submitted to support 9 (64 percent) of the 14 food or kitchen supply expenditures in the sample included at least one item that was misclassified. Specifically, 28 of the receipts, totaling \$4,326, submitted to support these 9 food or kitchen supply expenditures had misclassification issues. For example, food items were sometimes included on receipts submitted to support supply expenses and vice versa. In other instances, receipts that include non-food or supply items were submitted as support for kitchen supply purchases.

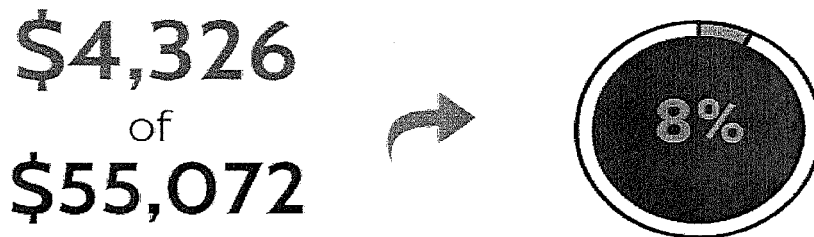
Failure to correctly classify expenses makes it difficult for the City and UCHS to accurately track expenses because expense categories will not accurately reflect true balances. Further, failure to correctly track expenses increases the risk that UCHS exceeded the budget for certain expenses and concealed this, inadvertently or purposely, by misclassifying purchases.

Exhibit 12 summarizes the issues identified in the food or kitchen supply expenditures tested.

**EXHIBIT 12** Issues Identified in Food or Kitchen Supply Expenditures Tested



DOLLAR AMOUNT OF RECEIPTS WITH CLASSIFICATION ISSUES



Source: CSA analysis of UCHS's sampled expenditures.

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Its financial statement audit report for 2014 and 2015 shows that UCHS has had expense classification issues in areas other than the Resource Center. The audit report states that "a few items were misclassified to the Veteran's Program, although they belonged to other programs." This finding indicates that UCHS's more recent expense classification issues, found by CSA's audit, may not be isolated incidents.

YMCA indicated that UCHS does not always provide full receipt support for the food and kitchen supply advances and reimbursements it receives. YMCA stated that when UCHS fails to provide full receipt support to YMCA, it must follow up with UCHS to request missing receipts that support how UCHS spent the advance.

*Four gasoline receipts totaling \$270 were incorrectly processed as support for kitchen supplies.*

YMCA tracks the cash advance and receipts submitted by UCHS to ensure that receipt support submitted accounts for the advances provided.<sup>29</sup> However, due to missing and misclassified receipts, it is impossible to verify that all expenditures recorded in the reconciliation are properly accounted for by YMCA. This increases the possibility that city funds were not always used for their intended purpose. For example, CSA identified four separate gasoline receipts that UCHS submitted as support for kitchen supplies. The gasoline receipts totaled \$270.

YMCA stated that it attempts to identify misclassified items on receipts submitted by UCHS. According to its staff, YMCA has continued to ask UCHS to ensure that submitted receipts include only one type of expense, but UCHS fails to comply.

Its contract requires YMCA to establish and maintain accurate financial books and accounting records relating to eligible expenses incurred and grant funds received and spent under the agreement. However, as the service provider, UCHS shares this responsibility and must ensure that it provides YMCA with complete and accurate information so that YMCA can assist it in

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<sup>29</sup> YMCA's tracking document showed that UCHS's receipt support did not always agree with the total amount of funds advanced.

abiding by all city fiscal monitoring procedures and reporting requirements.

### Recommendations

The San Francisco Department of Homelessness and Supportive Housing should require:

15. UCHS to submit legible documents as support for expenses and require UCHS's fiscal agent to properly review the documents.
16. UCHS's fiscal agent to retain all support documentation for audit purposes.
17. UCHS's fiscal agent to ensure that UCHS provides full and accurate receipt support for food and kitchen supply expenditures.
18. UCHS's fiscal agent to ensure that UCHS expenses are accurately classified and adequately reviewed.

### Finding 3.2

**YMCA overbilled Human Services \$715 for five sample pay periods by charging it for the entirety of certain payroll-related costs UCHS incurred.**

*YMCA billed Human Services for payroll fees and employer taxes that should have been allocated among UCHS's cost centers.*

YMCA improperly charged Human Services for 100 percent of certain payroll-processing fees and employer taxes UCHS incurred, which should have been allocated among all UCHS cost centers. If YMCA had done so, nearly half of these expenses would have been charged to (and, presumably, paid by) UCHS funders other than Human Services.

Overbilled amounts appear in all five sample payroll billing spreadsheets selected by CSA and provided by YMCA. The expenses (and amounts charged to Human Services) for the five pay periods total \$1,633, average \$327 per pay period, and range from \$159 to \$661 per pay period. Based on the sample, \$715 was overcharged to Human Services.

According to YMCA, the expenses include both bank fees and employer taxes. The fees and taxes charged to UCHS should have been allocated among UCHS's various cost centers, such as the VA, HUD, and MOHCD, because UCHS employees work under

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programs that are both Human Services-funded and non-Human Services-funded.

YMCA tracks and allocates its payroll billing with a spreadsheet that uses each UCHS employee's time by his or her position and program assignment to determine the UCHS funder(s) that should be charged. According to YMCA, UCHS's employer taxes were incorrectly captured for payroll expense allocations, which required YMCA to add an additional amount to "true-up" or balance UCHS's payroll liabilities. CSA concluded that YMCA improperly billed the entirety of these additional amounts to Human Services.

According to YMCA, the fee charged by the bank to process UCHS's payroll has historically been billed only to Human Services under an established process. However, YMCA could not provide supporting documentation to explain why the fee was not billed proportionally to Human Services and UCHS's other funding sources.

*UCHS employees spend only about half their time on Human Services-funded programs, so Human Services should pay only about half of UCHS's indirect costs.*

The cost allocation calculations on the payroll billing spreadsheets for the five sample pay periods show that UCHS employees spent an average of 56 percent of their time working in Human Services-funded programs. Therefore, only 56 percent of the payroll-related indirect costs (payroll processing fees and employer-paid taxes) should have been charged to Human Services for the pay periods tested. The remaining 44 percent of the costs should have been billed proportionally among UCHS's other funding sources.

Exhibit 13 details, for each sample pay period, the payroll-related indirect costs UCHS incurred per the payroll billing spreadsheet and Human Services' estimated overpayment.

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<b>EXHIBIT 13</b>		<b>Payroll-Related Indirect Costs Overpaid by Human Services, by Pay Period</b>		
Sample Pay Period Ending	Amount Charged to Human Services	Amount That Should Have Been Charged to Human Services	Amount Human Services Overpaid	
8/31/2012	\$294	\$165	\$130	
9/28/2012	661	390	271	
8/16/2013	341	181	160	
1/3/2014	178	99	78	
9/12/2014	159	83	76	
<b>Total</b>	<b>\$1,633</b>	<b>\$918</b>	<b>\$715</b>	

Source: Payroll sheets provided by YMCA.

*YMCA does not properly understand the cost allocation in UCHS's payroll process.*

City's guidelines<sup>30</sup> require nonprofit organizations to have a methodology or plan for allocating costs among funding sources. The cost allocation plan should show clear logic behind the charge and the percentage charged to city funds.

YMCA does not have a proper understanding of the allocation of expenses among each program in UCHS's payroll process and fails to adequately verify UCHS's payroll for accuracy.

**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should require UCHS's fiscal agent to:

- 19. Ensure that fees are billed proportionally to each funding source based on the employees' program assignment.
- 20. Verify and approve UCHS's payroll, ensuring that billing amounts are accurately reflected before processing the request.

The San Francisco Human Services Agency should:

- 21. Collect \$715 from YMCA for fees the fiscal agent previously overcharged for the five sample pay periods.

<sup>30</sup> City and County of San Francisco, *Cost Allocation Guidelines for Nonprofits Doing Business with the City*, 2005. The City follows the guidelines under generally accepted accounting principles and OMB Circular A-122.



22. Require YMCA to review all past payroll records for pay periods not covered by this audit to determine whether YMCA inappropriately billed 100 percent of incurred fees to the Human Services Agency. If overcharges are found, require YMCA to reimburse the Human Services Agency for the total amount overcharged.

**Finding 3.3**

*UCHS employees' timesheets were sometimes inadequately reviewed, resulting in incomplete or inaccurate records of hours worked.*

**UCHS does not always ensure that employee timesheets are complete and accurate.**

UCHS does not always appropriately review its employee timesheets for completion and accuracy as required. Of a sample of 17 UCHS timesheets, 9 (53 percent) did not contain sufficient information, such as the employees' position titles and shift times, or did not include correct information regarding the total number of hours worked. Also, 7 of the 17 sample timesheets had missing signatures or dates from either the employees or the supervisors, or both. Further, YMCA does not maintain accurate and updated information regarding UCHS employees in its system.

Multiple exceptions, totaling 21 instances, exist in each of the 17 timesheets tested. In each instance, UCHS had provided incomplete or inaccurate information, including:

- Missing approval date
- Miscalculated number of hours worked
- No employee position indicated
- Missing shift date and time

This indicates that the timesheets were not properly reviewed before they were processed.

YMCA's fiscal agency agreement requires UCHS employees to complete a timesheet and submit it to their supervisor. UCHS employee timesheets include the following sections:

- Employee name
- Dates worked

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- Time in/time out
- Total hours worked
- Employee signature and date

Supervisors are required to sign each timesheet to approve it.

YMCA's fiscal agency agreement also requires that timesheets be verified and signed by both the employee and supervisor and reviewed by UCHS's executive director. YMCA's finance director must then verify and process the request. Both UCHS and YMCA fail to comply with UCHS's fiscal agreement requirement to ensure that timesheets are fully completed.

Exhibit 14 summarizes the exceptions found in the audit's timesheet review.

**EXHIBIT 14**    **Exceptions in Sample of 17 UCHS Employee Timesheets**

Issue Identified	Number of Instances
Missing Employee Signature and/or Date	7
Missing Supervisor's Date or Approval <sup>a</sup>	5
Missing Employee Title/Position	4
Missing Timesheet	3
Missing Shift Date and Time In/Time Out	1
Hours Calculated Incorrectly <sup>b</sup>	1
<b>Total</b>	<b>21</b>

Notes:

<sup>a</sup> Employee timesheets include a designated space for supervisors to indicate the date of signature. Although not explicitly required in the agreement, this date is needed because it can be used to verify that review occurred after the employee completed the timesheet.

<sup>b</sup> Issue resulted in one employee being overpaid \$10.74.

Source: Sample of 17 biweekly UCHS employee timesheets selected by CSA and provided by YMCA.

*One employee was overpaid for one hour.*

In one instance found in the sample, a UCHS employee was overpaid due to an incorrect calculation of hours stated on the timesheet. The employee indicated the time worked during one shift as 5.5 hours. However, based on the indicated shift start and end times, the employee worked only 4.5 hours. Thus, the employee was overpaid \$10.74 for one hour. This overpayment is small but indicates that UCHS fails to ensure that employee timesheets are completed accurately and

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reviewed thoroughly. Thus, more significant errors could have gone undetected.

Another employee did not indicate the date, time in, or time out for one of the days on a timesheet. Failure to adequately complete timesheets impedes YMCA's ability to confirm accuracy of hours worked and increases the risk of incorrect payments to UCHS employees.

Further, UCHS did not adequately approve seven timesheets. The timesheets did not have the employee's signature, the date the employee signed the timesheet, and/or the date the supervisor signed the timesheet. Consequently, it is impossible to determine whether a supervisor signed off on these timesheets before or after they were processed for payroll. Timesheets must be appropriately signed off to ensure that employee hours are not altered before they are entered in the payroll system for processing.

*YMCA sometimes attempts to get a supervisor's signature on timesheets after payroll has been processed, which is a weak internal control.*

According to YMCA, it does not always require a supervisor's signature on UCHS timesheets before they are processed. YMCA stated that it sometimes attempts to get a supervisor's signature on timesheets after entering employee hours in the system because of tight payroll processing deadlines. However, failure to ensure that UCHS supervisors properly review and YMCA verifies timesheets can cause them to include inaccurate information.

The fiscal agency agreement requires YMCA's finance director to verify payroll requests. However, YMCA fails to adequately indicate or confirm on the employee timesheets if or when the finance director received the timesheets. Not marking timesheets as received by the fiscal agent makes it difficult to ensure that they are appropriately collected when processing payroll requests.

YMCA uses its payroll billing spreadsheet to keep track of each UCHS employee's program assignment by the employee's indicated position. Job titles shown on the spreadsheets should be kept up-to-date so YMCA's finance director can correctly determine each employee's assigned program. Of the 17 UCHS

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employees tested, 3 (18 percent) had outdated positions shown on the payroll spreadsheets when compared to the timesheets and YMCA's explanation. Maintaining accurate employee position information is necessary so that, based on the employee's program assignment, staff can determine which funding source should be charged for the cost of the employee's time.

**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should:

23. Require UCHS's fiscal agent to adequately review UCHS employee timesheets for accuracy and completeness before entering hours into the system for payroll processing.
24. Ensure that UCHS's fiscal agent implements a policy requiring its finance director to mark all employee timesheets with an indicator, such as a signature and date, as soon as they are reviewed.
25. Require UCHS to implement an effective control environment over its payroll operations by enforcing a more stringent timesheet review process.
26. Require UCHS's fiscal agent to periodically review all UCHS payroll spreadsheets to ensure that they show UCHS employees' current positions and/or job titles.

**Finding 3.4**

**The audit could not verify the employment of 93 percent of tested employees or verify 18 percent of tested employees' pay.**

UCHS failed to provide CSA requested personnel records and YMCA does not properly maintain payroll records needed to oversee UCHS's financial operations. The audit could not verify the employment of 13 (93 percent) of 14 tested former or current UCHS employees because UCHS did not provide the requested personnel files and, based on a test of five pay period(s), could not verify the pay of 3 (18 percent) of 17 tested UCHS employees (or \$2,397) due to missing timesheet support.

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YMCA's grant agreement requires that all files and records are to be maintained in a readily accessible location for a period of not less than five years after final payment.

*UCHS did not provide 13 of the 14 personnel files requested by CSA, which may create a risk for ghost employee fraud.*

CSA judgmentally selected 14 people from a list of 279 former and current UCHS employees (representing a 5 percent sample size) and asked UCHS to provide these 14 personnel files for review. UCHS did not provide 13 (93 percent) of the 14 requested files even after multiple requests.

Failure to provide personnel files for an audit raises the risk of fraud due to an organization having ghost employees. A ghost employee is someone on the payroll who does not actually work for the organization.<sup>31</sup> The ghost employee can either be a real person or a fictitious person created by a dishonest employee, and, when ghost employee fraud occurs, wages are paid in the name of the ghost and collected by the dishonest employee.<sup>32</sup> The fact that UCHS could not provide 13 of the 14 requested personnel files makes it impossible to be assured that all those paid as UCHS employees were actual UCHS employees at the time they were paid.

*No timesheet support was provided for 3 of 17 UCHS employees tested.*

YMCA could not provide timesheet support for 3 (18 percent) of 17 sample UCHS employees. CSA had selected the timesheets of 17 UCHS employees for fiscal years 2013 through 2015 to determine whether wages were paid accurately and whether timesheets were appropriately approved. According to YMCA, the missing timesheets were misfiled and could not be located. The gross earnings on these timesheets for the three employees amounted to \$2,397.

*YMCA's grant agreement requires that records be readily accessible for five years.*

YMCA's grant agreement requires that all files, records, books, invoices, documents, payrolls, and other data be maintained in a readily accessible location for not less than five years after final payment or until any final audit has been fully completed, whichever is later.

<sup>31</sup> Association of Certified Fraud Examiners, *Ghost Employees*, <https://www.acfe.com/article.aspx?id=4294968370>.

<sup>32</sup> *Ibid.*

**Recommendations**

The San Francisco Department of Homelessness and Supportive Housing should:

27. Ensure that UCHS's fiscal agent creates a policy requiring UCHS to provide all necessary supporting documentation for its employee timesheets.
28. Ensure that UCHS's fiscal agent appropriately maintains all files, records, and documents in a readily accessible location to provide proper fiscal oversight services over UCHS's payroll process.
29. Thoroughly investigate why UCHS did not provide most of the requested employee personnel files for this audit, attempt to obtain the files, and assess the possibility that ghost employee fraud has occurred.

**Finding 3.5**

**Contrary to federal internal control guidelines, UCHS does not segregate duties for its expenditure reimbursement and payroll processes.**

UCHS's weak internal controls must be improved to mitigate the risk of fraud. As a tax-exempt, nonprofit organization that receives federal grants, UCHS must adhere to federal rules and regulations. However, UCHS fails to comply with federal internal control guidelines—which are not rules, but include procedures that nonprofit organizations may adopt—regarding segregating duties.

Federal internal control guidelines<sup>33</sup> state that management should design control activities<sup>34</sup> to achieve objectives and respond to risks. One of the control activities required is the segregation of duties. When duties are segregated, management divides key duties and responsibilities among different people to reduce the risk of error, misuse, or fraud. This includes separating the responsibilities for authorizing,

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<sup>33</sup> U.S. Government Accountability Office (GAO), *Standards for Internal Control in the Federal Government*. These standards for an effective internal control system in federal agencies may also be adopted by state or local governments and not-for-profit organizations as a framework for an internal control system.

<sup>34</sup> Control activities are the actions management establishes through policies and procedures to achieve objectives and respond to risks in the internal control system.

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processing, recording, and reviewing transactions, and handling any related assets so that no one individual controls all key aspects of a transaction or event.

However, as explained below, the audit found that several concerns exist regarding UCHS's failure to segregate duties and other internal control weaknesses around expenditure reimbursements and payroll.

Internal Control Weaknesses – Expenditure Reimbursements

*UCHS's executive director has too many responsibilities in the expenditure reimbursement process, contrary to segregation of duties principles.*

UCHS inadequately segregates duties related to expenditure reimbursements. According to UCHS's executive director, she:

- Authorizes reimbursements.
- Is involved in the processing of reimbursements.
- Distributes reimbursement checks.

These duties should not be assigned to one person because, as federal internal control guidelines state, this increases the risk of fraud.<sup>35</sup>

According to UCHS's executive director, she approves all UCHS expense reimbursements before they are sent to YMCA for processing. She also stated that reimbursements are usually submitted to YMCA in her name even when she did not incur the expenses. She explained that often she personally reimburses employees for their expenses and submits the reimbursement under her name. She said that YMCA sends reimbursement checks to UCHS, where either she or a UCHS program director will distribute them to staff.

Payroll Internal Control Weaknesses

*UCHS's executive director performs multiple payroll tasks that result in an increased risk of fraud.*

UCHS fails to segregate payroll-related duties. Specifically, the executive director:

- Approves UCHS's payroll timesheets.
- Receives payroll checks.
- Distributes paychecks.

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<sup>35</sup> GAO.

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Federal internal control guidelines state that approval and custodial duties should not be assigned to the same employee because this increases the risk of fraud.<sup>36</sup> As mentioned in the previous findings, UCHS did not provide employee records for the audit and some processed timesheets were incomplete.

The VA reported concerns about segregation of duties in UCHS's payroll process. A 2015 VA report<sup>37</sup> found that UCHS's executive director could create new employees in the system and was responsible for receiving and distributing paychecks. This further increases the risk of improper transactions occurring because makes it more likely that ghost employees could exist.

These control issues are the direct result of UCHS not having an accounting or finance team. According to its executive director, UCHS relies on YMCA to maintain its books. Although YMCA is UCHS's fiscal agent, UCHS should have an internal accounting team to oversee its fiscal operations and ensure compliance with internal controls. UCHS's 2014-15 audited financial statement report<sup>38</sup> states that its auditor had previously recommended that UCHS hire a certified public accountant to prepare reconciliations and establish an accounting system independent of YMCA.

**Recommendation**

30. The San Francisco Department of Homelessness and Supportive Housing should require UCHS to adhere to the U.S. Government Accountability Office's *Standards for Internal Control in the Federal Government*, in particular by properly segregating its expense reimbursement and payroll functions.

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<sup>36</sup> Ibid.

<sup>37</sup> U.S. Department of Veterans Affairs Financial Services Center, 2015. The VA audited UCHS's compliance with various federal requirements and regulations during July 2012 through June 2014.

<sup>38</sup> In 2016 UCHS's independent auditor, Jeanpierre, Wegrem, Alabi and Co. LLP, audited UCHS's financial statements, which comprise the Statement of Financial Position as of December 31, 2015, and 2014.



## APPENDIX A: DEPARTMENT RESPONSES

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### Department of Homelessness & Supportive Housing:

Mayor Edwin M. Lee  
City & County of San Francisco



Department of Homelessness &  
Supportive Housing

Jeff Kositsky  
Director

July 3, 2017

Tonia Lediju, Director of City Audits  
Office of the Controller  
City Hall, Room 476  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Subject: *Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are Needed to Improve United Council of Human Services' Operations.*

Dear Ms. Lediju:

I would like to thank you and your staff for the work on the United Council of Human Services (UCHS) audit. Attached is our department's responses to the audit recommendations.

If you have any questions or need additional information, please contact me at (415) 355-5210.

Sincerely,

A handwritten signature in cursive script that reads "Gigi Whitley".

Gigi Whitley  
Deputy Director for Administration and Finance

Enclosure

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Human Services Agency:

City and County of San Francisco



*Edwin M. Lee, Mayor*

Human Services Agency

Department of Human Services  
Department of Aging and Adult Services  
Office of Early Care and Education

*Trent Rhorer, Executive Director*

August 14, 2017

Ms. Tonia Lediju  
Director of Audits  
Office of the Controller  
City Services Auditor Division  
City Hall  
1 Carlton B. Goodlett Place, Room 316  
San Francisco, CA 94102

Dear Ms. Lediju:

The Human Services Agency (HSA) has received the draft of the City Services Auditor's audit of United Council of Human Services. We appreciate the time and effort your staff spent on the audit. We concur with your recommendations.

Sincerely,

A handwritten signature in black ink that reads "Daniel B. Kaplan".

Daniel B. Kaplan  
Deputy Director, Finance & Administration

Office of the Controller, City Services Auditor  
**Increased Oversight, Fiscal Sponsorship Controls, and Accountability Are Needed to Improve UCHS's Operations**

For each recommendation, the responsible agency should indicate whether it concurs, does not concur, or partially concurs. If it concurs with the recommendation, it should indicate the expected implementation date and implementation plan. If the responsible agency does not concur or partially concurs, it should provide an explanation and an alternate plan of action to address the identified issue.

## RECOMMENDATIONS AND RESPONSES

Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
1. Direct UCHS to adhere to requirements in its bylaws regarding board composition and the board member term limit.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH plans to meet with the UCHS Board of Directors during the first quarter of FY2017-18 to address the governance recommendations (1-8) raised in the audit. Specially, HSH will direct UCHS to adhere to its bylaws regarding board composition and board member term limit.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
2. Direct UCHS to review its bylaws to determine whether all requirements still apply and to update any requirement necessitated by changed conditions and that is in the organization's best interests.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will direct UCHS to review its bylaws to determine whether all requirements still apply and to update any requirement as necessary.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
3. Direct UCHS to require its board members to periodically review the organization's governing policies and procedures, including its bylaws, and have board members sign a document affirming that they have done so.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will direct UCHS to require its board members to periodically review the organization's governing policies and procedures, including its bylaws, and have board members sign a document affirming that they have done so.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.

Office of the Controller, City Services Auditor  
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Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
<p>4. Ensure that UCHS's board includes at least two members who possess one or more of the following qualities:</p> <ul style="list-style-type: none"> <li>• Has a formal background in finance.</li> <li>• Receives or received UCHS's services.</li> <li>• Represents a supporting agency. (This would be a non-voting member.)</li> </ul>	<p>Department of Homelessness and Supportive Housing</p>	<p><input checked="" type="checkbox"/> Concur    <input type="checkbox"/> Do Not Concur    <input type="checkbox"/> Partially Concur</p> <p>HSH will recommend to UCHS that its Board of Directors includes at least two members who possess one or more of the following qualities:</p> <ul style="list-style-type: none"> <li>• A formal background in finance,</li> <li>• Is a current or past recipient of UCHS's services, and</li> <li>• Represents a supporting agency.</li> </ul>	<p><input checked="" type="checkbox"/> Open  <input type="checkbox"/> Closed  <input type="checkbox"/> Contested</p>
<p>5. Ensure that UCHS's Finance Committee selects the organization's external financial auditor or recommends a firm or firms to the full Board of Directors so it can make the selection.</p>	<p>Department of Homelessness and Supportive Housing</p>	<p><input checked="" type="checkbox"/> Concur    <input type="checkbox"/> Do Not Concur    <input type="checkbox"/> Partially Concur</p> <p>HSH will recommend that UCHS's Finance Committee selects an external financial auditor.</p>	<p><input checked="" type="checkbox"/> Open  <input type="checkbox"/> Closed  <input type="checkbox"/> Contested</p>
<p>6. Require UCHS to establish policies on board member oversight responsibilities, including periodic leadership and program performance reviews.</p>	<p>Department of Homelessness and Supportive Housing</p>	<p><input checked="" type="checkbox"/> Concur    <input type="checkbox"/> Do Not Concur    <input type="checkbox"/> Partially Concur</p> <p>HSH will require UCHS to establish policies on board member oversight responsibilities, including periodic leadership and program performance reviews.</p>	<p><input checked="" type="checkbox"/> Open  <input type="checkbox"/> Closed  <input type="checkbox"/> Contested</p>
<p>7. Require UCHS to adopt conflict-of-interest policies and formalize board member responsibilities.</p>	<p>Department of Homelessness and Supportive Housing</p>	<p><input checked="" type="checkbox"/> Concur    <input type="checkbox"/> Do Not Concur    <input type="checkbox"/> Partially Concur</p> <p>HSH plans to meet with the UCHS Board of Directors during Q1 FY2017-18 and require UCHS to adopt conflict-of-interest policies and formalize board member responsibilities.</p>	<p><input checked="" type="checkbox"/> Open  <input type="checkbox"/> Closed  <input type="checkbox"/> Contested</p>

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.

Office of the Controller, City Services Auditor  
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Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
8. Require UCHS to provide its fiscal agent with access to the fiscal operations related to all UCHS agreements.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will recommend to UCHS's Board of Directors that it provide UCHS's new fiscal intermediary broader access to fiscal records and operations related to all UCHS contracts. HSH is contracting with Public Health Foundation Enterprises to provide fiscal and human resources management for the HSH-funded services at UCHS services sites: Hope House and at the Bayview Drop-In Resource Center. Recommendations pertaining to financial and HR management and internal controls will be included in HSH's contract with the fiscal intermediary.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
9. Assist UCHS's fiscal agent to become UCHS's fiscal sponsor and assume all duties of this role.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH is contracting with a new fiscal intermediary to provide fiscal and human resources management for services at UCHS sites, rather than assist UCHS's previous fiscal agent in becoming a fiscal sponsor.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
10. Ensure that UCHS files its tax returns when due and files for extensions when necessary.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH is contracting with a new fiscal intermediary to provide fiscal and human resources management for services at UCHS sites. In accordance with citywide nonprofit monitoring fiscal and compliance review, HSH will monitor UCHS for compliance with federal tax reporting.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
11. Ensure that UCHS submits its single audits when due and files for extensions when necessary.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur As stated above, HSH will monitor UCHS for compliance with single audit deadlines in accordance with annual fiscal and compliance monitoring.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
12. Ensure that UCHS completes its 2014 single audit immediately.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur UCHS's external auditor has completed its 2014-2015 single audit.	<input type="checkbox"/> Open <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Contested

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.

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Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
13. Ensure that UCHS develops a finance team to support the organization's various functions, which include business planning, budgeting, accounting, and human resources activities.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH is contracting with a new fiscal intermediary to provide finance and human resources management for UCHS. HSH will recommend to UCHS's Board of Directors that to be a self-sustaining organization, it will need to develop a finance team to support the organization's business planning, budgeting, accounting and human resources functions.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
14. Require UCHS's fiscal agent to develop a strategic plan that will help UCHS develop (including recruiting and hiring staff for) a finance/human resources unit.	Department of Homelessness and Supportive Housing	<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input checked="" type="checkbox"/> Partially Concur HSH is contracting with a fiscal intermediary to provide finance and human resources management to UCHS. Developing a strategic plan is not part of these contracted services. However, HSH will recommend to UCHS's Board of Directors that it develop a plan to build its internal financial and administrative capacity in order to become a self-sufficient organization.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
15. Require UCHS to submit legible documents as support for expenses and require UCHS's fiscal agent to properly review the documents.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH's contract with UCHS's new fiscal intermediary will require that the contractor collect all invoicing information and documentation from UCHS before submitting a combined invoice of prior monthly costs to the HSH for reimbursement. The fiscal intermediary will review all subcontractor expenditures for legibility, accuracy and completeness before submission to HSH.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
16. Require UCHS's fiscal agent to retain all support documentation for audit purposes.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will require UCHS's new fiscal intermediary to retain supporting documentation for fiscal monitoring and audit purposes.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.

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Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
17. Require UCHS's fiscal agent to ensure that UCHS provides full and accurate receipt support for food and kitchen supply expenditures.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will require UCHS's new fiscal intermediary to collect complete and accurate receipts for all expenditures before authorizing reimbursement.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
18. Require UCHS's fiscal agent to ensure that UCHS expenses are accurately classified and adequately reviewed.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will require UCHS's new fiscal intermediary to ensure expenditures are accurately classified and adequately reviewed.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
19. Require UCHS's fiscal agent to ensure that fees are billed proportionally to each funding source based on the employees' program assignment.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will require UCHS's new fiscal intermediary to ensure indirect fees are billed proportionally to funding sources based on employee FTE allocation.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
20. Require UCHS's fiscal agent to verify and approve UCHS's payroll, ensuring that billing amounts are accurately reflected before processing the request.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur UCHS's new fiscal intermediary is serving as the employer of record for all employees working on UCHS programs (funded by HSH). This practice ensures all payroll costs are verified, approved, and accurately allocated to HSH grants.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
21. Collect \$715 from YMCA for fees the fiscal agent previously overcharged for the five sample pay periods.	Human Services Agency	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSA will work with YMCA/UCHS to resolve the recommendation.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.

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Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
22. Require YMCA to review all past payroll records for pay periods not covered by this audit to determine whether YMCA inappropriately billed 100 percent of incurred fees to the Human Services Agency. If overcharges are found, require YMCA to reimburse the Human Services Agency for the total amount overcharged.	Human Services Agency	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSA will work with YMCA/UCHS to resolve the recommendation.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
23. Require UCHS's fiscal agent to adequately review UCHS employee timesheets for accuracy and completeness before entering hours into the system for payroll processing.	Department of Homelessness and Supportive Housing	<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input checked="" type="checkbox"/> Partially Concur UCHS's new fiscal intermediary is serving as the employer of record for employees working on UCHS programs (funded by HSH), to ensure all employee timesheets are accurate and complete prior to payroll processing.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
24. Ensure that UCHS's fiscal agent implements a policy requiring its finance director to mark all employee timesheets with an indicator, such as a signature and date, as soon as they are reviewed.	Department of Homelessness and Supportive Housing	<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input checked="" type="checkbox"/> Partially Concur UCHS's new fiscal intermediary is serving as the employer of record for employees working on UCHS programs (funded by HSH), to ensure all employee timesheets are accurate and complete prior to payroll processing, including implementing internal controls to ensure timesheet approval and review.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
25. Require UCHS to implement an effective control environment over its payroll operations by enforcing a more stringent timesheet review process.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur UCHS's new fiscal intermediary is serving as the employer of record for all employees working on UCHS programs (funded by HSH) to ensure all employee timesheets are reviewed and accurate.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.



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Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
26. Require UCHS's fiscal agent to periodically review all UCHS payroll spreadsheets to ensure that they show UCHS employees' current positions and/or job titles.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur UCHS's new fiscal intermediary to serve as the employer of record for employees working on UCHS programs funded by HSH. The contractor will train employees and supervisors on use of a time collection system with employee positions/job titles, and ensure payroll costs are correctly allocated and aligned with the approved budgeted position in HSH contracts.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
27. Ensure that UCHS's fiscal agent creates a policy requiring UCHS to provide all necessary supporting documentation for its employee timesheets.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will require UCHS's new fiscal intermediary to retain necessary supporting documentation for employee timesheets.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
28. Ensure that UCHS's fiscal agent appropriately maintains all files, records, and documents in a readily accessible location to provide proper fiscal oversight services over UCHS's payroll process.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will require UCHS's new fiscal intermediary to maintain all payroll and personnel files, records and documents readily accessible for fiscal oversight.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested
29. Thoroughly investigate why UCHS did not provide most of the requested employee personnel files for this audit, attempt to obtain the files, and assess the possibility that ghost employee fraud has occurred.	Department of Homelessness and Supportive Housing	<input type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input checked="" type="checkbox"/> Partially Concur In August 2016, HSH took over contract management for UCHS services from the Human Services Agency. Agreement. Currently, HSH does not have the resources or expertise to further investigate anomalies that were uncovered during the audit of 2014-15 practices. However, HSH is ready to support the Controller's Office in any follow up investigation. Additionally, HSH has taken immediate action to ensure that a new fiscal intermediary is in place for UCHS. This fiscal intermediary serves as the employer of record for employees providing UCHS services to ensure HR and finance management, oversight and accountability.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.

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Recommendation	Responsible Agency	Agency Response	CSA Use Only Status Determination <sup>1</sup>
30. Require UCHS to adhere to the U.S. Government Accountability Office's <i>Standards for Internal Control in the Federal Government</i> , in particular by properly segregating its expense reimbursement and payroll functions.	Department of Homelessness and Supportive Housing	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur HSH will require UCHS's new fiscal intermediary to adhere to internal controls, including proper segregation of duties for expense reimbursement and payroll functions.	<input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed <input type="checkbox"/> Contested

<sup>1</sup> Status Determination based on audit team's review of the agency's response and proposed corrective action.

## APPENDIX B: UCHS RESPONSE

DR. BARBARA J. BROWN  
FOUNDER

GWENDOLYN WESTBROOK  
CEO

2111 JENNINGS STREET

SAN FRANCISCO CA 94124



THE UNITED COUNCIL OF HUMAN SERVICES  
REDUCING HUNGER & POVERTY THROUGH SELF-HELP ONE LIFE AT A TIME

August 22, 2017

OFFICE: 415.671.1100

FAX: 415.822.3436

Tonia Lediju  
Director of City Audits  
City Hall, Room 476  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

**RE: Increased Oversight, Fiscal Sponsorship Controls and  
Accountability are Needed to Improve The United Council of Human  
Services**

Dear Mrs. Lediju:

The United Council of Human Services acknowledges receipt of the  
Draft Audit for our programs, and is diligently working to make the  
necessary changes as recommended in your report.

Thank you and your staff for the time you spent gathering the  
information for this audit.

Sincerely Yours,

GWENDOLYN WESTBROOK  
CEO

Gwendolyn Westbrook, CEO

DR. BARBARA J. BROWN

CC: UCHS Board of Directors

GWENDOLYN WESTBROOK  
CEO

DR. BARBARA J. BROWN  
FOUNDER

GWENDOLYN WESTBROOK  
CEO

DR. BARBARA J. BROWN

GWENDOLYN WESTBROOK



# City & County of San Francisco

Office of the Controller  
City Services Auditor

**Adult Probation Department**  
**Reentry Division**  
**CASC Program Analysis**

August 30, 2017



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**CONTROLLER'S OFFICE**

**CITY SERVICES AUDITOR**

The City Services Auditor (CSA) was created within the Controller's Office through an amendment to the City Charter that was approved by voters in November 2003. Under Appendix F to the Charter, CSA has broad authority to:

- Report on the level and effectiveness of San Francisco's public services and benchmark the City to other public agencies and jurisdictions.
- Conduct financial and performance audits of city departments, contractors, and functions to assess efficiency and effectiveness of processes and services.
- Operate a whistleblower hotline and website and investigate reports of waste, fraud, and abuse of city resources.
- Ensure the financial integrity and improve the overall performance and efficiency of city government.

Project Team: Randle McClure, Project Manager  
Kendra Froshman, Performance Analyst  
Kyra Sikora, Performance Analyst

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## EXECUTIVE SUMMARY

In preparation for the San Francisco Adult Probation Department's (APD) upcoming Request for Proposal (RFP) for reentry services, APD requested that the Controller's Office, City Performance Unit, conduct a program assessment of services provided at the Community Assessment and Services Center (CASC). The CASC, which opened in June 2013, is a one-stop reentry center that bridges APD probation supervision with comprehensive services including case management, cognitive behavioral interventions, employment, education, barrier removal, health care enrollment and income benefits acquisition assistance.

City Performance developed an analytical approach to assess reentry services at the CASC. The approach consisted of the following four elements:

1. Research on evidence-based practices in the field of reentry services and other related fields.
2. Benchmarking and best practice interviews with peer probation systems that share a commitment to implementing evidence-based practices.<sup>1</sup>
3. Interviews and focus groups with key stakeholders from APD, the current CASC vendor - Leaders in Community Alternatives (LCA), the Department of Public Health (DPH), the Human Services Agency (HSA) and partner organizations that provide on-site and off-site support.
4. Interviews with CASC clients.<sup>2</sup>

Based on this assessment, City Performance found several areas where CASC service provision could be enhanced to strengthen adherence to evidence-based practices and improve client outcomes. The recommendations included in this report reflect findings based on research done from July to September of 2016. New information gathered outside of the original time period can be found in footnotes throughout the report. Stakeholders report that San Francisco has a challenging reentry environment due to a large number of high risk probationers<sup>3</sup> with high rates of homelessness, mental health issues and drug addiction. In this environment, the CASC has struggled to motivate clients to maintain the necessary attendance levels that allow for many evidence-based practices to have an impact on recidivism rates. Furthermore, City Performance found other areas where the CASC could improve adherence to best practices in the field including during case planning, client tracking, and mental health and substance abuse support. Finally, the CASC has struggled to maintain a consistent and effective data tracking system across programs which has affected its ability to monitor program performance and measure impact. The first three years of the CASC focused on initiating a wide array of new community services while aligning law enforcement and support services. The recommendations in this report can serve as a guide for Adult Probation Department to deepen the work of the CASC as it matures as the cornerstone of reentry services in San Francisco.

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<sup>1</sup> For a list of peer probation systems, see Appendix A.

<sup>2</sup> For a list of stakeholder interviews, see Appendix B.

<sup>3</sup> APD reports that 85% of probationers who were transferred from state prison are high risk compared to between 55%-75% in California overall. For more information see footnotes 16 and 17.



This report provides six high level recommendations based on findings from City Performance research, interviews, and focus groups that APD can incorporate into the upcoming RFP for reentry services.

City Performance recommends that the CASC adopt the following practices:

- 1. Increase client engagement hours.**
  - a. Enhance intrinsic motivation through using the therapeutic community model.
  - b. Require case managers to spend more time with clients outside of the CASC.
  - c. Increase case manager engagement for clients in custody.
  - d. Require case managers to assume intake responsibilities at the CASC.
  - e. Choose dosage targets and use in probation plans.
- 2. Ensure that CASC case planning and services address the criminogenic needs of clients.**
  - a. Require alignment between Individual Treatment and Rehabilitation Plan (ITRP), Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessment and all other client reentry planning.
  - b. Host joint training sessions for CASC case managers, APD staff and subcontractors to ensure that all parties have a uniform understanding of program goals.
  - c. Provide CASC case managers with greater access to the client's COMPAS assessment.
  - d. Provide greater access for subcontractors to the criminogenic and mental health needs of their clients before the client accesses their services.
  - e. Require case managers to attend all collaborative meetings about clients, including case conferences and bi-weekly client case management meetings.
- 3. Enhance the CASC's capacity to handle clients with mental health and substance abuse issues.**
  - a. Expand and streamline CASC capacity for handling clients with mental health issues.
  - b. Hire case managers that have more experience handling mental health cases.
  - c. Train current case managers in de-escalation tactics and mental health awareness.
  - d. Collaborate with county jails, APD Probation Officers, and CASC case management to develop a standard process for transferring clients with mental health issues to ensure continuous care.
- 4. Develop and implement an effective data reporting system.**
  - a. Create and maintain a data dictionary.
  - b. Track and analyze client level dosage data.
  - c. Track data points that give information on program performance.
- 5. Conduct annual fidelity assessments of the CASC.**
- 6. Long Term: Create specialized client tracks for service provision.**
  - a. Create client tracks based on criminogenic risk level.
  - b. Pursue programming by gender as outlined in the Women's Community Justice Reform Blueprint and consider creating client tracks by gender.
  - c. Create client tracks by age.

## APD and CASC BACKGROUND

The Adult Probation Department contributes to public safety via court services, evidence-based supervision, and treatment and referral functions. APD operated with a total budget of \$34,174,858 and had a total of 151 FTEs serving the department in FY2015-2016.<sup>4</sup> The department provides services through five main divisions:

- 1) Pre-sentence investigations: prepares pre-sentencing investigative and supplemental reports to the Superior Court when a defendant is charged with a felony offense. The reports include an evidence-based risk and needs assessment to aid the courts in sentencing decisions. Support staff maintains the official department records for clients and processes reports.<sup>5</sup>
- 2) Community Services Supervision: provides supervision services, wrap-around care, and treatment services to promote clients' success and ensure compliance with the terms and conditions of their probation. Specialized Intensive Services Units closely monitor high-risk probationers who have committed gang, sex, drug, or domestic violence offenses.<sup>6</sup>
- 3) Post-Release Community Supervision: provides intensive supervision of the post release community supervision population. The Pre-Release Team coordinates the release of inmates from the county jail or state prison to County Community Supervision.<sup>7</sup>
- 4) Reentry: coordinates a seamless continuum of care and support to probationers and SF residents with criminal histories to increase successful outcomes, and to reduce recidivism and victimization.<sup>8</sup>
- 5) Administrative Services: provides fiscal management, personnel and payroll services, grants and contract administration, operational and performance analysis, capital improvements, and management information services.<sup>9</sup>

As of December 2016, 68% of adult probationers were on probation for felony cases, and approximately half of all active probationers were between the ages of 18 and 35 years old.<sup>10</sup> Male probationers comprise 84% of the probation population, while female probationers comprise 16% of the population. APD is not currently able to track transgender probationers.<sup>11</sup>

The Community Assessment and Services Center (CASC) has been operated by Leaders in Community Alternatives (LCA), in coordination with APD's Reentry Division, to provide supervision and wrap-around services to formerly incarcerated adults and Transitional Age Youth (TAY). APD created the CASC in response to Assembly Bill 109, which transferred responsibility for all non-violent, non-serious, non-sex probationers to the county level. Today, the CASC provides case management, benefits acquisition

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<sup>4</sup> Mayor's Budget Book, 2015-2016 & 2016-2017

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> APD Demographic Dashboard as of December 2016

<sup>11</sup> APD Demographic Dashboard as of December 2016

assistance, and reentry classes, such as Thinking for a Change and Anger Management, to probationers and other people involved in the criminal justice system. Probationers receive services and classes via referral from their Probation Officers.

## IMPLEMENTING EVIDENCE-BASED PRACTICES IN SAN FRANCISCO

In the past several years, APD has adopted Evidence-Based Practices (EBPs) as the primary framework for probation supervision and service delivery. EBPs provide professionals with a model for applying empirical, outcomes-based research to professional practice. In the community corrections field, EBPs provide reentry service providers with a model for community supervision that is based on empirical evidence regarding which practices reliably reduce recidivism among probationer populations. Empirical research demonstrates that those programs that maintain fidelity to evidence-based practices are more successful at reducing recidivism than those programs that do not.<sup>12</sup> The National Institute of Corrections<sup>13</sup> identifies eight core principles of effective intervention that jurisdictions have used as a model in shaping their reentry services. APD included these core principles in its 2012 Request for Proposals (RFP) to create the CASC:

1. **Assess Actuarial Risk/Needs:** develop and maintain a complete system of ongoing probationer risk screening/triage needs assessments.
2. **Enhance Intrinsic Motivation:** staff should relate to probationers in interpersonally sensitive and constructive ways to enhance intrinsic motivation in probationers.
3. **Target Interventions:** interventions should be targeted to the client's risk and need levels, and should be responsive to clients' temperament, learning style, motivation, gender and culture.
  - a. *Risk Principle:* prioritize supervision and treatment for higher risk probationers.
  - b. *Need Principle:* target interventions to criminogenic needs.
  - c. *Responsivity Principle:* target interventions based on temperament, learning style, motivation, gender, and culture when assigning clients to programs.
  - d. *Dosage:* provide the appropriate number of intervention hours based on risk level
4. **Skill Train with Directed Practice:** develop communication skills and positive behavioral attitudes among offenders through role playing and positive reinforcement.
5. **Increase positive reinforcement:** apply higher ratios of positive reinforcements to negative reinforcements.
6. **Engage Ongoing Support in Natural Communities:** realign and actively engage family members and friends in the probationers' communities to reinforce new positive behaviors among probationers.
7. **Measure Relevant Processes/Practices:** accurately document case information and provide a valid mechanism for measuring outcomes.

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<sup>12</sup> Lowenkamp, C. T., Latessa, E. J., Smith, P. (2006). Does correctional program quality really matter? The impact of adhering to the principles of effective intervention. *Division of Criminal Justice University of Cincinnati*, 5 (3), 201-220.

<sup>13</sup> The National Institute of Corrections is an agency within the U.S. Department of Justice, Federal Bureau of Prisons. <http://nicic.gov/aboutus>

8. **Provide Measurement Feedback:** enact a quality assurance system that maintains and enhances fidelity to evidence-based practices.<sup>14</sup>

While all stakeholders City Performance interviewed<sup>15</sup> were interested in using EBPs to reduce recidivism, stakeholders reported several factors that create significant challenges to EBP implementation in San Francisco:

- The CASC uses a day reporting center model where clients have full freedom of movement instead of a residential reentry program where clients must receive a certain amount of hours of treatment. By its very nature, the day-reporting model guarantees fewer hours of evidence-based interventions compared with the residential treatment model.
- Stakeholders report that there are high rates of homelessness, mental health conditions and addiction among San Francisco probationers which create significant challenges for probationers to consistently access services.
- Stakeholders report that San Francisco has large number of high risk probationers compared with other California counties. APD reports that 85% of probationers who were transferred from state prison are high risk<sup>16</sup> compared to between 55%-75% in California overall.<sup>17</sup>
- Adult Probation, along with several other City departments in San Francisco, have a commitment to rehabilitation over incarceration. In practice this means that the department limits the types of circumstances in which probation officers order clients back to jail. While some stakeholders reported that this practice may impact client attendance at the CASC, studies have shown that punishment alone does not lead to ongoing reduced recidivism.<sup>18</sup>

While these challenges are formidable, EBPs remain the gold standard for the sector based on over a decade of research in multiple settings for the best ways to reduce recidivism. Additionally, City Performance interviews with other jurisdictions show that EBPs are used in other jurisdictions that face similar challenges of homelessness and substance abuse. City Performance found that the CASC has an opportunity to use new methods to align its service provision to the principles of evidence-based practices, specifically around principles of enhanced intrinsic motivation, target interventions and dosage, measuring relevant processes/practices, and providing measurement feedback. The following recommendations outline additional steps that the CASC vendor can take to better adhere to EBPs within San Francisco's unique context.

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<sup>14</sup> <http://nicic.gov/theprinciplesofeffectiveinterventions>

<sup>15</sup> See Appendix B for a complete list of interviews.

<sup>16</sup> [Three Years of Realignment in San Francisco \(2015\) p. 17](#)

<sup>17</sup> [An Updated CPOC Adult Probation Business Model to Improve Criminal Justice Outcomes in California \(2014\) p. 4](#)

<sup>18</sup> [Lowenkamp, C. T., Latessa, E. J., Smith, P. \(2006\). Does correctional program quality really matter? The impact of adhering to the principles of effective intervention. \*Division of Criminal Justice University of Cincinnati\*, 5 \(3\), 201-220.](#)

## **Recommendation #1: Increase client engagement hours**

Several studies suggest that increases in the amount of hours that probationers engage in evidence-based-interventions can have a significant effect on reducing recidivism. Additionally, higher risk probationers need more hours of intervention in order to impact their chances of recidivating.<sup>19</sup> This is often referred to as dosage, or the number of hours of interventions a probationer must receive in order for those interventions to have an impact on recidivism. Some literature even suggests that counties should create probation terms based on a certain number of dosage hours rather than a set period of probation time. In addition to impacting recidivism levels, without increased probationer participation, there are not enough people accessing services to create targeted interventions such as client tracking through separate classes and groups based on risk level, gender, etc. APD faces several challenges in maintaining sustained probationer engagement in order to deliver an adequate number of treatment hours that will impact recidivism. Given these barriers, the CASC vendor must have a specific strategy to increase and maintain client engagement. The following recommendations address these issues.

### *A. Enhance intrinsic motivation through using the therapeutic community model*

The primary venue which probationers receive interventions is through attendance on-site at the CASC. Therefore, it is imperative that the CASC vendor is able to motivate probationers to come to the CASC and participate in the range of services offered. In the field of EBPs, this is referred to as “enhancing intrinsic motivation” and it describes the methods that staff can use to increase a probationer’s internal motivation to make changes in their lives. While both Probation Officers and CASC staff regularly engage in motivational interviewing, a key component of intrinsic motivation, there are several other strategies that CASC staff can use to enhance intrinsic motivation in clients.

Research shows that U.S. prison inmates have far higher rates of substance abuse and mental health conditions than the general population.<sup>20</sup> There has been a trend to integrate effective treatment methodologies from these fields with criminal justice. One strategy that is used in the field of mental health and substance abuse is the model of therapeutic communities.<sup>21</sup> Therapeutic communities emphasize social learning and mutual self-help, where other program participants are given leadership opportunities to aid in their peers' recovery. It emphasizes developing and fostering a community of probationers and staff in which probationers are encouraged to help themselves and others while using the community as part of their treatment.<sup>22</sup>

Some stakeholders were concerned that the space in the CASC where clients congregate and interact is underutilized and unsupportive for probationers. For example, one person commented that “no one is talking to people in the [communal] tables.” These stakeholders cited this as a key reason why there was low attendance at the CASC. The therapeutic model also discusses the importance of the milieu, which can refer both to the physical environment and the culture of a space. Mental health literature suggests

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<sup>19</sup> Dosage Probation: Rethinking the Structure of Probation Sentences (2014). Center for Effective Public Policy

<sup>20</sup> Therapeutic Communities: How Are Therapeutic Communities Integrated into the Criminal Justice System? National Institute on Drug Abuse.

<sup>21</sup> ibid.

<sup>22</sup> <https://www.crimesolutions.gov/ProgramDetails.aspx?ID=90>

that creating a therapeutic community or milieu can help treatment of individuals with mental illness in day treatment settings by creating a sense of belonging, safety and participation.<sup>23</sup>

**City Performance recommends that the CASC vendor use the therapeutic community model by creating peer leadership opportunities, increasing interactions between case managers and probationers, and producing more events.** In the therapeutic community model ex-offenders are given opportunities to act as role models and lead social learning activities. The vendor should provide opportunities for probationers to assume leadership by helping organize activities, meal preparation for fellow probationers, or assuming responsibility for coordinating community events. These types of activities help foster relationships, provide an opportunity to model positive behaviors, and can build mentorship within the CASC.<sup>24</sup> Additionally, several stakeholders recommended that case managers should spend more time interacting with probationers on the floor and creating more community events that will draw clients in to participate such as art or exercise. This can also serve to activate the milieu, creating a more engaging environment for probationers to spend time in. Although these types of community-building mechanisms are an important aspect of developing motivation, they are not a replacement for prioritizing evidence-based interventions that focus on risk factors and include cognitive behavior therapy components.

Finally, several stakeholders discussed the difficulty of working with clients who are on the CASC “watch list.” Clients on the watch list are prohibited from accessing CASC services because they presented a significant behavioral issue while at the CASC. APD staff report that they often have to meet their clients outside of the CASC security doors and accompany them through the space in order to meet with their clients in their offices on the second floor. Findings from best practice interviews indicate that other reentry programs have developed protocols for clients to regain entry to reentry services over time. **City Performance recommends that the CASC create a clear policy regarding how clients can regain entry to CASC services after an episode in which they have to be removed from the CASC.**

*B. Require case managers to spend more time with clients outside of the CASC*

Research demonstrates that the case manager’s development of a consistent relationship with probationers influences the probationers’ likelihood of continuing to engage in services.<sup>25</sup> There are several places where CASC case managers could expand their engagement with probationers to strengthen new and ongoing relationships and raise client dosage numbers.

City Performance found that most of case manager engagement with clients is inside the CASC. **City Performance recommends that CASC case managers utilize elements of the Assertive Community Treatment (ACT) model, an evidence-based treatment model which prioritizes providing support in the field, in order to raise client dosage rates.**<sup>26</sup> Originally designed for people with severe mental

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<sup>23</sup> Lipton, D., Pearson, F.S., Cleland, C.M., Yee, D. (2002). The effects of therapeutic communities and milieu therapy on recidivism. In McGuire, J, *Offender Rehabilitation and Treatment: Effective programmes and policies to reduce re-offending*. (39-78) West Sussex: John Wiley & Sons Ltd.

<sup>24</sup> Therapeutic Communities: How Are Therapeutic Communities Integrated into the Criminal Justice System? National Institute on Drug Abuse.

<sup>25</sup> Dosage Probation: Rethinking the Structure of Probation Sentences (2014). Center for Effective Public Policy

<sup>26</sup> <https://www.centerforebp.case.edu/client-files/pdf/actoverview.pdf>

illness, ACT has been shown to be effective on the most high risk users of multiple systems who are regularly involved in the criminal justice system. In this model, case managers would prioritize visiting clients where they live or spend their time, driving them to appointments and supporting them in other tasks. In the traditional ACT model, team members will likely spend more than 80 percent of their time in the community. Citywide Case Management (Citywide), a DPH and APD-contracted psychiatry program that provides comprehensive and intensive outpatient clinical case management services to clients with serious mental health issues, uses this model for clients with severe mental illness by meeting clients in the field and accompanying them to various appointments and court dates.

Although this level of support may not be necessary for probationers with lower-level needs, those with some degree of mental illness and addiction may still benefit from interventions based on the ACT core principles, such as meeting clients in the field and helping them complete basic goals. This may also serve as an opportunity to inform other community members about the services provided in the CASC. This assertive outreach strategy is being used in other counties as well. For example, Probation Officers in San Diego County working with clients on Mandatory Supervision spend a majority of their time in the field.

### *C. Increase case manager engagement for clients in custody*

City Performance found low levels of attendance for probationers recently released from the Reentry Pod, a pod in Jail #2 created by the Sheriff's Office in 2013 to provide continuity across pre- and post-release services.<sup>27</sup> Currently, the in-custody outreach consists of the CASC Intake Coordinator's visits to the Reentry pod to inform probationers about the CASC. Despite these activities, many probationers leaving the Reentry Pod do not become consistent CASC clients. CASC reporting numbers showed that of the 144 clients referred from the Pod in FY13, 58 (40%), enrolled in the CASC, demonstrating that there is a significant attendance drop off period once a client is released from custody.<sup>28</sup>

Research indicates that there is a critical time period between the end of a person's jail sentence and the beginning of his or her probation that has a significant impact on recidivism rates. Specifically, the literature emphasizes the need for a "strong community hand-off component, particularly at the moment of release, that ensures continuity of care between in-jail and community-based programs and services."<sup>29</sup> Research indicates that when probationers' assigned case manager makes contact with them while they are still in jail, it allows the case manager to build a relationship of trust which improves the chances that the client follows through with accessing services in the community once they are released.<sup>30</sup> Findings from qualitative interviews suggest that the CASC has an opportunity to further engage clients during the critical window of time just before their release to probation. One way to further engage these clients is to expand outreach and case management engagement to clients in custody.

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<sup>27</sup> [http://www.sfsheriff.com/files/SFSD\\_PR\\_RM\\_02\\_26.pdf](http://www.sfsheriff.com/files/SFSD_PR_RM_02_26.pdf)

<sup>28</sup> FY13 CASC Annual Report, APD. This information was not tracked consistently in FY14 and FY15.

<sup>29</sup> Warwick, K., Dodd, H., Neusteter, S.R. (2012). *Case management strategies for successful jail reentry*.

<sup>30</sup> Ibid.p. 6

**City Performance recommends that CASC case managers begin interventions and relationship-building with clients while they are still in custody.** Instead of using the Intake Coordinator as the primary point of contact for people in jail, CASC case managers, working in conjunction with APD, should spend time with people still in custody to build relationships with clients who are going to be released. This would include activities such as initiating (or continuing) post-release case plans, brainstorming barrier removal strategies such as connecting the client with services, and beginning housing and other applications as appropriate. According to a 2015 report reviewing San Francisco’s reentry services after three years of re-alignment, a majority of people in the Reentry Pod are in custody for probation violations.<sup>31</sup> For those probationers cycling in and out of jail, having CASC case managers in the jails could provide consistency as well.

Finally, **City Performance recommends that the CASC vendor work closely with Jail staff to coordinate transportation of probationers from jail to the CASC on their release date and trouble-shoot issues as they arise.** San Diego County reports that “our number one goal is that we’re actually picking people up.” They do this by contracting with a vendor to transport probationers from prisons all around the state as well as local jails to their facility. The CASC vendor should meet regularly with the Sheriff’s department in order to review the percentage of probationers who have been transported to the CASC upon their release and problem-solve situations which this transportation was not successful.

*D. Require case managers to assume intake responsibilities at the CASC*

Findings from qualitative interviews as well as the program data suggest that many clients stop engaging at the CASC during the period of time between when clients arrive at the CASC for intake and when they become connected to services. Intake numbers show that of the 818 probationers that enrolled<sup>32</sup> in the CASC in FY13, 35 percent engaged in CASC services after their initial intake. In FY14, 49 percent of probationers engaged in services and in FY15, 52 percent<sup>33</sup> of probationers engaged in services (See Figure 1). While this number has increased over time, there is still a significant drop off rate between intake and service provision.<sup>34</sup>

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<sup>31</sup> [Three Years of Realignment in San Francisco \(2015\)](#)

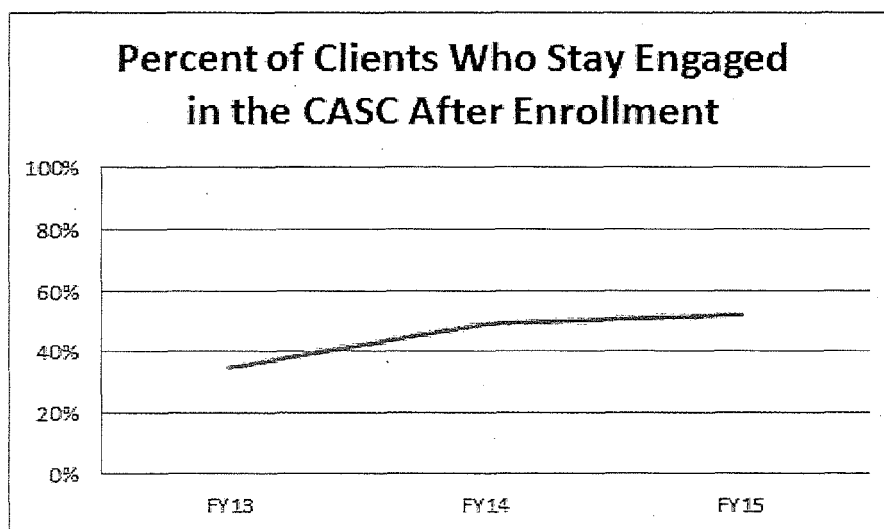
<sup>32</sup> Enrolled is the term used in the CASC Access database for when a client completes intake

<sup>33</sup> FY13, FY14, FY15 CASC Annual Report, APD. There are several limitations to the CASC reporting data, including changing data definitions. For a more in-depth discussion of these limitations see Recommendation #4: Develop and implement an effective data reporting system.

<sup>34</sup> While benchmarking around these numbers is outside the scope of this assessment, APD could survey other similar counties to examine engagement and attendance numbers in order to create appropriate targets.



Figure 1: Continued Client Engagement



Currently, the Intake Coordinator meets with clients who come to the CASC for an initial evaluation in order to review the client’s needs. The Intake Coordinator then meets with the Clinical Supervisor, who will review the probationer’s documentation if available, to decide whether the client should be referred to intensive case management, barrier removal only, or other services. Once the decision is made, the Intake Coordinator pairs the client with an available Case Manager or a Barrier Removal Specialist.

**In order to retain as many probationers as possible, City Performance recommends that CASC case managers conduct intake.** If CASC case managers conduct intake with probationers, they are able to start building a relationship immediately with new clients and begin their treatment plan. Additionally, during this initial conversation, the CASC case manager can plan a second contact with the client and discuss how to keep the client coming in on a consistent basis and making their appointments. If an immediate meeting with a case manager is not possible, then the wait time should be minimized. Multnomah County tracks the speed at which probationers complete intake and are placed with a Probation Officer. The CASC does not have a similar metric to track the length of time between intake and the first service appointment. For more discussion on tracking intake and attendance hours see Recommendation 4.

***E. Choose dosage targets and use in probation plans***

City Performance found that the CASC does not currently set targets for how many hours probationers should receive of evidence-based treatments. Although evidence is inconclusive about the exact number of hours that are needed to reduce recidivism among offenders, several studies have shown that high risk probationers need more dosage hours than low risk probationers, and that recidivism rates tend to lower after 200-300 hours of intervention.<sup>35</sup> Until there is more research, counties are making internal decisions about dosage targets that fit within this range. For example, Santa Cruz County has set a

<sup>35</sup> Dosage Probation: Rethinking the Structure of Probation Sentences (2014). Center for Effective Public Policy p. 13

dosage goal of 200 hours for high risk probationers. The Dosage Conceptual Model (see Figure 2) provides one set of standards that counties can use to set appropriate dosage targets. **City Performance recommends that APD make an internal decision about dosage targets that indicates how many hours each probationer should receive based on risk level, with high risk probationer receiving between 200-300 hours of intervention.**

Second, in order to track dosage, **City Performance recommends that APD decide which kinds of interventions and interactions with probationers qualify as dosage hours and assign dosage amounts for different kinds of interventions.** Research suggests that one-on-one conversations with probation officers or case managers qualify as dosage hours if the officer or case manager is using “risk-reducing interventions,” such as motivational interviewing. Other aspects of tracking are more subjective. For example, case managers or facilitators who notice a probationer is disengaged during a session can choose not to ‘count’ that session toward client dosage tracking.<sup>36</sup> Additionally, localities can decide whether certain programs they offer qualify as dosage hours. For example, Santa Cruz County decided 12-step programs did not qualify as dosage unless they were a part of an established drug program.

Third, **City Performance recommends that APD officers use dosage targets in their probation plan.** Research suggests that probation officers should assign probationers with an optimal amount of intervention hours, including frequency and duration of various interventions. Putting dosage targets in a probation plan ensures that there is a way to track whether the probationer is not only engaging in the activities involved in their plan, but they are engaging sufficiently to meet their dosage goals.<sup>37</sup> APD officers can meet initially with the CASC Case Manager to determine the dosage targets and the appropriate interventions to reach dosage targets based on the probationers risk level and criminogenic need. This meeting is also an opportunity to brainstorm how to address barriers probationers may encounter in meeting their dosage targets. In order to roll out this new component of probation planning, APD will need to train probation officers and CASC staff on how to incorporate dosage numbers into ITRP and CASC case plans.

Finally, **City Performance recommends that APD engage the vendor to track dosage hours in the CASC Access database and report on these targets.**

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<sup>36</sup> Ibid. p. 14

<sup>37</sup> Ibid.

Figure 2: Dosage Conceptual Model<sup>38</sup>

Dosage Conceptual Model				
Risk Level	Dosage Target	Likely Duration	Illustration	
			Dosage Hours Delivered by Corrections Professional	Dosage Hours Delivered through Referral Services
Moderate risk	100 hours	12 months supervision (52 weeks) with 12 months services (52 weeks)	45 minutes/2 weeks for 12 months Total hours: 13.5	90 minutes/week for 12 months Total hours: 79
Moderate/high risk	200 hours	18 months supervision (78 weeks) with 15 months services (65 weeks)	45 minutes/week for 12 months + 45 minutes/2 weeks for 6 months Total hours: 49	3 hours/week for 9 months + 90 minutes/week for 6 months Total hours: 156
High risk	300 hours	24 months supervision (104 weeks) with 18 months services (78 weeks)	45 minutes/week for 24 months Total hours: 78	6 hours/week or 24 hours/4 weeks for 6 months + 90 minutes/week or 6 hours/4 weeks for 12 months Total hours: 234

## Recommendation #2: Ensure that CASC case planning and services address the criminogenic needs of clients

Qualitative interviews with CASC management, case managers, and clients indicate that the CASC has an opportunity to further adhere to the third evidence-based practice: target interventions. The target interventions principle states that interventions should be targeted to the client's risk and need levels, and should be responsive to clients' temperament, learning style, motivation, gender and culture. City Performance found that the CASC is not consistently using the client's probation assessments to inform reentry case planning, which may result in less targeted interventions for probationers.<sup>39</sup>

<sup>38</sup> Ibid.

<sup>39</sup> Additional recommendations for targeting interventions can be found in Recommendation #6: Long-Term Recommendations: Create client tracks by gender and age.

The vendor at the CASC should ensure that case planning addresses the criminogenic needs of its clients. Research indicates that the most successful reentry programs use interventions that address behaviors and life factors that most strongly correlate with recidivism.<sup>40</sup> These factors are typically referred to as “criminogenic needs.”

The National Institute of Corrections identifies eight core criminogenic needs:<sup>41</sup>

- (1) the presence of antisocial behavior: early and continuing involvement in antisocial activities
- (2) antisocial personality pattern: adventurous, weak self-control, restlessly aggressive
- (3) antisocial thinking: attitudes, values, and beliefs that reinforce antisocial behavior
- (4) antisocial associates: close association with criminals and relative isolation from law-abiding individuals
- (5) family and/or marital risks: poor relationship quality with family and/or spouse
- (6) presence of poor interpersonal relationships at school and/or work: poor interpersonal relationships within school or work setting
- (7) leisure and/or recreation: low levels of involvement or satisfaction with non-criminal leisure activities
- (8) substance abuse: abuse of alcohol or other drugs

When reentry programs focus their interventions on criminogenic factors, it consistently produces better outcomes.<sup>42</sup> In addition, research suggests that when program interventions target three or four more criminogenic needs than non-criminogenic needs, it can result in more significant reductions in recidivism.<sup>43</sup>

Probation Officers currently use two tools to assess their clients and create case plans that address criminogenic needs (See Figure 3). First, Probation Officers work with a client to complete the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) tool, a comprehensive assessment tool that identifies the client’s strengths, weaknesses and criminogenic risk factors. Upon completing this assessment, the Probation Officer then creates the client’s Individual Treatment and Rehabilitation Plan (ITRP), which addresses the criminogenic needs identified in the client’s COMPAS. The ITRP provides a road map for client case management. Probation Officers identify one to three goals that address the client’s criminogenic needs, and then outline the activities that clients must complete to achieve these goals. The Probation Officer may then refer his or her client to reentry services at the CASC to accomplish particular goals and activities outlined in the client’s ITRP.

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<sup>40</sup> Osher, F., D’Amora, D., Plotkin, M., Jarrett, N., Eggleston, A. (2012). Adults with Behavioral Health Needs Under Correctional Supervision

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

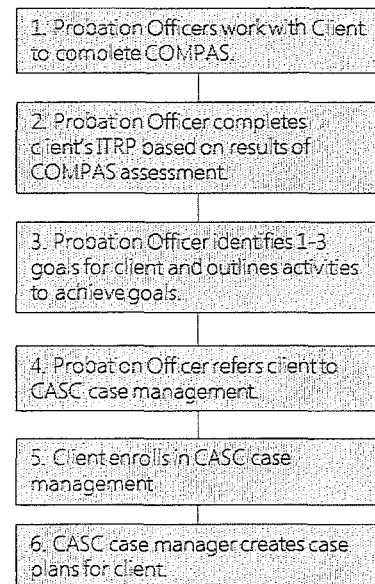
Once the client is enrolled in the CASC and connected to case management, the CASC case managers will develop case plans for the client. Every probationer referred to CASC case management works with both a Probation Officer and a CASC case manager to complete his or her probation goals. CASC case managers work with the client to identify personal goals and then create case plans pertaining to those goals. Clients can have multiple case plans over the time of their probation that could address short-term, non-criminogenic goals – such as obtaining a driver’s license or improving general health – or criminogenic factors – such as criminal thinking – by requiring that the client attend *Thinking for a Change* classes. CASC case managers reported that, while they often review the client’s COMPAS and ITRP before creating case plans, the goals outlined in the case plans do not always align with the client’s criminogenic needs.

Probation Officers reported that they often create ITRPs that address the client’s core criminogenic needs; then, when the CASC case manager creates the client’s CASC case plans, they instead often focus on short-term, non-criminogenic needs. CASC Case Managers assert that clients are often not motivated to complete their ITRP goals, so they focus on easier, short-term goals, such as obtaining a driver’s license or healing a wound, instead. APD reports that the CASC case plans underestimate the client’s capacity to achieve goals related to the findings from his or her COMPAS and ITRP assessments.

City Performance found that this issue is not unique to San Francisco reentry services. Staff from Santa Cruz County Adult Probation reported experiencing similar challenges with narrowing the scope of their service provision to addressing only the criminogenic needs of their clients. Unlike San Francisco, Santa Cruz County’s Adult Probation Department refers clients to offsite reentry services operated by nonprofit providers.

Santa Cruz County’s approach to case planning is not just grounded in research on national evidence-based practices; it is also grounded in research specific to the Santa Cruz reentry population. In 2013, George Mason University researchers collaborated with Santa Cruz APD staff to conduct an assessment of Santa Cruz reentry services using their Risk, Need, and Responsivity (RNR) Simulation Tool.<sup>44</sup> The tool allows researchers to provide jurisdictions with scores based on the jurisdiction’s adherence to the risk, need and responsivity principles of evidence-based practices. Findings from this study indicated that the greatest criminogenic needs among Santa Cruz’s probation population were criminal thinking and criminal behaviors. Santa Cruz was then able to use these findings to inform their approach to case management. For example, a Santa Cruz County official noted, “Contractors are coming from a specific discipline, and they’re accustomed to meeting the needs of their clients. We are frequently in the

Figure 3: Client Intake and Case Plan Creation Process



<sup>44</sup> Risk-Needs-Responsivity (RNR) Simulation Tool

position of explaining to contractors that we are trying to meet the needs that are criminogenic that reduce recidivism.”

The following recommendations will assist the CASC with ensuring that case planning addresses the criminogenic needs of clients:

*A. Require alignment between ITRP, COMPAS and all other client reentry planning*

Results from qualitative interviews suggest that an opportunity exists to align all aspects of reentry planning between APD and the CASC. While Probation Officers and non-sworn staff noted that case plans do not frequently address client criminogenic needs, CASC case managers also noted that they occasionally do not receive the ITRP or COMPAS assessment prior to receiving a client at intake. APD and the CASC should collaborate to develop standard procedures for CASC case planning so that reentry plans address the client’s most significant criminogenic needs.

*B. Host joint training sessions for CASC case managers, APD staff and subcontractors to ensure that all parties have a uniform understanding of program goals*

City Performance’s findings indicate that the CASC has an opportunity to clarify its service provision goals among service providers and APD staff by developing a clear and consistent messaging strategy around recidivism reduction. Probation Officers reported that cross-training CASC case managers on the COMPAS and ITRP tools could help align case planning and further enhance communication between Adult Probation and CASC case managers about client progress. Similarly, the CASC could create opportunities for Probation Officers to job shadow CASC Intake Coordinators and case managers during client intake process, allowing Probation Officers to gain a clearer understanding of that process.

*C. Provide CASC case managers with greater access to the client’s COMPAS assessment*

Both Probation Officers and CASC case managers reported that it would benefit CASC case managers to have greater access to the Probation Officer’s COMPAS assessment and case planning tools. While they already have access to the results of the COMPAS assessment, CASC case managers do not have access to the questions that comprise the COMPAS assessment. As one case manager noted in referencing the COMPAS assessment, “Clients may be asked the same question three times - I’m not familiar with the questions [Probation Officers] ask; [we] only see the results.”

*D. Provide greater access for subcontractors to the criminogenic and mental health needs of their clients before the client accesses their services*

Subcontractors also need to be aware of the criminogenic needs of clients to better support the client in achieving his or her case plan goals. Subcontracted community partners reported that they have no access to the client’s prior mental or behavioral health history when the client begins accessing services. To address this concern, **City Performance recommends that the CASC develop a system of communication where subcontractors are notified about clients’ criminogenic and behavioral health needs before the subcontractor begins working with the client.**

*E. Require case managers to attend all collaborative meetings about clients, including case conferences and bi-weekly client case management meetings*

Currently, the Clinical Supervisor is the only CASC representative attending both client case conferences and bi-weekly client case management meetings. Case conferences provide CASC case managers and APD with an additional opportunity to ensure that all reentry staff members are aware of the criminogenic needs of each probationer. Sworn staff, non-sworn staff and CASC case managers all reported that they would benefit from having CASC case managers regularly attend both the client case conferences and the bi-weekly client case management meetings. As one Probation Supervisor noted, "In the Transitional Age Youth unit, we had worked out a deal where we had a shared spreadsheet and we also required regular progress reports from case managers. There was an oversight mechanism. Case managers would come over once a week to support the fact that we're working together and to make sure that communication is continuous. Once we set these processes, naturally on their own they'd make their way over here. [It's important to] have an expectation of both sides." For those clients on general supervision, **City Performance recommends that the CASC and APD adopt standard practices for Probation Officers and CASC case managers to meet regularly to discuss client progress.** During these meetings, Probation Officer's and CASC Case Managers can discuss dosage rates and problem-solve challenges with various probationers.

### **Recommendation #3 Enhance the CASC's capacity to handle clients with mental health and substance abuse issues**

Given the serious mental health and substance abuse needs that so often present themselves in San Francisco's probationer population, City Performance recommends that the CASC adopt a system of service provision that is tailored to clients' criminogenic risk but also systematically addresses the needs of clients' co-occurring mental health and substance abuse disorders (CODs).

Probation clients who present serious mental health issues have a number of services available to them upon their release from custody. First, clients with the most serious mental health issues may be able to access one of 90 spots for probationers at Citywide Case Management (Citywide). The Citywide program offers probationers with mental health issues employment services, substance abuse treatment classes, peer support services, *Thinking for a Change* classes that are tailored to their needs health needs, hygiene groups, onsite patient psychiatric nurse support, and comprehensive case management from case managers with extensive clinical experience with forensic populations. Stakeholders generally provided favorable feedback regarding Citywide Case Management services, but were frustrated by the 90-spot limit and want more capacity for probation clients. In addition to Citywide Case Management, clients may also have the opportunity to engage in talk therapy onsite at the CASC with DPH Therapists. Qualitative interviews also suggest that clients may receive clinical mental health support while in custody.

Qualitative interviews indicate that the CASC, including both vendor staff and subcontractors, do not currently have the operational expertise nor staffing experience to handle clients with serious mental health or substance abuse issues. First, multiple stakeholders reported that CASC management has

prohibited certain clients who presented a significant behavioral issue while onsite at the CASC from accessing case management services. Many of the clients who are permanently banned from accessing CASC services have severe mental health issues. Improving the CASC's capacity to accommodate clients with mental health issues could decrease the occurrence of potential behavioral incidents.

Second, subcontractors report that they frequently receive referrals for clients who they believe have too high of a mental health or substance abuse need, as their behavioral health issues limit service providers' ability to provide services for them. Third, CASC staff also report that Probation Officers frequently refer clients who they believe have too high of a mental health or substance abuse need to CASC case management, which may contribute to low client attendance rates. Findings from client interviews corroborate these claims. One client noted that he feels as though his significant issues with post-traumatic stress disorder (PTSD) are often too intense for the rest of his therapeutic group to handle. Probation Officers also highlighted this concern, reporting that veterans with PTSD do not typically do well in these larger therapeutic group settings.

City Performance recommends the following possible options for enhancing mental health capacity at the CASC:

*A. Expand and streamline CASC capacity for handling clients with mental health issues*

**City Performance recommends that the CASC expand its clinical capacity for providing out-of-custody behavioral health care onsite.** Multiple Probation Officers noted that it would be helpful to have a clinician onsite at the CASC who could write prescriptions for clients with medication needs and care for clients with behavioral health needs who are out of custody.

In addition to adding clinical capacity onsite at the CASC, APD reports that it would benefit from streamlining the referral process for clients with mental health issues. APD suggests that Probation Officers should refer clients to case management, and CASC case managers should then conduct a clinical assessment and triage the client. This process would streamline mental health referrals by making the CASC the centralized hub for mental health referrals.<sup>45</sup>

*B. Hire case managers who have more experience in handling mental health cases*

Probation Officers and Supervisors noted that it would be helpful to have case managers onsite who have experience interacting with clients who have significant mental health needs. During a focus group, four of 10 probation officers specifically mentioned that they wished CASC staff had more experience handling clients with mental health issues. **City Performance recommends that the CASC hire case managers that have significant experience or qualifications in this line of work,** such as:

1. Master's Degree in Social Work
2. 2-3 years of experience in outpatient services
3. History of working with criminal justice-involved populations
4. Understanding of the mental health system

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<sup>45</sup> APD is currently in the process of strengthening its partnership with DPH to further streamline service delivery to APD clients.



*C. Train CASC case managers in de-escalation tactics and mental health awareness*

Noting current issues with CASC clients being prohibited from accessing services because of behavioral issues, Supervising Probation Officers, non-sworn staff, and Probation Officers highlighted that the next CASC vendor has an opportunity to train staff in de-escalation and mental health awareness practices. Stakeholders also reported that the CASC has an opportunity to increase cultural competency and professionalism among CASC staff. **City Performance recommends that current CASC staff receive training on these practices to help reduce the number of significant behavioral incidents that require Probation Officer intervention.**

*D. Collaborate with county jails, APD Probation Officers, and CASC case management to develop a standard process for transferring clients with mental health issues to ensure continuous care*

In addition to enhancing the CASC's capacity to handle clients with mental health issues, findings from a focus group with Probation Officers indicate that APD and the jails do not adequately communicate clients' mental health or substance abuse needs when they transition clients from custody to probation. According to a report by the Substance Abuse and Mental Health Services Administration (SAMHSA)<sup>46</sup> on screening and assessment of co-occurring disorders (CODs) in the justice system, "a major concern is that the justice system does not have a built-in mechanism for personnel to identify individuals with these types of behavioral health issues, and there is all too often a failure to effectively screen and assess people with CODs who are in the justice system."<sup>47</sup>

Research suggests that the absence of screening for CODs can undermine program success, promote recidivism, and increase likelihood of substance abuse relapse.<sup>48</sup> SAMHSA recommends that the screening process for CODs occur at the earliest possible intercept in the correctional process to ensure that clients' behavioral health needs are addressed in decisions related to their criminal term.

SAMHSA recommends that screening and assessment for CODs among probationers should include the following elements:

- (1) Criminal risk level
- (2) History of mental or substance use disorders and prior treatment
- (3) Functional assessment related to mental health and substance use disorders, including history of interactions between disorders and the effects of these disorders on justice-related behaviors
- (4) Functional impairments related to the CODs that may influence ability to participate in different types of treatment or supervision services,
- (5) Other psychosocial factors that may affect engagement and participation in these services.

County jails conduct a preliminary screening for mental health and substance abuse issues when the client enters custody. Probation Officers report that many of their clients are referred to community

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<sup>46</sup> Screening and Assessment of Co-Occurring Disorders (2015). Substance Abuse and Mental Health Services Administration.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

service providers and receive prescriptions for mental health medication via Jail Psychiatric Services and Jail Aftercare. An assessment of this screening and care provision process in San Francisco County jails falls outside of the scope of this CASC program assessment. However, APD and the CASC could collaborate with Jail Psych and other agencies to determine if the current process for screening and assessment includes the five elements outlined in SAMHSA's recommendations. If the screening processes that occur at earlier intercepts in the criminal justice process adequately address the five elements within SAMHSA's recommendations, APD and the CASC still have a significant opportunity to improve the process by which jail providers communicate the results of their screening and assessments to APD Probation Officers and CASC staff.

Qualitative interviews suggests that information about clients' in-custody mental health care is not communicated to APD and the CASC. For example, one Probation Officer who works in Intensive Supervision and Collaborative Courts noted that APD and the CASC do not consistently receive information about clients' mental health and substance abuse needs that may have been obtained during previous intercepts in the correctional process. APD and the CASC are frequently in the position of having to "reinvent the wheel" regarding understanding their clients' mental health and substance abuse needs when they reach the CASC. Additionally, Probation Officers and case managers may be unaware that clients who had previously been taking medication to address mental health issues had their medication recently discontinued by correctional staff at earlier intercepts. Jail Medical and Jail Psych may discontinue prescriptions because staff members believe clients may be under the influence of street drugs or abusing their prescription, but will not notify APD or the CASC of the client's previous medication history. Furthermore, it is not standard policy for Probation Officers to coordinate with jail aftercare to secure prescriptions for clients once they leave custody. Last, Jail Psych, Probation Officers and community care providers do not regularly meet to create transition plans for clients that address the client's mental health and substance abuse needs.

To address these concerns, **City Performance recommends that the CASC adopt a number of practices to better coordinate care for probationers with CODs.** First, APD and the CASC could require that clients be assessed for CODs before leaving jail for probation and provide this assessment information to APD Probation Officers and CASC case managers before the client arrives at the CASC. Second, APD and the CASC vendor should require Probation Officers, community providers, CASC staff and Jail Aftercare to meet and develop a treatment plan for every probationer with CODs leaving jail custody for probation to ensure that clients do not have a break in treatment when they transition. Finally, APD and the next CASC vendor could ensure that clients receive a 30-day prescription and a 5-day supply of medication upon release from custody by communicating this requirement to all Probation Officers and CASC staff.<sup>49</sup>

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<sup>49</sup> Greifinger, R. Public Health Behind Bars: From Prisons to Communities. (2007).

## **Recommendation #4: Develop and implement an effective data reporting system**

As a part of the assessment of the CASC, City Performance reviewed the quarterly and annual reports that LCA sent to APD, which included both narrative and quantitative reporting over particular time periods. Unfortunately, because of several data limitations, most of the data was not usable for analysis. The following recommendations aim to create a more accurate and useful system for collecting data at the CASC. Some limitations include:

- Inconsistent definitions of data points over time
- Use of a point-in-time data collection system to track most client activity, making it difficult to ascertain true client activity in a given month or trends in how individual clients are responding to various interventions they are receiving at the CASC.
- Missing data for some quarters
- Outcomes measurements (e.g., job placements, GED completion, etc.) only reported annually, so there are only a small number of available data points.

### *A. Create and maintain a data dictionary*

City Performance found that the CASC had been using inconsistent definitions of data points over time, which makes the data unreliable for tracking long-term trends. Turnover among CASC leadership also made it difficult for City Performance to obtain explanations about how previous definitions matched with new data definitions. Additionally, the CASC changed the way it tracked particular client groupings over time (i.e., probationers who attended CASC classes vs. probationers who attended subcontractor classes), which also made it difficult to compare data over time.

**City Performance recommends that the CASC vendor create a data dictionary which outlines the definition of each data point and how it is tracked in the current database.** Creating a data dictionary will enhance institutional memory when there are staff changes and ensure that all stakeholders have a clear and consistent understanding of how data points are understood and tracked. **Next, City Performance recommends that APD limit the changes in definition or tracking methods for key data points** such as Referrals, Enrolled, Active and Successful Exits in order to allow better tracking of these indicators over time.

### *B. Track and analyze client level dosage data*

City Performance found that while the CASC collects a robust level of client data, including the number of hours that clients spend with case managers and in classes, there is no systematic way that these hours are tracked, monitored and reported on. The CASC vendor should take steps to track these data in order to allow APD to monitor that clients are receiving the appropriate number of dosage hours as well as analyze which classes, outreach methods, or case managers are most effective in maintaining dosage hours.

**City Performance recommends that APD and the CASC work together to create a short-term dosage tracking pilot to test dosage tracking and work through challenges.** As part of this pilot, APD can select several interventions to track (e.g., Thinking for a Change, meetings with Probation Officers and or CASC

Case Managers) and decide how many hours each intervention merits. Next, APD can work with the CASC vendor to create a method to track this information. Ideally, APD or the CASC vendor will be able to build out the existing database so that dosage hours are automatically calculated when a case manager inputs attendance information for a particular activity or session and these hours can be aggregated for reports. Once the system has been tested with a few APD and CASC staff, APD should expand this method to all other forms of interventions that “count” towards client dosage, build out the database and provide trainings for all staff.<sup>50</sup>

**In addition to internal tracking, City Performance recommends that the CASC choose a method to capture dosage information from subcontractors either through collecting rosters or allowing subcontractor community partners to enter this information into the database directly.** In addition to tracking time that a probationer has with their probation officer, their case manager and in workshops, the CASC vendor should also collect dosage numbers from sub-contracted community partners that use evidence-based interventions with probationers. The vendor can use several methods to collect and compile external dosage information. Santa Cruz County counts dosage services across different types of programs by requiring that all providers submit weekly rosters that show the number of hours of service.

### *C. Track data points that give information on program performance*

**City Performance recommends that APD develop output and outcome measures that will produce data that can be analyzed to inform program decisions and measure impact.** Output measures count various agency activities, such as class attendance, or the quantities of goods and services produced or amount of work completed. **City Performance recommends that the CASC prioritize creating output measurements to track client attendance.** Results from stakeholder interviews and data analysis indicate that the CASC is not engaging with a significant portion of the probation population in San Francisco.<sup>51</sup> The low utilization rates are the primary barrier for the CASC to implement some evidence-based practices.<sup>52</sup> For example, without data that provide a clear understanding of probationer engagement levels, APD will not be able to determine if program improvements have increased client engagement levels or analyze the causes of changes in client engagement levels over time. In order to track this issue, the CASC could track the percentage of total probationers engaged in CASC services at a point in time and track which probationers continue to return to the CASC after their initial enrollment.

There are other ways that APD can collect output measurements that provide meaningful program information. In Multnomah County Oregon, there is a data team within the parole and probation department that creates dashboards to monitor key performance indicators such as the time between intake and the first PO visit. They have also created a communication tool between probation officers and staff in the day reporting center that uses a green-yellow-red indicator to show how someone is

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<sup>50</sup> For more information on choosing dosage levels see Recommendation #1 E. Choose dosage targets and use in probation plans.

<sup>51</sup> See Recommendation #1 D. Require case managers to assume intake responsibilities at the CASC

<sup>52</sup> See Recommendation #6: Long term - Create specialized client tracks for service provision

doing in the center. If a probation officer sees that someone in their caseload has a 'red light,' it triggers a conversation.

**City Performance also recommends that the CASC expand the number of outcome measurements that are tracked and analyze these measures on a regular basis.** Outcome measures refer to the results, benefits, or effectiveness of an activity or program for the program recipients.<sup>53</sup> In order to test whether the interventions at the CASC are having the intended impact, APD should be tracking and reviewing outcomes measurements on a regular basis. The most important outcome measurement is recidivism rates, and APD should review overall recidivism rates as well as look for similarities between probationers who have not recidivated. Additionally, interviews with peer jurisdictions indicate that it is useful for jurisdictions to track outcomes of specific program components to reflect on whether the programs are having the intended impact. Gathering this data often includes engaging in regular client assessments in order to evaluate improvements or changes in clients' risk and criminogenic needs based on which interventions they have received. These assessments allow jurisdictions to determine whether or not the variety of programs and services offered to probationers is having an effect.

APD can build upon outcome measurements that other counties have started. For example, in addition to tracking how many clients enrolled, dropped and completed Thinking for a Change classes (output measures), Santa Cruz County uses pre- and post-client self-assessments, a staff observational survey and probation violation records to track improvement in cognitive and behavioral areas including increased pro-social behavior and cognition, utilization of problem-solving, self-control, and communication skills and negative behavioral incidents. These type of assessment tools already exist and are available for Thinking for a Change classes, substance use treatment, workforce and job placement, and educational programming.<sup>54</sup> Additionally APD could use outcome measurements for tracking mental health outcomes. For example, in addition to asking the vendor to identify clients with mental health needs at intake, APD could ask the vendor to track the percent of participants fully compliant or who have improved their compliance with mental health medications, the percent of participants who report improved mental health and the change in negative behavioral incidents attributable to mental illness.

The next step after tracking is to analyze the data, look for trends, and use the data as a discussion point in regular meetings with the primary vendor and subcontractors about what is working and how to address barriers. APD staff can create dashboards of the most meaningful data points and use these to inform ongoing discussions.

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<sup>53</sup> [Guide to Good Measures](#)

<sup>54</sup> For a full list of Santa Cruz County's outcome measures, see Appendix C.

### **Recommendation #5: Conduct annual fidelity assessments of the CASC**

One of the National Institute of Corrections' core principles is that probation departments enact a quality assurance system that maintains and enhances fidelity to evidence-based practices. City Performance found that several counties were using the Evidence-based Correctional Program Checklist (CPC) produced by Dr. Edward J. Latessa at the University of Cincinnati as their preferred tool to examine fidelity to evidence-based practices on an annual basis. **City Performance recommends that APD engage in this assessment in order to compare their reentry programming to other similar jurisdictions and to regularly evaluate fidelity to evidence-based practices over time.** As the previous discussion outlines, San Francisco has unique challenges to implementing evidence-based practices. However, the categories on this checklist seem applicable despite these challenges. The assessment evaluates program leadership, staff experience, probationer assessments, treatment characteristics including matching treatment and probationer, rewards vs. punishments, and skills modeled, as well as quality assurance methods. There is value in using a standard tool that many counties are using to review the CASC, as it provides a benchmarking mechanism through which the CASC can compare its performance to other jurisdictions.<sup>55</sup>

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<sup>55</sup> For an example of the CPC, see Appendix D.

## **Recommendation #6: Long term - Create specialized client tracks for service provision**

APD is aware that creating specialized client tracks for service provision is an evidence-based practice,<sup>56</sup> but notes that it does not currently have enough clients that fall into specific risk, gender, or age categories to warrant providing entirely separate services for clients. The CASC has attempted to provide gender-specific classes and currently provides some classes for TAY probationers specifically, but does not provide entirely separate tracks for service provision based on criminogenic risk, gender, or age. City Performance recommends that the CASC consider a long-term plan to adopt the following recommendations for creating specialized client tracks for service provision.

Before adopting the practice of providing separate services based on these characteristics, APD must determine (1) what percentage of the total probationer population is currently engaging with services at the CASC, and (2) how to increase the percentage of total probationer population engaging with services at the CASC. The pursuit of the following long-term goals is contingent upon the CASC increasing the rate of probationer engagement.

Qualitative interviews with CASC management, case managers and clients indicate that the CASC should further tailor programs to risk and responsivity principles in its reentry service provision. According to the National Institute of Corrections, the risk principle states that interventions should prioritize supervision and treatment resources for higher-risk probationers.<sup>57</sup> The responsivity principle states that reentry service interventions should be responsive to temperament, learning style, motivation, culture and gender when assigning programs.<sup>58</sup> **City Performance recommends that the CASC develop a more advanced system of sorting clients based on risk level, mental health needs, substance abuse needs, gender and age, and then target service provision based on those needs.**

### *A. Create client tracks based on criminogenic risk and administer services based on those tracks*

Grounded in strong empirical findings, the risk principle states that correctional interventions should be matched to the probationer's risk level with the most intensive interventions administered to the probationers who have the highest likelihood of recidivating.<sup>59</sup> Findings from interviews with CASC staff indicated that the CASC currently mixes risk levels when administering reentry services, allowing high-risk probationers to attend classes with lower-risk probationers. Research demonstrates that mixing low-risk probationers with high-risk probationers in reentry programs tends to increase the failure rate of low-risk clients.<sup>60</sup> Findings from qualitative interviews suggest that the recent opening of to the CASC to anyone involved in the criminal justice system may further complicate the CASC's ability to adhere to

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<sup>56</sup> Creating specialized client tracks for service provision aligns with the target interventions principle of evidence-based practices, which states that interventions should be targeted to the client's risk and need levels, and should be responsive to clients' temperament, learning style, motivation, gender and culture.

<sup>57</sup> <http://nicic.gov/theprinciplesofeffectiveinterventions>

<sup>58</sup> Ibid.

<sup>59</sup> Dosage Probation: Rethinking the Structure of Probation Sentences. (2014). Center for Effective Public Policy.

<sup>60</sup> Latessa, E., Lowenkamp, C., What are Criminogenic Needs and Why are they Important? (2005).

the risk principle. Staff reported that the CASC has not developed clear and consistent guidelines for how the administration of services to justice-involved people differs from the administration of services to the CASC's core clients: high and low risk probationers. **City Performance recommends that the CASC develop separate classes and programs for high and low-risk probationers, as research demonstrates that mixing these groups increases the likelihood of failure among low-risk offenders.**

*B. Pursue programming by gender as outlined in the Women's Community Justice Reform Blueprint and consider creating client tracks by gender.*

**Once the CASC increases its levels of probationer engagement, City Performance recommends that the CASC develop specific female-centered classes, and develop mechanisms to ensure that women feel safe at the CASC.** Research indicates that women's criminal justice needs differ greatly from men's,<sup>61</sup> as addressing other needs such as access to childcare, protection from violence by intimate partners, material and social concerns, and comprehensive case management are associated with positive outcomes for women in the criminal justice system.<sup>62</sup>

APD outlined its approach to gender responsiveness in community justice in the Women's Community Justice Reform Blueprint: A Gender-Responsive, Family-Focused Approach to Integrating Criminal and Community Justice in 2013 ("Blueprint").<sup>63</sup> While community corrections stakeholders may be successfully adopting the cross-agency, gender-responsive strategies outlined in the blueprint, City Performance found that the CASC has an opportunity to improve the gender responsiveness of its service provision.<sup>64</sup>

Evidence-based practices suggest that providing programming that meets specific, women-centered needs leads to successful outcomes in reentry service provision.<sup>65</sup> City Performance conducted an analysis of the CASC calendars of services over a six-month period between January and July 2016 to determine the percentage of dosage hours reserved for women-centered programming. Each monthly calendar of CASC services includes a list of all classes offered by the CASC and the times at which the classes are offered. The calendar also includes an indicator for which classes are gender-specific, and which classes allow both men and women. To determine the amount of programming hours reserved for women-centered classes, City Performance calculated the total monthly programming hours displayed on each monthly calendar and the monthly programming hours reserved for women only.

The results of this analysis indicated that the CASC reserved eight percent of the total programming hours for women over the six-month period.<sup>66</sup> The most recent data on women probationers shows that

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<sup>61</sup> Bloom, B., *Women in California's County Justice Systems*. (2015)

<sup>62</sup> O'Brien, P. *Making it in the "free world": Women in transition from prison*. Albany, NY: State University of New York Press. (2001).

<sup>63</sup> Bloom, B., *Women in California's County Justice Systems*. (2015)

<sup>64</sup> APD is currently in the process of enhancing its women gender-responsive services. APD reported that it will be hiring a Women's Gender-Responsive Coordinator in the near future who will work internally and citywide to implement the strategies outlined in the Blueprint.

<sup>65</sup> *Ibid.*

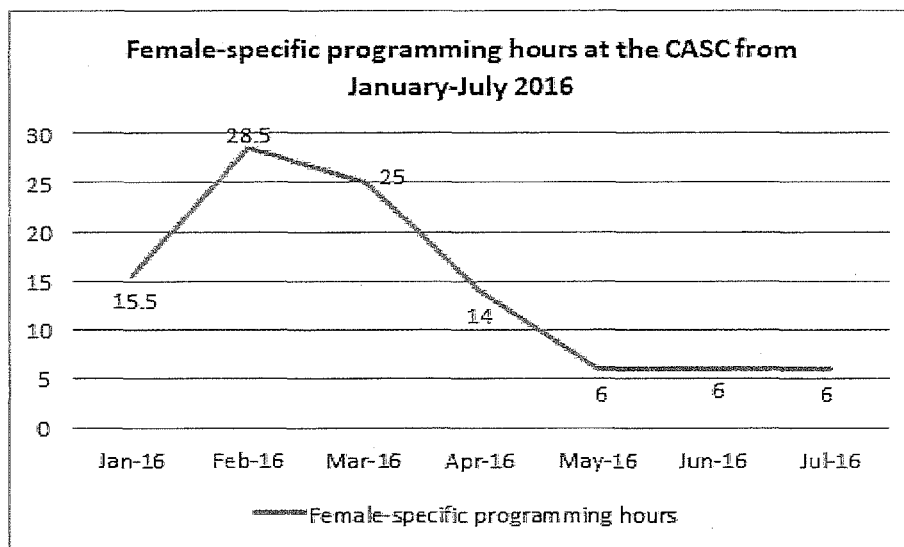
<sup>66</sup> The CASC provides co-ed programming that was excluded from this analysis, as best practice research indicates that programming should ideally be gender-specific.



women comprise approximately 16 percent of the total probationer population in San Francisco as of December 2016.<sup>67</sup> These findings indicate that there is a mismatch between the share of women on probation and the share of programming hours available to them at the CASC.

City Performance also found that, while women-centered programming comprised eight percent of the total hours, the number of women-centered hours provided by the CASC varied widely from month to month. Women-centered programming hours increased to 28.5 hours during the month of February 2016 and declined to just six hours during the month of May (See Figure 4). Further analysis of the CASC calendar of services indicates that the CASC stopped providing the women-centered Anger Management, Women Rising, and Reinventing, Empowering, Nurturing, Educating Women (RENEW) programs at the end of April 2016. The Women’s Drop-in Group is the only women-centered program that remained on the CASC program calendar starting in May 2016 to present. While the CASC offered women-centered programming at the beginning of its operation, APD reports that only one or two women attended these classes. The CASC stopped providing women-only classes because of these low attendance rates.

Figure 4



Findings from qualitative interviews indicate that Probation Officers and clients would like to see more women-centered programming and services at the CASC. As one Supervising Probation Officer noted, “Downstairs is not a safe environment for women. Given that the population downstairs is primarily men, there’s nothing friendly about it for them. [I’ve] heard from women that they’d rather go to Women’s Resource Center, [which is] women-focused.”

*C. Create client tracks by age*

While the CASC tailors some classes to transitional age youth (TAY) specifically, TAY clients also attend classes with older probationers. The responsiveness principle states that probationer services should be

<sup>67</sup> APD Demographic Dashboard as of December 2016

matched to probationer's developmental stages, motivational stages, and learning styles.<sup>68</sup> APD and CASC staff acknowledged both the benefits and the pitfalls of conducting programming that includes all age groups together. While one Supervising Probation Officer noted that "the biggest issue with the CASC [is that] it puts the 60-year olds and the 19-year olds in the same class," others reported that it benefits younger clients because it may provide clients with further knowledge from probationers who have already been through the probationary process."<sup>69</sup> While some APD staff noted that separating clients by age is in the TAY client's best interest due to concerns about trauma, other APD staff report that having only TAY students in the same classroom may not be in their best interest, as it has proven to be a distraction for TAY clients. Given that the CASC does not currently serve enough TAY clients to comprise a full 8-12 person class, **City Performance recommends that if the CASC receives more TAY clients in the future, it should consider creating client tracks by age to further adhere to evidence-based practices.**

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<sup>68</sup> EBP p. 5

<sup>69</sup> Further data analysis is needed to confirm .

## CONCLUSION

San Francisco's high rates of homelessness, addiction, and mental health issues make it a challenging environment for the CASC staff to increase intrinsic motivation of probationers to access CASC services and meet the dosage hours needed to reduce recidivism. Additionally, current issues with a lack of mental health proficiency and insufficient data collection systems continue to produce barriers to effective analysis and implementation of evidence-based practices.

In light of these barriers, APD has an opportunity to adopt innovative methods of reentry service provision that respond to the issues facing probationers in San Francisco while also adhering to an evidence-based approach. By adopting aspects of the therapeutic community model at the CASC, engaging in stronger outreach efforts, meeting clients outside of the CASC, and developing dosage targets in case plans, APD and CASC staff should be able to raise client dosage levels. Through targeting interventions by criminogenic need and enhancing CASC capacity for handling clients with mental health issues, the CASC may be able to decrease the criminogenic needs of clients. By improving the CASC's capacity for data collection and analysis and by engaging in an annual fidelity assessment, APD will be able to learn which strategies are most effective for probationers which can then inform program decisions to continue to strengthen the center. Finally, once the CASC has increased client dosage levels and engaged with a greater percentage of the SF probation population, the CASC will be able to create client tracks for service provision to improve client outcomes. By following these recommendations, APD has an opportunity to further reduce recidivism among probationers and advance its mission to achieve excellence in community corrections.

## APPENDICES

### Appendix A: Peer Probation Research

County	Interview Date	Name, Title
Multnomah County	8/2/2016	Community Justice Manager
Santa Clara County	8/8/2016	Director of Office of Reentry Services
San Diego County	8/16/2016	Division Chief of Post Release Offender Division
Santa Cruz County	9/20/16	Senior Departmental Administrative Analyst

**Appendix B: Stakeholder Interviews**

<b>Stakeholder Group</b>	<b>Position</b>	<b>Session Type</b>	<b>Meeting Date</b>
<b>Adult Probation Department</b>	Reentry Division Director	Consultation	Ongoing
	Supervising Probation Officer	Interview	8/23/2016
	Supervising Probation Officers (3)	Focus Group	9/8/2016
	Deputy Probation Officers (9)	Focus Group	9/15/2016
	Reentry Services Coordinators (2)	Focus Group	9/8/16
<b>Leaders in Community Alternatives</b>	Program Director	Interview	8/24/2016
	Clinical Supervisor/Manager level	Interview	8/24/2016
	Intake Coordinator (2)	Interview	8/24/2016, 9/19/2016
	LCA Case Manager	Interview	9/7/2016
	Senior Ex-Offender Program Case Manager	Interview	9/7/2016
	CJCJ Case Manager	Interview	9/7/2016
<b>DPH</b>	Care Coordinator Therapists (2)	Focus Group	9/14/2016
<b>HSA</b>	Benefits Specialist	Focus Group	9/14/2016
<b>UCSF/Citywide Case Management Forensic Program</b>	Clinical Supervisor Clinical Social Worker II	Focus Group	9/19/2016
<b>Housing Providers: Senior Ex-Offender Program, Tenderloin Housing Clinic, Recovery Survival Network, Phatt Chance</b>		Focus Group	9/22/2016
<b>America Works (employment) 5 Keys (education)</b>	Employment Specialist Assistant Director/Manager	Focus Group	9/23/2016
<b>Probationers (2)</b>		Interview	9/21/2016

**Appendix C: Santa Cruz County Outcome Measures**

**AB109 Treatment and Intervention Services: Common Outcomes**

[DRAFT April 6, 2016]

<i>Service Area</i>	<i>Proposed Outcome Measures</i>	<i>Data Source/Standard Instruments</i>
1. Programs Addressing Criminal Thinking Behaviors and Identity	<ul style="list-style-type: none"> <li>• Pre/post improvement in cognitive and behavioral areas including increased pro-social behavior and cognition</li> <li>• Pre/post improvement in utilization of problem-solving, self-control, and communication skills</li> <li>• Pre/post decreases in negative behavioral incidents</li> </ul>	<p>Self-report data (Subcommittee to select or adapt from: TCU Criminal Thinking Scales; How I Think Questionnaire; Truthought Thinking Error Survey; Social Problem-Solving Inventory-Revised)</p> <p>Staff observational survey</p> <p>Jail disciplinary incident logs/Probation violation response grid</p>
2. Substance Use Disorder Treatment and Recovery Maintenance	<ul style="list-style-type: none"> <li>• Number/percent of participants who complete assigned treatment episode</li> <li>• Number and percent reporting 30-day abstinence at program discharge</li> <li>• Pre/post improvement in social support for recovery</li> <li>• Number/percent of participants with Recovery Maintenance plan</li> <li>• Number/percent of participants engaged in post-treatment continuing care following discharge</li> <li>• Number/percent of participants improving one or more stages during recovery maintenance services</li> </ul>	<p>California Outcomes Measurement System (CalOMS)/Avatar</p> <p>RMS Stage of Recovery Questionnaire</p>
3. Workforce and Job Placement Services	<ul style="list-style-type: none"> <li>• Number/percent of participants hired (new job)</li> <li>• Number/percent of participants still employed at 90 days (retention)</li> <li>• Number/percent of participants who improve their earnings/compensation or employment stability</li> </ul>	<p>Participant and employer questionnaires</p>
4. Educational Programming	<ul style="list-style-type: none"> <li>• Pre/post improvement on standardized educational assessment</li> <li>• Number/percent of participants attaining high school diploma or equivalency</li> </ul>	<p>Comprehensive Adult Student Assessment System (CASAS); ACE Affective Development</p>

<i>Service Area</i>	<i>Proposed Outcome Measures</i>	<i>Data Source/Standard Instruments</i>
5. Mental Health Care	<ul style="list-style-type: none"> <li>Number/percent of participants passing one or more achievement tests (GED) or earning academic credits</li> <li>Pre/post improvement on standardized assessment of mental health and social functioning</li> <li>Number/percent of participants who access sustainable mental health services and/or support</li> <li>Number/percent of participants fully compliant with mental health medications (or, pre/post improvement in mental health medication compliance)</li> <li>Number/percent of participants who report improved mental health</li> <li>Pre/post decrease in negative behavioral incidents attributable to mental illness</li> </ul>	<p>Scales HSD/GED/HiSET/Post-secondary course credit</p> <p>ASAM</p> <p>Brief Symptoms Inventory Assessment</p> <p>Staff observational survey</p> <p>Jail disciplinary incident logs/Probation violation response grid</p> <p>Adult Strengths and Needs Assessment (ANSA)</p>
6. Family Involvement	<ul style="list-style-type: none"> <li>Pre/post improvement in father involvement and co-parenting</li> <li>Pre/post improvement in parenting knowledge and skills</li> <li>Pre/post improvement in communication skills</li> </ul>	<p>Supporting Father Involvement Assessment (SFI)</p> <p>Fathering Inventory</p> <p>NVC Assessment</p>
7. Housing Support	<ul style="list-style-type: none"> <li>Number/percent of participants with secure housing during community supervision</li> <li>Pre/post improvement in housing stability</li> </ul>	<p>Correctional Assessment and Intervention System</p>
8. Reentry Planning and Community Support	<ul style="list-style-type: none"> <li>Number/percent of participants with a written, dynamic reentry plan based on assessed criminogenic needs</li> <li>Number/percent of participants linked to sustainable resources for community support</li> <li>Number/percent of participants who complete at least half of their reentry plan 90-day benchmarks</li> </ul>	<p>Universal reentry plan and review logs</p>
9. Community Education and Engagement	<ul style="list-style-type: none"> <li>Number/percent of employers in the community that hire formerly incarcerated individuals</li> <li>Number/percent of eligible individuals who successfully utilize legal record change remedies</li> </ul>	<p>Employer surveys</p> <p>Participant and program records</p>

## AB109 Treatment and Intervention Services: Contract Outcomes

[DRAFT June 15, 2016]

<i>Service Area</i>	<i>Contractor/ Program(s)</i>	<i>Outcome Objectives</i>
1. Programs Addressing Criminal Thinking Behaviors and Identity	Volunteer Center <i>Thinking for a Change Courage To Change</i>	<ul style="list-style-type: none"> <li>• 60% of clients will display improvement in cognitive and behavioral areas as demonstrated by a pre and post assessment tool.</li> <li>• 60% of clients will display improvement in utilization of problem solving, self-control and communication skills as demonstrated by a pre and post assessment tool.</li> <li>• 60% of clients will display a decrease in self-serving bias, as measured by a staff observational survey.</li> </ul>
	Encompass Community Services <i>Gender-Specific Programming Anger Management</i>	<ul style="list-style-type: none"> <li>• 70% of clients who complete Women’s or Men’s program will demonstrate cognitive and behavioral improvement over time in areas including mental stability, pro-social behavior and cognition, and sobriety, as measured by pre/post questionnaires.</li> <li>• 70% of clients who complete Women’s or Men’s program will demonstrate cognitive and behavioral improvement over time in areas including mental stability, pro-social behavior and cognition, and sobriety, as measured by program staff pre/post observations.</li> <li>• 90% of clients who complete Women’s or Men’s program will be free from any jail disciplinary incidents that result in a loss of good work time during the 30 days following program completion.</li> <li>• 90% of clients who participate in continuing care for a minimum of 60 days following release will complete at least 25% of their reentry plan benchmarks.</li> <li>• 60% of clients will display improvement in cognitive and behavioral areas as demonstrated by a pre and post assessment tool</li> <li>• 60% of clients will display improvement in utilization of problem solving, self-control and communication skills as demonstrated by a pre and post assessment tool.</li> <li>• 60% of clients will display a decrease in self-serving bias, as measured by a staff observational survey</li> </ul>
2. Substance Use Disorder Treatment	Janus of Santa Cruz Encompass Community Services	<p>(To be negotiated in HSA/ADP contract)</p> <ul style="list-style-type: none"> <li>• Number/percent of participants who complete assigned treatment episode</li> </ul>



<i>Service Area</i>	<i>Contractor/ Program(s)</i>	<i>Outcome Objectives</i>
and Recovery Maintenance	<i>Residential, IOT, OT, DUI Sobriety Works, SLE Matrix Model, IOT, SLE</i>	<ul style="list-style-type: none"> <li>• Number and percent reporting 30-day abstinence at program discharge</li> <li>• Pre/post improvement in social support for recovery</li> <li>• Number/percent of participants with Recovery Maintenance plan</li> <li>• Number/percent of participants engaged in post-treatment continuing care following discharge</li> <li>• Number/percent of participants improving one or more stages during recovery maintenance services</li> </ul>
3. Workforce and Job Placement Services	<i>Community Action Board  Jail to Jobs</i>	<ul style="list-style-type: none"> <li>• 65 (52%) of clients will secure an internship and/or job placement</li> <li>• 50 (40%) of clients will retain internship/placement for three months or more</li> <li>• 30 employers will provide internship placements or unsubsidized employment opportunities for individuals in reentry</li> </ul>
4. Educational Programming	<i>Santa Cruz County Office of Education  HSD/HSE Education</i>	<ul style="list-style-type: none"> <li>• 15% of participants with adequate existing credits and time in custody will acquire a high school diploma</li> <li>• 15% participants working towards high school equivalency testing will complete one or more subject area tests, and 10% will complete all tests and attain their HSE</li> <li>• All in-custody students who participate for a minimum of 30 weeks will earn 12 or more units towards HSD</li> <li>• 75% of participants who complete a minimum of 80 hours of instruction will demonstrate an improved CASAS score in reading, math or listening; 50% of participants who complete a minimum of 160 hours of instruction will demonstrate an increase of one or more ABE levels as measured by CASAS.</li> </ul>
5. Mental Health Care	<i>Volunteer Center Literacy Project Educational Assessment and Tutoring Encompass Community Services  ReTurn Project</i>	<ul style="list-style-type: none"> <li>• 50% of Literacy Program students who receive at least 20 hours of tutoring will make a grade level gain in math or reading or a measurable improvement in writing on a standardized exit test.</li> <li>• 50% of students who pre-test as test-ready will pass one or more HiSET tests.</li> <li>• Upon discharge, 60% of AB109 clients will report successful integration in the community, as measured by client success in realizing reintegration goals set at intake;</li> <li>• Upon discharge, 60% of AB109 clients will show improvement in at least one of the following areas: life functioning, behavioral health needs, risk behaviors, or overall personal strengths, as measured by improvement</li> </ul>

Service Area	Contractor/ Program(s)	Outcome Objectives
6. Family Involvement	<ul style="list-style-type: none"> <li>Encompass Community Services</li> </ul>	<p>in ANSA domain scores;</p> <ul style="list-style-type: none"> <li>Upon discharge, 25% of AB109 clients who have a PTSD diagnosis at intake will show a decrease in their PTSD symptom severity, as measured by decrease in their total severity score on the PCL-C post-assessment.</li> <li>30% of clients will demonstrate increased non-violence communication skills</li> <li>30% of clients will report increased parenting awareness, knowledge, and skill</li> <li>30% of clients will report increased father involvement and co-parenting.</li> </ul>
7. Housing Support	<p>Encompass Community Services</p> <p><i>River Street Shelter</i> <i>Gemma House</i></p>	<ul style="list-style-type: none"> <li>100% of Gemma House clients will be screened and assessed for appropriate treatment matching (ASAM);</li> <li>80% of clients who have enrolled in the program will complete individualized treatment plan goals as developed from the ASAM assessment;</li> <li>60% of clients will report an increase in the number of days on which they did not use substances.</li> </ul>
8. Reentry Planning and Community Support	<p>Volunteer Center of Santa Cruz County</p> <p><i>Reentry Planning and Benefits Assistance</i></p> <p>Barrios Unidos of Santa Cruz</p> <p><i>Reentry Peer Mentoring</i></p>	<ul style="list-style-type: none"> <li>90% of 1170 (split-sentenced) inmates referred to the program within 60 days prior to release will develop a written reentry plan aligned with their probation assessment, in-custody services, and court-ordered terms of release and supervision.</li> <li>80% of PRCS clients referred to the program will develop a written reentry plan aligned with their probation assessment and terms of release and supervision.</li> <li>60% of all clients with written reentry plans will complete at least half of their reentry plan 90-day benchmark goals.</li> <li>90% of AB109 clients referred who meet need and eligibility requirements for benefits assistance will apply for support from at least one public benefit program.</li> <li>70% of clients will report progress toward community reintegration within 90 days following release as evidenced by employment, public benefits, or family and community support.</li> <li>At least 70% of clients served will participate for a minimum of three months</li> <li>80% of clients who participate for at least three months in the Barrios Unidos AB109 program will demonstrate increased capacity for pro-social life strategies, self-control and problem-solving skills as measured by pre/post surveys.</li> </ul>

Service Area	Contractor/ Program(s)	Outcome Objectives
9. Community Education and Engagement	United Way of Santa Cruz County  <i>Community Engagement and Education</i>	<ul style="list-style-type: none"> <li>• 70% of clients who participate for at least three months in the Barrios Unidos AB109 program will demonstrate gains in pro-social relationships, resource access, and connection to pro-social groups and institutions, as measured by pre/post social capital assessments.</li> <li>• The CEEW's social media/website will receive a minimum of 5,000 visits (hits) during the funding period</li> <li>• A minimum of 50 service providers and 30 AB109 clients will attend record change workshops</li> <li>• Record change workshop client participants will demonstrate pre-to-post increases in knowledge of legal remedies, the steps to take, and how to actively benefit from records change/clearance in areas such as employment and housing</li> <li>• Record change workshop service provider participants will demonstrate pre-to-post increases in assisting their clients to understand, access, and benefit from records change/clearance</li> <li>• A minimum of 25 employers will be trained to increase capacity and commitment to hiring individuals with criminal records</li> </ul>

**Appendix D: Dr. Latessa's Evidence-based Correctional Program Checklist**

**EVIDENCED BASED CORRECTIONAL PROGRAM CHECKLIST (CPC) SCORING SHEET**

Name of Program: \_\_\_\_\_ Program serves: \_\_\_ Males \_\_\_ Females \_\_\_ Both  
 Location (include state): \_\_\_\_\_ Check program type: \_\_\_ Adult \_\_\_ Juvenile  
 Type of Program: \_\_\_\_\_ (e.g. institutional, halfway house, day reporting, etc.)  
 Primary Treatment: \_\_\_\_\_ (e.g. substance abuse, sex offenders, general, etc.)  
 \_\_\_ 1<sup>st</sup> Assessment \_\_\_ 2<sup>nd</sup> Assessment \_\_\_ 3<sup>rd</sup> Assessment \_\_\_ 4<sup>th</sup> Assessment \_\_\_ 5<sup>th</sup> Assessment  
 Date of Assessment: \_\_\_\_\_ Name of Assessor(s): \_\_\_\_\_

**I. Program Leadership and Development**

Check if verified by two or more sources

- |                                  |                 |     |
|----------------------------------|-----------------|-----|
| 1.1 PD Qualified                 | ___ 0 cr 1      | ___ |
| 1.2 PD Experienced               | ___ 0 cr 1      | ___ |
| 1.3 PD Selects Staff             | ___ 0 cr 1      | ___ |
| 1.4 PD Trains Staff              | ___ 0 cr 1      | ___ |
| 1.5 PD Supervises Staff          | ___ 0 cr 1      | ___ |
| 1.6 PD Conducts Program          | ___ 0 cr 1      | ___ |
| 1.7 Literature Review Conducted  | ___ 0 cr 1      | ___ |
| 1.8 Pilot Interventions          | ___ 0 cr 1      | ___ |
| 1.9 Valued by CJ Community       | ___ 0 cr 1      | ___ |
| 1.10 Value by At-large Community | ___ 0 cr 1      | ___ |
| 1.11 Funding adequate            | ___ 0 cr 1      | ___ |
| 1.12 Funding stable past 2 years | ___ 0 cr 1      | ___ |
| 1.13 Program 3 years or older    | ___ 0 cr 1      | ___ |
| 1.14 Gender of groups            | ___ 0, 1 or N/A | ___ |

SCORE \_\_\_/\_\_\_

**2. Staff Characteristics**

- |  |            |     |
|--|------------|-----|
| 2.1 Staff Education                    | ___ 0 cr 1 | ___ |
| 2.2 Relevant Experience                | ___ 0 cr 1 | ___ |
| 2.3 Staff selected for skills & values | ___ 0 cr 1 | ___ |
| 2.4 Regular Staff meetings held        | ___ 0 cr 1 | ___ |
| 2.5 Assessed on Service Delivery       | ___ 0 cr 1 | ___ |
| 2.6 Clinical Supervision               | ___ 0 cr 1 | ___ |
| 2.7 Staff Trained on program           | ___ 0 cr 1 | ___ |
| 2.8 On-going Training                  | ___ 0 cr 1 | ___ |
| 2.9 Staff input                        | ___ 0 cr 1 | ___ |
| 2.10 Staff support treatment goals     | ___ 0 cr 1 | ___ |
| 2.11 Ethical Guidelines for staff      | ___ 0 cr 1 | ___ |

SCORE \_\_\_/\_\_\_

**3. Offender Assessment**

- |                                    |            |     |
|------------------------------------|------------|-----|
| 3.1 Appropriate Clients            | ___ 0 cr 1 | ___ |
| 3.2 Exclusionary criteria followed | ___ 0 cr 1 | ___ |
| 3.3 Risk Factors Assessed          | ___ 0 cr 1 | ___ |
| 3.4 Risk Methods                   | ___ 0 cr 1 | ___ |
| 3.5 Risk Level Defined             | ___ 0 cr 1 | ___ |
| 3.6 Need Factors Assessed          | ___ 0 cr 1 | ___ |
| 3.7 Need Methods                   | ___ 0 cr 1 | ___ |
| 3.8 Need Level Defined             | ___ 0 cr 1 | ___ |
| 3.9 Responsivity Assessed          | ___ 0 cr 1 | ___ |
| 3.10 Responsivity Methods          | ___ 0 cr 1 | ___ |
| 3.11 Responsivity Defined          | ___ 0 cr 1 | ___ |
| 3.12 Program Targets higher risk   | ___ 0 cr 3 | ___ |
| 3.13 Validation Risk/Needs         | ___ 0 cr 1 | ___ |

SCORE \_\_\_/\_\_\_

4. Treatment Characteristics

4.1 Criminogenic targets	___ 0 or 1	___
4.2 Criminogenic target density	___ 0 or 1	___
4.3 Type Treatment	___ 0,1 or 2	___
4.4 Length Treatment	___ 0 or 1	___
4.5 Location monitored	___ 0 or 1	___
4.6 Manual developed	___ 0 or 1	___
4.7 Manual followed	___ 0 or 1	___
4.8 Involvement 40-70%	___ 0 or 1	___
4.9 Groups separated by risk	___ 0 or 1	___
4.10 Intensity varies by Risk	___ 0 or 1	___
4.11 Match Treatment and offender	___ 0 or 1	___
4.12 Match Staff and offender	___ 0 or 1	___
4.13 Match Staff and program	___ 0 or 1	___
4.14 Offender Input	___ 0 or 1	___
4.15 Use Appropriate Rewards	___ 0 or 1	___
4.16 Ratio Favors Rewards	___ 0 or 1	___
4.17 Procedures for rewards	___ 0 or 1	___
4.18 Appropriate punisher	___ 0 or 1	___
4.19 Procedure for Punishment	___ 0 or 1	___
4.20 Negative Effects	___ 0 or 1	___
4.21 Completion Criteria	___ 0 or 2	___
4.22 Completion rate	___ 0 or 1	___
4.23 Skills Modeled	___ 0 or 1	___
4.24 Skill training	___ 0 or 1	___
4.25 Graduated practice	___ 0 or 1	___
4.26 Groups monitored by staff	___ 0 or 1	___
4.27 Group size	___ 0 or 1	___
4.28 Significant Others trained	___ 0 or 1	___
4.29 Discharge planning	___ 0 or 1	___
4.30 Aftercare provided	___ 0 or 1	___
4.31 Quality aftercare	___ 0 or 1	___

SCORE \_\_\_ / \_\_\_

5.0 Quality Assurance

5.1 Internal Quality Assurance	___ 0 or 1	___
5.2 External Quality Assurance	___ 0 or 1	___
5.3 Client Satisfaction	___ 0 or 1	___
5.4 Offenders reassessed	___ 0 or 2	___

**Appendix E: Recommendations for Tracking Service Delivery at the CASC**

<b>Recommendation</b>	<b>Metric</b>
Require case managers to spend more time with clients outside of the CASC	Number of hours that case managers meet with clients offsite. Monitor whether clients who receive more visits offsite have more total dosage hours
Increase case manager engagement for clients in custody	% of probationers who will be released in 3-6 months who are contacted while still in custody
	% of probationers who are transported to the CASC upon their release
Require case managers to assume intake responsibilities at the CASC	% of clients who complete intake (In database as 'enrolled') are successfully connected to services (in database as 'active')
	Amount of time between when a client completes intake and when they have their first service appointment.



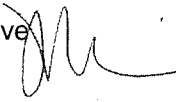
**CITY AND COUNTY OF SAN FRANCISCO**  
**OFFICE OF THE CONTROLLER**

**Ben Rosenfield**  
Controller

**Todd Rydstrom**  
Deputy Controller

**MEMORANDUM**

**TO:** Government Audit and Oversight Committee  
San Francisco Board of Supervisors

**FROM:** Tonia Lediju, Chief Audit Executive  
City Services Auditor Division 

**DATE:** August 30, 2017

**SUBJECT:** City Services Auditor Summary of Implementation Status of Recommendations  
Followed up on in Fiscal Year 2016-17

The City Services Auditor Division (CSA) of the Office of the Controller (Controller) follows up on all recommendations it issues to departments of the City and County of San Francisco (City) every six months after original issuance. CSA reports on the results of its follow-up activity to the Board of Supervisors' Government Audit and Oversight Committee. This process fulfills the requirement of the San Francisco Charter, Section F1.105, for auditees to report on their efforts to address the Controller's findings and, if relevant, report the basis for deciding not to implement a recommendation.

The regular follow-up begins when CSA sends a questionnaire to the responsible department requesting an update on the implementation status of each recommendation. CSA assigns a summary status to the report or memorandum for each responsible department according to the audit determination status of each recommendation. The statuses are described in the table below.

<b>SUMMARY OF FOLLOW-UP STATUSES</b>		
<b>Summary Status</b>	<b>Status of Recommendations</b>	<b>Further Regular Follow-Up?</b>
<i>Closed</i>	All closed	No
<i>Open</i>	At least one open, including any one that the department contests	Yes

Based on its review of the department's response, CSA assigns an audit determination status to each recommendation. A status of:

- **Open** indicates that the recommendation has not yet been fully implemented.
- **Contested** indicates that the department has chosen not to implement the recommendation.
- **Closed** indicates that the response described sufficient action to fully implement the recommendation or an acceptable alternative or a change occurred to make the recommendation no longer applicable or feasible.

Also, CSA periodically selects reports or memorandums for a more in-depth field follow-up assessment in which CSA verifies the implementation status of the recommendations.

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**DEPARTMENT ABBREVIATIONS**

<b>Abbreviated Name</b>	<b>Full Name</b>
Aging and Adult Services (DAAS)	Department of Aging and Adult Services (part of the Human Services Agency)
Airport (AIR)	Airport Commission
Arts (ART)	Arts Commission
City Administrator (CAO)	Office of the City Administrator (part of the General Services Agency)
CSA	City Services Auditor Division
Contract Administration (OCA)	Office of Contract Administration
Controller (CON)	Office of the Controller
Economic and Workforce Development (ECN)	Office of Economic and Workforce Development
Environment (ENV)	Department of the Environment
Fine Arts (FAM)	Fine Arts Museums of San Francisco
Human Resources (DHR)	Department of Human Resources
Human Services (HSA)	Human Services Agency
Library (LIB)	Public Library
Police (POL)	Police Department
Port (PRT)	Port Commission (Port of San Francisco)
Public Health (DPH)	Department of Public Health
Public Works (DPW)	Department of Public Works
Rec and Park (REC)	Recreation and Park Department
SFMTA (MTA)	San Francisco Municipal Transportation Agency
SFPUC (PUC)	San Francisco Public Utilities Commission
Technology (DT)	Department of Technology

**REGULAR FOLLOW-UP ACTIVITY IN FISCAL YEAR 2016-17**

In fiscal year 2016-17 CSA followed up on 293 open recommendations from 54 reports or memorandums. Of the 293 open recommendations, departments reported implementing 220 (75 percent). Thus, CSA was able to close 30 of the 54 reports or memorandums.

The following table shows the number of recommendations CSA followed up on and their resulting status and summarizes the status of reports for each department at the end of the fiscal year.

Department	Recommendations		Reports
	Followed Up On	Closed as of 6/30/17	Open
Aging and Adult Services	21	21	-
Airport	37	32	1
Arts	1	1	-
City Administrator	14	9	1
Contract Administration	1	1	-
Controller	6	4	1
Economic and Workforce Development	1	1	-
Environment	1	1	-
Fine Arts	9	7	1
Human Resources	1	1	-
Human Services	14	6	1
Library	9	4	2
Police	3	3	-
Port	12	5	2
Public Health	19	17	1
Public Works	17	11	1
Rec and Park	23	15	1
SFMTA	60	45	10
SFPUC	40	33	3
Technology	4	3	1
<b>Total</b>	<b>293</b>	<b>220</b>	<b>26*</b>

\*One report has recommendations for ten departments and another report has recommendations for two departments. Thus, the total number of open reports shown in the table above is greater than the number of unique reports.

**Follow-ups Closed****Summary of Follow-ups Closed in Fiscal Year 2016-17**

<b>Dept.</b>	<b>Issue Date</b>	<b>Document Title</b>	<b>Total Number of Recommendations</b>
AIR	1/13/15	Airport Commission: Better Oversight Is Required to Improve the Change Management Process for the New Air Traffic Control Tower	17
AIR	1/25/16	Airport Commission: JPMorgan Chase Bank, National Association, Correctly Reported Its Revenues and Paid Rent for December 2010 Through November 2012	2
AIR	3/17/16	Airport Commission: RDG Concessions, LLC, Correctly Reported Its Revenues and Paid Rent for January 2013 Through December 2014	1
AIR	3/24/16	Airport Commission: Goodfellows Shoeshine-California, Inc., Underpaid Rent by \$3,486 and Needs to Submit Complete Certified Monthly Revenue Statements for 2013 and 2014	4
AIR	4/26/16	The Airport's Employee Separation Process Needs Improvement to Minimize the Risk of Unauthorized Access to Premises or Data and to Ensure That Airport Property Is Collected	4
AIR	9/6/16	Airport Commission: Andale Mexican Restaurant and Bar Correctly Reported Its Revenues and Paid Rent for 2013 and 2014	1
AIR	10/4/16	Airport Commission: Pelican Communications, Inc., Correctly Reported Its Revenues and Paid Rent for 2013 and 2014 but Did Not Provide the Required Certified Financial Statements	2
AIR	11/3/16	Airport Commission: Transportation Network Company Operating Permit Audit – Lyft, Inc., Complied With All Tested Transportation Requirements but Underpaid the Airport \$30,042 in Trip Fees During October 2014 Through September 2015	2
AIR	11/3/16	Airport Commission: Transportation Network Company Operating Permit Audit – Tickengo, Inc., dba Wingz, Correctly Paid the Airport \$32,964 for 8,562 Vehicle Trips Provided During April Through September 2015 and Complied With Most Transportation Requirements	1
ART	7/12/11	San Francisco Arts Commission: The Street Artists Program Should Improve Its Internal Controls and Accounting Practices	13
CON	9/3/15	All Ten Selected Organizations Complied With the San Francisco Administrative Code, Chapter 12G, by Not Using City Funds for Political Activity for Fiscal Year 2013-14	1

**Summary of Follow-ups Closed in Fiscal Year 2016-17**

<b>Dept.</b>	<b>Issue Date</b>	<b>Document Title</b>	<b>Total Number of Recommendations</b>
DAAS	3/29/16	Department of Aging and Adult Services: Insufficient Inventory Tracking and Supervisory Practices and Failure to Segregate Duties Increase the Risk That Inventory Will Be Lost or Misappropriated Without Detection	21
DPH	2/19/15	Department of Public Health: Improved Controls Are Needed to Prevent Missing Billing Information and More Analysis and Monitoring Could Reduce Avoidable Revenue Adjustments	10
DPH	10/27/15	Bay Area Young Positives Did Not Maintain Adequate Support for Reimbursement Requests Submitted to the Department of Public Health	5
DPW	10/1/15	Public Works Adequately Oversaw the Close-out Phases of the 2010 Earthquake Safety and Emergency Response Bond Neighborhood Fire Station Roofing Projects 7431A-3 and 7431A-4, but Did Not Always Follow the Contracts' Closeout Procedures	6
DPW	7/12/16	Expenditures at the Department of Public Works for the 2010 Earthquake Safety and Emergency Response Bond Program Were in Accordance With the Ballot Measure	1
DPW	7/25/16	Expenditures at the Department of Public Works for the 2011 Road Repaving and Street Safety Bond Program Were in Accordance With the Ballot Measure	1
DT	2/26/15	San Francisco Public Utilities Commission: The Department Needs to Improve Its Management and Monitoring of Telephone Assets and Costs	7
MTA	11/13/14	San Francisco Municipal Transportation Agency: Parking Meter Collections and Citation Fines Equal 96 Percent of Expected Revenue, Excluding \$31.1 Million in Foregone Revenue Given Various Legal Exemptions	16
MTA	6/23/16	San Francisco Municipal Transportation Agency: AutoReturn Complied With Key Contract Provisions and a Few Enhancements Can Further Strengthen AutoReturn's Reporting and Recordkeeping	8
MTA	7/13/16	San Francisco Municipal Transportation Agency: The Overhead Rate of One Central Subway Project Consultant Must Be Reduced	3
MTA	10/20/16	San Francisco Municipal Transportation Agency's Indirect Cost Allocation Plan for the Fiscal Year Ending June 30, 2015, Generally Complied With Federal Requirements	6

**Summary of Follow-ups Closed in Fiscal Year 2016-17**

<b>Dept.</b>	<b>Issue Date</b>	<b>Document Title</b>	<b>Total Number of Recommendations</b>
Multiple Departments	8/17/15	Citywide Cash Disbursements Assessment: Ten of Nineteen Departments Tested Did Not Comply With City Payment Processing Guidelines and Must Create or Improve Cash Disbursements Policies and Procedures	ENV: 2 REC: 2
PRT	8/5/14	Port Commission: The Port Should Strengthen Internal Controls Over Its Inventory	16
PRT	11/12/15	Port Commission: Golden Gate Scenic Steamship Corporation Had Inadequate Internal Controls Over the Reporting of Gross Receipts for Red and White Fleet, Inc., to the Port for 2011 Through 2013	5
PRT	9/22/16	Port Commission: D&G Company dba Lou's Pier 47 Underpaid \$16,145 in Rent to the Port for January 2011 Through December 2013	3
REC	7/28/15	Recreation and Park Commission: Tournament Players Club of California, Inc., Correctly Remitted Harding Park Golf Course Revenues for July 2012 Through June 2014	2
REC	12/15/16	Recreation and Park Commission: Murata's Café Hana Overpaid \$470 in Rent for Its Japanese Tea Garden Concession for 2013 and 2014	3
PUC	8/10/10	San Francisco Public Utilities Commission: Audit of Administration of Fixed Rent Agreements with Revenues Exceeding \$100,000	23
PUC	3/8/16	San Francisco Public Utilities Commission: The Department Inadequately Monitored Change Orders for the Sunol Valley Water Treatment Plant Improvement Project	7

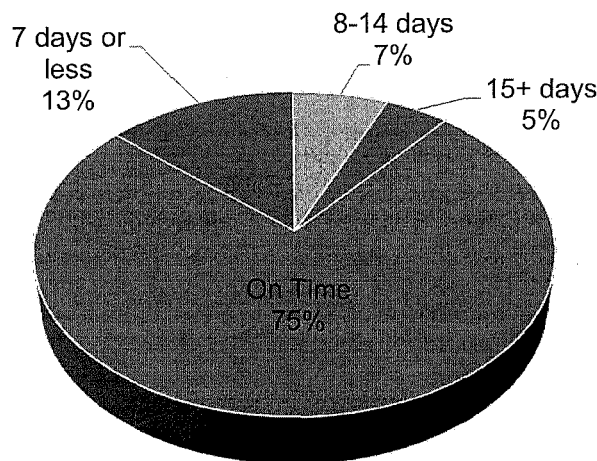
**Response Timeliness**

The majority of department responses were received on time or within a week of the deadline. CSA received a response for all audit reports followed up on in this fiscal year. Departments that responded more than one week after the deadline include the City Administrator, Contract Administration, Police, Public Health, and SFPUC.

Departments are given two weeks to respond to CSA’s follow-up requests, and extensions are granted upon request. If an extension is granted, timeliness is calculated based on the extended deadline. The chart below shows departments’ responsiveness to CSA’s follow-up requests.

**Timeliness of Departments’ Responses to Follow-up Requests in Fiscal Year 2016-17**

**Overall Timeliness**

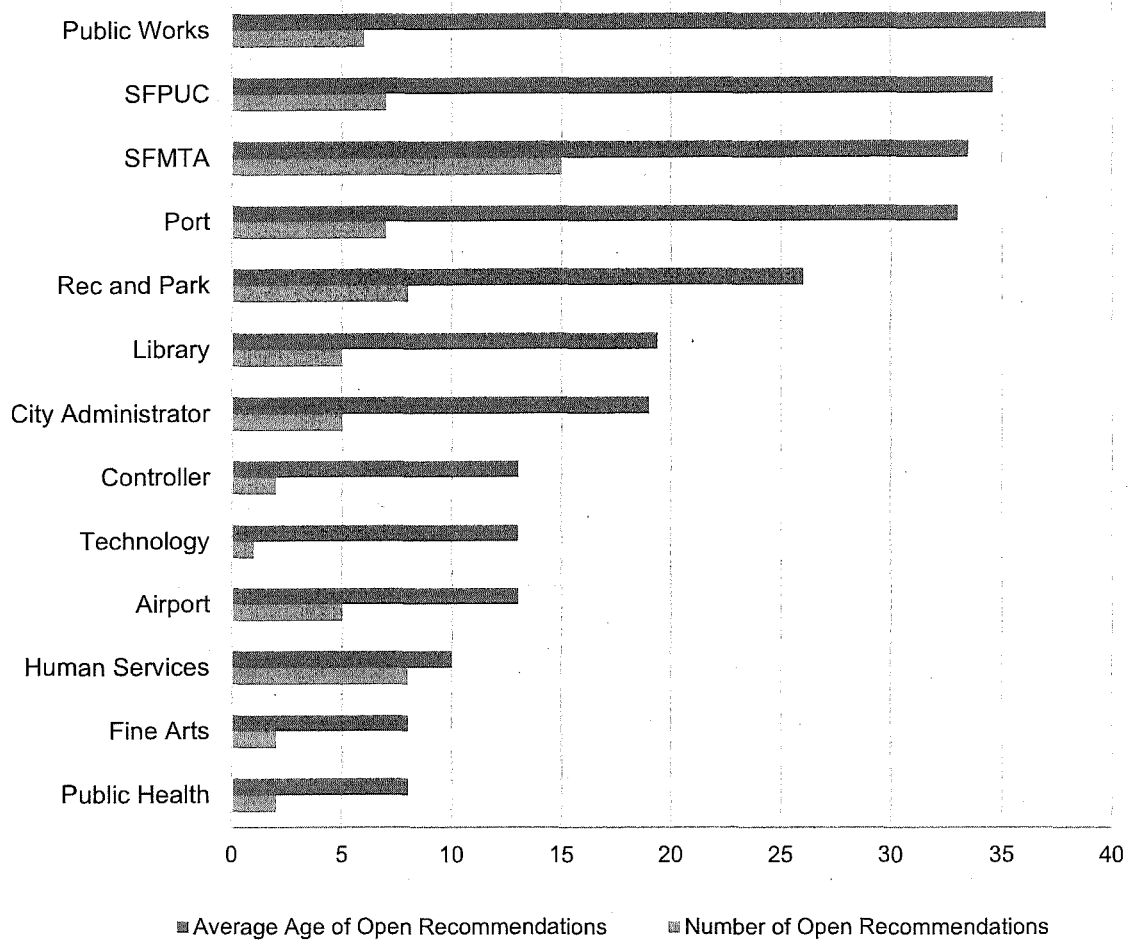


**Open Recommendations**

Although the majority of CSA’s recommendations are implemented within one year of their issuance, some remain outstanding for longer. The average age of the open recommendations is 25 months and ages range from 6 to 74 months. Of the seven recommendations made to SFPUC, one (14 percent) is 74 months old and six (86 percent) are 28 months old. Of the 15 recommendations issued to SFMTA, five (33 percent) are at least 45 months old, three (20 percent) are 34 months old, and one (7 percent) is 28 months old. Six open recommendations directed to Public Works are 37 months old. Seven recommendations made to the Port are 33 months old. Rec and Park has eight open recommendations that are 26 months old. All other recommendations are less than 24 months old.

The chart below shows the number of open recommendations by department and their average age.

**Number and Average Age of Open Recommendations Followed up on by Department**



In some cases, a department has implemented few or none of CSA's recommendations. This does not necessarily indicate that the department is not trying to resolve the underlying issues. In some instances, the department has not yet had the opportunity because the recommendations relate to events that happen only periodically, such as labor agreement negotiations, or because the recommendations were issued too recently for the department to have achieved full implementation.

The following table summarizes the reasons departments reported for not fully implementing the open recommendations.

<b>Summary of Open Reports for Fiscal Year 2016-17</b>				
<b>Dept.</b>	<b>Issue Date</b>	<b>Report</b>	<b>Open Recs.</b>	<b>Reason(s) Reported</b>
AIR	5/25/16	Airport Commission: The Airport Improved Its Construction Project Oversight, but Change Management and Data Reliability Procedures Must Be Strengthened	5	To address two recommendations, the department is developing change order trend analytics in Unifier, the Airport's Contract Management Compliance System, and key performance indicators for capital project delivery. The remaining three recommendations are on hold pending the full implementation of Unifier and the new financial system.
CAO	11/5/15	Office of the City Administrator: San Francisco Should Adopt Five Leading Practices to Improve the Effectiveness and Efficiency of Its Procurement Function	5	Full implementation of the five recommendations requires revisions to policies and procedures related to procurement.
CON	5/9/16	Citywide Contract Compliance Audit: The Contract Compliance of Many Vendor Payments Cannot Be Verified and the City Should More Often Take Advantage of Cost Savings Such as Early Payment Discounts <sup>1</sup>	2	The Accounting and Operations Systems Division is determining the feasibility of minimizing missed opportunities for early payment discounts, with a target date of 6/30/18. The new financial system includes functionalities that will help departments consider cash management implications and other benefits of immediate payment.
DPH	10/12/16	Public Health's Employee Separation Process Needs Improvement to Minimize the Risk of Unauthorized Access to Buildings, Property, and Data	2	The department is replacing departmental policies with cross-departmental policies outlining Standard Operating Procedures and ensuring all units that are to carry out the policies are aware of their responsibilities.
DPW	5/20/14	Citywide Construction: Adopting Leading Practices Could Improve the City's Construction Contractor Bid Pool	6	Full implementation requires developing policies and procedures for collecting project information and recording construction contractor performance evaluations. Chapter 6 departments, CSA, and DT are working to build a web-based database to track and monitor contractor performance evaluation results, which will be completed by January 2018.



<b>Summary of Open Reports for Fiscal Year 2016-17</b>				
<b>Dept.</b>	<b>Issue Date</b>	<b>Report</b>	<b>Open Recs.</b>	<b>Reason(s) Reported</b>
DT	5/9/16	Citywide Contract Compliance Audit: The Contract Compliance of Many Vendor Payments Cannot Be Verified and the City Should More Often Take Advantage of Cost Savings Such as Early Payment Discounts <sup>1</sup>	1	Full implementation requires establishing formal policies that help mitigate the risk of improper purchases and incorrect vendor payments. The department is updating these policies to reflect the functionality of the new financial system.
FAM	10/27/16	The Corporation of the Fine Arts Museums Inappropriately Paid \$450,773 to a City Employee Without Support. The Fine Arts Museums of San Francisco and the Corporation of the Fine Arts Museums Should Improve Aspects of Their Payroll and Disbursements Processes.	2	The department is currently reviewing policies on approving compensation. Full implementation of the other recommendation requires the department to work with the Fine Arts Museums of San Francisco, the Corporation of the Fine Arts Museums, and the Fine Arts Museums Foundation to establish and document the roles and responsibilities of each organization.
HSA	8/24/16	Human Services Agency: Oversight of Arriba Juntos Grants Needs Improvement to Better Ensure Delivery of Services	8	The department is reviewing program agreements to ensure performance goals align with HSA expectations and tracking client attendance hours to improve reporting. To address the remaining recommendations, formal training for program staff is being developed.
LIB	9/16/15	Public Library: The Custodial Services Unit Needs to Better Manage Materials and Supplies	4	The department is drafting policies and procedures for obsolete items. To address the remaining recommendations, the department plans to use the new financial system's inventory module.
LIB	5/9/16	Citywide Contract Compliance Audit: The Contract Compliance of Many Vendor Payments Cannot Be Verified and the City Should More Often Take Advantage of Cost Savings Such as Early Payment Discounts <sup>1</sup>	1	Full implementation requires reviewing invoices to determine whether additional overpayments can be recovered.
MTA	6/9/11	San Francisco Municipal Transportation Agency: The Sustainable Streets Division Could Improve Its Operations	3	A job description and compensation scale were finalized in June 2015 and are pending approval, which will fully implement two recommendations. To address the remaining recommendation, SFMTA is scheduled to have an agency-wide system that captures the City's inventory by 10/31/17.

<b>Summary of Open Reports for Fiscal Year 2016-17</b>				
<b>Dept.</b>	<b>Issue Date</b>	<b>Report</b>	<b>Open Recs.</b>	<b>Reason(s) Reported</b>
MTA	7/17/12	San Francisco Municipal Transportation Agency: The Parking Enforcement Section Should More Effectively Manage Its Resources, Strengthen Some Internal Controls, and Improve the Efficiency of Its Operations	1	The department has tested a second area with an application that will create and update parking enforcement beats based on a data-driven methodology. Results have been evaluated and a final draft report is undergoing final executive review.
MTA	9/10/13	San Francisco Municipal Transportation Agency: The Agency Must Improve Staffing Planning and Training to Meet Its Need for Transit Operators	1	SFMTA is creating a new classification to address the open recommendation. Implementation is expected by Fall 2017.
MTA	8/20/14	San Francisco Municipal Transportation Agency: City of San Francisco Uptown Parking Corporation Correctly Reported Sutter Stockton Garage Revenues and Expenditures for May 2011 Through April 2013 But Can Improve Controls Over Lease Management	1	The department is completing written policies and procedures on garage lease agreements to address the remaining recommendation.
MTA	8/20/14	San Francisco Municipal Transportation Agency: City of San Francisco Uptown Parking Corporation Correctly Reported Union Square Garage Revenues and Expenditures for May 2011 Through April 2013 But Can Improve Controls Over Lease Management	2	Full implementation requires finalizing a lease agreement and completing written policies and procedures. SFMTA is performing these steps.
MTA	2/9/15	Citywide Payroll Audit: Eleven Departments Incorrectly Paid Employees, Improperly Approved Time, or Did Not Comply With Citywide Policies and Procedures	1	The department is developing policies and procedures that specify transit operator requirements, which will fully implement the recommendation.
MTA	9/29/16	San Francisco Municipal Transportation Agency: City of San Francisco Japan Center Garage Corporation Needs to Improve Some Operations at the Japan Center Garages	1	The department is completing written policies and procedures on garage lease agreements to address the remaining recommendation.

<b>Summary of Open Reports for Fiscal Year 2016-17</b>				
<b>Dept.</b>	<b>Issue Date</b>	<b>Report</b>	<b>Open Recs.</b>	<b>Reason(s) Reported</b>
MTA	9/29/16	San Francisco Municipal Transportation Agency: LAZ Parking California LLC Correctly Reported Revenues of the Garage at Zuckerberg San Francisco General Hospital for July 2013 Through June 2015, but a Few Improvements Can Strengthen Its Operations	1	The department is completing written policies and procedures on garage lease agreements to address the remaining recommendation.
MTA	7/13/16	San Francisco Municipal Transportation Agency: The Overhead Rate of One Central Subway Project Consultant Must Be Reduced	2	The department is reconciling adjusted overhead rates and expects to fully implement both recommendations by the end of September 2017.
MTA	12/22/16	San Francisco Municipal Transportation Agency: Absence Management Efforts Can Be Enhanced Through Improved Organizational Culture and More Effective Program Management Tools	2	Departmental absence management policies are being developed and reviewed. The department expects to implement these policies by 9/30/17.
PRT	9/17/14	Port Commission: Blue and Gold Fleet, L.P., Had Inadequate Internal Controls Over the Reporting of Gross Receipts to the Port for 2010 Through 2012	4	Discussions with Blue and Gold Fleet resulted in a proposed solution in September 2015. The department and Blue and Gold Fleet are pursuing a separate lease agreement to address most of the open recommendations. One recommendation will not be implemented until all other findings are resolved.
PRT	9/17/14	Port Commission: Castagnola's Restaurant Had Inadequate Internal Controls Over the Reporting of Gross Receipts to the Port for 2010 Through 2012	3	Full implementation requires collecting money owed from Castagnola's. The department has sent a written request to the tenant and is awaiting additional documentation.
PUC	4/12/11	San Francisco Public Utilities Commission: Water Enterprise Should Continue to Improve Its Inventory Management	1	Full implementation requires the department to implement an electronic inventory issue process. Some of these efforts are on hold due to the financial system change.

<b>Summary of Open Reports for Fiscal Year 2016-17</b>				
<b>Dept.</b>	<b>Issue Date</b>	<b>Report</b>	<b>Open Recs.</b>	<b>Reason(s) Reported</b>
PUC	2/17/15	San Francisco Public Utilities Commission: Audit of Department Class One Power Sales to Modesto and Turlock Irrigation Districts in California	5	The department is working on removing ineligible customers from the customer list and negotiating replacement agreements, which will be finalized by December 2017. Full implementation of the remaining recommendations requires the department to review the customer list and establish document retention guidelines.
PUC	2/26/15	San Francisco Public Utilities Commission: The Department Needs to Improve Its Management and Monitoring of Telephone Assets and Costs	1	Full implementation requires modifying current separation procedures by changing an internal tracking system and automating a manual process. SFPUC expects to complete the automation by 9/30/17.
REC	4/28/15	Recreation and Park Commission: Internal Controls Must Be Improved to Better Manage Inventory	8	The department is developing policies and procedures to address many of the open recommendations and expects completion by 12/30/17. A few recommendations on inventory management are being addressed by the new financial system.

<sup>1</sup> This report is listed three times because it has open recommendations for CON, DT, and LIB.

**FIELD FOLLOW-UP ACTIVITY IN FISCAL YEAR 2016-17**

Any audit report or memorandum may be selected for a more in-depth field follow-up regardless of summary status. Field follow-ups result in memorandums that are also subject to CSA's regular follow-ups.

**Field Follow-Up Memorandums Issued in the Fourth Quarter**

<b>Title:</b> Field Follow-up of 2013 Audit of the Department of Public Health's Contract With MedImpact Healthcare Systems, Inc.		<b>Issue Date:</b> 4/17/2017
<b>Recommendation Status</b>	<b>Number of Recommendations With Each Status</b>	<b>Recommendation Number(s) in Report</b>
Recommendations in original report	8	--
Tested	8	All
Fully implemented	7	1-7
No longer applicable or not feasible	1	8
Partially Implemented	-	
Not Implemented	-	
<b>Total</b>	<b>8</b>	

**Original Issuance:**  
The Department of Public Health Adequately Monitors MedImpact's Prescription Claims but Needs Better Controls Over Its Use of MedImpact as a Fiscal Intermediary – 6/19/13

**Summary of Original Report:**  
The Department of Public Health, Community Behavioral Health Services Division (CBHS), has sufficient controls to ensure formulary rates and claims charges are accurate and billed in accordance with contract terms. Prescription claims compose 97 percent of the total amounts invoiced under the \$27.1 million contract with MedImpact HealthCare Systems, Inc. (MedImpact). However, CBHS should improve its internal controls over its use of MedImpact as a fiscal intermediary. CBHS should also improve its review of fees charged for monthly billings, and obtain and review MedImpact's annual audit report and final closing invoice as required by the contract.

**Implemented Recommendations:**  
Seven recommendations were fully implemented and are now closed. DPH fully implemented recommendations to: segregate duties among different employees for the purchasing and payment processes in the MedImpact contract; develop and implement policies and procedures on administering and monitoring fiscal intermediary expenditures; amend the contract to state the allowable fiscal intermediary services and maximum amount of expenditures; ensure that MedImpact provides an annual audit report, associated management letter, and final closing invoice; require MedImpact to provide yearly the Service Organization Controls (SOC 1) Report prepared by its auditor; and require MedImpact to provide rebate reports stating the amounts received in connection with the health plan.

**No Longer Applicable and Closed Recommendations:**  
One recommendation was no longer applicable and is now closed. Recommendation 8 is closed because, as stated by DPH, MedImpact rebate contracts may only be viewed (not copied), and this must occur at MedImpact's offices in San Diego. It is impractical for CBHS staff to periodically visit San Diego to verify that rebate amounts are correct.

<b>Title:</b> Field Follow-up of the 2014 Audit of the Department of Public Works' Public Safety Building Project		<b>Issue Date:</b> 6/15/2017
<b>Recommendation Status</b>	<b>Number of Recommendations With Each Status</b>	<b>Recommendation Number(s) in Report</b>
Recommendations in original report	11	--
Tested	11	All
Fully implemented	6	1, 2, 6, 9-11
No longer applicable or not feasible	5	3-5, 7, 8
Partially Implemented	-	
Not Implemented	-	
<b>Total</b>	<b>11</b>	

**Original Issuance:**

Department of Public Works: Controls Over the Public Safety Building Project Should Be Strengthened to Improve Project Scheduling and the Change Management Process – 4/16/14

**Summary of Original Report:**

Department of Public Works did not adequately develop specific procedures over Construction Manager/General Contractor (CM/GC) proposed change order (PCO) provisions, resulting in a lack of required documentation. Public Works did not adequately meet the requirements for PCOs, such as creating summary records of the negotiations and getting independent estimates before Charles Pankow Builders, Ltd., (Pankow) submitted proposed costs for PCOs exceeding \$20,000. Fulfilling departmental requirements would allow the department to better comprehend the scope of proposed changes and be prepared to negotiate. The department also lacks sufficient documentation for the support of PCOs requesting time extension, detailed labor breakdowns for Pankow and its subcontractors, and contract language.

**Implemented Recommendations:**

Six recommendations were fully implemented and are now closed. DPW fully implemented recommendations to: adequately summarize the scope and price negotiations for all proposed change orders, require independent cost reviews for change orders valued at \$50,000 or more to prevent overpayments and support the justification for payment, revise its contract change order provisions to include language that limits the CM/GC's ability to recover additional costs or time for work performed related to an approved and completed change order, add a specification to its new contracts that requires development of the construction schedule in all CM/GC projects and includes criteria to be used to evaluate the schedule, and design and document written procedures regarding the department's monthly cost control report.

**No Longer Applicable and Closed Recommendations:**

Five recommendations were no longer applicable and are now closed. Recommendation 3 is closed because Public Works had an independent construction management company, Vanir/CM Pros, conduct analysis of the time impact on the project schedules. Recommendations 4 and 5 are closed because, as DPW stated, Pankow was not required to submit labor rate breakdowns within 30 days of when the Invitation to Bid for the CM/GC was issued. Recommendations 7 and 8 are closed because the re-baseline of the construction schedule would not be cost-effective. Rather than seek the advice of the City Attorney for appropriate language to include in the new baseline schedule agreement, Public Works relied on Vanir/CM Pros to evaluate the monthly schedules Pankow submitted.

<b>Title:</b> Field Follow-up of 2014 Audit of San Francisco General Hospital's Materials Management Department		<b>Issue Date:</b> 6/20/2017
<b>Recommendation Status</b>	<b>Number of Recommendations With Each Status</b>	<b>Recommendation Number(s) in Report</b>
Recommendations in original report	23	--
Tested	23	All
Fully implemented	22	1-16 and 18-23
No longer applicable or not feasible	1	17
Partially Implemented	-	
Not Implemented	-	
<b>Total</b>	<b>23</b>	

**Original Issuance:**

Department of Public Health: San Francisco General Hospital's Materials Management Department Must Improve Controls to Better Manage Assets – 6/3/14

**Summary of Original Report:**

The inventory and materials management processes of San Francisco General Hospital's Materials Management Department (Material Management) have multiple weaknesses.<sup>1</sup> There were numerous errors in the sampled inventory records, a lack of internal controls for security system access and daily inventory counts, no policies and procedures to guide inventory cycle counts, and dispensing of expired and obsolete items. Overall, Materials Management's internal controls are inadequate because they do not reasonably assure General Hospital that assets are properly accounted for, organized, and safeguarded, or that inventory purchases were recorded accurately and in a timely manner.

**Implemented Recommendations:**

Twenty-two recommendations were fully implemented and are now closed. DPH fully implemented recommendations to: establish employee and supervisor performance goals for the physical counts of inventory; identify and train other staff to perform daily cycle counts; develop a control that requires management to monitor and review all entries entered by the Materials Management Information Systems team during the year; periodically review and enforce system user access rights; establish policies and procedures related to separation of duties, record retention, adjusting inventory discrepancies, handling inventory movements, and implementing an inventory valuation method; and create a procedure by which management reviews and signs off on identified expired or obsolete items and takes action to dispose of them as appropriate.

**No Longer Applicable and Closed Recommendations:**

One recommendation was no longer applicable and is now closed. Recommendation 17 is closed because, according to DPH, the "H" Area is a staging area used only for temporary storage of in-transit items that are pending processing through inventory and, therefore, cannot be cleared.

<sup>1</sup> The hospital is now known as Zuckerberg San Francisco General Hospital and Trauma Center.

<b>Field Follow-up Memorandums Issued in the First Through Third Quarters</b>			
<b>Audit or Assessment</b>	<b>Original Issue Date</b>	<b>Recommendations</b>	<b>Follow-up Issuance Date</b>
Audit of the Assessor-Recorder's Social Security Number Truncation Program	12/31/13	9	2/13/17





**SAN FRANCISCO  
PLANNING DEPARTMENT**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

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Legal

**Appeal of EIR Certification**

**One Oak Street (1500-1540 Market Street) Project**

BY AK

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

Reception:  
**415.558.6378**

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**415.558.6409**

Planning  
Information:  
**415.558.6377**

**DATE:** August 30, 2017

**TO:** Angela Calvillo, Clerk of the Board of Supervisors

**FROM:** Lisa Gibson, Environmental Review Officer – (415) 575-9034  
Diane Livia, Environmental Planner – (415) 575-8758  
Rick Cooper, Senior Environmental Planner – (415) 575-9027

**RE:** File No. 170812, Planning Department Case No. 2009.0159E,  
Appeal of the Environmental Impact Report Certification for the  
One Oak Street (1500-1540 Market Street) Project, Block 0836,  
Lots: 001,002, 003, 004, and 005

**PROJECT SPONSOR:** One Oak Owner, LLC

**APPELLANT:** Jason Henderson

**HEARING DATE:** September 5, 2017

**INTRODUCTION**

This memorandum updates the Planning Department’s previous memorandum, dated August 28, 2017, and submitted to the Board of Supervisors in response to the above-referenced appeal of an EIR certification. This current memorandum addresses the following two matters: 1. revisions to the design of the project that the project sponsor has recently initiated; and 2. Appellant’s supplemental submission to the Board of Supervisors, dated August 25, 2017, in support of the appeal. The revision to the project would not materially affect the conclusions regarding the physical, environmental effects of the revised project. The revisions to the project obviate the need for the legislative amendments to the height and bulk districts within the project site that were anticipated to be required as described in the certified EIR.

**REVISIONS TO THE PROJECT DESIGN**

**Background**

An environmental impact report for the project, case number 2005.0159E, was certified by the San Francisco Planning Commission on June 15, 2017 (“certified EIR”). The project described and analyzed in the certified EIR (“subject project”) consists of the demolition of existing buildings within the project site and removal of a parking lot on the project site at 1500-1540 Market Street and construction of a new 310-unit, 40-story residential tower (400-foot-tall, plus a 20-foot-tall perimeter parapet and 26-foot-tall mechanical penthouse) with ground-floor commercial space and one off-street loading space. The subject

project would also include a subsurface parking garage for residents. Bicycle parking for residents would be provided on a second-floor mezzanine; for visitors, bicycle parking would be provided in bicycle racks on adjacent sidewalks. The subject project would also include construction of a public plaza within the Oak Street right-of-way, construction of several wind canopies within the proposed plaza, construction of a freestanding MUNI elevator enclosure within the proposed Oak Plaza, and construction of one wind canopy within the sidewalk at the northeast corner of Market Street and Polk Street to reduce pedestrian-level winds.

The One Oak Street project's building site is comprised of Assessors Block 836, Lots 1, 2, 3, 4 and 5, from east to west. As described in the certified EIR on p. 3.5, the subject project would require a height and bulk district amendment to reclassify the 120/400-R-2 Height and Bulk designation, shifting it from a portion of the easternmost Lot 1 to a portion of the western half of Lot 5, designated 120-R-2. The subject project would require amendment of the *San Francisco General Plan* to revise Map 3 of the Market and Octavia Area Plan and Map 5 of the Downtown Area Plan, and amendment to the Height and Bulk Map HT07 in the San Francisco Planning Code to shift the 120/400-R-2 designation from a portion of Lot 1 to a portion of Lot 5 on Assessor's Block 0836 and reclassify the corresponding portion of Lot 1 to a height and bulk designation of 120-R-2.

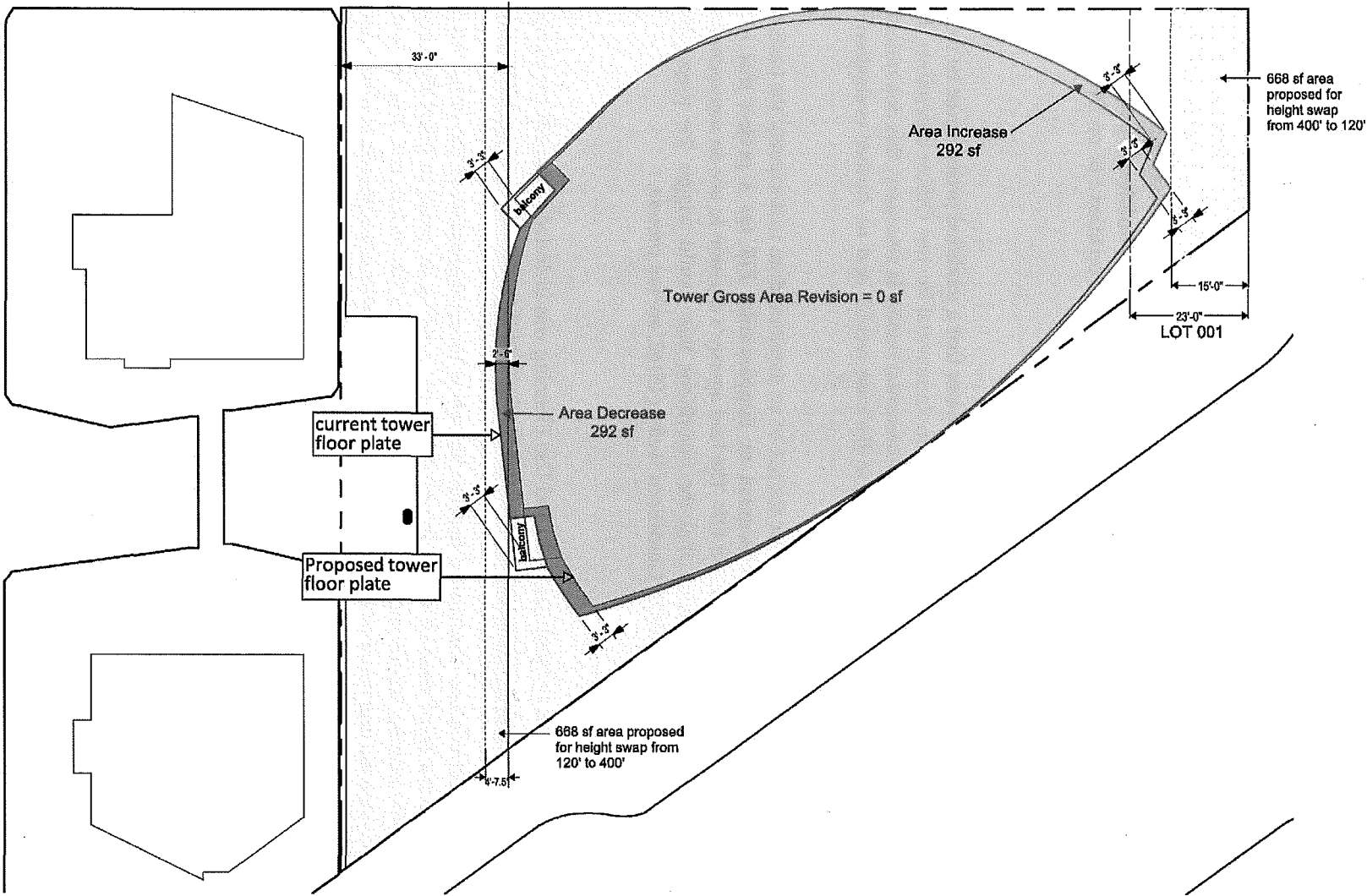
#### Description of the Revised Project

Subsequent to the certification of the EIR, the subject project design was revised ("revised project") from that described and shown in the certified EIR<sup>1</sup>. As shown in **Figure 1: Revised Project Tower Shift Diagram** of this memorandum, the revised project would shift the tower element of the proposed building (floors 13-40) 3.25 feet northeastward within the building site, parallel to the Market Street property line. With this shift, the westernmost 2.5 feet of the tower element, which would have been within a 120-R-2 Height and Bulk District, would be shifted outside of that district into the existing 120/400-R-2 Height and Bulk District. Accordingly, the entire tower element under the revised project would then be within the existing 120/400-R-2 Height and Bulk District. The revised project would not require any legislative amendments to the height and bulk districts within the project site.<sup>2</sup>

The northeastward shift of the tower element would be accompanied by a corresponding northeastward elongation of podium floors 4-12 by 3.25 feet, resulting in an increase to these floorplate areas of about 292 sq. ft. at each of the nine podium floors 4-12 (or about 245 gross square feet ["gsf"] of residential use per floor, totaling 2,205 gsf under the revised project). The increased area would not affect the residential unit count or the bedroom unit mix studied in the EIR. Rather, it would increase the room sizes at the eastern perimeter of floors 4-12.

<sup>1</sup> EIR pp. 2.1–2.36, as revised on RTC pp. 5.8–5.27.

<sup>2</sup> Recommendation of an ordinance amending the Zoning Map to shift the Height and Bulk District 120/400-R-2 designation from Lot 001 to Lot 005 on Assessor's Block 0836 and reclassifying Lot 001 on Assessor's Block 0836 to 120-R-2. Recommendation of a General Plan amendment to revise Map 3 of the Market and Octavia Area Plan to shift the Height and Bulk District 120/400-R-2 designation from Lot 001 to Lot 005 on Assessor's Block 0836 and reclassify Lot 001 on Assessor's Block 0836 to 120-R-2.



Appeal of EIR Certification  
August 30, 2017

Case No. 2009.0159E  
One Oak Street Project

Source: SCB/Snøhetta (2017)

FIGURE 1: REVISED PROJECT TOWER SHIFT DIAGRAM

The design revisions would not call for any change to the dimensions and configuration of podium levels 1-3 nor would they require any changes to the proposed site plan. Rather, the cantilevered overhang above the triple-height window wall at the eastern "prow" of the proposed building would be extended further northeastward by an additional 3.25 feet to accommodate the elongation of podium floors 4-12.

The revised project would not include any changes to the number and mix of residential units; the size and location of ground-floor retail; the proposed ground-floor site plan; pedestrian and vehicular circulation within the project site; the design and configuration of the publicly accessible open space offered and developed under the subject project; and the description and duration of project construction. The project would remain substantially the same as described in the certified EIR on Draft EIR pp. 2.1-2.36, as revised on RTC pp. 5.18-5.27.

#### **Analysis of Potential Environmental Effects of the Revised Project**

San Francisco Administrative Code Section 31.19(c)(1) states that a modified project must be reevaluated and that, "If, on the basis of such reevaluation, the Environmental Review Officer determines, based on the requirements of CEQA, that no additional environmental review is necessary, this determination and the reasons therefore shall be noted in writing in the case record, and no further evaluation shall be required by this Chapter."

CEQA Guidelines Section 15164 provides for the use of an memorandum to document the basis of a lead agency's decision not to require a Subsequent or Supplemental EIR for a project that is already adequately covered in an existing certified EIR. The lead agency's decision to use an memorandum must be supported by substantial evidence that the conditions that would trigger the preparation of a Subsequent EIR, as provided in CEQA Guidelines Section 15162, are not present.

#### Land Use and Land Use Planning

As noted above, the topic of Land Use and Land Use Planning was included in the EIR for informational purposes to contextualize for the reader the land use character of the project site and its surroundings.

The revised project consists of revisions that are limited to the configuration of the proposed building envelope above the third floor of the proposed One Oak building in order to bring the project into conformity with existing height and bulk limitations applicable to the project site. The revised project would not change the unit count or mix of residential units by number of bedrooms. It would not change the amount or location of ground-floor retail use, nor would it change the ground-level pedestrian, bicycle and vehicular circulation within the project site from that described and analyzed in the certified EIR.

For these reasons, the revised project would not cause any new significant impacts related to the EIR topic of Land Use and Land Use Planning that were not identified in the One Oak Street Project certified EIR. No new mitigation measures would be necessary to reduce significant impacts.

Transportation and Circulation

The revised project consists of revisions that are limited to the configuration of the proposed building envelope above the third floor of the proposed One Oak building. The revised project would not change the unit count or mix of residential units by number of bedrooms, or the amount of residential parking spaces or bicycle parking spaces provided under the subject project. It would not change the amount or location of ground-floor retail use, nor would it change the ground-level pedestrian, bicycle and vehicular circulation within the project site from that described and analyzed in the certified EIR. The revised project would not call for any substantial changes to the timing, location, and character of construction activities described and analyzed in the certified EIR.

For these reasons, the revised project would not cause any new significant impacts related to the EIR topic of Transportation and Circulation that were not identified in One Oak Street Project certified EIR, nor would the revised project cause the significant unavoidable impact previously identified in the One Oak Street Project certified EIR (cumulative construction) to become substantially more severe. No new mitigation measures would be necessary to reduce significant impacts.

Wind

The shift in the tower element's position 3.25 feet to the northeast and corresponding changes to elongate the podium by 3.25 feet to the northeast under the revised project would change the position and configuration of the building envelope. As such, the revised project has the potential to result in wind impacts that may differ from those reported in the certified EIR.

The EIR wind consultant, BMT Fluid Dynamics, conducted additional wind tunnel testing for the revised project configuration, using the same test point locations as for the certified EIR subject project, to compare the results reported in the certified EIR with those of the revised project (see Attachment A). The BMT revised project wind study yielded identical wind hazard criterion results as for the subject project studied in the certified EIR under both the project scenario and cumulative scenario. The wind hazard criterion of Planning Code Section 148 is the applicable significance threshold for evaluating wind impacts in San Francisco. BMT also studied wind comfort conditions under the revised project for informational purposes. The BMT revised project wind study yielded similar results with respect to wind comfort exceedances as under the project scenario (an increase of 1 mph at 5 test point locations and a decrease of 1 mph at 3 test point locations) as well as the project cumulative scenario (an increase of 1 mph at 5 test point locations and a decrease of 1 mph at 2 test point locations).

For these reasons, the revised project would not cause any new significant wind impact that was not identified in One Oak Street Project certified EIR. No new mitigation measures would be necessary to reduce significant impacts.

Shadow

The shift in the tower element's position 3.25 feet to the northeast under the revised project would change the position of the tower with respect to the affected Recreation and Park Department properties studied

in the certified EIR. As such, the revised project has the potential to result in shadow impacts that may differ from those reported in the certified EIR.

The EIR shadow consultant, PreVision Design, conducted additional shadow analysis for the revised project configuration to compare the results reported in the certified EIR, for Patricia's Green, and Page and Laguna Minipark, with those of the revised project (see Attachment B). In its analysis, the shadow consultant noted that typically, the percentage of annual shadow is expressed to an accuracy of two decimal places (0.00%). However, the changes in shading resulting from the proposed tower shift were so small they required an additional decimal point of accuracy (0.000%) to demonstrate any change in percentage value.

For Patricia's Green, the additional shadow study for the revised project found that on an annual basis, the revised project would result in 1,419 square foot hours ("sfh") of additional shadow annually relative to the subject project studied in the certified EIR, equal to an increase of 0.003% of the 66,622,661 sfh of Theoretical Annual Available Sunlight ("TAAS"). The revised project would not alter the number, range of dates, or date of maximum project-generated shading for Patricia's Green, nor would the maximum and average daily duration of shading be altered.

For Page and Laguna Minipark, the additional shadow study for the revised project found that on an annual basis, the revised project would result in 105 sfh of additional shadow annually relative to the subject project studied in the certified EIR, equal to an increase of 0.001% of the 24,402,522 sfh of TAAS. The revised project would not alter the number, range of dates, or date of maximum project-generated shading for Page and Laguna Minipark, nor would the maximum and average daily duration of shading be altered.

The revised project would increase the annual shadow load on Patricia's Green and Page and Laguna Minipark, by 0.003% and 0.001% respectively. The revised project would not substantially alter the times, dates, and areas of shading of these parks throughout the day and year. These very small increases in annual shadow load on these spaces would not have a material impact on the use and enjoyment of these parks and would therefore not change any of the conclusions of the certified EIR.

For these reasons, the revised project would not cause any new significant shadow impact that was not identified in the One Oak Street Project certified EIR. No new mitigation measures would be necessary to reduce significant impacts.

## Conclusion

Based on the foregoing, the analyses conducted and the conclusions reached in the One Oak Street Project certified EIR certified on June 15, 2017 remain valid. The currently proposed revisions to the design of the building above the third floor would not cause any new significant impacts not identified in the One Oak Street Project certified EIR and would not cause the significant impact previously identified in the One Oak Street Project certified EIR to become substantially more severe. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the project site that would result in significant environmental impacts to which the revised project would contribute considerably, and no new information has become available that shows that the

revised project would result in significant environmental impacts. Therefore, no supplemental environmental review is required beyond this memorandum.

#### **APPELLANT'S SUPPLEMENTAL SUBMISSION**

On August 25, 2017, the Appellant Jason Henderson submitted a supplemental submission to his original appeal letter filed with the Board of Supervisors on July 17, 2017. Appellant's supplemental submission does not raise any new environmental issues that were not already thoroughly addressed in the Draft EIR, the Responses to Comments document, and/or the Planning Department's appeal response memorandum, dated August 28, 2017.

Nonetheless, the department has chosen to supply additional response in this memorandum to concerns raised in the Appellant's supplemental submission, and to clarify issues and emphasize points already addressed in the EIR record.

#### **Concerns Raised and Planning Department Responses**

**Concern 1: The Appellant asserts that the EIR is inadequate because it does not analyze alternatives with 0.25 or zero parking ratios.**

**Response 1: An alternative that provides 0.25 or no parking is not required under CEQA, because the purpose of an alternative is to lessen or avoid significant impacts of the proposed project, and in this instance a reduced or no parking alternative would not lessen or avoid the one identified significant impact for the project.**

This concern is covered in the Responses to Comments Document beginning on page 4.48.

CEQA does not require analysis of every imaginable alternative. Rather, it mandates that agencies consider "a reasonable range of potentially feasible alternatives" that "would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen" any of its significant effects. (CEQA Guidelines, § 15126.6(a).) A lead agency may eliminate an alternative from detailed consideration in the EIR either because of its "inability to avoid significant environmental impacts", because it would not achieve most of the basic project objectives, or because it would be infeasible. (CEQA Guidelines, § 15126.6(c).)

As thoroughly described in EIR pp 4.C.87 and RTC pp 4.84, the Project would only result in one significant unavoidable impact: a cumulative construction-related traffic impact that would occur during the construction phase of the Project. (Impact C-TR-7). A reduced parking or no parking alternative would not avoid or mitigate this impact because construction activities would remain substantially the same, resulting in the same impact. Accordingly, a reduced parking or no parking alternative is not required as part of the EIR because such alternatives would not avoid or lessen the one identified significant adverse environmental impact of the proposed project.

**Concern 2: The Appellant asserts that the EIR does not adequately analyze loading demand because it does not reflect present day trends in retail delivery on transit, pedestrians, and bicyclists.**

**Response 2: The EIR includes an analysis of the various elements of on-site and on-street loading operations. The EIR used the best available information to assess the loading impacts of the project.**

As discussed in the RTC beginning on page 4.36, the SF Guidelines methodology for estimating truck and service vehicle loading demand assesses whether the peak loading demand could be accommodated within the proposed facilities, and considers the loading demand for the nine-hour period between 8 AM and 5 PM. As stated on EIR p. 4.C.56, the project loading demand of 28 delivery/service vehicle trips per day corresponds to a peak demand for two loading spaces, which would be accommodated within the proposed project's on-site loading supply. The proposed project and variant would not result in a significant loading impact, and therefore mitigation measures are not required. Appellant contends that this established methodology is flawed because it underestimates the number of e-commerce retail deliveries to the site. The City's loading demand methodology is based on the most recent and comprehensive information available, the 2002 *SF Guidelines* to assess the loading impacts of the project. Appellant provides no evidence to support its claim that the data is inaccurate. Accordingly, any increased loading demand could be accommodated within the loading spaces provided in the Project, as there would be available capacity outside the peak loading demand. Appellant's assertion also assumes that each delivery is delivered in a separate vehicle, whereas in buildings with multiple units, such as the proposed project, multiple residents are served with one delivery trip (e.g., UPS delivers multiple packages to one building address at one time).

The proposed project requires implementation of a Mitigation Monitoring and Reporting Program pursuant to Planning Code Section 309, Motion 19943. The project would be required to implement Improvement Measure I-TR-B: Loading Operations Plan. The Loading Operations Plan would include a set of guidelines related to the operation of the Oak Street driveways into the loading facilities, and large truck curbside access guidelines. It would specify driveway attendant responsibilities to ensure that truck queuing and/or substantial conflicts between project loading/unloading activities and pedestrians, bicyclists, transit and autos do not occur. Improvement Measure I-TR-B: Loading Operations Plan sets forth periodic review of loading operations by the SFMTA and the Planning Department to ensure that improvement measures are working.

**Concern 3: The Appellant asserts that transit capacity serving the site is constrained and that the EIR should have studied expansion of transit capacity.**

**Response 3: The EIR concluded that the project would have no impacts on transit capacity, either at the project-level or cumulatively. No mitigation measures are required.**

Appellant appears to be making a policy argument that the City should engage in a more comprehensive analysis of transit service and expansion. Such studies, analysis and comprehensive programs are conducted by the City on a regular basis. However, the purpose of CEQA is to analyze the impacts of the proposed project on the environment. The certified EIR fulfills CEQA's mandate by fully analyzing the potential impact of the proposed project on transit. Transit impacts of the proposed project are presented in the EIR in Impact TR-3, pp. 4.C.51- 4.C.54, for existing plus project conditions and in Impact C-TR-3, pp. 4.C.83-4.C.84, for 2040 cumulative conditions. This analysis concluded that the proposed project would not result in any significant transit impacts. Accordingly, no mitigation measures (such as expanding transit capacity) are required under CEQA.



**Concern 4: The Appellant asserts that the EIR does not adequately analyze the impacts of valet parking on VMT and transportation impacts.**

**Response 4: The EIR adequately analyzed the transportation and circulation impacts of 155 parking spaces, including valet queuing, and found that the project would result in no significant impacts.**

Appellant contends that the use of valet parking at the project will result in increased driving due to ease of access to cars by residents. Appellant provides no evidence to support this assertion. By contrast, the time delay associated with valet parking was addressed in the RTC at Page 4.19: “valet-assisted vehicle parking is included as part of the proposed project primarily due to the physical constraints of the project site, and not as a convenience for residents. Regardless of the method of vehicle parking and retrieval (i.e., valet-assisted or self-park), residents with parking spaces would have accessibility to their vehicle at all times. However, wait times for valet service, particularly during peak hours, would likely be inconvenient. This inconvenience may serve as a disincentive for residents to use private vehicles. Overall, the provision of valet-assisted parking is unlikely to have a significant effect on a resident’s decision to drive. Specifically, provision of valet-assisted parking at the project site is unlikely to result in more driving, because trip purpose and destination characteristics (i.e., distance, availability of parking, etc.), the key parameters affecting travel time and cost of the trip, would primarily determine the mode of travel for the resident. Providing valet-assisted parking at the destination, rather than within a residential building, would more likely affect residents’ decision to drive; however, this would not be affected whether the proposed project includes valet-assisted parking or not.”

Furthermore, the EIR adequately analyzed the transportation and circulation impacts of 155 parking spaces, including valet queuing (EIR pp. 4.C.42-4.C.45), passenger loading (EIR p. 4.C.57), and pedestrian safety (EIR pp. 4.C.51-4.C.54). This analysis did not provide any discounts for the use of valet parking, but rather analyzed the impact of each of the proposed parking spaces (155 spaces were studied in the Draft EIR, but the project sponsor has reduced the amount of parking to 136 spaces as currently proposed), assuming residents with parking spaces would have accessibility to their vehicle at all times. The EIR concluded that the Project’s proposed parking spaces would not result in any significant transportation or circulation impacts at pp 4.C.44. Accordingly, Appellant’s unsupported claims regarding the use of valet parking resulting in ease of access to cars or an increase in use of cars are not germane to the significant physical environmental impacts under CEQA.

**Concern 5: The Appellant claims the City used the VMT threshold of significance inappropriately.**

**Response 5: The City’s VMT methodology and threshold of significance are supported by substantial evidence, as thoroughly analyzed and discussed in the EIR and the RTC.**

Appellant expands on his objection to the City’s VMT methodology by claiming that the City should have adopted a different threshold of significance. Appellant cites *Mejia v. City of Los Angeles* (“*Mejia*”) (2005) 130 Cal.App.4th 322 and *East Sacramento Partnership for a Livable City v. City of Sacramento* (“*East Sacramento*”) (2016) 5 Cal.App.5th 281. *Mejia* is inapplicable because it involved a challenge to a Mitigated Negative Declaration—not an EIR. It is well-established law under CEQA that the “fair argument” test discussed in *Mejia* (and by Appellant) does not apply where the lead agency has prepared an EIR, as is the case here. Rather, it is a long-standing principle of CEQA law that the “substantial evidence” test is

applied to evaluate the lead agency's determinations. Here, the City has established that its adopted VMT methodology is supported by substantial evidence.

*East Sacramento* is also inapplicable. There, the court held that the City of Sacramento's threshold of significance based on "community values" reflected in the General Plan did not satisfy the CEQA requirement of substantial evidence. By contrast, in adopting its VMT methodology, the City carefully documented the studies and analysis supporting the VMT methodology and threshold of significance. As thoroughly explained in the EIR, RTC Response TR-2, and in the department's previous Appeal Response Letter, the San Francisco Planning Commission replaced automobile delay (vehicular level of service or LOS) with VMT criteria on March 3, 2016, pursuant to Resolution 19579, in compliance with California Senate Bill 743.

As explained on EIR pp. 4.C.34-4.C.35 and RTC pp. 4.17-4.18, the department relies on San Francisco Chained Activity Model Process ("SF-CHAMP") model runs prepared by the San Francisco County Transportation Authority to estimate VMT within different geographic locations (i.e., Traffic Analysis Zones, or "TAZ"s) throughout San Francisco. One rationale for using the SF-CHAMP maps to screen out projects, instead of a project-by-project detailed VMT analysis, is that most developments are not of a large enough scale and/or contain unique land uses to substantially alter the VMT estimates from SFCHAMP. As described on EIR p. 4.C.9, the existing average daily VMT per capita for the SF-CHAMP Traffic Analysis Zone in which the project site is located is 3.5, which is substantially less than the citywide average (7.9) and regional average (17.2) for the nine-county San Francisco Bay Area.

As noted by the court in *East Sacramento*, "CEQA grants agencies discretion to develop their own thresholds of significance (CEQA Guidelines, § 15064, subd. (d))." That discretion, however, is not unbounded, as the determination that the Project has no significant environmental impact must be supported by substantial evidence. (§ 21168.5)." *East Sacramento, supra*, 5 Cal.App.5th at 300 (citations omitted). As thoroughly discussed in the RTC and the EIR, substantial evidence supports the City's VMT methodology and threshold of significance. The cases Appellant cites simply have no bearing on this EIR or the VMT threshold of significance adopted by the City.

**Concern 6: Appellant claims the EIR is inadequate because it failed to analyze wind impacts on bicyclists.**

**Response 6: The EIR correctly analyzed wind impacts, using established City methodology. Appellant has not demonstrated that the City's methodology is incorrect or not supported by substantial evidence in the record.**

Appellant takes issue with the City's analysis of wind impacts. As discussed in the department's Response Letter, CEQA does not recommend the study of wind impacts in Appendix G. Rather, the City has elected to include such studies in its CEQA analyses. (See Admin. Code Section 31.10(a) [to analyze environmental impacts, the Planning department shall use the checklist from Appendix G of the CEQA Guidelines, and supplement with other environmental effects specific to the urban environment of San Francisco].) CEQA grants agencies discretion to develop their own thresholds of significance and an agency's choice of a significance threshold will be upheld if founded on substantial evidence. The Final EIR's use of a significance threshold consistent with established City standards is founded on substantial

evidence. The Appellant disagrees with the well-established methodology used in San Francisco EIRs to assess wind impacts, because it does not specifically study wind impacts on bicyclists. However, the Appellant does not offer an alternative methodology or evidence supporting a different methodology or threshold of significance, nor does the Appellant suggest that the studies relied upon by the City in support of Section 148 criteria are inaccurate or incorrect.

In response to similar comments on the Draft EIR regarding wind impacts on bicyclists, in preparing the Responses to Comments document, the Planning department inquired into how or whether other jurisdictions address the issue of wind impacts on bicyclists. As discussed on RTC p. 4.65, to date, there are no specific, widely accepted, industry standard criteria for the assessment of wind effects on bicyclists. There are, however, international criteria, known as the Lawson Criteria, used by government agencies in other parts of the world to establish a threshold wind speed at which cyclists would be expected to become destabilized. As noted in the department's previous Appeal Response Letter, the test points in the EIR's analysis are like those under a hypothetical analysis under the Lawson Criteria, except that the One Oak Street wind study also included test points in the crosswalks of the street. Overall, the Lawson Criteria are much less stringent than the City's Section 148 criteria. Consequently, the City's wind standard is far more protective of the public (including bicyclists) than the wind criterion employed elsewhere internationally.

### **Conclusion**

The Planning Department conducted an in-depth and thorough analysis of the potential physical environmental effects of the proposed One Oak Street Project, consistent with CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code. Appellant has not demonstrated that the certified EIR is insufficient as an informational document, or that the Commission's findings and conclusions are unsupported by substantial evidence. The department conducted necessary studies and analyses, and provided the Commission with necessary information and documents in accordance with the department's environmental checklist and standard procedures, and pursuant to CEQA and the CEQA Guidelines.

Substantial evidence supports the Commission's findings and conclusions. For the reasons provided in this appeal response, the department believes that the certified EIR complies with the requirements of CEQA, the CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code, and provides an adequate, accurate, and objective analysis of the potential environmental impacts of the project. Therefore, the department respectfully recommends that the Board uphold the Commission's certification of the EIR and reject Appellant's appeal.

### **ATTACHMENTS:**

**Attachment A:** BMT Fluid Mechanics, Letter, "One Oak Tower – Pedestrian Wind Microclimate," August 25, 2017

**Attachment B:** Prevision Design, Memo: "Effects of Tower Shift on Shading for One Oak Street Project." August 25, 2017

Appeal of EIR Certification  
August 30, 2017

Case No. 2009.0159E  
One Oak Street Project

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**ATTACHMENT A**  
**BMT Fluid Mechanics, Letter, "One Oak Tower –**  
**Pedestrian Wind Microclimate," August 25, 2017**

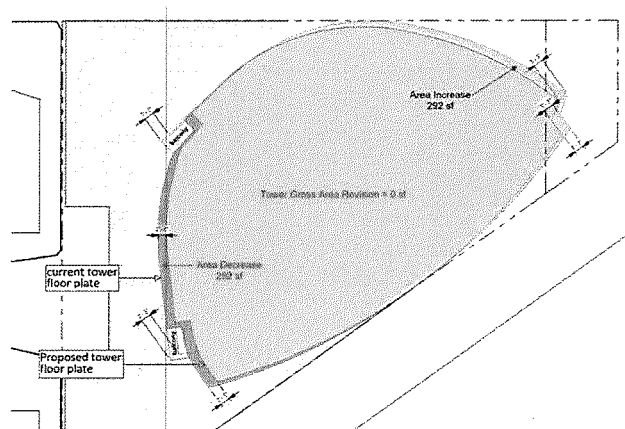
August 25<sup>th</sup>, 2017

Diane Livia  
Environmental Planner  
Planning Department, City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103

**One Oak Tower – Pedestrian Wind Microclimate**

Dear Diane,

We are writing in connection with the recent notification received by BMT that confirms some minor changes to the position of the Tower. We understand that the key change, as indicated in the figure below, is the Tower shifts to the northeast by approximately 3'-3" along the Market Street property line axis, which results in an approximate 2'-6" shift to the east and 2'-1" shift to the north.



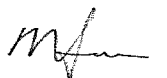
Wind tunnel testing was conducted comparing the original scenario and the shifted scenario in both project and cumulative surrounding conditions. The results are presented in the attached tables 1 and 2. The number and locations of wind hazard exceedances would be the same under the original and shifted scenarios for both the project conditions and the cumulative surrounding conditions.

Overall, from the perspective of the building's performance with respect to wind, the proposed changes to the position of the tower are minor and if made, the wind microclimate around the base of the tower would be materially the same. Therefore, the shifted tower design would not materially affect the results of the One Oak Wind Microclimate Study for the approved One Oak Project (Case No. 2009.0159E).

Yours sincerely,



**Dr. Reed Cummings**  
Project Engineer  
Wind Engineering



**Max Lee CEng MIMechE**  
Project Manager  
Wind Engineering

Table 1: Wind pedestrian comfort analysis results

Location No	Original One Oak Project in Existing Surrounds			Shifted One Oak Project in Existing Surrounds				Original One Oak Project in Cumulative Surrounds			Shifted One Oak Project in Cumulative Surrounds			
	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Original Project (mph)	Exceeds	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Original Project (mph)	Exceeds
1	23	52%	x	23	52%		x	21	49%	x	21	49%		x
2	17	34%	x	17	34%		x	16	29%	x	15	28%	-1	x
4	18	40%	x	18	40%		x	13	19%	x	13	19%		x
5	17	33%	x	16	32%	-1	x	13	20%	x	13	20%		x
6	16	32%	x	16	31%		x	18	41%	x	18	41%		x
7	10	6%		10	6%			11	9%		11	9%		
9	12	12%	x	11	10%	-1	x	13	18%	x	13	18%		x
10	11	9%		11	9%			10	7%		10	7%		
11	13	16%	x	13	16%		x	16	31%	x	16	31%		x
12	14	22%	x	14	23%		x	12	14%	x	12	14%		x
13	13	17%	x	13	17%		x	14	20%	x	14	20%		x
14	9	4%		9	4%			10	6%		10	7%		
15	12	15%	x	12	15%		x	11	10%	x	11	11%		x
16	14	21%	x	14	21%		x	12	15%	x	12	14%		x
17	8	2%		9	2%	+1		10	8%		10	8%		
18	16	32%	x	16	33%		x	12	13%	x	12	13%		x
19	12	13%	x	12	12%		x	13	19%	x	13	19%		x
20	9	5%		9	5%			11	10%		11	9%		
21	9	3%		9	3%			10	8%		11	8%	+1	
22	7	0%		8	2%	+1		9	3%		9	3%		
23	12	13%	x	12	13%		x	11	9%		11	9%		
24	9	4%		9	4%			11	10%	x	11	11%		x
25	15	25%	x	15	24%		x	13	20%	x	13	20%		x
26	10	6%		10	6%			11	11%	x	11	11%		x
27	15	25%	x	15	25%		x	17	34%	x	17	33%		x
28	15	29%	x	16	30%	+1	x	17	36%	x	17	35%		x
29	17	35%	x	17	34%		x	23	51%	x	23	51%		x
30	12	13%	x	12	13%		x	13	19%	x	13	20%		x
31	8	3%		8	3%			11	10%	x	11	10%		x
32	11	10%	x	11	10%		x	16	30%	x	16	31%		x
33	13	18%	x	13	19%		x	19	38%	x	19	38%		x
40	16	33%	x	16	32%		x	14	25%	x	14	26%		x

Table 1: Wind pedestrian comfort analysis results (con't)

Location No	Original One Oak Project in Existing Surrounds			Shifted One Oak Project in Existing Surrounds				Original One Oak Project in Cumulative Surrounds			Shifted One Oak Project in Cumulative Surrounds			
	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Original Project (mph)	Exceeds	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Exceeds	Wind Speed exceeded 10% of time (mph)	Percentage of Time Wind Speed Exceeds 11 mph	Speed Change Relative to Original Project (mph)	Exceeds
43	15	29%	x	15	27%		x	14	24%	x	14	24%		x
50	14	25%	x	14	25%		x	14	23%	x	14	23%		x
52	13	20%	x	13	20%		x	12	14%	x	12	14%		x
53	14	25%	x	14	24%		x	14	25%	x	15	26%	+1	x
54	15	30%	x	15	29%		x	19	42%	x	19	41%		x
56	19	43%	x	18	42%	-1	x	14	22%	x	14	21%		x
57	16	31%	x	16	30%		x	14	24%	x	14	24%		x
58	17	35%	x	17	35%		x	20	46%	x	20	45%		x
61	15	26%	x	15	27%		x	14	24%	x	14	25%		x
70	11	11%	x	11	11%		x	8	1%		8	1%		
71	13	17%	x	13	17%		x	12	12%	x	12	12%		x
72	15	27%	x	15	26%		x	12	15%	x	13	16%	+1	x
85	15	28%	x	15	28%		x	13	17%	x	12	16%	-1	x
92	14	20%	x	14	20%		x	22	53%	x	22	53%		x
97	15	24%	x	15	24%		x	16	31%	x	16	30%		x
101	11	11%	x	11	11%		x	12	12%	x	12	13%		x
105	23	55%	x	23	55%		x	22	52%	x	22	51%		x
111	15	27%	x	16	31%	+1	x	16	30%	x	16	30%		x
112	18	37%	x	18	38%		x	16	33%	x	16	32%		x
113	15	28%	x	15	28%		x	14	25%	x	15	26%	+1	x
114	13	17%	x	13	16%		x	10	7%		10	7%		
115	10	5%		10	5%			9	5%		9	5%		
116	10	5%		10	5%			11	12%	x	11	11%		x
117	12	15%	x	12	14%		x	24	56%	x	24	56%		x
118	11	10%	x	12	14%	+1	x	12	16%	x	13	17%	+1	x
	<b>Average</b>	<b>Average</b>	<b>Sum</b>	<b>Average</b>	<b>Average</b>	<b>Change</b>	<b>Sum</b>	<b>Average</b>	<b>Average</b>	<b>Sum</b>	<b>Average</b>	<b>Average</b>	<b>Change</b>	<b>Sum</b>
	<b>13.5</b>	<b>20.8%</b>	<b>45</b>	<b>13.6</b>	<b>20.7%</b>	<b>+0.1</b>	<b>45</b>	<b>13.9</b>	<b>22.2%</b>	<b>46</b>	<b>14.0</b>	<b>22.1%</b>	<b>+0.1</b>	<b>46</b>



Table 2: Wind hazard analysis results

Location No	Original One Oak Project in Existing Surrounds			Shifted One Oak Project in Existing Surrounds				Original One Oak Project in Cumulative Surrounds			Shifted One Oak Project in Cumulative Surrounds			
	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Original Project	Exceeds	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Original Project	Exceeds
1	46	27	x	46	27		x	46	20	x	46	20		x
2	34	0		34	0			34	0		34	0		
4	39	3	x	39	3		x	25	0		26	0		
5	38	1	x	37	1		x	27	0		28	0		
6	31	0		31	0			36	1	x	36	1		x
7	17	0		16	0			16	0		16	0		
9	21	0		21	0			24	0		23	0		
10	22	0		22	0			22	0		21	0		
11	26	0		26	0			33	0		33	0		
12	26	0		26	0			26	0		25	0		
13	22	0		22	0			29	0		30	0		
14	16	0		16	0			20	0		19	0		
15	22	0		23	0			18	0		18	0		
16	30	0		30	0			26	0		25	0		
17	14	0		13	0			20	0		20	0		
18	28	0		28	0			16	0		16	0		
19	25	0		25	0			20	0		20	0		
20	21	0		21	0			17	0		17	0		
21	16	0		16	0			16	0		16	0		
22	13	0		12	0			13	0		13	0		
23	23	0		23	0			16	0		16	0		
24	14	0		14	0			26	0		25	0		
25	33	0		33	0			21	0		21	0		
26	20	0		19	0			21	0		21	0		
27	29	0		28	0			35	0		35	0		
28	24	0		25	0			34	0		34	0		
29	33	0		32	0			45	24	x	45	24		x
30	24	0		24	0			26	0		26	0		
31	19	0		18	0			19	0		18	0		
32	20	0		20	0			31	0		30	0		
33	25	0		26	0			47	22	x	47	22		x
40	33	0		33	0			26	0		26	0		

Table 2: Wind hazard analysis results (con't)

Location No	Original One Oak Project in Existing Surrounds			Shifted One Oak Project in Existing Surrounds				Original One Oak Project in Cumulative Surrounds			Shifted One Oak Project in Cumulative Surrounds			
	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Original Project	Exceeds	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Exceeds	Wind Speed Exceeded 1 Hour per Year (mph)	Hours per Year Wind Speed Exceeds Hazard Criteria	Hours Change Relative to Original Project	Exceeds
43	31	0		30	0			31	0		31	0		
50	29	0		29	0			31	0		31	0		
52	27	0		27	0			27	0		27	0		
53	25	0		25	0			29	0		29	0		
54	24	0		24	0			40	4	x	40	4		x
56	35	0		36	0			31	0		31	0		
57	38	1	x	38	1		x	34	0		33	0		
58	34	0		34	0			45	14	x	45	14		x
61	28	0		28	0			26	0		26	0		
70	20	0		20	0			12	0		12	0		
71	26	0		26	0			28	0		26	0		
72	33	0		33	0			27	0		29	0		
85	32	0		32	0			24	0		24	0		
92	32	0		31	0			51	45	x	51	45		x
97	37	1	x	37	1		x	39	2	x	39	2		x
101	20	0		20	0			21	0		22	0		
105	50	41	x	50	41		x	49	32	x	49	32		x
111	32	0		32	0			33	0		33	0		
112	41	6	x	42	6		x	35	0		35	0		
113	30	0		30	0			28	0		28	0		
114	24	0		24	0			18	0		18	0		
115	18	0		18	0			13	0		13	0		
116	20	0		20	0			15	0		15	0		
117	19	0		19	0			48	42	x	48	42		x
118	22	0		22	0			26	0		26	0		
	<b>Average</b>	<b>Sum</b>	<b>Sum</b>	<b>Average</b>	<b>Sum</b>	<b>Sum</b>	<b>Sum</b>	<b>Average</b>	<b>Sum</b>	<b>Sum</b>	<b>Average</b>	<b>Sum</b>	<b>Sum</b>	<b>Sum</b>
	<b>26.9</b>	<b>80</b>	<b>7</b>	<b>26.8</b>	<b>80</b>	<b>0</b>	<b>7</b>	<b>27.9</b>	<b>206</b>	<b>10</b>	<b>27.8</b>	<b>206</b>	<b>0</b>	<b>10</b>

**ATTACHMENT B**

**Prevision Design, Memo: "Effects of Tower Shift on Shading for One Oak Street Project." August 25, 2017**



Ms. Diane Livia, Environmental Planner  
Planning Department, City and County of San Francisco  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

August 25, 2017

## **MEMO: Effects of Tower Shift Alternative on Shading cast by One Oak Street Project**

Dear Ms. Livia:

Per your request, PreVision Design has prepared a comparative study quantifying the shading effects that would be generated by shifting the One Oak Project's 9,000 sf tower floorplate to the northeast by approximately 3'-3" along the Market Street property line axis (an approximate 2'-6" shift to the east and 2'-1" shift to the north, see diagram on page 3) relative to the project as analyzed. This memo compares the quantitative and timing effects such this Tower Shift Alternative would have on PreVision Design's previous study of project-generated shading on Patricia's Green, the Page & Laguna Mini Park, and the 11<sup>th</sup>/Natoma Park site, originally published on 5/30/2017.

### Notes on Methodology:

1. Typically, the percentage of annual shadow is expressed to an accuracy of two decimal places (0.00%), however the changes in shading resulting from this tower shift are so small they require an additional decimal point of accuracy (0.000%) to demonstrate any change in percentage value.
2. Due to the graphical scale of the shadow diagrams relative to the small shift in size and location of new shadows, the difference between the graphics prepared for the project as previously analyzed and the Tower Shift Alternative's shading would not be easily perceptible. For this reason, updated shadow diagrams for the Tower Shift Alternative have not been generated.

### Patricia's Green

On an annual basis, the Tower Shift Alternative would result in 1,419 sfh of *additional* shadow relative to the project as currently proposed, equal to an increase of 0.003% of the 66,622,661 sfh of Theoretical Annual Available Sunlight (TAAS) for Patricia's Green. The change would not alter the number, range of dates, or date of maximum project-generated shading, nor would the maximum and average daily duration of shading be altered<sup>1</sup>. A detailed comparison of shading effects of the project as proposed vs. the Tower Shift Alternative on Patricia's Green is included on Page 4.

### Page & Laguna Mini Park

On an annual basis, the Tower Shift Alternative would result in 105 sfh of *additional* shadow relative to the project as currently proposed, equal to an increase of 0.001% of the 24,402,522 sfh of TAAS for Page & Laguna Mini Park. The change would not alter the number, range of dates, or date of maximum project-generated shading, nor would the maximum and average daily duration of shading be altered. A detailed comparison of shading effects of the project as proposed vs. the Tower Shift Alternative on the Page & Laguna Mini Park is included on Page 5.

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<sup>1</sup> Per city analysis standards, the study reflects samples taken every seven days and at 15 minute intervals on those dates, therefore it is possible that there exists some additional variance between the Project and the Tower Shift Alternative that falls within these interval tolerances.

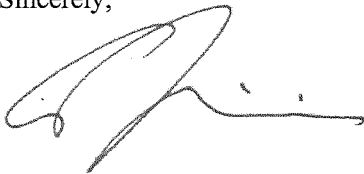
# PREVISION DESIGN

## 11th/Natoma Park Site

On an annual basis, the Tower Shift Alternative would result in a 1,955 sfh *reduction* in shadow relative to the project as currently proposed, equal to a decrease of 0.003% of the 72,829,287 sfh of TAAS for the 11th/Natoma Park site. The change would also reduce the number of days affected by 14 days, alter the range of dates from Jun 9 - Jul 5 to Jun 16 - Jun 28, and reduce the average and maximum duration of shading by 1 minute. The date of maximum project-generated shading would remain the same, however the largest shadow on that date would be less than half as large (218 sf vs. 485 sf). A detailed comparison of shading effects of the project as proposed vs. the Tower Shift Alternative on the 11<sup>th</sup>/Natoma Park site is included on Page 6.

Please do not hesitate to contact me if there are any questions regarding this update memo, or if additional analysis is required.

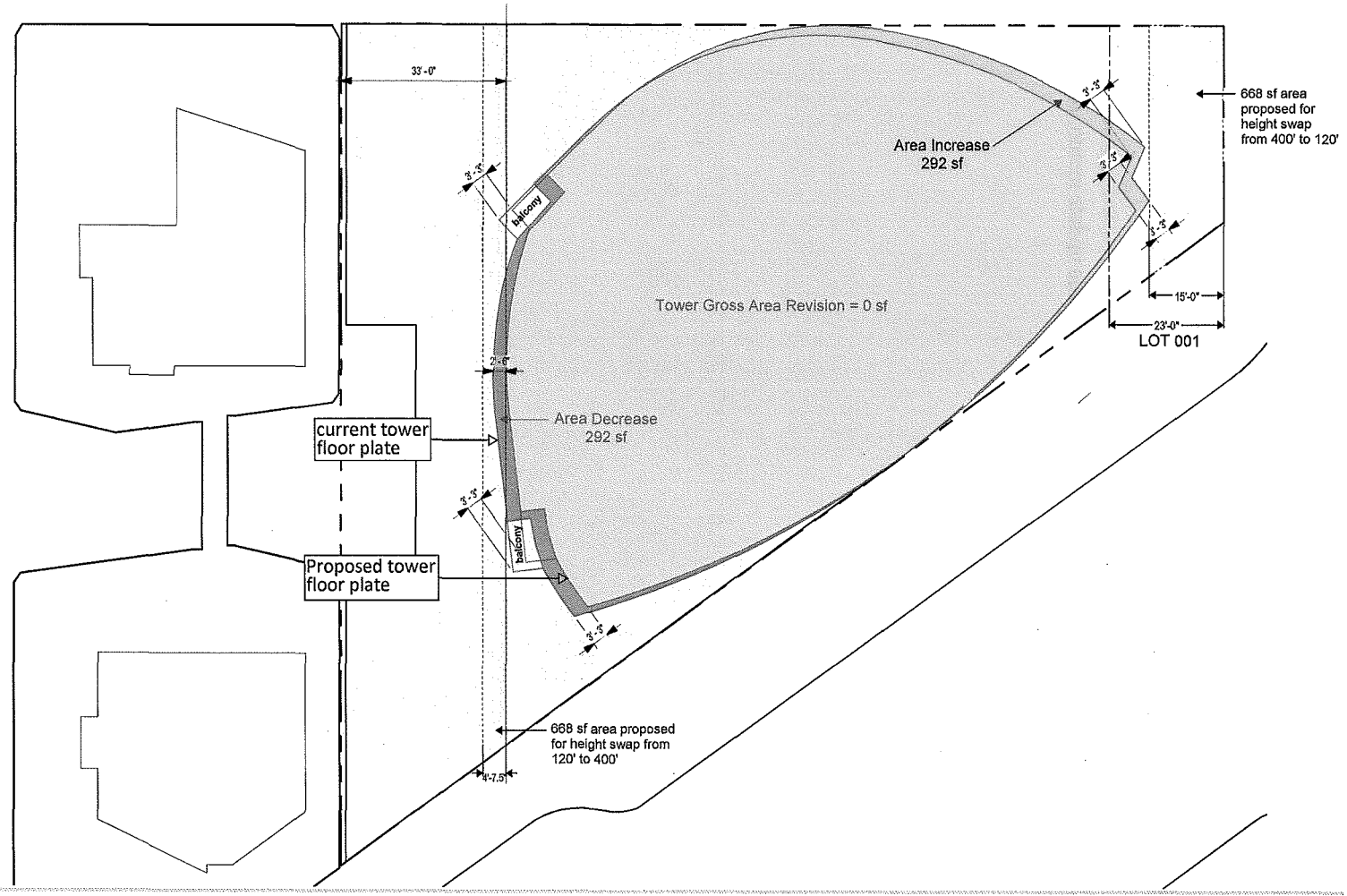
Sincerely,



Adam Phillips  
Principal, PreVision Design

cc: Rick Cooper

Tower Shift Diagram





Patricia's Green

THEORETICAL ANNUAL AVAILABLE SUNLIGHT (TAAS)	PATRICIA'S GREEN
Area of Patricia's Green	0.41 acres (17,903 sf)
Hours of annual available sunlight	3721.4 hrs
TAAS for Patricia's Green	66,622,661 sfh

EXISTING (CURRENT) LEVELS OF SHADOW	PATRICIA'S GREEN
Existing annual total shading on park (sfh)	12,034,236 sfh
Existing shading as percentage of TAAS	18.063%

NEW SHADOW CAST BY THE PROPOSED ONE OAK STREET PROJECT	PATRICIA'S GREEN
Additional annual shading on Patricia's Green from Project	148,200 sfh
Additional annual shading from Project as percentage of TAAS	0.222%
Combined total annual shading existing + Project (sfh)	12,182,435 sfh
Combined total annual shading from existing + Project as percentage of TAAS	18.285%
Number of days when new shading from Project would occur	Approx. 96 days annually
Dates when new shadow from Project would be cast on Patricia's Green	Approx. 2/17 - 4/5 & 9/8 - 10/25
Annual range in duration of new Project shadow	Zero to approx. 47 min
Range in area of new Project shadow (sf)	Zero to 9,604 sf
Average daily duration of new Project shadow (when present)	Approx. 28 min.
MAXIMUM NEW SHADING BY THE PROPOSED PROJECT	PATRICIA'S GREEN
Dates of maximum new shading from proposed project (max sfh)	Mar 8 & Oct 4
Total new shading on date(s) of maximum shading (sfh)	3,561.35 sfh
Percentage new shadow on date(s) of maximum shading	2.066%
Longest duration of new shading (Date of maximum shading duration)	Approx. 39 min (Sep 20 & Mar 22)
Largest new shadow area at any time annually (Date & Time)	9,604.15 sf (Oct 4/Mar 8 at 8:30 AM)
Percentage of Patricia's Green covered by largest new shadow	53.647%

NEW SHADOW CAST BY THE PROPOSED TOWER SHIFT ALTERNATIVE	PATRICIA'S GREEN
Additional annual shading from Tower Shift Alternative only (sfh)	149,619 sfh
Additional annual shading from Tower Shift Alternative only as percentage of TAAS	0.225%
Combined total annual shading Existing + Tower Shift Alternative (sfh)	12,183,855 sfh
Combined shading from Existing + Tower Shift Alternative as percentage of TAAS	18.288%
Number of days when new shading from Tower Shift Alternative would occur	96 days annually
Dates when new shading from Tower Shift Alternative would occur	2/17 - 4/5 & 9/8 - 10/25
Annual range in duration of new Tower Shift Alternative shadow	Zero to approx. 47 min
Range in area of Tower Shift Alternative new shadows (sf)	Zero to 9,490 sf
Average daily duration of new Tower Shift Alternative shadow (when present)	Approx. 28 min.
PROPOSED TOWER SHIFT ALTERNATIVE MAX SHADING DAY(S)	PATRICIA'S GREEN
Dates of maximum Tower Shift Alternative new shading (max sfh)	Mar 8 & Oct 4
Total new shading on date(s) of maximum shading (sfh)	3,598.21 sfh
Percentage new shading on date(s) of maximum shading	2.087%
Longest duration of new shading (date of max shading duration)	Approx. 39 min (Sep 20 & Mar 22)
Largest new shadow area at any time annually (date & time)	9,490.21 sf (Oct 4/Mar 8 at 8:30 AM)
Percentage of Patricia's Green covered by largest new shadow	53.010%



Page & Laguna Mini Park

THEORETICAL ANNUAL AVAILABLE SUNLIGHT (TAAS)	PAGE AND LAGUNA MINI PARK
Area of Page and Laguna Mini Park	0.15 acres (6,557 sf)
Hours of annual available sunlight	3721.4 hrs
TAAS for Page and Laguna Mini Park	24,402,522 sfh

EXISTING (CURRENT) LEVELS OF SHADOW	PAGE AND LAGUNA MINI PARK
Existing annual total shading on park (sfh)	12,098,693 sfh
Existing shading as percentage of TAAS	49.580%

NEW SHADOW CAST BY THE PROPOSED ONE OAK STREET PROJECT	PAGE AND LAGUNA MINI PARK
Additional annual shading on Page and Laguna Mini Park from Project	9,576 sfh
Additional annual shading from Project as percentage of TAAS	0.039%
Combined total annual shading existing + Project (sfh)	12,108,269 sfh
Combined total annual shading from existing + Project as percentage of TAAS	49.619%
Number of days when new shading from Project would occur	Approx. 69 days annually
Dates when new shadow from Project would be cast on Page and Laguna Mini Park	Approx. May 19 - Jul 26
Annual range in duration of new Project shadow	Zero to approx. 28 min
Range in area of new Project shadow (sf)	Zero to 650 sf
Average daily duration of new Project shadow (when present)	Approx. 15 min.
MAXIMUM NEW SHADING BY THE PROPOSED PROJECT	PAGE AND LAGUNA MINI PARK
Dates of maximum new shading from proposed project (max sfh)	June 21
Total new shading on date(s) of maximum shading (sfh)	190.51 sfh
Percentage new shadow on date(s) of maximum shading	0.227%
Longest duration of new shading (Date of maximum shading duration)	Approx. 22 min (June 21)
Largest new shadow area at any time annually (Date & Time)	649.56 sf (Jul 5/ Jun 7 at 6:52 AM)
Percentage of Page and Laguna Mini Park covered by largest new shadow	9.906%

NEW SHADOW CAST BY THE PROPOSED TOWER SHIFT ALTERNATIVE	PAGE AND LAGUNA MINI PARK
Additional annual shading from Tower Shift Alternative only (sfh)	9,681 sfh
Additional annual shading from Tower Shift Alternative only as percentage of TAAS	0.040%
Combined total annual shading Existing + Tower Shift Alternative (sfh)	12,108,374 sfh
Combined shading from Existing + Tower Shift Alternative as percentage of TAAS	49.620%
Number of days when new shading from Tower Shift Alternative would occur	69 days annually
Dates when new shading from Tower Shift Alternative would occur	May 19 - Jul 26
Annual range in duration of new Tower Shift Alternative shadow	Zero to approx. 28 min
Range in area of Tower Shift Alternative new shadows (sf)	Zero to 779 sf
Average daily duration of new Tower Shift Alternative shadow (when present)	Approx. 15 min.
PROPOSED TOWER SHIFT ALTERNATIVE MAX SHADING DAY(S)	PAGE AND LAGUNA MINI PARK
Dates of maximum Tower Shift Alternative new shading (max sfh)	June 21
Total new shading on date(s) of maximum shading (sfh)	190.52 sfh
Percentage new shading on date(s) of maximum shading	0.227%
Longest duration of new shading (date of max shading duration)	Approx. 22 min (June 21)
Largest new shadow area at any time annually (date & time)	779.03 sf (Jul 5/ Jun 7 at 6:52 AM)
Percentage of Page and Laguna Mini Park covered by largest new shadow	11.880%





11th/Natoma Park Site

THEORETICAL ANNUAL AVAILABLE SUNLIGHT (TAAS)		11TH / NATOMA PARK SITE
Area of 11th / Natoma Park Site		0.45 acres (19,570 sf)
Hours of annual available sunlight		3721.4 hrs
TAAS for 11th / Natoma Park Site		72,829,287 sfh

EXISTING (CURRENT) LEVELS OF SHADOW		11TH / NATOMA PARK SITE
Existing annual total shading on park (sfh)		14,449,512 sfh
Existing shading as percentage of TAAS		19.840%

NEW SHADOW CAST BY THE PROPOSED ONE OAK STREET PROJECT		11TH / NATOMA PARK SITE
Additional annual shading on 11th / Natoma Park Site from Project		2,838 sfh
Additional annual shading from Project as percentage of TAAS		0.004%
Combined total annual shading existing + Project (sfh)		14,452,350 sfh
Combined total annual shading from existing + Project as percentage of TAAS		19.844%
Number of days when new shading from Project would occur		Approx. 27 days annually
Dates when new shadow from Project would be cast on 11th / Natoma Park Site		Approx. Jun 9 - Jul 5
Annual range in duration of new Project shadow		Zero to approx. 36 min
Range in area of new Project shadow (sf)		Zero to 485 sf
Average daily duration of new Project shadow (when present)		Approx. 18 min.

MAXIMUM NEW SHADING BY THE PROPOSED PROJECT		11TH / NATOMA PARK SITE
Dates of maximum new shading from proposed project (max sfh)		June 21
Total new shading on date(s) of maximum shading (sfh)		145.65 sfh
Percentage new shadow on date(s) of maximum shading		0.058%
Longest duration of new shading (Date of maximum shading duration)		Approx. 19 min (Jun 28 & Jun 14)
Largest new shadow area at any time annually (Date & Time)		485.49 sf (June 21 at 7:15 PM)
Percentage of 11th / Natoma Park Site covered by largest new shadow		2.481%

NEW SHADOW CAST BY THE PROPOSED TOWER SHIFT ALTERNATIVE		11TH / NATOMA PARK SITE
Additional annual shading from Tower Shift Alternative only (sfh)		883 sfh
Additional annual shading from Tower Shift Alternative only as percentage of TAAS		0.001%
Combined total annual shading Existing + Tower Shift Alternative (sfh)		14,450,394 sfh
Combined shading from Existing + Tower Shift Alternative as percentage of TAAS		19.841%
Number of days when new shading from Tower Shift Alternative would occur		13 days annually
Dates when new shading from Tower Shift Alternative would occur		Jun 16 - Jun 28
Annual range in duration of new Tower Shift Alternative shadow		Zero to approx. 35 min
Range in area of Tower Shift Alternative new shadows (sf)		Zero to 218 sf
Average daily duration of new Tower Shift Alternative shadow (when present)		Approx. 18 min.

PROPOSED TOWER SHIFT ALTERNATIVE MAX SHADING DAY(S)		11TH / NATOMA PARK SITE
Dates of maximum Tower Shift Alternative new shading (max sfh)		June 21
Total new shading on date(s) of maximum shading (sfh)		65.38 sfh
Percentage new shading on date(s) of maximum shading		0.026%
Longest duration of new shading (date of max shading duration)		Approx. 19 min (Jun 28 & Jun 14)
Largest new shadow area at any time annually (date & time)		217.94 sf (June 21 at 7:15 PM)
Percentage of 11th / Natoma Park Site covered by largest new shadow		1.114%



RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 AUG 31 PM 12:44



Edwin M. Lee, Mayor  
Philip A. Ginsburg, General Manager

BY     

To: Angela Calvillo, Clerk of the Board of Supervisors  
From: Philip A. Ginsburg, General Manager (initials)  
Date: August 31, 2017  
Re: Park Hours Report Pursuant to Park Code Section 3.21(f)

---

In accordance with Park Code Section 3.21 HOURS OF OPERATION, subsection (f), we submit this report to the Board of Supervisors. Park Code section 3.21 (f) provides as follows:

The Department shall issue an annual report to the Board of Supervisors and Mayor by September 1 of each year providing the following information for the preceding fiscal year: (1) the number of citations issued by the Police Department and Park Patrol for violations of this section and the age and race of individuals cited, (2) the Department's costs for repairs and maintenance, including graffiti abatement, resulting from vandalism in parks, and (3) the Department's costs associated with enforcing this section.

#### Background

With some exceptions, park hours are from 5:00 a.m. to midnight daily. Park Code Section 3.21 became effective 12/27/2013. Following approximately four months of public outreach and education, as well as the installation of new signage with posted hours, the Park Ranger unit began issuing citations in April 2014.

Please note the data below reflects only those citations issued by the Recreation and Park Department's (RPD) Park Rangers. While the San Francisco Police Department is able to issue citations for violations of the Park Code, the Recreation and Park Department does not track these citations and are therefore is not able to report any SFPD data.

#### Citations Issued by SFRPD Park Rangers Under Park Code Section 3.21 in FY 16-17 and Associated Estimated Costs of Enforcement

For FY16-17 Park Rangers issued 90 citations for violations of Park Code Section 3.21. forty-seven percent of the people cited identified as white, 29% Hispanic, 14% Black, 3% Asian and 7% did not identify themselves.



Of the 90 citations issued 7% were issued to people under the age of 21. Thirty-six percent were issued to people in the 21-30 age cohort while 27% were between the ages of 31-40. Seventeen percent of those cited were 41-50 and 13% were over the age of 50.

Park Ranger staffing during the period when parks are closed from midnight to 5:00am varies by day of week, season, and depends on available staff. SFRPD typically has 8 rangers on duty for the midnight shift, and those rangers enforce *all* Park Codes, not just operating hours. As such, there is no way to determine the cost of enforcing this single code section. The Park Ranger unit operates 24/7, so park hours are enforced only 5 out of 24 hours, or 20.8% of all park patrol time. The FY16-17 actual expenditure per FAMIS for the Park Ranger unit was \$5.509 million. Approximately twenty-one percent or \$1,156,950 might be estimated to fund *all* Park Ranger activities between midnight and 5:00am.

#### Incidents of Vandalism in City Parks and Associated Costs for Repairs

Vandalism reports are reported through RPD's work order management system, called TMA. In FY16-17 SFRPD processed work orders at a cost of \$465,032.97.



**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**P.O. BOX 942896  
SACRAMENTO, CA 94296-0001  
(916) 445-7000 Fax: (916) 445-7053RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 AUG 31 PM 2:42

BY     

August 25, 2017

San Francisco County Board of Supervisors  
Clerk of the Board  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102**RE: California Register of Historical Resources Nomination of  
310 7<sup>th</sup> Street**

Dear Board of Supervisors:

The above-named resource is being nominated to the California Register of Historical Resources (California Register). The State Historical Resources Commission (Commission) is scheduled to take action on this nomination at its next regular quarterly meeting. (Details regarding the meeting are enclosed.) At the meeting any interested party, government entity, or member of the public may address the Commission regarding the nomination prior to the Commission taking action on the nomination. Any interested party, government entity, or member of the public may also submit to the Commission written comments regarding the nomination. Comments should be submitted to California State Parks, Attn: Office of Historic Preservation, Julianne Polanco, State Historic Preservation Officer, 1725 23<sup>rd</sup> Street, Suite 100, Sacramento, California 95816-7100. So that the Commission may have adequate time to consider such comments, it is requested, but not required, that such comments be submitted to the State Historic Preservation Officer 15 days before the meeting.

The California Register is an authoritative guide to the state's significant historical and archeological resources. Generally, there are no restrictions placed upon a private property owner with regard to normal use, maintenance or sale of a resource listed in the California Register. Resources listed in of eligible for listing in the California Register must be given consideration in the California Environmental Quality Act ("CEQA") review process and protected from substantial adverse change, to the extent prudent and feasible. Further information is available in Technical Assistance Series #1 "California Environmental Quality Act (CEQA) and Historical Resources," published by Office of Historic Preservation and available by mail or online at [www.ohp.parks.ca.gov](http://www.ohp.parks.ca.gov).

If you have questions, please contact the Registration Unit at (916) 445-7004.

Sincerely,

A handwritten signature in black ink, appearing to be "Julianne Polanco", with a long horizontal line extending to the right.

Julianne Polanco  
State Historic Preservation Officer





**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

1725 23<sup>rd</sup> Street, Suite 100  
SACRAMENTO, CA 95816  
(916) 445-7000 Fax: (916) 445-7053  
calshpo@parks.ca.gov  
www.ohp.parks.ca.gov



**MEETING NOTICE**

**FOR:** State Historical Resources Commission Quarterly Meeting

**DATE:** Friday, October 27, 2017

**TIME:** 9:00 A.M.

**PLACE:** State Resources Building—Auditorium  
1416 9<sup>th</sup> Street  
Sacramento, California 95814

This room is accessible to people with disabilities. Questions regarding the meeting should be directed to the Registration Unit (916) 445-7008.



State of California — The Resources Agency  
DEPARTMENT OF PARKS AND RECREATION  
**PRIMARY RECORD**

**DRAFT**  
Review Code

Primary # \_\_\_\_\_

HRI # \_\_\_\_\_

Trinomial \_\_\_\_\_

NRHP Status Code \_\_\_\_\_

Reviewer \_\_\_\_\_

Date \_\_\_\_\_

Page 1 of 35

Resource name(s) or number (assigned by recorder) 310 7<sup>th</sup> Street

**P1. Other Identifier:**

\*P2. Location:  Not for Publication  Unrestricted

\*a. County San Francisco

\*b. USGS 7.5' Quad San Francisco North Quad. Date: 2015

\*c. Address 310 7<sup>th</sup> Street, San Francisco

City San Francisco

Zip 94103

\*e. Other Locational Data: Assessor's Parcel Number(s) 3755/003 and 3755/004

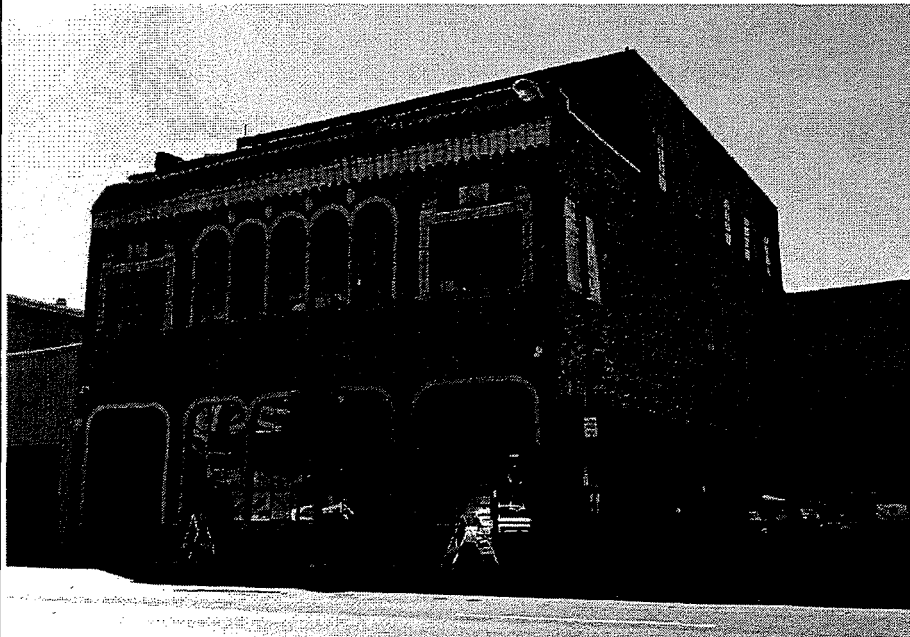
\*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries.)  
310 7<sup>th</sup> Street is situated on two rectangular lots (each 26 feet wide by 80 feet deep) on the west side of 7<sup>th</sup> Street, between Harrison (east) and Folsom streets (west). Built c. 1922, as a two-story building with flat, parapeted roof, the building was altered in 1927 resulting in the addition of a setback third story clad in corrugated metal siding with flat roof. 310 7<sup>th</sup> Street is a brick masonry light-industrial/commercial building designed in the Renaissance Revival style, attributed to architect Mel I. Schwartz. The rectangular-plan building is clad in brick and is capped by a flat roof. The foundation is not visible. The primary façade faces north towards 7<sup>th</sup> Street and includes a broad central bay flanked by two narrower side bays. Typical fenestration consists of fixed, divided-light steel-sash windows; and round-arched steel-sash windows and steel sash divided-light windows with functioning awning openings related to the ventilation of upper-level industrial spaces originally housed within the building. Terracotta ornamentation surrounds entrances and windows along the primary façade and includes, Solomonic columns with twisted fluting on window mullions; cartouches at the second-story; and highly detailed molded surrounds. Additional architectural details include a corbelled table, cement plaster freize with drop ornamentation, and a pent roof parapet clad in rounded clay roof tiles. Skylights located within the roof of the setback third story provide ambient lighting to various spaces at the first, second, and third stories, including utility/loading shaft spaces toward the rear of the building.

(see Continuation Sheet-Page 2)

\*P3b. Resource Attributes: (list attributes and codes) HP2: Single Family Property

\*P4. Resources Present:  Building  Structure  Object  Site  District  Element of District  Other

P5a. Photo



P5b. Photo: (view and date)

View looking southwest.

November 18, 2016

\*P6. Date Constructed/Age and

Sources:  historic

c. 1922 w/alterations 1925 and 1927.

San Francisco Planning Department  
and San Francisco Department of  
Building Inspection

\*P7. Owner and Address:

Kenneth E. Fulk, II

Ken Fulk, Inc.

310 7<sup>th</sup> Street

San Francisco, CA 94103

\*P8. Recorded by:

Josh Bevan

Page & Turnbull, Inc.

417 Montgomery Street, 8<sup>th</sup> Floor

San Francisco, CA 94104

\*P9. Date Recorded:

November 18, 2016

\*P10. Survey Type:

California Register nomination

\*P11. Report Citation:

See, B.12 References

\*Attachments:  None  Location Map  Sketch Map  Continuation Sheet  Building, Structure, and Object Record

Archaeological Record  District Record  Linear Feature Record  Milling Station Record  Rock Art Record

Artifact Record  Photograph Record  Other (Building Permits)



**\*P3a. Description (continued):**

Note: The subject building faces northeast. For the purposes of architectural description, the building's primary façade, fronting 7<sup>th</sup> Street, will be referred to as the north façade. Additional façades will be described with respect to this orientation.

*Primary (north) Façade*

The primary (north) façade is divided into three bays (**Photo P5a, pg. 1**). The building's original cement plaster water table is extant, although it has been painted over. Otherwise, much original detail remains along the primary façade (**Figure 1**). The three bays at the first story contain a series of shoulder-arched openings with terracotta surrounds, creating the visual effect of a continuous arcade. The eastern bay of the first story is a vehicular entrance with roll-up steel door. The central bay of the first-story contains three steel-sash, divided-lite windows. These windows are separated by brick mullions that are clad on the exterior with terracotta resembling Solomonic (twisted) columns with composite capitals placed directly below the impost of each arch (**Figure 2**). The western bay contains the building's main entry comprised of a glazed door flanked by plate glass side lights, underneath a transom with eight lites separated by steel muntins (**Photo P 5a and Figure 3**). A corbelled table that originally contained painted signage for the Metropolitan Furniture Manufacturing Company, Inc. is located between first and second stories. This table corresponds to the interior mezzanine level (**Photo P5a**).

At the second story of the primary façade, the eastern bay contains a fixed, steel-sash divided-lite window with ornate terracotta surround, sill, and inset terracotta tiles with floral motifs above the window head. The window is divided vertically into four equal sections by steel mullions. Each section contains eight lights divided by steel muntins. The central bay contains a bank of five, round-arched windows with ornate terracotta surrounds, sill, and mullions resembling Solomonic columns. Each window is divided vertically by a central muntin into two single lights beneath an arched transom light. This results in the effect of a glazed arcade. The western bay is identical in fenestration to the eastern bay. Four evenly-spaced terracotta cartouches are placed above the central bay's grouping of round-arched windows and are vertically aligned with the four centralmost mullions. Above the second story, a cement plaster frieze with drop detailing is placed beneath a pent roof parapet clad in clay roof tiles (**Photo P5a, Figure 4 and Figure 5**). The third story of the building is set back from the lower two stories at the primary façade, accommodating a terrace with wood decking behind the parapet. The western bay and eastern bay of the third story façade each feature one steel-sash divided-light window with an operable central awning light. The central bay contains a pocket door to access the building's interior (**Figure 6**).

*East Façade*

The east façade of the subject building abuts the one-story neighboring building and is visible from the second story upward. The second story is clad in brick and contains five fixed, steel-sash segmental-arched windows. At the third story, the east façade contains two steel-sash, divided-light windows. The four centralmost lights within these windows are grouped in a functioning, awning opening (**Figure 7, Figure 8 and Figure 9**).

*Rear (South) Façade*

The rear façade abuts, and is attached to neighboring properties at 123 Langton Street and 340 7<sup>th</sup> Street resulting in portions of the second and third stories remaining visible. The easternmost portion of the second story contains one steel-sash window. All exposed portions of the rear façade are clad in corrugated metal siding.

*West Façade*

The west façade faces a parking lot along its entire extent. The first level of the west façade is clad in brick. While the first level has no openings currently, several remaining segmental brick arches indicate that past openings were infilled at these locations. These arches appear to be those mentioned in a 1927 building permit that were filled around the time the third-story addition was constructed. The arches may have corresponded to a mezzanine level interior space that once extended to the front of the building (**Figure 11**).<sup>1</sup> (**Photo P5a and Figure 12**). At the second story, the southern half of the west façade contains three standard steel-sash windows. The third story contains four steel-sash windows; one is located at the

<sup>1</sup> Building Permit 160457, San Francisco Department of Building Inspection.  
DPR 523L

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**CONTINUATION SHEET**

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Resource Name or # 310 7<sup>th</sup> Street

\*Recorded by Page & Turnbull, Inc.

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northern end of the façade, and the remaining three are grouped in the southern half of the façade. Structural tie backs are visible along the west façade at the mezzanine level, second story, and third story.

State of California — the Resources Agency DEPARTMENT OF PARKS AND RECREATION <b>BUILDING, STRUCTURE, AND OBJECT RECORD</b>	Primary # _____ HRI# _____
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Page 4 of 35 \*NRHP Status Code 7

\*Resource Name or # 310 7<sup>th</sup> Street, San Francisco, CA

- B1. Historic name: Metropolitan Furniture Manufacturing Company, Inc. Building
- B2. Common name: none
- B3. Original Use: Furniture Manufactory and Showroom
- B4. Present use: Professional Services and office

\*B5. Architectural Style: Renaissance Revival

\*B6. Construction History: c.1922 w/alterations 1925 and 1927. San Francisco Planning Department and San Francisco Department of Building Inspection (see Continuation Sheet-Page 7)

\*B7. Moved?  No  Yes  Unknown Date: n/a Original Location: n/a

\*B8. Related Features: None

B9a. Architect: Mel I. Schwartz, San Francisco, CA      b. Builder: Industrial Construction Co., San Francisco, CA

\*B10. Significance: Theme Architecture Area SoMa, San Francisco  
 Period of Significance 1922 Property Type Light-Industrial/Commercial Applicable Criteria 3 (Architecture)  
 (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity)

*Summary of Significance*

Built in 1922, the subject building appears eligible for individual listing to the California Register of Historical Resources under Criterion 3 (Architecture) as a distinct example of a Renaissance Revival style, light-industrial loft building with a period of significance of 1922. The subject building was one of hundreds of light-industrial buildings constructed in San Francisco's South of Market Area (SoMa) in the 1920s that are associated with the area's recovery and reconstruction following the major earthquake and fires of 1906. The building's design is attributed to San Francisco-based architect, Mel I. Schwartz. Schwartz's design resulted in an artistically-refined light-industrial loft building combining its primary use as a manufactory with a secondary use as a wholesale furniture warehouse. The building retains a high level of historic integrity relating to its original design, materiality, craftsmanship, and overall architectural significance and association with architect Schwartz.

(see continuation sheet)

B11. Additional Resource Attributes: (List attributes and codes)  
 HP-6/HP-8

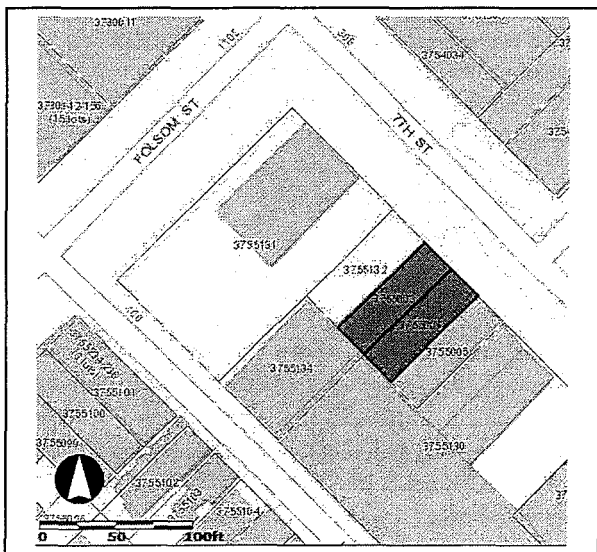
\*B12. References:  
 See continuation sheet.

B13. Remarks:  
 Zoning: NCT-Folsom Street Neighborhood Commercial Transit  
 SF Planning Department Historic Resource Status: A-Historic Resource Present  
 South of Market Area Historic Resource Survey (2011) Survey Rating 3D-  
 Appears eligible for NR as a contributor to a NR eligible district through survey documentation.

\*B14. Evaluator: Josh Bevan, Page & Turnbull, Inc.

\*Date of Evaluation: 29 November 2016.

(This space reserved for official comments.)



\*Required information



DPR 523B (1/95)

**\*B6. Construction History (continued):** (See attachments for copies of Building Permits)

310 7<sup>th</sup> Street is listed by the San Francisco Planning Department as being constructed in 1922. While original plans and permits for the building were not recovered at the San Francisco Department of Building Inspection,<sup>2</sup> a c. 1927 photograph of the building notes that architect Mel I. Schwartz was responsible for the building's design (**Figure 13**). The building underwent alteration in 1925 and received a setback, third-story addition in 1927 by architect Mel I. Schwartz. Plans for the 1927 addition indicate that several arched openings were filled in along the building's perimeter; these likely refer to the infilled segmental arched window openings along the west façade at mezzanine level (**Figure 11 and Figure 12**). After 1927, only interior changes in the form of wall or partition construction are listed in permit records. Reroofing completed in 1995 does not appear to have altered any historically significant fabric within the building or along its exterior. Multiple interior alterations were undertaken in the 1970s to adapt spaces to the needs of various tenants who operated furniture-related companies.

**\*B10. Significance (continued):**

*SoMa Prior to 1906*

Prior to the 1906 earthquake and fires, SoMa was an industrial area comprising a large number of wood-frame residential buildings including hotels, boarding houses, flats, and detached houses. In the decades following the Civil War, the area developed around a combination of maritime and industrial businesses. Warehouses and light-industrial plants followed in the 1880s as dense residential growth attested to the area's emergence as San Francisco's industrial hub.<sup>3</sup> By the turn of the 20<sup>th</sup> century, several ethnic enclaves including Irish, Swedish, German, Japanese, and Jewish were established in SoMa. The district was devastated by the 1906 earthquake and fires, which were fueled by gas main breaks and resulted in large-scale destruction and the highest death toll of any district in the city.<sup>4</sup>

During the post-1906 period of earthquake reconstruction, spanning the years 1906-1929, SoMa assumed its dominant physical character of low- and mid-rise masonry loft buildings and associated enclaves of frame dwellings and residential hotels. Residential uses, once prominently featured throughout SoMa, were confined to large residential hotels built along Mission, Howard, and 6<sup>th</sup> streets, and frame flats built along narrow interior alleys in the southwestern part of the neighborhood.<sup>5</sup> During the immediate post-quake period of 1906-1913, insurance settlements led to the construction of new, and in some cases reconstructed, light-industrial buildings such as stables and warehouses. This initial reconstruction period was followed by economic recession through World War I, which largely halted progress.

*Light-Industrial Development in SoMa Post-1906*

The process of recovery for San Francisco was extensive, necessitating not only the demolition of ruined structures and removal of debris, but also the settlement of insurance claims, resolution of outstanding title concerns, and acquisition of building permits for new construction. In many ways, SoMa was uniquely affected by the earthquake and lingering uncertainty over its historical patterns of development, which delayed reconstruction longer than many other areas in San Francisco. Unlike certain parts of the city that were reconstructed quite rapidly after the 1906 earthquake, such as North Beach, locations within SoMa took a decade or longer to fully recover.<sup>6</sup>

Many of the earliest buildings built in SoMa prior to 1906 were livery stables, storage yards, or other lightweight frame buildings that could be easily dismantled or moved. In 1905, lots 3 and 4 of city block 3755, the site of the subject building, were occupied by a one-story frame dwelling and adjacent wagon house. It appears these buildings were destroyed as a result of the 1906 earthquake and fires and thus do not appear on 1913-1915 Sanborn fire insurance maps. By 1915, the subject parcels included a vacant lot (lot 3) and a one-story shed structure at 312 7<sup>th</sup> Street (lot 4—Owned by

<sup>2</sup> San Francisco Planning Department, *San Francisco Property Information Map*, [propertymap.sfplanning.org](http://propertymap.sfplanning.org).

<sup>3</sup> Page & Turnbull, Inc., *Historic Context Statement: South of Market Area, San Francisco, California*, (San Francisco: Page & Turnbull, Inc., 2009), 30-42.

<sup>4</sup> Page & Turnbull, Inc., *Historic Context Statement: South of Market Area, San Francisco, California*, 5.

<sup>5</sup> Sanborn Fire Insurance Company, *Fire Insurance Maps for San Francisco, California: 1899-1900 and 1913-15*.

<sup>6</sup> See, Page & Turnbull, Inc., *Historic Context Statement: South of Market Area, San Francisco*, 48; and San Francisco Relief and Red Cross Funds Corporation, *Department Report of the San Francisco Relief and Red Cross Funds Corporation* (San Francisco: March 19, 1907), 20.



Louis Abrams since c. 1906).<sup>7</sup> The 1915 map shows the block was roughly 50% vacant at the end of the initial redevelopment stage between 1906 and 1913, as San Francisco encountered the early years of recession leading up to World War I (**Figure 14 and Figure 15**).

Following removal of earthquake debris, many owners erected temporary buildings on their properties until they could obtain insurance settlements or determine their long-term plans. In the early 1920s, however, construction rebounded to coincide with a nationwide, postwar real estate boom. During this period, industrialists and developers constructed hundreds of reinforced concrete or brick, two- and three-story industrial loft buildings on the remaining empty lots, largely building out SoMa by 1929.<sup>8</sup> Widespread changes in construction type signaled a heightened awareness of past destruction and an attempt to ensure greater permanence for new buildings. Additionally, structures constructed of concrete provided the added industrial benefit of uninterrupted workspaces, as found in 310 7<sup>th</sup> Street's open upper-level spaces.

310 7<sup>th</sup> Street is one of twenty-two light-industrial or residential buildings constructed in SoMa in 1922, anticipating the postwar building boom's peak years between 1923 and 1926.<sup>9</sup> A comparison of fire insurance maps dating from 1920 and 1950, and aerial photography completed in 1938, reveals that the 300 block of 7<sup>th</sup> Street was still taking shape following World War I, but had largely been filled in by the dawn of World War II. By 1950, the block including 310 7<sup>th</sup> Street contrasted starkly with its earlier iterations prior to 1920 as the largely residential block had completely evolved into a light-industrial area. Gone were remnants of frame buildings from the turn of the twentieth century, replaced by sturdy reinforced buildings now associated with SoMa's earthquake recovery in the years prior to the Great Depression (**Figure 16, Figure 17, and Figure 18**).

#### *Light-Industrial Architecture in SoMa*

Industrial buildings predominated in SoMa as redevelopment took hold between 1906 and the early 1930s. Several types of industrial buildings were constructed throughout the area including: small-scale, multipurpose light-industrial buildings, typically of brick or concrete; masonry warehouses found proximal to the waterfront; and light-industrial loft buildings as found at 310 7<sup>th</sup> Street.<sup>10</sup> Light-industrial lofts are typically located closer to downtown and combine commercial and industrial design aspects that relate to a variety of purposes including light-manufacturing, warehousing, and wholesale distribution—often with ancillary commercial or retail space on the first floor.<sup>11</sup> These characteristics are readily associated with 310 7<sup>th</sup> Street and its original use.

Light-industrial loft buildings separated retail or wholesale uses on the first floor, and manufacturing and storage on open-plan upper floors designed to carry heavy loads. Many loft buildings were situated with frontage to a public, primary street and an alley or side street that provided a secondary entry. Loft buildings in SoMa were commonly designed in styles including Classical Revival and Renaissance Revival that refined the appearance of industrial buildings along street-facing façades. 310 7<sup>th</sup> Street typifies such a loft building in its Renaissance Revival styling. The building's primary façade maintains a symmetrical composition that incorporates an automobile accessible loading bay on its east side, a central display bay, and public entry bay on its west side. Steel-sash industrial windows are further refined with ornate terracotta surrounds, sills, and inset motifs above window heads resulting in a refined public façade. The building's terracotta roof tiles along its pent roof parapet are also common to the Renaissance Revival style.

<sup>7</sup> Sanborn-Perris Map Company, *Fire Insurance Maps of San Francisco, California*, Published 1899-1905 and 1913-15, (New York: Sanborn Perris Map Company). See also, David Rumsey Map Collection, <http://www.davidrumsey.com/blog/2011/6/27/pre-earthquake-san-francisco-1905-sanborn-insurance-atlas>. Accessed 21 November 2016.

<sup>8</sup> Page & Turnbull, Inc., *Historic Context Statement: South of Market Area, San Francisco, California*, 5.

<sup>9</sup> *Ibid*, 40.

<sup>10</sup> Page & Turnbull, Inc., *Historic Context Statement: South of Market Area, San Francisco, California*, 92.

<sup>11</sup> *Ibid*, 92.

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Resource Name or # 310 7<sup>th</sup> Street

\*Recorded by Page & Turnbull, Inc.

\*Date November 18, 2016

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Date:	Permit Appl. #	Owner Listed	Architect/Contractor	Description of Work
27 May 1925	139331	Louis Abrams	A. Renaud	Remove brick wall and substitute steel girder.
30 April 1927	160457	Louis Abrams	Mel I. Schwartz	Remove brick firewall and add 1 story as per plans and specifications.
2 May 1972	408928	Robert Lutler (agent of owner)	N/A	Interior partitions
8 February 1973	418008	Calvin Interiors (lessee)	Stuart Sauter Co.	New tubular frames and canvas covered awning for entrance
23 February 1973	418567	Furniture Gallery	N/A	Temporary partitions for display purposes
16 September 1977	7708826	N/A	Rosall Construction	Build a wall 14' high, 45' long- Finish two office[s]. 2x4 studs and 5/8" [sheet]rock.
7 August 1981	8106605	Robert Morry, Inc.	San Francisco Neon Co.	Lighting and desk installation
22 August 1991	9112783	Leonard Biss	N/A	Parapet Bracing
3 February 1995	09501484	Leonard Biss	North Cal Roofing	Replace built-up roof covering; apply one layer of base with 1 1/2" simplex nails.

*Mel I. Schwartz, Architect*

The work of architect Mel I. Schwartz is most often associated with, but certainly not limited to, the design of auto garages in San Francisco between c. 1914 and the late 1920s. Schwartz was a partner in the firm of [Samuel C.] Heiman & Schwartz between 1914 and 1919 before he shifted to individual practice.<sup>12</sup> By the time he was commissioned to design 310 7<sup>th</sup> Street c. 1922, Heiman & Schwartz completed the designs of a string of auto garages at 1650, 1660, 1670 Pine Street (1917). The garages are contributing buildings in San Francisco's Pine Street Auto Shops Historic District.<sup>13</sup> Several residences designed by Schwartz were featured in publications and advertisements in architectural journals such as *Architect & Engineer* and *Western Architect & Engineer*. These included a 1920 two-story frame and stucco office building and apartments for Dr. Albert Abrams (no known relation to Louis Abrams) at 2151 Sacramento Street, and the residence of Mr. Louis Anixter near 22<sup>nd</sup> and Lake Streets (1930).<sup>14</sup> Schwartz's residential designs typically featured symmetrical façades drawing on a Beaux-Arts influence with Classical or Renaissance ornamentation. His garage designs, however, appeared relatively restrained in terms of ornament, but reliant upon the Beaux-Art and Classical cues that many garage designers gravitated towards in San Francisco in the early 20<sup>th</sup> century. Both with partner Heiman and individually, Schwartz was one of several San Francisco architects who carried Beaux-Arts classicism from prior apartment building design into the realm of the auto garage.<sup>15</sup> 310 7<sup>th</sup> Street appears to be a design completed by Schwartz during the prime of his individual career, with a relatively high degree of overall architectural and material quality. The building's streetfront composition reflects the commonality of primary central bays flanked by secondary bays found in so many garages of the time, including Schwartz's own work. Additionally, the building's original use as a manufactory and wholesaling warehouse is well represented by a combination of an open utilitarian plan and ornate details that lend a higher level of esteem to the building than a more restrained industrial factory loft may have.

<sup>12</sup> William Kostura, DPR Form April 2010, "Pine Street Auto Shops Historic District," 4-7.

<sup>13</sup> Ibid, 4-7.

<sup>14</sup> See, "Architect Schwartz Busy," *Western Architect and Engineer* (San Francisco: McGraw-Hill Company of California, July 1920), 114; and, "Clay Products of Distinction," *Architect and Engineer* June 1930, 131, respectively.

<sup>15</sup> Mark D. Kessler, *The Early Public Garages of San Francisco: An Architectural and Cultural Study, 1906-1929*, (Jefferson, NC.; McFarland & Company, 2013), 147-148.

*Ownership and Occupant History*

310 7<sup>th</sup> Street is situated on two parcels acquired separately by furniture manufacturer Louis Abrams between c. 1906 and 1918. Abrams was listed as owner of lot 4 (containing the eastern half of 310 7<sup>th</sup> Street) in 1906.<sup>16</sup> Abrams retained ownership of lot 4 after the 1906 earthquake, despite the loss of the two-story frame dwelling that was situated on the lot. In 1914, Abrams and his wife Fannie conveyed ownership of the parcel to each other, perhaps as the former dwelling was cleared and insurance claims assessed.<sup>17</sup> On 24 April 1918, Nora T. Moynihan conveyed lot 3 to Tillie Linsey, Louis Abrams' daughter, and secretary-treasurer for Abrams', Metropolitan Bedding Manufacturing Co. (MBM); the business was located nearby at 444 6<sup>th</sup> Street. On September 10, 1918, roughly six months after her acquisition of the lot, Tillie Linsey conveyed title to her father.<sup>18</sup> By 1920, MBM relocated to 1017 Folsom Street, just one block northeast of present-day 310 7<sup>th</sup> Street. MBM changed its name to Metropolitan Furniture Manufacturing Co., Inc. (MFM) in 1922, according to city directories. The company's listed address, however, remained at 1017 Folsom until 1928. Presumably, Abrams maintained an office at 1017 Folsom until a third-story office space was added to his light-industrial manufactory at 310 7<sup>th</sup> Street in 1927. Furthermore, a 1925 building permit for alterations at 310 7<sup>th</sup> Street names Abrams as owner, dating the building's construction between 1920 and 1925. The San Francisco Planning Department lists a construction date of 1922.<sup>19</sup>

Abrams and his wife maintained ownership of 310 7<sup>th</sup> Street through the 1930s, despite Abrams' retirement from MFM in the mid 1930s. Abrams passed away in May 1948, resulting in the division of his real estate holdings in 1950 to his son Joseph R., part-owner Zelda Heumann (wife of Armand Heumann, a former employee of Abrams), Minnie Passer (wife of Simon Passer, a former employee of Abrams), and Zabelle Linsey (Abrams' granddaughter).<sup>20</sup> Between the mid-1940s and 1953, 310 7<sup>th</sup> Street was owned by Abrams and his heirs and former employees, but was occupied by tenants not related to furniture manufacturing, including GPW Jensen & Sons, a Bay Area general contracting/construction firm. Between 1955 and 1970, city directories listed Gay Shops of California, a women's clothing retailer, as tenant.

In 1973, part-owner Minnie Passer died, which resulted in the division of her interest in 310 7<sup>th</sup> Street (lots 3 and 4) to her son Richard J. Passer; Sylvain M. Heumann (Armand Heumann's son and brother of furniture designer Jules Heumann); and Zabelle Linsey.<sup>21</sup> In the two years prior, 310 7<sup>th</sup> Street was listed as vacant. In 1973, these owners sold their interest to a new ownership group that returned 310 7<sup>th</sup> Street to a furniture-related use with tenant, Imperial Furniture Company. In 1981, 310 7<sup>th</sup> Street again changed hands as the new owners, Leonard N. Biss and Gloria R. Biss; Robert and Jean Dessausure; Andre P. and Beverly C. Friant took title.<sup>22</sup> In the 1980s, ownership shifted to Leonard Biss, Gloria Biss, and Robert Morry, Inc., coinciding with the building's use as the headquarters for Robert Morry, Inc., another furniture-related business. Leonard and Gloria Biss remained owners of the property between March 1989 and October 1991, when title was conveyed to Gloria R. Biss and Leonard N. Biss, Jr. as trustees. Thereafter, the property was subject to a series of reconveyances before being sold to current owner, Kenneth E. Fulk, II in 2007.<sup>23</sup>

**Evaluation of Significance**

310 7<sup>th</sup> Street is not currently individually listed in the National Register of Historic Places (National Register) or the California Register of Historical Resources (California Register). The building appears in the California Historical Resources Information System (CHRIS) with a rating of 3D (Appears eligible for NR as a contributor to a NR eligible district through survey evaluation) as a result of a 2009 reconnaissance survey by Page & Turnbull, Inc. which was included

<sup>16</sup> *Map Book: 100 Vara Survey: Official Map of the Subdivision of the City and County of San Francisco, also known as the 100 Vara Survey*, City and County of San Francisco, Office of the Assessor-Recorder (San Francisco: 1905 with updates), 231. See also, Sanborn-Perris Map Company, *Insurance Maps of San Francisco, Vol. II*, (New York: Sanborn-Perris Map Co., 1899-1905).

<sup>17</sup> Real Estate Sales Ledgers, 1914-1999, City and County of San Francisco, Office of the Assessor-Recorder.

<sup>18</sup> Ibid.

<sup>19</sup> Building Permit Application-Alteration #139331, San Francisco Department of Building Inspection. 27 May 1925.

<sup>20</sup> Real Estate Sales Ledgers, 1914-1999, City and County of San Francisco, Office of the Assessor-Recorder.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> San Francisco Planning Department, San Francisco Property Information Map, Recorded Documents on File for 310 7<sup>th</sup> Street (3755/003 and 3755/004), Accessed 21 November 2016.

**CONTINUATION SHEET**

Primary # \_\_\_\_\_

HRI # \_\_\_\_\_

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Resource Name or # 310 7<sup>th</sup> Street

\*Recorded by Page & Turnbull, Inc.

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among other surveyed properties in the *South of Market Area Historic Resource Survey*, completed for the San Francisco Planning Department in 2011.

*Criterion 3 (Architecture)*

310 7<sup>th</sup> Street is eligible for listing in the California Register under Criterion 3 (Architecture). 310 7<sup>th</sup> Street is a well-intact example of a Renaissance Revival style, light-industrial loft building representative of a common building type associated with redevelopment in SoMa between 1920 and 1929. San Francisco-based architect, Mel I. Schwartz, designed 310 7<sup>th</sup> Street as a furniture manufactory and warehouse for founder and president of MFM, Louis Abrams c.1922. Light-industrial loft buildings constructed contemporaneously were most often rectangular in plan, and filled their entire parcel(s), with primary façades facing the street and in some cases a secondary façade facing an alley. The multipurpose use of these buildings combined industrial utility and structural strength with refined styling that exuded high artistic and architectural values and provided an alluring presence to the public along the primary streetfront. 310 7<sup>th</sup> Street embodies these characteristics of light-industrial loft buildings, retaining its integrity of design. Further, integrity of material and craftsmanship have been retained as character-defining details such as steel-sash windows, highly-decorative window surrounds, pent roof parapet, and terracotta roof tiles remain. Thus, enabling the building to exemplify the application of the Renaissance Revival style to light-industrial buildings of the early 20<sup>th</sup> century. The building's balanced composition along its primary façade and integration of ornate terracotta detailing around façade openings showcases architect Mel I. Schwartz's blending of utility and refinement that, along with contemporary architects of industrial buildings, was integral to the emergence and predominance of high-style industrial buildings constructed throughout SoMa between 1906 and the early 1930s.

Architect Mel I. Schwartz was a relatively well-known architect in San Francisco throughout his career during the early 20<sup>th</sup> century. Schwartz designed several auto garages in San Francisco, mainly as a partner in the firm of Heiman & Schwartz between 1914 and 1919, and also made notable contributions beyond auto-oriented design through several residential commissions. 310 7<sup>th</sup> Street is unique among Schwartz's known designs in San Francisco in that its building typology diverged from more common work of Heiman & Schwartz and Schwartz individually.

*Summary of Significance*

310 7<sup>th</sup> Street appears eligible for individual listing to the California Register of Historical Places under Criterion 3 (Architecture) with a period of significance of 1922. The building retains a high level of historic integrity concerning its design, materials, and characteristics of workmanship associated with the Renaissance Revival architectural style and light-industrial loft buildings and retains integrity enabling its association with architect, Mel I. Schwartz.

**Character-Defining Features**

<b>Rectangular Plan with open loft spaces</b>	The building's plan is common to light-industrial loft buildings, providing flexible floor space for manufacturing and warehousing uses.
<b>Massing</b>	The building combines a two-story rectangular volume and a one story, set back third story volume that provide separate spaces and levels for varying uses associated with multipurpose light-industrial buildings of the same era of construction. Most light-industrial loft building in SoMa are contained in a rectangular volume that occupies the entirety the lot or lots the building is situated upon.
<b>Symmetrical Primary Façade</b>	The building's primary, street facing façade provides a refined public face for the the industrial building while providing separation of garage/loading entry bay, central display bay, and a public entry bay.
<b>Renaissance Revival Detailing</b>	Terracotta ornamentation surrounds windows and openings along the primary public façade of the building and emphasizes the common theme of industrial buildings displaying highly artistic character during the subject building's era of construction.
<b>Steel-sash Industrial Windows</b>	Several varieties of steel-sash industrial windows are located throughout the building and correspond to uses of each space. The most utilitarian of windows are located on secondary façades and do not feature the same ornamentation as those on the primary façade.

**CONTINUATION SHEET**

<b>Parapeted Roof</b>	The building's parapeted roof remains intact along the primary façade and is detailed with terracotta roof tiles and a cement plaster frieze with drop detailing.
<b>Brick Cladding</b>	The building's brick structure and exterior cladding are typical of light-industrial building construction.
<b>Arched Openings along Primary Façade</b>	The building's arched openings are common to the Renaissance Revival style and retain their terracotta detailing.
<b>Corbelled table at mezzanine level</b>	The corbelled table along the primary façade once contained signage for the Metropolitan Furniture Manufacturing Co., Inc.

**Evaluation of Integrity**

310 7<sup>th</sup> Street retains a high level of historic integrity. Alterations in 1925 and 1927 resulted in the removal of a limited amount of original fabric, and most importantly the addition of an extant, third-story set-back volume. The third-story addition in particular corresponded to the need to adapt the space to the needs of MFM, a company that in 1927 had continued to expand its furniture manufacturing and wholesaling business. Additional alterations to interior spaces including the addition and removal of partitions and select window openings along the west façade have not detracted from the building's overall design as a three-story, rectangular plan, light-industrial building with mezzanine level and have not removed affected the building's character-defining features that convey the building's historic significance.

*Location*

310 7<sup>th</sup> Street retains integrity of location as it remains in its original location along the west side of 7<sup>th</sup> Street.

*Setting*

310 7<sup>th</sup> Street does not retain integrity of setting along the south side of 7<sup>th</sup> Street. At the time of the building's construction c. 1922, 310 7<sup>th</sup> Street was flanked by buildings to its east and west and abutted an adjacent building to its south. 310 7<sup>th</sup> Street is currently adjacent to a parking lot at its west that does not associate with the building's era of construction. Additionally, buildings in the vicinity of 7<sup>th</sup> and Folsom remain in most cases of similar scale and massing relative to their historic setting, but the area in general does not retain a light-industrial setting or feeling.

*Design*

310 7<sup>th</sup> Street retains integrity of design as the building's rectangular plan, fenestration along its primary façade, and original ornamentation remain well-intact and provide reference to the building's earliest and longest lasting iteration c. 1927. Key, extant features include the primary façade's composition and ornamentation that connect

to the building's presence as an light-industrial building with an highly-ornamented public face. The building's fenestration along its primary façade provides both display and light penetration to industrial and wholesaling spaces that speaks to the buildings original use. Original ornament in the form of intricate terracotta cladding around windows, entryway, and the garage bay add a sense of refinement to the building that continues to define its position along 7<sup>th</sup> Street. Select windows along the primary façade and at several locations throughout the building retain original awning-opening panes designed to ventilate industrial spaces. These industrial windows combine with extant skylights to recall the need for ambient lighting within the building and also correspond to various former locations within the building that held specific purposes or functions including stairways, elevator/lift shafts, and working spaces.

*Materials*

310 7<sup>th</sup> Street retains material integrity. The building's historic materiality is well intact, especially along its primary façade. The building is able to remain associated with its era of construction through materials including: terracotta ornamentation surrounding windows and entries at the primary façade, terracotta roof tiles; steel-sash windows throughout the property; brick cladding as the primary exterior material. In comparison to the historic photo provided, the building appears to show little alteration aside from main entry door arrangement and the absence of a plaster cement water table.

*Workmanship*

310 7<sup>th</sup> Street retains integrity of workmanship. The building's retains a great deal of its original materials and structural makeup, enabling it to represent early-20<sup>th</sup> century workmanship associated with the design and construction of light-industrial buildings. These materials include steel-sash industrial windows, glazed terracotta ornamentation applied at multiple locations along the primary façade, the building's brick cladding found at first and second level along each façade, terracotta tiles capping the pent roofed parapet.

*Feeling*

310 7<sup>th</sup> Street retains integrity of feeling. The property retained light-industrial uses through majority of its history and retains such industrial design features as steel-sash windows; large loading bays; open, loft planning; prominent, period-relevant materials such as hard-wood floors, and exposed brick walls at interior locations; skylights in third story roof. The building's current use as a design studio and office has not resulted in significant loss of the building's interior plan. Additionally, the building retains separation of entry/lobby, mezzanine/showroom level, loading bay and elevator/lift shaft that allows the building's industrial feeling to be maintained.

*Association*

310 7<sup>th</sup> Street retains integrity of association as the building's design, material, workmanship are well-intact. Many features of the buildings design further emphasize the building's historic use, enabling continued association with the building's year of construction, c. 1922. These include the building's retainage of first, mezzanine, second, and third story spaces that separated showroom, office and manufacturing uses that were common features of light-industrial buildings of the period. Key elements within the buildings design such as its reinforced brick construction, and steel sash industrial windows also enable association to the building's original light-industrial design.

**Conclusion**

310 7<sup>th</sup> Street is a three-story, Renaissance Revival style, light-industrial loft building located within San Francisco's SoMa neighborhood. The building retains a high level of overall historic integrity, relating to its 1922 design by architect, Mel I. Schwartz. 310 7<sup>th</sup> Street was was one of many light-industrial buildings constructed between 1920 and 1929 in SoMa, an area with a documented history of reconstruction and industrial redevelopment after the 1906 earthquake and fires. As a light-industrial loft building of high architectural quality and with a high-degree of historic integrity, 310 7<sup>th</sup> Street appears eligible for individual designation to the California Register under Criterion 3 (Architecture), with a period of significance of 1922.

**\*B12. References:**

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State of California — The Resources Agency DEPARTMENT OF PARKS AND RECREATION <b>CONTINUATION SHEET</b>	Primary # _____ HRI # _____ Trinomial _____
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Page 12 of 35      Resource Name or # 310 7<sup>th</sup> Street  
 \*Recorded by Page & Turnbull, Inc.      \*Date November 18, 2016       Continuation       Update

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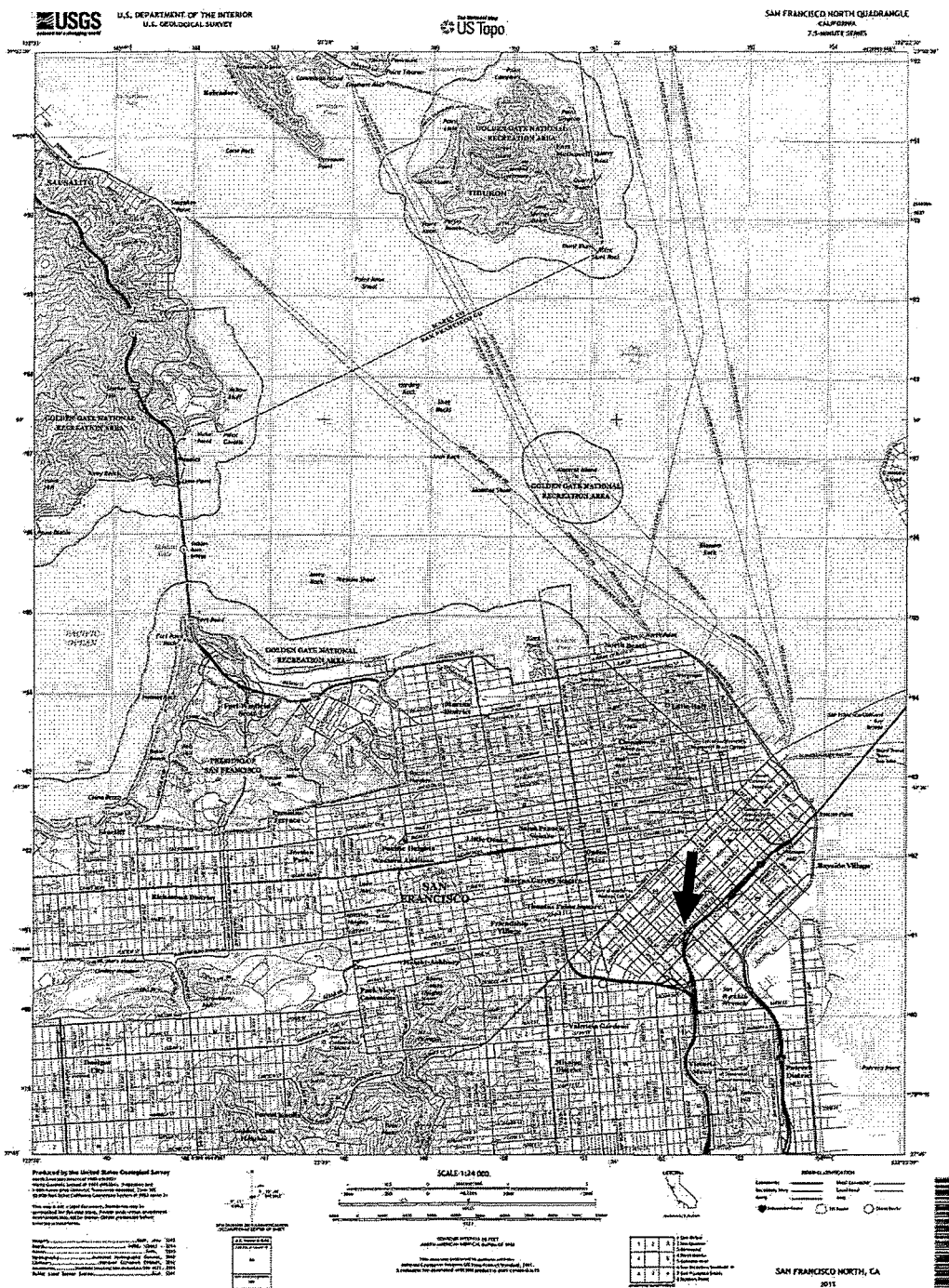
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Page \_\_\_\_ of \_\_\_\_ \*Resource Name or # (Assigned by recorder) 310 7th Street  
 \*Map Name: San Francisco North Quadrangle \*Scale: 1:24,000 \*Date of map: 2015





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Camera: Nikon D3200 Format: Digital SLR Lens Size: 18-55mm Film: N/A Negatives Kept at: Page & Turnbull, Inc. 417  
Montgomery Street, 8<sup>th</sup> Floor, San Francisco, CA 94104

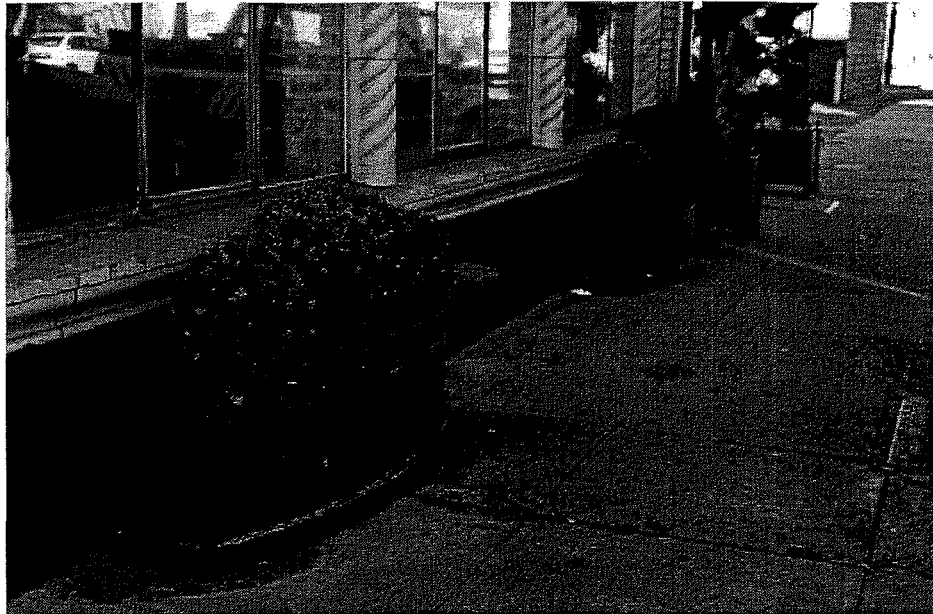


Figure 1: Original cement plaster water table, currently painted. Looking west.

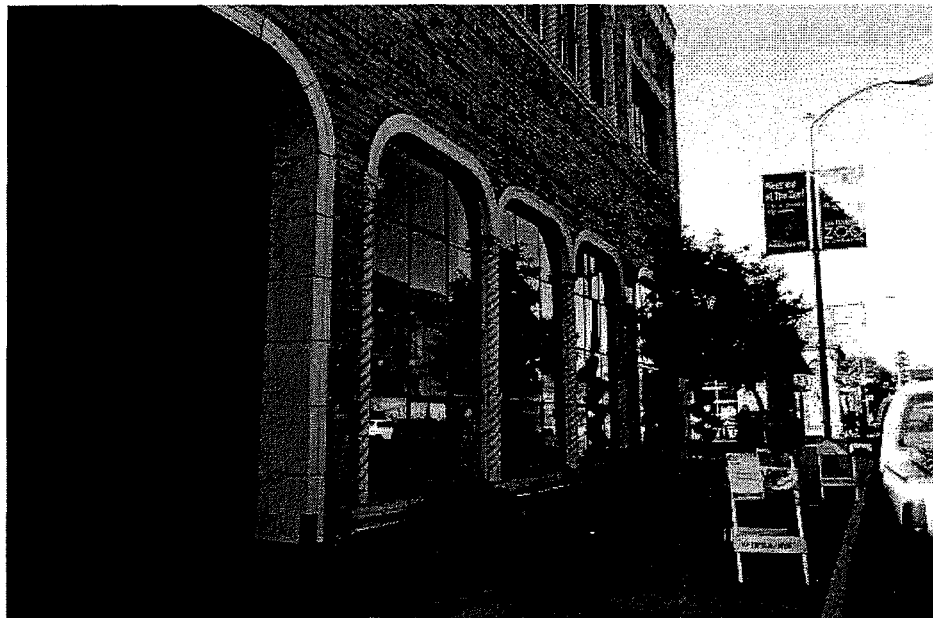


Figure 2: First-story, primary façade. Looking west.

Page \_\_\_\_ of \_\_\_\_ Project Name: 310 7<sup>TH</sup> Street, San Francisco, CA Year 2016  
Camera: Nikon D3200 Format: Digital SLR Lens Size: 18-55mm Film: N/A Negatives Kept at: Page & Turnbull, Inc. 417  
Montgomery Street, 8<sup>th</sup> Floor, San Francisco, CA 94104



Figure 3: Divided-light transom above entry door in western bay, primary façade. Looking south.

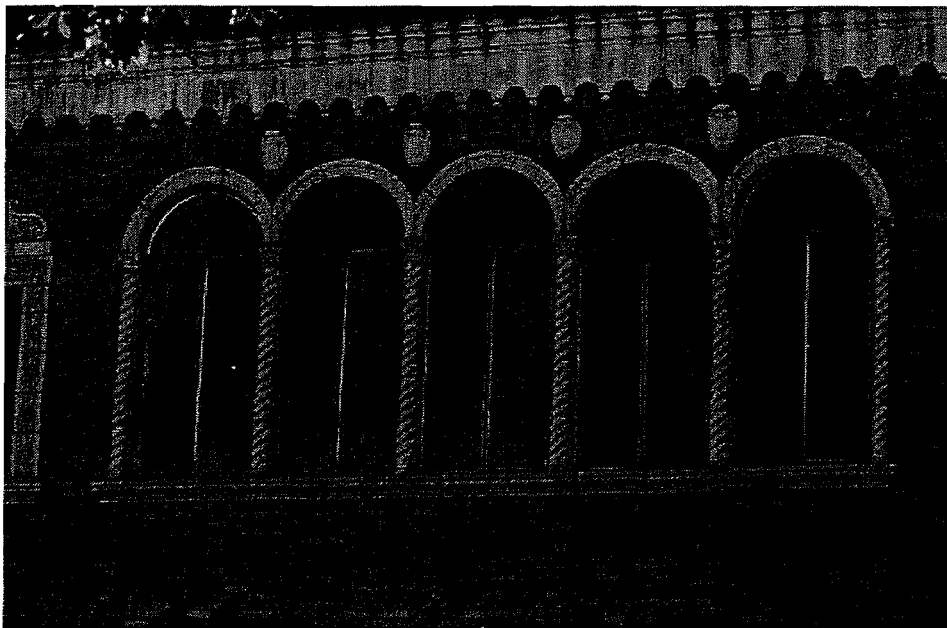


Figure 4: Grouping of five round-arched, steel-sash windows; second story, primary façade. Looking south.

Page \_\_\_\_ of \_\_\_\_ Project Name: 310 7<sup>TH</sup> Street, San Francisco, CA Year 2016  
 Camera: Nikon D3200 Format: Digital SLR Lens Size: 18-55mm Film: N/A Negatives Kept at: Page & Turnbull, Inc. 417  
 Montgomery Street, 8<sup>th</sup> Floor, San Francisco, CA 94104

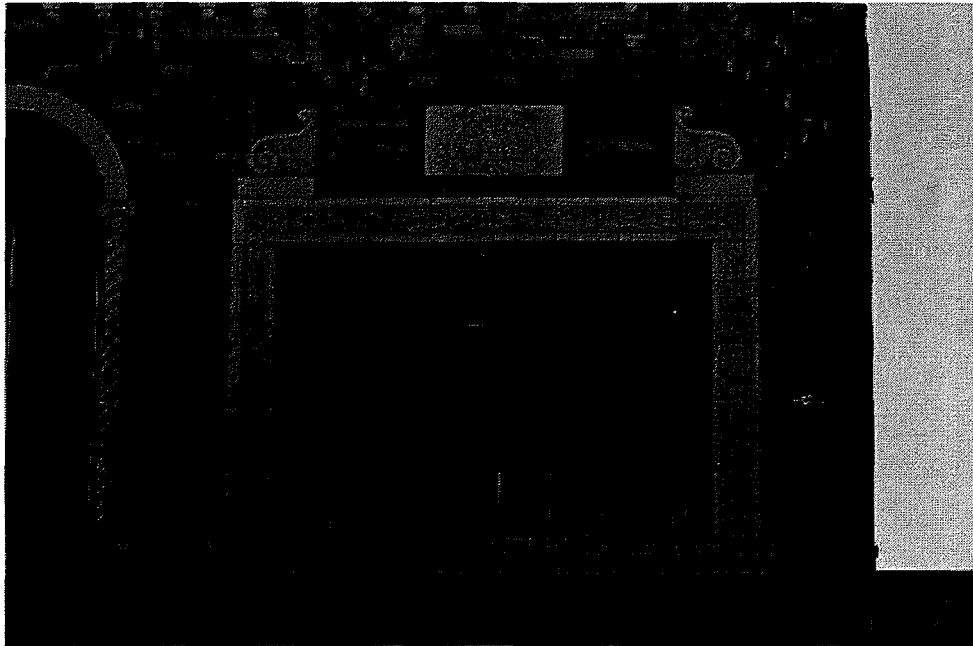


Figure 5: Fixed, steel-sash divided-light window with terracotta surround. Identical windows are located at western (shown) and eastern bay of second story, primary façade. Looking south.



Figure 6: Third-story terrace and primary façade of 1927 addition. Fixed, steel-sash window in western bay not pictured. Looking southwest.

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Project Name: 310 7<sup>TH</sup> Street, San Francisco, CA Year 2016

Camera: Nikon D3200 Format: Digital SLR Lens Size: 18-55mm Film: N/A Negatives Kept at: Page & Turnbull, Inc. 417 Montgomery Street, 8<sup>th</sup> Floor, San Francisco, CA 94104

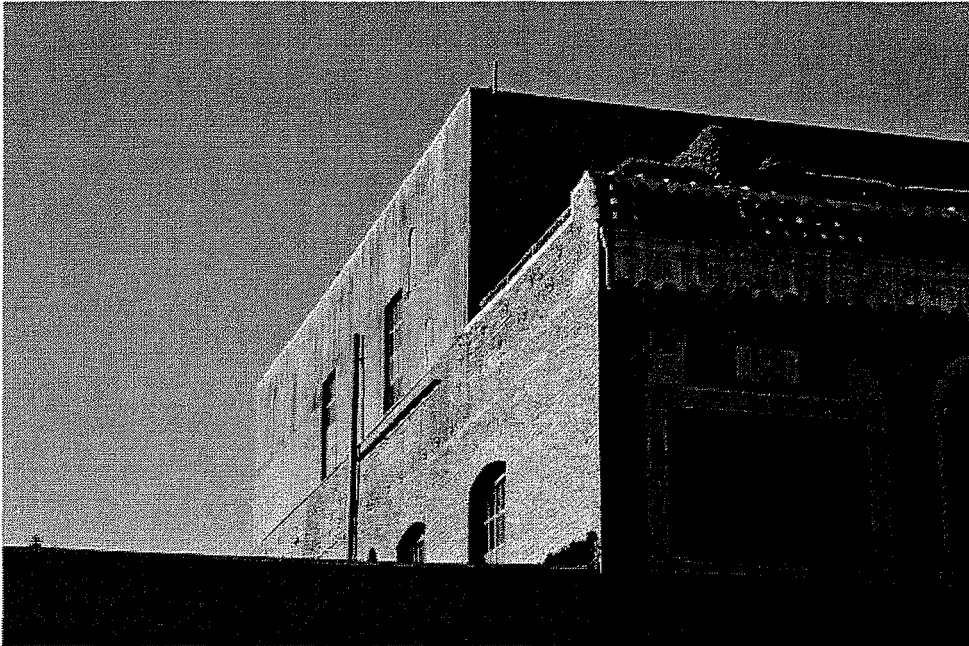


Figure 7: Second and third stories, east façade viewed from 7th Street. Looking south.



Figure 8: Three steel-sash windows along east facade viewed from third-story interior. Looking east.

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Camera: Nikon D3200 Format: Digital SLR Lens Size: 18-55mm Film: N/A Negatives Kept at: Page & Turnbull, Inc. 417  
Montgomery Street, 8<sup>th</sup> Floor, San Francisco, CA 94104

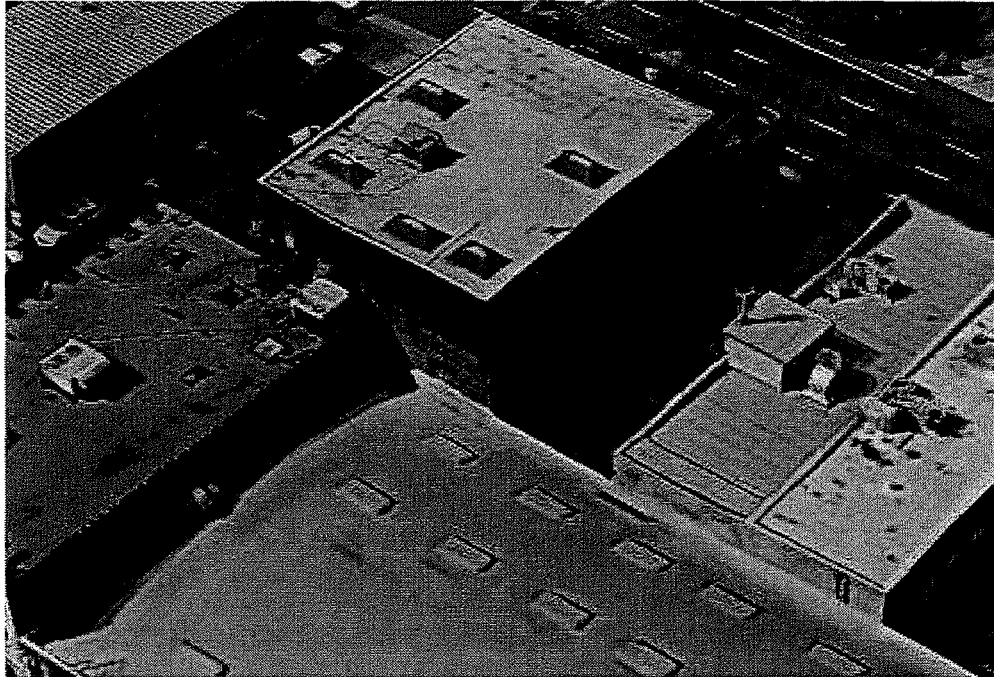


Figure 9: Aerial imagery shows rear façade of 310 7th Street. Looking north. Google Earth Pro, 2016. Edited by Page & Turnbull.



Figure 10: Interior shaft space at southeast corner of building. Second-story window at south façade picture right. Skylight at roof level pictured left. Facing south.

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Project Name: 310 7<sup>TH</sup> Street, San Francisco, CA Year 2016

Camera: Nikon D3200 Format: Digital SLR Lens Size: 18-55mm Film: N/A Negatives Kept at: Page & Turnbull, Inc. 417  
Montgomery Street, 8<sup>th</sup> Floor, San Francisco, CA 94104



Figure 11: Segmental arch and mortar joints of former window openings along west façade remain visible. Looking east.

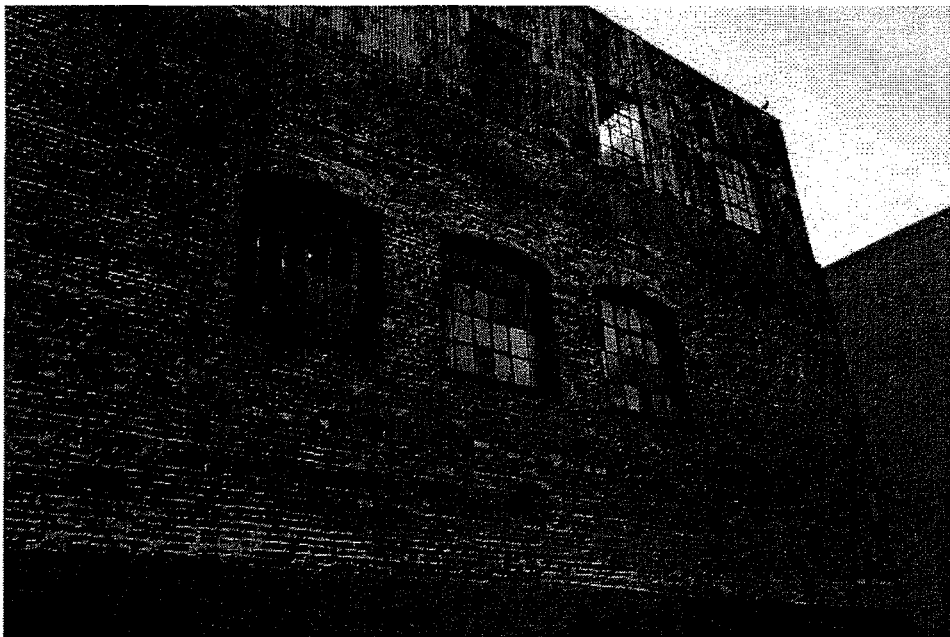


Figure 12: Steel-sash windows at second and third floors of the west façade. Looking east.

State of California The Resources Agency OF PARKS AND RECREATION <b>RECORD</b>	Primary # HRI # Trinomial	DEPARTMENT <b>PHOTOGRAPH</b>
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Page \_\_\_\_\_ of \_\_\_\_\_ Project Name: 310 7<sup>TH</sup> Street, San Francisco, CA Year 2016  
 Camera: Nikon D3200 Format: Digital SLR Lens Size: 18-55mm Film: N/A **Negatives Kept at:** Page & Turnbull, Inc. 417  
 Montgomery Street, 8<sup>th</sup> Floor, San Francisco, CA 94104

Mo.	Day	Time	Exp./Frame	Subject/Description	View Toward	Accession #
11	8	10:30	Photo P5a.	Primary Record: Primary Façade	SW	
11	8	10:30	Figure 1	Original cement plaster water table, currently painted. Looking west.	W	
11	8	10:30	Figure 2	First-story, primary façade. Looking west.	W	
11	8	10:30	Figure 3	Divided-light transom above entry door in western bay, primary façade. Looking south.	S	
11	8	10:30	Figure 4	Grouping of five round-arched, steel-sash windows; second story, primary façade. Looking south.	S	
11	8	10:30	Figure 5	Fixed, steel-sash divided-light window with terracotta surround. Identical windows are located at western (shown) and eastern bay of second story, primary façade. Looking south.	S	
11	8	10:30	Figure 6	Third-story terrace and primary façade of 1927 addition. Fixed, steel-sash window in western bay not pictured. Looking southwest.	SW	
11	8	10:30	Figure 7	Second and third stories, east façade viewed from 7th Street. Looking south.	S	
11	8	10:30	Figure 8	Three steel-sash windows along east facade viewed from third-story interior. Looking east.	E	
11	8	10:30	Figure 9	Aerial imagery shows rear façade of 310 7th Street. Looking north. Google Earth Pro, 2016. Edited by Page & Turnbull.	N	
11	8	10:30	Figure 10	Interior shaft space at southeast corner of building. Second-story window at south façade picture right. Skylight at roof level pictured left. Facing south.	S	
11	8	10:30	Figure 11	Segmental arch and mortar joints of former window openings along west façade remain visible. Looking east.	E	
11	8	10:30	Figure 12	Steel-sash windows at second and third floors of the west façade. Looking east.	E	

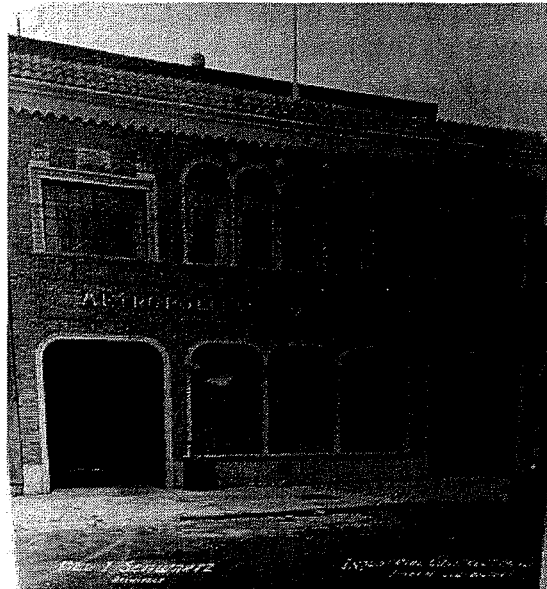


Figure 13: c. 1927 photograph of 310 7th Street. This photo shows third-story addition and signage relating to MFM. Photograph courtesy Ken Fulk, Inc.

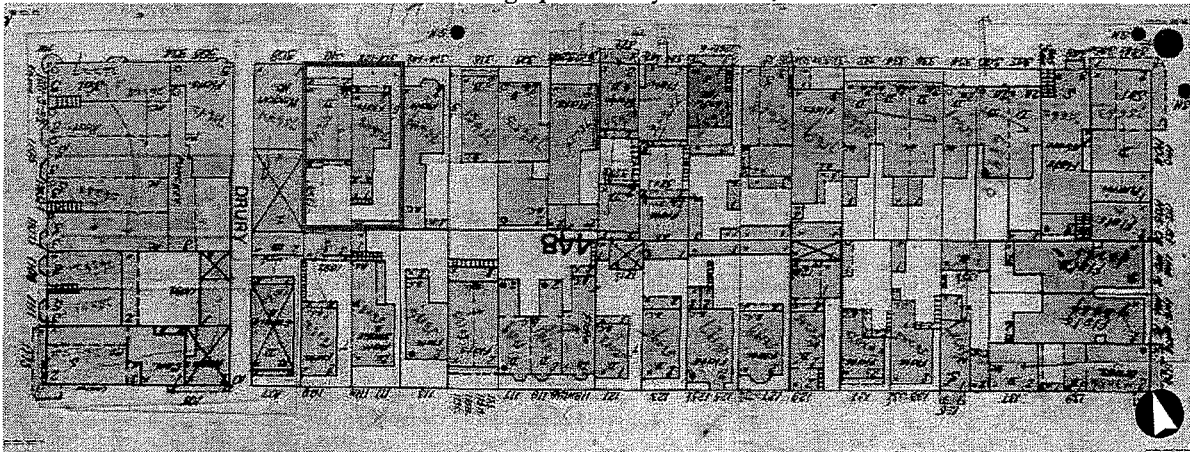
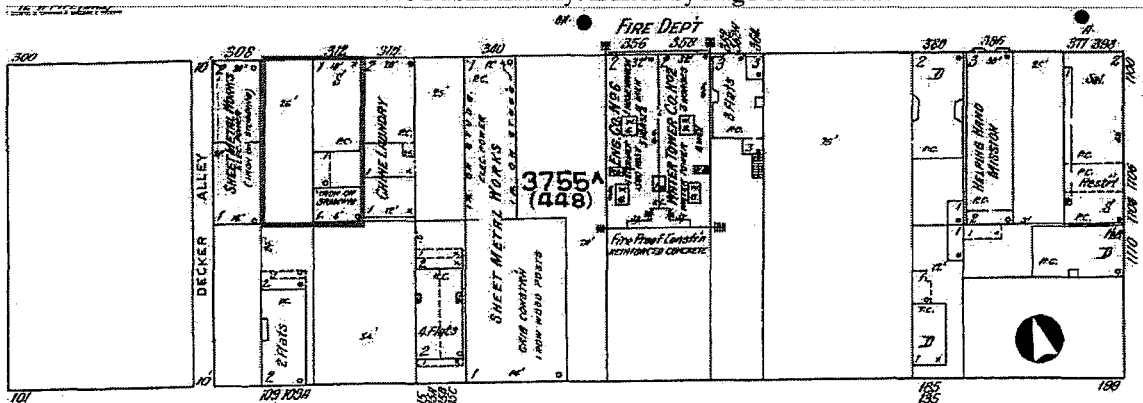


Figure 14: 1905 Sanborn fire insurance map shows 300 block of 7th Street comprised of mostly frame dwellings. Future site of 310 7<sup>th</sup> Street indicated with orange rectangle. David Rumsey Map Collection. San Francisco Public Library. Edited by Page & Turnbull.





Page 22 of 35 Resource Name or # 310 7<sup>th</sup> Street  
 \*Recorded by Page & Turnbull, Inc. \*Date November 18, 2016  Continuation  Update  
 Figure 15: 1913-1915 Sanborn fire insurance map shows 300 block of 7th Street approximatley one decade after 1906 earthquake and fires. Future site of 310 7<sup>th</sup> Street indicated with orange rectangle.  
 San Francisco Public Library. Edited by Page & Turnbull.

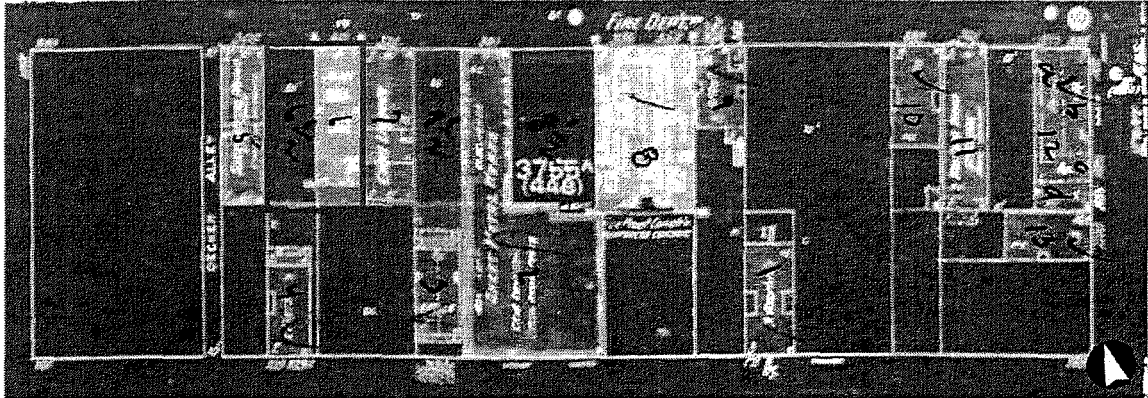


Figure 16: Figure 15: 1920 Sanborn fire insurance map shows little change from 1913-1915 in subject block. 310 7<sup>th</sup> Street indicated with orange rectangle still shown as vacant lot. San Francisco Public Library. Edited by Page & Turnbull.

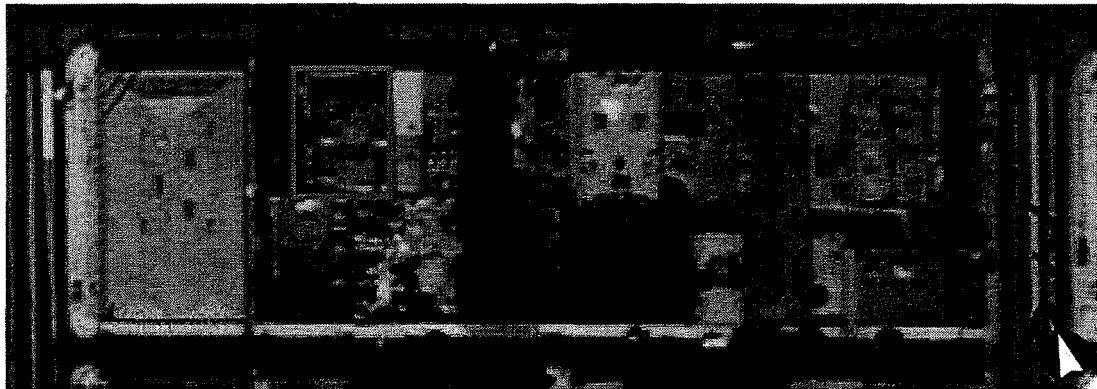


Figure 17: 1938 aerial photograph by Harrison Ryker shows 310 7<sup>th</sup> Street indicated with orange rectangle. David Rumsey Map Collection. Edited by Page & Turnbull.

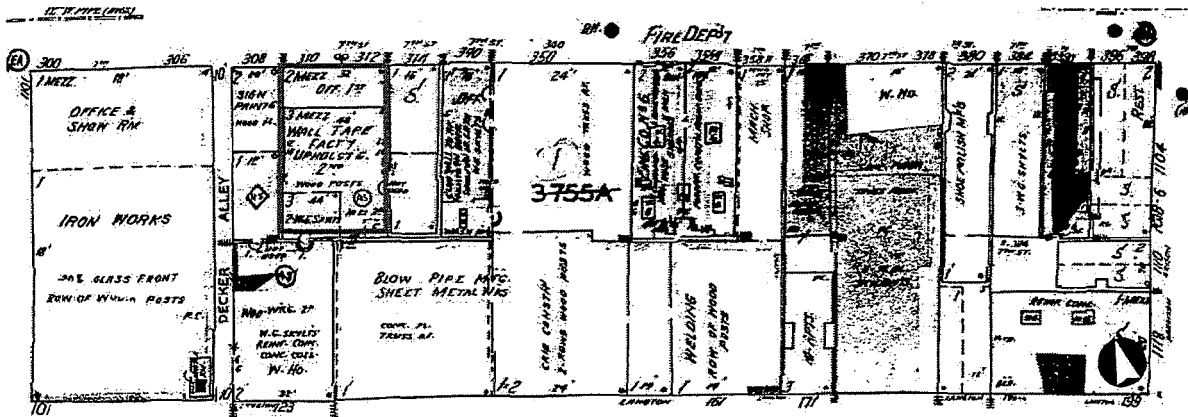


Figure 18: 1950 Sanborn fire insurance map shows 300 block of 7th Street filled with built fabric, a majority of which was constructed 1920-1929. 310 7<sup>th</sup> Street indicated with orange rectangle. San Francisco Public Library. Edited by Page & Turnbull.

State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
 HRI # \_\_\_\_\_  
 Trinomial \_\_\_\_\_

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Resource Name or # 310 7<sup>th</sup> Street

\*Recorded by Page & Turnbull, Inc.

\*Date November 18, 2016

Continuation     Update

*Building Permits: San Francisco Building Department*

OFFICIAL COPY

139223

**APPLICATION**

OF

Public Alteration

To make addition, alterations or repairs to building

Location: 310 7<sup>th</sup> Street

Addressed to: 450

THE BOARD OF PUBLIC WORKS

San Francisco, California

Approved: *[Signature]*  
 May 25 - 1925

OFFICIAL COPY

**ALTERATION BLANKS**

WRITE IN INK—FILL TWO COPIES

**THE BOARD OF PUBLIC WORKS**

OF THE CITY AND COUNTY OF SAN FRANCISCO

WRITE PLAIN FULL DESCRIPTION OF WORK TO BE DONE

Describe kind, full and complete description of work to be done

Address: 310 - 7th Street

Estimated cost of work: \$400.

Building to be used as: Office building

Notes of Special Rules: *Yours in Service*

Address: 21, Battery St.

State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
 HRI # \_\_\_\_\_  
 Triennial \_\_\_\_\_

Page 24 of 35 Resource Name or # 310 7th Street  
 \*Recorded by Page & Turnbull, Inc. \*Date November 18, 2016  Continuation  Update

*160457*

*Robert M. Johnson*  
*San Francisco*  
*San Francisco, CA 94102*  
*San Francisco, CA 94102*  
*San Francisco, CA 94102*  
*San Francisco, CA 94102*

**APPLICATION**

*Robert M. Johnson*  
 Applicant  
 310 7th Street  
 San Francisco, CA 94102

*W. J. Johnson*  
 2nd Floor  
 San Francisco, CA 94102

*Charles Johnson*  
 San Francisco, CA 94102

**OFFICIAL COPY**

**ALTERNATION BLANKS**  
 WRITE IN INK — FILE TWO COPIES  
 TO THE HONORABLE  
 THE BOARD OF PUBLIC WORKS  
 OF THE CITY AND COUNTY OF SAN FRANCISCO

The indicated competency pattern may alternate based on permitting as follows:

Work at corner: *W*  
 Side of street: *25*  
 District: *25*

**WRITE PLAINLY FULL DESCRIPTION OF WORK TO BE DONE**  
*Remove brick pavement and set  
 paving on 7th Street & 25th*

**Estimated cost of work:** *1.7M*

**Funding to be used as:** *Local*

I hereby agree to pay, in full, and keep current the City and County of San Francisco and the Office of Public Works, all bills, taxes, and all other charges which may be levied against said city and county in connection with the project, and all other charges which may be levied against said project from the use or occupancy of any adjacent streets or public places by after the project and will be all other charges which may be levied against the project.

*Robert M. Johnson*  
 Name of Applicant  
 310 7th Street  
 San Francisco, CA 94102

*Robert M. Johnson*  
 Address of Applicant

*Robert M. Johnson*  
 Report

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State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
 HRI # \_\_\_\_\_  
 Trinomial \_\_\_\_\_

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Resource Name or # 310 7th Street

\*Recorded by Page & Turnbull, Inc.

\*Date November 18, 2016

Continuation  Update

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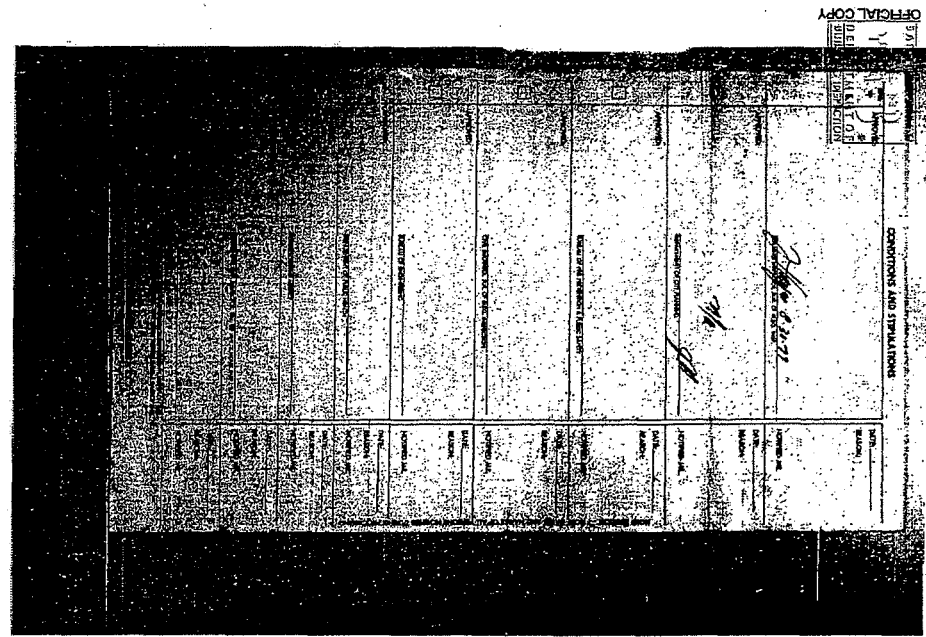
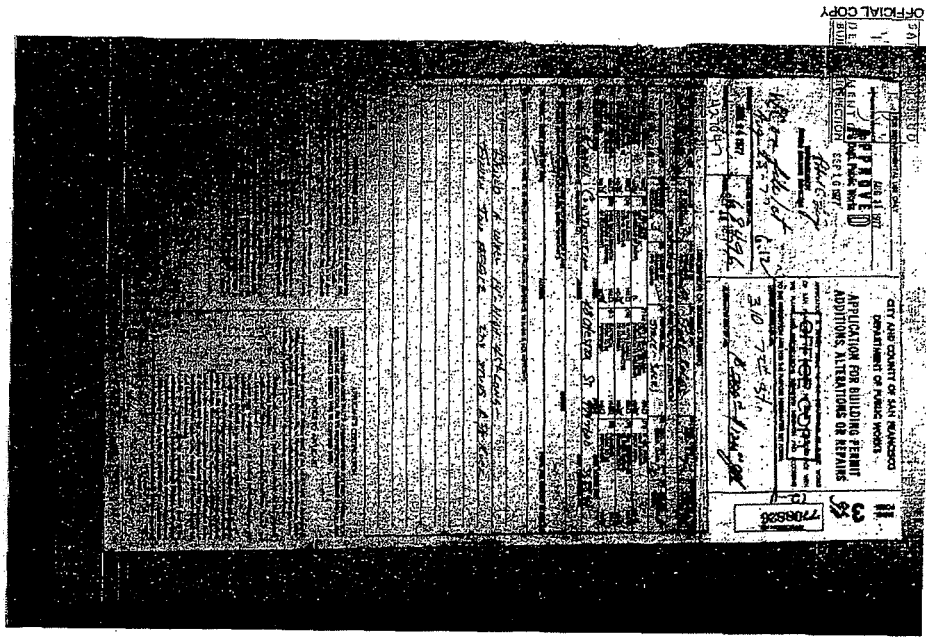
CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS APPLICATION FOR BIDDING PERMIT APPLICANT: <u>City of San Francisco</u> PROJECT: <u>310 7th Street</u> DATE: <u>11/18/16</u>		CONTRACT NO. <u>16-00000000000000000000</u> DRAWING NO. <u>16-00000000000000000000</u> SHEET NO. <u>16-00000000000000000000</u>
PROJECT DESCRIPTION: <u>REPAIR AND MAINTENANCE OF PUBLIC WORKS</u> LOCATION: <u>310 7th Street, San Francisco, CA 94103</u> CONTRACT VALUE: <u>\$150,000.00</u> ESTIMATED START DATE: <u>11/18/16</u> ESTIMATED END DATE: <u>11/18/16</u>		
APPLICANT'S CONTACT INFORMATION: NAME: <u>City of San Francisco</u> ADDRESS: <u>101 California Street, San Francisco, CA 94111</u> PHONE: <u>415 376 2000</u> FAX: <u>415 376 2000</u> EMAIL: <u>publicworks@sf.gov</u>		
CONTRACTOR'S CONTACT INFORMATION: NAME: <u>City of San Francisco</u> ADDRESS: <u>101 California Street, San Francisco, CA 94111</u> PHONE: <u>415 376 2000</u> FAX: <u>415 376 2000</u> EMAIL: <u>publicworks@sf.gov</u>		
PROJECT DESCRIPTION (continued): The project consists of the repair and maintenance of public works at 310 7th Street, San Francisco, CA 94103. The work includes the repair and replacement of existing concrete and masonry structures, as well as the installation of new concrete and masonry structures. The project is estimated to cost \$150,000.00 and is scheduled to start on 11/18/16 and end on 11/18/16.		

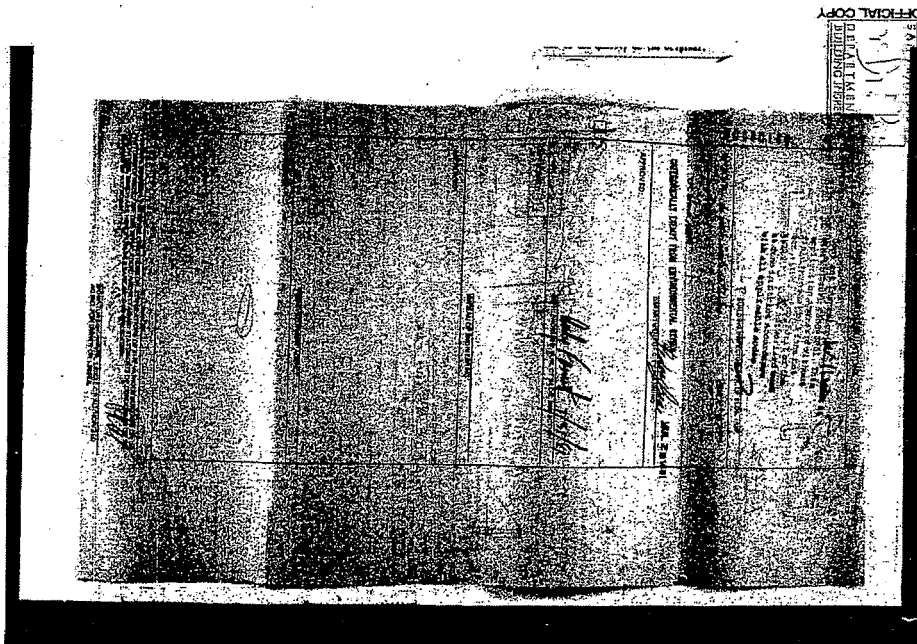
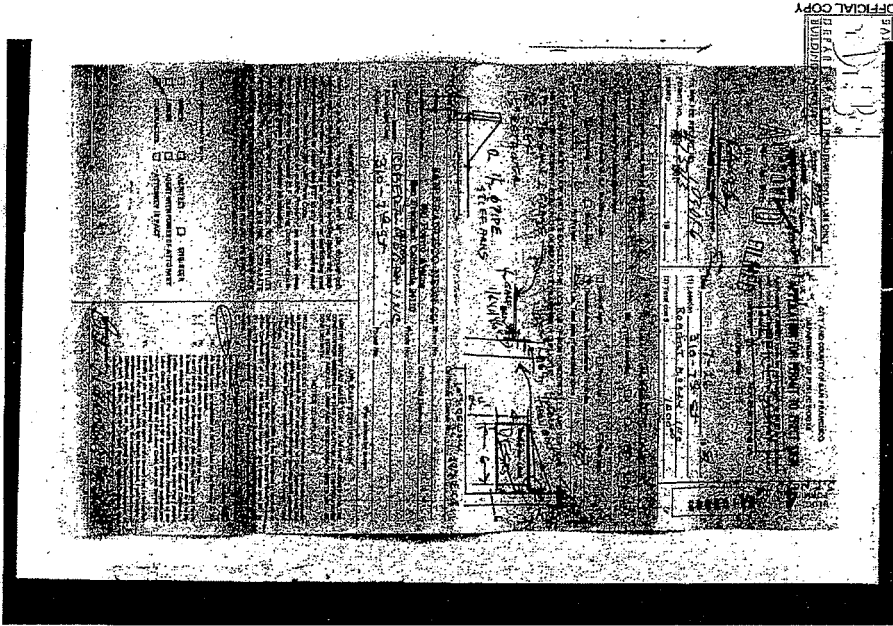
OFFICIAL COPY

CONDITIONS AND SIMILATIONS		DATE
NO.	DESCRIPTION	
1	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
2	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
3	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
4	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
5	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
6	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
7	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
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14	REPAIR AND MAINTENANCE OF PUBLIC WORKS	NOV 18 2016
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State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
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Page 30 of 35 Resource Name or # 310 7th Street  
 \*Recorded by Page & Turnbull, Inc. \*Date November 18, 2016  Continuation  Update

94 KAO

ADDRESS  
Application No. 1307-1018

DATE  
7-26-8

APPLICANT'S INFORMATION  
City and County of San Francisco  
City and County of San Francisco

APPLICANT'S SIGNATURE  
[Signature]

I hereby certify that for the purpose of filing an application for a building or other permit with the Official Plans Board, or for the purpose of filing an application for a building or other permit with the City and County of San Francisco, the applicant has not been convicted of a crime involving moral turpitude, and that the applicant is not under any legal disability which would prevent the applicant from filing an application for a building or other permit with the City and County of San Francisco.

DATE OF THIS STATEMENT  
7-27-8

SIGNATURE OF APPLICANT  
[Signature]

OFFICIAL COPY  
 DEPARTMENT OF PARKS AND RECREATION  
 BUILDING INSPECTION

STATE OF CALIFORNIA  
 DEPARTMENT OF PARKS AND RECREATION  
 BUILDING INSPECTION

APPLICANT'S SIGNATURE  
[Signature]

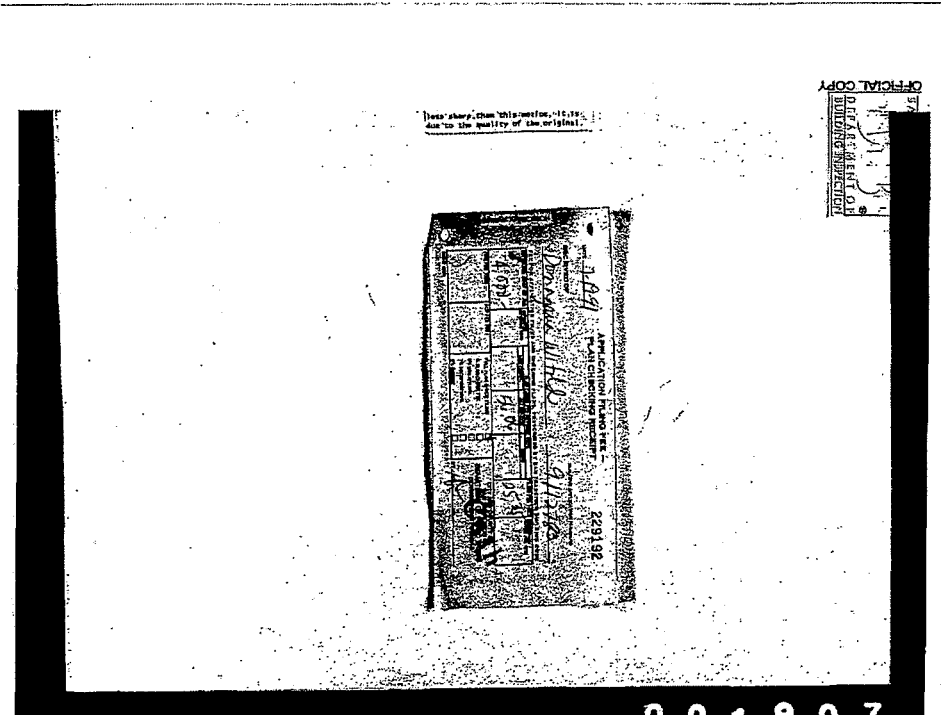
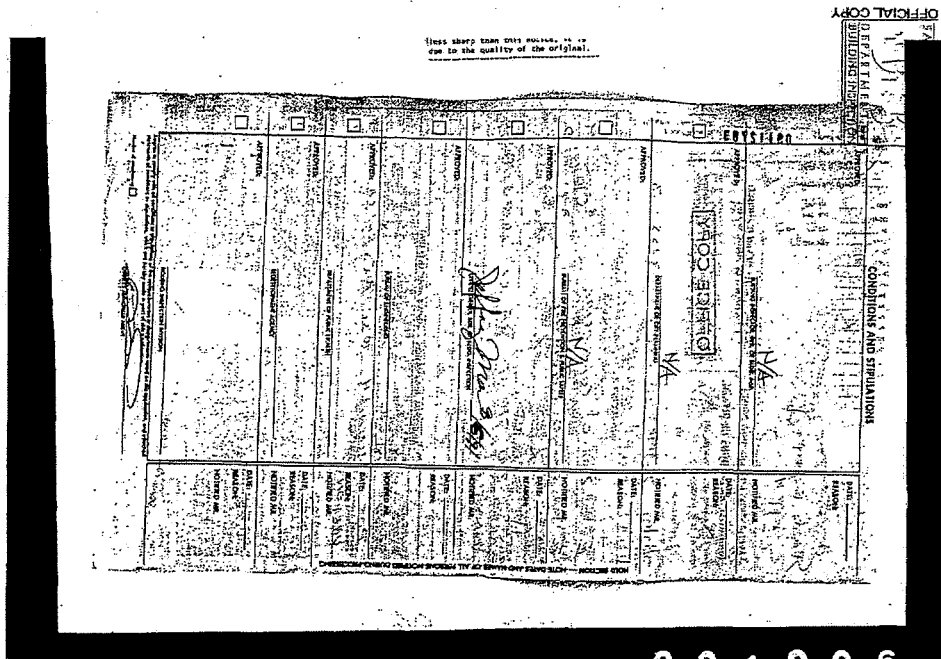
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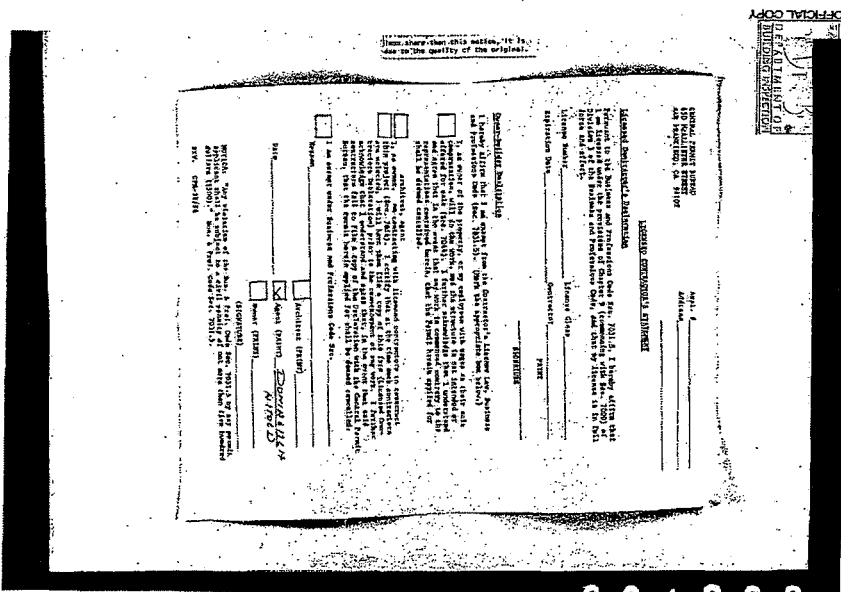
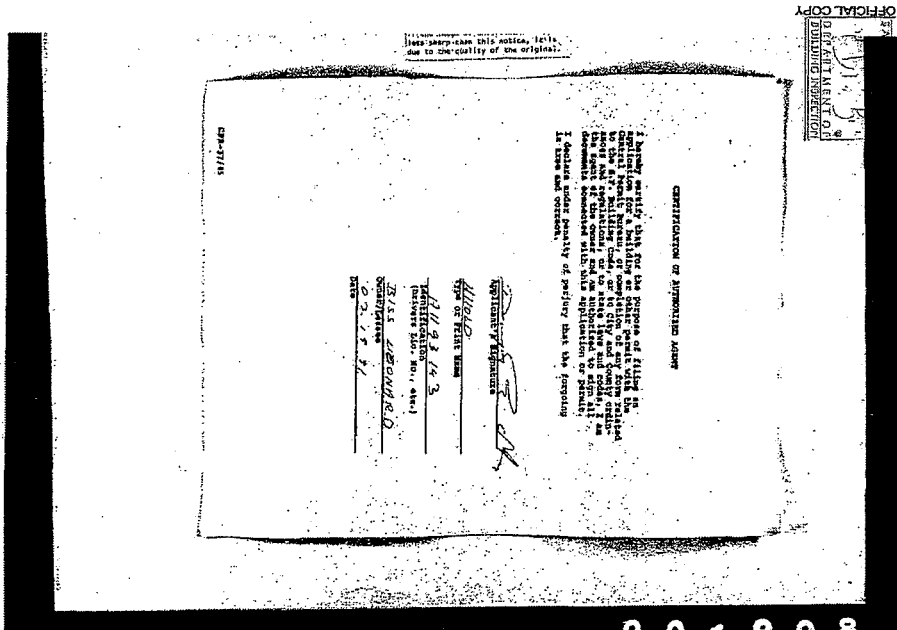
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Page 34 of 35 Resource Name or # 310 7<sup>th</sup> Street \*Date November 18, 2016  Continuation  Update

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**PERMIT**  
 RECEIVED  
 DEPT. OF PARKS & RECREATION  
 11/22/16  
 11:00 AM

**REPROOFING**  
 APPROVED  
 11/18/16  
 1:32 PM

If the image of this document appears less sharp than this notice, it is due to the scanning process.

**APPLICATION FOR BUILDING PERMIT  
 ADDITIONS, ALTERATIONS OR REPAIRS**

Form 1 - Must be completed and submitted from a Design-Professional source.

**APPLICANT COUNTY OR SAN JUAN BAPTIST COUNTY**

DATE OF PERMIT 2-3-16  
 2-3-16

INFORMATION TO BE FORWARDED BY ALL APPLICANTS

PROJECT NO. 733169

PROJECT NAME REPAIRS TO ROOFING

ADDRESS 310 7TH STREET, LOS ANGELES, CA 90013

OWNER THE REXAN COMPANY, INC.

DESIGNER J. J. BARNETT, INC.

**NOTICE TO CONTRACTOR**

The permit holder shall be responsible for obtaining all necessary approvals from the appropriate agencies, including but not limited to, the Department of Water Resources, the Department of Public Works, the Department of Public Safety, and the Department of Health Services. The permit holder shall also be responsible for obtaining all necessary approvals from the appropriate agencies, including but not limited to, the Department of Water Resources, the Department of Public Works, the Department of Public Safety, and the Department of Health Services. The permit holder shall also be responsible for obtaining all necessary approvals from the appropriate agencies, including but not limited to, the Department of Water Resources, the Department of Public Works, the Department of Public Safety, and the Department of Health Services.

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ATTENTION -  
 END OF INSPECTION

CONDITIONS AND SPECIAL CASES

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State of California — The Resources Agency  
 DEPARTMENT OF PARKS AND RECREATION  
**CONTINUATION SHEET**

Primary # \_\_\_\_\_  
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 Trinomial \_\_\_\_\_


Page 35 of 35 Resource Name or # 310 7th Street

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\*Date November 18, 2016

Continuation  Update


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**CERTIFICATION OF APPROVED AGENT**

I hereby certify that for the purpose of filing an application for a building or other permit with the District Permit Bureau, or completion of any form related to the S.F. Building Code, or to city and county ordinances and regulations, or to state laws and codes, I am the agent of the owner and am authorized to sign all documents connected with this application or permit.


I declare under penalty of perjury that the foregoing is true and correct.

  
 Applicant's Signature  
John Boney  
 Type or Print Name  
SS 07 545 11 1001  
 Identification  
 (Drivers Lic. No., etc.)  
Edward Russ  
 Owner/Agent  
2-2-21  
 Date

The approval of this document, by the Department of Building Inspection, does not constitute an endorsement of the quality of the original.

CPB-22/15

OFFICIAL COPY



**LICENSEE/CONTRACTOR'S STATEMENT**

**Licensed Contractor's Declaration**

Pursuant to the Business and Professions Code Sec. 7031.5, I hereby affirm under penalty of perjury that I am licensed under the provisions of Chapter 9 (commencing with Sec. 70303) of Division 3 of the Business and Professions Code, and that my license is in full force and effect.

License Number 54754L License Class C-52  
 Expiration Date 6-30-15 Contractor John Boney  
 (Print Name)

**Owner-Builder Declaration**

I hereby affirm under penalty of perjury that I am exempt from the Contractor's License Law, Business and Professions Code (Sec. 7031.5). (Mark the appropriate box below.)

I, as owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7014). I further acknowledge that I understand and agree that in the event that any work is constructed contrary to the requirements contained herein, that the Permit herein applied for shall be deemed suspended.

Architect, agent

I, as owner of the property, am exclusively contracting with licensed contractors to construct this project (Sec. 7014). I hereby affirm that in the event such contractors are selected, I will furnish them this copy of this form (Licensed Contractor's Declaration) prior to the commencement of any work. I further acknowledge that I understand and agree that in the event that said contractors fail to file a copy of the Declaration with the Central Permit Bureau, that the Permit herein applied for shall be deemed suspended.

I am exempt under Business and Professions Code Sec. \_\_\_\_\_

Reason \_\_\_\_\_

Architect (PRINT) \_\_\_\_\_  
 Agent (PRINT) \_\_\_\_\_  
 Owner (PRINT) \_\_\_\_\_

SIGNATURES \_\_\_\_\_

NOTICE: Any violation of this Div. & Prof. Code Sec. 7031.5 by any person applicant shall be subject to a civil penalty of not more than five hundred dollars (\$500). Div. & Prof. Code Sec. 7031.5.  
 REV. 02/11/15

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**From:** Board of Supervisors, (BOS)  
**Sent:** Friday, September 01, 2017 10:36 AM  
**To:** BOS-Supervisors; Lew, Lisa (BOS)  
**Subject:** FW: 3516-3526 Folsom - Response to Appeal of PMND  
**Attachments:** 3516-3526 Folsom - Letter to Board of Supervisors - Response to Appeal of PMND.pdf

**From:** Smith, Diana [mailto:[dsmith@lubinolson.com](mailto:dsmith@lubinolson.com)]  
**Sent:** Friday, September 01, 2017 10:12 AM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>; BOS Legislation, (BOS) <[bos.legislation@sfgov.org](mailto:bos.legislation@sfgov.org)>; Breed, London (BOS) <[london.breed@sfgov.org](mailto:london.breed@sfgov.org)>  
**Cc:** Olson, Charles <[colson@lubinolson.com](mailto:colson@lubinolson.com)>; ryan@zfplaw.com; 'jfogarty@sonic.net' <[jfogarty@sonic.net](mailto:jfogarty@sonic.net)>; Lee, Carolyn <[clee@lubinolson.com](mailto:clee@lubinolson.com)>; Carroll, John (BOS) <[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org)>; Jalipa, Brent (BOS) <[brent.jalipa@sfgov.org](mailto:brent.jalipa@sfgov.org)>; Horner, Justin (CPC) <[justin.horner@sfgov.org](mailto:justin.horner@sfgov.org)>; fabien@bluorange.com  
**Subject:** 3516-3526 Folsom - Response to Appeal of PMND

Hello,

Please find the Response to Appeal of PMND for 3516-3526 Folsom attached.

Sincerely,  
Diana



**Diana Smith | Legal Assistant | LUBIN OLSON**

Lubin Olson & Niewiadomski LLP | The Transamerica Pyramid | 600 Montgomery Street, 14th Floor | San Francisco, CA 94111  
Phone: (415) 981-0550 | Facsimile: (415) 981-4343 | [www.lubinolson.com](http://www.lubinolson.com) | Email: [dsmith@lubinolson.com](mailto:dsmith@lubinolson.com)

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 **LUBIN | OLSON**  
LUBIN OLSON & NIEWIADOMSKI LLP

THE TRANSAMERICA PYRAMID  
600 MONTGOMERY STREET, 14TH FLOOR SAN FRANCISCO, CALIFORNIA 94111  
TEL 415 981 0550 FAX 415 981 4343 WEB lubinolson.com

September 1, 2017

**CHARLES R. OLSON**  
Direct Dial: (415) 955-5020  
E-mail: colson@lubinolson.com

**VIA HAND DELIVERY**

President London Breed  
c/o Angela Calvillo, Clerk of the Board  
San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102

RE: Appeal of CEQA Mitigated Negative Declaration ("MND")  
Planning Case No. 2013.1383ENV  
Building Permit Application Nos. 2013.12.16.4318 and 2013.12.16.4322  
3516-3526 Folsom Street ("Project Site")

Dear President Breed and Honorable Members of the Board of Supervisors:

This firm represents two couples, Fabien Lannoye and Anna Limkin, and James and Patricia Fogarty (collectively, the "Project Sponsors"), who are the owners respectively of two vacant lots zoned for residential use located at 3516 and 3526 Folsom Street, upon which they propose to build two single-family homes and construct the adjacent 145 foot long "paper street" segment of Folsom Street to provide vehicular and pedestrian access to the site (collectively, the "Project"). The two lots are located at the Chapman Street terminus of Folsom Street in the Bernal Heights neighborhood. The Project Sponsors applied for building permits almost four years ago.

For the reasons set forth below, the Project Sponsors respectfully request that the Board reject the referenced appeal and uphold the Planning Department's decision to adopt the MND.

**I. History of the CEQA Challenges**

In response to the Planning Department's Section 311 Notice posted on August 17, 2015, 19 Requests for Discretionary Review of the Project were filed. When the consolidated DR requests were unanimously rejected by the Planning Commission in May 2016, the DR Requestors (also referred to herein as "Appellants") then turned their attention to the California Environmental Quality Act ("CEQA") and challenged the Planning Department's determination that the Project was categorically exempt under CEQA. Previously, on March 26, 2014, the Environmental Review Officer ("ERO") of the Planning Department issued a Certificate of

Determination: Exemption from Environmental Review finding that the Project was categorically exempt from CEQA review under Class 3: New Construction or Conversion of Small Structures (CEQA Guidelines Section 15303) (the “2014 Determination”). Guidelines Subsection 15303(a) allows the construction of up to three single-family residences in urbanized areas. Subsection 15303(d) allows the construction of water mains, sewage, electrical, gas and other utility extensions, including street improvements, of reasonable length to serve the construction of the small structures. The 2014 Determination also concluded that the Project Site was not located in a particularly sensitive or hazardous area and that there were no unusual circumstances involved with the proposed Project that suggested a reasonable possibility that it would cause a significant environmental effect.

Prior to the Board of Supervisor’s hearing on the CEQA appeal scheduled for July 19, 2016, the Planning Department determined that the 2014 Determination should be withdrawn and a new Categorical Exemption should issue, which the Planning Department did on July 8, 2016 (the “2016 Determination”). The 2016 Determination again concluded that the Project qualified for a Class 3 categorical exemption, and that none of the exceptions to the categorical exemption applied. The withdrawal of the 2014 Determination required the Planning Commission to rehear the DR requests, which it did on October 13, 2016, and again unanimously approved the Project by not taking DR.

Some of the DR Requestors then appealed the 2016 Determination. Before being heard by the Board of Supervisors, the Planning Department in December 2016 determined that the 2016 Determination should be withdrawn to allow for further analysis of potential environmental impacts. Subsequently, with the agreement of the Project Sponsors, the Planning Department prepared a MND in order to better address the DR Requestors' concerns regarding potential construction impacts on the nearby PG&E pipeline. The Planning Department issued a notice of determination of its intent to adopt the MND on April 26, 2017. The MND was appealed by Appellants on May 16, 2017. The Planning Commission unanimously rejected the appeal and approved the MND on June 15, 2017. Appellants now appeal the MND, based on the same arguments that have been presented, and rejected, time and time again by the Planning Department and the Planning Commission.

## **II. Standard of Review**

The Board must affirm the Planning Commission's adoption of a mitigated negative declaration if it finds that the mitigated negative declaration conforms to the requirements of CEQA and that the record, considered in its entirety, contains no substantial evidence to support a fair argument that the project may have a significant effect on the environment that has not been avoided or mitigated to a less than significant level by mitigation measures or project modifications agreed to by the project sponsor or incorporated into the project. See San Francisco Administrative Code Section 21.16 (c)-(e).

Under CEQA, “Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.” (See CEQA Guidelines Section 15384(a) (defining “substantial evidence”). CEQA Guidelines Section 15384(b) further states, “Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.”

### **III. Appellants Have Failed To Carry Their Burden of Proof.**

Appellants have failed to carry their burden under CEQA and the Administrative Code. First, Appellants do not contend that the MND does not conform with CEQA. Second, Appellants have failed to demonstrate that there is substantial evidence, in light of the whole record, supporting a "fair argument" that the Project may have a significant, adverse, unmitigated effect on the environment, which would thus require the preparation of an EIR. See Public Resources Code Section 21064.5; San Francisco Administration Code Section 31.16(4).

#### **A. Appellants Have Provided No Substantial Evidence That The Project, As Mitigated, Would Cause A Potentially Significant Impact.**

##### **1. Appellants' Purported Expert Evidence Does Not Withstand Scrutiny.**

The Appellants' assert that the "adequacy and feasibility of the proposed mitigation actions are very much in question," but the MND fully evaluates the integrity of PG&E Pipeline 109. This particular pipeline runs under other residences in the neighborhood, and throughout many other residential neighborhoods in the City's southeastern areas, and does not pose any imminent threat to the Project. The issue has been thoroughly discussed in the MND. (MND, pp. 54-60).

The statement attributed to Professor Bea alleging identical concerns with Pipeline 109 and the San Bruno Pipeline 132 explosion is based upon incorrect and misleading facts provided to Professor Bea by one of the Appellants. In fact, as previously communicated to Appellants in writing by PG&E Expert Customer Impact Specialist, Austin Sharp, "Line 109 near 3516 and 3526 Folsom Street is not equivalent to the pipe in San Bruno that failed. The pipeline in San Bruno that failed was PG&E natural gas transmission pipeline L-132, which had a diameter of 30 inches, was installed in 1956, and had an MAOP of 400 psig. As described in the responses above, L-109 in your area is a 26-inch diameter pipeline, was installed in 1981, and operates at an MAOP of 150 psig." See Exhibit A, attached hereto, Response to Question 9. Appellants further mislead the Board with their groundless assertions that PG&E Pipeline 109 was installed in 1932. In fact, it was installed in 1981, and it has been regularly inspected by PG&E since its installation. See Exhibit A, Response to Question 8. It operates at 150 pounds per square inch (PSI) pressure, less than 20% of its engineered and specified minimum yield strength, which provides a substantial margin of safety. See Exhibit A, Response to Question 3. In fact, Appellants previously submitted to the Planning Commission a gas line pipe safety chart prepared by Professor Bea, as shown on the attached Exhibit B. At 150 PSI, PG&E Pipeline 109 falls well within Professor Bea's "Safe" quadrant. Similarly, the alleged statement made in 1989 by some unidentified person at DPW that the Project site was "too dangerous" to ever develop is just hearsay; it does not constitute substantial evidence.

Appellants' heavy reliance on Professor Storesund as a "qualified pipeline safety expert" appears misplaced. While he presents an impressive 30-page resume listing his qualifications and completed engineering projects and consultations, of the 167 projects he lists, none involves gas transmission pipeline analysis. The closest apparently he has ever come to analyzing gas transmission pipelines is in only 2 of his 167 projects: one working on an enlarged access road and maintenance pad for a new PG&E maintenance access facility (PG&E Line 131 Digging Project, Alameda County), and one involving trench backfill observation of a landfill methane gas recovery pipeline at the base of a levee (Newby Island Gas Transmission Pipeline, Milpitas). (Storesund Resume attached as Exhibit G to Appellants' Appeal dated July 17, 2017, p.13).

Professor Storesund's June 5th letter suggesting that there is a reasonable possibility that a significant effect still exists and that this segment of pipeline should be replaced is based upon errors and speculation that do not rise to substantial evidence. First, he cites to PG&E pipeline engineer, John Dolcini's, memo to the Planning Department dated March 17, 2017 (attached hereto as Exhibit C) as evidence that PG&E's "minimum of 36 inches of soil cover is very likely violated at this location, with a PG&E-estimated 24 inches of soil cover" when in fact, Mr. Dolcini indicated that "PG&E requires a minimum of existing grade or 36 inches of cover over gas lines (whichever is less)." Second, relying on his intentional misrepresentation of the PG&E policy, he continues by speculating that "it would not be surprising if a site-specific assessment will find additional deviations to be discovered that reveal a lower actual pipeline integrity vs an assumed pipeline integrity." Third, he states that most pipelines are horizontal in utility trenches; but this is certainly not true in San Francisco. Finally, based on his assumption of "additional deviations," he suggests that PG&E should replace the entire segment of pipeline prior to project construction. Such an approach would have very serious policy considerations for PG&E and the City suggesting that all future excavation and construction activities near gas transmission pipelines would require concurrent pipeline replacement. Professor Storesund's June 14, 2017, letter was not even presented to the Planning Commission for its hearing on the appeal, so has obviously been added by Appellants after they lost the appeal.

2. The Project Incorporates All Required Mitigation Measures.

The proposed construction vibration mitigation measure is robust, and the Project incorporates its safety measures. As indicated in the MND, the Project Sponsors intend to stage the Project construction from Bernal Heights Boulevard. (MND, p. 51). No construction or demolition materials will be stored within the required 45-foot zone for pipeline maintenance. In addition, the stairs from the proposed new sidewalk to Bernal Heights Boulevard, which were not part of the Project plans submitted by the Project Sponsors to the City and which were requested as a project addition by the City, can be constructed in such a manner that they do not violate PG&E's requested 10-foot clearance from the pipeline, or they could be eliminated altogether if PG&E insists, in which case the neighbors will lose an excellent potential neighborhood amenity. This issue is no different from the issue related to the planting of street trees for the Project: the City has required them consistent with City policy, and PG&E will likely prohibit them entirely because of their proximity to Pipeline 109. (See Exhibit C attached hereto, paragraph 4).

3. Mitigation Measure M-NO-3 Incorporates Robust Standards that Adequately Addresses Appellants' Concerns.

The Appellants' contention that "There is no data, analysis, or justification for using a PPV vibration standard of 2in/sec," ignores all relevant evidence to the contrary in the record. Illingworth and Rodkin, Inc., prepared a Construction Vibration Evaluation for the Project on March 24, 2017. This, along with the PG&E memo dated March 30, 2017, from John Dolcini, form the basis for Mitigation Measure M-NO-3. (MND, p. 58-60). The mitigation measure requires monitoring of vibration levels, and includes limitations on materials storage and construction activity on or near Pipeline 109, as well as the development of a Vibration Monitoring Plan, and its approval by PG&E and the Planning Department prior to the issuance of any building permits. See Planning Department Response to Appeal of PMND dated June 8, 2017, p. 10. Although many regulatory bodies use more lenient PPV vibration standards, Mitigation Measure M-NO-3 is based upon the most stringent standard of any. Mitigation

Measure M-NO-3 requires continuous vibration monitoring throughout Project construction and requires all construction work to stop if at any time vibration levels exceed 2 inches/second. See Agreement to Implement Mitigation Measures dated April 26, 2017, attached hereto as Exhibit D. This standard set by PG&E is a very conservative standard at a factor of 10 lower than the Construction Vibration Evaluation, which based its estimates of proposed project construction equipment on an already conservative damage criteria of 12 in/sec. (MND, pp. 56-57). This should assuage the Appellants' concerns of vibration impacts on the pipeline because the mitigation measure is based on the potential for construction equipment to operate beyond the significantly lower threshold of 2in/sec. Appellants provide no substantial evidence that the Project, as mitigated, would cause a potentially substantial environmental impact.

Project construction will be well-monitored. The Project Sponsors have consulted with multiple City agencies to ensure that construction of the proposed Project will comply with various regulations and City ordinances. Appellants have provided no substantial evidence that the lack of public participation in the construction management plan will lead to an adverse environmental effect under CEQA. Mitigation Measure M-NO-3: Vibration Management Plan adequately addresses the Project's construction such that the vibration effects on PG&E Pipeline 109 will be less than significant, as concluded in the MND, and as further detailed above. Enforcement of the mitigation measure is the responsibility of the Planning Department and the Department of Building Inspection. Both are public agencies that are independent of the Project Sponsors, and which are required to share information related to implementation and enforcement of mitigation measures. Emergency preparedness and response are the responsibility of the San Francisco Department of Emergency Management, the San Francisco Police Department, the San Francisco Fire Department, and other local, state, and federal agencies. Construction protocols must also follow PG&E safety measures.

#### 4. Appellants' Speculation Is Not Substantial Evidence.

Appellants' repeated speculation that the construction of the Project will result in an explosion that will destroy the neighborhood is simply that—speculation. For example, Appellants' reference to a PG&E's "acknowledgment" that a pipeline failure would result in significant environmental damage, repeated references to PG&E's "recent track record", and references to the San Bruno explosion are all unrelated to the Project and do not constitute substantial evidence. In their effort to make every conceivable argument in opposition to the Project, Appellants contradict themselves. For example, while Appellants repeatedly bad mouth PG&E, Appellants' consultant, Professor Storesund, stated in his June 5, 2017, letter, which is not quoted by Appellants' legal counsel, that "PG&E is the only organization in a position to analyze the additional fatigue expected to be exerted on the pipeline from the bedrock excavation activity and certify that no appreciable degradation will occur." And Appellants will always demand yet one more test or study for the Project in their efforts to delay or kill the Project. See Association of Irrigated Residents v. County of Madera (2003) 107 Cal.App.4<sup>th</sup> 1383, 1390-1391 ("Analysis of environmental effects need not be exhaustive, but will be judged in light of what was reasonably feasible.").

#### **B. The MND Adequately Analyzes Cumulative Impacts of the Project.**

Appellants argue that the MND errs in its environmental analysis of cumulative impacts because it does not assess the cumulative impacts of the "paper street" and the potential development of four additional houses on adjacent vacant lots for which utilities will be stubbed

in as part of the Project. Once again, this is not true. In the MND Project Description, the Project is described as “the construction of two single-family residences on two of the vacant lots along the west side of the unimproved portion of Folsom Street, and the construction of the connecting segment of Folsom Street to provide vehicle and pedestrian access to the project site.” (MND, p. 1). The potential environmental impacts of the “paper street” are analyzed throughout the MND, as stated in Response 1 of the Planning Department Response to Appeal of PMND dated June 8, 2017. The Project only involves the construction of two single-family homes on two small lots zoned for residential use and the 145-foot extension of Folsom Street. As discussed above, there are four other vacant lots zoned for residential use on the portion of Folsom Street that would be extended as part of the Project. The Project Sponsors have no ownership or control of these other lots. The rule in San Francisco has long been that a project is not considered reasonably foreseeable for cumulative impact analysis under CEQA until an application has been filed for environmental review. See San Franciscans for Reasonable Growth v. City & Cty. Of San Francisco (1989), 209 Cal.App.3d 1502, 1526-27. In this case, Planning Department staff have confirmed that no applications for environmental review for any of the four other lots have been filed with the City. (MND, at pp. 25-26).

Even if other applications had been filed, Appellants have provided no substantial evidence that significant cumulative impacts would occur. See Hines v. California Coastal Commission (2010) 186 Cal.App.4<sup>th</sup> 830, 857 (speculation that significant cumulative impacts will occur simply because other projects may be approved in the same area is insufficient to trigger the cumulative impact exception to reliance on categorical exemptions).

The MND analyzed the cumulative setting and states, “There are no active planning applications for any adjacent properties or for the other four lots on this unimproved section of Folsom Street.” Subsequently, the MND was revised to include the residence under construction at the southeast corner of Chapman and Folsom, and the Planning Department Staff Response dated June 8, 2017, indicated that this addition did not modify the conclusions in the MND regarding lack of cumulative impacts (MND, p. 17). The MND’s evaluation of cumulative environmental effects concluded that the Project would not result in a considerable contribution to any cumulative environmental impacts. Finally, the MND notes that any subsequent development would be required to undergo environmental review in accordance with CEQA and would be required to comply with the same regulations as the Project.

Appellants’ contention that the development of six residences would automatically require preparation of an EIR is both factually incorrect and devoid of any legal authority. Similarly, Appellants’ reliance on Laurel Heights Improvement Association v. Regents of the University of California (1988) 47 Cal.3d. 376, is misplaced. In Laurel Heights, the Regents acquired a 354,000 square foot building with the intent to ultimately use the entire building for UC purposes, but the Regents prepared an EIR analyzing only the use of approximately 100,000 square feet of the building. Here, the Project Sponsors have no ownership or control of the other four vacant lots, so this is not a “phased project” like the Regents’ use of the Laurel Heights building.

**C. Appellants Provide No Evidence to Challenge or Contradict the Findings in the Geotechnical Report.**

Appellants do not provide any evidence to support their claim that the Geotechnical Report dated August 3, 2013, is “incomplete.” In fact, as Appellants well know, the

Geotechnical Report was updated on November 30, 2016, and the updated report, as well as the Planned Street and Utility Improvements Geotechnical Investigation dated July 2017, are part of the administrative record. Appellants repeated references to the “revised project” are a smokescreen; while the Project has been revised since its initial configuration in 2013, the Project scope has been reduced to address Planning Department suggestions and community concerns. The analysis presented in the Geotechnical Report thus already covers the reduced scope of the Project. Second, Appellants’ comments regarding soil stability, backfill soil over the PG&E Pipeline, and lateral and overhead earth movement from excavation activities are addressed in Mitigation Measure M-NO-3 and will be further addressed by more detailed, project-specific geotechnical analysis when the Project Sponsors process their building permits. The Project, like other building projects in San Francisco, will thus undergo further review with the Department of Building Inspection to analyze and avoid any potential impacts related to soils, and conduct design-level geotechnical investigations based on site-specific data.

Appellant’s claim that the MND violates Planning Code Section 101.1 because it does not maximize earthquake preparedness by imposing earthquake hazard mitigation is completely meritless. The MND acknowledges the Appellants’ concerns about earthquakes and landslides, and recognizes the reality that while the “project site is not located within a seismic hazard zone, it may be subject to ground shaking in the event of an earthquake on regional fault lines like the entire San Francisco Bay Area would.” (MND, pp. 92-93). As further stated in the MND, the Project Site is not located within an area subject to landslides. Appellants’ anecdote about a recent landslide from an unspecified location in “close proximity to the proposed project site” does not constitute substantial evidence. The MND appropriately concludes that the proposed Project will have less-than-significant landslide related impacts and that any risks associated with liquefaction and differential compaction would otherwise be reduced with implementation of standard building engineering and other design measures. (MND, p. 93). Appellants present no evidence to the contrary.

Other issues raised by Appellants, such as those regarding fertilizer runoff onto the PG&E Pipeline are nonsensical and do not impact this particular section of the PG&E Pipeline any more than water run-off on any other pipeline segment in San Francisco. And as indicated in the MND, the entire City, not just the Project Site, is located in a High Consequence Area.

**D. Other Issues Raised by Appellants Fail for Lack of Substantial Evidence, Are Clearly Erroneous, Or Are Outside the Scope of CEQA.**

1. Appellants Argue Without Any Evidence That Construction of the Project Will Result in a Significant Danger to Residents and Drivers Because of the Steepness of the Folsom Street Extension.

This is untrue and raises no CEQA issues. The street extension will require review and approval by San Francisco Public Works and is consistent with the City’s Subdivision Regulations. (MND, p.40). The Project will comply with Fire Code Section 503.1.1. (MND, p. 40). The Project Sponsors have offered to work with the two existing neighbors to ensure that the final design of the Folsom Street extension preserves access to their garages and have offered to improve the existing driveways while paying all costs for design, permitting and construction. Access to existing driveways and the Project’s driveways will be further ensured with the City’s Street Design Advisory Team’s recent approval of a 20’ street width and a two-foot increase in curb cut lengths to 12 feet. (MND, p. 14). The fact that the Folsom Street extension will be

steep and will not contain on-street parking does not mean that delivery trucks cannot access the new residences or existing residences. The nine estimated daily vehicle trips generated by the Project will hardly cause a “significant increase in existing traffic volumes” at the Folsom/Chapman intersection. See San Francisco Planning Department, Transportation Calculations for 3516-3526 Folsom Street, June 20, 2016.

Appellants have presented no evidence that drainage will be significantly affected by the introduction of the proposed street extension or the two new residences. Rather, installation of new storm water collection systems, including permeable planters along the Folsom Street extension, will improve drainage in the vicinity. (MND, pp. 79-80).

Appellants have presented no evidence that garbage, recycling and compost pick up will be adversely affected at either the intersection of Chapman and Powhattan or within two blocks of that intersection. The Project Site is no different from many other sites in San Francisco that are adequately serviced by waste management companies.

2. The Planning Department and the MND Concluded Appropriately that the Project Will Not Cause a Significant View Impact or Cast Significant New Shadows.

Photomontages reviewed by the Planning Department’s staff demonstrate that the Project will not cause any significant view impacts from public areas as the Project does not obstruct views from Bernal Heights Park or Bernal Heights Boulevard. See Planning Department Discretionary Review – Full Analysis dated June 8, 2017, p. 10. Appellants fail to make a fair argument that the addition of the fence/railing on the roof decks of the Project will cause a significant shadow impact on the Bernal Heights Community Garden. Shadow studies submitted to the Planning Department demonstrate that the Project will cast minimal shadows on the Bernal Heights Community Garden, limited to only certain periods in the winter and summer, and the new shadow would only fall on a portion of the southwestern corner of the Bernal Heights Community Garden in the evening after 5:30pm. (MND, p.75). The addition of the fence/railing would not impact the shadow analysis.

3. Appellants Raise Non-CEQA Issues.

Construction trucks drive over City streets above gas pipelines, including Pipeline 109, everyday; there is nothing unusual about this. The Planning Department found that the Project satisfies the Bernal Heights East Slope Guidelines. See Planning Department Response to Appeal of PMND dated June 8, 2017, p. 15. The Project Site and Folsom Street extension are outside the boundaries of the Slope Protection Act because areas not designated as Landslide Hazards Zones are not subject to the Slope Protection Act. See Planning Department Response to Appeal of PMND dated June 8, 2017, p. 11. The Project is required to comply with the Stormwater Management Ordinance, but a Project-specific stormwater management plan is not required. (MND, p. 79). Construction impacts of the Project will be short-term and temporary.

\* \* \* \* \*

San Francisco has a severe housing shortage. The California Supreme Court has held repeatedly that “rules regulating the protection of the environment must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development and advancement.” Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 576. As Appellants have utterly failed to meet their legal burden to provide substantial evidence



demonstrating that the Project would cause a significant environment impact, the Project Sponsors respectfully request that the Board reject this appeal and uphold the Planning Department's adoption of the MND. Four years after the Project Sponsors purchased these two lots and approximately 45 months after they filed for environmental review, it is past time to put an end to this ordeal and allow the Project Sponsors to construct these two single-family homes.

Sincerely,

*Carolyn Fee on behalf of Charles Olson*

Charles R. Olson

CRO

cc: Fabien Lannoye and Anna Limkin  
James Fogarty and Patricia Fogarty  
Joy Navarrete, Planning Department, Environmental Planner  
Justin Horner, Planning Department, Environmental Planner

**EXHIBIT A**  
**[PG&E Guidelines]**

Hi Deborah, Herb, and Fabien,

Please see below for the response to the questions that Deborah submitted to me. Herb, I will have the additional questions sometime next week. I will also be attending your design review board meeting tonight, so if you have any PG&E related questions I will be available to answer them. Look forward to seeing you there.

**Background:** Lot 13 and Lot 14, Block 5626; 3516 Folsom St.; 3526 Folsom St. Concerned neighbors require explicit information about Pipeline 109. Thus we are sending the following request for information to the developer and to you as a representative of PG&E. As the owner of the above listed lots, in the vicinity of Pipeline #109 in Bernal Heights, we, concerned neighbors, are asking you to provide the following information:

**QUESTION(S) 1:** Where exactly is pipeline 109?; identify the longitude and latitude coordinates.

**RESPONSE(S) 1:** Please see attachment "*L109\_Folsom\_Street.pdf*" for the location of Line 109 near 3516 and 3526 Folsom Street, San Francisco. PG&E does not provide latitude and longitude of natural gas pipelines to outside parties (other than its regulators) for security reasons. To have PG&E identify the location of the gas lines in your street, please call USA, the Underground Service Alert, at 811.

**QUESTION(S) 2:** How deeply is #109 buried?

**RESPONSE(S) 2:** Gas transmission pipelines are typically installed with 36 to 48 inches of cover. However, the depth may vary as cover over the lines may increase or decrease over time due to land leveling and construction. Without digging and exposing the line, it is not possible to determine the exact depth.

**QUESTION(S) 3:** What is Pipeline #109 composed of?

**RESPONSE(S) 3:** Line 109 is a steel pipeline. In your neighborhood, this pipeline has a maximum allowable operating pressure (MAOP) of 150 pounds per square inch gage (psig), which is 19.8% of the pipe's specified minimum yield strength (SMYS). This provides a considerable margin of safety, since it would take a pressure of at least 750 psig to cause the steel in the pipe to begin to deform.

**QUESTION(S) 4:** How old is Pipeline #109?

**RESPONSE(S) 4:** Line 109 in this area was installed in 1981 and was strength tested at the time of installation.

**QUESTION(S) 5:** How big in diameter is Pipeline #109? What is the composition of the pipeline?

**RESPONSE(S) 5:** Line 109 in your vicinity is a 26-inch diameter steel pipeline.

**QUESTION(S) 6:** How/with what are the pipe seams welded?

**RESPONSE(S) 6:** Line 109 near 3516 and 3526 Folsom Street is constructed of API 5L-Grade B steel pipe, and has a double submerged arc weld along the longitudinal seam.

**QUESTION(S) 7:** How much gas runs through Pipeline #109?

**RESPONSE(S) 7:** Line 109 has a variable flow rate that is dependent on system operations and San Francisco area gas customer consumption. As points of reference, however, Line 109 observed flow rates of 1.55 – 2.375 million standard cubic feet per hour (MMSCFH) through the flow meter at Sullivan Avenue in Daly City on May 27, 2014.

**QUESTION(S) 8:** When were the last 3 inspections? Would you produce the documentation for these inspections.

**RESPONSE(S) 8:** PG&E has a comprehensive inspection and monitoring program to ensure the safety of its natural gas transmission pipeline system. PG&E regularly conducts patrols, leak surveys, and cathodic protection (corrosion protection) system inspections for its natural gas pipelines. Any issues identified as a threat to public safety are addressed immediately. PG&E also performs integrity assessments of certain gas transmission pipelines in urban and suburban areas.

**Patrols:** PG&E patrols its gas transmission pipelines at least quarterly to look for indications of missing pipeline markers, construction activity and other factors that may threaten the pipeline. Line 109 through the neighborhood was last patrolled in May 2014 and everything was found to be normal.

**Leak Surveys:** PG&E conducts leak surveys at least annually of its natural gas transmission pipelines. Leak surveys are generally conducted by a leak surveyor walking above the pipeline with leak detection instruments. Line 109 was last leak surveyed in April 2014 and no leaks were found.

**Cathodic Protection System Inspections:** PG&E utilizes an active cathodic protection (CP) system on its gas transmission and steel distribution pipelines to protect them against corrosion. PG&E inspects its CP systems every two months to ensure they are operating correctly. The CP systems on Line 109 in your area were last inspected in May 2014 and were found to be operating correctly.

**Integrity Assessments:** There are three federally-approved methods to complete a transmission pipeline integrity management baseline assessment: In-Line Inspections (ILI), External Corrosion Direct Assessment (ECDA) and Pressure Testing. An In-Line Inspection involves a tool (commonly known as a "pig") being inserted into the pipeline to identify any areas of concern such as potential metal loss (corrosion) or geometric abnormalities (dents) in the pipeline. An ECDA involves an indirect, above-ground electrical survey to detect coating defects and the level of cathodic protection. Excavations are performed to do a direct examination of the pipe in areas of concern as required by federal regulations. Pressure testing is a strength test normally conducted using water, which is also referred to as a hydrostatic test.

PG&E performed an ECDA on Line 109 in this area in 2009 and no issues were found. PG&E plans to perform the next ECDA on L-109 in this area in 2015. PG&E also performed an ICDA (Internal Corrosion Direct Assessment) on L-109 near 3516 and 3526 Folsom Street in 2012, and no issues were found.

Unfortunately, PG&E cannot provide the documentation from these inspections because they contain confidential information that PG&E only provides to its regulators.

**QUESTION(S) 9: Is this pipeline equivalent in type to the exploded pipeline in San Bruno?**

**RESPONSE(S) 9:** Line 109 near 3516 and 3526 Folsom Street is not equivalent to the pipe in San Bruno that failed. The pipeline in San Bruno that failed was PG&E natural gas transmission pipeline L-132, which had a diameter of 30 inches, was installed in 1956, and had an MAOP of 400 psig. As described in the responses above, L-109 in your area is a 26-inch diameter pipeline, was installed in 1981, and operates at an MAOP of 150 psig.

Thanks,

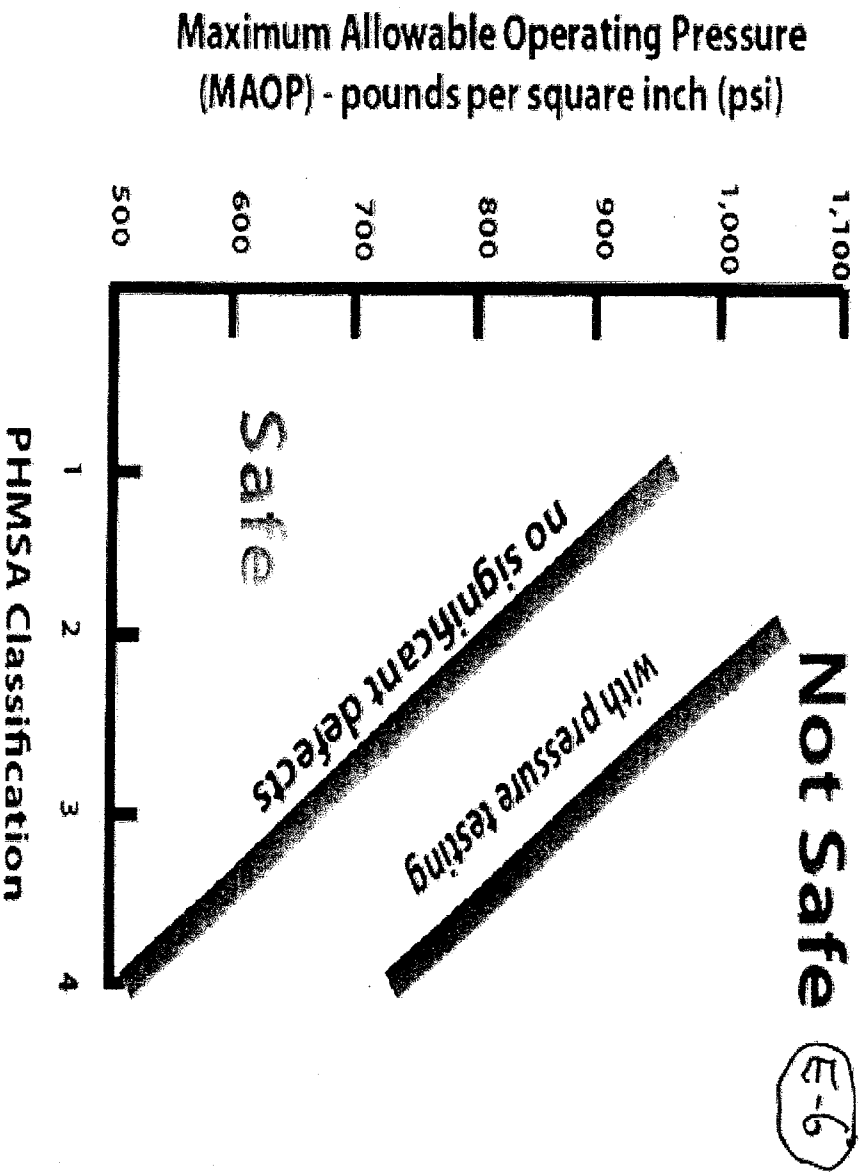
Austin

**Austin Sharp** I Expert Customer Impact Specialist  
Pacific Gas and Electric Company  
Phone: 650.598.7321  
Cell: 650.730.4168  
Email: awsd@pge.com

## **EXHIBIT B**

[Exhibit from Professor Bea's Email dated May 5, 2014, which was included as Attachment E-6 in a DR Requestor's Application]

# Pipeline Integrity Management



## **EXHIBIT C**

[Memo from John Dolcini to San Francisco Planning  
Department dated March 30, 2017]





**Pacific Gas and  
Electric Company**

**Date:** MARCH 30, 2017  
**To:** JOY NAVARRETE – SAN FRANCISCO PLANNING DEPARTMENT  
**From:** PG&E GAS TRANSMISSION PIPELINE SERVICES – INTEGRITY MANAGEMENT  
**Subject:** 3516/3526 FOLSOM ST.

Dear Joy,

Thank you for making us aware that you plan to do grading work near the PG&E gas transmission pipeline located near 3516 and 3526 Folsom St. As you are aware, it has been confirmed that an active 26" PG&E gas transmission pipeline L-109 is routed through this location. It is imperative that any proposed demolition or construction work not impair the safety of the gas lines. This not only includes any immediate safety risk to the pipeline during demolition or construction activities, but also long-term public safety with respect to this critical piece of infrastructure. PG&E requires adequate access at all times to patrol, survey, excavate, inspect, test, and otherwise maintain the pipeline(s) on a continuous basis in accordance with PG&E Utility Standard TD-4490S "Gas Pipeline Rights-of-Way Management."

Please be aware that this letter is being sent to address PG&E gas transmission facilities only. This letter is not intended to address PG&E gas distribution or PG&E electric facilities.

If any changes are made to the site plans as discussed via previous email, PG&E will need to re-evaluate before site development begins. Considering any comments/feedback we may have, an ideal time to send us any plan changes would be during the design phase of the project, to allow the possibility of modifying the design as necessary before launching into the construction phase.

1. **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity within 10 feet of the gas pipeline(s). This includes all grading, trenching, gas line depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection can be coordinated through the Underground Service Alert (USA) service at **811** or **1-800-227-2600**. A minimum notice of 48 hours is required. This is absolutely required for your grading project.
2. **Grading/Excavation:** PG&E requires a minimum of existing grade or 36 inches of cover over gas lines (whichever is less), and a maximum of 7 feet cover. Current records show that the depth of cover (top of grade to top of pipe) could be as shallow as 24", however potholing would be required to confirm this. Any excavations, including grading work, above or around the gas transmission facilities must be performed while a PG&E inspector is present. This includes all laterals, subgrades, gas line depth verifications (potholes), etc. Please follow PG&E Work Procedure TD-4412P-05 "*Excavation Procedures for Damage Prevention*" when working in the vicinity of the gas transmission pipeline. Any plans to expose and support a PG&E gas transmission pipeline across an open excavation need to be approved by PG&E Pipeline Engineering in writing **PRIOR** to performing the work. Any grading or digging within 2 feet of a gas pipeline must be dug by hand. Water jetting to assist vacuum excavating must be limited to 125 psig.
3. **Pipeline Markers:** PG&E requires pipeline markers be placed along the pipeline route in order to ensure public awareness of the presence of the pipeline. Any existing markers can be temporarily relocated to accommodate construction work (with written PG&E approval), however markers must be reinstalled once construction is complete. It is unknown at this time how accurate the pipeline marker locations are at this specific site. As stated above, please coordinate an inspection through the Underground Service Alert (USA) service at **811** or **1-800-227-2600**.
4. **Landscaping:** Trees or deep rooted shrubs shall not be located within 10 feet of edge of pipe (pipe zone). Trees less than 12 inches in diameter with non-intrusive root structures can be placed outside of the 10 foot pipe zone. This is in accordance with PG&E Utility Standard TD-4490S "Gas Pipeline Rights-of-Way Management" Section 2. Removal of trees is acceptable, given the stumps are not removed. If stumps/roots are being removed, further evaluation will be required to ensure that removal will not interfere with the pipelines.

5. Fencing: Care must be taken to ensure the safety and accessibility of the pipelines. No parallel fencing will be allowed within 10 ft. of the pipeline, and any perpendicular fencing will require 14 foot wide access gates to be secured with PG&E corporation locks.
6. Structures: Permanent structures must be located a minimum distance of 10 ft. from edge of pipe. Additionally, for pipeline maintenance, future construction, emergency response provisions, etc., we need a total width of 45 ft. to access the location. Do not stockpile or store demolition/construction material or equipment within this distance. PG&E cannot compromise on the ability to safely access, operate and maintain our facilities, especially when considering emergency situations.
7. Construction Loading: Please refer to chart below for approved construction loading as applicable to this project. To prevent damage to the buried gas pipelines, there are weight limits that must be enforced whenever any equipment gets within 10 feet of traversing a pipeline. Due to the weight variability of tracked equipment, cranes, vibratory compactors, etc., **do not allow any construction equipment within 10 ft. of the gas pipeline(s) without approval from the PG&E gas transmission pipeline engineer.** Wheel loading calculations will need to be determined, and the pipeline may need to be potholed by hand in a few areas to confirm the depth of the existing cover. These weight limits also depend on the support provided by the pipeline's internal gas pressure. If PG&E's operating conditions require the pipeline to be depressurized, maximum wheel loads over the pipeline will need to be further limited. For compaction, please use walk-behind compaction equipment if within 2 feet of the pipeline. Crane and backhoe outriggers must be set at least 10 feet from the centerline of the gas pipeline. **Specific to this project, please ensure max PPV vibration levels are less than 2in/sec.**

Referencing the chart below, for wheeled equipment only (excludes tracked equipment and vibratory rollers), for a depth of cover of 2ft over top of the 26" pipeline, the pipe may be subjected to a maximum half-axle wheel load of 4580 lbs. **Specific to this project, the 17,500 lb Takeuchi TB175 excavator and 8,000 lb Bobcat Excavator are approved for use.** If any equipment is planned to be operated within 10 ft. of the pipeline that exceeds the half-axel weight specified below, please contact the gas transmission pipeline engineer for approval. Half axle weight is the gross weight upon any one wheel, or wheels, supporting one end of an axle.

Depth of Cover (ft. to Top of Pipe)	Max. Half-Axle Wheel Loading (lbs.)
2	4580
3	6843
4	7775
5	7318

Feel free to contact me if there are any questions or concerns.

John Dolcini  
 Pipeline Engineer - Gas Transmission  
 Pacific Gas and Electric Company  
 Email: J7DP@pge.com

**EXHIBIT D**

[Agreement to Implement Mitigation Measures  
dated April 26, 2017]



## SAN FRANCISCO PLANNING DEPARTMENT

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### Agreement to Implement Mitigation Measure(s)

*Date:* April 26, 2017  
*Case No.* 2013.1383ENV  
*Project Title.:* 3516 and 3526 Folsom Street  
*Project Sponsor:* Fabien Lannoye, Bluorange Designs  
*Project Address:* **3516 and 3526 Folsom Street**  
*Block/Lot:* 5626/013 and 014  
*City and County:* San Francisco

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

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

#### MITIGATION MEASURE(S):

##### Mitigation Measure M-NO-3, Vibration Management Plan:

The Project Sponsor shall retain the services of a qualified structural engineer to develop, and the Project Sponsor shall adopt, a vibration management and continuous monitoring plan to cover any construction equipment operations performed within 20 feet of PG&E Pipeline 109. The vibration management and monitoring plan shall be submitted to PG&E and Planning Department staff for review and approval prior to issuance of any construction permits. The vibration management plan shall include:

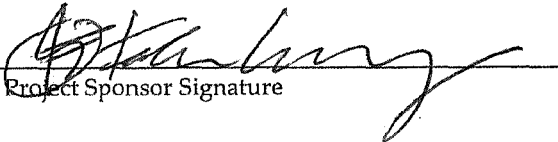
- **Vibration Monitoring:** Continuous vibration monitoring throughout the duration of the major structural project activities to ensure that vibration levels do not exceed the established standard.
- **Maximum PPV Vibration Levels:** Maximum PPV vibration levels for any equipment shall be less than 2 inches per second (in/sec). Should maximum PPV vibration levels exceed 2 in/sec, all construction work shall stop and PG&E shall be notified to oversee further work.
- **Standby Inspection:** A PG&E Gas Transmission Standby Inspector must be present during any demolition or construction activity within 10 feet of the gas pipeline(s). This includes all grading, trenching, gas line depth verifications (potholes), asphalt or concrete demolition/removal, removal of trees, signs, light poles, etc. This inspection would be coordinated through the Underground Service Alert (USA) service at 811 or 1-800-227-2600. A minimum notice of 48 hours is required.
- **Grading/Excavation:** Any excavations, including grading work, above or around Pipeline 109 must be performed with a PG&E inspector present. This includes all laterals, subgrades, and gas line depth verifications (potholes). Work in the vicinity of Pipeline 109 must be completed consistent with PG&E Work Procedure TD-4412P-05 "Excavation Procedures for Damage Prevention." Any plans to expose and support Pipeline 109 across an open excavation must be approved by PG&E Pipeline Engineering in writing prior to performing the work. Any grading or digging within two (2) feet of Pipeline 109 shall be dug by hand. Water jetting to assist vacuum excavating must be limited to 125 pounds per square inch gage (psig).

[www.sfplanning.org](http://www.sfplanning.org)

- Pipeline Markers: Prior to the commencement of project activity, pipeline markers must be placed along the pipeline route. With written PG&E approval, any existing markers can be temporarily relocated to accommodate construction work, but must be reinstalled once construction is complete.
- Fencing: No parallel fencing is allowed within 10 feet of Pipeline 109 and any perpendicular fencing shall require 14 foot access gates to be secured with PG&E corporation locks.
- Structures: Permanent structures must be located a minimum distance of 10 feet from the edge of Pipeline 109. A total width of 45 feet shall be maintained for pipeline maintenance. No storage of construction or demolition materials is permitted within this 45 foot zone.
- Construction Loading: To operate or store any construction equipment within 10 feet of Pipeline 109 that exceeds the half-axle wheel load (half axle weight is the gross weight upon any one wheel, or wheels, supporting one end of an axle) in the table below, approval from a PG&E gas transmission pipeline engineer is required. Pipeline 109 may need to be potholed by hand in to confirm the depth of the existing cover. These weight limits also depend on the support provided by the Pipeline's internal gas pressure. If PG&E's operating conditions require the Pipeline to be depressurized, maximum wheel loads over the pipeline will need to be further limited. For compaction within two feet of Pipeline 109, walk-behind compaction equipment shall be required. Crane and backhoe outriggers shall be set at least 10 feet from the centerline of Pipeline 109. Maximum PPV vibration levels for any equipment shall be less than 2 in/sec.

Depth of Cover to Top of Pipe (ft.)	Maximum Half-Axle Wheel Loading (lbs)
2	4,580
3	6,843
4	7,775
5	7,318

I agree to implement the above mitigation measure(s) as a condition of project approval.

  
Project Sponsor Signature

4/27/17  
Date





FILED  
170  
BREC

San Francisco International Airport

August 29, 2017

Via Email

Jeff.sheehy@sfgov.org  
Board.of.Supervisors@sfgov.org

RE: Board of Supervisors Letter of Inquiry  
Reference No. 19

Dear Supervisor Sheehy:

Thank you again for providing San Francisco International Airport (SFO) with the opportunity to address potential impacts of the Airport Facilities Naming Advisory Committee's recommendation to name Terminal 1 in honor of Supervisor Harvey Milk.

In developing SFO's response to your Letter of Inquiry, as well as the ordinance introduced by Supervisor Ronen to name Terminal 1 for Harvey Milk, Airport staff relied on research completed in 2013 and estimates for the cost of incorporating signage in the Terminal 1 Redevelopment Project.

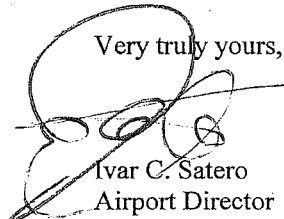
As you know, prior to these Board actions, the Airport Commission established an Airport Naming Committee and adopted an official Airport Naming Policy in 2013. The Airport Commission Policy established criteria for naming and dedicating airport facilities while maintaining a priority for passenger wayfinding, Airport operations and design standards; set eligibility standards for persons to be honored by a naming or dedication; and established a procedure for due consideration of applications and implementation of a naming or dedication.

As part of the Budget Analyst's evaluation of Supervisor Ronen's proposed ordinance, the Airport explored the costs associated with recognizing the naming of Terminal 1 in honor of Harvey Milk on signage, maps and directories. As a first step, the Airport revisited the 2013 Budget Analyst report that identified potential costs of renaming the entire Airport. At that time, minimum signage cost assessments for an exterior building sign were \$355,000. Design and Construction staff believe this estimate is still accurate for similar signage on the front of an Airport terminal.

While the Terminal 1 Redevelopment project details continue to evolve, the exact number of signs at entrances, curbside, entry doors, and garages have not been finalized. Any new signage requirements will be incorporated into the ongoing Terminal 1 renovation budget.

Please let me know if you require any additional information at this time.

Very truly yours,



Ivar C. Satero  
Airport Director

cc: Mayor Edwin M. Lee  
Members of the Board of Supervisors  
Clerk of the Board of Supervisors  
San Francisco International Airport Commission Members  
Airport Facilities Naming Advisory Committee Members

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE MAYOR	LARRY MAZZOLA PRESIDENT	LINDA S. CRAYTON VICE PRESIDENT	ELEANOR JOHNS	RICHARD J. GUGGENHIME	PETER A. STERN	IVAR C. SATERO AIRPORT DIRECTOR
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Post Office Box 8097 San Francisco, California 94128 Tel 650.821.5000 Fax 650.821.5005 www.flysfo.com







September 5, 2017

Ms. Anna Hom  
Consumer Protection and Enforcement Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102  
[GO159Areports@cpuc.ca.gov](mailto:GO159Areports@cpuc.ca.gov)

RE: Notification Letter for City of San Francisco Small Cells 9-5-17  
San Francisco-Oakland, CA / GTE Mobilnet of California Limited Partnership / U-3002-C

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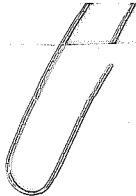
This is to provide the Commission with notice according to the provisions of General Order No. 159A of the Public Utilities Commission of the State of California ("CPUC") for the projects described in Attachment A.

A copy of this notification letter is also being provided to the appropriate local government agency for its information. Should there be any questions regarding this project, or if you disagree with any of the information contained herein, please contact the representative below.

Sincerely,

Melinda Salem  
Engr IV Spec-RE/Regulatory  
15505 Sand Canyon Avenue, Irvine, CA 92618  
[WestAreaCPUC@VerizonWireless.com](mailto:WestAreaCPUC@VerizonWireless.com)





**CPUC Attachment A**

Initial Build (new presence for Verizon Wireless)

VZW LEGAL ENTITY	JURISDICTION	WIRELESS PLANNER	CITY ADMINISTRATOR	CLERK OF THE BOARD	COUNTY
GTE Mobilnet of California Limited Partnership	City of San Francisco 1 Dr. Carlton B. Goodlett Pl San Francisco, CA 94102	CPUC.Wireless@sf.gov	city.administrator@sf.gov	Board of Supervisors@sf.gov	San Francisco

Site Name	Site Address	Site APN	Site Coordinates (NAD 83)	Project Description	Number & type of Antennas	Tower Design	Tower Appearance	Tower Height (in feet)	Size of Building or NA	Type of Approval	Approval Issue Date	Approval Effective Date	Approval Permit Number	Resolution Number
SF LM PH2 SC101	1190 Mission St. San Francisco, CA	N/A - public right-of-way	37 48 40.22 N 122 24 46.16 W	Telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexers on existing brown PGE pole in the public right of way.	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 31'-3")	32'-3"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	18WR-0554	N/A
Marina MRN011	2395 Francisco St. San Francisco, CA	N/A - public right-of-way	37 48 2.39 N 122 26 40.38 W	Telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexers on existing brown PGE pole in the public right of way.	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 31'-3")	32'-2"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	18WR-0011	N/A
SF LM PH3 SC131	325 China Basin St. San Francisco, CA	N/A - public right-of-way	37 46 19.90 N 122 23 14.95 W	Telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexers on existing brown PGE pole in the public right of way.	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 22'-6")	23'-10"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	N/A	N/A
SF LM PH3 SC132	456 Terry A. Francois Blvd. San Francisco, CA	N/A - public right-of-way	37 46 18.21 N 122 23 11.96 W	Telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexers on existing brown PGE pole in the public right of way.	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 33'-4")	33'-4"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	N/A	N/A
SF LM PH2 SC133	18 Terry A. Francois Blvd. San Francisco, CA	N/A - public right-of-way	37 46 11.84 N 122 23 10.49 W	Telecommunications facility on an existing PGE brown pole in the public right of way. Installation involves: (1) Amphenol CWS070X06 antenna, (2) mRRUs, (1) electrical meter, (1) disconnect switch, and (2) fiber diplexers on existing brown PGE pole in the public right of way.	1 cylindrical antenna	PGE brown pole	PGE brown pole (RAD of 32'-6")	33'-10"	N/A	Wireless Box Permit	4/23/2015	5/23/2015	N/A	N/A



805-1

Dear Board of Supervisors.

This is my third letter of concern and I write not only for **myself but for those whose English will not permit them to do so**. There is great opposition to this File 170917 and 170898 regarding the medical cannabis dispensary to go into the building on 32<sup>nd</sup> and Noriega St. The very community that the Quan, Hsui persons are requesting this for are the very people fighting against it. I cannot believe you allowed this to pass so easily and especially, when at the last meeting, recreational purposes was also added to the end of that Board meeting.

If you represent the little people ( your constituents ) you have failed us greatly.

The sunset district is a bedroom community for SF and filled with families living in close quarters in each home. The language barriers and generations within each dwelling do not permit much more than getting by and trying to feed families and take care of educational and medical needs.

Cannabis is something they could not afford let alone wish for this area. Churches, schools, preschools, senior gatherings and small stores create a safe community with eyes out for anything that is harmful to children. This Dispensary is perceived as Harm for our community.

In your past gatherings as a Board it is the very community you are reporting that needs this dispensary : **that is very opposed . They have come out in great numbers to protest this use of Cannabis in this neighborhood no matter how you are masking this downtown.**

**Once again we wish to go on record as opposed to moving this forward.** We know that the Quan-Hsui supporters will not be here for the long haul. They are using their names and titles to push this through and they will soon be history leaving us with a problem that exceeds the resources of this small community.

On behalf of the Asian community that lives around me and has asked me to represent them in words and myself I ask you to please reconsider establishing a medical cannabis dispensary on Noriega St.

With sincere concern and a resident of many years

  
Tohi Lyn Gallagher

1858 33<sup>rd</sup> Avenue 94122

August 29<sup>th</sup> 2017

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BOARD OF SUPERVISORS  
SAN FRANCISCO  
2017 SEP - 5 PM 2:44  
BY AK

12



BOARD of SUPERVISORS



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

## NOTICE OF PUBLIC HEARING

### BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO

NOTICE IS HEREBY GIVEN THAT the Board of Supervisors of the City and County of San Francisco will hold a public hearing to consider the following appeal and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

**Date:** Tuesday, September 5, 2017

**Time:** 3:00 p.m.

**Location:** Legislative Chamber, City Hall, Room 250  
1 Dr. Carlton B. Goodlett, Place, San Francisco, CA

NOTE: A motion may be entertained to continue this Hearing to the Board of Supervisors' meeting of October 3, 2017.

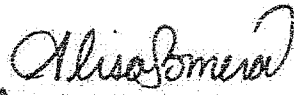
**Subject:** **File No. 170917.** Hearing of persons interested in or objecting to the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on July 2, 2017, for the proposed project at 2505 Noriega Street, to change the use from retail pharmacy to a Medical Cannabis Dispensary, interior tenant improvements, and repair/in-kind replacement of storefront material finishes. (District 4) (Appellant: Wilson Chu, on behalf of Zhiming Bi) (Filed August 14, 2017)

**File No. 170898.** Hearing of persons interested in or objecting to the certification of a Conditional Use Authorization pursuant to Planning Code, Sections 303, 739.84, and formerly pursuant to Planning Code, Section 306.7 and interim zoning controls established under Resolution Nos. 179-15 and 544-16, for a proposed project located at 2505 Noriega Street, Assessor's Parcel Block No. 2069, Lot No. 012, identified in Case No. 2014-003153CUA, issued by the Planning Commission by Motion No. 19961, dated July 13, 2017, to establish a medical cannabis dispensary (MCD) (dba "The Apothecarium") within the Noriega Street Neighborhood Commercial District and a 40-X height and bulk district, and adopting findings under the California Environmental Quality Act. (District 4) (Appellant: Ray Hacke of Pacific Justice Institute, on behalf of Ark of Hope Preschool) (Filed July 27, 2017)

GALLAGHER ELMER  
1858 33RD AVE  
SAN FRANCISCO, CA 94122-4106

Hearing Notice - Exemption Determination and Conditional Use Authorization Appeal  
2505 Noriega Street  
Hearing Date: September 5, 2017  
Page 2

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on this matter may submit written comments prior to the time the hearing begins. These comments will be made as part of the official public record in this matter and shall be brought to the attention of the Board of Supervisors. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA, 94102. Information relating to this matter is available in the Office of the Clerk of the Board and agenda information relating to this matter will be available for public review on Friday, September 1, 2017.

  
Angela Calvillo  
Clerk of the Board

DATED/MAILED/POSTED: August 22, 2017



August 29, 2017

Roy Gee  
1674-23<sup>rd</sup> Ave  
San Francisco, CA 94122

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 AUG 31 PM 2:41

BY 

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

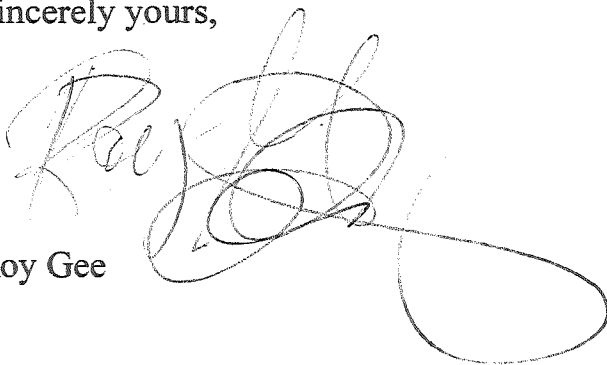
To whom it may concern:

I truly object to **File No. 170197** of the determination of exemption from environmental review under the California Environmental Quality Act issued as a Categorical Exemption by the Planning Department on July 2, 2017. I also object to **File No. 170898** for the certification of a Conditional Use Authorization.

The problem is marijuana can be addictive, but it can lead to harder illegal drugs (schedule 1). Every single person I met has a prescription card for marijuana **Lied** to get it. The only reason they got the card was so they can get stoned or high, not to help any ailment. To make long story short, my brother had die from overdose of drugs. It started from marijuana then led to harder drugs.

I assume that the marijuana dispensary store located on 2505 Noriega St. has already approved for opening which I objected to it. I objected to the file numbers listed above.

Sincerely yours,



Roy Gee



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BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 AUG 31 PM 2:42

BY 

1830 31<sup>st</sup> Ave.  
San Francisco, Ca 94122  
August 29, 2017

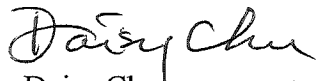
Angela Calvillo, Clerk of the Board  
City Hall, 1 dr. Carlton B. Goodlett Place, Room 244  
San Francisco, Ca 94102

*RZ: Hearing date: 9/5/2017*

Dear Angela,

I am writing against the proposed medical cannabis dispensary. This will be too close and across the street from Lutheran Church Holy Spirit, where many children attend their afterschool program.

Thank you,

  
Daisy Chu



BOS-1  
Leg. Clk

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

August 25, 2017

Re: No MCD at 2505 Noriega Street, San Francisco

Dear Ms. Calvillo,

I am sending this letter to you just in case I am unable to attend the public appeal hearing on September 5, 2017.

We are extremely opposed to the opening of the cannabis shop at 2505 Noriega Street.


- 1. The opening of the cannabis shop in 2505 Noriega Street is in violation of the California Health and Safety Act.
- 2. California 64 proposal also prohibits the establishment of medicinal marijuana shop in the child center within 600 feet.
- 3. There are children facilities within 1,000 feet of the proposed MCD and thus such proposal violates California State Law.

The decision of the Commission did not respect and abide by the laws of California, what is the law set up for? They are also regardless there is an Art of Hope nursery 300 feet next to the cannabis shop. Strongly by all means saying that the law of California is kindergarten and 1st to 12 grade of public and private schools, Art of Hope shouldn't be included, because the nursery children will always be accompanied by adults. It is really irrational!

Even though they always have adult accompany to drop off and pick up, but they will eventually grow up. They often pass by the marijuana pharmacy, whatever they see and hear will have a great impact on the young ignorance in the future!

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO

2017 AUG 30 PM 3:40

BY 



Moreover, Art of hope founder said that their nursery's application is also obtained by the government similar to the primary school, why will it be excluded. I think they are official support and ignore the healthy growth of the children.

Two quotes from the July 13 public hearing:

1. Everywhere have MCD, why can't open in Sunset area?

MCD can open in Sunset district, but not in the center of the residential area! It should be purchased from the hospital or online or mail order and the like. Why ignore all the Sunset district residents concern because of the Jean Quan's MCD shop! If not Jean Quan, the outcome will be entirely different I dare to say.

2 The opponent is only concerned and worried, but there is no empirical.

Well, let me ask, can they 100% guarantee that our opponents' concerns and worried will not happen? It won't happen other place, doesn't mean it 100% won't happen in Sunset district!

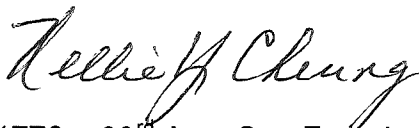
Be able to be a judge, should be unbiased according to the law, otherwise what is he law and regulation set up for!

Please referee cannabis shop can not open at 2505 Noriega Street!

Your great help will be appreciated very much. All the Sunset districts residences will thank you a millions.

Be God blessed America and you all!

Sincerely yours,



1770 – 33<sup>rd</sup> Ave. San Francisco, Ca. 94122

NELLIE Y. CHEUNG

cc: Mayor Edwin Lee, London Breed, Malia Cohen, Mark Rarrell, Sandra Fewer, Jane Kim, Aaron Peskin, Hillary Ronen, Ahsha Safai, Katy Tang, Jeff Sheehy, Norman Yee





Bbs-  
Leg Clerk

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

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2017 AUG 30 PM 3:40

BY 



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1770 – 33<sup>rd</sup> Ave. San Francisco, Ca. 94122

KAREN C. LAM

cc: Mayor Edwin Lee, London Breed, Malia Cohen, Mark Rarrell, Sandra Fewer, Jane Kim, Aaron Peskin, Hillary Ronen, Ahsha Safai, Katy Tang, Jeff Sheehy, Norman Yee



Bos-  
Leg Clerk

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

August 25, 2017

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Receiving your notice, Thank you.


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 2017 AUG 30 PM 3:40  
 BY 



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Be God blessed America and you all!

Sincerely yours,



1770 – 33<sup>rd</sup> Ave. San Francisco, Ca. 94122

KWOK SHING CHEUNG

cc: Mayor Edwin Lee, London Breed, Malia Cohen, Mark Rarrell, Sandra Fewer, Jane Kim, Aaron Peskin, Hillary Ronen, Ahsha Safai, Katy Tang, Jeff Sheehy, Norman Yee





Aug 28, 2017

Board of Supervisors

1 Dr. Carlton B. Goodlett Pl. Rm 244  
San Francisco, 94102-4689.

Dear Sir,

Public hearing on 9/5/2017 regarding MCD  
at 2505 Navajo St.

I, a senior citizen, strongly ASSIST to  
the opening of the medical marijuana outlet  
at the above address. Because peace and  
order of this area will deteriorate.

Your help is greatly appreciated.

Sincerely,

*Yuen Ming Wong*  
YUEN MING WONG

1723 34th Ave  
San Francisco, CA 94122.



Aug 28, 2017.

Board of Supervisors

1 Dr. Carlton B. Goodlett Pl. Room 244

San Francisco, 94102-4689.

Dear Sirs,

Public hearing on 9/5/2017 regarding MED  
at 2505 Nevada St.

I, a senior citizen, strongly AGAINST to  
the opening of the medical marijuana outlet  
at the above address. Because peace and  
order of this area will deteriorate.

Your help is greatly appreciated.

Sincerely,  
Ling

LIN KEUNGS LEE

1723 34th Ave

San Francisco, CA 94122.

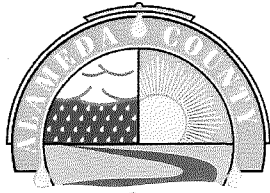
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SAN FRANCISCO

2017 AUG 30 PM 3:40

BY 

Bas  
Leg/Clk





Flood Control &  
Water Conservation

DISTRICT

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SAN FRANCISCO

2017 SEP -1 AM 11:08

Daniel Woldesenbet, Ph.D., P.E., General Manager

399 Elmhurst Street • Hayward, CA 94544 • (510) 670-5480 • www.aqpwa.org

August 31, 2017

Clerk of the Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, California 94102

**SUBJECT: SEPTEMBER 5, 2017 HEARING ON APPEAL OF CERTIFICATION OF THE FEIR FOR THE SFPUC ALAMEDA CREEK RECAPTURE PROJECT**

Dear Members of the San Francisco Board of Supervisors:

The purpose of this letter is to express our support for the appeal of the certification by the San Francisco Planning Department of the Final EIR for the SFPUC's Alameda Creek Recapture Project. We are in agreement with the concerns of the National Marine Fisheries Service (NMFS), the California Department of Fish and Wildlife, the Alameda County Water District (ACWD), the Zone 7 Water Agency and the Alameda Creek Alliance that the FEIR is based on a flawed analysis of the impacts of the project on threatened Central California Coast Steelhead.

The Alameda County Flood Control and Water Conservation District (District) is responsible for protecting the communities of Union City, Newark, and Fremont from flooding and owns and operates the Alameda Creek Flood Control Channel from Mission Boulevard to San Francisco Bay. The District has been working with the ACWD for over a decade on improving fish passage within the channel to allow Steelhead to migrate to upstream spawning grounds. The District and ACWD are building a fish ladder to allow the Steelhead to pass over a flood control structure commonly known as the BART weir and ACWD's Rubber Dam No. 1. That fish ladder and other fish passage improvements to be constructed by ACWD between the fish ladder and Mission Boulevard total over \$48 million. In addition, the District has plans to reconfigure the channel from San Francisco Bay to the fish ladder in order to remove fish passage barriers and create a more sustainable low-flow fish passage channel within the channel. The cost to the District for this 9 mile long project is estimated at approximately \$53 million.

With a planned investment of nearly \$70 million for channel improvements to provide for Steelhead migration to upstream spawning grounds, the District is very concerned that the Recapture Project EIR did not adequately address the project's impacts on groundwater elevations and surface flows in Alameda Creek. Any reductions in flows below the minimum approved by the NMFS will have negative impacts on Steelhead migration in lower Alameda Creek.

POS  
Leg. Clerk

(1)



Clerk of the Board of Supervisors  
August 31, 2017  
Page 2

With all due respect, the District requests that your Board reverse the certification of the EIR for the Alameda Creek Recapture Project, and that you direct SFPUC and Planning Department staff to work with the NMFS, CDFW, ACWD, the District and the Zone 7 Water Agency to develop a modeling methodology that uses daily flow data in a fully transparent manner.

It is our hope that by working collaboratively with all the agencies suggested, a recapture project can be developed that will meet the needs or requirements of all the stakeholders while promoting the recovery of the threatened Steelhead.

Sincerely,

A handwritten signature in black ink, appearing to read "Hank Ackerman", with a long horizontal flourish extending to the right.

Hank Ackerman, P.E.  
Flood Control Program Manager

HA:mbc

C: Robert Shaver, General Manager, ACWD  
Steve Ritchie, San Francisco PUC  
Gary Stern, NMFS  
Eric Larson, CDFW  
Daniel Woldesenbet, Director, ACPWA  
Jill Duerig, General Manager, Zone 7







ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, ZONE 7  
100 NORTH CANYONS PARKWAY, LIVERMORE, CA 94551-9486 • PHONE (925) 454-5000

August 29, 2017

Angela Calvillo, Clerk of the Board of Supervisors  
Lisa Gibson, Environmental Review Officer  
City & County of San Francisco  
#1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 AUG 31 PM 2:41

Subject: ***Comments Related to September 5, 2017 Hearing on Appeal of Certification of FEIR, Alameda Creek Recapture Project***

Dear Ms. Calvillo, Ms. Gibson and Members of the Board of Supervisors:

Zone 7 is submitting this letter regarding Alameda County Water District's (ACWD) appeal of the June 22, 2017 Planning Commission decision and the June 23, 2017 Public Utility Commission (SFPUC) decision to certify the Final Environmental Impact Report (FEIR) for the Alameda Creek Recapture Project and approve the project.

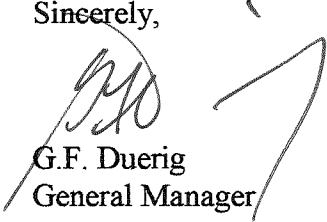
By way of background, Zone 7 Water Agency has been sustainably managing the Livermore Valley Groundwater Basin (DWR Basin No. 2-10) for over fifty years. As such, Zone 7 is recognized in the Sustainable Groundwater Management Act of 2014 (SGMA) as the exclusive local agency within its statutory boundary with powers to comply with SGMA. In December 2016, Zone 7 formally accepted the role of Groundwater Sustainability Agency and filed an Alternative Groundwater Sustainability Plan with the California Department of Water Resources which is still under review. On June 21, 2017, the Zone 7 Board of Directors adopted the Sustainable Groundwater Management Ordinance. Although designated a low priority basin at this time, the Sunol Valley Groundwater Basin (DWR Basin No. 2-11) falls completely within Zone 7's statutory boundary and is subject to this ordinance.

The issues raised by ACWD about inadequate analysis of potential impacts on groundwater raise significant concerns for Zone 7. Groundwater sustainability can be a precarious balance of surface water and groundwater interactions. Any change to one can easily impact the other. It could be that such a project has no impacts on the Sunol Valley Groundwater Basin but it could also be that such a project could result in reduced recharge and, eventually, a groundwater basin that is in a condition of overdraft which would also increase its priority ranking. Zone 7 would very much like to participate with other stakeholders to assure adequate analysis is performed on potential impacts of this project in order to assure that the sustainability of the groundwater basin is preserved. In fact, Zone 7 would be happy to facilitate such discussions, if SFPUC would like.



Thank you in advance for considering these comments. Please feel free to contact me if you have any questions (at the phone number above or via email at [jduerig@zone7water.com](mailto:jduerig@zone7water.com)).

Sincerely,



G.F. Duerig  
General Manager

cc: Michael Carlin, SFPUC  
Steve Ritchie, SFPUC  
Betsy L. Rhodes, SFPUC  
Bob Shaver, ACWD  
Carol Mahoney



Bos  
Legler



# BOARD OF SUPERVISORS

RICHARD VALLE  
Vice President  
Supervisor, District 2

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2017 AUG 30 PM 4:41  
BY *OK*

August 30, 2017

Clerk of the Board of Supervisors  
City and County of San Francisco  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, California 94102

Dear San Francisco Board of Supervisors,

I am writing to you on behalf of the concerned citizens and organizations in my district about the recent approval by the San Francisco Planning Department of the Alameda Creek Recapture Project (ACRP) Environmental Impact Report (EIR). The Alameda County Flood Control and Water Conservation District (District) has been monitoring the status of the San Francisco Public Utilities Commissions ACRP during the environmental review phase and has identified potential concerns with the EIR's conclusions. The District provided substantial comments to the San Francisco Planning Department on the Draft EIR on January 30, 2017.

The District is responsible for protecting the communities of Union City, Newark, and Fremont from flooding and owns and operates the Alameda Creek Flood Control Channel from Mission Boulevard to San Francisco Bay. The District has invested a substantial amount of time and money on this channel in an effort to provide flood protection in a more environmentally sensitive manner. Through coordination with the Alameda Creek Fisheries Workgroup, the District has initiated numerous projects within the Alameda Creek Watershed to enhance fish migration to promote the recovery of threatened Central California Coast Steelhead.

Review of the environmental documentation for the project indicates that the currently proposed ACRP may undermine the District's efforts to enhance the migration opportunities for this federally protected species. Specifically, the District is concerned that the operation of the ACRP will negatively impact downstream flows and substantially interfere with the movement or migration of Central California Coast Steelhead by significantly limiting migration opportunities to enter and navigate through the Alameda Creek Flood Control Channel downstream of the proposed ACRP site.

As an elected official representing the citizens of Alameda County, my office is requesting that the San Francisco Board of Supervisors reverse the approval of the Final EIR and direct the San Francisco Planning Department and Public Utilities staff to work collaboratively with the agencies and special districts operating in the Alameda Creek Watershed to analyze and develop a recapture project that can meet the needs of all stakeholders while promoting the recovery of endangered steelhead.

Sincerely,

Richard Valle  
Supervisor, Second District

1221 OAK STREET • SUITE 536 • OAKLAND, CALIFORNIA 94612 • 510 272-6692 • FAX 510 271-5115  
24301 SOUTHLAND DRIVE • SUITE 101 • HAYWARD, CALIFORNIA 94545 • 510 259-1097 • FAX 510 259-0860







August 28, 2017

**MEMORANDUM**

**TO:** Anson Moran  
 President

**FROM:** Harlan L. Kelly Jr. *HK*  
 General Manager

**SUBJECT:** Declaration of Emergency – Repair of HHP facilities:  
 Failure of the Moccasin Powerhouse GSU Transformer and  
 Ancillary Buswork

RECEIVED  
 BOARD OF SUPERVISORS  
 SAN FRANCISCO  
 2017 AUG 30 PM 4:41  
 BY *eu*

In accordance with Chapter 6, Article IV, Section 6.60(D) of the Administrative Code of the City and County of San Francisco, I am declaring an emergency on behalf of the Public Utilities Commission.

At approximately 4 PM on July 31, 2017 Moccasin Powerhouse (MPH) Unit 2 tripped off-line due to a failure at its main transformer. This forced MPH Unit 1 to be shut down due to a previously failed station service transformer (MPH Unit 1 was dependent on MPH Unit 2 being in-service). This resulted in a complete power outage in Moccasin Camp and a cease of water flow through MPH. Due to the loss of both units at MPH, water flow through the powerhouse was then limited to the one available MPH bypass valve. The second bypass valve has a limited functionality due to a damaged actuator (expedited repairs are scheduled for April 2018). The rate of Hetch Hetchy supply to the Regional Water System was reduced to match the flow capacity of the single MPH bypass, from 285 to 140 million gallons per day.

On August 2, 2017 Hetch Hetchy crews were able to complete the installation and commissioning of a rented station service transformer and restore MPH Unit 1 to service. The restoration of MPH Unit 1 allowed Hetch Hetchy Water and Power to increase water deliveries to the scheduled rate of 285 MGD.

Both generator units at Moccasin have far exceeded their predicted life, and a project to rewind the units and upgrade the powerhouse auxiliary equipment has been delayed indefinitely. The preliminary report of the July 31<sup>st</sup> incident suggests a phase to phase fault on the MPH Unit 2 generator step-up transformer was the cause of MPH Unit 2 tripping off-line. Repair of the buswork and bushings on the step-up transformer is needed to restore MPH Unit 2 to service.

A failure of MPH Unit 1 would again result in restricted water deliveries from Hetch Hetchy for an unknown period of time. This reduction in delivery rate impacts the Regional Water System's operations and results in ramping up of water treatment facilities, notifying customers of changes in operations, and poses risk to water supply for the 2.7 million Regional Water System customers. The reliable delivery of water is an essential public service.

- Edwin M. Lee  
Mayor
- Anson Moran  
President
- Ike Kwon  
Vice President
- Ann Moller Caen  
Commissioner
- Francesca Viator  
Commissioner
- Vince Courtney  
Commissioner
- Harlan L. Kelly, Jr.  
General Manager



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According to Chapter 6.60 of the Administrative Code, an "actual emergency" means a sudden, unforeseeable and unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to, life, health property or essential public services. An "actual emergency" shall also mean the discovery of any condition involving a clear and imminent danger to public health or safety, demanding immediate action."

This request for emergency declaration is for contract resources to repair the buswork and bushings on the MPH Unit 2 generator step-up transformer which will restore it to service. The lead time for new bushings is approximately 24 weeks. The work needs to occur as soon as possible and is beyond the capabilities of City forces. The cost is not anticipated to exceed \$0.4 million.

I am therefore declaring the existence of an emergency. I trust that this meets with your concurrence and approval.

CONCUR AND APPROVE:



---

Anson Moran – President,  
San Francisco Public Utilities Commission

cc:

I. Kwon  
V. Courtney  
Mocc File

A. Moller Caen  
S. Ritchie

F. Vietor  
M. Hannaford



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**From:** Board of Supervisors, (BOS)  
**Sent:** Tuesday, August 29, 2017 9:12 AM  
**To:** BOS-Supervisors; Carroll, John (BOS)  
**Subject:** FW: Support Legislation banning Robot Delivery systems from our sidewalks. File No. 170599

**From:** Pete Lester [mailto:pete.a.lester@gmail.com]  
**Sent:** Tuesday, August 29, 2017 7:44 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Support Legislation banning Robot Delivery systems from our sidewalks.

Please support efforts to keep robots off of San Francisco sidewalks.  
Our city is a walking city and these robots have no use or reason to be on taxpayer funded sidewalks.

Thank you.

--

**Pete A Lester**

Event Planner and Coordinator

Bike Zambia Planning Committee

Certified Bike Fitter

Certified Bosch E-Bike Mechanic

Help me raise money to fight HIV/Aids and Poverty in Zambia

Join Us on the ride!



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BOARD OF SUPERVISORS  
SAN FRANCISCO

2017 AUG 31 PM  
BY: ~~SB~~

TO THE COUNTY BOARD OF SUPERVISORS, SAN FRANCISCO, CALIF 94102  
PROPOSING A LIMITATION ON BUILDING HEIGHTS FOR THE CITY OF SAN FRANCISCO FOR THE FUTURE

SEPTEMBER 1, 2017

THIS LOOKS LIKE A GOOD TIME TO ESTABLISH A PERMANENT HEIGHT LIMIT OF 18 TO 20 STORIES IN SAN FRANCISCO AND NEVER RISE ABOVE IT. HIGH RISE BUILDINGS WERE ALWAYS WRONG IN THIS CITY, WE SHOULD ESTABLISH A PLAN TO TAKE DOWN BUILDINGS OVER TWENTY STORIES HIGH. THIS IS A SAFER BUILDING PLAN FOR SAN FRANCISCO.

BUILDINGS BY THE EMBARCADERO SHOULD ALL BE REDUCED TO TWENTY STORIES, OR LESS. DO NOT ALLOW MANY EXCEPTIONS. IF THERE ARE ANY, SHOULD NOT EXCEED TEN PERCENT OF TALL BUILDINGS OR FOUR STORIES, SEISMIC HAZARDS.

MOST OF THE OVER SIZE BUILDINGS WERE CONSTRUCTED IN THE PAST THIRTY YEARS BY BUILDERS FROM ILLINOIS STATE AND SURROUNDING STATES. THIS IS AN OLD IDEA THAT WAS NEVER FIRMLY ADOPTED.

ROGER BRANDON, SAN FRANCISCO

BOS-11  
leg clerks  
clerk

AUGUST 27, 2017

DEAR ANGELA CALVILLO,

MY NAME IS LAURA TANG AND MY HUSBAND IS  
SAMUEL TANG. WE LIVE AT 1847, 33<sup>rd</sup> AVE.  
SAN FRANCISCO, CA 94122.

WE OBJECT TO THE PROPOSED PROJECT AT  
2505 NDRILETA STREET TO CHANGE THE USE  
FROM RETAIL PHARMACY TO A MEDICAL CANNABIS  
DISPENSARY.

Sincerely,

*Laura Tang*

*Samuel Tang*

LAURA TANG  
SAMUEL TANG

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BOARD OF SUPERVISORS  
SAN FRANCISCO  
2017 AUG 29 PM 2:40