FILE NO. 161304

Petitions and Communications received from November 21, 2016, through November 23, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on December 6, 2016.

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

From Mayor Lee, designating Supervisor Mark Farrell as Acting-Mayor from November 26, 2016, to November 28, 2016. Supervisor Tang from November 28, 2016 to December 3, 2016 and Supervisor Cohen from December 4, 2016 to December 7, 2016. Copy: Each Supervisor. (1)

From Department of Building Inspection, submitting a memo regarding the Development of Future DBI Expert Peer Review Pool. Copy: Each Supervisor. (2)

From Clerk of the Board, submitting a memo regarding the Quarterly Report on Departmental Spending Quarter Ending September 30, 2016. Copy: Each Supervisor. (3)

From Controller's City Services Auditor Division regarding its audit report on NRG Energy Center San Francisco LLC payment of franchise fees for 2013 and 2014. (4)

From Human Services Agency, regarding possible changes to vital programs. (5)

From Office of Small Business, submitting the October 2016 monthly report for the Legacy Business Program. Copy: Each Supervisor. (6)

From Victor Hwang, submitting resignation letter from the Police Commission. Copy: Each Supervisor. (7)

From Dan Kramer Law Group, regarding request for Determination of Public Convenience or Necessity at 616 Divisadero St. File No. 161268. (8)

From Fish and Game Commission, submitting notice of proposed regulatory action relating to use of dogs in pursuit and take of mammals. Copy: Each Supervisor. (9)

From Fish and Game Commission, submitting Notice of Final Consideration regarding the flat-tailed horned lizard. Copy: Each Supervisor. (10)

From Sandy Weil, regarding Beach Chalet. Copy: Each Supervisor. (11)

From Steven Curavo, regarding Improvements to San Francisco. Copy: Each Supervisor. (12)

From Dave Lackie, regarding a Thank you message from Canada. Copy: Each Supervisor. (13)

From Kimberly Allard, regarding Sanctuary City. Copy: Each Supervisor. (14)

From Christine Harris, regarding Hands Around San Francisco. Copy: Each Supervisor. (15)

From concerned citizen, submitting signature for petition entitled, 'Fix MTA', 232<sup>nd</sup> signer. Copy: Each Supervisor. (16)

From Tracy Hepler, regarding short term housing. (17)

OFFICE OF THE MAYOR SAN FRANCISCO



BOS-11/COB, aides, Deput Dep EDWIN M. LEE MAYOR

November 23, 2016

Ms. Angela Calvillo San Francisco Board of Supervisors 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102

Dear Ms. Calvillo,

Pursuant to Charter Section 3.100, I hereby designate Supervisor Mark Farrell as Acting-Mayor from the time I leave the State of California on Saturday, November 26, at 11:30 a.m., until Sunday, November 28, at 11:59 p.m., Supervisor Katy Tang from Monday, November 28, at 12:00 a.m., until Saturday, December 3, at 11:59 p.m., and Supervisor Malia Cohen from Sunday, December 4, at 12:00 a.m., until I return on Wednesday, December 7, 11:30 a.m.

In the event I am delayed, I designate Supervisor Malia Cohen to continue to be the Acting-Mayor until my return to California.

Sincerely,

Edwin M. Lee

Mayor

cc: Mr. Dennis Herrera, City Attorney

BOS-11, cpage

From:Hui, Tom (DBI)Sent:Monday, November 21, 2016 2:17 PMTo:DBI-EveryoneCc:Lee, Mayor (MYR); BOS-Supervisors; Kronenberg, Anne (DEM); Kelly, Naomi (ADM)Subject:MEMO: Development of Future DBI Expert Peer Review PoolAttachments:MEMO - Development of Future DBI Expert Peer Review Pool 11-21-16.pdf

To all DBI Staff:

Please see attached memorandum for your information

Thank you.

Tom C. Hui, S.E., C.B.O. Director 許子湯, 局長 City & County of San Francisco Department of Building Inspection 1660 Mission Street, Sixth Floor San Francisco CA 94103 415-558-6131 Phone 415-558-6225 Fax Email: <u>Tom.Hui@sfgov.org</u> Web: <u>www.sfdbi.org</u>

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City and County of San Francisco Department of Building Inspection



Edwin M. Lee, Mayor Tom C. Hui, S.E., C.B.O., Director

#### MEMORANDUM

DATE: November 21, 2016

TO: All DBI Staff FROM: Tom C. Hui, S.E., C.B.O. Director

#### SUBJECT: Development of Future DBI Expert Peer Review Pool

As announced at the November 16, 2016 Building Inspection Commission meeting, the Director will work immediately with staff in key areas of building code compliance to develop a Request for Qualifications (RFQ) for professional and academic experts to advise the Department in tall building design review. This process will take some time to implement.

Responders to this new RFQ process will create a DBI "pool" of skill sets that may need to be part of any future Departmental review of tall building projects that are 240 or more feet tall. The Department would pay the participating experts directly for their review services on an asneeded basis to support the Department's staff in analyzing those designs where the Department lacks such expertise, or the complex modeling software required to verify building performance.

This pool of DBI experts may supplement, or possibly replace, the existing peer review process as the Department would then have its own qualified experts to assess independently the design performance modeling, and other information that project sponsors submit as part of the building permit review process. For such a project in an area with Soil Class F, or the worst soil, in a high-risk seismic zone, and thus subject to liquefaction, such a project would require one or more geotechnical engineers for the expert review panel. Additional experts in specialized fields also might be identified for a specific project, if the Director determines it to be necessary.

Because of the unusual and complicated circumstances presented by the Millennium Tower situation, the Department continues to work closely with the Mayor's Office, the City Administrator, and the Board of Supervisors in taking specific steps to improve the Department's policies, processes and procedures to provide additional scrutiny –and expertise—when reviewing high rise construction projects of 240 or more feet, especially when such projects are located in seismically-vulnerable areas.

OFFICE OF THE DIRECTOR 1660 Mission Street – San Francisco CA 94103 Office (415) 558-6131 – FAX (415) 558-6225 Email: Tom.Hui@sfgov.org That is why I announced last month that effective immediately, the Department will select all future peer review participants – those outside experts DBI calls upon when reviewing tall buildings that are 240 feet or higher, and when the proposed building design is performance-based – rather than the previous practice of the project sponsor also participating in the peer review selection process.

There also may be additional staff-initiated changes to Administrative Bulletins AB-082 and AB-083 to improve the information DBI receives during permit review of tall buildings, and such changes will be sent to the Building Inspection Commission for its consideration and possible action at future meetings.

All DBI staff is to be aware of, and to act upon, this immediate change.

**BOARD of SUPERVISORS** 



City Hall Dr. Carlton B. Goodlett Place, Room 244 San Francisco 94102-4689 Tel. No. 554-5184 Fax No. 554-5163 TDD/TTY No. 544-5227

BOS-11, COB, Copager AC File

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#### MEMORANDUM

Date:	November 21, 2016
To:	Board of Supervisors
From:	Angela Calvillo, Clerk of The Board
Subject:	Quarterly Report on Departmental Spending Quarter Ending September 30, 2016

Section 10.19-5 of the Administrative Code requires that all City departments submit a report to the Board of Supervisors identifying any areas, by appropriations item, where the department's rate of spending, if continued for the rest of the fiscal year, would exceed the total appropriation for the fiscal year for that item.

For the first quarter of FY 2016/17, the department's expenditures, across all line items, stayed within the appropriate expenditure rate for the year. While some expenditures are not incurred evenly throughout the year, the department does not expect the total expenditures to exceed the appropriated budget at the end of the fiscal year.

Year-to-month-end expenditure rates, by appropriation item, for the quarter ending September 30, 2016 are as follows:

- 001 Salaries 22.9%
- 013 Mandatory Fringe Benefits 22.1%
- 021 Non Personnel Services 14.7%
- 040 Materials & Supplies 8.5%
- 081 Services of Other Departments 0%
- 086 Expenditure Recovery 0%

From: Sent: To:	Reports, Controller (CON) Wednesday, November 23, 2016 12:02 PM Calvillo, Angela (BOS); Gosiengfiao, Rachel (BOS); BOS-Supervisors; BOS-Legislative Aides; Kawa, Steve (MYR); Howard, Kate (MYR); Steeves, Asja (CON); Campbell, Severin (BUD); Newman, Debra (BUD); Rose, Harvey (BUD); SF Docs (LIB); CON-EVERYONE; Kelly, Jr, Harlan (PUC); Hom, Nancy (PUC); Andersson, Christina M; Low, Matthew (PUC); kristin@secteam.com; cathy@secteam.com; marianne@secteam.com;
Subject:	peggy.hallavery@nrg.com; gordon.judd@nrgenergy.com Issued — Board of Supervisors: NRG Energy Center San Francisco LLC Properly Paid Its Franchise Fees for 2013 and 2014

The City Services Auditor Division (CSA) of the Office of the Controller (Controller) today issued its audit report of the franchise fees NRG Energy Center San Francisco LLC (NRG) paid to the City and County of San Francisco (City) to use city streets to install, construct, maintain, and operate steam pipe conduits for distributing steam for heating purposes. The audit found that NRG, in all material respects, correctly reported \$31,696,001 in total gross receipts and paid \$327,372 in franchise fees to the City and that the Controller's Budget and Analysis Division and San Francisco Public Utilities Commission complied with requirements in administering and monitoring the franchise agreement.

To view the full report, please visit our website at: <u>http://openbook.sfgov.org/webreports/details3.aspx?id=2387</u>

This is a send-only e-mail address. For questions about the report, please contact Director of City Audits Tonia Lediju at tonia.lediju@sfgov.org or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

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#### **BOARD OF SUPERVISORS:**

NRG Energy Center San Francisco LLC Properly Paid Its Franchise Fees for 2013 and 2014



November 23, 2016

#### OFFICE OF THE CONTROLLER CITY SERVICES AUDITOR

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

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

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

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

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

For questions about the report, please contact Director of City Audits Tonia Lediju at <u>Tonia.Lediju@sfgov.org</u> or 415-554-5393 or CSA at 415-554-7469.

CSA Audit Team: Winnie Woo, Associate Auditor

Audit Consultants: Sjoberg Evashenk Consulting, Inc.



#### CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Ben Rosenfield Controller

Todd Rydstrom Deputy Controller

November 23, 2016

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

**Dear President Breed and Members:** 

The City Services Auditor Division (CSA) of the Office of the Controller (Controller) engaged Sjoberg Evashenk Consulting, Inc., to audit the franchise fees NRG Energy Center San Francisco LLC (NRG) paid to the City and County of San Francisco (City) to use city streets to install, construct, maintain, and operate steam pipe conduits for distributing steam for heating purposes. NRG is required to report its annual gross receipts and pay 2 percent of the gross receipts subject to the City's franchise fee. The San Francisco Public Utilities Commission (SFPUC) is responsible for overseeing the franchise, except for certain financial requirements, for which the Controller's Budget and Analysis Division is responsible.

**Reporting Period:** January 1, 2013, through December 31, 2014

Franchise Fees Paid: \$327,372

Results:

NRG, in all material respects, correctly reported \$31,696,001 in total gross receipts and \$16,368,630 in gross receipts subject to the franchise fee and paid \$327,372 in franchise fees to the City. Also, SFPUC and the Controller's Budget and Analysis Division complied with the requirements for administering and monitoring the franchise agreement.

The responses of NRG, SFPUC, and the Controller's Budget and Analysis Division are attached to this report.

CSA appreciates the assistance and cooperation of NRG, SFPUC, and Controller's Budget and Analysis Division staff during the audit. For questions about the report, please contact me at Tonia.Lediju@sfgov.org or 415-554-5393 or CSA at 415-554-7469.

Respectfully,

Tonia Lediju Director of City Audits

Attachment

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

#### Board of Supervisors: NRG Energy Center San Francisco LLC Properly Paid Its Franchise Fees for 2013 and 2014

November 15, 2016

### SJOBERG EVASHENK

455 Capitol Mall • Suite 700 • Sacramento, California • 95814 • Tel 916.443.1300 • Fax 916.443.1350

#### **EXECUTIVE SUMMARY**

#### **Purpose of the Audit**

As required by the San Francisco Administrative Code, Chapter 11–Franchises, the City Services Auditor assessed (1) whether NRG Energy Center San Francisco LLC complied with the reporting requirements and payment obligations contained in Chapter 11 and in San Francisco Steam Franchise Ordinance 418-75 and (2) whether San Francisco departments complied with the relevant requirements for administering and monitoring the Steam Franchise Ordinance.

#### Highlights

The San Francisco Board of Supervisors may grant a franchise by ordinance to another entity to construct, install, and/or operate facilities in public rights-of-way within the City and County of San Francisco (City).

In 1993, NRG Energy Center San Francisco LLC (NRG) was granted a steam franchise authorizing it to install, maintain, and operate underground steam pipe conduits in order to carry steam and/or steam condensate for heating and other purposes through City streets, alleys, and other public places. In consideration for the franchise, NRG must submit a statement of gross receipts and a franchise fee payment to the City on an annual basis.

The San Francisco Public Utilities Commission is responsible for administering and reporting on non-financial aspects of the franchise, while the Office of the Controller's Budget and Analysis Division is responsible for receiving and reviewing franchise statements and payments.

The audit found that NRG complied with its obligations under the steam franchise ordinance and the relevant provisions of the San Francisco Administrative Code. The audit also found that the Public Utilities Commission and Budget and Analysis Division fulfilled their obligations in administering and monitoring the franchise.

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#### INTRODUCTION

#### Audit Authority

The Office of the Controller (Controller) is required under the San Francisco Administrative Code (Administrative Code), Chapter 11, Section 11.44(a) to file a report no less than every two years with the Board of Supervisors (Board) analyzing whether each franchisee is complying with the reporting requirements and payment obligations in Chapter 11 of the Administrative Code and the relevant franchise ordinance.

The City and County of San Francisco (City) also has the right under the Administrative Code, Chapter 11, Section 11.38 to access the books and records of a franchisee to monitor compliance with Chapter 11 of the Administrative Code, the franchise ordinance, or other applicable law.

Further, the San Francisco Charter provides the Controller's City Services Auditor Division (CSA) with broad authority to conduct audits. Sjoberg Evashenk Consulting, Inc. conducted this audit on behalf of CSA under these authorities.

In 1975, the San Francisco Board of Supervisors granted Pacific Gas and Electric Company (PG&E) a franchise to install, maintain, and operate underground steam pipe conduits in order to carry steam and/or steam condensate for heating and other purposes through City streets, alleys, and other public places.<sup>1</sup>

Nearly 20 years later, in 1993, the Board approved the transfer of the steam franchise from PG&E to NRG Energy Center San Francisco LLC (NRG).<sup>2</sup> NRG is owned by dGen, a subsidiary of NRG Energy, Inc.

In consideration for the franchise, NRG must submit to the City a duly verified statement of its gross receipts subject to the franchise fee, which amount is based on the ratio of NRG's franchise assets to total operating assets valued at historical cost, by March 31<sup>st</sup> each year and must pay the City two percent of its annual gross receipts arising from the use, operation, or possession of the franchise (gross receipts subject to the franchise fee) annually by April 15th.

Background

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<sup>&</sup>lt;sup>1</sup> Ordinance No. 418-75

<sup>&</sup>lt;sup>2</sup> Ordinance No. 124-93

Franchise assets encompass all assets related to the sale of steam and located in public spaces, while assets located on private property are considered "non-franchise" assets. NRG maintains historical cost asset lists tracking the historical cost of each asset and distinguishing between franchise assets and non-franchise assets.

Chapter 11 of the Administrative Code designates the San Francisco Public Utilities Commission (SFPUC) as the entity responsible for administering and reporting to the Board on the City's steam franchise, except for certain aspects which are administered by the Controller. The Controller's Budget and Analysis Division (Division) is responsible for receiving NRG's annual statement and collecting the franchise fees.

The objective of the audit was to determine whether NRG complied with the reporting requirements and payment obligations contained in Chapter 11–Franchises of the San Francisco Administrative Code and Steam Franchise Ordinance 418-75 (franchise agreement) and whether City departments complied with the relevant requirements for administering and monitoring the franchise.

Specifically, the audit determined whether:

- NRG timely and accurately reported its gross receipts subject to the franchise fee under the terms of the franchise agreement;
- 2. NRG correctly calculated and timely paid the City the proper franchise fee under the terms of the franchise agreement;
- 3. SFPUC and the Division complied with all applicable requirements in administering and monitoring the franchise; and
- 4. NRG, SFPUC, and the Division corrected relevant findings and implemented recommendations from CSA's prior audit covering 2011 and 2012.

This audit covered the period from January 1, 2013 to December 31, 2014.

#### **Objective and Scope**

#### Methodology

To conduct the audit, the auditors reviewed the applicable provisions of Chapter 11 of the Administrative Code and the franchise agreement as well as conducted interviews of NRG, SFPUC, and Division management and staff.

To determine whether NRG accurately reported its gross receipts, the auditors identified and analyzed NRG's internal controls over franchise activities and compared receipts reported to the City to amounts recorded in NRG's records (monthly billing spreadsheets, annual sales summaries, and year-end income statements). On a sample basis, the audit team tested whether NRG invoiced customers according to meter-reading records and applicable rates and whether invoiced amounts were appropriately recorded as gross receipts. Further, the auditors determined whether adjustments to receipts were adequately supported.

To determine whether NRG correctly calculated the gross receipts subject to the franchise fee based on the ratio of franchise assets to total operating assets, the audit team compared historical cost asset lists between years for reasonableness and completeness, as well as verified key formulas to ensure the lists encompassed all relevant values. The auditors also reviewed asset descriptions and evaluated whether NRG reasonably characterized assets as franchise and non-franchise. In addition, the auditors traced the historical cost assigned to each asset added in 2013 and 2014 to NRG's records (depreciation schedules, year-end trial balances, and year-end work in progress reports) and compared asset values on historical cost asset lists to values reported on NRG's statements of gross receipts.

To determine whether NRG correctly calculated and paid the City the proper franchise fee under the terms and deadlines specified in the franchise agreement, the audit team reviewed Division date stamps on NRG's annual statements of gross receipts and franchise fee payments; confirmed that the statements of gross receipts were duly verified; and checked each calculation in NRG's computation of its franchise fee to ensure mathematical accuracy. The audit team applied a materiality threshold set by CSA of the lessor of \$2,000 or two percent of NRG's calculated annual franchise fee due to any underpayments and overpayments identified.

To determine SFPUC and the Division's level of compliance

with applicable requirements in administering and monitoring the franchise, the auditors reviewed the most recent compliance report that SFPUC submitted to the Board and the tools used by the Division to track and review franchise fee reports and payments.

To determine whether NRG, SFPUC, and the Division corrected relevant findings and implemented recommendations from CSA's prior audit covering 2011 and 2012, the audit team interviewed staff and reviewed pertinent documents to identify and evaluate changes since the prior audit.

This performance audit was conducted in accordance with generally accepted government auditing standards. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on the audit objectives.

#### Statement of Auditing Standards

#### AUDIT RESULTS

Summary

NRG Timely Reported Its Gross Receipts and Paid Appropriate Franchise Fees to the City For the period between January 1, 2013 and December 31, 2014, NRG complied with its obligations under the franchise agreement and the relevant provisions of the San Francisco Administrative Code.

In addition, SFPUC and the Division complied with their requirements for administering and monitoring the franchise, and the Division corrected relevant findings and implemented recommendations from CSA's prior audit covering 2011 and 2012.

For 2013 and 2014, NRG, in all material respects, correctly reported \$31,696,001 in total gross receipts and \$16,368,630 in gross receipts subject to the franchise fee and paid \$327,372 in franchise fees to the City, as shown in the exhibit below, in compliance with the franchise agreement and the relevant provisions of the San Francisco Administrative Code. Furthermore, NRG's submission of its statements of gross receipts and franchise fee payments to the City were timely, as they occurred on March 7, 2014 and January 28, 2015 respectively, in advance of the March 31st reporting deadline and April 15th payment deadline set forth in the franchise agreement.

EXHIBIT	NRG Reported Gross Receipts and Franchise Fees Paid: January 1, 2013 to December 31, 2014			
Year	(A) Total Gross Receipts	(B) Ratio of Franchise Assets to Total Operating Assets	(C) Gross Receipts Subject to Franchise Fee = (A) x (B)	Franchise Fee* = (C) x .02
2013	\$17,238,163	51.938343%	\$8,953,216	\$179,064
2014	\$14,457,838	51.289927%	\$7,415,414	\$148,308
Total	\$31,696,001		\$16,368,630	\$327,372

Figures have been rounded to the nearest dollar.

\*Franchise fee due is two percent of NRG's annual gross receipts subject to the franchise fee.

Sources: NRG's annual steam franchise statements of gross receipt and Division payment records.

SFPUC Issued Its Statutorily Required Franchise Compliance Report

The Controller's Budget and Analysis Division Complied with Its Requirements for Receiving Franchise Statements and Payments as Well as Corrected Relevant Findings from the Prior Audit SFPUC is required by San Francisco Administrative Code, Chapter 11, Article 5, Section 11.44(b), to file a report with the Board of Supervisors (Board), no less than every two years, analyzing whether each franchise grantee is complying with all provisions of the chapter and its franchise, except for those addressed by the Controller's report.<sup>3</sup> SFPUC issued a compliance report to the Board dated August 2, 2016.

The Division complied with its franchise agreement responsibility to receive and verify franchise statements of gross receipts and payments.

The prior audit also found that the Division fulfilled its franchise obligations for 2011 and 2012 but that it could improve its processes for documenting the review of statements of gross receipts to ensure the statements were submitted on time and were duly verified. Since the prior audit, the Division has implemented both recommended improvements and began tracking the annual statement submission date as well as implemented a process to document the review for due verification by placing a checkmark next to the certification signature and date on statements of gross receipts.

<sup>&</sup>lt;sup>3</sup> The Controller's Report refers to the report requirement under San Francisco Administrative Code, Chapter 11, Article 5, Section 11.44(a) analyzing whether each person owing a franchise fee is complying with the audit, reporting requirements, and payment obligations contained in the Chapter.

#### **ATTACHMENT A: NRG's RESPONSE**



NRG Energy Center San Francisco LLC 14 Mint Plaza, Suite 200 San Francisco, CA 94103

November 3, 2016

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

Response to Report of Audit of Franchise Fees for 2013 and 2014

We have reviewed the report on the audit of our facilities franchise fee calculation and payment for the audited years of 2013 and 2014 and find the report acceptable and accurate.

It was a pleasure to work with the professionals of the audit staff.

Sincerely,

protection to be here and party

GORDON JUDD General Manager NRG Energy Center San Francisco, LLC

#### **ATTACHMENT B: SFPUC's RESPONSE**

San Francisco Water Power Sewer Services of the San Francisco Public Utilities Commission Assurance and Internal Controls Burcau 525 Gidden Gate Avenue, 13th Floor San Francisco, CA 94102 T 415.554.3155 F 415.554.3155 TY 415.554.3488

October 18, 2016

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

Subject:

Management's Response to CSA Audit Report Board of Supervisors: NRG Energy Center San Francisco LLC Complied With Its Franchise Obligations for 2013 and 2014

Dear Ms. Lediju,

Thank you for the opportunity to review and provide responses to your audit report, *Board of Supervisors: NRG Energy Center San Francisco LLC Complied With Its Franchise Obligations for 2013 and 2014.* 

We appreciate the time your staff dedicated to this audit, and are pleased there were no findings.

If you have any questions or need additional information, please do not hesitate to contact me at (415) 554-1600.

Eric L. Sandler, AGM Business Services & Chief Financial Officer

Nancy L. Hom, Director, Assurance & Internal Controls

Sincerely,

Michael Carlin, Deputy General Manager

Barbara Hale, AGM Power Enterprise

Harian L. Kelly, Jr. General Manager

Edwin M. Lee Mayor Anson Meran President Nos Kwon

Vice President Ann Moller Coon

Commissioner Francosca Vietor

Commissioner Vince Courtney

Commissioner Harlen L. Kelly, Jr.

General Manager



cc:

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#### ATTACHMENT C: CONTROLLER'S RESPONSE



CITY AND COUNTY OF SAN FRANCISCO

OFFICE OF THE CONTROLLER

Ben Rosenfield Controller

Todd Rydstrom Deputy Controller

October 13, 2016

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

Dear Ms. Lediju:

The Controller's Office Budget and Analysis Division (BAD) has reviewed the Franchise Fee Audit of NRG Energy Center San Francisco LLC (NRG) prepared by Sjoberg Evashenk Consulting for the period of January 1, 2013 through Dccember 31, 2014.

We concur with the audit results related to our Division that we have complied with the franchise agreement responsibility to receive and verify franchise statements of gross receipts and payments and that our Division has implemented recommendations from the prior audit to improve our processes for documenting the review of statements of gross receipts and to ensure the statements were submitted on time and were duly verified.

Sincerely,

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Michelle Allersma, Director Budget and Analysis Division

415-554-7500

City Hall + 1 Dr. Carlton B. Goodlett Place + Room 316 + San Francisco CA 94102-4694

FAX 415-554-7466

From: Sent: Subject: Attachments: Ballard, Krista [HSA] Monday, November 21, 2016 6:24 PM FW: SFHSA Message to our Community Partners SFHSA\_Community Letter\_November 2016.pdf

On behalf of the Human Services Agency, please see the attached letter.

Thank you,

Krista Ballard | Assistant to Trent Rhorer, Executive Director City & County of San Francisco – Human Services Agency

**From:** Johnson, Chandra (HSA (DSS)) **Subject:** SFHSA Message to our Community Partners

A message from the San Francisco Human Services Agency (HSA):

Following the Presidential election, HSA is committed to ensuring our clients and community partners are supported and informed that at this point in time, even with the very real threats to reform or repeal the Affordable Care Act, there are absolutely no changes to any of the vital programs administered by our three departments: the Department of Human Services, the Department of Aging and Adult Services and the Office of Early Care and Education. Our social safety net and protective services remain intact. We are closely monitoring new developments and will keep you informed as new information becomes available.

This afternoon, HSA issue the enclosed letter to our community partners and stakeholders. This message is also available online at, <u>http://www.sfhsa.org</u>

Regards, Chandra

Chandra Johnson Director of Communications San Francisco Human Services Agency 170 Otis Street, 8th Floor San Francisco, CA 94103 Office: (415) 557-5940 http://www.sfhsa.org

#### City and County of San Francisco



Edwin M. Lee, Mayor

Human Services Agency

Department of Human Services Department of Aging and Adult Services

Trent Rhorer, Executive Director

#### November 21, 2016

#### A message from the San Francisco Human Services Agency to our community partners:

In the aftermath of such a divisive Presidential election, many of us are feeling a sense of anxiety, fear and speculation about how we can move forward to best protect and serve our communities.

We want to make clear that at this point in time, **there are absolutely NO changes to any of the vital programs** administered by the Human Services Agency's (HSA) three departments: the Department of Human Services, the Department of Aging and Adult Services and the Office of Early Care and Education. Our social safety net and protective services remain intact.

The values of respect, diversity, integrity, partnership and commitment to serve define the City of San Francisco and empower us to uphold and defend the programs entrusted to our care for our most vulnerable citizens. Mayor Lee has reinforced his resolve to ensure that San Francisco will continue to lead on Human Rights, remain a Sanctuary City and provide affordable healthcare for all. Many questions remain unanswered about the long-term future of our services. However, it is important to note that none of our programs can be singlehandedly dismantled by a Presidential Executive Order. Any changes would require specific acts of Congress. Even with the very real threats to reform or repeal the Affordable Care Act, we are hopeful that critical pieces of this health program that now insures 20 million Americans will continue.

We are proud that nearly one in four San Franciscans now has access to high-quality healthcare through the expansion of Medi-Cal under the Affordable Care Act. Similarly, California's CalFresh program leverages federal funding to help bring more healthy food to the tables of nearly 50,000 San Franciscans who receive nutritional benefits each month. Dismantling these programs runs counter to healing the wounds of a divided nation and cannot simply fall into place without opposition from elected officials at the local, state, and national levels and a very large constituency of Americans.

In the coming months and years, we may very well need your support in protecting the services we have come to depend on. But for now, we remain open for business as usual. Our staff is more focused than ever on HSA's mission to promote well-being and self-sufficiency among individuals, families and communities in San Francisco.

We invite you to join us in a renewed effort to strengthen our community partnerships as we implement innovative strategies to reach all eligible populations, renew benefits for existing clients and keep the community informed about any impending changes to our services.

Sincerely,

**Trent Rhorer** Executive Director, Human Services Agency Shireen McSpadden Executive Director, Department of Aging and Adult Services September Jarrett Director, Office of Early Care and Education

P.O. Box 7988, San Francisco, CA 94120-7988 = (415) 557-5000 = www.sfhsa.org/

The San Francisco Human Services Agency (HSA) remains committed to providing assistance to all families, single adults, the disabled and seniors through cash assistance, food and nutritional support, health insurance (Medi-Cal), employment training, child care subsidies, in home care, and supportive housing, among other services. For more information, please visit, <u>www.sfhsa.org</u>

#### **Affordable Healthcare for Californians**

The Medi-Cal public health insurance program offers access to free or low-cost health care coverage. HSA provides Medi-Cal enrollment, in addition to support for those who are low income but not eligible for Medi-Cal to purchase affordable private health insurance offered by Covered California. All immigrants who meet the income guidelines can receive Medi-Cal for emergency care, regardless of immigration status. <u>HSA does not share are any information from Medi-Cal applications with the federal government.</u> For more information about the current use of immigration information collected as part of the Medi-Cal eligibility process, visit <u>www.ice.gov/doclib/ero-outreach/pdf/ice-aca-memo.pdf</u>

Apply for Medi-Cal by phone (415) 558-4700, in person at 1440 Harrison Street and 1235 Mission Street in San Francisco, or online at, <u>www.mybenefitscalwin.org</u>

Covered California Open Enrollment is here! Apply by December 15, 2016, and coverage will remain intact for 2017. We encourage everyone to renew existing plans or shop for a new plan that best fits you and your family. Don't risk a financial burden in 2017 by not enrolling. Learn more at, <u>www.coveredca.com</u>

Before the Affordable Care Act (ACA), San Francisco had Healthy San Francisco, Healthy Workers, and Healthy Kids to provide health care to our residents. These programs will still be there in the event of changes to the ACA.

Healthy San Francisco: <u>www.healthysanfrancisco.org</u> or (415) 615-4555 Healthy Kids: <u>www.sfhp.org/visitors/healthy-kids</u> or (415) 777-9992

#### Sanctuary Cities and Federal Funding

Mayor Lee has reaffirmed his commitment to ensuring that San Francisco remains a Sanctuary City. This policy has been adopted by cities across the country to protect immigrant rights and is not a program aligned with federal funding. The incoming Presidential Administration's position to 'defund' sanctuary cities has created speculation about the future of San Francisco's economic and nutritional support programs for food and working families, including CalFresh and CalWorks.

It is unclear how efforts to defund sanctuary cities would advance without significant implications for social services, public health and safety, infrastructure, and education initiatives for millions of thriving families. National policy reform of this measure will require acts of Congress and, for now, there is no legislative action taken to block San Francisco from receiving federal funding. HSA continues our efforts to promote inclusiveness for all services.

#### <u>A guide to frequently asked questions and additional resources regarding eligibility and access to HSA services</u> for immigrant populations is available at, www.sfhsa.org/2668.htm





SAN FRANCISCO OFFICE OF SMALL BUSINESS City and County of San Francisco Edwin M. Lee, Mayor

Office of Small Business Regina Dick-Endrizzi, Director

November 28, 2016

Dear Mayor Lee and Members of the Board of Supervisors:

Attached is the October 2016 monthly report for the Legacy Business Program. The report includes the following:

- Statistics;
- Businesses placed on the Legacy Business Registry (fiscal year 2016-17 through October 31, 2016);
- Businesses in the approval pipeline for the Legacy Business Registry (As of October 31, 2016);
- Applications in review, incomplete or not received;
- Applicants seeking nominations from the mayor or a member of the Board of Supervisors;
- Applications halted;
- Major accomplishments (October 2016);
- Major upcoming activities (November 2016); and
- Press (October 2016).

If you would be interested in nominating one of the businesses that has expressed interest in the program but does not yet have a nomination, please let us know. See the section titled "Applicants Seeking Nominations from the Mayor or a Member of the Board of Supervisors."

Note that future monthly reports will include only businesses that were added to the Registry that month versus a list of all of the business included on the Registry.

Please let us know if you have any questions.

Thank you.

Sincerely,

Richard Kurylo Legacy Business Program Manager



1 DR. CARLTON B. GOODLETT PLACE, ROOM 110, SAN FRANCISCO, CALIFORNIA 94102-4681 (415) 554-6134 / www.sfosb.org / legacybusiness@sfgov.org



SAN FRANCISCO

**OFFICE OF SMALL BUSINESS** 

City and County of San Francisco Edwin M. Lee, Mayor

Office of Small Business Regina Dick-Endrizzi, Director

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#### Legacy Business Program Monthly Report to the Mayor and the Board of Supervisors October 2016

Statistics

	October 2016	Fiscal Year
Nominations Received	24	44
Applications Received	21	49
Applications Reviewed by the Historic Preservation Commission	12	36
Businesses Placed on the Legacy Business Registry	8	27

#### Businesses Placed on the Legacy Business Registry (Fiscal Year 2016-17 through October 31, 2016)

Business Name	Nominator	Dated Placed on the Registry	
Booksmith, The	London Breed	10/3/2016	
Brazen Head, The	Mark Farrell	8/22/2016	
Community Boards	London Breed	8/8/2016	
Doc's Clock	David Campos	8/22/2016	
Dog Eared Books	David Campos	10/3/2016	
Escape From New York Pizza	London Breed	10/24/2016	
Gilmans Kitchens and Baths	David Campos	8/8/2016	
Green Apple Books	Eric Mar	10/3/2016	
Gypsy Rosalie's Wigs & Vintage	Aaron Peskin	10/24/2016	
Henry's House of Coffee	Katy Tang	10/3/2016	
Image Conscious	Jane Kim	8/22/2016	
Lone Star Saloon	Jane Kim	8/8/2016	
Macchiarini Creative Design and Metalworks	Aaron Peskin	8/8/2016	
Mission Neighborhood Health Center	David Campos	8/22/2016	
Moby Dick	David Campos	8/22/2016	
Oddball Films	David Campos	10/24/2016	
Pacific Café	Eric Mar	8/8/2016	
Pier 23 Café	Aaron Peskin	8/22/2016	
Precita Eyes Muralists Association, Inc.	David Campos	8/8/2016	
Roxie Theater	Scott Wiener	8/22/2016	
Ruby's Clay Studio & Gallery	Scott Wiener	8/22/2016	



1 DR. CARLTON B. GOODLETT PLACE, ROOM 110, SAN FRANCISCO, CALIFORNIA 94102-4681 (415) 554-6134 / www.sfosb.org / legacybusiness@sfgov.org



#### SAN FRANCISCO OFFICE OF SMALL BUSINESS

Office of Small Business Regina Dick-Endrizzi, Director

SF Party	Jane Kim	8/22/2016
Specs' Twelve Adler Museum Café	Aaron Peskin	8/8/2016
Toy Boat Dessert Café	Eric Mar	8/8/2016
Two Jack's Nik's Place Seafood	London Breed	8/8/2016
Twin Peaks Auto Care	Norman Yee	8/22/2016
Zeitgeist	David Campos	10/3/2016

#### Businesses in the Approval Pipeline for the Legacy Business Registry (As of October 31, 2016)

Business Name	Nominator	Small Business Commission Hearing Date for Registry Determination
Anchor Oyster Bar	Scott Wiener	11/14/2016 (Added to Registry)
Café International	London Breed	11/14/2016 (Added to Registry)
City Lights Booksellers and Publishers	Aaron Peskin	11/14/2016 (Added to Registry)
EROS	Jane Kim	11/14/2016 (Added to Registry)
Instituto Familiar de la Raza	David Campos	11/14/2016 (Added to Registry)
Luxor Cab Company	Jane Kim	11/14/2016 (Added to Registry)
Papenhausen Hardware	Norman Yee	11/14/2016 (Added to Registry)
Sam Wo Restaurant	Aaron Peskin	11/14/2016 (Added to Registry)
St. Francis Fountain	David Campos	11/14/2016 (Added to Registry)
Bay Area Video Coalition, Inc.	Edwin Lee	11/28/2016 (Added to Registry)
Blue Bear School of Music	Mark Farrell	11/28/2016 (Added to Registry)
Bo's Flowers Stand	Jane Kim	11/28/2016 (Added to Registry)
Café du Nord	Scott Wiener	11/28/2016 (Added to Registry)
Caffe Trieste	Aaron Peskin	11/28/2016 (Added to Registry)
Cartoon Art Museum of California	Edwin Lee	11/28/2016 (Added to Registry)
Castro Country Club	Scott Wiener	11/28/2016 (Added to Registry)
Cole Hardware	London Breed	11/28/2016 (Added to Registry)
Galeria de la Raza (Galeria Studio 24)	Edwin Lee	11/28/2016 (Added to Registry)
Golden Bear Sportswear	Edwin Lee	11/28/2016 (Added to Registry)
Sam's Gill and Seafood Restaurant	Aaron Peskin	11/28/2016 (Added to Registry)
San Francisco Heritage	Mark Farrell	11/28/2016 (Added to Registry)
Stud Bar, The	Jane Kim	11/28/2016 (Added to Registry)
Arrow Stamp and Coin Company	Katy Tang	12/12/2016
Britex Fabrics	Aaron Peskin	12/12/2016
Clarion Music Center	Aaron Peskin	12/12/2016





#### SAN FRANCISCO OFFICE OF SMALL BUSINESS

#### Office of Small Business Regina Dick-Endrizzi, Director

Cove on Castro, The	Scott Wiener	12/12/2016
Dance Brigade	David Campos	12/12/2016
Golden Gate Fortune Cookies	Aaron Peskin	12/12/2016
Hamburger Haven	Eric Mar	12/12/2016
Navarro's Kenpo Karate Studio	David Campos	12/12/2016
Project Open Hand	Jane Kim	12/12/2016
Sacred Grounds Café, The	London Breed	12/12/2016
Sam Jordan's Bar	Edwin Lee	12/12/2016
San Francisco Prosthetic Orthotic Service	London Breed	12/12/2016
Valencia Whole Foods	David Campos	12/12/2016
VIP Coffee and Cake Shop	Aaron Peskin	12/12/2016
Zam Zam	London Breed	12/12/2016
Brownies Hardware	Aaron Peskin	1/9/2017
Good Vibrations	David Campos	1/9/2017
Joe's Ice Cream	Eric Mar	1/9/2017

#### Applications in Review, Incomplete or Not Received

Business	Nominator	Application Status
Tennessee Grill	Katy Tang	Application not received
22nd & Irving	Katy Tang	Application not received
Beep's Burgers	Norman Yee	Application in review
Bullshead Restaurant	Norman Yee	Application not received
Caffe Greco	Aaron Peskin	Application not received
Capital Restaurant	Aaron Peskin	Application not received
Cinch Saloon, The	Aaron Peskin	Application not received
Columbus Cutlery	Aaron Peskin	Application not received
Davis Foot Comfort Center	Katy Tang	Application not received
Distractions	London Breed	Application not received
El Toreador	Norman Yee	Application not received
Elixir	Scott Wiener	Application not received
Ermico Enterprises	Malia Cohen	Application not received
Faxon Garage	Norman Yee	Application not received
Frank's Florals	Katy Tang	Application not received
Gold Mirror Restaurant	Norman Yee	Application not received
Graffeo Roasting Co.	Aaron Peskin	Application not received
Great Wall Hardware	Katy Tang	Application not received





#### SAN FRANCISCO OFFICE OF SMALL BUSINESS

#### Office of Small Business Regina Dick-Endrizzi, Director

Humidor, The	Aaron Peskin	Application not received
Jackson Fillmore Trattoria	Mark Farrell	Application not received
Java on Ocean café	Norman Yee	Application not received
JC Market	Aaron Peskin	Application not received
Jun Yu Barber Shop	Aaron Peskin	Application not received
Le Beau Market	Aaron Peskin	Application not received
Liguria Bakery	Aaron Peskin	Application not received
Little City Market	Aaron Peskin	Application not received
Manor Café, The	Norman Yee	Application not received
Marcello's	Katy Tang	Application not received
Mario's Bohemian Cigar Store Café	Aaron Peskin	Application not received
Marnee Thai	Katy Tang	Application not received
McRoskey Mattress Company	Malia Cohen	Application not received
Ocean Park Motel	Katy Tang	Application not received
Oceanside Sheet Metal	Katy Tang	Application not received
Orphan Andy's	Scott Wiener	Application not received
Other Avenues	Katy Tang	Application not received
Philosopher's Club	Norman Yee	Application not received
Postal Chase, The	Norman Yee	Application not received
Real Food Company	Aaron Peskin	Application in review
Retro Fit Vintage	David Campos	Application not received
ROLO	Scott Wiener	Application incomplete; Conducted recent outreach
Simsarian, Dr. Richard	Katy Tang	Application not received
Slim's	Jane Kim	Application incomplete; Conducted recent outreach
Submarine Center	Norman Yee	Application not received
Swan Oyster Depot	Aaron Peskin	Application not received
Vesuvio Café	Aaron Peskin	Application not received
Whelan-Kennelly Academy of Irish Dance	Katy Tang	Application not received
Wong's TV-Radio Service	Aaron Peskin	Application not received
Yone Bead Shop SF	Aaron Peskin	Application not received
Tulle beau sliph SF	Aaron Peskin	Application not received





#### SAN FRANCISCO OFFICE OF SMALL BUSINESS

OFFICE OF SMALL BUSINESS REGINA DICK-ENDRIZZI, DIRECTOR

#### Applicants Seeking Nominations from the Mayor or a Member of the Board of Supervisors

Business	Address	Application Status
Acción Latina	2958 24th Street (District 9)	Mayor Lee will nominate;
		Eligible in 2017
Couture European Clothing	395 Sutter St. (District 3)	Application in review
Great American Music Hall	859 O'Farrell Street (District 6)	Application incomplete;
	·	Conducted recent outreach
Long Boat Jewelry	754 Grant Avenue (District 3)	Application complete
San Francisco Eagle Bar	398 12th Street (District 6)	Supervisor Campos will
		nominate; Application in review

#### **Applications Halted**

Business	Nominator	Application Status
Fog Hill Market	Aaron Peskin	Business closed
Modern Times Bookstore Collective	David Campos	Business closed
Sing Tao Newspapers (San Francisco)	Aaron Peskin	Application retracted by applicant
Ltd. DBA Sing Tao Daily		

#### Major Accomplishments (October 2016)

- Extended the application deadline of the Business Assistance Grant to 12/15/16.
- Completed drafting the Business Assistance Grant rules and regulations.
- Submitted the Business Assistance Grant rules and regulations to the Clerk of the Board on 10/11/16.
- Participated in a District 1 Town Hall meeting on the Legacy Business Program on 10/24/16.

#### Major Upcoming Activities (November 2016)

- Business Assistance Grant application issued to Legacy Businesses on 11/10/16, including Legacy Businesses on the Registry as well as businesses in the approval pipeline through the 12/12/16 Small Business Commission meeting.
- Rules and regulations for the Rent Stabilization Grant completed.





Office of Small Business Regina Dick-Endrizzi, Director

#### SAN FRANCISCO OFFICE OF SMALL BUSINESS

#### Press (October 2016)

Haight Street's The Booksmith Named SF Legacy Business Hoodline, October 5, 2016

Loss of Britex to rip hole in Union Square's fabric San Francisco Chronicle, October 6, 2016

Café International: The Lower Haight's Latest Legacy Business Nominee Hoodline, October 7, 2016

Valencia Street's Dog Eared Books Receives Legacy Business Status Hoodline, October 7, 2016

Peak 2016: Luxor Cabs Seeks Legacy Business Designation sfist, October 14, 2016

How can cities save their small businesses? Curbed, October 17, 2016

<u>Three San Francisco Bookstores Awarded Legacy Business Status</u> American Booksellers Association, October 19, 2016

Luxor cabs receive legacy business status San Francisco Examiner, October 19, 2016

Booksmith Opens New Chapter With Legacy Business Status And Expansion To Second Act Space sfist, October 21, 2016

Dog-Eared Books, Zeitgeist Added to Legacy Business Registry Mission Local, October 24, 2016

The Outer Sunset's First Legacy Business: Henry's House Of Coffee Hoodline, October 26, 2016



From: To: Subject: Attachments: Board of Supervisors, (BOS) BOS-Supervisors; Evans, Derek FW: Resignation from the Police Commission Resignation Letter.docx

From: Victor Hwang [mailto:apivictor@gmail.com]
Sent: Monday, November 21, 2016 3:07 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: Kilshaw, Rachael (POL) <Rachael.Kilshaw@sfgov.org>; Suzy Loftus <suzyloftus@hotmail.com>; Tom, Risa (POL) <risa.tom@sfgov.org>
Subject: Resignation from the Police Commission

Please find attached a copy of my resignation letter.

Thank you, Victor November 21, 2016

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

RE: Resignation from Police Commission

Dear Ms. Calvillo:

Greetings. I am writing to inform you that I am resigning from the San Francisco Police Commission effective immediately. A hard copy of this letter will follow by mail.

It has been an honor to serve as the Board's appointee to the Police Commission for the past two and a half years. As the Board's representative, I had the opportunity to work on many important issues for our city including the redistricting of police station boundaries, re-affirming our commitment to the sanctuary city ordinance, strengthening our domestic violence policies, improving safety in public housing, implementing body-worn cameras, updating our use of force policy, and recently submitting the names of three very strong candidates for Chief of Police to the Mayor.

BOS-11, Pulle COB, CPage

I regret that I will not be able to serve out the full balance of my term but hope that the Board will be able to fill my seat quickly so that the ongoing discussions and initiatives around police reform may continue unabated.

Again, I thank the Board, my colleagues and the staff of the Commission for having allowed me the opportunity to serve the City as a Police Commissioner.

Sincerely? fictor M. Hwang

## DAN KRAMER LAW GROUP

November 14, 2016

Via US Mail

San Francisco Board of Supervisors Public Safety and Neighborhood Services Committee 1 Dr. Carlton B. Goodlett Place, Room 244 San Francisco, CA 94102 Attn: Ms. Erica Major, Clerk

1612-68

PONS

Re: Emporium San Francisco; 616 Divisadero St.; Request for Determination of Public Convenience or Necessity

Dear Ms. Major and Members of the Public Safety and Neighborhood Services Committee:

This firm represents Emporium SF, LLC *dba* Emporium San Francisco ("Emporium"). Emporium recently applied for a Type-48 license (ABC file no. 576170) for its venue located at 616 Divisadero St, San Francisco, CA (the "Venue"), and was advised by the Department of Alcoholic Beverage Control ("ABC") that a determination of public convenience or necessity by the Board of Supervisors is a condition to the ABC's issuance of this license. On behalf of Emporium, we respectfully request that the Board determine that the issuance of a Type-48 license to the Venue will serve public convenience or necessity.

Located in the old Harding Theater, Emporium will be a combination of a classic game arcade and live-event venue. It will feature approximately 25 classic video games and new games designed by local indie game developers, as well as pinball machines, pool tables, foosball, air hockey and shuffleboard tables. The Harding Theater has a rich legacy spanning from early cinema to concerts, and the Emporium intends to restore the old stage to host live performances, and to install a large movie screen for independent film screenings, video game tournaments and large presentations.

With respect to food and beverage offerings, Emporium will partner with local restaurants to offer a wide array of meals and appetizers that customers can have delivered to the Venue. In addition to its food offerings, Emporium intends to offer a curated bar menu featuring high-end American craft beer weighted with offerings from local and regional breweries plus a selection of small-batch whiskeys.

Emporium's planned hours of operation will be Monday – Thursday from 5pm to 2am, Fridays from 3pm to 2am, and Saturday – Sunday 12pm to 2am. Live entertainment and movie screenings will typically occur 2-3 evenings per week.

Conditional Use Permit (2005.0911C) has been issued for the Venue to allow for a bar, amusement game arcade and other entertainment and movie use. In addition, the Entertainment Commission approved the Entertainment Permit for this Venue (see EC-1372).

633 BATTERY STREET, SUITE 110, SAN FRANCISCO, CA 94111 · TEL: (415) 723-4288 · WWW.DJKLAWGROUP.COM
The owners of Emporium are experienced operators with two locations in Chicago one in Logan Square and one in Wicker Park. Emporium takes great pride in being an integral part of each community in which it is located, partnering with members of the community in a number of different ways such as featuring local artists' murals on the walls and beers made by small local breweries on tap. The owners and management take the responsibility of being good neighbors very seriously, especially as it relates to the service of alcohol. As a result, they have developed strong relationships with law enforcement, local government, and neighbors at both of the Chicago locations, and intend to do the same in San Francisco. Emporium has reached out to the local neighborhood regarding the intended operations at the Venue and letters of support were given by both NOPNA and the Hayes Valley Neighborhood Association in connection with Emporium's Entertainment Permit application. In addition, Emporium has received support for this project from Supervisor Breed.

Emporium will take all necessary steps to comply with San Francisco Police Code Section 1060.5 with respect to security at the premises. One security guard will be present for every onehundred patrons, and all security personnel will be LEAD certified. Proof of age for every person seeking to enter the Venue will be verified by security personnel with an ID scanning machine. A closed circuit television (CCTV) system with adequate lighting will monitor the exterior of the premises at all hours of the day. The venue will operate in compliance with all local noise ordinances, and soundproofing will be installed if necessary to comply with such ordinances.

Therefore, while the benefits to the community from both a cultural and social perspective will be significant, the operations will be conducted in such a manner as to limit any negative impact on the surrounding neighborhood. Accordingly, on behalf of Emporium, we respectfully request that the Committee determine public convenience or necessity will be served by the issuance of a Type-48 license to Emporium San Francisco.

I can be reached at (415) 795-2327 or dan@djklawgroup.com if you need any further information regarding this matter.

Sincerely,

Dan Kramer

Department of Alcoholic Beverage Control

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE(S) ABC 211 (6/99)

State of California

**TO:** Department of Alcoholic Beverage Control File Number: 576170 33 NEW MONTGOMERY STREET Receipt Number: 2396571 **SUITE 1230** Geographical Code: 3800 SAN FRANCISCO, CA 94105 Copies Mailed Date: November 7, 2016 Issued Date: (415) 356-6500 DISTRICT SERVING LOCATION: SAN FRANCISCO First Owner: **EMPORIUM SF, LLC** Name of Business: **EMPORIUM SAN FRANCISCO** Location of Business: 616 DIVISADERO ST

SAN FRANCISCO, CA 94117-1502 SAN FRANCISCO County: Is Premise inside city limits? Yes Census Tract 0164.00 Mailing Address: **1366 N MILWAUKEE AVE** (If different from CHICAGO, IL 60622 premises address)

Type of license(s): 48

Transferor's license/name: 514023 / INDIGO PIE LLC

License Type	Transaction Type	Fee Type	Master	Dup	Date	Fee
48 - On-Sale General Public	PERSON-TO-PERSON TRANSFER	P40	Y	0	11/07/16	\$1,250.00
48 - On-Sale General Public	PREMISE TO PREMISE TRANSFER	P40	Y	0	11/07/16	\$100.00
48 - On-Sale General Public	EXCHANGE FEES	P40	Y	0	11/07/16	\$100.00
48 - On-Sale General Public	ANNUAL FEE	P40	Y	0	11/07/16	\$876.00
NA	FEDERAL FINGERPRINTS	NA	N	2	11/07/16	\$48.00
NA	STATE FINGERPRINTS	NA	N	2	11/07/16	\$78.00
					Total	\$2,452.00

Have you ever been convicted of a felony? No

Have you ever violated any provisions of the Alcoholic Beverage Control Act, or regulations of the

Department pertaining to the Act? No

Explain any "Yes" answer to the above questions on an attachment which shall be deemed part of this application.

Applicant agrees (a) that any manager employed in an on-sale licensed premises will have all the qualifications of a licensee, and (b) that he will not violate or cause or permit to be violated any of the provisions of the Alcoholic Beverage Control Act.

#### STATE OF CALIFORNIA

Date: November 7, 2016

Under penalty of perjury, each person whose signature appears below, certifies and says: (1) He is an applicant, or one of the applicants, or an executive officer of the applicant corporation, named in the foregoing application, duly authorized to make this application on its behalf; (2) that he has read the foregoing and knows the contents thereof and that each of the above statements therein made are true; (3) that no person other than the applicant or applicants has any direct or indirect interest in the applicant or applicant's business to be conducted under the license(s) for which this application is made: (4) that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the Department or to gain or establish a preference to or for any creditor or transferor or to defraud or injure any creditor of transferor; (5) that the transfer application may be withdrawn by either the applicant or the licensee with no resulting liability to the Department.

Effective July 1, 2012, Revenue and Taxation Code Section 7057, authorizes the State Board of Equalization and the Franchise Tax Board to share taxpayer information with Department of Alcoholic Beverage Control. The Department may suspend, revoke, and refuse to issue a license if the licensee; s name appears in the 500 largest tax delinquencies list. (Business and Professions Code Section 494.5.)

Applicant Name(s)

Applicant Signature(s) See 211 Signature Page

EMPORIUM SF, LLC

No

Dropping Partner: Yes

County of SAN FRANCISCO

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Commissioners Eric Sklar, President Saint Helena Jacque Hostler-Carmesin, Vice President McKinleyville Anthony C. Williams, Member Huntington Beach Russell Burns, Member Napa Peter Silva, Member Chula Vista STATE OF CALIFORNIA Edmund G. Brown Jr., Governor

**Fish and Game Commission** 

Valerie Termíni, Executive Director 1416 Ninth Street, Room 1320 Sacramento, CA 95814 (916) 653-4899 www.fgc.ca.gov



Wildlife Heritage and Conservation Since 1870

November 18, 2016

This is to provide you with a copy of the notice of proposed regulatory action relative to Amending section 265, Title 14, California Code of Regulations, relating to use of dogs in pursuit and take of mammals, which is published in the California Regulatory Notice Register on November 18, 2016.

Please note the dates of the public hearings related to this matter and associated deadlines for receipt of written comments.

Additional information and all associated documents may be found on the Fish and Game Commission website at <u>http://www.fgc.ca.gov/regulations/2016/index.aspx</u>.

Craig Stowers, Environmental Program Manager, Department of Fish and Wildlife, phone (916) 445-3553, has been designated to respond to questions on the substance of the proposed regulations.

Sincerely

Jon D. Snellstrom Associate Governmental Program Analyst

Attachment

### TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

**NOTICE IS HEREBY GIVEN** that the Fish and Game Commission (Commission), pursuant to the authority vested by Sections: 200, 202, 203, 3960, 3960.2 and 3960.4 of the Fish and Game Code and to implement, interpret or make specific Sections 3960, 3960.2 and 3960.4 of said Code, proposes to amend Section 265, Title 14, California Code of Regulations, relating to Use of Dogs for Pursuit/Take of Mammals or for Dog Training

## Informative Digest/Policy Statement Overview – Inland Fisheries

In April 2016, the Fish and Game Commission adopted changes to Section 265, Title 14, California Code of Regulations authorizing the use of GPS collars and treeing switches for dogs aiding a hunter. The Public Interest Coalition filed a petition in Superior Court in Sacramento County (Case No. 34-2016-80002350) seeking a Writ of Mandate invalidating the Fish and Game Commission's action. That petition alleges that the Commission failed to comply with the procedural requirements of CEQA. The Commission has determined that further rulemaking may be necessary to resolve that litigation. The rulemaking and the related CEQA analysis will also help to further inform the Commission about the issues related to regulating the use of dogs as an aid in hunting and associated equipment for those dogs. The proposed amended language would be necessary for such purposes.

Amend Section 265, Title 14, CCR, by adding new subsections (d)(1) and (d)(2) to prohibit the use of treeing switches and GPS collar equipment for dogs used in the taking of mammals.

## **Benefits of the regulations**

The regulation prohibits the use of treeing switches or GPS equipped collars on dogs used for the pursuit/take of mammals.

## **Consistency and Compatibility with State Regulations**

The Fish and Game Commission, pursuant to Fish and Game Code Sections 200, 202 and 203, has the sole authority to regulate hunting in California. Commission staff has searched the California Code of Regulations and has found no other agency with the authority to regulate the use of dogs for hunting mammals. Therefore the Commission has determined that the proposed amendments are neither inconsistent nor incompatible with existing State regulations.

**NOTICE IS GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Hilton Garden Inn San Diego Mission Valley/Stadium, 3805 Murphy Canyon Road, San Diego, California, on Thursday, December 8, 2016 at 8:00 a.m.; or as soon thereafter as the matter may be heard.

**NOTICE IS ALSO GIVEN** that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in Santa Rosa, California, on February 8, 2017, at 8:00 a.m., or as soon thereafter as the matter may be heard (a specific location will be determined and provided to interested and affected parties). It is requested, but not required, that written comments be submitted on or before 5:00 p.m. on January 19, 2017 at the address given below, or by email to FGC@fgc.ca.gov. Written comments mailed, or emailed to the Commission office, must be received before 12:00 noon on February 3, 2017. All comments must be received no later than February 8,

2017, at the hearing in Santa Rosa, California. If you would like copies of any modifications to this proposal, please include your name and mailing address.

#### **Availability of Documents**

The Initial Statement of Reasons, text of the regulations, as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, Valerie Termini, Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to Valerie Termini or Jon Snellstrom at the preceding address or phone number. **Craig Stowers, Environmental Program Manager, Department of Fish and Wildlife, phone (916) 445-3553**, has been designated to respond to questions on the substance of the proposed Use of Dogs for Pursuit regulations. Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout can be accessed through our website at <a href="http://www.fgc.ca.gov">http://www.fgc.ca.gov</a>.

### **Availability of Modified Text**

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Circumstances beyond the control of the Commission (e.g., timing of Federal regulation adoption, timing of resource data collection, timelines do not allow, etc.) or changes made to be responsive to public recommendation and comments during the regulatory process may preclude full compliance with the 15-day comment period, and the Commission will exercise its powers under Section 202 of the Fish and Game Code. Regulations adopted pursuant to this section are not subject to the time periods for adoption, amendment or repeal of regulations prescribed in Sections 11343.4, 11346.4 and 11346.8 of the Government Code. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

#### Impact of Regulatory Action/Results of the Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

(a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulations will affect a limited number of hunters who pursue mammals with dogs. These hunters may still use other, non-GPS radio collar technology to track and retrieve dogs during the hunt.

(b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment: The proposed action will not have significant impacts on the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses in California. Sales of GPS collars are not anticipated to decrease as a result of the proposed regulation because GPS collars can still be used by dog owners in a wide variety of applications other than hunting. The Commission does not anticipate benefits to the health and welfare of California Residents, benefits to worker safety, nor to the State's environment.

(c) Cost Impacts on Representative Private Persons/Business:

The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Other Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

### Effect on Small Business

It has been determined that the adoption of these regulations may affect small business. The Commission has drafted the regulations in Plain English pursuant to Government Code Sections 11342.580 and 11346.2(a)(1).

#### **Consideration of Alternatives**

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

FISH AND GAME COMMISSION

Dated:November 1, 2016

Valerie Termini Executive Director

BOSII, Cpage

Commissioners Eric Sklar, President Saint Helena Jacque Hostler-Carmesin, Vice President McKinleyville Anthony C. Williams, Member Huntington Beach Russell E. Burns, Member Napa Peter S. Silva, Member Chula Vista STATE OF CALIFORNIA Edmund G. Brown Jr., Governor

# **Fish and Game Commission**



Wildlife Heritage and Conservation Since 1870

November 15, 2016

TO ALL AFFECTED AND INTERESTED PARTIES:

This is to provide you with a Notice of Final Consideration regarding the flat-tailed horned lizard which will be published in the California Regulatory Notice Register on November 18, 2016.

Sincerely,

Sheri Tiemann

Associate Governmental Program Analyst

Attachment





Commissioners Eric Sklar, President Saint Helena Jacque Hostler-Carmesin, Vice President McKinleyville Anthony C. Williams, Member Huntington Beach Russell E. Burns, Member Napa Peter S. Silva, Member Chula Vista STATE OF CALIFORNIA Edmund G. Brown Jr., Governor Valerie Termini, Executive Director 1416 Ninth Street, Room 1320 Sacramento, CA 95814 (916) 653-4899 www.fgc.ca.gov

## **Fish and Game Commission**



Wildlife Heritage and Conservation Since 1870

## CALIFORNIA FISH AND GAME COMMISSION NOTICE OF FINAL CONSIDERATION OF PETITION

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Fish and Game Code Section 2078, the California Fish and Game Commission (Commission), will consider potential listing of flat-tailed horned lizard (*Phrynosoma mcallii*) under the California Endangered Species Act at a hearing to be held on December 7-8, 2016, at 8:00 a.m., or as soon thereafter as the matter may be heard. The hearing is to be held at the Hilton Garden Inn San Diego Mission Valley/Stadium, 3805 Murphy Canyon Road, San Diego, California.

The full agenda, once published, and the video archive of previous meetings where actions were taken on flat-tailed horned lizard are available online at <u>http://www.fgc.ca.gov/meetings/</u>.

Pursuant to the provisions of Fish and Game Code sections 2075 and 2075.5, the Commission will consider the petition and all other information in the record before the Commission to determine whether listing flat-tailed horned lizard as an endangered species is warranted.

The petition, the California Department of Fish and Wildlife status review report, and other information in the record before the Commission are posted on the Commission website at http://www.fgc.ca.gov/CESA/index.aspx#fthl.

Fish and Game Commission

November 8, 2016

Valerie Termini Executive Director

Board of Supervisors, (BOS) BOS-Supervisors FW: beach chalet

From: Sandy [mailto:sweil46117@aol.com]
Sent: Sunday, November 27, 2016 8:16 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Mauer, Dan (REC) <dan.mauer@sfgov.org>; sfoceansedge@earthlink.net
Subject: beach chalet

Dear Mr. Mauer, and the SF Board of Supervisors:

I was one of the many, not in favor of the plastic "grass" and ground up tire crumb being placed at the Beach Chalet Soccer Fields. The whole project and RPD's unethical ballot campaign has been a dis-service to the larger community and our park.

The lighting issue is something that can be easily addressed by just stopping having the blazing lights on - period. Reducing the lighting a couple nights a week will not reduce the harmful impact to animals and our night-time sky viewing.

Lastly, I would request the Board of Supervisors take the responsible action of demanding that Prop 65 signs be placed around the perimeter of the fencing and at the entrance of the soccer fields as well as near the sitting area. The ground up tire crumbs have multiple

chemicals that are listed under Prop 65. Please take the responsible action to notify all players, kids, parents, and spectators of their risk level

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being near or on the fields. This posting of Prop 65 should take place on all tire crumb fields.

Sincerely, Sandy Weil 2083 28th Ave, SF, CA 94116

Board of Supervisors, (BOS) BOS-Supervisors FW: Improvements to San Francisco

From: Steven Curavo [mailto:scuravo@me.com] Sent: Wednesday, November 23, 2016 10:43 PM To: Curavo Steve <scuravo@me.com> Subject: Improvements to San Francisco

Homeless:

The city has allowed this to become completely out of hand. On Saturday along the Embarcadero a homeless was cutting one of the lovely decorative poles with a box cutter and my companion in passing said "stop that", and he threatened us and followed us with his knife. I called 911, as if the city would do anything. Further on another deranged homeless was scavenging the trash cans and drinking a coke, and I said to my companion wait until he flings it to the ground and breaks it. A few minutes later we heard the glass crashing.

Enough! When will the city rid the streets of these people? They should be in a facility where they are monitored. Homeless housing just attracts more of them. Cease programs that attract homeless since they do not accomplish anything. A recommendation is work with the state to establish an emergency act and relocate them to the Owens Valley at Manzanar which was used in WWII. There they can be supervised and kept under a watchful eye. They can build the camp, keep gardens, and do other things that contribute to their ability to live in a society, instead of letting them roam the streets causing mayhem and threatening pedestrians. They are breaking so many laws that the city just will simply not enforce. You are our government, please do something. People are sick of watching this and the city spiral downward. It's impossible to sit in some bus stops because homeless people lay their sleeping bags on the seats and camp out.

The city cannot criminalize homelessness. But you can criminalize sleeping on sidewalks. Scavenging through trash cans and spreading debris. The city must be made less inviting to these people.

Best regards, A citizen of San Francisco

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



From:Board of SupTo:BOS-SuperviSubject:FW: Thank ye

Board of Supervisors, (BOS) BOS-Supervisors FW: Thank vou message from Canada

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

From: dave lackie [mailto:dlackie@rogers.com] Sent: Thursday, November 24, 2016 5:52 PM To: BreedStaff, (BOS) <breedstaff@sfgov.org> Cc: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org> Subject: Thank you message from Canada

Dear London:

My name is Dave Lackie and I live in Toronto, Canada. San Francisco is one of my very favourite cities to visit and my partner and I come at least once a year during our vacation. We love it for the people, the architecture and the beautiful views. It's a special place. I just read your official response to the election of Trump and I had to write you a letter.

Please share with the Board of Supervisors that we consider you all heroes for standing up to Trump and the hatred filling Congress right now. Your courage and determination is not only setting an example in America, it is to all your friends north of the border. You are the first to stand up to Trump's bullying and it means more than you know. It will inspire others to do the same.

Please know that so many of us in Canada are standing with you. We may not be there in person, but through social media we are joining in your fight. We'll be doing all we can from our end to support your work and determination. I'm sure you'll get much hatred from extremist groups for your declaration. But know there are thousands of us cheering you on and working from afar.

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Sending much love and admiration from Canada.

Dave

Dave Lackie 108 Waverley Road Toronto, Ontario Canada M4L 3T3 @davelackie on twitter

Board of Supervisors, (BOS) BOS-Supervisors FW: resolution

From: Kimberly A. Allard [mailto:kimberlyaallard@gmail.com] Sent: Friday, November 25, 2016 8:05 AM To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org> Subject: resolution

I just read the statement that was published that reaffirms San Francisco as a sanctuary city. I am in San Diego, but my daughter goes to an arts school in Oakland.

Thank you, thank you, thank you!!

I am a middle class, white heterosexual, and so it my daughter. Regardless, I have fought hard to instill acceptance within my children for ALL people. My daughter is an even stronger speaker than myself. She has no problem speaking and calling out people when necessary.

I am also a teacher who believes strongly in public education. I will continue the fight toward teaching acceptance, but also do my darnedest to education our children about the truth in science and climate change. The picks that the PEOTUS has in place are deplorable, and the Secretary of Education is a nail in the coffin.

Kimberly A. Allard <u>kimberlyaallard@gmail.com</u>

Board of Supervisors, (BOS) BOS-Supervisors FW: Hands Around San Francisco

From: Christine Harris [mailto:christinelynnharris@yahoo.com]
Sent: Wednesday, November 23, 2016 8:37 AM
To: Lee, Mayor (MYR) <mayoredwinlee@sfgov.org>; Gavin Newsom <gavin@gavinnewsom.com>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Hands Around San Francisco

Hello Honourable Public Officials,

Thank you for all that you do.

What if all of us in San Francisco did something extraordinary like surround San Francisco holding hands, creating unity for the world to see? Please create this for us, set a date for us.







Best Wishes, Christine Harris

Please forgive typos, very small keyboard.

Board of Supervisors, (BOS) BOS-Supervisors FW: 232 signers: Fix the MTA! petition

From: Peter Kirby [mailto:petitions@moveon.org]
Sent: Monday, November 28, 2016 11:01 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: 232 signers: Fix the MTA! petition

Dear Clerk of the Board,

I started a petition to you titled *Fix the MTA!*. So far, the petition has 232 total signers.

You can post a response for us to pass along to all petition signers by clicking here: http://petitions.moveon.org/target\_talkback.html?tt=tt-70172-custom-39492-20261128-vRYSJS

The petition states:

"We support a Charter Amendment to reform the San Francisco Municipal Transit Agency (SFMTA / MTA) and request that the District Supervisors support a ballot initiative to let the voters decide. It is Muni's job to get us where we need to go, not tell us how to get there. "

To download a PDF file of all your constituents who have signed the petition, including their addresses, click this link: <u>http://petitions.moveon.org/deliver\_pdf.html?job\_id=1900216&target\_type=custom&target\_id=39492</u>

To download a CSV file of all of your constituents who have signed the petition, including their addresses, click this link:

http://petitions.moveon.org/deliver\_pdf.html?job\_id=1900216&target\_type=custom&target\_id=39492&csv=1

Thank you.

--Peter Kirby

If you have any other questions, please email <u>petitions@moveon.org</u>.

The links to download the petition as a PDF and to respond to all of your constituents will remain available for the next 14 days.

This email was sent through MoveOn's petition website, a free service that allows anyone to set up their own online petition and share it with friends. MoveOn does not endorse the contents of petitions posted on our public petition website. If you don't want to receive further emails updating you on how many people have signed this petition, click here:

<u>http://petitions.moveon.org/delivery\_unsub.html?e=A6ccxHGcs0jUQkZWj4v0gUJvYXJkLm9mLlN1cGVydmlzb</u> 3JzQHNmZ292Lm9yZw--&petition\_id=70172.

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#### Gosiengfiao, Rachel (BOS)

From:Board of Supervisors, (BOS)To:BOS-Supervisors; Major, Erica (BOS)Subject:File 161093 FW: Please do not approve 60 day cap on AirBNB oridances

From: Tracy Hepler [mailto:tracy.hep@gmail.com]
Sent: Wednesday, November 23, 2016 1:45 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: Please do not approve 60 day cap on AirBNB oridances

To the Board of Supervisors,

I'm writing you to request that you do not move forward with the 60 CAP on AIRBNB and other short term housing -- especially in owner occupied and hosted stays. I was just able to purchase my own home this past month and part of what made me comfortable taking on the risk of a costly mortgage and high property taxes is the comfort that I could rent out a room as needed in my home to help supplement the mortgage when needed. My fiance works as a freelancer and so work is not always a constant for him.

I realize that there have been frustrations with AIRBNB as a company and it does seems as if there could be improvements on the relationship and the cooperation and enforcement on their side -- but please understand that installing this cap not only harms their business it harms individual home owners who are looking for opportunities to build security in the country's most expensive city!

I would propose that you focus your efforts more on improving registration and penalizing those who don't than creating financially damaging legislation that does effect the citizens and tax payers of this city. I also want to remind you all that we recently voted against Prop F that called for more restrictions on AirBNB. I would hope that the Board of Supervisors would keep in mind the voice and preference of their constituents. It also feels aggressive for the Board of supervisors to tell property owners what they can or cannot do with their own home so long as we abide by the law.

At the end of the day realize that not every person wants to rent a room full time in their house, but rather having an occasional guest from time to time is a good and positive thing -- not only for the pocket book but for expanding connections and creating empathy and community in our city.

I think your priority should be to continue working with AirBNB to enforce registrations -- 2 years isn't enough time to give up on something. Sorry! You can work harder too ... it doesn't have to only be on AIRBNB etc. I'd also work to explore housing development in the city. People renting out a room in their home, isn't the main what's drying up affordable housing in this city.

I am planning to register my home with the city in two months as a short term renter once I'm eligible on February 15th. I'm hopeful that this legislation will not be the law of the land so that I too can participate in the sharing economy legally and in an equal way than my neighbor who was able to purchase a home before me. I was not able to financially afford a home before this fall. I don't think I should be penalized or stripped of a financial opportunity because of this.

Thank you for your time!

Sincerely,

Tracy Hepler of District 8 and first time home owner