

FILE NO. 151111

Petitions and Communications received from October 19, 2015, through October 26, 2015, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on November 3, 2015.

**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 Capital Planning Committee, regarding recommendations to the Board of Supervisors for a Supplemental Appropriation Ordinance and adoption of the Annual Infrastructure Construction Cost Inflation Estimate for the Calendar Year 2016. Copy: Each Supervisor. (1)

From the Office of the Controller, submitting the Whistleblower Program Annual Report and fourth quarter results for FY 2014-15. (2)

From Department of Human Resources, submitting a 12B waiver request form for a non-complaint vendor. (3)

From Planning Department, submitting Certificate of Determination Exemption from Environmental Review for the SFMTA Bay Area Bicycle Share Project. (4)

From Recreation and Park, submitting the Lead Poisoning Prevention report for the first quarter of FY2015-2016. Copy: Each Supervisor. (5)

From Roger Morgan, regarding marijuana impaired driving. (6)

From concerned citizens, regarding sanctuary city. 21 letters. Copy: Each Supervisor. (7)

From concerned citizens, submitting signatures for, 'San Francisco Needs a Better Plan' petition. 239 signatures. (8)

From Ron Hooper, regarding proposed ordinance on rights for bicyclists. File No. 150943. Copy: Each Supervisor. (9)

From Norma Yee, regarding tenant harassment. Copy: Each Supervisor. (10)

From Municipal Transportation Agency, regarding recommendations from the September 22, 2015, Balboa Park Station Community Advisory Committee. Copy: Each Supervisor. (11)



# Capital Planning Committee

BOS 11,  
B+F Clerk  
Cpage

Naomi M. Kelly, City Administrator, Chair

## MEMORANDUM

October 19, 2015

**To:** Supervisor London Breed, Board President  
**From:** Naomi Kelly, City Administrator and Capital Planning Committee Chair  
**Copy:** Members of the Board of Supervisors  
Angela Calvillo, Clerk of the Board  
Capital Planning Committee  
**Regarding:** (1) The San Francisco International Airport's Supplemental Appropriation (2)  
Calendar Year (CY) 2016 Annual Infrastructure Construction Cost Inflation  
Estimate (AICCIE)

*Naomi Kelly*

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
2015 OCT 22 AM 11:30

In accordance with Section 3.21 of the Administrative Code, on October 19, 2015, the Capital Planning Committee (CPC) approved the following action items to be considered by the Board of Supervisors. The CPC's recommendations are set forth below.

### 1. Board File Number: TBD

**Approval of the Supplemental Appropriation Ordinance appropriating a total of \$473,450,000, consisting of \$243,000,000 in Airport Capital Plan Bonds, \$230,000,000 of proceeds from Hotel Special Facility Revenue Bonds and other long-term financing, and \$450,000 of Airport Fund Balance to fund the San Francisco International Airport Hotel Project**

#### Recommendation:

Recommend the Board of Supervisors (BOS) approve the Supplemental Appropriation Ordinance.

#### Comments:

The CPC recommends approval of these items by a vote of 11-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Conor Johnston, Board President's Office; Kate Howard, Mayor's Budget Director; Nadia Sesay, Controller's Office; Mohammed Nuru, Director, Public Works; Darton Ito, SFMTA; Kathryn How, SFPUC; John Rahaim, Director, Planning Department; Toks Ajike, Recreation and Parks Department; Ivar Satero, San Francisco International Airport; and Elaine Forbes, Port of San Francisco.

### 2. CPC Action Item:

**Adoption of the AICCIE for CY 2016 at 5.0%. This rate was determined using a combination of cost inflation data; market trends; national, state and local construction cost inflation indices; and discussion with local construction**

(1)

**experts. A copy of the analysis is available under the October 19<sup>th</sup> CPC meeting at <http://onesanfrancisco.org/>**

Action:

The CPC approves adoption of AICCIE at 5.0% for CY 2016.

Comments:

The CPC approves this item by a vote of 11-0.

Committee members or representatives in favor include:  
Naomi Kelly, City Administrator; Conor Johnston, Board President's Office; Kate Howard, Mayor's Budget Director; Nadia Sesay, Controller's Office; Mohammed Nuru, Director, Public Works; Ed Reiskin, Director, SFMTA; Kathryn How, SFPUC; John Rahaim, Director, Planning Department; Toks Ajike, Recreation and Parks Department; Ivar Satero, San Francisco International Airport; and Elaine Forbes, Port of San Francisco.

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**From:** Reports, Controller (CON)  
**Sent:** Wednesday, October 21, 2015 2:09 PM  
**To:** Calvillo, Angela (BOS); BOS-Supervisors; BOS-Legislative Aides; Kawa, Steve (MYR); Howard, Kate (MYR); Falvey, Christine (MYR); Tsang, Francis; Elliott, Jason (MYR); Steeves, Asja (CON); Campbell, Severin (BUD); Newman, Debra (BUD); Rose, Harvey (BUD); SF Docs (LIB); CON-EVERYONE; MYR-ALL Department Heads; CON-Finance Officers  
**Subject:** Issued: Whistleblower Program: Annual Report and Quarter 4 Results, Fiscal Year 2014-15

The Office of the Controller's City Services Auditor Division today issued the fiscal year 2014-15 Whistleblower Program annual report. The Whistleblower Program received 316 complaints in the year, primarily through an online Web form. The majority (69 percent) of complaints were investigated or referred for investigation, and most (76 percent) of those received were closed within 90 days. The Whistleblower Program substantiated a diverse variety of allegations during the year, which the report describes. The Whistleblower Program has yielded quantifiable and nonquantifiable benefits to the City, its employees, and its residents.

To view the full report, please visit our website  
at: <http://openbook.sfgov.org/webreports/details3.aspx?id=2209>  
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](mailto:tonia.lediju@sfgov.org) or 415-554-5393 or the CSA Audits Unit at 415-554-7469.

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# City and County of San Francisco

Office of the Controller – City Services Auditor

## **WHISTLEBLOWER PROGRAM: Annual Report and Quarter 4 Results, Fiscal Year 2014-15**



*October 21, 2015*

## BACKGROUND AND SUMMARY

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An amendment to the Charter of the City and County of San Francisco (City) passed by San Francisco voters in 2003 instructed the Office of the Controller (Controller) to administer a whistleblower and citizen complaint hotline telephone number and website, and to publicize the hotline and website through public advertising and communications to city employees. As specifically authorized by the Charter, since 2004 the Controller has received and tracked complaints on the quality and delivery of government services, wasteful and inefficient city government practices, misuse of government funds, and improper activities by city government officials, employees, and contractors. The Whistleblower Program evaluates and forwards complaints it receives to the appropriate agency. The Charter also instructs the Controller to investigate and attempt to resolve the complaints when appropriate.

The Whistleblower Program Annual Report for July 2014 through June 2015 (fiscal year 2014-15) is the eleventh annual report on complaints received by the Whistleblower Program. This report also summarizes Whistleblower Program activity for April through June 2015 (Quarter 4).

The Whistleblower Program received 316 complaints in fiscal year 2014-15, primarily through an online Web form. The majority (69 percent) of closed complaints were investigated or referred for investigation, and most (76 percent) of those received were closed within 90 days. The Whistleblower Program has yielded quantifiable and nonquantifiable benefits to the City, its employees, and its residents. The Whistleblower Program substantiated a diverse variety of allegations in fiscal year 2014-15.

The Whistleblower Program is committed to publicizing and promoting the hotline to city employees and residents. To increase employees' awareness of it, the Whistleblower Program in fiscal year 2014-15 used various communication strategies, including participating in new employee orientation presentations, putting program contact information on employee pay stubs, requiring all departments to provide outreach materials to employees, and issuing quarterly and annual reports on program activity.

The Whistleblower Program does not act as an advocate for complainants in their disputes with city departments or employees. By law, the program must conduct its investigations confidentially and, therefore, cannot keep complainants informed about the review of their complaints or the progress of any investigation that may follow. This requirement is designed to protect the identity of the complainant and other individuals involved in the investigative process.

Complainants may submit a complaint anonymously. City officers and employees may not use any city resources, including work time, to ascertain or attempt to ascertain the identity of any person who has made a complaint to the Whistleblower Program. Employees or former employees who believe they were subject to retaliation may file a complaint with the City's Ethics Commission. The complaint must be filed no later than two years after the date of the alleged retaliation.

## THE WHISTLEBLOWER PROGRAM

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### A. Whistleblower Program Authority

*Authority is granted to the Controller to track and receive complaints.*

Charter Appendix F grants the Controller the authority to track and receive complaints concerning deficiencies in the quality and delivery of government services, wasteful and inefficient government practices, the misuse of city funds, and improper activities by city officers and employees. Through the City Services Auditor Division, the Controller operates the Whistleblower Program.

The program receives and tracks complaints and investigates and otherwise attempts to resolve complaints. The program evaluates each complaint for its disposition and, when appropriate, coordinates investigations with various city departments.

A number of complaints received by the Whistleblower Program are in the jurisdiction of other city departments. When this is the case, the program will refer the complaint to the appropriate organization for resolution. These include complaints that:

- Another city agency is required by federal, state, or local law to adjudicate.
- May be resolved through a grievance mechanism established by a collective bargaining agreement.
- Involve allegations of conduct that may constitute a violation of criminal law.
- Are subject to an existing, ongoing investigation by San Francisco's District Attorney, City Attorney, or Ethics Commission.

## B. Benefits of the Whistleblower Program

*The Whistleblower Program has both quantifiable and nonquantifiable benefits.*

The Whistleblower Program has yielded quantifiable and nonquantifiable benefits to the City, its employees, and its residents, including the reduction of losses and the protection of city assets. Additional benefits that cannot be quantified include that the program:

- Results in enhanced departmental internal controls that prevent potential misuse of city resources.
- Provides an anonymous means for employees and the public to report complaints. Anonymous reporting protects complainant confidentiality, and encourages individuals to report improper activities.
- May deter future fraudulent behavior by increasing the perception by potential fraud perpetrators that the acts they have engaged in or are contemplating will be detected and punished.
- Provides data that can be used to identify systemic problems in a department or program.

*Research indicates that complaint hotlines reduce losses.*

According to the Association of Certified Fraud Examiners (ACFE), a means to report suspicious activity is a critical component of an antifraud program, and tips are the most common method for the detection of fraud. The ACFE found that organizations with a hotline have a 51 percent likelihood of detecting fraud from a tip, compared to a 33 percent likelihood in organizations without a hotline.<sup>1</sup>

*Several local governments have established similar hotlines.*

Complaint hotline programs are used in a number of California jurisdictions besides San Francisco to help detect and prevent fraud, waste, and abuse, including:

### Counties

- Fresno
- Los Angeles
- Orange
- Sacramento

### Cities

- Los Angeles
- Oakland
- San Diego
- San Jose

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<sup>1</sup> Association of Certified Fraud Examiners, 2014 Report to the Nations on Occupational Fraud and Abuse, p. 22.



### C. Communication of the Whistleblower Program

*Employee outreach by the Whistleblower Program is essential to its effectiveness.*

Charter Appendix F, Section 1.107(c), requires that the Controller publicize the Whistleblower Program through press releases, public advertising, and communications to city employees.

In fiscal year 2014-15 the Whistleblower Program's marketing efforts comprised:

- Quarterly newsletters on the program's website.
- Information about the program in the Department of Human Resources' on-demand new employee orientation program and training for new supervisors and managers.
- Employee e-mail blasts.
- Requiring city departments to post notifications of whistleblower protections in locations conspicuous and available to all employees.
- Making presentations to staff at various city departments.
- Periodically including program contact information on electronic employee pay stubs.
- A downloadable poster and other outreach materials on the program's website.

### D. Investigations

*Investigations are conducted and coordinated with departmental management.*

Although Whistleblower Program personnel lead certain investigations, the majority of investigations are coordinated in collaboration with management of the department associated with the complaint. In these circumstances, department management leads the investigation and, where appropriate, the Whistleblower Program helps guide it. This coordinated approach uses the expertise of all involved departments and leverages resources to ensure that allegations are resolved in a timely manner.

*The program reviews departments' findings and corrective actions.*

Management of the department associated with the complaint is required to report to the Whistleblower Program on the results of its investigation and any corrective actions taken. The program reviews departmental investigative findings and corrective actions and, based on this review, determines the adequacy of the information provided and whether additional action is required before closing the complaint.

In cases where the Whistleblower Program led the investigation or conducted a significant amount of the investigative work, a separate report including recommended corrective action may be issued to department management. The San Francisco Campaign and Governmental Conduct Code, Section 4.107(e), allows the Controller to recommend that a city department take specific action based on the Controller's initial investigation. City departments shall report to the Controller in writing any action taken in response to a recommendation by the Controller.

#### **E. Complainant Survey**

On October 1, 2014, the Whistleblower Program launched a survey to get a better understanding of complainant satisfaction and engagement. Through the survey, complainants can provide candid input on a variety of Whistleblower Program operations, including their perception of:

- Professionalism of Whistleblower Program staff.
- Protection from retaliation.
- Protection of complainant confidentiality.
- Timeliness of complaint investigation.

The survey is available to anyone who files a complaint after October 1, 2014. Complainants can access the survey by going to the Whistleblower Program's Status Check page and entering the complaint tracking number. If the status of the complaint is "Closed," complainants will be provided with a link to complete the survey.

The Whistleblower Program has received three completed surveys since the implementation of the complainant survey and will use the responses to

improve hotline services, resolve problems that dissuade potential complainants from submitting complaints, and address issues that compromise complainant satisfaction.

The Whistleblower Program also accepts feedback and comments by e-mail at [whistleblower@sfgov.org](mailto:whistleblower@sfgov.org). Feedback helps the Whistleblower Program continually improve its hotline services.

#### **F. Quarter 4 Overview**

During April through June 2015 (Quarter 4), 95 complaints were filed with the Whistleblower Program, which had 68 open complaints on April 1, 2015. The Whistleblower Program closed 110 complaints in the quarter, leaving 53 complaints open on July 1, 2015.

The majority of the complaints received (71 percent) in Quarter 4 were submitted through the Whistleblower Program's website. Of the 110 complaints closed in the quarter, 70 (64 percent) were investigated or referred for investigation.

The Whistleblower Program closed 24 complaints that were sustained, in whole or in part, or resulted in a corrective or preventive action taken during Quarter 4.<sup>2</sup>

#### **G. Fiscal Year 2014-15 Statistical Summary**

##### **Total Complaints**

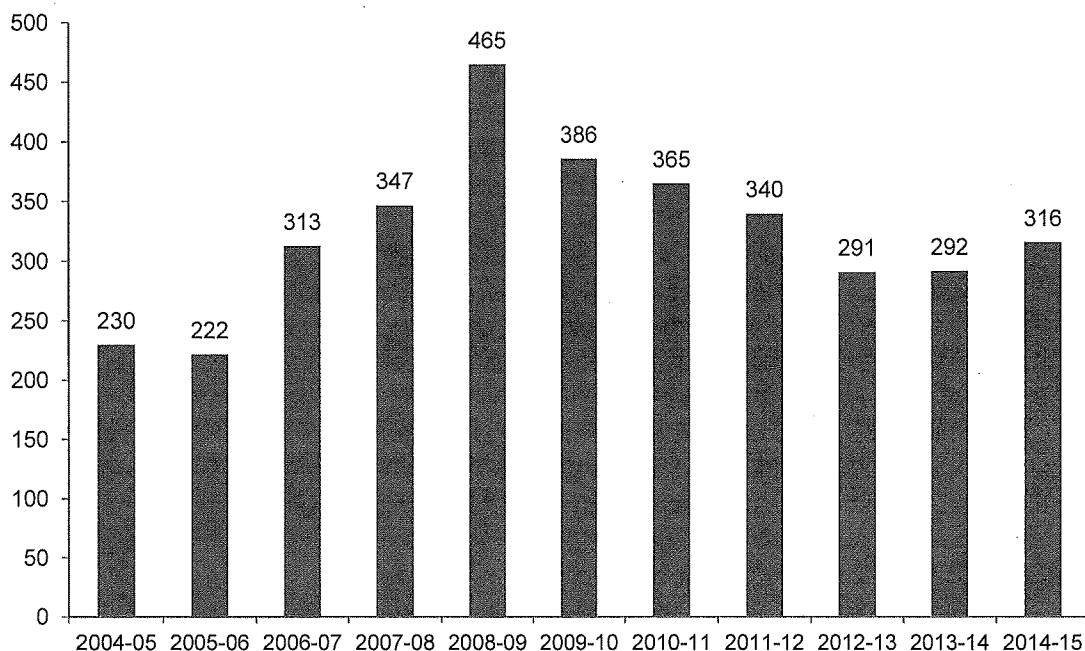
The Whistleblower Program received 316 complaints from July 2014 through June 2015 (fiscal year 2014-15), or 8 percent more than the 292 complaints received in fiscal year 2013-14.<sup>3</sup> Exhibit 1 presents yearly complaint totals since the program's inception.

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<sup>2</sup> See Appendix A for a breakdown, by quarter, of complaints received in fiscal year 2014-15. See Appendix B for a breakdown, by quarter, of complaints closed in fiscal year 2014-15.

<sup>3</sup> Some complaints contain multiple allegations, and the Whistleblower Program does not track the number of allegations per complaint.

**EXHIBIT 1 Whistleblower Program Complaints Received by Fiscal Year**



**Benchmarking Performance**

San Francisco's Whistleblower Program receives considerably more complaints per resident than do programs in other large California jurisdictions. In fiscal year 2014-15 San Francisco received more complaints (37) per 100,000 residents than either the City of San Diego (9) or Los Angeles County (12).<sup>4,5</sup> Also, San Francisco received 0.93 complaints per 100 budgeted city positions in fiscal year 2014-15.<sup>6</sup> For comparison, Navex Global, a provider of ethics and compliance services, reported that its clients received 1.40 complaints per 100 employees in 2014.<sup>7, 8</sup>

<sup>4</sup> U.S. Census Bureau, 2014 population estimate data: San Francisco, 852,469; City of San Diego, 1,381,069; Los Angeles County, 10,116,705.

<sup>5</sup> In fiscal year 2014-15 the City of San Diego received 121 complaints. Los Angeles County received 1,262 complaints in calendar year 2014.

<sup>6</sup> *Annual Salary Ordinance Fiscal Year Ending June 30, 2015, and Fiscal Year Ending June 30, 2016*, lists 33,836.51 budgeted positions in fiscal year 2014-15, p. 292.

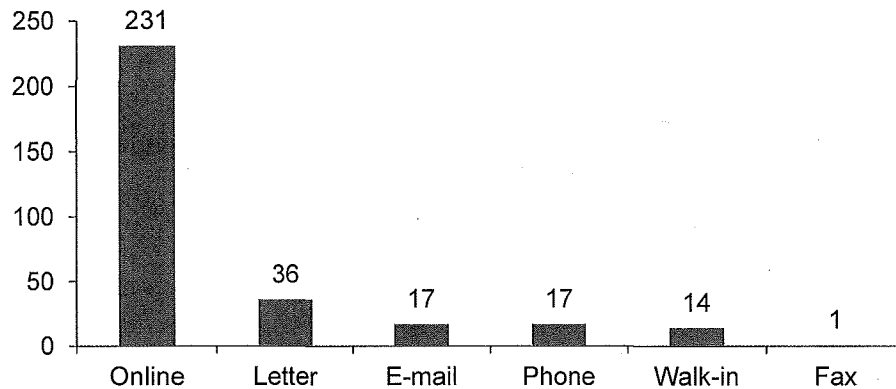
<sup>7</sup> Navex Global, *2015 Ethics and Compliance Hotline Benchmark Report*, p. 8.

<sup>8</sup> See Appendix C for a more detailed comparison of Whistleblower Program performance compared to Navex Global statistics.

### Sources of Complaints

As shown in Exhibit 2, in fiscal year 2014-15 the Whistleblower Program received 231 complaints (73 percent) through its website.

**EXHIBIT 2** Sources of the 316 Complaints Received in Fiscal Year 2014-15



Website complaints include those reported through the City's 311 Customer Service Center. All other complaints were submitted through:

- Letters sent to the Controller in care of the Whistleblower Program (36 complaints).
- E-mail to [whistleblower@sfgov.org](mailto:whistleblower@sfgov.org) (17 complaints).
- Calls to the Controller (17 complaints).
- Walk-in visits to the Controller's office (14 complaints).
- Fax to the Whistleblower Program (1 complaint).

### Sources of Complainants

*Some complaints may include multiple allegations.*

Of the 316 complaints received by the Whistleblower Program in fiscal year 2014-15, 211 (67 percent) were filed anonymously.

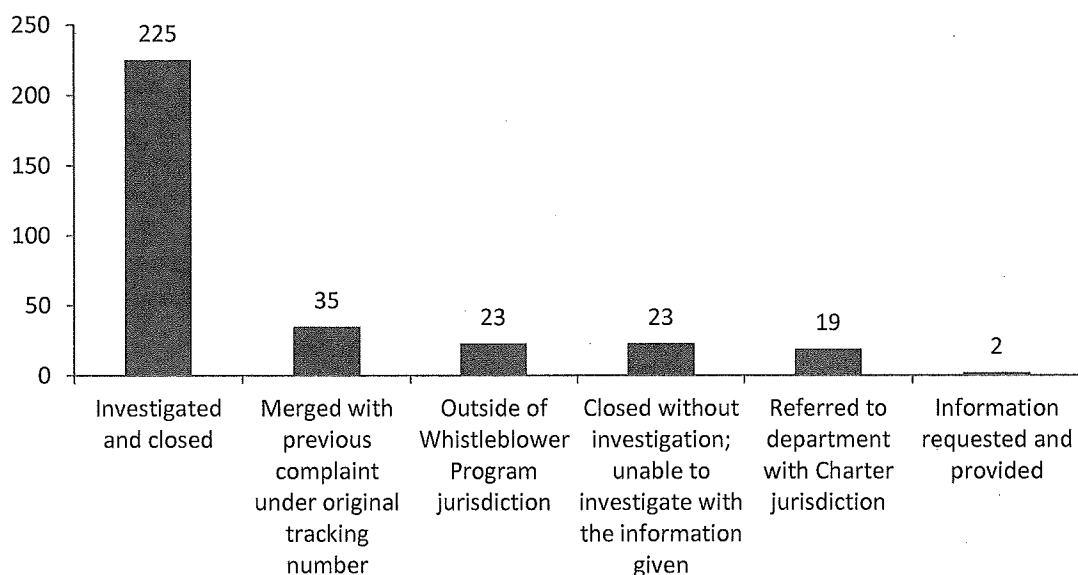
The remaining 105 complaints (33 percent) were from:

- People who are not city employees (76 complaints).
- Active or former city employees (24 complaints).
- City contractors or vendors (5 complaints).

### Actions Taken on Complaints

All complaints received are assigned a unique tracking number and reviewed by the Whistleblower Program's staff. As shown in Exhibit 3, The vast majority of complaints are investigated.

**EXHIBIT 3** Actions Taken on the 327 Complaints Closed in Fiscal Year 2014-15



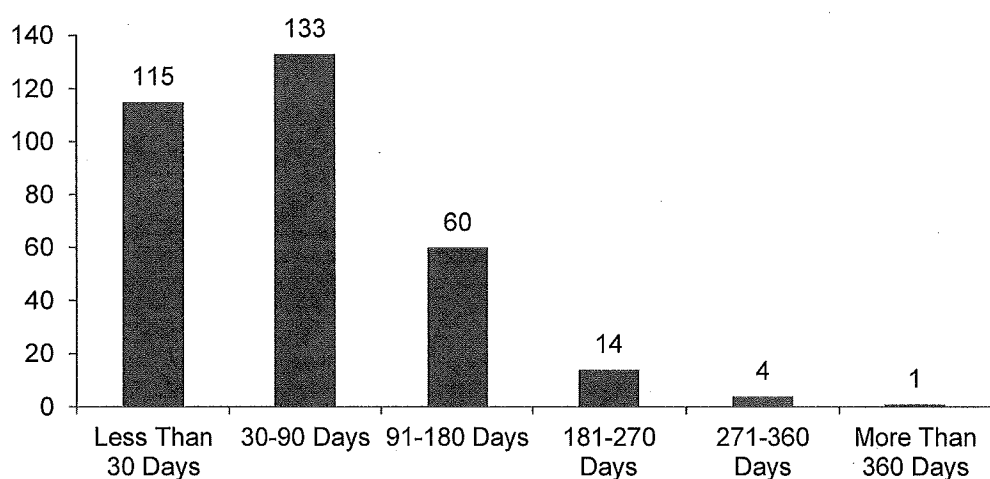
- Of the 327 complaints closed, 225 (69 percent) were investigated or referred for investigation.
- The remaining 102 complaints (31 percent) were categorized as follows:
  - Merged With Previous Complaint (35 complaints) – Complainant provided information for a complaint that is already under investigation or was previously investigated by the Whistleblower Program.
  - Outside of Jurisdiction (23 complaints) – Issue falls within the jurisdiction of federal, state, or other noncity government agency or is a suggestion or general complaint about decisions that are within management's discretion.

- Closed Without Investigation (23 complaints) – Insufficient information to investigate (for example, no indication of department, employees involved, or vehicle number).
- Referred to Department with Charter Jurisdiction (19 complaints) – Complaint was referred to the city department with charter-granted jurisdiction over the issue (for example, the Ethics Commission, City Attorney, or District Attorney).
- Information Requested and Provided (2 complaints) – Requests for information on city departments or services.

#### How Long It Takes to Close Complaints

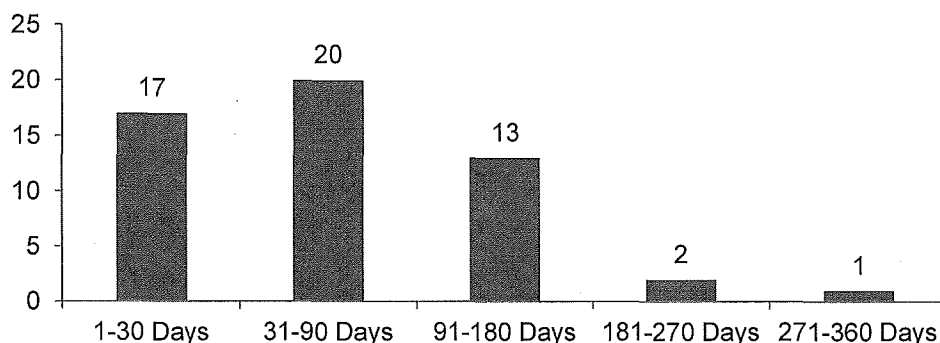
The Whistleblower Program investigated, either alone or in collaboration with another department, and closed 327 complaints in fiscal year 2014-15. Of these 327 complaints, 248 (76 percent) were closed within 90 days. Exhibit 4 shows how long it took to close complaints in fiscal year 2014-15.

**EXHIBIT 4** Age of 327 Complaints Closed in Fiscal Year 2014-15



Fifty-three complaints were open at the end of fiscal year 2014-15. As shown in Exhibit 5, 37 (70 percent) of these complaints were 90 days old or less.

#### EXHIBIT 5 Age of 53 Complaints Open at the Beginning of Fiscal Year 2015-16



*Investigation durations depend on the complexity of the issues involved.*

Investigation completion times can vary greatly depending on the complexity of the issues involved. Steps that influence the length of investigations include researching issues identified in the complaint, accumulating documentation from multiple sources, interviewing witnesses, and coordinating resources between departments.

#### Overview of Sustained Complaints in Fiscal Year 2014-15

*The most common complaint alleges improper activity by city employees.*

The Whistleblower Program sustained, in part or in whole, 69 complaints in fiscal year 2014-15. Complaints of improper activity by a city employee were most common. Exhibit 6 lists sustained complaints by category.

#### EXHIBIT 6 Sustained Complaint Allegations in Fiscal Year 2014-15

Complaint Category	Number of Sustained Complaints
Improper Activity by City Employees	50
Improper Activity by a Contractor	4
Misuse of City Funds	4
Other	1
Quality and Delivery of Government Services	6
Wasteful and Inefficient Government Practices	4
<b>Total</b>	<b>69</b>

Note: Some complaints contain more than one type of allegation. Complaints are categorized by their primary allegation.



The Whistleblower Program receives and tracks information on disciplinary actions. Some complaints may involve multiple suspects or contain multiple allegations. As a result, it is possible for a complaint to have multiple dispositions. Exhibit 7 summarizes the corrective and preventive actions taken on complaints.

<b>EXHIBIT 7    Actions Taken on Sustained Complaints in Fiscal Year 2014-15</b>	
<b>Action Taken</b>	<b>Number of Actions Taken</b>
Procedures Changed/Reinforced	28
Other	30
Counseled (Verbal/Written Warning)	27
Disciplinary/Corrective Action Pending	3
Termination	1
Employee Resignation During Investigation	1
Employees Suspended	1
<b>Total</b>	<b>91</b>

The employee's department head (appointing officer) is responsible for administering the appropriate discipline of employees. The City is committed to a progressive discipline program; the nature of the offense generally determines the level of discipline, up to and including termination.

#### **H. Retaliation Complaints**

Retaliation against whistleblowers is illegal. That is, no city officer or employee may terminate, demote, suspend, or take other similar adverse employment action against a city officer or employee because that person has in good faith filed a complaint alleging that a city officer or employee engaged in improper governmental activity.

The Ethics Commission, which is charged with investigating retaliation complaints, conducts a preliminary review of each formal retaliation complaint. A preliminary review may include the review of relevant documents, communication with the complainant, communication with the respondent, and any other inquiry to determine whether a full investigation is warranted.

Exhibit 8 displays for fiscal year 2014-15 the number of retaliation complaints received, closed, sustained, and, on June 30, 2015, under investigation by the San Francisco Ethics Commission.

<b>EXHIBIT 8      Retaliation Complaints in Fiscal Year 2014-15</b>		
<b>Action Taken</b>	<b>Retaliation Complaints</b>	<b>Retaliation Complaints Related to the Whistleblower Program</b>
Open (under investigation) at July 1, 2014	1	-
Complaints Received	12	5
Complaints Closed	9	4
Sustained (of those closed)	-	-
Open (under investigation) at July 1, 2015	4	1

Source: San Francisco Ethics Commission

In fiscal year 2014-15 the Ethics Commission received 12 complaints alleging violations of Section 4.115(a) of the Campaign and Governmental Conduct Code. Exhibit 8 shows that five of the complaints received alleged retaliation as a result of filing a complaint with the Whistleblower Program. The Ethics Commission closed nine complaints in fiscal year 2014-15 (four complaints related to the Whistleblower Program), leaving four complaints open on July 1, 2015.

None of the retaliation complaints closed were substantiated. To establish retaliation, a complainant must demonstrate beyond a preponderance of the evidence that the complainant's engagement in a protected activity was a substantial motivating factor for an adverse employment action.

## I. Details of Selected Quarter 4 Complaints

All complaints in this section were either sustained, in full or in part, or resulted in a department taking some corrective or preventive action in April through June 2015. The diverse nature of these cases demonstrates the value of the City maintaining the Whistleblower Program. A complete list of complaints substantiated in part or in whole during the year can be found in the quarterly reports for fiscal year 2014-15 under *Whistleblower Program Summary Reports* at <http://www.sfcontroller.org/index.aspx?page=32>.

### Highlights of Complaints in Quarter 4

Complaint Category	Complaint/Allegations	Resolution
Improper Activities by City Employees	Two city employees steer contracts to a nonprofit organization where they were previously employed. One of the employees is in a relationship with the executive director of the nonprofit organization.	The Whistleblower Program's investigation substantiated that one of the employees has a business relationship with the executive director of the nonprofit. When interviewed, the employee lied to the Whistleblower Program investigator about this relationship. The investigation did not substantiate that either employee directs contracts to the nonprofit, but found that the department needed greater internal controls over the contracting process. The employee who lied in the interview was suspended. The investigation also recommended that the department require greater disclosure of employee economic interests, and internal controls over contracting processes to prevent the appearance of impropriety.
Improper Activities by City Employees	Three city employees sent surplus equipment and supplies to other countries. One of the employees supervises their nephew.	The Whistleblower Program's investigation substantiated that three employees sent surplus equipment and supplies to other countries in a manner that did not conform to the San Francisco Administrative Code. The investigation also found that one of the department's sites does not track equipment and supply inventory. The investigation did not substantiate the allegation that one of the employees currently supervises their nephew. However, the investigation found that the employee previously supervised their nephew, and that management knew about, but did not address, the reporting relationship.

Complaint Category	Complaint/Allegations	Resolution
		<p>The Whistleblower Program recommended that the department improve inventory controls, develop and distribute policies for the disposal of equipment that are consistent with San Francisco Administrative Code, and implement a system for tracking inventory at the identified site. The Whistleblower Program also recommended that the department remind the employee of the rules concerning supervision of family members and conduct additional fact finding to determine whether the employee was involved in employment decisions concerning his nephew.</p> <p>The Whistleblower Program recommended that the department consult with the Department of Human Resources (DHR) on the appropriate level of discipline for the employees that removed and sent equipment to other countries. The Whistleblower Program also recommended that the department consult with DHR to determine what personnel action should be taken for the employee who supervised their nephew, and for the manager who did not take action to address the familial reporting relationship.</p>
Improper Activities by a Contractor	A manager at a nonprofit organization that contracted with the City used city grant funds for personal purposes and did not provide contractually required services.	<p>The Whistleblower Program's investigation did not substantiate the allegation that the nonprofit organization's manager used grant funds for personal expenses. However, the investigation found that the organization did not maintain documentation to support that it provided contractually required services and did not have support for \$10,139 in charges and withdrawals from its bank account for the month investigators reviewed.</p> <p>The Whistleblower Program recommended that the funding department determine whether it is</p>

Office of the Controller, City Services Auditor  
Whistleblower Program Annual Report  
July 1, 2014, Through June 30, 2015

Complaint Category	Complaint/Allegations	Resolution
		necessary to recover funds from the nonprofit organization for unsupported services and reimbursement requests. Further, the Whistleblower Program recommended that department consider requiring all nonprofit organizations it contracts with to submit supporting documentation with reimbursement requests. The department concurred with the Whistleblower Program's recommendations.

### Summarized Details of All Other Sustained Complaints

Complaint Category	Complaint/Allegations	Resolution
Improper Activities by City Employees	A city employee falsifies time and attendance, uses staff to perform personal business, and hired an unqualified family friend. Another employee also falsifies time and attendance.	The Whistleblower Program's investigation identified several days that the employee inaccurately recorded time out of the office as time at work. The employee stated that a change in the department's time entry system accounted for the inaccurately recorded time. The employee was required to retroactively change the time recorded to reflect the days they were not in the office. The investigation did not substantiate that the employee made staff perform personal business on their behalf. The investigation also did not substantiate that the other employee was unqualified for their position or that another employee also falsified time and attendance.
Improper Activities by City Employees	A city employee has unreported outside employment and does not accurately record hours worked for the City.	The department's investigation substantiated that the employee has unreported outside employment, but did not substantiate that the employee did not accurately record hours worked. The employee completed the required outside employment documentation, and the employee's manager reminded employees in the unit of the requirement to submit outside employment forms before engaging in additional employment.
Improper Activities by City Employees	City employees are inaccurately reporting hours worked, are improperly receiving pay premiums, and are performing personal work using city resources.	The department's investigation did not substantiate the allegations concerning employees inaccurately recording hours worked or improperly receiving pay premiums. However, the department's investigation found that greater control was needed over the approval and distribution of employee overtime. The department changed its work distribution process, reorganized the unit, and counseled employees on proper timekeeping. The allegation concerning employees performing personal work using city resources

Complaint Category	Complaint/Allegations	Resolution
		was referred to the City Attorney's Office for further investigation.
Improper Activities by City Employees	A city employee does not maintain documentation to support claims of work performed.	The department's investigation substantiated that the employee did not maintain documentation or evidence to support their claims of work performed. The department now requires the employee to report to their supervisor daily on the services performed. The department also changed practices to ensure that records of the employee's work comply with department requirements.
Improper Activities by City Employees	A city employee misused city resources and directed staff to perform activities that were not work-related. The employee also conducts personal business during work hours, speaks rudely to staff, and treats one employee better than others.	The department's investigation did not substantiate the findings. However, the department reviewed existing departmental policies with the employee.
Improper Activities by City Employees	A city employee falsifies their time and attendance. The employee's supervisor knew of this behavior, but did not take action in a timely manner.	The department's investigation found that the employee skipped breaks to leave work before the end of their shift. The department issued a verbal warning to the employee and instructed the employee to accurately record time and attendance. The department also substantiated that the employee's supervisor was aware of this behavior but did not respond in a timely manner. The department counseled the supervisor on the importance of addressing personnel matters in a timely manner.
Improper Activities by City Employees	An employee leaves work early and, when at work, performs duties they are not qualified to perform.	The department's investigation did not substantiate that the employee improperly left work early. The investigation did substantiate that the employee's supervisor did not follow the department's protocols for establishing alternate work schedules for employees or employees' use of compensatory time off. The

Complaint Category	Complaint/Allegations	Resolution
		investigation substantiated that the employee did not have the necessary qualifications to perform certain duties. As a result, the department shifted these duties to other, qualified staff. The employee's supervisor was directed to comply with department policies and procedures.
Improper Activities by City Employees	A city employee is regularly absent from the workplace and does not provide sufficient oversight to staff.	<p>The department previously investigated, and did not substantiate, these allegations. However, the department made recommendations regarding monitoring the employee's request for leave and arrival times. The department also recommended that the employee regularly meet with his supervisor to discuss performance.</p> <p>The Whistleblower Program's investigation found that the department's recommendations were not implemented. The Whistleblower Program recommended that the department implement the recommendations from the previous investigation. The department concurred, and provided the Whistleblower Program with evidence that the recommendations were implemented.</p>
Improper Activities by City Employees	A department approved a purchase order greater than \$10 million without obtaining Board of Supervisors approval.	The Whistleblower Program substantiated that the department approved a \$10.1 million purchase order without Board of Supervisors approval. The initial purchase order was less than \$10 million, but exceeded the threshold when taxes were applied. The Whistleblower Program recommended that the department seek retroactive approval from the Board of Supervisors. The department implemented new procedures to ensure that purchase orders greater than \$10 million receive Board of Supervisors approval.



Complaint Category	Complaint/Allegations	Resolution
Improper Activities by City Employees	A city employee attempted to intimidate a member of the public by using their department's name when conducting personal business.	The department's investigation substantiated that the employee's use of the department name violated the department's statement of incompatible activities (SIA). The department trained the employee on the violated area of the SIA, and required the employee to review and sign the SIA to acknowledge receipt of the policy and adherence to it.
Improper Activities by City Employees	An employee was hired to a position despite not meeting the minimum qualifications. The employee was hired due to family connections with another employee.	The department previously investigated the allegation concerning the employee not meeting the minimum qualifications for the position in a separate whistleblower complaint investigation. The department's previous investigation substantiated the allegation and the employee was reverted to their previous position with the City. <sup>9</sup> The Whistleblower Program's investigation did not substantiate the allegation that the employee was hired to the position due to their family connections. However, the investigation found that the employee was placed in a higher pay step than they were eligible for when the employee reverted to their previous appointment. The department moved the employee to the correct pay step and initiated the collection of the difference in pay steps.
Improper Activities by City Employees	A city employee took city equipment from the department.	The department's investigation did not substantiate the allegations, as the complaint did not contain any details on what equipment was taken or when it was taken. However, the department updated inventory processes to ensure that resources are safeguarded and initiated a review of equipment purchases to validate inventory levels.
Improper Activities by City Employees	A city employee acted aggressively and used profanity when interacting with the	The department's investigation did not substantiate the allegations. However, the department had a discussion with the employee regarding interacting

<sup>9</sup> Reported in the Whistleblower Program's 2014-15 Quarter 3 Report

Complaint Category	Complaint/Allegations	Resolution
	public.	with the public in a pleasant, customer-friendly manner and avoiding dialogue that may aggravate customers.
Improper Activities by City Employees	A city manager allows an employee to bring dogs to work.	The department's investigation substantiated that the manager allowed an employee to bring two non-service animals to work. The manager was counseled and was issued a memo stating that non-service animals are prohibited at the worksite. The manager informed the employee not to bring dogs to work.
Improper Activities by City Employees	A city employee used obscene language and threatened other employees.	The department's investigation did not substantiate that the employee used obscene language but did find that the employee raised their voice when addressing other employees. The employee was counseled on professional conduct.
Improper Activities by City Employees	A city employee drove a city vehicle in an unsafe manner.	The department's investigation did not substantiate the allegation. However, both the driver and the passenger in the vehicle were counseled on safe driving practices and customer service principles.
Improper Activities by City Employees	A city employee in a city vehicle ran a red light and did not yield to a pedestrian.	The department's investigation did not substantiate the allegations. However, the employee was counseled on traffic laws.
Improper Activities by City Employees	A city employee used a cell phone while operating a vehicle.	The department's investigation did not substantiate that the employee used the cell phone while operating the vehicle. The employee was instructed not to use a phone while operating a vehicle.
Misuse of City Funds	A city employee used city funds to lease a luxury vehicle for work and uses the vehicle for personal purposes.	The Whistleblower Program's investigation did not substantiate the allegation that the employee leased a luxury vehicle. The investigation found that the employee commuted to their residence using a city vehicle and did not report imputed income for the trips. The department ended the practice of allowing the employee to commute using their assigned city vehicle and reminded the employee that

Office of the Controller, City Services Auditor  
Whistleblower Program Annual Report  
July 1, 2014, Through June 30, 2015

Complaint Category	Complaint/Allegations	Resolution
		commuting in a city vehicle requires an employee to report imputed income. The employee was required to retroactively report the imputed income.
Quality and Delivery of Government Services	A city employee was rude to a customer.	The department's investigation did not substantiate the findings. However, the department met with the employee to review job duties and responsibilities. The department also noted that customer service training will be scheduled for the employee's work unit.
Quality and Delivery of Government Services	A city employee provided ineffective customer service.	The Whistleblower Program's investigation did not substantiate that the employee provided poor customer service. However, the department retrained the employee's unit on how to interact with customers and updated the unit's employee work processing instructions.

## APPENDIX A:

### Quarterly Breakdown of Complaints Received in Fiscal Year 2014-15

#### Submission Methods of Complaints

Submission Method	Q1	Q2	Q3	Q4	Total
Online	61	51	52	67	231
E-mail	3	3	5	6	17
Letter	4	11	5	16	36
Phone	6	4	3	4	17
Walk-in	6	4	2	2	14
Fax	-	-	1	-	1
<b>Total</b>	<b>80</b>	<b>73</b>	<b>68</b>	<b>95</b>	<b>316</b>

#### Sources of Complaints

Sources	Q1	Q2	Q3	Q4	Total
Anonymous	45	55	44	67	211
Not City Employees	23	13	22	19	77
Active/Former City Employees	11	5	2	6	24
City contractors or vendors	1	-	-	3	4
<b>Total</b>	<b>80</b>	<b>73</b>	<b>68</b>	<b>95</b>	<b>316</b>

#### Actions Taken on Complaints Closed

Action	Q1	Q2	Q3	Q4	Total
Investigated	62	55	38	70	225
Merged With Previous Complaint	14	5	7	9	35
Not Enough Information	2	4	4	13	23
Referred to Department With Charter Jurisdiction	2	5	3	9	19
Information Requested and Provided	2	-	-	-	2
Outside of Whistleblower Program Jurisdiction	6	5	3	9	23
<b>Total</b>	<b>88</b>	<b>74</b>	<b>55</b>	<b>110</b>	<b>327</b>

#### Notes:

Q1 June – September, 2014  
Q2 October – December, 2014  
Q3 January – March, 2015  
Q4 April – June, 2015

## APPENDIX B:

### Quarterly Breakdown of Complaints Closed in Fiscal Year 2014-15

#### Age of Complaints Closed

Closed	Q1	Q2	Q3	Q4	Total
30 Days or Less	30	24	19	43	116
31-90 Days	40	28	25	39	132
91-180 Days	17	15	10	18	60
181-270 Days	1	6	1	6	14
271-360 Days	-	1	-	3	4
More Than 360 Days	-	-	-	1	1
<b>Total</b>	<b>88</b>	<b>74</b>	<b>55</b>	<b>110</b>	<b>327</b>

#### Sustained Complaint Allegations

Complaint Type	Q1	Q2	Q3	Q4	Total
Improper Activities by City Employees	6	16	8	20	50
Improper Activities by a Contractor	-	3	-	1	4
Misuse of City Funds	3	-	-	1	4
Quality and Delivery of Government Services	2	2	-	2	6
Wasteful and Inefficient Government Practices	1	-	3	-	4
Other	1	-	-	-	1
<b>Total</b>	<b>13</b>	<b>21</b>	<b>11</b>	<b>24</b>	<b>69</b>

#### Actions Taken on Sustained Complaints

Action	Q1	Q2	Q3	Q4	Total
Procedures Changed/Reinforced	7	8	4	9	28
Other	4	10	6	10	30
Employee(s) Counseled (Verbal/Written Warning)	4	6	3	14	27
Disciplinary/Corrective Action Pending	-	1	1	1	3
Suspension	-	-	-	1	1
Termination	-	1	-	-	1
Employee Resignation During Investigation	-	1	-	-	1
<b>Total</b>	<b>15</b>	<b>27</b>	<b>14</b>	<b>35</b>	<b>91</b>

#### Notes:

Q1 June – September, 2014  
Q2 October – December, 2014  
Q3 January – March, 2015  
Q4 April – June, 2015

## APPENDIX C:

### Benchmark Comparison of the Whistleblower Program's Performance to Statistics Reported in Navex Global's *2015 Ethics and Compliance Hotline Benchmark Report*

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#### Complaints Received Per 100 Employees

Reporter	Complaints Received Per 100 Employees
San Francisco	0.93
Navex Global Organizations	1.40

Navex Global statistics include incident reports, allegations, and specific policy questions, whereas the Whistleblower Program does not count the number of allegations made within a complaint. The range of Navex Global's central 80 percent of respondents is 0.2 to 4.5 complaints received per 100 employees. Per Navex Global, if an organization's data falls within the calculated range, it is unlikely to represent a potential issue at that organization. The Whistleblower Program's rate of complaints received per 100 employees was unchanged from fiscal year 2013-14.

#### Anonymous Reporting Rate

Reporter	Percentage of Anonymous Complainants
San Francisco	67%
Navex Global Organizations	61%

The anonymous reporting rate shows the percentage of all complaints submitted by individuals who did not provide contact information. The Whistleblower Program's anonymous reporting rate was unchanged from fiscal year 2013-14.

#### Substantiation Rate

Reporter	Percentage Substantiated
San Francisco	21%
Navex Global Organizations	40%

Per Navex Global, a high substantiation rate reflects well-informed employees who make high-quality reports coupled with a high-quality investigations process.

The 21 percent of complaints substantiated, either in part or in whole, in San Francisco is a decrease from fiscal years 2013-14 and 2012-13 (26%).

### Complaint Closure Time

Reporter	Average Time in Days
San Francisco	63
Navex Global Organizations	39

The average complaint closure time of 63 days in San Francisco decreased slightly from 65 days in fiscal year 2013-14. Per Navex Global, to engender the belief among employees that their concerns are important and are seriously considered, it is vital that organizations complete investigations in a timely fashion. If months go by without a case being resolved, reporters will conclude that the organization is not listening and not taking action. This belief could be detrimental to an organization on a number of levels.

### Intake Method

#### Web and Helpline Submissions

Reporter	Complaints Received by Web & Helpline
San Francisco	73%
Navex Global Organizations	55%

#### All Other Submission Methods

Reporter	Complaints Received by Other Methods
San Francisco	27%
Navex Global Organizations	45%

The most efficient way to file a complaint is through the Whistleblower Program's Web form, which has a series of questions and prompts similar to those program investigators use to take a complaint. When the online form is used, a complaint number is automatically generated and logged in the Whistleblower Program's case management system.

Complainants may also use other channels to submit complaints, such as e-mail to the Whistleblower Program, letters sent to the Controller in care of the Whistleblower Program, calls to the Controller, and walk-in visits to the Controller's offices. These complaints are also given a complaint number and tracked in the Whistleblower Program's case management system. The Whistleblower Program will continue to make city employees and the public aware of the program, including the availability of channels for filing complaints and how to access these channels.

#### Rate of Follow-Up by Anonymous Complainants

Reporter	Follow-Up Rate by Anonymous Complainants
San Francisco	8%
Navex Global Organizations	33%

The Complainant Follow-Up Rate measures the percentage of complaints that were filed anonymously and that were subsequently followed-up on by the complainant.

Hotline report intake processes attempt to collect as much information as possible about an incident. However, investigators may still have follow-up questions for complainants. Anonymous complainants should use their complaint tracking number to check the status of their complaint and learn if investigators have follow-up questions. If complainants do not check in, they may miss an investigator's request for additional information needed to resolve a complaint.

Once employees have been well-trained on this process, if there is a lack of reporter follow-up - that is, reporters do not seem to want to know the outcome of matters they raised - this could be a red flag regarding the organization's culture.



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**From:** Board of Supervisors, (BOS)  
**To:** BOS-Supervisors; BOS-Legislative Aides  
**Subject:** FW: 12B Waiver  
**Attachments:** 20151021135115349.pdf; 20151020152704409.pdf

**From:** Zadlo, Erin (HRD)  
**Sent:** Wednesday, October 21, 2015 4:43 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** 12B Waiver

The attached documents contain the 12B waiver and justification letter for a non-compliant vendor we are requesting to use. Please let me know if any additional information is needed.

Sincerely,

Erin Zadlo  
Senior Personnel Analyst  
Public Safety Team  
Department of Human Resources  
City and County of San Francisco

Phone: 415-551-8947  
Fax: 415-557-4967



CITY AND COUNTY OF SAN FRANCISCO  
CONTRACT MONITORING DIVISION

S.F. ADMINISTRATIVE CODE CHAPTERS 12B and 14B  
WAIVER REQUEST FORM  
(CMD-201)

Send completed waiver requests to:  
cmd.waiverrequest@sfgov.org or  
CMD, 30 Van Ness Avenue, Suite 200, San Francisco, CA  
94102

FOR CMD USE ONLY

Request Number:

➤ Section 1. Department Information

Department Head Signature: [Signature]  
Name of Department: Department of Human Resources  
Department Address: One South Van Ness Ave., 4th floor  
Contact Person: Erin Zadlo  
Phone Number: (415) 551-8947 E-mail: erin.zadlo@sfgov.org

➤ Section 2. Contractor Information

Contractor Name: Holiday Inn Golden Gateway Vendor No.: \_\_\_\_\_  
Contractor Address: 1500 Van Ness Avenue  
Contact Person: Ru Paster Contact Phone No.: (415) 447-3021

➤ Section 3. Transaction Information

Date Waiver Request Submitted: 10/21/2015 Type of Contract: \_\_\_\_\_  
Contract Start Date: 11/15/2015 End Date: 11/21/2015 Dollar Amount of Contract: \$ \$ 15,895.00

➤ Section 4. Administrative Code Chapter to be Waived (please check all that apply)

☒ Chapter 12B  
☐ Chapter 14B Note: Employment and LBE subcontracting requirements may still be in force even when a  
14B waiver (type A or B) is granted.

➤ Section 5. Waiver Type (Letter of Justification *must* be attached, see Check List on back of page.)

☐ A. Sole Source  
☐ B. Emergency (pursuant to Administrative Code §6.60 or 21.15)  
☐ C. Public Entity  
☒ D. No Potential Contractors Comply (Required) Copy of waiver request sent to Board of Supervisors on: \_\_\_\_\_  
☐ E. Government Bulk Purchasing Arrangement (Required) Copy of waiver request sent to Board of Supervisors on: \_\_\_\_\_  
☐ F. Sham/Shell Entity (Required) Copy of waiver request sent to Board of Supervisors on: \_\_\_\_\_  
☐ G. Subcontracting Goals  
☐ H. Local Business Enterprise (LBE)

**CMD/HRC ACTION**

12B Waiver Granted: \_\_\_\_\_ 14B Waiver Granted: \_\_\_\_\_  
12B Waiver Denied: \_\_\_\_\_ 14B Waiver Denied: \_\_\_\_\_

Reason for Action: \_\_\_\_\_

CMD Staff: \_\_\_\_\_ Date: \_\_\_\_\_

CMD Director: \_\_\_\_\_ Date: \_\_\_\_\_

HRC Director (12B Only): \_\_\_\_\_ Date: \_\_\_\_\_

City and County of San Francisco

Edwin M. Lee  
Mayor



Department of Human Resources

Micki Callahan  
Human Resources Director

October 20, 2015

Tamra Winchester, Director  
General Services Agency - Contract Monitoring Division  
30 Van Ness Avenue, Suite 200  
San Francisco, CA 94102

Dear Ms. Winchester:

I respectfully request that the Human Rights Commission grant a waiver of Chapter 12B requirements (Equal Benefits Ordinance) to use Holiday Inn Golden Gateway for the Police Department's Captain promotional examination.

Examination ratings will be conducted over a 5-day period in November 2015 at the Department of Human Resources Testing Center. The raters will consist of 10 subject matter experts from law enforcement organizations who have been recruited nationwide to provide unbiased examination ratings. Lodging is required to provide accommodations for the experts during the ratings.

The DHR Public Safety Team compiled cost estimates for the local hotels, as outlined below. Holiday Inn Golden Gateway best meets our requirements for this event. The Holiday Inn Golden Gateway provides the most cost-effective accommodations, encourages rater participation, offers the most attractive alternative for important out-of-town guests and contributes to future rater recruitments. In addition, the Holiday Inn Golden Gateway has positive reviews and no reports regarding health and safety issues, e.g., pest infestations. This hotel has been attempting to become 12B compliant, but has thus far been unable to do so because of its corporate affiliation.

*12B Compliant Hotels*

NAME	DAILY RATE	TOTAL
Hotel Whitcomb	\$ 149	\$ 12145.74

*Hotels Attempting 12B Compliance*

NAME	DAILY RATE	TOTAL
Holiday Inn Golden Gateway	\$ 195	\$ 15895.43
Holiday Inn Fisherman's Wharf	\$ 195	\$ 15895.43

The waiver request form for the Holiday Inn Fisherman's Wharf is enclosed. I appreciate your favorable consideration of this request. If you have any questions or require further information, please contact Richard Marshall, Public Safety Team at (415) 551-8943.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ted Yamasaki".

Ted Yamasaki on behalf of  
Micki Callahan  
Human Resources Director



**SAN FRANCISCO  
PLANNING DEPARTMENT**

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

OCT 23 PM 4:19

Ak

**MEMO**

COB, L21 Clerk  
CPage  
1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
415.558.6378

Fax:  
415.558.6409

Planning  
Information:  
415.558.6377

## Notice of Electronic Transmittal

### Certificate of Determination Exemption from Environmental Review SFMTA Bay Area Bicycle Share Project

**DATE:** October 22, 2015  
**TO:** Angela Calvillo, Clerk of the Board of Supervisors  
**FROM:** Debra Dwyer, Environmental Planner  
Planning Department (415) 575-9031  
**RE:** SFMTA Bay Area Bicycle Share Project  
Planning Case No. 2015-005492ENV

In compliance with San Francisco's Administrative Code Section 8.12.5 "Electronic Distribution of Multi-Page Documents," the Planning Department has submitted a multi-page Certificate of Determination Exemption from Environmental Review for the SFMTA Bay Area Bicycle Share Project in digital format. One hard copy has been submitted to the Clerk of the Board for the file of the Clerk. Additional hard copies may be requested by contacting Debra Dwyer of the Planning Department at 415-575-9031.

The San Francisco Board of Supervisors (BOS) will have before it for its consideration the execution of a Coordination Agreement for the Bay Area Bicycle Share Project. The agreement would be between the Metropolitan Transportation Commission (MTC), other local jurisdictions, and the bicycle share operator/vendor. This matter is anticipated to come before the BOS in December 2015.

cc: AnMarie Rodgers

Memo

(4)



# SAN FRANCISCO PLANNING DEPARTMENT

## Certificate of Determination Exemption from Environmental Review

**Case No.:** 2015-005492ENV  
**Project Title:** SFMTA Bay Area Bicycle Share Project  
**Project Location:** Citywide in San Francisco, primarily within the public right-of-way  
**Project Sponsor:** Heath Maddox, San Francisco Municipal Transportation Agency  
(415) 701-4789  
**Staff Contact:** Debra Dwyer – (415) 575-9031  
Debra.Dwyer@sfgov.org

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

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

### PROJECT DESCRIPTION:

#### Summary

The San Francisco Municipal Transportation Agency (SFMTA) proposes to implement a citywide bicycle sharing system in San Francisco as part of the regional Bay Area Bicycle Share (BABS) system described in detail below. The current regional bicycle share system in San Francisco is a pilot project managed by the Bay Area Air Quality Management District (BAAQMD). The regional BABS system will transfer to the Metropolitan Transportation Commission (MTC) for program oversight at the end of 2015. As part of a BABS pilot project initiated on August 29<sup>th</sup>, 2013, the system operator installed approximately 35 bicycle share stations with input from the SFMTA, comprising 350 bicycles within the public right-of-way, located generally in the northeast section of the City.

*(Continues on next page.)*

### EXEMPT STATUS:

Categorical Exemption, Class 3 (California Environmental Quality Act (CEQA) Guidelines Section 15303).

### REMARKS:

See next page.

### DETERMINATION:

I do hereby certify that the above determination has been made pursuant to State and local requirements.

Sarah B. Jones  
Environmental Review Officer

October 19, 2015  
Date

cc: Heath Maddox, SFMTA  
Erik Jaszewski, SFMTA  
Shelley Caltagirone, Preservation Planner

Historic Preservation Distribution List  
Distribution List  
Virna Byrd, M.D.F.

**PROJECT DESCRIPTION (continued):**

The proposed project would maintain and upgrade the existing 35 pilot bicycle share stations, and expand the BABS system within San Francisco to comprise a total of approximately 450 stations and 4,500 bicycles across the City and County of San Francisco (San Francisco).

***Background***

Bicycle sharing is a membership-based system for short-term bicycle use. Members can check a bicycle out from a network of automated bicycle stations, ride to a destination, and return the bicycle to a different station. Typically, the station network provides twice as many docking points as there are bicycles in order to ensure a dock is available when it is time to return the bicycle.

The BAAQMD launched a pilot regional bicycle sharing system in the San Francisco Bay Area on August 29, 2013 as the first public bicycle sharing service in California and the first polycentric,<sup>1</sup> multi-city bicycle sharing program in the United States, comprising approximately 70 stations and 700 bicycles. As BAAQMD's local partner and the project sponsor within San Francisco, the system operator at the direction of the SFMTA installed 35 BABS stations and 350 bicycles as part of the pilot program, which was found to be Categorical Exempt from CEQA under CEQA Guidelines Section 15306, Class 6 Information Collection<sup>2</sup> on May 18, 2012. See Figure 1, Pilot Locations.

In partnership with an approved vendor, MTC is funding a permanent regional bicycle sharing system. This would be an expansion of the existing pilot regional bicycle share system from 70 permanent stations and 700 bicycles to approximately 710 stations and 7,100 bicycles. Of the total number of proposed stations for the regional program, approximately 450 stations and 4,500 bicycles would service San Francisco. The remaining bicycles may be distributed between San Jose, Oakland, Emeryville, Berkeley, Mountain View, Palo Alto, and Redwood City. Responsible agencies for jurisdictions besides San Francisco would separately comply with CEQA for this bicycle sharing system within their jurisdictions. This environmental review determination applies solely to the approximately 450 stations located within the boundaries of the City and County of San Francisco (San Francisco).

***Proposed Project***

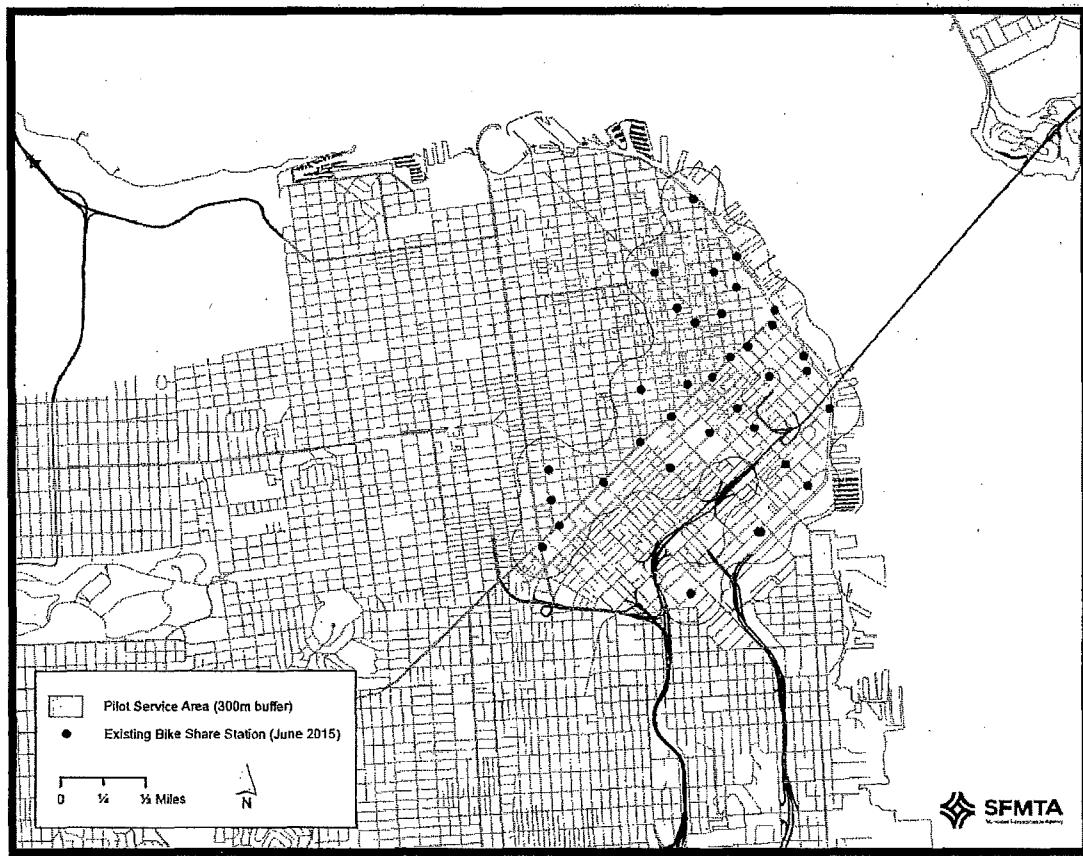
As previously discussed, the SFMTA proposes to install approximately 450 stations and 4,500 bicycles throughout San Francisco. Of these totals, 35 stations and 350 bicycles were tested as part of a pilot project that was initiated on August 29, 2013, and these test locations were centered generally in the northeast section of San Francisco (Figure 1-Pilot Locations). The proposed project would maintain and upgrade these 35 pilot stations, and would install approximately 415 additional stations and 4,150 bicycles citywide.

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<sup>1</sup> Polycentric means having more than one center (as of development or control).

<sup>2</sup> A Class 6 Categorical Exemption was issued May 18, 2012 for the pilot under Case 2012.0573E. This Categorical Exemption is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco in the case file listed or in Case File 2015-005492ENV.

Figure 1 - Pilot Locations



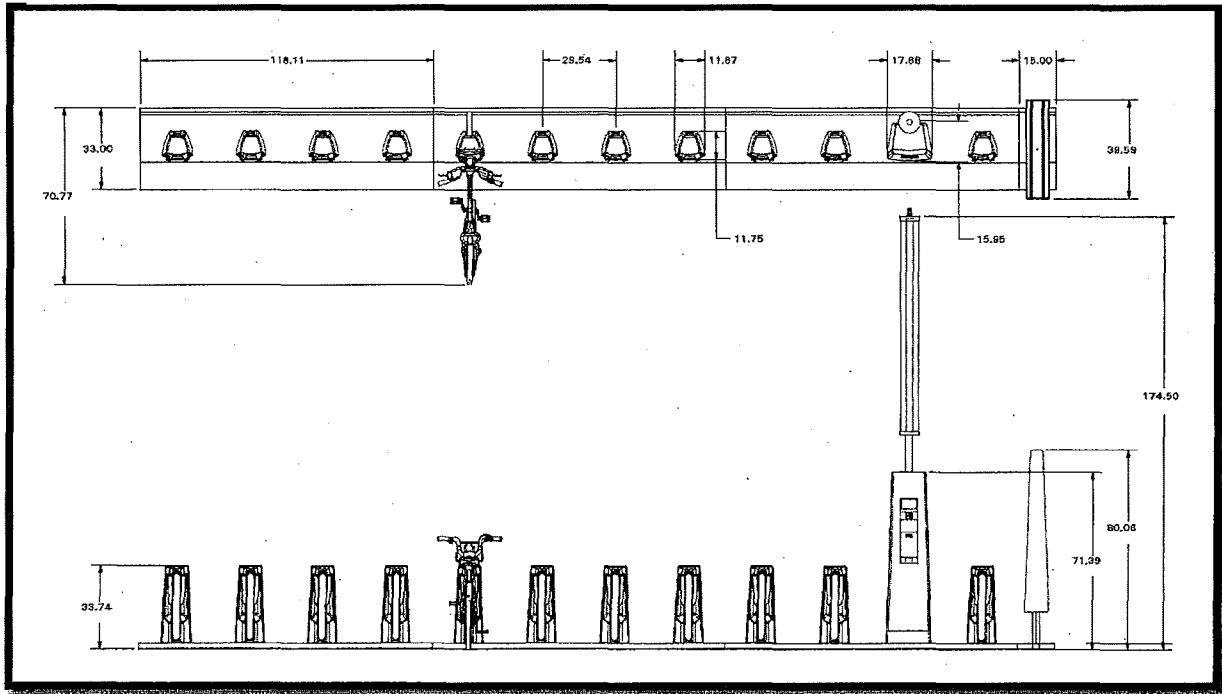
Source: San Francisco Municipal Transportation Agency

The proposed individual stations are portable, modular, and would be solar and battery powered (Figure 2, Typical Station), and would thus not involve excavation or utility connections. Each station would consist of bicycle docks, a kiosk for financial transactions and dynamic customer information, a solar mast providing power, and a panel displaying static information. Purpose-built,<sup>3</sup> tamper-proof bicycles would be docked in the stations. The stations would employ wireless smartcards and wireless networking technologies to coordinate and track bicycle pick-up, drop-off, and subscriber information. Stations can vary in length based on bicycle capacity from about 50 feet for 19 bicycle docks to 150 feet for about 59 bicycles. The stations would not exceed approximately 7 feet in depth and 14 feet 6 inches in height due to the solar panel. Due to a change in the bicycle sharing vendor operating the local program in San Francisco, the pilot stations would require minor retrofitting to work with the new system's back end.

*(This space intentionally left blank.)*

<sup>3</sup> Purpose-built means that the bikes are specifically designed and manufactured to be bike share bikes. These bikes are of a proprietary design and are not available on the open market.

Figure 2 - Typical Station (Plan view and Elevation)



Source: San Francisco Municipal Transportation Agency

Note: Station dimensions are shown in centimeters. Graphic provided for informational purposes only, actual station size may differ.

Locations for the additional 415 stations have not yet been identified. However, SFMTA staff has developed a set of *Bike Share Station Placement Recommendations*<sup>4</sup> that would guide the station siting within the public right-of-way, which would be used in conjunction with guidelines established in the *Better Streets Plan* and the *SFMTA Bicycle Parking Standards, Guidelines & Recommendations*. Placement of the majority of stations would be within the public right-of-way, pursuant to review by the San Francisco Public Works (Public Works) Bureau of Street Use and Mapping for conformance to City guidelines, as well as the Mayor's Office on Disability (MOD), as applicable. Most stations would be located in the on-street parking lane similar to the placement of bicycle corrals, and, though less common, on the sidewalk; however, stations could also be placed on other public or private properties, as appropriate.

If a station is placed within the parking lane, it could displace up to four (4) vehicle parking spaces. Placement of on-street stations would take into consideration existing yellow commercial freight loading zones, and would typically not displace commercial loading zones. If proposed stations would displace a commercial loading zone, SFMTA's *Bike Share Station Placement Recommendations* require relocation of the

<sup>4</sup> San Francisco Municipal Transportation Agency (SFMTA). 2015. On-Street Bike Share Placement Recommendations; Sidewalk Bike Share Station Placement Recommendations. These documents are available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of case 2015-005492ENV.



commercial loading zone to an alternate location within a reasonable distance of the original location, as necessary.

Stations placed on sidewalks would allow for adequate clear space to meet the City's urban design and accessibility requirements. For private properties, the station siting would conform to any legal requirement based on the location. The stations would be placed in the open where they would be seen and easily accessed by members of the public, and would be required to comply with local, State and Federal requirements. In addition to the peer-review of bicycle share station locations on the sidewalk by Public Works and MOD, proposed station locations within or adjacent to properties identified in Articles 10 and 11 of the *San Francisco Planning Code*<sup>5</sup> would require notification to the Planning Department Preservation Coordinator and the San Francisco Historic Preservation Commission (HPC). All stations would adhere to minimum horizontal clearance guidelines, as shown in Table 1 below, to ensure that the station placement would not impede travel on public streets, block access to utilities, or otherwise limit the use of public rights-of-way.

In addition to the *Bike Share Station Placement Recommendations*<sup>6</sup> to guide the station siting within the public right-of-way, the service area for bicycle sharing within the City was informed by a site suitability analysis. The bicycle sharing site suitability analysis considers factors such as proximity to transit stops, employment density, retail job density, proximity to bicycle infrastructure, bicycle commuters per square mile, pedestrian commuters per square mile, slope, population density, zoning, proximity of tourist sites, and per capita income when considering where to place bicycle sharing stations. In terms of station spacing, the pilot system resulted in about 14 stations per square mile. The current goal for the bicycle

**Table 1 – Minimum Horizontal Clearance Guidelines**

Minimum Horizontal Clearance	Object
2 feet	In-ground utilities, utility covers, man holes
3 feet	Driveway or wheelchair ramp
1.5 feet	Adjacent to curb when placed on the sidewalk
6 feet	Bus shelter
5 feet	Blue zone
5 feet	Crosswalk
8 feet	Fire escape/exit (including building entrances and transit portals)
5 feet	Low pressure fire hydrant
7.5 feet	High pressure fire hydrant

Source: San Francisco Municipal Transportation Agency

<sup>5</sup> Article 10 of the *San Francisco Planning Code (Planning Code)* specifies regulations for the Preservation of Historical Architectural and Aesthetic Landmarks, and Article 11 of the *Planning Code* specifies regulations for the Preservation of Buildings and Districts of Architectural, Historical, and Aesthetic Importance in the C-3 Districts.

<sup>6</sup> SFMTA. 2015. *On-Street Bike Share Placement Recommendations; Sidewalk Bike Share Station Placement Recommendations*. These documents are available for review at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of case 2015-005492ENV.

share program expansion is to have about 20 stations per square mile in San Francisco. Ideally, a station would be every few blocks in the densest parts of the City. It is likely that no station would be further than 0.25 miles from the next nearest station.

With respect to installation, the station components would be transported on 24-foot flatbed trucks. A truck with an articulating boom or crane would also be used to place the station components on the ground. At this time it is anticipated that there would be four batches of station installations or deployment as indicated in Table 2. Proposed Deployment Schedule.

**Table 2. Proposed Deployment Schedule**

<b>Proposed Launch Date</b>	<b>Bikes</b>	<b>Stations*</b>
June 2016	1037	80
October 1 2016	622	48
April 1 2017	1245	96
November 1 2017	1245	96
<b>Total</b>	<b>4149</b>	<b>320</b>

\* estimated

The rate of installation varies, depending upon on a number of factors, including travel time, specific site conditions, the hours that deployment is allowed, and the station size. The vendor's recent deployments of comparable scale bicycle sharing systems in other cities have installed an average of five to seven stations per day resulting in one round trip per station, so two total trips per station. There would likely be 10-14 truck trips per day depending on the number of stations deployed, and each batch of installations would be between 5 and 10 days in duration. Based on the Proposed Deployment Schedule shown in Table 2, the installation would occur over an 18-month period beginning in June 2016. The proposed installation would be reviewed by the SFMTA's Transportation Advisory Staff Committee (TASC), an interdepartmental committee which also includes representatives from the San Francisco Fire Department, San Francisco Police Department, and San Francisco Public Works, that discusses proposed legislation or proposed street changes prior to implementation.

The proposed project would involve daily bicycle redistribution activities for stations once installed. These activities involve the use of utility vans or similar vehicles on an as-needed basis to rebalance the number of bicycles at station locations throughout the system in order to maintain an operable number of bicycles at every station. These vans would utilize existing commercial loading zones for such activities. The redistribution of bicycles between stations would overlap with the a.m. and p.m. peak commute periods, approximately 7 a.m. to 11 a.m. in the morning and 4 p.m. to 8 p.m. in the evening.

### **Project Approvals**

**Approval Action:** The City of San Francisco, through the San Francisco Board of Supervisors (BOS) and SFMTA, would be a local partner in the Bay Area Bicycle Share Program with the Metropolitan Transportation Commission (MTC). Pursuant to Section 31.04 of the *San Francisco Administrative Code*, the

first decision by a City department or official that would rely on this exemption that would commit the City to a definite course of action in regard to the proposed project would be the execution of a coordination agreement by the BOS with MTC, other local partners in the East and South Bay, and the bicycle share operator. The Approval Action date establishes the start of the 30-day appeal period for this CEQA exemption determination pursuant to Section 31.04(h) of the *San Francisco Administrative Code*.

Subsequently, the SFMTA would consider issuance of *Bicycle Sharing Station Permits* for the specific bicycle sharing station locations, and the operator would be required to obtain a temporary occupancy permit from San Francisco Public Works for the actual installations. San Francisco *Transportation Code Division II, Section 909* establishes the Director of Transportation's authority to grant a revocable permit to install and maintain a bicycle sharing station.

### DISCUSSION OF ENVIRONMENTAL ISSUES:

CEQA Guidelines Section 15300.2 establishes exceptions to the application of a categorical exemption for a project. None of the established exceptions applies to the proposed project.

Guidelines Section 15300.2, subdivision (b), provides that a categorical exemption shall not be used where the cumulative impact of successive projects of the same type in the same place, over time, is significant. As discussed below under Cumulative Impacts, there is no possibility of a significant cumulative effect on the environment due to the proposed project.

Guidelines Section 15300.2, subdivision (c), provides that a categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. As discussed below, there is no possibility of a significant effect on the environment due to unusual circumstances.

CEQA Guidelines Section 15300.2, subdivision (f), provides that a categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource. For the reasons discussed below under Historic Resources, there is no possibility that the proposed project would have a significant effect on a historical resource.

CEQA Guidelines Section 15303, or Class 3, provides an exemption from environmental review for the construction and location of limited numbers of new, small structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed project would install up to 450 bicycle sharing stations throughout San Francisco, primarily within the public right-of-way and on some parcels. Therefore, the proposed project would be exempt from environmental review under Class 3.

### Aesthetics

In determining whether the proposed project would be exempt from environmental review, the Planning Department analyzed the potential for aesthetic impacts.

Bicycle facilities and infrastructure are common sights within the urban environment. The bicycle sharing station equipment is also small in scale and massing relative to surrounding buildings or sites so

that there will be minimal visual impact to the character or setting of the places where these would be located. Furthermore, the height of the bicycle docking structure, which is the primary station feature, would be below typical eye-level, so the stations would not have substantial impacts to views of historic resources. The information panels and payment kiosks are similar in scale and visual character to existing parking payment kiosks and wayfinding signage currently installed throughout the City, and they would have no substantial impact to the character of streetscapes.

As stated, the 450 bicycle sharing stations would primarily be located within the public right-of-way, typically in the parking lane, and less commonly on sidewalks. In rarer circumstances, stations could be placed on other public or private property. Besides the 35 pilot stations that were included in the pilot project, the precise locations of the additional proposed 415 stations have not been identified. However, these stations would be dispersed throughout the City with a density of between 14 and 20 bicycle sharing stations per square mile. Therefore, in any particular area of the City, the number of stations installed would be limited. The program goal is to have a station every few blocks in the densest parts of the City, but no further than 0.25 miles from the next nearest station.

Therefore, for the above reasons the proposed project would not cause an adverse visual impact since the stations would not result in a substantial impact to the character of streetscapes nor would they be located in such close proximity to one another as to result in a cumulative adverse visual impact.

### Historic Resources

In determining whether the proposed project would be exempt from environmental review, the Planning Department analyzed the potential for historic resource impacts.

The proposed 450 stations would primarily be located within the public right-of-way, typically in the parking lane, and less commonly on sidewalks. In rarer circumstances, stations could be placed on other public or private property. Besides the existing 35 stations that were included in the pilot project, the precise locations of the additional proposed 415 stations have not been identified. Therefore, it is possible that stations could be installed within or adjacent to properties listed on local, state, or national historic resource registers or properties eligible for listing on local, state, or national registers. Installation located within landmark properties or districts that identify the public right-of-way as a character defining feature would require either Certificates of Appropriateness or Permits to Alter pursuant to *San Francisco Planning Code (Planning Code)* Articles 10 and 11.

The proposed project could affect public rights-of-way or publicly-accessible spaces located adjacent to or within individual historic resources or historic districts listed or eligible for listing on local, state or national historic resource registries. A Historic Resource Evaluation Response (HRER) was prepared for this project.<sup>7</sup>

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<sup>7</sup> Planning Department. 2015. *Historic Resource Evaluation Response for Bay Area Bicycle Share Expansion*. A copy of this document is attached.

The proposed stations are portable, modular, and would be solar and battery powered, thus not involving bolting to existing paving materials, excavation or utility connections.<sup>8</sup> The stations would consist of bicycle docks, a kiosk, a solar mast, and an information panel. Stations vary in size based on bicycle capacity, though they would not exceed approximately 7 feet in depth, 14'-6" in height (solar panel and mast), and up to 150 feet in length.

SFMTA has developed a set of *Bike Share Station Placement Recommendations* to guide station siting, to be used in conjunction with the *Better Streets Plan* and the *SFMTA Bicycle Parking Standards, Guidelines & Recommendations*. Placement of the majority of stations would be within the public right-of-way, typically in the parking lane, and less commonly on the sidewalk. In rarer circumstances, stations could be placed on other public or private properties.

Given the limited size and number of the stations per City neighborhood, in addition to the requirements to ensure station placement is compatible with nearby historic properties and districts, the Planning Department has determined that the project would conform to the *Secretary of the Interior's Standards and Guidelines for the Treatment of Historical Properties* as discussed in more detail below. Therefore, the proposed project will not cause a significant adverse impact to any historic resources. Based on information submitted by the project sponsor, it appears that the installation of the bike share stations will specifically conform to Standards 9 and 10:

**Standard 9.**

*New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

**Standard 10.**

*New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Station equipment would not be bolted to the ground, so that no historic paving materials would be altered by the project. The equipment would also be small in scale and massing relative to historic buildings or sites so that there would be minimal visual impact to the character or setting of the places. In most cases, station equipment would be a minimum distance of 6 feet from any building wall. In the relatively few situations in which stations are located immediately adjacent to a building wall of a historic property, all equipment would be held a minimum of 8 feet from entrances. Entrances are typically character-defining features of historic buildings, but this distance would buffer any visual impact to the historic feature. Furthermore, the height of the bicycle docking structure, which is the primary station feature, would be below typical eye-level, so the stations would not have substantial impacts to views of historic resources. The information panels and payment kiosks would be similar in scale and visual character to existing parking payment kiosks and wayfinding signage currently installed throughout the

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<sup>8</sup> Installation of a station requires that a truck physically place the station in its proposed location. Due to the weight of these stations, no other construction activities are required for installation.

City, and they would have no substantial impact to the character of streetscapes adjacent to or within historic sites and districts. Lastly, all of the bicycle share station equipment could be removed without leaving any trace of its installation so that the work would be entirely reversible. For these reasons, the proposed project would not result in a significant adverse impact to historic resources.

Pursuant to the *Bike Share Station Placement Recommendations* to guide station siting, to be used in conjunction with the *Better Streets Plan* and the *SFMTA Bicycle Parking Standards, Guidelines & Recommendations*, any installation(s) on the property of, or adjacent to properties or public rights of way in Articles 10 or 11 of the *Planning Code* would be required to send notice to the Preservation Coordinator of the San Francisco Planning Department and the Historic Preservation Commission. Such installations may require issuance of a Certificate of Appropriateness or approval of a Permit to Alter, which would be reviewed by Planning Department Preservation staff and in some cases by the Historic Preservation Commission.

In light of the above, the proposed project would not result in a significant impact to historic resources.

### Transportation

In determining whether the proposed project would be exempt from environmental review, the Planning Department analyzed the potential for transportation-related project impacts.

#### Traffic

The proposed project would involve the use of vans in order to redistribute bicycles throughout the BABS system on a daily basis. During the pilot project's one-year evaluation period of September 2013 to August 2014, BAAQMD found that redistribution trucks generated 16,879 vehicle trips (a median of 46 vehicle trips per day) and 84,397 vehicle miles traveled (VMT) within San Francisco over the duration of the bicycle sharing pilot project. The proposed project would result in a more than ten-fold increase in the number of BABS stations and bicycles, from 35 stations and 350 bicycles in the pilot to 450 stations and 4,500 bicycles proposed as part of the project. As such, the proposed project would generate vehicle trips beyond the levels found in the pilot project. Conservatively scaling the daily trips as a result of the pilot in proportion to the increase in the number of stations, an estimated 591 daily vehicle trips would be generated by the proposed project. The redistribution trips would be split between two periods, 7 a.m. to 11 a.m. in the morning and between 4 p.m. to 8 p.m. in the evening, overlapping with daily commute periods. However, these trips would be geographically dispersed throughout San Francisco, and would not result in a substantial traffic increase citywide or in any one City area relative to the existing capacity of San Francisco's street system. The traffic increase at specific intersections would not be substantial or noticeable, nor would this increase in vehicle volumes contribute considerably to existing poor operating conditions at intersections.

Because the BABS stations would be located primarily in the curb parking lane or on the sidewalk, implementation of BABS would not substantially affect traffic operating conditions or travel lane operations. In light of the above, the proposed project would result in less-than-significant impacts related to traffic.

Transit

The proposed project would expand the BABS system implemented under the pilot project to approximately 450 stations and 4,500 bicycles, which would be located in the public right-of-way, primarily in curb parking lanes or on sidewalks. Thus, installation of BABS stations would not substantially affect transit operations citywide. The SFMTA's *Bike Share Station Placement Recommendations* identify conditions under which stations could be placed on the sidewalk within a bus zone without impeding bus stop operations, such as passengers waiting at the bus stop, boarding or alighting. The recommendations outline minimum and preferred clearances for station siting near bus shelters, which are six (6) feet and eight (8) feet, respectively. Therefore, the proposed project would not significantly impact transit operations.

Pedestrians

The proposed project would place approximately 450 stations comprising 4,500 bicycles throughout the City, some of which would be placed on the sidewalk. SFMTA's *Bike share Station Placement Recommendations* indicate that the proposed stations must maintain a minimum of six (6) feet of width for a clear path of pedestrian travel, free of obstacles, including bicycles docked at the station. The recommendations also require that BABS stations not obstruct curb ramps; not obstruct crosswalks; comply with Americans with Disabilities Act (ADA) requirements; and minimize potential pedestrian tripping hazards. The station locations would also be evaluated post-implementation and could potentially be removed or relocated to maintain desirable conditions for pedestrian circulation. Therefore, the proposed project, implemented in accordance with the aforementioned recommendations, would result in less-than-significant impacts related to pedestrians.

Bicycles

Bicyclists would benefit from the implementation of the BABS system. The stations would provide bicyclists with an additional transportation option, as well as allow for increased bicycling opportunities when connecting with other modes of transportation where storage or transport of one's personal bicycle may be a hindrance. The additional 4,150 bicycles for a total of 4,500 bicycles would be utilized for short-term trips and would be dispersed throughout the City such that existing bicycle facilities would not be overwhelmed or result in hazardous conditions for bicyclists. Thus, the proposed project would not result in significant impacts on bicyclists.

Loading

In addition to the 35 pilot stations implemented as part of the 2013 pilot, the proposed project would install approximately 415 BABS stations for a total of 450 stations and 4,500 bicycles, which would be primarily located within curbside parking lanes or on sidewalks. As previously discussed, the proposed project would necessitate daily redistribution activities, which would involve utility vans or similar vehicles picking up bicycles at certain stations and dropping them off at other stations. These vans would utilize existing commercial loading zones for such activities. The redistribution of bicycles between stations would typically overlap with the a.m. and p.m. peak commute periods, approximately 7 a.m. to 11 a.m. in the morning and 4 p.m. to 8 p.m. in the evening. Loading data was collected as part of the 2013 BABS pilot, and is summarized in Table 3, Loading Activities.

**Table 3 - Loading Activities Related to the Redistribution of Bicycles between Bicycle Share Stations**

Location	Average Number of Stops per Day	Average Time (min) per Stop
All SF Stations	0.93	5.80
Stations with a High Number of Redistribution Stops (6)	2.84	4.08
Stations with a Medium Number of Redistribution Stops (11)	0.87	8.51
Stations with a Low Number of Redistribution Stops (18)	0.34	8.79
Stations with High Avg Time per Stop (5)	0.54	18.40
Stations with Med Avg Time per Stop (13)	0.57	8.05
Stations with Low Avg Time per Stop (17)	1.32	4.69

Source: San Francisco Municipal Transportation Agency

As shown in Table 3 above, the vans averaged approximately one daily stop per station across the network, with stop duration averaging about six minutes. Vans stopped at some stations up to approximately four times in a day, likely indicating those stations had high bicycle turnover rates. In addition, some stations required vans to stop for up to approximately 18 minutes. About half of the pilot locations did not require a van stop every day. Additionally, for about half of the pilot locations, the van was at the location for about 5 minutes or less. These loading activities are not atypical for San Francisco and are the best available indication for loading activities that would result from the proposed project, although such activities would be more frequent given the increased number of stations citywide. It is likely that loading activities for the proposed project would be sufficiently accommodated by existing loading zones citywide. If loading activities expand to a greater degree than could be accommodated by existing loading zones, the SFMTA would install additional commercial loading zones as needed to support the bicycle redistribution necessary to maintain the program. The addition of commercial loading zones would be achieved by the conversion of on-street parking spaces into commercial loading zones.

If a station is placed within the parking lane, it could displace up to four (4) vehicle parking spaces. Placement of on-street stations would take into consideration existing yellow commercial freight loading zones, and would typically not displace commercial loading zones. If proposed stations would displace a commercial loading zone, SFMTA's *Bike Share Station Placement Recommendations* require relocation of the commercial loading zone to an alternate location within a reasonable distance of the original location, as necessary. Therefore, the proposed project would result in a less-than-significant impact on commercial loading.

#### Emergency Access

In addition to the 35 pilot stations implemented as part of the pilot, the proposed project would expand the BABS system by 415 stations to approximately 450 stations and 4,500 bicycles, which would be located in the public right-of-way primarily within curb parking lanes or on sidewalks. Thus, the installation of BABS stations would not affect emergency operations within travel lanes. SFMTA's *Bike*



*Share Station Placement Recommendations* outlines conditions for station placement in regards to emergency access. The stations would not be placed in front of fire hydrants, positioned over water valves, or installed to obstruct access to fire protection equipment. Therefore, the proposed project would not result in a significant impact on emergency access.

#### Transportation-related Construction

In addition to the 35 pilot stations implemented as part of the pilot, the proposed project would install approximately 415 BABS stations for a total of 450 stations and 4,500 bicycles, which would be primarily located within curb parking lanes or on sidewalks. As indicated in the project description, the installation would not require construction. Instead, station components would be transported on 24-foot flatbed trucks, and a truck with an articulating boom or crane would also be used to place the station components on the ground. It is anticipated that there would be four batches of station installations or deployment as indicated in Table 2 above. Each of the four batches would be installed over a five to ten day period and would result in 10-14 truck trips per day depending on the number of stations deployed. The truck trips would be dispersed throughout the City with about two trips per location. This work is limited in duration, and as described above would be coordinated through TASC. Therefore, the installation of the proposed project would result in less-than-significant transportation-related construction impacts.

#### Parking

In addition to the 35 pilot stations implemented as part of the pilot, the proposed project would install approximately 415 BABS stations for a total of 450 stations and 4,500 bicycles, which would be primarily located within curb parking lanes or on sidewalks. There would be no loss of parking for stations located on the sidewalk or on a parcel. Each station within the parking lane could displace up to four (4) vehicle parking spaces. While the number of on-street locations for such stations has not yet been determined, the loss of up to four (4) vehicle parking spaces at each potential location would result in the removal of up to 1,350 parking spaces citywide. This would be a minor reduction in the total number of on-street parking spaces relative to the overall on street parking supply Citywide.

Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel. While parking conditions change over time, a substantial shortfall in parking caused by a project that creates hazardous conditions or significant delays to traffic, transit, bicycles or pedestrians could adversely affect the physical environment. Whether a shortfall in parking creates such conditions will depend on the magnitude of the shortfall and the ability of drivers to change travel patterns or switch to other travel modes. If a substantial shortfall in parking caused by a project creates hazardous conditions or significant delays in travel, such a condition could also result in secondary physical environmental impacts (e.g., air quality or noise impacts caused by congestion), depending on the project and its setting. The absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service or other modes (walking and biking), would be in keeping with the City's "Transit First" policy and numerous San Francisco General

Plan Policies, including those in the Transportation Element. The City's Transit First Policy, established in the City's Charter Article 8A, Section 8A.115, provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. The secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area, and thus choose to reach their destination by other modes (i.e. walking, biking, transit, taxi). If this occurs, any secondary environmental impacts that may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the associated air quality, noise and pedestrian safety analyses, would reasonably address potential secondary effects.

In light of the above, the proposed project would not result in a substantial parking shortfall that would create hazardous conditions or significant delays affecting traffic, transit, bicycles or pedestrians. Therefore, the proposed project would not result in significant impacts related to parking.

### Air Quality

In accordance with the state and federal Clean Air Acts, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>) and lead. These air pollutants are termed criteria air pollutants because they are regulated by developing specific public health- and welfare-based criteria as the basis for setting permissible levels. The Bay Area Air Quality Management District (BAAQMD) in their *CEQA Air Quality Guidelines* (May 2011), has developed screening criteria to determine if projects would violate an air quality standard, contribute substantially to an air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants within the San Francisco Bay Area Air Basin. If a proposed project meets the screening criteria, then the project would result in less-than-significant criteria air pollutant impacts. The BABS expansion project would not exceed criteria air pollutant screening levels for construction.<sup>9</sup>

Once operational, the proposed project would involve the use of utility vans in order to redistribute bicycles throughout the BABS system on a daily basis. The BAAQMD *CEQA Air Quality Guidelines* (May 2011) air quality screening criteria address types of land use development but do not address projects such as the BABS expansion project. Based upon information collected by the SFMTA during the pilot project, the redistribution vehicle trips may be concentrated in the northeast quadrant of the City as well as in and around Golden Gate Park. As discussed in the Transportation section above, redistribution activities for the proposed project would result in approximately 591 daily vehicle trips split between two time periods each day, 7 a.m. to 11 a.m. and 4 p.m. to 8 p.m. However, the emissions from this volume of daily vehicle trips would be dispersed throughout the City and would not be considered substantial in the context of regional air quality.

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<sup>9</sup> Bay Area Air Quality Management District, *CEQA Air Quality Guidelines*, Updated May 2011. Section 3-5.

In addition to criteria air pollutants, individual projects may emit toxic air contaminants (TACs). TACs collectively refer to a diverse group of air pollutants that are capable of causing chronic (i.e., of long-duration) and acute (i.e., severe but short-term) adverse effects to human health, including carcinogenic effects. In response to growing concerns of TACs and their human health effects, the San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred to as the Enhanced Ventilation Required for Urban Infill Sensitive Use Developments or Health Code, Article 38 (Ordinance 224-14, effective December 8, 2014)(Article 38). The purpose of Article 38 is to protect the public health and welfare by establishing an Air Pollutant Exposure Zone and imposing an enhanced ventilation requirement for all urban infill sensitive use development within the Air Pollutant Exposure Zone. Projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would expose sensitive receptors to substantial air pollutant concentrations or add emissions to areas already adversely affected by poor air quality.

The potential BABS station locations could be located within the City's Air Pollutant Exposure Zone. The Article 38 requirements for land use development would not apply to the proposed project. The installation of the stations would not require construction or excavation, but would require the use of a 24-ft flatbed truck and crane to place each station. This equipment would emit diesel particulate matter (DPM), a TAC. However, these emissions would be short-term and variable in nature and would not be expected to expose sensitive receptors to substantial air pollutants. Furthermore, the proposed project would be subject to, and comply with, California regulations limiting idling to no more than five minutes,<sup>10</sup> which would further reduce nearby sensitive receptors exposure to temporary and variable TAC emissions. Therefore, TAC emissions during the deployment activities would not result in a significant impact with respect to exposing sensitive receptors to substantial levels of air pollution.

In conclusion, the proposed project would not result in significant impacts related to air quality.

### Cumulative Impacts

CEQA State Guidelines Section 15300.2(b) provides that a categorical exemption shall not apply if significant impacts would result over time from successive projects of the same type in the same place. In addition to the 35 pilot stations implemented as part of the pilot project, the proposed project would involve the installation of approximately 415 stations and 4,150 bicycles for a total of 450 stations and 4,500 bicycles throughout the City when the bicycle share project is fully implemented. As discussed above, the installation and operation of the BABS system (stations, associated bicycles, and redistribution activities) would not result in significant impacts related to aesthetics, historic resources, transportation, or air quality. The environmental impacts of the project would not have the potential to result in cumulative impacts since all of the proposed expansion stations would be installed at separate locations that would comply with the *Bike Share Station Placement Recommendations* in conjunction with the *Better Streets Plan* and the *SFMTA Bicycle Parking Standards, Guidelines & Recommendations*, and be distributed to result in a station density of between 14 and 20 bicycle sharing stations per square mile. For the reasons set forth above, this project would not result in a significant cumulative impact or a cumulatively

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<sup>10</sup> California Code of Regulations, Title 13, Division 3, § 2485. This regulation applies to on-road heavy duty vehicles and not off-road equipment.

considerable contribution to a significant cumulative impact on historic resources, aesthetics, transportation, or air quality, or on other environmental topics.

**Conclusion**

The proposed project satisfies the criteria for exemption under the above-cited classification. In addition, none of the CEQA Guidelines Section 15300.2 exceptions to the use of a categorical exemption applies to the proposed project. For the above reasons, the proposed project is appropriately exempt from environmental review.



# SAN FRANCISCO PLANNING DEPARTMENT

MEMO

## Historic Resource Evaluation Response

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*Project Address:* Bay Area Bicycle Share Expansion (450 Locations)  
*Block/Lot:* Various Blocks and Lots  
*Case No.:* 2015-005492ENV  
*Date of Review:* September 4, 2015

### PART I: HISTORIC RESOURCE EVALUATION

#### Building and Property Description

The Bay Area Bicycle Share Expansion Project involves installation of 450 bike share stations and 4,500 bicycles throughout the City and County of San Francisco. Of these totals, 35 stations and 350 bicycles currently exist in the northeast section of the City as part of a pilot project initiated on August 29, 2013. Placement of the majority of stations would be within the public right-of-way, typically in the parking lane, and less commonly on the sidewalk. In rarer circumstances, stations could be placed on other public or private properties.

#### Pre-Existing Historic Rating / Survey

Locations for the 450 bicycle share stations have not been identified; therefore, it is assumed that stations could be installed within or adjacent to properties listed on local, state, or national historic resource registers or properties eligible for listing on local, state, or national registers. Installation located within landmark properties or districts that identify the public right-of-way as a character defining feature would require either Certificates of Appropriateness or Permits to Alter pursuant to Planning Code Articles 10 and 11.

#### CEQA Historical Resource(s) Evaluation

##### Step A: Significance

*Under CEQA section 21084.1, a property qualifies as a historic resource if it is "listed in, or determined to be eligible for listing in, the California Register of Historical Resources." The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources or not included in a local register of historical resources, shall not preclude a lead agency from determining whether the resource may qualify as a historical resource under CEQA.*

The proposed project could affect public rights-of-way or publicly-accessible spaces located adjacent to or within individual historic resources or historic districts listed or eligible for listing on local, state or national historic resource registries.

**CEQA Historic Resource Determination**

- ☒ Historical Resource Present
- ☐ Individually-eligible Resource
  - ☐ Contributor to an eligible Historic District
  - ☐ Non-contributor to an eligible Historic District
- ☐ No Historical Resource Present

**PART I: SENIOR PRESERVATION PLANNER REVIEW**

Signature: *Tina Tam*  
Tina Tam, Senior Preservation Planner

Date: 9-1-2015

## PART II: PROJECT EVALUATION

Proposed Project

☐ Demolition

☒ Alteration

### Project Description

The Bay Area Bicycle Share Expansion Project involves installation of 450 bike share stations and 4,500 bicycles throughout the City and County of San Francisco. Of these totals, 35 stations and 350 bicycles currently exist in the northeast section of the City as part of a pilot project initiated on August 29, 2013. The proposed stations are portable, modular, and would be solar and battery powered, thus not involving bolting to existing paving materials, excavation or utility connections. The stations would consist of bicycle docks, a kiosk, a solar mast, and an information panel. Stations vary in size based on bicycle capacity, though they would not exceed approximately 6'-11" in depth, 14'-6" in height (solar panel and mast), and 150' in length.

SFMTA has developed a set of Bike Share Station Placement Recommendations to guide station siting, to be used in conjunction with the Better Streets Plan and the SFMTA Bicycle Parking Standards, Guidelines & Recommendations. Placement of the majority of stations would be within the public right-of-way, typically in the parking lane, and less commonly on the sidewalk. In rarer circumstances, stations could be placed on other public or private properties.

### Project Evaluation

*If the property has been determined to be a historical resource in Part I, please check whether the proposed project would materially impair the resource and identify any modifications to the proposed project that may reduce or avoid impacts.*

#### Subject Property/Historic Resource:

☒ The project will not cause a significant adverse impact to the historic resource as proposed.

☐ The project will cause a significant adverse impact to the historic resource as proposed.

#### California Register-eligible Historic District or Context:

☒ The project will not cause a significant adverse impact to a California Register-eligible historic district or context as proposed.

☐ The project will cause a significant adverse impact to a California Register-eligible historic district or context as proposed.

The Department finds that the project meets the Secretary of the Interior Standards and, therefore, will not cause a significant adverse impact to any historic resources. Based on information submitted by the project sponsor, it appears that the installation of the bike share stations will specifically conform to Standards 9 and 10:

#### *Standard 9.*

*New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be*

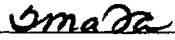
*differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

**Standard 10.**

*New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Station equipment will not be bolted to the ground, so that no historic paving materials would be altered by the project. The equipment is also small in scale and massing relative to historic buildings or sites so that there will be minimal visual impact to the character or setting of the places. In most cases, station equipment will be a minimum distance of 6' from any building wall. In the relatively few situations in which stations are located immediately adjacent to a building wall, all equipment would be held a minimum of 8' distant from entrances. Entrances are typically character-defining features of historic building, but this distance would buffer any visual impact to the historic feature. Furthermore, the height of the bicycle docking structure, which is the primary station feature, would be below typical eye-level, so the stations would not have substantial impacts to views of historic resources. The information panels and payment kiosks are similar in scale and visual character to existing parking payment kiosks and wayfinding signage currently installed throughout the City, and they would have no substantial impact to the character of streetscapes adjacent to or within historic sites and districts. Lastly, all of the bicycle share station equipment can be removed without leaving any trace of its installation so that the work is entirely reversible. For these reasons, the proposed project would have no significant adverse impact to historic resources.

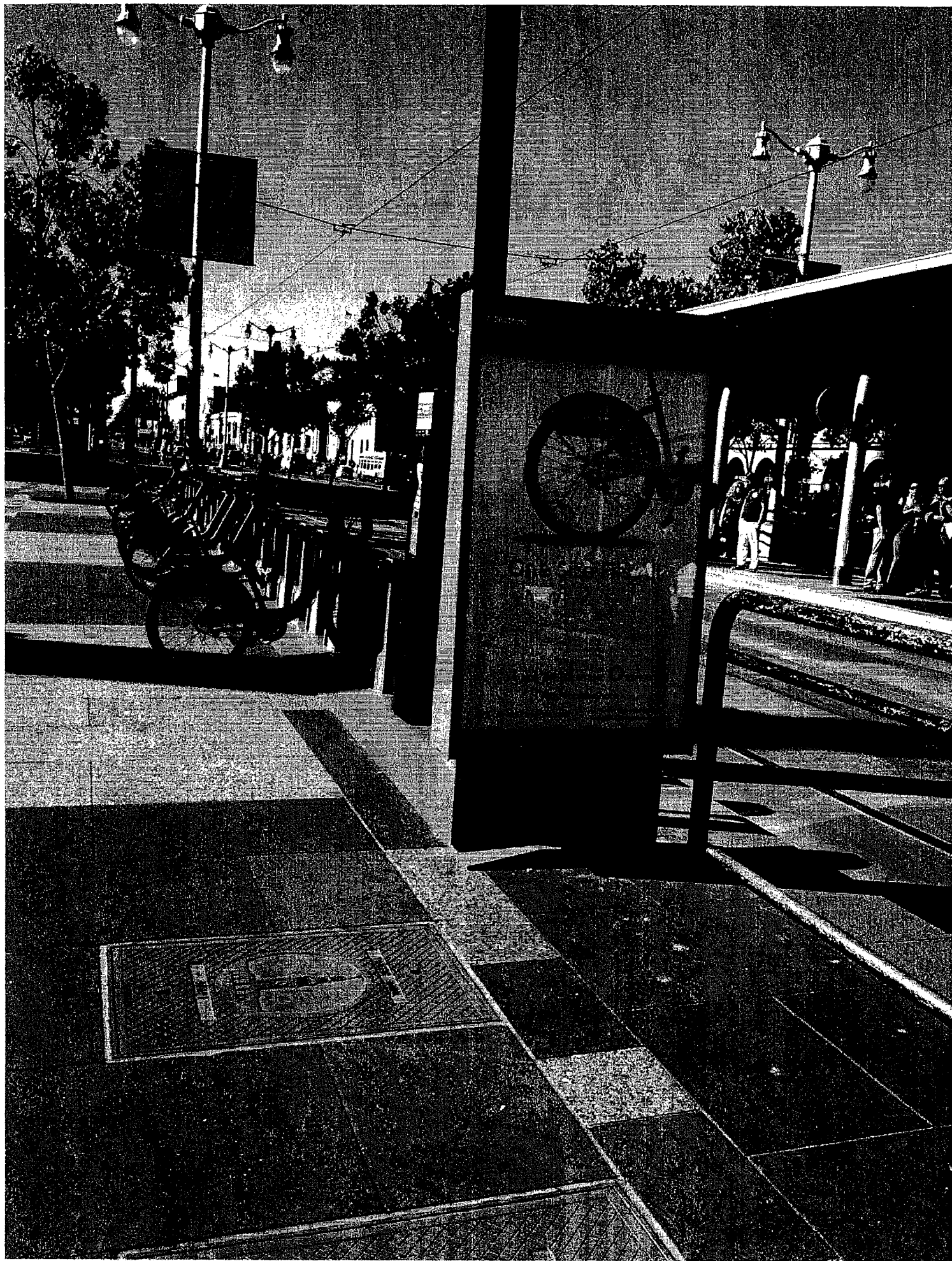
**PART II: SENIOR PRESERVATION PLANNER REVIEW**

Signature:   
Tina Tam, Senior Preservation Planner

Date: 9-1-2015

cc: Vernaliza Byrd, Environmental Division/ Historic Resource Impact Review File





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

October 21, 2015

Ms. Angela Calvillo  
Clerk of the Board  
City Hall, Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102-4689

Dear Ms. Calvillo:

Please find attached the Recreation and Park Department's report for the 1<sup>st</sup> quarter of FY15-16 in response to the requirements of Resolution 157-99 Lead Poisoning Prevention. To date, the Department has completed assessment and clean-up at **182** sites since program inception in 1999.

Current work involves developing a cleanup plan for Kezar Pavilion. The complexity of the project and continual and heavy use of the facility has necessitated the work on this project. We have completed testing to determine cleaning and scope of work characteristics. Additionally, quarterly wipe testing and clean up was conducted to minimize the hazards to occupants.

I hope that you and interested members of the public find that the Department's performance demonstrates our commitment to the health and well being of the children we serve.

Thank you for your support of this important program. Please do not hesitate to contact me with any questions, comments or suggestions you have.

Sincerely,

Philip A. Ginsburg  
General Manager

Attachments: 1. FY15-16 Implementation Plan, 1<sup>st</sup> Quarter Status Report  
2. Status Report for All Sites

Copy: J. Walseth, DPH, Children's Environmental Health Promotion

## Attachment 1. Implementation Plan Status Report

## 1<sup>st</sup> Quarter Status Report

Plan Item	Status
<b>I. Hazard Identification and Control</b>	
a) Program Revision	A revision of the project management procedures was completed in FY13-14.
b) Site Prioritization	<p>Prioritization is based on verified hazard reports (periodic inspections), documented program use (departmental and day care), estimated participant age, and presence of playgrounds or schoolyards.</p> <p>Sites are selected on a rolling basis; as one site is completed, the next site on the list becomes active.</p>
c) Survey	No surveys are currently planned (pending completion of cleanup at Kezar Pavilion).
d) Cleanup	We are developing a cleanup plan for Kezar Pavilion. The complexity of the project and continual and heavy use of the facility has necessitated the work on this project. Testing was completed to determine cleaning and scope of work characteristics. Additionally, quarterly wipe testing and clean up was conducted to minimize the hazards to occupants.
e) Site Posting and Notification	Each site has been or will be posted in advance of clean-up work so that staff and the public may be notified of the work to be performed.
f) Next site	Priority 138, Pine Lake
<b>II. Facilities Operations and Maintenance</b>	
a) Periodic Inspection	Annual periodic facility inspections are completed by staff. The completion rate for FY14-15 was 51%.
b) Housekeeping	Staff is reminded of this hazard and the steps to control it through our Lead Safe Work Practice.

**c) Staff Training**

Under the Department's Injury and Illness Prevention Program, basic lead awareness training is recommended every two years for appropriate staff (e.g. custodians, gardeners, recreation staff, structural maintenance staff, etc.).

## Attachment 2. Status Report for RPD Sites

## Status Report for RPD Sites

Sites are listed in order in which they were prioritized for survey. Prioritization is done using an algorithm which takes into account attributes of a site that would likely mean the presence of children from 0-12 years old (e.g. programming serving children, or the presence of a playground).

Sites are surveyed on a rolling basis. "Rolling" means that when one site finishes, the next site on the list will begin. Current sites are listed at the top. Sites not be completed in exact order of priority due to re-tests and other extenuating circumstances.

Re-tests of previous sites are completed every 10 surveys to ensure that past work has sustained an acceptable level of protection.

### ALL SITES

Priority	Facility Name	Location	Completed	Notes	Retest	Entered in FLOW Program
147	Kezar Pavilion	Golden Gate Park	08-09	Survey completed. Longer term abatement in planning stages.		
138	Pine Lake Park	Crestlake/Vale/Wawona	07-08	Programmed retest; survey to be completed.	X	
172	Broadway Tunnel West-Mini Park	Leavenworth/Broadway				
173	Broadway Tunnel East-Mini Park	Broadway/Himmelman				
174	Lake Merced Park	Skyline/Lake Merced		Includes Harding Park, Flemming Golf, Boat House and other sites. Note that the Sandy Tatum clubhouse and maintenance facilities were built in 2004 and should be excluded from the survey.		
175	Ina Coolbrith Mini Park	Vallejo/Taylor				
176	Justin Herman/Embarcadero Plaza	Clay/Embarcadero				
177	Billy Goat Hill	Laidley/30th				
178	Coso/Precita-Mini Park	Coso/Precita				
179	Dorothy Erskine Park	Martha/Baden				
180	Duncan Castro Open Space	Diamond Heights				
181	Edgehill Mountain	Edgehill/Kensington Way				
182	Everson/Digby Lots	61 Everson				
183	Fairmount Plaza	Fairmont/Miguel				
184	15th Avenue Steps	Kirkham/15th Avenue				
185	Geneva Avenue Strip	Geneva/Delano				
186	Grand View Park	Moraga/14th Avenue				
187	Hawk Hill	14th Avenue/Rivera				
188	Interior Green Belt	Sutro Forest				
189	Japantown Peace Plaza	Post/Buchanan/Geary				
190	Jefferson Square	Eddy/Gough				
191	Joseph Conrad Mini Park	Columbus/Beach				
192	Kite Hill	Yukon/19th				
193	Lakeview/Ashton Mini Park	Lakeview/Ashton				
194	Maritime Plaza	Battery/Clay				
195	McLaren Park-Golf Course	2100 Sunnysdale Avenue				
196	Mt. Davidson Park	Myra Way				
197	Mt. Olympus	Upper Terrace				
198	Mullen/Peralta-Mini Park	Mullen/Peralta Mini Park				
199	O'Shaughnessy Hollow	O'Shaughnessy Blvd.				
200	Park Presidio Blvd.	Park Presidio Blvd.				
201	Rock Outcropping	Ortega/14th Avenue		Lots 11, 12, 21, 22, 6		
202	South End Rowing/Dolphin Club	Aquatic Park		Land is leased		

## Status Report for RPD Sites

Priority	Facility Name	Location	Completed	Notes	Retest	Entered in FLOW Program
203	Russian Hill Open Space	Hyde/Larkin/Chestnut		Hyde Street Reservoir		
204	Saturn Street Steps	Saturn/Ord				
205	Seward Mini Park	Seward/Acme Alley				
206	Twin Peaks	Twin Peaks Blvd.				
207	Fillmore/Turk Mini Park	Fillmore/Turk				
208	Esprit Park	Minnesota Street				
209	Brotherhood/Chester Mini Park	Chester St. near Brotherhood Way				
210	Sue Bierman Park	Market/Steuart				
211	29th/Diamond Open Space	1701 Diamond/29th		Is not on current list of RPD sites (6/2/10).		
212	Berkeley Way Open Space	200 Berkeley Way		Is not on current list of RPD sites (6/2/10).		
213	Diamond/Farnum Open Space	Diamond/Farnum		Is not on current list of RPD sites (6/2/10).		
214	Joost/Baden Mini Park	Joost/N of Baden				
215	Grand View Open Space	Moraga/15th Avenue		Included in Grand View Park		
216	Balboa Natural Area	Great Highway/Balboa		Is not on current list of RPD sites (6/2/10).		
217	Fay Park	Chestnut and Leavenworth				
218	Guy Place Mini Park	Guy Place				
219	Portola Open Space					
220	Roosevelt/Henry Steps					
221	Sunnyside Conservatory	Monterey & Baden				
222	Topaz Open Space	Monterey & Baden				
1	Upper Noe Recreation Center	Day/Sanchez	99-00			
2	Jackson Playground	17th/Carolina	99-00	Abatement completed in FY05-06.	04-05	
3	Mission Rec Center	745 Treat Street	99-00, 02-03	Includes both the Harrison and Treat St. sides.	06-07	X
4	Palega Recreation Center	Felton/Holyoke	99-00			X
5	Eureka Valley Rec Center	Collingwood/18th	99-00			
6	Glen Park	Chenery/Elk	99-00, 00-01	Includes Silver Tree Day Camp		
7	Joe DiMaggio Playground	Lombard/Mason	99-00			
8	Crocker Amazon Playground	Geneva/Moscow	99-00			
9	George Christopher Playground	Diamond Hts/Duncan	99-00			
10	Alice Chalmers Playground	Brunswick/Whittier	99-00			
11	Cayuga Playground	Cayuga/Naglee	99-00			
12	Cabrillo Playground	38th/Cabrillo	99-00			
13	Herz Playground (and Pool)		99-00, 00-01	Includes Coffmann Pool		X
14	Mission Playground	19th & Linda	99-00	Notice of Violation abated. Mulch removed and replaced (FY13-14). Entire survey not completed.		
15	Minnie & Lovie Ward Rec Center	Capital Avenue/Montana	99-00			
16	Sunset Playground	28th Avenue/Lawton	99-00			X
17	West Sunset Playground	39th Avenue/Ortega	99-00			
18	Excelsior Playground	Russia/Madrid	99-00			
19	Helen Wills Playground	Broadway/Larkin	99-00			
20	J. P. Murphy Playground	1960 9th Avenue	99-00			X
21	Argonne Playground	18th/Geary	99-00			
22	Duboce Park	Duboce/Scott	99-00, 01-02	Includes Harvey Milk Center		
23	Golden Gate Park	Panhandle	99-00			
24	Junipero Serra Playground	300 Stonecrest Drive	99-00			



## Status Report for RPD Sites

Priority	Facility Name	Location	Completed	Notes	Retest	Entered in FLOW Program
25	Merced Heights Playground	Byxbee/Shields	99-00			
26	Miraloma Playground	Omar/Sequoia Ways	99-00			
27	Silver Terrace Playground	Silver Avenue/Bayshore	99-00			
28	Gene Friend Rec. Center	Folsom/Harriet/6th	99-00			
29	South Sunset Playground	40th Avenue/Vicente	99-00			
30	Potrero Hill Recreation Center	22nd/Arkansas	99-00			
31	Rochambeau Playground	24th Avenue/Lake Street	00-01, 09-10	No abatement needed.		
33	Cow Hollow Playground	Baker/Greenwich	00-01; 09-10			
34	West Portal Playground	Ulloa/Lenox Way	00-01	No abatement needed		
35	Moscone Recreation Center	Chestnut/Buchanan	00-01			
36	Midtown Terrace Playground	Clarendon/Olympia	00-01	No abatement needed		
37	Presidio Heights Playground	Clay/Laurel	00-01			
38	Tenderloin Children's Rec. Ctr.	560/570 Ellis Street	00-01			
39	Hamilton Rec Center	Geary/Steiner	00-01	Note that the Rec. Center part of the facility is new (2010)		
41	Margaret S. Hayward Playground	Laguna, Turk	00-01			
43	Saint Mary's Recreation Center	Murray St./JustinDr.	00-01			
44	Fulton Playground	27th Avenue/Fulton	00-01			
45	Bernal Heights Recreation Center	Moultrie/Jarboe	00-01	No abatement needed		
46	Douglass Playground	Upper/26th Douglass	00-01			
47	Garfield Square	25th/Harrison	00-01			
48	Woh Hei Yuen	1213 Powell	00-01			
49	Father Alfred E. Boeddeker Park	Ellis/Taylor/Eddy/Jones	00-01			
50	Gilman Playground	Gilman/Griffiths	00-01			X
51	Grattan Playground	Stanyan/Alma	00-01	No abatement needed		
52	Hayes Valley Playground	Hayes/Buchanan	00-01			
53	Youngblood Coleman Playground	Galvez/Mendell	00-01			X
55	Angelo J. Rossi Playground (and Pool)	Arguello Blvd./Anza	00-01			
56	Carl Larsen Park (and Pool)	19th/Wawona	00-01			
57	Sunnyside Playground	Melrose/Edna	00-01	No abatement needed		
58	Balboa Park (and Pool)	Ocean/San Jose	00-01	Includes Matthew Boxer stadium		X
59	James Rolph Jr. Playground	Potrero Ave./Army Street	00-01, 02-03	This was originally supposed to be Rolph-Nicol (Eucalyptus) Park in 02-03, but the consultant surveyed the wrong site.		X
60	Louis Sutter Playground	University/Wayland	00-01			
61	Richmond Playground	18th Avenue/Lake Street	00-01			
62	Joseph Lee Recreation Center	Oakdale/Mendell	00-01			
63	Chinese Recreation Center	Washington/Mason	00-01			
64	McLaren Park	Visitation Valley	06-07		05-06	
65	Mission Dolores Park	18th/Dolores	06-07	No abatement needed	05-06	
66	Bernal Heights Park	Bernal Heights Blvd.	01-02	No abatement needed		
67	Cayuga/Lamartine-Mini Park	Cayuga/Lamartine	01-02, 09-10	No abatement needed		
68	Willie Woo Woo Wong PG	Sacramento/Waverly	01-02, 09-10	No abatement needed.		
70	Jospeh L. Alioto Performing Arts Piazza	Grove/Larkin	01-02	No abatement needed		
71	Collis P. Huntington Park	California/Taylor	01-02			
72	South Park	64 South Park Avenue	01-02			

### Status Report for RPD Sites

Priority	Facility Name	Location	Completed	Notes	Retest	Entered in FLOW Program
73	Alta Plaza Park	Jackson/Steiner	01-02			
74	Bay View Playground (and Pool)	3rd/Armstrong	01-02	No abatement needed		
75	Chestnut/Kearny Open Space	NW Chestnut/Kearny	01-02	No survey done; structures no longer exist.		
76	Raymond Kimbell Playground	Pierce/Ellis	01-02			
77	Michelangelo Playground	Greenwich/Jones	01-02			
78	Peixotto Playground	Beaver/15th Street	01-02	No abatement needed		
80	States St. Playground	States St./Museum Way	01-02			
81	Adam Rogers Park	Jennings/Oakdale	01-02	No abatement needed		
82	Alamo Square	Hayes/Steiner	01-02			
83	Alioto Mini Park	20th/Capp	01-02	No abatement needed		
84	Beideman/O'Farrell Mini Park	O'Farrell/Beideman	01-02	No abatement needed		
85	Brooks Park	373 Ramsell	01-02	No abatement needed		
86	Buchanan St. Mall	Buchanan betw. Grove & Turk	01-02	No abatement needed		
87	Buena Vista Park	Buena Vista/Haight	01-02			
88	Bush/Broderick Mini Park	Bush/Broderick	01-02			
89	Cottage Row Mini Park	Sutter/E. Fillmore	01-02			
90	Franklin Square	16th/Bryant	01-02			
91	Golden Gate Heights Park	12th Ave./Rockridge Dr.	01-02			
92	Hilltop Park	La Salle/Whitney Yg. Circle	01-02	No abatement needed		
93	Lafayette Park	Washington/Laguna	01-02			
94	Julius Kahn Playground	Jackson/Spruce	01-02			
95	Jose Coronado Playground	21st/Folsom	02-03	As of 10/10/02 as per Capital Program Director, G. Hoy, there are no current plans for renovation		
96	Golden Gate Park (playgrounds)	Fell/Stanyan	05-06			
97	Washington Square	Filbert/Stockton	02-03	No abatement needed. Children's play area and bathrooms to be renovated in 3/04.		
98	McCoppin Square	24th Avenue/Taraval	02-03	As of 10/10/02 as per Gary Hoy, no current plans for renovation		
99	Mountain Lake Park	12th Avenue/Lake Sreet	02-03	As of 10/10/02 as per Gary Hoy, no current plans for renovation		
100	Randolph/Bright Mini Park	Randolph/Bright	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
101	Visitacion Valley Greenway	Campbell Ave./E. Rutland	02-03	No abatement needed. Renovation scheduled 3/04.		
102	Utah/18th Mini Park	Utah/18th Street	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
103	Palou/Phelps Park	Palou at Phelps	02-03	No abatement needed. Renovation occurred Summer 2003. Marvin Yee was project mgr. No lead survey/abatement rpt in RPD files.		
104	Coleridge Mini Park	Coleridge/Esmeralda	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		

**Status Report for RPD Sites**

Priority	Facility Name	Location	Completed	Notes	Retest	Entered in FLOW Program
105	Lincoln Park (includes Golf Course)	34th Avenue/Clement	02-03	Renovation scheduled 9/04		
106	Little Hollywood Park	Lathrop-Tocoloma	02-03	No abatement needed. Renovation scheduled 9/04		
107	McKinley Square	20th/Vermont	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
109	Noe Valley Courts	24th/Douglass	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
110	Parkside Square	26th Avenue/Vicente	02-03	Children's play area and bathrooms to be renovated in 9/03.		
111	Portsmouth Square	Kearny/Washington	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
112	Potrero del Sol	Potrero/Army	02-03	No abatement needed, renovation scheduled 9/04		
113	Potrero Hill Mini Park	Connecticut/22nd Street	02-03	Renovation scheduled 9/04		
114	Precita Park	Precita/Folsom	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
115	Sgt. John Macaulay Park	Larkin/O'Farrell	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
116	Sigmund Stern Recreation Grove	19th Avenue/Sloat Blvd.	04-05	As of 10/10/02 Capital Program Director indicates no current plans for renovation. Funding expired; will complete in FY04-05		
117	24th/York Mini Park	24th/York/Bryant	02-03	Completed as part of current renovation in December 2002, Renovation scheduled 3/04.		
118	Camp Mather	Mather, Tuolumne County	04-05			X
119	Hyde/Vallejo Mini Park	Hyde/Vallejo	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
120	Juri Commons	San Jose/Guerrero/25th	05-06			
121	Kelloch Velasco Mini Park	Kelloch/Velasco	02-03	No abatement needed. Children's play area scheduled for renovation on 9/04		
122	Koshland Park	Page/Buchanan	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		
123	Head/Brotherhood Mini Park	Head/Brotherwood Way	02-03	No abatement needed. As of 10/10/02 Capital Program Director indicates no current plans for renovation		

## Status Report for RPD Sites

Priority	Facility Name	Location	Completed	Notes	Retest	Entered in FLOW Program
124	Walter Haas Playground	Addison/Farnum/Beacon	02-03	Capital Projects to renovate in Spring 2003. Mauer is PM		
125	Holly Park	Holly Circle	02-03	Renovation planned to begin 4/03; Judi Mosqueda from DPW is PM		
126	Page-Laguna-Mini Park	Page/Laguna	04-05	No abatement needed		
127	Golden Gate/Steiner Mini Park	Golden Gate/Steiner		No Facility, benches only		
128	Tank Hill	Clarendon/Twin Peaks	04-05	No abatement needed		
129	Rolph Nicol Playground	Eucalyptus Dr./25th Avenue	04-05	No abatement needed		
130	Golden Gate Park	Carrousel	05-06			
131	Golden Gate Park	Tennis Court	05-06			
132	Washington/Hyde Mini Park	Washington/Hyde	04-05	No abatement needed		
133	Ridgetop Plaza	Whitney Young Circle	05-06	No abatement needed		
134	Golden Gate Park	Beach Chalet	06-07	No abatement needed		
135	Golden Gate Park	Polo Field	06-07			
136	Sharp Park (includes Golf Course)	Pacifica, San Mateo Co.	06-07			
137	Golden Gate Park	Senior Center	06-07			X
139	Stow Lake Boathouse	Golden Gate Park	06-07, 11-12	CLPP survey and clean-up completed in FY06-07. Site revisited in FY11-12 in conjunction with site maintenance work. Clearance for occupancy received and working closing out project financials with DPW.		
140	Golden Gate Park	County Fair Building	06-07	No abatement needed		
141	Golden Gate Park	Sharon Bldg.	07-08			
143	Allyne Park	Gough/Green	06-07	No abatement needed		
144	DuPont Courts	30th Ave./Clement	07-08			
145	Golden Gate Park	Big Rec	07-08			
146	Lower Great Highway	Sloat to Pt. Lobos	07-08			
148	Yacht Harbor and Marina Green	Marina	06-07, 07-08	Includes Yacht Harbor, Gas House Cover, 2 Yacht Clubs and Marina Green		
149	Palace of Fine Arts	3601 Lyon Street	09-10	No abatement needed.		
150	Telegraph Hill/Pioneer Park	Telegraph Hill	09-10	Clean-up responsibility transferred to Capital and Planning for incorporation into larger project at site.		
151	Saint Mary's Square	California Street/Grant	09-10	No abatement needed.		
152	Union Square	Post/Stockton	09-10	No abatement needed.		
153	Golden Gate Park	Angler's Lodge	07-08			
154	Golden Gate Park	Bandstand	07-08	No abatement needed		

## Status Report for RPD Sites

Priority	Facility Name	Location	Completed	Notes	Retest	Entered in FLOW Program
155	Golden Gate Park	Bowling Green	07-08	Retested 4/09; 16 ppb first draw, still in program		X
156	Golden Gate Park	Conservatory	08-09	No abatement needed.		
157	Golden Gate Park	Golf Course	09-10			
158	Golden Gate Park	Kezar Stadium	07-08			X
159	Golden Gate Park	Nursery	09-10	No abatement needed		X
160	Golden Gate Park	Stables	na	Being demolished. Hazard assessment already completed by Capital.		
161	Golden Gate Park	McLaren Lodge	01-02, 02-03	Done out of order. Was in response to release/spill. See File 565.		
162	Corona Heights (and Randall Museum)	16th/Roosevelt	00-01	Randall Museum used to be separate, but in TMA, Randall is part of Corona Heights, so the two were combined 6/10.		
163	Laurel Hill Playground	Euclid & Collins	10-11			
164	Selby/Palou Mini Park	Selby & Palou	10-11	No abatement needed		
165	Prentiss Mini Park	Prentiss/Eugenia	10-11	No abatement needed		
166	Lessing/Sears Mini Park	Lessing/Sears	10-11	No abatement needed		
167	Muriel Leff Mini Park	7th Avenue/Anza	10-11	No abatement needed		
168	10th Avenue/Clement Mini Park	Richmond Library	10-11	No abatement needed		
169	Turk/Hyde Mini Park	Turk & Hyde	10-11	No abatement needed		
170	Exploratorium (and Theater)	3602 Lyon Street	13-14	Eight metal doors with loose and peeling paint were cleaned up; one water source shut off indefinitely.		
171	Candlestick Park	Jamestown Avenue	10-11			
<b>New Facilities: These facilities not to be included in CLPP survey as they were built after 1978.</b>						
	Alice Marble Tennis Courts	Greenwich/Hyde		Not owned by RPD. PUC demolished in 2003 and all will be rebuilt.		
	Richmond Rec Center	18th Ave./Lake St./Calif.		New facility		
	Visitation Valley Playground	Cora/Leland/Raymond		Original building clubhouse and PG demolished in 2001. Facility is new.		
	King Pool	3rd/Armstrong		New facility		
	Patricia's Green in Hayes Valley	Hayes & Octavia		Built in 2005		
	India Basin Shoreline Park	E. Hunters Pt. Blvd.		Built in 2003		
	Parque Ninos Unidos	23rd and Folsom		Built in 2004		
	Victoria Manolo Draves Park	Folsom & Sherman		Built in 2006		
	Aptos Playground	Aptos/Ocean Avenue		Site demolished and rebuilt in 2006		

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**From:** Board of Supervisors, (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: Marijuana Impaired Driving  
**Attachments:** Crancer Study - Traffic Deaths.pdf; MJ - Alcohol and MJ together )Fading).docx; MJ - NIDA Marijuana Facts.docx

**From:** Roger Morgan [mailto:rogermorgan339@gmail.com]  
**Sent:** Sunday, October 25, 2015 11:10 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** PHILLIPDRUM <phillipdrum@comcast.net>  
**Subject:** Re: Marijuana Impaired Driving

To: San Francisco Board of Supervisors

With all good intentions, I believe you have made a serious mistake by allowing cab drivers the privilege of driving while testing positive for marijuana. The big problem with marijuana in general is that it is fat soluble and stays in the body and particularly the 3 lb fat loving brain for as long as one month, compounding with each additional joint. Traffic deaths from marijuana impairment have doubled in California and other states that have legalized marijuana for any purpose.

Following is an article from the NIDA website, [www.drugabuse.com](http://www.drugabuse.com), and another study done by Al Crancer, former employee of National Transportation Safety. I believe you are setting San Francisco up for one or more personal injury lawsuits for ignoring scientific information in establishing standards for public safety.

If you would like more information from an expert on the subject please contact Dr. Philip Drum, copied above.

Sincerely

Roger D. Morgan  
Take Back America Campaign  
[\(916\) 434 5629](tel:9164345629)

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A NIDA comment on impaired driving taken from [www.drugabuse.com](http://www.drugabuse.com) appears below.



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Marijuana significantly impairs judgment, motor coordination, and reaction time, and studies have found a direct relationship between blood THC concentration and impaired driving ability.<sup>6,7</sup>

Marijuana is the illicit drug most frequently found in the blood of drivers who have been involved in accidents, including fatal ones<sup>8</sup> (although it is important to note that marijuana can remain detectable in body fluids for days or even weeks after acute intoxication). A meta-analysis of multiple studies found that the risk of being involved in an accident roughly doubles after marijuana use.<sup>9</sup>

Accident-involved drivers with THC in their blood, particularly higher levels, are three to seven times more likely to be responsible for the accident than drivers who had not used drugs or alcohol. The risk associated with marijuana in combination with alcohol appears to be greater than that for either drug by itself.<sup>7</sup>

Roger Morgan  
[Stoppot2016.com](http://Stoppot2016.com)  
Like [Stoppot](#) in Facebook  
[\(916\) 434 5629](tel:(916)4345629)

# **Study Finds Passage of California Cannabis Initiative Will Increase Traffic Deaths**

## ***Marijuana May Overtake Alcohol as a Major Contributing Factor in Fatal Crashes***

**June 2, 2010 - Moraga, CA** A recent study by Al Crancer Jr. a retired research analyst for the National Highway Traffic Safety Administration (NHTSA) has found that that passage of the upcoming California initiative this November "TC2010" as it is commonly known might triple the amount of traffic deaths of marijuana related deaths on California highways. "No one is looking at the effect of the passage of this initiative on traffic deaths and injury," said Al Crancer, Jr. "Everyone is focusing on the tax revenue benefit to the state of California".

The study showed that the largest increases in fatalities in fatal crashes where the driver tested positive for marijuana occurred over the 5 years following the establishment of the Medical Marijuana Program in January 2004. There were 1240 fatalities in fatal crashes where the driver tested positive for marijuana for the following five years, compared to the 631 fatalities for the five years before for an increase of almost 100%.

Based on data from 2008 there were 8 counties in California with 16% or more of the drivers in fatal crashes testing positive for marijuana and 5 of the 8 counties had 20% or more. Based on this experience, California could see a use rate of 16% to 20%, which would triple the present level of 230 fatalities in 2008. At these levels, marijuana would rival alcohol as the top cause of traffic fatalities in California.

"There is not a law enforcement officer in the state of California that would disagree with the data and the premise that deaths will increase on the streets and highways if the initiative passes", said Crancer.

The California Board of Equalization estimates that a tax income of \$1.4 billion yearly could be expected if "TC2010" passes. "This tax benefit is small compared to the economic loss, if it passes." Crancer added. "From a public health point of view, the passage of "TC2010" might prove to be of epidemic proportions".

### **About Al Crancer Jr.**

Crancer lives in Moraga, Californian today is the principal of Crancer and Associates, a statistical research group that conducts research and analyses in traffic safety.

In addition, Mr. Crancer has published numerous research articles that appeared in such journals as Science, Journal of the American Medical Association, and the American Journal of Psychiatry.

### **For More Information on Study Contact:**

Alan Crancer

601.594.8015

[acrancer@gmail.com](mailto:acrancer@gmail.com)

Al Crancer, Jr.

925 324 2093

[acrancer@bureauat.com](mailto:acrancer@bureauat.com)

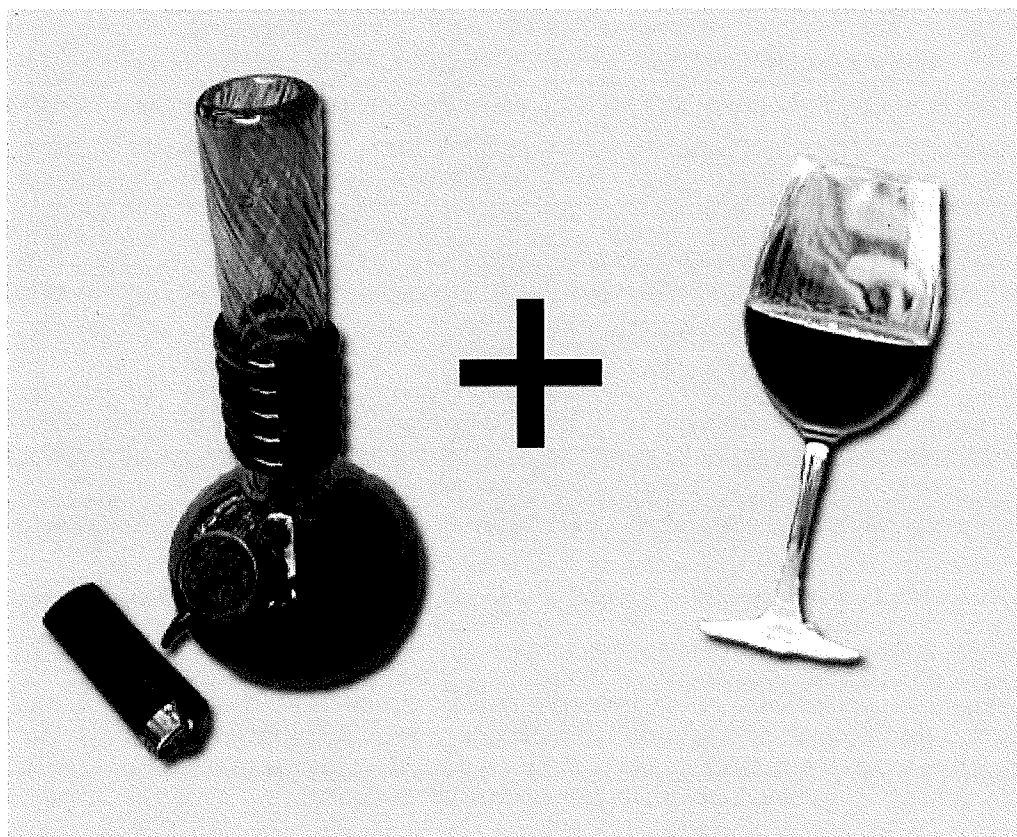


# WHAT HAPPENS TO YOUR BODY WHEN YOU GET DRUNK AND STONED AT THE SAME TIME?

## THE SCIENCE OF THE SPINS

By [Gabe Bergado](#) Posted March 21, 2014

1.7K



Let's Get Weird

Flickr, [J.L.C. Nottaasen](#) and [Stephen Stills](#); Modified by Gabe Bergado

The intoxicating effects of alcohol and of marijuana have been widely studied, but their combined effect—getting "cross-faded"—is woefully underexplored scientific territory. Here's a look at what we know about how pot and booze together affect the brain.

First, the basics: Marijuana contains THC (tetrahydrocannabinol), which acts on the brain's cannabinoid receptors. Alcohol depresses the central nervous system. Trying to compare the two isn't even like comparing apples and oranges, says Gary Wenk, a professor of psychology and neuroscience at Ohio State University. "It's apples and vegetables. They're very different drugs." An extremely simplified explanation would be to say that THC largely has cognitive effects, like paranoia and a distorted sense of time, while alcohol mainly affects motor skills, making it hard to walk in a straight line and causing slurred speech.

## After individuals drank a large dose of alcohol, the THC levels in their blood plasma nearly doubled.

So does combining weed and alcohol just add their respective effects together? Not quite, says Scott Lukas, who teaches at Harvard Medical School and has researched the interaction of various drugs. In a study published in 2001, Lukas found that after individuals smoked marijuana and drank a large dose of alcohol, the equivalent to a couple of shots, the THC levels in their blood plasma nearly doubled compared with people who smoked pot and consumed a placebo drink. The buzzed people in the study also detected the effects of marijuana sooner than those who only got stoned, and rated their high as subjectively "better." This suggests that getting boozed up causes more THC to reach the brain, via the bloodstream, within the first few minutes of ingestion. One explanation for this finding is that alcohol may cause changes in blood vessels that boost the absorption of inhaled THC.

Lukas isn't worried that the combination could be lethal, but he says that getting cross-faded could be more risky than just getting drunk or high alone. With more THC hitting the brain thanks to the ethanol in alcoholic drinks, the usual effects of marijuana—like impaired judgment and increased heart rate—are stronger. Which means accidents like drownings and car crashes could be more likely, Lukas says. He also points out that the amounts of drugs approved for his research were lower than the levels that people often use while out partying.

More recently, a study from Duke University found that adolescent rats under the influence of ethanol and THC were less likely to explore than those under the influence of either ethanol or THC alone. The same study also found that adult rats given the ethanol/THC combination had more trouble remembering new objects compared with adult rats given either drug alone.

Further research is needed on the additive effects of munchies and drunchies.

## Does marijuana use affect driving?



Marijuana significantly impairs judgment, motor coordination, and reaction time, and studies have found a direct relationship between blood THC concentration and impaired driving ability.<sup>6,7</sup>

Marijuana is the illicit drug most frequently found in the blood of drivers who have been involved in accidents, including fatal ones<sup>8</sup> (although it is important to note that marijuana can remain detectable in body fluids for days or even weeks after acute intoxication). A meta-analysis of multiple studies found that the risk of being involved in an accident roughly doubles after marijuana use.<sup>9</sup>

Accident-involved drivers with THC in their blood, particularly higher levels, are three to seven times more likely to be responsible for the accident than drivers who had not used drugs or alcohol. The risk associated with marijuana in combination with alcohol appears to be greater than that for either drug by itself.<sup>7</sup>

## Is marijuana addictive?

Yes, marijuana can be addictive. Over time, overstimulation of the endocannabinoid system by marijuana use can cause changes in the brain that lead to *addiction*, a condition in which a person cannot stop using a drug even though it interferes with many aspects of his or her life. It is estimated that 9 percent of people who use marijuana will become dependent on it.<sup>10-11</sup> The number goes up to about 17 percent in those who start using young (in their teens) and to 25 to 50 percent among daily users.<sup>12-13</sup> According to the 2013 NSDUH, marijuana accounted for 4.2 million of the estimated 6.9 million Americans dependent on or abusing illicit drugs.<sup>3</sup>

Marijuana addiction is linked to a mild withdrawal syndrome. Frequent marijuana users often report irritability, mood and sleep difficulties, decreased appetite, cravings, restlessness, and/or various forms of physical discomfort that peak within the first week after quitting and last up to 2 weeks.<sup>14-15</sup>

## Rising Potency

Marijuana potency, as detected in confiscated samples, has steadily increased over the past few decades.<sup>2</sup> In the early 1990s, the average THC content in confiscated cannabis samples was roughly 3.7 percent for marijuana and 7.5 percent for sinsemilla (a higher potency marijuana from specially tended female plants). In 2013, it was 9.6 percent for marijuana and 16 percent for sinsemilla.<sup>16</sup> Also, newly popular methods of smoking or eating THC-rich hash oil extracted from the marijuana plant (a practice called "dabbing") may deliver very high levels of THC to the user. The average marijuana extract contains over 50 percent THC, with some samples exceeding 80 percent. These trends raise concerns that the consequences of marijuana use could be worse than in the past, particularly among new users or in young people, whose brains are still developing (see "[What are marijuana's long-term effects on the brain?](#)").

Researchers do not yet know the full extent of the consequences when the body and brain (especially the developing brain) are exposed to high concentrations of THC or whether the recent increases in emergency department visits by people testing positive for marijuana are related to rising potency. The extent to which

marijuana users adjust for increased potency by using less or by smoking it differently is also unknown. Recent studies suggest that experienced users may adjust the amount they smoke and how much they inhale based on the believed strength of the marijuana they are using, but are not able to fully compensate for variations in potency.<sup>17-18</sup>

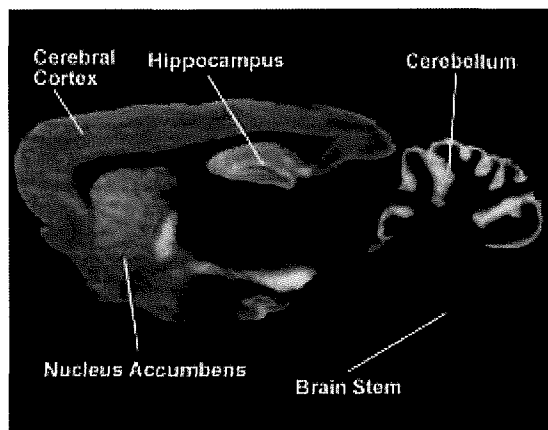
## **What are marijuana's long-term effects on the brain?**

Substantial evidence from animal research and a growing number of studies in humans indicate that marijuana exposure during development can cause long-term or possibly permanent adverse changes in the brain. Rats exposed to THC before birth, soon after birth, or during adolescence show notable problems with specific learning and memory tasks later in life.<sup>19-21</sup> Cognitive impairments in adult rats exposed to THC during adolescence are associated with structural and functional changes in the hippocampus.<sup>22-24</sup> Studies in rats also show that adolescent exposure to THC is associated with an altered reward system, increasing the likelihood that an animal will self-administer other drugs (e.g., heroin) when given an opportunity (see "[Is marijuana a gateway drug?](#)"). Imaging studies in human adolescents show that regular marijuana users display impaired neural connectivity in specific brain regions involved in a broad range of executive functions like memory, learning, and impulse control compared to non-users.<sup>25</sup>

The latter findings may help explain the results of a large longitudinal study conducted in New Zealand, which found that frequent and persistent marijuana use starting in adolescence was associated with a loss of an average of 8 IQ points measured in mid-adulthood.<sup>26</sup> Significantly, in that study, those who used marijuana heavily as teenagers and quit using as adults did not recover the lost IQ points. Users who only began using marijuana heavily in adulthood did not lose IQ points. These results suggest that marijuana has its strongest long-term impact on young users whose brains are still busy building new connections and maturing in other ways. The endocannabinoid system is known to play an important role in the proper formation of synapses (the connections between neurons) during early brain development, and a similar role has been proposed for the refinement of neural connections during adolescence. If confirmed by future research, this may be one avenue by which marijuana use during adolescence produces its long-term effects.<sup>27</sup>

The ability to draw definitive conclusions about marijuana's long-term impact on the human brain from past studies is often limited by the fact that study participants use multiple substances, and there is often limited data about the participants' health or mental functioning prior to the study. Over the next decade, the National Institutes of Health is planning to fund a major longitudinal study that will track a large sample of young Americans from late childhood (before first use of drugs) to early adulthood. The study will use neuroimaging and other advanced tools to clarify precisely how and to what extent marijuana and other substances, alone and in combination, affect adolescent brain development.

# Marijuana, Memory, and the Hippocampus



Distribution of cannabinoid receptors in the rat brain. Brain image reveals high levels (shown in orange and yellow) of cannabinoid receptors in many areas, including the cortex, hippocampus, cerebellum, and nucleus accumbens (ventral striatum).

Memory impairment from marijuana use occurs because THC alters how information is processed in the hippocampus, a brain area responsible for memory formation.

Most of the evidence supporting this assertion comes from animal studies. For example, rats exposed to THC in utero, soon after birth, or during adolescence, show notable problems with specific learning/memory tasks later in life. Moreover, cognitive impairment in adult rats is associated with structural and functional changes in the hippocampus from THC exposure during adolescence.

As people age, they lose neurons in the hippocampus, which decreases their ability to learn new information. Chronic THC exposure may hasten age-related loss of hippocampal neurons. In one study, rats exposed to THC every day for 8 months (approximately 30 percent of their life-span) showed a level of nerve cell loss (at 11 to 12 months of age) that equaled that of unexposed animals twice their age.

## Is marijuana a gateway drug?

Early exposure to cannabinoids in adolescent rodents decreases the reactivity of brain dopamine reward centers later in adulthood.<sup>28</sup> To the extent that these findings generalize to humans, this could help explain early marijuana initiates' increased vulnerability for drug abuse and addiction to other substances of abuse later in life that has been reported by most epidemiological studies.<sup>29</sup> It is also consistent with animal experiments showing THC's ability to "prime" the brain for enhanced responses to other drugs.<sup>30</sup> For example, rats previously administered THC show heightened behavioral response not only when further exposed to THC but also when exposed to other drugs such as morphine—a phenomenon called *cross-sensitization*.<sup>31</sup>

These findings are consistent with the idea of marijuana as a "gateway drug." However, most people who use marijuana do not go on to use other, "harder" substances. Also, cross-sensitization is not unique to marijuana. Alcohol and nicotine also prime the brain for a heightened response to other drugs<sup>32</sup> and are, like marijuana, also typically used before a person progresses to other, more harmful substances.

It is important to note that other factors besides biological mechanisms, such as a person's social environment, are also critical in a person's risk for drug use. An alternative to the gateway-drug hypothesis is that people who are more vulnerable to drug-taking are simply more likely to start with readily available substances like marijuana, tobacco, or alcohol, and their subsequent social interactions with other drug users increases their chances of trying of

## How does marijuana use affect school, work, and social life?



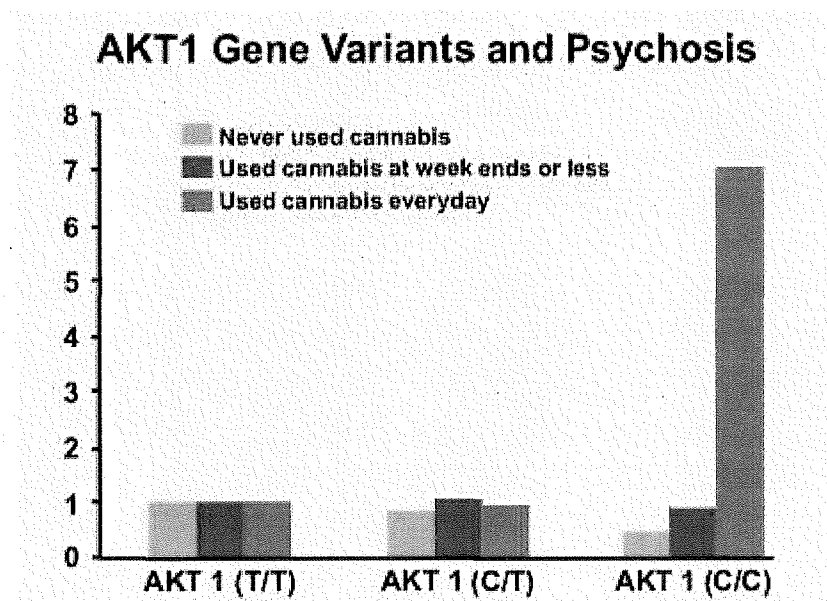
Research has shown that marijuana's negative effects on attention, memory, and learning can last for days or weeks after the acute effects of the drug wear off, depending on the user's history with the drug.<sup>33</sup> Consequently, someone who smokes marijuana daily may be functioning at a reduced intellectual level most or all of the time. Considerable evidence suggests that students who smoke marijuana have poorer educational outcomes than their nonsmoking peers. For example, a review of 48 relevant studies found marijuana use to be associated with reduced educational attainment (i.e. reduced chances of graduating).<sup>34</sup> A recent analysis using data from three large studies in Australia and New Zealand found that adolescents who used marijuana regularly were significantly less likely than their non-using peers to finish high school or obtain a degree. They also had a much higher chance of later developing dependence, using other drugs, and attempting suicide.<sup>35</sup> Several studies have also linked heavy marijuana use to lower income, greater welfare dependence, unemployment, criminal behavior, and lower life satisfaction.<sup>36,37</sup>

To what degree marijuana use is directly causal in these associations remains an open question requiring further research. It is possible that other factors independently predispose people to both marijuana use and various negative life outcomes such as school dropout.<sup>38</sup> That said, marijuana users themselves report a perceived influence of their marijuana use on poor outcomes on a variety of life satisfaction and achievement measures. One study, for example, compared current and former long-term, heavy users of marijuana with a control group who reported smoking marijuana at least once in their lives but not more than 50 times.<sup>39</sup> All participants had similar education and income backgrounds, but significant differences were found in their educational attainment: Fewer of the heavy cannabis users completed college and more had yearly household incomes less than \$30,000. When asked how marijuana affected their cognitive abilities, career achievements, social lives, and physical and mental health, the majority of heavy users reported that marijuana had negative effects in all these areas of their lives.

Studies have also suggested specific links between marijuana use and adverse consequences in the workplace, such as increased risk for injury or accidents.<sup>40</sup> One study among postal workers found that employees who tested positive for marijuana on a pre-employment urine drug test had 55 percent more industrial accidents, 85 percent more injuries, and 75 percent greater absenteeism compared with those who tested negative for marijuana use.<sup>41</sup> other drugs. Further research is needed to explore this question.

# Is there a link between marijuana use and mental illness?

Several studies have linked marijuana use to increased risk for mental illnesses, including psychosis (schizophrenia), depression, and anxiety, but whether and to what extent it actually causes these conditions is not always easy to determine.<sup>19</sup> The amount of drug used, the age at first use, and genetic vulnerability have all been shown to influence this relationship. The strongest evidence to date concerns the link between marijuana use and psychotic disorders in those with a preexisting genetic or other vulnerability.<sup>42</sup> Recent research (see [AKT1 Gene Variations and Psychosis](#)) has found that marijuana users who carry a specific variant of the *AKT1* gene, which codes for an enzyme that affects dopamine signaling in the *striatum*, are at increased risk of developing psychosis. The striatum is an area of the brain that becomes activated and flooded with dopamine when certain stimuli are present. One study found that the risk for those with this variant was seven times higher for daily marijuana users compared with infrequent- or non-users.<sup>43</sup>



Whether adolescent marijuana use can contribute to developing psychosis later in adulthood appears to depend on whether a person already has a genetically based vulnerability to the disorder. The *AKT1* gene governs an enzyme that affects brain signaling involving the neurotransmitter dopamine. Altered dopamine signaling is known to be involved in schizophrenia. *AKT1* can take one of three forms in a specific region of the gene implicated in susceptibility to schizophrenia: T/T, C/T, and C/C. Daily users of marijuana (green bars) with the C/C variant have a seven times higher risk of developing

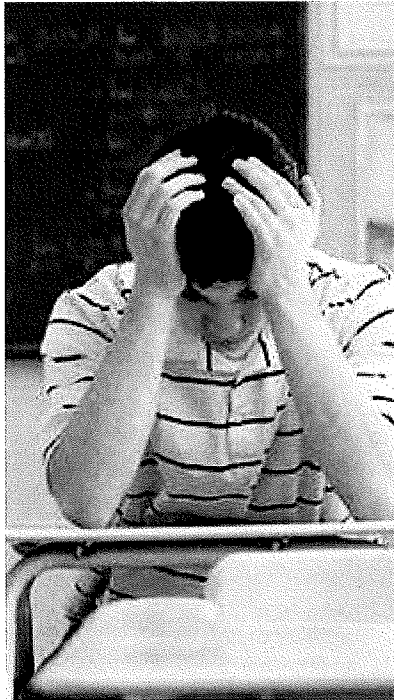
psychosis than infrequent marijuana users or nonusers. The risk for psychosis among those with the T/T variant was unaffected by whether they used marijuana.

Source: Di Forti et al. *Biol Psychiatry*. 2012.

Another study found an increased risk of psychosis among adults who had used marijuana in adolescence and also carried a specific variant of the gene for catechol-O-methyltransferase (COMT), an enzyme that degrades neurotransmitters such as dopamine and norepinephrine.<sup>44</sup> (see [Genetic variation in COMT influences the harmful effects of abused drugs](#)). Marijuana use has also been shown to worsen the course of illness in patients who already have schizophrenia. As mentioned previously, marijuana can also produce a brief psychotic reaction in non-schizophrenic users, especially at high doses, although this fades as the drug wears off.



# Adverse Consequences of Marijuana Use



## Acute (present during intoxication)

- Impaired short-term memory
- Impaired attention, judgment, and other cognitive functions
- Impaired coordination and balance
- Increased heart rate
- Anxiety, paranoia
- Psychosis (uncommon)

## Persistent (lasting longer than intoxication, but may not be permanent)

- Impaired learning and coordination
- Sleep problems

## Long-term (cumulative effects of repeated use)

- Potential for addiction
- Potential loss of IQ
- Increased risk of chronic cough, bronchitis
- Increased risk of schizophrenia in vulnerable people\*
- Potentially increased risk of anxiety, depression, and amotivational syndrome\*

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*\* These are often reported co-occurring symptoms/disorders with chronic marijuana use. However, research has not yet determined whether marijuana is causal or just associated with these mental problems.*

## What are marijuana's effects on general physical health?

Within a few minutes after inhaling marijuana smoke, a person's heart rate speeds up, the breathing passages relax and become enlarged, and blood vessels in the eyes expand, making the eyes look bloodshot (red). The heart rate—normally 70 to 80 beats per minute—may increase by 20 to 50 beats per minute or may even double in some cases. Taking other drugs with marijuana can amplify this effect.

Limited evidence suggests that a person's risk of heart attack during the first hour after smoking marijuana is nearly five times his or her usual risk.<sup>45</sup> This observation could be partly explained by marijuana raising blood pressure (in some cases) and heart rate and reducing the blood's capacity to carry oxygen.<sup>46</sup> Marijuana may also cause *orthostatic hypotension* (head rush or dizziness on standing up), possibly raising danger from fainting and falls. Tolerance to some cardiovascular effects often develops with repeated exposure.<sup>47</sup> These health effects need to be examined more closely, particularly given the increasing use of "medical marijuana" by people with health issues and older adults who may have increased baseline vulnerability due to age-related cardiovascular risk factors (see "[Marijuana as Medicine](#)," below).

Marijuana smoke, like tobacco smoke, is an irritant to the throat and lungs and can cause a heavy cough during use. It also contains toxic gases and particles that can damage the lungs. Marijuana smoking is associated with large airway inflammation, increased airway resistance, and lung hyperinflation, and regular marijuana smokers report more symptoms of chronic bronchitis than non-smokers.<sup>48</sup> Smoking marijuana may also reduce the respiratory system's immune response, increasing the likelihood of the user acquiring respiratory infections, including pneumonia.<sup>49</sup> One study found that frequent marijuana smokers used more sick days than other people, often because of respiratory illnesses.<sup>50</sup>

## Marijuana as Medicine

The potential medicinal properties of marijuana and its components have been the subject of research and heated debate for decades. THC itself has proven medical benefits in particular formulations. There are two FDA-approved, THC-based medications, dronabinol (Marinol®) and nabilone (Cesamet®), prescribed in pill form for the treatment of nausea in patients undergoing cancer chemotherapy and to stimulate appetite in patients with wasting syndrome due to AIDS.

In addition, several other marijuana-based medications have been approved or are undergoing clinical trials. Nabiximols (Sativex®), a mouth spray that is currently available in the United Kingdom, Canada, and several European countries for treating the spasticity and neuropathic pain that may accompany multiple sclerosis, combines THC with another chemical found in marijuana called cannabidiol (CBD). CBD does not have the rewarding properties of THC, and anecdotal reports indicate it may have promise for the treatment of seizure disorders, among other conditions. A CBD-based liquid medication called Epidiolex is currently being tested in the United States for the treatment of two forms of severe childhood epilepsy, Dravet syndrome and Lennox-Gastaut syndrome.

Medications like these, which use purified chemicals derived from or based on those in the marijuana plant, are generally considered by researchers to be more promising therapeutically than use of the whole marijuana plant or its crude extracts. Development of drugs from botanicals such as the marijuana plant poses numerous challenges. Botanicals may contain hundreds of unknown, active chemicals, and it can be difficult to develop a product with accurate and consistent doses of these chemicals. Use of marijuana as medicine also poses other problems such as the adverse health effects of smoking and THC-induced cognitive impairment. Nevertheless, a growing number of states have legalized dispensing of marijuana or its extracts to people with a range of medical conditions.

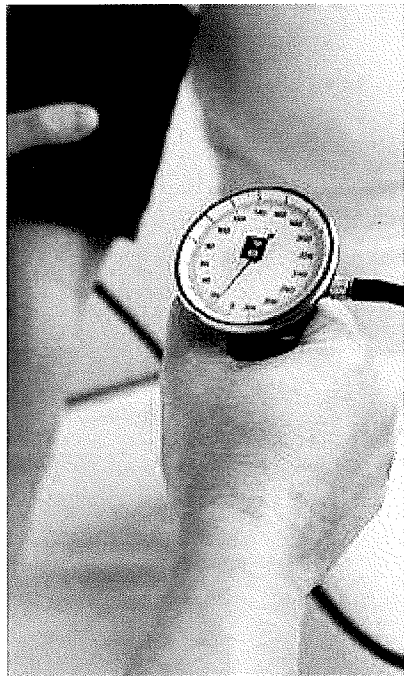
An additional concern with "medical marijuana" is that little is known about the long-term impact of marijuana use by people with health- and/or age-related vulnerabilities to whom it is dispensed—such as older adults or people with cancer, AIDS, cardiovascular disease, multiple sclerosis, or other neurodegenerative diseases. Further research will be needed to determine whether people whose health has been compromised by disease or its treatment (e.g., chemotherapy) are at greater risk for adverse health outcomes from marijuana use.

Whether smoking marijuana causes lung cancer, as cigarette smoking does, is less certain. Although marijuana smoke contains *carcinogenic* (cancer-causing) combustion products, evidence for a link between marijuana use and lung cancer has thus far been inconclusive.<sup>51</sup> The very different ways marijuana and tobacco are used, including factors like how frequently they are smoked during the day and how long the smoke is held in the

lungs, as well as the fact that many people use both substances make determining marijuana's precise contribution to lung cancer risk, if any, difficult to establish. This is an area that will require more research.

However, a few studies have shown a clear link between marijuana use in adolescence and increased risk for an aggressive form of testicular cancer (non-seminomatous testicular germ cell tumor) that predominantly strikes young adult males.<sup>52,53</sup> The early onset of testicular cancers compared to lung and most other cancers indicates that, whatever the nature of marijuana's contribution, it may accumulate over just a few years of use.

## Can marijuana use during and after pregnancy harm the baby?



Animal research suggests that the body's endocannabinoid system plays a role in the control of brain maturation, particularly in the development of emotional responses. Thus THC exposure very early in life may negatively affect brain development. Research in rats suggests that exposure to even low concentrations of THC late in pregnancy could have profound and long-lasting consequences for both brain and behavior of offspring.<sup>54</sup>

Human studies have shown that some babies born to women who used marijuana during their pregnancies respond differently to visual stimuli, tremble more, and have a high-pitched cry, which could indicate problems with neurological development.<sup>55,56</sup>

In school, children prenatally exposed to marijuana are more likely to show gaps in problem-solving skills, memory, and the ability to remain attentive.<sup>57,58</sup>

More research is needed, however, to disentangle marijuana's specific effects from other environmental factors, including maternal nutrition, exposure to nurturing/neglect, and use of other substances by mothers.<sup>59</sup>

Establishing marijuana's effects on prenatal development is important, because roughly half of U.S. pregnancies are unplanned, with the rate considerably higher for teens and young adults,<sup>60</sup> so many women may use marijuana without knowing they are pregnant.

Furthermore, breastfeeding mothers are cautioned that some research suggests that THC is excreted into breast milk in moderate amounts. Researchers do not yet know what this means for the baby's developing brain.

# Available Treatments for Marijuana Use Disorders

Marijuana addiction appears to be very similar to other substance use disorders, although the long-term clinical outcomes may be less severe. On average, adults seeking treatment for marijuana use disorders have used marijuana nearly every day for more than 10 years and have attempted to quit more than six times.<sup>61</sup> People with marijuana use disorders, especially adolescents, often also suffer from other psychiatric disorders (comorbidity).<sup>62</sup> They may also abuse or be addicted to other substances, such as cocaine or alcohol. Available studies indicate that effectively treating the mental health disorder with standard treatments involving medications and behavioral therapies may help reduce marijuana use, particularly among heavy users and those with more chronic mental disorders. The following behavioral treatments have shown promise:

- **Cognitive-behavioral therapy:** A form of psychotherapy that teaches people strategies to identify and correct problematic behaviors in order to enhance self-control, stop drug use, and address a range of other problems that often co-occur with them.
- **Contingency management:** A therapeutic management approach based on frequent monitoring of the target behavior and the provision (or removal) of tangible, positive rewards when the target behavior occurs (or does not).
- **Motivational enhancement therapy:** A systematic form of intervention designed to produce rapid, internally motivated change; the therapy does not attempt to treat the person, but rather mobilize their own internal resources for change and engagement in treatment.

Currently, no medications are indicated for the treatment of marijuana use disorder, but research is active in this area. Because sleep problems feature prominently in marijuana withdrawal, some studies are examining the effectiveness of medications that aid in sleep. Medications that have shown promise in early studies or small clinical trials include the sleep aid zolpidem (Ambien<sup>®</sup>), an anti-anxiety/anti-stress medication called buspirone (BuSpar<sup>®</sup>), and an anti-epileptic drug called gabapentin (Horizant<sup>®</sup>, Neurontin<sup>®</sup>) that may improve sleep and, possibly, executive function. Other agents being studied include the nutritional supplement N-acetylcysteine and chemicals called FAAH inhibitors, which may reduce withdrawal by inhibiting the breakdown of the body's own cannabinoids. Future directions include the study of substances called *allosteric modulators* that interact with cannabinoid receptors to inhibit THC's rewarding effects.

## Gosiengfiao, Rachel (BOS)

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**To:** BOS-Supervisors  
**Subject:** Communications received in relation to Sanctuary City, Kate Steinle, Kate's Law.  
**Attachments:** 20151023134450577.pdf

Dear Supervisors:

We are in receipt of written communications addressed to the Board through the [bos@sfgov.org](mailto:bos@sfgov.org) email. Attached you will find 17 emails associated with sanctuary city. Thank you.

Rachel Gosiengfiao  
Executive Assistant  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244  
San Francisco, CA 94102-4689  
Phone: (415) 554-7703 | Fax: (415) 554-5163  
[rachel.gosiengfiao@sfgov.org](mailto:rachel.gosiengfiao@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

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

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

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**From:** dansgulf <dansgulf@yahoo.com>  
**Sent:** Saturday, October 24, 2015 8:03 AM  
**To:** Cohen, Malia (BOS); Board of Supervisors, (BOS); Sheriff, (SHF); Lee, Mayor (MYR)

I have nothing to do with Kate Steinle but I hope, if another innocent American dies in your city from an illegal who should have been in jail, that it will be someone you know and not my family. And your sheriff apparently has issues of his own which are splashed all over the media. Your city is no longer beautiful. -  
- Kathleen

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**From:** Board of Supervisors, (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: Sanctuary Vote

**From:** Todd Clobes [mailto:[tcclobes@gmail.com](mailto:tcclobes@gmail.com)]  
**Sent:** Wednesday, October 21, 2015 12:39 PM  
**To:** Board of Supervisors, (BOS) <[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)>  
**Subject:** Sanctuary Vote

Dear SF BoS,

I'm very disappointed in the 6-5 vote yesterday to leave the Sanctuary City policy intact as is. It is childish to assume that anyone who disagrees with the current policy is a hateful conservative or anti-immigration. A more nuanced and articulate review would probably conclude that the current policy is right most of the time but on a few occasions it didn't work correctly with grave results. How anyone can look at the Steinle or Edwin Ramos tragedies and not find room for change is beyond me.

Regards,  
Todd  
94110

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**From:** Janet Richardson <fr20936@yahoo.com>  
**Sent:** Wednesday, October 21, 2015 5:20 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Sanctuary City

Illegal!

The country is watching and will remember when vacation destinations are chosen.

J. Richardson  
Oklahoma

Sent from my iPhone



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**From:** Marie Titolo <marietitolo@gmail.com>  
**Sent:** Wednesday, October 21, 2015 5:20 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Kate's Law

You are a disgrace!!! I am sure you would not vote to continue to be a sanctuary city if Kate was your daughter.

Sent from my iPad



## 311 Customer Service Center

[Enter Personal Details](#) > [Enter Service Request Details](#) > [Review & Submit](#) > [Attach Photo\(s\) / File\(s\)](#) > **Print & Track**

### Successfully Submitted

Thank you for your submission. You will receive an email confirmation with a link to follow the progress of your submission.

If you have any additional requests or questions, you can call us 7 days a week, 24 hours a day at 311 (for calls outside of San Francisco please dial 415-701-2311).

Your Tracking Number is: 5212339

Oct 21 2015 5:30PM

Please print a copy for your records. You may close your browser when done.

### Location Information:

Location Description:

### Request Details:

Category:	Complaint
Department:	311 Customer Service Center
Sub-Division:	311 Customer Service Center

### Additional Information:

Additional Request Details: I'll never visit SF again because of your sanctuary city policies. SF is bad joke of a city. Boycott SF.

### Customer Contact Information:

First Name:  
Last Name:  
Primary Phone:  
Alternate Phone:  
Address Number:  
Street Name:  
City, State:  
ZIP Code:  
Email: anonymous@sfgov311.org

Customer requested to be contacted by the department servicing their request: ☐

BACK OFFICE USE ONLY \*\*\*\*\*

Source Agency Request Number:

Responsible Agency Request Number:

Service Request Work Status:

Work Status Updated:



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**From:** J0967@aol.com  
**Sent:** Wednesday, October 21, 2015 5:32 PM  
**To:** Board of Supervisors, (BOS)  
**Cc:** tonys1951@hotmail.com; chalupa067@msn.com  
**Subject:** KATES MURDER AND YOUR FAILURE TO PROTECT CITIZENS

Since you are advocates of letting illegal felons to walk the streets of San Francisco, the least you can do for laws bidding citizens is place BILLBOARDS all over the city to read like this:

They should post BILLBOARDS all over these cities to read as follows:

**AMERICAN CITIZENS WALK THE STREETS AT YOUR OWN  
RISK THESE STREETS ARE MEANT FOR ILLEGAL  
FELONS. FOR YOUR OWN PROTECTION LOCK YOUR  
SELVES IN YOUR HOMES AND LOCK YOUR WINDOWS AND  
STAY IN .YOUR HOUSES**

John Amico  
Brooklyn NY  
j0967@aol.com

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**From:** Carolyn Foust <cftemujin8@gmail.com>  
**Sent:** Wednesday, October 21, 2015 5:26 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Kate's Law

Sent from my iPad. God Save The State!

You people make me sick!!!! I hope CA falls off into the ocean!!!! You should be ashamed of yourselves and your city laws!!!! You are not REAL AMERICANS!!!!

Carolyn E. Foust

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**From:** tcspano@aol.com  
**Sent:** Wednesday, October 21, 2015 5:42 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** visiting the city of San Francisco

To the Board:

My wife and I had been intending a trip down highway 101 from the Pacific Northwest at the end of this month (October 2015). We had intended to continue to the City of San Francisco, perhaps spending several days.

Given the apparent position of your Board with respect to Federal laws, we will not be driving close to your city, as prefer to avoid and boycott anything and any location if possible associated with political philosophy that allegedly may prove to put American citizens and our family needlessly at risk. Instead we will make alternative driving plans that will take us to other cities and States by alternative travel plans.

Further we will cancel future plans that would otherwise have brought our family to the City of San Francisco. We will not be spending a single dollar in the town the board apparently represent.

tcspano

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**From:** R Riedl <ruriedl@pacbell.net>  
**Sent:** Wednesday, October 21, 2015 6:05 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Fw: Sanctuary City

You people are a **DISGRACE** declaring Tuesday that the city's sanctuary policies would remain intact. Your stance on letting **illegal immigrants** (aggravated felons) continue to stay in our country is bad enough simply because they are ILLEGAL, but when they are felons and re-enter and kill innocent people **you** should all be held responsible for not upholding the laws of our country.

I think **you should all** be charged in the murder of Kathryn Steinle. I don't know how you can sleep at night.

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**From:** Trent Heidtke <theidtke@cox.net>  
**Sent:** Wednesday, October 21, 2015 7:16 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Count Me Out

While I understand that San Francisco has always thought of itself as a diverse city welcoming all, I for one will not be visiting until your current reckless and illegal Sanctuary City policy is overturned.

The fact that your city council and supervisors actually defend the policy (with no remorse or regrets) in light of the tragic murder of Kate Steinle is enough for me to take my tourist dollars elsewhere. While I may be in the minority for now, and I am sure people will still travel to your city despite the inane policy, I, my family, my friends and anyone that I can convince are no longer interested in spending tourist dollars in a city that condones letting illegal alien felons walk amongst those of us who contribute to your coffers rather than people like Francisco Sanchez who are a burden on them – good luck with that value proposition. And don't EVEN suggest the term undocumented immigrant. THAT statement spits in the face of those who have waited years and actually immigrate here legally. That you condone, coddle, and accept otherwise is quite frankly an outrage.

In any case, take note, while the liberal tide inside your city boundaries may be as steadfast as ever, outside your city, the sentiment is clearly turning against you. In the end it is all about the almighty dollar. Maybe someday, when tourism wanes to the point it hurts, you may change. Enjoy sitting on your laurels for now, it is sure to change over time. I for one will be happy!

In a slight twist of David Allen Coe's lyrics, take your city and shove it!

Trent Heidtke  
Fountain Hills, AZ

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**From:** Jack Harris <smilnjak1@att.net>  
**Sent:** Wednesday, October 21, 2015 8:20 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Sanctuary City

To Whom it may concern,

I have been watching with interest your response to Kate's Law and your Sanctuary City status and listened tonight to one of the Board saying they will not change the Sanctuary City status and that she was not afraid of Fox News. I live in California, east of Sacramento, and have visited San Francisco many times in my 67 years here, as well as vacationed there on occasion. I have spent thousands of dollars attending various events and sporting events as well. Because of your adamant stance against Kate's Law and your insistence on remaining a Sanctuary City, I will never again visit, nor spend one additional penny in your city, and I will encourage as many additional people as I can to do the same.

Sincerely,

Jack Harris



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**From:** Joan Gillette <joan.gillette@yahoo.com>  
**Sent:** Wednesday, October 21, 2015 10:02 PM  
**To:** Board of Supervisors, (BOS)  
**Cc:** oreilly@foxnews.com  
**Subject:** Concerned citizen feedback

**Importance:** High

Dear Board,

Writing to you because I am concerned and not understanding the reasoning of your decision to not enforce and comply with Federal regulations concerning sanctuary cities in the United States. Malia Cohen unleashed...shockingly so yesterday as I saw on TV and naming FOX in a crazy ranting and unhinged display for someone who holds public office. It seemed very emotional and, to me.. a frightening representative of someone who holds the public trust. All I can do is..to keep my family and spending away and out of SF. I don't feel safe or protected or respected by your brand of politics. I live in Marin. SF under your watch is hardly as safe as it could be or should be. Don't you have to uphold the law of the land?

All lives matter. Including Kate Stemles. To say that "one incident is not enough" tells me all I need to know about the callous disregard for the American citizen's protection, much less LIFE.

God help us and you each individually on the SF Board of Supervisors.

Joan Gillette  
Mill Valley CA.

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**From:** Dean Harris <alexandriahd@yahoo.com>  
**Sent:** Wednesday, October 21, 2015 11:00 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** 150796 Confirming Support for the Sanctuary City and Due Process for All Ordinance and Urging the Sheriff to Immediately Rescind His Department-Wide Memorandum of March 13, 2015

To whom it may concern:

I just wanted to let you know that I will be moving forward with a new website that will educate & inform tourists who are planning on visiting your (Sanctuary City). Please don't think that what happened to Kate Steinle will be forgotten and that your policy of harboring illegal criminals will continue to be tolerated. Perhaps the woman who so ignorantly spoke at the meeting about conservative ideas being forced on San Francisco would not be so quick to do so if it had been her husband, father, mother, daughter, etc. who had been murdered in her presence. If that woman was the President of the board I can only hope your citizens will quickly call for her termination. Soon you'll understand that people do have a choice as to where they spend their money and as American citizens and even tourists from abroad become aware of your policy of harboring illegal felons that they will choose to visit cities that they will feel safer in and that truly represent American values.

**From:** Kelly H <okay\_kelly99@msn.com>  
**Sent:** Wednesday, October 21, 2015 11:15 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Ill Advised Vote

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Dear Board,

If and until you revoke your ill advised and illegal vote to shield deportation of law breaking illegal ALIENS from your city, I and my family shall refuse to visit your once great municipality on moral, legal and safety grounds. Your esteemed board of supervisors in general, and Ms. Cohen in particular, are a DISGRACE to the citizens of San Francisco and should themselves be held in contempt and if need be, arrested until they agree to follow state and federal laws governing the prosecution of lawbreaking legal and illegal citizens alike. It's a shame when those who disregard our borders and enter at will are treated with more impunity than our own naturally born inhabitants. THANK GOD for FOX news for daring to shine the light on those dirty deeds done by the ragtag band of miscreants that make up your council!

Sincerely and with much disdain,  
K Heaton

**From:** Karen Norton <kcn1350@gmail.com>  
**Sent:** Thursday, October 22, 2015 3:47 AM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Despicable

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Listening to people cheering about breaking the law and protecting criminals who kill at your meeting was the most disgusting thing I have seen on television this week.

San Francisco is a No-Go Zone for decent law abiding citizens to visit.

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**From:** Board.of.Supervisors@sfgov.org  
**Sent:** Thursday, October 22, 2015 4:15 AM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Clerk of the Board Customer Satisfaction Form

To:Board.of.Supervisors@sfgov.org  
Email:Board.of.Supervisors@sfgov.org  
DIVISION\_AGENCY:COB  
TREATED\_YOU:Strongly\_Disagree  
VOICEMAIL:Does\_Not\_Apply  
EMAIL\_RESPONSE:Does\_Not\_Apply  
QUESTIONS:Strongly\_Disagree  
ACCURATE\_INFORMATION:Neutral  
BEHAVED\_ETHICALLY:Strongly\_Disagree  
ANSWER\_RESPONSE:Strongly\_Disagree  
COMFORT\_LEVEL:Unacceptable  
ADDITIONAL\_COMMENTS:Supervisor Cohen"s remarks and decision on the Stienlie matter are disgusting and make the case to defund cities like her's more compelling. How will she feel if an illegal killed one of her loved ones? She is part of the problem not the solution to illegal crime.  
NUMBER:  
MAILING\_ADDRESS:  
CONTACT\_EMAIL:

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**From:** N.Mahony <anziani14@dc.rr.com>  
**Sent:** Thursday, October 22, 2015 8:30 AM  
**To:** Board of Supervisors, (BOS)  
**Subject:** never again

I and my family will NEVER set foot in your city again. You harbor criminals and should be put in jail for not obeying the laws of the United States on Immigration.

I will do everything in my power to have the violators (supervisors) arrested.

Furthermore I have instructed my purchasing department to not patronize any company with ties to San Francisco.

Neil Mahony

--  
"There is no convincing SCIENTIFIC evidence that human release of carbon dioxide, methane, or other greenhouse gases is causing or will in the foreseeable future cause catastrophic heating of the Earth's atmosphere and disruption of the Earth's climate," the Petition says.

~The Petition Project signed by 30,000+ scientists.~

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**From:** Sam Nardo <masodran@icloud.com>  
**Sent:** Thursday, October 22, 2015 10:35 AM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Sanctuary City

I hope that Coen ends up in the same situation as Kate Steinle. She is a woman who is a sickening example of liberal thinking run amok and so is the entire Board. Protecting criminal aliens at the expense of tax paying citizens is going to haunt everyone on the Board and in your regressive city. A pox on all of you!

Sent from my iPad

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**From:** moorekedee@aol.com  
**Sent:** Thursday, October 22, 2015 1:36 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** You all all a bunch of Anit-Americans

We're never going to visit your city again.  
You are all a bunch of anti-Americans.

Keeping your city as a "Sanctuary City" is a disgrace to everyone living in this state.  
You should be kicking out all the lawbreaker "illegals" instead of letting them  
stay and murder innocent people.  
You should be ashamed of yourselves.

The Moore family  
Placentia, Ca.



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**From:** Henry Bell <gbell2501@aim.com>  
**Sent:** Saturday, October 24, 2015 8:59 PM  
**To:** Board of Supervisors, (BOS)  
**Subject:** Visit

This is an open email to all of the members of the Board of Supervisors. I will no longer be visiting San Francisco. I have not felt safe there for the last several months. After the statements and actions of the Board during the last week, I feel more unsafe. I am advising my friends and family of my feelings.

**From:** Joseph Sebren <topical.jps@gmail.com>  
**Sent:** Saturday, October 24, 2015 11:41 AM  
**To:** Board of Supervisors, (BOS); Cohen, Malia (BOS)  
**Subject:** one mans oppinion

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It is with the greatest sadness and disdain that I write you this note.

You're stated policy to protect the unlawful at the expense of the safety and care of the law abiding is a failure to those that have entrusted you with the management of this fair city. The blood of those you have sworn to protect is on your hands.

This pandering must stop.

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**From:** Board of Supervisors, (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: 239 signers: San Francisco Needs a Better Plan petition

**From:** Sebra Leaves [mailto:petitions@moveon.org]  
**Sent:** Tuesday, October 20, 2015 11:31 PM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** 239 signers: San Francisco Needs a Better Plan petition

Dear Angela Calvillo,

I started a petition to you titled *San Francisco Needs a Better Plan*. So far, the petition has 239 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-99219-custom-61919-20251020-OMDds=](http://petitions.moveon.org/target_talkback.html?tt=tt-99219-custom-61919-20251020-OMDds=)

The petition states:

"We oppose the way city authorities are handling the housing crisis. We oppose any plans to substantially alter San Francisco's residential neighborhoods and request that city authorities focus on solving these problems in a manner that does not displace people or continue to alter our landscape. We want homes we can afford, jobs for San Francisco residents, and streets that move freely, Therefore we request that you:  
1. Stop approving expanded development in all our residential neighborhoods. 2. Stop amending City Planning Codes that incorporate more density into residential neighborhoods. 3. Enforce zoning laws that restrict development in residential neighborhoods. "

To download a PDF file of all your constituents who have signed the petition, including their addresses, click this link: [http://petitions.moveon.org/deliver\\_pdf.html?job\\_id=1650488&target\\_type=custom&target\\_id=61919](http://petitions.moveon.org/deliver_pdf.html?job_id=1650488&target_type=custom&target_id=61919)

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=1650488&target\\_type=custom&target\\_id=61919&csv=1](http://petitions.moveon.org/deliver_pdf.html?job_id=1650488&target_type=custom&target_id=61919&csv=1)

Thank you.

--Sebra Leaves

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*If you have any other questions, please email [petitions@moveon.org](mailto:petitions@moveon.org).*

*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*

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**From:** Board of Supervisors, (BOS)  
**To:** BOS-Supervisors  
**Subject:** File 150943 File FW: Bicycle Ordinance

**From:** Ron Hooper [mailto:RHooper@Cl.Shawnee.KS.US]  
**Sent:** Thursday, October 22, 2015 10:54 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** Bicycle Ordinance

We have a similar problem here in the Midwest with bicyclists not stopping at stop signs, but I am sure not the degree your city is encountering. We are considered to be a bike-friendly community with both on-street bike lanes and combined pedestrian/bike trails paralleling roadways. Not only do some bicyclist believe it is okay to blow through a stop sign while on the street, but to ignore the special bike signs installed on trails at intersections, where at least pedestrians are expected to stop and look around before crossing.

My question for you is, if bicyclists insist that they should be afforded all the rights and privileges of a motor vehicle, then why shouldn't they be expected to adhere to all of the regulations imposed on other motorists?

Hopefully, this will not lead to a return of the infamous "California Rolling Stop" for motorists believing that what is good for bicyclists is equally good for them also.

Good luck as you work through this issue.

-Ron

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**From:** Board of Supervisors, (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: help the harshawat family and other landlords being threatened/harrassed

**From:** norma yee [mailto:norma.yee@sbcglobal.net]  
**Sent:** Friday, October 23, 2015 9:45 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Lee, Mayor (MYR) <mayoredwinlee@sfgov.org>  
**Subject:** help the harshawat family and other landlords being threatened/harrassed

dear bos and mayor ed,

i'm sure you've heard about the harshawat family, in the duboce triangle area, being bullied by a greedy tenant, david brenkus.

just as you rallied to help the lee family, in nob hill, back on oct 2013 - you all need to do the same to help the harshawat family in duboce triangle.

here is one of many examples of tenants literally harrassing, bullying, threatening and extorting the property owners for more money. if you listen to the chronicle journalist, cw nevius, on his interview with the tenant brenkus, there is an obvious extortion plan he already orchestrated for the harshawats.

journalist nevius said in his interview with KGO radio, he has on record tenant brenkus saying of the harshawat family, "he could save himself (harshawat) alot of trouble if he would just negotiate with me...cause its only going to get worse." isn't extortion against the law? just like when previous supervisor jue extorted the vendors in the sunset or its a landlord/tenant extortion - its still extortion.

i believe both tenants and landlords should have reasonable rights...but this is clear abuse of the existing laws that you, as supervisors, have created. you as the BOS and mayor need to stop this type of illegal behavior. you need to pass legislation that protects landlords from this type of harrassment/bullying/extortion by tenants.

also, why can't landlords be afforded free legal representation as tenants do?

from an outraged sf native, sf voter, sf homeowner, sf small business owner ~  
norma yee

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**From:** Board of Supervisors, (BOS)  
**To:** BOS-Supervisors  
**Subject:** FW: Balboa Park Station Community Advisory Committee September Recommendations and Motion  
**Attachments:** Geneva and San Jose Specific Plan Motion v2 - Robert Muehlbauer.pdf; BPSCAC September Recommendation Letter 1B - BOS-signed.pdf

**From:** Satterwhite, Graham [mailto:Graham.Satterwhite@sfmta.com]  
**Sent:** Tuesday, October 20, 2015 9:20 AM  
**To:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Cc:** Avalos, John (BOS) <john.avalos@sfgov.org>; Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Mormino, Matthias (BOS) <matthias.mormino@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>  
**Subject:** Balboa Park Station Community Advisory Committee September Recommendations and Motion

Dear Board of Supervisors,  
Please see the attached recommendations and motion from the September meeting of the Balboa Park Station Community Advisory Committee.

Thank you,

**Graham Satterwhite, P.E.**  
**Manager – Complete Street Planning**  
**Sustainable Streets Division**  
 **SFMTA** | Municipal Transportation Agency  
1 South Van Ness Ave, 7<sup>th</sup> Floor SF, CA 94103  
**Office:** 415-701-4482  
[Graham.Satterwhite@sfmta.com](mailto:Graham.Satterwhite@sfmta.com)

Balboa Park Station Citizens Advisory Committee

Resolution # \_\_\_\_\_

Whereas the Balboa Parks Station Area Plan was adopted by the Board of Supervisors in 2009; and,

Whereas the Balboa Park Station Citizens Advisory Committee was established by the Board of Supervisors to advise a number of public agencies making improvements to the Balboa Park Station area; and,

Whereas the Balboa Park Station Citizens Advisory Committee has held regularly scheduled meetings beginning on January 9, 2013 and heard numerous presentations by public agencies concerning planned and proposed improvements at said station and station area; and,

Whereas a number of significant public improvements and improvements on publicly owned properties are expected to soon begin construction, or are in active planning at the Balboa Park Station area; and,

Whereas the intersection and streets radiating from Geneva Avenue and San Jose Avenue are at the focal point of most of said public improvements; and,

Whereas the intersection and streets radiating from Geneva Avenue and San Jose Avenue are characterized by dangerous concentrations of pedestrian and motorized traffic, poor urban design, lack of disabled accessibility, worn street surfaces and markings; and,

Whereas a number of public agencies will be separately conducting certain said improvements effecting the Geneva Avenue and San Jose Avenue intersection; and,

Whereas the Balboa Park Station Area Plan is not specific as to illustrating design details of said improvements; and,

Whereas the Balboa Park Station Citizens Advisory Committee and general public require assurances that said public improvements will

be implemented by numerous public agencies into a safe, attractive, seamless and harmonious whole;

Be it therefore resolved by the Balboa Park Station Citizens Advisory Committee to recommend the following:

1. That Planning partner with City Agencies, SFMTA, SFCTA and BART to develop a Geneva Avenue/SanJose Avenue Intersection Specific Plan (Specific Plan) and design guidelines for street, sidewalk, transit stops and public plazas within its sphere of influence for adoption and inclusion into the Balboa Park Station Area Plan (Area Plan); and,

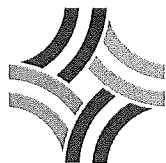
2. That Planning partner with City Agencies, SFMTA, SFCTA, BART, and The Board of Supervisors to sponsor a Title Six compliant urban design community engagement charette and workshop to illustrate potential public and private design options at the Geneva/San Jose Avenue intersection. Be it further resolved by the Balboa Park Station Citizens Advisory Committee that the goals of the Specific Plan for Geneva and San Jose Avenues, and an urban design community engagement charette and workshop are:

1. Create illustrated design options to guide the development of public improvements that support the Area Plan and Vision Zero policies,

2. Develop a unique positive neighborhood identity and sense of place at the most highly used transit station in the south side of the City.

3. Enhance coordination of design ideas and implementation of improvements among SFMTA, BART and the City.





**SFMTA**  
Municipal  
Transportation  
Agency

Edwin M. Lee, *Mayor*

Tom Nolan, *Chairman*

Malcolm Heinicke, *Director*

Cheryl Brinkman, *Vice-Chairman*

Joél Ramos, *Director*

Gwyneth Borden, *Director*

Cristina Rubke, *Director*

Edward D. Reiskin, *Director of Transportation*

October 20, 2015

San Francisco Board of Supervisors  
San Francisco City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689

Re: Balboa Park Station Community Advisory Committee September 22, 2015 Recommendation

Dear Members of the Board:

At the Balboa Park Station Community Advisory Committee (BPSCAC) meeting on September 22, 2015, the Committee passed the following recommendation:

**BPSCAC Motion 150922.01**

The Balboa Park Station Community Advisory Committee recommends that the Mayor's Office of Housing's RFP for the Upper Yard development project include an urban design plan dealing with the building's massing, how it interfaces with BART's kiss-and-ride, and the Geneva and San Jose Avenue streetscape.

**BPSCAC Motion 150922.02**

The Balboa Park Station Community Advisory Committee recommends a public planning process for the San Jose and Geneva Avenue intersection as detailed in Geneva and San Jose Avenues resolution (attached) drafted by Robert Muehlbauer and redefined by BPSCAC.

**BPSCAC Motion 150922.03**

The Balboa Park Station Community Advisory Committee recommends the Mayor's Office of Housing to use the study performed by Communities United for Health and Justice and to use up to 50% AMI to inform the site programming for upper yard and RFP development process.

**BPSCAC Motion 150922.04**

The Balboa Park Station Community Advisory Committee recommends that Chairman Robert Muehlbauer bring the BPSCAC Motion 150922.03 to the Balboa Reservoir Community Advisory Committee (BRCAC).

It is the opinion of the BPSCAC that the proposed recommendations would be of significant benefit to the citizenry of San Francisco and the San Francisco Municipal Transportation Agency.

The BPSCAC would appreciate a written response as to how your agency will incorporate these recommendations. If your agency is not able to incorporate these recommendations, please

provide an explanation as to why. Please send a written response to the Committee Liaison, Danielle J. Harris at [Danielle.Harris@sfmta.com](mailto:Danielle.Harris@sfmta.com) within 10 business days.

Sincerely,

A handwritten signature in black ink, appearing to read "Graham Satterwhite".

Graham Satterwhite, Complete Streets Planning Manager  
Sustainable Street Division, SFMTA  
on behalf of Robert Muehlbauer, Chairman  
Balboa Park Station Community Advisory Committee