



COB. BOS 11  
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Attention: 5500 Central Team  
3840 Murphy Canyon Road  
San Diego, CA 92123

AB 01 020864 47626 H 60 A



HEALTH SERVICE SYSTEM SAN FRANCISCO  
COUNTY BOARD OF SUPERVISORS  
1145 MARKET ST FL 2  
SAN FRANCISCO, CA 94103-1547

02/11/2015

RECEIVED

FEB 18 2015

HEALTH SERVICE SYSTEM

020864 1/3

Re: California Broker Compensation Disclosure Report for HEALTH SERVICE SYSTEM SAN FRANCISCO

Reporting Period: 01/2014 - 12/2014

California law now requires health plans and insurers to annually disclose broker compensation information to the governing boards of public agency employer groups. Enclosed is your first Broker Compensation Disclosure Report. Information reported includes broker compensation related to your public agency's Kaiser Permanente health plan contract and its group policies, if any, with Kaiser Permanente Insurance Company (KPIC). A copy of the report will be mailed to the corresponding brokers of record as well.

**This report is considered informational, and you are not required to take any action. You may choose to keep this report as part of your files, but you are not required by the legislation to do so.**

California law AB 2589 was enacted in 2008 and went into effect January 1, 2009. The law requires that health plans and insurers annually disclose to the governing boards of public agencies any fees or commissions paid to agents, brokers, or other individuals as part of the group's contract. The report must include the following information:

- The agent, broker, or individual's name and address
- Any amount paid to the agent, broker, or individual (including non-monetary compensation)

In addition, the report also provides the following information:

- Total premium received by Kaiser Permanente within your plan contract year
- Member and subscriber counts (as of the last month of the contract period)

Reporting is required annually, so you can expect to receive the Broker Compensation Disclosure Report for your group each year within approximately 60 days of the end of the contract year. If you have questions about the information, please contact our Broker Compensation Disclosure Reporting Department at (877) 639-0433 or [broker-comp-reporting@kp.org](mailto:broker-comp-reporting@kp.org)

We value our business relationship with you. Our practices for broker compensation disclosure reporting under AB 2589 reflect our shared commitment to full compliance with the law. Thank you for your continued support.

Sincerely,  
Kaiser Permanente

①

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**CALIFORNIA BROKER COMPENSATION DISCLOSURE REPORT FOR PUBLIC AGENCIES**

Health Plans and Insurance companies are required to provide the following information pursuant to California Insurance Code Section 10604.5 which requires that broker compensation be disclosed to the governing board of any public agency which is covered under a group health insurance policy.

This report is considered informational and you do not need to take any action.

**Information Concerning Insurance Coverage, Fees, and Commissions**

Region: CA  
Name of Insurance Carrier: Kaiser Foundation Health Plan Inc  
Plan Sponsor's Name: HEALTH SERVICE SYSTEM SAN FRANCISCO

**Information Concerning Insurance Contract Coverage**

Insurance Carrier: Kaiser Foundation Health Plan Inc  
Group Contract or Identification Number: 888  
Approximate number of persons covered at end of policy contract year: 59,170  
Contract Year from 01/2014 - 12/2014  
Premium Received by Kaiser Foundation Health Plan Inc during your group's contract year:  
\$334,797,337.16

**Information Concerning Insurance Contract Fees and Commissions**

Total Amount of Commissions Paid: \$0.00  
Total Amount of Fees Paid: \$0.00

1) Name and address of the agent, broker, or other person to whom commissions or fees were paid:

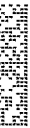
None

Amount of sales and base commissions paid to: None: \$0.00  
Fees and other compensation paid to: None: \$0.00  
Bonus Amount: \$0.00  
Bonus Purpose: None  
Value of Non-Monetary Compensation:\$0.00  
Type/Purpose of Non-Monetary Compensation: None

2) Name and address of the agent, broker, or other person to whom commissions or fees were paid:

None

Amount of sales and base commissions paid to: None: \$0.00  
Fees and other compensation paid to: None: \$0.00  
Bonus Amount: \$0.00  
Bonus Purpose: None  
Value of Non-Monetary Compensation:\$0.00  
Type/Purpose of Non-Monetary Compensation: None



3) Name and address of the agent, broker, or other person to whom commissions or fees were paid:

None

Amount of sales and base commissions paid to: None: \$0.00

Fees and other compensation paid to: None: \$0.00

Bonus Amount: \$0.00

Bonus Purpose: None

Value of Non-Monetary Compensation:\$0.00

Type/Purpose of Non-Monetary Compensation: None

4) Name and address of the agent, broker, or other person to whom commissions or fees were paid:

None

Amount of sales and base commissions paid to: None: \$0.00

Fees and other compensation paid to: None: \$0.00

Bonus Amount: \$0.00

Bonus Purpose: None

Value of Non-Monetary Compensation:\$0.00

Type/Purpose of Non-Monetary Compensation: None

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Date Report Produced: 02/11/2015

# Q & A

## AB2589

### California broker compensation disclosure reporting for public agencies

020864 3/3

California AB2589 requires health plans and insurers to disclose broker compensation information to public agency employer groups. This Q&A will answer some of your questions about the law.

**Q: What is AB2589?**

**A:** AB2589 is California legislation that requires health plans and insurers to annually disclose broker compensation information to the governing boards of public agency employer groups. The law specifically requires that the health plan and insurer disclose to the governing board of the public agency that has a group contract with Kaiser Permanente the name and address of, and amount paid to, any agent, broker, or individual to whom the plan paid fees or commissions related to the public agency's group contract.

**Q: Why am I receiving this report?**

**A:** You're receiving the report because you were identified as the governing board representative for a public agency (or the representative of a public agency without a governing board) that we have a contract with (or you're the broker of record for such an agency).

California Broker Compensation Disclosure Reports will be sent to the governing boards of Kaiser Permanente's California public agency employer groups, regardless of the size of the group.

**Q: What types of employers are considered public agencies?**

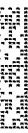
**A:** Public agencies are defined in the California Government Code (§6500) as follows:

*"Public Agency" includes, but is not limited to, the federal government or any federal department or agency, this state, another state or any state department or agency, a county, county board of education, county superintendent of schools, city, public corporation, public district, regional transportation commission of this state or another state, or any joint powers authority formed pursuant to this article by any of these agencies.*

**Q: What types of compensation are included in this report?**

**A:** In addition to monetary fees or commissions related to the public agency's group contract, Kaiser Permanente must report the value of any other gifts or prizes awarded to the agent, broker, or individual if those items were based on placement or

*Continued on next page*



retention of business related to that group. Examples of non-monetary compensation include sporting event or concert tickets, trips, gift cards, and any other non-cash items of tangible value.

**Q: Why is this report sent directly to my public agency's governing board?**

**A:** The law requires that the reports be distributed annually to the governing board of any public agency contracted for coverage with Kaiser Permanente. Since the law specifically states the AB2589 report should be addressed to the governing board, we are unable to address the primary copy of the report to another resource. However, we do provide the contract signer a copy of the report as a courtesy.

**Q: When will I receive this report?**

**A:** You can expect to receive the report annually, within approximately 60 days of the end of the contract year. For example, if our contract with your public agency is on a January–December schedule, you can expect the Broker Compensation Disclosure Report in late February for the preceding year. If your contract year is July–June, you can expect the report in late August each year.

**Q: Is this the same as an ERISA 5500 Schedule A Disclosure Report?**

**A:** Federal law requires certain employer groups to receive an annual report known as an ERISA 5500 Schedule A Disclosure Report, which contains the same type of information that's required for the California Broker Compensation Disclosure Report. However, unlike the 5500 Disclosure Report, the California Broker Compensation Disclosure Report is informational only, and public agencies aren't required to submit the information to the Department of Labor or to any other state or federal agency.

Although public agencies have been exempt from the federal reporting requirements under ERISA 5500 guidelines, some public agencies have requested to receive the 5500 Disclosure Report from Kaiser Permanente. The information contained in that report is identical to what will be included in the new California Broker Compensation Disclosure Report. So, if you received a federal 5500 Disclosure Report in the past, and you're a California public agency, you'll now receive the California report instead.

**Q: We don't have a broker. Why are we getting this report?**

**A:** The law requires all health plans or health insurers to disclose all monetary and non-monetary

compensation that's paid to any agent, broker, or individual if it's related to your public agency's contract with us. That includes consultants and other individuals who may not be referred to as a broker, but who have a compensation arrangement based on placement or retention of business with us.

**Q: Will I get a copy if there's no compensation to report?**

**A:** Yes. To ensure compliance, a report will be sent to any California public agency with whom we're contracted, even if the amounts being reported are zero.

**Q: Why does our broker get a copy of the report?**

**A:** As a courtesy, we provide a copy to the broker(s) who are listed on the report for reference and reconciliation against their own records.

**Q: Why don't the numbers on the report match my records?**

**A:** The reported compensation and commissions are based on what was actually paid to and received by us during the contract year, regardless of what was due. For example, if your December premium is paid in January, it will show up on the following year's report (if you're on a January–December contract). Membership numbers on the report may also be different from your records. They're based on the number of members enrolled at the end of the last calendar month of the contract.

**Q: What should I do with this report?**

**A:** This report is considered informational, and you are not required to take any action. You may choose to keep this report as part of your files, but you are not required by the legislation to do so.

**Q: If we don't keep our copy of the report, can we get a copy from you if we need it?**

**A:** We'll electronically store copies of all Broker Compensation Disclosure Reports for a minimum of six years. However, we can't guarantee we'll be able to provide you with a hard copy if you request it after six years, so you should keep a copy in your files.

**Q: Who should I contact for more information?**

**A:** You can contact the Kaiser Permanente Broker Compensation Reporting Team at (877) 639-0433 or [5500-Central-Team@kp.org](mailto:5500-Central-Team@kp.org).

COB, BOBII  
CPAGE



February 17, 2015

BY CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Board of Supervisors  
San Francisco County  
1 Dr. Carlton B. Goodlett Place, Rm 244  
San Francisco, CA 94102  
Telephone: 415-554-5184

Re: Notice Pursuant To The Worker Adjustment And Retraining  
Notification Act

Dear Board of Supervisors:

To the extent required, this notice is delivered to satisfy the requirements of the Federal Worker Adjustment and Retraining Notification Act of 1988 and the California Worker Adjustment and Retraining Notification (the "Acts") and regulations promulgated thereunder.

The purpose of this letter is to notify you of an upcoming layoff at the Trulia, Inc.'s (the "Company") 116 Montgomery Street, Suite 300, San Francisco, California 94105 office. In addition to the San Francisco office, layoffs will also occur at offices in Bellevue, Washington, (110 110<sup>th</sup> Avenue, Unit 700, Bellevue, Washington 98004), Denver, Colorado (10771 East Easter Avenue, Suite 250, Denver, Colorado 80112) and New York City (55 5<sup>th</sup> Avenue, Suite 1703, New York, New York 10003) along with telecommuting employees throughout the United States. On April 20, 2015, the Company plans to lay-off a total of 275 employees, 96 of which are located in California. On August 1, 2015, the Company plans to lay-off a total of 69 of employees, 44 of which are located in California. All separations will be completed by August 1, 2015. Employees affected in California work at 116 Montgomery Street, Suite 300, San Francisco, California 94105 office. This layoff is expected to be permanent.

Enclosed please find a list of the names, addresses and position titles of the employees to be laid off. Also, enclosed is a list of position titles and number of affected employees in each position.

Bumping rights do not exist for these job classifications. No labor unions represent any of the affected employees.

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 FEB 19 PM 2:44  
AK

Please be further advised that the other notices requires by the Acts have been given and were sent on February 17, 2015. Notices were sent to the affected employees by personal delivery on February 17, 2015. A sample of the notices provided to employees is enclosed.

For further information from a Company representative, please contact Liz Edmondson at 425-952-5856. Ms. Edmondson is also the Company's liaison with the Department of Labor for purposes of providing rapid response services to affected employees.

Very truly yours,

A handwritten signature in cursive script that reads "Scott Darling".

Scott Darling  
Vice President, General Counsel  
Trulia, Inc.



M E M O R A N D U M

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To [EMPLOYEE NAME]  
From Paul Levine, President  
Re Notice of Layoff  
Date February 17, 2015

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First, on behalf of Trulia, Inc. (the "Company"), I would like to thank you for your hard work and dedication. This confirms that due to the merger with Zillow, the Company is restructuring areas of the business to reduce redundancy in roles between the two companies. The Company will be conducting a layoff in its offices located at 535 Mission Street, Suite 700, San Francisco, California 94105, 110 110<sup>th</sup> Avenue, Unit 700, Bellevue, Washington 98004, 10771 East Easter Avenue, Suite 250, Denver, Colorado 80112 and 55 5<sup>th</sup> Avenue, Suite 1703, New York, New York 10003 along with telecommuting employees throughout the United States. Regrettably, your employment will be terminated as part of that layoff. The Company currently expects that the upcoming layoff will be a "mass layoff" within the meaning of the Federal Worker Adjustment and Retraining Notification Act of 1988 and the California Worker Adjustment and Retraining Notification Act (collectively, the "WARN Act"). This memorandum therefore provides you with information to which you are entitled under the WARN Act.

The Company currently expects to begin laying off employees on April 20, 2015 or within the 14-day period beginning on that date. The layoffs may come in stages. The Company currently expects that your employment will end on April 20, 2015 or within the 14-day period beginning on that date. Bumping rights will not be available. The Company expects this layoff to be permanent.

Depending on its business needs, the Company may relieve you of regular day-to-day responsibilities before April 20, 2015. If it does so, you will be transitioned to active on-call status. If you are placed in active on-call status, you will continue to receive your regular base pay and benefits for the remainder of your employment. You may be recalled to report to work from your active on-call status at any time before April 20, 2015 for active work responsibilities, which may continue until no later than April 20, 2015. If you are recalled to report to work from active on-call status, you will be required to do so on the following business day. If you do not do so without an adequate reason (such as verifiable illness), you will be terminated from employment at that time. Unless otherwise agreed in writing with the Company, if you commence employment with another employer during the period before April 20, 2015, you will be considered to have voluntarily terminated from employment as of the commencement of other employment.

If you are placed in active on-call status, your primary job responsibility will be to seek other employment. During that period, you will also be required to respond to any Company requests for information. As an employee, you will continue to be subject to the Company's employment policies.

The Company may be providing further information related to the layoff in coming weeks. If you have any questions about these matters, or if you seek further information, you may direct your questions to Liz Edmondson, Human Resources Generalist at 425-952-5856.

We thank you for your service and all your efforts.

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**From:** Board of Supervisors (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: Making San Francisco Better

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

From: Brigida Lembke [<mailto:yc592@att.net>]  
Sent: Wednesday, March 18, 2015 10:56 AM  
To: Board of Supervisors (BOS)  
Subject: Making San Francisco Better

Mayor Ed Lee is giving away San Francisco to Mr. Ron Conway & his Silicon Valley interests for their campaign contributions to him, at the expense of the S.F. renters, the middle class, & our senior, & disabled citizens, all the while crowding our streets with Google buses, & over ten thousand Transportation Network Company vehicles fouling up our air, and making traffic almost impossible on Friday, & Saturday nights. The following are just a few examples:

1. AIRBNB is taking away from our tax base & is unfair to the tourist industry, the hotels & Motels in this industry, & the vast amount of people they employ.
2. S.F. is fast becoming unable for the average person to live there & pay the ridiculously high rent that is going up in S.F. due to the {Silicon} Valley influence.
3. There are over ten thousand TNC drivers, not counting the taxi drivers who are facing a below minimum wage income. It's like the wild west with drivers doing anything they can to get {fares.}. The amount of vehicles competing for fares must be regulated to see that the drivers can make a living & the public can be served.
4. There must be a level playing field for the TNC's, & Taxi's. All public vehicles for hire must have cameras in them for public safety. Also TNC's must be forced to pay their fair share to ply their trade on the streets of S.F. All vehicles for hire must be fully insured 24/7, & must have workers comp. insurance. The city must control all vehicles picking up passengers for money. The Taxi industry in S.F. & {its} drivers have paid millions of dollars in Medallion, & other fees to the city of S.F. The drivers who pay these fees are getting hosed. And if our city fathers do not do something about this the city will {lose} many more millions of dollars in {medallion sales revenue and transfer fees. But most important there will be many more traffic accidents due to the over supply of drivers competing for fares. Surely there will be people killed & injured due to this situation. Their blood will be on the hands of our Mayor, & the city fathers who are allowing this to happen Sincerely, Art Lembke

OFFICE OF THE MAYOR  
SAN FRANCISCO



COB Rules / Leg Dep

Citywide Unit  
EDWIN M. LEE  
MAYOR  
CPack  
ACFK

March 17, 2015

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

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 MAR 17 PM 4:40  
SMB

Dear Ms. Calvillo,

Pursuant to Section 12B of the San Francisco Administrative Code, I hereby make the following appointments:

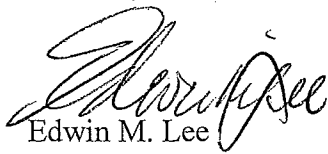
Dolores Blanding, to the Equal Pay Advisory Board, for a term ending October 1, 2017

Dilraj Kahai, to the Equal Pay Advisory Board, for a term ending October 1, 2017

I am confident that Ms. Blanding and Mr. Kahai, electors of the City and County, will serve our community well. Attached herein for your reference are their qualifications to serve.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

  
Edwin M. Lee  
Mayor

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

### Notice of Appointment

March 17, 2015

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

Honorable Board of Supervisors:

Pursuant to Section 12B of the San Francisco Administrative Code, I hereby make the following appointments:

Dolores Blanding, to the Equal Pay Advisory Board, for a term ending October 1, 2017

Dilraj Kahai, to the Equal Pay Advisory Board, for a term ending October 1, 2017

I am confident that Ms. Blanding and Mr. Kahai, electors of the City and County, will serve our community well. Attached herein for your reference are their qualifications to serve.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee  
Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 MAR 17 PM 4:39



**Dolores A. Blanding**  
**Resume**  
**Page 2**

tracking system. Conducted supervisory and management training and new employee orientation.

**San Francisco Department of Health** **Human Resources Manager**  
**City and County of San Francisco (1995 - 1999)**

I managed labor and employee relations activities at Laguna Honda Hospital (LHH), which had approximately 1600 employees. I was responsible for the administration and implementation of approximately 25 Memoranda of Understanding, managed the employee discipline and grievance programs, and represented management during collective bargaining. Extensive interaction with labor organizations working on labor/management dispute resolutions, and developing arbitration experience in a healthcare setting. Additionally, I managed the workers compensation function, the New Employee Orientation Program and the (CA) DMV Pull Notice Program for LHH.

**San Francisco Department of Health** **Senior Personnel Analyst**  
**City and County of San Francisco (1989 - 1995)**

Worked as a human resources generalist at LHH. Prepared and submitted responses to formal EEO complaints to local, state and federal regulatory agencies; presented the department's case before hearing officers at approximately 25 dismissal hearings; represented the employer at California State Unemployment Benefits Appeal hearings before administrative law judges; and managed the position control functions at LHH. As acting HR Director from March 1992 through December 1992, I managed both personnel and payroll activities and served as a member of the Executive Committee.

**Civil Service Commission** **Personnel Analyst**  
**City and County of San Francisco (1984 - 1989)**

I performed the duties and responsibilities of a civil service examinations analyst in the areas of recruitment and selection and worked on a citywide layoff taskforce team.

**EDUCATION**

B. A. in Sociology/Psychology from Sacred Heart University, Fairfield, CT.  
M. A. in Sociology from the New School for Social Research, New York, NY. I was awarded the Martin Luther King, Jr. scholarship at the New School for two years.

Past President of the CCSF's Council of Human Resource Managers (CHRM). Member of the International Public Management Association Certified Human Professional (IPMA- CP), and former member of Society for Human Resource Management (SHRM).

# Dilraj Kahai, managing partner

| 415-355-9090

| [Dilraj.Kahai@21tech.com](mailto:Dilraj.Kahai@21tech.com)

| 1530 Guerrero Street, San Francisco, CA 94110

| <https://www.linkedin.com/pub/dilraj-kahai/3/233/108>

## Introduction

I started my career as a Systems Analyst and Business Process Analyst consultant for large, intractable problems with fortune 500 companies such as All State, Pacific Bell and other multinational companies.

In 1997, I was founding partner of 21Tech to solve business problems for large companies with elegant, efficient, and cutting edge solutions that provided maximum ROI to the clients. I grew that company from being self-employed to having 80 employees today.

I charted a course through Telecommunications, Public Sector and Utility companies, significantly increasing efficiency and productivity with innovative solutions.

As an accomplished C-Level IT executive, I have 17 years of senior leadership leading high growth technology companies in IT services, operational improvements, and business development in major IT verticals: Asset Management Solutions, Building Permits, licenses and Planning, Business Intelligence, Taxation, and General Project and Program Management.

## Areas of Expertise

### Operational Process Analysis

- Strategic Planning and Leadership
- Productivity and Efficiency Improvement
- Project Planning/ Execution
- Multi-Site Operations
- Process Redesign
- Change Management

### Market Share Improvement

- Customer Satisfaction
- Total Quality Management
- Cross-Functional Team Leadership
- P&L Management
- Revenue Goal/Growth Attainment
- Financial Plan Development

### Business Development

- Negotiation, Persuasion, and Communication
- Revenue targets and strategies
- Partnership and creating win-win solutions with competitors
- Product partnerships
- Sales pipeline business development with partners
- Presentations, White Papers, Round Tables, and Communication

### Founding Partner

- 21Tech, LLC (1996 – Present)
- Talent Table (2011 – Present)

### Education

- Masters in Computer Science
- Bachelors in Computer Science
- Bachelors in Mathematics

### Accomplishments

- Has incubated and developed two multi-million dollar companies from scratch with no VC funding
- Strong technical leadership in technical design, system applicability
- Strong Strategic leadership in governance, growth, partnership and stability

## Current Companies:



### 21Tech, LLC

#### HISTORY

- As a founding partner of 21Tech, LLC, I have overseen growth of this company since inception to approximately \$20 million in annual revenues.
- My belief is to foster a close partnership with strategic vendor partners including Oracle, Infor, Microsoft, Accela, Thomson Reuters and Adobe.
- I articulate the vision for 21Tech, lead the company in business development, and manage both public sector and private sector clients.
- I act as the skilled strategist who transforms strategic plans into workable solutions to benchmark performance against

#### KEY OPERATIONAL TARGETS & GOALS

- Responsible for Business Development
- Responsible for skilled employee growth and retention
- Responsible for growing out a public sector practice and a private sector implementation practice
- Responsible for the implementation of large public sector projects.

#### Recent engagements:

- 311
- Permit Tracking solutions
- Business Intelligence Solutions
- Business Tax solution
- Asset Management Solutions

#### CLIENTS

#### Clients include:

- The City and County of San Francisco
- County of San Mateo
- City of Portland
- City of Chicago
- City of Portland
- City of Chicago
- City of Portland
- City of Chicago
- The State of California
- City of Indianapolis
- Thompson Reuters
- Levi Strauss
- Microsoft
- Oracle
- AT&T



### Talent Table

#### HISTORY

- In addition to being Managing Partner at 21Tech, I am the Lead Partner of Talent Table.
- I provide the strategy and vision for Talent Table, a unique company designed to serve the Creative, Marketing and IT needs of companies that see a synergy between these areas.
- Talent Table provides staff for Branding, Designing, and Video Marketing in the creative sector.

#### KEY OPERATIONAL TARGETS & GOALS

- Responsible for Account Management of Clients over \$3million in annual revenue to Talent Table
- Responsible for strategy and growth of company
- Responsible for migrating company from placement of design individuals to creating an in-house design studio



OFFICE OF THE MAYOR  
SAN FRANCISCO



COB, Rules, Leg Dep. One,  
City Atty, O'Pige, ac File  
EDWIN M. LEE Leg Clerk  
MAYOR

March 17, 2015

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

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
MARCH 17 PM 4:42  
MB

Dear Ms. Calvillo,

Pursuant to Section 3.100(18) of the Charter of the City and County of San Francisco, I hereby make the following appointments:

Dr. David Pating to the Health Commission, for a term ending January 15, 2019

David Singer to the Health Commission, for a term ending January 15, 2019

I am confident that Dr. Pating and Mr. Singer, electors of the City and County, will serve our community well. Attached herein for your reference are their qualifications to serve.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edwin M. Lee".

Edwin M. Lee  
Mayor

5

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

**Notice of Appointment**

March 17, 2015

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

Honorable Board of Supervisors:

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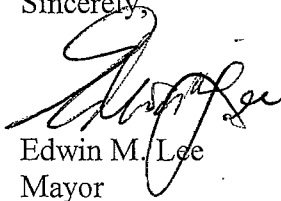
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Sincerely,

  
Edwin M. Lee  
Mayor

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 MAR 17 PM 4:01

**David B. Singer**

David is a partner at Maverick Capital, where he is responsible for Maverick's Private Investments globally. Prior to joining Maverick, David was a leading entrepreneur who specialized in health care start-ups throughout his career. He is founder and former CEO of three biotech companies in fields ranging from tools for DNA analysis to novel therapeutics (Affymetrix, GeneSoft and Corecept.) At Maverick, he concentrates on private companies involved in deep technology research, including next-generation DNA sequencing tools, medical devices, and cloud computing for new media applications. He currently sits on the board of one public and several private companies. He is also on The RAND Corporation's Health Advisory Board and the Board Member for College Track. He received his MBA from Stanford and is a Sterling Fellow of Yale University. He is a 1997 Henry Crown Fellow of The Aspen Institute and a member of the Aspen Global Leadership Network.

**David Roger Pating, M.D.**  
**Curriculum Vitae**  
January 2014

**Information**

Work:           Chemical Dependency Recovery Program    main (415) 833-9400  
                  Kaiser Medical Center - San Francisco   office (415) 833-9422  
                  1201 Fillmore St.                           cell   (415) 515-3217  
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Email:           david.pating@kp.org

**Education**

1987-90        Resident-Psychiatry, Langley Porter Institute/UCSF School of Medicine,  
                  San Francisco, CA  
1986-87        Resident-General Surgery, Stanford University Medical Center  
                  Stanford, CA  
1985-86        Intern-General Surgery, Kaiser Medical Center-San Francisco  
                  San Francisco, CA  
1981-85        M.D., UCLA School of Medicine  
                  Los Angeles, CA  
1977-81        B.S., Biology, Stanford University  
                  Stanford, CA

**Employment**

2001-present   Chief, Addiction Medicine  
                  Medical Director, Chemical Dependency Recovery Program  
                  Chair, Physician Wellbeing and Wellness Committee  
                  Kaiser Medical Center-San Francisco, San Francisco, CA  
2002-present   Regional Chair, Addiction Medicine Chiefs  
                  Regional Chair, Chemical Dependency Quality Improvement Committee  
                  Kaiser Permanente Northern California  
1999-2001     Assistant Medical Director, Chemical Dependency Recovery Program  
                  Co-Chair, Physician Wellbeing Committee  
                  Kaiser Medical Center-San Francisco, San Francisco, CA  
1994-1999     Staff Psychiatrist, Chemical Dependency Recovery Program  
                  Kaiser Medical Center-San Francisco, San Francisco, CA  
1990-2001     Staff Psychiatrist, Dept. of Psychiatry  
                  Coordinator, Group Therapy and Behavioral Health Education Programs  
                  Kaiser Medical Center-San Francisco, San Francisco, CA

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**From:** Board of Supervisors (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: Please oppose bill SB277

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**From:** Maya Nicholls [mailto:mayagypsy143@gmail.com]  
**Sent:** Friday, March 20, 2015 12:45 AM  
**To:** Board of Supervisors (BOS)  
**Subject:** Re: Please oppose bill SB277


Dear Board Members,

I urge you to please look into this bill and issue more deeply. If you do, you'll see that there are many serious issues with completely eliminating a parents rights to make medical decisions for their family. Also, the way in which this bill would interact with other existing CA laws is important to understand.

First of all, the current measles outbreak had nothing to do with vaccination rates. Vaccination rates in CA have actually gone up in the past few years. In 2014-2015, for children in child care facilities (aged 2-4 years) and children in CA schools

(Kindergarten), there was an INCREASE in percentages of children vaccinated for both measles and pertussis. 96.1% of children in child care, and 92.6% of children in Kindergarten are vaccinated for measles (a 0.4% and 0.3% increase from 2013 respectively). [http://www.cdph.ca.gov/programs/immunize/Documents/IMM-424FactSheet-School\(1-15\).pdf](http://www.cdph.ca.gov/programs/immunize/Documents/IMM-424FactSheet-School(1-15).pdf) CA vaccination rates are also higher than the most recent U.S. national average of 91.9% in 19-35 mo old children. [http://www.cdc.gov/vaccines/imz-managers/coverage/nis/child/tables/13/tab03\\_antigen\\_state\\_2013.pdf](http://www.cdc.gov/vaccines/imz-managers/coverage/nis/child/tables/13/tab03_antigen_state_2013.pdf)

And as you can see from the graph below fluctuations in vaccination rates are very minor and don't correlate to

measles outbreak numbers. 


Secondly, vaccines carry risk of injury (ranging from mild to very severe) or death. This is a fact. You can clearly see this written on all vaccine package inserts. Actually, vaccines cause so many injuries and deaths that the government decided to protect manufacturers from ALL liability and created the National Childhood Vaccine Injury Act of 1986 which states the following:

"The National Childhood Vaccine Injury Act of 1986 (NCVIA or Act) created a no-fault compensation program to stabilize a vaccine market adversely affected by an increase in vaccine-related tort litigation and to facilitate compensation to claimants who found pursuing legitimate vaccine-inflicted injuries too costly and difficult. The Act provides that a party alleging a vaccine-related injury may file a petition for compensation in the Court of Federal Claims, naming the Health and Human Services Secretary as the respondent; that the court must resolve the case by a specified deadline; and that the claimant can then decide whether to accept the court's judgment or reject it and seek tort relief from the vaccine manufacturer. Awards are paid out of a fund created by an excise tax on each vaccine dose. As a quid pro quo, manufacturers enjoy significant tort-liability protections. Most importantly, the Act eliminates manufacturer liability for a vaccine's unavoidable, adverse side effects." <http://www.supremecourt.gov/opinions/10pdf/09-152.pdf>

If you take away a parents rights to exemptions then there is no system in place to allow parents who are understandably concerned with the safety of vaccines to protect their children from harm by vaccines. Exemptions are the only mechanism parents have, as potential consumers of a product whose manufacturers

have zero liability, to choose not to use that product. This is an important human right to not be forced to accept a medical procedure/product which has known serious and potentially life threatening side effects. No other product in history has been protected completely from liability AND mandated.

Just two states in the US only allow medical exemptions, Mississippi and West Virginia. Mississippi has the highest Infant Mortality Rate in the whole country and West Virginia is 10th. California is currently 44th in the nation. [http://www.cdc.gov/nchs/pressroom/states/INFANT\\_MORTALITY\\_RATES\\_STATE\\_2010.pdf](http://www.cdc.gov/nchs/pressroom/states/INFANT_MORTALITY_RATES_STATE_2010.pdf)

Also, as a country we vaccinate at a younger age and with more vaccines than any other industrialized country yet we have the highest Infant Mortality Rate. 

"Despite recent declines in infant mortality (4), the United States ranked 26th among the 29 OECD countries in 2010, behind most European countries as well as Japan, Korea, Israel, Australia, and New Zealand. The U.S. infant mortality rate of 6.1 infant deaths per 1,000 live births was more than twice that for Japan and Finland (both 2.3), the countries with the lowest rates. Twenty-one of the 26 OECD countries studied had infant mortality rates below 5.0. This pattern of high infant mortality rates in the United States when compared with other developed countries has persisted for many years." [http://www.cdc.gov/nchs/data/nvsr/nvsr63/nvsr63\\_05.pdf](http://www.cdc.gov/nchs/data/nvsr/nvsr63/nvsr63_05.pdf)

How can you be certain that our vaccination program isn't contributing to our high number of infant deaths?

I understand that people in government are concerned with public health, and mandating vaccines seems like a good solution when looked at initially, but in reality, this bill passing will have dire consequences to the health of some of the members of our communities. Isn't every child's life important? Doesn't every child matter just the same as the next? There is not currently any accurate way for doctors to predict who will be harmed by vaccines, therefore it is unethical to mandate them. Parents need to be able to make an informed decision regarding vaccinating their children not be forced into this decision by a mandate. Even Senator Pan said this just a few years ago when promoting his assembly bill AB2109 (watch short video of Senator Pan.) <http://youtu.be/6gilUVO8co>

Lastly, **Medical Exemptions Are Very Difficult to get** because almost all medical reasons for delaying or withholding vaccines have been eliminated by government and medical trade officials. Most doctors and health care workers follow federal guidelines published by the Centers for Disease Control (CDC) outlining what is and is not considered a medical contraindication to vaccination. Some states will accept a doctor's written medical vaccine exemption without question. Other states allow state public health officials to review the medical exemption written by a medical doctor or other state designated health care worker and revoke it if health department officials don't think the exemption is justified because it does not conform to federal (CDC) vaccine contraindication guidelines. <http://www.nvic.org/vaccine-laws.aspx>

These are the only four contraindications which qualify a child to get a medical exemption

1. severe (anaphylactic) allergic reaction to a vaccine component or following a prior dose of a vaccine.
2. encephalopathy not due to another identifiable cause occurring within 7 days of pertussis vaccination
3. severe combined immunodeficiency (SCID)
4. history of intussusception as contraindications to rotavirus vaccine.

<http://www.cdc.gov/vaccines/pubs/pinkbook/genrec.html>

Leaving only medical exemptions isn't sufficient because they are practically impossible to qualify for, even for previously vaccine injured children and children with serious health issues. Parents need to have access to exemptions to be able to adequately protect their children from potential harm.

As Senator Pan said in 2012, parents should have the rights to make an informed decision regarding vaccinations. Kathryn Serkes, director of policy for the Association of American Physicians and Surgeons (AAPS), one of the few national physician groups that refuse corporate funding from pharmaceutical companies says in regards to vaccine mandates, "This power play obliterates informed consent and parental rights." Children should be carefully screened, medical records taken and decisions made carefully between parents and doctors – not mandated by government and under the watch of law enforcement. Children could receive a dangerous cocktail of several vaccines without proper examinations. "Vaccine mandates are reckless and subjects children to the risk of severe reactions. Physicians should not be allowed to administer vaccines in this way, without individual histories and physical exams – or informed consent," said Jane M. Orient, M.D., AAPS Executive Director. AAPS is opposed to mandatory vaccination, holding that patients have the right to refuse medical treatment, and that vaccines, like all medical interventions, have risks as well as benefits, which vary with individuals and circumstances. [http://www.aapsonline.org/index.php/site/article/doctors\\_oppose\\_maryland\\_vaccine\\_roundup/](http://www.aapsonline.org/index.php/site/article/doctors_oppose_maryland_vaccine_roundup/)

I hope that you can now see that this issue is complicated and taking away parents rights and mandating vaccinations is inappropriate and unethical. Please oppose SB277 and allow parents to continue to make important medical decisions for their families.

Sincerely,  
Maya Nicholls

On Mar 18, 2015, at 5:16 AM, Maya Nicholls <[mayagypsy143@gmail.com](mailto:mayagypsy143@gmail.com)> wrote:

**Dear Board Members,**

**Berkeley city council has postponed their vote on SB277 in light of all the information and opposition. They've promised to watch an important movie "Trace Amounts" before voting April 7th. I strongly urge all SF board members to see this movie as well and revisit bill SB277 afterwards. Here's a link to the Berkeley showing on March 31st 7:30pm. Please**

**go see this movie! <https://gathr.us/screening/11195>**

**Here's the trailer: [http://youtu.be/qKadXnd8Y\\_M](http://youtu.be/qKadXnd8Y_M)**

**Please also watch this video: California Nurses for Ethical Standard's President Urges "NO" on SB 277**

<http://youtu.be/t2hfjgNmHJY>

Sincerely,  
Maya Nicholls

On Mar 17, 2015, at 4:10 PM, Maya Nicholls <[mayagypsy143@gmail.com](mailto:mayagypsy143@gmail.com)> wrote:

Please also read this very important article by a prominent lawyer regarding vaccine mandates and change your position and oppose SB277.

<http://stateofthenation2012.com/?p=12072>

Sincerely,  
Maya Nicholls

On Mar 16, 2015, at 2:35 PM, Maya Nicholls <[mayagypsy143@gmail.com](mailto:mayagypsy143@gmail.com)> wrote:

Dear Board Members,

I'm writing to you as a concerned citizen and mother. I heard that the SF board passed a resolution supporting bill SB277 and so I wanted to reach out to you to let you know why I oppose this bill and strongly urge you to change your position and oppose this bill as well.

The following are my concerns with bill SB277:

A) The bill affects all children at all ages who want to attend school or day care in California. If passed parents could no longer delay, choose an alternate schedule, or opt out of even just one vaccine that the state has or will deem appropriate. Doctors and parents, not the government, know what is best for each child. Some parents need to delay or vaccinate selectively for the health of that child. A one size fits all vaccine mandate does not take into account the individual needs of children. Not all kids respond the same way to being vaccinated and because of that a blanket vaccine mandate is dangerous and will cause harm to some children. For children 6-18 it will be compulsory for living in California because it will be mandated for public, private AND homeschoolers. NO state in the US has passed such a bill. Even in the two states (Mississippi and West Virginia) that don't have personal belief or religious exemption options, they still have the option to homeschool. This bill if passed will force parents who do not comply into pulling their children out of school therefore risking truancy charges which involves fines, CPS involvement and possible jail time or it will force them to move out of California.

B) Eliminating the exemption of personal beliefs will include eliminating all religious beliefs against vaccines as well, which is a violation of parents freedoms to raise their families as they see fit.



C) The Supreme Court has ruled vaccines "Unavoidably unsafe" and due to that risk it must be a parent's choice to take the risk, not the government dictating that decision. There is no way to predetermine which children will have a negative reaction to vaccinations. Some do and some are very serious life altering reactions. If there is such a risk, there MUST be a choice. It is unethical to mandate a potentially harmful medical procedure.

D) The pharmaceutical companies and the doctors who administer them have no liability when vaccines cause harm. Again because there is risk of harm parents need to be able to make that decision.

E) Some supporters of SB277 believe that parents can just get a Medical exemption if they truly don't want to vaccinate or if their child has a true reason to not be vaccinated but this isn't true. Medical exemptions are practically impossible to obtain, even for children who have previously been injured by vaccines or who have a family history of vaccine injury. Leaving just a Medical exemption option is not sufficient to allow parents to properly protect their children from harm or further harm from vaccines.

F) SB277 is open ended. This bill leaves it open for ANY vaccines they "deem necessary" to be added to the mandate at any time. No one would ever agree to such a thing in any other area of life. Would you sign a lease agreement that said they could just raise your payments at any point as they deem necessary? No you wouldn't because that's crazy and so is proposing to mandate an undisclosed amount of vaccinations. Already our vaccine schedule has the most vaccines on it out of all the industrialized countries, yet we rank 34th (last) in infant mortality rates. Adding more and more vaccines is not the answer to public health.

There are other reasons I oppose this bill but these are some of the main reasons why this bill is dangerous to public health (why aren't vaccine injured children's lives important?), a violation of parents rights and is totally unnecessary at this time. There is no emergency to validate such an over reaching intrusive bill passing. The measles outbreak is over. NO ONE DIED. Exemption rates are already dropping in CA due to Pan's 2012 bill. SB277 is taking all this a step too far!

Please see the attached documents for more information and reasons to oppose this bill. Please change your position and oppose this bill and allow parents to maintain their rights. Thank you.

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Sincerely,  
Sincerely,  
Maya Nicholls, CMT  
415-342-1345

Maya's Massage Therapy  
1295 Petaluma Blvd North, Suite 5  
Petaluma, Ca 94952  
[www.thepetalumamassage.com](http://www.thepetalumamassage.com)

<THE ARGUMENT.pdf>

<Final Revised A Review of the Effects of SB 277 to the Children  
of California.pdf>

<Oppose SB 277 Key PointsCORRECTED.pdf>

**1. THE ARGUMENT:** We are facing a deadly Measles epidemic

**THE TRUTH:** Out of 330 million people in the US, we have 174 cases.<sup>1</sup>

That's about 1 case per every 2 million people. Contrary to media reports publishing the global number of annual Measles deaths, there has not been a death in the U.S. from Measles since 2003.<sup>2</sup> In contrast, the flu kills an average of 23,000 people in the U.S. each year- which means approximately 270,000 people have died from the flu since there was a death from Measles.<sup>3</sup>

**2. THE ARGUMENT:** Vaccines are safe

**THE TRUTH:** Over 30,000 vaccine reactions are reported to VAERS each year.<sup>4</sup>

About 2,000-4,000 of these vaccine injuries are SEVERE side effects that lead to hospitalization, permanent disability, and even death. The Supreme Court has additionally ruled that vaccines are "unavoidably unsafe."<sup>5</sup> In 2011, they said:

There are some products, which, in the present state of human knowledge, are quite incapable of being made safe for their intended use. These are especially common in the field of drugs. It is also true because of lack of time and opportunity for sufficient medical experiences, there can be no assurance of safety or perhaps even purity of ingredients.<sup>6</sup>

**3. THE ARGUMENT:** Vaccines will keep you from getting infected

**THE TRUTH:** Approximately 90% of pediatric Pertussis cases in CA were vaccinated.<sup>7</sup>

The MMR II vaccine promises protection of 97% after 2 doses, and 93% after 1 dose.<sup>8</sup> This would mean the rate of infection in vaccinated individuals would be between 3-7%. However, current data from CA's most recent Measles outbreak shows that anywhere between 29-58% of those infected were vaccinated.<sup>9</sup> In addition in 2014, 89.8% of pediatric Whooping Cough cases had been vaccinated with DTaP.<sup>10</sup>

**4. THE ARGUMENT:** Diseases are returning because of low immunization rates

**THE TRUTH:** Last year in CA, there was an INCREASE in % of vaccinated children.<sup>11</sup>

In 2014-2015, for children in child care facilities (aged 2-4 years) and children in CA schools (Kindergarten), there was an INCREASE in % of children vaccinated for both Measles and Pertussis. 96.1% of children in child care, and 92.6% of children in Kindergarten are vaccinated for Measles (a 0.4% and 0.3% increase from 2013 respectively).<sup>12</sup> These vaccination rates are also higher than the most recent U.S. national average of 91.9% in 19-35 mo old children.<sup>13</sup>

**5. THE ARGUMENT:** Full vaccination will stop disease outbreaks

**THE TRUTH:** Complete immunity is impossible due to varying vaccine efficacy rates, imported cases of disease, and waning immunity.

Vaccines do not offer full protection from disease. The quoted efficacy rates of DTaP, Hib, and MMR are 70%, 84%, and 93-97% respectively.<sup>14</sup> This means a **fully vaccinated population would still NOT have full immunity**. Additionally, current research estimates nearly 90% of all Measles cases are imported from other countries experiencing outbreaks,<sup>15</sup> a fact that would not be affected by increased state vaccination rates. Most importantly however, is the idea of waning immunity. The CDC says disease can continue to spread in vaccinated children because protection from vaccines fades over time due to waning immunity, even in as little as 2 years for the Pertussis vaccine.<sup>16</sup>

**6. THE ARGUMENT:** Measles was eliminated in 2000 due to vaccination

**THE TRUTH:** The U.S. National Rate of vaccination for Measles in 2000 was 91.0%.<sup>17</sup>

We currently have a **higher percentage of MMR vaccination**, both as a state and as a nation (92.3%, 91.9%), than we did when Measles was considered “eliminated” in 2000. In 2011, the U.S. national vaccination rate was *also* higher than that of 2000 (91.6%), and there were still 220 cases of Measles, 26% more cases than we have as a nation now.<sup>18</sup>

**7. THE ARGUMENT:** The # of exemptions = the # of unvaccinated children

**THE TRUTH:** More than 99% of all children have had some vaccinations.<sup>19</sup>

If a child is missing just one immunization, even in a series of the more than 30 vaccines necessary for school entry, the child is required to file for an exemption. “It is unlikely that children with an exemption were completely unvaccinated...data found that <1% of children had not received any vaccines.”<sup>20</sup>


**8. THE ARGUMENT:** Senator Pan’s stance on this issue has been consistent

**THE TRUTH:** In 2012, Pan said he supported a parent’s right to choose.

While attempting to pass AB2109 in 2012, Senator Pan said: “We want these kids [children filing exemptions] to go to school, and we are not taking away the parental rights to make a decision, we want to be sure people have an informed decision.” Yet in 2015, he reversed his position and is aiming to take away both a parent’s right to choose AND the ability for these children to go to school.

- <sup>1</sup> <http://www.cdc.gov/measles/cases-outbreaks.html>, March 06, 2015
- <sup>2</sup> <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5331a3.htm>
- <sup>3</sup> [http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5933a1.htm?mobile=nocontent&s\\_cid=mm5933a1\\_w](http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5933a1.htm?mobile=nocontent&s_cid=mm5933a1_w)
- <sup>4</sup> <http://vaers.hhs.gov/data>
- <sup>5</sup> Bruesewitz v. Wyeth LLC, 131 S. Ct. 1068, 179 L.Ed.2d 1 (2011).1
- <sup>6</sup> Bruesewitz v. Wyeth LLC, 131 S. Ct. 1068, 179 L.Ed.2d 1 (2011).6
- <sup>7</sup> <http://www.cdph.ca.gov/programs/immunize/Documents/PertussisReport2-12-2015.pdf>
- <sup>8</sup> <http://www.cdc.gov/vaccines/vpd-vac/measles/faqs-dis-vac-risks.htm>
- <sup>9</sup> [http://www.cdph.ca.gov/HealthInfo/discond/Documents/Measles\\_update\\_3\\_-\\_6\\_-\\_2015\\_public.pdf](http://www.cdph.ca.gov/HealthInfo/discond/Documents/Measles_update_3_-_6_-_2015_public.pdf)
- <sup>10</sup> <http://www.cdph.ca.gov/programs/immunize/Documents/PertussisReport2-12-2015.pdf>
- <sup>11</sup> [http://www.cdph.ca.gov/programs/immunize/Documents/IMM-424FactSheet-School\(1-15\).pdf](http://www.cdph.ca.gov/programs/immunize/Documents/IMM-424FactSheet-School(1-15).pdf)
- <sup>12</sup> [http://www.cdph.ca.gov/programs/immunize/Documents/IMM-424FactSheet-School\(1-15\).pdf](http://www.cdph.ca.gov/programs/immunize/Documents/IMM-424FactSheet-School(1-15).pdf)
- <sup>13</sup> [http://www.cdc.gov/vaccines/imz-managers/coverage/nis/child/tables/13/tab03\\_antigen\\_state\\_2013.pdf](http://www.cdc.gov/vaccines/imz-managers/coverage/nis/child/tables/13/tab03_antigen_state_2013.pdf)
- <sup>14</sup> <http://www.cdc.gov/vaccines/vpd-vac/measles/faqs-dis-vac-risks.htm>  
<http://www.cdc.gov/pertussis/about/faqs.html>,  
<http://www.ncbi.nlm.nih.gov%2Fm%2Fpubmed%2F16491301%2F&h=QAQHKgQOB>
- <sup>15</sup> <http://www.ncbi.nlm.nih.gov/pubmed/24311021>
- <sup>16</sup> <http://www.cdc.gov/pertussis/about/faqs.html>
- <sup>17</sup> [http://www.cdc.gov/vaccines/imz-managers/coverage/nis/child/tables/13/tab03\\_antigen\\_state\\_2013.pdf](http://www.cdc.gov/vaccines/imz-managers/coverage/nis/child/tables/13/tab03_antigen_state_2013.pdf)
- <sup>18</sup> <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5331a3.htm>
- <sup>19</sup> <http://www.cdc.gov%2Fmmwr%2Fpreview%2Fmmwrhtml%2Fmm6133a2.htm&h=XAQFzPAG>
- <sup>20</sup> <http://www.cdc.gov%2Fmmwr%2Fpreview%2Fmmwrhtml%2Fmm6133a2.htm&h=XAQFzPAG>

for more information:

**OUR KIDS OUR CHOICE** 

## **A Review of the Effects of SB 277 on All California Children**

*Revised March 11, 2015*

### **Introduction**

Senate Bill 277 (Pan), seeks to eliminate Personal Beliefs exemptions for all California children from the Health and Safety Code by amending Section 120325, and to repealing and adding to Section 120365.

Existing law prohibits the governing authority of a school or other institution from unconditionally admitting any person as a pupil of any public or private elementary or secondary school, child care center, day nursery, nursery school, family day care home, or development center, unless prior to his or her admission to that institution he or she has been fully immunized against various diseases, including measles, mumps, and "*Any other disease deemed appropriate by the department*", subject to any specific age criteria.

Existing law authorizes an exemption from those provisions for medical reasons or due to personal beliefs (which includes Religious), if specified forms are submitted to the governing authority pursuant to Section 120365 (as a result of AB 2109, Pan, from the 2013-2014 legislative session).[

### **Key Bill Language of SB 277**

Section 120325 of the Health and Safety Code is amended to read:

*"(c) Exemptions from immunization for medical reasons ~~or because of personal beliefs.~~"*

Section 120365 is repealed and the following is added to the Health and Safety Code, to read:

*"(a) Immunization of a person shall not be required for admission to a school or other institution listed in Section 120335 if the parent or guardian or adult who has assumed responsibility for his or her care and custody in the case of a minor, or the person seeking admission if an emancipated minor, files with the governing authority a letter or affidavit that documents which immunizations required by Section 120355 have been given and which immunizations have not been given pursuant to an exemption from immunization for medical reasons."*

### **California's Compulsory Education Law**

California's compulsory education law requires children between six and eighteen years of age to attend school.<sup>1</sup> The allowable options in California to meet compulsory education requirements are to attend a California public

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<sup>1</sup> Cal. Ed. Code § 48200.

school or a private school.<sup>2</sup> Homeschooling is not specifically mentioned as an option in California law or education code; therefore, people in this state homeschool by either enrolling in a public homeschool charter, or they are allowed to enroll in a private school in their own home or a private school satellite program.<sup>3</sup>

Under California law, a pupil who, without a valid excuse, is absent from school for three full days in one school year, or is tardy or absent for more than 30 minutes during the school day on three occasions in one school year, is considered truant.<sup>4</sup> Once a student is designated a truant, state law requires schools, districts, counties, and courts to intervene to ensure that parents and pupils receive certain services to “assist” them in complying with attendance laws. When these various interventions fail—meaning parents or guardians still do not send a child to school or a student misses an unlawful amount of school—the matter is referred to the courts.<sup>5</sup> Courts can then use penalties or other measures to seek compliance including taking the child into custody and the parents being placed in County Jail.<sup>6</sup>

## **Conclusion**

Should a child not provide proof of full immunization to public school, private school (which includes, as stated above, homeschoolers), child care center, day nursery, nursery school, family day care home, or development center the child shall be excluded from further attendance if they do not obtain the required immunizations within no more than 10 school days following receipt of notice.<sup>7</sup> This is herewith leaving all California parents with health concerns regarding immunization, and their children, at the mercy of the punishments and penalties of the Courts resulting from SB 277 when combined with California’s already existing compulsory education laws.

By Victoria Ikerd-Schreiter, Esq.

California Coalition for Health Choice: Your Family, Your Choice

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<sup>2</sup> Cal. Ed. Code § 48222.

<sup>3</sup> *Jonathan L. v. Superior Court* (2008) 165 Cal.App.4th 1074 [81 Cal.Rptr.3d 571].

<sup>4</sup> Cal. Ed. Code § 48260.

<sup>5</sup> Cal. Ed. Code § 48263.

<sup>6</sup> Cal. Ed. Code §§ 48264 and 48293; Cal. Penal Code §272.

<sup>7</sup> Title 17, CCR § 6055.

## OPPOSITION TO SB 277

### IF PASSED, SB 277 WOULD:

- A. Remove parents' rights to personal & religious vaccine exemptions for their children.
- B. Remove parents' rights to a modified vaccine schedule for their children.
- C. Mandate full vaccination of any minor, from daycare through secondary school in order to attend school, whether private, public, or home school.
- D. Permit the addition of **any new vaccines that may be added to the schedule at any time**, which already includes annual flu shots.

### KEY REASONS TO OPPOSE:

#### **FIRST:**

AB2109, also introduced by Senator Pan and recently implemented in 2014, now requires parents to prove they have been informed and educated by a doctor regarding the safety and risks of vaccines and the diseases the vaccines are designed to prevent. Former California Department of Public Health Dr. Ron Chapman introduced this new requirement 18 months ago by stating, *"It is important that parents make an informed decision, and this new form encourages education about vaccinations while protecting an individual's constitutional rights."*

Since its implementation, we have already seen a 20% reduction in the rate of personal belief exemptions filed in California. The exemption rate dropped from 3.15% to 2.5%, and this exemption rate includes children who may have gotten all vaccines on the schedule but one.

California's personal belief exemption has been in place since 1961. CDC Director Dr. Anne Schuchat has stated that there have been no measles deaths reported in the U.S. since 2003.

This bill unprecedentedly removes parental rights to informed consent. ***This extreme measure, if ever justified, must only be employed by the United States in times of true states of emergency.***

#### **SECOND:**

Managed by the CDC and FDA, the Vaccine Adverse Event Reporting System (VAERS) reports more than 30,000 vaccine related injuries annually. Since 2000, 142 Californians have suffered adverse reactions resulting in 46 deaths of California citizens. 52.82% of these adverse reactions were suffered by children under the age of 11 months. During that same time period, VAERS reports the death of 707 American citizens. <http://vaers.hhs.gov/data>.

The National Childhood Vaccine Injury Act of 1986 established the National Vaccine Injury Compensation Program (VICP) as a federal no-fault system to compensate persons (or families of persons) who are injured by covered childhood vaccines. To date, it has paid out over \$2.2 billion to families whose children have died or suffered other adverse reactions.

Vaccines carry known risk of harm. ***Therefore, removing this choice from parents would be unavoidably legislating harm on certain children every year.***

#### **THIRD:**

Science is ever changing. Our understanding of epidemiology and the body's immune system is ever growing and changing, and long term studies often yield results and expand our scope of understanding previously unseen. ***We cannot in good conscience remove exemption options from mandatory medical intervention when our knowledge is not absolute.***



---

**From:** Alice Bierman [alice@sdaction.org]  
**Sent:** Tuesday, March 17, 2015 3:32 PM  
**To:** MTABoard@sfmta.com; Mar, Eric (BOS); Farrell, Mark (BOS); Christensen, Julie (BOS); Tang, Katy (BOS); BreedStaff (BOS); Kim, Jane (BOS); Yee, Norman (BOS); Wiener, Scott; Campos, David (BOS); Cohen, Malia (BOS); Avalos, John (BOS); BoardofSupervisors@sfgov.org; Julie.Kirschbaum@sfmta.com; Jeffrey.Flynn@sfmta.com  
**Cc:** Johnson, Carla (ADM); Pi Ra; Donna  
**Subject:** Please continue 33 bus line towards San Francisco General Hospital to make all bus accessible to all

Dear SFMTA board, supervisors of San Francisco and Mayor's Office on Disability:

I am writing to you in respond to news I heard that the 33 line may be cut from 16th Street to Potrero Ave towards San Francisco General Hospital. I have been riding the 33 line for the past 12 years and this is a shocking news to me because if any of you have ride the 33 bus at this point of the line, you would know cutting this part of the service will create extreme hardship for many people. Those include but not limit to seniors using canes and walkers, having physical problems going up and down of buses, those who are feeling ill on their way to SFGH, people with disabilities, (wheelchair users and those with different mobility issues) low income families with lots of groceries with baby strollers from Safeway and Russ right there. Cutting this part of the line means asking all of these riders to transfer to the always packed 9 bus line which also means more than 75% of the time, won't be able to pick up wheelchairs, walkers and or strollers. This is hard for all of them as it is but it is even harder when a lot of them are going to SFGH and are feeling ill.

This is one of the situation I experienced a couple of weeks ago on the 33 line.

I was on 33 bus heading toward SF General Hospital. On the bus I am on, we have 2 wheelchairs on board. When the driver turned onto 16th Street from Mission, we saw 2 more people using wheelchairs going to SFGH. She told them that she is not able to pick them up because she has 2 wheelchairs on board already and please wait for the next bus. As she was speaking, the next 33 bus came. We saw the bus behind us picked them up. Then, we saw 2 more wheelchair users at 16th and Bryant and again the driver told them that they will have to wait for 2 more buses because both our bus and the bus behind have 2 wheelchairs already.

This situation was around 1pm on a Tuesday but what if it was during peek hours when services are all packed?

I am asking you to advocate for continue the 33 line as it is to make sure all people have equal access to our bus services in San Francisco. I am a person with a disability and I know from personal experience that this type of change will hugely impact a lot of under-served populations in a very negative way. Please consider taking action to keep the 33 line continued on Potrero Ave. towards SFGH.

Thank you very much!

Alice Bierman  
Peer Advocate Program Coordinator  
Senior & Disability Action  
1360 Mission St. #400 SF CA 94103  
T: 415-546-1333  
F: 415-546-1344

When visiting our office, please do not wear fragrances (perfume, cologne, etc.), in order to keep our space accessible to people with all disabilities.

**KATHRYN R. DEVINCENZI**  
ATTORNEY AT LAW  
22 IRIS AVENUE  
SAN FRANCISCO, CALIFORNIA 94118-2727  
Telephone: (415) 221-4700  
Facsimile: (415) 346-3225

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SAN FRANCISCO

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File 150155

BY HAND

March 16, 2015

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

San Francisco Board of Supervisors  
Land Use and Transportation Committee  
The Honorable Malia Cohen  
The Honorable Jane Kim  
The Honorable Scott Wiener  
Clerk of the Land Use and Transportation Committee

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

Re: General Plan - Repealing Ordinance No. 97-14 - Adoption of 2014 Housing Element  
Case Number: 150155  
Land Use and Transportation Committee Hearing Date: March 16, 2015  
Board of Supervisors First Reading Hearing Date: March 17, 2014  
Public Comments Omitted from Case File/Inadequate Notice; Objection to Approval

On behalf of San Franciscans for Livable Neighborhoods, which I represent, we object to the approval of the 2014 Housing Element and the Environmental Review Officer's issuance of the January 22, 2014 Addendum to the Environmental Impact Report for the San Francisco 2004 and 2009 Housing Element on the grounds set forth in our January 28, 2015 and February 4, 2015 submissions to the San Francisco Planning Commission, copies of which are attached as Exhibits A and B hereto respectively and incorporated by reference as though fully set forth.

**1. Since the Court of Appeal Has Not Determined Whether the FEIR is Adequate Under CEQA, the 2009 Housing Element Has Not Finally Completed Environmental Review.**

In summary, the bulk of the 2014 Housing Element has been carried forward from the policies, objectives and implementations set forth in the 2009 Housing Element, but the 2009 Housing Element has not finally completed environmental review. The EIR for the San

Given by Sender in Committee

Angela Calvillo, Clerk of the Board, *et al.*

March 16, 2015

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Francisco 2004 and 2009 Housing Element ("FEIR") is currently being reviewed for legal adequacy by the California Court of Appeal in an appeal brought by San Franciscans for Livable Neighborhoods.

Accordingly, if the Court of Appeal or other appellate court rules the FEIR legally invalid in any respect, conclusions and/or analyses in the FEIR will be invalid and the 2009 Housing Element will not have completed environmental review as required by CEQA. The need to subject the 2009 Housing Element to further environmental review under CEQA will render invalid the Addendum's claim that the conclusions of the FEIR remain valid as to the potentially significant effects of policies that were carried forward from the 2009 Housing Element into the 2014 Housing Element and potential alternatives and mitigation measures therefor.

The City would act at its own risk if it were to approve the 2014 Housing Element before the appellate proceedings as to the adequacy of the FEIR and any further related proceedings were concluded, as the City would be subject to further injunctive relief as to reliance on the policies of the 2009 Housing Element that would have been carried forward into the 2014 Housing Element. Thus, the City should refrain from relying upon the FEIR as the basis for environmental review of the bulk of the 2014 Housing Element until all appellate proceedings and related further proceedings are concluded. SFLN objects to the City's approving any amendment to the 2009 Housing Element before conclusion of all such judicial proceedings because the validity of such approval would be conditioned upon the final determination of the courts as to the adequacy of the FEIR and any related proceedings.

**2. Inadequate Notice Was Provided of the Consideration of the Proposed 2014 Housing Element by the Land Use Committee and the Board of Supervisors Because the Agendas for Both Meetings Failed to Refer to or Include Copies of SFLN's Letters of Objection to the Planning Commission.**

The Commission Packet attached to the agendas for the March 16, 2015 Land Use and Transportation Committee and the March 17, 2015 Board of Supervisors hearing lack SFLN's January 28, 2015 and February 4, 2015 letters or any reference thereto. Therefore, the Board of Supervisors and members of the public have not been given legally adequate notice of the fact that the Board of Supervisors will act at its own risk if it approves the 2014 Housing Element before the appeal as to adequacy of the FEIR and any further related judicial proceedings are concluded. Representatives of the City admitted orally at the February 5, 2015 Planning Commission hearing that the City would be acting at its own risk if it approved the 2014 Housing Element before these judicial proceedings were finally concluded, but SFLN's January 28, 2015 and February 4, 2015 letters set forth this crucial information in writing.

By omitting SFLN's January 28, 2015 and February 4, 2015 letters from the agendas described above or failing to refer to them in the agenda material, the City violated the

Angela Calvillo, Clerk of the Board, *et al.*  
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requirements of San Francisco Administrative Code section 67.7(a) that at least 72 hours before a regular meeting, a policy body shall post an agenda containing a meaningful discussion of each item of business to be transacted or discussed at the meeting. Under San Francisco Administrative Code section 67.7(b), a meaningful discussion “shall refer to any explanatory documents that have been provided to the policy body in connection with an agenda item, such as correspondence or reports, and such documents shall be posted adjacent to the agenda” or made available for inspection and copying at a location indicated on the agenda during normal office hours. Under San Francisco Charter section 4.105, the Planning Commission must “recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan,” so the Planning Commission is a policy body involved with general plan amendments.

As seen in Exhibit C attached hereto, the Committee/Board Agenda Packet Contents List does not refer to SFLN’s above-described letters, and the box for public correspondence is not checked.

SFLN’s January 28, 2015 letter was included in the Planning Commission packet for this matter, as it was timely submitted to the Planning Commission eight days before the hearing both in paper and electronic form, as required by the Commission procedures. (See Exhibits D and E hereto) Exhibit F is a copy of the Planning Commission’s list of the contents of the Planning Commission packet for the February 5, 2015 meeting at which this matter was heard, and that list shows that “Housing Element - Devincenzi Submittal” was part of the Commission packet. I also checked the Planning Commission’s website, and the link to “Devincenzi Submittal” opens a copy of my January 28, 2015 letter to the Planning Commission.

Accordingly, SFLN objects to the consideration of this matter by the Rules Committee and Board of Supervisors because the March 16 and 17, 2015 agendas for their respective meetings fail to refer to or attach copies of SFLN’s January 28, 2015 letter which was part of the Commission Packet and also because SFLN’s February 4, 2015 letter was not included in the Committee or Board agenda material.

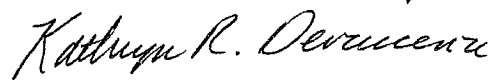
### **Conclusion**

Based on the foregoing, SFLN objects to the City’s approval of the 2014 Housing Element or any amendment to the 2009 Housing Element, reliance upon the FEIR for the 2004 and 2009 Housing Element, and/or reliance upon the Addendum to the FEIR before final conclusion of all judicial proceedings that are pending as to the 2009 Housing Element and its FEIR and all related judicial proceedings, including any legal proceedings that may be brought as to the 2014 Housing Element and the adequacy of CEQA review or compliance relating thereto. Prior to such final conclusion, reliance on the challenged policies in the 2009 Housing Element and the re-adoption of those policies in the 2014 Housing Element is done at the risk of the City and any project proponent.

Angela Calvillo, Clerk of the Board, *et al.*  
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SFLN also objects to the consideration of this matter by the Rules Committee and Board of Supervisors because the March 16 and 17, 2015 agendas for their respective meetings fail to refer to or attach copies of SFLN's January 28, 2015 and February 4, 2015 letters and the copy of the Commission packet attached to the agenda is incomplete in that it lacks SFLN's January 28, 2015 letter.

Very truly yours,



Kathryn R. Devincenzi

Attachments - Ex. A - January 28, 2015 Letter to Planning Commission  
Ex. B - February 4, 2015 Letter to Planning Commission  
Ex. C - Committee/Board of Supervisors Agenda Packet Contents List  
Ex. D- Emails transmitting electronic copy of SFLN's January 28, 2015 Letter  
Ex. E - Excerpts from Planning Commission's February 5, 2015 agenda and procedures  
Ex. F - Planning Department list of contents of Commission Packet for February 5, 2015 meeting

**EXHIBIT A**

**KATHRYN R. DEVINCENZI**  
ATTORNEY AT LAW  
22 IRIS AVENUE  
SAN FRANCISCO, CALIFORNIA 94118-2727  
Telephone: (415) 221-4700  
Facsimile: (415) 346-3225

January 28, 2015

The Honorable President Wu and Commissioners  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Ms. Sarah Jones  
Environmental Review Officer  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Re: 2014 Housing Element  
Case No: 2014.1327E  
EIR: San Francisco 2004 and 2009 Housing Element, 2007.1275E SCL No. 2008102033,  
certified March 24, 2011, re-certified April 24, 2014  
Addendum to EIR: Released January 22, 2015  
Hearing Date: February 5, 2015

On behalf of San Franciscans for Livable Neighborhoods, which I represent, we object to the approval of the 2014 Housing Element and the Environmental Review Officer's issuance of the January 22, 2014 Addendum to the Environmental Impact Report for the San Francisco 2004 and 2009 Housing Element on the grounds set forth herein.

In summary, the bulk of the 2014 Housing Element has been carried forward from the policies, objectives and implementations set forth in the 2009 Housing Element, but the 2009 Housing Element has not finally completed environmental review. The EIR for the San Francisco 2004 and 2009 Housing Element ("FEIR") is currently being reviewed for legal adequacy by the California Court of Appeal in an appeal brought by San Franciscans for Livable Neighborhoods.

Accordingly, if the Court of Appeal or other appellate court rules the FEIR legally invalid in any respect, conclusions and/or analyses in the FEIR will be invalid and the 2009 Housing Element will not have completed environmental review as required by CEQA. The need to subject the 2009 Housing Element to further environmental review under CEQA will render invalid the Addendum's claim that the conclusions of the FEIR remain valid as to the potentially significant effects of policies that were carried forward from the 2009 Housing Element into the 2014 Housing Element and potential alternatives and mitigation measures therefor.

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JAN 28 2015

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
RECEPTION DESK



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Environmental Review Officer  
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The City would act at its own risk if it were to approve the 2014 Housing Element before the appellate proceedings as to the adequacy of the FEIR and any further related proceedings were concluded, as the City would be subject to further injunctive relief as to reliance on the policies of the 2009 Housing Element that would have been carried forward into the 2014 Housing Element. Thus, the City should refrain from relying upon the FEIR as the basis for environmental review of the bulk of the 2014 Housing Element until all appellate proceedings and related further proceedings are concluded. SFLN objects to the City's approving any amendment to the 2009 Housing Element before conclusion of all such judicial proceedings because the validity of such approval would be conditioned upon the final determination of the courts as to the adequacy of the FEIR and any related proceedings.

In addition, the Addendum is invalid and premature as the City failed to prepare an initial study evaluating whether modifications to the proposed project could have a significant environmental effect, as required by San Francisco Administrative Code section 31.19(b)(2) and CEQA. The Addendum does not cite or provide substantial evidence in support of its conclusions.

Further, the abbreviated Addendum inaccurately characterizes the statements and analyses in the FEIR, and only the contents of the certified FEIR constitute the basis on which the previous environmental review of the 2009 Housing Element was conducted under CEQA.

Also, under San Francisco Charter section 4.105, the Planning Commission "shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan." Thus, the Commission alone may not approve the 2014 amendments to the general plan, as erroneously indicated in the Commission's January 8, 2015 Initiation packet. The Board of Supervisors must make the final determination as to whether the proposed amendments to the General Plan are to be adopted.

**1. Since the Court of Appeal has Not Determined Whether the FEIR is Adequate Under CEQA, the 2009 Housing Element Has Not Finally Completed Environmental Review.**

The Notice of Issuance of the Addendum states in pertinent part that:

"The proposed revision of the Project is to amend the 2009 Housing Element to account for the updated regional housing need allocation as determined by the Association of Bay Area Governments. The amended 2009 Housing Element is identified as the '2014 Housing Element.'...The proposed 2014 Housing Element retains the existing 2009 Housing Element objectives, policies, and implementation measures, and adds five new policies and three new implementation measures...

The Addendum evaluates the environmental effects of the amendments found in the 2014 Housing Element, which is based on the same significance criteria, setting information and environmental resource areas as presented in the FEIR. Where applicable, the same mitigation measures identified in the FEIR for the 2009 Housing Element would be implemented for the 2014 Housing Element. The Addendum also demonstrates why the amendments found in the 2014 Housing Element would not require major revisions in the FEIR.

As shown in the Addendum, in all cases, the 2014 Housing Element would result in determinations of the same impacts in comparison to the project described in the FEIR. The modified project would not result in any new significant effects beyond those identified in the FEIR or substantially increase the severity of a significant impact, and no new mitigation measures would be required.

Based on the information and analysis contained in the Addendum, the San Francisco Planning Department concludes that the analyses conducted and the conclusions reached in the FEIR certified on March 24, 2011, and re-certified on April 24, 2014, remain valid. The proposed revisions to the project would not cause new significant impacts not identified in the FEIR, and no new mitigation measures would be necessary to reduce significant impacts. Other than as described in the Addendum, no project changes have occurred, and no changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond the Addendum.”

The Addendum clearly states that “the 2014 Housing Element would continue most of the 2009 Housing Element policies (with minor changes).” (Addendum, p. 11) The Addendum itself “describes the changes in the 2014 Housing Element from the current 2009 Housing Element, analyzes the proposed project in the context of the previous environmental review (the 2004 and 2009 Housing Element FEIR), and summarizes the potential environmental effects that may occur as a result of implementing the changes found in the proposed 2014 Housing Element.” (Addendum, p. 1) The Addendum states that the “2014 Housing Element is the continuation of the 2009 Housing Element analyzed in the FEIR, with several updates as outlined herein.” (Addendum, p. 3) The Addendum maintains that the 2014 Housing Element is largely comprised of the 2009 Housing Element with minor changes that would not have a potentially significant impact that was not previously analyzed in the EIR for the 2004 and 2009 Housing Element. The Addendum states that “[a]s discussed under the Analysis of Potential Environmental Effects, below, the five added policies and three added implementation programs included in the 2014 Housing Element would not be expected to result in any new physical

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impact that was not previously identified in the FEIR, or a substantial increase in the severity of any impact that was previously identified in the FEIR.” (Addendum, p. 3)

With respect to updated implementation programs in the 2014 Housing Element, the Addendum states that “most of them implement existing objectives and policies in the 2009 Housing Element,” and “there is no evidence that they would result in any new physical impacts or a substantial increase in the severity of any previously identified impact.” (Appendix, p. 7)

The Addendum concludes that “[o]verall, it is not anticipated that any of the policy or implementation program revisions or deletions discussed above or in the Appendix would result in a physical effect on the environment, or an impact that is more severe than identified in the 2009 Housing Element FEIR. This is because such revisions update statistical information and other data, and no evidence exists that they would have substantial direct or indirect impacts on the environment.” (Addendum, p. 7) The Addendum also relied upon the analysis of cumulative impacts in the FEIR, stating that the “proposed revisions to the Housing Element would not be expected to increase the contribution of the Housing Element to cumulative growth or physical change, as described in the FEIR,” and that therefore, “there would be no new or substantial increase in the severity of the project’s contribution to cumulative impacts.” (Addendum, p. 7)

The January 8, 2015 Executive Summary of the initiation of the 2014 Housing Element update states that then “proposed 2014 Housing Element Update includes a major update on the data and needs analysis (Part I), some updates to the Housing Element policies and implementation measures to reflect changes since 2011, and a few new policies and implementation measures to reflect the ongoing and detailed conversations about affordable housing in the City.” (Executive Summary, p. 2) The January 2015 draft of the 2014 Housing Element included in the initiation hearing packet highlights in yellow the changes from the 2009 Housing Element embodied in the 2014 Housing Element.

The California Court of Appeal is currently considering SFLN’s appeal as to the adequacy under CEQA of the FEIR which the City certified for the 2004 and 2009 Housing Element. As seen from the Court’s January 22, 2015 notice attached hereto, the City has been ordered to file its respondent’s brief within 15 days of the notice or the cause may be submitted based on the record and appellant’s opening brief.

Due to the pending appeal as to the adequacy of the FEIR which considered the bulk of 2009 Housing Element policies that have been carried over into the 2014 Housing Element, the City proceeds at its own risk if it approves the proposed 2014 Housing Element pending final determination of the above-described legal action or proceeding. The Addendum clearly relies upon, and tiers upon, the environmental review conducted in the FEIR as to potential significant environmental impacts of the bulk of the policies contained in the 2014 Housing Element, which

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were carried forward from the 2009 Housing Element. Under *Friends of the Santa Clara River v. Castaic Lake Water Agency* (2002) 95 Cal.App.4th 1373, if the EIR for the 2009 Housing Element is found legally inadequate or decertified, the reliance of the Board of Supervisors and Planning Commission on the FEIR and any findings they may make asserting that the analysis conducted, and the conclusions reached, in the FEIR remain valid and the 2014 Housing Element will not cause new significant impacts not identified in the EIR, etc., will be invalid, unlawful and subject to further injunctive relief. Accordingly, pursuant to Public Resources Code section 21167.3 and CEQA Guidelines section 15233, the validity of any approval of the 2014 Housing Element would be conditioned upon final determination of the pending legal proceedings as to adequacy of the FEIR for the 2004 and 2009 Housing Element.

As the City is relying on FEIR for the 2004 and 2009 Housing Elements to support the adoption of nearly identical policies in the 2014 Housing Element, SFLN's previous objections to the legal adequacy of the FEIR are equally applicable to the proposed approval of the 2014 Housing Element. SFLN thus reiterates all the grounds of objection and evidence (including expert statements) set forth in prior comments and objections submitted in relation to the FEIR for the 2004 and 2009 Housing Element and the proposed 2009 Housing Element project and SFLN's legal challenges as set forth in the applicable legal proceedings, which SFLN incorporates by reference as though fully set forth herein, as SFLN's objections to the proposed approval of the 2014 Housing Element and the City's proposed reliance upon the FEIR and Addendum to EIR.

Thus, the City should refrain from relying upon the FEIR as the basis for environmental review of the bulk of the 2014 Housing Element until all appellate proceedings and related further legal proceedings are concluded. On the bases set forth above, SFLN objects to the City's approving any amendment to the 2009 Housing Element based on reliance upon said FEIR before final conclusion of all such judicial proceedings, because the validity of such approval would be conditioned upon the final determination of the courts as to the adequacy of the FEIR and any related proceedings.

**2. The Addendum to EIR is Invalid and Premature because the City Failed to Prepare the Initial Study Required by CEQA and the San Francisco Administrative Code to Evaluate Whether a Modified Project Requires Further CEQA Review.**

San Francisco Administrative Code section 31.19(b)(2) provides as to evaluation of modified projects that "[i]f the Environmental Review Officer determines that the modified project is not exempt, an initial study shall be conducted as provided in this Chapter." The Environmental Review Officer has determined that the modified project is not exempt from environmental review and has approved an Addendum to Environmental Impact Report as the

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environmental review document that is applicable to the proposed modified project. However, the Environmental Review Officer has stated that an initial study has not been conducted to evaluate whether the proposed changes in the project would have a potential significant impact that was not previously evaluated in the FEIR. An initial study is not contained in the materials submitted to the Planning Commission in connection with the proposed project or Addendum. This defect is prejudicial because the Addendum does not cite or provide substantial evidence in support of its conclusions.

SFLN thus objects to approval of the proposed 2014 Housing Element on the basis that the Environmental Review Officer failed to comply with the above-described provision of San Francisco Administrative Code section 31.19(b)(2) which requires that an initial study be prepared to evaluate whether further environmental review is required in relation to proposed modifications to the 2009 Housing Element embodied in the 2014 Housing Element. SFLN further appeals to the Environmental Review Officer her decision that the changes from the 2009 Housing Element contained in the proposed 2014 Housing Element are not substantial modifications that could have a potential significant impact that must be subjected to further environmental review under CEQA, and SFLN requests that the Environmental Review Officer reverse her approval of the Addendum and render a new CEQA decision for the proposed project consisting of the 2014 Housing Element after completion of an initial study under CEQA.

SFLN further objects to the Planning Commission's consideration of the proposed 2014 Housing Element and the Planning Commission's proposed recommendation of, or adoption of, the proposed 2014 Housing Element on the basis of the CEQA review set forth in the Addendum, and SFLN appeals to the Planning Commission to reverse the Environmental Review Officer's approval of the Addendum to the EIR, on the grounds that the City failed to comply with the provisions of CEQA and the San Francisco Administrative Code section 31.19(b)(2), which require that an initial study be prepared to evaluate whether further environmental review under CEQA is required for the modified 2014 Housing Element project before the Environmental Review Officer can make a legally valid determination that further environmental review under CEQA is not required or can legally approve an Addendum to EIR or other environmental document.

Thus, the Addendum to Environmental Impact Report which the Environmental Review Officer issued on January 22, 2015 is invalid and premature. The City must comply with the requirements of CEQA and San Francisco Administrative Code section 31.19(b)(2) and prepare a lawful and adequate initial study before the City may lawfully make a determination that the proposed 2014 Housing Element does not contain substantial modifications that require further environmental review under CEQA.

The Environmental Review Officer has stated that the Addendum to EIR is not an

exemption determination. If the City claims to the contrary, SFLN requests that a written determination of exemption be issued and documented as required by CEQA and the SF Administrative Code.

**3. The Addendum Inaccurately Characterizes the Statements and Analyses in the Certified FEIR for the 2004 and 2009 Housing Element.**

Only the terms of the certified FEIR for the 2004 and 2009 Housing Element constitute the basis on which environmental review under CEQA was conducted for the general plan changes embodied in the 2009 Housing Element.

The abbreviated discussion of the prior environmental review set forth in the Addendum is highly inaccurate in many respects. Thus, the Environmental Review Officer and Planning Commission should reject the Addendum and decline to recommend adoption of the 2014 Housing Element until an accurate supplemental environmental review document or addendum is prepared.

The Addendum inaccurately states that the FEIR noted that “the proposed project does not propose new housing development projects and would not directly or indirectly result in the construction of residential units,” and that “similar to the 2009 Housing Element, the 2014 Housing Element” does not propose or include “revisions that could directly or indirectly result in new development not already authorized under existing regulations.” (Addendum, p. 10) These assertions are absurd, as 2009 Housing Element policies are intended to increase housing production by employing increased density-related building standards and utilizing ongoing community planning processes as a means to increase the density of housing that will be constructed in the City. The Addendum also contradicts the foregoing assertion by stating that the 2014 Housing Element “provides policies to ensure that such development is not unreasonably constrained, and includes policies and objectives to guide the future development of housing.” (Addendum, p. 10)

As another example, as to land use, the FEIR states that “the 2009 Housing Element does not, overall citywide, promote increased residential densities more so than the 1990 Residence Element.....Although the 2009 Housing Element promotes housing in certain areas of the City, including within commercial developments and near transit, the proposed 2009 Housing Element would not change allowable land uses.” The Addendum does not mention these reasons for the conclusion that the impact on land use would not be significant.

As to aesthetics, the Addendum fails to discuss the statements in the FEIR that:

“As discussed in Impact AE-1, the 1990 Residence Element promotes increased density on a broader, citywide, scale to a greater extent than the 2009 Housing Element. Some policies in the 2009 Housing Element could promote density near [sic] for affordable housing projects and as a strategy to be pursued through community planning processes. Promoting increased density could result in taller and bulkier buildings, thereby affecting the overall visual character of the area. Nonetheless, the 2009 Housing Element, when compared to the 1990 Residence Element, does not aggressively promote density more so than the 1990 Residence Element. Therefore, when taken as a whole, the 2009 Housing Element would have less of a potential to result in impacts related to neighborhood character as a result of promoting increased density for new development.” FEIR V.C-27.

The Addendum refers to 2009 Housing Element policies that would direct growth to certain areas but fails to mention 2009 policies that could promote density for affordable housing projects or through community planning processes and also ignores the FEIR’s acknowledgment that “[p]romoting increased density could result in taller and bulkier buildings, thereby affecting the overall visual character of the area.” Since 1990 Residence Element policies did not include policies that promote increased density-related building standards, such as those included in the 2009 Housing Element (see FEIR IV-34-35, the claim in the FEIR that the 1990 Residence Element promotes increased density “on a broader, citywide, scale to a greater extent than the 2009 Housing Element,” relates to not directing new housing growth to certain areas rather than to the taller and bulkier buildings that result from promoting increased density. Thus, the conclusion in the FEIR that taken as a whole the 2009 Housing Element would have less of a potential to result in impacts related to neighborhood character as a result of promoting increased density for new development does not follow from the analysis and is not supported by a fair argument.

The Addendum also ignored the clearly incorrect claim in the FEIR that “the differences between 2009 Housing Element Policy 11.1 and 1990 Residence Element Policy 12.4 are not significant and would not represent a shift in policy. 1990 Residence Element policy 12.4 provides guidelines for development that are intended to preserve neighborhood character....2009 Housing Element Policy 11.1 would ensure that future development would be consistent with existing neighborhood character.” FEIR V.C-28. 2009 Policy 11.1 utilizes a subjective standard and promotes the construction and rehabilitation of well-designed housing that emphasizes beauty, flexibility, and innovative design, and “respects existing neighborhood character.” In contrast, 1990 Policy 12.4 used the objective standard “Promote construction of well designed housing that conserves existing neighborhood character.

SFLN reserves the right to supplement its objections to the January 22, 2015 Addendum and the proposed approval of the 2014 Housing Element in further submissions.

San Francisco Planning Commission  
Environmental Review Officer  
January 28, 2015  
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### Conclusion

Based on the foregoing, SFLN objects to the City's approval of the 2014 Housing Element or any amendment to the 2009 Housing Element, reliance upon the FEIR for the 2004 and 2009 Housing Element, and/or reliance upon the Addendum to the FEIR until final conclusion of all judicial proceedings that are pending as to the 2009 Housing Element and its FEIR and all related judicial proceedings, including any legal proceedings that may be brought as to the 2014 Housing Element and the adequacy of CEQA review or compliance relating thereto. Prior to such final conclusion, reliance on the challenged policies in the 2009 Housing Element and the re-adoption of those policies in the 2014 Housing Element is done at the risk of the City and any project proponent.

Very truly yours,



Kathryn R. Devincenzi

Attachments - Court of Appeal January 22, 2015 Notice



COURT OF APPEAL, FIRST APPELLATE DISTRICT  
350 MCALLISTER STREET  
SAN FRANCISCO, CA 94102  
DIVISION 4

January 22, 2015

Audrey Williams Pearson  
Office of the City Attorney  
City Hall - Room 234  
1 Dr. Carlton B. Goodlet Place  
San Francisco, CA 94102

RE: SAN FRANCISCANS FOR LIVABLE NEIGHBORHOODS,  
Plaintiff and Appellant,  
v.  
CITY AND COUNTY OF SAN FRANCISCO,  
Defendant and Respondent.

A141138  
San Francisco County No. CGC11513077

Dear Counsel:

If respondent's brief is not filed within 15 days after the date of this notice, this cause may be submitted for decision based on the record and appellant's opening brief, unless respondent shows good cause for an extension of time (Cal. Rules of Court, rule 8.220(a)(2)).

Very truly yours,  
Diana Herbert  
Clerk of the Court

**A. Reasoner**

Deputy Clerk

cc: Kathryn R. Devincenzi  
Amy Christine Minter

**EXHIBIT B**

**KATHRYN R. DEVINCENZI**  
ATTORNEY AT LAW  
22 IRIS AVENUE  
SAN FRANCISCO, CALIFORNIA 94118-2727  
Telephone: (415) 221-4700  
Facsimile: (415) 346-3225

February 4, 2015

The Honorable President Fong and Commissioners  
San Francisco Planning Commission  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Ms. Sarah Jones  
Environmental Review Officer  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, CA 94103

Re: 2014 Housing Element  
Case No: 2014.1327E  
EIR: San Francisco 2004 and 2009 Housing Element, 2007.1275E SCL No. 2008102033,  
certified March 24, 2011, re-certified April 24, 2014  
Addendum to EIR: Released January 22, 2015  
Hearing Date: February 5, 2015

**RECEIVED**

FEB 04 2015

CITY & COUNTY OF S.F.  
PLANNING DEPARTMENT  
RECEPTION DESK

On behalf of San Franciscans for Livable Neighborhoods, which I represent, we submit this supplement to our objections to the approval of the 2014 Housing Element and the Environmental Review Officer's issuance of the January 22, 2014 Addendum to the Environmental Impact Report for the San Francisco 2004 and 2009 Housing Element on the grounds set forth herein.

**1. The 2014 Housing Element is Inaccurate.**

The 2014 Housing Element states at page A.9 that "Table A-4 lists other sites that have been transferred to MOH for consideration as affordable housing." However, such table does not appear to be contained in the 2014 Housing Element. Table A-4 on page A.11 of the 2014 Housing Element pertains to "Units Lost Through Demolition, Conversion and Merger."

**2. Since the Court of Appeal Has Not Determined Whether the FEIR is Adequate Under CEQA, the 2009 Housing Element Has Not Finally Completed Environmental Review.**

As stated in SFLN's January 28, 2015 submission, SFLN objects to the City's determination that no further environmental is required in relation to the 2014 Housing Element. The bulk of the

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2014 Housing Element was carried over from the 2009 Housing Element. The Court of Appeal has not determined whether the FEIR for the 2004 and 2009 Housing Element ("FEIR") is adequate and if it determines that it is not, further environmental review under CEQA will be required in relation to 2009 policies, objectives and implementation actions carried forward in the 2014 Housing Element.

SFLN previously objected to the sufficiency under CEQA of the analyses in the FEIR and approval of the 2009 Housing Element and submitted numerous comments in relation to that FEIR, including comments relating to the revised alternatives analysis and revised Findings rejecting alternatives. Accordingly, SFLN incorporates by reference herein all prior comments and objections to certification of the FEIR and approval of the 2009 Housing Element, as set forth in the certified administrative record ("AR") and supplemental administrative record for the FEIR for the San Francisco 2004 and 2009 Housing Element and the 2009 Housing Element. Two disks containing electronic copies of that certified administrative record and supplemental administrative record are attached to the original of this document which is being submitted to the Planning Department today, and SFLN incorporates by reference as though fully set forth herein the entire contents of the electronic documents recorded on those disks as its comments in this proceeding in objection to approval of the 2014 Housing Element and the Addendum to EIR and reliance upon the FEIR.

As set forth in those comments, alternatives and mitigation measures are available which can significantly reduce or avoid significant effects, but the City has unlawfully failed to adopt them. The additional alternatives or mitigation measures proposed in those public comments should be considered as ways of avoiding or reducing the significant effects of the proposed project. Among these are the RHNA-Focused Alternative, the June 2010 Draft of the 2009 Housing Element Alternative, the No Unlimited Area Plan or Unlimited Planning Process Alternative, the No Japantown Alternative, the Excess Market-Rate Transit Subsidy Alternative, and the Normal Population Growth Increase Alternative.

**3. The City Failed to Provide a Public Review Period as to Reliance on the FEIR Which the Decisionmakers Propose to Review in Connection with the Addendum, Failed to Respond to Public Comments, and Failed to Prepare an Initial Study Evaluating Whether the Modified Project Required Further CEQA Review.**

CEQA Guidelines section 15153 provides as to use of an EIR for an earlier project:

"(a) The lead agency may employ a single EIR to describe more than one project, if such projects are essentially the same in terms of environmental impact. Further, the lead agency may use an earlier EIR prepared in connection with an earlier project to apply to a

later project, if the circumstances of the projects are essentially the same.

(b) When a lead agency proposes to use an EIR from an earlier project as the EIR for a separate, later project, the lead agency shall use the following procedures:

(1) The lead agency shall review the proposed project with an initial study, using incorporation by reference if necessary, to determine whether the EIR would adequately describe:

(A) The general environmental setting of the project,

(B) The significant environmental impacts of the project, and

(C) Alternatives and mitigation measures related to each significant effect.

(2) If the lead agency believes that the EIR would meet the requirements of subdivision (1), it shall provide public review as provided in Section 15087 stating that it plans to use the previously prepared EIR as the draft EIR for this project. The notice shall include as a minimum:

(A) An identification of the project with a brief description;

(B) A statement that the agency plans to use a certain EIR prepared for a previous project as the EIR for this project.

(C) A listing of places where copies of the EIR may be examined; and

(D) A statement that the key issues involving the EIR are whether the EIR should be used for this project and whether there are any additional, reasonable alternatives or mitigation measures that should be considered as ways of avoiding or reducing the significant effects of the project.

(3) The lead agency shall prepare responses to comments received during the review period.

(4) Before approving the project, the decisionmaker in the lead agency shall:

(A) Consider the information in the EIR including comments received during the review period and responses to those comments,

(B) Decide either on its own or on a staff recommendation whether the EIR is adequate for the project at hand, and

(C) Make or require certification to be made as described in Section 15090.

(D) Make findings as provided in Sections 15091 and 15093 as necessary.

(5) After making a decision on the project, the lead agency shall file a notice of determination.

(c) An EIR prepared for an earlier project may also be used as part of an initial study to document a finding that a later project will not have a significant effect. In this situation a negative declaration will be prepared.

(d) An EIR prepared for an earlier project shall not be used as the EIR for a later project if any of the conditions described in Section 15162 would require preparation of a subsequent or supplemental EIR.

Under CEQA Guidelines section 15105, the public review period for a draft EIR shall not be less than 30 days. The CEQA Guidelines are binding on public agencies.

Thus, the City has failed to comply with the foregoing provisions of the CEQA Guidelines in that it has failed to provide a public review period for proposed use of the FEIR for the San Francisco 2004 and 2009 Housing Element as the EIR for the proposed 2014 Housing Element, failed to respond to public comments before relying upon the FEIR and the Addendum to EIR and/or approving same, and failed to prepare an initial study evaluating whether the proposed 2014 Housing Element would have a new or substantially more severe environmental effect or whether alternatives or mitigation measures are available which would avoid or reduce significant effects, before approving the 2014 Housing Element and relying upon the FEIR and Addendum.

**4. The Addendum Inaccurately Characterizes the Statements and Analyses in the Certified FEIR for the 2004 and 2009 Housing Element.**

Only the terms of the certified FEIR for the 2004 and 2009 Housing Element constitute the basis on which environmental review under CEQA was conducted for the general plan changes embodied in the 2009 Housing Element.

The abbreviated discussion of the prior environmental review set forth in the Addendum is also highly inaccurate in the following respects. Thus, the Environmental Review Officer and

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Planning Commission should refuse to rely upon the Addendum and decline to recommend adoption of the 2014 Housing Element until an accurate supplemental environmental review document or addendum is prepared.

### **Population and Housing.**

The FEIR used an erroneous baseline for determination of significance of the impact from inducing population growth in an area, either directly or indirectly. The FEIR stated that “[n]ew construction could result in impacts related to substantial population growth if new housing would generate more residents than planned for by ABAG projections, including through the creation of jobs related to construction or by increasing household size.” FEIR V.D-9. The Addendum did not accurately state this reason for the conclusion that the impact on inducing population growth would not be significant. For example, the Addendum does not mention the statement that new construction could result in impacts related to substantial population growth.

The Addendum also failed to mention the acknowledgment in the FEIR that the “proposed Housing Elements would help achieve the RHNA goals through implementation of housing -related policies.” FEIR V.D-9. Also, the FEIR stated that the “proposed Housing Elements indirectly support growth by accommodating housing needs.” FEIR V.D-10.

The Addendum also failed to mention the erroneous statement in the population impact discussion in the FEIR that the proposed Housing Element policies relating to redirecting growth, parking provision, and increased residential density would not affect overall operation of roadways, and that potential impacts related to these issues would be offset by compliance with various “plans and regulations.” FEIR V.D-10. As explained below, the transportation impact discussion in the FEIR acknowledged to the contrary that policies that direct residential growth to commercial and industrial areas could result in “additional localized congestion under future 2025 Cumulative Conditions” and under the 2009 ABAG Projection conditions, there will be 24 more intersections that operate at unacceptable levels of service than under current conditions. 1 AR 481, 496; 1 AR 445-447, 454-455, 481-482, 496-498, 501-503.

The Addendum also failed to mention that the FEIR did not conclude that the proposed 2009 Housing Element would not indirectly induce a substantial amount of population growth. The FEIR stated only that the 2009 Housing Element “would not *directly* induce a substantial amount of population growth,” but also acknowledged that 2009 Housing Element policies that generally promote increased density through community planning processes and for affordable housing “are intended to increase the number of units that could potentially be developed on each parcel.” FEIR V.D-27, emphasis added. The FEIR also explained that the “focus of the 2009 Housing Element is to alleviate some of the constraints to providing the needed type, amount, and affordability of new housing in the City,” and identified numerous 2009 Housing Element

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policies that could increase land available for housing, identify housing opportunity sites and increase “the amount of housing on that land.” FEIR V.D-20.

Further, the February 17, 2014 Statement of David Golick submitted to the City on February 18, 2014 in connection with the revised alternatives analysis provided new information showing that the impact of the 2009 Housing Element on population increase would be potentially significant. SFLN incorporates by reference as though fully set forth herein that February 17, 2014 Statement of David Golick, an expert city planner, and SFLN’s February 18, 2014 submission to the City. The City must consider this evidence of the potentially significant impact of the 2009 Housing Element on population increase or this evidence of a change in the circumstances under which the project would be carried out. That evidence consisted of the following statement set forth in the San Francisco Transportation Plan 2040:

“To meet the SB 375 target, the regional Transportation Plan, known as Plan Bay Area, calls for concentration of growth in densely developed areas with good transit access especially in San Francisco, San Jose, and Oakland....Concentrating jobs and housing in San Francisco is good for the city’s economy as well as the environment, but will also increase congestion and transit system crowding in downtown San Francisco and Eastern neighborhoods. By 2040, new growth will result in about 300,000 new transit trips per day on a local and regional system that is already strained by crowding and reliability issues. The San Francisco Planning Commission has adopted land use plans that direct much of the city’s projected growth in the central and eastern neighborhoods, where crowding is already acute.”

As explained by expert planner Golick, this evidence shows that regional plans aim to concentrate growth in developed areas with good transit access especially in San Francisco, San Jose, and Oakland but that such plans will also increase congestion and transit system crowding in downtown San Francisco and Eastern neighborhoods. This evidence shows that the 2009 Housing Element would have a potentially significant impact on inducing population growth in San Francisco and also that the significant impact on transit would be substantially more severe in downtown San Francisco and the Eastern neighborhoods. The City must consider this evidence as to new or substantially more severe significant environmental impacts and should decline to approve the 2014 Housing Element and decline to rely upon the FEIR and Addendum to EIR.

Thus, the argument that the Housing Element would not result in population increase evaded consideration of the secondary effects of implementing Housing Element policies and seeking to achieve ABAG housing production targets.



Also, the FEIR did not state that the 2009 Housing Element policies are designed to encourage housing growth projected by ABAG where it can “best be accommodated (i.e. near transit, where supported by infrastructure, or through community planning processes),” as the Addendum erroneously states.

### **Transportation and Circulation**

The Addendum fails to recognize that the FEIR stated that the 2009 Housing Element “policies themselves would not directly generate new trips” so “no trip generation estimates are provided as part of this EIR.” FEIR V.F-23. Similarly, “the Housing Element policies do not directly propose to develop new housing. Therefore, the 2004 and 2009 Housing elements would not generate any new person trips.” FEIR V.F-47.

The Addendum fails to acknowledge that the FEIR utilized an erroneous baseline, claiming that “the 2004 and 2009 Housing Elements would not generate any new person trips beyond the 2025 ABAG projections.” FEIR V.F-18. Similarly, the FEIR stated that under existing and future conditions many areas that are well served by transit already experience congested conditions, and increasing the number of residents in these areas could result in additional localized congestion, but not above levels assumed under 2025 cumulative conditions. FEIR V.F-73.

The EIR reveals that under the 2009 ABAG Projection conditions, there will be 24 more intersections that operate at unacceptable levels of service than under current conditions. 1 AR 445-447, 454-455, 481-482, 496-498, 501-503. Because this projection assumed policies like those included in the Housing Element would be put in place in the future, those policies are part of the conditions that result in intersections operating at unacceptable levels. Use of this improper baseline allows the Housing Element policies to elude environmental review and fails to inform the public of significant impacts associated with the density increases encouraged by the Housing Element.

The Housing Element directs growth to certain locations in the City, and the EIR acknowledges that under existing conditions, there are 13 locations where intersections operate at an unacceptable level of service. 1 AR 445-47, 454-55. Under future 2025 Cumulative Conditions, the number of significantly impacted intersections jumps to 37. 1 AR 447. The EIR also acknowledged that policies that direct residential growth to commercial and industrial areas could result in “additional localized congestion under future 2025 Cumulative Conditions.” 1 AR 481, 496.

However, the EIR dismisses the potential for the Housing Element to indirectly induce the acknowledged significantly adverse cumulative traffic conditions based on the conclusion

that the Housing Element would not result in trips beyond those assumed by the 2009 ABAG Projections, thus improperly measuring the significance of the project's traffic impacts against future conditions instead of existing conditions. 1 AR 500.

In addition to relying on an improper baseline, the EIR's traffic analysis also relies on the unsupported assumption that building residences close to transit or in commercial and industrial areas may reduce vehicle miles traveled and have beneficial impacts on the City's roadway network. 1 AR 496, 500; FEIR V. F-74. This is a misstatement of the assessment by ABAG. ABAG projected that per capita vehicle miles traveled would be reduced when density is increased adjacent to transit, but that total vehicle miles traveled on congested city streets would still increase. 20 AR 10563.

#### **Transit.**

With respect to the significant impact on transit, the FEIR actually stated that the 2009 Housing Element policies that encourage a mode shift towards transit could result in an increase in transit ridership, which may exceed Muni's capacity utilization standard of 85 percent. Generally, as transit ridership increases, transportation agencies respond by expanding transit service and/or increasing transit frequency. However, given SFMTA fiscal emergencies, Muni may not be able to increase transit service to accommodate increased transit ridership resulting from the 2009 Housing Element policies that encourage residential development in transit-rich areas or other policies that encourage the use of alternative transportation in the City. Therefore, the 2009 Housing Element could result in a potentially significant transit impact. FEIR V.F-74.

As to possible ways to mitigate this impact, the Addendum does not reflect that the FEIR stated that it is not known whether implementation of all the measures in the potential transportation management plans would provide sufficient decrease in travel time (and resulting increase in capacity) to carry all of the projected riders. FEIR V.F-81. Similarly, the FEIR stated that SFMTA had recently cut bus service due to budget shortfalls and its ability to restore service to previous levels is uncertain; securing additional funding to provide increased service would require new sources of revenue. FEIR V.F-81

#### **Utilities and Service Systems.**

The FEIR's water supply analysis also improperly relies on projected conditions as the baseline for review. The Addendum acknowledges that the FEIR concluded the Housing Element "would not result in an increase in water demand beyond that assumed in the SFPUC's Water Supply Availability Study" (WSAS). 2 AR 780. The WSAS relies on the 2009 ABAG Projections plus several projects in the City that are already in the development pipeline to form its assumptions regarding future water demand. 7 AR 3427 [WSAS uses City Planning

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Department projections, which are based on 2009 ABAG Projections]; 1 AR 169-70 [development pipeline are housing projects already under construction or approved]. Thus, like the traffic analysis, the water supply analysis improperly relies on the 2009 ABAG Projections as the baseline for environmental review.

Additionally, the EIR acknowledges that “[f]uture population growth as predicted by ABAG would increase water demand.” 2 AR 777-778. Since policies like those included in the Housing Element were assumed to be in place when ABAG prepared the projections, these policies are part of the conditions that result in increased water demand, the impacts of which are therefore obscured. The Housing Element promotes “housing construction on undeveloped sites to a greater extent than the 1990 Residence Element and could result in an incrementally increased demand for water” (2 AR 779), but due to its reliance on the 2009 ABAG Projections as the baseline for impact analysis, the EIR fails to address whether this increase would be significant. Further, as discussed below, the water supply assessment relies on unsupported assumptions and inaccurate information to reach its conclusion that an adequate water supply will be available for the population projected by the 2009 ABAG Projections.

The EIR relies on several speculative and uncertain sources of water to support its claim that water supply impacts would be less than significant in the years 2015 to 2030. The City can provide 84.50 million gallons per day (mgd) from the Regional Water System and existing groundwater supplies. 7 AR 3436. As of 2015, the City’s water demand is projected to be 91.69 mgd, increasing to 93.42 mgd by 2030 due to an increase in population within the City. 7 AR 3432, 3436. The Water Supply Assessment Study (WSAS) relied upon by the EIR states:

“[t]he ability to meet the demand of the Retail customers is in large part due to the development of 10 mgd of local supplies in the City through implementation of the Water Supply Improvement Program (WSIP). These additional sources of groundwater, recycled water, and conservation supplies are essential to provide the City with adequate supply in dry year periods...” 7 AR 3404.

Thus, the new sources that would be provided by the WSIP are essential to the EIR’s conclusions regarding the significance of water supply impacts. The EIR is inadequate because it fails to disclose the uncertainty associated with those proposed sources.

To provide 10 mgd of new supply, the WSIP relies on a combination of two mgd of additional groundwater supplies, two mgd of additional recycled water and four mgd of additional conservation. 7 AR 3418. SFLN’s comments on the Draft EIR questioned the ability of the City to assume groundwater extraction facilities and recycled water treatment facilities will be available to provide the necessary water supply by 2015 based on the fact these facilities did not have adequate funding and/or were still in early design phases. 3 AR 1377-1379; 45 AR

24055-24057. In response, the EIR makes the contradictory claim that the Draft EIR does not rely on implementation of groundwater and recycled water facilities, but that the EIR does rely on the WSAS. 3 AR 1379-1380. As the WSAS relies on the completion of these facilities to support its conclusion that there will be an adequate water supply for the City in years 2015 to 2030 (7 AR 3404), the EIR's response is incorrect and misleads the decisionmakers. Further, this inadequate and inaccurate response deprived the public of meaningful participation and rendered the EIR inadequate. *Vineyard, supra*, 40 Cal.4th at 449.

SFLN also submitted comments questioning the ability of the City to conserve an additional four mgd of water when the City already relies on significant water usage reductions from existing conservation measures, giving it the lowest water usage rate of any major urban area in California. 3 AR 1377. The EIR again sidesteps responding to the comments, incorrectly claiming, "the Draft EIR does not rely upon the implementation of the conservation measures cited in the WSIP." 3 AR 1379. Again, the EIR relies on the WSAS and the WSAS relies upon implementation WSIP as a necessary component to provide adequate water; thus, the EIR's conclusions also rely upon the implementation of WSIP. The EIR fails as an informational document because it fails to disclose the uncertainty of measures necessary to meet the demand for water in the years 2015 to 2030.

Substantial evidence does not support the EIR's conclusory assertions that Housing Element Policy 1.1 could reduce the Housing Element's effects on the potential for inadequate water supply by ensuring new housing is adequately supported by infrastructure. 2 AR 780. Policy 1.1 supports housing for various income levels and does not discuss water supply or infrastructure support. 97 AR 53136-53137. Policy 12.2 is also inapposite, as it supports quality of life elements such as open space, child care and neighborhood services. 97 AR 53177. Policy 12.3 refers generally to the SFPUC's pursuit of strategies to address increased growth such as innovative conservation practices, use of recycled water and increased use of groundwater; however, no fact-based analysis is provided that would support a fair argument these strategies would produce significant amounts of new water supplies or appreciably reduce the potential for inadequate water supply. 97 AR 53173-74.

Substantial evidence also fails to support the EIR's claim that the cumulative water supply impacts would be less than significant because new development would be required to comply with California Water Code §10910, the "SFGBO and water conservation ordinances." References to these items is devoid of fact-based analysis, providing no evidence of significant reduction in water use by total new and existing development. 2 AR 785. Similarly devoid of fact-based support are the EIR's assertions that water demand would be further reduced by conservation measures required on a project-specific basis and water shortage contingency plans. 2 AR 785. Also unsupported by substantial evidence was the EIR's allegation that increased density "would potentially decrease water use" as opposed to single-family housing, as it does

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not consider the total amount of new development that could be expected to draw on water supplies. 2 AR 785.

This failure to disclose uncertainty is exacerbated by new information that became available after the Draft EIR was circulated for review. Significant new information was disclosed in a March 14, 2011 memorandum from the SFPUC. In the memorandum, SFPUC projected additional water shortfalls due to new instream flow release requirements starting in 2013, with additional release requirements in 2015. 45 AR 24056, 24061-63. A total of 7.4 mgd is required to be released into Alameda and San Mateo Creeks to maintain fish habitats, and will thus no longer be available as part of the water supply. *Ibid.*

Based on figures included in the WSAS, upon which the EIR relies, the demand for water in 2015 will be 91.69 mgd. 7 AR 3436. In normal years, WSAS identifies the available supply in 2015 as 94.50 mgd, which includes the 10 mgd from WSIP. 7 AR 3404, 3436. As explained by SFLN's expert, if 7.4 mgd is eliminated from the available supply, leaving only 87.1 mgd, the demand will exceed the supply from 2015 to 2030. 45 AR 24057-24058. The FEIR fails to disclose this significant impact.

SFLN presented this new information to the Board of Supervisors before certification of the FEIR for the Housing Element, but despite the significance of this information, the City failed to recirculate the FEIR with this information included. Pub. Resources Code § 21092.1. Shortly before approving the project, the City prepared a memorandum citing to additional speculative sources in its continued claim that water supply would be adequate. 20 AR 10608-13. These speculative sources include: assuming water demand will be less than projected in the WSAS; additional unidentified conservation, recycling and groundwater sources; and water rationing. *Ibid.* The failure to consider this significant new information in a revised FEIR materially impacted the public's right to participate in the process and comment upon potentially significant impacts that had not yet been addressed, in particular when members of the public had previously raised concerns regarding water supply shortfalls. *Vineyard, supra*, 40 Cal.4th at 447-448 [recirculation required when the public was deprived of a meaningful opportunity to comment upon a substantial environmental effect of the project or a feasible way to avoid it]. Also, failure to use accurate and current data is a failure to proceed in the manner required by law. *Save our Peninsula Comm. v. Monterey Cnty. Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 128, 131.

The lack of certainty regarding the WSIP and the newly required 7.4 mgd reduction in supply have additional significance after 2030. During multiple dry years post 2030, the WSAS acknowledges it is possible the SFPUC will not be able to fully meet water supply demands even if the WSIP is in place. 7 AR 3404. The WSAS concludes the development of recycled water programs at several major developments planned in the City would reduce water demand by 1.5

mgd, which would eliminate potential deficits in dry years. 7 AR 3437. However, with the additional 7.4 mgd reduction in water supply, the 1.5 mgd in water savings produced by the recycled water programs will not make up for the water supply shortfall of 6.32 mgd in post 2030 multiple dry years. A deficit would result in normal years as well. 7 AR 3436. The EIR was required to disclose this significant impact to the public and decision makers. *Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agric. Assn.* (1986) 42 Cal. 3d 929, 935 [an EIR should be used to “prevent stubborn problems or serious criticism from being swept under the rug.”].

**5. The City Has Failed to Make Available Materials Referenced in the Addendum.**

Despite SFLN’s request, the City has not made available materials referenced in the Addendum other than the limited materials described on the attached February 3, 2015 email from environmental review coordinator Tania Sheyner. The 2014 Housing Element has been produced, but documents supporting conclusions and assertions set forth therein have not been made available for public review.

**Conclusion**

Based on the foregoing, SFLN objects to the City’s approval of the 2014 Housing Element or any amendment to the 2009 Housing Element, reliance upon the FEIR for the 2004 and 2009 Housing Element, and/or reliance upon the Addendum to the EIR until final conclusion of all judicial proceedings that are pending as to the 2009 Housing Element and its FEIR and all related judicial proceedings, including any legal proceedings that may be brought as to the 2014 Housing Element and the adequacy of CEQA review or compliance relating thereto. Prior to such final conclusion, reliance on the challenged policies in the 2009 Housing Element and the re-adoption of those policies in the 2014 Housing Element is done at the risk of the City and any project proponent.

Due to the pending appeal as to the adequacy of the FEIR, SFLN urges City representatives to refrain from relying upon the FEIR until conclusion of the appeal and any related proceedings, and further objects to the City’s reliance at its own risk on the analysis conducted and the conclusions reached in the FEIR as valid in connection with the City’s proposed adoption of the 2014 Housing Element and in connection with the City’s proposed reliance on the FEIR or the Addendum and/or approval of the FEIR or Addendum to EIR.

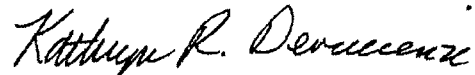
Based on the foregoing, SFLN further objects to the City’s proposed findings that the 2014 Housing Element as proposed will not cause new significant impacts not identified in the EIR, that no new mitigation measures will be necessary to reduce significant impacts, that other than as described in the Addendum no project changes have occurred, and no changes have

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occurred with respect to circumstances surrounding the project that will cause significant environmental impacts to which the 2014 Housing Element will contribute considerably.

Based on the foregoing, SFLN further objects to the City's proposed findings that no new information has become available that shows that the 2014 Housing Element will cause significant environmental impacts not previously discussed in the EIR, that substantial impacts will be substantially more severe than shown in the EIR, or that mitigation measures or alternatives previously found infeasible are feasible, or that new mitigation measures or alternatives considerably different from those in the EIR would substantially reduce significant impacts, and that therefore no supplemental environmental review is required under CEQA beyond the Addendum.

Very truly yours,



Kathryn R. Devincenzi

Attachments - Emails concerning review of materials referenced in Addendum

Attachments to Original filed with Planning Department:

DVD containing certified Administrative Record for FEIR for San Francisco 2004 and 2009 Housing Element and for 2009 Housing Element

DVD containing certified Supplemental Administrative Record for FEIR for San Francisco 2004 and 2009 Housing Element and for 2009 Housing Element



Kathy Devincenzi <krdevincenzi@gmail.com>

## Immediate Disclosure Request - Addendum to EIR 2014 Housing Element

6 messages

Lamorena, Christine (CPC) <christine.lamorena@sfgov.org>  
To: "KRDevincenzi@gmail.com" <KRDevincenzi@gmail.com>

Mon, Feb 2, 2015 at 5:08 PM

Ms. Kathryn Devincenzi –

We received the attached request on Friday, January 30, 2015. We are searching for and preparing the responsive records. Due to the voluminous nature of the request, we are invoking an extension of up to 14 days (Admin Code Section 67.21, CA Govt Code Section 6253). We do not anticipate on taking the full 14 days and will contact you as soon as the responsive records are ready.

Please let me know if you have any questions.

Sincerely,

**Christine Lamorena, AICP, LEED AP**  
**Manager of Commission Affairs**

Planning Department, City and County of San Francisco  
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**Planning Information Center (PIC):** 415-558-6377 or pic@sfgov.org

**Property Information Map (PIM):** <http://propertymap.sfplanning.org>

 **IDR - Addendum to EIR 2014 Housing Element.pdf**  
45K

Kathy Devincenzi <krdevincenzi@gmail.com>

Tue, Feb 3, 2015 at 1:24 PM



To: "Lamorena, Christine (CPC)" <christine.lamorena@sfgov.org>  
Cc: tania.sheyner@sfgov.org, Sarah.B.Jones@sfgov.org

Ms. Lamorena,

Please at least let me review item 1 of my request, the materials referenced in the Addendum, because the Public Notice of Issuance of Addendum to Environmental Impact Report states that these materials "are available for review at the Planning Department's office on the fourth floor of 1650 Mission Street [call (415) 575-9127]." I called for an appointment to review these materials but Ms.Tania Sheyner stated that some, but not all, of these materials would be made available today.

Thank you.

Kathryn R. Devincenzi  
Attorney at Law  
[Quoted text hidden]

---

Lamorena, Christine (CPC) <christine.lamorena@sfgov.org>  
To: Kathy Devincenzi <krdevincenzi@gmail.com>  
Cc: "Sheyner, Tania (CPC)" <tania.sheyner@sfgov.org>, "Jones, Sarah (CPC)" <sarah.b.jones@sfgov.org>

Tue, Feb 3, 2015 at 1:46 PM

Ms. Devincenzi –

Tania set aside the hard copy docket at our 4<sup>th</sup> floor reception. The materials you are seeking should be in the docket. Please check in with the receptionist upon arrival and they will be able to pull the file.

We needed to invoke the extension for our electronic files, which we are compiling. Please let me know if you have questions.

Sincerely,

**Christine Lamorena, AICP, LEED AP**  
**Manager of Commission Affairs**

Planning Department, City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103  
**Direct:** 415-575-9085 **Fax:** 415-558-6409

**Email:** christine.lamorena@sfgov.org

**Web:** www.sfplanning.org

**Planning Information Center (PIC):** 415-558-6377 or pic@sfgov.org

**Property Information Map (PIM):** <http://propertymap.sfplanning.org>

**From:** Kathy Devincenzi [mailto:krdevincenzi@gmail.com]  
**Sent:** Tuesday, February 03, 2015 1:24 PM  
**To:** Lamorena, Christine (CPC)  
**Cc:** Sheyner, Tania (CPC); Jones, Sarah (CPC)  
**Subject:** Re: Immediate Disclosure Request - Addendum to EIR 2014 Housing Element

[Quoted text hidden]

**Kathy Devincenzi** <krdevincenzi@gmail.com>  
To: "Lamorena, Christine (CPC)" <christine.lamorena@sfgov.org>

Tue, Feb 3, 2015 at 1:49 PM

Ms. Lamorena,

What do you mean by "hard copy docket"? Does this include the materials referenced in the Addendum to EIR?

Kathryn Devincenzi  
[Quoted text hidden]

**Sheyner, Tania (CPC)** <tania.sheyner@sfgov.org>  
To: Kathy Devincenzi <krdevincenzi@gmail.com>, "Lamorena, Christine (CPC)" <christine.lamorena@sfgov.org>  
Cc: "Jones, Sarah (CPC)" <sarah.b.jones@sfgov.org>

Tue, Feb 3, 2015 at 2:03 PM

Hello Ms. Devincenzi –

As we discussed over the phone this morning, the docket includes the 2014 Housing Element, the distribution list for the Addendum, and letters from you and Mr. Aaron Goodman. The 2004 and 2009 Housing Element FEIR and the 2014 Housing Element are the two primary sources that the Addendum relied on. Both of these items are available electronically on the Planning Department website (here: <http://www.sf-planning.org/index.aspx?page=1828>). Please let me know if there are specific reference items you're seeking. As I mentioned this morning, we did not prepare a separate Initial Study for the 2014 Housing Element.

Thanks,

**Tania Sheyner, AICP, LEED AP  
Environmental Planner**

Planning Department, City and County of San Francisco  
1650 Mission Street, Suite 400, San Francisco, CA 94103  
**Direct:** 415-575-9127 **Fax:** 415-558-6409

**Email:** Tania.Sheyner@sfgov.org

Web:www.sfplanning.org



**From:** Kathy Devincenzi [mailto:krdevincenzi@gmail.com]  
**Sent:** Tuesday, February 03, 2015 1:24 PM  
**To:** Lamorena, Christine (CPC)  
**Cc:** Sheyner, Tania (CPC); Jones, Sarah (CPC)  
**Subject:** Re: Immediate Disclosure Request - Addendum to EIR 2014 Housing Element

Ms. Lamorena,

[Quoted text hidden]

[Quoted text hidden]

---

**Kathy Devincenzi** <krdevincenzi@gmail.com> Wed, Feb 4, 2015 at 9:47 AM  
To: "Sheyner, Tania (CPC)" <tania.sheyner@sfgov.org>  
Cc: "Lamorena, Christine (CPC)" <christine.lamorena@sfgov.org>, "Jones, Sarah (CPC)" <sarah.b.jones@sfgov.org>

Hello Tania,

For one thing, I am looking for the list of other sites that have been transferred to MOH for consideration as affordable housing. The 2014 Housing Element states at page A.9 that "Table A-4 lists other sites that have been transferred to MOH for consideration as affordable housing." However, such table does not appear to be contained in the 2014 Housing Element. Table A-4 on page A.11 of the 2014 Housing Element pertains to "Units Lost Through Demolition, Conversion and Merger."

Kathy Devincenzi  
[Quoted text hidden]

**EXHIBIT C**

File No. 150155

Committee Item No. 2  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Land Use & Transportation

Date Mar. 16, 2015

Board of Supervisors Meeting

Date \_\_\_\_\_

**Cmte Board**

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

OTHER (Use back side if additional space is needed)

- |                                     |                          |                               |
|-------------------------------------|--------------------------|-------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>2014 - Housing Element</u> |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                         |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                         |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                         |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____                         |

Completed by: Andrea Ausberry Date Mar. 12, 2015

Completed by: \_\_\_\_\_ Date \_\_\_\_\_

**EXHIBIT D**



Kathy Devincenzi <krdevincenzi@gmail.com>

---

## PDF for February 5, 2015 Planning Commission Hearing-2014 Housing Element

4 messages

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Kathy Devincenzi <krdevincenzi@gmail.com>

Wed, Jan 28, 2015 at 5:12 PM


To: tania.sheyner@sfgov.org, Sarah.B.Jones@sfgov.org

Attached is a PDF of the submission for the February 5, 2015 Planning Commission hearing packet on the 2014 Housing Element which San Franciscans for Livable Neighborhoods submitted to the Planning Department today.

Thank you,

Kathryn R. Devincenzi  
Attorney at Law  
221-4700

---

 20150128202003.pdf  
614K

---

Kathy Devincenzi <krdevincenzi@gmail.com>

Thu, Jan 29, 2015 at 12:03 PM

To: jonas.ionin@sfgov.org, commissions.secretary@sfgov.org

Dear Mr. Ionin,

As you can see from the forwarded email, I sent this PDF yesterday to the environmental planner in charge of the case and the Environmental Review Officer.

Kathy Devincenzi

----- Forwarded message -----

From: **Kathy Devincenzi** <krdevincenzi@gmail.com>


Date: Wed, Jan 28, 2015 at 5:12 PM

Subject: PDF for February 5, 2015 Planning Commission Hearing-2014 Housing Element

To: tania.sheyner@sfgov.org, Sarah.B.Jones@sfgov.org

[Quoted text hidden]

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 20150128202003.pdf  
614K

**EXHIBIT E**



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# Planning Department

February 5, 2015

## SAN FRANCISCO PLANNING COMMISSION

### Notice of Hearing & Agenda

Commission Chambers, Room 400  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Thursday, February 5, 2015**

**12:00 p.m.**

### **Regular Meeting**

Commissioners:

Rodney Fong, President

Cindy Wu, Vice President

Michael Antonini, Rich Hillis, Christine Johnson, Kathrin Moore, Dennis Richards

Commission Secretary:

Future Meetings/Agendas. At this time, the Commission may discuss and take action to set the date of a Special Meeting and/or determine those items that could be placed on the agenda of the next meeting and other future meetings of the Planning Commission.

8. Commission Rules & Regulations - Consideration of Amendments and Adoption.  
(Continued from Regular Meeting of January 8, 2015)

**D. DEPARTMENT MATTERS**

9. Director's Announcements
10. Review of Past Events at the Board of Supervisors, Board of Appeals and Historic Preservation Commission

**E. GENERAL PUBLIC COMMENT – 15 MINUTES**

At this time, members of the public may address the Commission on items of interest to the public that are within the subject matter jurisdiction of the Commission except agenda items. With respect to agenda items, your opportunity to address the Commission will be afforded when the item is reached in the meeting. Each member of the public may address the Commission for up to three minutes.

**F. REGULAR CALENDAR**

The Commission Hearing Procedures provide for presentations by staff; followed by the project sponsor team; followed by public comment for and against the proposal. Please be advised that the project sponsor team includes: the sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors.

11. 2015-000747CRV (K. DEMARTINI:  
(415) 575-9118)

FY 2015-2017 PROPOSED DEPARTMENT BUDGET & WORK PROGRAM - Review the balanced Fiscal Year 2015-2017 department budget and work program

Preliminary Recommendation: None - Informational

12. 2014-001503GPA (M. MOHAN:  
(415) 575-9141)

(Also referenced as: 2014-001503CWP; 2014.1327EM; 2007.1275EM)

2014 HOUSING ELEMENT UPDATE – Consideration to Adopt a Resolution for a **General Plan Amendment** - Pursuant to Planning Code Section 340 (c), the Commission will consider a resolution adopting amendments to the General Plan by repealing the existing Housing Element of the General Plan (the 2009 Housing Element) and adopting the 2014 Housing Element update, making environmental and Planning Code Section 101.1 findings, and recommending that the Board of Supervisors adopt an Ordinance approving the General Plan amendment. The 2014 Housing Element update is required by State Law, and includes Part 1: Data and Needs Analysis, which contains a description and analysis of San Francisco's population, household and employment trends, existing housing characteristics, and housing needs; and Part 2: Objectives and Policies. It also includes Appendices, including a list of Implementing Programs to help address the City's housing needs.

Preliminary Recommendation: Adopt

13. 2014.0703C (D. VU:

3. Testimony by members of the public in support of the DR would be up to three (3) minutes each.
  4. A presentation by the Project Sponsor(s) team (includes Sponsor(s) or their designee, lawyers, architects, engineers, expeditors, and/or other advisors) would be for a period up to five (5) minutes, but could be extended for a period not to exceed 10 minutes if there are multiple DR requestors.
  5. Testimony by members of the public in support of the project would be up to three (3) minutes each.
6. DR requestor(s) or their designees are given two (2) minutes for rebuttal.
7. Project sponsor(s) or their designees are given two (2) minutes for rebuttal.
  8. The President (or Acting Chair) may impose time limits on appearances by members of the public and may otherwise exercise his or her discretion on procedures for the conduct of public hearings.

The Commission must Take DR in order to disapprove or modify a building permit application that is before them under Discretionary Review. A failed motion to Take DR results in a Project that is approved as proposed.

### Hearing Materials

Advance Submissions: To allow Commissioners the opportunity to review material in advance of a hearing, materials must be received by the Planning Department eight (8) days prior to the scheduled public hearing. All submission packages must be delivered to 1650 Mission Street, Suite 400, by 5:00 p.m. and should include fifteen (15) hardcopies and a .pdf copy must be provided to the staff planner. Correspondence submitted to the Planning Commission after eight days in advance of a hearing must be received by the Commission Secretary no later than the close of business the day before a hearing for it to become a part of the public record for any public hearing.

Correspondence submitted to the Planning Commission on the same day, must be submitted at the hearing directly to the Planning Commission Secretary. Please provide ten (10) copies for distribution. Correspondence submitted in any other fashion on the same day may not become a part of the public record until the following hearing.

Correspondence sent directly to all members of the Commission, must include a copy to the Commission Secretary (commissions.secretary@sfgov.org ) for it to become a part of the public record.

These submittal rules and deadlines shall be strictly enforced and no exceptions shall be made without a vote of the Commission.

Persons unable to attend a hearing may submit written comments regarding a scheduled item to: Planning Commission, 1650 Mission Street, Suite 400, San Francisco, CA 94103-2414. Written comments received by the close of the business day prior to the hearing will be brought to the attention of the Planning Commission and made part of the official record.

### Appeals

The following is a summary of appeal rights associated with the various actions that may be taken at a Planning Commission hearing.

Case Type	Case Suffix	Appeal Period*	Appeal Body
Office Allocation	B	15 calendar days	Board of Appeals**
Conditional Use Authorization and Planned Unit Development	C	30 calendar days	Board of Supervisors
Building Permit Application (Discretionary Review)	D	15 calendar days	Board of Appeals
EIR Certification	E	30 calendar days	Board of Supervisors
Coastal Zone Permit	P	15 calendar days	Board of Appeals
Planning Code Amendments by Application	T	30 calendar days	Board of Supervisors
Variance (Zoning Administrator action)	V	10 calendar days	Board of Appeals
Permit Review in C-3 Districts, Downtown Residential Districts and Large Project Authorization in Eastern Neighborhoods	X	15 calendar days	Board of Appeals
Zoning Map Change by Application	Z	30 calendar days	Board of Supervisors

\* Appeals of Planning Commission decisions on Building Permit Applications (Discretionary Review) must be made within 15 days of the date the building permit is issued/denied by the Department of Building Inspection (not from the date of the Planning Commission

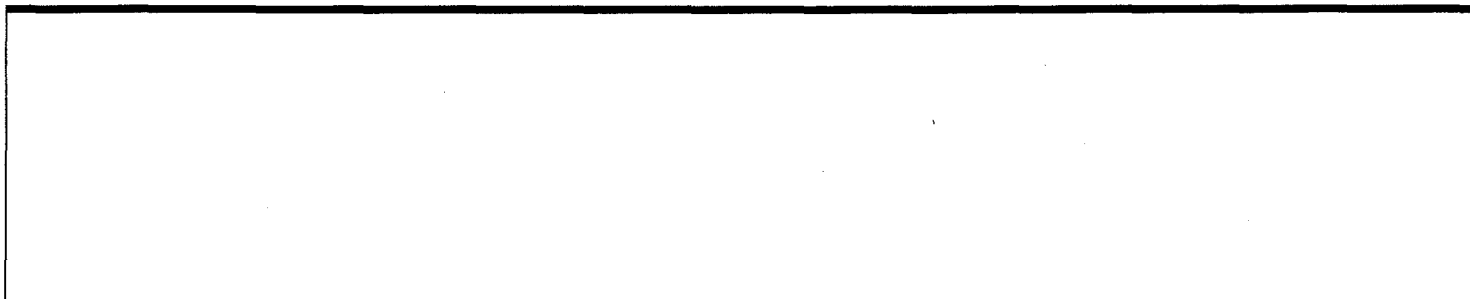
**EXHIBIT F**

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# Planning Department

**February 5, 2015**

- 2014-001503GPA.pdf
- Director's Report\_2015204.pdf
- CPC Proposed Amendments - Rules and Regs 2015.pdf
- 20150122\_cal.min.pdf
- 2014.1377D.pdf
- 20150115\_cal.min.pdf
- 2015-000747CRV.pdf
- 2014.1583D.pdf
- 2014.1321C.pdf
- 2014.1212C.pdf
- 2014-002064DRP.pdf
- 2014.0703C.pdf
- 2014-001503CWP -Submittal.pdf
- 2013.1543E.pdf
- 2013.0862CE - Submittal.pdf
- 2013.0862CE.pdf
- Work Program and Budget Memo PC FINAL.pdf
- Housing Element - Devincenzi Submittal.pdf



---

**From:** :) [gumby5@att.net]  
**Sent:** Monday, March 16, 2015 12:56 PM  
**To:** Cohen, Malia (BOS); Wiener, Scott; Kim, Jane (BOS)  
**Cc:** Mar, Eric (BOS); Farrell, Mark (BOS); Christensen, Julie (BOS); Tang, Katy (BOS); Breed, London (BOS); Yee, Norman (BOS); Campos, David (BOS); Avalos, John (BOS); Board of Supervisors (BOS); Rahaim, John (CPC)  
**Subject:** File No. 150155 General Plan-Repealing Ordinance No. 97-14 - Adoption of 2014 Housing Element  
**Attachments:** CSFN Reso Letter On 2014 HE Update 'Addendum.pdf

Dear Chair Cohen and Supervisors Wiener and Kim:  
For your BOS-Land Use and Transportation Committee meeting on this matter.  
You should have been in receipt of the attached CSFN letter.  
Thank you.  
Rose Hillson

# Coalition for San Francisco



www.csfm.net • PO Box 320098 • San Francisco CA 94132-0098 • 415.262.0440 • Est 1972

**President** January 21, 2015

Judith Berkowitz  
415.824.0617

**1st Vice President**  
George Wooding

**2nd Vice President**

Rose Hillson

**Recording Secretary**  
Charles Head

**Corresponding Secretary**

Glenn Rogers

**Treasurer**

Dick Millet

**Members-at-Large**

Penelope Clark

Melinda LaValle

Marlayne Morgan

Rodney Fong, President  
Planning Commission

London Breed, President  
Board of Supervisors

Re: Resolution Regarding 2014 Housing Element Update and Draft Legislation for BOS-LUHC Adoption (Case No. 2014.001503CWP)

Presidents Fong and Breed:

*Whereas*, potential environmental impacts of the changes from the 1990 Residence Element embodied in the 2009 Housing Element were analyzed in the Environmental Impact Report for the 2004 and 2009 Housing Elements (the "EIR"); and

*Whereas*, the California Court of Appeal is currently considering an appeal relating to the adequacy of the EIR, so the courts have not finally determined whether the changes from the 1990 Residence Element embodied in the 2009 Housing Element have completed environmental review in the manner required by the California Environmental Quality Act (CEQA); and

*Whereas*, The City proposes to reenact the changes from the 1990 Residence Element embodied in the 2009 Housing Element in the proposed 2014 Housing Element, and the City claims any further changes set forth in the 2014 Housing Element are minor and would not require further environmental review; and

*Whereas*, the City proposes to approve an Addendum to the EIR for the 2004 and 2009 Housing Elements discussing potential environmental impacts of changes to the 2009 Housing Element embodied in the 2014 Housing Element; therefore be it

*Resolved*, that due to the pending appeal as to the adequacy of the EIR, the Coalition for San Francisco Neighborhoods (CSFN) urges City representatives to refrain from relying upon the EIR until conclusion of the appeal and any related proceedings, and further objects to the City's reliance at its own risk on the analysis conducted and the conclusions reached in the EIR as valid in connection with the City's proposed adoption of the 2014 Housing Element and in connection with the City's proposed adoption of the Addendum; and be it further

*Resolved*, that CSFN objects to the City's proposed findings that the 2014 Housing Element as proposed will not cause new significant impacts not identified in the EIR; that no new mitigation measures will be necessary to reduce significant impacts; that other than as described in the Addendum no project changes have occurred, and no changes have occurred with respect to circumstances surrounding the project that will cause significant environmental impacts to which the 2014 Housing Element will contribute considerably; and be it further

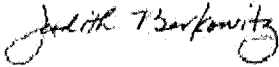
*Resolved*, that no new information has become available that shows that the 2014 Housing Element will cause significant environmental impacts not previously discussed in the EIR, that substantial impacts will be substantially more severe than shown in the EIR, or that mitigation measures or alternatives previously found infeasible are feasible, or that new mitigation measures or alternatives considerably different from those in the EIR would substantially reduce

Barbary Coast Neighborhood Assn  
Buena Vista Neighborhood Assn  
Cathedral Hill Neighborst Assn  
Cole Valley Improvement Assn  
Cow Hollow Assn  
Diamond Hts Neighborhood Assn  
East Mission Improvement Assn  
Ewing Terrace Neighborhood Assn  
Excelsior District Improvement Assn  
Fair Oaks Community Coalition  
Forest Knolls Neighborhood Assn  
Francisco Heights Civic Assn  
Golden Gate Hts Neighborhood Assn  
Greater W. Portal Neighborhood Assn  
Haight Ashbury Improvement Assn  
Inner Sunset Action Committee  
Jordan Park Improvement Assn  
Liberty Hill Neighborhood Assn  
Marina Civic Improvement &  
Property Owners Assn  
Middle Polk Neighborhood Assn  
Midtown Terrace Homeowners Assn  
Miraloma Park Improvement Club  
North Beach Neighbors  
Oceanview, Merced Heights,  
Ingleside - Neighbors in Action  
Outer Mission Merchants &  
Residents Assn  
Pacific Heights Residents Assn  
Parkmerced Action Coalition  
Potrero Boosters Neighborhood Assn  
Richmond Community Assn  
Rincon Point Neighborhood Assn  
Russian Hill Improvement Assn  
Russian Hill Neighbors  
Sunset Heights Assn of  
Responsible People  
Sunset-Parkside Education &  
Action Committee  
Telegraph Hill Dwellers  
Twin Peaks Council & Open  
Space Conservancy  
Twin Peaks Improvement Assn  
University Terrace Neighborhood Assn

significant impacts; and that therefore no supplemental environmental review is required under CEQA beyond the Addendum; and be it finally

***Resolved, that CSFN urges the Board of Supervisors not to approve the 2014 Housing Element, and urges the Planning Commission not to recommend adoption of the 2014 Housing Element, because the environmental review for the majority of the policy changes carried over into the 2014 Housing Element was based on the analyses conducted and the conclusions reached in the EIR for the 2004 and 2009 Housing Element, and the validity of that EIR is still being considered by the appellate courts of California.***

Sincerely,

A handwritten signature in cursive script that reads "Judith Berkowitz".

Judith Berkowitz  
President

Cc: Planning Commissioners Cindy Wu, Michael Antonini, Rich Hillis, Kathrin Moore, Christine Johnson, Dennis Richards, Director of Planning John Rahaim, Commissions Secretary Jonas Ionin, Planner Menaka Mohan, Supervisors Eric Mar, Mark Farrell, Julie Christensen, Katy Tang, Jane Kim, Norman Yee, Scott Wiener, David Campos, Malia Cohen, John Avalos



**From:** r and k favetti [woloso1@yahoo.com]  
**Sent:** Monday, March 16, 2015 5:17 PM  
**To:** Board of Supervisors (BOS)  
**Subject:** Fw: Ordinance to establish the Community Advisory Committee on the Balboa Reservoir Development (Item#15047)  
**Attachments:** BOS-GAO Yee Request to amend ordinance 3-16-15.pdf

--- On Mon, 3/16/15, r and k favetti <woloso1@yahoo.com> wrote:

> From: r and k favetti <woloso1@yahoo.com>  
 > Subject: Ordinance to establish the Community Advisory Committee on the  
 > Balboa Reservoir Development (Item#15047)  
 > To: "Supervisor Norman Yee" <norman.yee@sfgov.org>  
 > Cc: Breedstaff@sfgov.org, Julie.Christensen@sfgov.org,  
 > MayorEdwinLee@sfgov.org, Board.of.Supervisor@sfgov.org,  
 > John.Rahaim@sfgov.org  
 > Date: Monday, March 16, 2015, 5:11 PM  
 > Honorable Norman Yee, Chair  
 > Government and Audit Committee  
 > Board of Supervisors  
 >  
 > ATT: Ms. Angela Calvillo, Clerk of the Board of Supervisors  
 >  
 > RE: Proposed Ordinance amending the Administrative Code to  
 > establish the Community Advisory Committee to advise the Board of  
 > Supervisors, the Mayor, and City departments regarding any proposed  
 > development under the Public Land for Housing Program at the portion  
 > of the Balboa Reservoir.  
 > (Item#150247)( letter attached)  
 >  
 > Dear Supervisor Yee:  
 >  
 > The Westwood Park Association (WPA), acting through its duly elected  
 > Board of Directors, respectfully requests that the proposed ordinance  
 > creating a Balboa Citizens Advisory Committee (CAC) be amended.  
 >  
 > The statement of purpose made in proposing the creation of the CAC at  
 > the March 10, 2015 Board of Supervisors was quite heartening. To  
 > paraphrase, Supervisor Yee said that the CAC is intended to facilitate  
 > the exchange of information for the benefit of District 7 stakeholders  
 > and to provide an effective vehicle for meaningful feedback to the  
 > City.  
 >  
 > The suggested amendments to the proposed Ordinance Sec.  
 > 5.17.3 MEMBERSHIP are as follows [in brackets]:  
 >  
 > (5) Seat 5 "...If the Balboa Park Station Community Advisory Committee  
 > sunsets before the Advisory Committee, then Seat 5 shall be held by  
 > [resident of District 7 or by a person who owns a business located in  
 > District 7] appointed by the Supervisor for District 7.  
 >  
 > (6) Seat 6 shall be held by a person who owns a business located [in

> District 7] on Ocean Avenue, appointed by the Mayor.  
>  
> (8) Seat 8 through 9 shall be at-large seats [and held by a resident  
> of District 7 or by a person who owns a business located in District  
> 7,] appointed by the Mayor.  
>  
> Thank you for your kind consideration.  
>  
> Sincerely yours,  
>  
> BOARD OF DIRECTORS:  
> Kate Favetti, President; Tim Emert, Vice President; Kathy Beitiks,  
> Secretary; Anne Chen and Anita Theoharis, Co-Treasurers; Caryl Ito and  
> Ravi Krishnaswamy, Members at Large.

# WESTWOOD PARK



March 16, 2015

Honorable Norman Yee, Chair  
Government and Audit Committee  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place  
City Hall, Room 244  
San Francisco, CA 94102

ATT: Ms. Angela Calvillo, Clerk of the Board of Supervisors

**RE: Proposed Ordinance amending the Administrative Code to establish the Community Advisory committee to advise the Board of Supervisors, the Mayor, and City departments regarding any proposed development under the Public Land for Housing Program at the portion of the Balboa Reservoir. (Item#150247)**

Dear Supervisor Yee:

The Westwood Park Association (WPA), acting through its duly elected Board of Directors, respectfully requests that the proposed ordinance creating a Balboa Citizens Advisory Committee (CAC) be amended.

The statement of purpose made in proposing the creation of the CAC at the March 10, 2015 Board of Supervisors was quite heartening. To paraphrase, Supervisor Yee said that the CAC is intended to facilitate the exchange of information for the benefit of District 7 stakeholders and to provide an effective vehicle for meaningful feedback to the City.

Below are suggested amendments (bold, underlined) to the proposed Ordinance:

#### Sec. 5.17.3 MEMBERSHIP

(5) Seat 5 "...If the Balboa Park Station Community Advisory Committee sunsets before the Advisory Committee, then Seat 5 shall be held by a member of the general public **resident of District 7 or by a person who owns a business located in District 7** appointed by the Supervisor for District 7.

(6) Seat 6 shall be held by a person who owns a business located **in District 7** on Ocean Avenue, appointed by the Mayor.

(8) Seat 8 through 9 shall be at-large seats **and held by a resident of District 7 or by a person who owns a business located in District 7**, appointed by the Mayor.

Thank you for your kind consideration.

Sincerely yours,

#### BOARD OF DIRECTORS:

Kate Favetti, President; Tim Emert, Vice President; Kathy Beitiks, Secretary; Anne Chen and Anita Theoharis, Co-Treasurers; Caryl Ito and Ravi Krishnaswamy, Members at Large.

By: Kate Favetti, President

c: Honorable London Breed, President, Board of Supervisors  
Honorable Julie Christensen, Member, Board of Supervisors  
Honorable Mayor Edwin M. Lee  
John Rahaim, Director, San Francisco Planning Department

---

**From:** Tang, Katy (BOS)  
**Sent:** Tuesday, March 17, 2015 2:53 PM  
**To:** Gosiengfiao, Rachel (BOS)  
**Subject:** FW: From SFPOA President Martin Halloran -- Diversity Video and Press Release re Text Message Investigation  
**Attachments:** Diversity.mov; pressrelease031615.pdf

for board's records

**Katy Tang**  
District 4 Supervisor  
San Francisco Board of Supervisors  
City Hall, Room 264  
Phone: (415) 554-7460

*Office website:*  
[www.sfbos.org/Tang](http://www.sfbos.org/Tang)

*View our Sunset District Blueprint:*  
[www.sfbos.org/SunsetBlueprint](http://www.sfbos.org/SunsetBlueprint)

**From:** Cyndee Bates [<mailto:Cyndee@sfpoa.org>]  
**Sent:** Tuesday, March 17, 2015 12:58 PM  
**To:** Lee, Mayor (MYR); Campos, David (BOS); Mar, Eric (BOS); Kim, Jane (BOS); Avalos, John (BOS); Christensen, Julie (BOS); Tang, Katy (BOS); Breed, London (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Yee, Norman (BOS); Wiener, Scott; SFPD, Commission (POL)  
**Subject:** From SFPOA President Martin Halloran -- Diversity Video and Press Release re Text Message Investigation

Martin Halloran  
President  
San Francisco Police Officers Association  
800 Bryant Street, 2nd Floor  
San Francisco, Ca. 94103  
Ph: 415 861-5060  
Fx: 415 552-5741



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SAN FRANCISCO POLICE OFFICERS ASSOCIATION  
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MARTIN HALLORAN  
President  
TONY MONTOYA  
Vice President  
MICHAEL NEVIN  
Secretary  
JOE VALDEZ  
Treasurer  
VAL KIRWAN  
Sergeant At Arms

## SFPOA Press Release

March 16, 2015

To serve as a San Francisco police officer is a high privilege, a distinct honor, and a job that should be treated with the utmost respect. While we believe wholeheartedly in due process and affording our members all protection under the law, and we understand that we are all prone to indiscretions in text messages, all these racist and homophobic text messages, if true, are disgraceful and humiliating to the community we serve. They are of equal affront to the incredibly diverse body of men and women in our police department who take an oath to put their lives on the line to keep people safe. We pride ourselves on our officers' commitment to diversity both as a department and an association and we are incredibly proud of our record.

These officers and their actions are not emblematic of individuals we represent at the San Francisco Police Officers' Association. We fully understand the Chief's decision to reassign these officers and ensure that there is no interaction with the public during this full-scale investigation.

The POA prides itself in representing this great, diverse city and is rightly proud of the fact that more than half of our members are either people of color, women, or members of the LGBT community. We recommit ourselves to the people of San Francisco and unequivocally and whole-heartedly condemn the hate speech we witnessed from Mr. Furminger.

Martin Halloran  
President

Tony Montoya  
Vice President

Michael Nevin  
Secretary

Joe Valdez  
Treasurer

Val Kirwan  
Sgt-At-Arms

---

**To:** BOS-Supervisors  
**Subject:** FW: DOSW: Annual Report for the Commission/Department on the Status of Women  
**Attachments:** CDOSW Annual Report FY13\_14 FINAL.pdf

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**From:** Murase, Emily (WOM)  
**Sent:** Tuesday, March 17, 2015 4:35 PM  
**To:** Murase, Emily (WOM)  
**Subject:** DOSW: Annual Report for the Commission/Department on the Status of Women

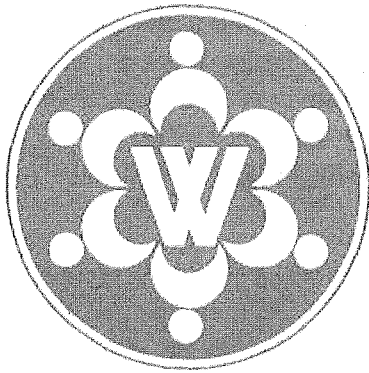
Colleagues,

Attached please find the San Francisco Commission/Department on the Status of Women Annual Report for FY13-14. We are a small but mighty department that relies on the collaboration of other city departments. Thank you for your continued support.

Emily

Emily M. Murase, PhD  
Executive Director  
San Francisco Department on the Status of Women  
25 Van Ness Avenue, Suite 240  
San Francisco, CA 94102  
415.252.2571  
[www.sfgov.org/dosw](http://www.sfgov.org/dosw)

*\*\*\* In 1998, San Francisco became the first city in the world to enact a local ordinance reflecting the principles of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), an international bill of rights for women that then-President Jimmy Carter signed but has yet to be ratified by the US Senate, leaving the US among just 7 nations, and the only industrialized nation, in the world who have not signed on. In March 2014, Mayor Edwin Lee challenged 100 U.S. cities to become CEDAW cities in time for the US Conference of Mayors meeting to be hosted by San Francisco in June 2015. Learn more at [www.cities4cedaw.org](http://www.cities4cedaw.org). \*\*\**



# FISCAL YEAR 2013 -2014

# **ANNUAL REPORT**

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CITY AND COUNTY OF SAN FRANCISCO  
COMMISSION AND DEPARTMENT ON THE STATUS OF WOMEN





## LETTER FROM THE COMMISSION PRESIDENT NANCY KIRSHNER-RODRIGUEZ

Dear Friends:

It has been an honor and privilege to serve as President of the San Francisco Commission on the Status of Women since September of 2013. I want to thank my colleagues on the Commission and the dedicated staff at Department on the Status of Women for their support and leadership as we all work together to address critical issues confronting San Francisco's women and girls. In the past year, we have continued to provide strong local leadership and have also made an impact in national and international efforts to improve women's rights and opportunities.

Our significant successes included working with the Alliance for Girls and the Department on Children, Youth and Their Families to ensure that the recently passed Children's Amendment language included specific references to gender and will create a new level of direct service work for girl serving organizations.

We worked with Mayor Edwin M. Lee to begin a new city tradition of lighting City Hall purple at the beginning of Domestic Violence Awareness month and how magnificent it is for all our community agencies to see the respect for their work that this action demonstrates. With our support, the Board of Supervisors passed a first in the nation Family Friendly Workplace Ordinance. We held a conference on Child Sex trafficking that attracted participants from all over the state and launched an innovative human trafficking intervention program with community partners. In January, the Gender Equality Principles Challenge brought forward new and innovative actions by many prominent San Francisco Bay Area Companies. In February, we again joined with V-Day on the 14th to participate in One Billion Rising, a global action to end violence against women and girls.

In March, I was proud to open the Women's History celebration at the Board of Supervisors and join in the recognition of some extraordinary San Francisco Women leaders! And of course we journeyed to New York; more than 50 strong in the SF Bay Area delegation to the UN Commission on the Status of Women's 58th meeting. As they say -San Francisco was IN THE HOUSE!!! We demonstrated our solidarity with women across the globe by launching Cities for CEDAW with the Women's Intercultural Network and the NGO - CSW as a vehicle to engage other US Cities to implement a CEDAW framework in local communities. With Mayor Lee's commitment, I addressed the Women Mayors at the Annual Meeting of the US Conference of Mayors and we were able to get the Mayors to pass a resolution supporting this initiative. We now plan to move forward to update our CEDAW ordinance for the next decade.

I believe that our greatest successes come from our strong partnerships across government, and with our community non-profit and for-profit allies. Generous support from the Friends of the Commission on the Status of Women has also enabled us to expand our work on numerous issues and provide opportunities for young women policy makers to join the DOSW team as fellows and change-makers. From the Justice and Courage Report to the Cities for CEDAW Campaign, we are providing ground-breaking leadership. Thank you for supporting our team and being on the forefront of changing the way government works for women and girls.

*Nancy Kirshner-Rodriguez*



## LETTER FROM EXECUTIVE DIRECTOR EMILY M. MURASE, PHD

Dear Friends,

As President Kirshner-Rodriguez recounts in her letter, and what is documented in the following pages, is an accounting of the key advances in women's human rights in San Francisco and beyond, conducted by one of the strongest Commissions on the Status of Women in the country. I am often reminded of how fortunate we are to live in a City that is so committed to women's human rights, indeed the first city in the world to enact a local ordinance reflecting the principles of the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), an international bill of rights for women. Our Mayor, Mayor Edwin M. Lee, has taken the City's commitment a step further by challenging other U.S. cities to follow our example and enact similar measures in their communities. We hope that by the time the U.S. Conference of Mayors Annual Conference comes to San Francisco in June 2015, that there will be many cities that have joined our "Cities for CEDAW" campaign.

I want to especially thank my small but mighty staff for exceptional dedication to this work. This past year, we have had to say good-bye to a number of long-time staff members. In their place, highly talented folks have brought new energy to the work of the Department. And we have benefited greatly from the steady stream of exceptional Policy Interns and Policy Fellows who have volunteered at the Department. We could not have accomplished so much without the help of many colleagues, and I would like to acknowledge the many community supporters who make our work possible.

A handwritten signature in cursive script that reads "Emily M. Murase". The signature is written in dark ink on a white background.

## ABOUT THE COMMISSION

The Commission on the Status of Women was established in 1975 to ensure the equitable treatment and foster the advancement of the women and girls in San Francisco through programs, policies and legislation. The Commission is comprised of seven members appointed by the Mayor.

In 1994, the Department on the Status of Women was established when voters approved Proposition E, which created a permanent Department to carry out the mission and policies of the Commission. In 1998, San Francisco became the first city in the world to adopt a local ordinance reflecting the United Nations Convention on the Elimination of All Forms of Discrimination Against Woman (CEDAW), and international bill of rights for women and girls.

### Commission Members *(Pictured right)*

Nancy Kirshner-Rodriguez, President  
Andrea Shorter, Vice President  
Amy Ackerman, Commissioner  
Mary Jung, Commissioner  
Alicia Gamez, Commissioner  
Julie D. Soo, Commissions



### Current Department Staff

Emily M. Murase, PhD, Executive Director  
Minouche Kandel, Women's Policy Director  
Stephanie Nguyen, Fiscal & Policy Analyst  
Carol Sacco, Associate Director  
Iris Wong, Management Assistant

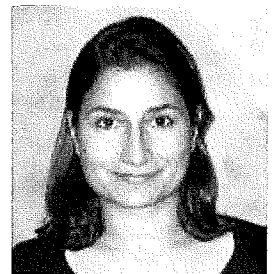
### Previous FY 2013-2014 Department Staff

Cynthia Vasquez, Executive Coordinator  
Aimee Allison, Media & Community Affairs Director  
Ann Lehman, Senior Gender Advisor  
Elizabeth Laferriere, Legislative Director  
Stacey Hoang, Fiscal & Development Director



### FY 13-14 Year-Long Fellows and Interns

Grace Fisher, Oxford University – Policy Fellow  
Tara Gamboa-Eastman, UC Berkeley – Gender Equality Principles Fellow  
Kristin Snell, UC Berkeley – Policy Fellow



### FY13-14 Summer Policy Interns

Sarah Scriven, Duke University  
Eva Morgenstein, Smith College  
Emma Williams-Baron, Reed College  
Celia Mae Flinn, Claremont McKenna College



## MAJOR EVENTS

### San Francisco Collaborative Against Human Trafficking Conference on Ending Domestic Child Sex Trafficking August 2013

The Conference featured an original video, "A Day in the Life of a Victim of Child Sex Trafficking," produced by Department staff, which was very well received by attendees.

### CEDAW Women's Human Rights Awards Luncheon – September 2013

The annual luncheon organized by the Friends of the San Francisco Commission on the Status of Women took place on September 30, 2013 at Julia Morgan Ballroom of the Merchants Exchange Building. The event honored 12 exceptional individuals and 1 corporation that participated in the Gender Equality Challenge. Awardees are pictured below.



© Friends of the San Francisco Commission on the Status of Women

*Bottom starting from left: Susan Swan (Leadership), Marilyn Fowler (Community Building), Louise Renne (Law), Caryl Ito (Legacy), Akiko Yamazaki (Philanthropy), Top Starting from left: Patricia Bovan, Friends of Commission on the Status of Women, Marily Mondejar, President, Friends of the Commission on the Status of Women, Twitter (Corporate; Represented by Adam Messinger, CTO), Honorable Cassie Doyle (International Comity), Fabiola Kramsky, Univision, Brenda Wright (Economic Empowerment), Paul Henderson (Violence Prevention), General Antonio Taguba (Government), Dr. Emily Murase, Executive Director, Department on the Status of Women. Not pictured: Elmy Bermejo (Labor)*

### Domestic Violence Awareness Month – October 2013 (See page 7)

The Department organized the inaugural "Shine the Light on Domestic Violence" event to kick-off October as Domestic Violence Awareness Month. For the first time ever, City Hall was lit purple, the official color of domestic violence awareness. The event also celebrated San Francisco going 40 months without a domestic violence homicide.

### Family Violence Council 5th Anniversary – November 20, 2013

### Human Trafficking Awareness Month – January 2014

### One Billion Rising San Francisco – February 14, 2014

The second annual One Billion Rising San Francisco took place at Civic Center on Valentine's Day. Mayor Edwin Lee, Board of Supervisors President David Chiu, and District Attorney George Gascón joined community advocates to speak out for justice and demand an end to all forms of violence against women. As a follow-up to the event, the District Attorney's Office and the Justice & Diversity Center of the Bar Association of San Francisco organized the inaugural free legal clinic for survivors of domestic violence & sexual assault at Hastings College of Law.

### 10<sup>th</sup> Annual Women's History Month Awards Ceremony & Reception: *Celebrating Women of Character, Courage, and Commitment* – March 4, 2014

The Board of Supervisors, District Attorney George Gascón, and Mayor Edwin Lee each recognized leaders in the community who have demonstrated courage, commitment, and leadership at City Hall, followed by a reception hosted by the Friends of the San Francisco Commission on the Status of Women.

### Justice & Courage Oversight Panel on Domestic Violence Policy Reform Sunset – June 5, 2014

During the 12 years of the oversight panel, 120 out of 169 recommendations were implemented. The remaining 49 pending recommendations have will be continued through a subcommittee of the Family Violence Council.

## POLICY LEADERSHIP

### United Nations Human Rights Committee

In September 2014, the Department submitted a shadow report – Report on Sex-Based Discrimination in the American Workplace – to the UN Human Rights Committee (UNHRC) under the International Covenant on Civil and Political Rights (ICCPR). This is the first time a local government agency in the United States has filed a report directly with UNHRC. In March 2014, then-Legislative Director Elizabeth Laferriere attended the 109<sup>th</sup> Session of the UNHRC and promoted the report as an educational tool for the committee and other women’s rights nonprofits.

### 58<sup>th</sup> Forum of NGO Committee on the Status of Women, New York

In March 2014, the Department led the San Francisco Bay Area delegation of 50 women leaders, advocates, and community activists (pictured below) to the 58<sup>th</sup> Forum of NGO Committee on the Status of Women, New York (NGO CSW 58), including **First Lady of San Francisco Anita Lee**. The Department organized two parallel sessions: “Strategies in the War Against Human Trafficking: Lessons from Peru, San Francisco, and Beyond,” and “How to Enact and Implement CEDAW Locally: Lessons from San Francisco, the First City of CEDAW.” Both events were well attended with standing-room only crowds. Commission President Nancy Kirshner-Rodriguez participated in two panels: “Sustainable Cities and Women’s Human Rights,” and “An Open Discussion on Beijing+20.”



*San Francisco Delegation at NGO CSW 58, displaying the Cities for CEDAW Banner.*

### Cities for CEDAW Campaign

Launched at NGO CSW 58 in March 2014 with the Women’s Intercultural Network and the Department as peer leaders, this campaign aims to have 100 mayors commit to enacting local CEDAW measures in their cities by December 2015.

Cities are asked to fulfill three requirements:

1) Conduct gender analyses of the city workforce, services, and/or city budget, 1) Appoint an oversight body for the implementation of action plans, and 3) Allocate \$0.10 - \$0.25 per woman resident for full implementation of the measure.

Commission President Nancy Kirshner-Rodriguez attended the June 2014 US Conference of Mayors in Dallas, Texas and spoke at the Women’s Caucus about CEDAW and the importance of enacting local measures. Because of her outreach, the Social Criminal Justice Committee unanimously passed a resolution supporting the campaign. Department staff is currently reaching out to mayors across the country to support CEDAW at a local level.

More information about the campaign can be found at [Cities4CEDAW.org](http://Cities4CEDAW.org).

### Gender Analysis of City Departments

The Department produced the bi-annually mandated *2013 Gender Analysis of Commissions and Boards*, which analyzes the gender and ethnic diversity of San Francisco’s local Government.

The Commission reviewed gender data from four City Departments: Arts Commission, Fire Department, Department of Animal Care and Control, and Department of Children, Youth, and their Families.

## WOMEN IN THE WORKPLACE

### Gender Equality Principles Initiative

Following the launch of Gender Equality Challenge in April 2013, the Gender Equality Council collected submissions from nine San Francisco Bay Area companies detailing programs that benefit women in the workplace.

These practices were showcased at *Honoring Progress: The 2013 Gender Equality Practices* in January 2014 (pictured below), allowing stakeholders a chance to have in-depth discussions on how to promote gender equity in their workplaces. In partnership with Bay Area Council, the event was followed by *Gender Partnership: The Economic Imperative for the 21<sup>st</sup> Century* as part of the 21<sup>st</sup> Century Workplace Series.



*2013 Gender Equality Challenge Companies: (from left) Cynthia Jackson, **Baker & McKenzie**; Cecily Joseph, **Symantec Corporation**; Chantel Mandel, **Bayer HealthCare**; Amy Ackerman, Commission on the Status of Women; Cathy Campbell, **Charles Schwab**; Ann Lehman, Department on the Status of Women; **Keynote Speaker Barbara Krumsiek**, Calvert Investments; Loretta Walker, **AT&T**, Janet Van Huisse, **Twitter**; Beth Axelrod, **eBay Inc.**, Anna Walker, **Levi Strauss & Co. and Business for Social Responsibility**. Not pictured: **Deloitte***

### Family Friendly Workplace Ordinance

The Department worked closely with the Board of Supervisors to support the Family Friendly Workplace Ordinance, which was signed into effect by Mayor Edwin M. Lee in October 2013. Sponsored by Board President David Chiu, this measure prohibits workplace discrimination in San Francisco based on parental or caregiver status, and allows all parents or caregivers the right to request flexible and predictable schedules to work around their caregiver responsibilities.

The Gender Equality Principles Initiative worked with community allies to create the Family Friendly Workplace Ordinance Business Case Fact Sheet, and Department staff continued to work with Office of Labor Standards Enforcement and Legal Aid Society – Employment Law Center in developing outreach and evaluation plan for the ordinance. The Department successfully secured \$75,000 to conduct outreach of the ordinance, which includes a capacity-building grant for a community based organization or coalition to create and implement a sustainable strategy for informing workers and employers of their work-family rights and shifting the culture around flexibility.

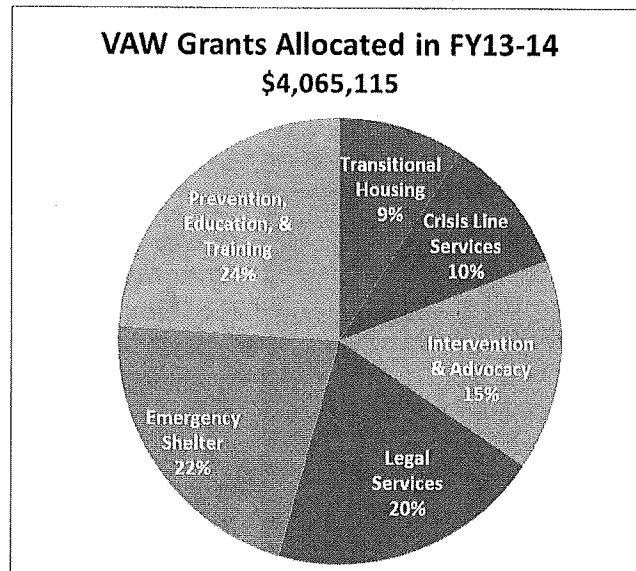
### Healthy Mothers Workplace Coalition

The Healthy Mother Workplace Coalition organized the inaugural Awards for Excellence in Maternal Health and Equity, and recognized the 18 winners in September 2013 at the Healthy Mothers Workplace Awards Ceremony. Winning companies ranged in size from 4 to 8,000 employees, and included nonprofits and legal service providers, technology companies and government agencies, retail and marketing organizations, and those offering healthcare and engineering services. The Department continues to be proud of its collaboration with the Coalition, comprised of representatives from governmental agencies, nonprofits, commissions, and private sector employers.

## WOMEN'S HEALTH & SAFETY

### Violence Against Women (VAW) Prevention & Intervention Grants Program

The Department is proud to distribute grants totaling \$4 million fund 32 community based organizations that provide services in the six service areas shown in the chart below:



The VAW Grants Program experienced tremendous increases this year, including a 1.5% mayoral cost-of-doing-business increase to all community agencies, much needed funding for a new collaborative anti-trafficking initiative, and a supplemental from the Board of Supervisors to increase funding for domestic violence legal services and services for Spanish-speaking and transgender survivors.

The 24 agencies representing 32 programs received \$4,065,115, served 13,994 unduplicated individuals, and provided approximately 35,915 hours of supportive services. Specifically, the three emergency shelters provided 3,591 bed nights to women and their children escaping domestic violence, while three transitional housing programs and one permanent supportive housing program provided 11,607 bed nights to women seeking long-term stability. The two crisis line providers fielded 13,043 calls from domestic violence and sexual assault victims.

For additional details about the VAW Grants Program, or to see a list of the Partner Agencies, please visit the Department's website.

The Department worked with ETR Associates to conduct the VAW Community Needs Assessment, which concluded at the end of FY 13 – 14. Community partners, current and former clients, and at-risk populations engaged in a thorough process to ascertain areas of programmatic strengths and needs. Results of the study contributed greatly to the VAW Prevention & Intervention Grants Program Request for Proposals.

At the Annual Partner Agency meeting in October 2013, LYRIC and EI/La presented an in-service training that focused on transgender clients. Attendees had an opportunity to openly discuss challenges, tips, and best practices for serving transgender clients. The Department also introduced a revised VAW Quarterly Service Reports, which now include data collection on transgender clients demographics.

## **WOMEN'S HEALTH & SAFETY (CONTINUED)**

### **Anti-Human Trafficking**

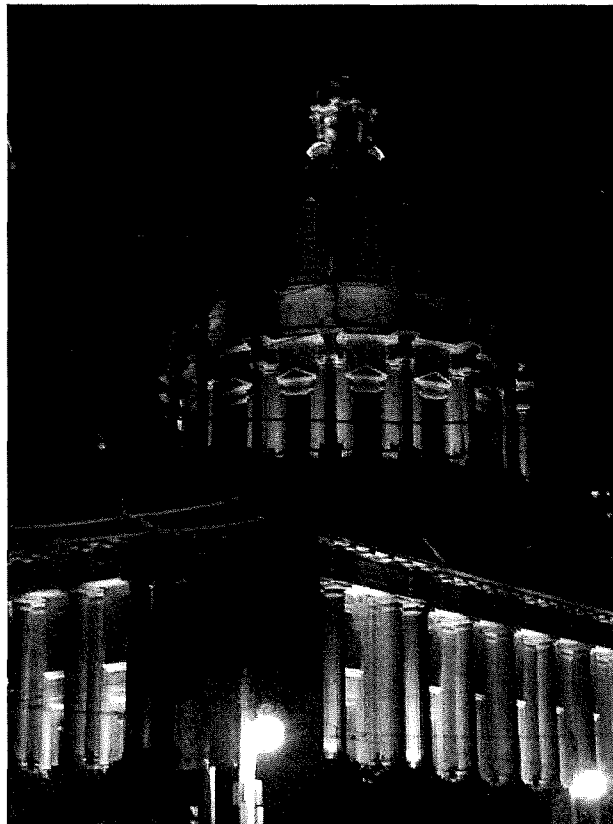
The Department organized the 3rd Annual Anti-Trafficking Teen Poster contest in the fall of 2013, and received 15 wonderful entries from middle and high school students in San Francisco. The top three winners were recognized by Deputy Chief of Staff for Public Safety of the Mayor's Office Paul Henderson at the January 10 Human Trafficking Awareness Month Kick-Off Event. U.S. Attorney for the Northern District of California Melinda Haag, District Attorney George Gascón, Police Chief Greg Suhr, and other city officials attended the event.

Together with Alameda and San Mateo Counties, the Department conducted targeted outreach for SB1193, which requires certain businesses and agencies to post an anti-trafficking poster with resources for victims and witnesses. Department staff identified over 700 San Francisco bars, hospitals, and urgent care centers that are obligated to post the notice. Following the mailing of these flyers, the Department organized a Community Day of Action to visit these organizations to check that they have fulfilled the requirement, and educate them about SB 1193.

### **Domestic Violence**

The Department worked closely with the Department of Human Resources to improve the City and County of San Francisco's domestic violence workplace policies. Staff trained over 100 human resources staff and Department Personnel Officers; these trainings will become an annual event. The Department of Human Resources is also working with the Department on revamping the City's Violence Prevention Policy to include additional language on domestic violence.

The Family Violence Council, which is staffed by the Department, continues to meet and address domestic violence, elder abuse, and child abuse. It celebrated its 5 year anniversary on November 20, 2013. A subcommittee of the Council is addressing the remaining recommendations to be implemented as outlined by the Justice & Courage Oversight Panel, which sunset in June 2014.



For the first time ever, San Francisco City Hall was lit up purple to recognize October as Domestic Violence Awareness Month.



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SAN FRANCISCO DEPARTMENT ON THE STATUS OF WOMEN

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**From:** Board of Supervisors (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: BART Closure & Bus Bridge between Fruitvale & Coliseum Stations some weekends in April to August  
**Attachments:** Bus Bridge Fruitvale and Coliseum.pdf

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

From: Molly M Burke [<mailto:MBurke@bart.gov>]  
Sent: Wednesday, March 18, 2015 12:54 PM  
To: Molly M Burke  
Subject: BART Closure & Bus Bridge between Fruitvale & Coliseum Stations some weekends in April to August

Dear Elected Officials and Community Leaders:

Vital repairs are needed to the equipment and tracks between Fruitvale and Coliseum stations. The work requires that the entire track be shut down and that no trains operate between these stations while it is being performed.

To cause the least amount of inconvenience, we are scheduling this work mostly on Saturday nights and all day Sunday on some weekends. Please see the attached passenger bulletin for full details.

Bus Bridge between Fruitvale and Coliseum To accommodate your travel while the work is being done, we will have a "bus bridge" providing lifeline service for customers who don't have other options. The buses will carry customers between the two closed stations. There will be no additional charge for the bus. The bus bridge will cause 30-60 minute delays for some customers.

We recommend that you avoid travel between Fruitvale and Coliseum on the designated weekends if possible. If you are driving, we recommend that you park at the station (Fruitvale, Coliseum or Bay Fair) that will allow you to avoid the bus bridge.

Revised Service in Effect During Track Work:

- We plan to run trains at 20 minute intervals during this modified service, but there may be unavoidable delays.
- Service will not keep to the published schedules, timed meets, etc.
- Listen carefully to Train Operator and in-station announcements.
- Digital platform signs may not give the correct information.
- Staff will be available to assist you in the station

Service to Oakland International Airport (OAK) The BART to OAK Airport service will be operating to and from Coliseum Station. If you are going to the airport you may go into the station as usual and take the shuttle train. Enter the station through the fare gates and go through the station, up to Platform 3 to catch the shuttle train. From the Airport, you will take the airport shuttle train to Coliseum Station and go through the fare gates and down to street level to access the bus bridge.

Before traveling, we advise you check our website [www.bart.gov](http://www.bart.gov) and look for updated bulletins in the station for new or updated information.

We apologize for the inconvenience this critical repair work will cause you.



(See attached file: Bus Bridge Fruitvale and Coliseum.pdf) Molly M. Burke BART Government & Community Relations  
(510) 464-6172

Sign up for BART Email/Text Alerts at: [www.bart.gov/alerts](http://www.bart.gov/alerts)

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Edwin M. Lee, Mayor  
Philip A. Ginsburg, General Manager

March 17, 2015

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

Re: Report to Board of Supervisors on the San Francisco Botanical Garden

Dear Madam Clerk:

Per Park Code Section 12.46 (d) please find a report from the Recreation and Park Department detailing admissions, revenue and expense for the San Francisco Botanical Garden for fiscal year '13 - '14.

If you have any questions regarding this information, please contact Katie Petrucione, the department's Director of Administration and Finance, at 415.831.2703.

Sincerely,

Philip Ginsburg  
General Manager

cc: Supervisor Mark Farrell  
Supervisor Katy Tang  
Supervisor Eric Mar  
Supervisor Norman Yee  
Supervisor Scott Weiner  
Linda Wong, Clerk of the Budget and Finance Committee

14



Edwin M. Lee, Mayor  
Philip A. Ginsburg, General Manager

- Attendance Figures for San Francisco Residents, Non-San Francisco Residents, Holiday/Free Days & Early Hours, SFBGS Members, and Total Visitation - please see tables on page 3 of this report
- Department Capital Improvements and Operating Costs of the Botanical Garden

*RPD Capital*

		Project Description
FY 13-14	\$0	No capital projects completed in FY 13-14.

*RPD Operating Costs*

	FY 13-14
Salaries	\$884,587
Fringe Benefits	\$424,602
Overhead	\$439,289
Materials and Supplies	\$12,290
Facility Maintenance	141,250
<b>Total Budget</b>	<b>\$1,902,018</b>

- Capital Improvements and Operating Costs Incurred by the Department and S.F. Botanical Garden Society Associated with the Collection of All Fees

*RPD Capital*

		Project Description
FY 13-14	\$0	No capital projects completed in FY 13-14.

*RPD Operating Costs*

	FY 13-14
Reimbursement of SFBGS Fee Collection Expenses	\$213,879*

\* Does not include \$12,820 in reimbursed expenses related to the first year of the admissions program.

- Revenue from Non-Resident Fee by a.) Point of Sale Gate Tickets and b.) Actual Attendance from Packaged Sales with other Park Sites and Revenue from All Other Fees

	FY 13-14
<b>Total Revenue Collected</b>	<b>\$758,295</b>

Point of sale gate tickets are the only source of revenue at the Botanical Garden.

5. Number of Botanical Garden Society Members

	FY 13-14
SFBGS Members (Households)	2,183*

\* Methodology for calculating total membership adjusted in FY 13-14.

6. Gifts, Donations and Services In-Kind Received by the Department and the Botanical Garden Society for the Botanical Garden

*Gifts and Donations to the Recreation and Park Department from SF Botanical Garden Society*

	FY 13-14
Funding for 11th Botanical Garden Gardener	\$61,230
In-Kind Support: Curatorial, Nursery and Plant Collection Management	\$502,470
In-Kind Support: Garden Improvements	\$130,960
Nursery - Center for Sustainable Gardening Capital Campaign	\$295,796
In-Kind Support: Youth Education	\$262,312
In-Kind Support: Volunteer Management, Docent Program, Classes and Public Programs	\$163,595
In-Kind Support: Helen Crocker Russell Library of Horticulture	\$232,687
In Kind Support: Bookstore	\$179,518
In Kind Support: Outreach and Communications	\$264,196
<b>Total</b>	<b>\$2,092,765</b>

	FY 13-14
SFBGS Volunteer Hours	40,100

*Gifts and Donations to SF Botanical Garden Society*

	FY 13-14
Cash	\$1,495,902
In-Kind	\$46,528
<b>Total</b>	<b>\$1,539,013</b>

SF Resident Visitation				
	FY 11	FY 12	FY 13	FY 14
July		12,631	13,210	12,854
Aug	11,735	10,645	10,697	13,571
Sept	15,477	11,979	12,106	12,707
Oct	11,902	12,658	10,221	12,365
Nov	11,307	9,179	8,643	10,531
Dec	7,298	9,432	6,238	8,873
Jan	11,215	10,478	8,725	13,228
Feb	10,889	12,127	11,980	11,723
Mar	5,796	11,040	12,981	16,530
April	14,376	16,962	13,182	15,291
May	12,486	12,968	12,496	16,373
June	12,485	14,659	12,699	16,293
Y. Ed	9,721	10,464	9,950	10,460
Subtotal	134,687	155,222	143,128	170,799

Non-Resident Visitation				
	FY 11	FY 12	FY 13	FY 14
July		8,955	13,441	13,798
Aug	6,448	8,239	10,079	12,975
Sept	6,608	7,548	9,045	11,490
Oct	4,569	6,538	7,044	9,869
Nov	3,852	4,112	5,467	7,593
Dec	3,356	4,050	4,505	6,458
Jan	4,244	3,729	4,742	7,080
Feb	4,809	5,368	7,386	7,197
Mar	5,057	5,636	10,145	11,059
April	8,781	9,973	10,676	12,231
May	9,454	10,893	12,737	13,570
June	8,096	10,712	12,655	12,806
Y. Ed	269	383	387	549
Subtotal	65,543	86,136	108,309	126,675

Holiday/Monthly Free Days & Early Hours				
	FY 11	FY 12	FY 13	FY 14
July				
Aug				
Sept				1,533
Oct				1,655
Nov				1,143
Dec				852
Jan				1,382
Feb				1,470
Mar				1,552
April				1,963
May				1,829
June				2,085
Subtotal				15,464

Total Visitation				
	FY 11	FY 12	FY 13	FY 14
July		21,586	26,651	26,652
Aug	18,183	18,884	20,776	26,546
Sept	22,085	19,527	21,151	25,730
Oct	16,471	19,196	17,265	23,889
Nov	15,159	13,291	14,110	19,267
Dec	10,654	13,482	10,743	16,183
Jan	15,459	14,207	13,467	21,690
Feb	15,698	17,495	19,366	20,390
Mar	10,853	16,676	23,126	29,141
April	23,157	26,935	23,858	29,485
May	21,940	23,861	25,233	31,772
June	20,581	25,371	25,354	31,184
Y. Ed	9,990	10,847	10,337	11,009
Subtotal	200,230	241,358	251,437	312,938

SFBGS Member Visitation				
	FY 11	FY 12	FY 13	FY 14
July		446	528	396
Aug	240	390	408	416
Sept	383	479	491	536
Oct	303	402	408	421
Nov	335	341	327	374
Dec	300	357	336	439
Jan	356	371	376	525
Feb	386	505	380	512
Mar	206	478	466	694
April	414	555	370	580
May	417	521	391	706
June	405	564	586	590
Subtotal	3,745	5,409	5,067	6,189

**Notes:**

1. Visitation tracked from start of non-resident admission fee program: August 7, 2010.
2. Member visitation included in Resident and Non-Resident figures.
3. Participation in SFBGS-sponsored family programs is captured in general visitation figures.
4. Monthly Free Day and Early Hour visitation began to be systematically tracked in September 2013. Holiday Free Day visitation began to be tracked in November 2014. Both are included in total visitation.

---

**From:** Board of Supervisors (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: Fast track our rebuild! club courtesy, front of the line, inspect us, permit us.

---

**From:** Jason [<mailto:sanfranj2005@yahoo.com>]  
**Sent:** Wednesday, March 18, 2015 9:11 PM  
**To:** Board of Supervisors (BOS)  
**Subject:** Fast track our rebuild! club courtesy, front of the line, inspect us, permit us.

Jason West  
87 Dolores Street #301  
SF CA 94103

Temporary address due to Fire;  
Jason West  
680 Mission Street #11R  
SF CA 94105

It's been one year from our fire April 15, 2014 at 87 Dolores.

A big fire on Mission Street in February 2015.

Another Fire in the Castro District - San Francisco - Church & 15th February 2015.

And many more in the City in the last year.

There needs to be a city liaison to help tenants, owners from burned units "Fast-tracked" for permit and construction approval. With the unprecedented amount of fires and damaged units in the last year alone, there has to be a conflict in all the fire rebuilding jobs vs new construction jobs thought out the City. What are the district supervisors doing on their districts' fires? And it seems the new building construction is being authorized, inspected and permitted at a faster pace and utilizing all the inspectors and City Planning Department so owners can't rebuild without tedious bureaucracy ( the building attorneys have stated frustration to tenants in communication). It's a win-win for our politicians to address this situation, as it's the talk of the town and everyone is aware of the fires, they are aware of someone affected, lives near a fire locale, or they witness the burnt shells sitting dormant their neighborhood. 87 Dolores is a reflection of the Scott Wiener's poor ability help landlords to rise above and rebuild out of these recent many fires ( and I'm a tenant who needs to pay that landlord). We need to be FAST TRACKED. This is a tenant and landlord bipartisan issue. Fix our apartments! Someone needs to find out why 87 Dolores has no permitting, and was pushed aside for unrelated City sewer work and given a halt on January 5 2015 to make way for 4 months of sewer work permitted the exact same day fire units construction permits were allowed and eventually halted.

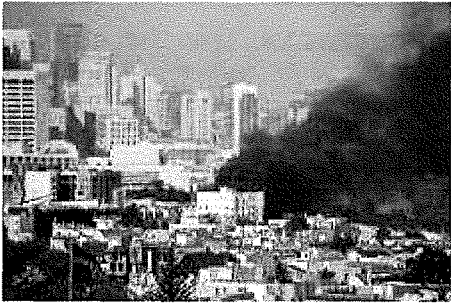
This message is going to Mr Campos to so he doesn't do what Scott Wiener's is doing - nothing? Perhaps the City needs to share that same liaison?

Our apartment on Dolores can't be permitted, as they chose to honor previously made sewer and street work in the neighbor hood first - that should have been pushed back to allow permitting and priority to burned buildings in supervisors districts. What are you doing?

After any disaster or event that changes or affects District Supervisors' constituents, owners and tenants need to see productivity and the rise back of normalcy. The respective supervisors neighborhoods' look burnt and defeated.

Best, Jason West





BOS-11  
Cpage

Sonke Mastrup, Executive Director  
1416 Ninth Street, Room 1320  
Sacramento, CA 95814  
(916) 653-4899  
(916) 653-5040 Fax  
www.fgc.ca.gov

STATE OF CALIFORNIA  
Edmund G. Brown Jr., Governor

### Fish and Game Commission



Wildlife Heritage and Conservation  
Since 1870

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Discovery Bay
  - Richard Rogers**, Member  
Santa Barbara
  - Michael Sutton**, Member  
Monterey
  - Jacque Hostler-Carmesin**, Member  
McKinleyville

March 13, 2015

#### TO ALL INTERESTED AND AFFECTED PARTIES


**Re: Central Valley Salmon, subsections 7.50(b)(5), (68) and (156.5), Title 14, California Code of Regulations, California Regulatory Notice Register, January 2, 2015, Notice File No. Z2014-1223-02, Register 2015, No. 1-Z.**

Notice was given that any person interested may present statements, orally or in writing, relevant to this rulemaking at a discussion and adoption hearing to be held at the Flamingo Conference Resort & Spa, 2777 Fourth Street, Santa Rosa, California, on Wednesday, April 8, 2015, at 8:00 a.m., or as soon thereafter as the matter may be heard. The noticed date and location is unchanged for receipt of oral and written comments; however the adoption hearing is now scheduled for the Commission's teleconference meeting to be held on April 17, 2015. Moving the adoption date to the April 17, 2015 teleconference meeting will provide the time needed for final Pacific Fishery Management Council (PFMC) regulatory recommendations to the National Marine Fisheries Service, which will not be available until April 16, 2015.

Notice is now given that any person interested may participate in the adoption hearing teleconference April 17, 2015, at 10:00 a.m., or as soon thereafter as the matter may be heard, at any of the following locations:

- Resources Building – Room 1320, Fish and Game Commission Conference Room, 1416 Ninth Street, Sacramento, CA 95814
- California Department of Fish and Wildlife, 50 Ericson Court, Arcata, CA 95521
- California Department of Fish and Wildlife, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940
- California Department of Fish and Wildlife, 1933 Cliff Drive, Suite 9, Santa Barbara, CA 93109
- California Department of Fish and Wildlife, 4665 Lampson Avenue, Los Alamitos, CA 90720

Sincerely,

  
Jon D. Snellstrom  
Associate Government Program Analyst

16

# SafetyBeltSafe U.S.A.

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Project Coordinator

John Stubbs, CPSTI

Program Consultant

1124 West Carson Street, LA BioMed, Building B-1 West, Torrance, CA 90502

Mailing address: P. O. Box 553, Altadena, CA 91003 www.carseat.org

(310) 222-6860 (800) 745-SAFE Spanish: (800) 747-SANO FAX (310) 222-6862

February 12, 2015

To: Board of Supervisors

From: Stephanie M. Tombrello, LCSW, CPSTI  
 Executive Director, SafetyBeltSafe U.S.A.

Re: Safety Seat Checkup Week, April 5 – 11, 2015

Motor vehicle crashes remain the number 1 cause of death and permanent injury to children in California. You can help save children from suffering preventable injuries by helping to make Safety Seat Checkup Week, April 5 – 11, a special event in your county.

SafetyBeltSafe U.S.A. is available to you as a resource for posters, pamphlets, speakers, program ideas, and information about California buckle-up laws. We would appreciate it if the Board of Supervisors would:

- Issue a proclamation in recognition of Safety Seat Checkup Week (sample enclosed). Your support for this effort, shared with in your county media, may encourage them to publicize this subject more widely. Send your proclamation to us in advance for display at Safety Seat Checkup Day on April 11.
- Encourage law enforcement agencies to increase the focus on violations of child safety seat and safety belt laws during Special Enforcement Week, March 29 – April 4, sponsored by the Peace Officers Association of Los Angeles County, to protect children's welfare.
- Distribute posters and pamphlets, available from SafetyBeltSafe U.S.A., through county agencies and employees. Put up our permanent "Buckle-Up" parking lot signs.

In Los Angeles County, for example, SafetyBeltSafe U.S.A. is holding a major event as the culmination of the Week:

**Safety Seat Checkup Day on Saturday, April 11, from 10:00 a.m. to 2:00 p.m. at the Petersen Automotive Museum parking lot in Los Angeles**

On April 11, families will receive a detailed inspection of the installation and use of their safety seats by trained volunteers. Parents will be told if the safety seats have been recalled or need replacement parts and shown how to use them correctly. Error rates at previous events have been found to be more than 90%.

Your support for this effort, reported to newspapers in your county, may encourage them to publicize this subject more widely. Please share your ideas for Safety Seat Checkup Week with us.

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**BOARD OF DIRECTORS**

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John Stubbs, CPSTI  
Program Consultant

# SafetyBeltSafe U.S.A.

1124 West Carson Street, LA BioMed, Building B-1 West, Torrance, CA 90502  
Mailing address: P. O. Box 553, Altadena, CA 91003 www.carseat.org  
(310) 222-6860 (800) 745-SAFE Spanish: (800) 747-SANO FAX (310) 222-6862

## PROCLAMATION

WHEREAS, the number one preventable cause of death and injury of children and young adults is the automobile collision; and

WHEREAS, more than 90 child passengers under fifteen are killed and more than 10,000 injured in automobile collisions in California in each year; and

WHEREAS, 71% of small children killed in crashes would be alive today if they had been properly restrained in child safety seats; and

WHEREAS, 45% of injuries to child occupants ages four to eight could be prevented with the use of booster seats; and

WHEREAS, more than 90% of child safety seats are used incorrectly; and

WHEREAS, 88.5% of California's children aged 0 – 8 were correctly restrained in 2013, significantly below the adult figure of 97%; and

WHEREAS, the State of California requires that all occupants be properly restrained in safety seats or safety belts with children in the back seat until at least age eight; and

WHEREAS, the State of California requires all occupants of motor vehicles to be buckled up correctly on every ride;

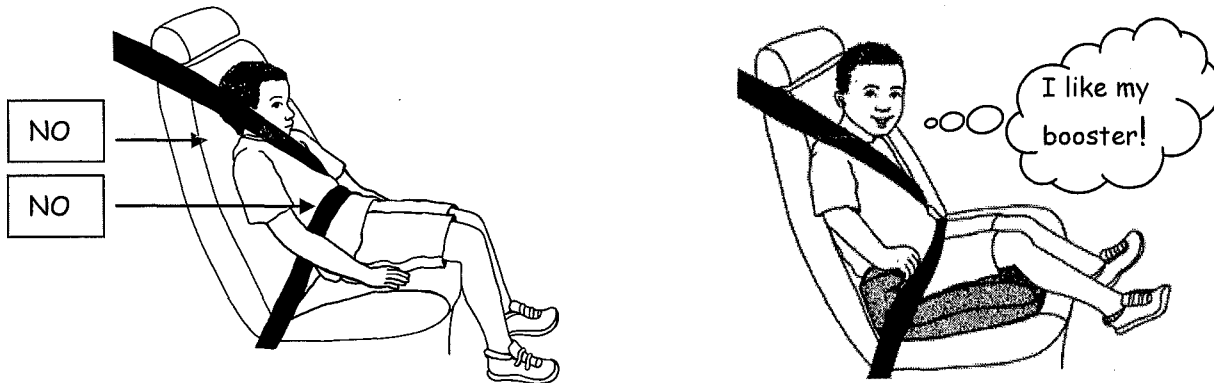
WHEREAS, crash-tested safety seats are moderately priced and widely available for purchase at retail stores and at low cost from safety seat distribution programs throughout California; and

WHEREAS, SafetyBeltSafe U.S.A. has been dedicated for more than 35 years to protecting children from injury or death while being transported in a motor vehicle:

NOW BE IT PROCLAIMED BY THE COUNTY OF \_\_\_\_\_  
THAT APRIL 5 – 11, 2015, BE DECLARED SAFETY SEAT  
CHECKUP WEEK.

# CALIFORNIA CHILD PASSENGER SAFETY LAW

- Children under age 8 must be properly buckled into a car seat or booster in the back seat.
- Children age 8 or older may use the vehicle safety belt if it fits properly with the lap belt low on the hips, touching the upper thighs, and the shoulder belt crossing the center of the chest. If children are not tall enough for proper belt fit, they must ride in a booster or child safety seat.
- Everyone in the car must be properly buckled up. For each child under 16 who is not properly secured, parents (if in the car) or drivers can be fined more than \$500 and get a point on their driving records.



Most kids need to ride in a booster seat until age 10 to 12. Using a booster instead of just a belt prevents 45% of crash injuries.

If your child isn't using a booster, try the simple test below the next time you ride together in the car. You may find that your child is not yet ready to use a safety belt without a booster.

## The 5-Step Test

1. Does the child sit all the way back against the auto seat?
2. Do the child's knees bend comfortably at the edge of the auto seat?
3. Does the belt cross the shoulder between the neck and arm?
4. Is the lap belt as low as possible, touching the thighs?
5. Can the child stay seated like this for the whole trip?

If you answered "no" to any of these questions, your child needs a booster seat to make both the shoulder belt and the lap belt fit right for the best crash protection. Your child will be more comfortable, too.

For best protection, all children should ride in the back seat. It's twice as safe as the front!

For a list of programs with low-cost safety seats, call your local health department at \_\_\_\_\_

For assistance with inspecting or installing a safety seat, visit [www.seatcheck.org](http://www.seatcheck.org) or [www.nhtsa.gov/cps/cpsfitting](http://www.nhtsa.gov/cps/cpsfitting) or call 866-SEAT-CHECK or your local CHP office.

For assistance with inspecting or installing a safety seat, visit [www.seatcheck.org](http://www.seatcheck.org) or [www.nhtsa.gov/cps/cpsfitting](http://www.nhtsa.gov/cps/cpsfitting) or call 866-SEAT-CHECK or your local CHP office.

For more information: SafetyBeltSafe U.S.A. [www.carseat.org](http://www.carseat.org) 800-745-SAFE (English) 800-747-SANO (Spanish)

Funding for this program was provided by a grant from the California Office of Traffic Safety through the National Highway Traffic Safety Administration.

# California Buckle-Up Laws for Parents

Car crashes are the #1 preventable cause of death of children and young adults, as well as a major cause of permanent brain damage, epilepsy, and spinal cord injuries. A sudden stop at 30 miles per hour could cause the same crushing force on your child's brain and body as a fall from a three-story building. Fortunately, by buckling up children, we can prevent most of these deaths and serious injuries.

**(V.C. 27360)** All children under age 8 must be properly buckled into a safety seat or booster in the back seat.

Exceptions: A child who weighs more than 40 pounds and is riding in a car without lap and shoulder belts in the back seat may wear just a lap belt. A child under age 8 who is at least 4'9" may wear a safety belt if it fits properly. Children under age 8 may ride in the front if there is no forward-facing rear seat in the vehicle, the child restraint cannot be properly installed in rear seat, all rear seats are occupied by other children age 7 or under, or for medical reasons. A child in a rear-facing safety seat may not ride in front if there is an active passenger air bag.

**(V.C. 27360.5)** Children age 8 or more may use the vehicle safety belt if it fits properly with the lap belt low on the hips, touching the upper thighs, and the shoulder belt crossing the center of the chest. If children are not tall enough for proper belt fit, they must ride in a booster or safety seat.

## Consequences for failing to properly buckle up any child under 16

- **The parent** gets the ticket if a child under 16 is not properly buckled up.
- **The driver** gets the ticket if the parent is not in the car.
- The cost of a ticket could be more than \$500\* per child; the fine for a second offense could be more than \$1000\* per child. One point is added to the driving record, which could raise insurance rates. Part of the fine money goes to a special fund to help pay for local safety seat education and distribution programs.

## Related Information

- Older babies and toddlers should ride in a rear-facing convertible seat until they are at least two years old. Check manufacturer's instructions for the maximum weight (30-45 lbs.).
- Children should ride in a safety seat with a harness as long as possible (40-90 lbs., depending on the model).
- Children who have outgrown their safety seats need a booster for proper belt fit (usually until age 10-12). To find out if a child is tall enough to wear just a safety belt, try the 5-Step Test (see other side).
- Auto insurers are required to replace safety seats that were in use or damaged during a crash.

**(V.C. 27315)** Drivers and passengers 16 or older must be **properly buckled up** in vehicle safety belts.

**The driver** may be ticketed for not wearing a belt and for each unbuckled passenger. Fine is more than \$100\* per person. **Passengers** also may be ticketed for not being properly buckled up.

**(V.C. 23116)** Pickup truck passengers also must be **properly buckled up**.

**The driver** may be ticketed for letting passengers ride in the back of a pickup truck.

**Passengers** also may be ticketed for not being properly buckled up.

The cost of a ticket could be more than \$250\* for each unbuckled adult. No exemption for camper shells.

## Other Laws to Protect Children

- **Children left in vehicle (V.C. 15620):** A child 6 years old or less may not be left alone in a vehicle if the health or safety of the child is at risk, the engine is running, or the keys are in the ignition. The child must be supervised by someone at least age 12. The cost of a ticket could be more than \$500.\*
- **Smoking in a vehicle [Health and Safety Code 118948(a)]** is prohibited if a child under 18 is present. The cost of a ticket could be more than \$500.\*
- **Helmets (V.C. 21212, 21204, 27803):** Children under age 18 who are skating or riding on a bicycle, scooter, or skateboard must wear a properly fitted and fastened helmet. All drivers and passengers on a motorcycle must wear a helmet that meets federal standards, fits correctly, and has the proper label.

\*Fine amounts shown include penalty assessments

**SafetyBeltSafe U.S.A.** P.O. Box 553, Altadena, CA 91003 [www.carseat.org](http://www.carseat.org) (800) 745-SAFE

This document was developed by SafetyBeltSafe U.S.A. and may be reproduced in its entirety.

Important: Call to check if there is a more recent version before reproducing this document.

*SafetyBeltSafe* U.S.A.

# Safety Seat Checkup Day

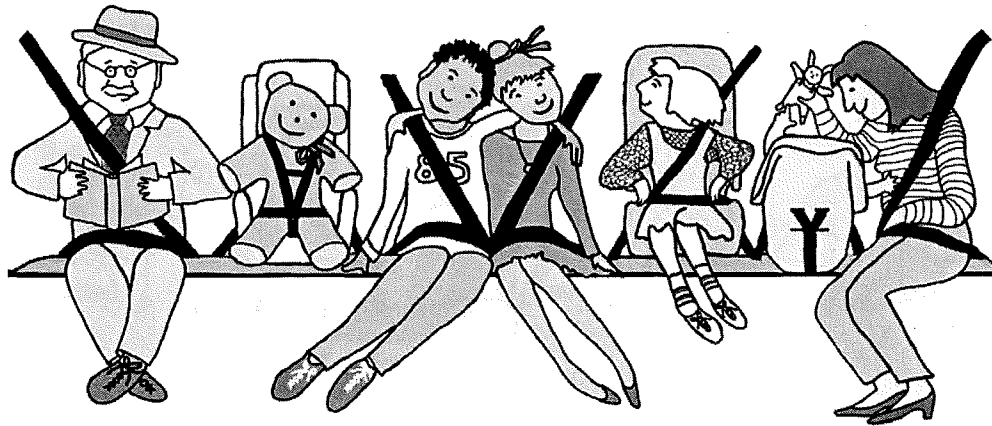
**Saturday, April 11 • 10:00 a.m. to 2:00 p.m.\***

\*For a checkup appointment, call 310/222-6860. If you do not have an appointment, there may be a wait of more than one hour or you may be turned away.

11:30 a.m. Welcome Ceremony and Recognition of Notable Guests

## Petersen Automotive Museum

6060 Wilshire Blvd., Los Angeles 90036 (Wilshire at Fairfax parking lot)



Buckling up is a family affair.

**Safety Seat Checkup Week April 5 – 11, 2015**

***Sponsors: California Office of Traffic Safety, Pomona Police Dept.***

***Major Supporter: Peace Officers Association of Los Angeles County***

### **FREE SAFETY SEAT CHECKUP**

More than 90% of the car seats we check have one or more errors.

Meet Bucklebear and his friends.

**Help save children's lives with your tax-deductible support.**

***SafetyBeltSafe* U.S.A.** Box 553 Altadena, CA 91003 310/222-6860 [www.carseat.org](http://www.carseat.org)

*SafetyBeltSafe* U.S.A. is the national, non-profit, member-supported organization for child passenger safety.

Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration

***SafetyBeltSafe U.S.A.***

## **Día de Inspección de Sillas de Seguridad**

**Sábado, 11 de Abril • 10:00 a.m. a 2:00 p.m.\***

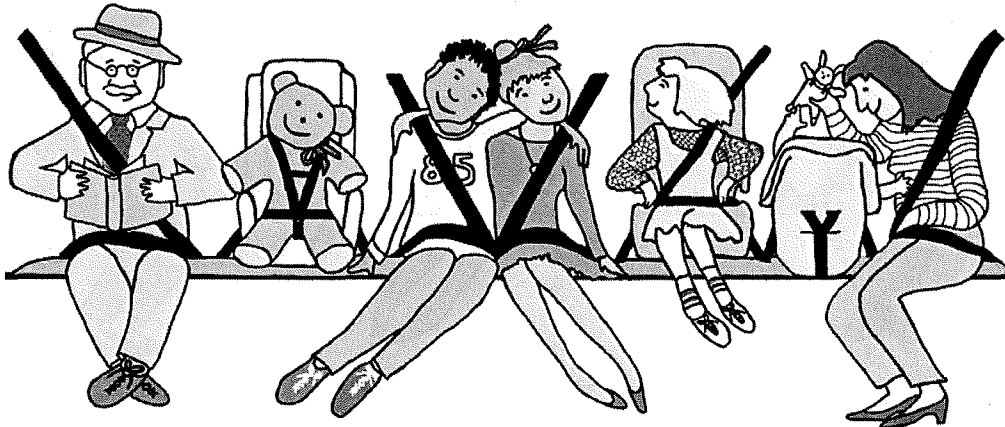
\*Llame a 310/222-6862 un día anterior para una cita para la inspección. Si usted no tiene cita, el tiempo de espera puede ser más de una hora o puede que se le niegue este servicio.

11:30 a.m. Ceremonia de Bienvenida y Reconocimiento de Invitados de Honor

### **Petersen Automotive Museum**

6060 Wilshire Blvd., Los Angeles 90036

(Estacionamiento en la esquina de Wilshire y Fairfax)



El abrocharse el cinturón es algo que concierne a toda la familia.

**Semana de Inspección de Sillas de Seguridad**

**Del 5 – 11 de Abril, 2015**

***Patrocinadores: California Office of Traffic Safety, Pomona Police Department***

***Partidario Principal: Peace Officers Association of Los Angeles County***

#### **INSPECCIÓN GRATIS DE SILLAS DE SEGURIDAD**

Más del 90% de las sillas de seguridad que inspeccionamos tienen uno o más errores.

Conozca al oso "Bucklebear" y a sus amiguitos.

**Ayude a salvar la vida de niños por medio de su donación, la cual puede ser deducible de sus impuestos.**

***SafetyBeltSafe U.S.A.*** Box 553 Altadena, CA 91003 310/222-6862 [www.carseat.org](http://www.carseat.org)

SafetyBeltSafe U.S.A. es una organización nacional, no lucrativa, dedicada a la seguridad de los pasajeros menores, sostenida por sus miembros.

Los fondos para éste programa fueron proveídos por un donativo de California Office of Traffic Safety y National Highway Traffic Safety Administration.



March 16, 2015

TO: STATE, CITY AND LOCAL OFFICIALS

**NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST TO INCREASE YOUR RATES FOR COSTS RELATING TO DIABLO CANYON SEISMIC STUDIES AND RENEWABLES PORTFOLIO STANDARD (A.15-02-023)**

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**Summary**

On February 27, 2015, Pacific Gas and Electric Company (PG&E) submitted an application to the California Public Utilities Commission (CPUC) requesting to increase its electric rates effective January 1, 2016. This application requests approval to recover costs associated with two separate issues.

1. Seismic studies performed at Diablo Canyon Power Plant
2. Consultant fees incurred by the CPUC (as directed in the CPUC's Renewables Portfolio Standard)

PG&E was directed by the CPUC to include the review, and recovery, of these costs in PG&E's annual Energy Resource Recovery Account (ERRA) compliance proceeding.

**Background**

The Diablo Canyon Power Plant (DCPP) seismic studies were conducted in response to both the California Energy Commission's recommendations and Nuclear Regulatory Commission licensing requirements. In Decisions 10-08-003 and 12-09-008, the CPUC approved PG&E's proposal for enhanced seismic studies to assess the potential vulnerabilities at DCPP due to a major seismic event. These Decisions also directed PG&E to submit the costs for review of the studies in the ERRA Compliance Review proceeding. The costs requested in this application represent seismic study costs that were incurred by PG&E in 2014.

The CPUC reviews and approves invoices it receives from independent consultants it has hired to support the CPUC's implementation and administration of the Renewables Portfolio Standard. The Renewables Portfolio Standard is a state mandate that requires utilities to provide a minimum percentage of their power from renewable energy resources by a certain date. PG&E pays its portion of the costs from independent consultants once the invoices are reviewed and approved by the CPUC. These costs are included for review in this application, as authorized in Decision 06-10-050.

PG&E requests to collect \$8.974 million in rates from customers who receive electric generation as well as transmission and distribution service from PG&E, known as bundled service customers. Rates for customers who purchase electricity from other suppliers (such as direct access and community choice aggregation) and rates for departing load customers will not be affected by these specific costs.

**How will PG&E's application affect me?**

If this application is approved, electric rates will increase by less than one percent for bundled-service customers effective January 1, 2016. Based on the rates in effect on January 1, 2015, a typical bundled-service customer using 500 kWh per month would see an average bill increase of \$0.06 (or 0.07 percent), from \$88.39 to \$88.45. Actual bill impacts will vary depending on your electricity usage. A table presenting more illustrative descriptions of the impact of this application was included in a bill insert announcing this filing that was sent directly to customers in March and April.

**How do I find out more about PG&E's proposals?**

If you have questions about PG&E's filings, please contact PG&E at **1-800-743-5000**. For TDD/TTY (speech-hearing impaired), call **1-800-652-4712**. Para más detalles llame al **1-800-660-6789** • (詳情請致電) **1-800-893-9555**

If you would like a copy of PG&E's application and exhibits, please write to PG&E at the address below.

Pacific Gas and Electric Company  
2014 ERRA Compliance Review Application  
P.O. Box 7442  
San Francisco, CA 94120

A copy of PG&E's filings and exhibits are also available for review at the CPUC, 505 Van Ness Avenue, San Francisco, CA 94102, Monday-Friday, 8 a.m.-noon. PG&E's application (without exhibits) is available on the CPUC's website at [www.cpuc.ca.gov/puc](http://www.cpuc.ca.gov/puc).

**How does the CPUC's decision-making process work?**

This Application will be assigned to an Administrative Law Judge (Judge) who will determine how to receive evidence and other related documents, necessary for the CPUC to establish a record upon which to base its decision. Evidentiary hearings may be held where parties of record will present their testimony and may be subject to cross-examination by other parties. These evidentiary hearings are open to the public, but only those who are parties of record can participate.

After considering all proposals and evidence presented during the formal hearing process, the assigned Judge will issue a proposed decision which may adopt PG&E's proposal, modify it or deny it. Any CPUC Commissioner may sponsor an alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted upon at a scheduled CPUC Voting Meeting.

As a party of record, the Office of Ratepayer Advocates (ORA) will review this application. ORA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. ORA has a multi-disciplinary staff with expertise in economics, finance, accounting and engineering. Other parties of record will also participate in the CPUC's proceeding to consider this application. For more information about ORA, please call **(415) 703-1584**, e-mail **ora@cpuc.ca.gov** or visit ORA's website at **<http://ora.ca.gov/default.aspx>**.

**Stay informed**

If you would like to follow this proceeding, or any other issue before the CPUC, you may use the CPUC's free subscription service. Sign up at: **<http://subscribecpuc.cpuc.ca.gov/>**.

If you would like to learn how you can participate in the proceeding, or if you have informal comments or questions about the CPUC processes, you may access the CPUC's Public Advisor's Office (PAO) webpage at **[www.cpuc.ca.gov/puc](http://www.cpuc.ca.gov/puc)** and click on "Public Advisor" from the CPUC Information Menu. You may also contact the PAO as follows.

**Email: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)**

**Mail: Public Advisor's Office**

505 Van Ness Avenue, Room 2103

San Francisco, CA 94102

**Call: 1-866-849-8390** (toll-free) or **1-415-703-2074**

**TTY 1-866-836-7825** (toll-free) or **1-415-703-5282**



# Transgender Law Center

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2015 MAR 20 PM 2:36

BJ

BOS 11 - 2-Pages

**National Headquarters**  
1629 Telegraph Ave., Suite 400  
Oakland, CA 94612  
415.865.0176  
www.transgenderlawcenter.org

March 18, 2015

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

Re: LGBT Long-term Care Facility Residents' Bill of Rights

To the members of the San Francisco Board of Supervisors:

Transgender Law Center is pleased to support the proposed ordinance to prohibit discrimination against residents or patients at long-term care facilities in San Francisco on the basis of sexual orientation or gender identity. Transgender Law Center is the largest organization in the United States dedicated to advancing the rights of transgender and gender nonconforming people.

California undeniably provides some of the strongest protections in the nation to lesbian, gay, bisexual, and transgender ("LGBT") people, but there is a serious gap when it comes to long-term care. These facilities need clearer guidance to properly care for their LGBT residents and patients.

The San Francisco LGBT Aging Policy Task Force highlighted this issue in its 2014 report, "Aging at the Golden Gate." In that report, the Task Force found that LGBT seniors are a particularly vulnerable population at greater risk of isolation, homelessness, poverty, and premature institutionalization. In a 2011 survey of LGBT care facility residents, nearly 90% of respondents stated that it would be unsafe to be openly LGBT in a facility. Nearly 50% stated that they or someone they knew had faced discrimination. The study—while national in scope—included specific examples of discrimination in California and San Francisco. This is unacceptable, and we call on the Board of Supervisors to act.

San Francisco has a long history of civil rights leadership on behalf of marginalized communities. Harvey Milk led the fight for a sexual orientation nondiscrimination ordinance in 1978. San Francisco was an early leader in protecting transgender people and people with HIV. Ensuring that LGBT seniors and people with disabilities—transgender people, in particular—can receive care in a fully respectful and dignified manner is the next chapter in this story.

This ordinance, the first in the nation, was proposed by Supervisor Scott Wiener and Supervisor David Campos, and it is an important first step. This ordinance prohibits discrimination in admissions, transfer, eviction, room assignment, and visitation. In particular, it mandates that facility staff respect transgender individuals' gender identity, including providing transgender residents access to facilities that correspond to their gender identity and requiring staff to address residents by the name and pronoun that corresponds to their gender identity. The ordinance also requires facilities to designate a staff member as an LGBT liaison and empowers the San Francisco Human Rights Commission to investigate and mediate complaints.

Transgender Law Center joins Supervisor Wiener in supporting this law. We believe that this ordinance will be effective in continuing to combat discrimination against one of our most vulnerable populations and will ensure that they have the proper tools to advocate for their rights and dignity.

Sincerely,

Iona M. Turner  
Legal Director

19

OFFICE OF THE MAYOR  
SAN FRANCISCO



RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2015 MAR 20 PM 3:14

*AJ*

Leg Clerk, COB, Leg Dep  
Dm,  
City atty, Rules Clerk,  
EDWIN M. LEE (page)  
MAYOR acFile

### Notice of Appointment

March 20, 2015

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

Honorable Board of Supervisors:

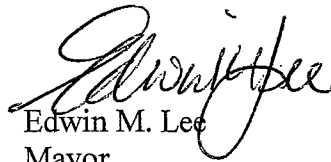
Pursuant to Section 3.100(17) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

Nancy Kirshner-Rodriguez to the Commission on the Status of Women for a four-year term ending January 22, 2019

I am confident that Ms. Rodriguez, an elector of the City and County, will serve our community well. Attached herein for your reference are her qualifications to serve.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

  
Edwin M. Lee  
Mayor

20

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

March 20, 2015

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

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Sincerely,

A handwritten signature in cursive script that reads "Edwin M. Lee".

Edwin M. Lee  
Mayor

# NANCY KIRSHNER-RODRIGUEZ

785 D Sanches Street, The Presidio  
San Francisco, CA 94129  
415-525-3776 h 916-715-3037 c  
[Nancykrod@comcast.net](mailto:Nancykrod@comcast.net)

## CAREER SUMMARY

Twenty-five years experience in national, state and local policy development and implementation, including: managing federally funded programs and private contracts, building/directing national and state coalitions, designing effective advocacy and communications strategies, leading implementation teams and serving as chief spokesperson

## PROFESSIONAL EXPERIENCE

### **Director of Government Affairs, January 2008- Present**

#### **Office of Mayor Gavin Newsom, San Francisco CA**

- Manage City's Federal and State Legislative agenda working closely with members of the Obama Administration, Congressional Delegation, State Assembly and State Senate, State government, regional elected officials and city and county of San Francisco officials including members of the Board of Supervisors and Commission members.
- Oversee contract lobbyists in Sacramento and Washington, DC as well as the San Francisco State Legislation Committee.
- Maintain strong working relationships with Department Heads and congressional offices to coordinate contact with the city and communicate city interests on appropriations and policy priorities.
- Oversee development of briefing materials on city accomplishments and priorities for various purposes and coordinate preparation of official responses to proposed legislation.
- Co- Chair San Francisco Collaborative against Human Trafficking

### **Consulting Department Manager, June 2004- December 2007**

#### **ConSol; Stockton, CA**

- Manage 15-member department for nationally recognized energy efficiency consulting firm which specializes in market analysis, energy savings assessments, energy-efficient building design, interpretation of regulations, and training for the utilities and building industries.
- Implementer of several voluntary state programs advocating energy efficiency in the residential new home building industry: Community Energy Efficiency Program (CEEP) and California Green Builder (CGB)
- Coordinate Government Relations strategy
- Oversee the workflow for department long range and strategic planning
- Focus on new business opportunities and potential collaborations

#### Achievements:

- Overseeing department responsible for billing more than \$3 million annually.
- Providing direction and strategic leadership during a period of significant expansion.

### **Director of External Relations, February 2001-May 2004**

#### **Americans for Gun Safety, Sacramento, CA**

- A member of the executive management team responsible for developing a comprehensive campaign plan.
- Managed all efforts related to grass roots advocacy, organizational lobbying and general public information initiatives.
- Campaign manager and spokesperson on state legislative initiatives in the Western Region

#### Achievements:

- Directed a 50 organization coalition, led by more than 300 police chiefs and Mayors, that won passage in 2004 of two major gun safety amendments in the U.S. Senate – the first gun bills to move in the Senate since 1999
- Co-creator of a unique 45 state domestic violence initiative to protect women from abusers who have firearms
- Recruited and managed celebrity AGS spokespeople, including planning and overseeing all media and entertainment industry events.

### **Deputy Assistant Secretary for Intergovernmental Relations November 1999-January 2001**

#### **Director of Intergovernmental Relations, April 1997-October 1999**

#### **U.S. Department of Housing and Urban Development, Washington, DC**

- Served on Principal Staff for Secretary Andrew Cuomo and provided strategic legislative and budgetary counsel on housing policy priorities including issues such as Affordable Housing; Livability and Smart Growth, Healthy Homes, Community and Economic Development, Homelessness, Fair Housing, Welfare Reform and Disaster Response
- Directed Intergovernmental relations department and staff. Liaison to 300 public interest and housing groups
- Developed strategic policy alliances with more than 500 key public and elected officials
- Managed national conferences and led negotiating sessions on regulatory issues

- Coordinated HUD's Participation on White House Interagency Initiatives

Achievements:

- Served as chief architect of HUD's outreach and education program for housing reform and funding leading to largest HUD Budget in history.

**Director of Intergovernmental Affairs, January 1994-April 1997**

**Special Assistant to the Secretary, January-April 1993**

**U.S. Department of Labor, Washington, DC**

- Managed a staff of 15 and a budget of more than \$500,000.
- Served as chief spokesperson to elected official and constituency organizations.
- Managed grant and contract announcements to states, localities and non profits
- Represented Secretary of Labor Robert Reich on White House initiatives

Achievements:

- Designed and implemented comprehensive public outreach and policy education initiatives on a wide range of issues including; employment and training, labor law enforcement, school to work, the wage gap, family-medical leave and working women's issues.

**Executive Director, Women's Council, May 1993-January 1994**

**Democratic Senatorial Campaign Committee, Washington, DC**

- Managed staff, budgets and expenditures
- Organized strategic planning activities in developing mission and goals with U.S. Senators, congressional staff and political consultants
- Developed targeted major donor and corporate giving initiatives
- Built institutional capacity and expanded outreach training programs for women candidates
- Developed fundraising solicitations, and recruitment materials
- Coordinated national policy conference and regular briefing sessions for donors

**Finance Director for Southern California, June 1992- November 1992**

**Barbara Boxer for United States Senate, Los Angeles, California**

- Developed national and regional fundraising plan and raised more than \$10 million, a record for a challenger in an open seat in 1992.
- Supervised staff of 15 and statewide finance committee comprised of 103 members; served on senior staff management and strategy group.
- Implemented extensive candidate solicitation program including management of candidate's schedule and one on one interaction with candidate for 25 hours a week.
- Coordinated surrogate speakers, special events and fundraising briefings in conjunction with Democratic Senatorial Campaign Committee, California Democratic Party, Clinton/Gore Campaign and Democratic National Committee.

**Political Director, Midwest Region**

**Director, Office of the Vice Chair June 1985-June 1992**

**Democratic National Committee, Washington, DC,**

- Served as issues advisor, scheduler, speechwriter and press spokesperson.
- Directed Democratic Party's outreach to state and local elected officials for seven years, including planning of all national conferences, tracking of elections, fundraising and development of campaign skills training workshops.
- Served as liaison to national constituency networks with emphasis on the women's and Jewish communities.
- Coordinated Vice Chair's re-election campaign including strategy, tracking, fundraising, press relations and communications
- Managed Eleanor Roosevelt Fund, the Democratic National Committee's financial and technical support program for women candidates.
- Extensive travel on behalf of the Committee to meet with DNC members and elected officials.

**EDUCATION**

Mount Holyoke College, South Hadley, Massachusetts, Bachelor of Arts in Political Science, 1985

President, Student Government Association and Recipient, MHC Student Leadership Award

**AWARDS**

Mount Holyoke College, Alumnae Medal of Honor, May 2005

National Performance Review, Hammer Award development of the State and Local Gateway June 1997

Women's Information Network, Young Woman of Achievement Award, February 1997

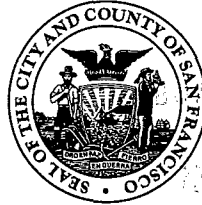
Campaigns and Elections Magazine, One of 74 Women Changing Politics in America, June 1993

## ADDITIONAL EXPERIENCE

Jewish Community Relations Council Board of Directors, San Francisco 2009 - Present  
Association of Bay Area Governments, Executive Board - San Francisco Representative 2008- Present  
Hadassah, Young Women's Organizing Committee 2004 -2007  
CA Democratic Party, Platform Committee Member and Delegate 2007-2008  
Sacramento County Democratic Central Committee 2007-2008  
President, Mount Holyoke College Class of 1985, August 2000-2005  
Honorary Advisory Council, Women's Information Network, 1994 to 2001  
Board of Directors, Mount Holyoke College Alumnae Assoc., 1989 to 1994  
Board of Directors, Washington Area State Regulations Group, 1992  
Steering Committee, American Jewish Committee, Washington Area Young Leadership Forum, 1991 to 1994  
Planning Task Force, Young Black and Jewish Professionals Project, 1991 to 1993  
Board Member, National Jewish Democratic Council, 1992 to 1997  
Delegate, Democratic Women Leaders' Delegation to Taiwan, Republic of China, 1991  
Delegate, American Council of Young Political Leaders, Foreign Policy Conference, 1990  
NGO Delegate, United Nations Decade for Women Conference, Kenya, 1985



OFFICE OF THE MAYOR  
SAN FRANCISCO



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SAN FRANCISCO  
15 MAR 20 PM 3:14

Leg clerk, COB, Leg Dep,  
city atty, Rates clerk  
EDWIN M. LEE  
MAYOR  
Copies  
AC File

BJ

## Notice of Appointment

March 20, 2015

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

Honorable Board of Supervisors:


Pursuant to Section 3.100(17) of the Charter of the City and County of San Francisco, I hereby make the following appointment:

George Yamasaki to the Human Services Commission effective today, March 20, 2015 for a term ending January 15, 2019.

I am confident that Mr. Yamasaki, an elector of the City and County, will serve our community well. Attached herein for your reference are his qualifications to serve.

Should you have any questions related to this appointment, please contact my Director of Appointments, Nicole Wheaton, at (415) 554-7940.

Sincerely,

  
Edwin M. Lee  
Mayor

(2)

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE  
MAYOR

March 20, 2015

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

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Sincerely,

  
Edwin M. Lee  
Mayor

## **GEORGE YAMASAKI, JR.**

Born March 21, 1935, at Honolulu, Hawaii. Married to former Anne Yoko Sakamaki, noted calligrapher. Two children from previous marriage: Emily (46) and Paul (42). Both children born and raised in San Francisco. Two grandsons: Samuel and Justin.

A. B., Economics, 1957, J. D., 1959, Stanford University.

Residence: 3725 Scott Street, San Francisco, California 94123-1113, Telephone: (415) 921-6384.

Office: 1200 Mills Tower, 220 Montgomery Street, San Francisco, California 94104-3549, Telephone: (415) 391-3000, Facsimile: (415) 775-0349.

Private practice of the law since 1960, specializing in matters relating to immigration and nationality. Also Secretary and General Counsel, National-Braemar, Inc., developer of San Francisco's Japan Center, 1969-1973.

Member, Human Services Commission, City and County of San Francisco, since 1975 (President, 1977, 1980, 1985-1987, 1992-1996, 2001-2003, 2004-2007). On occasion of creation of George Yamasaki Scholarship Fund to help foster children attend college, Mayor Gavin Newsom declared November 10, 2005, "George Yamasaki Day."

President, Japanese American Citizens League, San Francisco Chapter, 1971-1972.

National Legal Counsel, Japanese American Citizens League, 1974-1975.

Co-Chairman, Northern California Cherry Blossom Festival, 1974, 1977, 1978.

President, American Cancer Society, San Francisco Unit, 1981-1983.

Life Member, Board of Directors, American Cancer Society California Division, Inc.

Director Emeritus, Japan Society of Northern California.

Director, U. S. District Court for the Northern District of California Historical Society.

Member, State Bar of California, American Immigration Lawyers Association, E Clampus Vitus, J-Town Jazz Ensemble.

Previously Director, California League for the Handicapped; Director, International Institute of San Francisco; Trustee, World Affairs Council; Trustee, Coro Foundation; Director, Japanese Chamber of Commerce of Northern California; Director, San Francisco History Museum; Director, Asian American Bar Association; Advisor, National Japanese American Historical Society; Member, Japantown Planning, Preservation and Development Task Force.



**San Francisco**  
**Water Power Sewer**  
 Services of the San Francisco Public Utilities Commission

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 BOARD OF SUPERVISORS  
 SAN FRANCISCO

2015 MAR 23 AM 11:42

*BJ*

*Leg Clerk, COB, CPUG*

525 Golden Gate Avenue, 13th Floor  
 San Francisco, CA 9410  
 T 415.487.5254  
 F 415.487.5258

*B+F chair,  
 B+F Clerk*

March 17, 2015

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

Subject: SFPUC – Pacific Rod & Gun Club Mitigation Project  
 Release of Reserve - \$5,800,000.

I would like to request your assistance to have calendared the release of reserve \$5,800,000 from the Pacific Rod & Gun Club Remediation Project.

On February 24, 2015, the Board of Supervisors approved a supplemental appropriation request in the amount of \$9,500,000 for the cleanup of contaminated soil at Lake Merced. These funds were put on the Budget and Finance Committee reserve pending the receipt of the bids and the selection of the contractor to complete the work related to the soil cleanup.

The release of the \$5,800,000 from the \$9,500,000 reserved funding is needed to award the contract and start the construction work at the Pacific Rod and Gun Club site at Lake Merced.

Sincerely,

Harlan L. Kelly, Jr.  
 General Manager

- Edwin M. Lee  
Mayor
- Ann Moller Caen  
President
- Francesca Vietor  
Vice President
- Vince Courtney  
Commissioner
- Anson Moran  
Commissioner
- Ike Kwon  
Commissioner
- Harlan L. Kelly, Jr.  
General Manager

22



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**From:** Board of Supervisors (BOS)  
**To:** Christensen, Julie (BOS)  
**Subject:** FW: Please Pass Sensible Home Sharing Legislation - Keep Enforcement Clear + Fair [File Number: 140381]

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

From: Yvonne O'Hare [<mailto:ybisf@sbcglobal.net>]  
Sent: Friday, October 03, 2014 3:05 PM  
To: Calvillo, Angela (BOS); Board of Supervisors (BOS)  
Cc: Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Chiu, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS)  
Subject: Please Pass Sensible Home Sharing Legislation - Keep Enforcement Clear + Fair [File Number: 140381]

Dear Supervisors,

Home sharing helps countless San Franciscans to pay their bills and stay in their homes in the city they love - avoiding foreclosure, spending more time with their families, and pursuing their dreams. And it gives guests the chance to experience the real San Francisco --  
- visiting local small businesses in neighborhoods they normally wouldn't visit.

I support home sharing in San Francisco, and I urge you to pass sensible legislation, without delay, that ensures San Franciscans can continue to share the homes in which they live.

Specifically, we urge you to pass legislation that:

- Keeps enforcement clear and fair. The City can and should enforce its laws before encouraging residents, landlords and tenants to sue each other. Allowing neighbors to harass home sharers with lawsuits disproportionately impacts lower income hosts who can't afford to hire a lawyer while wealthier homeowners are able to defend themselves. Those of us who rely on the income we earn to make ends meet will suffer most from this process.
- Avoids unnecessary limits on shared space rentals. Please enable families to share their homes with guests when they are present with no limits. Many of us rely on this supplemental income to stay in the city and the homes we love.
- Is clear, transparent, and easy to follow. So much time and energy has been poured into this legislation - let's make it something that will work.

We thank you for taking so much time to consider this important issue - and we urge you to get it done right.

Sincerely,

undefined undefined

Pacific Heights



---

**From:** Board of Supervisors (BOS)  
**To:** Christensen, Julie (BOS)  
**Subject:** FW: Please Pass Sensible Home Sharing Legislation - Keep Enforcement Clear + Fair [File Number: 140381]

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

From: Yvonne O'Hare [mailto:ybisf@sbcglobal.net]  
Sent: Friday, October 03, 2014 3:04 PM  
To: Calvillo, Angela (BOS); Board of Supervisors (BOS)  
Cc: Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Chiu, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS)  
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undefined undefined

Pacific Heights

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

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**Sent:** Friday, October 03, 2014 2:52 PM  
**To:** Calvillo, Angela (BOS); Board of Supervisors (BOS)  
**Cc:** Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Chiu, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS)  
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Pacific Heights

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**Subject:** FW: Please Pass Sensible Home Sharing Legislation - Keep Enforcement Clear + Fair [File Number: 140381]

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

From: Yvonne O'Hare [<mailto:ybisf@sbcglobal.net>]  
Sent: Friday, October 03, 2014 2:52 PM  
To: Calvillo, Angela (BOS); Board of Supervisors (BOS)  
Cc: Avalos, John (BOS); Breed, London (BOS); Campos, David (BOS); Chiu, David (BOS); Cohen, Malia (BOS); Farrell, Mark (BOS); Kim, Jane (BOS); Mar, Eric (BOS); Tang, Katy (BOS); Wiener, Scott; Yee, Norman (BOS)  
Subject: Please Pass Sensible Home Sharing Legislation - Keep Enforcement Clear + Fair [File Number: 140381]

Dear Supervisors,

Home sharing helps countless San Franciscans to pay their bills and stay in their homes in the city they love - avoiding foreclosure, spending more time with their families, and pursuing their dreams. And it gives guests the chance to experience the real San Francisco --  
- visiting local small businesses in neighborhoods they normally wouldn't visit.

I support home sharing in San Francisco, and I urge you to pass sensible legislation, without delay, that ensures San Franciscans can continue to share the homes in which they live.

Specifically, we urge you to pass legislation that:

- Keeps enforcement clear and fair. The City can and should enforce its laws before encouraging residents, landlords and tenants to sue each other. Allowing neighbors to harass home sharers with lawsuits disproportionately impacts lower income hosts who can't afford to hire a lawyer while wealthier homeowners are able to defend themselves. Those of us who rely on the income we earn to make ends meet will suffer most from this process.
- Avoids unnecessary limits on shared space rentals. Please enable families to share their homes with guests when they are present with no limits. Many of us rely on this supplemental income to stay in the city and the homes we love.
- Is clear, transparent, and easy to follow. So much time and energy has been poured into this legislation - let's make it something that will work.

We thank you for taking so much time to consider this important issue - and we urge you to get it done right.

Sincerely,

undefined undefined

Pacific Heights



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**From:** Board of Supervisors (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: Resolution 64-15

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**From:** Bob Fustine [<mailto:bfustine@gmail.com>]  
**Sent:** Friday, March 20, 2015 12:42 PM  
**To:** Board of Supervisors (BOS)  
**Subject:** Resolution 64-15

Dear San Francisco Board of Supervisors,

Recently, I heard about Res. 64-15 while listening to Patrick Madrid on Immaculate Heart Radio. That said, you already know that I fully back the Archbishop of San Francisco. I am also a Life Long Catholic and we do follow God and his teachings as we must. I will pray to God that your Board will turn from this view and to take a moment to listen to God. One day God will judge you and I pray you see the truth of his teachings. The Archbishop cannot change what God has in place. It is simply not possible.

I am astounded that city government is involved in such matters of the Catholic Church. There should be more pressing matters to handle besides harassing my religion. By coming out with a resolution such as this, the Board is being intolerant towards Catholics. It is time for us to stand up to bullies such as on your Board. Our society has turned the moral compass almost 180 degrees. Most in our society pretend that what they decide is morally acceptable and no one else should be able to correct their morals. It is truly sad to witness. One thing is certain, the Catholic Church is attacked every time we teach the truth. Amen!

My prayers go out to the Board,  
Robert Fustine.

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**From:** Board of Supervisors (BOS)  
**To:** Christensen, Julie (BOS)  
**Subject:** FW: Text of CSFN Resolution Re 75 Howard & 160 Folsom  
**Attachments:** CSFN Reso Letter 75Howard'160Folsom.pdf

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**From:** Dave Osgood [mailto:osgood@rinconneighbors.com]  
**Sent:** Monday, March 23, 2015 7:56 AM  
**To:** Cindy Wu; Breed, London (BOS)  
**Cc:** Board of Supervisors (BOS); Secretary, Commissions (CPC); Mar, Eric (BOS); Chiu, David (BOS); Avalos, John (BOS); Kim, Jane (BOS); Campos, David (BOS); Breed, London (BOS); London Breed (Business Fax); Farrell, Mark (BOS); Tang, Katy (BOS); Yee, Norman (BOS); Wiener, Scott; Cohen, Malia (BOS); Veneracion, April (BOS); Kathrin Moore; Rich Hillis; Johnson, Christine D.(CPC); Michael Antonini; Rodney Fong; Cindy Wu; Judith Berkowitz  
**Subject:** Text of CSFN Resolution Re 75 Howard & 160 Folsom

COALITION FOR SAN FRANCISCO NEIGHBORHOODS

March 17, 2015

Cindy Wu, President  
Planning Commission

London Breed, President  
Board of Supervisors

Re: Resolution Regarding 75 Howard and 160 Folsom

Dear Presidents Wu and Breed:

On March 17, 2015, at a duly noticed meeting of the Coalition for San Francisco Neighborhoods (CSFN) General Assembly meeting, the following resolution was passed:

WHEREAS, San Francisco's unique and historic waterfront is an immensely valuable part of San Francisco's character, beauty, and economic vitality that also serves as an essential place for recreation and relaxation by the Bay that is free and open to all residents and visitors; and

WHEREAS, for more than 50 years San Francisco residents citywide have repeatedly made clear their overwhelming agreement that reasonable height limits along San Francisco's waterfront should be protected from spot-zoning, most recently when voters in every neighborhood across the city in November 2013 rejected a proposed height limit increase for luxury condo towers at 8 Washington Street and in June 2014 approved the Waterfront Height Limit Right to Vote Act; and

WHEREAS, two large New York Developers are now demanding that the Planning Commission and Board of Supervisors grant them even larger height increases for their proposed waterfront luxury condo towers at 75 Howard Street and 160 Folsom Street than the 8 Washington developer was asking for; and

WHEREAS, the Paramount Group of New York is seeking spot-zoning for the proposed 75 Howard Street luxury condo tower along the Embarcadero to obtain an 92 foot height limit increase over the site's existing 200 foot height limit to build a 292 foot luxury tower; and

25

WHEREAS, the Tishman-Speyer Development Corporation of New York is seeking spot-zoning for the proposed 160 Folsom Street luxury condo tower one block from the Embarcadero to obtain a 100 foot height limit increase over the site's existing 300 foot height limit to build a 400 foot luxury tower; and

WHEREAS, like 8 Washington, the proposed height increases for luxury towers at 75 Howard and 160 Folsom would create the overwhelming effect of a wall on the waterfront that would overwhelm the Embarcadero and diminish the pedestrian experience, just as the old 70 foot-high double-decker Embarcadero Freeway previously did for decades until it was finally removed; and

WHEREAS, the San Francisco Planning Department's draft environmental review of 75 Howard found that a luxury tower in that location at the proposed height would have a significant detrimental impact on users of Rincon Park on the waterfront by increasing the shadows cast on Rincon Park by "about 25% over the existing shadow," significantly eliminate sunlight on Rincon Park "on most days throughout the year," and would cast significant new shadows and darken the specific areas of Rincon Park where many park visitors prefer to sit and recreate which "would be substantial and would adversely affect the enjoyment and use of the park;" and

WHEREAS, the San Francisco Planning Department's draft environmental review of 75 Howard found that a luxury tower in that location at the proposed height would also cast new shadows on the public open space along the Embarcadero Promenade "on most days throughout the year;" and

WHEREAS, the proposed 100 foot height increase to build a 400 foot luxury condo tower at 160 Folsom Street would also cast significant new shadows on Rincon Park as well as significant new shadows on the planned new public park near the Transbay Terminal; and

WHEREAS, the developers of both 75 Howard Street and 160 Folsom need to submit an Environmental Impact Review to increase beyond the approved height limit; and

WHEREAS, traffic congestion on the Embarcadero would be negatively impacted if both large buildings are constructed as planned; and

WHEREAS, both 75 Howard and 160 Folsom are located just outside the property boundaries covered by the Waterfront Height Limit Right to Vote Act and therefore their height increase proposals are not currently subject to a public vote; and

WHEREAS, the Coalition for San Francisco Neighborhoods in July 2013 adopted a resolution opposing 75 Howard unless the major issues including spot-zoning, excessive height, and shadows on Rincon Park were successfully addressed; and

WHEREAS, the new luxury tower proposed for 160 Folsom raises the same major issues as 75 Howard; and

WHEREAS, the proposed developers of both 75 Howard and 160 Folsom have announced their intentions to request approval of their height limit increases from the Planning Commission and Board of Supervisors this year and have engaged powerful lobbying firms and public relations consultants to achieve that; therefore, be it

RESOLVED, that the Coalition for San Francisco Neighborhoods opposes the current proposals for height limit increases and high-rise luxury towers at 75 Howard Street and 160 Folsom Street and strongly urges Planning Commissioners and members of the Board of Supervisors to not approve

these proposals until such time as they successfully fix the problems enumerated in this resolution.

Sincerely,

Judith Berkowitz  
President

Cc: Planning Commissioners, Board of Supervisors, Clerk of the Board, Planning Commission  
Secretary

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**To:** Board of Supervisors (BOS)  
**Subject:** FW: Annual Report for Fiscal Year 2015

**From:** Gallaread, Seretha (HSS) **On Behalf Of** Dodd, Catherine (HSS)  
**Sent:** Thursday, March 19, 2015 11:27 AM  
**Subject:** Annual Report for Fiscal Year 2015

I am pleased to present the Health Service System Annual Report July 2013 to December 2014.

This report highlights the achievements of our department over the past 18 months.

The Health Service System (HSS) administers health and wellness benefits for over 112,000 employees, retirees and their family members. Over 96% of the individuals served by HSS reside in Bay Area counties, with 43,188 living in San Francisco. We are proud to serve our members and that we meet or exceed industry customer service measures.

HSS is effectively managing employee and retiree health benefits in a time of volatility and change. The City Controller recently released a memo stating that the City's liability for post-employment health benefits has "decreased by approximately 10%, or \$437 million...due at least in part to cost-containment efforts pursued by the City's Health Service System."

Holding down healthcare costs while providing quality benefits is an ongoing challenge for all employers. Led by the Health Service Board, the Health Service System will continue to identify, analyze and implement creative and effective solutions.

Be Well,

Catherine Dodd PhD, RN

Director, San Francisco Health Service System



**HEALTH SERVICE SYSTEM**  
CITY & COUNTY OF SAN FRANCISCO

Make well-being a priority: Take the Well-being Assessment today!

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A handwritten signature in a circle, appearing to be 'TJL'.

# ANNUAL REPORT

JULY 2013–DECEMBER 2014



**HEALTH SERVICE SYSTEM**  
CITY & COUNTY OF SAN FRANCISCO

[MYHSS.ORG](http://MYHSS.ORG)

Mission Statement

The Health Service System of the City & County of San Francisco is dedicated to preserving and improving sustainable, quality health benefits and to enhancing the well-being of employees, retirees and their families.

## HSS innovation and collaboration reduce premium costs and enhance wellness.

This “annual report” provides an 18-month look at the accomplishments of the San Francisco Health Service System (HSS). HSS administers employee, and retiree health benefits for the City & County of San Francisco, the San Francisco Unified School District, City College of San Francisco and the San Francisco Superior Court. As of January 2014 HSS offered medical, dental, vision, life, disability, and other employee medical benefits covering 109,761 lives, with 61,976 enrolled members. HSS added 1,167 lives to medical plan enrollment year-over-year.

The Health Service Board oversees the Health Service System which contracts with 10 vendors, administers 29 different plans, spending nearly \$750 million with a departmental budget of \$9.97 million, just one percent of the annual benefit costs. During this time HSS benefits staff answered over 72,000 calls, met with nearly 21,000 members, processed over 13,00 enrollment forms and provided information to departments for new and retiring employees. Three additional staff were added to Operations and all member service metric goals were met during this period.

Negotiating rates and benefits is a key function of the Health Service Board and HSS. During 2013 and 2014 new fees and taxes required by the federal Patient Protection and Affordable Care Act (PPACA) were incorporated into the process. This included paying PCORI (Patient Centered Outcome Research Institute) fees of \$2.00 per enrollee per year (PEPY) in 2013 and \$2.10 PEPY in 2014. This totalled \$240,000 per year and \$260,000 per year respectively. Beginning in 2014, the Transitional Reinsurance Fee of \$63 PEPY was paid, totaling \$5.49M. This was calculated into the 2015 premiums at \$44.00 PEPY. In addition the Health Insurer Tax (HIT) of 1.5% premiums resulted in \$10.91M paid through insurers in 2014 PY. \$14.94M was calculated into the 2015 premiums. Under PPACA HSS also received funding through the federal Early Retiree Reinsurance Program (ERRP) totaling \$3,692,572M. These funds were applied to 2014 rates, reducing member contributions per the application for ERRP funds. Additional requirements of PPACA were implemented including reporting the number of members and lives to the Centers for Medicare and Medicaid Services (CMS).

During this 18-month period, the Health Service Board and HSS executive staff continued to innovate, working with the Human Resources Department (HRD), the Board of Supervisors, retirees and employee unions. Rates were scrutinized, and new contribution models were designed to level Kaiser and Blue Shield premiums, creating competition. DHR negotiated percent of premium employer contributions and Kaiser closely examined our utilization and the components of their rates. HSS compared risk scores of the Kaiser and Blue Shield populations to validate pricing. All these efforts paid off. In plan year 2014 the aggregate premium increase for medical and dental plans was 2.43% with 2.29% attributable to PPACA taxes. For plan year 2015, aggregate premiums for medical, dental plans decreased 2.8%. These lower rates ensured that potential wage increases were not thwarted by benefit costs, and contributed to lowering the City’s GASB liability.

Increased attention to premium rates brought about greater focus on data. The Health Service Board and the Board of Supervisors, with the support of the Joint Labor Management Committee on Wellness, crafted a Transparency resolution asking HSS to include transparency and elimination of anti-competitive practices in all vendor contracts. (The conversion to flex funding of Blue Shield allowed for closer scrutiny of hospital and physician costs although transparency in claims costs remains a goal.) HSS added two staff positions to implement an All Payer Claims Data Base that will support examining the costs and trends that drive increasing costs.



Close monitoring of the two ACOs launched in 2011 revealed substantial changes in medical practice. Coordination of care prior to discharge resulted in decreased hospital readmissions, increased use of lower cost generic drugs, and increased use of urgent care with a corresponding decrease in emergency department visits.

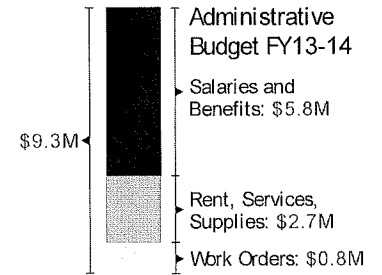
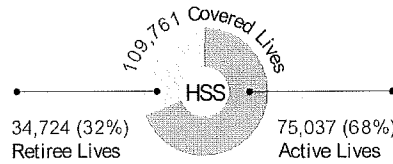
The Finance team was increased by one person to ensure accurate implementation of flex funding the Blue Shield HMO plan. In addition two contract staff position were added to finance to more closely monitor performance guarantees and contract requirements.

HSS worked closely with the Controller's office and produced a Wellness Plan that was approved by the City Controller, the Human Resources Department, the Joint Labor Management Wellness Committee and the Health Service Board. In 2014 a new Wellness Manager and two additional wellness staff joined HSS to implement the Wellness Plan. The plan included opening a Wellness Center on the ground floor of 1145 Market Street which houses fitness, relaxation and health classes five days a week. These are staffed in partnership with the Recreation and Park department. In October the Well Being Assessment was launched and achieved 20% participation in a six week period. This will serve as the baseline as HSS continues to partner with all employers and departments to build a robust employee wellness program.

HSS is committed to continuing efforts to ensure affordable quality health coverage in an ever changing internal and external environment.

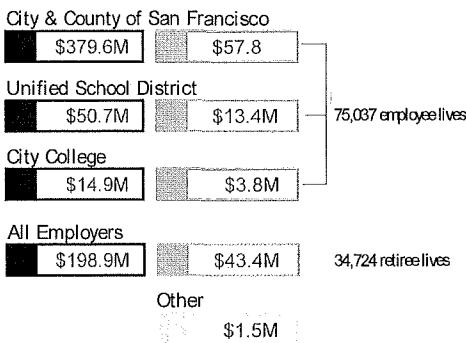
Catherine Dodd, PhD, RN  
Director, Health Service System

Governed by the Health Service Board, the Health Service System designs quality health benefit plans for employees, retirees, and their families, works to contain premium costs, and encourages employees and retirees to choose healthy lifestyles.



## FUNDING and GOVERNANCE

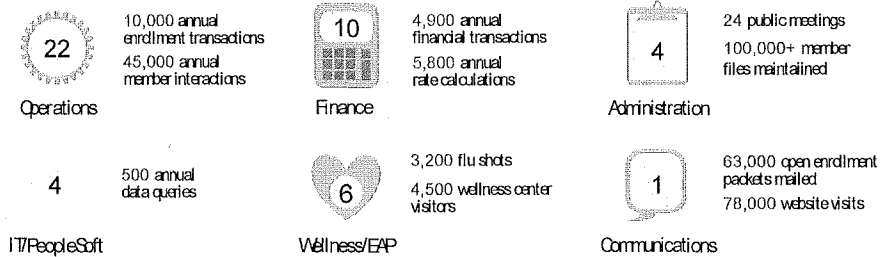
### \$764M TRUST FUND CONTRIBUTIONS FY13-14



### HEALTH SERVICE SYSTEM FY13-14

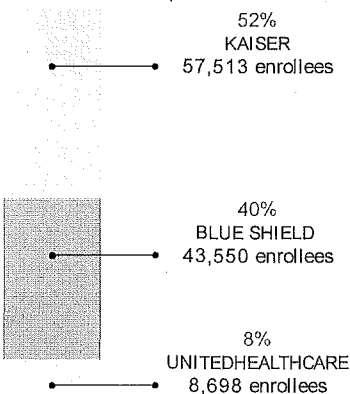
Health Service Board	28 Plans From 10 Vendors
7 Commissioners:	Medical: 6 HMO; 4 PPO
3 Elected Members	Dental: 2 DMO; 2 DPO
3 Appointees	Vision: 1
1 City Supervisor	FSA: 2
	Group Life: 6
	Long-Term Disability: 2
	Flex Credits: 2
	COBRA: 1

### Health Service Staff

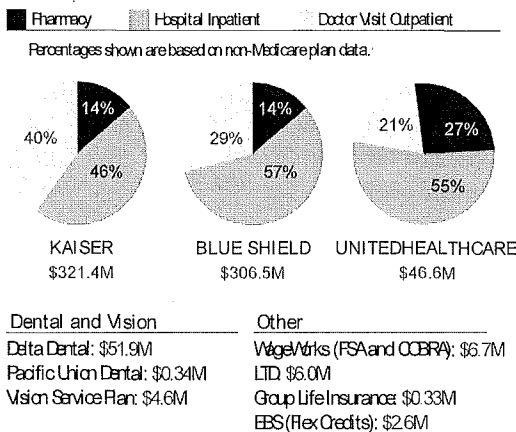


## HEALTH PLANS

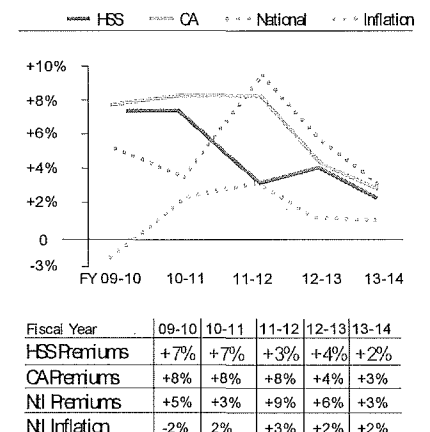
### MEDICAL PLAN ENROLLMENT as of January 1, 2014



### HEALTH PREMIUM COSTS BY VENDOR FY 13-14



### YEAR-OVER-YEAR HEALTH PREMIUM BENCHMARKING



## SUSTAINABLE BENEFITS

**Accountable Care**

- a. Contract for coordinated care, quality, efficiency
- b. Monitor Accountable Care Organizations
- c. Patient-accessible quality and cost information

**Data Transparency**

- a. Transparency in provider cost and billing data
- b. All Payer Claims Database
- a. Risk score analysis year-over-year

**Employee/Retiree Wellness**

- a. Well-being Assessment and Daily Challenge
- b. Wellness programming
- c. Member engagement

## Overview

# Health Service System

Per the San Francisco City Charter, the Health Service System (HSS) administers health benefits for over 109,000 employees, retirees and their eligible family members. Participating employers include the City & County of San Francisco, the San Francisco Unified School District, the San Francisco Community College District, and San Francisco Superior Court. Benefits include:

- Medical Plans
- Dental Plans
- Vision Plan
- Flexible Spending Accounts
- Long Term Disability
- Group Life Insurance
- Municipal Executive Flex Credits
- COBRA
- Wellness Programs
- EAP

HSS core functions are providing efficient and accurate benefits administration, managing cost-effective health vendor contracts, establishing annual rates and benefits via health vendor negotiations, upholding legal compliance, maintaining accurate financial and demographic records, ensuring eligible members and dependents have access to quality healthcare, and educating employees and retirees about health and wellness benefits. In a rapidly evolving healthcare industry, the HSS Director and Chief Operating Officer work with a consulting actuary to develop and recommend strategies to the Health Service Board regarding improving quality of care and maintaining affordable premiums while ensuring legal compliance.



## Overview

# Health Service System

## Health Service Board

Per the San Francisco City Charter, the Health Service System Board consists of seven members. Three of the Board Commissioners are HSS members elected by HSS members. Three of the four appointed Commissioners are comprised of one member of the San Francisco Board of Supervisors, two individuals selected by the Mayor and one individual selected by the City Controller. (One mayoral appointee must be a physician and the other must be an individual who regularly consults in the healthcare field.) Board commissioners are fiduciaries of the Health Service Trust. Per the City Charter, the Health Service Board conducts an annual review of health benefit costs, ensures benefits are applied without favor or privilege, and administers the business of the Health Service System. Board meetings are regularly scheduled each month in San Francisco City Hall. The Health Service System Director reports to the Health Service Board.

## Finance

The benefits which HSS administers cost \$764 million in fiscal year 2013–2014. The HSS departmental administration budget of \$9.9 million represents less than one percent of the annual benefits costs. The finance division processes approximately 4,500 financial transactions annually, including timely vendor payments for all administered benefits, over-the-counter premium payments and departmental work orders. Finance participates in the annual rate setting process by conducting the Charter-mandated 10-County Survey of public employer contributions to employee health premiums, and participating in rate review and negotiations. Working with the actuary and data analytics staff, finance is responsible for calculating over 3,890 employee and retiree premium rates.

Finance is also responsible for the annual external Trust Fund audit, the results of which are incorporated into the CAFR (City Comprehensive Annual Financial Report). Working with the Mayor's office, Controller, and Budget Analyst's office, Finance develops the annual HSS administration

budget. In addition to these accounting responsibilities, Finance administers a vendor oversight program with performance guarantees tied to penalties, oversees annual contract renewals and facilitates vendor Request for Proposal (RFP) processes.

Interfacing with the Center for Medicare Services (CMS) regarding eligible membership and claims, Finance oversees receipt of annual reimbursements from the federal government. Finance also coordinates with other employers and City departments, providing financial analyses pertaining to HSS benefits.

## Operations

The operations division handles day-to-day enrollment transactions, provides benefits decision support, coordinates premium contribution transactions with finance, and acts as a liaison between members and healthcare vendors as needed. Operations is also responsible for reconciling member data with plans and employers, processing births, deaths, leaves, new hires and retirements.

Operations staff answer thousands of calls and meet personally with members between 8:00 AM and 5:00 PM. From July 2013 to December 2014 operations staff answered 46,000 calls and assisted 20,594 members in person. Staff manually entered 13,000 Open Enrollment forms meeting all deadlines. In-person assistance increased 21% in 2014.

## Communications

The communications division, financed by the HSS Trust Fund, provides employees and retirees with accurate and timely benefits information, so they can make knowledgeable decisions about their health coverage. This includes designing and supervising production of print, online and email materials, organizing events, and coordinating information with human resources professionals, unions and other groups. In addition, this division ensures that information relating to benefits, Health Service Board proceedings, finance and operations are made available to HSS members,

## Overview

# Health Service System

ected officials, the media and the public, so the department adheres to high standards of government accessibility and transparency. This division also oversees HSS member communications issued by healthcare vendors and assists the employers served by HSS with benefits-related information as needed.

## Wellness

The wellness division expanded in staff and services, since its inception in 2009 with an investment by the City & County and the expanded use of the Trust Fund for wellness programs. The support of the Mayor's Office, Controller's Office and the Department of Human Resources propelled the wellness program to a new level for City employees, working to maintain that momentum in the coming years to truly transform the culture to one that actively supports wellness. HSS will work with City College of San Francisco and the San Francisco Unified School District engage them in wellness activities funded by the Trust. HSS will continue to use existing contracted vendor resources, to improve employee and retiree health. The City's Employee Assistance Program (EAP) is part of the wellness division and continues to provide confidential, no-cost counselling and behavioral health workshops, and organizational wellness workshops to employees and their families.



## Demographics

109,761 member and dependent lives were covered on Health Service System medical plans.

### Medical Plans

As of January 1, 2014, there was an increase of 1,167 in total covered lives under HSS medical plans year-over-year. This reflects an increase in employee lives of 356 and an increase in retiree lives of 811. Blue Shield lost 430 lives and City Plan lost 433 lives year over year. Kaiser lives increased by 2,030 in 2014.

All Lives—Medical	2013	2014	Change
Kaiser HMO	55,483	57,513	2,030
Blue Shield HMO	43,980	43,550	(430)
City Health Plan PPO	9,131	8,698	(433)
Total Lives	108,594	109,761	1,167

Employee Lives—Medical	2013	2014	Change
Kaiser HMO	40,130	41,629	1,499
Blue Shield HMO	33,406	32,456	(950)
City Health Plan PPO	1,145	952	(193)
Total Lives	74,681	75,037	356

Retiree Lives—Medical	2013	2014	Change
Kaiser HMO	15,353	15,884	531
Blue Shield HMO	10,574	11,094	520
City Health Plan PPO	7,986	7,746	(240)
Total Lives	33,913	34,724	811

## Demographics

93,546 member and dependent lives were covered on Health Service System dental plans.

### Dental Plans

HSS administers dental plans for City & County of San Francisco and Superior Court employees and dependents. The Unified School District and Community College District administer dental benefits for their employees. HSS experienced a year-over-year increase of 1,075 in total lives covered under our dental plans.

Employee Dental Plans	2013	2014	Change
Employee Lives	66,417	66,786	369

Retiree Dental Plans	2013	2014	Change
Retiree Lives	26,054	26,760	706

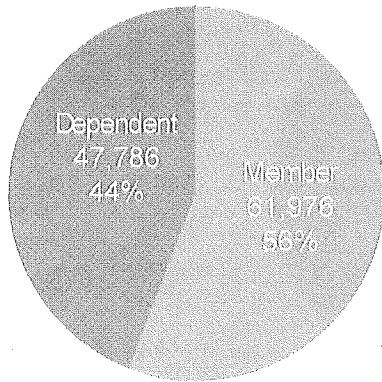
### Flexible Spending Accounts

A Flexible Spending Account (FSA) is a tax-favored benefit that allows City & County of San Francisco employees to pay for certain dependent care and healthcare expenses pre-tax. The level of participation in the FSA program shows an increase of 593 members year-over-year.

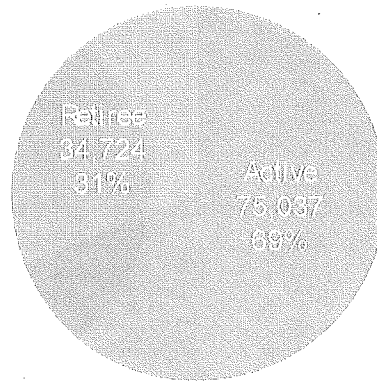
Flexible Spending Accounts	2013	2014	Change
Health Care FSA	2,340	2,808	468
Dependent Care FSA	763	888	125
Total FSA	3,103	3,696	593

Demographics

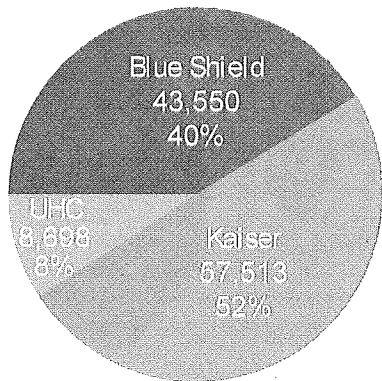
# Medical Plan Enrollment as of January 2014



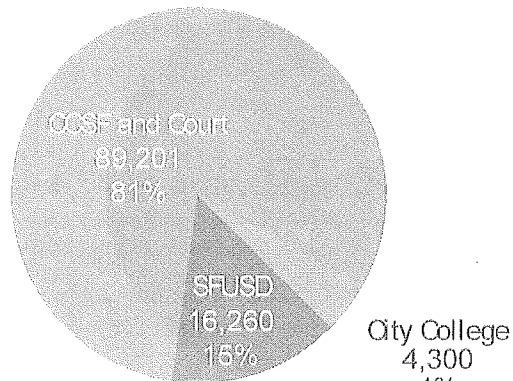
Medical Plans: Total Enrolled Lives  
Member vs. Dependent



Medical Plans: Total Enrolled Lives  
Active vs. Retiree



Total Enrolled Lives  
By Medical Plan



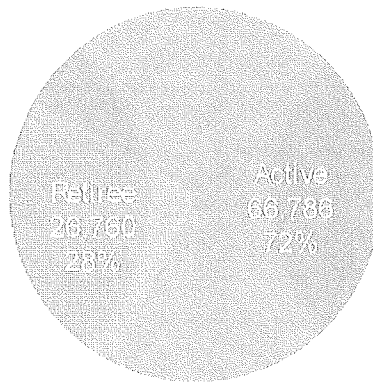
Total Medical Plan  
Enrollment by Employer

The Health Service System administered medical benefits for employees, retirees and dependents of the City & County of San Francisco, the San Francisco Superior Court, the San Francisco Unified School District and the San Francisco Community College District. Since 2008, there has been a migration trend away from Blue Shield and City Plan to the Kaiser plan. As a result, HSS began implementing strategies to balance membership in these HMO plans, to maintain competition.

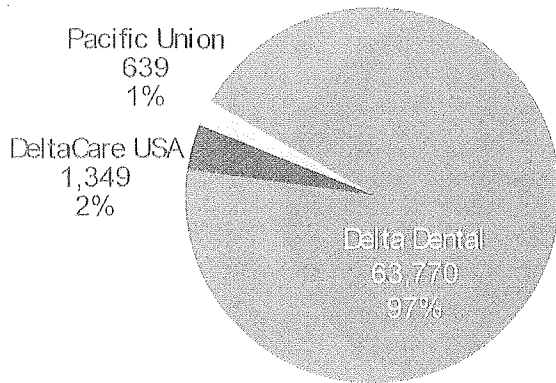


Demographics

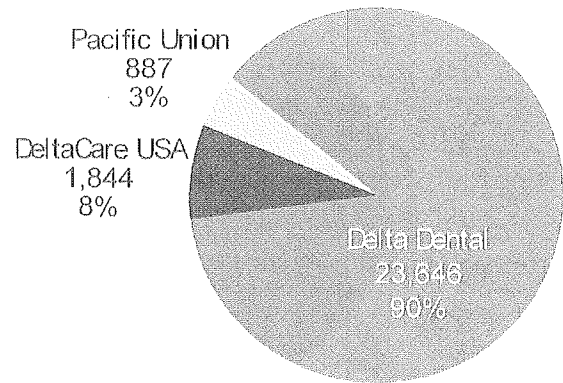
# Dental Plan Enrollment as of January 2014



Dental Plans: Total Enrolled Lives  
Active vs. Retiree



Active Enrolled Lives  
By Dental Plan



Retiree Enrolled Lives  
By Dental Plan

The Health Service System administered dental benefits for employees and dependents of the City & County of San Francisco, the San Francisco Superior Court and retirees. (The San Francisco Unified School District and San Francisco Community College District administer their own dental benefit programs for their active employees.) The City makes a significant contribution to employee dental premiums. Retiree dental plans are not subsidized by the employer. As of January 2014 93,546 individuals were enrolled in HSS-administered dental plans.

## Achievements

## Sustainable Health Benefits

The delivery of healthcare is characterized by systemic complexity and a crisis in affordability. As a major purchaser of healthcare in the Bay area, the Health Service System has the opportunity to work with local medical groups, hospitals and insurers in devising innovative ways to improve the quality of patient care and containing costs. By taking a leadership role, HSS is at the forefront of collaborative programs that will have a positive, long term effect on member health, as well as the fiscal well-being of all City employers. These programs also have the potential to serve as a model for maintaining sustainable, quality health benefits for other large private and public employers in our region who are facing similar challenges.

### Key Achievements July 2013 – December 2014

- Ensured the new flex-funding of the Blue Shield HMO plan had adequate reserves.
- Continued to closely monitor two San Francisco-based Accountable Care Organizations (ACOs) to ensure progress on quality improvements and cost reductions within the Blue Shield provider network.
- Collaborated with DHR in identifying contribution model which would prevent migration out of Blue Shield based on cost.
- Participated in Joint Labor Management Committee on Health and Wellness focusing on transparency and wellness.
- Negotiated 3.5% reduction in FSA administrative fees.
- Established competitive premium contribution rates between Blue Shield and Kaiser.
- Developed and administered vendor performance guarantees and scorecards.
- Prepared and assisted the Health Service Board in negotiation a 2.7% decrease in aggregate premiums for the 2015 plan year.



## Achievements

# Fiscal Accountability and Operational Excellence

The Health Service System is committed to maintaining the highest accounting standards and providing outstanding member service. This commitment extends to all areas of finance and operations, which comprises complex back office administrative tasks as well as direct member support via the HSS call center and our in-person front desk. Metrics are tracked on an ongoing basis, to ensure that HSS member transactions are handled with a high level of quality and privacy, while members consistently receive accurate and knowledgeable counselling about health and wellness benefits.

### Key Achievements July 2013 – December 2014

- Hired new Chief Financial Officer and Data Analytics Manager.
- Revised flex credit administration and rebuilt People Soft administration.
- Achieved error-free independent audit of Health Service System Trust fund financial statements.
- Developed annual budget which met needs of the department. (Budget was cut by Mayor's Office and Board of Supervisors.)
- Calculated complex rates applying Patient Protection and Affordability Act (PPACA) ERRP funds, adding PPACA taxes (Health Insurance Tax) and fees (Patient Centered Outcome Research Institute and Transitional Reinsurance Fee).
- Moved to real time premium deductions.
- Implemented new employer contribution percentages.
- Conducted routine eligibility audits.
- Administered new life insurance benefit for two large unions.
- Implemented Health Care Flexible Spending Account \$500 annual carry forward.
- Moved to new offices on third floor of 1145 Market Street without disruption to member services.
- Operations met or exceeded department operations goals, reducing wait times from previous two years, and improving accuracy of member service.
- Operations conducted in-person presentations to over 1,000 members at new hire orientations and pre-retirement seminars.
- Began quarterly reconciliation activities in partnership with Payroll Department.
- Implemented HIPPA compliance training for all HSS staff and offered to Controllers staff and Department of Human Resources.
- Prepared systems for PPACA reporting requirements on Minimal Essential Coverage.
- Met or exceeded all customer service targets, including time to answer and call abandonment rates, during Open Enrollment.
- Ensured compliance with local, state and federal laws relating to benefits administration.
- Maintained up-to-date member rules and section 125 plan documents.
- All data transfer deadlines were met despite the necessity of a second Open Enrollment period in 2014 for City College of San Francisco.

## Achievements

## Informed, Transparent, Effective Governance

By setting a high standard for open, responsible governance, the Health Service Board and HSS support the fundamental principles of a society ruled by law. The members of the Health Service Board are fiduciaries of a substantial financial trust fund, and the principal negotiators of health vendor contracts totalling over \$700 million annually. In an atmosphere where public employee benefits are under intense scrutiny, the Health Service Board is committed to information transparency, ethical conduct and accountability.

### Key Achievements July 2013 – December 2014

- All Board and Committee meeting agendas and associated documents were made available to the public on paper and online within 72 hours of meetings.
- Digital audio and video of board meetings made available on HSS website within 72 hours after meetings via SFGovTV.



## Achievements

# Educated and Empowered HSS Members

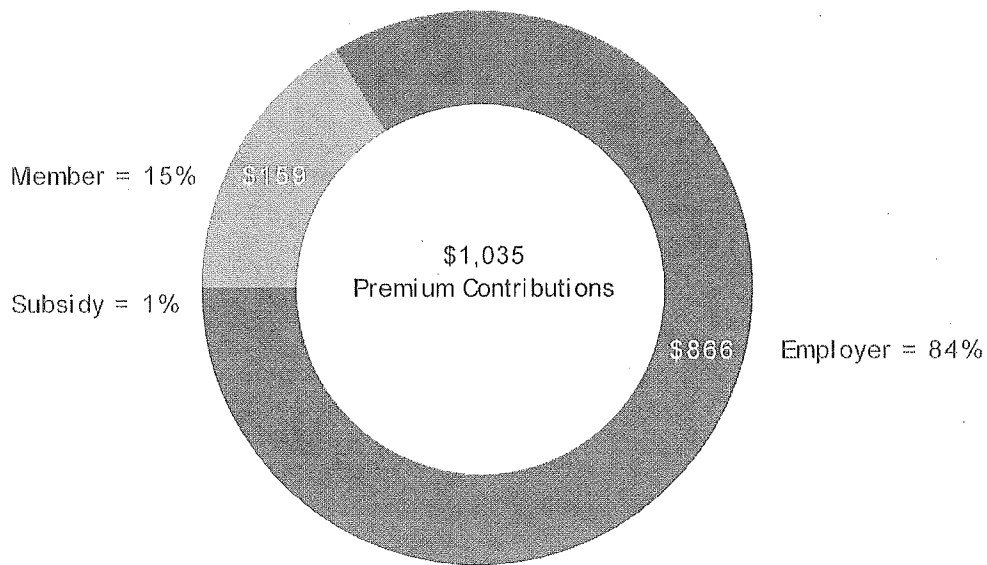
A well-informed member is positioned to make wiser decisions about benefits, as well as behaviors that impact health. To succeed in its efforts to improve quality of care and drive down costs, HSS is working to actively engage members as participants in new wellness and costs saving initiatives. HSS communications is shifting from an inform-as-needed model to a paradigm that incites beneficial personal change in our members.

### Key Achievements July 2013 – December 2014

- Effectively delivered timely, consistent, accurate benefits information via print, web, monthly eNewsletter, phone and in-person member contact to over 110,000 members.
- Successfully coordinated communications for two Open Enrollments October 2013 and 2014. Over 130,000 complete and accurate member open enrollment packets mailed by necessary deadlines.
- Surveyed retiree members regarding dental plan options resulting in an updated and improved dental plan design.
- Changed imputed income status of all same-sex married members per Supreme Court ruling.
- Successfully piloted first video for member education during 2013 Open Enrollment.
- Notified members regarding availability of State Health Insurance Exchange upon eligibility for COBRA.
- Expanded the wellness team, reviewed and revised city-wide Wellness Plan with multiple Executive Sponsors, labor and departmental stakeholders, which was launched by the Mayor.
- Mailed first Wellness Guide to highlight existing wellness services with employee member Open Enrollment packets.
- Launched Well-being Assessment and Daily Challenge in collaboration with Blue Shield to all employee members and achieved 20% participation.
- Opened the HSS Wellness Center in May 2014 and have had 3,792 visits and an average of 140 visitors monthly.
- Assisted the Women's Firefighter Collaborative in recruiting subjects for a long-term study funded through the San Francisco Firefighters Cancer Prevention Foundation.
- Recruited and trained over 150 Wellness Champions Citywide.
- Expanded wellness information pages on the HSS website myhss.org.
- Conducted 19 work site flu shot clinics for employees and retirees, vaccinating 3,174 members in 2014. Conducted 15 clinics and vaccinated 2,652 in 2013.
- EAP provided 1,031 hours of free counseling to 345 clients in 2014. In the second half of 2013, EAP provided approximately 470 hours of counseling to 170 clients.
- EAP offered 388 seminars, trainings, and other organizational wellness services to 1688 participants in 2014 and approximately 160 services to 800 participants in second half of 2013.
- Partnered with San Francisco Recreation and Parks to provide free group exercise classes at the Wellness Center and City Hall. Since the opening in May, Rec and Parks has taught 144 classes at the Wellness Center.
- Partnered with Kaiser Permanente to provide free on-site wellness coaching at the Wellness Center.

Premium Trends

# Employer and Member Medical Premiums



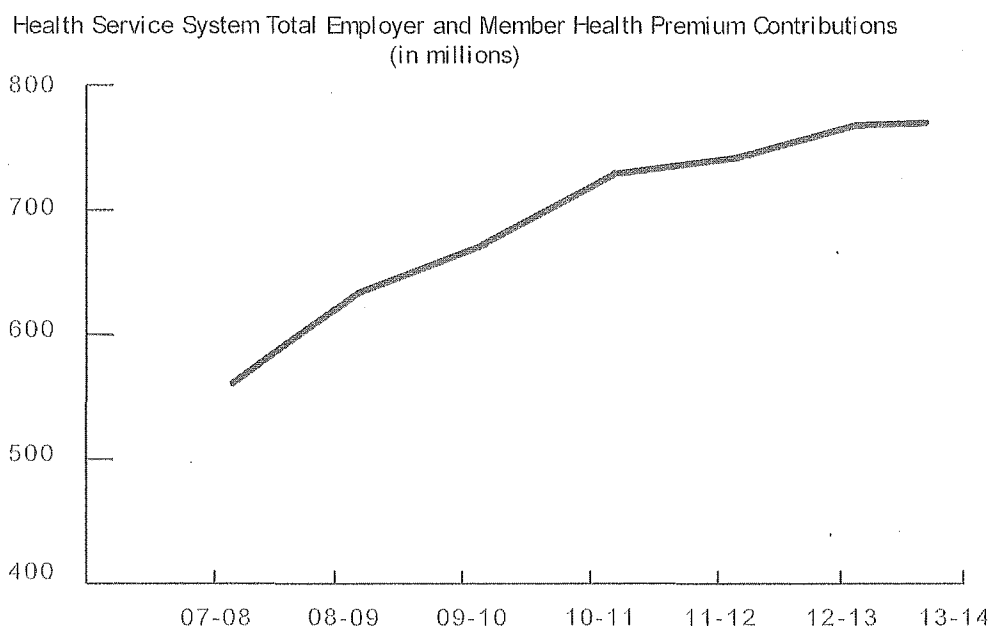
Year-over-year aggregate average employer contributions (including premium subsidy) to medical premiums decreased by 1%, from 86% to 85%. Overall member contributions remained at 14% year-over-year.

Average Monthly Premium Contributions	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14
Average Monthly Member Premium Contribution	\$ 117	\$ 113	\$ 123	\$ 131	\$ 159
Average Monthly Employer Premium Contribution	\$ 717	\$ 735	\$ 769	\$ 791	\$ 866
Monthly Trust Fund Premium Subsidy Contribution	-	-	-	\$ 11	\$ 10
Average Monthly Total Premium Contribution	\$ 834	\$ 878	\$ 892	\$ 933	\$ 1,035

Data from HSS finance.

Cost Trends

# Year-Over-Year HSS Health Premium Costs



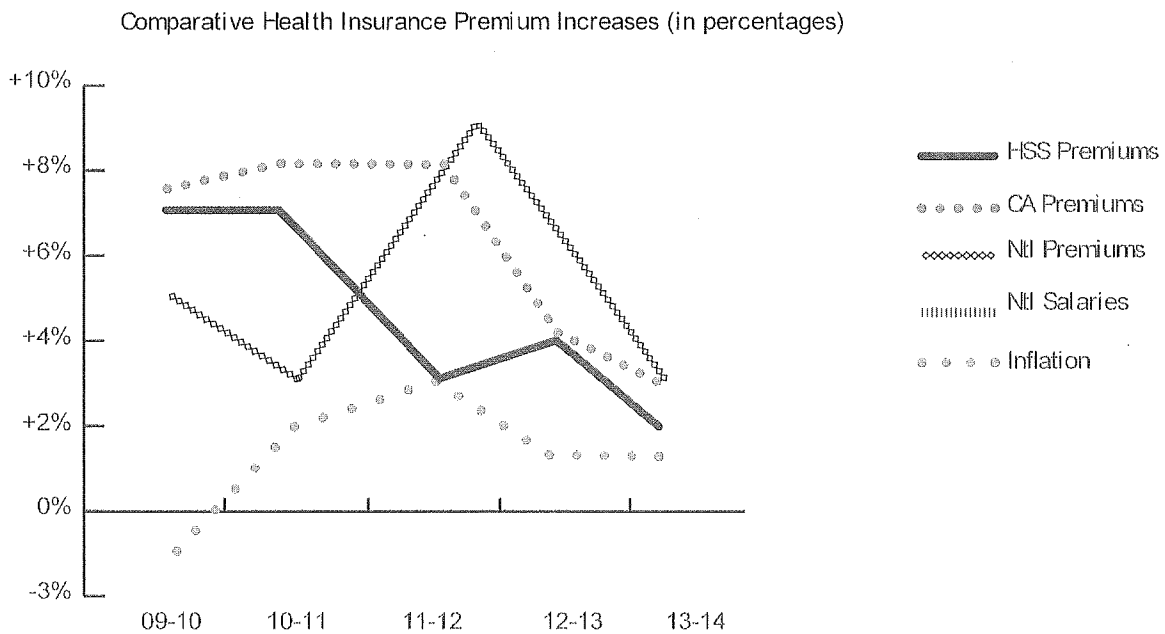
In 2014, HSS’ 2.43% aggregate premium increase was significantly lower than regional, state and national trends. The Health Service Board remains committed to improving care and managing costs through innovative plan design, Accountable Care Organizations, price competition between plans and employee wellness programs.

	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14
Total Combined Contributions (in millions)	\$ 558 +10%	\$ 615 +7%	\$ 658 +7%	\$ 703 +7%	\$ 722 +3%	\$ 748 +4%	\$ 763 +2%

Data from HSS finance; includes total premium costs for medical, dental, vision, and long term disability coverage, as well as flex credits and flexible spending accounts.

Cost Trends

# Year-Over-Year Comparative Cost Increases



In plan year 2015 HSS aggregate premium costs are projected to decrease by 2.78%.

The rising cost of healthcare is affecting the local, state and national economy. In general it is outpacing inflation, and having a negative impact on employers' ability to manage budgets and maintain jobs and wages.

	FY 09-10	FY 10-11	FY 11-12	FY 12-13	FY 13-14
HSS Health Premiums	+7%	+7%	+3%	+4%	+2%
California Health Premiums	+8%	+8%	+8%	+4%	+3%
National Health Premiums	+5%	+3%	+9%	+6%	+3%
National Worker Salaries	+3%	+2%	+2%	+3%	+3%
National Inflation	-2%	+2%	+3%	+2%	+2%

Data from HSS finance; includes total premium cost for medical, dental, and vision coverage. Other data is from the California Healthcare Foundation, California Employer Benefits Survey, Kaiser Family Foundation and Society for Human Resource Management.



Sustainable Benefits

# Align City Resources

A concerted effort to lower healthcare costs, and achieve sustainable benefits, is required to achieve success. Per current governance, responsibilities for healthcare costs are shared among a wide number of City entities. HSS has been facilitating collaborative efforts, in order to bring about significant change.

<p><b>Voters define 71% of City Contribution via the City Charter</b></p> <ul style="list-style-type: none"> <li>• Establishes minimum health premium contribution City must contribute for employees and retirees.</li> <li>• Defines eligibility rules for employees, retirees and surviving dependents.</li> </ul>	<p><b>Elected Officials Exert Legislative Influence and Approve Aggregate Health Plan Costs</b></p> <ul style="list-style-type: none"> <li>• Board of Supervisors reviews and approves annual rates and benefits for medical, dental, vision plans.</li> <li>• Legislates to ensure vendor pricing transparency and a thriving, competitive marketplace.</li> <li>• Board of Supervisors determines eligibility for coverage beyond the City Charter, via the Administrative Code.</li> </ul>
<p><b>Health Service Board Negotiates Aggregate Annual Health Plan Costs</b></p> <ul style="list-style-type: none"> <li>• Directs competitive health vendor RFP processes.</li> <li>• Conducts annual rates and benefits negotiations (medical, dental, vision).</li> <li>• Determines plan design* (benefits and co-pays).</li> <li>• Recommends annual medical, dental and vision plan vendors, rates and benefits to the Board of Supervisors.</li> <li>• Ensures benefits are applied without favor or privilege.</li> <li>• Creates innovative programs to improve quality and maintain affordable benefits.</li> </ul>	<p><b>CCSF Department of Human Resources Negotiates 29% of Contribution for City Employees</b></p> <ul style="list-style-type: none"> <li>• Negotiates labor contracts, which determine employer/employee premium contributions and benefits strategies beyond the Charter mandate.</li> <li>• Works in partnership to promote a healthy and productive workforce.</li> </ul>
<p><b>Unified School District Adds 10,000 Lives to the Membership Pool</b></p> <ul style="list-style-type: none"> <li>• Defines eligibility for USD employees.</li> <li>• Negotiates labor contracts which determine employer/employee premium contributions for USD.</li> </ul>	<p><b>City College of San Francisco Adds 4,500 Lives to the Membership Pool</b></p> <ul style="list-style-type: none"> <li>• Defines eligibility for CCD employees.</li> <li>• Negotiates labor contracts which determine employer/employee premium contributions for CCD.</li> </ul>
<p><b>Labor Unions Negotiate Contracts and Influence Employee Engagement</b></p> <ul style="list-style-type: none"> <li>• Negotiate contracts, including premium contributions and health incentives.</li> <li>• Advocates for employee engagement in managing health and healthcare decision making.</li> </ul>	<p><b>Civil Service Commission Defines Employee Holdover Benefits</b></p> <ul style="list-style-type: none"> <li>• Defines employee holdover health benefits and eligibility. (Holdover employees currently retain HSS health coverage eligibility for 5 years).</li> </ul>

\*HMO plans, per State of California regulation, are required to provide a certain array of benefits.  
 □ e Health Service Board has no authority to change state requirements.

## Statements of Net Positions Available for Health Benefits

June 30, 2014 and 2013

	2014	2013
<b>Assets:</b>		
Cash and investments held with City & County Treasurer	\$ 137,569,853	\$ 135,134,626
Contributions receivable from:		
Employer	34,028,809	32,198,473
Employees	5,932,528	6,019,361
Interest receivable	149,423	34,632
Other assets	1,896,634	5,160,379
Total assets	<u>\$ 179,577,247</u>	<u>\$ 178,547,471</u>
<b>Liabilities:</b>		
Reserves for claims—medical, prescription drugs and dental	\$ 29,155,780	\$ 25,593,339
Health Maintenance Organization, dental and disability premiums payable	13,205,278	16,993,705
Unearned contributions	44,395,279	58,596,070
Total liabilities	<u>86,756,337</u>	<u>101,183,114</u>
Total net position	<u>\$ 92,820,910</u>	<u>\$ 77,364,357</u>

To see the accompanying notes, which are an integral part of these financial statements, please visit:  
[www.myhss.org/finance.html](http://www.myhss.org/finance.html).

## Statements of Changes in Net Positions Available for Health Benefits

June 30, 2014 and 2013

	2014	2013
Additions:		
Employer and retiree contributions	\$ 118,469,378	\$ 117,632,354
Employer contributions for:		
Active employees	445,174,015	436,263,609
Retired employees	198,879,926	193,864,759
Total contributions	<u>762,523,319</u>	<u>747,760,722</u>
Plan providers penalties and forfeitures	443,201	424,085
Investment earnings:		
Net increase (decrease) in fair value of investments	228,089	(996,814)
Interest income	826,775	749,290
Total investment earnings	<u>1,054,864</u>	<u>(247,524)</u>
Total additions	<u>764,021,384</u>	<u>747,937,283</u>
Deductions:		
City Health Plan health benefits	47,635,818	45,499,105
Health Maintenance Organization health benefits	628,791,452	600,425,904
Vision benefits	4,584,217	4,408,106
Dental benefits	52,214,587	56,237,508
Disability and flexible benefits	15,338,757	17,221,312
Total deductions	<u>748,564,831</u>	<u>723,791,935</u>
Change in net position available for health benefits	15,456,553	24,145,348
Net position:		
Beginning of year	<u>77,364,357</u>	<u>53,219,009</u>
End of year	<u>92,820,910</u>	<u>77,364,357</u>

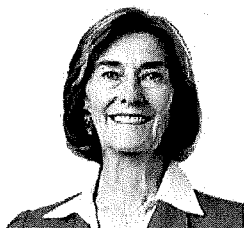
To see the accompanying notes, which are an integral part of these financial statements, please visit:  
[www.myhss.org/finance.html](http://www.myhss.org/finance.html).

Governance

# Health Service Board

Per the San Francisco City Charter, the Health Service Board is responsible for conducting an annual review of health benefit costs, ensures benefits are applied without favor or privilege, and administers the business of the Health Service System. Per Proposition C, the Board’s seven-commissioner composition changed on May 15, 2013, reducing the number of elected commissioners from four to three. Elected members serve a five-year term. Of the other four commissioners, one is a member of the Board of Supervisors. two commissioners are appointed by the Mayor and one is appointed by the City Controller.

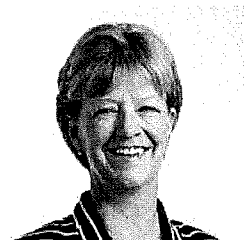
## 2014 Health Service Board



Karen Breslin  
Elected Commissioner  
Current Term: June 2014–May 2019  
Retired from San Francisco  
Probation Department



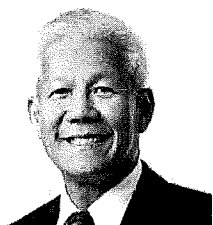
Mark Farrell  
Board of Supervisors Appointee  
Appointed March 2013  
Board of Supervisors  
City & County of San Francisco



Sharon Ferrigno  
Elected Commissioner  
Current Term: June 2014–May 2019  
Captain, San Francisco  
Police Department



Jean S. Fraser  
Mayoral Appointee  
Resigned as of December 31, 2014  
Health System Chief,  
San Mateo County Health System



Wilfredo Lim  
Elected Commissioner  
Current Term: May 2010–May 2015  
Accounting Manager,  
San Francisco General Hospital



Randy Scott  
City Controller Appointee  
Term: June 2013–May 2015  
Chief Human Resources Officer  
Institute on Aging



Jordan Shlain, MD  
Mayoral Appointee  
Term: Sept 2010–May 2015  
Physician, Private Practice

# Location

## Health Service System Member Services

HSS Call Center:  
(415) 554-1750  
(800) 541-2266  
Monday - Friday  
8:00 am–5:00 pm

HSS Office Drop-in:  
1145 Market Street  
3rd Floor  
San Francisco, CA 94103  
8:00 am–5:00 pm

## Health Service System Wellness

HSS Wellness Center:  
1145 Market Street  
1st Floor  
San Francisco, CA 94103  
8:00 am–5:00 pm

Wellness: (415) 554-0643  
EAP: (800) 795-2351  
Email: [wellness@sfgov.org](mailto:wellness@sfgov.org)

HSS Website:  
[www.myhss.org](http://www.myhss.org)

## 2014 Health Service System Management Team

Catherine Dodd, RN, PhD  
Director

Mitchell Griggs  
Chief Operating Officer

Pamela Levin  
Chief Financial Officer

Marina Coleridge  
Data Analytics Manager

Stephanie Robinson Fisher  
Wellness Manager, MPH

Rosemary Passantino  
Communications Manager

Laini Scott  
Health Service Board Secretary

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**To:** BOS-Supervisors  
**Subject:** FW: Park Hours report, per Admin Code 3.21  
**Attachments:** Park Hours memo.20150318.pdf

**From:** Emerson, Taylor (REC)  
**Sent:** Wednesday, March 18, 2015 1:35 PM  
**To:** Calvillo, Angela (BOS)  
**Subject:** Park Hours report, per Admin Code 3.21

Greetings Clerk of the Board,  
Attached please find a report on Park Hours per requirements of Admin Code, Section 3.21.

Thank you,  
Taylor

**Taylor Emerson**

Analyst, Capital and Planning Division  
San Francisco Recreation and Park Department | City & County of San Francisco  
30 Van Ness Avenue | Fifth Floor | San Francisco, CA | 94102

(415) 581-2546 | [taylor.emerson@sfgov.org](mailto:taylor.emerson@sfgov.org)



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Sign up for our [e-News](#)



Edwin M. Lee, Mayor  
Philip A. Ginsburg, General Manager

To: Angela Calvillo, Clerk of the Board of Supervisors  
From: Philip A. Ginsburg, General Manager  
Date: Wednesday, March 18, 2015  
Re: Park Hours Report Pursuant to Park Code Section 3.21(f)

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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. As such, the data for FY14 reflects enforcement for only one quarter of the year.<sup>1</sup> Although the Park Ranger unit does record information about age and race on individual citations, its current database does not allow for the aggregation of that data for reporting purposes. SFRPD is transitioning to a new records

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<sup>1</sup> Because this new Park Code Section was not implemented until April 2014, the Department originally planned to submit its first report by Sept 1, 2015 to cover the last quarter of FY 13-14 and FY 14-15. At the request of Supervisor Yee, we are submitting this report now to cover FY 13-14 and intend to submit an additional report covering FY 14-15 prior to September 1, 2015.

management system which will allow for the reporting of this demographic data in subsequent annual reports. Also, please note the data below reflects only those citations issued by the Recreation and Park Department's (RPD) Park Patrol. While the San Francisco Police Department is able to issue citations for violations of the Park Code, they do not track such issuance and are unable to report any issuance data.<sup>2</sup>

Citations Issued by SFRPD Park Rangers Under Park Code Section 3.21 in FY 13-14 and Associated Estimated Costs of Enforcement

Citations Issued		
Park Code		FY2014
3.21*	Park operating hours	40
3.12	Camping prohibited	352
3.13	Sleeping after hours	180

\* Sect 3.21, Park Operating Hours became effective 12/27/2013

Park Ranger staffing during the period when parks are closed from midnight to 5:00am varies by day of week, season/weather, and depends on available staff. SFRPD typically has 2 rangers on duty for the midnight shift, and those

rangers are enforcing *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 FY14 actual expenditure, per FAMIS, for the Park Ranger unit was \$1,998,914. Approximately twenty-one percent, or \$415,774, 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		
	FY2014	FY2013
Number of reports	3,780	4,215
Cost to repair	\$593,910	\$647,842

Vandalism reports in RPD's workorder management system, called TMA, are shown here with two fiscal years of data for context. In FY14, there were 3,780 requests

for repair of vandalism, which includes graffiti abatement, and cost RPD \$593,910. Because we only have partial year data for FY 13-14 it is difficult to draw any trends or conclusions about the impact of new park operating hours on vandalism in City parks.

<sup>2</sup>Per Karen Li, Traffic Company Analyst, SFPD