

FILE NO. 160977

Petitions and Communications received from August 26, 2016, through September 2, 2016, for reference by the President to Committee considering related matters, or to be ordered filed by the Clerk on September 13, 2016.

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

From Planning Department, regarding Preliminary Mitigated Negative Declaration for 1270 Mission Street. (1)

From Department on the Status of Women, submitting Fiscal Year 2015 Comprehensive Report on Family Violence in San Francisco. (2)

From Clerk of the Board, reporting the following agencies have submitted a 2016 Local Agency Biennial Conflict of Interest Code Review Report: (3)

- Department of Aging and Adult Services (DAAS)
- San Francisco Arts Commission
- San Francisco International Airport
- Department of Children, Youth and their Families (DCYF)
- Civil Grand Jury
- Ethics Commission
- Historic Preservation Commission
- Human Resources
- Mayor's Office
- San Francisco Municipal Transportation Agency
- San Francisco Public Works
- Recreation and Park
- Retiree Health Care Trust Fund Board
- Sheriff's Department

From Save the Hill and Grow Potrero Responsibly Unincorporated Associations, submitting Petition for Writ of Mandamus. File No. 160683. Copy: Each Supervisor. (4)

From Controller's City Services Auditor Division, submitting Whistleblower Program Annual Report and Quarter 4 results, Fiscal Year 2015-16. (5)

From Clerk of the Board, submitting 60 Day Receipt Civil Grand Jury Report: Maintenance Budgeting and Accounting Challenges. Copy: Each Supervisor. (6)

From the Assessor Recorder and Treasurer and Tax Collector Offices, submitting Annual Reports for Central Market & Tenderloin Area Exclusion, Clean Energy Technology Exclusion, and Biotechnology Exclusion. Copy: Each Supervisor. (7)

From Department of Homelessness and Supportive Housing, submitting Annual Report on evictions from subsidized housing for Fiscal Year 2015-2016. Copy: Each Supervisor. (8)

From Office of the Treasurer and Tax Collector, submitting various Annual Reports. Copy: Each Supervisor. (9)

From Office of the Mayor, pursuant to Charter, Section 4.105, submitting notice of nomination to the San Francisco Planning Commission. (10)
Joel Koppel, term ending June 30, 2020

From Controller's City Services Auditor Division, submitting a compliance audit report on the Andale Mexican Restaurant and Bar. (11)

From Recreation and Parks, regarding Park Hours report pursuant to Park Code Section 3.21(f). Copy: Each Supervisor. (12)

From PG&E, submitting notification of application requesting to increase rates for the retirement of Diablo Canyon. Copy: Each Supervisor. (13)

From Capital Planning Committee, submitting a memorandum regarding items to be considered before the Board of Supervisors. Copy: Each Supervisor. (14)

From Bay Area Water Supply & Conservation Agency, submitting letter of support for Ann Caen to be reappointed to the Public Utilities Commission. File No. 160911. Copy: Each Supervisor. (15)

From the Commonwealth Club of California, regarding a Type 51 license at 110 The Embarcadero. File No. 160959. (16)

From Doerte Murray, regarding various concerns with San Francisco Municipal Transportation Agency. File No. 160589. Copy: Each Supervisor. (17)

From Gary Noguera, regarding Muni. Copy: Each Supervisor. (18)

From concerned citizens, regarding bicycle and pedestrian safety. 16 letters. File No. 160764. Copy: Each Supervisor. (19)



SAN FRANCISCO
PLANNING DEPARTMENT

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2016 AUG 29 PM 4:00

BY AK

August 24, 2016

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

Re: 1270 Mission Street
Preliminary Mitigated Negative Declaration
Department File No. 2014.0926E

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Ms. Calvillo:

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 Preliminary Mitigated Negative Declaration for 1270 Mission Street in digital format.

One hard copy is enclosed for the file of the Clerk of the Board. Additional hard copies will be provided upon request.

There will not be a Public Hearing on this Preliminary Mitigated Negative Declaration. The 1270 Mission Street project is scheduled to go before the Planning Commission October 17, 2016.

If you have any questions related to this project's environmental evaluation, please contact the planner identified on the enclosed document or call me at 575-9032.

Sincerely,

Rachel A. Schuett
For Lisa M. Gibson, Acting Environmental Review Officer



SAN FRANCISCO PLANNING DEPARTMENT

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SAN FRANCISCO

2016 AUG 29 PM 4:00

Notice of Availability of and Intent to ~~Adopt~~ Adopt a Mitigated Negative Declaration

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Date: August 24, 2016
Case No.: **2014.0926ENV**
Project Title: **1270 Mission Street**
Zoning: C-3-G (Downtown-General Commercial)
120-X Height and Bulk District
Block/Lot: 3701/020 and 021
Project Sponsor: AGI Avant Inc.
Brian Baker, (415) 775-7005
Staff Contact: Rachel Schuett – (415) 575-9030
rachel.schuett@sfgov.org

This notice is to inform you of the availability of the environmental review document concerning the proposed project as described below. The document is a preliminary mitigated negative declaration (PMND), containing information about the possible environmental effects of the proposed project. The PMND documents the determination of the Planning Department that the proposed project could not have a significant adverse effect on the environment. Preparation of a mitigated negative declaration does not indicate a decision by the City to carry out or not to carry out the proposed project.

Project Description: The project site is located on the block bounded by Market Street to the north, Mission Street to the south, Eighth Street to the east, and Ninth Street to the west, within San Francisco's South of Market (SoMa) neighborhood. The proposed project would involve demolition and removal of the existing single-story commercial building and surface parking lot on the approximately 16,200-square-foot (0.37-acre) site and construction of a new 120-foot-tall, 13-story mixed-use residential building containing up to approximately 195 dwelling units and about 2,012 square feet of ground floor retail/restaurant space.

The project sponsor is also considering a potential variant (Variant 1) that would entail construction of a 200-foot-tall, 21-story, 273,684-gross-square-foot (gsf) building that would include up to 299 dwelling units and 2,012 gsf of retail/restaurant uses. Under the proposed project and Variant 1, approximately 76 vehicle parking spaces would be provided, primarily in stackers, including two car-share spaces within a single basement level and the part of the ground floor level. The proposed project and Variant 1 would also include 220 bicycle parking spaces. The proposed project would include one off-street service vehicle loading space in the ground floor parking area, and Variant 1 would provide one 35' x 12' freight loading space and two service vehicle loading spaces in the garage. A new on-street commercial loading zone is proposed along the Mission Street frontage for both the proposed project and Variant 1.

As proposed, the residential entrance and the parking ingress/egress would both be accessible from Laskie Street, an alley that borders the eastern property line with an additional entrance to the bicycle storage area accessible from Mission Street. The proposed project and variant would entail excavation to a depth of approximately 20 feet to accommodate the below-grade parking level and foundation, and a small area of an additional four feet of excavation to accommodate the proposed elevator pit. Total excavation would be up to about 12,000 cubic yards.

www.sfplanning.org

The building height for Variant 1 would exceed the allowable height limit for the project site under the existing 120-X Height and Bulk District and, therefore, would require approval of an amendment to the Height and Bulk District Zoning Map. The project sponsor also proposes a Special Use District (SUD) that would increase the requirement for on-site affordable units to 20 percent.

The PMND is available to view or download from the Planning Department's Negative Declarations and EIRs web page (<http://www.sf-planning.org/sfceqadocs>). Paper copies are also available at the Planning Information Center (PIC) counter on the ground floor of 1660 Mission Street, San Francisco.

If you have questions concerning environmental review of the proposed project, contact the Planning Department staff contact listed above.

Within 20 calendar days following publication of the PMND (i.e., by 5:00 p.m. on **September 13, 2016**, any person may:

- 1) Review the PMND as an informational item and take no action;
- 2) Make recommendations for amending the text of the document. The text of the PMND may be amended to clarify or correct statements and may be expanded to include additional relevant issues or to cover issues in greater depth. This may be done **without** the appeal described below; **OR**
- 3) Appeal the determination of no significant effect on the environment to the Planning Commission in a letter which specifies the grounds for such appeal, accompanied by a \$578 check payable to the San Francisco Planning Department.¹ An appeal requires the Planning Commission to determine whether or not an Environmental Impact Report must be prepared based upon whether or not the proposed project could cause a substantial adverse change in the environment. Send the appeal letter to the Planning Department, Attention: Lisa M. Gibson, 1650 Mission Street, Suite 400, San Francisco, CA 94103. **The letter must be accompanied by a check in the amount of \$578.00 payable to the San Francisco Planning Department, and must be received by 5:00 p.m. on September 13, 2016.** The appeal letter and check may also be presented in person at the PIC counter on the first floor of 1660 Mission Street, San Francisco.

In the absence of an appeal, the mitigated negative declaration shall be made final, subject to necessary modifications, after 20 days from the date of publication of the PMND. If the PMND is appealed, the Final Mitigated Negative Declaration (FMND) may be appealed to the Board of Supervisors. The first approval action, as identified in the Initial Study, would establish the start of the 30-day appeal period for the FMND pursuant to San Francisco Administrative Code Section 31.16(h).

Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department's website or in other public documents.

¹ Upon review by the Planning Department, the appeal fee may be reimbursed for neighborhood organizations that have been in existence for a minimum of 24 months.



SAN FRANCISCO PLANNING DEPARTMENT

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SAN FRANCISCO

2016 AUG 29 PM 4:00

AK

Preliminary Mitigated Negative Declaration

Date: August 24, 2016
Case No.: 2014.0926ENV
Project Title: 1270 Mission Street
Zoning: C-3-G (Downtown-General Commercial)
120-X Height and Bulk District
Block/Lot: 3701/020 and 021
Lot Size: 16,220 square feet (0.37-acre)
Project Sponsor: AGI Avant Inc.
Brian Baker, (415) 775-7005
Lead Agency: San Francisco Planning Department
Staff Contact: Rachel Schuett – (415) 575-9030
rachel.schuett@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:

The approximately 16,220-square-foot (0.37-acre) project site is located at the northwest corner of Mission and Laskie streets on the block bounded by Market Street to the north, Mission Street to the south, Eighth Street to the east, and Ninth Street to the west, within San Francisco's South of Market (SoMa) neighborhood. The proposed project would involve demolition and removal of the existing single-story commercial building and surface parking lot and construction of a new 120-foot-tall, 13-story mixed-use residential building containing up to approximately 195 dwelling units and about 2,012 square feet of ground floor retail/restaurant space.

A single basement level would include approximately 66 vehicle parking spaces (primarily in stackers), two car-share spaces, three Americans with Disabilities Act (ADA)-accessible parking spaces, one service vehicle loading space, and four standard parking spaces (in the rear portion of the ground floor), for a total of 76 parking spaces. In addition, the rear portion of the ground floor would contain bicycle storage areas that would accommodate at least 200 secure Class 1 bicycle spaces. As proposed, the residential entrance and the parking ingress/egress would both be accessible from Laskie Street, the alley that borders the eastern property line, with an additional entrance to the bicycle storage area accessible from Mission Street. The proposed project and variant would entail excavation to a depth of approximately 20 feet to accommodate the below-grade parking level and foundation, and a small area of an additional four feet of excavation to accommodate the proposed elevator pit. Total excavation would be up to about 12,000 cubic yards.

The project sponsor is also considering a potential variant (Variant 1) that would be larger (in terms of both the height/building envelope and density) than the proposed project. Variant 1 would entail construction of a 200-foot-tall, 21-story building that would include up to approximately 299 dwelling units. The basement and ground floor would be similar to that under the proposed project, with comparable parking, retail/restaurant space, and other uses. The basement level would contain approximately 66 vehicle parking spaces (mostly in stackers), and the ground floor would provide two car-share spaces, three ADA-accessible parking spaces, and two service vehicle loading spaces, for a total of 71 parking spaces, and one 35' x 12' loading space. Similar to the proposed project, Variant 1 would

include 200 Class 1 bicycle parking spaces. The building height for Variant 1 would exceed the allowable height limit for the project site under the existing 120-X Height and Bulk District and, therefore, would require approval of an amendment to the Height and Bulk District Zoning Map. As part of Variant 1, the project sponsor proposes a Special Use District (SUD) that would increase the requirement for on-site affordable rental units to 20 percent, of which 12 percent would be affordable to households earning up to 55 percent of Area Median Income (AMI), 4 percent to households earning up to 70 percent AMI, and 4 percent earning up to 90 percent AMI, which exceeds the current *Planning Code* requirement that 13.5 percent of the project dwelling units be affordable units. The specific percentage of affordable units may be changed by the Board of Supervisors as part of its deliberations on approval of the SUD.

FINDING:

This proposed project and Variant 1 could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached.

Mitigation measures are included as part of the proposed project and Variant 1 to avoid potentially significant effects. See Section F on page 139.

cc: Brian Baker, AGI Avant, Project Sponsor
Tina Chang, San Francisco Planning Department-Current Planning
Jim M. Abrams, J. Abrams Law, P.C.
Supervisor Jane Kim, District 6
Angela Calvillo, Clerk of the Board of Supervisors

INITIAL STUDY

(2014.0926ENV: 1270 Mission Street)

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INITIAL STUDY

1270 Mission Street Project Planning Department Case No. 2014.0926ENV

A. PROJECT DESCRIPTION

Project Location and Site Characteristics

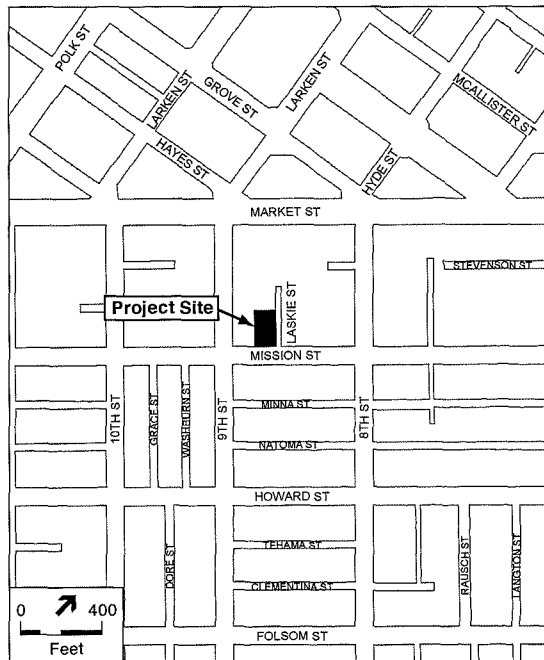
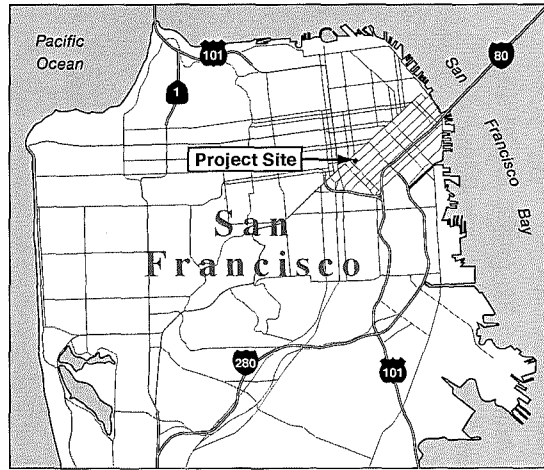
The approximately 16,220-square-foot (0.37-acre) project site (Assessor's Block 3701, Lots 20 and 21) is located on the northwest corner of Mission and Laskie streets,¹ within a portion of San Francisco's SoMa neighborhood and also within the Downtown Area Plan identified in the *San Francisco General Plan (General Plan)*. The project site is located on a block bounded by Market Street to the north, Mission Street to the south, Eighth Street to the east, and Ninth Street to the west. Laskie Street, a dead-end alley that extends north from Mission Street, forms the eastern boundary of the project site (see **Figure 1**, p. 2). The project site is located within the C-3-G (Downtown-General Commercial) Use District and the 120-X Height and Bulk District, which allows a 120-foot maximum height with no bulk limits.

The project site is partially occupied by an approximately 1,200-square-foot, one-story, 12-foot-tall commercial building that is currently occupied by a pizza shop. A surface parking lot occupies the remainder of the project site. There are four existing street trees along both the Mission Street and Laskie Street frontages of the project site (eight trees total).

According to the Assessor's data, the existing building was constructed in 1975.² Given that the existing building is not 45 years old, or older, it is not age-eligible to be a historical resource. The project site is flat and generally rectangular in shape, with 92.5 feet of frontage on Mission Street and 176 feet of frontage on Laskie Street. Three buildings adjoin the project site to the west: a four-story residential hotel with ground-floor retail space (Hotel Potter, 1284-1288 Mission Street); a six-story residential building with ground-floor retail at 77-83 Ninth Street; and a two-story commercial building at 65 Ninth Street, currently occupied by the American Friends Service Committee as a Quaker Meeting House. Adjacent to the project site to the north is a newly constructed 17-story residential building at 55 Ninth Street, known as the Ava building.

¹ Following San Francisco convention, Mission Street and streets parallel to it are considered to run east-west, while 9th Street and streets parallel to it are considered to run north-south.

² San Francisco Property Information Map, *1270 Mission Street*. Available online at <http://propertymap.sfplanning.org/>, accessed May 30, 2016.



SOURCE: ESA

2014-0926ENV: 1270 Mission Street

Figure 1
Project Location

Proposed Project and Variant 1

The proposed project would include construction of a 120-foot-tall, 13-story building containing 195 dwelling units and a retail/restaurant space on the ground floor. Variant 1 would include construction of a 200-foot-tall, 21-story building that would contain up to 299 dwelling units (see **Figure 2**, p. 4).

120-Foot-Tall Building (Proposed Project)

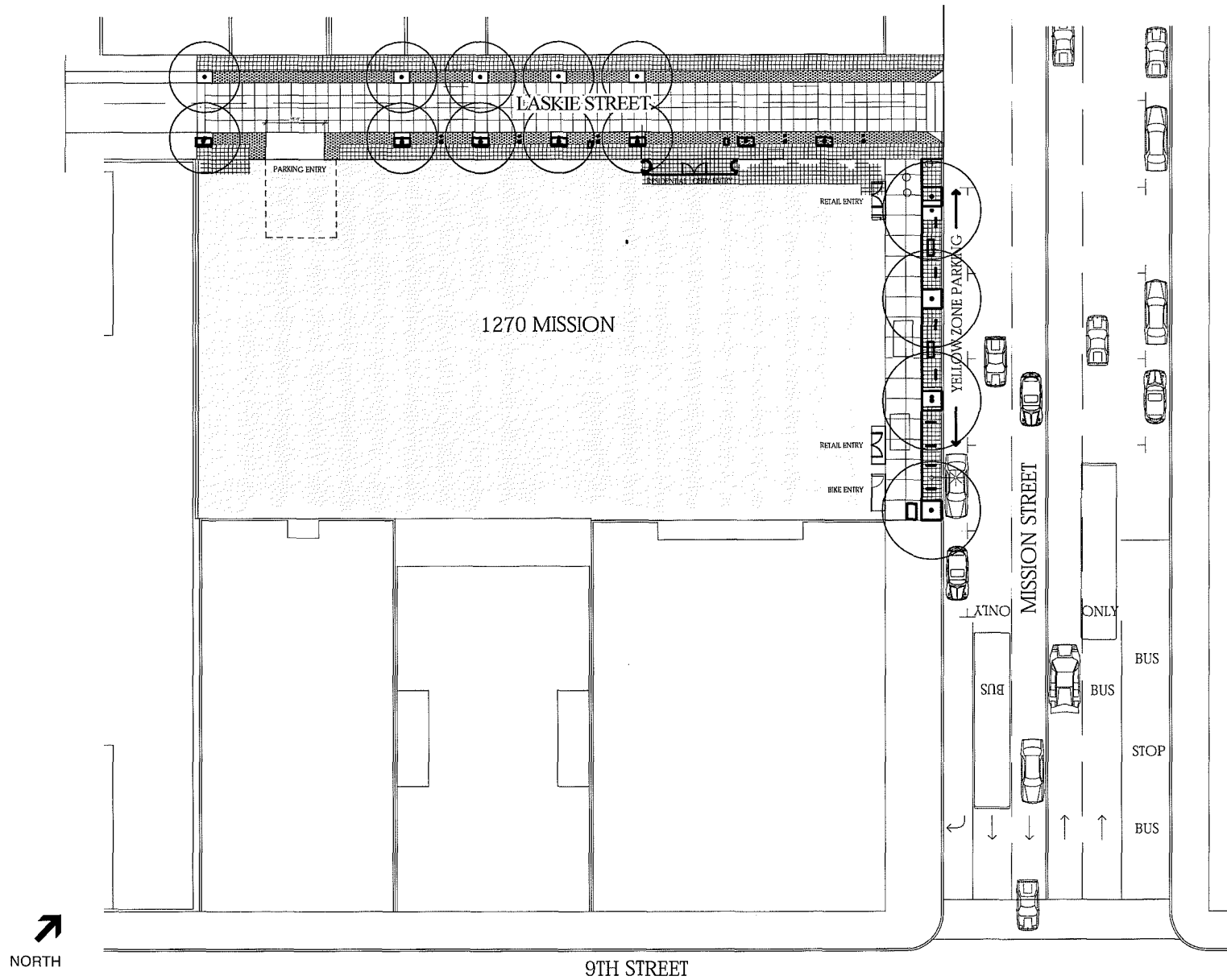
The proposed project would involve the demolition of the existing building and surface parking lot on the project site and the construction of a new 120-foot-tall, 13-story building containing 195 dwelling units and about 2,012 square feet of retail/restaurant space along Mission Street. The project sponsor intends that the proposed dwelling units would be rental (apartment) units.

A single basement level and a portion of the ground floor would provide for approximately 76 vehicle parking spaces (mostly in stackers), including two car-share spaces, three ADA-accessible spaces, and one service vehicle loading space. Bicycle storage areas on the ground floor would accommodate a minimum of 200 Class 1 bicycle spaces, which would exceed the requirements of *Planning Code* Section 155.2. Eight bicycle racks would be provided on the Mission Street sidewalk to accommodate 16 Class 2 bicycle spaces, which would comply with Section 155.2 of the *Planning Code*. The residential entrance and the automobile parking ingress and egress would both be from Laskie Street. Access to the bicycle room would be through the pedestrian entrance to the building garage and via an additional entrance located on Mission Street. In addition to the retail/restaurant space, the ground floor would include a residential lobby and mail room, leasing offices, the parking ramp, a recycling/trash room and mechanical space, and the bicycle storage areas. **Figure 3**, p. 5 depicts the proposed ground floor plan and **Figure 4**, p. 6 shows the proposed basement plan.

The second floor would contain eight residential units. However, the portion of the second floor closest to Mission Street would be open to the lobby and retail/restaurant space on the ground floor below and would contain common amenities for use by the residents including a gym, a kitchen and bar, and a tech-lounge area (see **Figure 5**, p. 7). Floors 3 through 13 would each contain 17 residential units (see **Figure 6**, p. 8). In total, the project would contain 195 dwelling units in a combination of studios and one- and two-bedroom units, including a minimum of 26 on-site affordable inclusionary units (13.5 percent of the total units, as required by *Planning Code* Section 415.3).³ The residential unit mix would consist of approximately 47 studios (24 percent of the total), 104 one-bedroom units (inclusive of 23 junior one-bedroom units; 53 percent of the total),⁴ and 44 two-bedroom units (23 percent).

³ Although San Francisco voters in June 2016 approved an increase in affordable housing requirements for new projects through passage of Proposition C, *Planning Code* provisions adopted by the Board of Supervisors and signed by the mayor in May 2016 provide for the graduated application of increased affordable housing requirements for projects with applications already on file. Because the environmental evaluation application for the proposed project and Variant 1 was submitted in 2014, the project and Variant 1 would be required to provide 13.5 percent of on-site housing units as affordable units, absent the provisions of the proposed SUD.

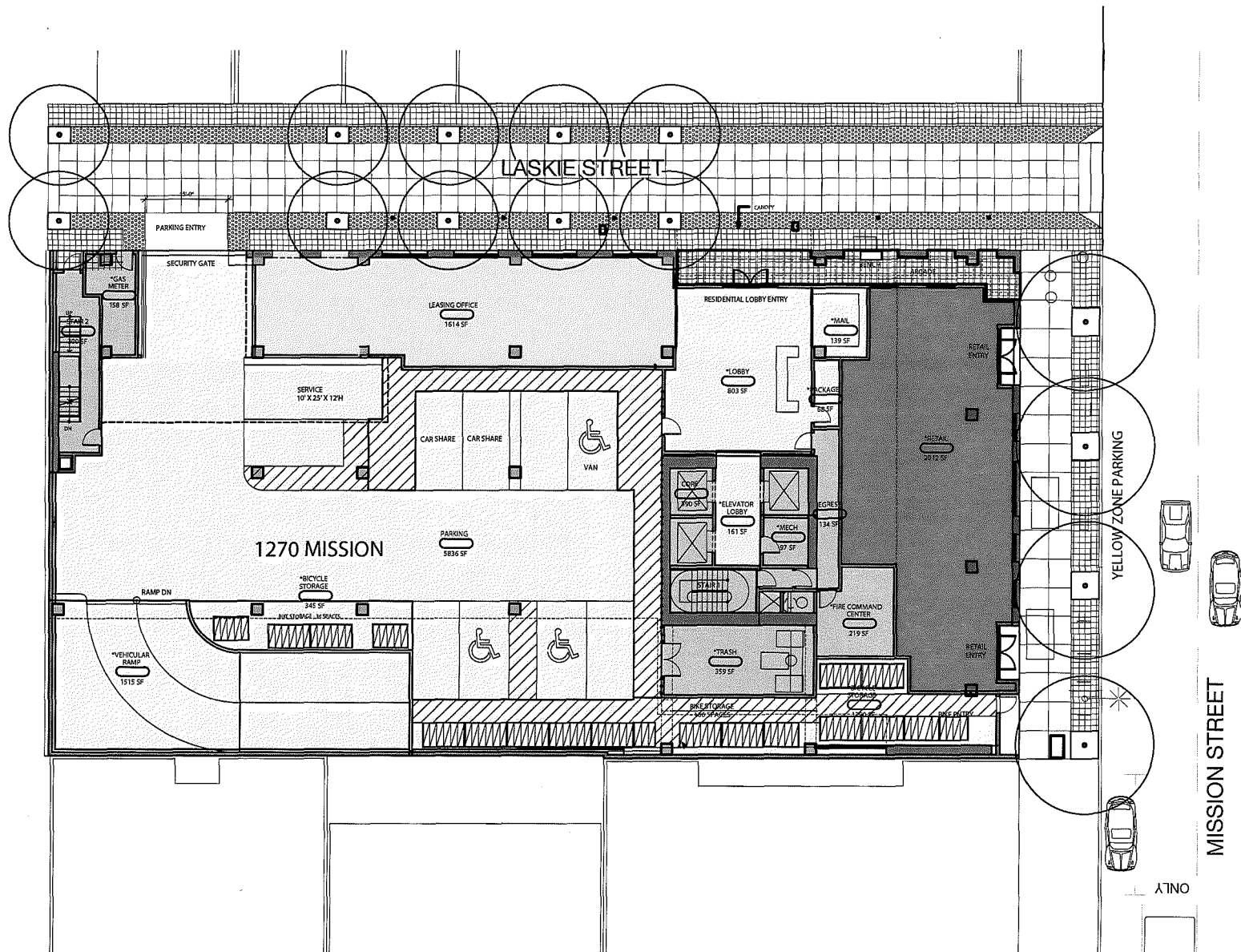
⁴ Unlike a studio unit, a junior one-bedroom unit contains a separate bedroom, although without a window in the bedroom and not necessarily with a door; the window is typically in a larger living/dining room.



SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

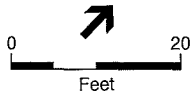
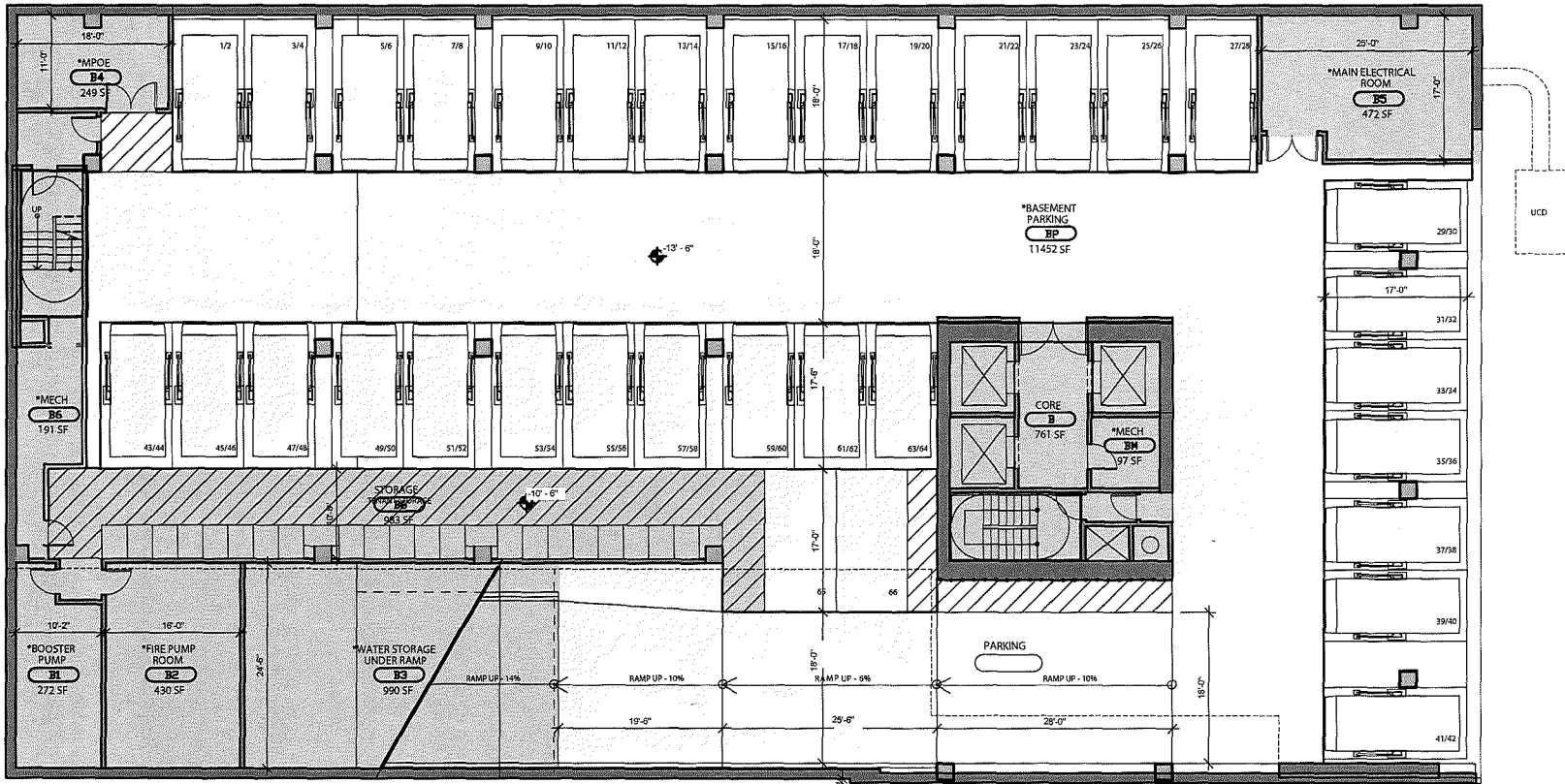
Figure 2
Site Plan



SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

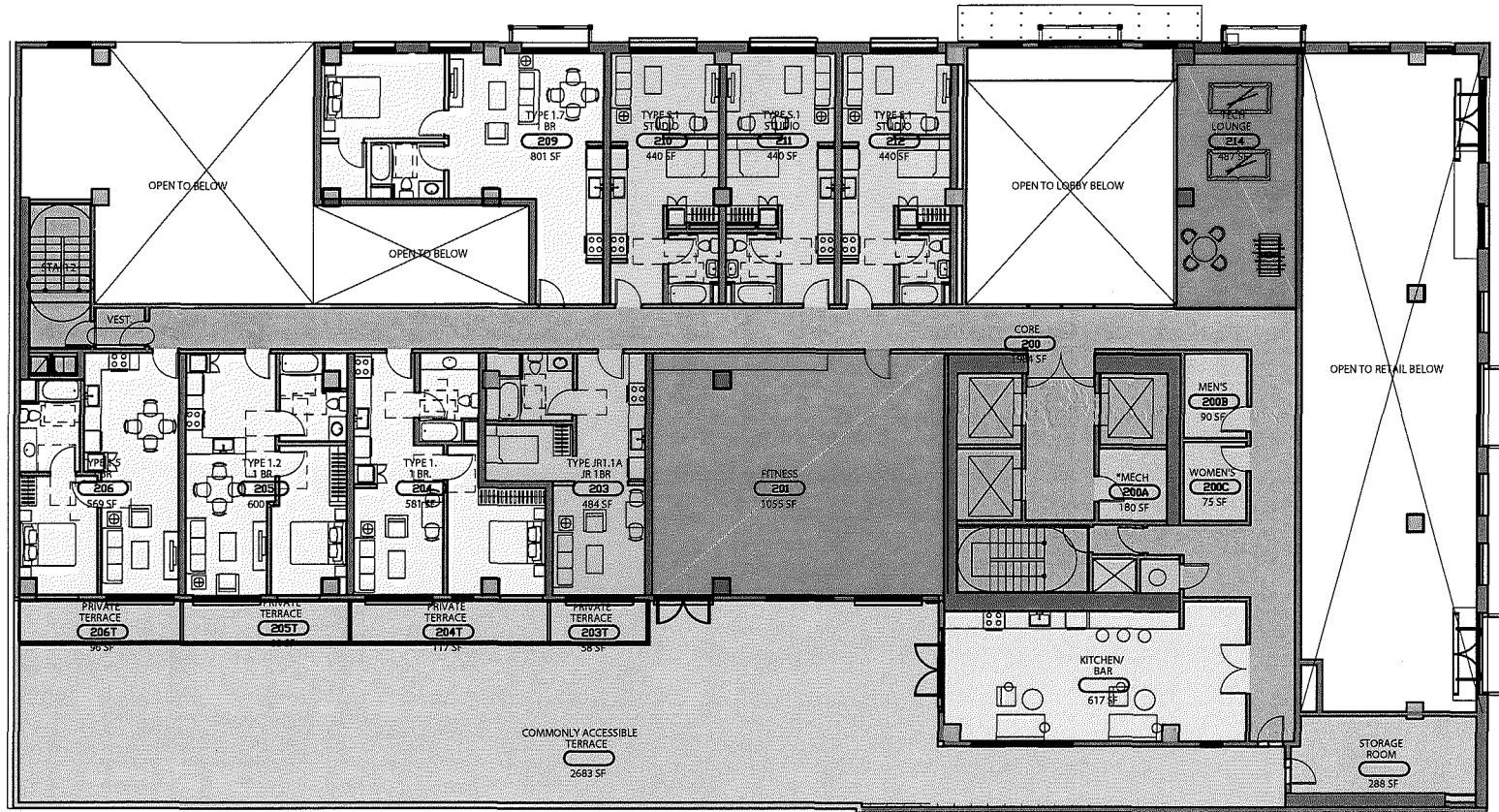
Figure 3
Ground Floor Plan



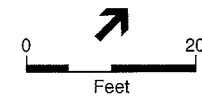
SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

Figure 4
Basement Plan – Proposed Project



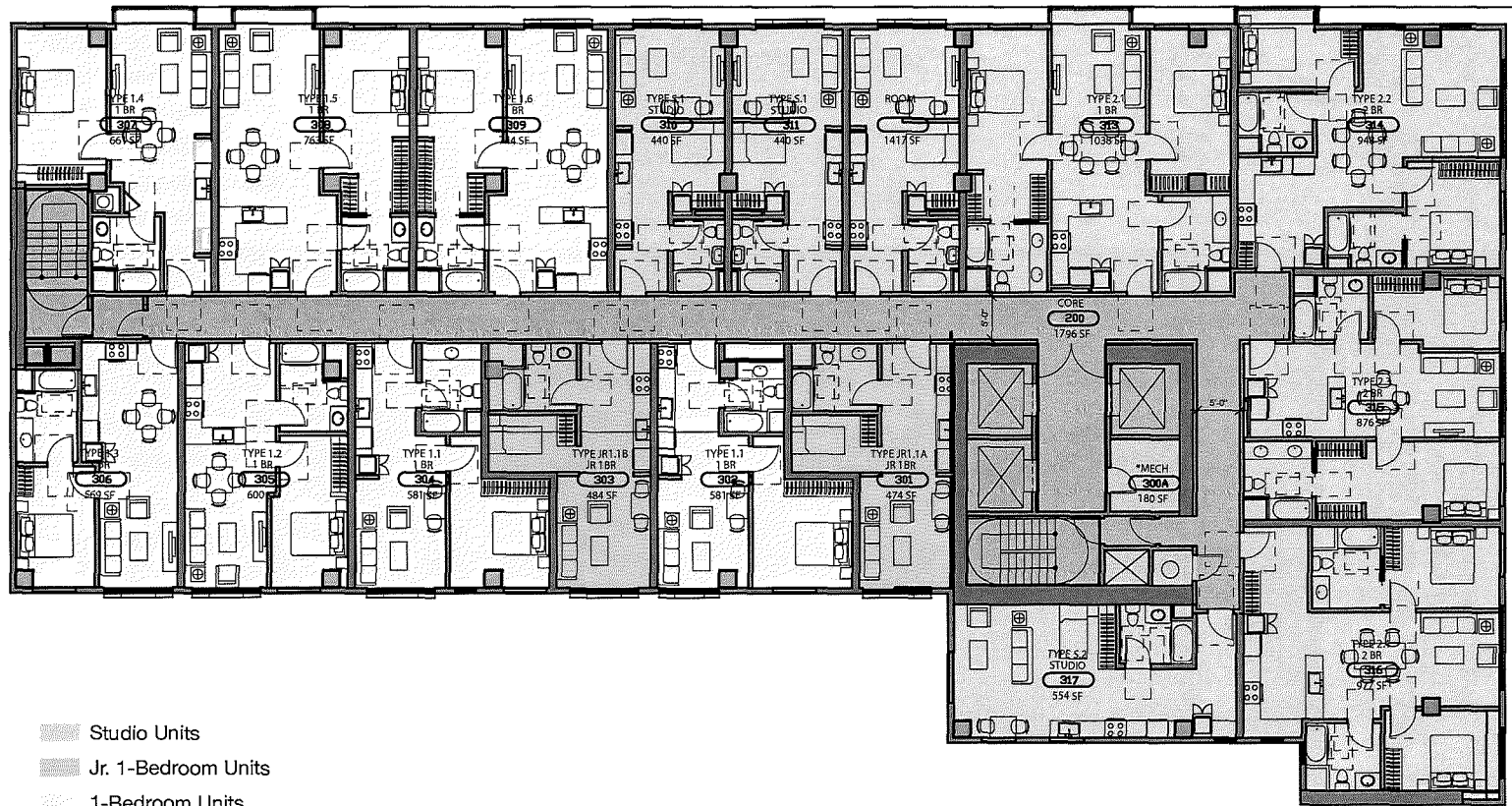
- Studio Units
- Jr. 1-Bedroom Units
- 1-Bedroom Units
- Fitness Room
- Kitchen
- Lounge
- Terrace



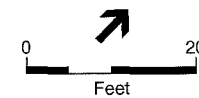
SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

Figure 5
Second Floor Plan – Proposed Project



- Studio Units
- Jr. 1-Bedroom Units
- 1-Bedroom Units
- 2-Bedroom Units



SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

Figure 6

Upper Level Floor Plan – Proposed Project

The proposed structure would be approximately 120 feet in height to the roof, with the parapet extending an additional 4 feet above the roofline, and mechanical and stair/elevator penthouses extending up to 20 feet above the roof height.⁵ **Figure 7**, p. 10 depicts the proposed project elevations.

The proposed building would be constructed using reinforced, poured-in-place concrete with post-tensioned slabs in a contemporary architectural style, employing precast concrete, brick, metal, and glass as the primary building materials. Along the primary facades on Mission and Laskie streets, the proposed design would include a predominately brick base of five stories. The two-story, ground-floor retail/restaurant space and residential lobby would be differentiated with stone tile and articulated by a horizontal belt coursing separating the ground floor uses from the residential uses above. The ground floor level would include large glass storefronts, framed in aluminum, with each retail space separated by stone tile-clad piers. A canopy would hang over the residential entryway, along the Laskie Street facade.

Architecturally, the building would be composed of a classic base, middle, and top with differentiating materials of brick and precast concrete with horizontal belt coursing and a terminating cornice. The primary façades for the residential floors of the building, including the more transparent corner at Mission and Laskie streets, would be composed of three façade systems including a precast wall system with a combination of brick and opaque panels, glass and aluminum bay windows, and ornamental Juliet balconies. Operable windows would be located throughout the facades for light, air, and rescue. A precast concrete parapet would extend above the roof line around the perimeter of the building.

200-Foot-Tall Building (Variant 1)

As a variant to the proposed project described above, the project sponsor is also considering a taller building. Variant 1 would entail construction of a 200-foot-tall, 21-story building that would contain up to approximately 299 dwelling units in a combination of studios and one-, two-, and three-bedroom units. The residential unit mix would consist of approximately 75 studios (25 percent of the total), 157 one-bedroom units (inclusive of 59 junior one-bedroom units; 53 percent of the total), 56 two-bedroom units (19 percent), and 11 three-bedroom units (4 percent).

As part of Variant 1, the project sponsor proposes both an amendment to the existing 120-X Height and Bulk District, which allows a 120-foot maximum height with no bulk limits, to allow building heights up to 200 feet, and the creation of the Mission/Ninth Street Affordable Housing Special Use District (SUD). The SUD would permit building heights greater than 120 feet for projects, such as Variant 1, that provide affordable housing at a rate of 20 percent of units on-site, of which 12 percent would be affordable to households earning up to 55 percent of Area Median Income (AMI), 4 percent to households earning up to 70 percent AMI, and 4 percent earning up to 90 percent AMI. This would be in excess of the requirement of *Planning Code* Section 415.3 that 13.5 percent of on-site dwelling units be affordable units. The specific percentage of affordable units may be changed by the Board of Supervisors as part of its deliberations on approval of the SUD. The SUD would also permit a certain portion of the usable open space required pursuant to *Planning Code* Section 135 to be provided off-site, either within the SUD or

⁵ These roof-top features are exempt from the height limit, pursuant to *Planning Code* Sec. 260(b)(1)(F).



SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street
Figure 7
 Elevations – Proposed Project

within 900 feet of the project site, and would waive the floor area ratio (FAR) limits otherwise applicable for projects that comply with the SUD's affordable housing requirements. As under the proposed project, Variant 1 would have a parapet extending an additional 4 feet above the roofline and mechanical and stair/elevator penthouses extending up to 20 feet above the roof height.⁶ The ground floor would be similar to that under the proposed project, with comparable retail/restaurant space and other uses. As with the proposed project, 200 Class 1 bicycle spaces would be provided on the ground floor to accommodate the units, and 10 Class 2 bicycle racks to accommodate 20 bicycle parking spaces would be provided on the Mission Street sidewalk; these bicycle spaces would exceed *Planning Code* requirements. Vehicle parking would be slightly less than that under the proposed project, with 76 off-street spaces.

Figure 8, p. 12, depicts proposed elevations for Variant 1. Variant 1 would provide open space in the same amount and configuration as the proposed project. Because the greater number of residential units under Variant 1 would require more usable open space pursuant to *Planning Code* Section 135, Variant 1 would provide improvements on the adjacent Laskie Street right-of-way to meet the portion of the additional usable open space required, as permitted under the SUD that is being requested for Variant 1.

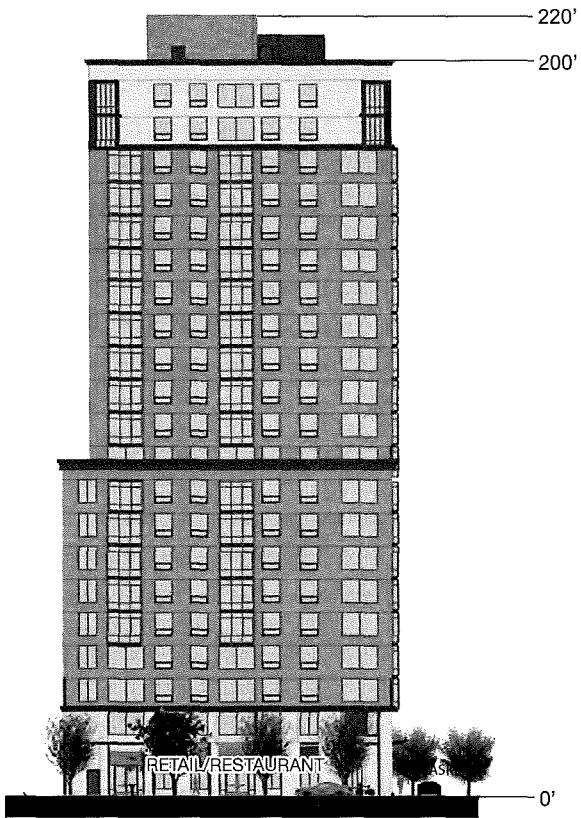
The proposed project and Variant 1 are subject to CEQA Section 21099(d), which eliminates aesthetics as an impact that can be considered in determining the significance of physical environmental effects for projects meeting certain criteria. Accordingly, this Initial Study does not contain a separate discussion of the topic of aesthetics. Photo simulations of the proposed project and Variant 1 are provided, herein, for informational purposes only. These visual simulations were prepared by the project architect to illustrate the proposed project and Variant 1 from the most prominent public vantage points once implemented (see **Figure 9**, p. 13, and **Figure 10**, p. 14). See p. 30 for further discussion of Section 21099.

Common Elements of the Proposed Project and Variant 1

Open Space

Open space for project residents under both the proposed project and Variant 1 would be provided atop the building in the form of a commonly-accessible roof deck of approximately 10,025 square feet for the proposed project and approximately 8,380 square feet for Variant 1 (see **Figure 11**, p. 15). Variant 1 also would have an approximately 1,445 square-foot terrace on the 10th floor, of which 1,380 square feet would count towards the project's open space requirements. The proposed project and Variant 1 would have additional commonly-accessible open space on the second floor (first residential level); the former with approximately 2,683 square feet and the latter with approximately 2,292 square feet, which would allow for light and air to reach the residential units on the south side of the building (see **Figure 5**, p. 7). However, because the second-floor open space would not comply with the exposure requirements of the *Planning Code*, a variance from Section 135(g)(2) is required to allow the second-floor open space to be counted as usable open space. As only 9,360 square feet of commonly-accessible open space is required for the proposed project (at 48 square feet per unit), the roof deck on the proposed project would meet the *Planning Code* requirement.

⁶ These roof-top features are exempt from the height limit, pursuant to *Planning Code* Sec. 260(b)(1)(F).



MISSION STREET ELEVATION

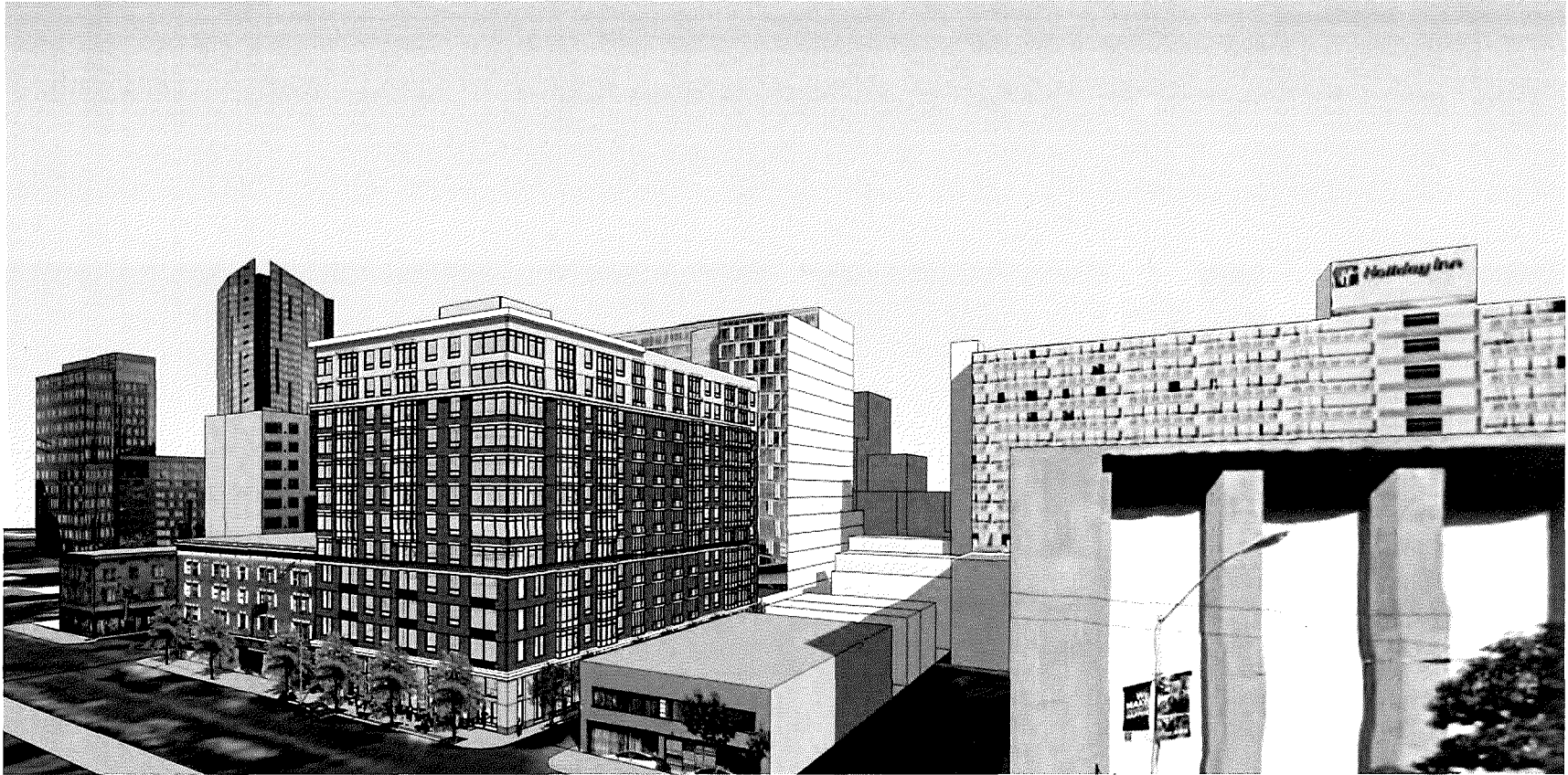


LASKI E STREET ELEVATION

SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

Figure 8
Elevations – Variant 1

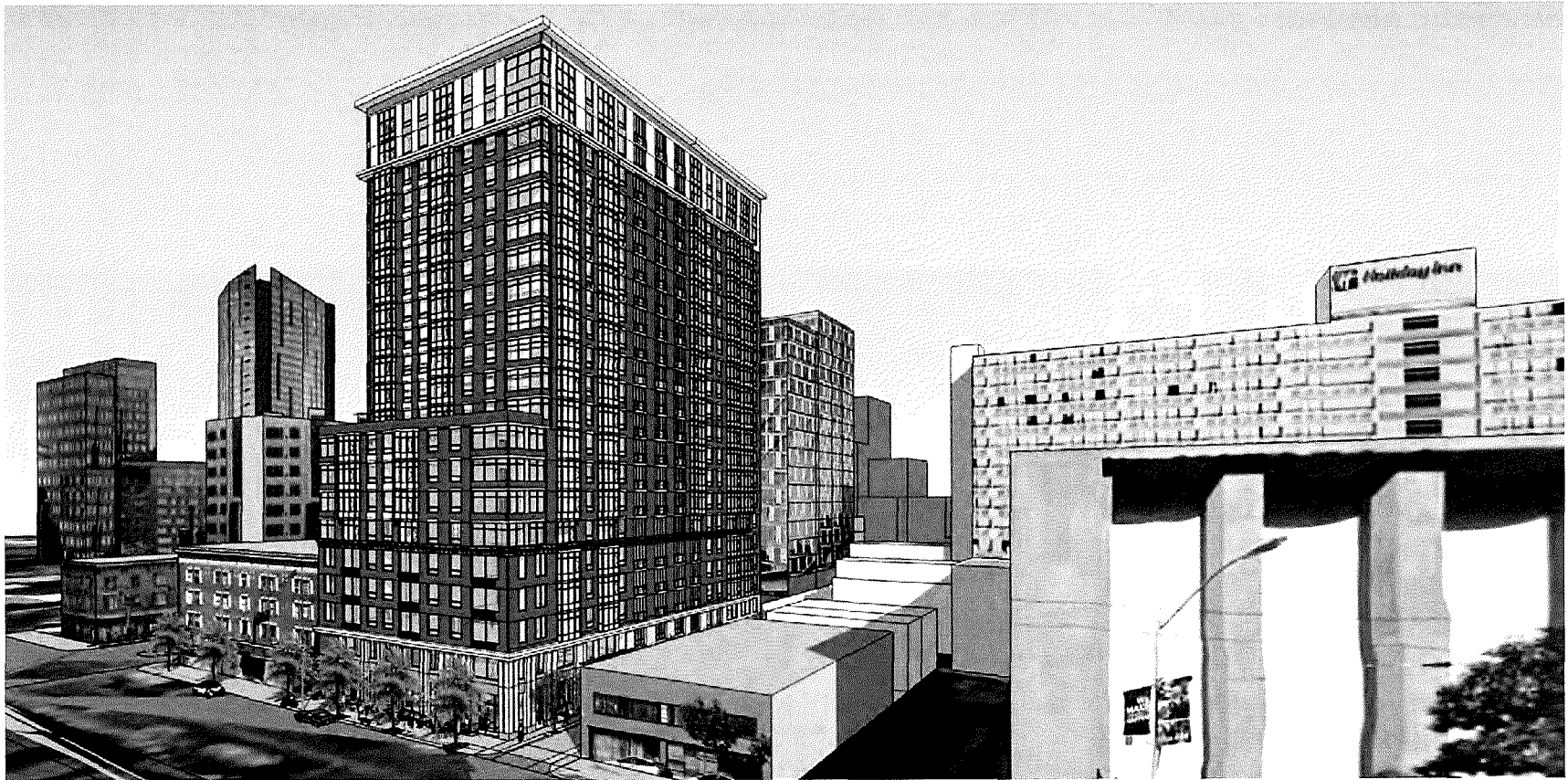


SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

Figure 9

Rendering – Proposed Project
View of Mission and Laskie Street Facades



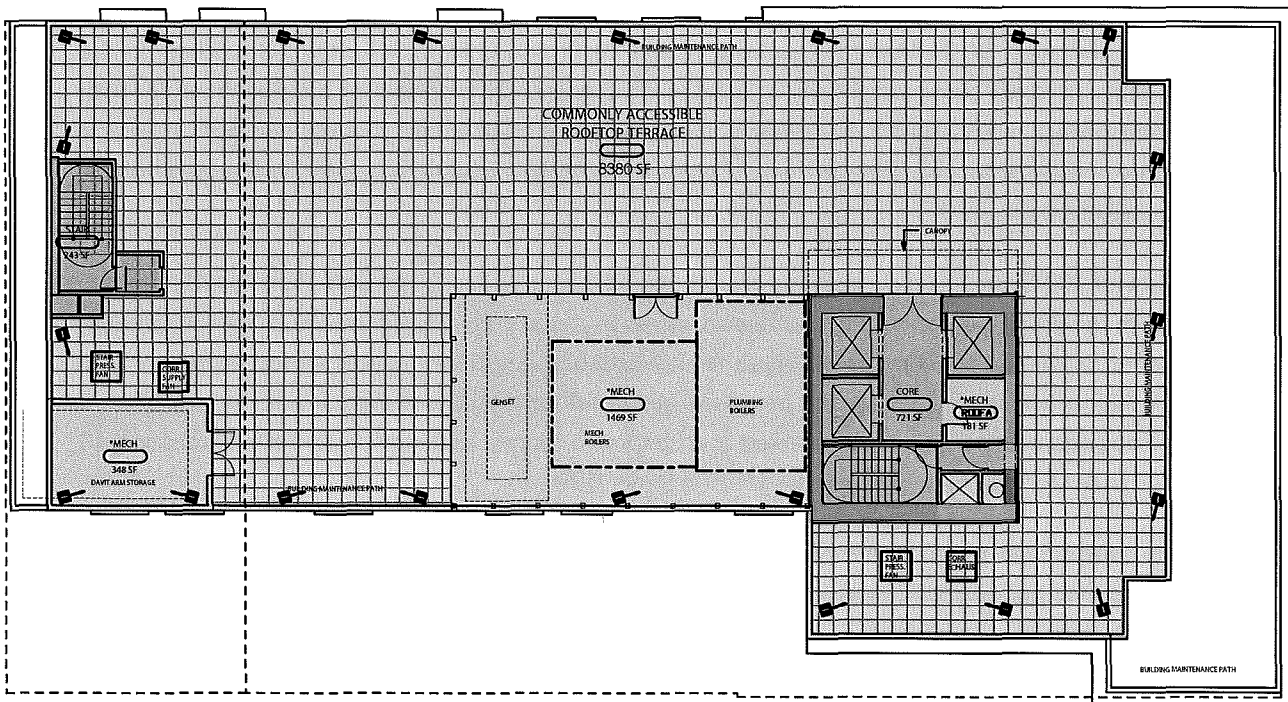
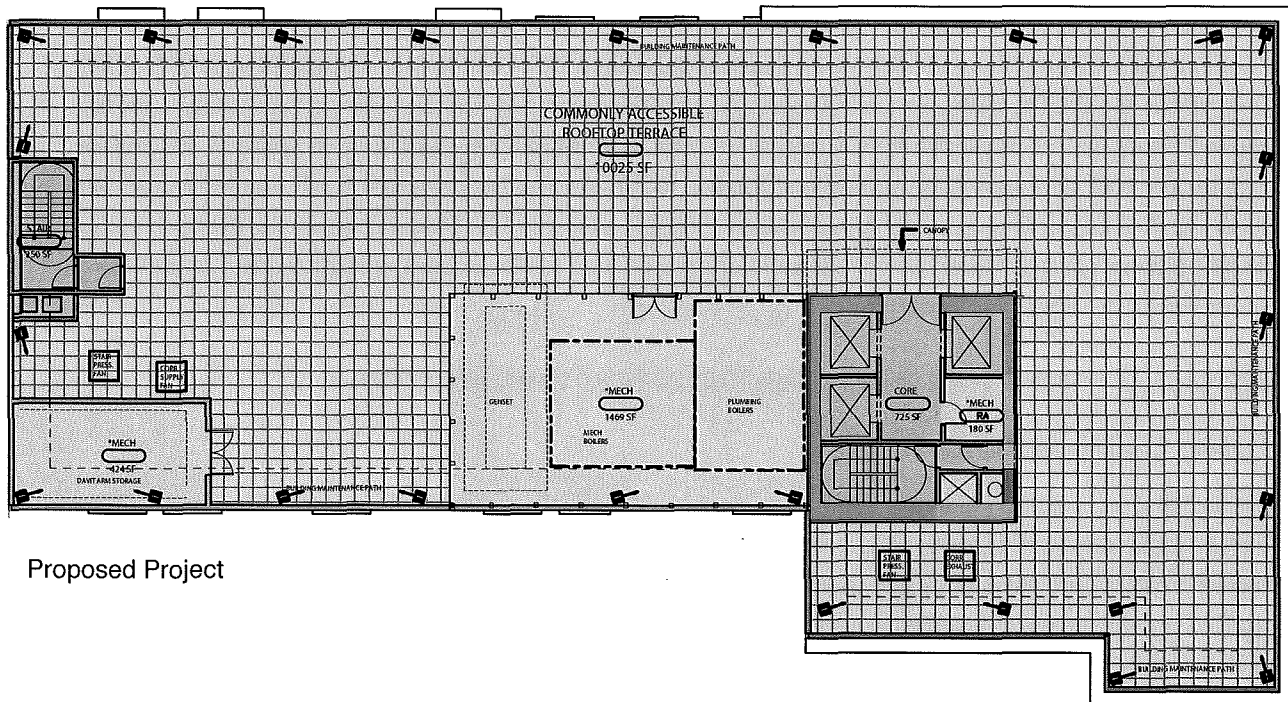
SOURCE: Architecture International

2014-0926ENV: 1270 Mission Street

Figure 10

Rendering – Variant 1

View of Mission and Laskie Street Facades



For Variant 1, only the commonly-accessible roof deck and 10th floor terrace would count towards the *Planning Code* commonly-accessible open space requirement of 14,016 square feet (at 48 square feet per unit minus the 2 units with private balconies on the 21st floor and 5 units with private terraces on the second floor). As the approximately 9,760 square feet of commonly-accessible open space (8,380 square feet for the roof deck and 1,380 square feet for the 10th floor terrace) proposed for Variant 1 would not meet the *Planning Code* requirement, per Section 135(f)(2), a Special Use District permitting the open space improvements constructed on Laskie Street to offset a portion of the amount of required residential open space would be sought for Variant 1.⁷

Table 1, p. 17, summarizes the characteristics of the proposed project and Variant 1.

Parking, Loading, and Bicycle Facilities

The existing surface parking on the project site contains 33 publicly-accessible off-street parking spaces. This lot would be removed as part of the proposed project and Variant 1. The proposed project and Variant 1 would create a curb cut and garage door opening of 15 feet in width along Laskie Street, which would be used to provide access to a vehicular ramp into the parking garage. (The existing driveway on Laskie Street that currently serves the surface parking lot is about 25 feet wide.) Under the proposed project the garage would contain 76 vehicle parking spaces, and under Variant 1 the garage would contain 73 parking spaces. Both the proposed project and Variant 1 would include three ADA-accessible parking spaces and two car-share spaces, and most of the standard parking would be provided in driver-activated stackers in the basement. Three on-street commercial (yellow zone) loading spaces are proposed on Mission Street for both the proposed project and Variant 1. In addition, the proposed project would provide one service vehicle loading space in the garage, and Variant 1 would provide one freight loading space and two service vehicle loading spaces in the garage.

A minimum of 200 Class 1 bicycle parking spaces would be provided in ground-floor bicycle storage areas for both the proposed project Variant 1, with access from the pedestrian entrance on Laskie Street as well as a door located on Mission Street. These vehicle and bicycle parking spaces would be available to building residents and employees of the proposed ground-floor retail/restaurant space. Sixteen Class 2 bicycle parking spaces for the proposed project and 20 Class 2 bicycle parking spaces for Variant 1 would be provided in the form of bike racks on the Mission Street sidewalk.

During the construction phase of the proposed project and Variant 1, worker parking would occur off-site. No designated parking for construction workers would be provided and they would be expected to park on the street or in nearby garages, or to use transit.

⁷ Even if a Variance from Section 135(g)(2) is sought to allow the second floor open space to be counted as usable open space, the project would still fall short of the total open space requirements.

TABLE 1
PROJECT CHARACTERISTICS AND PLANNING CODE COMPLIANCE

Project Component	Proposed Project: Gross Building Area	Variant 1: Gross Building Area
Residential	127,225 sq. ft.	198,227 sq. ft.
Retail	2,012 sq. ft.	2,012 sq. ft.
Lobby	1,305 sq. ft.	1,314 sq. ft.
Vehicle Parking ^a	19,484 sq. ft.	19,042 sq. ft.
Bicycle Parking	1,635 sq. ft.	1,635 sq. ft.
Bldg. Services ^b	36,935 sq. ft.	51,454 sq. ft.
TOTAL	188,596 sq. ft.	273,684 sq. ft.
Residential Open Space (common)	10,025 sq. ft. ^c	9,560 sq. ft. ^d
Required Residential Open Space ^e (common)	9,360 sq. ft.	14,352 sq. ft. ^f
Project Component	Proposed Project	Variant 1
Dwelling Units (total)	195	299
Studios	47	75
Jr. one-bedroom units	23	59
One-bedroom units	81	98
Two-bedroom units	44	56
Three-bedroom units	0	11
Parking Spaces		
Auto ^g	76 (98 principally permitted)	76 (150 principally permitted)
Bicycle (Class 1)	200 (124 required)	200 (150 required)
Bicycle (Class 2 sidewalk bike spaces)	16 (10 required)	20 (15 required)
Height of Building ^h	120 feet	200 feet
Number of Stories	13	21

^a Includes ramp to garage and garage circulation space in the basement.

^b Includes common areas and back of house services.

^c The commonly-accessible residential open space provided includes only the *Planning Code*-compliant roof deck.

^d The commonly-accessible residential open space provided includes only the *Planning Code*-compliant roof deck and 10th floor terrace (8,380 square feet for the roof deck and 1,380 square feet for the 10th floor terrace).

^e Per *Planning Code* Section 138(b).

^f Remainder of Variant 1 open space requirement would be provided off-site, in form of improvements to the Laskie Street right-of-way, in accordance with the proposed special use district.

^g Includes two car-shares space and three ADA-accessible spaces.

^h Excludes elevator/stair penthouse, parapet, and various rooftop elements.

SOURCE: Architecture International, 2016.

Streetscape Plan

Both building options include proposed streetscape improvements that would adhere to the *Better Streets Plan*. The pedestrian right of way on Mission Street would include four new street trees (spaced

approximately 20 feet apart) with tree grates; 16 new Class 2 bicycle spaces (8 bike racks) for the proposed project and 20 new Class 2 bicycle spaces (10 bike racks) for Variant 1; and repaving of the sidewalk. Specific improvements along Laskie Street would include a single-surface “shared street” from Mission Street to immediately north of the project garage driveway. This “shared street” would entail raising the elevation of Laskie Street to meet the elevation of the existing sidewalks; removing and replacing the existing raised concrete sidewalks along both sides of the roadway with a 3-foot by 3-inch-wide visual/tactile detection strip to delineate pedestrian and vehicular zones; removing the existing street trees and planting at least 10 new street trees (spaced approximately 20 feet apart) with tree grates; potentially relocating existing light poles, and adding pedestrian lighting along the roadway. In addition, these plans would include a raised crosswalk along Laskie Street at the intersection of Mission Street, which would accommodate east-west pedestrian traffic along the north side of Mission Street and serve as a traffic calming device since vehicles would be required to slow down considerably prior to entering or exiting Laskie Street.

Landscaping

As part of the proposed project and Variant 1, the eight existing street trees would be removed and at least 14 new trees would be planted along Mission and Laskie streets in accordance with *Planning Code* Section 138.1(c)(1). On the Laskie Street frontage, the project sponsor would plant at least ten new street trees on both sides of Laskie Street (five on each side) starting up to 75 feet from Mission Street. In addition, four new street trees would be planted along the Mission Street frontage, replacing four existing trees. All of the new street trees would have decorative metal grates covering the soil and surrounding the tree trunk. Decorative paving would also be installed along the curb line of the Mission Street frontage, between the street trees.

Foundation and Excavation

The proposed project and Variant 1 would entail excavation to a depth of approximately 20 feet to accommodate the below-grade parking level and foundation, and a small area of an additional four feet of excavation to accommodate the proposed elevator pit. Total excavation would be up to about 12,000 cubic yards. The proposed project and Variant 1 would likely be constructed on a mat foundation; depending on the soil conditions identified beneath the site when soil borings are conducted, soil improvement (e.g., deep soil mixing or drilled displacement columns) may be required to improve the bearing capacity of a relatively thin liquefiable layer of sand that other nearby geotechnical explorations have identified may exist not far beneath the proposed foundation depth.

Construction Schedule

Demolition and construction of the proposed project is estimated to take approximately 22 months and construction of Variant 1 is estimated to take approximately 24 months.

Approvals Required for the Proposed Project and Variant 1

Planning Commission

- Approval of a Downtown Project Authorization from the Planning Commission per *Planning Code* Section 309 for projects within a C-3 zoning district over 50,000 square feet in area or over 75 feet in height, and for granting exceptions to the requirements of certain sections of the *Planning Code*.
- Approval of an exception, pursuant to *Planning Code* Section 309, from requirements of *Planning Code* Section 134(e) governing the configuration of rear yards, to provide open space in a configuration other than a rear yard (i.e., resident-only accessible open spaces on the roof and at the second story).
- Approval of an exception, pursuant to *Planning Code* Section 309, from the pedestrian wind comfort requirements of *Planning Code* Section 148.
- Approval of Conditional Use authorization from the Planning Commission under *Planning Code* Section 124(f) to exclude the on-site affordable units from the calculation of gross floor area.

Zoning Administrator

- Variance from the dwelling unit exposure requirements of *Planning Code* Section 140(a)(2) for those units that would have only windows facing onto the second-floor outdoor terrace.
- Variance from open space requirements of *Planning Code* Section 135(g)(2) for the proposed second floor terrace that does not meet exposure requirements.

Department of Building Inspection

- Review and approval of demolition and building permits.
- If any night construction work is proposed that would result in noise greater than five dBA above ambient noise levels, approval of a permit for nighttime construction.

Department of Public Works

- Approval of a subdivision map to combine the two on-site parcels into a single parcel, pursuant to the City's *Subdivision Code*.
- If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), approval of a street space permit from the Bureau of Street Use and Mapping.
- Approval of construction within the public right-of-way (e.g., bulb-outs and sidewalk extensions) to ensure consistency with the Better Streets Plan.

San Francisco Municipal Transportation Agency

- Approval of the placement of bicycle racks on the sidewalk, and of other sidewalk improvements, by the Sustainable Streets Division.
- If sidewalk(s) are used for construction staging and pedestrian walkways are constructed in the curb lane(s), approval of a special traffic permit from the Sustainable Streets Division.

- Approval of construction within the public right-of-way (e.g., bulb-outs and sidewalk extensions) to ensure consistency with the Better Streets Plan.
- Approval of the three on-street commercial (yellow zone) loading spaces proposed on Mission Street.

San Francisco Public Utilities Commission

- Approval of any changes to sewer laterals (connections to the City sewer).
- Approval of an Erosion and Sediment Control Plan, in accordance with Article 4.1 of the *San Francisco Public Works Code*
- Approval of post-construction stormwater design guidelines, including a stormwater control plan that complies with the City's Stormwater Design Guidelines.

Additional Approvals Required for Variant 1

Actions by the Board of Supervisors

- *Planning Code Amendments for Height District Reclassification*: The building height of Variant 1 would exceed the height limit of the existing 120-X Height and Bulk District. The Board of Supervisors would need to approve an amendment to the Zoning Map Height and Bulk Districts (Sheet HT01) pursuant to *Planning Code* Section 302.
- Approval of a Special Use District (i) requiring that buildings in excess of 120 feet in height include a number of on-site inclusionary affordable units greater than the current 13.5 percent on-site requirement of *Planning Code* Section 415.3; (ii) permitting open space improvements constructed off-site on Laskie Street to meet a portion of *Planning Code*-required residential open space for Variant 1 (Section 135(f)(2)); and (iii) permitting FAR in excess of the 6.0 to 1 otherwise established in *Planning Code* Section 210.2 for residential projects, such as Variant 1, that comply with the SUD's affordable housing requirements.

Actions by the Planning Commission

- Recommendation to the Board of Supervisors to Approve Amendments for Height District Reclassification and a Special Use District, described above.

B. PROJECT SETTING

As noted above, the project site is located within the SoMa neighborhood, which is generally bounded by Market to the north, Highway 101 to the west, 16th Street to the south, and San Francisco Bay to the east. The project site is bounded by Mission Street to the south, three existing buildings abutting the lot line to the west, a new 17-story mixed-use building to the north, and Laskie Street to the east. The project site also is within the Downtown Area Plan of the *General Plan*. The SoMa neighborhood is a densely built area that contains a variety of uses including neighborhood-serving retail uses on the ground level of residential buildings, as well as public utility buildings, hotels, community facilities, commercial and office buildings, production, distribution, and repair uses—including but not limited to light industrial, auto repair, trucking, wholesaling, and arts activities, such as performance spaces, studios, and workshops—and a few

public parks. The SoMa neighborhood is relatively large and contains a mix of low- to high-rise buildings. While the project site is located adjacent to a mix of 2- to 6-story buildings, the project block includes the recently constructed, 17-story, approximately 130-foot-tall residential building located at 55 Ninth Street, known as the Ava building.

Land uses immediately surrounding the project site consist primarily of neighborhood-serving retail uses on the ground level with residential above, as well as hotel, office, community facility, and public utility land uses. The nearest residential buildings include the Ava building, noted above, as well as the recently completed Panoramic, an 11-story, approximately 120-foot-tall mixed-use residential building located one-half block west of the project site at 1321 Mission Street. Additional recently constructed nearby residential buildings one block east of the project site include the Soma Grand, a 22-story building with ground-floor retail located at 1160 Mission Street, and two of the proposed four residential towers for the Trinity Place development, one of which is the 24-story building located at 1188 Mission Street and the 19-story building located at 1190 Mission Street.

Vegetation in the area is generally limited to street trees. Nearby public parks and open spaces include U.N. Plaza, about 0.19 miles north of the project site; Civic Center Plaza, also about 0.19 miles north of the project site; Boeddeker Park, about 0.52 miles northeast of the project site; Howard & Langton Mini Park, about 0.24 miles southeast of the project site; Victoria Manalo Draves Park, about 0.41 miles southeast of the project site; and the Gene Friend Recreation Center, about 0.44 miles southeast of the project site.

The closest state highway to the project site is U.S. Highway 101, located three blocks west. Interstate 80 is located about four blocks south of the project site. The Western SoMa Special Use District lies one-half block south of the project site, while the Van Ness and Market Downtown Residential Special Use District lies one-half block west of the project site. Lastly, the project site is located one-half block north of the Western SoMa Light Industrial and Residential Historic District, which is pending listing on the State and National Register of Historic Places (S/NR), and one block south of the San Francisco Civic Center Historic District.⁸

Cumulative Setting

Past, present and reasonably foreseeable cumulative development projects within the vicinity of the project site are listed below in **Table 2: Cumulative Projects in Vicinity of Project Site** and mapped on **Figure 12**. These cumulative projects, several of which are associated with the Market Street Hub Project—a transit-oriented, high-density, mixed-use neighborhood around the intersections of Market Street and Van Ness Avenue—are either under construction or the subject of an Environmental Evaluation Application on file with the Planning Department.

In addition to the cumulative projects identified in Table 2, the following transportation infrastructure project is also considered part of the cumulative setting:

⁸ The San Francisco Civic Center Historic District is a locally designated Landmark District, is listed on the State and National Registers of Historic Places, and is a designated National Historic Landmark.

- **Van Ness Avenue BRT Project:** This project will implement Bus Rapid Transit (BRT) improvements along a two-mile stretch of Van Ness Avenue from Mission Street to North Point Street, including replacing the overhead wire system, constructing dedicated bus lanes, and building new bus stations. Additional components of the project include pedestrian safety improvements, utility replacement and street repaving, and new landscaping and lighting.

TABLE 2
CUMULATIVE PROJECTS IN VICINITY OF PROJECT SITE

	Address	Case File No.	Dwelling Units	Office (gsf)	Commercial (gsf)	Hotel (rooms)
1	30 Van Ness Avenue ^a	2015-008571GPR				
2	22 Franklin Street	2013.1005E	24		2,120	
3	One Oak Street (formerly 1510-1540 Market Street) Street	2009.0159E	320		12,970	
4	1546-1564 Market Street	2012.0877E	109		4,900	
5	1629 Market Street	2015-005848ENV	584	27,300	9,275	
6	1699 Market Street	2014-0484E	162		3,937	
7	1700 Market Street	2013.1179E	42		1,753	
8	1740 Market Street	2014.0409E	100		4,385	
9	1390 Market Street (Fox Plaza Expansion)	2005.0979E	230	449,818	17,500	
10	10 South Van Ness (Honda Site)	2015-004568ENV	767		20,400	
11	1500-1580 Mission Street (Goodwill site) ^b	2014-000362ENV	560	454,195	31,447	
12	30 Otis Street ^c	2015-010013PPA	354		4,600	
13	1601 Mission Street (Tower Car Wash)	2014.1121ENV	220		7,336	
14	1563 Mission Street	2014.0095E		40,600		
15	1532 Howard Street	2013.1305	15			
16	1298 Howard Street	2014.0011E	125	12,000	2,000	
17	1228 Folsom Street	2014.0964E	24		1,145	
18	1125 Mission Street	2014-002628ENV		36,000		
19	1125 Market Street	2013.0511E		19,510	5,560	160
20	150 Van Ness Avenue	2013.0973E	420		9,000	3
21	Trinity Place (Phase III) ^d	2014.1014E_3	541			
22	101 Polk Street	2011.0702E	162			
Totals			4,759	1,039,423	138,328	163

NOTES:

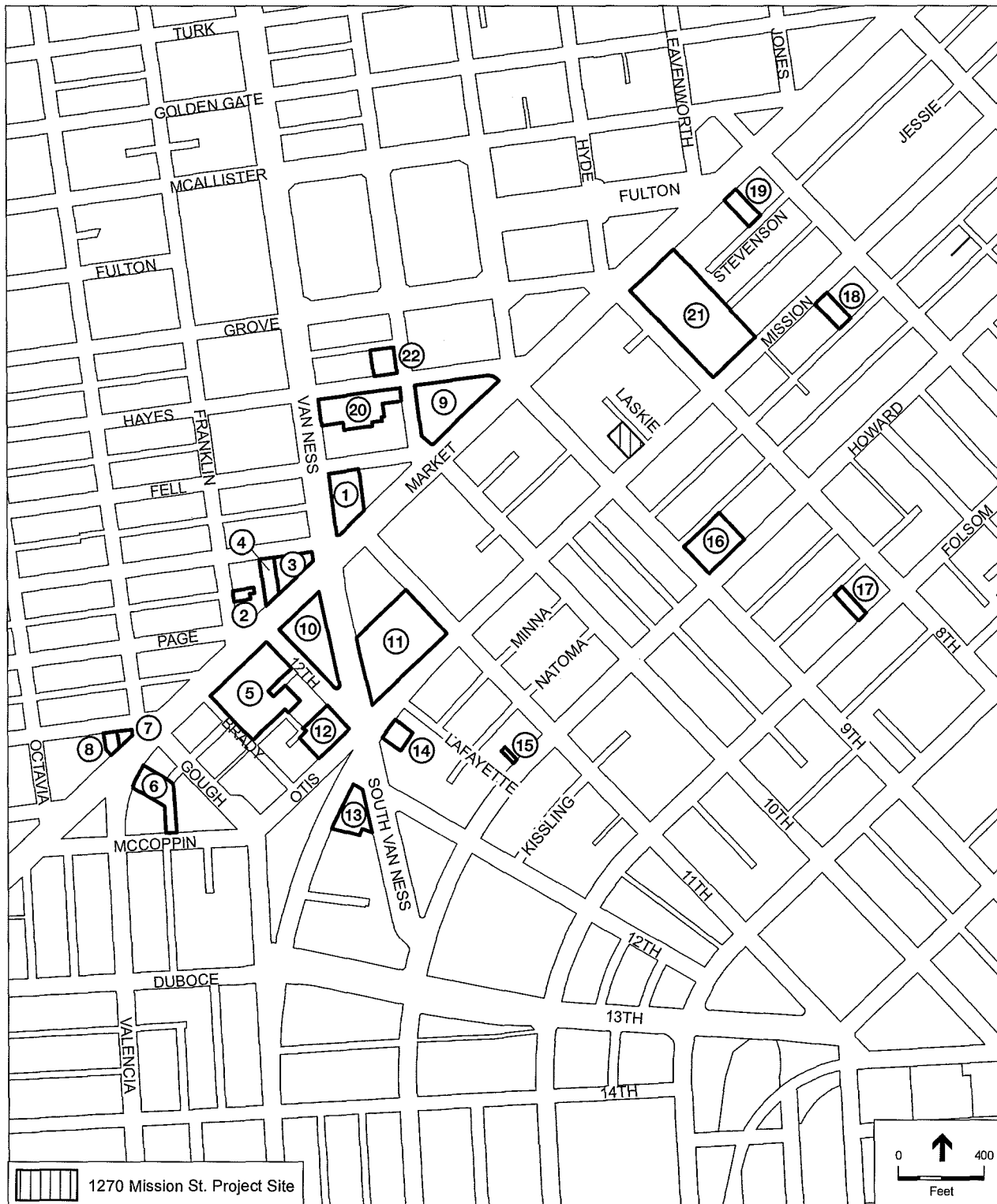
^a Although there is no current development program for 30 Van Ness Avenue, the project site is slated for future development.

^b This project includes an approximately 4,377 square foot child care facility.

^c This project includes approximately 13,125 sf for a ballet school that already exists on the site; therefore, it has not been included in the development program.

^d Documents available in PIM for Phase III of the Trinity Place development do not identify the retail sf for the project.

SOURCE: Unless otherwise specified, information obtained from San Francisco Planning Department Property Information Database and Active Permits in My Neighborhood Map. Available online at <http://propertymap.sfplanning.org/>. Accessed May 30, 2016.



SOURCE: San Francisco GIS

2014-0926ENV: 1270 Mission Street

Figure 12
Cumulative Projects

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	<i>Applicable</i>	<i>Not Applicable</i>
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

San Francisco Planning Code

The *Planning Code*, which incorporates by reference the City's Zoning Maps, governs permitted uses, densities, and the configuration of buildings in San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed action conforms to the *Planning Code*, or an exception is granted pursuant to provisions of the *Planning Code*.

The proposed project would comply with the existing height limit of the 120-X Height and Bulk District. However, the building height of Variant 1 would exceed the height limit of the existing 120-X Height and Bulk District; therefore, the Board of Supervisors would need to approve an amendment to the Zoning Map Height and Bulk Districts (Sheet HT01) pursuant to *Planning Code* Section 302 and the proposed Mission/Ninth Street Affordable Housing SUD in order for Variant 1 to be approved.

Allowable Uses

The project site is located in the C-3-G (Downtown – General) Zoning District, which covers the western portions of Downtown. As stated in *Planning Code* Section 210.2, the C-3-G Zoning District is composed of a variety of uses, including retail, offices, hotels, entertainment, clubs and institutions, and high-density residential. Many of these uses have a citywide or regional function, although the intensity of development is lower here than in the downtown core area further to the east.

The requirements associated with the C-3-G Zoning District are described in Section 210.2 of the *Planning Code* with references to other applicable articles of the *Planning Code* as necessary (for example, for provisions concerning parking, rear yards, street trees, etc.). As in the case of other Downtown districts, no off-street parking is required for individual residential or commercial buildings. In the vicinity of Market Street, the configuration of this district reflects easy accessibility by rapid transit. Any resulting potential impacts of the proposed project or Variant 1 and applicable *Planning Code* provisions are discussed below under the relevant topic headings.

Within the C-3-G district, retail uses (except formula retail, which requires Conditional Use authorization) on the ground floor and residential uses above the ground floor, as proposed by the project and Variant 1, are principally permitted.⁹

Affordable Housing

The proposed project would comply with the City's Inclusionary Affordable Housing Program (*Planning Code* Section 415 et seq.) requirements by including 26 below-market-rate units on-site (13.5 percent of the total units, as required by *Planning Code* Section 415.3). Variant 1 would exceed the affordable housing requirements by providing 60 below-market-rate units on-site (20 percent of total units) more than 13.5 percent of the total number of units within the project as affordable. The final amount of below market rate units is subject to change by the Board of Supervisors in connection with approval of the proposed SUD that would accommodate Variant 1.

Height and Bulk

The project site is located within a 120-X Height and Bulk District. This district allows a maximum building height of 120 feet and has no bulk limit. The proposed project would be 120 feet tall, as measured from the ground level to the top of the roof. Various rooftop elements under the proposed project would extend up to 20 feet above the top of the roof including a parapet extending approximately 4 feet beyond the height limit, as allowable under Section 260(b)(2)(A); stair and elevator penthouses that are exempt from the building height limit by up to 16 feet, as allowable under Section 260 (b)(1)(A); and additional building features to screen mechanical equipment from view that are exempt from the building height limit by up to 20 feet, as allowable under 260 (b)(1)(F) of the *Planning Code*. Similarly, Variant 1 also would have various rooftop elements, including a parapet extending approximately 4 feet beyond the height limit and additional building features to screen mechanical equipment from view that would extend 20 feet above the top of the roof. Since the building height of Variant 1 would exceed the height limit of the existing 120-X Height and Bulk District, an amendment to the Zoning Map Height and Bulk Districts would be required for Variant 1, as would the proposed Mission/Ninth Street Affordable Housing SUD, which would provide for exceptions to the 120-foot height limit for residential projects that comply with the SUD's affordable housing requirements.

Street Trees

Planning Code Section 138.1(c)(1) requires that for every 20 feet of property frontage along each street, one 24-inch box tree be planted, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. The proposed project and Variant 1, which would include a combined total of 268 feet of property frontage along Laskie and Mission Streets (175 feet and 93 feet of frontage, respectively), would comply with Section 138.1(c)(1) by planting four new street trees along Mission Street and 10 new street trees along Laskie Street (five on each side of the street).

⁹ *Planning Code* Section 210.2.

Open Space

The proposed project would provide an approximately 10,025-square-foot, commonly-accessible open space on the roof of the building. This would exceed the 9,360 square feet of common usable residential open space required under *Planning Code* Section 135. Variant 1 would provide an approximately 8,380-square-foot, commonly-accessible open space on the roof, as well as an approximately 1,380-square-foot, commonly-accessible terrace on the 10th floor. Together, these spaces would not meet the *Planning Code* requirement for approximately 14,000 (8 units provide private open space, therefore the remaining 291 units require at least 48 square feet of common usable open space). Accordingly, the project sponsor is proposing a Special Use District that, among other things, would allow for a portion of the *Planning Code* residential open space requirement to be provided off site. In the case of Variant 1, the proposed Laskie Street streetscape improvements would fulfill the remainder of the *Planning Code* open space requirement. Both the proposed project and Variant 1 would have additional commonly-accessible open space on the second floor that would be open to the sky but that would not meet *Planning Code* exposure standards and thus would require a Variance to be counted towards the *Planning Code* open space requirement.

Rear Yard Requirements

Planning Code Section 134 requires a rear yard equivalent to 25 percent of total lot depth at all residential levels. The proposed project and Variant 1 would not provide open space within a rear yard and, therefore, the project applicant is requesting an exception to the rear yard requirements of *Planning Code* Section 134(e), pursuant to the procedures of Section 309, to allow for open space in a configuration other than a rear yard.

Parking and Loading

According to *Planning Code* Sections 151.1 and 210.2, off-street parking for residential or commercial uses in the C-3-G district is not required; however, for residential uses, up to 0.5 parking spaces per unit are principally permitted, which would allow a maximum of 98 parking spaces for the proposed project and 150 parking spaces for Variant 1. With a Conditional Use authorization, up to 0.75 parking spaces per unit is permitted. For retail uses, according to *Planning Code* Section 151.1, parking may not exceed seven percent of the gross floor area of the retail space. The proposed project would include 76 parking and loading spaces for the residential units, including two car-share spaces¹⁰, three ADA-accessible spaces, and one service vehicle loading space. Variant 1 would include 76 parking and loading spaces for the residential units, including two car-share spaces, three ADA-accessible spaces, and two service vehicle loading spaces. Therefore, both the proposed project and Variant 1 would comply with Section 151.1. No parking is proposed for the retail use.

For new residential buildings containing more than 100 dwelling units, *Planning Code* Section 155.2 requires 100 Class 1 bicycle spaces (bicycle locker or space in a secure room) plus one Class 1 bicycle space for every four dwelling units over 100, and one Class 2 bicycle space (publicly-accessible bicycle

¹⁰ Car-share spaces do not count towards parking maximums, per *Planning Code* Section 151.1(d).

rack) for each 20 units. Therefore, the requirements for the residential use component of the proposed project would be 124 Class 1 bicycle spaces and 10 Class 2 bicycle spaces, and the requirements for Variant 1 would be 150 Class 1 bicycle spaces and 15 Class 2 bicycle spaces. Section 155.2 also requires one Class 1 bicycle space for each 7,500 square feet of occupied retail space and a minimum of two Class 2 bicycle spaces or one for each 750 square feet of occupied restaurant space. As only 2,012 square feet of retail/restaurant is provided for both the proposed project and Variant 1, no Class 1 and three Class 2 bicycle parking spaces are required for the retail/restaurant use. Therefore, the proposed project would be required to provide 125 Class 1 bicycle parking spaces (125 for residential use and none for the retail/restaurant use), and 14 Class 2 bicycle parking spaces (11 for the residential use and three for the retail/restaurant use, assuming restaurant use), while Variant 1 would be required to provide 154 Class 1 bicycle parking spaces (154 for residential use and none for the retail/restaurant use), and 18 Class 2 bicycle parking spaces (15 for the residential use and three for the retail/restaurant use, assuming restaurant use). The proposed project and Variant 1 would provide 200 Class 1 bicycle spaces in secure ground-floor bicycle storage areas for the residential use. In addition, 16 Class 2 spaces for the proposed project and 20 Class 2 spaces for Variant 1 also would be provided on the sidewalk. Therefore, both the proposed project and Variant 1 would exceed the Section 155.2 requirements.

Planning Code Section 152.1 requires one off-street freight loading space for residential buildings greater than 100,000 square feet and less than 200,000 square feet, and two off-street freight loading spaces for residential buildings greater than 200,000 square feet and less than 500,000 square feet. The proposed project would provide one service vehicle loading space in the garage, which can be substituted for the freight loading space per Section 153(a) and 154(b) of the *Planning Code*. Variant 1 also would provide one freight loading space and two service vehicle loading spaces in the ground floor parking area, the latter of which is allowed per Section 153(a) and 154(b) of the *Planning Code*. Therefore, both the proposed project and Variant 1 would comply with Section 152.1 of the *Planning Code*. In addition, for the proposed project and Variant 1, the project sponsor would seek approval from the San Francisco Municipal Transportation Agency (SFMTA) to convert the three existing on-street metered parking spaces adjacent to the project site on the north side of Mission Street to an approximately 66-foot-long yellow zone for unmetered freight loading.

Plans and Policies

San Francisco General Plan

In addition to the *Planning Code*, the project site is subject to the *General Plan*. The *General Plan* provides general policies and objectives to guide land use decisions. The *General Plan* contains 10 elements (Commerce and Industry, Recreation and Open Space, Housing, Community Facilities, Urban Design, Environmental Protection, Transportation, Air Quality, Community Safety, and Arts) that set forth goals, policies, and objectives for the physical development of the city. In addition, the *General Plan* includes area plans that outline goals and objectives for specific geographic planning areas, such as the Van Ness Avenue Area Plan, which includes the project site.

A conflict between a proposed project and a *General Plan* policy does not, in itself, indicate a significant effect on the environment within the context of the California Environmental Quality Act (CEQA). Any physical environmental impacts that could result from such conflicts are analyzed in this Initial Study. In general, potential conflicts with the *General Plan* are considered by the decisions-makers (normally the Planning Commission) independently of the environmental review process. Thus, in addition to considering inconsistencies that affect environmental issues, the Planning Commission considers other potential inconsistencies with the *General Plan*, independently of the environmental review process, as part of the decision to approve or disapprove a proposed project. Any potential conflict not identified in this environmental document would be considered in that context and would not alter the physical environmental effects of the proposed project that are analyzed in this Initial Study.

The aim of the Downtown Area Plan is to encourage prime downtown office activities to grow, increase employment, retain a diverse base of support commercial activity in and near downtown, expand the supply of housing in and adjacent to downtown, create and maintain a comfortable pedestrian environment, create building forms that are visually interesting and harmonize with surrounding buildings, and create attractive urban streetscapes. Centered on Market and Mission Streets, the Plan covers an area roughly bounded by Van Ness Avenue to the west, Washington Street to the north, the Embarcadero to the east, and Folsom Street to the south. The Plan contains objectives and policies that address housing, urban form, safety and livability, streetscape, preservation, and transportation.

The proposed project and Variant 1 would not obviously or substantially conflict with any goals, policies, or objectives of the *General Plan*, including those of the Downtown Area Plan. The compatibility of the proposed project and Variant 1 with *General Plan* goals, policies, and objectives that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project and Variant 1. Any potential conflicts identified as part of the process would not alter the physical environmental effects of the proposed project and Variant 1.

Priority Policies

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the subsection of Section E of this Initial Study addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character (Topic 1, Land Use and Land Use Planning, Questions 1a, 1b, and 1c); (3) preservation and enhancement of affordable housing (Topic 2, Population and Housing, Question 2b, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (Topic 4, Transportation and Circulation, Questions 4a, 4b, and 4f); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (Topic 1, Land Use and Land Use Planning, Question 1c); (6) maximization of earthquake preparedness (Topic 13, Geology and Soils, Questions 13a through 13d); (7) landmark and historic building preservation (Topic 3, Cultural Resources, Question 3a); and (8) protection of open space (Topic 8, Wind and Shadow, Questions 8a and 8b; and Topic 9, Recreation, Questions 9a and 9c).

Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan*, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. As noted above, the consistency of the proposed project and Variant 1 with the environmental topics associated with the Priority Policies is discussed in Section E, Evaluation of Environmental Effects, of this Initial Study, providing information for use in the case report for the proposed project and Variant 1. The case report and approval motions for the proposed project and Variant 1 will contain the Department's comprehensive project analysis and findings regarding consistency of the proposed project and Variant 1 with the Priority Policies.

Regional Plans and Policies

The principal regional planning documents and the agencies that guide planning in the nine-county Bay Area are *Plan Bay Area*, the region's first Sustainable Communities Strategy, developed in accordance with Senate Bill 375 and adopted jointly by the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC); the Bay Area Air Quality Management District (BAAQMD)'s *2010 Clean Air Plan*; the San Francisco Regional Water Quality Control Board's *San Francisco Basin Plan*; and the *San Francisco Bay Plan*, adopted by the San Francisco Bay Conservation and Development Commission. Due to the relatively small size and infill nature of the proposed project and Variant 1, there would be no anticipated conflicts with regional plans.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below, for which mitigation measures would be required to reduce potentially significant impacts to less than significant. The following pages present a more detailed checklist and discussion of each environmental factor.

- | | | |
|---|--|---|
| <input type="checkbox"/> Land Use | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Geology and Soils |
| <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Wind and Shadow | <input type="checkbox"/> Hydrology and Water Quality |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Recreation | <input type="checkbox"/> Hazards/Hazardous Materials |
| <input type="checkbox"/> Transportation and Circulation | <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Mineral/Energy Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Public Services | <input type="checkbox"/> Agricultural/Forest Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mandatory Findings of Significance |
-

E. EVALUATION OF ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist that have been checked “Less than Significant with Mitigation Incorporated,” “Less than Significant Impact,” “No Impact” or “Not Applicable” indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that topic. A discussion is included for those issues checked “Less than Significant with Mitigation Incorporated” and “Less than Significant Impact” and for most items checked with “No Impact” or “Not Applicable.” For all of the items checked “Not Applicable” or “No Impact” without discussion, the conclusions regarding potential significant adverse environmental effects are based upon field observation, staff experience and expertise on similar projects, and/or standard reference material available within the Planning Department, such as the Department’s *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Wildlife. For each checklist item, the evaluation has considered the impacts of the proposed project and Variant 1 both individually and cumulatively.

Senate Bill 743 and CEQA Section 21099

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014.¹¹ Among other provisions, SB 743 amends CEQA by adding Section 21099 regarding analysis of aesthetics and parking impacts for urban infill projects.¹²

Aesthetics and Parking Analysis

CEQA Section 21099(d) states that, “Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area shall not be considered significant impacts on the environment.”¹³ Accordingly, aesthetics and parking are no longer to be considered in determining if a project has the potential to result in significant environmental effects for projects that meet all of the following three criteria:

- a) The project is in a transit priority area,¹⁴
- b) The project is on an infill site,¹⁵
- c) The project is residential, mixed-use residential, or an employment center.¹⁶

¹³ See CEQA Section 21099(d)(1).

¹⁴ CEQA Section 21099(a)(7) defines a “transit priority area” as an area within one-half mile of an existing or planned major transit stop. A “major transit stop” is defined in CEQA Section 21064.3 as a rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

¹⁵ CEQA Section 21099(a)(4) defines an “infill site” as a lot located within an urban area that has been previously developed, or a vacant site where at least 75 percent of the perimeter of the site adjoins, or is *separated* only by an improved public right-of-way from, parcels that are developed with qualified urban uses.

¹⁶ CEQA Section 21099(a)(1) defines an “employment center” as a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75 and located within a transit priority area.

The proposed project and Variant 1 meet each of the above three criteria because they (1) are located within one-half mile of several rail and bus transit routes, (2) are located on an infill site that is already developed with an approximately 1,200-square-foot building and a surface parking lot that is surrounded by other urban development, and (3) would be a residential project with ground-floor retail/restaurant space.¹⁷ Thus, this Initial Study does not consider aesthetics and the adequacy of parking in determining the significance of project impacts under CEQA.

The Planning Department recognizes that the public and decision makers nonetheless may be interested in information pertaining to the aesthetic effects of a proposed project and Variant 1 and may desire that such information be provided as part of the environmental review process. Therefore, some information that would have otherwise been provided in an aesthetics section (i.e., “before” and “after” visual simulations) has been included in Section A, Project Description, of this Initial Study. However, this information is provided solely for informational purposes and is not used to determine the significance of the environmental impacts of the project, pursuant to CEQA.

In addition, CEQA section 21099(d)(2) states that a Lead Agency maintains the authority to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers and that aesthetics impacts do not include impacts on historical or cultural resources (e.g., historic architectural resources). As such, the Planning Department does consider aesthetics for design review and to evaluate effects on historic and cultural resources.

Automobile Delay and Vehicle Miles Traveled Analysis

In addition, CEQA Section 21099(b)(1) requires that the State Office of Planning and Research (OPR) develop revisions to the CEQA Guidelines establishing criteria for determining the significance of transportation impacts of projects that “promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.” CEQA Section 21099(b)(2) states that upon certification of the revised guidelines for determining transportation impacts pursuant to Section 21099(b)(1), automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment under CEQA.

In January 2016, OPR published for public review and comment a *Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA*¹⁸ recommending that transportation impacts for projects be measured using a vehicle miles traveled (VMT) metric. On March 3, 2016, in anticipation of the future certification of the revised CEQA Guidelines, the San Francisco Planning Commission adopted OPR’s recommendation to use the VMT metric instead of automobile delay to evaluate the transportation

¹⁷ San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis*, 1270 Mission Street (2014-0926ENV), March 18, 2016. This document (and all other documents cited in this report, unless otherwise noted), is available for review at 1650 Mission Street, Suite 400, San Francisco, CA, as part of Case No. 2014-0926ENV.

¹⁸ This document is available online at: https://www.opr.ca.gov/s_sb743.php.

impacts of projects (Resolution 19579). (Note: the VMT metric does not apply to the analysis of impacts on non-automobile modes of travel such as riding transit, walking, and bicycling.)

Accordingly, this Initial Study does not contain a discussion of automobile delay impacts. Instead, a VMT and induced automobile travel impact analysis is provided in Topic 4, Transportation and Circulation. The topic of automobile delay, nonetheless, may be considered by decision-makers, independent of the environmental review process, as part of their decision to approve, modify, or disapprove the proposed project and Variant 1.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
1. LAND USE AND LAND USE PLANNING — Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial impact upon the existing character of the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The proposed project and Variant 1 would not physically divide an established community. (No Impact)

The division of an established community would typically involve the construction of a physical barrier to neighborhood access, such as a new freeway or the removal of a means of access, such as a bridge or a roadway. The proposed project and Variant 1 would be incorporated into the existing street configuration and would not alter the established street grid or permanently close any streets or impede pedestrian or other travel through the neighborhood. Although portions of the sidewalks adjacent to the project site would likely be closed for periods of time during project construction, these closures would be temporary and sidewalk access would be restored. The proposed project and Variant 1 would not construct a physical barrier to neighborhood access or remove an existing means of access, such as a bridge or roadway; thus, it would not physically divide the established community. Accordingly, the proposed project and Variant 1 would not disrupt or physically divide an established community. Therefore, the project would have no impact with respect to physically dividing an established community, and no mitigation measures are necessary.

Impact LU-2: The proposed project and Variant 1 would not conflict with any applicable land use plans, policies or regulations of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

The proposed project and Variant 1 would not obviously or substantially conflict with applicable plans, policies, or regulations identified under Section C, Plans and Policies, such that an adverse physical change would result. In addition, the proposed project and Variant 1 would not obviously or substantially conflict with any such adopted environmental plan or policy, such as the BAAQMD 2010 *Clean Air Plan*, which directly addresses environmental issues and/or contains targets or standards that must be met in order to preserve or improve characteristics of the city's physical environment. Therefore, the proposed project and Variant 1 would have a less-than-significant impact with regard to conflicts with existing plans and zoning and no mitigation measures are necessary.¹⁹

Impact LU-3: The proposed project and Variant 1 would not have a substantial impact upon the existing character of the vicinity. (Less than Significant)

The proposed project and Variant 1 would be constructed on an already developed site in a dense urban environment, and the proposed mixed-use (residential and retail/restaurant) land uses for the proposed project and Variant 1 would be compatible with other mixed-use buildings in the area. Although the proposed project and Variant 1 would intensify the use of the project site, the proposed project and Variant 1 would not alter the general land use pattern of the immediate area, which already includes nearby low- to mid-rise commercial buildings and mid- to high-rise residential buildings with commercial uses on the ground floor.

The buildings in the project area are varied in height with most ranging from two to 25 stories. The proposed 13-story, 120-foot-tall building would be similar to other tall buildings in the area, such as the 11-story, approximately 120-foot-tall recently completed Panoramic residential building located one-half block west of the project site and the 17-story Ava building located north of the project site. Variant 1 also would not alter the general land use pattern of the immediate area, and would be comparable in height to other tall buildings such as the 22-story Soma Grand located one block east of the project site on Mission Street, as well as the 19- and 24-story Trinity Place towers located one-half block north of the project site.

The proposed project and Variant 1 would establish a mixed-use building within proximity to other similar mixed-use buildings, and therefore would contain land uses that are consistent and compatible with surrounding land uses. The height and massing of the proposed project and Variant 1 also would be in keeping with the existing character of the urban fabric of the neighborhood. Therefore, the proposed project and Variant 1 would have a less-than-significant impact upon the existing character of the vicinity and no mitigation measures are necessary.

¹⁹ Per CEQA Section 21099, this analysis section reflects the exclusion of aesthetics-related impacts.

Impact C-LU: The proposed project and Variant 1 would not make a considerable contribution to any cumulative significant land use impacts. (Less than Significant)

Cumulative development projects located in the vicinity of the project site are identified in Table 2, p. 22 and mapped on Figure 12, page 23. These cumulative development projects primarily include mixed-use residential buildings with ground-floor retail, several of which are associated with the Market Street Hub Project. These projects would result in the intensification of land uses in the project vicinity and would be similar to the land uses envisioned under the proposed project and Variant 1. None of the cumulative infill projects would physically divide an established community by constructing a physical barrier to neighborhood access, such as a new freeway, or remove a means of access, such as a bridge or roadway. The transportation infrastructure project, the Van Ness BRT, also would not physically divide an established community or remove a means of access to the neighborhood. In addition, the cumulative projects would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Although these development projects would introduce new infill residential, commercial, and office uses in the project vicinity, these uses currently exist; therefore, the cumulative development projects would not introduce new incompatible uses that would adversely impact the existing character of the project vicinity. Thus, the proposed project and Variant 1, in combination with past, present, and reasonably foreseeable future projects, would not result in a considerable cumulative land use impact and no mitigation measures are necessary.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
2. POPULATION AND HOUSING — Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact PH-1: The proposed project and Variant 1 would not induce substantial population growth either directly or indirectly. (Less than Significant)

Plan Bay Area, which is the current regional transportation plan and Sustainable Communities Strategy that was adopted by MTC and ABAG in July 2013, contains housing and employment projections anticipated to occur in San Francisco through 2040. *Plan Bay Area* calls for an increasing percentage of Bay Area growth to occur as infill development in areas with good transit access and where services necessary to daily living are provided in proximity to housing and jobs. With its abundant transit service

and mixed-use neighborhoods, San Francisco is expected to accommodate an increasing share of future regional growth. Additionally, the project site is in the Downtown-Van Ness-Geary Priority Development Areas identified in *Plan Bay Area*.²⁰ In the last few years the supply of housing has not met the demand for housing within San Francisco. In July 2013, ABAG projected regional housing needs in the *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. In 2013, ABAG projected housing needs in San Francisco for 2014–2022 is 28,869 dwelling units, consisting of 6,234 dwelling units within the very low income level (0–50 percent), 4,639 within the low income level (51–80 percent), 5,460 within the moderate income level (81–120 percent), and 12,536 within the above-moderate income level (120 percent plus).²¹ As noted above, as part of the planning process for *Plan Bay Area*, San Francisco identified Priority Development Areas, which are existing neighborhoods near transit that are appropriate places to concentrate future growth, and the project site is in the Downtown-Van Ness-Geary Priority Development Area.

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development either directly or indirectly. The proposed project and Variant 1 would demolish the existing parking lot and retail building and construct an infill development containing retail/restaurant spaces on the ground floor with dwelling units above. The proposed project and Variant 1 would be located in an urbanized area and would not be expected to substantially alter existing development patterns in the SoMa neighborhood, or in San Francisco as a whole.

Under the proposed project, the addition of 195 new residential units would increase the residential population on the site by an estimated 333 persons. Under Variant 1, the addition of 299 residential units would increase the residential population on the site by an estimated 511 persons.²² The addition of 333 or 511 residents would not result in a substantial increase to the population of the larger neighborhood or the City and County of San Francisco. The 2010 U.S. Census indicates that the population of the census tract in which the project site is located is approximately 7,630 persons.²³ The proposed project and Variant 1 would increase the population in the Census Tract by approximately 4 percent and 6.5 percent, respectively. The proposed project and Variant 1 would increase the overall population of San Francisco by approximately 0.04 percent and 0.06 percent, respectively.²⁴

The population of San Francisco is projected to increase by approximately 280,490 persons for a total of 1,085,730 persons by 2040.²⁵ The residential population introduced as a result of the proposed project or Variant 1 would constitute approximately 0.12 or 0.18 percent of this population increase, respectively.

²⁰ ABAG, *Plan Bay Area*, Priority Development Area Showcase. Available online at <http://gis.abag.ca.gov/website/PDAShowcase/>, accessed May 20, 2016.

²¹ ABAG, *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. Available online at http://planbayarea.org/pdf/final_supplemental_reports/Final_Bay_Area_2014-2022_RHNA_Plan.pdf, accessed May 20, 2016.

²² The project site is located in Census Tract 176.01, which is generally bounded by Market Street to the north, Howard Street to the south, 4th Street to the east, and 11th Street to the west. The population calculation is based on Census 2010 data, which estimates 1.71 persons per household in Census Tract 176.01. It should be noted that this census tract has somewhat smaller households than the citywide average of 2.32 persons per household.

²³ The population estimate is based on data from the 2010 Census for Census Tract 176.01.

²⁴ This calculation is based on the estimated Census 2010 population of 805,235 persons in the City and County of San Francisco.

²⁵ ABAG, *Plan Bay Area*, p. 40. Available online at http://files.mtc.ca.gov/pdf/Plan_Bay_Area_FINAL/Plan_Bay_Area.pdf, accessed May 20, 2016.

Therefore, the population introduced on the project site as a result of the proposed project or Variant 1 would be accommodated within the planned growth for the neighborhood and San Francisco, as a whole. Overall, implementation of the proposed project and Variant 1 would not directly induce substantial population growth. The proposed project and Variant 1 would not indirectly induce substantial population growth in the project area because the project site is an infill site in an urbanized area and the proposed project and Variant 1 would not involve any extensions to area roads or other infrastructure that could enable additional development in currently undeveloped areas.

Based on the total size of the proposed retail/restaurant uses on the project site, the new businesses would employ a total of approximately 14 staff under both the proposed project and Variant 1.²⁶ The retail/restaurant employment in the proposed project would not likely attract new residents to San Francisco as these jobs would typically be filled by existing area residents. Therefore, it can be anticipated that most of the employees would live in San Francisco (or nearby communities), and that the proposed project and Variant 1 would not generate demand for new housing for the potential retail/restaurant employees. Furthermore, employment in San Francisco is projected to increase by 34 percent (191,740 jobs) between 2010 and 2040.²⁷ As employees generated by the proposed project and Variant 1 would constitute a negligible increase in the number of jobs in the project vicinity, this increase would be accommodated within the planned employment growth in San Francisco.

There would be an overall increase in the number of residents and employees on the project site as a result of the proposed project and Variant 1; however, the project-related population and employment increases would not be substantial relative to the existing number of residents and employees in the project vicinity, nor would the increase in residents and/or employees exceed the projections for growth and employment promulgated in the ABAG projections, the *San Francisco Housing Element*, or *Plan Bay Area*. Therefore, the proposed project and Variant 1 would not directly or indirectly induce substantial population growth and would have a less-than-significant impact related to population growth and no mitigation is necessary.

Impact PH-2: The proposed project and Variant 1 would not displace a substantial number of existing housing units, people, or employees, or create demand for additional housing elsewhere. (Less than Significant)

The proposed project and Variant 1 would not displace any residents or housing units, since no residential uses or housing units currently exist on the project site. As noted above, the project site is occupied by a parking lot and a commercial building containing a pizza restaurant, both of which employ a total of 14 people (4 for the ABC parking lot and 10 for the restaurant).²⁸ Thus the proposed project and Variant 1

²⁶ The estimated number of employees is based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002) (SF Guidelines) and assumes an average of one employee per 350 square feet of retail and restaurant, yielding approximately six employees. The residential use is estimated to generate an additional eight employees for both the proposed project and Variant 1 (estimate provided by the project sponsor).

²⁷ ABAG and MTC, *Jobs-Housing Connection Strategy*, revised May 16, 2012, p. 49. Available online at http://www.planbayarea.org/pdf/JHCS/May_2012_Jobs_Housing_Connection_Strategy_Main_Report.pdf. Accessed May 20, 2016.

²⁸ Information provided by ABC Parking and SF Pizza.

would not result in a substantial loss of employment. Further, an estimated 6 new jobs would be created with the establishment of approximately 2,012 square feet of retail/restaurant uses on the project site, and an estimated 8 new employees would be generated by the residential use, for a total of 14 employees generated by the proposed project and Variant 1. Therefore, the proposed project and Variant 1 would have a less-than-significant impact related to the displacement of housing or employees, and the creation of demand for new housing elsewhere. No mitigation is necessary.

Impact C-PH: The proposed project and Variant 1 would not make a considerable contribution to any cumulative significant effects related to population or housing. (Less than Significant)

As noted above, *Plan Bay Area* is the current regional transportation plan and Sustainable Communities Strategy that was adopted by MTC and ABAG in July 2013, and contains housing and employment projections anticipated to occur in San Francisco through 2040. Therefore, the *Plan Bay Area* projections provide context for the population and housing cumulative analysis.

As described above, the proposed project would not induce substantial direct or indirect population growth or displace a substantial number of existing housing units, people, or employees, or create demand for additional housing elsewhere.

The approved and proposed projects identified in Table 2 and mapped on Figure 12 would add approximately 11,041 new residents within 4,759 dwelling units in the vicinity of the project site.²⁹ Overall, these approved and proposed projects, when combined with the proposed project and Variant 1, would add 11,374 and 11,552 new residents in the project vicinity (generally within ¼-mile of the project site), respectively, which would represent a residential population increase of approximately 49 percent.³⁰ These projects would be required to comply with the City's Inclusionary Housing Program (*Planning Code* Sec. 415 et. seq.) and, therefore, would result in the creation of affordable housing in addition to market-rate housing.

As noted above, recently the supply of housing has not met the demand for housing within San Francisco. Therefore, San Francisco identified Priority Development Areas as part of the planning process for *Plan Bay Area* to identify existing neighborhoods near transit that are appropriate places to concentrate future growth, such as the Downtown-Van Ness-Geary Priority Development Area in which the project site is located. In addition, several cumulative projects identified in Table 2 are located within the Market Street Hub Project boundaries, which is an area located in the eastern portion of the Market and Octavia Area Plan envisioned to become a new vibrant, mixed-use neighborhood. The Market and Octavia Area Plan also created the Van Ness and Market Downtown Residential Special Use District, which encourages the development of a transit-oriented, high-density, mixed-use residential neighborhood around the intersections of Market Street, Mission Street, Van Ness Avenue, and South Van Ness Avenue. Projects in this area would consist of mixed-use towers ranging from 250 to 400 feet in height constructed on large

²⁹ Assumes the City of San Francisco average of 2.32 persons per unit. Available online at <https://www.census.gov/quickfacts/table/PST045214/06075>, accessed May 30, 2016

³⁰ The population estimate of 23,168 persons is based on data from the 2010 Census for the Census Tracts in which the cumulative projects are located: 124.02, 176.01, 177, 201, and 168.02.

sites around transportation hubs.³¹ Thus, although the proposed project or Variant 1, in combination with other past, present, and reasonably foreseeable future projects, would increase the population in the vicinity of the project site, the 49 percent increase would not constitute substantial unplanned growth. This population growth has been anticipated and accounted for in ABAG's and the City's projections and, therefore, would accommodate planned population growth that, in and of itself, would not result in a significant impact on the physical environment. Other sections of this document that address physical environmental impacts related to cumulative growth with regard to specific resources can be found in Section E, Topic 4—Transportation and Circulation; Topic 5—Noise; Topic 6—Air Quality; Topic 9—Recreation; Topic 10—Utilities and Service Systems; and Topic 11—Public Services.

Furthermore, the proposed project and Variant 1, in combination with other past, present, and reasonably foreseeable future projects, would not result in substantial numbers of housing units or people being displaced because the majority of the approved and proposed cumulative projects would be constructed on underutilized lots. For these reasons, the proposed project or Variant 1, in combination with other past, present, and reasonably foreseeable future projects, would not result in cumulative significant impacts to population or housing, and therefore neither the proposed project nor Variant 1 would result in a cumulatively considerable impact on population and housing and no mitigation measures are necessary.

Based on the conservative assumption that all new employees would be new San Francisco residents, an estimated 4,322 new employees (including the 14 new employees associated with the proposed project and Variant 1) would be added within the vicinity of the project site.³² The 4,322 new employees would generate a potential demand for approximately 3,403 new dwelling units.³³ Based on ABAG's projected housing needs in San Francisco, the employment-related housing demand associated with the proposed project and Variant 1, as well as nearby cumulative development projects could be accommodated by the City's projected housing growth of 28,869 units.³⁴ Furthermore, the proposed project or Variant 1, as well as nearby cumulative development projects would add to the city's housing stock and could potentially accommodate some of the new employment-related housing demand. In combination with the past, present, and reasonably foreseeable projects, the estimated employment growth would account for only approximately 11.8 percent of projected citywide household growth.

For these reasons, the proposed project in combination with other past, present, and reasonably foreseeable future projects would not result in a cumulatively considerable population and housing impact.

³¹ City and County of San Francisco, *The Market Street Hub Project*, <http://sf-planning.org/market-street-hub-project>, accessed June 8, 2016.

³² The estimated number of employees is based on Planning Department *Transportation Impact Analysis Guidelines for Environmental Review* (October 2002) (SF Guidelines) and assumes an average of one employee per 276 square feet for office and 350 square feet of retail and restaurant. Total number of employees for cumulative projects is 4,308, plus 14 employees for proposed project and Variant 1, equals 4,322 new employees in project vicinity.

³³ Assumes the 2014 *Housing Element* figure of 1.27 workers per household for San Francisco in 2015.

³⁴ ABAG, *Regional Housing Need Plan for the San Francisco Bay Area: 2014–2022*. Available online at http://planbayarea.org/pdf/final_supplemental_reports/Final_Bay_Area_2014-2022_RHNA_Plan.pdf, accessed May 20, 2016.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
3. CULTURAL RESOURCES—Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco <i>Planning Code</i> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact CR-1: The proposed project and Variant 1 would not result in a substantial adverse change in the significance of a historic architectural resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*. (No Impact)

CEQA Guidelines Section 15064.5 requires the lead agency to consider the effects of a project on historical resources. A historical resource is defined as a building, structure, site, object, or district (including landscapes) listed in or determined to be eligible for listing in the California Register of Historical Resources, included in a local register or identified as significant in an historical resource survey, or determined by a lead agency to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, or cultural annals of California. The following discussion will focus on architectural resources. Archeological resources, including archeological resources that are potentially historical resources according to Section 15064.5, are addressed below.

The project site contains a surface parking lot and an approximately 16,220-square-foot, one-story, commercial building, constructed in 1975, at the corner of Mission and Laskie streets. The concrete-block building has a shingled mansard roof and is parged with concrete, with brick veneer underneath the storefront windows on the Mission Street façade. The existing building is less than 45 years old and is not located in or near a historic district. Thus the building is not considered a historic resource for the purposes of CEQA.

Development of the proposed project or Variant 1 would not result in substantial adverse changes to the historic architectural resources near the project site.³⁵ The Western SoMa Light Industrial and Residential

³⁵ Article 11, adopted in 1985 as part of the implementation of the Downtown Plan, divides all buildings in the C-3 Zoning Districts (generally, downtown) into five categories according to the Building Rating Methodology as set forth and explained in the "Preservation of the Past" section of the Downtown Plan (*Planning Code* Sec. 1102). Under Article 11, Category I and II Buildings are buildings that are "judged to be Buildings of Individual Importance" Category III and IV buildings are called out as "Contributory Buildings"; buildings in all four categories are presumed to be "historical resources."

Historic District, which is pending listing on the State and National Register of Historic Places (S/NR), is located one-half block south of the project site, and the San Francisco Civic Center Historic District is located one block north of the project site.³⁶ Construction of the proposed project and Variant 1 would not appear to impact the integrity of setting of this eligible district, since the project site is located outside of the district boundaries. Therefore, the construction of the proposed project or Variant 1 would not result in a substantial adverse change to the significance of these known and potential historic resources.

In addition, given the distance of the Western SoMa Light Industrial and Residential Historic District (165 feet south) and the San Francisco Civic Center Historic District (470 feet north) from the project site, no adverse changes in the significance of those historic districts would occur as a result of development of the proposed project and Variant 1. Therefore, the proposed project and Variant 1 would result in no impact on historical architectural resources and no mitigation is required.

Impact CR-2: The proposed project and Variant 1 could result in a substantial adverse change in the significance of an archeological resource. (Less than Significant with Mitigation)

This section discusses archeological resources, both as historical resources according to Section 15064.5, as well as unique archeological resources as defined in Section 21083.2(g).

The potential for encountering archeological resources is determined by several relevant factors including archeological sensitivity criteria and models, local geology, site history, and the extent of potential projects soils disturbance/modification, as well as any documented information on known archeological resources in the area. A San Francisco Planning Department archeologist completed a preliminary archeological review (PAR) for the proposed project and Variant 1.³⁷ The PAR (PAR Log February 22, 2016) determined that the proposed project and Variant 1 has the potential to adversely affect legally-significant archeological resources due to proposed project- and Variant 1-related basement and foundation excavations. Specifically, there is the potential to affect prehistoric archeological deposits within the native sand dune deposits that underlie the artificial fill beneath the parking lot. There is also moderate potential to affect historical archeological deposits that could be legally significant depending on the informational integrity of the historical archeological deposit/feature and the associations with an appropriate social unit.

Project construction would require excavation to a depth of approximately 20 feet to accommodate the below-grade parking level and foundation, with a small area of an additional 4 feet of excavation to accommodate the proposed elevator pit; excavation would total up to about 12,000 cubic yards. The proposed project and Variant 1 are anticipated to be constructed on a mat foundation; however, depending on soil conditions identified beneath the site when soil borings are completed, soil improvement (e.g., deep soil mixing or drilled displacement columns) may be required causing additional ground disturbance below 20 feet.

³⁶ The San Francisco Civic Center Historic District is a locally designated Landmark District, is listed on the State and National Registers of Historic Places, and is a designated National Historic Landmark.

³⁷ San Francisco Planning Department, Environmental Planning, 1270 Mission (2014-002953NV) - Preliminary Archeological Review, February 22, 2016.

Langan Treadwell Rollo prepared a geotechnical investigation (described in detail in Topic 13, Geology and Soils)³⁸ and described the subsurface conditions at the project site consisting of fill, dune sand, marsh deposits, and interbedded sands. Ground disturbance associated with the proposed project and Variant 1 would extend into fill and dune sand; potential soil improvements would also extend into the marsh deposit. According to Planning Department archeological staff, there is a reasonable potential that prehistoric archeological resources may be present within the project site because the project is within an area that has a high degree of archeological sensitivity for prehistoric deposits. Proximate to the project site are both a National Register-eligible prehistoric shell midden district consisting of several Late Holocene period shell mounds with possibly ancillary occupation and workshop sites, and one of two Middle Holocene (7700–3800 years before the present) prehistoric sites (CA-SFR-28) documented to date within San Francisco, which was discovered 75 feet below existing grade. Commonly, prehistoric shell midden sites have been found within native sand dune deposits, beginning at the dune base, or on the lens of denser sand.³⁹ According to the City's draft *General Plan* Preservation Element, even disturbed or secondarily deposited prehistoric deposits are presumed to be significant for information, and therefore significant under CEQA, until demonstrated to the contrary.⁴⁰

Additionally, there is a moderate potential for historical archaeological resources. Although ground disturbance has occurred within the project site, portions remain sensitive for the presence of buried historical archeological resources. The portions of the project site with sensitivity for historical archeological resources are locations that: (1) have historically documented residential or commercial occupation; and (2) did not experience deep excavation or fill during 20th century construction, and therefore may contain subsurface archeological deposits associated with historically documented residences or businesses. The 1869 U.S. Coast Survey map shows two residences on the northern side of the project site. By 1886, the Sanborn Fire Insurance map shows eleven two-story residential buildings on the project site, with a saloon on the corner of Mission and Laskie streets. The 1889 Sanborn map shows the same residential buildings. Following the 1906 earthquake and fire, a two-story residential building with eight flats was constructed on the northern side of the project site (shown on the 1913 Sanborn map). By 1949, a reinforced concrete warehouse building was on the project site that housed a cabinet and metal shop. Research issues relevant to 19th-century domestic and industrial archeological sites would be applicable to the project site, including themes that specifically relate to differences in social and economic class, ethnicity, race, and religious affiliation. Property types relevant to addressing consumer behavior and social status/identity would include refuse features such as artifact-filled privies or wells. Industrial features and artifact deposits associated with the 20th century industry could also be present.

In order to reduce the potential impact to undiscovered archeological resources to a less-than-significant level, monitoring of the site is required to identify any archeological resources potentially present. Therefore, per **Mitigation Measure M-CR-2** below, the project sponsor would be required to engage an archeologist from the Department Qualified Archeological Consultants List to develop and implement an

³⁸ Langan Treadwell Rollo, *Preliminary Geotechnical Investigation, 1270 Mission Street, San Francisco, California*, November 19, 2015.

³⁹ San Francisco Planning Department, 1127 Market Street Mitigated Negative Declaration, October 24, 2012.

⁴⁰ San Francisco Planning Department, DRAFT Preservation Element of the *San Francisco General Plan*, 2009.

archeological resources monitoring plan. Implementation of **Mitigation Measure M-CR-2** below would reduce the impact to a less-than-significant level.

Mitigation Measure M-CR-2: Archeology Resources (Monitoring)

Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site⁴¹ associated with descendant Native Americans or the Overseas Chinese an appropriate representative⁴² of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition, foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archeological resources and to their depositional context;
- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected

⁴¹ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

⁴² An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;

- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.

- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines. Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of

Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

With implementation of **Mitigation Measure M-CR-2**, the proposed project and Variant 1 would have a less-than-significant impact on archeological resources.

Impact CR-3: The proposed project and Variant 1 would not disturb human remains, including those interred outside formal cemeteries. (Less than Significant with Mitigation)

There are no known human remains, including those interred outside of formal cemeteries, located in the immediate vicinity of the project site. In the event that construction activities disturb unknown human remains within the project site, any inadvertent damage to human remains would be considered a significant impact. With implementation of **Mitigation Measure M-CR-2**, as described above, the proposed project and Variant 1 would have a less-than-significant impact on previously unknown human remains.

Impact CR-4: The proposed project and Variant 1 would not result in a substantial adverse change in the significance of a tribal cultural resource. (Less than Significant with Mitigation)

CEQA Section 21074.2 requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, state, or local register of historical resources. Based on discussions with Native American tribal representatives, in San Francisco, prehistoric archeological resources are presumed to be potential tribal cultural resources. A tribal cultural resource is adversely affected when a project causes a substantial adverse change in the resource's significance.

Pursuant to CEQA Section 21080.3.1(d), within 14 days of a determination that an application for a project is complete or a decision by a public agency to undertake a project, the Lead Agency is required to contact the Native American tribes that are culturally or traditionally affiliated with the geographic area in which the project is located. Notified tribes have 30 days to request consultation with the Lead Agency to discuss potential impacts on tribal cultural resources and measures for addressing those impacts. On September 29, 2015 the Planning Department contacted Native American individuals and organizations for the San Francisco area, providing a description of the project and requesting comments on the identification, presence, and significance of tribal cultural resources in the project vicinity.

During the 30-day comment period, no Native American tribal representatives contacted the Planning Department to request consultation. As discussed under Impact CR-2, **Mitigation Measure M-CR-2, Accidental Discovery of Archeological Resources**, would be applicable to the proposed project as it would result in below-grade soil disturbance of 5 feet or greater below ground surface. Unknown archeological resources may be encountered during construction that could be identified as tribal cultural resources at the time of discovery or at a later date. Therefore, the potential adverse effects of the

proposed project on previously unidentified archeological resources, discussed under Impact CR-2, also represent a potentially significant impact on tribal cultural resources. Implementation of **Mitigation Measure M-CR-4, Tribal Cultural Resources Interpretive Program**, would reduce potential adverse effects on tribal cultural resources to a less-than-significant level. **Mitigation Measure M-CR-4** would require either preservation-in-place of the tribal cultural resources, if determined effective and feasible, or an interpretive program regarding the tribal cultural resources developed in consultation with affiliated Native American tribal representatives.

Mitigation Measure M-CR-4: Tribal Cultural Resources Interpretive Program

If the ERO determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR) and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.

If the Environmental Review Officer (ERO), if in consultation with the affiliated Native American tribal representatives and the Project Sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the Project Sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

In the event that construction activities disturb unknown archeological sites that are considered tribal cultural resources, any inadvertent damage would be considered a significant impact. With implementation of **Mitigation Measures M-CR-2 and M-CR-4**, as described above, the proposed project and Variant 1 would have a less-than-significant impact on previously unknown tribal cultural resources

Impact C-CR: The proposed project and Variant 1 in combination with past, present, and reasonably foreseeable future projects in the vicinity would not result in cumulative impacts to cultural resources. (Less than Significant)

The proposed project and Variant 1 would demolish an existing structure that is not a historical resource. Therefore, demolition of the existing building would have no impact on historical (historic architectural) resources, and could not contribute to any significant cumulative effect on such resources.

Project-related impacts on archeological resources and human remains are site-specific and generally limited to a project's construction area. For these reasons, the proposed project in combination with other past, present, and reasonably foreseeable future projects would not have a significant cumulative impact on archeological resources, tribal cultural resources, or human remains.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
4. TRANSPORTATION AND CIRCULATION — Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Question 4c is not applicable to the project. A transportation study was prepared for the proposed project.⁴³ The following discussion is based on the information provided in the transportation study.

Setting

The project site is located in San Francisco's SoMa neighborhood, bounded by Mission Street to the south, Ninth Street to the west, and Laskie Street to the east, and abuts a recently completed mixed-use residential building to the north. The project site has frontages on both Mission and Laskie streets. Access

⁴³ CHS Consulting Group, *1270 Mission Street Mixed-Use Residential Project TIS*, San Francisco, CA. March, 2016.

to the project site by transit, foot, or bicycle is available through existing bus transit service, sidewalks, streets, and crosswalks near the site.

The study area for the transportation analysis is generally bounded by Market Street to the north, Howard Street to the south, Tenth Street to the east, and 7th Street to the west. Mission Street is a two-way street that has two travel lanes in each direction, and on-street parking on both sides of the street that is subject to tow-away regulations. The outer lane is designated as “bus only” in both travel directions. Laskie Street extends from Mission Street to its terminus (dead end) about 300 feet north of Mission Street at the Ava Building’s gated open space area. The street includes one travel lane in each direction. There are sidewalks along both sides of the street and on-street parking is only located along the west side of the street.

The project site can be accessed by a number of Muni bus routes, including 6, 7, 7R, 9, 9R, 14, 14R, 19, and 83X, all of which run within one block of the project site. In addition, the project site is one block south of the Muni Metro Civic Center station, which provides access to J, K/T, L, N, and M light rail lines. BART service is also provided at the Civic Center station. Two SamTrans bus routes serve the project area, KX and 292; Golden Gate Transit does not have any stops in proximity to the project site. The nearest Caltrain station is located at 4th Street and King Street (about two miles southeast of the project site).

There is an existing 26-foot-wide curb cut for the driveway entrance and exit at the existing surface parking lot on Laskie Street. The proposed project and Variant 1 would reduce the length of this curb cut by 11 feet for access to the off-street parking garage driveway. There are three existing metered parking spaces and one metered loading space (yellow zone) on the north side of Mission Street, adjacent to the project site.

Vehicle Miles Traveled in San Francisco and the Bay Area

Many factors affect travel behavior. These factors include density, diversity of land uses, design of the transportation network, access to regional destinations, distance to high-quality transit, development scale, demographics, and transportation demand management. Typically, low-density development at great distance from other land uses located in areas with poor access to non-private vehicular modes of travel generate more automobile travel compared to development located in urban areas, where a higher density, mix of land uses, and travel options other than private vehicles are available.

Given these travel behavior factors, San Francisco has a lower vehicle miles traveled (VMT) ratio than the nine-county San Francisco Bay Area region. In addition, some areas of the city have lower VMT ratios than other areas of the city. These areas of the city can be expressed geographically through transportation analysis zones. Transportation analysis zones are used in transportation planning models for transportation analysis and other planning purposes. The zones vary in size from single city blocks in the downtown core, multiple blocks in outer neighborhoods, to even larger zones in historically industrial areas like the Hunters Point Shipyard.

The San Francisco County Transportation Authority (Transportation Authority) uses the San Francisco Chained Activity Model Process (SF-CHAMP) to estimate VMT by private automobiles and taxis for different land use types. Travel behavior in SF-CHAMP is calibrated based on observed behavior from the California Household Travel Survey 2010–2012, Census data regarding automobile ownership rates and county-to-county worker flows, and observed vehicle counts and transit boardings. SF-CHAMP uses a synthetic population, which is a set of individual actors that represents the Bay Area’s actual population, who make simulated travel decisions for a complete day. The Transportation Authority uses tour-based analysis for office and residential uses, which examines the entire chain of trips over the course of a day, not just trips to and from a project. For retail uses, the Transportation Authority uses trip-based analysis, which counts VMT from individual trips to and from the project (as opposed to the entire chain of trips). A trip-based approach, as opposed to a tour-based approach, is necessary for retail projects because a tour is likely to consist of trips stopping in multiple locations, and the summarizing of tour VMT to each location would over-estimate VMT.^{44,45}

For residential development, the regional average daily VMT per capita is 17.2.⁴⁶ For office and retail development, regional average daily work-related VMT per employee are 19.1 and 14.9, respectively. See **Table 3**, which includes the traffic analysis zone (TAZ) in which the project site is located, TAZ 620.

TABLE 3
DAILY VEHICLE MILES TRAVELED

Land Use	Existing			Cumulative 2040		
	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 620	Bay Area Regional Average	Bay Area Regional Average minus 15%	TAZ 620
Households (Residential)	17.2	14.6	2.1	16.1	13.7	1.9
Employment (Retail)	14.9	12.6	8.3	14.6	12.4	7.9

Vehicle Miles Traveled Impact Analysis Methodology

Vehicle Miles Traveled Analysis

Land use projects may cause substantial additional VMT. The following identifies thresholds of significance and screening criteria used to determine if a land use project would result in significant impacts under the VMT metric.

⁴⁴ To state another way: a tour-based assessment of VMT at a retail site would consider the VMT for all trips in the tour, for any tour with a stop at the retail site. If a single tour stops at two retail locations, for example, a coffee shop on the way to work and a restaurant on the way back home, both retail locations would be allotted the total tour VMT. A trip-based approach allows us to apportion all retail-related VMT to retail sites without double-counting.

⁴⁵ San Francisco Planning Department, 2016. Executive Summary: Resolution Modifying Transportation Impact Analysis, Appendix F, Attachment A. March 3, 2016.

⁴⁶ Includes the VMT generated by the households in the development.

Residential and Retail (and Similar) Projects

For residential projects, a project would generate substantial additional VMT if it exceeds the regional household VMT per capita minus 15 percent.⁴⁷ As documented in the California OPR Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA (proposed transportation impact guidelines), a 15 percent threshold below existing development is “both reasonably ambitious and generally achievable.”⁴⁸ For retail projects, the Planning Department uses a VMT efficiency metric approach for retail projects: a project would generate substantial additional VMT if it exceeds the regional VMT per retail employee minus 15 percent. This approach is consistent with CEQA Section 21099 and the thresholds of significance for other land uses recommended in OPR’s proposed transportation impact guidelines. For mixed-use projects, each proposed land use is evaluated independently, per the significance criteria described previously.

OPR’s proposed transportation impact guidelines provide screening criteria to identify types, characteristics, or locations of land use projects that would not exceed these VMT thresholds of significance. OPR recommends that if a project or land use proposed as part of a project meets any of the following screening criteria, VMT impacts are presumed to be less than significant for that land use and a detailed VMT analysis is not required. The screening criteria applicable to the proposed project and how they are applied in San Francisco are described as follows:

- **Map-Based Screening for Residential and Retail Projects.** OPR recommends mapping areas that exhibit VMT less than the applicable threshold for that land use. Accordingly, the Transportation Authority has developed maps depicting existing VMT levels in San Francisco for residential and retail land uses based on the SF-CHAMP 2012 base-year model run. The Planning Department uses these maps and associated data to determine whether a proposed project is located in an area of the city that is below the VMT threshold.
- **Proximity to Transit Stations.** OPR recommends that residential and retail projects, as well projects that are a mix of these uses, proposed within 0.5 mile of an existing major transit stop (as defined by CEQA Section 21064.3) or an existing stop along a high-quality transit corridor (as defined by CEQA Section 21155) would not result in a substantial increase in VMT. However, this presumption would not apply if the project would (1) have a floor area ratio of less than 0.75; (2) include more parking for use by residents, customers, or employees of the project than required or allowed, without a conditional use; or (3) is inconsistent with the applicable Sustainable Communities Strategy.⁴⁹

⁴⁷ OPR’s proposed transportation impact guidelines state that a project would cause substantial additional VMT if it exceeds both the existing City household VMT per capita minus 15 percent and existing regional household VMT per capita minus 15 percent. In San Francisco, the City’s average VMT per capita is lower (8.4) than the regional average (17.2). Therefore, the City average is irrelevant for the purposes of the analysis.

⁴⁸ This document is available online at: https://www.opr.ca.gov/s_sb743.php, page III: 20.

⁴⁹ A project is considered to be inconsistent with the Sustainable Communities Strategy if development is located outside of areas contemplated for development in the Sustainable Communities Strategy.

OPR's proposed transportation impact guidelines do not provide screening criteria or thresholds of significance for other types of land uses, other than those projects that meet the definition of a small project (the proposed project does not meet the small project criterion). Therefore, the Planning Department provides additional screening criteria and thresholds of significance to determine if land uses similar in function to residential and retail would generate a substantial increase in VMT. These screening criteria and thresholds of significance are consistent with CEQA Section 21099 and the screening criteria recommended in OPR's proposed transportation impact guidelines.

The Planning Department applies the Map-Based Screening and Proximity to Transit Station screening criteria to the following land use types:

- Tourist Hotels, Student Housing, Single-Room Occupancy Hotels, and Group Housing. Trips associated with these land uses typically function similarly to residential. Therefore, these land uses are treated as residential for screening and analysis.
- Childcare, K-12 Schools, Medical, Post-Secondary Institutional (non-student housing), and Production, Distribution, and Repair. Trips associated with these land uses typically function similarly to office. While some of these uses may have some visitor/customer trips associated with them (e.g., childcare and school drop-off, patient visits, etc.), those trips are often a side trip within a larger tour. For example, the visitor/customer trips are influenced by the origin (e.g., home) and/or ultimate destination (e.g., work) of those tours. Therefore, these land uses are treated as office for screening and analysis.
- Grocery Stores, Local-Serving Entertainment Venues, Religious Institutions, Parks, and Athletic Clubs. Trips associated with these land uses typically function similar to retail. Therefore, these types of land uses are treated as retail for screening and analysis.

2040 Cumulative Conditions

San Francisco 2040 cumulative conditions were projected using a SF-CHAMP model run, using the same methodology as outlined in the Environmental Setting for existing conditions, but including residential and job growth estimates and reasonably foreseeable transportation investments through 2040. For residential development, the projected 2040 regional average daily VMT per capita is 16.1. For retail development, regional average daily retail VMT per employee is 14.6. Refer to **Table 3**, Daily Vehicle Miles Traveled, which includes the TAZ in which the project site is located (TAZ 620).

Induced Automobile Travel Analysis

Transportation projects may substantially induce additional automobile travel. The following identifies thresholds of significance and screening criteria used to determine if transportation projects would result in significant impacts by inducing substantial additional automobile travel.

Pursuant to OPR's proposed transportation impact guidelines, a transportation project would substantially induce automobile travel if it would generate more than 2,075,220 VMT per year. This

threshold is based on the fair share VMT allocated to transportation projects required to achieve California's long-term greenhouse gas emissions reduction goal of 40 percent below 1990 levels by 2030.

OPR's proposed transportation impact guidelines include a list of transportation project types that would not likely lead to a substantial or measureable increase in VMT. If a project fits within the general types of projects (including combinations of types) described in the following list, it is presumed that VMT impacts would be less than significant and a detailed VMT analysis is not required. Accordingly, the proposed project would not result in a substantial increase in VMT because it would include the following components and features:

- Active Transportation, Rightsizing (a.k.a. Road Diet), and Transit Projects:
 - Infrastructure projects, including safety and accessibility improvements, for people walking or bicycling
 - Installation or reconfiguration of traffic calming devices
- Other Minor Transportation Projects:
 - Rehabilitation, maintenance, replacement and repair projects designed to improve the condition of existing transportation assets (e.g., highways, roadways, bridges, culverts, tunnels, transit systems, and bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
 - Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority features
 - Timing of signals to optimize vehicle, bicycle, or pedestrian flow on local or collector streets
 - Addition of transportation wayfinding signage
 - Removal of off- or on-street parking spaces
 - Adoption, removal, or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)

Travel Demand

The proposed project and Variant 1 would meet the previously described criterion described for map-based screening of residential and retail projects, proximity to transit stations, and tourist/single room occupancy hotels. As such, potential transportation impacts are determined under the VMT analysis, and would not require an induced automobile travel analysis. Overall, the proposed project would generate approximately 2,780 daily person-trips of which 434 person-trips would occur in the weekday p.m. peak hour. and approximately 104 vehicle trips in the p.m. peak hour. During the weekday p.m. peak hour, the proposed project would generate 126 new person-trips by automobile, 96 new person-trips by transit, 146

new person-trips by walking, and 66 new trips by other modes (including bicycles, motorcycles, and taxis). In addition, the proposed project would generate 104 new vehicle-trips during the weekday p.m. peak hour.

No existing person or vehicle trips generated by the existing pizza restaurant and parking lot off of Laskie Street were subtracted from the project trip generation calculations. Therefore, these trip generation rates represent a “worst-case” scenario of potential project-related traffic impacts by assuming that the estimated vehicle trips to/from the project site are all “new” trips on the adjacent roadway network.

Variant 1 would generate approximately person-trips per day, about 883 daily vehicle trips, and approximately vehicle trips in the p.m. peak hour. Of the 580 p.m. peak hour person trips, would be by auto, by transit, would be pedestrian trips, and would be via “other” modes (including bicycles, motorcycles, and taxis). approximately 3,617 daily person-trips of which 580 person-trips would occur in the weekday p.m. peak hour. During the weekday p.m. peak hour, the proposed project would generate 170 new person-trips by automobile, 132 new person-trips by transit, 186 new person-trips by walking, and 92 new trips by other modes. In addition, Variant 1 would generate 146 new vehicle-trips during the weekday p.m. peak hour.

Impact TR-1: The proposed project and Variant 1 would not cause substantial additional VMT or substantially induce automobile travel. (Less than Significant)

Vehicle Miles Traveled Analysis – Residential and Tourist Hotel

As previously mentioned, existing average daily VMT per capita for residential uses in TAZ 620 is 2.1 miles. This is 87.7 percent below the existing regional average daily VMT per capita of 17.2. Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project’s residential uses would not result in substantial additional VMT and impacts would be less-than-significant. Also, the project site meets the Proximity to Transit Stations screening criterion, which indicates that the proposed project and Variant 1’s residential uses would not cause substantial additional VMT.⁵⁰

Vehicle Miles Traveled Analysis – Retail

As mentioned previously, existing average daily VMT per employee for retail uses in TAZ 620 is 8.3 miles. This is 44.2 percent below the existing regional average daily VMT per capita of 14.9. Given the project site is located in an area where existing VMT is more than 15 percent below the existing regional average, the proposed project’s restaurant use would meet the Map-Based Screening for Retail and Residential Projects criterion and would not result in substantial additional VMT; impacts would be less than significant. The project site also meets the Proximity to Transit Stations screening criterion, which indicates that the proposed project’s residential uses would not cause substantial additional VMT.⁵¹

⁵⁰ San Francisco Planning Department, *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1270 Mission Street*, March 18, 2016.

⁵¹ Ibid.

Although the proposed project is not expected to result in a substantial addition of VMT and impacts would be less than significant, the following Improvement Measure could be implemented to further decrease these less-than-significant impacts with regards to automobile traffic in the proposed project vicinity:

Improvement Measure I-TR-1: Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips

The project sponsor and subsequent property owner has agreed to implement a Transportation Demand Management (TDM) Program that seeks to minimize the number of single occupancy vehicle trips (SOV) generated by the proposed project and Variant 1 for the lifetime of the project. The TDM Program targets a reduction in SOV trips by encouraging persons to select other modes of transportation, including: walking, bicycling, transit, car-share, carpooling and/or other modes. The project sponsor has agreed to:

Identify TDM Coordinator

The project sponsor should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures described below. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.

Transportation and Trip Planning Information

- *Move-in packet:* Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car-share programs, and information on where to find additional mobile- or web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.

Data Collection

- *City Access.* As part of an ongoing effort to quantify the efficacy of TDM measures, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. All on-site activities shall be coordinated through the TDM Coordinator. The project sponsor assures future access to the site by City Staff. Providing access to existing developments for data collection purposes is also encouraged.

Bicycle Measures

- *Parking:* Increase the number of on-site secured bicycle parking beyond *Planning Code* requirements and/or provide additional bicycle facilities in the public right-of-way in on public

right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).

- *Bay Area Bike Share:* The project sponsor shall cooperate with the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's frontage.

The proposed project includes 76 vehicle parking spaces. Evidence shows that a reduction in the number of on-site accessory parking spaces associated with a land use development project would result in a reduction of vehicle trips associated with the project.⁵² Accordingly, if fewer vehicle parking spaces were included, a portion of the person trips generated by the proposed project would be redistributed to sustainable transportation modes including pedestrian, bicycle and transit trips, which would further reduce the vehicle miles traveled associated with the proposed project.

Induced Automobile Travel Analysis

The proposed project and Variant 1 do not constitute a transportation project. However, the proposed project and Variant 1 would include features that would alter the transportation network. These features would include the conversion of three existing metered on-street parking spaces to an on-street commercial loading zone on the north side of Mission Street (subject to SFMTA approval), the shortening of an existing curb cut from 26 feet to 15 feet for access to the parking garage, increased on-site parking capacity, streetscape improvements on Laskie Street and Mission Street consistent with the *Better Streets Plan*, as well as operational and safety strategies identified in Improvement Measures I-TR-2 and I-TR-7. The proposed project and Variant 1 would also remove an 80-space capacity parking use at the site, and would include 76 new parking spaces, a net decrease in off-street parking. These features fit within the general types of projects identified previously that would not substantially induce automobile travel. Therefore, impacts would be less than significant.

Impact TR-2: The proposed project and Variant 1 would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, nor would it conflict with an applicable congestion management program. (Less than Significant)

Vehicle Queuing Analysis

As noted previously, vehicle access to the parking garage would be provided along the west side of Laskie Street via a 15-foot-wide parking garage ramp. Vehicle queuing conditions were evaluated taking into account this configuration and the anticipated volume of vehicles accessing the parking garage during the p.m. peak hour.

⁵² San Francisco Planning Department, *Transportation Demand Management Technical Justification*, June 2016. Available online at http://default.sfplanning.org/plans-and-programs/emerging_issues/tsp/TDM_Technical_Justification_AdminDraft-071416.pdf, accessed August 9, 2016.

Although Variant 1 could result in temporary and momentary vehicle queues along Mission Street or Laskie Street, such traffic impacts would be considered less than significant because Variant 1 would not substantially interfere with vehicle, transit, bicycle or pedestrian access nor would it create hazardous conditions. This determination is based on an evaluation of peak demand for garage parking and the available capacity for queued vehicles on Laskie Street that found that queued vehicles could be accommodated without causing any spillback onto Mission Street.

However, vehicle queues at the proposed project driveway into the public right-of-way would be subject to the Planning Department's vehicle queue abatement Conditions of Approval since any vehicle queues could interfere with bicycle, pedestrian, transit or vehicular movements on Mission and/or Laskie streets. Therefore, the following Improvement Measures have been identified to ensure queues from the parking garage do not back up onto city streets:

Improvement Measure I-TR-2a: Monitoring and Abatement of Queues

As an improvement measure to reduce the potential for queuing of vehicles accessing the project site, it shall be the responsibility of the project sponsor or subsequent property owner to ensure that recurring vehicle queues do not occur adjacent to the site (i.e., along Mission or Laskie Streets).

Because the proposed project would include a new off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces), the project is subject to conditions of approval set forth by the San Francisco Planning Department to address the monitoring and abatement of queues.

It shall be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven

days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

Improvement Measure I-TR-2b: Installation of Roadway/Traffic Devices on Mission Street

As an improvement measure to create a right-in/right-out operation and encourage drivers to abide by these turning restrictions in order to access Laskie Street from Mission Street as well as to exit from Laskie Street to Mission Street, the SFMTA shall consider the following off-site, roadway/traffic treatments:

- Installation of raised delineators (i.e., flexible traffic separator) and road bumps within the double-striped median along Mission Street to serve as a physical barrier and preclude vehicles in the eastbound Mission Street direction from turning left (northbound) to Laskie Street as well as precluding vehicles in the southbound Laskie Street direction from turning left (eastbound) to Mission Street;
- Installation of signage in the eastbound Mission Street direction to notify drivers of “No Left Turn” to reinforce that left-turning movements from eastbound Mission Street to northbound Laskie Street is prohibited;
- Installation of signage in the southbound Laskie Street direction to notify drivers of “No Left Turn” and/or “Right Turn Only” to reinforce that left-turning movements from southbound Laskie Street to eastbound Mission Street is prohibited;
- Installation of a “STOP” sign and bar along the southbound Laskie Street approach at the intersection of Mission Street to notify drivers to come to a complete stop and yield to any passing pedestrians and wait for a proper gap in the westbound Mission Street traffic stream prior to exiting Laskie Street; and
- Installation of a “Keep Clear” roadway marking along the two westbound Mission Street travel lanes at the intersection of Laskie Street. Such markings would restrict vehicles along westbound Mission Street from stopping/queuing at the intersection and allow for increased accessibility for vehicles attempting to turn right (westbound) to Mission Street from Laskie Street.

It is noted that installation of the above-mentioned roadway/traffic treatments require approval and installation by SFMTA, and other feasible treatments may also be considered, as appropriate.

As described above, **Improvement Measure I-TR-2b: Installation of Roadway/Traffic Devices on Mission Street** would create a right-in/right-out turning restrictions for drivers turning onto Laskie Street from Mission Street, and onto Mission Street from Laskie Street. This would simplify the turning movements and reduce queuing that could occur behind drivers waiting to make a left turn, further reducing the potential for vehicle queuing associated with the proposed project. In addition, also as described above, **Improvement Measure I-TR-1: Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips**, would reduce single-occupancy driving to/from the project site which could further reduce any potential vehicle queues.

Loading

The proposed project would generate a demand of less than one freight loading space during both the average and peak hour of loading activities (0.20 truck trips average and 0.25 truck trips during the peak hour). Under *Planning Code* Section 152.1, the proposed project would be required to provide one (1) off-street commercial loading space. The proposed project would provide one service vehicle loading space in the garage, which can be substituted for the freight loading space per Section 153(a) and 154(b) of the *Planning Code*, and, therefore, would comply with Section 152.1 of the *Planning Code*.

As shown in Table 3, Variant 1 would generate a demand of less than one freight loading space during both the average and peak hour of loading activities (0.30 truck trips average and 0.37 truck trips during the peak hour). Section 152.1 of the *Planning Code* requires Variant 1 to provide two (2) off-street commercial loading spaces. Variant 1 would provide one freight loading space and two service vehicle loading spaces, the latter of which is allowed per Section 153(a) and 154(b) of the *Planning Code*. Therefore, Variant 1 also would be compliant with Section 152.1 of the *Planning Code*. In addition, the project sponsor would seek approval from SFMTA to convert the three existing metered on-street parking spaces adjacent to the project site on the north side of Mission Street to an approximately 66-foot-long yellow zone, unmetered freight loading space.

The proposed project and Variant 1 would not include any new on-street passenger loading spaces. However, the project sponsor is considering the possibility of designating an on-street loading zone that would accommodate both passenger and commercial loading for the proposed three-space commercial loading zone along the Mission Street project frontage. If this combined passenger and commercial loading zone is not approved, passenger loading activities for residents, visitors, or employees would otherwise be required to occur within an available, nearby on-street parking space along Mission Street (including the one passenger loading space on the north side of Mission Street in front of the Hotel Potter adjacent to Ninth Street) or within the off-street parking garage. The garage entrance would consist of a roll-down vehicle entry door and side pedestrian door for secure access by residents and service vehicle operators.

Commercial deliveries to the proposed restaurant would be accommodated within the existing and/or proposed (if approved by SFMTA) on-street loading spaces along the north side of Mission Street located adjacent to the project site, if approved. Additionally, the proposed project would include one off-street service vehicle space, and Variant 1 would include two off-street service vehicle spaces, which would serve small delivery trucks. Deliveries requiring large trucks (i.e., 18-wheel semi-trucks) would not be accommodated in the off-street loading and service spaces for the proposed project or Variant 1, primarily due to their size and required right-of-way to accommodate necessary turning movements. These trucks would be required to use available metered parking spaces adjacent to the project site. As stated above, the project sponsor is seeking approval from the SFMTA to convert three on-street general metered parking spaces to one 66-foot-long, yellow zone, unmetered freight loading space along the north side of Mission Street. If approved, deliveries requiring larger freight trucks would be able to use this space.

However, in the event that no curbside space is available, the double-parking of large trucks along Mission Street could exacerbate traffic congestion, slow transit vehicles, and/or block travel lanes, which could also

contribute to reduced visibility for pedestrians and cyclists. In order to further reduce the potential for these less-than-significant impacts to occur, **Improvement Measure M-TR-2c: Coordination of Move-In/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations**, is included for the proposed project and Variant 1 to enforce appropriate loading procedures to avoid any blockages along Mission or Laskie Streets during loading activities and reduce any potential conflicts between delivery vehicles, movers, and other users of the adjacent roadway including transit vehicles, bicyclists, and pedestrians.

Residential move-in and move-out activities would occur at the existing on-street loading space on the north side of Mission Street, adjacent to the project site, the off-street service vehicle spaces (for smaller vehicles), or within the proposed 66-foot-long on-street loading space on the north side of Mission Street adjacent to the project site (if approved by SFMTA). Movers would access the project site via the residential entrance on Laskie Street, and would then transport items to their dwelling unit(s) by using the elevators provided on the ground floor of the proposed building. It is noted that any curbside parking should be reserved through SFMTA, in coordination with building staff. The proposed project and Variant 1 would not result in any adverse effects to traffic, bicycle, or pedestrian flow along adjacent streets nor would such activities inhibit access to the project site. While impacts associated with residential move-in/move-out activities would not be considered significant, **Improvement Measure M-TR-2c: Coordination of Move-In/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations** would further reduce any potential traffic-related impacts and conflicts between delivery operations, movers, and pedestrians walking along adjacent streets.

Improvement Measure I-TR-2c: Coordination of Move-in/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations

To reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on Mission Street or along Laskie Street (in the event that the on- and off-street loading spaces are occupied), residential move-in and move-out activities and larger deliveries shall be scheduled and coordinated through building management. For café/restaurant uses, appropriate delivery times shall be scheduled and shall be restricted to occur before 7:00 a.m., and between the hours of 10:00 a.m. and 4:00 p.m., and no deliveries shall occur after 4:00 p.m. to avoid any conflicts with peak commute period traffic as well as pedestrians and bicyclists on adjacent streets and sidewalk areas.

For the small building option, the project sponsor shall enforce strict truck size regulations for use of the off-street loading space in the proposed freight loading area. Truck lengths exceeding 17 feet shall be prohibited from entering the parking garage and shall utilize existing on-street loading space along Mission Street, adjacent to the project site. All service/freight deliveries for the large building option shall occur on Mission Street. Appropriate signage shall be located at the parking garage entrance to notify drivers of truck size regulations and notify drivers of the on-street loading spaces on Mission Street. The project sponsor shall notify building management and related staff, and retail tenants of imposed truck size limits in the proposed freight loading area.

Building management staff shall notify drivers of large trucks of proper loading procedures. Because large trucks would be required to utilize the existing loading space on the north side of Mission Street (adjacent to the project site), or if approved by SFMTA, the three on-street loading

spaces, building management shall require at least one (1) additional building staff member to safely guide the truck driver and assist in maneuvering the truck within the loading zone. The truck driver and building staff member(s) would be responsible for placing traffic safety cones or related devices along the parking lane on Mission Street to provide an adequate buffer or spacing between the truck and moving vehicles on the street and to avoid large trucks from blocking Laskie Street or other nearby land uses.

Appropriate move-in/move-out and loading procedures shall be enforced to avoid any blockages of any streets adjacent to the project site over an extended period of time and reduce any potential conflicts between other vehicles and users of adjacent streets as well as movers and pedestrians walking along Mission Street or Laskie Street. Curb parking on Mission Street shall be reserved through SFMTA or by directly contacting the local 311 service. It is recommended that residential move-in/move-out activities be scheduled during weekday midday hours between 10:00 a.m. and 4:00 p.m. and/or on weekends to avoid any potential conflicts with peak commute period traffic and all users of adjacent roadways. Large trucks used for residential move-in/move-out operations shall be prohibited from parking along Laskie Street and such activities should occur along the curbside space on the north side of Mission Street, adjacent to the project site. In the event small trucks are utilized for such activities (i.e., trucks less than 17 feet long and less than 8 feet wide), these vehicles shall utilize the off-street parking spaces within the garage or the service/delivery space (only for the small building option), as appropriate.

The project sponsor shall coordinate with Recology and enforce strict garbage pick-up periods. Such pick-up times shall be restricted to occur before 7:00 a.m., and between the hours of 10:00 a.m. and 2:00 p.m., and no garbage pick-up activities shall occur after 3:00 p.m. to avoid any conflicts with vehicle traffic and pedestrians on Mission or Laskie Streets. Specific loading procedures (as described above) shall also be enforced for Recology vehicles during garbage pick-up periods.

Based on the discussion of loading operations above and implementation of **Improvement Measure M-TR-2c: Coordination of Move-In/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations**, loading activities would not create potentially hazardous traffic conditions or significant delays affecting traffic, transit, bicycles or pedestrians; therefore, the proposed project and Variant 1 would have a less-than-significant loading impact. The inclusion of **Improvement Measure M-TR-2c: Coordination of Move-In/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations** would further reduce these less-than-significant impacts on loading.

Construction Activities

The proposed project would have a 22-month construction period, and Variant 1 would have a 24-month construction period. Therefore, similar to the discussion of traffic impacts above, the 24-month construction period for Variant 1 was used to evaluate potential construction-related traffic impacts, as it represents “worst case” conditions. During the 24-month construction period for Variant 1, temporary and intermittent transportation impacts would result from truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater numbers of vehicles on the streets during the peak hour that would have to maneuver around queued trucks. The affected area of Mission Street is expected to include the sidewalk area and parking lane directly adjacent to the project site; the three metered and

one commercial metered on-street parking spaces would be temporarily eliminated during construction. It is not anticipated that project construction would require any travel lane closures on Mission Street. Although not anticipated, any temporary traffic lane closures would be coordinated with the City in order to minimize the impacts on local traffic. In general, lane and sidewalk closures are subject to review and approval by San Francisco Public Works (Public Works) and the City's Transportation Advisory Staff Committee (TASC) that consists of representatives of City departments including SFMTA, Public Works, Fire, Police, Public Health, Port and the Taxi Commission.

Throughout the construction period, there could be a potential for a temporary reduction to the capacities of local streets due to the slower movement and larger turning radii of construction trucks, which would affect both traffic and transit operations. However, impacts related to an applicable transportation circulation system plan or policy as a result of the proposed project and Variant 1 would be less than significant. The following improvement measures would further reduce less-than-significant construction-related impacts for the proposed project and Variant 1:

Improvement Measure I-TR-2d: Construction Truck Deliveries During Off-Peak Periods

Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA) would further minimize disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods.

As required, the project sponsor and construction contractor(s) shall meet with the Sustainable Streets Division of the SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including potential transit disruption, and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the project sponsor shall coordinate with construction contractors for any concurrent nearby projects that are planned for construction or which later become known.

Improvement Measure I-TR-2e: Construction Management Plan

In addition to items required in the Construction Management Plan, the project sponsor shall include the following:

- *Carpool and Transit Access for Construction Workers* – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include methods to encourage carpooling and transit use to the project site by construction workers in the Construction Management Plan contracts.

Project Construction Updates – As an improvement measure to minimize construction impacts on nearby businesses, the project sponsor shall provide regularly-updated information (typically in the form of website, news articles, on-site posting, etc.) regarding project construction and schedule, as well as contact information for specific construction inquiries or concerns. While construction-related impacts for

the proposed project and Variant 1 would be less than significant, **Improvement Measure I-TR-2d: Construction Truck Deliveries During Off-Peak Periods**, and **Improvement Measure I-TR-2e: Construction Management Plan** would further minimize disruption of the general traffic flow on adjacent streets during weekday commute peak commute periods, require coordination with SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, minimize construction impacts on nearby businesses, and minimize traffic and parking demand associated with construction workers. Implementation of these improvement measures would not have any additional transportation-related impacts. The project sponsor has agreed to implement these measures.

Impact TR-3: The proposed project and Variant 1 would not result in substantially increased hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. (Less than Significant)

The proposed project and Variant 1 would not include any design features that would substantially increase traffic hazards (e.g., a new sharp curve or dangerous intersections), and would not include any incompatible uses, as discussed in Topic 1, Land Use and Land Use Planning. Therefore, the proposed project and Variant 1 would not cause adverse impacts associated with traffic hazards. As noted above, there is an existing 26-foot-wide curb cut for the driveway entrance and exit at the surface parking lot on Laskie Street. The proposed project and Variant 1 would reduce the width of the existing curb cut and driveway along the project's Laskie Street frontage, which would be used to access the parking garage. As noted previously under the traffic impact discussion, vehicle queuing conditions were evaluated taking into account this configuration and the anticipated volume of vehicles accessing the parking garage during the p.m. peak hour, and it was determined that vehicle queues along Mission Street or Laskie Street may occasionally occur but would be temporary and would not substantially interfere with vehicle, transit, bicycle or pedestrian access, nor would it create hazardous conditions. Based on this analysis, the proposed project and Variant 1 would have a less-than-significant impact related to transportation hazards due to a design feature or resulting from incompatible uses.

Impact TR-4: The proposed project and Variant 1 would not result in inadequate emergency access. (Less than Significant)

The street network currently provides access to the project site for emergency vehicles. Under both the proposed project and Variant 1, emergency vehicles would access the project site as under existing conditions. Also, although the proposed project and Variant 1 would generate additional traffic to the area, this increase in vehicles would not impede or hinder the movement of emergency vehicles in the project area, for example from the neighboring fire stations (Fire Department Fire Station No. 1, Fire Station No. 7, Fire Station No. 3, and Fire Station No. 8).

Any new obstructions or change to the road geometry that decreases the response time and access for emergency vehicles is of critical importance. The existing effective road width to be maintained for emergency vehicle access is a minimum of 14 feet. Neither the proposed project nor Variant 1 would

result in the reduction or expansion of roadway widths along Mission Street. In addition, the proposed streetscape plans would not reduce the overall roadway width of Laskie Street below the 14-foot minimum requirement and would allow for continued access for emergency vehicles. Based on these findings, impacts to emergency vehicle access would be less than significant for both the proposed project and Variant 1.

Impact TR-5: The proposed project and Variant 1 would not conflict with adopted policies, plans or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)

Transit Conditions

The proposed project would generate an estimated 599 daily and 96 p.m. peak-hour transit trips, which would be distributed among Muni, BART, Golden Gate Transit, and SamTrans lines. Variant 1 would generate an estimated 808 daily and 132 p.m. peak hour transit trips. Similar to the discussion of traffic and construction activity impacts above, transit demand for Variant 1 was used to evaluate potential transit impacts, as it represents “worst case” conditions. The project site is well served by public transit. The additional riders generated by Variant 1 could be accommodated on the multiple Muni lines (6, 7, 7R, 9, 9R, 14, 14R, 19, 83X, J, K/T, L, N, and M lines), BART, and SamTrans lines that operate within close proximity to the project site. These bus and rail lines provide access between the project site and the rest of the city, the East Bay, the North Bay, and the Peninsula.

This analysis of transit impacts focuses on the increase in transit patronage across “screenlines” in the outbound direction during the weekday p.m. peak hour. Four screenlines have been established in San Francisco to analyze potential impacts of projects on Muni service, and three screenlines have been established for regional transit service. Muni has a capacity utilization performance standard of 85 percent. The threshold of significance for identifying regional transit crowding impacts is 100 percent capacity utilization. Bus stops serviced by multiple Muni routes are located within one block of the site. Muni bus stops are located within one block of the project site, and BART and Muni Metro are located one block to the north, at Civic Center Station. The proposed off-street parking would not conflict with bus operations; therefore, no impacts to bus circulation were identified for Variant 1 or proposed project.

All of the screenlines and the majority of sub-corridors (i.e., major transit corridors operating within each screenline) would operate below Muni’s standard 85-percent capacity utilization with implementation of Variant 1, with the exception of the Fulton/Hayes sub-corridor along the northwest screenline and the 3rd Street sub-corridor along the southeast screenline. These two sub-corridors currently operate above 85 percent capacity and would continue to operate above capacity with the addition of project-generated transit trips. However, Variant 1 would contribute less than one percent to these sub-corridor ridership levels, including the sub-corridors currently operating at or above the 85-percent utilization standard. Because Variant 1 would not result in a substantial contribution to existing ridership levels, Variant 1 and the proposed project would both result in a less-than-significant impact.

It should be noted that transit-related policies include, but are not limited to: (1) discouragement of commuter automobiles (*Planning Code* Section 101.1, established by Proposition M, the Accountable Planning Initiative); and (2) the City's "Transit First" policy, established in the City's Charter Section 16.102. The proposed project and Variant 1 would not conflict with transit operations as discussed above and also would not conflict with the transit-related policies established by Proposition M or the City's Transit First Policy. Therefore, impacts to the City's transit network as a result of the proposed project and Variant 1 would be considered less than significant.

Pedestrian Conditions

Similar to the discussion of traffic, transit, and construction impacts above, the variant pedestrian demand was used to evaluate potential pedestrian impacts, as it represents "worst case" conditions. Variant 1 would generate 318 pedestrian trips during a typical weekday p.m. peak hour. Of these 318 p.m. peak hour pedestrian trips, 220 trips are associated with the residential use and 98 with the retail/restaurant use. The 318 pedestrian trips average out to approximately 5.3 pedestrian trips per minute during this peak hour. Variant 1 would include multiple pedestrian entrances to accommodate residents, employees, patrons, and other visitors. Pedestrian entrances to the retail/restaurant use would be provided along Mission Street; the residential entrance would be provided on Laskie Street and would include a residential lobby area with elevators to allow residents and their visitors to access the dwelling units. Access to the off-street bicycle parking spaces would be from both Mission Street and Laskie Street via the residential lobby and parking garage.

Laskie Street is approximately 14 feet wide and is currently used primarily for loading activities for the AVA residential building and Holiday Inn Hotel, and also provides access to the existing surface parking lot on the project site and the AVA guest parking lot. The west side of the alleyway includes a nine-foot-wide sidewalk, though street trees within the sidewalk space reduce the effective width to six feet. The east side of Laskie Street includes four-foot-wide sidewalks with intermittent bollards to prevent vehicular encroachment. Laskie Street does not currently accommodate high volumes of pedestrian traffic and the narrow sidewalks and roadbed do not provide much capacity for pedestrians or accommodate standard two-way traffic flow. Vehicles sometimes encroach on the sidewalk to accommodate two-way traffic flow.

The Mission Street sidewalk adjacent to the project site is 15 feet wide, although the presence of street trees reduces the effective width of the sidewalk to about 10 feet. In contrast to Laskie Street, no vehicles encroach onto the sidewalk for loading activities and the sidewalk provides adequate capacity to accommodate current pedestrian traffic levels.

As discussed in Section A, Project Description, the proposed project and Variant 1 are subject to the requirements of the *Better Streets Plan*, as codified in *Planning Code* Section 138.1. The proposed project and Variant 1 would modify the existing streetscape on both Mission and Laskie Streets by removing existing street trees and installing new street trees and landscaping in compliance with the *Better Streets Plan*. The pedestrian right of way on Mission Street would include four new street trees (spaced approximately 20 feet apart) with tree grates, new Class 2 bicycle spaces (16 for the proposed project and 20 for Variant 1), and resurfacing of the sidewalk. Specific improvements along Laskie Street would

include a single-surface “shared street” along the alleyway from Mission Street to immediately north of the project garage driveway. This “shared street” would entail raising the elevation of Laskie Street to meet the elevation of the existing sidewalks; removing and replacing the existing raised concrete sidewalks along both sides of the roadway with a three-foot by three-inch-wide visual/tactile detection strip to delineate pedestrian zones and vehicular zones; removing the existing street trees and planting ten new street trees (five on each side, spaced approximately 20 feet apart) with tree grates; potentially relocating existing light poles; and adding pedestrian lighting along the roadway. In addition, these plans would include a raised crosswalk along Laskie Street at the intersection of Mission Street, which would accommodate east-west pedestrian traffic and serve as a traffic calming device since vehicles would be required to slow down considerably prior to entering or exiting Laskie Street.

The proposed streetscape plan for the proposed project and Variant 1 would ultimately reduce the effective sidewalk width on the west side of Laskie Street from 5.8 feet to 4.0 feet and decrease the roadbed width by about 2.1 feet. As noted above, there is an existing deficiency in pedestrian and vehicle circulation at the intersection of Laskie Street and Mission Street. Moreover, because Variant 1 would generate 93 new inbound vehicle trips and 318 inbound pedestrian trips to the project site during the weekday p.m. peak hour, it is reasonable to assume that Variant 1 would exacerbate these pedestrian-vehicle conflicts and create an unsafe environment for pedestrians walking to/from the project site. However, the proposed streetscape plan in combination with the proposed right-in/right-out turning operation at the Laskie Street/Mission Street intersection (see **Improvement Measure I-TR-2b: Installation of Roadway/Traffic Devices on Mission Street** in the Vehicle Queuing Analysis discussion) would address these existing deficient conditions for pedestrians moving in and around the project site.

As described above, the proposed streetscape plan would meet the minimum requirements of the *Better Streets Plan* and address the inadequate sidewalk space on the west side of Laskie Street. As a result, the streetscape plan for the proposed project and Variant 1 would result in a less-than-significant impact.

While pedestrian impacts would be less than significant, **Improvement Measure I-TR-5: Installation of Traffic Calming Devices at Basement Garage Exiting Lane**, would further reduce potential vehicle-pedestrian conflicts.

Improvement Measure I-TR-5: Installation of Traffic Calming Devices at Basement Garage Driveway Lane

As an improvement measure to reduce potential conflicts between vehicles exiting the basement garage and pedestrians traveling along the west sidewalk of Laskie Street, the project sponsor shall install appropriate traffic calming devices (e.g., speed bump, rumble strips, “slow speed” signage, etc.) at the exiting travel lane along the garage driveway to reduce vehicle speeds of existing vehicles traveling out of the basement parking garage and to further reduce potential vehicle-pedestrian conflicts.

Bicycle Conditions

The proposed project and Variant 1 would provide 200 Class 1 bicycle parking spaces located on the ground level of the garage, along with 16 Class 2 bicycle parking spaces (racks) for the proposed project and 20 Class 2 bicycle parking spaces for Variant 1 on the sidewalk on Mission Street. *Planning Code* Section 155.2 requires one Class 1 bicycle space (bicycle locker or space in a secure room) per dwelling unit for up to 100 dwelling units and one Class 1 bicycle space for every four dwelling units over 100, and a minimum of one Class 2 space per 20 units, in addition to one Class 1 bicycle space for each 7,500 occupied square feet of retail space and one Class 2 space for each 2,500 occupied square feet of retail space. Based on the proposed project's land uses and these *Planning Code* requirements, the proposed project would be required to provide 125 Class 1 and 12 Class 2 bicycle parking spaces, while Variant 1 would be required to provide 154 Class 1 and 16 Class 2 bicycle parking spaces. Based on these calculations, the proposed project and Variant 1 would provide Class 1 and Class 2 bicycle parking in excess of the requirements of the *Planning Code*.

The *San Francisco Bicycle Plan* includes goals and objectives to encourage bicycle use in the city, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged) and identifies improvements to achieve the established goals and objectives. There are three designated bicycle routes near the project site: Route 30 along Howard and Folsom Streets, Route 23 along Eighth Street, and Route 50 along Market Street.

The proposed project and Variant 1 would provide adequate bicycle access and parking and, therefore, would not conflict with the City's *Bicycle Plan*, or other plan, policy or program related to bicycle use in San Francisco.

Impact C-TR-1: The proposed project and Variant 1, in combination with past, present, and reasonably foreseeable future projects, would not result in a considerable contribution to cumulative regional VMT. (Less than Significant)

VMT, by its very nature, is largely a cumulative impact. The VMT associated with past, present, and future projects contribute to physical secondary environmental impacts. It is likely that no single project by itself would be sufficient in size to prevent the region or state from meeting its VMT reduction goals. Instead, a project's individual VMT contributes to cumulative VMT impacts. The VMT and induced automobile travel project-level thresholds are based on levels at which new projects are not anticipated to conflict with state and regional long-term greenhouse gas emission reduction targets and statewide VMT per capita reduction targets set in 2020. Therefore, because the proposed project and Variant 1 would not exceed the project-level thresholds for VMT and induced automobile travel (Impact TR-1), the proposed project and Variant 1 would not be considered to result in a cumulatively considerable contribution to VMT impacts.

Furthermore, as shown in **Table 3**, Daily Vehicle Miles Traveled, projected 2040 average daily VMT per capita for residential uses in TAZ 620 is 1.9 miles. This is 88.2 percent below the projected 2040 regional

average daily VMT per capita of 16.1.⁵³ Projected 2040 average daily VMT per employee for retail uses in TAZ 620 is 7.9 miles. This is 45.9 percent below the projected 2040 regional average daily VMT per employee of 14.6.⁵⁴ Given the project site is located in an area where VMT is greater than 15 percent below the projected 2040 regional average, the residential and retail uses for the proposed project and Variant 1 would not result in substantial additional VMT. Therefore, the proposed project and Variant 1's residential and retail uses would not contribute considerably to any substantial cumulative increase in VMT.⁵⁵

Impact C-TR-2: The proposed project and Variant 1 in combination with past, present, and reasonably foreseeable future projects, would not result in substantial cumulative transportation impacts. (Less than Significant)

Cumulative Transit Impacts

The analysis of cumulative transit utilization considers foreseeable changes in local and regional transit service in the future, such as Muni service changes due to the Muni Forward program and the growth in ridership based on future development. Similar to the transit analysis presented under the existing plus project conditions, analysis of transit impacts across the Muni and regional screenlines was conducted to determine the extent to which an increase in transit trips associated with the proposed project and Variant 1 would affect local and regional transit lines under cumulative (Year 2040) conditions. While some screenlines and sub-corridors would operate above Muni's established capacity utilization threshold (85 percent) by 2040, the proposed project and Variant 1 would contribute less than one percent of the transit trips on these sub-corridors and the entire screenline. The increase in regional transit trips generated by the proposed project and Variant 1 would contribute less than one percent to all regional screenlines and ridership levels would continue to be below the 100-percent capacity utilization performance standard. Therefore, the impact to this screenline and sub-corridors would be less than significant for both the proposed project and Variant 1.

Cumulative Bicycle and Pedestrian Impacts

Bicycle and pedestrian impacts are by their nature site-specific and generally do not contribute to cumulative impacts from other development projects. Bicycle trips throughout the city may increase under the cumulative scenario due to general growth. Bicycle trips generated by the proposed project and Variant 1 would include bicycle trips to and from the project site. However, as stated in the project analysis, the proposed project and Variant 1 would provide adequate bicycle access and parking and would therefore not conflict with the City's *Bicycle Plan*, or any other plan, policy or program related to bicycle use in San Francisco. There would be a projected increase in background vehicle traffic between existing plus project and 2040 cumulative conditions. This would result in an increase in the potential for vehicle-pedestrian conflicts at intersections in the study area. As described previously, development on the project site, including the Laskie Street streetscape plan, would address any potentially significant

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ San Francisco Planning Department. *Eligibility Checklist: CEQA Section 21099 – Modernization of Transportation Analysis for 1270 Mission Street, Case No. 2014-0926*, March 18, 2016.

pedestrian impacts. Thus, development on the project site in combination with future developments in the area would result in a less-than-significant impact for both the proposed project and Variant 1.

Cumulative Loading Impacts

Loading impacts are by their nature localized and site-specific; therefore, the loading impact identified for the proposed project and Variant 1 would not contribute to cumulative impacts from other development projects near the project site. As such, since development on the project site would not result in individual loading impacts, both the proposed project and Variant 1, in combination with past, present and reasonably foreseeable developments in San Francisco, would result in less-than-significant cumulative loading impacts.

Cumulative Construction Impacts

Construction on the project site may overlap with the construction of other projects, including but not limited to the nearby planned developments located at 950-974 Market Street, 1028 Market Street, 1055 Market Street, 1066 Market Street, and 1125 Market Street, as well as other planned developments proposed under the Mid-Market SUD proposal (which are to begin construction in 2016).

As a result, construction activities associated with these projects would affect access, traffic, and pedestrians on streets used as access routes to and from the project sites (e.g., Market Street, Mission Street, etc.). Overall, cumulative construction-related transportation impacts could occur due to construction activities associated with other nearby projects that may occur at the same time and on the same roads as the proposed project and Variant 1. The construction manager for each individual project would work with the various departments of the City to develop a detailed and coordinated plan that would address construction vehicle routing, traffic control, and pedestrian movement adjacent to the construction area for the duration of any overlap in construction activity. As noted above, the project sponsor has agreed to implement **Improvement Measure I-TR-2d: Construction Truck Deliveries During Off-Peak Periods** and **Improvement Measure I-TR-2e: Construction Management Plan**, which would further minimize disruption of the general traffic flow on adjacent streets, particularly during weekday peak commute periods, require coordination with SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, minimize construction impacts on nearby businesses, and minimize traffic and parking demand associated with construction workers. These improvement measures would further reduce the less-than-significant construction impacts related to potential conflicts between construction activities and pedestrians, transit, and autos, including construction truck traffic management, project construction updates for adjacent businesses and residents, and carpool and transit access for construction workers.

In summary, the cumulative impacts of the construction of the proposed project in combination with multiple nearby construction projects would not be considerable, as construction on the project site and other nearby project sites would be temporary. Further, the project sponsor would coordinate with various City departments such as SFMTA and Public Works through the TASC to develop coordinated plans that would address construction-related vehicle routing and pedestrian/ bicycle movements

adjacent to the construction area for the duration of construction overlap. Therefore, project construction, in combination with past, present, and reasonably foreseeable construction in San Francisco, would result in a less-than-significant cumulative construction-related transportation impact for both the proposed project and Variant 1.

As described above, the proposed project and Variant 1, in combination with other past, present, and reasonably foreseeable future projects, would not result in cumulatively considerable transportation and circulation impacts.

Based on the above analysis, the proposed project and Variant 1 would result in a less-than-significant impact with regard to transportation, both individually and cumulatively.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
5. NOISE — Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Be substantially affected by existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not within an airport land use plan area,⁵⁶ nor is it in the vicinity of a private airstrip. Therefore, Questions 5e and 5f are not applicable.

⁵⁶ City/County Association of Governments (C/CAG) of San Mateo County, *Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*, November, 2012. See also, Alameda County Community Development Agency (ACCD), *Oakland International Airport, Airport Land Use Compatibility Plan*, December, 2012.

Impact NO-1: The proposed project and Variant 1 would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project or Variant 1 result in a substantial permanent increase in ambient noise levels or otherwise be substantially affected by existing noise. (Less than Significant)

Applicable Noise Standards⁵⁷

The Environmental Protection Element of the *General Plan* contains Land Use Compatibility Guidelines for Community Noise. These guidelines, which are similar to state guidelines promulgated by the Governor's Office of Planning and Research (OPR), indicate maximum acceptable noise levels for various newly developed land uses. The uses for the proposed project and Variant 1 correspond to the "Residential" land use category in the Land Use Compatibility Guidelines.⁵⁸ For this land use category, the maximum "satisfactory, with no special insulation requirements" exterior noise levels are approximately 60 dBA (Ldn).^{59,60} Where exterior noise levels exceed 60 dBA (Ldn) for a new residential building, it is generally recommended that a detailed analysis of noise reduction requirements be conducted prior to final review and approval of the project, and that the needed noise insulation features be included in the project design.

In addition, Chapter 12 of the *California Building Code* (CBC) (Part 2 of Title 24 of the *California Code of Regulations*), adopted as part of the *San Francisco Building Code*, contains acoustical requirements for interior sound levels in habitable rooms of multi-family developments. In summary, the CBC requires an interior noise level no higher than an Ldn of 45 dB. Projects exposed to an exterior Ldn of 60 dB, or greater, require an acoustical analysis showing that the proposed design would limit interior levels to the prescribed allowable interior level. Additionally, if windows must be in the closed position to meet the interior standard, the design must include a ventilation or air-conditioning system to provide fresh-air, which also would be required under Article 38 of the *San Francisco Health Code* (see Topic 6, Air Quality) and, therefore, a habitable interior environment. An Environmental Noise Study was prepared for the proposed project and Variant 1 and is discussed below.⁶¹

⁵⁷ In a decision issued on December 17, 2015, the California Supreme Court held that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a proposed project's future users or residents except where a project or its residents may exacerbate existing environmental hazards (*California Building Industry Association v. Bay Area Air Quality Management District*, December 17, 2015, Case No. S213478. Accordingly, the discussion of exposure of the proposed project's future residents to existing ambient noise is provided for informational purposes only.

⁵⁸ *San Francisco General Plan*. Environmental Protection Element, Land Use Compatibility Chart for Community Noise. Available online at http://www.sf-planning.org/ftp/general_plan/I6_Environmental_Protection.htm. Accessed on October 22, 2014.

⁵⁹ The dBA, or A-weighted decibel, refers to a scale of noise measurement that approximates the range of sensitivity of the human ear to sounds of different frequencies. On this scale, the normal range of human hearing extends from about 0dBA to about 140 dBA. A 10-dBA increase in the level of a continuous noise represents a perceived doubling of loudness.

⁶⁰ The DNL or Ldn is the Leq, or Energy Equivalent Level, of the A-weighted noise level over a 24-hour period with a 10 dB penalty applied to noise levels between 10:00 p.m. to 7:00 a.m. Leq is the level of a steady noise which would have the same energy as the fluctuating noise level integrated over the time period of interest.

⁶¹ Shem Milsom Wilke., *Environmental Noise Report, 1270 Mission LLC Residential Development San Francisco, California*, November 4, 2015.

Existing Noise in Project Site Vicinity

Ambient noise levels in the project vicinity are typical of noise levels found in San Francisco, which are dominated by vehicular traffic, including, cars, trucks, Muni buses, and emergency vehicles. Mission Street and Ninth Street are both heavily traveled streets, and generate traffic noise in excess of 70 dBA at ground level locations.⁶² While land uses in the project site vicinity do not generate a substantial amount of noise, high traffic volumes along the surrounding streets result in a relatively loud noise environment.

One long-term continuous (24-hour) noise monitor measurement was conducted at the project site in order to quantify the existing noise environment in the project vicinity and additional short term monitoring was conducted at two other on-site locations and one off-site location to extrapolate Ldn levels at these alternate locations. The results of the noise measurements are provided in Table 4, below.

TABLE 4
Results of Noise Monitor Measurements in Project Vicinity

Monitor	Location	Calculated Ldn
L1	Eastern building rooftop of the project site at Mission Street and Laskie Street, approximately 20-feet above grade.	69.6 dB
L2	Eastern ground-level street façade of the project site at Mission Street, approximately 5-feet above grade.	74.8 dB
L3	Northeastern ground-level street façade of the project site at Laskie Street, approximately 5-feet above grade.	61.9 dB
L4	Southwestern ground-level (not on project site) at Ninth Street, approximately 5-feet above grade.	74.4 dB

SOURCE: Shen Milsom Wilke, October 2015.

Proposed Project and Variant 1 Noise Exposure

As noted above, the proposed project would include new sensitive receptors in the form of residences. The proposed project would be required to incorporate Title 24 noise insulation features such as double-paned windows and insulated exterior walls as part of its construction, which would reduce indoor noise levels by at least 30 decibels. Given the relatively high exterior noise levels in the project vicinity, the noise study included design recommendations to ensure that interior noise levels are in accordance with Title 24 standards, CALGreen interior noise criteria, and the *San Francisco Building Code*. The noise study recommended that the proposed project include sound rated assemblies at exterior building façades, with window and exterior door assembly Sound Transmissions Class (STC) ratings that meet the City standards. The noise study estimated that exterior windows on residential floors would require an STC rating of 26 to 34, and that exterior walls be designed and constructed to achieve an STC rating of 40.

⁶² San Francisco Department of Public Health, Map of Areas Potentially Requiring Noise Insulations, March 2009. Available at: http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Noise.pdf. Reviewed February 8, 2016.

Because windows must be closed to achieve the interior noise criteria 45 dBA, the noise study also noted that an alternate means of providing outside air (e.g., fresh-air exchange units, HVAC, Z-ducts, etc.) to habitable spaces is required for building façades exposed to an exterior Ldn of 60 dB, or greater. The Department of Building Inspection (DBI) would review the final building plans to ensure that the proposed project meets the interior noise requirements of Title 24 and the *San Francisco Building Code*. Therefore, through compliance with applicable codes and standards, the proposed project would not expose persons to noise levels in excess of standards established in the *General Plan*, Noise Ordinance, or *San Francisco Building Code*.

The above analysis also would apply to Variant 1. There are no aspects of Variant 1 that would result in greater noise exposure impacts. Additional residences accommodated by the increase in building height would be located further from existing noise sources and would require similar but likely lesser STC-rated building materials than those described above for the proposed project. Therefore, like the proposed project, the potential environmental impacts resultant from Variant 1 associated with locating residential uses in an area that currently exceeds acceptable ambient noise levels for such uses would be ameliorated through *Building Code* compliance.

Noise from Proposed Project and Variant 1 Operations

Generally, traffic must double in volume to produce a noticeable increase in the ambient noise level in the project vicinity. The proposed project would generate approximately 644 net new daily vehicle trips, with 104 of those trips occurring in the p.m. peak hour.⁶³ This increase in vehicle trips would not cause traffic volumes to double on nearby streets, and would not have a noticeable effect on ambient noise levels in the project site vicinity. The proposed project would contain ground-floor retail/restaurant uses with residential uses above and would not include features or uses that would generate substantial noise. Therefore, operational noise from the proposed project, including traffic-related noise, would not significantly increase the existing ambient noise levels in the project vicinity.

In addition to vehicle-related noise, building equipment and ventilation are also noise sources. In addition to vehicle-related noise, mechanical equipment, including building heating and ventilation system equipment is also considered to be a potential noise source, once the proposed project is operational. Mechanical equipment would be subject to Section 2909 of the Noise Ordinance (Article 29 of the *Police Code*). This section establishes a noise limit from mechanical sources such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line. For noise generated by residential uses, the limit is 5 dBA in excess of ambient noise levels; this limitation would apply to the proposed project. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the daytime and evening hours.

Compliance with Section 2909 of the Noise Ordinance serves to minimize stationary source noise from building operations. Given that the proposed project's vehicle trips would not cause a doubling of traffic

⁶³ Trip generation estimate is reported in the *1270 Mission Street Mixed-Use Residential Project Transportation Impact Study*, prepared by CHS Consulting Group, March, 2016.

volumes on nearby streets, thereby not resulting in a noticeable increase in ambient noise levels, and that any proposed mechanical equipment would be required to comply with the Noise Ordinance, the proposed project would not result in a noticeable increase in ambient noise levels. Thus, the proposed project's impact related to project operations would be less than significant and no mitigation measures are necessary.

Variant 1 would generate approximately 883 net new daily vehicle trips, with 146 of those trips occurring in the p.m. peak hour.⁶⁴ Like the proposed project, this increase in vehicle trips under Variant 1 would not cause traffic volumes to double on nearby streets, and it would not have a noticeable effect on ambient noise levels in the project site vicinity. Therefore, operational noise from Variant 1, including traffic-related noise, would not substantially increase the existing ambient noise levels in the project vicinity, and Variant 1's impact related to project operations would be less than significant and no mitigation measures are necessary.

Impact NO-2: During construction, the proposed project and Variant 1 would not result in a substantial temporary or periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project. (Less than Significant)

Construction Noise from the Proposed Project and Variant 1

Demolition, excavation, and building construction would cause a temporary increase in noise levels within the project vicinity. Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. The project sponsor estimates that project construction activities would occur over a period of approximately 22 months. The magnitude of construction-related noise impacts during this period would depend on a number of factors that include the type and size of equipment operated during a given construction phase, the duration of a given construction phase, the distance between the noise source(s) and the affected receptor(s), and the presence (or absence) of barriers. Impacts would generally be limited to demolition and the periods during which new foundations and exterior structural and façade elements would be constructed. Interior construction noise would be substantially reduced by exterior walls. However, there would be times when noise could interfere with indoor activities in nearby residences and other businesses near the project site.

As noted above, construction noise is regulated by the Noise Ordinance (Article 29 of the *Police Code*). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (e.g., jackhammers, hoe rams, impact wrenches) must have manufacturer-recommended and City-approved mufflers for both intake and exhaust. Section 2908 of the Ordinance prohibits construction work between 8:00 p.m. and 7:00 a.m., if noise would exceed the ambient noise level by five dBA at the project property line, unless a special permit is

⁶⁴ Trip generation estimate is reported in the *1270 Mission Street Mixed-Use Residential Project Transportation Impact Study*, prepared by CHS Consulting Group, February 2016.

authorized by the Director of the Department of Public Works or the Director of Building Inspection. The project would be required to comply with regulations set forth in the Noise Ordinance.

The nearest sensitive receptors to the project site are the residential uses at 55 Ninth Street, approximately 20 feet west of the project site and at 81 Ninth Street, approximately 40 feet north of the project site. These uses would experience temporary and intermittent noise associated with site clearance and construction activities as well as the passage of construction trucks in and out of the project site. Site excavation would involve removal of approximately 12,000 cubic yards of soil for a below-grade garage. No pile driving is anticipated as part of the proposed project, as noted in the geotechnical report, which specifies that all soldier piles would be installed either by pre-drilling techniques or forming soil-cement mixed columns.⁶⁵

Construction noise impacts would be temporary in nature and would be limited to the 24-month period of construction. Moreover, the project demolition and construction activities would be required to comply with the Noise Ordinance requirements, which prohibit construction after 8:00 p.m. Although construction-related noise could be annoying at times, it would be temporary, and the noisiest phases of construction are typically of shorter duration. Further, construction noise would not be expected to exceed noise levels commonly experienced in an urban environment. Therefore, construction noise impacts would be less than significant. No mitigation measures are necessary.

The above analysis would also apply to Variant 1. According to the project sponsor, the construction period would last approximately 24 months, two months longer than the proposed project. Other than this marginal increase in duration, there are no aspects of Variant 1 that would result in greater construction noise impacts. Therefore, like the proposed project, construction noise for Variant 1 would be temporary and would not be expected to exceed noise levels commonly experienced in an urban environment. Therefore, construction noise impacts would be less than significant. No mitigation measures are necessary.

Impact C-NO: The proposed project and Variant 1 would not make a considerable contribution to any cumulative significant noise impacts. (Less than Significant)

Construction activities in the vicinity of the project site, such as excavation, grading, or construction of other buildings in the area, would occur on a temporary and intermittent basis. In general, compliance with Noise Ordinance requirements would render the noise impacts from project construction at a less-than-significant level. The proposed project and Variant 1 construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. Other than renovation projects, there is one development project, the third phase of Trinity Place, that is close enough (within 500 feet) to combine with the noise created during the construction of the proposed project and Variant 1 to result in any cumulative construction noise impact. However, the Trinity Place site is separated from the project site by multiple buildings, including the Holiday Inn hotel and PG&E substation, and would be unlikely to noticeably combine with project construction noise, even if the two were constructed simultaneously. As such, construction noise effects associated with the

⁶⁵ Langan Treadwell Rollo, *Geotechnical Investigation 1270 Mission Street San Francisco California*, November 19, 2015.

proposed project and Variant 1 are not anticipated to combine with other proposed and under construction projects located near the project site. Therefore, cumulative construction-related noise impacts from the proposed project and Variant 1 would be less than significant and no mitigation measures are necessary.

Localized traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. Analysis of traffic volumes on roadways used to access the project site (Mission Street, Eighth Street, and Ninth Street) indicates the cumulative traffic volumes would increase by no more than 36 percent compared to existing conditions, resulting in a cumulative traffic noise increase of less than 2 dBA, which would not be a perceptible increase.⁶⁶ Cumulative traffic noise would not result in a doubling of traffic volumes, which would be necessary to create a perceptible change. Consequently, cumulative noise impacts would be less than significant, and the proposed project and Variant 1's limited number of daily vehicle trips (644 net new daily vehicle trips under the proposed project and 883 under Variant 1) would not contribute considerably to any cumulative traffic-related increases in ambient noise. Therefore, cumulative traffic noise impacts would be less than significant and no mitigation measures are necessary.

Project-related stationary source noise, such as from ventilation equipment would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. Trinity Place, Phase III is the only cumulative development project close enough (within 500 feet) to even consider the potential to result in a cumulative operational noise impact. However, as noted above, the Trinity Place site is separated from the project site by multiple buildings and would be unlikely to noticeably combine with project stationary source noise. Consequently, cumulative noise impacts from stationary noise sources would be less than significant. Additionally, the proposed project and Variant 1's mechanical equipment, as well as that used for Trinity Place, would be required to comply with the Noise Ordinance.

In light of the above, the proposed project and Variant 1 would result in less-than-significant cumulative impacts related to noise and no mitigation measures are necessary.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
6. AIR QUALITY — Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁶⁶ CHS Consulting Group, *1270 Mission Street Mixed-Use Residential Project Transportation Impacts Study*, March 2016, Figures 5, 12, and 13.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Bay Area Air Quality Management District BAAQMD is the regional agency with jurisdiction over the nine-county San Francisco Bay Area Air Basin (SFBAAB), which includes San Francisco, Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Napa Counties, and portions of Sonoma and Solano Counties. The BAAQMD is responsible for attaining and maintaining air quality in the SFBAAB within federal and state air quality standards, as established by the federal Clean Air Act (CAA) and the California Clean Air Act (CCAA), respectively. Specifically, the BAAQMD has the responsibility to monitor ambient air pollutant levels throughout the SFBAAB and to develop and implement strategies to attain the applicable federal and state standards. The CAA and the CCAA require plans to be developed for areas that do not meet air quality standards, generally. The most recent air quality plan, the *2010 Clean Air Plan (CAP)*, was adopted by the BAAQMD on September 15, 2010.⁶⁷ The CAP updates the *Bay Area 2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement all feasible measures to reduce ozone; provide a control strategy to reduce ozone, particulate matter, air toxics, and greenhouse gases in a single, integrated plan; and establish emission control measures to be adopted or implemented. The 2010 CAP contains the following primary goals:

- Attain air quality standards;
- Reduce population exposure and protect public health in the San Francisco Bay Area; and
- Reduce greenhouse gas emissions and protect the climate.

The CAP represents the most current applicable air quality plan for the SFBAAB. Consistency with this plan is the basis for determining whether the proposed project or Variant 1 would conflict with or obstruct implementation of an applicable air quality plan.

Criteria Air Pollutants

In accordance with the state and federal CAAs, air pollutant standards are identified for the following six criteria air pollutants: ozone, carbon monoxide (CO), particulate matter (PM), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), 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. In general, the SFBAAB experiences low concentrations of most pollutants when

⁶⁷ An update to the 2010 CAP, the 2016 CAP, is not anticipated to go before the District Board until the end of 2016.

compared to federal or state standards. The SFBAAB is designated as either in attainment⁶⁸ or unclassified for most criteria pollutants with the exception of ozone, PM_{2.5}, and PM₁₀, for which these pollutants are designated as non-attainment for either the state or federal standards. By its very nature, regional air pollution is largely a cumulative impact in that no single project is sufficient in size to, by itself, result in non-attainment of air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality impacts. If a project's contribution to cumulative air quality impacts is considerable, then the project's impact on air quality would be considered significant.

Land use projects may contribute to regional criteria air pollutants during the construction and operational phases of a project. **Table 5** identifies air quality significance thresholds followed by a discussion of each threshold. Projects that would result in criteria air pollutant emissions below these significance thresholds would not 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 SFBAAB.

Table 5
Criteria Air Pollutants Significance Thresholds

Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Annual Average Emissions (tons/year)
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	

SOURCE: BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009

Ozone Precursors. As discussed previously, the SFBAAB is currently designated as non-attainment for ozone. Ozone is a secondary air pollutant produced in the atmosphere through a complex series of photochemical reactions involving reactive organic gases (ROG) and oxides of nitrogen (NO_x). The potential for a project to result in a cumulatively considerable net increase in criteria air pollutants, which may contribute to an existing or projected air quality violation, are based on the state and federal Clean Air Act's emissions limits for stationary sources. The federal New Source Review (NSR) program was created by the federal CAA to ensure that stationary sources of air pollution are constructed in a manner that is consistent with attainment of federal health based ambient air quality standards. Similarly, to ensure that new stationary sources do not cause or contribute to a violation of an air quality standard, BAAQMD Regulation 2, Rule 2 requires that any new source that emits criteria air pollutants above a

⁶⁸ "Attainment" status refers to those regions that are meeting federal and/or state standards for a specified criteria pollutant. "Non-attainment" refers to regions that do not meet federal and/or state standards for a specified criteria pollutant. "Unclassified" refers to regions where there is not enough data to determine the region's attainment status.

specified emissions limit must offset those emissions. For ozone precursors ROG and NO_x, the offset emissions level is an annual average of 10 tons per year (or 54 pounds (lbs.) per day).⁶⁹ These levels represent emissions by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants.

Although this regulation applies to new or modified stationary sources, land use development projects result in ROG and NO_x emissions as a result of increases in vehicle trips, architectural coating, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of land use projects, and those projects that result in emissions below these thresholds would not be considered to contribute to an existing or projected air quality violation or result in a considerable net increase in ROG and NO_x emissions. Due to the temporary nature of construction activities, only the average daily thresholds are applicable to construction phase emissions.

Particulate Matter (PM₁₀ and PM_{2.5}). The BAAQMD has not established an offset limit for PM_{2.5}. However, the emissions limit in the federal NSR for stationary sources in nonattainment areas is an appropriate significance threshold. For PM₁₀ and PM_{2.5}, the emissions limit under NSR is 15 tons per year (82 lbs. per day) and 10 tons per year (54 lbs. per day), respectively. These emissions limits represent levels at which a source is not expected to have an impact on air quality.⁷⁰ Similar to ozone precursor thresholds identified above, land use development projects typically result in particulate matter emissions as a result of increases in vehicle trips, space heating and natural gas combustion, landscape maintenance, and construction activities. Therefore, the above thresholds can be applied to the construction and operational phases of a land use project. Again, because construction activities are temporary in nature, only the average daily thresholds are applicable to construction-phase emissions.

Fugitive Dust. Fugitive dust emissions are typically generated during construction phases. Studies have shown that the application of best management practices (BMPs) at construction sites significantly control fugitive dust.⁷¹ Individual measures have been shown to reduce fugitive dust by anywhere from 30 to 90 percent.⁷² The BAAQMD has identified a number of BMPs to control fugitive dust emissions from construction activities.⁷³ The City's Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) requires a number of measures to control fugitive dust to ensure that construction projects do not result in visible dust. The BMPs employed in compliance with the City's Construction Dust Control Ordinance is an effective strategy for controlling construction-related fugitive dust.

⁶⁹ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 17. Available on the internet at: <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en>. Accessed February 9, 2016.

⁷⁰ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 16.

⁷¹ Western Regional Air Partnership. 2006. *WRAP Fugitive Dust Handbook*. September 7, 2006. This document is available online at http://www.wrapair.org/forums/dej/fdh/content/FDHandbook_Rev_06.pdf. Accessed February 9, 2016.

⁷² BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 27.

⁷³ BAAQMD, *CEQA Air Quality Guidelines*, May 2012. Available on the internet at: http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/BAAQMD%20CEQA%20Guidelines_Final_May%202012.ashx?la=en. Accessed February 9, 2016.

Other Criteria Pollutants. Regional concentrations of CO in the Bay Area have not exceeded the state standards in the past 11 years and SO₂ concentrations have never exceeded the standards. The primary source of CO emissions from development projects is vehicle traffic. Construction-related SO₂ emissions represent a negligible portion of the total basin-wide emissions and construction-related CO emissions represent less than five percent of the Bay Area total basin-wide CO emissions. As discussed previously, the Bay Area is in attainment for both CO and SO₂. Furthermore, the BAAQMD has demonstrated, based on modeling, that in order to exceed the California ambient air quality standard of 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average) for CO, project traffic in addition to existing traffic would need to exceed 44,000 vehicles per hour at affected intersections (or 24,000 vehicles per hour where vertical and/or horizontal mixing is limited). Therefore, given the Bay Area's attainment status and the limited CO and SO₂ emissions that could result from a development project, the proposed project and Variant 1 would not result in a cumulatively considerable net increase in CO or SO₂, and a quantitative analysis is not required.

Local Health Risks and Hazards

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 of short-term) adverse effects to human health, including carcinogenic effects. A TAC is defined in *California Health and Safety Code* Section 39655 as an air pollutant which may cause or contribute to an increase in mortality or serious illness, or which may pose a present or potential hazard to human health. Human health effects of TACs include birth defects, neurological damage, cancer, and death. There are hundreds of different types of TACs with varying degrees of toxicity. Individual TACs vary greatly in the health risk they present; at a given level of exposure, one TAC may pose a hazard that is many times greater than another.

Unlike criteria air pollutants, TACs do not have ambient air quality standards but are regulated by the BAAQMD using a risk-based approach. This approach uses a health risk assessment to determine which sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, to provide quantitative estimates of health risks.⁷⁴

Air pollution does not affect every individual in the population in the same way, and some groups are more sensitive to adverse health effects than others. Land uses such as residences, schools, children's day care centers, hospitals, and nursing and convalescent homes are considered to be the most sensitive to poor air quality because the population groups associated with these uses have increased susceptibility to respiratory distress or, as in the case of residential receptors, their exposure time is greater than for other land uses. Exposure assessment guidance typically assumes that residences would be exposed to air

⁷⁴ In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggest a potential public health risk. The applicant is then subject to a health risk assessment for the source in question. Such an assessment generally evaluates chronic, long-term effects, estimating the increased risk of cancer as a result of exposure to one or more TACs.

pollution 24 hours per day, 350 days per year, for 70 years. Therefore, assessments of air pollutant exposure to residents typically result in the greatest adverse health outcomes of all population groups.

Exposures to fine particulate matter (PM_{2.5}) are strongly associated with mortality, respiratory diseases, and lung development in children, and other endpoints such as hospitalization for cardiopulmonary disease.⁷⁵ In addition to PM_{2.5}, diesel particulate matter (DPM) is also of concern. The California Air Resources Board (ARB) identified DPM as a TAC in 1998, primarily based on evidence demonstrating cancer effects in humans.⁷⁶ The estimated cancer risk from exposure to diesel exhaust is much higher than the risk associated with any other TAC routinely measured in the region.

In an effort to identify areas of San Francisco most adversely affected by sources of TACs, San Francisco partnered with the BAAQMD to inventory and assess air pollution and exposures from mobile, stationary, and area sources within San Francisco. Areas with poor air quality, termed the “Air Pollutant Exposure Zone,” were identified based on health-protective criteria that consider estimated cancer risk, exposures to fine particulate matter, proximity to freeways, and locations with particularly vulnerable populations. The project site is located within the Air Pollutant Exposure Zone. Each of the Air Pollutant Exposure Zone criteria is discussed below.

Excess Cancer Risk. The above 100 per one million persons (100 excess cancer risk) criteria is based on United State Environmental Protection Agency (USEPA) guidance for conducting air toxic analyses and making risk management decisions at the facility and community-scale level.⁷⁷ As described by the BAAQMD, the USEPA considers a cancer risk of 100 per million to be within the “acceptable” range of cancer risk. Furthermore, in the 1989 preamble to the benzene National Emissions Standards for Hazardous Air Pollutants (NESHAP) rulemaking,⁷⁸ the USEPA states that it “...strives to provide maximum feasible protection against risks to health from hazardous air pollutants by (1) protecting the greatest number of persons possible to an individual lifetime risk level no higher than approximately one in one million and (2) limiting to no higher than approximately one in ten thousand [100 in one million] the estimated risk that a person living near a plant would have if he or she were exposed to the maximum pollutant concentrations for 70 years.” The 100 per one million excess cancer cases is also consistent with the ambient cancer risk in the most pristine portions of the Bay Area based on BAAQMD regional modeling.⁷⁹

Fine Particulate Matter. In April 2011, the USEPA published *Policy Assessment for the Particulate Matter Review of the National Ambient Air Quality Standards*, “Particulate Matter Policy Assessment.” In this

⁷⁵ SFDPH, *Assessment and Mitigation of Air Pollutant Health Effects from Intra-Urban Roadways: Guidance for Land Use Planning and Environmental Review*, May 2008.

⁷⁶ California Air Resources Board (ARB), Fact Sheet, “The Toxic Air Contaminant Identification Process: Toxic Air Contaminant Emissions from Diesel-fueled Engines,” October 1998.

⁷⁷ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67. Available on the internet at: <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en>. Accessed February 9, 2016.

⁷⁸ 54 Federal Register 38044, September 14, 1989.

⁷⁹ BAAQMD, *Revised Draft Options and Justification Report, California Environmental Quality Act Thresholds of Significance*, October 2009, page 67. Available on the internet at: <http://www.baaqmd.gov/~media/Files/Planning%20and%20Research/CEQA/Revised%20Draft%20CEQA%20Thresholds%20%20Justification%20Report%20Oct%202009.ashx?la=en>. Accessed February 9, 2016.

document, USEPA staff concludes that the current federal annual PM_{2.5} standard of 15 µg/m³ should be revised to a level within the range of 13 to 11 µg/m³, with evidence strongly supporting a standard within the range of 12 to 11 µg/m³. Air pollution hot spots for San Francisco are based on the health protective PM_{2.5} standard of 11 µg/m³, as supported by the USEPA's Particulate Matter Policy Assessment, although lowered to 10 µg/m³ to account for error bounds in emissions modeling programs.

Proximity to Freeways. According to the ARB, studies have shown an association between the proximity of sensitive land uses to freeways and a variety of respiratory symptoms, asthma exacerbations, and decreases in lung function in children. Siting sensitive uses in close proximity to freeways increases both exposure to air pollution and the potential for adverse health effects. As evidence shows that sensitive uses in an area within a 500-foot buffer of any freeway are at an increased health risk from air pollution,⁸⁰ lots that are within 500 feet of freeways are included in the Air Pollutant Exposure Zone.

Health Vulnerable Locations. Based on the BAAQMD's evaluation of health vulnerability in the Bay Area, those zip codes (94102, 94103, 94105, 94124, and 94130) in the worst quintile of Bay Area Health vulnerability scores as a result of air pollution-related causes were afforded additional protection by lowering the standards for identifying lots in the Air Pollutant Exposure Zone to: (1) an excess cancer risk greater than 90 per one million persons exposed, and/or (2) PM_{2.5} concentrations in excess of 9 µg/m³.⁸¹

The above citywide health risk modeling was also used as the basis in approving 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. In addition, projects within the Air Pollutant Exposure Zone require special consideration to determine whether the project's activities would add a substantial amount of emissions to areas already adversely affected by poor air quality. The project site is located within the Air Pollutant Exposure Zone.

Construction Air Quality Impacts

Project-related air quality impacts fall into two categories: short-term impacts due to construction and long-term impacts due to project operation. The following addresses construction-related air quality impacts resulting from the proposed project and Variant 1.

Impact AQ-1: The proposed project and Variant 1's construction activities would generate fugitive dust and criteria air pollutants but would not violate an air quality standard, contribute substantially to an existing or

⁸⁰ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005. Available online at: <http://www.arb.ca.gov/ch/landuse.htm>.

⁸¹ San Francisco Planning Department and San Francisco Department of Public Health, *2014 Air Pollutant Exposure Zone Map (Memo and Map)*, April 9, 2014. These documents are part of San Francisco Board of Supervisors File No. 14806, Ordinance No. 224-14 Amendment to *Health Code* Article 38.

projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

Construction activities (short-term) typically result in emissions of ozone precursors and PM in the form of dust (fugitive dust) and exhaust (e.g., vehicle tailpipe emissions). Emissions of ozone precursors and PM are primarily a result of the combustion of fuel from on-road and off-road vehicles. However, ROGs are also emitted from activities that involve painting, other types of architectural coatings, or asphalt paving. The proposed project would involve demolition of the existing one-story, 1,200-square-foot, approximately 12-foot-tall commercial building, and construction of a new 120-foot-tall, 13-story, mixed-use building containing approximately 195 dwelling units and about 2,012 square feet of retail/restaurant space. Construction of Variant 1 also would involve demolition of the existing building on the project site, and construction of 200-foot-tall, 21-story, mixed-use building containing 299 dwelling units and about 2,012 square feet of retail/restaurant space. During the proposed project's approximately 22 month construction period and Variant 1's approximately 24 month construction period, construction activities would have the potential to result in emissions of ozone precursors and PM, as discussed below.

Fugitive Dust

The proposed project-related and Variant 1-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The current health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the ARB, reducing particulate matter PM_{2.5} concentrations to state and federal standards of 12 µg/m³ in the San Francisco Bay Area would prevent between 200 and 1,300 premature deaths.⁸²

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust that adds particulate matter to the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

In response, the San Francisco Board of Supervisors approved a series of amendments to the *San Francisco Building and Health Codes* generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008) with the intent of reducing the quantity of dust generated during site preparation, demolition and construction work in order to protect the health of the general public and of onsite workers, minimize public nuisance complaints, and to avoid orders to stop work by the DBI.

⁸² ARB, *Methodology for Estimating Premature Deaths Associated with Long-term Exposure to Fine Airborne Particulate Matter in California*, Staff Report, Table 4c, October 24, 2008.

The Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one half-acre that are unlikely to result in any visible wind-blown dust.

In compliance with the Construction Dust Control Ordinance, the project sponsor and the contractor responsible for construction activities at the project site would be required to use the following practices to control construction dust on the site or other practices that result in equivalent dust control that are acceptable to the Director of DBI. Dust suppression activities may include watering all active construction areas sufficiently to prevent dust from becoming airborne; increased watering frequency may be necessary whenever wind speeds exceed 15 miles per hour. During excavation and dirt-moving activities, contractors shall wet sweep or vacuum the streets, sidewalks, paths, and intersections where work is in progress at the end of the workday. Inactive stockpiles (where no disturbance occurs for more than seven days) greater than 10 cubic yards or 500 square feet of excavated material, backfill material, import material, gravel, sand, road base, and soil shall be covered with a 10 mil (0.01 inch) polyethylene plastic (or equivalent) tarp, braced down, or use other equivalent soil stabilization techniques. The City and County of San Francisco Ordinance 175-91 restricts the use of potable water for soil compaction and dust control activities undertaken in conjunction with any construction or demolition project occurring within the boundaries of San Francisco, unless permission is obtained from the San Francisco Public Utilities Commission (SFPUC). Non-potable water must be used for soil compaction and dust control activities during project construction and demolition. The SFPUC operates a recycled water truck-fill station at the Southeast Water Pollution Control Plant that provides recycled water for these activities at no charge. The proposed project site is less than one half-acre and the sponsor would not be required to prepare a site-specific Dust Control Plan pursuant to the Dust Control Ordinance. The project sponsor would be required to designate an individual to monitor compliance with these dust control requirements. Compliance with the regulations and procedures set forth by the San Francisco Dust Control Ordinance would ensure that potential dust-related air quality impacts would be reduced to a less-than-significant level. Therefore, no mitigation measures are necessary.

Construction-Related Criteria Air Pollutants

As discussed above, construction activities would result in emissions of criteria air pollutants from the use of off- and on-road vehicles and equipment. To evaluate construction emissions of criteria pollutants, a quantitative analysis was conducted. Construction-related criteria air pollutants generated by the proposed project and Variant 1 were quantified using the California Emissions Estimator Model (CalEEMod) and provided within an Air Quality Memorandum.⁸³ The model was developed, including default data (e.g., emission factors, meteorology, etc.), in collaboration with California air districts' staff. Default assumptions were used where project-specific information was unknown.

⁸³ Environmental Science Associates, *Air Quality Memorandum*, 1270 Mission Street, March 2, 2016.

Construction of the proposed project would occur over an approximately 22 month period with construction activity occurring five days a week. Emissions were converted from tons/year to lbs./day using the estimated construction duration of 477 working days. As shown in **Table 6**, the unmitigated project construction emissions would be below the threshold of significance for NO_x, PM₁₀, and PM_{2.5}; therefore, the construction-related air quality impacts of the proposed project with respect to criteria air pollutants would be less than significant and no mitigation measures are necessary.

TABLE 6
DAILY PROJECT CONSTRUCTION EMISSIONS OF THE PROPOSED PROJECT

	Proposed Project Pollutant Emissions (Average Pounds per Day)			
	ROG	NO _x	Exhaust PM ₁₀	Exhaust PM _{2.5}
Unmitigated Project Emissions	7.95	14.74	0.82	0.76
Significance Threshold	54.0	54.0	82.0	54.0

Emissions over threshold levels are in bold.

SOURCE: BAAQMD, 2011; ESA, 2016

The above analysis would also apply to Variant 1. According to the project sponsor, the construction period would last approximately 24 months, two months longer than the proposed project. Other than this marginal increase in duration, there are no aspects of Variant 1 that would result in greater construction air quality impacts.

Construction of Variant 1 would occur over an approximately 24 month period with construction activity occurring five days a week. Emissions were converted from tons/year to lbs./day using the estimated construction duration of 520 working days. As shown in **Table 7**, the unmitigated Variant 1 construction emissions would be below the threshold of significance for NO_x, PM₁₀, and PM_{2.5}; therefore, the construction-related air quality impacts of Variant 1 with respect to criteria air pollutants would be less than significant and no mitigation measures are necessary.

TABLE 7
DAILY PROJECT CONSTRUCTION EMISSIONS OF VARIANT 1

	Variant 1 Pollutant Emissions (Average Pounds per Day)			
	ROG	NO _x	Exhaust PM ₁₀	Exhaust PM _{2.5}
Unmitigated Project Emissions	11.67	16.98	0.90	0.83
Significance Threshold	54.0	54.0	82.0	54.0

Emissions over threshold levels are in bold.

SOURCE: BAAQMD, 2011; ESA, 2016

Impact AQ-2: The proposed project and Variant 1's construction activities would generate toxic air contaminants, including diesel particulate matter, but would not expose sensitive receptors to substantial pollutant concentrations. (Less than Significant with Mitigation)

The project site is located within the Air Pollutant Exposure Zone, as described above. The nearest sensitive receptors to the project site are the residential uses at 55 Ninth Street, approximately 20 feet west of the project site and at 81 Ninth Street, approximately 40 feet north of the project site. Additionally, both the proposed project and Variant 1 include new residential uses, which would be considered sensitive receptors, although these uses would not be occupied until construction would be completed.

With regards to construction emissions, off-road equipment (which includes construction-related equipment) is a large contributor to diesel particulate matter (DPM) emissions in the State of California, although since 2007, the ARB has found the emissions to be substantially lower than previously expected.⁸⁴ Newer and more refined emission inventories have substantially lowered the estimates of DPM emissions from off-road equipment.⁸⁵ This reduction in emissions is due, in part, to refined emissions estimation methodologies. For example, revised PM emission estimates for the year 2010, which DPM is a major component of total PM, have decreased by 83 percent from previous 2010 emissions estimates for the SFBAAB.⁸⁶

Additionally, a number of federal and state regulations are requiring cleaner off-road equipment. Specifically, both the USEPA and the State of California have set emissions standards for new off-road equipment engines, ranging from Tier 1 to Tier 4. Tier 1 emission standards were phased in between 1996 and 2000 and Tier 4 Interim and Final emission standards for all new engines were phased in between 2008 and 2015. To meet the Tier 4 emission standards, engine manufacturers will be required to produce new engines with advanced emission-control technologies. Although the full benefits of these regulations will not be realized for several years, the USEPA estimates that by implementing the federal Tier 4 standards, NO_x and PM emissions will be reduced by more than 90 percent.⁸⁷

In addition, construction activities do not lend themselves to analysis of long-term health risks because of their temporary and variable nature. As explained in the BAAQMD's *CEQA Air Quality Guidelines*:

Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations. Concentrations of mobile-source diesel PM emissions are typically reduced by 70 percent at a distance of approximately 500 feet In addition, current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 40, and

⁸⁴ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, p.1 and p. 13 (Figure 4), October 2010.

⁸⁵ ARB, *Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Proposed Amendments to the Regulation for In-Use Off-Road Diesel-Fueled Fleets and the Off-Road Large Spark-Ignition Fleet Requirements*, October 2010.

⁸⁶ ARB, "In-Use Off-Road Equipment, 2011 Inventory Model," Query accessed online, April 2, 2012, http://www.arb.ca.gov/msei/categories.htm#inuse_or_category.

⁸⁷ USEPA, "Clean Air Nonroad Diesel Rule: Fact Sheet," May 2004.

70 years, which do not correlate well with the temporary and highly variable nature of construction activities. This results in difficulties with producing accurate estimates of health risk.⁸⁸

Therefore, project-level analyses of construction activities have a tendency to produce overestimated assessments of long-term health risks. However, within the Air Pollutant Exposure Zone, as discussed above, additional construction activity may adversely affect populations that are already at a higher risk for adverse long-term health risks from existing sources of air pollution.

The proposed project would require construction activities for an approximate 22-month construction period and Variant 1 for an approximate 24-month construction period. The proposed project and Variant 1 construction activities would result in short-term emissions of DPM and other TACs. The project site is located in an area that already experiences poor air quality and project construction activities would generate additional air pollution, affecting nearby sensitive receptors and resulting in a significant impact. Implementation of **Mitigation Measure M-AQ-2, Construction Air Quality**, would reduce the magnitude of this impact to a less-than-significant level. While emission reductions from limiting idling, educating workers and the public and properly maintaining equipment are difficult to quantify, other measures, specifically the requirement for equipment with Tier 2 engines and Level 3 Verified Diesel Emission Control Strategy (VDECS) can reduce construction emissions by 89 to 94 percent compared to equipment with engines meeting no emission standards and without a VDECS.⁸⁹ Emissions reductions from the combination of Tier 2 equipment with level 3 VDECS is almost equivalent to requiring only equipment with Tier 4 Final engines, which is not yet available for engine sizes subject to the mitigation. Therefore, compliance with **Mitigation Measure M-AQ-2** would reduce construction emissions impacts on nearby sensitive receptors to a less-than-significant level for both the proposed project and Variant 1.

Mitigation Measure M-AQ-2: Construction Air Quality

The project sponsor or the project sponsor's Contractor shall comply with the following for construction of either the proposed project or Variant 1:

A. Engine Requirements.

1. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified

⁸⁸ BAAQMD, CEQA Air Quality Guidelines, May 2012, page 8-6.

⁸⁹ PM emissions benefits are estimated by comparing off-road PM emission standards for Tier 2 with Tier 1 and 0. Tier 0 off-road engines do not have PM emission standards, but the United States Environmental Protection Agency's Exhaust and Crankcase Emissions Factors for Nonroad Engine Modeling – Compression Ignition has estimated Tier 0 engines between 50 hp and 100 hp to have a PM emission factor of 0.72 g/hp-hr and greater than 100 hp to have a PM emission factor of 0.40 g/hp-hr. Therefore, requiring off-road equipment to have at least a Tier 2 engine would result in between a 25 percent and 63 percent reduction in PM emissions, as compared to off-road equipment with Tier 0 or Tier 1 engines. The 25 percent reduction comes from comparing the PM emission standards for off-road engines between 25 hp and 50 hp for Tier 2 (0.45 g/bhp-hr) and Tier 1 (0.60 g/bhp-hr). The 63 percent reduction comes from comparing the PM emission standards for off-road engines above 175 hp for Tier 2 (0.15 g/bhp-hr) and Tier 0 (0.40 g/bhp-hr). In addition to the Tier 2 requirement, ARB Level 3 VDECSs are required and would reduce PM by an additional 85 percent. Therefore, the mitigation measure would result in between an 89 percent (0.0675 g/bhp-hr) and 94 percent (0.0225 g/bhp-hr) reduction in PM emissions, as compared to equipment with Tier 1 (0.60 g/bhp-hr) or Tier 0 engines (0.40 g/bhp-hr).

Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.

2. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
3. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.
4. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

1. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
2. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the Table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

** Alternative fuels are not a VDECS.

- C. Construction Emissions Minimization Plan.** Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for

review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

1. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.
 2. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
 3. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Operational Air Quality Impacts

Land use projects typically result in emissions of criteria air pollutants and toxic air contaminants primarily from an increase in motor vehicle trips. However, land use projects may also result in criteria air pollutants and toxic air contaminants from combustion of natural gas, landscape maintenance, use of consumer products, and architectural coating. The following addresses air quality impacts resulting from operation of the proposed project and Variant 1.

Impact AQ-3: During project operations, the proposed project and Variant 1 would result in emissions of criteria air pollutants, but not at levels that would violate an air quality standard, contribute to an existing or projected air quality violation, or result in a cumulatively considerable net increase in criteria air pollutants. (Less than Significant)

Operational Criteria Air Pollutants

The proposed project would involve demolition of the existing one-story commercial building and surface parking lot, and construction of a new 120-foot-tall, 13-story mixed-use building containing approximately 195 dwelling units and about 2,012 square feet of retail/restaurant space, which does not

exceed BAAQMD's operational screening criteria. In general, emission modeling shows that a project must generate more than 5,000 daily vehicle trips to result in an exceedance of the significance criteria for criteria air pollutants from project operations. As described in Topic 4, Transportation and Circulation, the proposed project would generate approximately 644 net new daily vehicle trips.⁹⁰ Thus, quantification of project-generated criteria air pollutant emissions is not required, and the proposed project would not exceed any of the significance thresholds for criteria air pollutants, and would result in less than significant impact with respect to criteria air pollutants. No mitigation measures are necessary.

Variant 1 also would involve demolition of the existing commercial building and surface parking lot, and construction of a new 200-foot-tall, 21-story mixed-use building containing approximately 299 dwelling units and about 2,012 square feet of retail/restaurant space, which also does not exceed BAAQMD's operational screening criteria. As noted above, emission modeling shows that a project must generate more than 5,000 daily vehicle trips to result in an exceedance of the significance criteria for criteria air pollutants from project operations. As described in Topic 4, Transportation and Circulation, Variant 1 would generate approximately 883 net new daily vehicle trips.⁹¹ Thus, quantification of Variant 1 - generated criteria air pollutant emissions is not required, and Variant 1 would not exceed any of the significance thresholds for criteria air pollutants, and would result in less than significant impact with respect to operational criteria air pollutants. No mitigation measures are necessary.

Impact AQ-4: The proposed project and Variant 1 would generate toxic air contaminants, including diesel particulate matter, exposing sensitive receptors to substantial air pollutant concentrations. (Less than Significant with Mitigation)

As discussed above, the project site is within an Air Pollutant Exposure Zone. The nearest sensitive receptors to the project site are the residential uses at 55 Ninth Street, approximately 20 feet west of the project site and at 81 Ninth Street, approximately 40 feet north of the project site. Additionally, both the proposed project and Variant 1 include new residential uses, which would be considered sensitive receptors, although these uses would not be occupied until construction would be completed.

Sources of Toxic Air Contaminants

Vehicle Trips. Individual projects result in emissions of toxic air contaminants primarily as a result of an increase in vehicle trips. The BAAQMD considers roads with less than 10,000 vehicles per day "minor, low-impact" sources that do not pose a significant health impact even in combination with other nearby sources and recommends that these sources be excluded from the environmental analysis. The proposed project's 644 vehicle trips and Variant 1's 883 vehicle trips [would be well below this level and would be distributed among the local roadway network; therefore, an assessment of project-generated TACs resulting from vehicle trips is not required and the proposed project and Variant 1 would not generate a substantial amount of TAC emissions that could affect nearby sensitive receptors.

⁹⁰ Trip generation estimate is reported in the *1270 Mission Street Mixed-Use Residential Project Transportation Impact Study*, prepared by CHS Consulting Group, February 2016.

⁹¹ Trip generation estimate is reported in the *1270 Mission Street Mixed-Use Residential Project Transportation Impact Study*, prepared by CHS Consulting Group, February 2016.

On-Site Diesel Generator. The proposed project and Variant 1 also would include a backup emergency generator. Emergency generators are regulated by the BAAQMD through their New Source Review (Regulation 2, Rule 5) permitting process. The project applicant would be required to obtain applicable permits to operate an emergency generator for the proposed project and Variant 1 from the BAAQMD. Although emergency generators are intended only to be used in periods of power outages, monthly testing of the generator would be required. The BAAQMD limit testing to no more than 50 hours per year. Additionally, as part of the permitting process, the BAAQMD would limit the excess cancer risk from any facility to no more than ten per one million population and requires any source that would result in an excess cancer risk greater than one per one million population to install Toxic Best Available Control Technology (T-BACT). However, because the project site is located in an area that already experiences poor air quality, the emergency back-up generator for the proposed project and Variant 1 has the potential to expose sensitive receptors to substantial concentrations of diesel particulate emissions, a known TAC, resulting in a significant air quality impact. Implementation of **Mitigation Measure M-AQ-4, Best Available Control Technology for Diesel Generators**, would reduce the magnitude of this impact to a less-than-significant level by reducing emissions by 89 to 94 percent compared to equipment with engines that do not meet any emission standards and without a VDECS. Therefore, although the proposed project and Variant 1 would add a new source of TACs within an area that already experiences poor air quality, implementation of **Mitigation Measure M-AQ-4** would reduce this impact to a less-than-significant level.

Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

Siting Sensitive Land Uses

The proposed project and Variant 1 would include development of 195 and 299 dwelling units, respectively, which would be considered a sensitive land use for the purposes of air quality evaluation. For sensitive use projects within the Air Pollutant Exposure Zone as defined by Article 38, such as the proposed project and Variant 1, Article 38 requires that the project sponsor submit an Enhanced Ventilation Proposal for approval by the Department of Public Health (DPH) that achieves protection from PM_{2.5} (fine particulate matter) equivalent to that associated with a Minimum Efficiency Reporting Value 13 MERV filtration. DBI will not issue a building permit without written notification from the Director of Public Health that the applicant has an approved Enhanced Ventilation Proposal.

In compliance with Article 38, the project sponsor has submitted an initial application to DPH.⁹² The regulations and procedures set forth by Article 38 would ensure that exposure to sensitive receptors would not be significant. Therefore, impacts related to siting new sensitive land uses would be less than significant through compliance with Article 38.

Impact AQ-5: The proposed project and Variant 1 would not conflict with, or obstruct implementation of the 2010 Clean Air Plan. (Less than Significant)

The most recently adopted air quality plan for the SFBAAB is the CAP. The CAP is a road map that demonstrates how the San Francisco Bay Area will achieve compliance with the state ozone standards as expeditiously as practicable and how the region will reduce the transport of ozone and ozone precursors to neighboring air basins. In determining consistency with the CAP, this analysis considers whether the project would: (1) support the primary goals of the CAP, (2) include applicable control measures from the CAP, and (3) avoid disrupting or hindering implementation of control measures identified in the CAP.

The primary goals of the CAP are to: (1) reduce emissions and decrease concentrations of harmful pollutants, (2) safeguard the public health by reducing exposure to air pollutants that pose the greatest health risk, and (3) reduce greenhouse gas emissions. To meet the primary goals, the CAP recommends specific control measures and actions. These control measures are grouped into various categories and include stationary and area source measures, mobile source measures, transportation control measures, land use measures, and energy and climate measures. The CAP recognizes that to a great extent, community design dictates individual travel mode, and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics, and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the CAP includes 55 control measures aimed at reducing air pollution in the SFBAAB.

The measures most applicable to the proposed project and Variant 1 are transportation control measures and energy and climate control measures. The proposed project and Variant 1's impact with respect to greenhouse gas emissions is discussed in Topic 7, Greenhouse Gas Emissions, which demonstrates that the proposed project and Variant 1 would comply with the applicable provisions of the City's Greenhouse Gas Reduction Strategy.

The compact development of the proposed project and Variant 1 and high availability of viable transportation options would ensure that residents could bicycle, walk, and ride transit to and from the project site instead of taking trips via private automobile. These features ensure that the proposed project and Variant 1 would avoid substantial growth in automobile trips and vehicle miles traveled. The proposed project's anticipated 644 net new vehicle trips and Variant 1's anticipated 883 net new vehicle trips would result in a negligible increase in air pollutant emissions. Furthermore, the proposed project and Variant 1 would be generally consistent with the *General Plan*, as discussed in Section C, *Compatibility*

⁹² San Francisco Planning Department, *Application for Article 38 Compliance Checklist - 1270 Mission Street*, April 30, 2015.

with Existing Zoning and Plans. Transportation control measures that are identified in the CAP are implemented by the *General Plan* and the *Planning Code*, through the City's Transit First Policy, bicycle parking requirements, and transportation sustainability fees. Compliance with these policies, requirements, and fees would ensure the proposed project and Variant 1 include relevant transportation control measures specified in the CAP. Therefore, the proposed project and Variant 1 would include applicable control measures identified in the CAP to meet the CAP's primary goals.

Examples of a project that could cause the disruption or delay of CAP control measures are projects that would preclude the extension of a transit line or bike path, or projects that propose excessive parking beyond parking requirements. The proposed project would demolish the existing one-story commercial building on the site and construct a new 13-story, mixed-use building containing 195 dwelling units and about 2,012 square feet of retail/restaurant space, while Variant 1 would demolish the existing one-story commercial building and construct a new 21-story, mixed-use building containing 299 dwelling units and about 2,012 square feet of retail/restaurant space. Both the proposed project and Variant 1 would be located within a dense, walkable urban area near a concentration of regional and local transit service. The proposed project and Variant 1 would not preclude the extension of a transit line or a bike path or any other transit improvement, and thus would not disrupt or hinder implementation of control measures identified in the CAP.

For the reasons described above, the proposed project and Variant 1 would not interfere with implementation of the CAP, and because the proposed project and Variant 1 would be consistent with the applicable air quality plan that demonstrates how the region will improve ambient air quality and achieve the state and federal ambient air quality standards, the impact would be less than significant and no mitigation measures are necessary.

Impact AQ-6: The proposed project and Variant 1 would not create objectionable odors that would affect a substantial number of people. (Less than Significant)

Typical odor sources of concern include wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by sources of odors.⁹³ Additionally, the proposed project and Variant 1 include residential and retail/restaurant uses, which would not be a significant sources of new odors. Therefore, odor impacts from the proposed project and Variant 1 would be less than significant and no mitigation measures are necessary.

⁹³ Reconnaissance of project site and environs was conducted by ESA staff of February 23, 2016.

Impact C-AQ: The proposed project and Variant 1, in combination with past, present, and reasonably foreseeable future development in the project area would contribute to cumulative air quality impacts. (Less than Significant with Mitigation)

As discussed above, regional air pollution is by its very nature largely a cumulative impact. Emissions from past, present, and future projects contribute to the region's adverse air quality on a cumulative basis. No single project by itself would be sufficient in size to result in regional nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative adverse air quality impacts. The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. Therefore, because the proposed project and Variant 1's construction (Impact AQ-1) and operational (Impact AQ-3) emissions would not exceed the project-level thresholds for criteria air pollutants, the proposed project and Variant 1 would not be considered to result in a cumulatively considerable contribution to regional air quality impacts.

As discussed above, the project site is located in an area that already experiences poor air quality. The proposed project and Variant 1 would add construction-related DPM emissions and emissions from maintenance operations of standby diesel generators within an area identified as an Air Pollutant Exposure Zone, resulting in a considerable contribution to cumulative health risk impacts on nearby sensitive receptors. This would constitute a significant cumulative impact. The proposed project would be required to implement **Mitigation Measure M-AQ-2, Construction Air Quality**, as noted above, which will reduce construction period emissions by as much as 94 percent, and **Mitigation Measure M-AQ-4, Best Available Control Technology for Diesel Generators**, also noted above, which requires best available control technology to limit emissions from the proposed project and Variant 1's emergency back-up generator. Furthermore, compliance with Article 38 would ensure that new sensitive receptors are not exposed to cumulatively significant levels of air pollution. Implementation of these mitigation measures and adherence to Article 38 would reduce the proposed project's and Variant 1's contribution to cumulative air quality impacts to a less-than-significant level.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
7. GREENHOUSE GAS EMISSIONS — Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Greenhouse gas (GHG) emissions and global climate change represent cumulative impacts. GHG emissions cumulatively contribute to the significant adverse environmental impacts of global climate change. No single project could generate enough GHG emissions to noticeably change the global average temperature; instead, the combination of GHG emissions from past, present, and future projects have contributed and will continue to contribute to global climate change and its associated environmental impacts.

The Bay Area Air Quality Management District (BAAQMD) has prepared guidelines and methodologies for analyzing GHGs. These guidelines are consistent with CEQA Guidelines Sections 15064.4 and 15183.5 which address the analysis and determination of significant impacts from a proposed project's GHG emissions. CEQA Guidelines Section 15064.4 allows lead agencies to rely on a qualitative analysis to describe GHG emissions resulting from a project. CEQA Guidelines Section 15183.5 allows for public agencies to analyze and mitigate GHG emissions as part of a larger plan for the reduction of GHGs and describes the required contents of such a plan. Accordingly, San Francisco has prepared *Strategies to Address Greenhouse Gas Emissions*,⁹⁴ which presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's qualified GHG reduction strategy in compliance with the CEQA guidelines. These GHG reduction actions have resulted in a 23.3 percent reduction in GHG emissions in 2012 compared to 1990 levels,⁹⁵ exceeding the year 2020 reduction goals outlined in the BAAQMD's *Bay Area 2010 Clean Air Plan*, Executive Order (EO) S-3-05, and Assembly Bill (AB) 32 (also known as the Global Warming Solutions Act).⁹⁶

Given that the City has met the State and region's 2020 GHG reduction targets and San Francisco's GHG reduction goals are consistent with, or more aggressive than, the long-term goals established under EO S-3-05⁹⁷ and EO B-30-15,^{98,99} the City's GHG reduction goals are consistent with EO S-3-05, EO B-30-15, AB 32, and the *Bay Area 2010 Clean Air Plan*. Therefore, proposed projects that are consistent with the City's GHG reduction strategy would be consistent with the aforementioned GHG reduction goals, would not conflict with these plans or result in significant GHG emissions, and would therefore not exceed San Francisco's applicable GHG threshold of significance.

⁹⁴ San Francisco Planning Department, *Strategies to Address Greenhouse Gas Emissions in San Francisco*, 2010. This document is available online at: <http://www.sf-planning.org/index.aspx?page=2627>.

⁹⁵ ICF International, *Technical Review of the 2012 Community-wide Inventory for the City and County of San Francisco*, January 21, 2015.

⁹⁶ Executive Order S-3-05, Assembly Bill 32, and the *Bay Area 2010 Clean Air Plan* set a target of reducing GHG emissions to below 1990 levels by year 2020.

⁹⁷ Executive Order S-3-05, sets forth a series of target dates by which statewide emissions of GHGs need to be progressively reduced, as follows: by 2010, reduce GHG emissions to 2000 levels (approximately 457 million metric tons of carbon dioxide equivalents (MTCO₂E)); by 2020, reduce emissions to 1990 levels (approximately 427 million MTCO₂E); and by 2050 reduce emissions to 80 percent below 1990 levels (approximately 85 million MTCO₂E). Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

⁹⁸ Office of the Governor, *Executive Order B-30-15*, April 29, 2015. Available at <https://www.gov.ca.gov/news.php?id=18938>, accessed March 3, 2016. Executive Order B-30-15, issued on April 29, 2015, sets forth a target of reducing GHG emissions to 40 percent below 1990 levels by 2030 (estimated at 2.9 million MTCO₂E).

⁹⁹ San Francisco's GHG reduction goals are codified in Section 902 of the *Environment Code* and include: (i) by 2008, determine City GHG emissions for year 1990; (ii) by 2017, reduce GHG emissions by 25 percent below 1990 levels; (iii) by 2025, reduce GHG emissions by 40 percent below 1990 levels; and by 2050, reduce GHG emissions by 80 percent below 1990 levels.

The following analysis of the proposed project and Variant 1's impact on climate change focuses on the project's contribution to cumulatively significant GHG emissions. Because no individual project could emit GHGs at a level that could result in a significant impact on the global climate, this analysis is in a cumulative context, and this section does not include an individual project-specific impact statement.

Impact C-GG: The proposed project and Variant 1 would generate greenhouse gas emissions, but not at levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers; energy required to pump, treat, and convey water; and emissions associated with waste removal, disposal, and landfill operations.

The proposed project and Variant 1 would increase the intensity of use of the site by introducing new residential and retail/restaurant uses on the site. Therefore, the proposed project and Variant 1 would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and residential and commercial operations that result in an increase in energy use, water use, wastewater treatment, and solid waste disposal. Construction activities would also result in temporary increases in GHG emissions.

The proposed project and Variant 1 would be subject to regulations adopted to reduce GHG emissions as identified in the GHG reduction strategy. As discussed below, compliance with the applicable regulations would reduce the proposed project and Variant 1's GHG emissions related to transportation, energy use, waste disposal, wood burning, and use of refrigerants.

Compliance with the City's Commuter Benefits Program, Emergency Ride Home Program, transportation management programs, Transportation Sustainability Fee, Jobs-Housing Linkage Program, bicycle parking requirements, low-emission car parking requirements, and car sharing requirements would reduce the proposed project and Variant 1's transportation-related emissions. These regulations reduce GHG emissions from single-occupancy vehicles by promoting the use of alternative transportation modes with zero or lower GHG emissions on a per capita basis.

The proposed project and Variant 1 would be required to comply with the energy efficiency requirements of the City's *Green Building Code*, Stormwater Management Ordinance, Water Conservation and Irrigation ordinances, and Energy Conservation Ordinance, which would promote energy and water efficiency, thereby reducing the proposed project and Variant 1's energy-related GHG emissions.¹⁰⁰ Additionally, the proposed project and Variant 1 would be required to meet the renewable energy criteria of the *Green Building Code*, further reducing the proposed project and Variant 1's energy-related GHG emissions.

¹⁰⁰ Compliance with water conservation measures reduce the energy (and GHG emissions) required to convey, pump and treat water required for the project.

The proposed project and Variant 1's waste-related emissions would be reduced through compliance with the City's Recycling and Compositing Ordinance, Construction and Demolition Debris Recovery Ordinance, and *Green Building Code* requirements. These regulations reduce the amount of materials sent to a landfill, reducing GHGs emitted by landfill operations. These regulations also promote reuse of materials, conserving their embodied energy¹⁰¹ and reducing the energy required to produce new materials.

Compliance with the City's Street Tree Planting requirements would serve to increase carbon sequestration. Other regulations, including those limiting refrigerant emissions and the Wood Burning Fireplace Ordinance would reduce emissions of GHGs and black carbon, respectively. Regulations requiring low-emitting finishes would reduce volatile organic compounds (VOCs).¹⁰² Thus, the proposed project and Variant 1 were determined to be consistent with San Francisco's GHG reduction strategy.¹⁰³

The project sponsor is required to comply with these regulations, which have proven effective as San Francisco's GHG emissions have measurably decreased when compared to 1990 emissions levels, demonstrating that the City has met and exceeded EO S-3-05, AB 32, and the *Bay Area 2010 Clean Air Plan* GHG reduction goals for the year 2020. Other existing regulations, such as those implemented through AB 32, will continue to reduce a proposed project and Variant 1's contribution to climate change. In addition, San Francisco's local GHG reduction targets are consistent with the long-term GHG reduction goals of EO S-3-05, EO B-30-15, AB 32, and the *Bay Area 2010 Clean Air Plan*. Therefore, because the proposed project and Variant 1 are consistent with the City's GHG reduction strategy, they would also be consistent with the GHG reduction goals of EO S-3-05, EO B-30-15, AB 32 and the *Bay Area 2010 Clean Air Plan*, would not conflict with these plans, and would therefore not exceed San Francisco's applicable GHG threshold of significance. As such, the proposed project and Variant 1 would result in a less-than-significant impact with respect to GHG emissions. No mitigation measures are necessary.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
8. WIND AND SHADOW — Would the project:					
a) Alter wind in a manner that substantially affects public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹⁰¹ Embodied energy is the total energy required for the extraction, processing, manufacture and delivery of building materials to the building site.

¹⁰² While not a GHG, VOCs are precursor pollutants that form ground level ozone. Increased ground level ozone is an anticipated effect of future global warming that would result in added health effects locally. Reducing VOC emissions would reduce the anticipated local effects of global warming.

¹⁰³ San Francisco Planning Department, *Greenhouse Gas Analysis: Compliance Checklist for 1270 Mission Street*, August 12, 2015.

Impact WS-1: The proposed project and Variant 1 would not alter wind in a manner that substantially affects public areas. (Less than Significant)

Average wind speeds in San Francisco are the highest in the summer and lowest in winter. However, the strongest peak winds occur in winter, under storm conditions. Throughout the year the highest typical wind speeds occur in mid-afternoon and the lowest in the early morning. Of the primary wind directions, four have the greatest frequency of occurrence and also make up the majority of the strong winds that occur. These winds include the northwest, west-northwest, west and west-southwest (referred to as prevailing winds).

The project site is in an area that is subject to *Planning Code* Section 148, Reduction of Ground-level Wind Currents in C-3 Districts. The *Planning Code* outlines wind reduction criteria for projects in C-3 Districts, sets wind speed criteria for both pedestrian comfort and hazardous winds, and requires buildings to be shaped so as not to cause ground-level wind currents to exceed these criteria. The *Planning Code* specifies that new buildings and building additions be shaped so as not to cause ground-level wind currents to exceed, more than 10 percent of the time, between 7:00 a.m. and 6:00 p.m., the comfort level of 11 miles per hour (mph) in substantial pedestrian use areas, and 7 mph in public seating areas. When a project would result in exceedances of a comfort criterion, an exception may be approved, pursuant to Section 309, if the building or addition cannot be designed to meet the criteria. Section 148 also establishes a hazard criterion, which is an equivalent wind speed of 26 mph as averaged for a single full hour of the year.¹⁰⁴ Under Section 148, new buildings and additions may not cause wind speeds that meet or exceed this hazard criterion and no exception may be granted for buildings that result in winds that exceed the hazard criterion.

A building taller than its immediate surrounding buildings will intercept winds and deflect them down to the ground level, causing wind flow accelerations around building corners. When the gap between two buildings is aligned with the prevailing winds, high wind activity is expected along the gap. The project site is currently occupied by an approximately 12-foot-tall building flanked by a two-story and four-story building with an 11-story building located west of the site and a 17-story buildings located north of the site. As a result, some of the prevailing winds are channeled through the gap over the existing building and between the taller buildings on either side.

To evaluate the potential for wind effects on surrounding sidewalks, wind tunnel testing, using a three-dimensional model of the proposed project and Variant 1, was conducted.¹⁰⁵ The wind tunnel testing modeled wind speeds at 41 wind speed sensor locations, at a pedestrian height of approximately five feet under existing conditions, existing plus project conditions, and cumulative conditions. The model included all development within an approximately 1,500 foot radius of the project site. For the purposes

¹⁰⁴ The wind hazard criterion is derived from the 26 mph hourly average wind speed that would generate a 3-second gust of wind at 20 meters per second, a commonly used guideline for wind safety. Because the original wind data on which the testing is based was collected at one-minute averages (i.e., a measurement of sustained wind speed for one minute, collected once per hour), the 26 mph hourly average is converted to a one-minute average of 36 mph, which is used to determine compliance with the 26 mph one-hour hazard criterion in the *Planning Code*. (Arens, E. *et al.*, "Developing the San Francisco Wind Ordinance and its Guidelines for Compliance," Building and Environment, Vol. 24, No. 4, p. 297-303, 1989.)

¹⁰⁵ RWDI, *1270 Mission Street Pedestrian Wind Study*, May 13, 2016.

of evaluating impacts under CEQA, the analysis uses the hazard criterion to determine whether the proposed project and Variant 1 would alter wind in a manner that substantially affects public areas. The proposed project and Variant 1's effects related to the comfort criterion are presented below for informational purposes (and are also used in the Planning Department's separate determination of compliance with Section 148).

The results of the wind tunnel testing indicate that one sensor location would exceed the hazard criterion under existing and existing plus project conditions for both the proposed project and Variant 1. The exceedance occurs on the west side of Ninth Street just north of Jessie Street. However, with the addition of the proposed project building, wind conditions would slightly improve under the existing plus project conditions, as the number of hours per year that the wind would exceed the hazard criterion would be reduced from 7 hours per year under existing conditions to 4 hours per year with the addition of the proposed project. Similarly, wind conditions would slightly improve under existing plus Variant 1 conditions, as the number of hours per year that the wind would exceed the hazard criterion would be reduced from 7 hours per year under existing conditions to 6 hours per year with the addition of Variant 1.

Because the proposed project and Variant 1 would not result in any new increases of the wind hazard criterion or exceedances of the wind hazard criterion at new test point locations, and because the number of hours that the wind hazard criterion is exceeded would decrease under existing plus proposed project conditions and existing plus Variant 1 conditions, the proposed project and Variant 1 would not alter wind in a manner that substantially affects public areas; therefore, the proposed project and Variant 1's wind impacts would be less than significant.

In terms of the comfort criteria, 41 of the test points were located on sidewalks and, accordingly, are considered areas of substantial pedestrian use. The results of the wind tunnel testing for the project site indicate that 9 of the 41 sensor locations exceed the *Planning Code's* 11 mph pedestrian comfort criterion under existing conditions. Wind speeds exceeded 10 percent of the time average 10 mph. Comfort criterion exceedances occur north of the project site on the west side of Laskie Street, on the east and west sides of Ninth Street north of Mission Street, and on the east and west corners of Mission and Eighth Streets. The highest wind speeds measured occurred on the east and west sides of Ninth Street north of Jessie Street.

According to the wind tunnel test results, the proposed project would eliminate one pedestrian comfort criterion exceedance on the east side of Ninth Street between Mission and Jessie Streets. The proposed project also would introduce two new pedestrian comfort criterion exceedances, on the northeast corner of Ninth and Mission Streets and on the northeast corner of Ninth and Minna Streets. Under existing plus project conditions, pedestrian conditions would not substantially change given that one new pedestrian comfort criterion exceedance would be introduced and one would be eliminated. In addition, the average of wind speeds exceeded 10 percent of the time would remain 10 mph under existing plus project conditions, and thus would not change from existing conditions. Overall, wind conditions around the project site would somewhat improve with the proposed project given that wind speeds at seven

locations adjacent to the project site along Mission and Laskie streets would be lowered from the 8-11 mph range in existing conditions to the 1-7 mph under existing plus project conditions. As with existing conditions, the highest wind speeds measured occurred on the east and west sides of Ninth Street north of Jessie Street.

Similar to the proposed project, Variant 1 would eliminate one pedestrian comfort criterion exceedance on the east side of Ninth Street between Mission and Jessie Streets. Variant 1 also would introduce two new pedestrian comfort criterion exceedances, on the northeast corner of Ninth and Mission Streets and on the northeast corner of Ninth and Minna Streets. Under existing plus Variant 1 conditions, pedestrian conditions would not substantially change since only two new pedestrian comfort criterion exceedances would be introduced and one would be eliminated. In addition, the average of wind speeds exceeded 10 percent of the time would remain 10 mph under existing plus Variant 1 conditions, and thus would not change from existing conditions. Overall, wind conditions around the project site would somewhat improve with Variant 1 given that wind speeds at five locations adjacent to the project site along Mission and Laskie streets would be lowered from the 8-11 mph range in existing conditions to the 1-7 mph range under existing plus Variant 1 Conditions. As with existing conditions and existing plus project conditions, the highest wind speeds measured occurred on the east and west sides of Ninth Street north of Jessie Street.

In light of the above, the proposed project and Variant 1 would result in less-than-significant impacts on wind conditions in public areas and no mitigation measures are necessary.

Impact WS-2: The proposed project and Variant 1 would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. (Less than Significant)

Planning Code Section 295, which was adopted in response to Proposition K (passed November 1984), mandates that new structures above 40 feet in height that would cast additional shadows on properties under the jurisdiction of, or designated to be acquired by, the Recreation and Parks Department (RPD) cannot be approved by the Planning Commission (based on recommendation from the Recreation and Parks Commission) if the shadow “will have any adverse impact on the use” of the park, unless the impact is determined to be insignificant. The height of the proposed project would be 120 feet; therefore, a preliminary shadow fan analysis was conducted by the Planning Department. The shadow fan analysis shows that, at its greatest extent, the project’s shadow would extend east to roughly halfway between Eighth and Ninth Streets, south to Tehama Street, west to just past Tenth Street, and north to Grove Street. According to the shadow fan, shadow generated as a result of the proposed project would not reach any parks protected by Section 295. It is noted that the Planning Department’s preliminary shadow fan does not consider existing buildings or their shadow; rather, it merely illustrates the maximum extent of potential shadow from a proposed project, and is therefore conservative.

The height of Variant 1 would be 200 feet, with a 20-foot-tall elevator penthouse located on the southern portion of the roof closer to Mission Street. Therefore, a detailed shadow analysis was conducted to determine if Variant 1 would cast net new shadow on the Howard & Langton Mini-Park located

approximately two blocks southeast of the project site and/or Civic Center Plaza, located approximately two blocks north of the project site, both of which are RPD properties subject to Section 295 of the *Planning Code*.¹⁰⁶

The shadow analysis demonstrates that Variant 1 would add no net new shadow to either Civic Center Plaza or the Howard & Langton Mini-Park because intervening buildings preclude Variant 1 shadow from reaching both parks. In the case of Civic Center Plaza, when the solar elevation (relative height of the sun in the sky) and solar azimuth (horizontal angle of the sun relative to Variant 1) is such that Variant 1 shadow would be long enough to reach Civic Center Plaza, that shadow falls instead on the approximately 70-foot-tall Bill Graham Civic Auditorium, which already casts shadow on Civic Center Plaza during the early morning hours. Since the auditorium is closer to Civic Center Plaza (approximately 200 feet) than the project site (approximately 960 feet), the Civic Auditorium will always cast longer shadow on Civic Center Plaza than Variant 1 at the same sun angles.

In the case of the Howard & Langton Mini-Park, Variant 1 shadow is generally prevented from reaching the mini-park by intervening buildings, including the five-story buildings at 670 Natoma Street and 1180 Howard Street, and, in the case of the longest Variant 1 shadows, by two-story buildings farther east along Howard Street. The longest shadows cast by Variant 1 towards the Howard & Langton Mini-Park fall on the roof of these intervening buildings and do not reach the mini-park. Therefore, based on the detailed shadow analysis, Variant 1 would not cast net new shadow on either Civic Center Plaza or the Howard & Langton Mini-Park, and would comply with *Planning Code* Section 295.

While the proposed project and Variant 1 may reduce sunlight on properties and residences near the project site, this effect would generally not be considered a significant impact under CEQA.

Therefore, the proposed project and Variant 1 would not result in new shadow that would substantially affect outdoor recreation facilities or other public areas, and this impact would be less than significant. No mitigation measures are necessary.

Impact C-WS: The proposed project and Variant 1, in combination with other past, present, and reasonably foreseeable projects, would not result in cumulatively considerable impacts related to wind and shadow. (Less than Significant)

As described above, neither the proposed project nor Variant 1 would cast any net new shadow on any park protected by *Planning Code* Section 295, nor would it add net new shadow to any publicly-accessible open space. Accordingly, the proposed project and Variant 1 could not contribute considerably to any cumulative shadow effects that would result from the combination of the proposed project and Variant 1 and other projects; therefore, the cumulative effect with respect to shadow would be less than significant.

Wind tunnel testing was conducted for cumulative conditions (which includes the proposed project and Variant 1, as well as reasonably foreseeable development within the wind-tunnel test area boundary,

¹⁰⁶ Environmental Science Associates (ESA), *Shadow Analysis of Proposed 1270 Mission Street Project*, March 11, 2016.

including proposed projects nearby such as Fox Plaza at 1390 Market Street, 150 Van Ness Avenue, 30 Van Ness Avenue, 1500 Mission Street, 1298 Howard Street at Ninth Street, and 1125 Market Street) at the same 41 sensor locations as under existing, existing plus proposed project conditions, and existing plus Variant 1 conditions.^{107,108} The results of the wind tunnel testing for the proposed project indicate that 8 of the 41 sensor locations would exceed the *Planning Code's* 11 mph pedestrian comfort criterion under cumulative conditions, a decrease of two locations compared to those under existing conditions. The results of the wind tunnel testing for Variant 1 indicate that 9 of the 41 sensor locations would exceed the *Planning Code's* 11 mph pedestrian comfort criterion under cumulative conditions, a decrease of one location compared to existing conditions.

Wind test results further indicate that the addition of cumulative development in the project area would not introduce any new exceedances of the wind hazard criterion. The results of the wind tunnel testing indicate that one sensor location would exceed the hazard criterion under existing and existing plus project plus cumulative conditions for both the proposed project and Variant 1. The exceedance occurs on the west side of Ninth Street just north of Jessie Street. However, with the addition of the cumulative projects, wind conditions would improve, compared to existing plus project conditions, as the number of hours per year that the wind would exceed the hazard criterion would be reduced from 4 hours per year under existing plus project conditions to 3 hours per year under cumulative conditions. Similarly, wind conditions would slightly improve under cumulative conditions with Variant 1, as the number of hours per year that the wind would exceed the hazard criterion also would be reduced from 6 hours per year under existing plus Variant 1 conditions to 3 hours per year under cumulative conditions for Variant 1. Therefore, project-related wind impacts are considered less than significant and would not result in a considerable contribution to any cumulative effect.

Under cumulative conditions with the proposed project, an additional pedestrian comfort criterion exceedance that occurs under existing and existing plus project conditions would be eliminated, on the east side of Ninth Street between Mission and Jessie Streets. Additionally, the new pedestrian comfort criterion exceedance that occurs under existing plus project conditions at Ninth and Minna Streets would be eliminated. Conditions would be similar under cumulative conditions with Variant 1, except that the pedestrian comfort criterion exceedance occurring on the east side of Ninth Street under existing and existing plus project conditions would not be eliminated. Therefore, under cumulative conditions with the proposed project, there would be eight exceedances of the pedestrian comfort criterion, one fewer than under existing conditions and two fewer than under existing plus project conditions. Under cumulative conditions with Variant 1, there would be nine exceedances of the pedestrian comfort criterion, the same as under existing conditions and one fewer than under existing plus project conditions. Average wind speeds exceeded 10 percent of the time would be 10 mph under the proposed project, which is the same under existing conditions. However, average wind speeds exceeded 10 percent

¹⁰⁷ Two proposed projects within the test area that are too far downwind of the project site and/or too small to be relevant were not considered in the cumulative scenario: 1228 Folsom Street (six-story, 24-unit residential-over-retail building) and 1125 Mission Street (interior conversion from auto repair to office, with no change to building envelope).

¹⁰⁸ Existing Conditions includes projects under construction, such as Trinity Place at 8th, Market, and Mission streets.

of the time would be 9 mph under Variant 1, a decrease of 1 mph compared to existing conditions, which constitutes a slight improvement in pedestrian wind conditions around the project site.

As noted above, test results indicate that the addition of cumulative development in the project area would not introduce any new exceedances of the wind hazard criterion as a result of the proposed project or Variant 1. Therefore, cumulative wind impacts are considered less than significant for the proposed project and Variant 1 and neither the proposed project nor Variant 1 would result in a considerable contribution to any cumulative effect.

Based on the discussion above, the proposed project and Variant 1 would not result in cumulatively considerable impacts related to wind and shadow. Thus, the proposed project and Variant 1 cumulative wind and shadow impacts would be less than significant and no mitigation measures are necessary.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
9. RECREATION — Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Physically degrade existing recreational resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The proposed project and Variant 1 would develop approximately 2,012 square feet of retail/restaurant uses and 195 residential units, and 299 residential units, respectively, on a parcel that currently contains a parking lot and one-story commercial building. The new residents of the proposed project and Variant 1 would be served by the San Francisco Recreation and Parks Department (SFRPD), which administers more than 220 parks, playgrounds, and open spaces throughout the city, as well as recreational facilities including recreation centers, swimming pools, golf courses, and athletic fields, tennis courts, and basketball courts.¹⁰⁹ The project site is located in a densely developed urban neighborhood that does not contain large regional park facilities, but does include a number of neighborhood parks and open spaces, as well as other recreational facilities. The *General Plan's* Recreation and Open Space Element, revised and updated in April 2014, identifies the project site area as a high needs open space area.

¹⁰⁹ San Francisco Planning Department, *Recreation and Open Space Element* (ROSE), April 2014. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf, accessed February 22, 2016.

Impact RE-1: The proposed project and Variant 1 would not result in a substantial increase in the use of existing parks and recreational facilities, the deterioration of such facilities, include recreation facilities, or require the expansion of recreational facilities, or physically degrade existing recreational resources. (Less than Significant)

There are several facilities managed by the SFRPD near the project site:

- Father Alfred E. Boeddeker Park (at the intersection of Eddy and Jones Streets): An approximately 0.97-acre park containing basketball half-court, swings, slide and play structures as well as a community clubhouse, located about four 0.51 miles northeast of the project site.
- U.N. Plaza: An approximately 3.03-acre open space containing fountains and seating areas, located approximately 0.21 miles northeast of the project site.
- Gene Friend Recreation Center (at the intersection of 6th and Folsom Streets): An approximately 1.3-acre park and recreation center containing playgrounds, indoor and outdoor basketball courts, and seating areas, located approximately 0.44 miles southeast of the project site.
- Civic Center Plaza (at the intersection of Grove and Larkin Streets): An approximately 5.9-acre public open space containing lawn areas and two tot lots, located adjacent to the City Hall, approximately 0.19 miles north of the project site.
- Howard & Langton Mini Park (at the intersection of Howard and Langton Streets): An approximately 0.2-acre mini park and community garden, located approximately 0.24 miles southeast of the project site.
- Victoria Manalo Draves Park (at Folsom and Columbia Square Street): An approximately 2.52-acre park containing a softball field, basketball court, dual-level playground, picnic area, community garden and large grass field, located approximately 0.42 miles southeast of the project site.

As noted above, the ROSE identifies portions of Van Ness Avenue as a “high needs area” of the city. The ROSE defines a “high needs area” of the city as an area “with high population densities, high concentrations of seniors and youth, and lower income populations that are located outside of existing park service areas.”¹¹⁰ As shown on Maps 4a through 4c of the ROSE, the project site is located within the ½-mile service area of “Active Use/Sports Fields” and “Passive Use/Tranquil Spaces” and the ¼-mile service area of “Playgrounds.” As shown on Maps 5a, 5c, and 5d of the ROSE, the project site is also within an area of the city that exhibits higher population densities and seniors relative to the city as a whole, although it is not within an area with higher percentages of children and youth. The project site also is within an area with a lower percentage of low-income households relative to the city as a whole (Map 5b) and an area designated to absorb future population growth (Map 6 of the ROSE). Based on these variables, a composite map was generated to identify areas of the city that receive priority when opportunities to acquire land for

¹¹⁰ San Francisco Planning Department, ROSE, April 2014, p. 13. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf, accessed May 23, 2016.

development of new parks arise and when funding decisions for the renovation of existing parks are made (Map 7 of the ROSE).¹¹¹ As shown on Map 7, the project site is not located within a “high needs area.”

The proposed project would involve demolition of an existing building and construction of a new residential building with ground-floor retail. As described in Topic 2, Population and Housing, the proposed project would add 333 permanent residents on the project site, while Variant 1 would add 511 residents, which would increase the demand for parks and recreational services in the project vicinity. The proposed project and Variant 1 would provide passive recreational uses for the residents, onsite, including a rooftop open space and second-floor open space that would be accessible to building residents only. In addition, Variant 1 would include a terrace on the 10th floor. The proposed project would include an approximately 10,025-square-foot rooftop terrace and an approximately 2,683-square-foot terrace on the second floor. Variant 1 would include an approximately 8,380-square-foot rooftop terrace, an approximately 2,501-square-foot terrace on the second floor, and an approximately 1,380-square-foot terrace on the 10th floor. In addition, residents of the proposed project and Variant 1 would be within walking distance of the above-noted open spaces.

The project site is not located within a high needs area of the city, as designated by SFRPD. With the availability of open space on and in the immediate vicinity of the project site, and given that the population growth due to the proposed project and Variant 1 would be incremental, project-generated demand could be accommodated by the existing local and regional recreational resources, such as Father Alfred E. Boeddeker Park, U.N. Plaza, Gene Friend Recreation Center, Civic Center Plaza, Howard & Langton Mini Park, Victoria Manalo Draves Park, and Golden Gate Park. Overall, the proposed project and Variant 1 would not create a substantial increase in the use of existing neighborhood or regional recreational facilities such that physical deterioration or degradation of existing facilities would occur, nor would it result in the need for the expansion or construction of recreational facilities. Therefore, the proposed project and Variant 1 would have a less-than-significant impact on existing recreational facilities, and no mitigation measures are necessary.

Impact C-RE: The proposed project and Variant 1, in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to recreational resources. (Less than Significant)

Past, present, and reasonably foreseeable future projects located within the vicinity of the project site are identified in Table 2 and mapped on Figure 12. As discussed in Topic 2, Population and Housing, these projects would add approximately 11,041 new residents within 4,759 dwelling units in the project vicinity. Overall, these approved and proposed projects, when combined with the proposed project and Variant 1, would add 11,374 and 11,552 new residents in the project vicinity, respectively, which would represent a residential population increase of 49 percent. Recreational facility use in the project area would most likely increase with the development of the proposed project and Variant 1, as well as the past, present, and reasonably foreseeable future projects identified in Table 2. Although introduction of approximately

¹¹¹ ROSE, April 2014, Maps 4 through 7. Available online at http://www.sf-planning.org/ftp/General_Plan/Recreation_OpenSpace_Element_ADOPTED.pdf, accessed May 23, 2016.

11,374 or 11,552 residents in the project vicinity as a result of the proposed project and Variant 1, as well as other past, present, and reasonably foreseeable future projects would result in a 49 percent increase in the residential population in the area, it is not anticipated that this added population would increase the use of existing neighborhood and regional parks or other recreational facilities to such an extent that substantial physical deterioration of those facilities would occur.

Moreover, the added residential population as a result of development of the proposed project or Variant 1 and cumulative projects also would not require the construction or expansion of recreational facilities, nor would it physically degrade existing recreational resources. Each project identified in Table 2 would be subject to compliance with the City's open space requirements, as defined in Section 135 of the *Planning Code*, regarding provision of public and/or private open space to partially meet the demand for recreational resources from future residents of those projects. Also, in June 2016, San Francisco voters approved Proposition B, which extends until 2046 funding set-aside in the City budget for SFRPD and also provides for annual increases through 2026-2027 in General Fund monies provided to SFRPD. Thus, going forward, SFRPD will have additional funding for programming and park maintenance.¹¹² For these reasons, when considered in combination with other past, present, or reasonably foreseeable future projects, the proposed project and Variant 1 would not result in a cumulatively considerable contribution to impacts on recreation, and the impact would be less than significant. No mitigation measures are necessary.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
10. UTILITIES AND SERVICE SYSTEMS — Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹¹² Unofficial election results from the San Francisco Registrar of Voters website, reviewed June 11, 2016: <http://www.sfelections.org/results/20160607/>.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project site is within an urban area that is served by utility service systems, including water, wastewater and storm water collection and treatment, and solid waste collection and disposal. The proposed project and Variant 1 would add new daytime and nighttime population to the site that would increase the demand for utilities and service systems on the site. However, as discussed in Topic2, Population and Housing, the growth associated with the proposed project would not be in excess of growth planned for the project area.

Impact UT-1: The proposed project and Variant 1 would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, would not exceed the capacity of the wastewater treatment provider serving the project site, or require construction of new stormwater drainage facilities, wastewater treatment facilities, or expansion of existing facilities. (Less than Significant)

The project site is served by San Francisco's combined sewer system, which handles both sewage and stormwater runoff. The Southeast Water Pollution Control Plant (Southeast Plant) provides wastewater and stormwater treatment and management for the east side of the city, including the project site. As described in Impact PH-1 in Topic 2, Population and Housing, the proposed project and Variant 1 would add 333 or 511 residents to the project site, respectively, and 14 employees, which would increase the amount of wastewater generated at the project site by approximately 18,022 gallons per day for the proposed project and 27,238 gallons per day for Variant 1.¹¹³ This increase would represent only a 0.03 percent increase in the Southeast Plant's average daily treatment capacity of 60,000,000 gallons per day for the proposed project and a 0.04 percent increase for Variant 1.¹¹⁴ In addition, the proposed project and Variant 1 would incorporate water-efficient fixtures, as required by Title 24 of the *California Code of Regulations* and the San Francisco Green Building Ordinance. Compliance with these regulations would reduce wastewater flows and the amount of potable water used for building functions. The incorporation of water-efficient fixtures into new development is also accounted for by the SFPUC, because widespread

¹¹³ The 95 percent of water use (see Impact UT-2) assumed to be discharged to the combined sewer system is consistent with the SFPUC's standard assumption for multi-family residential buildings (SFPUC, "Wastewater Service Charge Appeal" webpage: <http://www.sfwater.org/index.aspx?page=132>; reviewed May 20, 2016). The SFPUC assumes that non-residential (and single-family residential) uses discharge 90 percent of water used to the combined sewer. The 95 percent figure is used here for purposes of a conservative assessment of combined sewer system demand.

¹¹⁴ SFPUC, San Francisco's Wastewater Treatment Facilities, June, 2014. Available online at: <http://sfwater.org/modules/showdocument.aspx?documentid=5801>, accessed May 30, 2016.

adoption can lead to more efficient use of existing capacity. Additionally, the proposed project and Variant 1 would meet the wastewater pre-treatment requirements of the SFPUC, as required by the San Francisco Industrial Waste Ordinance in order to meet Regional Water Quality Control Board requirements (see discussion under Impact HYD-1, in Topic 14, for additional stormwater management requirements).¹¹⁵ Although the proposed project and Variant 1 would add new residents and employees to the project site, this additional population is within the growth projections included in long range plans and the wastewater generated by the proposed project would not exceed the capacity of the wastewater treatment provider. Therefore, the incremental increase in the demand for wastewater would not require construction of new wastewater treatment facilities or expansion of existing facilities.

The project site is currently covered with impervious surfaces and the proposed project and Variant 1 would not create any additional impervious surfaces; therefore, the proposed project and Variant 1 would not result in an increase in stormwater runoff. Compliance with the City's Stormwater Management Ordinance (Ordinance No. 83-10), adopted in 2010 and amended in 2016, and the 2016 Stormwater Management Requirements and Design Guidelines would require the proposed project and Variant 1 to reduce or eliminate the existing volume and rate of stormwater runoff discharged from the project site. Since the proposed project or Variant 1 would be located on a site that has more than 50 percent impervious surface at present, the proposed project would create or replace more than 5,000 square feet of impervious surface, and the project site is served by the combined sewer system, the stormwater management approach must reduce the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm. The Stormwater Management Requirements set forth a hierarchy of BMPs meet the stormwater runoff requirements. First priority BMPs involve reduction in stormwater runoff through approaches such as rainwater harvesting and reuse (e.g., for toilets and urinals and/or irrigation); infiltration through a rain garden, swale, trench, or basin; or through the use of permeable pavement or a green roof. Second priority BMPs include biotreatment approaches such as the use of flow-through planters or, for large sites, constructed wetlands. Third priority BMPs, only permitted under special circumstances, involve use of a filter to treat stormwater.

To achieve compliance with the Stormwater Management Requirement, the proposed project and Variant 1 would implement and install appropriate stormwater management systems, such as Low Impact Design approaches, rainwater reuse, green roof, or other systems or approaches that would manage stormwater on-site and limit demand on both collection system and wastewater facilities resulting from stormwater discharges. A Stormwater Control Plan, required per the City's Stormwater Management Ordinance (Ordinance No. 83-10), would be designed for review and approval by the SFPUC because the proposed project and Variant 1 would result in ground disturbance of an area greater than 5,000 sf. The Stormwater Control Plan would also include a maintenance agreement that must be signed by the project sponsor to ensure proper care of the necessary stormwater controls. Therefore, the proposed project and Variant 1 would not substantially increase the amount of stormwater runoff to the extent that existing

¹¹⁵ City and County of San Francisco, Ordinance No. 19-92, *San Francisco Municipal Code* (Public Works), Part II, Chapter X, Article 4.1 (amended), January 13, 1992.

facilities would need to be expanded or new facilities would need to be constructed; as such, the impacts would be less than significant and no mitigation measures are necessary.

Overall, while the proposed project and Variant 1 would add to wastewater flows in the area, it would not cause collection treatment capacity of the sewer system in the city to be exceeded. The proposed project and Variant 1 also would not exceed wastewater treatment requirements of the Regional Water Quality Control Board, and would not require the construction of new wastewater/storm water treatment facilities or expansion of existing ones. Therefore, since the proposed project and Variant 1 would not require the construction of new or expanded wastewater or stormwater collection, conveyance, or treatment facilities that could have a significant impact on the environment, the impact would be less than significant. No mitigation measures are necessary.

Impact UT-2: The SFPUC has sufficient water supply available to serve the project from existing entitlements and resources, and the proposed project and Variant 1 would not require expansion or construction of new water supply resources or facilities. (Less than Significant)

As noted above, the proposed project and Variant 1 would add residential and retail/restaurant uses to the project site, which would increase the demand for water on the site, but not in excess of amounts planned and provided for in the project area. The SFPUC currently provides an average of approximately 219 million gallons of water to 2.6 million users in Tuolumne, Alameda, Santa Clara, San Mateo, and San Francisco counties.¹¹⁶ The proposed project's 333 new residents and Variant 1's 511 new residents and the 14 employees would use an estimated 18,971 and 28,672 gallons of water per day, respectively.¹¹⁷ The SFPUC's 2010 *Urban Water Management Plan* and 2013 *Water Availability Study for the City and County of San Francisco* uses 2035 growth projections that were prepared by the Planning Department and ABAG to estimate future water demand.¹¹⁸ The SFPUC estimates an additional 500,000 million gallons of water per day will be needed to meet future demand.¹¹⁹ The population generated by the proposed project would account for 3.8 percent of this additional demand, while the Variant 1 population would account for 5.7 percent. Therefore, while the proposed project and Variant 1 would incrementally increase the demand for water in San Francisco, the estimated increase in demand could be accommodated within anticipated water use and supply. As such, the proposed project and Variant 1 could be served by existing mains and no new or larger mains would be required.

¹¹⁶ SFPUC, *2013 Water Availability Study for the City and County of San Francisco*, May 2013, p. 2. Available online at <http://www.sfwater.org/modules/showdocument.aspx?documentid=4168>, accessed May 28, 2016

¹¹⁷ SFPUC, *2010 Urban Water Management Plan for the City and County of San Francisco*, June 2011, p. 34 and Appendix D. The current consumption rate for residents in San Francisco is 50 gallons of water per capita. The consumption rate for retail employees is 53.9 gallons per day. The anticipated new residential population for the proposed project of 333 residents x 50 gallons per day yields 16,650 gallons per day; the 14 employees x 53.9 gallons per day yields 755 gallons per day. A 9 percent water loss factor is also included in the total water usage. Therefore, anticipated total gallons per day usage for the proposed project would be 16,650 + 755 + 1,566 (9 percent of 17,405) = 18,971 gallons per day. The anticipated new residential population for Variant 1 of 511 residents x 50 gallons per day yields 25,550 gallons per day; the 14 employees x 53.9 gallons per day yields 755 gallons per day. Therefore, anticipated total gallons per day usage for the proposed project would be 25,550 + 755 + 2,367 (9 percent of 26,305) = 28,672 gallons per day.

¹¹⁸ SFPUC, *2013 Water Availability Study for the City and County of San Francisco*, May 2013, p. 16. Available online at <http://www.sfwater.org/modules/showdocument.aspx?documentid=4168>, accessed May 28, 2016.

¹¹⁹ *Ibid.*, p.17.

The proposed project and Variant 1 would also be designed to incorporate water-conserving measures, such as low-flush toilets and urinals, as required by the San Francisco Green Building Ordinance. The project site is not located within a designated recycled water use area, as defined in the Recycled Water Ordinance 390-91 and 393-94; however, pursuant to the Non-potable Water Ordinance (Ordinance 109-15, approved July 2, 2015), if the proposed project or Variant 1's site permit is issued after November 1, 2016, it will be required to install a recycled water system and to use non-potable water (Rainwater, Graywater, Foundation Drainage, and/or treated Blackwater) for toilet and urinal flushing.¹²⁰ . Since the proposed project and Variant 1's water demand could be accommodated by the existing and planned supply and conveyance infrastructure, no expansion or construction of new water supply resources or facilities would be required and the proposed project and Variant 1 would result in less-than-significant water supply impacts. No mitigation measures are necessary.

Impact UT-3: The proposed project and Variant 1 would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs. (Less than Significant)

In September 2015, the City entered into a landfill disposal agreement with Recology, Inc. for disposal of all solid waste collected in San Francisco at the Recology Hay Road Landfill in Solano County for nine years or until 3.4 million tons have been disposed, whichever occurs first. The City would have an option to renew the agreement for a period of six years or until an additional 1.6 million tons have been disposed, whichever occurs first.¹²¹ The Recology Hay Road Landfill is permitted to accept up to 2,400 tons per day of solid waste, at that maximum rate the landfill would have capacity to accommodate solid waste until approximately 2034. At present, the landfill receives an average of approximately 1,850 tons per day from all sources, with approximately 1,200 tons per day from San Francisco; at this rate landfill closure would occur in 2041.¹²² The City's contract with the Recology Hay Road Landfill is set to terminate in 2031 or when 5 million tons have been disposed, whichever occurs first. At that point, the City will either further extend the Recology Hay Road Landfill contract or find and entitle another landfill site. Therefore, the proposed project and Variant 1 would be served by landfills with sufficient permitted capacity to accommodate its solid waste disposal needs, and would not have a significant impact related to solid waste disposal. No mitigation measures are necessary.

Impact UT-4: The construction and operation of the proposed project and Variant 1 would comply with all applicable statutes and regulations related to solid waste. (No Impact)

The California Integrated Waste Management Act of 1989 requires municipalities to adopt an Integrated Waste Management Plan (IWMP) to establish objectives, policies, and programs relative to waste

¹²⁰ Graywater wastewater from bathtubs, showers, bathroom sinks, lavatories, clothes washing machines, laundry tubs, and the like. Blackwater is wastewater containing bodily or other biological wastes, such as from toilets, dishwashers, kitchen sinks, and utility sinks.

¹²¹ San Francisco Planning Department, *Agreement for Disposal of San Francisco Municipal Solid Waste at Recology Hay Road Landfill in Solano County* Final Negative Declaration, *Planning Department* Case No. 2014.0653, May 21, 2015. Available online at: http://sfmea.sfplanning.org/2014.0653E_Revised_FND.pdf, accessed May 27, 2016.

¹²² San Francisco Planning Department, *Agreement for Disposal of San Francisco Municipal Solid Waste at Recology Hay Road Landfill in Solano County* Final Negative Declaration, *Planning Department* Case No. 2014.0653, May 21, 2015. Available online at: http://sfmea.sfplanning.org/2014.0653E_Revised_FND.pdf, accessed May 27, 2016.

disposal, management, source reduction, and recycling. Reports filed by the San Francisco Department of the Environment (DOE) showed the City generated approximately 872,000 tons of waste material in 2000. By 2010, that figure decreased to approximately 455,000 tons. Waste diverted from landfills is defined as recycled or composted. San Francisco has a goal of 75 percent landfill diversion by 2010 and 100 percent by 2020. As of 2009, 78 percent of San Francisco's solid waste was being diverted from landfills, having met the 2010 diversion target.

San Francisco Ordinance No. 27-06 requires a minimum of 65 percent of all construction and demolition debris to be recycled and diverted from landfills. The *San Francisco Green Building Code* also requires certain projects to submit a recovery plan to the Department of the Environment demonstrating recovery or diversion of at least 75% of all demolition debris. Furthermore, the project would be required to comply with City's Ordinance 100-09, the Mandatory Recycling and Composting Ordinance, which requires everyone in San Francisco to separate their refuse into recyclables, compostables, and trash. The Recology Hay Road landfill is required to meet federal, state, and local solid waste regulations. The proposed project and Variant 1 would comply with the solid waste disposal policies and regulations identified above. Therefore, the proposed project and Variant 1 would have no adverse impact with respect to solid waste statutes and regulations and no mitigation measures are necessary.

Impact C-UT: The proposed project and Variant 1 would not make a considerable contribution to any cumulative significant effects related to utilities or service systems. (Less than Significant)

The cumulative development projects identified in Table 2 would incrementally increase demand on citywide utilities and service systems, such as water consumption, water and wastewater conveyance and treatment facilities and solid waste services. As noted above, the SFPUC has accounted for such growth in its water demand and wastewater service projections, as noted in their 2010 *Urban Water Management Plan* and 2013 *Water Availability Study for the City and County of San Francisco*. The SFPUC is also currently implementing a \$7 billion, 20-year capital program called the Sewer System Improvement Program (SSIP) to address system-wide needs and update the aging combined sewer system.¹²³ Regarding solid waste, the City has implemented various programs to achieve 100 percent landfill diversion by 2020. As with the proposed project and Variant 1, nearby cumulative development projects would be subject to water conservation, wastewater discharge, recycling and composting, and construction demolition and debris ordinances. Compliance with these ordinances would reduce the effects of cumulative development. Moreover, the cumulative development projects in the project vicinity also would not result in a growth in population or employment in excess of planned growth for the project vicinity, the city, or the region. For these reasons, no cumulative impact on utilities or service systems would occur, and the proposed project and Variant 1 would not contribute to a cumulatively considerable impact.

¹²³ SFPUC, Sewer System Improvement Program (SSIP). Available online at <http://www.sfwater.org/index.aspx?page=116>, accessed June 8, 2016.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
11. PUBLIC SERVICES — Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed project and Variant 1's impacts to parks and open spaces are discussed under Topic 9, Recreation. Impacts on other public services are discussed below.

Impact PS-1: The proposed project and Variant 1 would not result in an increase in demand for police protection, fire protection, schools, or other services to an extent that would result in substantial adverse physical impacts associated with the construction or alteration of governmental facilities. (No Impact)

Police Protection

The proposed project and Variant 1 would result in a more intensive use of the project site than currently exists with the addition of residential units, and thus would likely incrementally increase the number of police service calls in the project area. Police protection for the project site is provided by the Tenderloin Task Force Police Station located at 301 Eddy Street (between Jones and Leavenworth Streets), approximately 0.48 miles north of the project site). Although the proposed project and Variant 1 would likely increase the number of calls received from the area, the incremental increase in responsibilities would not be substantial in light of the existing demand for police protection services. The Tenderloin Task Force Station would be able to provide the necessary police services and crime prevention in the area.¹²⁴ Meeting this additional service demand would not require the construction of new police facilities that could cause significant environmental impacts. Hence, the proposed project and Variant 1 would have no impact related to the provision of police services and no mitigation measures are necessary.

Fire Protection

The proposed project and Variant 1 would result in more intensive use of the project site than currently exists, and thus, as with police service calls, would likely incrementally increase fire service calls in the project area. The project site receives fire protection services from the San Francisco Fire Department (SFFD). Fire stations located nearby include Station 3, at 1067 Post Street (near the corner of Post and Polk Streets, approximately 0.73 miles north of the project site), Station 1, at 935 Folsom Street (at Falmouth Street approximately 0.59 miles southeast of the project site), and Station 36, at 109 Oak Street (at Franklin Street, approximately 0.39 miles northwest of the project site). Although the proposed project and Variant

¹²⁴ San Francisco Police Department, *2014 Annual Report*, p. 118. Available online at <http://sanfranciscopolice.org/annual-reports>, accessed May 28, 2016.

1 would likely increase the number of calls received from the area, the increase in responsibilities would not be substantial in light of existing demand for fire protection services.

Furthermore, the proposed project and Variant 1 would be required to comply with all applicable building and fire code requirements, which identify specific fire protection systems, including, but not limited to, the provision of state-mandated smoke alarms, fire alarm and sprinkler systems, fire extinguishers, required number and location of egress with appropriate distance separation, and emergency response notification systems. Compliance with all applicable building and fire codes, would further reduce the demand for Fire Department service and oversight.

Given that the proposed project and Variant 1 would not result in a fire service demand beyond the projected growth for the area or the city, the proposed project and Variant 1 would not result in the need for new fire protection facilities, and would have no adverse impact on the physical environment related to the construction of new or physically altered fire protection facilities and no mitigation measures are necessary.

Schools

A decade-long decline in San Francisco Unified School District (SFUSD) enrollment ended in the 2008-2009 school year, and total enrollment in the SFUSD is currently 53,095 for the 2014-2015 school year.¹²⁵ According to a 2015 SFUSD enrollment study, new market-rate units in San Francisco generate very few new public school students. In projecting future enrollment, the study used a mix of enrollment factors, and the student generation rate was 0.25 Kindergarten through 12th grade students per unit for inclusionary housing and 0.10 students per unit for market rate housing.¹²⁶ Applying those rates to the proposed project's 195 dwelling units would result in an enrollment increase in the SFUSD of approximately 24 students.¹²⁷ Applying those rates to Variant 1's 299 dwelling units would result in an enrollment increase in the SFUSD of approximately 39 students.¹²⁸

The Tenderloin Community School, at 627 Turk Street (about 0.47 miles north of the project site), the Bessie Carmichael School, at 375 Seventh Street (about 0.43 miles southeast of the project site), and the Market Street Elementary School, at 5555 Market Street (about 0.10 miles north of the project site) are the nearest public elementary schools to the project site. The closest middle schools are Everett, about one mile west, and Francisco, about 1.9 miles north. Mission, O'Connell, Galileo, and Independent Studies

¹²⁵ California Department of Education, Data Reporting Office, San Francisco Unified School District, K-12 Public School Enrollment, Most Current Enrollment. Available on the internet at: <http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/demographic-analyses-enrollment-forecast.pdf>. Reviewed February 22, 2016.

¹²⁶ Lapkoff & Goblat Demographic Research, Inc., *Demographic Analyses and Enrollment Forecasts for the San Francisco Unified School District*, November 23, 2015, page 33. Available online at <http://www.sfusd.edu/en/assets/sfusd-staff/about-SFUSD/files/demographic-analyses-enrollment-forecast.pdf>. Accessed March 1, 2016.

¹²⁷ The analysis assumes the proposed project would provide 13.5 percent of the total number of units as inclusionary units, which would result in 26 inclusionary units and 169 market rate units. Applying the 0.25 generation rate for the inclusionary units ($26 \times 0.25 = 7$) and the 0.10 generation rate for the market rate units ($169 \times 0.10 = 17$) would yield a total of 24 students.

¹²⁸ The analysis assumes Variant 1 would provide 20 percent of the total number of units as inclusionary units, which would result in 60 inclusionary units and 239 market rate units. Applying the 0.25 generation rate for the inclusionary units ($60 \times 0.25 = 15$) and the 0.10 generation rate for the market rate units ($239 \times 0.10 = 24$) would yield a total of 39 students. As noted, Variant 1's percentage of affordable units would be determined by the Board of Supervisors.

Academy high schools are all within about 2 miles of the site. Nearby private schools include the following: DeMarillac Academy, at 175 Golden Gate Avenue (about 0.35 miles north of the project site), and the San Francisco City Academy, at 230 Jones Street (about 0.46 miles north of the project site). The proposed project, a mix of commercial and residential uses, would incrementally increase the number of school-aged children that would attend public schools in the project area, by a total of about 24 students, as noted above. Variant 1, also a mix of commercial and residential uses, would incrementally increase the number of school-aged children that would attend public schools in the project area, by a total of about 39 students. However, this increase would not exceed the projected student capacities that are expected and provided for by the SFUSD and private schools in the project area. Therefore, the implementation of the proposed project and Variant 1 would not necessitate the need for new or physically altered schools.

Since the proposed project and Variant 1 would not result in a substantially increased demand for school facilities, and would not require new or expanded school facilities the proposed project and Variant 1 would thus have no adverse impact related to the construction of new or physically altered school facilities and no mitigation measures are necessary.

Other Government Services

The proposed project and Variant 1 would incrementally increase demand for governmental services and facilities such as public libraries; however, the proposed project and Variant 1 would not be of such a magnitude that the demand could not be accommodated by facilities. Therefore, the proposed project and Variant 1 would have no adverse impact related to the construction or physical alteration of governmental service facilities and no mitigation measures are necessary.

Impact C-PS: The proposed project and Variant 1, combined with past, present, and reasonably foreseeable future projects in the vicinity, would not result in significant physical impacts on the environment associated with the construction or alteration of public services facilities. (Less than Significant)

Development of the proposed project and Variant 1 in conjunction with the cumulative projects identified in the vicinity of the project site in **Table 2** and projected population growth in the project area and within the city would increase overall demand for police protection, fire protection, schools, and other government services, such as public libraries; however, this increase would not be considerable since this growth would not exceed growth projections for the area or the region, as discussed in Topic 2, Population and Housing, and the San Francisco Police Department, SFFD, the SFUSD, and other agencies have accounted and planned for such growth in order to continue to provide public services to San Francisco residents.

Further, the proposed project and Variant 1 would contribute to an increased demand for police services provided by the Tenderloin Station and for fire services provided by Fire Stations 1, 3, and 36, but increased demand would not require the construction of new facilities or the expansion of existing facilities. Similarly, the proposed or Variant 1 with cumulative projects in the vicinity would increase demand for schools and other government services, such as libraries, but again, this increase would not require the

construction of new facilities or the expansion of existing facilities.. For these reasons, the proposed project and Variant 1 would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to create a considerable cumulative impact on public services such that new or expanded facilities would be required, and this impact would be less than significant. No mitigation measures are necessary.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
12. BIOLOGICAL RESOURCES — Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project is located within a built urban environment. As such, the project area does not include riparian habitat or other sensitive natural communities as defined by the California Department of Fish and Wildlife and the United States Fish and Wildlife Service; therefore, Question 12b is not applicable to the proposed project or Variant 1. In addition, the project area does not contain any wetlands as defined by Section 404 of the Clean Water Act; therefore Question 12c is not applicable to the proposed project or Variant 1. Moreover, the proposed project and Variant 1 do not fall within any local, regional or state habitat conservation plans; therefore, Question 12f is also not applicable to the proposed project and Variant 1.

Impact BI-1: The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species, riparian habitat or sensitive natural communities, and would not interfere substantially with any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. (Less than Significant)

The project site is fully developed and located within a built urban environment. Currently, the project site is entirely covered with impervious surfaces and does not provide habitat for any rare or endangered plant or animal species. Thus, the proposed project and Variant 1 would not affect any sensitive plant or wildlife species or habitats; nor would it interfere with any resident or migratory species, affect any rare, threatened or endangered species, or interfere with species movement or migratory corridors.

Migrating birds do pass through San Francisco. Nesting birds, their nests, and eggs are fully protected by *California Fish and Game Code* (Sections 3503, 3503.5) and the federal Migratory Bird Treaty Act (MBTA). Although the proposed project and Variant 1 would be subject to the MBTA, the site does not contain habitat supporting migratory birds.

The location, height, and material, particularly transparent or reflective glass, may present risks for birds as they travel along their migratory paths. The City has adopted guidelines to address this issue and provided regulations for bird-safe design within the city. *Planning Code*, Section 139, Standards for Bird-Safe Buildings, establishes building design standards to reduce avian mortality rates associated with bird strikes.¹²⁹ The project site also is not located in an Urban Bird Refuge, so the standards concerning location-related hazards are not applicable to the proposed project.¹³⁰ The proposed project would comply with the building feature-related hazards standards of Section 139 by using bird-safe glazing treatment on 100 percent of any building feature-related hazards

Overall, the proposed project would be subject to and would comply with City-adopted regulations for bird-safe buildings and federal and State migratory bird regulations; therefore, the proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors, and the impact would be less than significant. No mitigation measures are necessary.

Impact BI-2: The proposed project and Variant 1 would not conflict with the City's local tree ordinance. (Less than Significant)

The City's Urban Forestry Ordinance, *Public Works Code* Sections 801 et. seq., requires a permit from Public Works to remove any protected trees. Protected trees include landmark trees, significant trees, or street trees located on private or public property anywhere within the territorial limits of the City and County of San Francisco. The designations are defined as follows:

¹²⁹ San Francisco Planning Department, *Standards for Bird-Safe Buildings*, July 14, 2001. Available online at http://208.121.200.84/ftp/files/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf, accessed on May 28, 2016.

¹³⁰ San Francisco Planning Department, *Urban Bird Refuge Map*. Available online at http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Urban_Bird_Refuge_Poster.pdf, accessed May 28, 2016.

- A landmark tree is designated by the Board of Supervisors following nomination of a tree by the Urban Forestry Council based on a written request from a property owner or the director of any City agency, or by the Board of Supervisors, Planning Commission, or Landmarks Preservation Advisory Board. The Urban Forestry Council determines whether a nominated tree meets the qualification for landmark designation by using established criteria set forth in Section 810(f)(4)(A)-(E) of the *Public Works Code*. Special permits are required to remove a landmark tree on private property or on City-owned property.
- A significant tree is defined either on property under the jurisdiction of the Public Works, or on privately-owned property with any portion of its trunk within 10 feet of the public right-of-way and that satisfies at least one of the following criteria: a) diameter at breast height (DBH) in excess of twelve (12) inches, (b) a height in excess of twenty (20) feet, or (c) a canopy in excess of fifteen (15) feet.¹³¹ The removal of significant trees on privately-owned property is subject to the requirements for the removal of street trees. The Director of Public Works may authorize removal of a significant tree after only after factors such as size, age, species, visual and aesthetic characteristics, cultural and historic characteristics, or ecological characteristics have been considered (Section 810A (c)).
- Street trees are trees within the public right-of-way or on land within the jurisdiction of the Public Works. Their removal by abutting property owners requires a permit (Section 806(b)(3)).

Four existing trees are located on Mission Street in front of the existing building and parking lot, and four existing trees are located on Laskie Street. As part of the proposed project and Variant 1 all of these trees would be removed. Although none of the trees located on the project site are landmark trees, removal of street trees or significant trees would require a permit per Section 806(b)(3) of the *Public Works Code*.

Tree removal activities could potentially disturb nesting birds that are protected under the *California Fish and Game Code* or the MBTA.¹³² For the purposes of CEQA, a project that has the potential to substantially reduce the habitat, restrict the range, or cause a population of a native bird species to drop below self-sustaining levels could be considered a potentially significant biological resource impact requiring mitigation. Although removal of trees on the project site could have an adverse impact on nesting birds, compliance with the requirements of the *Fish and Game Code* and the MBTA would ensure that there would be no loss of active nests or bird mortality. The requirements include one or more of the following:

- Tree removal and pruning activities would be conducted outside bird nesting season (January 15–August 15) to the extent feasible;
- If tree removal activities are proposed during the breeding season (March through August), preconstruction surveys would be conducted by a qualified biologist within 15 days prior to the start of work from March through May, or 30 days prior to the start of work from June through August, to determine if any birds are nesting in or in the vicinity of any vegetation that is to be removed for the construction to be undertaken. If active nests are located during the preconstruction bird nesting survey, the project sponsor would contact the California Department of Fish and Wildlife for guidance on avoiding any adverse impacts on the nesting birds, such as

¹³¹ *Public Works Code*, Section 810A (a).

¹³² *California Fish and Game Code* Section 3503; California Code of Regulations, Section 681, Title 14.

establishing a construction-free buffer zone that would be maintained until the nestlings have fledged.

In addition, Section 806(d)(2) requires that for every 20 feet of property frontage along each street, one 24-inch box tree be planted, with any remaining fraction of 10 feet or more of frontage requiring an additional tree, which would require 13 street trees be planted for the proposed project and Variant 1. As part of the proposed project and Variant 1, all eight street trees on Mission and Laskie streets would be removed and four new trees would be planted on Mission Street, and ten new trees would be planted on both the north and south sides of Laskie Street, in accordance with *Public Works Code* Section 806. Because the proposed project and Variant 1 would not conflict with the City's local tree ordinance, this impact would be less than significant and no mitigation measures are necessary.

Impact C-BI: The proposed project and Variant 1 in combination with other past, present or reasonably foreseeable projects, would not result in significant impacts to biological resources. (Less than Significant)

The cumulative development projects noted in Table 2, coupled with projected local and regional growth, would result in an overall intensification of land uses within a dense urban environment, as is typical with of infill development. San Francisco does not currently support any candidate, sensitive, or special-status species, any riparian habitat, or any other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

The proposed project or Variant 1, and other nearby development projects could add a number of tall buildings which could, in the event of a bird-strike collision(s) potentially injure or kill birds.

In addition, nearby cumulative development projects would, likely, result in the removal of existing street trees and/or other vegetation. However, as with the proposed project and Variant 1, nearby cumulative development projects would be subject to the MBTA, which protects special-status bird species, the *California Fish and Game Code*, and the bird-safe building and urban forestry ordinances. As with the proposed project and Variant 1, compliance with these ordinances would reduce the effects of other development projects to less-than-significant levels.

In summary, as noted above, implementation of the proposed project and Variant 1 combined with other past, present, and reasonably foreseeable projects would not modify natural habitat and would have no impact on any candidate, sensitive, or special-status species, any riparian habitat, or other sensitive natural community; and/or would not conflict with any local policy or ordinance protecting biological resources or an approved conservation plan. For these reasons, the proposed project and Variant 1 would not combine with past, present, and reasonably foreseeable future projects in the project vicinity to result in a significant cumulative impact related to biological resources.

Therefore, cumulative impacts to biological resources would be less than significant.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
13. GEOLOGY AND SOILS — Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change substantially the topography or any unique geologic or physical features of the site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site would be connected to the existing sewer system and would not require use of septic systems. Therefore, Question 13e would not be applicable to the project site.

A geotechnical investigation was conducted for the project site. In general, the subsurface conditions at the site consist of fill, dune sand, marsh deposits, and interbedded sands.¹³³ Subsurface conditions are described in more detail, as follows:

¹³³ Langan Treadwell Rollo, *Preliminary Geotechnical Investigation, 1270 Mission Street, San Francisco, California*, November 19, 2015.

Fill: The site is blanketed by approximately 7.5 to 8.5 feet of fill; however, in one boring, the fill was found to extend to a depth of 18 feet. The fill generally consists of medium dense sand with variable gravel content and brick and debris.

Dune Sand: The fill is underlain by loose to very dense sand and sand with silt, locally referred to as dune sand. The dune sand typically increases in density with depth, becoming dense at a depth of about 18 to 20 feet below ground surface (bgs).

Marsh Deposit: A marsh deposit is present beneath the dune sand. This marsh deposit generally consists of sand, sand with silt, and organic silt. The sand is medium dense to dense and the organic silt is stiff. This marsh deposit was generally encountered approximately 24.5 to 30 feet bgs, but was not encountered near the northwestern corner of the site. Elsewhere, the marsh deposit ranges from 3 to 5 feet thick.

Sand: The upper marsh deposit is underlain by a dense sand layer consisting of sand and sand with silt. This material is dense to very dense and ranges in thickness from about 22 to 32.5 feet.

Lower Marsh Deposit: Beneath the dense sand layer is a lower marsh deposit, consisting of sand with varying amounts of silt and clay and organic silt. The sand is loose to medium dense and the organic silt is very stiff. The lower marsh deposit was encountered in all exploratory locations across the site at depths between 55 and 72 feet bgs and ranges in thickness from 5.5 to 11 feet.

Interbedded Sand: The lower marsh deposit is underlain by interbedded sands with varying amounts of silt and sand. The sand is dense to very dense to the maximum depth explored of 111.5 feet.

Groundwater: Groundwater was estimated at about 26 feet bgs during this time of extreme drought. Previous groundwater measurements in the site vicinity indicate that the groundwater table has ranged from about 23 to 28 feet bgs. Groundwater is expected to fluctuate several feet due to seasonal rainfall.

Impact GE-1: The proposed project and Variant 1 would not result in exposure of people and structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, seismic ground-shaking, liquefaction, lateral spreading, or landslides. (Less than Significant)

With respect to potential rupture of a known earthquake fault, published data indicate that no known active faults nor extensions of active faults exist beneath the project site or immediate vicinity. Therefore, the potential of surface rupture occurring at the site is very low and impacts are considered less than significant. No mitigation measures are necessary.

With respect to seismic ground shaking, the site is located within a 40-mile radius of several major active faults, including the San Andreas (7 miles), San Gregorio (11 miles), and Hayward (11 miles) fault lines. According to a U.S. Geological Survey, the overall probability of moment magnitude 6.7 or greater

earthquake to occur in the San Francisco Bay Region during the next thirty years is 72 percent. Therefore, there is potential that a strong to very strong earthquake would affect the project during its lifetime.

ABAG has classified the Modified Mercalli Intensity Shaking Severity Level of ground shaking in the proposed project vicinity due to an earthquake on the North San Andreas Fault as “VIII-Very Strong.”¹³⁴ Very strong shaking would result in damage to some masonry buildings, fall of stucco and some masonry walls, fall of chimneys and elevated tanks, and shifting of unbolted wood frame structures off their foundations. In accordance with the *San Francisco Building Code* requirement, the design-level Geotechnical Investigation analyzed the potential for strong seismic shaking and recommended that the proposed project seismic design be in accordance with the provisions of the 2013 *California Building Code*. With implementation of these recommendations, as required by the *San Francisco Building Code*, the impacts to the proposed project and Variant 1 due to strong seismic ground shaking would be less than significant and no mitigation measures are necessary.¹³⁵

Liquefaction and lateral spreading of soils can occur when ground shaking causes saturated soils to lose strength due to an increase in pore pressure. In terms of seismic-related ground failure, including liquefaction, the site is within a designated liquefaction hazard zone as shown on the California Geological Survey (CGS) seismic hazard zone map for the area titled State of California Seismic Hazard Zones, City and County of San Francisco, Official Map, dated November 17, 2000.¹³⁶ CGS provided recommendations for the content of site investigation reports and appropriate mitigations within seismic hazard zones that are contained within Special Publication 117A, which recommends that at least one exploration point extend to a depth of at least 50 feet to evaluate liquefaction potential.

According to the geotechnical report, the data collected indicated that loose to medium dense sand is present at the site with a potential for liquefaction. There is a dense sand layer between what would be the bottom of the foundation and the liquefiable layer, but nonetheless some settlement from liquefaction during a major earthquake may occur.¹³⁷ The potentially liquefiable sand layers ranged from 3 to 7.5 feet thick and were encountered about 10 to 55 feet below the proposed foundation level. Overall, the investigation concluded that the potential for lateral spreading is low given that the liquefiable layer beneath the site is relatively dense. As noted above, the geotechnical report recommended that the proposed project seismic design be in accordance with the provisions of the 2013 *California Building Code* and meet the standards for identifying and addressing liquefaction potential within Special Publication 117A. Prior to issuance of a building permit, the DBI would verify that all plans comply with Special Publication 117A and the *San Francisco Building Code* which incorporates the *California Building Code* along with local amendments. Implementation of these recommendations, as required by the *San Francisco Building Code*, would reduce any potential impacts of seismic-related ground failure, including

¹³⁴ Association of Bay Area Governments. Earthquake Hazard Map for San Francisco Scenario: Entire San Andreas Fault System, <http://www.abag.ca.gov/cgi-bin/pickmapx.pl>. Accessed on February 5, 2016.

¹³⁵ Langan Treadwell Rollo, *Preliminary Geotechnical Investigation, 1270 Mission Street, San Francisco, California*, November 19, 2015.

¹³⁶ California Geologic Survey, *Seismic Hazard Zones, City and County of San Francisco, Official Map*, November 17, 2000.

¹³⁷ Langan Treadwell Rollo, *Preliminary Geotechnical Investigation, 1270 Mission Street, San Francisco, California*, November 19, 2015.

liquefaction, to a less-than-significant level for both the proposed project and Variant 1 and no mitigation measures are necessary.

The project site is relatively level and is not located within a mapped landslide zone.¹³⁸ The site is also not within a designated earthquake-induced landslide zone as shown on the CGS seismic hazard zone map for the area. Therefore, the proposed project and Variant 1 would have no impact with respect to potential for landslides.

Impact GE-2: The proposed project and Variant 1 would not result in substantial loss of topsoil or erosion. (Less than Significant)

The project site is generally flat and is currently largely covered with impervious surfaces. The proposed project and Variant 1 would not substantially change the general topography of the project site or any unique geologic or physical features of the site. The proposed project and Variant 1 would require excavation for the construction of the subterranean level and removal of approximately 12,000 cubic yards of soil. The project site size of 16,220 square feet (0.37 acres) would be under the one-acre threshold for a National Pollutant Discharge Elimination System (NPDES) General Construction Permit. Nonetheless, the project sponsor and its contractor would still be required to implement BMPs that include erosion and sedimentation control measures, as required by the City and/or resources agencies, which would reduce short-term construction-related erosion impacts to less-than-significant levels. Once developed, the threat of erosion or loss of topsoil would be removed. Therefore, no mitigation measures are necessary.

Impact GE-3: The proposed project and Variant 1 would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. (Less than Significant)

The project site is underlain by approximately 7.5 to 8.5 of artificial fill over loose to very dense dune sand. If not engineered appropriately, the proposed structure could become subject to damage from instability. The project site is relatively level and the surrounding area does not include any substantive grades or cut slopes likely to be subject to landslide. Proposed project improvements include a one-story basement below grade, which would require excavation to a maximum of approximately 20 feet bgs. In general, artificial fill is often unsuitable for adequately supporting new structures or often is compacted to older specifications that do not meet current standards. The excavation for the subterranean level would likely remove the majority of the fill.

As noted above, groundwater was estimated at about 26 feet bgs during the geotechnical investigation and has ranged from about 23 to 28 feet bgs in the past. According to the geotechnical report, the foundation floor would likely be above the design groundwater level, although waterproofing may be incorporated into the design. Lateral spreading and liquefaction hazards would be addressed through

¹³⁸ *San Francisco General Plan, Community Safety Element, Map 4.* Available online at: http://www.sf-planning.org/ftp/General_Plan/Community_Safety_Element_2012.pdf. Accessed on February 9, 2016.

compliance with Special Publication 117A and the *San Francisco Building Code* as confirmed by DBI review.

During construction, excavation of the fill materials and dune sand would be necessary to construct the proposed basement level of the structure. The geotechnical investigation includes specific recommendations to be implemented during construction in order to prevent the dune sands from caving and to protect neighboring structures. Excavation activities would require the use of shoring and underpinning in accordance with the recommendations of the geotechnical report and *San Francisco Building Code* requirements.

The proposed project and Variant 1 are required to comply with the *San Francisco Building Code* which includes seismic safety standards for all new construction in San Francisco. The DBI will review the project-specific geotechnical report during its review of the building permit application for the proposed project. In addition, the DBI may require additional site-specific soils report(s) as needed. Implementation of the recommendations in the geotechnical report, in combination with the requirement for a geotechnical report and the review of the building permit application pursuant to the DBI's implementation of the *Building Code*, would minimize the risk of loss, injury, or death due to seismic or other geologic hazards.

Therefore, impacts would be less than significant and no mitigation measures are necessary.

Impact GE-4: The proposed project and Variant 1 could be located on expansive soil, as defined in the *California Building Code*, creating substantial risks to life or property. (Less than Significant)

Expansive soils expand and contract in response to changes in soil moisture, most notably when near surface soils change from saturated to a low-moisture content condition, and back again. The presence of expansive soils is typically determined on site specific data. As noted above, the site is likely underlain by approximately 7.5 to 8.5 feet of fill. Anticipated excavation of the basement garage and foundation is expected to remove the majority of existing fill materials at the site, leaving mostly the underlying dune sands. Due to the low clay content within the dune sands, there would be a low likelihood for expansion. However, areas not excavated, including sidewalks, utility trenches and other adjacent improvements, may be affected by expansive soils, if present. Due to the *San Francisco Building Code* requirement that the project applicant include analysis of the potential for soil expansion impacts as part of the design-level geotechnical investigation prepared for the proposed project and Variant 1, potential impacts related to expansive soils would be less than significant and no mitigation measures are necessary.

Impact GE-5: The proposed project and Variant 1 would not indirectly destroy a unique paleontological resource or site or unique geologic feature. (Less than Significant)

Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. Collecting localities and the geologic formations containing those localities are also considered paleontological resources as they represent a limited, non-renewable resource and once destroyed, cannot be replaced.

Paleontological resources are lithologically dependent; that is, deposition and preservation of paleontological resources are related to the lithologic unit in which they occur. If the rock types representing a deposition environment conducive to deposition and preservation of fossils are not favorable, fossils will not be present. Lithological units that may be fossiliferous include sedimentary formations.

The project site is underlain by fill and dune sands to depths of approximately 25 to 30 feet bgs.¹³⁹ Artificial fills do not contain paleontological resources and dune sands are originally derived from rocks, but have been altered, weathered, or reworked to such a degree that the discovery of intact fossils would be nearly impossible. The proposed project would entail excavation to a depth of approximately 20 feet to accommodate the below-grade parking level and foundation, with a small area of an additional four feet of excavation to accommodate the proposed elevator pit. Excavation would therefore not extend below the artificial fills and dune sands. The likelihood of accidental discovery of paleontological resources or unique geological features in artificial fills and dune sands is low. Therefore, the potential accidental discovery of paleontological resources or unique geologic features during construction of the proposed project and Variant 1 would be unlikely and would be considered a less-than-significant impact, and no mitigation measures are necessary.

Impact C-GE: The proposed project and Variant 1 would not make a considerable contribution to any cumulative significant effects related to geology or soils. (Less than Significant)

Given that the proposed project and Variant 1 would not result in a large degree of excavation and that there are no other foreseeable projects in the project vicinity that would combine with the proposed project's impacts in a considerable manner, the proposed project and Variant 1's impacts related to geology and soils, both individually and cumulatively, would be less than significant and no mitigation measures are necessary.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
14. HYDROLOGY AND WATER QUALITY — Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

¹³⁹ Langan Treadwell Rollo, *Preliminary Geotechnical Investigation*, 1270 Mission Street, San Francisco, California, November 19, 2015.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
14. HYDROLOGY AND WATER QUALITY — Would the project:					
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is approximately 1.5 miles from the Bay shoreline and not within an area identified as susceptible to seiche or potential inundation in the event of a levee or dam failure, or tsunami along the San Francisco coast (Maps 5, 6, and 7 of the Community Safety Element of the *General Plan*). In addition, the project site is relatively level and would not be subject to mudflow. Thus, Question 14j does not apply. The project site is not located within a 100-year flood hazard area designated on the City's interim floodplain map, and would not place housing or structures within a 100-year flood hazard area that would impede or redirect flood flows.¹⁴⁰ Therefore, Questions 14g and 14h are not applicable.

Impact HY-1: The proposed project and Variant 1 would not violate any water quality standards or waste discharge requirements and would result in less-than-significant impacts to water quality. (No Impact)

As discussed in Topic 10, Utilities and Services, wastewater and stormwater from the project site would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained within the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay. Treatment would be provided pursuant to the effluent discharge standards included within the City's NPDES permit for the plant. Additionally, as new construction, the proposed project and Variant 1 would be

¹⁴⁰ FEMA Preliminary Flood Insurance Rate Map, November 12, 2015. Available online at http://sfgsa.org/sites/default/files/Document/SF_NE.pdf, accessed May 30, 2016.

required to meet the standards for stormwater management identified in the San Francisco Stormwater Management Ordinance and meet the SFPUC stormwater management requirements per the 2016 Stormwater Management Requirements and Design Guidelines.

The project sponsor would be required to submit and have approved by the SFPUC a Stormwater Control Plan that complies with the City's 2016 Stormwater Management Requirements and Design Guidelines using a variety of BMPs. As described in Topic 10, Utilities and Service Systems, for the proposed project and Variant 1, the stormwater management approach must reduce the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm through employment of a hierarchy of BMPs set forth in the Stormwater Management Requirements. Therefore, the proposed project and Variant 1 would not substantially degrade water quality and water quality standards and waste discharge requirements would not be violated. Thus, the proposed project and Variant 1 would have a less-than-significant impact on water quality and no mitigation measures are necessary.

Impact HY-2: The proposed project and Variant 1 would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or lowering of the local groundwater table. (No Impact)

The project site is currently largely covered with impervious surfaces; the proposed project and Variant 1 would not increase the amount of impervious surface on the site. Therefore, the proposed project and Variant 1 would not result in any substantial change in infiltration or runoff. As noted above, excavation for the subterranean garage and foundation would be required to a depth of approximately 20 feet below ground surface (bgs), and groundwater is expected to be encountered at about 26 feet bgs, so the proposed basement slab would likely be above the existing groundwater table. However, if groundwater were encountered during on-site excavation, dewatering activities would be necessary.

The Bureau of Systems Planning, Environment, and Compliance of the SFPUC must be notified regarding projects that necessitate dewatering. In this case, the SFPUC may require water analysis prior to discharge to the stormwater/sewer system. If dewatering is necessary, the proposed project and Variant 1 would be required to obtain a Batch Wastewater Discharge Permit from the SFPUC Wastewater Enterprise Collection System Division prior to commencement of any dewatering activities.

Groundwater encountered during construction of the proposed project and Variant 1 would be subject to the requirements of Article 4.1 of the *Public Works Code*, Industrial Waste, requiring that groundwater meet specified water quality standards before it may be discharged into the stormwater/sewer system. As a result, pumped water may require treatment prior to discharge in order to meet water quality standards. If necessary, any dewatering activities would be temporary and have no lasting effects on groundwater supplies. These standards would ensure protection of water quality during construction of the proposed project and Variant 1. Once constructed, as noted above, the proposed project and Variant 1 would be required to meet the standards for stormwater management identified in the San Francisco Stormwater Management Ordinance and meet the SFPUC stormwater management requirements per the Stormwater Design Guidelines. Therefore, groundwater resources would not be substantially degraded

or depleted, and the proposed project and Variant 1 would not substantially interfere with groundwater recharge. Thus, the proposed project and Variant 1 would have a less-than-significant impact related to groundwater supplies and no mitigation measures are necessary.

Impact HY-3: The proposed project and Variant 1 would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or substantially increase the rate or amount of surface runoff in a manner that would result in substantial erosion, siltation, or flooding on- or off-site. (No Impact)

The project site is currently covered with impervious surfaces, and no streams or creeks are present on the project site. The proposed project and Variant 1 would be designed to incrementally reduce the amount of impervious surface currently located on the project site through implementation of Low Impact Design measures and other measures identified in the Stormwater Management Ordinance, which also requires a decrease in the amount of stormwater runoff associated with the proposed project and Variant 1 per the City's drainage control requirement. Therefore, although the proposed project is expected to result in a slight decrease in the amount of impervious surface on the project site; overall, impervious surfaces on the site would not substantially change as part of the proposed project or Variant 1 and drainage patterns would generally remain the same. As such, the proposed project and Variant 1 would not be expected to result in substantial erosion or flooding associated with changes in drainage patterns, and potential to result in erosion or flooding would have no impact. No mitigation measures are necessary.

Impact HY-4: The proposed project and Variant 1 would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (Less than Significant)

During construction and operation of the proposed project and Variant 1, all wastewater and stormwater runoff from the project site would be treated at the Southeast Water Pollution Control Plant. As noted above, treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction and operation, the proposed project and Variant 1 would be required to comply with all local wastewater discharge, stormwater runoff, and water quality requirements, including the 2016 San Francisco Stormwater Management Requirements and Design Guidelines, described above under Impact HY-1 and the Stormwater Management Ordinance (Ordinance No. 83-10). Compliance with the Stormwater Management Requirements and Design Guidelines would ensure that all stormwater generated by the proposed project and Variant 1 would be managed on-site to reduce the existing runoff flow rate and volume by 25 percent for a two-year 24-hour design storm, such that the proposed project and Variant 1 would not contribute additional volumes of polluted runoff to the City's stormwater infrastructure. Compliance with the Stormwater Management Ordinance would ensure that the design of the proposed project and Variant 1 would include installation of appropriate stormwater management systems that retain runoff on site, promote stormwater reuse, and limit (or eliminate altogether) discharges from the site from entering the City's combined stormwater/sewer system. Therefore, the proposed project and Variant 1 would not exceed the capacity of existing or

planned stormwater drainage systems or provide substantial additional sources of polluted runoff, and this impact would be less than significant and no mitigation measures are necessary.

Impact HY-5: The proposed project and Variant 1 would not exacerbate flooding conditions such that people or structures would be exposed to a significant risk from future flooding. (No Impact)

The City and County of San Francisco is a participant in the National Flood Insurance Program (NFIP). As a condition of participating in the NFIP, the City has adopted and enforces a Floodplain Management Ordinance intended to reduce the risk of damage from flooding in the city. The Floodplain Management Ordinance governs construction in flood-prone areas and designates the City Administrator's Office as the City's Floodplain Administrator.¹⁴¹ The ground surface elevation at the site ranges from approximately 39 to 41 feet San Francisco City Datum.¹⁴² The project site is not located within a Special Flood Hazard Area identified on San Francisco's Interim Floodplain Map, nor is it adjacent to a shoreline that could be affected by sea level rise.^{143,144}

The Planning Department considers whether projects located in areas prone to flooding – under existing conditions or future conditions with projected sea-level rise – would expose people or structures to significant risks due to flooding. However, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court determined that CEQA does not *generally* require lead agencies to consider how existing hazards or conditions might impact a project's users or residents, except where the project would exacerbate an existing environmental hazard.¹⁴⁵ Accordingly, hazards resulting from a project that places development in an existing or future flood hazard area are not considered impacts under CEQA unless the project would exacerbate the flood hazard.

The project site is within the South of Market Flood Zone—an area that SFPUC has specifically identified as being prone to flooding hazards as a result of the depth of sewer lines relative to the ground surface elevation of the properties they serve.¹⁴⁶ However, during the building permit review process, the SFPUC would require design features necessary to minimize the potential of a sewer backup during storm events and minimize the potential of street storm flow from entering the property.

¹⁴¹ San Francisco Administrative Code, Article XX, Section 2A.280 through 2A.285. Available online at [http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanfrancisco_ca\\$sync=1](http://library.amlegal.com/nxt/gateway.dll/California/planning/planningcode?f=templates$fn=default.htm$3.0$vid=amlegal:sanfrancisco_ca$sync=1), accessed May 30, 2016.

¹⁴² San Francisco City Datum (SFD) establishes the City's zero point for surveying purposes at approximately 11.3 feet above the current 1988 North American Vertical Datum. Because tides are measured from mean lower low water (about 3.1 feet below mean sea level [MSL]), an elevation of 0 SFD is approximately 8.2 feet above MSL.

¹⁴³ FEMA Preliminary Flood Insurance Rate Map, November 12, 2015. Available online at http://sfgsa.org/sites/default/files/Document/SF_NE.pdf, accessed May 30, 2016.

¹⁴⁴ SFPUC, Climate Stressors and Impact: Bayside Sea Level Rise Mapping, Final Technical Memorandum. Prepared for SFPUC by the Sewer System Improvement Program, Prepared by Program Management Consultant AECOM Contract CS-165, June 2014.

¹⁴⁵ *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369.

¹⁴⁶ San Francisco Planning Department, *Planning Director Bulletin No. 4: Review of Projects in Areas Prone to Flooding*, April 2007. Available online at http://www.sf-planning.org/ftp/files/publications_reports/DB_04_Flood_Zones.pdf, accessed May 30, 2016.

Areas located on fill or bay mud can subside to a point at which the sewers do not drain freely during a storm (and sometimes during dry weather) and there can be backups or flooding near these streets and sewers. As described in Topic 13, Geology and Soils, the project site is underlain by approximately 7.5 to 8.5 feet of artificial fill but would receive geotechnical site preparations to improve soil stability. The SFPUC, as part of the building permit review process, reviews project plans and makes recommendations about how to prevent future flooding of individual properties. Requirements may include provision of a pump station for the sewage flow, raised elevation of entryways, and/or special sidewalk construction and the provision of deep gutters. The project sponsor would therefore be required to provide to SFPUC a hydrologic determination as to whether the proposed project and Variant 1 would result in ground-level flooding during storms. If so, the sponsor would be required to comply with SFPUC post-construction stormwater design guidelines as part of the permit approval process. These measures could also include raising the elevation of entryways, providing special sidewalk construction, and constructing deep gutters, among others. Implementation of SFPUC requirements for projects in flood-prone zones as part of the permit approval process would ensure that the proposed project and Variant 1 would not result in flood hazards that would endanger people or result in structural damage. Therefore, there would be no adverse impacts related to exacerbation of flooding conditions such that people or structures would be exposed to a significant risk from future flooding as a result of the proposed project or Variant 1, and no mitigation measures are necessary.

Impact C-HY: The proposed project and Variant 1, in combination with other past, present, or reasonably foreseeable projects, would result in less-than-significant cumulative impacts to hydrology and water quality. (Less than Significant)

As stated above, the proposed project and Variant 1 would result in no adverse impacts or less-than-significant impacts related to water quality, groundwater levels, alteration of drainage patterns, capacity of drainage infrastructure, 100-year flood zones, failure of dams or levees, and/or seiche, tsunami, and/or mudflow hazards. The proposed project and Variant 1 would adhere to the same water quality and drainage control requirements that apply to all land use development projects in San Francisco. Since all development projects would be required to follow the same dewatering and water quality regulations, as the proposed project and Variant 1, peak stormwater drainage rates and volumes for a two-year 24-hour design storm would gradually decrease over time with the implementation of new, conforming, development projects, meaning that no substantial adverse cumulative effects with respect to drainage patterns, water quality, stormwater runoff, or stormwater capacity of the combined sewer system would occur.

Further, the limited use of groundwater in San Francisco would preclude any significant adverse cumulative effects to groundwater levels, and the proposed project and Variant 1 would not contribute to any cumulative effects with respect to groundwater. There are no dams or levees in San Francisco, and thus failure of dams or levees would not occur. In general, hazards related to 100-year flood zones, seiche, tsunami, and/or mudflows are extremely unusual in San Francisco and are thus typically not considered to be substantive issues such that any cumulative significant impacts would be anticipated. Since cumulative impacts are not anticipated, the proposed project and Variant 1 would not contribute to

cumulative effects. Therefore, the proposed project and Variant 1 would not combine with other cumulative projects to create any significant cumulative impacts. Cumulative impacts related to hydrology, water quality, and flooding would be less than significant, and no mitigation measures are necessary.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
15. HAZARDS AND HAZARDOUS MATERIALS— Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The project site is not located within an airport land use plan area or in the vicinity of a private airstrip. Therefore, Questions 15e and 15f are not applicable.

Impact HZ-1: The proposed project and Variant 1 would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Less than Significant)

Construction activities would require the use of limited quantities of hazardous materials such as fuels, oils, solvents, paints, and other common construction materials. The City would require the project sponsor and

its contractor to implement Best Management Practices (BMPs) as part of their grading permit requirements, including hazardous materials management measures, which would reduce the hazards associated with short-term construction-related transport, and use and disposal of hazardous materials to less-than-significant levels. In addition, the handling and use of hazardous materials is governed by federal, state, and local laws.¹⁴⁷

Once constructed, the proposed project and Variant 1 would likely result in the use of common types of hazardous materials typically associated with retail/restaurant and residential uses, such as cleaning products and disinfectants. These products are labeled to inform users of their potential risks and to instruct them in appropriate handling and disposal procedures. However, most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards resulting from hazardous materials. Thus, the proposed project and Variant 1 would result in less-than-significant impacts related to the use of hazardous materials and no mitigation measures are necessary.

Impact HZ-2: The proposed project and Variant 1 would not create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant)

The project site is located just outside of the area of San Francisco governed by Article 22A of the *San Francisco Health Code*, also known as the Maher Ordinance, which is administered and overseen by the San Francisco Department of Public Health.¹⁴⁸ The Maher Ordinance requires the project sponsor to retain the services of a qualified professional to prepare a Phase I Environmental Site Assessment (ESA) in order to assess the potential for encountering subsurface contamination at the site. Although the project site is not subject to the requirements of the Maher Ordinance, a Phase I was prepared.

The Phase I ESA included: (1) a reconnaissance-level site visit to look for evidence of the release(s) of hazardous materials and petroleum products; (2) inquiry by telephone, visit, online databases, and /or written correspondence to regulatory agencies regarding building or environmental permits, environmental violations, incidents and/or status of enforcement actions at the project site; (3) review of local, state, and federal records pertinent to a Phase I ESA; (4) review of relevant documents and maps regarding local geologic and hydrogeologic conditions; and (5) review of historical documents including aerial photographs and topographical maps.

¹⁴⁷ Many federal, state, and local laws govern the handling and usage of hazardous materials, including but not limited to: 40 CFR 355; 40 CFR 370; *Health and Safety Code*, Section 25531 through 25543.4; and the *San Francisco Health Code*, Article 21.

¹⁴⁸ San Francisco Planning Department, "Expanded Maher Area" Map, March 2015. Available on the internet at: http://www.sf-planning.org/ftp/files/publications_reports/library_of_cartography/Maher%20Map.pdf.

According to historic sources, the project site was occupied by upholstery, cabinet, and metal shops as of 1949.¹⁴⁹ By 1974, the project site appears to have been vacant. The 1984 Sanborn map shows the project site was still vacant with the exception of one small building located in the southeast corner. The project site remains in this configuration in the 1988, 1990, and 1999 Sanborn maps.

No observed evidence of any significant staining, spillage, and/or ponded liquids or unconfined solids was discovered on the project site during site reconnaissance. No recognized environmental conditions associated with the storage of hazardous materials at the project site were observed. No potential underground storage tanks (USTs), fill ports, or groundwater monitoring wells were noted at adjacent properties. No apparent signs of chemical releases or leaks were noted at any of the nearby facilities.

As noted in the Phase I ESA, a regulatory agency database report indicates that facilities of environmental concern in the vicinity of the project site had no violations, were closed by the regulatory agency, were hydrologically cross-gradient or down-gradient, or were determined to be a significant distance (greater than a ¼-mile) from the project site. As a result, these listings are not expected to pose an environmental risk to the project site and are not discussed. The project site, itself, was not listed on any of the regulatory databases.¹⁵⁰

Asbestos-Containing Materials and Lead-Based Paint

The project site is occupied by a building that was constructed in 1975. Buildings of this era commonly contain asbestos-containing materials (ACMs) within building materials such as ducting insulation, ceiling tiles, floor tiles, and others. The California Department of Toxic Substance Control considers asbestos hazardous and removal of ACMs required prior to demolition or construction activities that could result in disturbance of these materials. Asbestos-containing materials must be removed in accordance with local and state regulations, BAAQMD, the California Occupational Safety and Health Administration (CAL OSHA), and California Department of Health Services requirements. Specifically, Section 19827.5 of the *California Health and Safety Code*, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. The California legislature vests the BAAQMD with the authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and the BAAQMD is to be notified ten days in advance of any proposed demolition or abatement work. Any asbestos-containing material disturbance at the project site would be subject to the requirements of BAAQMD Regulation 11, Rule 2: Hazardous Materials—Asbestos Demolition, Renovation, and Manufacturing. The local office of CAL OSHA must also be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in Title 8 of *California Code of Regulations* Section 1529 and Sections 341.6 through 341.14, where there is asbestos related work involving 100 gsf or more of asbestos-containing material. The owner of the property where abatement is to occur must have a Hazardous

¹⁴⁹ Langan Treadwell Rollo, *Phase I Environmental Site Assessment*, 1270 Mission Street, San Francisco, California, September 9, 2014.

¹⁵⁰ State Water Resources Control Board, Geotracker Database, <http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1270+Mission%2C+San+Francisco+CA>. Accessed February 10, 2016.

Waste Generator Number assigned by and registered with the Office of the California Department of Health Services. The contractor and hauler of the material are required to file a Hazardous Waste Manifest that details the hauling of the material from the site and the disposal of it. Pursuant to California law, DBI would not issue the required permit until the applicant has complied with the requirements described above.

These regulations and procedures already established as part of the building permit review process would ensure that any potential impacts due to asbestos would be reduced to a less-than-significant level. Therefore, no mitigation measures are necessary.

Lead-Based Paint

Similar to ACMs, lead-based paint was identified through earlier renovations and may still be present in areas that have not been renovated.¹⁵¹ Work that could result in disturbance of lead paint must comply with Section 3426 of the *San Francisco Building Code*, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to 1979, Section 3426 requires specific notification and work standards, and identifies prohibited work methods and penalties. (The reader may be familiar with notices commonly placed on residential and other buildings in San Francisco that are undergoing re-painting. These notices are generally affixed to a drape that covers all or portions of a building and are a required part of the Section 3426 notification procedure.)

Section 3426 applies to the exterior of all buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces, unless demonstrated otherwise through laboratory analysis), and to the interior of residential buildings, hotels, and child care centers. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the U.S. Department of Housing and Urban Development Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbances or removal of lead-based paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work; protect floors and other horizontal surfaces from work debris during interior work; and make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work. Clean-up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

The ordinance also includes notification requirements and requirements for signs. Prior to the commencement of work, the responsible party must provide written notice to the Director of DBI, of the address and location of the project; the scope of work, including specific location within the site; methods and tools to be used; the approximate age of the structure; anticipated job start and completion dates for the work; whether the building is residential or nonresidential, owner-occupied or rental property; the

¹⁵¹ Ibid.

dates by which the responsible party has fulfilled or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include a Posted Sign notifying the public of restricted access to the work area, a Notice to Residential Occupants, Availability of Pamphlet related to protection from lead in the home, and Notice of Early Commencement of Work (by Owner, Requested by Tenant), and Notice of Lead Contaminated Dust or Soil, if applicable. Section 3426 contains provisions regarding inspection and sampling for compliance by DBI, as well as enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

Demolition would also be subject to the Cal OSHA Lead in Construction Standard (8 CCR Section 1532.1). This standard requires development and implementation of a lead compliance plan when materials containing lead would be disturbed during construction. The plan must describe activities that could emit lead, methods that will be used to comply with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. Cal/OSHA would require 24-hour notification if more than 100 square feet of materials containing lead would be disturbed.

Implementation of procedures required by Section 3426 of the *San Francisco Building Code* and the Lead in Construction Standard would ensure that potential impacts of demolition or renovation of structures with lead-based paint would be less than significant. Therefore, no mitigation measures are necessary.

Construction

Use of hazardous materials during construction activities would adhere to the City's grading permit requirements, as stated above under Topic 13, Geology and Soils, which require the project sponsor and its contractor to implement BMPs as part of construction specifications. These BMPs would include hazardous materials use, storage, and disposal measures that would limit the potential for upset and accident conditions in order to protect water quality. As a result, the potential for accidental releases during construction would be minimized.

Based on mandatory compliance with existing regulatory requirements and the information and conclusions from the Phase I ESA and the regulatory requirements of construction and operation, the proposed project and Variant 1 would not result in a significant hazard to the public or environment from contaminated soil and/or groundwater, asbestos, or lead-based paint and the proposed project would result in a less-than-significant impact with respect to these hazards. Therefore, the proposed project and Variant 1 would result in a less-than-significant impact on the public and environment.

Impact HZ-3: The proposed project and Variant 1 would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within a quarter-mile of an existing or proposed school. (Less than Significant)

Several schools are located within a quarter-mile of the project site, including the following: Judith Baker Child Development Center, at 685 Natoma Street, about 0.15 miles east of the project site; Market Street Elementary School, at 5555 Market Street, about 0.10 miles north of the project site; Love & Learn Nursery

School, at 1419 Howard Street, about 0.2 miles south of the project site; Kids By The Bay Preschool, at 90 7th Street, about 0.16 miles east of the project site; and the Presidio Knolls School, at 250 Tenth Street, about 0.23 miles south of the project site.

The proposed project and Variant 1 would not result in the storage, handling, or disposal of significant quantities of hazardous materials and would not otherwise include any uses that would result in the substantive emissions of hazardous substances. Any hazardous materials currently on the site, such as asbestos or lead-based paint, PCBs, and DEHP, would be removed during or prior to demolition of the existing building and prior to project construction, and would be handled in compliance with applicable laws and regulations, as described above. With adherence to these regulations, there would be no potential for such materials to affect the nearest school. Thus, the proposed project and Variant 1 would have a less-than-significant impact related to hazardous emissions or the handling of hazardous materials within a quarter mile of a school and no mitigation measures are necessary.

Impact HZ-4: The proposed project and Variant 1 is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. (No Impact)

The project site is not on any available environmental databases as compiled by the California Department of Toxic Substances Control or the State Water Resources Control Board pursuant to *Government Code* Section 65962.5. The project site is not listed in database reports from state and federal regulatory agencies that identify businesses and properties that handle or have released hazardous materials and/or waste.¹⁵² Therefore, the proposed project and Variant 1 would have no impact related to this criterion and no mitigation measures are necessary.

Impact HZ-5: The proposed project and Variant 1 would not expose people or structures to a significant risk of loss, injury or death involving fires, nor interfere with the implementation of an emergency response plan. (Less than Significant)

San Francisco ensures fire safety primarily through provisions of the *Building* and *Fire Codes*. Final building plans are reviewed by the San Francisco Fire Department (as well as the DBI), to ensure conformance with these provisions. In this way, potential fire hazards, including those associated with hydrant water pressures and emergency access, would be addressed through the permit review process. Compliance with fire safety regulations would ensure that the proposed project and Variant 1 would not impair implementation of, or physically interfere with an adopted emergency response or emergency evacuation plan or expose people or structures to a significant risk of loss, injury or death involving fires. This impact would be less than significant, and no mitigation measures are necessary.

¹⁵² Langan Treadwell Rollo, *Phase I Environmental Site Assessment, 1270 Mission Street, San Francisco, California*, September 9, 2014.

Impact C-HZ: The proposed project and Variant 1 would not make a considerable contribution to any cumulative significant effects related to hazardous materials. (Less than Significant)

Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts because incidents tend to be infrequent and isolated. Any potential hazards occurring at nearby sites would be subject to the same safety or remediation requirements discussed for the proposed project and Variant 1 above, which would reduce any hazardous effects to less-than-significant levels. As such, no cumulative impacts would occur, and the proposed project and Variant 1's impact related to hazards and hazardous materials, both individually and cumulatively, would be less than significant and no mitigation measures are necessary.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
16. MINERAL AND ENERGY RESOURCES — Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All land in the City of San Francisco, including the project site, is designated by the CGS as Mineral Resource Zone Four (MRZ-4) under the Surface Mining and Reclamation Act of 1975. The MRZ-4 designation indicates that adequate information does not exist to assign the area to any other MRZ; thus, the area is not designated to have significant mineral deposits.¹⁵³ The project site has previously been developed, and future evaluations of the presence of minerals at this site would therefore not be affected by the proposed project and Variant 1. Further, the development and operation of the proposed project and Variant 1 would not have an impact on any off-site operational mineral resource recovery sites. Therefore, Topics 16a and 16b are not applicable to the proposed project or Variant 1.

¹⁵³ California Department of Conservation, Division of Mines and Geology, *Special Report 146, Parts I and II* (1986) and *DMG Open File Report 96 03* (1996). Available online at <http://www.conservation.ca.gov/cgs/minerals/mlc/Pages/index.aspx>, accessed May 30, 2016.

Impact ME-1: The proposed project and Variant 1 would not encourage activities that would result in the use of large amounts of fuel, water, or energy, or use these resources in a wasteful manner. (Less than Significant)

The proposed project and Variant 1 would add new retail/restaurant and residential uses, and an increased intensity of use to the project site, although not to an extent that exceeds anticipated growth in the area. As a new building in San Francisco, the proposed project and Variant 1 would be subject to the energy conservation standards included in the San Francisco Green Building Ordinance that would require the proposed project and Variant 1 to meet a number of conservation standards, including installation of water efficient fixtures and energy efficient appliances, as well as the provision of features that encourage alternative modes of transportation, such as bicycle racks and car-share parking spaces. Documentation showing compliance with the San Francisco Green Building Ordinance would be submitted with the application for the project's building permit, and would be enforced by the DBI.

In addition, the proposed project and Variant 1 would be required to comply with Title 24 of the *California Code of Regulations*, which regulates energy consumption for the heating, cooling, ventilation, and lighting of residential and nonresidential buildings; it is enforced by the DBI. Compliance with Title 24 and the San Francisco Green Building Ordinance would ensure reduction in the use of fuel, water, and energy by the proposed project.

Therefore, the proposed project and Variant 1 would not result in the use of large amounts of fuel, water, or energy, or result in the use of these resources in a wasteful manner, and effects related to the use of these resources would be less than significant, and no mitigation measures are necessary.

Impact C-ME: The proposed project and Variant 1, in combination with other past, present or reasonably foreseeable projects, would not result in less-than-significant cumulative impacts on mineral and energy resources. (Less than Significant)

No known minerals exist in the project site or in the vicinity, as all of San Francisco falls within MRZ-4, as described above; therefore, no cumulative impacts would occur with respect to mineral resources and the proposed project and Variant 1 would not contribute to any cumulative impact on mineral resources. In addition, the cumulative development projects identified in **Table 2**, and all land use development projects in the city would be required by the DBI to conform with Title 24 and the *San Francisco Green Building Code* regarding minimizing the use of large amounts of fuel, water, or energy by, for instance, installing energy efficient appliances and water efficient fixtures, which would preclude cumulative significant impacts on fuel, water, or energy. While statewide efforts are being made to increase power supply and to encourage energy conservation, the demand for energy created by the proposed project and Variant 1 would be insubstantial in the context of the total demand within San Francisco and the state, and would not require a major expansion of power facilities. The City also plans to reduce GHG emissions to 25 percent below 1990 levels by 2017, and ultimately reduce GHG emissions to 80 percent below 1990 levels by 2050, which would be achieved through a number of different strategies, including energy efficiency. Thus, the energy demand that would be created by the proposed project and

Variant 1 would not contribute to a cumulative impact. As such, the proposed project and Variant 1, in combination with other past, present or reasonably foreseeable projects would result in less-than-significant impacts on fuel, water, and energy resources and no mitigation measures are necessary.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
17. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. — Would the project					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located within an urbanized area of San Francisco. No land in San Francisco County has been designated by the California Department of Conservation's Farmland Mapping and Monitoring Program as agricultural land. Because the project site does not contain agricultural uses and is not zoned for such uses, the proposed project and Variant 1 would not require the conversion of any land designated as prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use. The proposed project and Variant 1 would not conflict with any existing agricultural zoning or Williamson Act contracts.¹⁵⁴ No land in San Francisco is designated as forest land or timberland by the *California Public Resources Code*. Therefore, the proposed project and Variant 1 would not conflict with zoning for forest land, cause a loss of forest land, or convert forest land to a different use. For these reasons, Topics 17a, 17b, 17c, 17d, and 17e are not applicable to the proposed project.

¹⁵⁴ San Francisco is identified as "Urban and Built-Up Land" on the California Department of Conservation Important Farmland in California Map, 2008. Available online at www.consrv.ca.gov. Accessed on January 23, 2016.

<i>Topics:</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Not Applicable</i>
18. MANDATORY FINDINGS OF SIGNIFICANCE — Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that would be individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing analysis identifies potentially significant impacts related to archaeological resources and construction air quality, which would all be mitigated through implementation of mitigation measures identified below and described within Section E.

- a) As discussed in the various topics in this Initial Study, the proposed project and Variant 1 are anticipated to have less-than-significant impacts on the environmental topics discussed. The proposed project and Variant 1, however, could have potentially significant impacts resulting from disturbance to archeological resources, tribal cultural resources, and construction air quality. These impacts would be mitigated through implementation of Mitigation Measures M-CR-2, M-CR-3, M-AQ-2, and M-AQ-4 to less-than-significant levels, as described within Section E.
- b) The proposed project in combination with the past, present and foreseeable projects as described in Section E, would not result in cumulative impacts to land use, aesthetics, population and housing, transportation and circulation, noise, air quality, GHG emissions, wind and shadow, recreation, utilities and service systems, public services, biological resources, geology and soils, hydrology and water quality, hazards and hazardous materials, mineral and energy resources, and agricultural and forest resources.
- c) The proposed project, as discussed in Section C (Compatibility with Existing Zoning and Plans) and Section E, Topic 1 (Land Use and Land Use Planning) would be generally consistent with local and zoning requirements. Mitigation Measures M-CR-2, M-CR-3, M-AQ-2, and M-AQ-4 would address cultural resources and air quality impacts. Implementation of these mitigation measures would reduce any impact to eliminate important examples of the major periods of California history or prehistory and construction-related air quality issues to less-than-significant levels.

F. MITIGATION MEASURES AND IMPROVEMENT MEASURES

The following mitigation measures have been identified to reduce potentially significant impacts resulting from the proposed project to less-than-significant levels. Improvement measures recommended to reduce or avoid less-than-significant impacts are also identified below. Accordingly, the project sponsor has agreed to implement all mitigation and improvement measures described below.

Mitigation Measures

Mitigation Measure M-CR-2: Archeology Resources (Monitoring)

Based on the reasonable potential that archeological resources may be present within the project site, the following measures shall be undertaken to avoid any potentially significant adverse effect from the proposed project on buried or submerged historical resources. The project sponsor shall retain the services of an archeological consultant from the rotational Department Qualified Archeological Consultants List (QACL) maintained by the Planning Department archeologist. The project sponsor shall contact the Department archeologist to obtain the names and contact information for the next three archeological consultants on the QACL. The archeological consultant shall undertake an archeological monitoring program. All plans and reports prepared by the consultant as specified herein shall be submitted first and directly to the ERO for review and comment, and shall be considered draft reports subject to revision until final approval by the ERO. Archeological monitoring and/or data recovery programs required by this measure could suspend construction of the project for up to a maximum of four weeks. At the direction of the ERO, the suspension of construction can be extended beyond four weeks only if such a suspension is the only feasible means to reduce to a less than significant level potential effects on a significant archeological resource as defined in CEQA Guidelines Sect. 15064.5 (a) and (c).

Consultation with Descendant Communities: On discovery of an archeological site¹⁵⁵ associated with descendant Native Americans or the Overseas Chinese an appropriate representative¹⁵⁶ of the descendant group and the ERO shall be contacted. The representative of the descendant group shall be given the opportunity to monitor archeological field investigations of the site and to consult with ERO regarding appropriate archeological treatment of the site, of recovered data from the site, and, if applicable, any interpretative treatment of the associated archeological site. A copy of the Final Archeological Resources Report shall be provided to the representative of the descendant group.

Archeological monitoring program (AMP). The archeological monitoring program shall minimally include the following provisions:

- The archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the AMP reasonably prior to any project-related soils disturbing activities commencing. The ERO in consultation with the project archeologist shall determine what project activities shall be archeologically monitored. In most cases, any soils disturbing activities, such as demolition,

¹⁵⁵ By the term "archeological site" is intended here to minimally include any archeological deposit, feature, burial, or evidence of burial.

¹⁵⁶ An "appropriate representative" of the descendant group is here defined to mean, in the case of Native Americans, any individual listed in the current Native American Contact List for the City and County of San Francisco maintained by the California Native American Heritage Commission and in the case of the Overseas Chinese, the Chinese Historical Society of America.

foundation removal, excavation, grading, utilities installation, foundation work, driving of piles (foundation, shoring, etc.), site remediation, etc., shall require archeological monitoring because of the potential risk these activities pose to archeological resources and to their depositional context;

- The archeological consultant shall advise all project contractors to be on the alert for evidence of the presence of the expected resource(s), of how to identify the evidence of the expected resource(s), and of the appropriate protocol in the event of apparent discovery of an archeological resource;
- The archeological monitor(s) shall be present on the project site according to a schedule agreed upon by the archeological consultant and the ERO until the ERO has, in consultation with the archeological consultant, determined that project construction activities could have no effects on significant archeological deposits;
- The archeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis;
- If an intact archeological deposit is encountered, all soils disturbing activities in the vicinity of the deposit shall cease. The archeological monitor shall be empowered to temporarily redirect demolition/excavation/pile driving/construction crews and heavy equipment until the deposit is evaluated. If in the case of pile driving activity (foundation, shoring, etc.), the archeological monitor has cause to believe that the pile driving activity may affect an archeological resource, the pile driving activity shall be terminated until an appropriate evaluation of the resource has been made in consultation with the ERO. The archeological consultant shall immediately notify the ERO of the encountered archeological deposit. The archeological consultant shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archeological deposit, present the findings of this assessment to the ERO.

If the ERO in consultation with the archeological consultant determines that a significant archeological resource is present and that the resource could be adversely affected by the proposed project, at the discretion of the project sponsor either:

- A) The proposed project shall be re-designed so as to avoid any adverse effect on the significant archeological resource; or
- B) An archeological data recovery program shall be implemented, unless the ERO determines that the archeological resource is of greater interpretive than research significance and that interpretive use of the resource is feasible.

If an archeological data recovery program is required by the ERO, the archeological data recovery program shall be conducted in accord with an archeological data recovery plan (ADRP). The project archeological consultant, project sponsor, and ERO shall meet and consult on the scope of the ADRP. The archeological consultant shall prepare a draft ADRP that shall be submitted to the ERO for review and approval. The ADRP shall identify how the proposed data recovery program will preserve the significant information the archeological resource is expected to contain. That is, the ADRP will identify what scientific/historical research questions are applicable to the expected resource, what data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. Data recovery, in general, should be limited to the portions of the historical property that could be adversely affected by the proposed project. Destructive data recovery methods shall not be applied to portions of the archeological resources if nondestructive methods are practical.

The scope of the ADRP shall include the following elements:

- *Field Methods and Procedures.* Descriptions of proposed field strategies, procedures, and operations.
- *Cataloguing and Laboratory Analysis.* Description of selected cataloguing system and artifact analysis procedures.
- *Discard and Deaccession Policy.* Description of and rationale for field and post-field discard and deaccession policies.
- *Interpretive Program.* Consideration of an on-site/off-site public interpretive program during the course of the archeological data recovery program.
- *Security Measures.* Recommended security measures to protect the archeological resource from vandalism, looting, and non-intentionally damaging activities.
- *Final Report.* Description of proposed report format and distribution of results.
- *Curation.* Description of the procedures and recommendations for the curation of any recovered data having potential research value, identification of appropriate curation facilities, and a summary of the accession policies of the curation facilities.

Human Remains, Associated or Unassociated Funerary Objects. The treatment of human remains and of associated or unassociated funerary objects discovered during any soils disturbing activity shall comply with applicable State and Federal Laws, including immediate notification of the Coroner of the City and County of San Francisco and in the event of the Coroner's determination that the human remains are Native American remains, notification of the California State Native American Heritage Commission (NAHC) who shall appoint a Most Likely Descendant (MLD) (Pub. Res. Code Sec. 5097.98). The archeological consultant, project sponsor, ERO, and MLD shall have up to but not beyond six days of discovery to make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines, Sec. 15064.5(d)). The agreement should take into consideration the appropriate excavation, removal, recordation, analysis, curation, possession, and final disposition of the human remains and associated or unassociated funerary objects. Nothing in existing State regulations or in this mitigation measure compels the project sponsor and the ERO to accept recommendations of an MLD. The archeological consultant shall retain possession of any Native American human remains and associated or unassociated burial objects until completion of any scientific analyses of the human remains or objects as specified in the treatment agreement if such as agreement has been made or, otherwise, as determined by the archeological consultant and the ERO.

Final Archeological Resources Report. The archeological consultant shall submit a Draft Final Archeological Resources Report (FARR) to the ERO that evaluates the historical significance of any discovered archeological resource and describes the archeological and historical research methods employed in the archeological testing/monitoring/data recovery program(s) undertaken. Information that may put at risk any archeological resource shall be provided in a separate removable insert within the draft final report.

Copies of the Draft FARR shall be sent to the ERO for review and approval. Once approved by the ERO copies of the FARR shall be distributed as follows: California Archeological Site Survey Northwest Information Center (NWIC) shall receive one (1) copy and the ERO shall receive a copy of

the transmittal of the FARR to the NWIC. The Environmental Planning division of the Planning Department shall receive one bound, one unbound and one unlocked, searchable PDF copy on CD of the FARR along with copies of any formal site recordation forms (CA DPR 523 series) and/or documentation for nomination to the National Register of Historic Places/California Register of Historical Resources. In instances of high public interest or interpretive value, the ERO may require a different final report content, format, and distribution than that presented above.

Mitigation Measure M-CR-4: Tribal Cultural Resources Interpretive Program

If the ERO determines that a significant archeological resource is present, and if in consultation with the affiliated Native American tribal representatives, the ERO determines that the resource constitutes a tribal cultural resource (TCR) and that the resource could be adversely affected by the proposed project, the proposed project shall be redesigned so as to avoid any adverse effect on the significant tribal cultural resource, if feasible.

If the Environmental Review Officer (ERO), if in consultation with the affiliated Native American tribal representatives and the Project Sponsor, determines that preservation-in-place of the tribal cultural resources is not a sufficient or feasible option, the Project Sponsor shall implement an interpretive program of the TCR in consultation with affiliated tribal representatives. An interpretive plan produced in consultation with the ERO and affiliated tribal representatives, at a minimum, and approved by the ERO would be required to guide the interpretive program. The plan shall identify, as appropriate, proposed locations for installations or displays, the proposed content and materials of those displays or installation, the producers or artists of the displays or installation, and a long-term maintenance program. The interpretive program may include artist installations, preferably by local Native American artists, oral histories with local Native Americans, artifacts displays and interpretation, and educational panels or other informational displays.

Mitigation Measure M-AQ-2: Construction Air Quality

The project sponsor or the project sponsor's Contractor shall comply with the following for construction of either the proposed project or Variant 1:

A. Engine Requirements.

5. All off-road equipment greater than 25 hp and operating for more than 20 total hours over the entire duration of construction activities shall have engines that meet or exceed either U.S. Environmental Protection Agency (USEPA) or California Air Resources Board (ARB) Tier 2 off-road emission standards, and have been retrofitted with an ARB Level 3 Verified Diesel Emissions Control Strategy. Equipment with engines meeting Tier 4 Interim or Tier 4 Final off-road emission standards automatically meet this requirement.
6. Where access to alternative sources of power are available, portable diesel engines shall be prohibited.
7. Diesel engines, whether for off-road or on-road equipment, shall not be left idling for more than two minutes, at any location, except as provided in exceptions to the applicable state

regulations regarding idling for off-road and on-road equipment (e.g., traffic conditions, safe operating conditions). The Contractor shall post legible and visible signs in English, Spanish, and Chinese, in designated queuing areas and at the construction site to remind operators of the two minute idling limit.

8. The Contractor shall instruct construction workers and equipment operators on the maintenance and tuning of construction equipment, and require that such workers and operators properly maintain and tune equipment in accordance with manufacturer specifications.

B. Waivers.

3. The Planning Department's Environmental Review Officer or designee (ERO) may waive the alternative source of power requirement of Subsection (A)(2) if an alternative source of power is limited or infeasible at the project site. If the ERO grants the waiver, the Contractor must submit documentation that the equipment used for onsite power generation meets the requirements of Subsection (A)(1).
4. The ERO may waive the equipment requirements of Subsection (A)(1) if: a particular piece of off-road equipment with an ARB Level 3 VDECS is technically not feasible; the equipment would not produce desired emissions reduction due to expected operating modes; installation of the equipment would create a safety hazard or impaired visibility for the operator; or, there is a compelling emergency need to use off-road equipment that is not retrofitted with an ARB Level 3 VDECS. If the ERO grants the waiver, the Contractor must use the next cleanest piece of off-road equipment, according to the Table below.

Table – Off-Road Equipment Compliance Step-down Schedule

Compliance Alternative	Engine Emission Standard	Emissions Control
1	Tier 2	ARB Level 2 VDECS
2	Tier 2	ARB Level 1 VDECS
3	Tier 2	Alternative Fuel*

How to use the table: If the ERO determines that the equipment requirements cannot be met, then the project sponsor would need to meet Compliance Alternative 1. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 1, then the Contractor must meet Compliance Alternative 2. If the ERO determines that the Contractor cannot supply off-road equipment meeting Compliance Alternative 2, then the Contractor must meet Compliance Alternative 3.

** Alternative fuels are not a VDECS.

- C. Construction Emissions Minimization Plan.** Before starting on-site construction activities, the Contractor shall submit a Construction Emissions Minimization Plan (Plan) to the ERO for review and approval. The Plan shall state, in reasonable detail, how the Contractor will meet the requirements of Section A.

4. The Plan shall include estimates of the construction timeline by phase, with a description of each piece of off-road equipment required for every construction phase. The description may include, but is not limited to: equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, engine serial number, and expected fuel usage and hours of operation. For VDECS

installed, the description may include: technology type, serial number, make, model, manufacturer, ARB verification number level, and installation date and hour meter reading on installation date. For off-road equipment using alternative fuels, the description shall also specify the type of alternative fuel being used.

5. The ERO shall ensure that all applicable requirements of the Plan have been incorporated into the contract specifications. The Plan shall include a certification statement that the Contractor agrees to comply fully with the Plan.
 6. The Contractor shall make the Plan available to the public for review on-site during working hours. The Contractor shall post at the construction site a legible and visible sign summarizing the Plan. The sign shall also state that the public may ask to inspect the Plan for the project at any time during working hours and shall explain how to request to inspect the Plan. The Contractor shall post at least one copy of the sign in a visible location on each side of the construction site facing a public right-of-way.
- D. *Monitoring.* After start of Construction Activities, the Contractor shall submit quarterly reports to the ERO documenting compliance with the Plan. After completion of construction activities and prior to receiving a final certificate of occupancy, the project sponsor shall submit to the ERO a final report summarizing construction activities, including the start and end dates and duration of each construction phase, and the specific information required in the Plan.

Mitigation Measure M-AQ-4: Best Available Control Technology for Diesel Generators

The project sponsor shall ensure that the backup diesel generator meet or exceed one of the following emission standards for particulate matter: (1) Tier 4 certified engine, or (2) Tier 2 or Tier 3 certified engine that is equipped with a California Air Resources Board (ARB) Level 3 Verified Diesel Emissions Control Strategy (VDECS). A non-verified diesel emission control strategy may be used if the filter has the same particulate matter reduction as the identical ARB verified model and if the Bay Area Air Quality Management District (BAAQMD) approves of its use. The project sponsor shall submit documentation of compliance with the BAAQMD New Source Review permitting process (Regulation 2, Rule 2, and Regulation 2, Rule 5) and the emission standard requirement of this mitigation measure to the Planning Department for review and approval prior to issuance of a permit for a backup diesel generator from any City agency.

Improvement Measures

Improvement Measure I-TR-1: Implement Transportation Demand Management Strategies to Reduce Single Occupancy Vehicle Trips

The project sponsor and subsequent property owner has agreed to implement a Transportation Demand Management (TDM) Program that seeks to minimize the number of single occupancy vehicle trips (SOV) generated by the proposed project and Variant 1 for the lifetime of the project. The TDM Program targets a reduction in SOV trips by encouraging persons to select other modes of transportation, including: walking, bicycling, transit, car-share, carpooling and/or other modes.

Identify TDM Coordinator

The project sponsor should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures described

below. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMASF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.

Transportation and Trip Planning Information

- *Move-in packet:* Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car-share programs, and information on where to find additional mobile- or web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.

Data Collection

- *City Access.* As part of an ongoing effort to quantify the efficacy of TDM measures, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. All on-site activities shall be coordinated through the TDM Coordinator. The project sponsor assures future access to the site by City Staff. Providing access to existing developments for data collection purposes is also encouraged.

Bicycle Measures

- *Parking:* Increase the number of on-site secured bicycle parking beyond *Planning Code* requirements and/or provide additional bicycle facilities in the public right-of-way in on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).
- *Bay Area Bike Share:* The project sponsor shall cooperate with the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's frontage.

Improvement Measure I-TR-2a: Monitoring and Abatement of Queues

As an improvement measure to reduce the potential for queuing of vehicles accessing the project site, it shall be the responsibility of the project sponsor or subsequent property owner to ensure that recurring vehicle queues do not occur adjacent to the site (i.e., along Mission or Laskie Streets).

Because the proposed project would include a new off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces), the project is subject to conditions of approval set forth by the San Francisco Planning Department to address the monitoring and abatement of queues.

It shall be the responsibility of the owner/operator of any off-street parking facility with more than 20 parking spaces (excluding loading and car-share spaces) to ensure that recurring vehicle queues do not occur on the public right-of-way. A vehicle queue is defined as one or more vehicles (destined to the parking facility) blocking any portion of any public street, alley or sidewalk for a consecutive period of three minutes or longer on a daily or weekly basis.

If a recurring queue occurs, the owner/operator of the parking facility shall employ abatement methods as needed to abate the queue. Appropriate abatement methods will vary depending on the characteristics and causes of the recurring queue, as well as the characteristics of the parking facility, the street(s) to which the facility connects, and the associated land uses (if applicable).

Suggested abatement methods include but are not limited to the following: redesign of facility to improve vehicle circulation and/or on-site queue capacity; employment of parking attendants; installation of LOT FULL signs with active management by parking attendants; use of valet parking or other space-efficient parking techniques; use of off-site parking facilities or shared parking with nearby uses; use of parking occupancy sensors and signage directing drivers to available spaces; travel demand management strategies such as additional bicycle parking, customer shuttles, delivery services; and/or parking demand management strategies such as parking time limits, paid parking, time-of-day parking surcharge, or validated parking.

If the Planning Director, or his or her designee, suspects that a recurring queue is present, the Department shall notify the property owner in writing. Upon request, the owner/operator shall hire a qualified transportation consultant to evaluate the conditions at the site for no less than seven days. The consultant shall prepare a monitoring report to be submitted to the Department for review. If the Department determines that a recurring queue does exist, the facility owner/operator shall have 90 days from the date of the written determination to abate the queue.

Improvement Measure I-TR-2b: Installation of Roadway/Traffic Devices on Mission Street

As an improvement measure to create a right-in/right-out operation and encourage drivers to abide by these turning restrictions in order to access Laskie Street from Mission Street as well as to exit from Laskie Street to Mission Street, the SFMTA shall consider the following off-site, roadway/traffic treatments:

- Installation of raised delineators (i.e., flexible traffic separator) and road bumps within the double-striped median along Mission Street to serve as a physical barrier and preclude vehicles in the eastbound Mission Street direction from turning left (northbound) to Laskie Street as well as precluding vehicles in the southbound Laskie Street direction from turning left (eastbound) to Mission Street;
- Installation of signage in the eastbound Mission Street direction to notify drivers of “No Left Turn” to reinforce that left-turning movements from eastbound Mission Street to northbound Laskie Street is prohibited;
- Installation of signage in the southbound Laskie Street direction to notify drivers of “No Left Turn” and/or “Right Turn Only” to reinforce that left-turning movements from southbound Laskie Street to eastbound Mission Street is prohibited;

- Installation of a “STOP” sign and bar along the southbound Laskie Street approach at the intersection of Mission Street to notify drivers to come to a complete stop and yield to any passing pedestrians and wait for a proper gap in the westbound Mission Street traffic stream prior to exiting Laskie Street; and
- Installation of a “Keep Clear” roadway marking along the two westbound Mission Street travel lanes at the intersection of Laskie Street. Such markings would restrict vehicles along westbound Mission Street from stopping/queuing at the intersection and allow for increased accessibility for vehicles attempting to turn right (westbound) to Mission Street from Laskie Street.

It is noted that installation of the above-mentioned roadway/traffic treatments require approval and installation by SFMTA, and other feasible treatments may also be considered, as appropriate.

Improvement Measure I-TR-2c: Coordination of Move-in/Move-Out Operations, Large Deliveries, and Garbage Pick-Up Operations

To reduce the potential for parking of delivery vehicles within the travel lane adjacent to the curb lane on Mission Street or along Laskie Street (in the event that the on- and off-street loading spaces are occupied), residential move-in and move-out activities and larger deliveries shall be scheduled and coordinated through building management. For café/restaurant uses, appropriate delivery times shall be scheduled and shall be restricted to occur before 7:00 a.m., and between the hours of 10:00 a.m. and 4:00 p.m., and no deliveries shall occur after 4:00 p.m. to avoid any conflicts with peak commute period traffic as well as pedestrians and bicyclists on adjacent streets and sidewalk areas.

For the small building option, the project sponsor shall enforce strict truck size regulations for use of the off-street loading space in the proposed freight loading area. Truck lengths exceeding 17 feet shall be prohibited from entering the parking garage and shall utilize existing on-street loading space along Mission Street, adjacent to the project site. All service/freight deliveries for the large building option shall occur on Mission Street. Appropriate signage shall be located at the parking garage entrance to notify drivers of truck size regulations and notify drivers of the on-street loading spaces on Mission Street. The project sponsor shall notify building management and related staff, and retail tenants of imposed truck size limits in the proposed freight loading area.

Building management staff shall notify drivers of large trucks of proper loading procedures. Because large trucks would be required to utilize the existing loading space on the north side of Mission Street (adjacent to the project site), or if approved by SFMTA, the three on-street loading spaces, building management shall require at least one (1) additional building staff member to safely guide the truck driver and assist in maneuvering the truck within the loading zone. The truck driver and building staff member(s) would be responsible for placing traffic safety cones or related devices along the parking lane on Mission Street to provide an adequate buffer or spacing between the truck and moving vehicles on the street and to avoid large trucks from blocking Laskie Street or other nearby land uses.

Appropriate move-in/move-out and loading procedures shall be enforced to avoid any blockages of any streets adjacent to the project site over an extended period of time and reduce any potential conflicts between other vehicles and users of adjacent streets as well as movers and pedestrians walking along Mission Street or Laskie Street. Curb parking on Mission Street shall be reserved

through SFMTA or by directly contacting the local 311 service. It is recommended that residential move-in/move-out activities be scheduled during weekday midday hours between 10:00 a.m. and 4:00 p.m. and/or on weekends to avoid any potential conflicts with peak commute period traffic and all users of adjacent roadways. Large trucks used for residential move-in/move-out operations shall be prohibited from parking along Laskie Street and such activities should occur along the curbside space on the north side of Mission Street, adjacent to the project site. In the event small trucks are utilized for such activities (i.e., trucks less than 17 feet long and less than 8 feet wide), these vehicles shall utilize the off-street parking spaces within the garage or the service/delivery space (only for the small building option), as appropriate.

The project sponsor shall coordinate with Recology and enforce strict garbage pick-up periods. Such pick-up times shall be restricted to occur before 7:00 a.m., and between the hours of 10:00 a.m. and 2:00 p.m., and no garbage pick-up activities shall occur after 3:00 p.m. to avoid any conflicts with vehicle traffic and pedestrians on Mission or Laskie Streets. Specific loading procedures (as described above) shall also be enforced for Recology vehicles during garbage pick-up periods.

Improvement Measure I-TR-2d: Construction Truck Deliveries During Off-Peak Periods

Any construction traffic occurring between 7:00 a.m. and 9:00 a.m. or between 3:30 p.m. and 6:00 p.m. would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. Limiting truck movements to the hours between 9:00 a.m. and 3:30 p.m. (or other times, if approved by SFMTA) would further minimize disruption of the general traffic flow on adjacent streets during the a.m. and p.m. peak periods.

As required, the project sponsor and construction contractor(s) shall meet with the Sustainable Streets Division of the SFMTA, the Fire Department, Muni, and the Planning Department to determine feasible measures to reduce traffic congestion, including potential transit disruption, and pedestrian circulation impacts during construction of the project. To minimize cumulative traffic impacts due to project construction, the project sponsor shall coordinate with construction contractors for any concurrent nearby projects that are planned for construction or which later become known.

Improvement Measure I-TR-2e: Construction Management Plan

In addition to items required in the Construction Management Plan, the project sponsor shall include the following:

- *Carpool and Transit Access for Construction Workers* – As an improvement measure to minimize parking demand and vehicle trips associated with construction workers, the construction contractor shall include methods to encourage carpooling and transit use to the project site by construction workers in the Construction Management Plan contracts.
- *Project Construction Updates* – As an improvement measure to minimize construction impacts on nearby businesses, the project sponsor shall provide regularly-updated information (typically in the form of website, news articles, on-site posting, etc.) regarding project construction and schedule, as well as contact information for specific construction inquiries or concerns.

Improvement Measure I-TR-5: Installation of Traffic Calming Devices at Basement Garage Driveway Lane

As an improvement measure to reduce potential conflicts between vehicles exiting the basement garage and pedestrians traveling along the west sidewalk of Laskie Street, the project sponsor shall install appropriate traffic calming devices (e.g., speed bump, rumble strips, "slow speed" signage, etc.) at the exiting travel lane along the garage driveway to reduce vehicle speeds of existing vehicles traveling out of the basement parking garage and to further reduce potential vehicle-pedestrian conflicts.


G. PUBLIC NOTICE AND COMMENT

On February 25, 2016, the Planning Department mailed a Notice of Project Receiving Environmental Review to property owners within 300 feet of the project site, adjacent tenants, and other potentially interested parties. Comments were received in regard to the project design and height, proximity to the AVA building at 55 Ninth Street, and noise and air quality concerns during the construction period. These comments have been taken into account in the preparation of this Initial Study.

H. DETERMINATION

On the basis of this Initial Study:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.


for Lisa M. Gibson
Acting Environmental Review Officer
for
John Rahaim
Director of Planning

DATE:

I. INITIAL STUDY PREPARERS

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From: Evans, Derek
Sent: Thursday, September 01, 2016 10:13 AM
To: Board of Supervisors, (BOS)
Subject: Fwd: FY 2015 Family Violence Council Report released
Attachments: FY 2015 Family Violence Council Report.pdf; ATT00001.htm; Highlights of FY15 Family Violence Council Report.pdf; ATT00002.htm; 2015 FVC Report Press Release 082616.pdf; ATT00003.htm

Sent by phone.

Begin forwarded message:

From: "Kandel, Minouche (WOM)" <minouche.kandel@sfgov.org>
Date: September 1, 2016, 8:00:52 AM PDT
To: BOS-Everyone <bos-everyone@sfgov.org>
Cc: "Murase, Emily (WOM)" <emily.murase@sfgov.org>
Subject: FY 2015 Family Violence Council Report released

Dear Members of the Board:

On behalf of the Family Violence Council, the Department on the Status of Women is proud to release the *Fiscal Year 2015 Comprehensive Report on Family Violence in San Francisco*. Attached please find the full report, highlights of the report, and our press release. We owe huge thanks to our UC Berkeley MSW intern Nicolette Severson who drafted the lion's share of the report, and our summer Nethra Raman, who assisted with final edits.

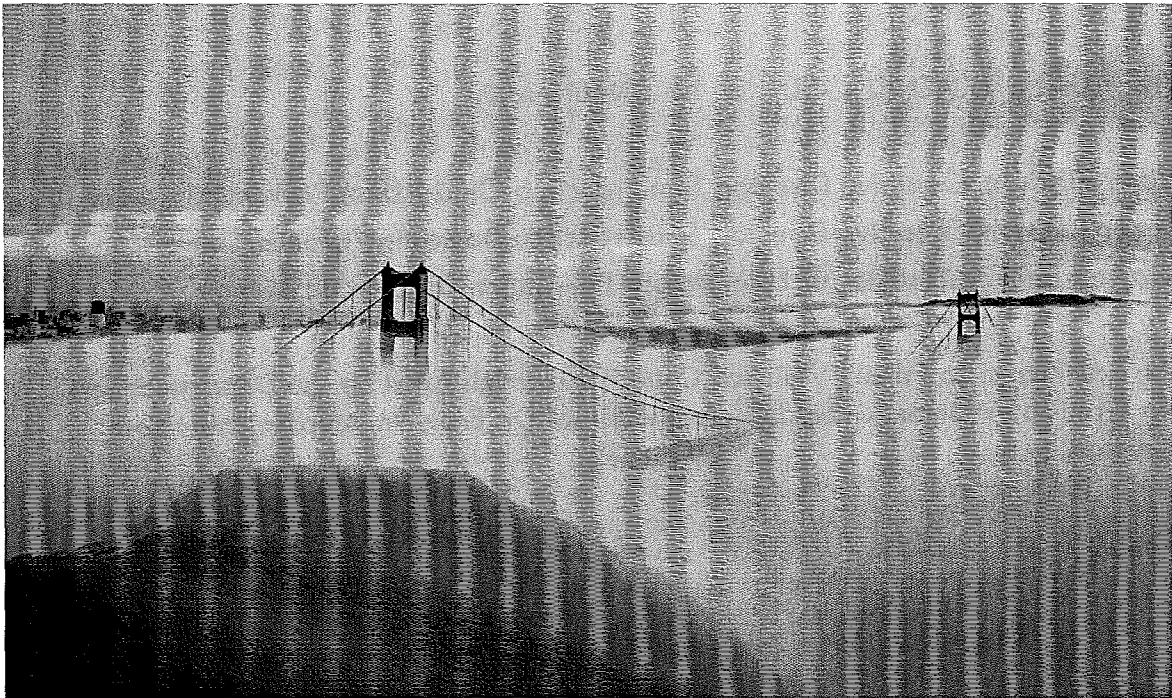
--Minouche

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San Francisco Family Violence Council

6th Comprehensive Report on Family Violence in San Francisco Fiscal Year 2015

July 1, 2014 - June 30, 2015



Credit: Toby Harriman

City and County of San Francisco
Department on the Status of Women
September 2016



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Shawna Reeves, Director of Elder Abuse Prevention, Institute on Aging

The San Francisco Family Violence Council is administered by the Department on the Status of Women, under the supervision of Dr. Emily M. Murase, Executive Director.

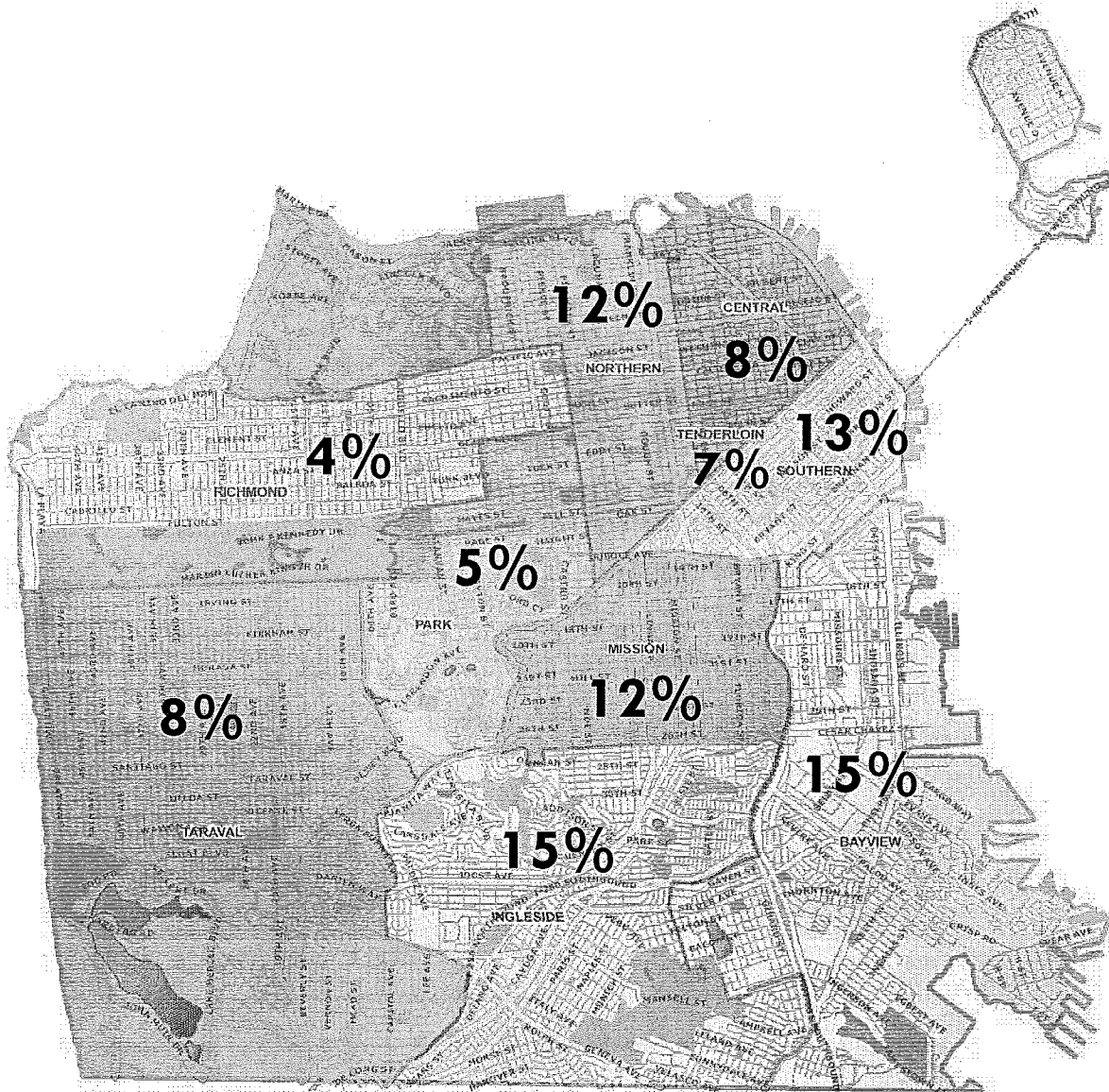
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Visit <http://sfgov.org/dosw/family-violence-reports>
to download a copy of this report

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EXECUTIVE SUMMARY & KEY FINDINGS



San Francisco District Unit Responses to 911 Family Violence Calls, FY 2015

Prevalence of Family Violence

Individuals may be vulnerable to different forms of violence through different stages of life. Child abuse, domestic violence (also known as intimate partner violence or IPV), and elder or dependent adult abuse are all forms of family violence that have traumatizing and far-reaching effects on individuals, families, and entire communities. Family violence can include abuse that is physical, sexual, psychological, or economic, and is characterized by behaviors that are used to isolate, neglect, or exercise power and control over an intimate partner, child, elder, or dependent adult.

In 2014, Child Protective Service agencies in the United States received an estimated 3.6 million reports involving approximately 6.6 million children.¹ In California, there were 496,972 reports of child abuse and neglect in 2014, and about 66 percent of substantiated cases were due to general neglect.² Neglect has been the most common type of child abuse case in nearly all data available county and statewide.³

Nationally, one in five women have been victims of severe physical violence by an intimate partner over their lifetime.⁴ In California, approximately 40 percent of women experience physical intimate partner violence in their lifetimes.⁵ Nationally, the rate of domestic violence (4.2 per 1,000) has not decreased since 2011.⁶

Recent major studies report that 7.6 percent to 10 percent of elders experienced abuse in the previous year.⁷ Financial abuse is an area of increasing concern in San Francisco, across the state, and throughout the county. In one recent study, financial abuse was self-reported at higher rates than those of physical, emotional, sexual abuse and neglect.⁸

Importantly, shared factors also make it less likely that individuals will experience violence, or increase their resilience when faced with violence. According to numerous studies, one of these factors is the “coordination of resources and services among community agencies.”⁹

¹ *Child maltreatment 2014*. U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2016).

² *California Child Welfare Indicators Project Reports*, UC Berkeley Center for Social Services Research. Webster, D., et al. May 2015.

³ Ibid.

⁴ *The National Intimate Partner and Sexual Violence Survey: 2010 Summary Report*. (2010). Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J., & Stevens, M.R. National Center for Injury Prevention and Control, Centers for Disease Control and Prevention.

⁵ *Women experiencing intimate partner violence, California, 1998-2002*. (2006). Weinbaum, Z., Stratton, T., Roberson, S., Takahashi, E., & Fatheree, M. California Department of Health Services, Office of Women's Health. May 2006. Chapter 12.

⁶ Bureau of Justice Statistics, *National Crime Victimization Survey, 2013–2014*. (2014). Truman J., Langton L. Retrieved from <http://www.bjs.gov/content/pub/pdf/cv14.pdf>.

⁷ *Prevalence and correlates of emotional, physical, sexual, and financial abuse and potential neglect in the United States: The national elder mistreatment study*. Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University. & New York City Department for the Aging. (2011) *Under the Radar: New York State Elder Abuse Prevalence Study*. New York; Acierno R, Hernandez MA, Amstadter AB, Resnick HS, Steve K, Muzzy W, et al. (2010). *American Journal of Public Health*, 100(2), 292-297.

⁸ *Under the Radar: New York State Elder Abuse Prevalence Study*. Lifespan of Greater Rochester, Inc., Weill Cornell Medical Center of Cornell University. & New York City Department for the Aging. (2011). New York.

⁹ *Preventing Multiple Forms of Violence: A Strategic Vision for Connecting the Dots*. National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention, 2016.

The San Francisco Family Violence Council

The San Francisco Family Violence Council (Council) was established by local ordinance to increase awareness and understanding of family violence and its consequences, and to recommend programs, policies, and coordination of City services in order to reduce the incidence of family violence in San Francisco. In 2007, San Francisco became the first county in California to broaden the scope of its Attorney General-mandated Domestic Violence Council to include child abuse and elder abuse along with domestic violence. The Family Violence Council is tri-chaired by three community-based experts in these different forms of family violence and has become a key body in coordinating enhanced communication and collaborative efforts among its many partners. The Council recommends and helps implement family violence-related policy changes to the City and issues this report annually. The report remains the only document that provides a broad view of the statistics and trends related to the full spectrum of family violence in San Francisco.

The entire Family Violence Council meets four times a year. Committees of the Family Violence Council which meet more frequently include:

- Justice and Courage Committee, which focuses on improving the criminal justice system's response to domestic violence;
- The Housing and Domestic Violence Committee;
- The Elder Justice Committee.

The *6th Comprehensive Report on Family Violence in San Francisco* covers data from government agencies and community service providers for Fiscal Year (FY) 2015, from July 1, 2014-June 30, 2015. This report fulfills one of the Council's priorities – the tracking and analyzing of family violence data. The report provides a snapshot of where and how survivors of violence seek help and how perpetrators of violence are held accountable and monitored. By understanding how and where residents access family violence-related services, and how service providers meet the needs of survivors and hold perpetrators of abuse accountable, the City is better able to create impactful policies, fund appropriate programs, and keep San Francisco residents safe in their homes. This report includes information from 15 City public agencies and 27 community-based organizations. As of 2015, 24 agencies are official members of the Family Violence Council. San Francisco's prioritization of family violence manifests in the active involvement of so many City departments and non-profits in the work of the Family Violence Council.

San Francisco recognizes the importance of providing a broad range of access points for survivors of abuse. Our network of public agencies and non-profit providers are all key parts of a system intended to protect and support those who seek help, and to hold accountable those who perpetrate family violence.

For child abuse and domestic violence, the dramatically higher rates of calls made to community support lines in comparison to calls made to the police and government hotlines illustrates the critical role these agencies play.

It is important to note that this report does not provide an unduplicated count of victims of family violence as there is currently no method for tracking an individual from program to program or service to service. For example, it is possible that a survivor of elder abuse could be counted in the Adult Protective Services data, as well as in the 911 call data, and the Probate Court Restraining Order data. Therefore, the possibility of the duplicated count of some, or even many, individuals is likely. There can be some measure of linear analysis when examining the criminal justice statistics, as most cases follow a standard path from a 911 emergency call, to a Police Department report, to a case referred to the District Attorney's Office. However, the complexities of family violence, the different fiscal years in which the same case may enter different systems, and the many variables involved in these cases make even this well-defined route prone to twists and turns.

In order to present a broad range of data in a readable form, this report includes the past three to five years of data: 2011- 2015. Data from earlier years in prior reports can be accessed online at <http://sfgov.org/dosw/family-violence-council>.

The following summarizes some of the principal findings and trends in this year's report. This report includes recommendations from prior reports to establish more consistent reporting categories so as to generate more meaningful data.

Child Abuse Major Findings

More Referrals but Fewer Substantiations of Child Abuse by Family & Children's Services

- ❖ The number of child abuse cases referred to Family & Children's Services increased by 23 percent while the number of child abuse cases substantiated by Family and Children's Services has declined by 18 percent.

Lower Rates of Criminal Investigations and Prosecutions of Child Abuse

- ❖ The overall number of child abuse cases investigated by the Police Department's Special Victims Unit has declined 39 percent. Conversely, investigations of elder financial abuse have increased almost four fold, from 26 to 80 cases. Taken together, these changes may reflect a lack of sufficient staffing in the Special Victims Unit, so that increases in one sector create deficiencies in another.
- ❖ Child abuse cases received by the District Attorney's Office are down 21 percent and child abuse filings are down 33 percent.
- ❖ Children served by the Children's Advocacy Center (CAC) are down 14 percent, which does not align with the realities of referrals to Family and Children's Services. This reflects the need for improved referral policies, protocols, and training about when and how to refer to the CAC. Policy development and training are in process.

San Francisco is engaging with more families where children are exposed to domestic and community violence.

- ❖ The number of families served by SafeStart increased by 103 percent between 2011 and 2015.
- ❖ The number of children exposed to domestic violence seen by the District Attorney Victim Services increased by 41 percent from Fiscal Year 2014.

Improved Response to Child Sex Trafficking

The City has made significant strides in reframing the issue of child sex trafficking as one of child abuse, rather than juvenile delinquency.

- ❖ Family and Children's Services spearheaded the development of an interagency protocol signed by 13 agencies that prioritizes the use of the child welfare system to respond to commercially sexually exploited youth.
- ❖ San Francisco Unified School District is requiring all staff to get training on human trafficking and all high school and middle school students to learn about trafficking.

<i>Child Abuse at a Glance</i>	FY 2015	%Δ from FY 2014
Department of Emergency Management 911 Calls	36	+13%
San Francisco Police Department Cases	308	-23%
San Francisco Police Department Special Victims Unit: Number of Cases Investigated	146	-39%
San Francisco Police Department Special Victims Unit: Percent of Cases Investigated	47%	
District Attorney: Incidents Received	112	-21%
District Attorney: Incidents Filed	46	-33%
District Attorney Victim Services: Clients Assisted ¹⁰	316	+9%
Adult Probation Department: Child Abuse Unit	55	+49%
Family & Children's Services: Children Referred	5,553	+23%
Family & Children's Services: Referrals Substantiated as Abuse	754	-18%
Department of Public Health: Child Abuse Intervention Program - Clients Enrolled	12	-37%
San Francisco Child Abuse Prevention Center: TALK Line Calls Received	14,785	-8%
San Francisco Child Abuse Prevention Center: SafeStart	354	+4%
San Francisco Child Abuse Prevention Center: Cases seen by MDT at Children's Advocacy Center of San Francisco ¹¹	258	-28

¹⁰ Includes minor victims of human trafficking for the first time.

¹¹ Due to the collaborative and multidisciplinary nature of the CAC, those served by the CAC are also counted by CAC partner agencies (Family and Children's Services, Police Department, District Attorney, Victim Advocate, and Department of Public Health Mental Health).

Domestic Violence Major Findings

Domestic Violence Prosecutions Are Up

- ❖ There was a 10 percent increase in the volume of domestic violence incidents presented to the District Attorney's Domestic Violence Unit, and a greater proportion of those were filed (from 21 percent in 2014 to 32 percent in 2015).

San Francisco is doing better at targeting domestic violence intervention programming for offenders in jail

- ❖ Domestic violence offenders in the Sheriff's Department In-Custody Batterer Programming increased by 255 percent.

Rates of dating violence among lesbian, gay and bisexual high school students remain alarmingly high

- ❖ 12 percent of lesbian, gay, and bisexual students who date are victims of physical abuse by their intimate partner;
- ❖ 21 percent of lesbian, gay, and bisexual students who date are victims of sexual abuse by their intimate partner.

Family Court is granting a much smaller percentage of domestic violence restraining orders

- ❖ The percentage of civil domestic violence restraining orders that are granted (of those in which the person asking for the order wishes to proceed) has dropped by 44 percent, from 66 percent of cases to 37 percent of cases. This may mean that more persons who do not have cases that meet the legal standard are requesting orders, or that abuse survivors need more help in effectively making their case, or that judges are not properly applying the standards.

Community based organizations served significantly more clients

- ❖ Community based organizations served 75 percent more clients than in FY 2014. Individuals served in emergency shelter decreased by 20 percent and in transitional housing by 79 percent, which indicate that the largest growth was with clients served outside of shelter. Community hotlines received two-and-a-half times as many hotline calls as 911.

<i>Domestic Violence at a Glance</i>	FY 2015	%Δ from FY 2014
Department of Emergency Management: 911 Calls ¹²	8,719	0
San Francisco Police Department: Cases Responded To	3,049	-10%
SFPD Special Victims Unit: Number of Cases Investigated	1,746	-15%
SFPD Special Victims Unit: Percent of Cases Investigated	56%	
District Attorney: Incidents Filed	542	+68%
District Attorney: Conviction Rate ¹³	78%	
District Attorney Victim Services: Clients Assisted ¹⁴	1,419	+9%
Adult Probation Department: Probation Completions	83	-34%
Adult Probation Department: Probation Revocations	24	-66%
Juvenile Probation Department: Domestic Violence Petitions Filed	12	-40%
Sheriff's Department: Resolve to Stop the Violence Project - Participants with Domestic Violence Charges	142	+255%
Family Court: Requests for Domestic Violence Restraining Orders	1140	-3%
CalWORKS: Average Monthly Caseload of Domestic Violence Advocates	165	+15%
Department of Public Health: Trauma Recovery Center Clients	776	+9%
Child Support Services: Cases with Family Violence	1,411	-8%
Community Based Agencies: Domestic Violence Crisis Line Calls	21,386	-10%
Community Based Agencies: Domestic Violence Emergency Shelter Individuals Served	449	-17%
Community Based Agencies: Domestic Violence Transitional Housing Individuals Served	96	-74%
Community Based Agencies: Total Domestic Violence Individuals Served	24,418	+75%

¹² Includes 911 calls for domestic violence and stalking.

¹³ Conviction rate is for cases brought to trial for entire Domestic Violence Unit, which prosecutes domestic violence, stalking, and elder/dependent adult abuse cases.

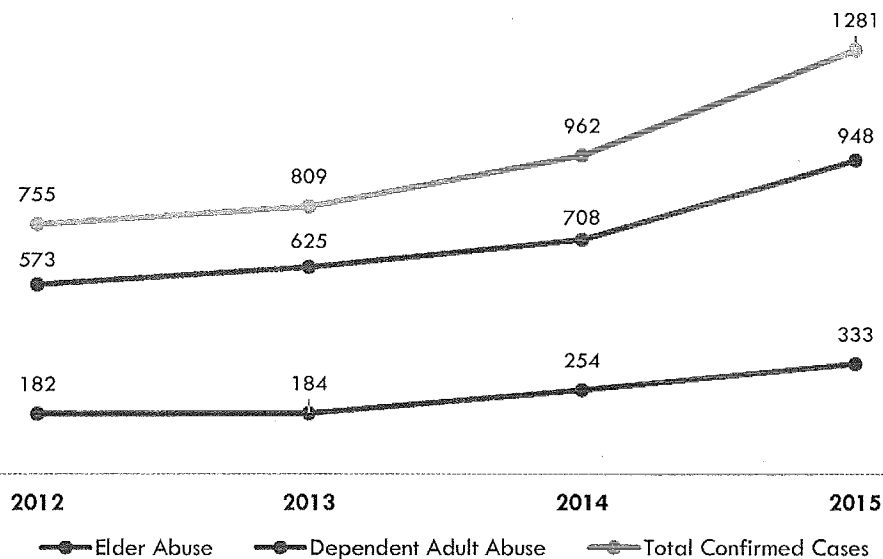
¹⁴ Includes children witnessing domestic violence.

Elder Abuse Major Findings

San Francisco is seeing a significant increase in the number of elder abuse cases

- ❖ Substantiated cases of elder and dependent abuse by Adult Protective Services have increased 70 percent in the past four years, and 33 percent in just the past year.
- ❖ Elder financial abuse is growing and the City has devoted more resources to address this issue
 - ❖ In FY 2015, Adult Protective Services substantiated 29 percent more cases of financial abuse than in the prior year
 - ❖ In response to deficiencies identified in the FY 2014 Family Violence Report, the Police Department assigned three additional elder abuse investigators to the Special Victims Unit, which led to a 200 percent increase in the number of financial elder abuse cases investigated.
- ❖ The number of persons seeking protection orders for elders or dependent adults skyrocketed 187 percent over the prior year.

**Adult Protective Services
Substantiated Cases of Elder and Dependent Adult Abuse by
Others: Unique Cases
FY 2012-2015**



<i>Elder & Dependent Adult Abuse at a Glance</i>	FY 2015	%Δ from FY 2014
Department of Emergency Management: 911 Calls	170	+28%
San Francisco Police Department Physical Abuse Cases	71	-25%
SFPD Special Victims Unit: Physical Abuse Cases Investigated	40	-34%
SFPD Special Victims Unit: Physical Abuse Cases Percent Investigated	56%	
SFPD Financial Abuse Cases	501	+433%
SFPD Special Victims Unit: Financial Abuse Cases Investigated	80	+208%
SFPD Special Victims Unit: Financial Abuse Cases Percent Investigated	16%	
District Attorney Victim Services: Clients Assisted	205	-21%
Probate & Civil Harassment Courts: Requests for Elder Abuse Restraining Orders	155	+187%
Adult Protective Services: Cases Received	6812	+10%
Adult Protective Services: Unique Substantiated Cases of Abuse by Others	1281	+33%
Elder Abuse Forensic Center New Cases	33	-36%

Overall Family Violence Trends

Selected Family Violence Statistics in Summary: FY 2015

	Child Abuse	Domestic Violence	Elder Abuse
Crisis Calls Received by Community Providers ¹⁵	14,785 ¹⁶	21,386	N/A
Calls Received by 911, Family & Children's Services, & Adult Protective Services	5,553	8,719	6,812
Cases Substantiated by Family & Children's Services & Adult Protective Services	754	N/A	1,281
Cases Responded to by Police Department ¹⁷	308	3,094	572
Cases Investigated by Special Victims Unit	146	1,746	120
Cases Received by District Attorney's Office	112	1,694 ¹⁸	N/A
Incidents Filed by District Attorney's Office	41	542 ¹⁹	N/A
Convictions by Guilty Plea & Probation Revocation	19	290	30 ²⁰
Cases Brought to Trial	1	27	0
Convictions After Trial	1	21	0
Clients Assisted by Victim Services	316	1,419 ²¹	205
Requests for Restraining Orders from Family, Probate, & Civil Harassment Courts	N/A	1,140	155

¹⁵ Call volumes were provided by domestic violence hotlines and TALK Line (child abuse). There is presently no dedicated community-based hotline for elder abuse.

¹⁶ Incoming and outgoing calls.

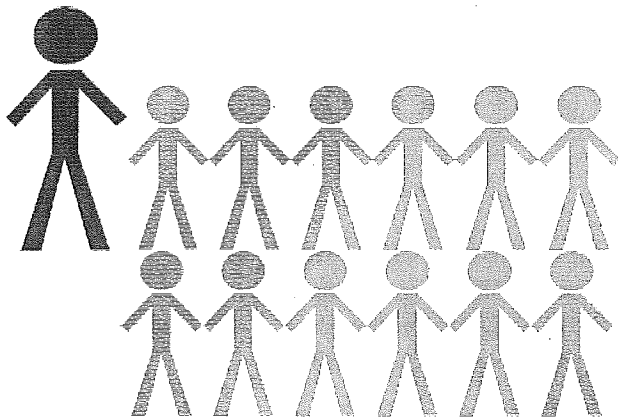
¹⁷ San Francisco police officers respond to cases child abuse, domestic violence, and elder abuse. The San Francisco Police Department Special Victims Unit (SVU) reviews and investigates felony family violence cases.

¹⁸ Includes elder abuse cases.

¹⁹ Includes domestic violence, stalking, and elder abuse cases.

²⁰ Elder abuse statistics for District Attorney include all abuse cases committed against persons over 65, and not just family violence.

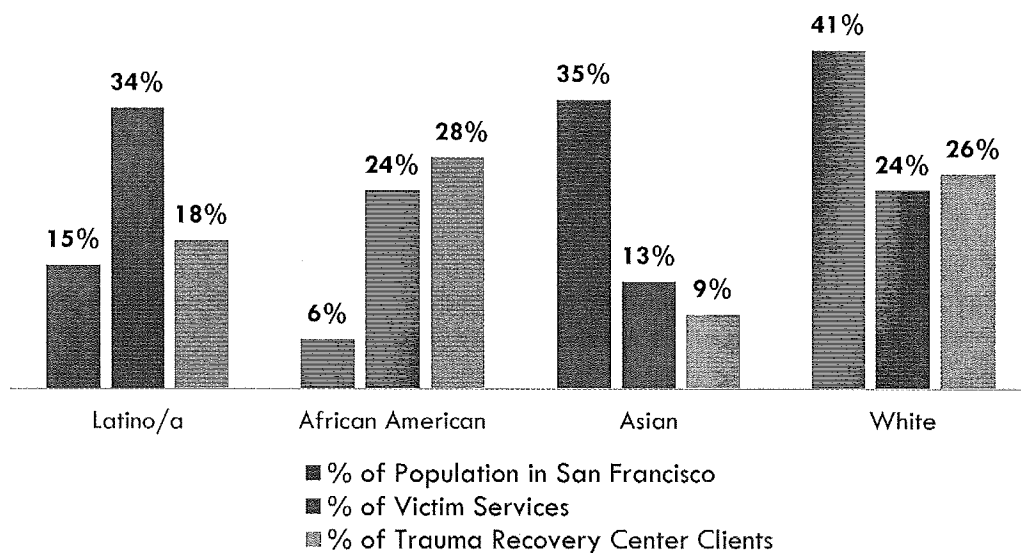
²¹ Includes children witnessing domestic violence.



1 in 13 violent crime calls to 911 are family violence related

Black and Latino/a Victims Are Disproportionately Represented in Victim Service & Trauma Recovery Center Clients Who Are Victims of Family Violence

**Comparison of San Francisco City and County Race/Ethnicity and Clients at Victim Services and Trauma Recovery Center
FY 2015**



MAJOR ACHIEVEMENTS OF FAMILY VIOLENCE COUNCIL IN 2015

Protocols and Practice

- ❖ The public-private partners of the Children's Advocacy Center developed an Information Sharing Agreement for multidisciplinary teams (MDT) investigating child abuse. This agreement provides a framework for establishing information sharing practices for other multidisciplinary teams, such as the Commercial Sexual Exploitation of Children MDT.
- ❖ The Commercial Sexual Exploitation of Children (CSEC) Steering Committee, led by Family and Children's Services, and including other Council partners, reached a final Memorandum of Understanding with public and private partners.
- ❖ The Council created a Justice and Courage Committee to continue the work of the Justice and Courage Oversight Panel. In 2015, the Committee began work on:
 - ❖ Improving protocols to respond to domestic violence cases when a suspect is gone by the time the police arrive ("gone on arrival") as it was recognized that some of these cases were falling through the cracks. This will be ongoing work in 2016.
 - ❖ Updating the forms and protocols for health care providers who are mandated to report domestic violence to law enforcement. This will be ongoing work in 2016.
- ❖ The District Attorney's Office, Police Department, Department on the Status of Women, and several non-profit organizations successfully applied for a federal grant to pilot a to high risk domestic violence program in the Bayview District. The need for stronger responses to high risk cases was identified by the Justice and Courage committee. The Bayview District was chosen because it generates the most domestic violence calls to 911.
- ❖ The Council created a new Elder Justice Committee to focus on criminal justice system improvement issues in responding to elder abuse.

Training

- ❖ Community advocates met with staff from the Police Academy to discuss integrating community presentations at the Academy, which will begin in 2016.
- ❖ The Housing and Domestic Violence Committee organized two trainings on domestic violence and housing for staff at the San Francisco Housing Authority, and gave input on the housing transfer needs of public housing residents to the Rental Assistance Demonstration (RAD) working groups.
- ❖ Roughly 80 members of the Family Violence Council participated in a Trauma Informed Systems training offered by the Department of Public Health.

Staffing

- ❖ The Police Department assigned three new elder abuse investigators to the Special Victims Unit, in response to recommendations in last year's report.

Data Collection

- ❖ The Council adopted a new data collection protocol, to implement one of the recommendations from last year's report.

Public Awareness

- ❖ The Council supported the first Child Abuse Awareness Event on the steps of City Hall in April 2015.

RECOMMENDATIONS FOR 2016

Protocols and Practice

1. Continue work on unfinished recommendations from 2015:
 - a. Focus on language access issues across the board;
 - b. Finalize Police Department/Adult Protective Services cross reporting protocol for investigating elder abuse;
 - c. Review the Police Department Special Victims Unit annually, to assess best practices for investigation of child abuse, elder abuse and domestic violence.
2. Standardize criteria for which deaths should be considered by death review teams to be child abuse, domestic violence, or elder abuse deaths. Create standards for cases that should be reviewed, reporting protocol, and cross-county collaboration protocol, including outlining team objectives, roles, and responsibilities.
3. Support the work of the Children's Advocacy Center public-private partnership to implement updated practices for sharing information during a child abuse investigation and use of a shared database.
4. Finalize protocol for "gone on arrival cases" for Police Department, District Attorney's Office and Adult Probation Department (from Justice and Courage Committee).
5. Finalize a supplementary form to the legally mandated OES-920 for healthcare reports of injuries due to assault or abusive conduct. Create a victim-centered protocol on how the Police Department will respond to these reports. Distribute the supplementary form and newly developed protocol to healthcare providers and institutions throughout San Francisco.
6. Implement a firearms surrender program to remove guns from persons who have domestic violence restraining orders issued against them.
7. Review investigation and prosecution data for stalking cases.
8. Offer Batterers Intervention Programs for monolingual Cantonese speakers, and for persons with mental health problems.
9. Finalize Elder Abuse Investigation Tool for Police Department Special Victims Unit.

Training

10. Members will report information on what family violence training is being received by Family Violence Council member agencies.
11. Conduct child abuse, domestic violence and elder abuse trainings led by community organizations at Police Academy and other Police Department trainings.

Planning

12. Create a strategic plan for the Family Violence Council to develop a road map for the Council, and to integrate and implement the elements of the 5 Year Plan to Address Family Violence, attached at Appendix B.

PROGRESS ON 2015 RECOMMENDATIONS

			Completed
1.	Standardize a data collection protocol with agencies so that they are able to provide the same type of data each year	A data collection guide has been standardized and was utilized during the collection of data for the present report	✓
2.	Focus on language access issues across the board	The Council did not as a group address language issues in 2015, although individual members were active in efforts to improve language access for victims of violence.	
3.	Develop further training in best practices in responding to family violence for all agencies.	Representatives from community agencies have been invited to present at the Police Academy in 2016.	✓
4.	Develop an improved protocol with the Police Department and Adult Protective Services on investigating elder abuse.	An improved protocol for investigating elder abuse is in process	
5.	Add three inspectors to the Police Department Special Victims Unit, and assign an investigator specifically to elder financial abuse cases.	Three more investigators have been added to the Special Victims Unit to handle cases of elder abuse, including one who is assigned to cases of elder financial abuse	✓
6.	Review the Police Department Special Victims Unit annually, to assess best practices for investigation of child abuse, elder abuse and domestic violence.	There was continued discussion with SFPD on cross reporting to Child Protective Services when children are present at a domestic violence scene.	

FAMILY VIOLENCE RELATED DEATHS

Child Abuse

The Department of Public Health and Medical Examiner are conducting an in-depth analysis of child, adolescent, and young adult deaths in San Francisco occurring between 2007-2015. The full report, which is expected to include data on Ill-Defined and Unknown Cases, Homicide, and Sudden Infant Death Syndrome (SIDS), dis-aggregated by age and ethnicity/race, will be forthcoming and included within this report in future years.

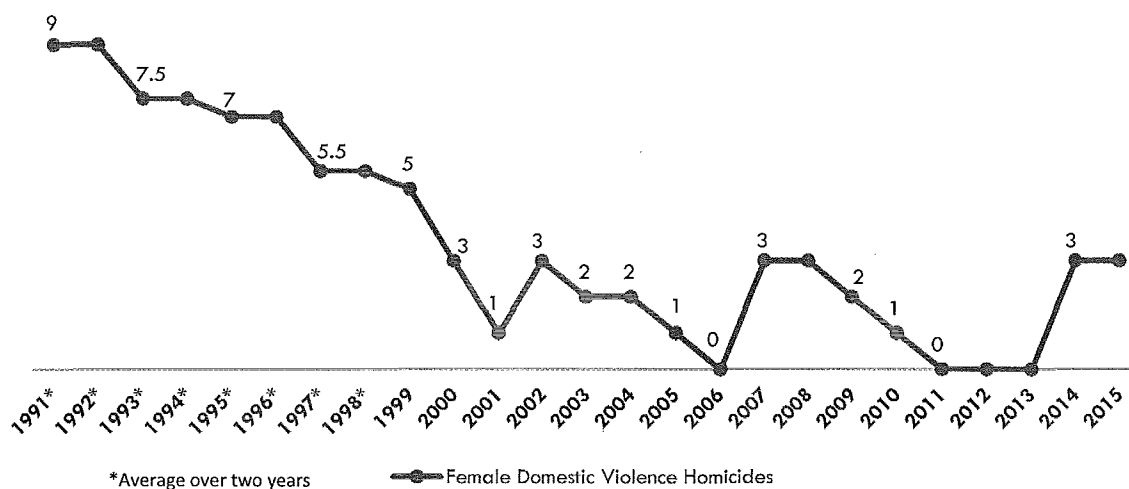
Domestic Violence

In order to keep better track in “real” time of domestic violence related deaths in San Francisco, the Family Violence Council Report reports on cases where a defendant has been charged with killing an intimate partner, or where from media reports it appears a death was related to domestic violence. We recognize that until there has been a final adjudication, these cannot definitively be considered domestic violence deaths. However, tracking in “real” time will enable early identification of trends. These are only the ones we know of, and we realize there may be cases we may not have identified.

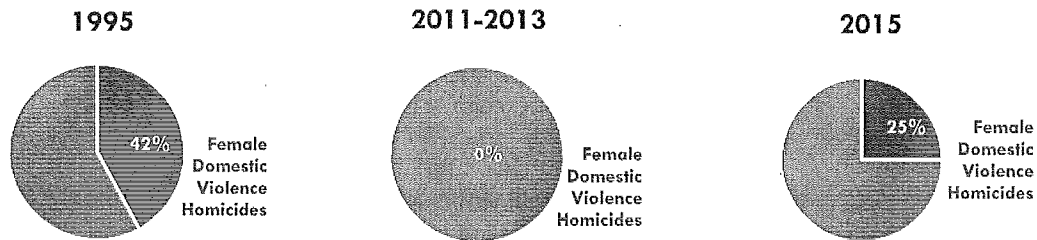
Domestic Violence Related Deaths in San Francisco FY 2015

Gender	Homicide Victim	Homicide Defendant	Suicide (by perpetrator)
Female	2	1	0
Male	1	3	1
Transgender (MTF)	1	0	0
Total	4	4	1

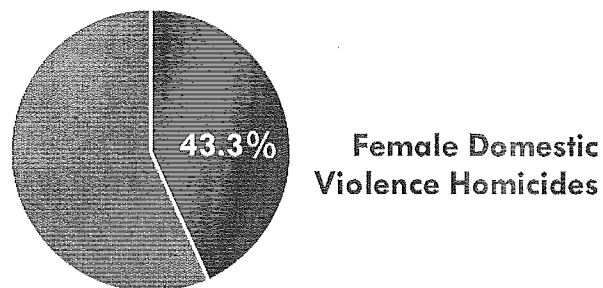
Women Killed Due to Domestic Violence in San Francisco 1991-2015



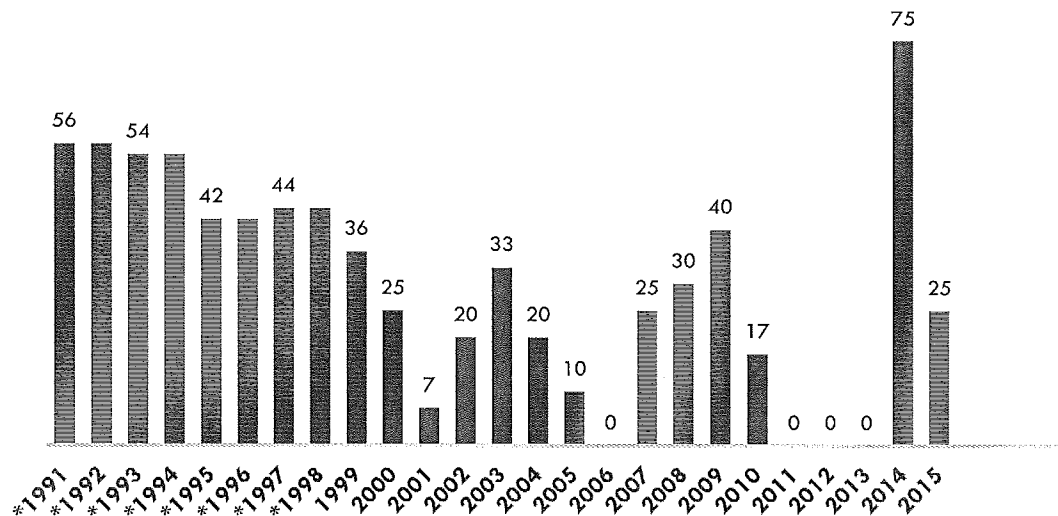
Percent Female Domestic Violence Homicides in San Francisco



Percent Female Domestic Violence Homicides in California FY 2015²²



Percent Female Domestic Violence Homicides in San Francisco 1991-2015



*Average over two years

²² Homicide in California, Kamala D. Harris, Attorney General, California Department of Justice, <http://oag.ca.gov/crime> (2015).

Case Summaries

1. Homicide/Suicide

A 36-year-old transgender woman, was found in a stairwell in the Bayview District, fatally stabbed multiple times. The suspect, a 49-year-old man with whom she was having a relationship, was discovered dead by an apparent suicide a half mile from the crime scene.

2. Homicide

An 18-year-old male Latino high school student was shot in McLaren Park by a 42-year-old Latino woman with whom he was having a relationship.

3. Homicide

A 43-year-old African American female victim was shot in the Silver Terrace neighborhood. The suspect, a 32-year-old African American male, had been in a dating relationship with the victim for over a year. Within the past three years, the suspect has been convicted of second-degree robbery and assault with force likely to cause great bodily injury.

4. Homicide

A woman in a dependent adult home was battered by a male ex-partner at the home, went into a coma, and ultimately died.

Two out of the four domestic violence homicides in 2015 involved firearms.

Domestic Violence Related Homicides in San Francisco FY 2013-2015

Gender of Victim	2013	2014	2015
Female	0	3	2
Transgender (MTF)	0	0	1
Male	0	1 ²³	1
Total	0	4	4

²³ In the 2014 Family Violence Report, it was reported that a 30-year-old Asian female stabbed a 40-year-old Caucasian male to death on July 20, 2014. On November 20, 2015, the defendant was acquitted, so the homicide was deemed justifiable by the jury.

*Domestic Violence Related Suicides in San Francisco
FY 2013-2015*

Gender of Person Committing Suicide	2013	2014	2015
Female	0	0	0
Transgender	0	0	0
Male (perpetrator of violence)	0	1	1
Total	0	1	1

Elder Abuse

It is currently difficult to track elder abuse deaths.

ADULT PROBATION

Domestic Violence

The San Francisco Adult Probation Department supervises individuals convicted of domestic violence as they complete the requirements of probation. At the end of Fiscal Year 2015, the Adult Probation Department Domestic Violence Unit was supervising 380 individuals. The total caseload has continued to decrease since FY 2012, tracking the decline in domestic violence prosecutions and convictions.

At the end of FY 2015, the Domestic Violence Unit had staff of ten including nine Deputy Probation Officers and one Domestic Violence Court officer, overseen by a Supervising Probation Officer. During the year, four Deputy Probation Officers assigned to non-specialized caseloads handled an average of 46 cases. The following specialized caseloads have been developed for supervision needs that are client specific:

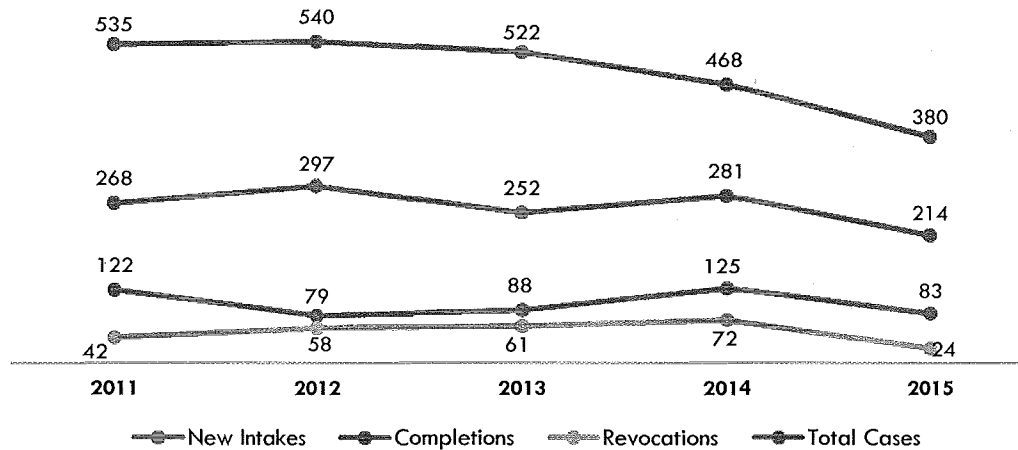
- ❖ 18 – 25 Year Olds: average of 50 cases per officer;
- ❖ Child Abuse: average of 32 cases per officer;
- ❖ Limited Supervision: average of 40 cases per officer;
- ❖ Spanish Speaking: average of 64 cases per officer.

When a person convicted of domestic violence is referred to Adult Probation Department for supervision, they are automatically referred to a 52-week Batterer's Intervention Program, run by a community agency and certified by Adult Probation Department. There were nine certified Batterer's Intervention Programs in San Francisco as of the end of FY 2015. The Department continued to utilize the Batterer's Intervention Program Audit Team to review the programs at these organizations. If a probationer fails to attend the Batterer's Intervention Program or commits a crime that violates their probation, a bench warrant is issued and Adult Probation Department begins a procedure to revoke probation.

San Francisco lacks a Batterers Intervention Program for
Chinese speaking offenders.

Total number of intakes is contingent on the number of arrests made by the Police Department, and the number of cases prosecuted by the District Attorney's office and sentenced to probation supervision. Total number of cases being prosecuted has declined over the past four fiscal years. Probation officers work directly with their clients to develop treatment and rehabilitation plans that are consistent with their criminogenic needs.

**Adult Probation
Domestic Violence Unit Statistics
FY 2011-2015**



This fiscal year, the domestic violence unit had 214 new intakes in comparison to 281 in the previous fiscal year. Revocations decreased 66% and completions decreased 33% in FY 2015, again reflecting the smaller number of persons on probation.

*Adult Probation
Domestic Violence Cases
FY 2013-2015*

	FY 2013	FY 2014	FY 2015
Total Cases at Year-End	522	468	380
New Intakes	252	281	214
Completions	88	125	83
Revocations	61	72	24
Certified Batterer's Intervention Programs Year-End	10	10	9
Domestic Violence Unit Staffing	10	10	10

The Community Assessment and Services Center

The Community Assessment and Services Center (CASC) continues to provide services to Adult Probation Department clients. The CASC, a partnership between the Adult Probation Department and Leaders in Community Alternatives, Inc., is an innovative one-stop reentry center that serves the comprehensive needs of clients under probation supervision. The CASC model aligns law enforcement and support services into an approach that is focused on accountability, responsibility, and opportunities for long-term change. It is designed to protect public safety, reduce victimization, maximize taxpayer dollars, and contribute to San Francisco's community vitality. The CASC offers a Batterer's Intervention Program.

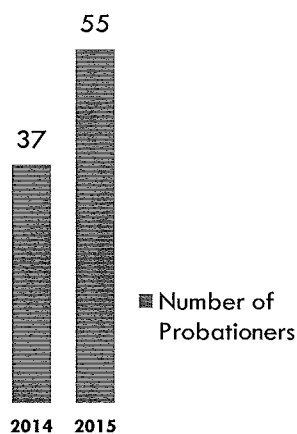
Victim Restitution Overhaul

The Department embarked on an overhaul of the way victim restitution is established and collected, to provide better accountability to victims and from offenders.

Domestic Violence Unit Initiatives

The Department continues to use evidence-based practices to design a victim-centered supervision model. The Department has continued work with an advisory team of domestic violence intervention and prevention experts to assist in the development and implementation of an Adult Probation Department Victim Service Program. The advisory team representatives include the Survivor Restoration Director from the San Francisco Sheriff's Department, the Director of the Victim Services Division from the District Attorney's Office, the Director of the Domestic Violence Consortium, and the Division Director and Supervisor from the Adult Probation Department's Investigations Unit. The objective of the proposed Adult Probation Department Victim Service Program is to provide comprehensive gender specific, trauma informed services to victims of violent crimes perpetrated by those currently on probation within the Adult Probation Department.

Endangered Child Caseload FY 2014-2015



Child Abuse

The Domestic Violence Unit supervises an endangered child specific caseload. As of the end of FY 2015, 55 clients were in supervision on the child abuse-specific caseload – an increase of 49% since FY 2014. Of these cases, 65% are misdemeanor cases and 35% are felony cases. Individuals in the child abuse caseload are directed to the Child Abuse Intervention Program (CAIP), a 52-week program certified by the Adult Probation Department and run by the Department of Public Health at the Community Justice Center through the Violence Intervention Program. For more information on CAIP cases, see the Department of Public Health at the Community Justice Center through the Violence Intervention Program.

ADULT PROTECTIVE SERVICES

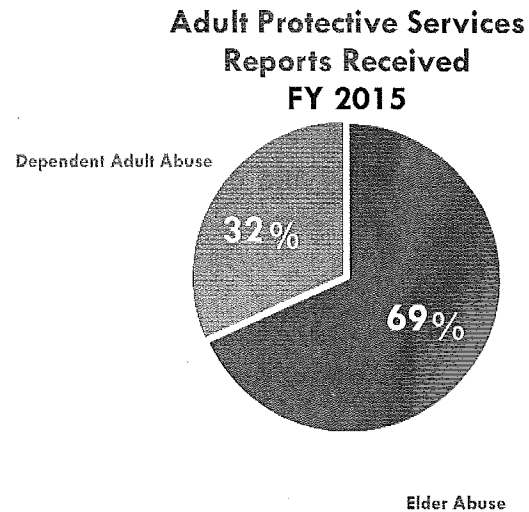
The Department of Aging and Adult Services within the Human Services Agency operates the Adult Protective Services (APS) program for the City and County of San Francisco. Adult Protective Services is a state mandated, county administered program that is charged with responding to reports of abuse, neglect, exploitation, and self-neglect of elders over the age of 65 and adults between the ages of 18 and 64 that have physical, mental, or cognitive disabilities. APS social workers in San Francisco may collaborate with local law enforcement, emergency medical services, the District Attorney's Office, as well as experts from the Elder Abuse Forensic Center in order to effectively investigate and intervene in cases of elder and dependent adult abuse. APS social workers assist their clients to maintain the greatest level of independence possible while promoting their health, safety, and well-being.

The most recent census data reveals that San Franciscans aged 65 and over make up 14.5 percent of the city's population, which is higher than the California average of 12.9 percent.

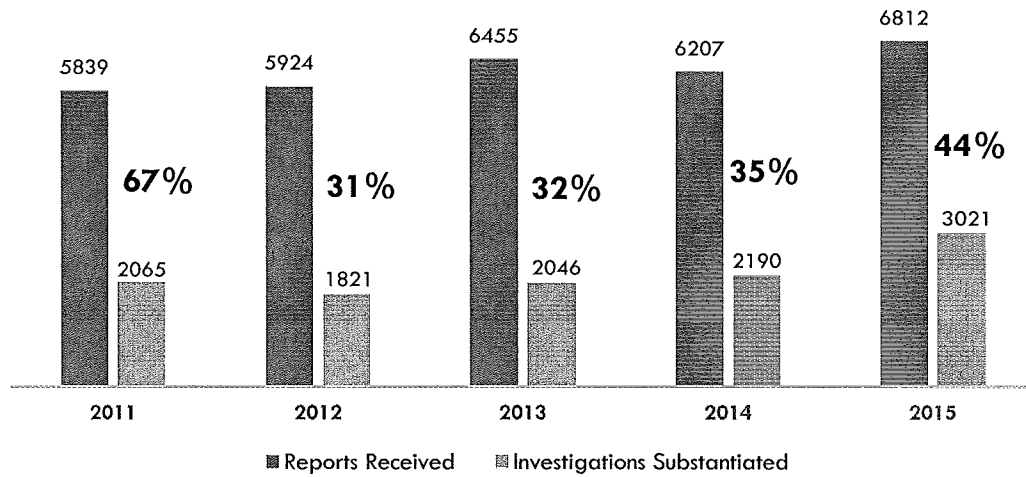
Adult Protective Services received more reports in 2015 than in any of the past five years, a 17 percent increase since 2011. This overall increase may reflect efforts to publicize the program, as well as a growth in the senior population as the Baby Boom generation ages. For example, there has been an 18 percent increase in the 60 and older population since 2000.

Keeping pace with reports received, the portion of investigations substantiated has grown steadily since 2012, with more investigations substantiated in 2015 than in the past four years. This increase may be driven by recent developments within APS that have sought to improve on the consistency of investigation findings and create more comprehensive reporting procedures.

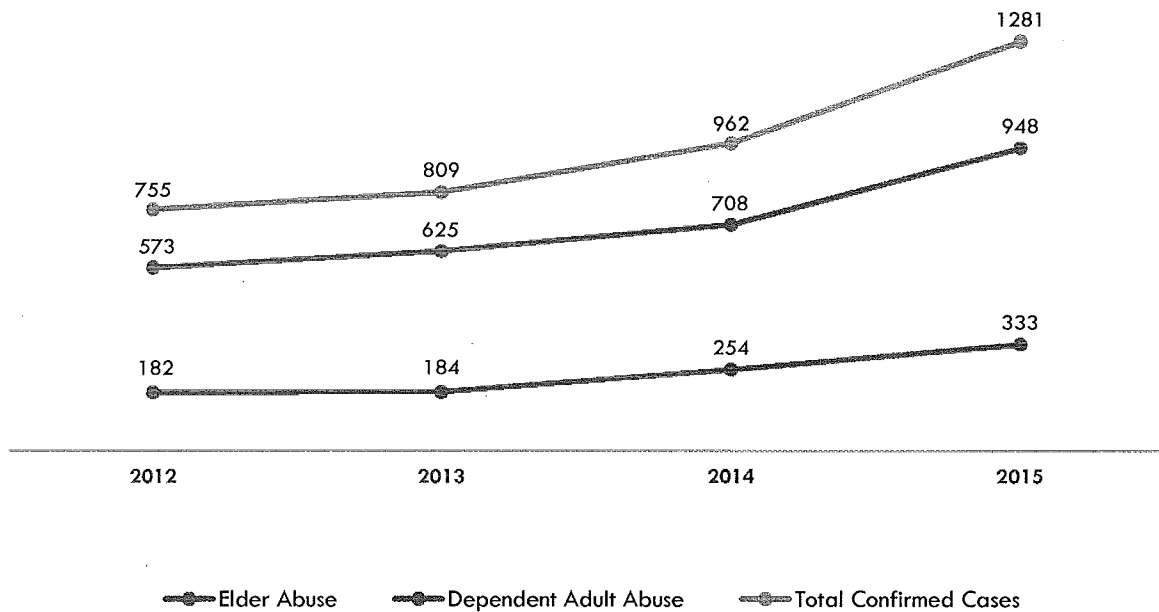
Consistent with state and national trends, APS workers are substantiating financial abuse through the investigation process at higher rates than in years past. In FY 2015, San Francisco Adult Protective Services substantiated 460 cases of financial abuse, up 29 percent from 2014 and 64 percent from 2012.



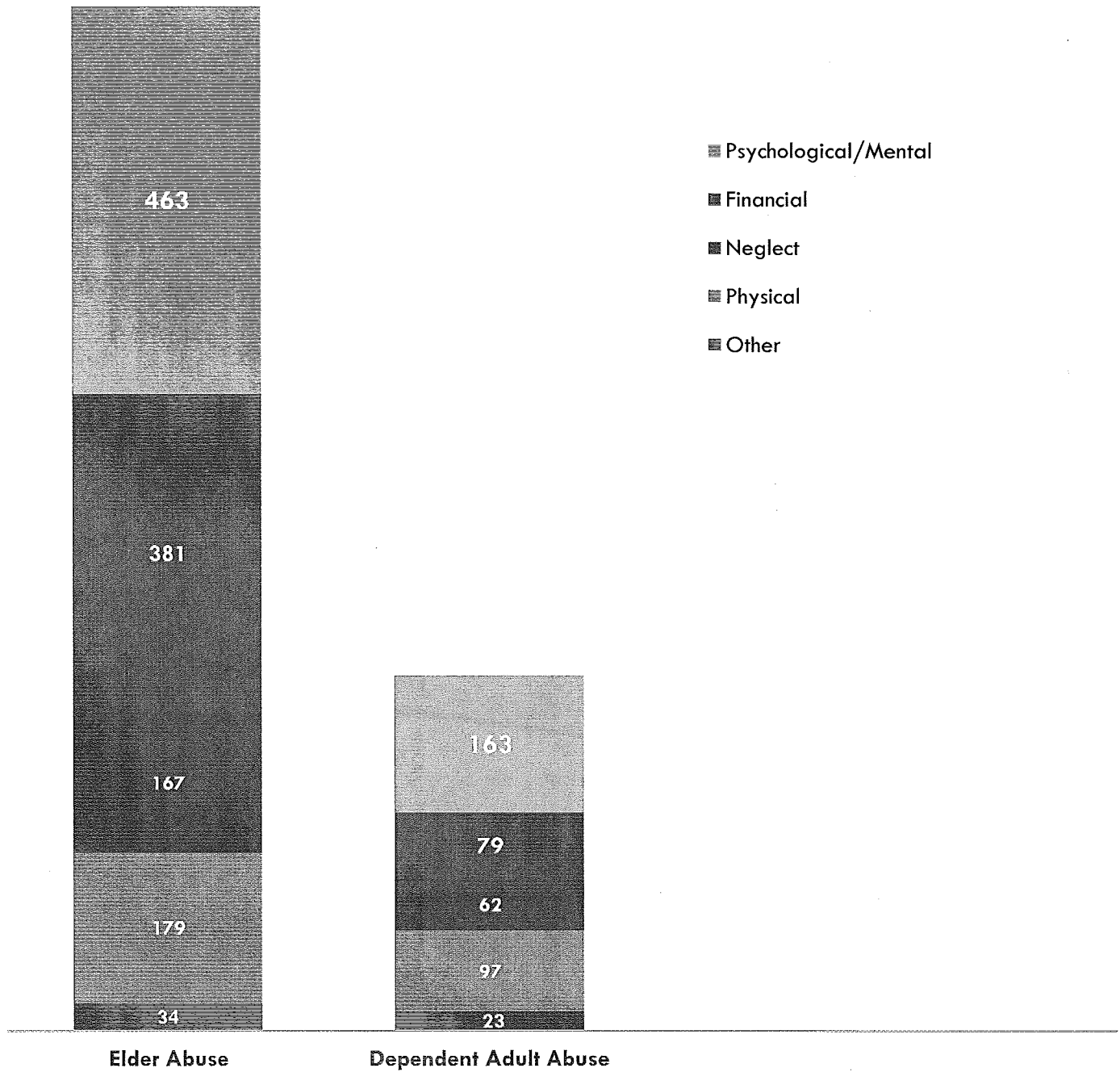
Adult Protective Services Referrals and Substantiations (including Self-Neglect) FY 2011-2015



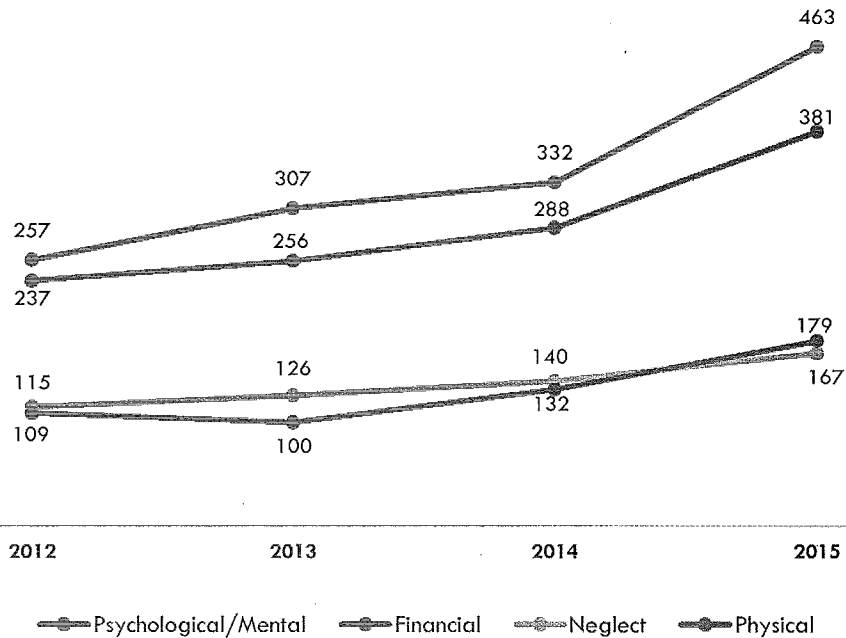
Adult Protective Services Substantiated Reports of Abuse by Others: Unique Cases FY 2012-2015



**Adult Protective Services
Substantiated Reports of Abuse by Others
Percent by Type
FY 2015**

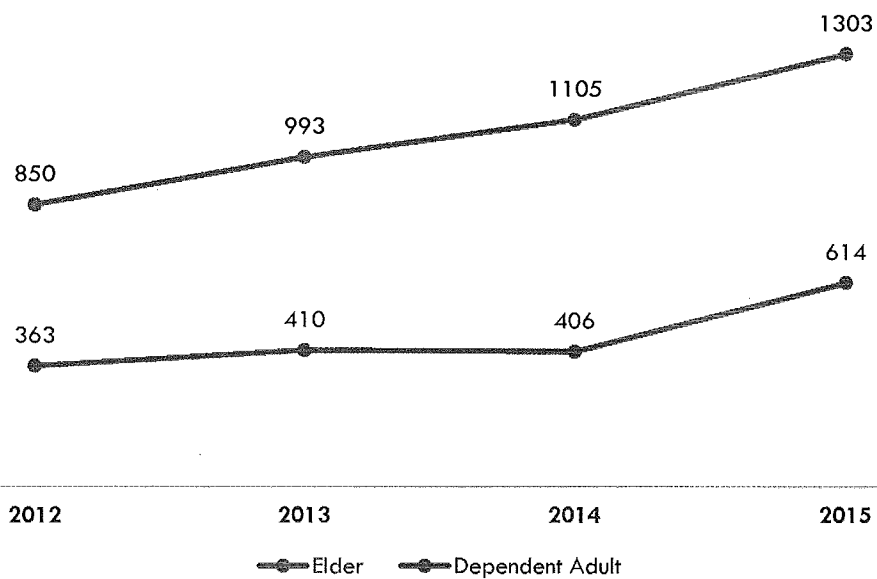


Adult Protective Services Substantiated Cases of Elder Abuse by Type FY 2012-2015



Along with an overall rise in reporting, substantiated cases of abuse have increased. In particular, elder psychological/mental abuse has increased 80% and financial abuse has increased 60%, since 2012. Among dependent adults, the following categories have substantially increased since 2012: psychological/mental abuse (75%), financial abuse (79%) and neglect (82%).

Adult Protective Services Substantiated Cases of Self Neglect FY 2012-2015



Among elders, substantiated cases of self-neglect have increased 53% since 2012. Dependent adult abuse saw an even greater increase of 69% since 2012.

Adult Protective Services
Substantiated Cases of Abuse by Others by Type of Abuse
FY 2014-2015

	FY 2014			FY 2015		
Type of Abuse	Elder Abuse	Dependent Adult Abuse	Total	Elder Abuse	Dependent Adult Abuse	Total
Psychological/Mental	332	131	463	463	163	626
Financial	288	69	357	381	79	460
Neglect	140	44	184	167	62	229
Physical	132	69	201	179	97	276
Isolation	13	6	19	17	4	21
Abandonment	10	4	14	12	1	13
Sexual	2	13	15	3	17	20
Abduction	0	0	0	2	1	3
Total Counts of Abuse ²⁴	917	336	1,253	1,224	424	1,648
Total Unique Cases	708	254	962	948	333	1,281

Adult Protective Services
Elder Abuse & Dependent Adult Abuse: Case Breakdown
FY 2013-2015

	FY 2013			FY 2014			FY 2015		
	Elder Abuse	Dependent Adult Abuse	Total	Elder Abuse	Dependent Adult Abuse	Total	Elder Abuse	Dependent Adult Abuse	Total
Reports Received	4531	1924	6,455	4,307	1,900	6,207	4,672	2,140	6,812
Investigations Substantiated	1487	559	2,046	1,586	604	2,190	2,130	891	3,021
Percent Substantiated	33%	29%	32%	37%	32%	35%	46%	42%	44%

²⁴ There may be multiple types of abuse in a single case

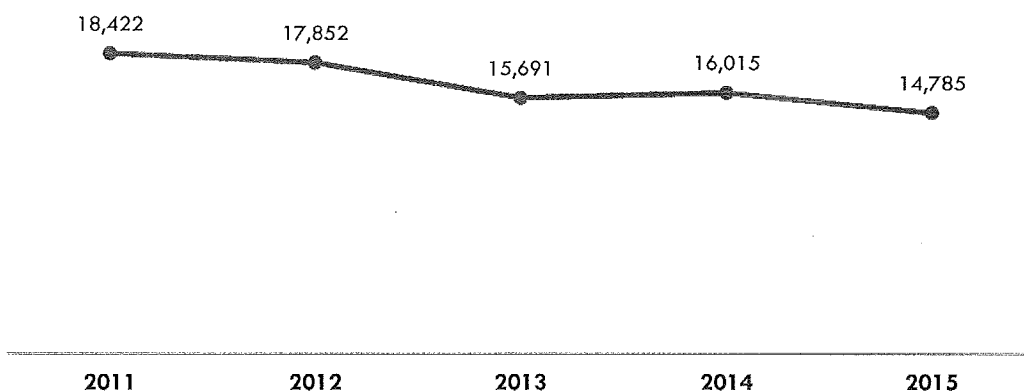
CHILD ABUSE PREVENTION & SUPPORT SERVICES

As San Francisco's Child Abuse Council, the San Francisco Child Abuse Prevention Center collaborates with public and private partners to provide direct services and community education, and facilitate citywide strategic partnerships, with the common goal of preventing child abuse and reducing its devastating effects. Using a public-health approach, the Prevention Center collaborates across organizations to end abuse by addressing underlying risk factors and strengthening protective factors on both an individual and a population-wide basis. The Prevention Center is grateful to its partners – without whom the Prevention Center could not do its work – for their commitment to San Francisco's kids. Below we describe some of the Prevention Center's efforts to prevent and respond to child abuse.

Children & Family Services

The Prevention Center's programs include individual and group parenting education; therapeutic childcare and early interventions; counseling and mental health services; case management; emergency needs support; and the **TALK Line** – a 24-hour support hotline to help parents and caregivers cope with the stress of parenting (415-441-KIDS (5437)). The Prevention Center provides data-driven, intensive, wraparound support to increase the protective factors shown to reduce risk of abuse.

**San Francisco Child Abuse Prevention Center
TALK Line Calls Received
FY 2011-2015**

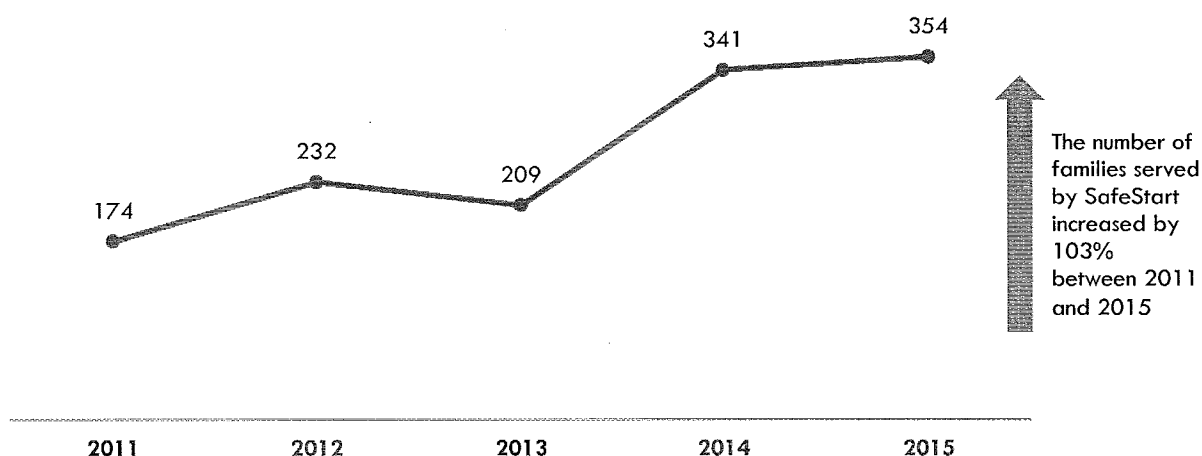


An overall decline in the volume of TALK Line calls likely reflects continued efforts to improve call tracking and remove duplicate counts. It may also be indicative of clients making fewer phone calls in general – the Prevention Center has noticed more inquiries made through their website and email contacts than ever before.

In 2015, the **Integrated Family Services** program expanded further to include 78 families. These programs take place at the Center's 1757 Waller Street Family Resource Center (FRC), one of a citywide network of FRCs supported through joint funding from Department of Children, Youth and their Families, Human Services Agency of San Francisco, and First 5 San Francisco.

The Prevention Center coordinates a citywide **SafeStart** collaborative of FRCs (APA Family Support Services, Instituto Familiar de la Raza, and OMI Family Resource Center), Family Court, and the San Francisco Police Department's Special Victims Unit, to reduce the incidence and impact of exposure to community and domestic violence on children age six and under. Together, the SafeStart collaborative served 354 families in FY 2015, a 4 percent increase from the prior fiscal year.

**San Francisco Child Abuse Prevention Center
SafeStart Families Served
FY 2011-2015**



Community Education

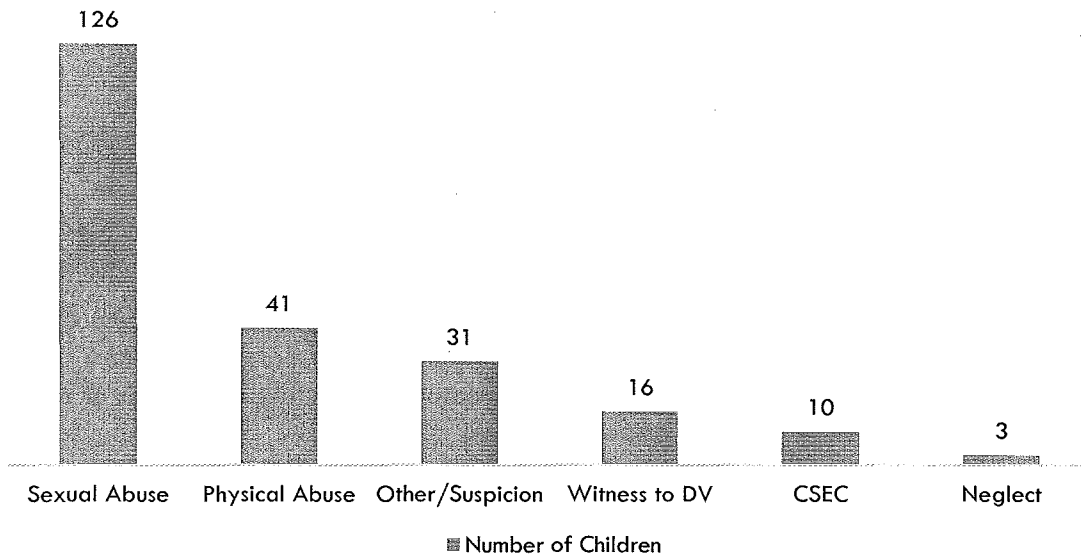
The Prevention Center's community training programs teach thousands of elementary school children how to keep themselves and their peers safe through the Child Safety Awareness program. Through Mandated Reporter Trainings the Prevention Center trains thousands of child-serving professionals to spot and report suspected abuse.

Strategic Partnerships: The Children's Advocacy Center (CAC) & Commercial Sexual Exploitation of Children (CSEC)

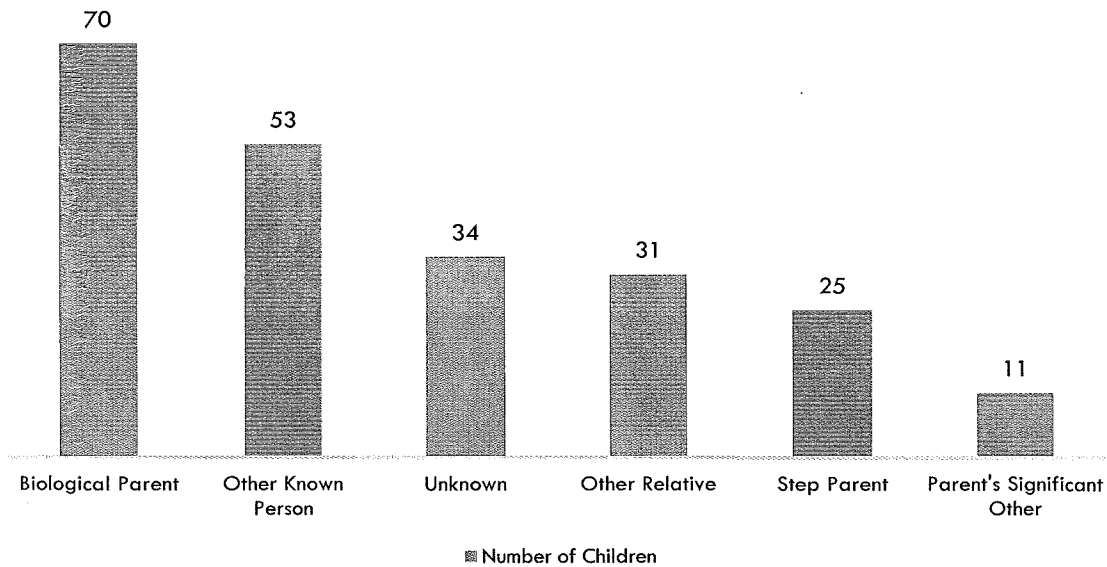
The Prevention Center's Strategic Partnerships activate public and private partners to create a movement to end child abuse in the community. A major focus of this work is the **Children's Advocacy Center of San Francisco (CAC)**, a public-private partnership between the Prevention Center and the Office of the City Attorney, Office of the District Attorney (Child Assault Unit and Victims Services Division), Human Services Agency, Family and Children's Services Division; San Francisco Police Department, Special Victims Unit; Department of Public Health through Child and Adolescent Support Advocacy and Resource Center (CASARC); Department of Public Health – Foster Care Mental Health; and University of California San Francisco.

The CAC builds upon this multidisciplinary team's decades of collaboration to respond to abuse. As lead agency of the CAC, the Prevention Center uses a collective impact approach to facilitate the development and implementation of shared priorities that further the CAC's mission: to set children on a solid path to healing by providing trauma-informed, efficient, and coordinated child-focused services. In calendar year 2015, the CAC provided coordinated forensic interviews and related support to 258 children and their families.

**Children's Advocacy Center of San Francisco
Type of Abuse Based on Interview
FY 2015**



Children's Advocacy Center Relationship of Alleged Offender to Child Interviewed FY 2015



Note: Data for Type of Abuse consists of a mix between reasons why an interview occurred and the outcome of the interview due to changes with data collection over the year. Each type of abuse was counted when multiple types of abuse occurred per interview. In 2016, the reason for an interview and the outcome of the interview will be separated.

The Prevention Center also participated in Family and Children's Services **Commercial Sexual Exploitation of Children (CSEC)** Steering Committee and agreed to take on the role of coordinating an ongoing Multi-Disciplinary Team review of CSEC cases for service delivery and systems issues. The Prevention Center along with the partner agencies proactively worked together to draft and approve a first revision of CAC protocols for providing forensic interviews to CSEC youth. CSEC cases will be reviewed on a monthly basis, with the goal of service coordination and system improvement.

**Child Abuse Prevention Center Statistics
FY 2013-2015**

	FY 2013	FY 2014	FY 2015
TALK Line Calls Received	15,691	16,015	14,785
Actively Engaged in Ongoing Phone Counseling	1,000	980	911
SafeStart Families Served	209	341	354
Children's Advocacy Center²⁵	-	360 ²⁶	258

Milestones: CY 2015

- Based on 40 years of working partnerships, the Prevention Center is charting a path towards collective impact that will end child abuse in San Francisco in two generations (fifty years).
- Working across agencies, the Prevention Center has created an effective and legal information sharing agreement that balances the need for collaboration with privacy rights. This agreement will allow the Prevention Center and CAC Partner agencies to build a shared database that will be implemented in the coming year.
- With the expansion of Integrated Family Services, the Prevention Center has been able to gather data and results of how this program works. The positive results, though early, are proving the success of this model. The Prevention Center will continue to both hone the model and seek to learn from community partners about how to further improve it.
- The Prevention Center participated in the Children's Services Commercial Sexual Exploitation of Children (CSEC) Steering Committee, which under the leadership of the Human Services Agencies and through collaboration reached a final Memorandum of Understanding, which will guide the County's response to the Commercial Sexual Exploitation of Children moving forward.

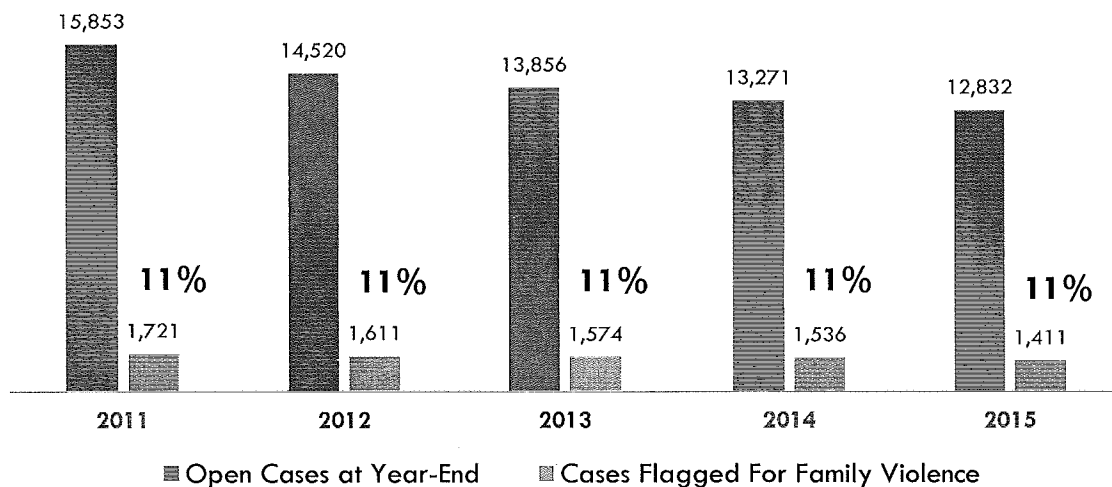
²⁵Due to the collaborative and multidisciplinary nature of the CAC, those served by the CAC are also counted by CAC partner agencies (Child Protective Services, Police Department, District Attorney, Victim Advocate, and Department of Public Health Mental Health).

²⁶ Data for the Children's Advocacy Center is from the calendar year.

CHILD SUPPORT SERVICES

The San Francisco Department of Child Support Services (DCSS) works with parents and legal guardians to ensure that families receive the court-ordered financial and medical support they need to raise their children. DCSS helps children and their families by locating absent parents, establishing paternity, and requesting and enforcing child support orders. During FY 2015, DCSS provided case management services for 12,832 child support cases.

**Department of Child Support Services
Caseloads
FY 2011-2015**



Family Violence Initiative

In cases where domestic violence or family violence has occurred, enforcing child support obligations can elevate risk for survivors of abuse and their children. Therefore, DCSS developed the Family Violence Indicator for case managers to flag cases in which the enforcement of support obligations may be dangerous.²⁷ The number of cases identified with the Family Violence Indicator more than tripled from FY 2010 to FY 2011, increasing from 569 to 1,721. This represented 11 percent of the overall DCSS caseload, compared to 3 percent previously. Since FY 2011, this 11 percent caseload for cases flagged with Family Violence Indicator has remained steady.

²⁷ When a case participant (noncustodial or custodial party) claims family violence, the case manager marks the case with a Family Violence Indicator in the Child Support Services database. This automatically updates the information in the records for any dependent children in that family as well as the case participant.

The dramatic increase in the number of cases flagged with the Family Violence Indicator in fiscal year 2011 prompted DCSS to create a ground-breaking special enforcement solution. DCSS wanted to ensure the safety and well-being of custodial parents who rely on child support to care for their children and have a history of domestic violence. Because these parents' cases could stop child support collection due to the likelihood of intimidation, threats, or violence by the noncustodial parent in response to a child support order, DCSS wanted to expand options for these families to receive support and remain safe. In July 2011, DCSS launched its Family Violence Initiative case management model which introduced strategies to support special handling of cases that are flagged with the Family Violence Indicator.

San Francisco's overall performance for child support payment compliance is 75 percent, and the cases managed under the Family Violence Initiative perform comparably. DCSS has not received any new reports of family violence towards the custodial parents or children on this caseload. Further efforts by DCSS to increase participation and compliance for cases with family violence history are ongoing.

Cross Department Collaboration

DCSS also works closely with the Adult Probation Department on cases in which noncustodial parents are on probation or incarcerated for domestic violence. This collaboration allows both departments to work with noncustodial parents to ensure that they meet their support obligations and remain in compliance with their probation terms.

DCSS entered into collaboration with San Francisco Victim Services Division in July 2013 to provide enhanced, as needed, child support services to victims receiving services through Victim Services. DCSS individually handles those cases, providing specialized attention and enhanced customer service through timely administration of child support services.

In 2014, DCSS engaged the Department on the Status of Women to develop and deliver Domestic Violence Training to all DCSS front-line staff. The intent was to empower staff with the tools to understand and recognize situations where domestic violence may be a factor for DCSS customers; when and where to refer customers for support services; and how to provide services safely; and the impact of domestic violence on customers and the community as a whole.

In 2015, DCSS shared its specialized caseload model and domestic violence curriculum at a conference for staff from child support departments across the state, completing a recommendation from the 2012-13 report. The curriculum was also shared with federal child support officials.

DISTRICT ATTORNEY

The District Attorney's Office (DA) oversees the prosecution of family violence crimes and has three units to oversee those cases: the Domestic Violence Unit; the Special Prosecutions Unit, which handles elder financial abuse cases; and, the Child Abuse & Sexual Assault Unit. In spring 2015, as part of an effort to improve efficiency and maximize resources throughout the District Attorney's Office, the Child Abuse and Sexual Assault Units were merged into one unit. This consolidated vertical prosecution model has increased the expertise within the unit to more effectively prosecute these similarly complex cases with vulnerable victims.

The data included in the following charts refers to the specific fiscal year. Cases pled or brought to trial during a specified fiscal year may or may not have been filed during that same time period. Similarly, trial convictions may be achieved for cases filed or trials initiated during a prior year. For example, a case may be received and filed in FY 2015, but that case may not be concluded, either through plea bargain, trial, or dismissal, until a subsequent year.

Starting in July 2013, the District Attorney has implemented a major expansion of its case management system, significantly improving the quality of family violence data maintained by the office. Previously, data for this report was collected using paper based systems. Pre-2013 data are therefore less reliable and comparisons across time periods may not be accurate. The District Attorney's office is committed to continuing to refine and enhance their collection of family violence data.

Child Abuse & Sexual Assault Unit

The District Attorney's Child Abuse & Sexual Assault (CASA) Unit prosecutes felony cases of physical or sexual assault against children, child endangerment, human trafficking of children, and cases involving child pornography.²⁸ In conjunction with San Francisco General Hospital, Family and Children's Services, and the Police Department, the CASA Unit participates in multi-disciplinary interviews, conducted by the Child and Adolescent Support and Advocacy Resource Center (CASARC). These multi-disciplinary interviews provide a coordinated forensic investigation and response to children abused or children exposed to violence in San Francisco.

In Fiscal Year 2015:

- ❖ Child abuse cases received decreased 21 percent and child abuse filings decreased 33 percent;
- ❖ Probation referrals are up 75 percent;
- ❖ Convictions are up 11 percent.

²⁸ The CASA Unit also handles sexual assault cases against adults, but those cases are not included in this report.

District Attorney Child Abuse and Sexual Assault Unit
Child Abuse Case Statistics
FY 2012-2015

	FY 2012	FY 2013	FY 2014	FY 2015
Incidents Received	171	204	142	112
Incidents Filed	61	56	69	46
Cases Prosecuted by Unit	Not previously reported	Not previously reported	Not previously reported	41
Referred for Probation/Parole Violation	N/A	N/A	8	14
Convictions by Guilty Plea	23	25	16	19
Cases Brought to Trial	3	1	2	1
Convictions After Trial	1	1	2	1
Total Convictions	24	26	18	20

District Attorney Child Abuse and Sexual Assault Unit
Child Abuse Cases by Crime Type
FY 2015

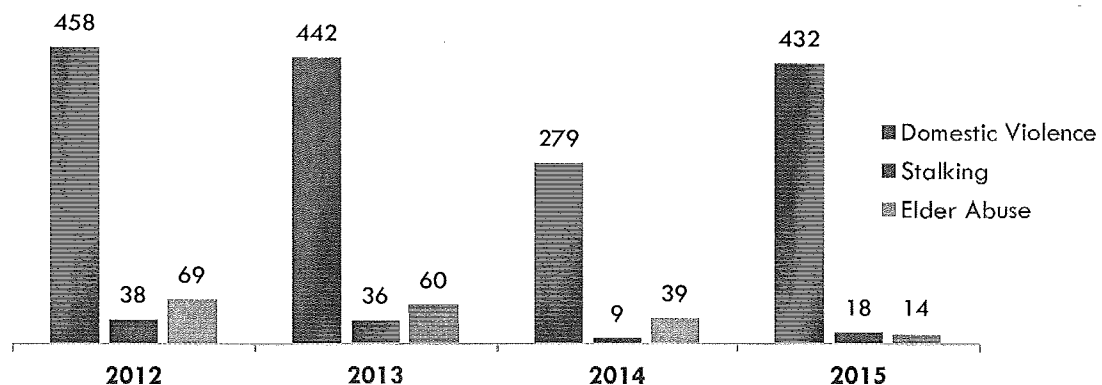
	Physical Assault	Sexual Assault	Human Trafficking	Other
Filed	5	8	2	26
Cases Brought to Trial	0	0	0	1
Convictions After Trial	0	0	0	1
Total Convictions	5	5	2	28

Domestic Violence Unit (including Elder/Dependent Adult Physical Abuse)

The District Attorney's Domestic Violence Unit prosecutes felony and misdemeanor domestic violence, stalking, and elder or dependent adult physical abuse cases. The Domestic Violence Unit started managing elder and dependent adult physical abuse cases in FY 2014. The Special Prosecutions Unit prosecutes elder or dependent adult financial abuse cases.

- ❖ In FY 2015, there was a 10 percent increase in the volume of domestic violence incidents presented to the Unit, and a greater proportion of those were filed (from 21 percent in 2014 to 32 percent in 2015).
- ❖ Stalking prosecutions doubled, but remained half of what they were in Fiscal Years 2012 and 2013.
- ❖ Elder abuse cases decreased by 64 percent.
- ❖ There was a 40 percent decline in the number of cases brought to trial, a 9 percent increase in the number of guilty pleas, and an 18 percentage point increase in the conviction rate of cases brought to trial since Fiscal Year 2014.
- ❖ As the volume of cases prosecuted by the Domestic Violence Unit has increased, overall convictions have increased 6 percent from Fiscal Year 2014, but are still down 41 percent from Fiscal Year 2012.

**District Attorney Domestic Violence Unit:
Cases Prosecuted by Crime Type
FY 2012-2015²⁹**



²⁹ As noted above, the District Attorney's Office modernized its data collection methodology in 2013. This resulted in a change in crime type tracking that may explain some of the changes represented in this table. The District Attorney's Office defines crime type as the most serious charge on a given case. In FY 2015, the Elder Abuse Unit prosecuted 32 cases, however, only 14 of these cases were defined as "Elder Abuse". The remainder were defined by other crime types, but were prosecuted by the Elder Abuse Unit due to the victim's identity.

*District Attorney Domestic Violence Unit
Case Statistics (Domestic Violence, Stalking & Elder Abuse)³⁰
FY 2013-2015*

	FY 2012 ³¹	FY 2013	FY 2014	FY 2015
Incidents Received	1,955	1,827	1,536	1,694
Incidents Filed	565	538	327	542
Cases Prosecuted by Domestic Violence Unit (Court Numbers)	Not previously reported	Not previously reported	Not previously reported	464
Referred for Probation/Parole Violation ³²	N/A	141 ³³	123	47
Convictions by Guilty Plea ³⁴	505	415	266	290
Cases Brought to Trial	42	49	45	27
Convictions After Trial	22	25	27	21
Conviction Rate (Cases Brought to Trial)	52%	51%	60%	78%
Total Convictions	527	440	293	311

³⁰ The total for convictions by guilty plea and cases brought to trial does not add up to the number of cases filed in the same year because convictions pled and cases brought to trial during a specified fiscal year may have been filed in a previous fiscal year.

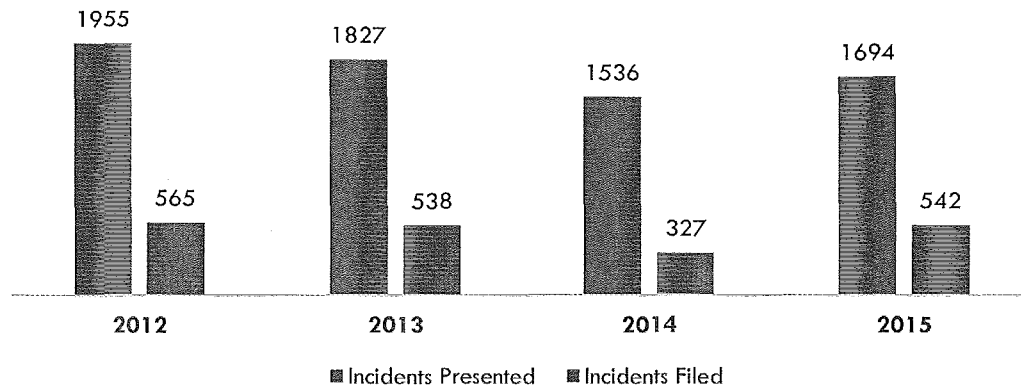
³¹ Numbers have been combined for FY11-13 for domestic violence, stalking, and elder abuses cases. Up to FY 2013-2014, elder abuse cases were handled by the Elder Abuse Unit.

³² Cases referred for probation/parole violation are not a subset of "cases filed."

³³ Domestic violence and stalking cases only.

³⁴ Conviction by guilty plea includes convictions obtained by plea or parole violation.

**Distirct Attorney Domestic Violence Unit:
Incidents Prosecuted
FY 2012-2015**



Victim Services Division

The District Attorney's Victim Services Division provides comprehensive advocacy and support to victims and witnesses of crime. Trained advocates help these individuals navigate the criminal justice system by assisting with crisis intervention, Victim Compensation Program claims, court escort, case status, transportation, resources, referrals, and more.

Child abuse clients include individuals who have experienced either physical abuse or sexual assault as a child. Domestic violence clients include individuals who have experienced domestic violence, including childhood exposure to domestic violence, or stalking. Elder abuse clients include cases of dependent adult abuse and financial crimes.

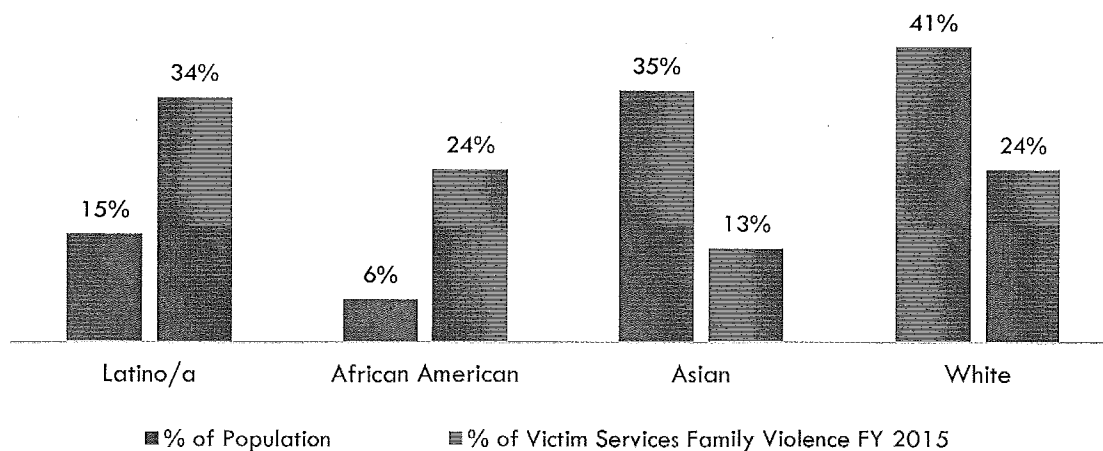
During FY 2015, the number of family violence cases at Victims Services increased by 5 percent. The greatest increase was in the number of cases for children witnessing domestic violence, which increased 41 percent.

*District Attorney Victim Services Division
Family Violence Statistics
FY 2012-2015*

	FY 2012	FY 2013	FY 2014	FY 2015
Domestic Violence	1,137	990	1,136	1,179
Child Witness Domestic Violence	183	139	170	240
Child Abuse	339	270	289 ³⁵	316
Elder Abuse	248	205	258	205
Total	1,907	1,604	1,853	1,940

Latino/a victims make up the largest racial/ethnic group of Victim Services clients – comprising 34 percent of the persons seen at Victim Services, even though they are only 15 percent of the population in San Francisco. African Americans also comprise a much higher percentage of Victim Services clients than they do in the general population. Twenty-four percent of Victim Services clients are African American, while just 6 percent of the population in San Francisco is African American.

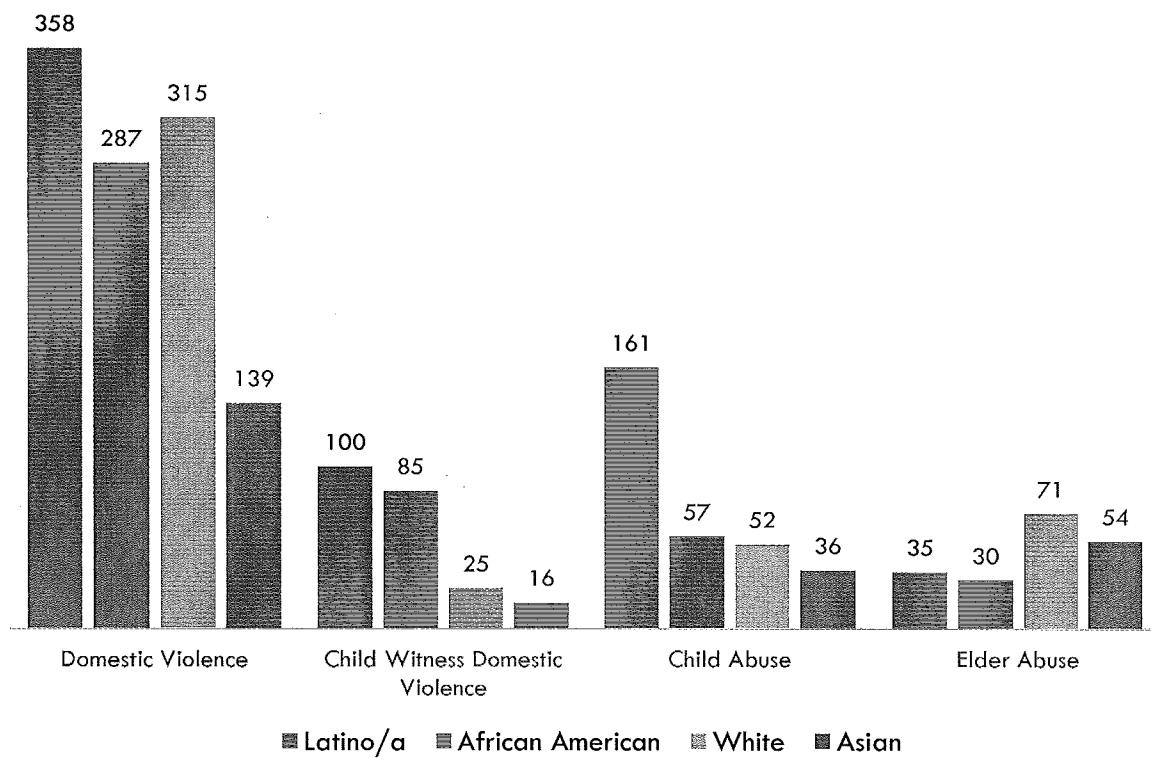
**District Attorney Victim Services Division
Comparison of San Francisco City and County General
Population Race/Ethnicity and Victim Services Clients
FY 2015**



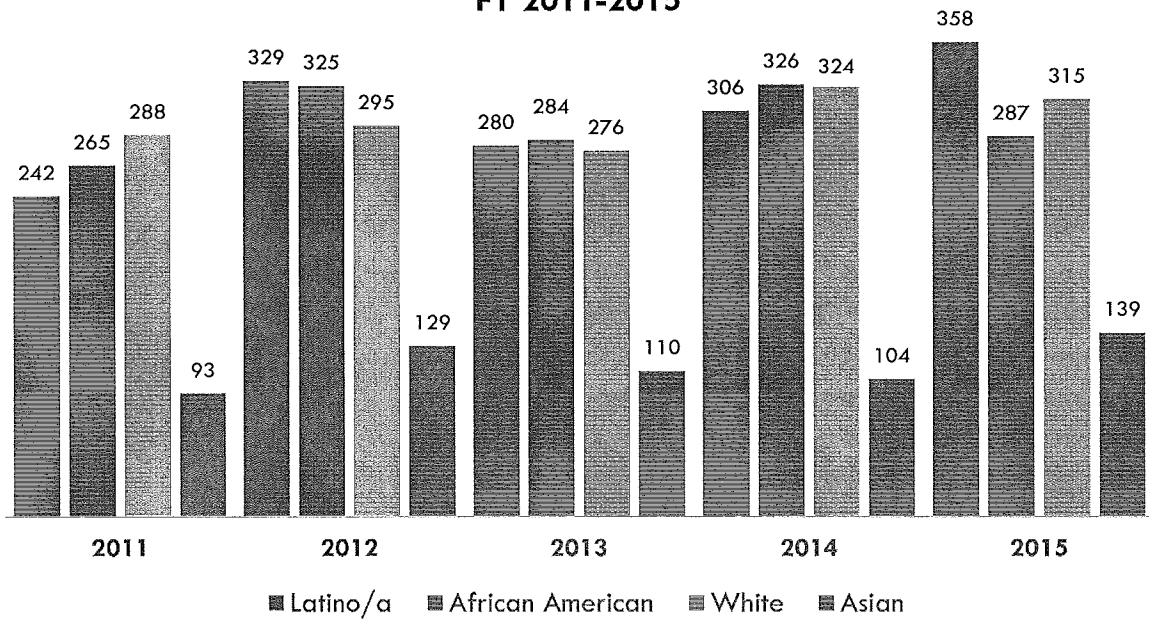
Latinas, African-Americans and Whites make up the majority of victims of domestic violence and child abuse, while whites and Asians comprise the majority of elder abuse victims.

³⁵ Victim Services Child Abuse statistics does not include minor victims of human trafficking before FY 2013-2014.

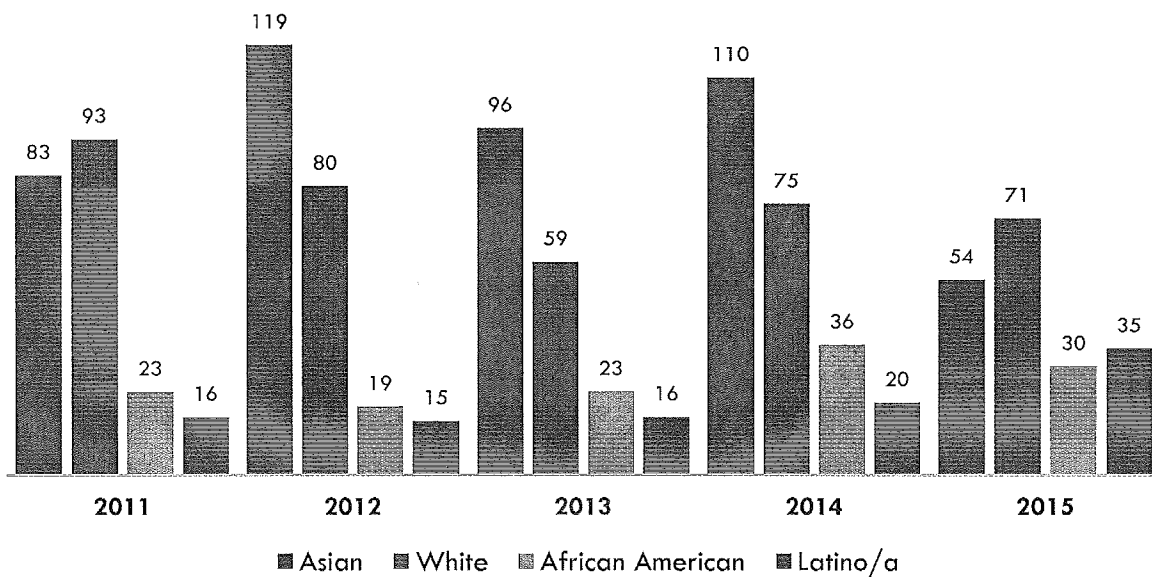
**District Attorney Victim Services Division
Number of Family Violence Cases by Race/Ethnicity
and Type of Violence
FY 2015**



District Attorney's Victim Services Division Domestic Violence Cases by Race/Ethnicity FY 2011-2015



District Attorney Victim Services Division Elder Abuse Cases by Race/Ethnicity FY 2011-2015



*District Attorney Victim Services Division
Family Violence Statistics by Race and Type of Violence
FY 2015*

Race	Domestic Violence	Child Witness DV	Child Abuse	Elder Abuse	Total	%Δ from FY 2014
Latina/o	358	100	161	35	654	+31%
African American	287	85	57	30	459	-7%
White	315	25	52	71	463	0
Asian	139	16	36	54	245	-3%
Indian/ South Asian	10	1	0	0	11	+9%
Filipino	8	1	0	4	13	+18%*
Cambodian	9	0	0	0	9	+50%*
Other	7	2	2	1	12	-50%*
Unknown	46	10	7	10	73	-22%
Total	1179	240	315	205	1939	+5%

*These samples are so small, that variations of just a few persons can result in large percentage changes.

DOMESTIC VIOLENCE CONSORTIUM

The San Francisco Domestic Violence Consortium (DVC) is comprised of 17 member-agencies and scores of allied organizations, City departments and individuals, all of whom are dedicated to ending domestic violence in San Francisco and beyond. Domestic Violence Consortium members' services include shelter, crisis lines, counseling, training, non-residential programs, legal services and intervention classes. The Domestic Violence Consortium works to end domestic violence by amplifying the voices of advocates, community-based attorneys and survivors, to have a positive effect on the allocation of resources, public policy and systems change. Emerging from the movement to end violence against women, the Domestic Violence Consortium is dedicated to eliminating domestic violence and ensuring the basic rights of safety, self-determination and well-being to victims and survivors of domestic violence and their children.

Domestic Violence Consortium efforts are enhanced and accomplished by some of the following activities:

- * Monthly convening of the domestic violence advocacy community;
- * Ongoing Court Watches on domestic violence-related homicides and other cases of interest to the domestic violence community;
- * Helping to organize service providers to speak with a united voice at City Hall;
- * Participating in the Language Access Working Group with the Police Department, Office of Citizen Complaints, and other community based organizations;
- * Participating in the Domestic Violence Workgroup with Human Services Agency;
- * Partnering with the Adult Probation Department to assist with auditing Batterer Intervention Programs (BIPs);
- * Working with local media to help understand the complexities of domestic violence.

Some of the Domestic Violence Consortium's highlights in 2015 include:

- * Helped to establish community based organization- led Language Access trainings at the Police Department Academy;
- * Led a continued Court Watch presence in over 10 on-going cases & trials involving domestic violence-related homicides and serious injuries;
- * Successfully worked with the community to secure a 10 percent funding increase for the VAW (Violence Against Women) service providers;
- * Worked with the Human Services Agency, the Shelter Monitoring Committee, and Supervisor Katy Tang to revamp the Imminent Danger policy for San Francisco's homeless family shelters;
- * Co-Chaired Adult Probation's new Victim Restitution Workgroup and assisted with ongoing training and support of the new Restitution Specialists;
- * Enhanced the understanding and more in-depth coverage of domestic violence by journalists covering business, technology and sports.

The San Francisco Domestic Violence Consortium is honored to serve as a tri-chair and one of the founding members of the San Francisco Family Violence Council.

DOMESTIC VIOLENCE PREVENTION & SUPPORT SERVICES

Violence Against Women Grants Program

Survivors of domestic violence often need significant support and resources to heal and rebuild a safer, healthier life. Leaving an abusive relationship can be one of the most dangerous times, and San Francisco's network of supportive services play a key role in helping protect these victims. Survivors, friends, and neighbors called the community crisis hotlines two and a half times as often as they called 911 in FY 2015. Through the Violence Against Women Prevention and Intervention (VAW) Grants Program, the Department on the Status of Women (DOSW) distributes City funding to community agencies and collects statistics regarding the services provided.³⁶ In FY 2015, San Francisco increased funding for the Violence Against Women Grants Program by 10** percent.

The Department on the Status of Women funded 24 agencies and 33 programs in FY 2015. These community programs provide advocacy, case management, counseling, crisis intervention, education, and legal services, among others. They provided a combined total of 31,297 hours of supportive services to an estimated 24,418 victims of violence against women.³⁷ The same client may receive services from more than one agency, so these are not unduplicated counts.

There was a 21 percent increase in reported hours of supportive services in FY 2015, and a 75 percent increase in the number of individuals served. However, individuals provided shelter decreased in all categories: 20 percent fewer individuals were provided emergency shelter and 79 percent fewer were provided transitional shelter. This is not for lack of need, as turn away rates are still at 19 percent for emergency shelter and 49 percent for transitional shelter.

DOSW Funded Supportive Services³⁸ **FY 2012-2015**

	FY 2012	FY 2013	FY 2014	FY 2015
Hours of Supportive Services	35,541	39,116	25,967	31,297
Total Clients Served³⁹	N/A ⁴⁰	N/A	13,944	24,418

³⁶ Several other City departments, including the Department of Children, Youth, and Their Families, the Mayor's Office of Housing and Community Development, and the Human Services Agency, also support certain services provided by San Francisco's domestic violence programs. The numbers reported here only reflect the agencies funded in part by the Department on the Status of Women.

³⁷ This figure includes solely VAW grant-funded services.

³⁸ The following table represents service hours and clients only for the 33 programs funded by the VAW Grants Program. They do not represent the entirety of services offered by the agencies.

³⁹ These clients may be duplicated, as there is no way to track whether more than one agency is serving the same client.

⁴⁰ The Department on the Status of Women did not track total clients served for VAW programs before FY 2013-2014. Values for FY 2011-2012 and FY 2012-2013 are incomparable to FY 2013-2014 because all individuals served were tracked together, including clients and non-clients, such as service providers seeking technical assistance or training from a Partner Agency.

Core Services

The following data represent statistics from eight VAW Grants partner agencies that provide three core services: emergency shelter, transitional or permanent supportive housing, a crisis line, or a combination of these services. The agencies represented include:

	Emergency shelter	Transitional housing	Crisis line	Permanent housing
Asian Women's Shelter	X		X	
Gum Moon Women's Residence		X		
Riley Center, Saint Vincent De Paul Society	X	X	X	
Dream House, Jewish Children and Family Services		X		
La Casa de las Madres	X		X	
Mary Elizabeth Inn				X
San Francisco Women Against Rape (SFWAR)			X	
WOMAN, Inc.			X	

The data presented represent services that reach adults and children who are survivors of violence. All agencies do not track data in exactly the same manner. For example, some shelters track individuals served or turn-aways by families, while others count women and children individually. Supportive services include direct services such as counseling, case management, legal and medical advocacy, and employment assistance, as well as prevention activities and training for providers, volunteers, and residents. Data for agencies providing these three core services represent the totality of program services provided by these eight partner agencies, rather than just services funded through VAW Grants.

Emergency Shelter

Emergency shelter statistics were gathered from Asian Women's Shelter, Riley Center, and La Casa de las Madres. These shelters provided 16,544 bed nights and supportive services to 449 women and children, including transgender survivors. Unfortunately, during the same time period, 2,118 individuals or families were turned away from shelters due to a lack of space. Individuals served decreased by 20 percent.

Transitional and Permanent Housing

The VAW Grants Program also partners with three transitional housing programs and one permanent supportive housing program. Statistics were gathered from Gum Moon Women's Residence, Dream House, Riley Center, and the Mary Elizabeth Inn. In FY 2015, these four agencies provided a total of 15,809 bed nights and delivered support services to 78 women and children. This marked a significant decrease of 79 percent in individuals served. The previous year showed a spike in 53 percent increase in persons served, so FY 2014 may have been an anomaly. There were 134 individuals turned away from these supportive housing programs due to a lack of space.

Crisis Lines

Crisis line statistics were gathered from WOMAN, Inc.; SFWAR; La Casa de las Madres; Riley Center; and Asian Women's Shelter. In FY 2015, these five agencies received a total of 21,386 crisis calls, demonstrating the crucial need for this simple and confidential way for victims of violence to reach out for help. WOMAN, Inc. had the highest call volume at 10,964 calls in fiscal year 2015. Even with the tremendous volume of calls, it is important to recognize that victims of abuse may use other access points for services not specific to domestic violence and that some victims may never access any services at all.

DOSW Selected Partner Agency Statistics – All Program Services**FY 2013-2015**

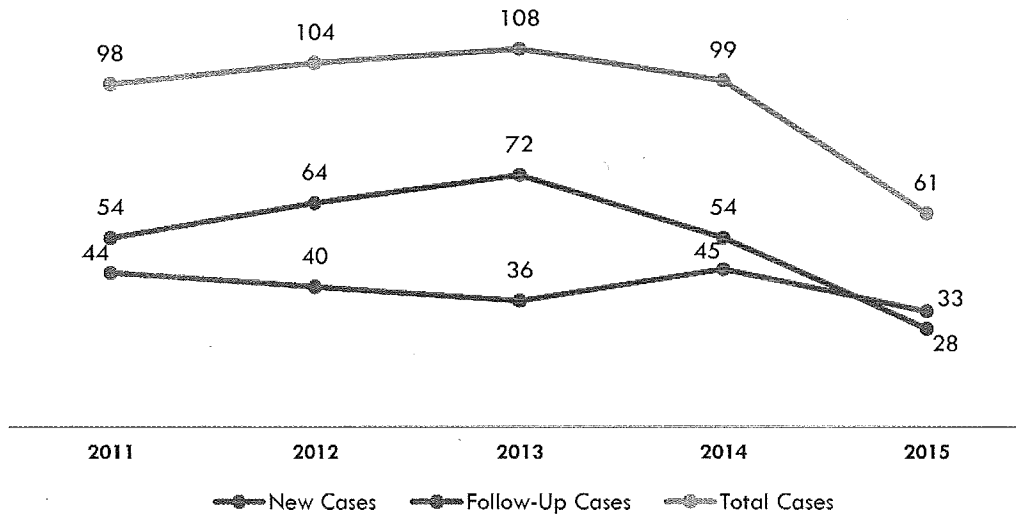
	FY 2013	FY 2014	FY 2015	%Δ from 2014
Emergency Shelter				
Shelter Bed Nights	19,352	19,145	16,544	-14%
Individuals Served	500	540	449	-20%
Turn-aways	3,245	2,602	2,118	-19%
Transitional & Permanent Housing				
Housing Bed Nights	31,685	17,925	15,809	-12%
Individuals Served	170	364	78	-79%
Turn-aways	823	261	134	-49%
Crisis Lines				
Crisis Line Calls	24,461	23,796	21,386	-10%

ELDER ABUSE PREVENTION & SUPPORT SERVICES

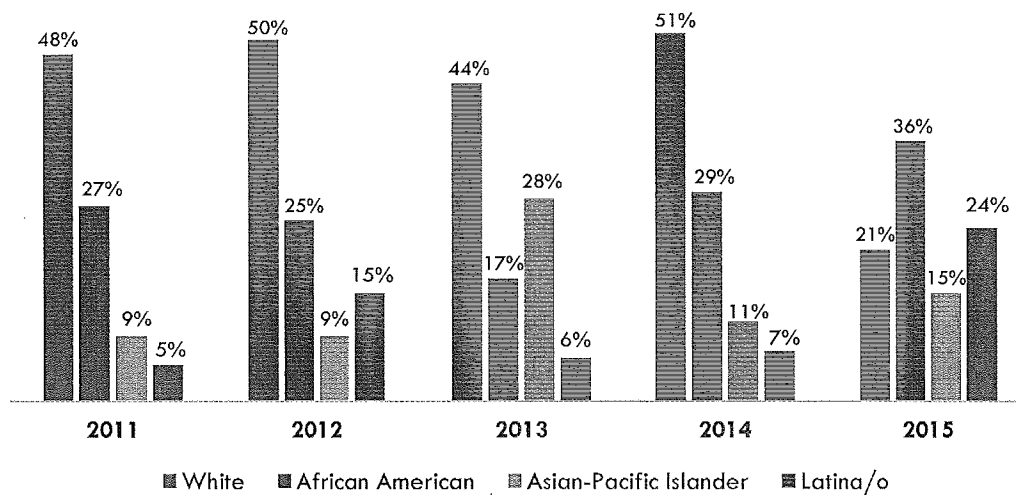
The San Francisco Elder Abuse Forensic Center (SFEAFC) is a public/private partnership between the non-profit Institute on Aging and the following City and County of San Francisco Agencies: Department of Aging and Adult Services (Adult Protective Services and the Public Guardian), District Attorney's Office, City Attorney's Office, and the San Francisco Police Department. The mission of SFEAFC is to prevent and combat the abuse, neglect and exploitation of elders and dependent adults in San Francisco through improved collaboration and a coordination of professionals within the elder abuse network. The data from SFEAFC represents a subset of APS cases. A formal referral process is utilized based upon the relative complexity of each case and/or the need for specialized consultation. The Institute on Aging is one of the San Francisco Family Violence Council tri-chairs and co-chairs its Elder Justice Subcommittee.

In FY 2015, there were 33 new cases and 28 follow-up cases presented at the SFEAFC during 20 meetings. Demographic data on gender, age, race/ethnicity and zip code were identified in addition to categories of types of abuse. The average age of elder abuse victims was 76 and the median age was 78, a slight age decrease from an average of 77 and median of 79 in FY 2014. The gender distribution indicated that 58 percent of victims were female and 42 percent were male. African Americans (36 percent) and Latina/o (24 percent) present the highest rates of abuse within the case population. This differs from the elder abuse caseload at District Attorney Victim Services, where the majority of cases are White (36 percent) and Asian (28 percent). It should be noted that multiple types of abuse are often found within a given case, so the numbers in the chart for types of abuse represent each instance of abuse and not number of victims. Prevalence data indicates that financial abuse (other), with 17 cases, is the most represented type of abuse. The second most represented type is self-neglect at 10 cases. The cases were fairly evenly distributed throughout San Francisco, except for a slightly higher cluster occurring in the neighborhoods of the Mission District (94110) and Western Addition/Lower Pacific Heights (94115).

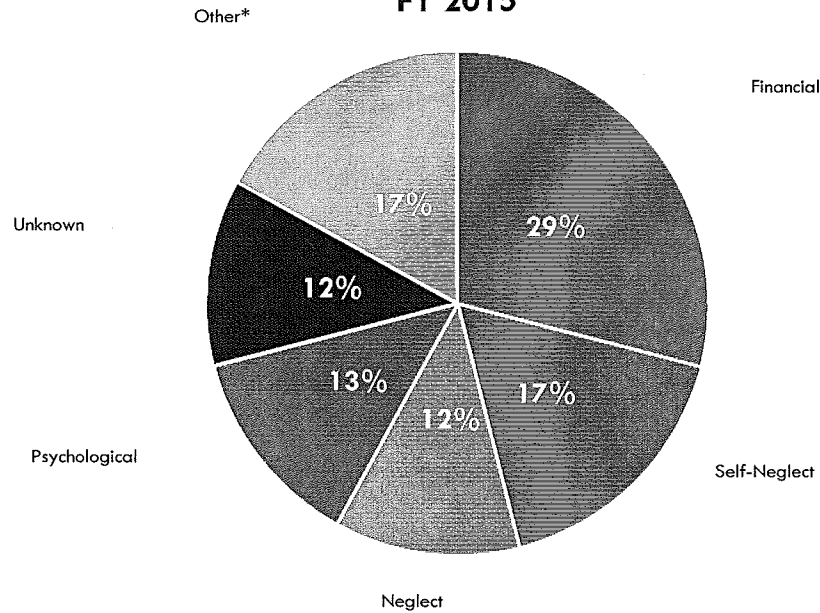
Elder Abuse Forensic Center Case Statistics FY 2011-2015



Elder Abuse Forensic Center New Cases: Statistics by Race/Ethnicity FY 2011-2015

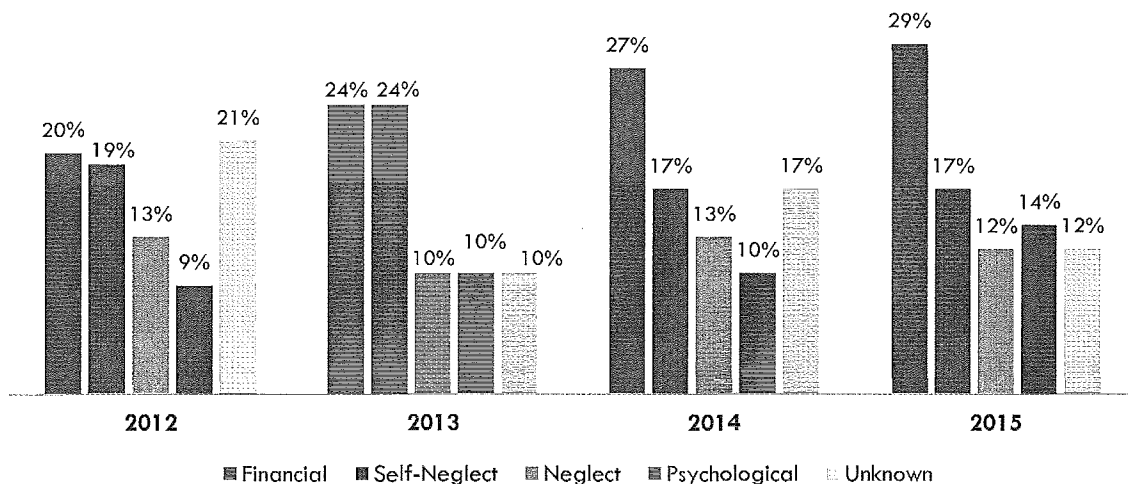


Elder Abuse Forensic Center New Cases: Statistics by Elder Abuse Category FY 2015



*Other contains the categories Physical-Assault/Battery (5%), Financial/Real Estate (2%), Isolation (5%), Sexual (2%), Abandonment (2%), Physical-Restraint (2%) and Abduction (0)

Elder Abuse Forensic Center New Cases: Statistics by Elder Abuse Category FY 2012-2015



Not pictured are categories that comprised 2-7% each: Physical-Assault/Battery, Financial-Real Estate, Isolation, Sexual, Abandonment, Abduction, and Physical-Restraint

*Elder Abuse Forensic Center
Case Statistics
FY 2013-2015*

	FY 2013	FY 2014	FY 2015
New Cases	36	45	33
Follow-Up Cases	72	54	28
Total Cases	108	99	61
# of Meetings	19	24	20

*Elder Abuse Forensic Center
Client Demographic Statistics
FY 2013-2015*

	FY 2013	FY 2014	FY 2015
# of Females	22	29	19
# of Males	14	16	14
Average Age	74	77	76
Median Age	77	79	78

*Elder Abuse Forensic Center
New Cases: Statistics by Elder Abuse Category
FY 2013-15*

	FY 2013	FY 2014	FY 2015
Financial - Other	16	26	17
Self-Neglect	16	16	10
Neglect	7	12	7
Psychological	7	10	8
Physical - Assault/Battery	3	6	3
Financial - Real Estate	3	3	1
Isolation	1	3	3
Sexual	2	1	1
Abandonment	1	1	1
Abduction	1	1	0
Physical - Restraint	0	1	1
Other/Unknown	10	16	7
Total	67	96	59

EMERGENCY MANAGEMENT

The San Francisco Department of Emergency Management houses the Division of Emergency Communications, which on average receives over 3,000 calls every day.⁴¹ Department of Emergency Management dispatchers use scripts to determine which of the 35 family violence-related call codes to assign each 911 call. A preliminary question asks callers the identity of and relationship to the perpetrator, and if the caller indicates a spouse or partner is involved, the dispatcher uses one of the 14 domestic violence call codes.

**Department of Emergency Management
Percent of Violent Crime Calls That Are
Family Violence Calls
FY 2015**



**Department of Emergency Management
Family Violence: Percentage of 911 Violent Crime Calls**

	2014	2015
Family Violence Calls	8,602	8,925
All Violent Crime Calls*	100,428	109,595
Family Violence	9%	8%

**All Violent Crime Calls—Includes the following codes: 211 (Robbery), 212 (Strong-arm Robbery), 213 (Purse Snatch), 219 (Stabbing), 221 (Armed Assailant – Gun), 222 (Armed Assailant – Knife), 240 (Assault/Battery), 245 (Aggravated Assault), 261 (Rape/Sexual Assault), 418 (Fight or Dispute – No Weapons Used), 419 (Fight or Dispute

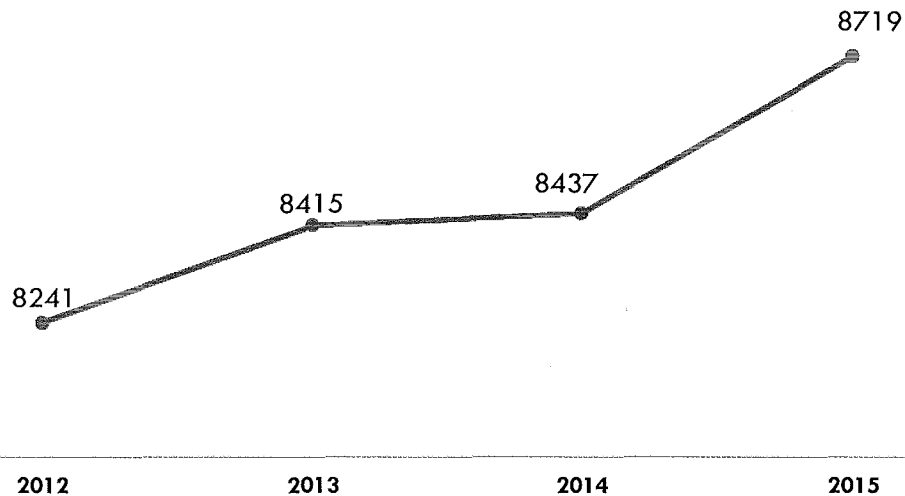
⁴¹ San Francisco Department of Emergency Management Annual Report Fiscal Year 2013-2014. Retrieved March 10, 2016 from <http://sfdem.org/annual-report-0>

– Weapons Used), 487 (Grand Theft), 488 (Petty Theft), 594 (Malicious Mischief/Vandalism), 602 (Break-In), 646 (Stalking), 650 (Threats)

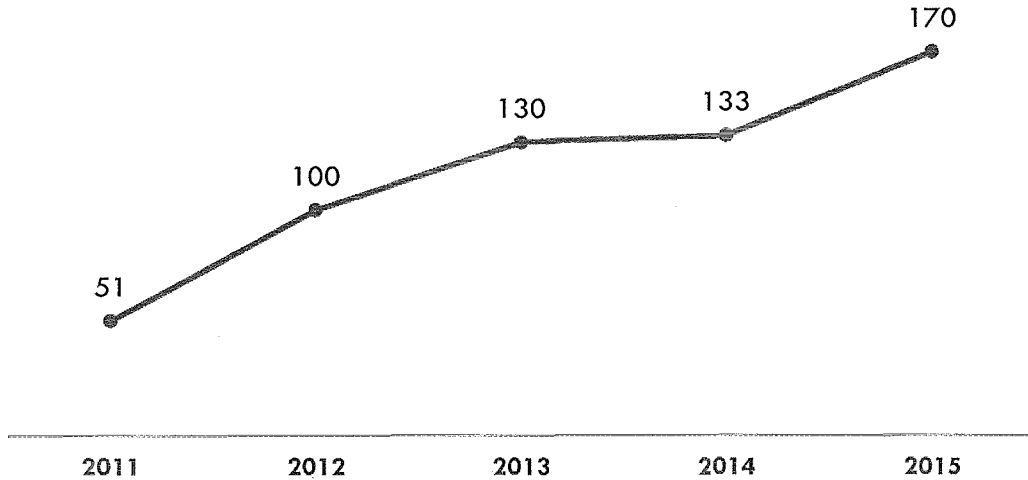
If the caller indicates a family member or caregiver of a child, an elder, or a dependent adult is involved, the dispatcher uses one of the 18 elder abuse or 3 child abuse call codes. Dispatchers ask additional questions to clarify the type of family violence incident that is happening and determine which specific code to assign to the call.

The Department of Emergency Management models partnerships with community based agencies by inviting domestic violence service providers to train dispatch staff on domestic violence.

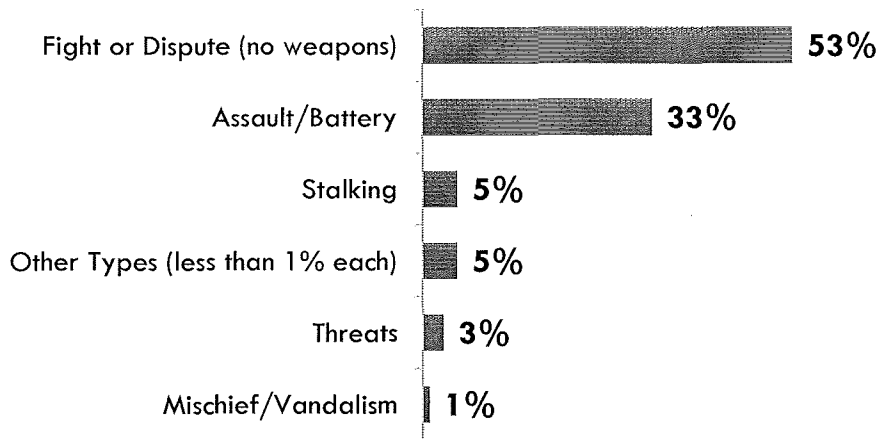
**Department of Emergency Management
Total Domestic Violence and Stalking
911 Calls
FY 2012-2015**



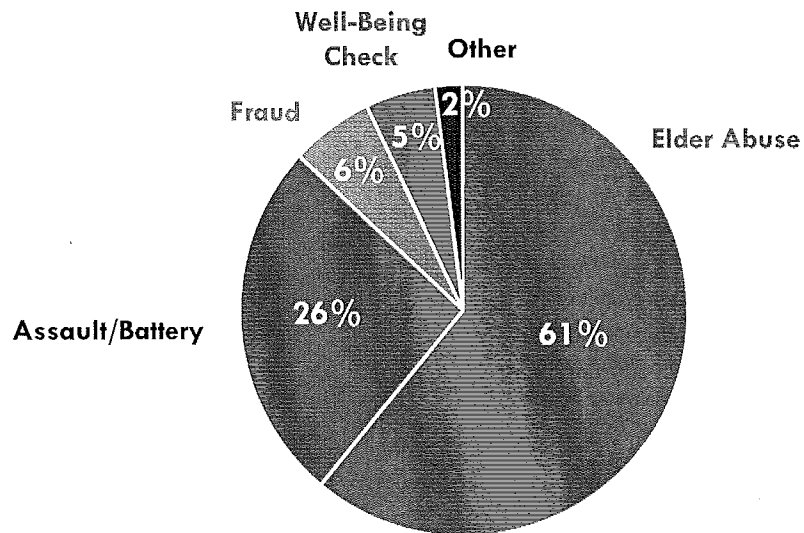
**Department of Emergency Management
Total Elder Abuse 911 Calls
FY 2011-2015**



**Department of Emergency Management
Domestic Violence and Stalking 911 Calls by Type
FY 2015**



**Department of Emergency Management
Elder Abuse 911 Calls by Type
FY 2015⁴²**



Department of Emergency Management
911 Child Abuse Calls by Type⁴³
FY 2013-2015

Call Type	Description	FY 2013	FY 2014	FY 2015
240CA	Assault/Battery (Includes Unwanted Physical Contact)	29	22	32
910CA	Well-Being Check	4	10	4
245CA	Aggravated Assault (Severe Injuries or Objects Used to Injure)	0	0	0
	Total Child Abuse Calls	33	32	36

⁴² Most elder abuse calls are received by Adult Protective Services.

⁴³ Most child abuse cases are reported to Child Protective Services.

Department of Emergency Management
911 Domestic Violence & Stalking Calls by Type
FY 2013-2015

Call Type	Description	FY 2013	FY 2014	FY 2015
418DV	Fight or Dispute – No Weapons Used	4,370	4,512	4,699
240DV	Assault/Battery (Includes Unwanted Physical Contact)	2,826	2,821	2,878
646	Stalking	436	376	460
650DV	Threats (Written, Verbal, or Recorded)	272	280	244
594DV	Malicious Mischief/Vandalism (Property Damage Only)	106	93	99
602DV	Break-In	63	83	57
245DV	Aggravated Assault (Severe Injuries or Objects Used to Injure)	109	81	77
222DV	Armed Assailant – Knife	70	52	46
416DV	Civil Standby (Officer Takes a Person to Retrieve Belongings)	41	51	41
646DV	Domestic Violence Stalking	58	36	40
419DV	Fight or Dispute – Weapons Used	25	20	41
219DV	Stabbing	10	13	13
221DV	Armed Assailant – Gun	19	13	15
910DV	Well-Being Check (Often at the Request of Another Individual)	10	5	9
100DV	Alarm (Given to a Victim to Alert 911)	0	1	0
	Total Domestic Violence & Stalking Calls	8,415	8,437	8,719

Department of Emergency Management
911 Elder Abuse Calls by Type
FY 2013-2015

Call Type	Description	FY 2013	FY 2014	FY 2015
368EA	Elder Abuse	55	61	104
240EA	Assault/Battery (Includes Unwanted Physical Contact)	36	27	44
470EA	Fraud	17	17	11
910EA	Well-Being Check	10	16	8
650EA	Threats	4	6	3
488EA	Petty Theft	4	3	0
418EA	Fight or Dispute – No Weapons Used	4	3	0
212EA	Strong-Arm Robbery	0	0	0
245EA	Aggravated Assault (Severe Injuries or Objects Used to Injure)	0	0	0
	Elder Abuse Calls Total	130	133	170

**Department of Emergency Management
District Unit Responses to 911 Family Violence Calls
FY 2013-2015**

District	FY 2013	FY 2014 ⁴⁴	FY 2015 ⁴⁴
Bayview	1,191	1,311	1,338
Ingleside	1,277	1,187	1,312
Southern	1,046	1,068	1,150
Mission	1,098	1,027	1,102
Northern	1,040	1,055	1,044
Taraval	824	797	744
Central	619	583	685
Tenderloin	589	627	622
Park	430	521	489
Richmond	401	369	402
Daly City ⁴⁵	20	24	11
Total	8,337	8,569	8,899⁴⁶

The Bayview neighborhood generates the most family violence calls to 911. In 2015, the Department on the Status of Women, the Police Department, the District Attorney's Office, and several community based organizations received federal funding to implement increased screening and follow up for high risk domestic violence cases in the Bayview.

⁴⁴ Statistics for FY 2014-2015 include Family Violence codes (DV, CA, EA) and Stalking (646).

⁴⁵ Dispatchers may refer a call to Daly City if an incident occurs on or over the City's southern boundary, or if a suspect is known to have traveled into Daly City.

⁴⁶ Computer Aided Dispatch entries (911 calls) never match one for one with dispatched sector cars, because calls are cancelled, merged, or responded to beyond the county line such as Daly City or South San Francisco, because the crime occurred in San Francisco, but the person does not live in our City or went to a hospital outside the county.

HUMAN SERVICES AGENCY: CALWORKS

DOMESTIC VIOLENCE ADVOCATES

The Department of Human Services under the aegis of the San Francisco Human Services Agency (SF-HSA) administers the California Work Opportunity and Responsibility to Kids (CalWORKs) program to low income households with children.

The CalWORKs program provides time limited cash assistance to families with children, nutritional assistance through CalFresh, and Health Insurance coverage through Medi-Cal, with an increased emphasis on moving clients from welfare to work through employment services. In preparing the work eligible adults to be gainfully employed or assisting them to acquire the skills needed to be employed, the County provides services that help them overcome significant barriers to employment, such as drug addiction, alcoholism, mental health issues, and domestic violence.

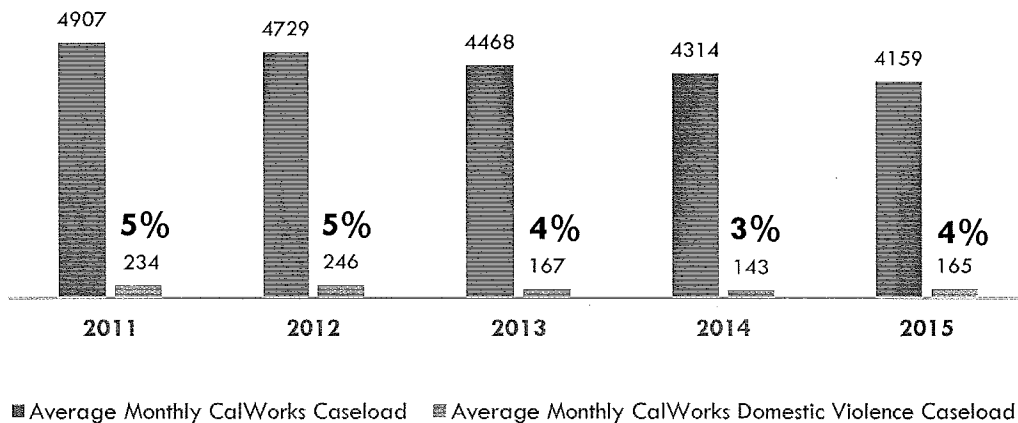
The San Francisco Human Services Agency has partnered with the nonprofit Homeless Prenatal Program, a community service provider, to provide domestic violence services. The Homeless Prenatal Program provides supportive services such as counseling and case management services to enable survivors to achieve safety, self-sufficiency and independence. The domestic violence advocates are available at the San Francisco Human Services Agency offices as well as at the Homeless Prenatal Program premises.

San Francisco's CalWORKs caseload has decreased slightly over the past few years. In FY 2015, the caseload averaged 4,159 cases per month. The average monthly number of households in which clients received domestic violence case management and counseling services was 165, and accounts for 4 percent of the overall CalWORKs caseload, a percentage that has remained roughly stable over the past three years.

*CalWORKs: Domestic Violence Advocate Caseloads
FY 2013-2015*

	FY 2013	FY 2014	FY 2015
Average Monthly CalWORKs Caseload	4,468	4,314	4,159
Average Monthly Domestic Violence Advocate Caseload	167	143	165
Clients Receiving Domestic Violence Services	4%	3%	4%

CalWORKs Caseloads and Percentage Receiving Domestic Violence Services FY 2011-2015



Between fiscal years 2011 and 2015, while overall CalWORKs caseloads have gradually declined, average domestic violence caseloads have remained between 3-5% of total caseloads. Between FY 2014 and 2015, average domestic violence caseloads increased by 22 cases, or 15%. CalWORKs attributes this recent increase to advocacy efforts on the part of county CalWORKs staff spreading awareness to clients about what constitutes domestic violence.

HUMAN SERVICES AGENCY:

FAMILY & CHILDREN'S SERVICES

San Francisco Family and Children's Services, also known as Child Protective Services (CPS), is a division of the Department of Human Services within the Human Services Agency that protects children from abuse and neglect, and works in partnership with community-based service providers to support families in raising children in safe, nurturing homes. Whenever possible, Family and Children's Services helps families stay together by providing a range of services from prevention through aftercare, keeping children safe with their families or with families who can provide permanency.

Differential Response

Family and Children's Services uses a method called "differential response" to respond to allegations of abuse. Based on information received during a hotline call or referral, Family and Children's Services social workers assess the evidence of neglect or abuse. If there is insufficient evidence to suspect neglect or abuse, the case is "evaluated out of the system" and the family may be referred to voluntary services in the community. If there appears to be sufficient evidence of abuse or neglect, Family and Children's Services opens the case and conducts further assessment and investigation. Under this differential response model, the social worker taking the hotline referral determines the initial response path for all referrals.

Referrals and Substantiations

In 2015, child abuse referrals in San Francisco increased by 8 percent over the prior year, back to numbers similar to 2013, but a smaller percentage of cases were substantiated (14%) than in 2014.⁴⁷

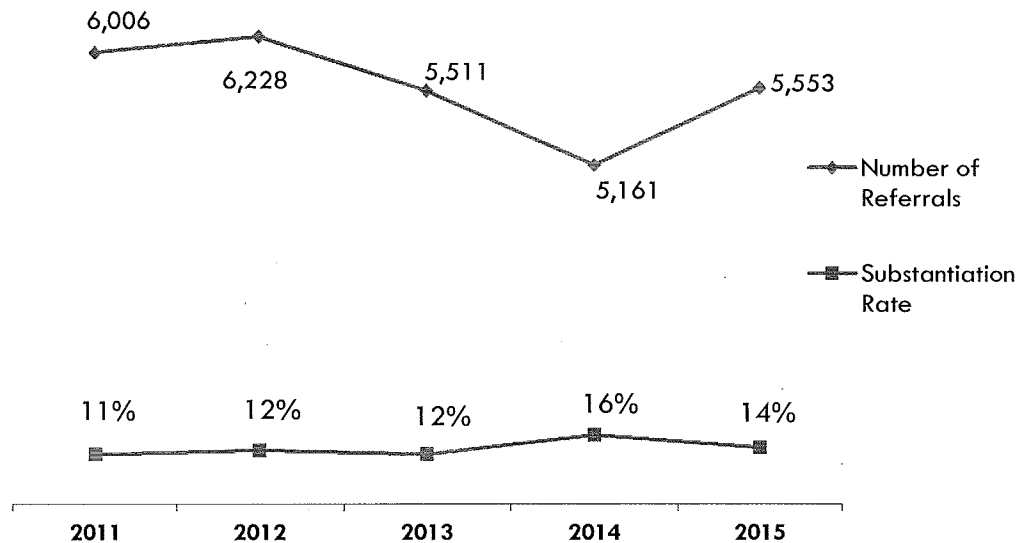
Family and Children's Services
Child Abuse Referrals and Substantiations
 CY 2012-2015⁴⁸

	2013	2014	2015	%Δ from 2014
Total Children Referred	5,511	5,161	5,553	8%
Number of Children with Substantiated Allegation	661	812	754	-11%
Percent of Children with Substantiated Allegation	12%	16%	14%	-13%

⁴⁷ 2014 data in this report that is different from data in the 5th Annual Family Violence Council Report for FY 2014 is due to updated data provided by Family and Children's Services.

⁴⁸Data source: California Child Welfare Project (CCWIP) http://cssr.berkeley.edu/ucb_childwelfare/.

Family and Children's Services Child Abuse Referrals & Substantiation Rate CY 2011-2015



Allegation Types and Findings

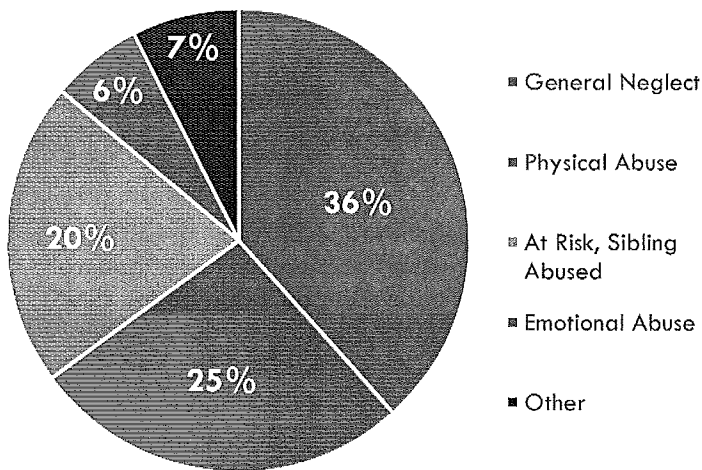
Although the number of referrals has increased slightly, allegation prevalence breakdown for CY 2015 was similar to data from CY 2014. CY 2015 saw a slightly higher percent physical abuse (+5 percent) and sexual abuse (+3 percent) and slightly lower percentage for emotional abuse (–5 percent) allegations. California Child Welfare Indicators Project (CCWIP) only counts one allegation per child referred. This means that if a child has multiple allegations, only one of those allegations will be counted in this table.

Consistent with the past year, the allegation most often substantiated in 2015, with 435 allegations investigated and found to meet the legal standards of maltreatment, was general neglect. This allegation often involves parents not providing basic care, attending to the child's medical needs, or providing enough food. In a change from 2014, the second highest, with 94 substantiations, was physical abuse.

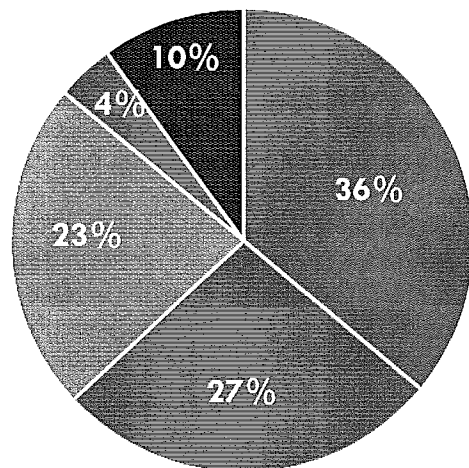
*Family and Children's Services
Child Abuse Referrals by Allegation Type⁴⁹
CY 2014-2015*

Allegation Type	2014	2015
General Neglect	1,882	1,993
Physical Abuse	1,298	1,498
At Risk, Sibling Abused	1,044	1,283
Emotional Abuse	323	204
Sexual Abuse	396	393
Caretaker Absence/Incapacity	178	97
Severe Neglect	38	76
Exploitation	2	9
Total	5,161	5,553

*Family and Children's Services
Child Abuse Referrals by Allegation Type
CY 2014*



*Family and Children's Services
Child Abuse Referrals by Allegation Type
CY 2015*



⁴⁹ In this chart, each child is counted only once, in category of highest severity. California Child Welfare Indicators Project (CCWIP) only counts one allegation per child referred. This means that if a child has multiple allegations, only one of those allegations will be counted in this table.

*Family and Children's Services
Dispositions by Allegation Type
CY 2015*

Allegation Type	Substantiated	Inconclusive	Unfounded/ Screened Out	Not Yet Determined	Total Referrals	%Δ from FY 2014
General Neglect	435	140	1,414	4	1,993	6%
Physical Abuse	94	143	1,258	3	1,498	15%
At Risk, Sibling Abused	89	71	1,121	2	1,283	23%
Emotional Abuse	20	26	158	.	204	-37%
Sexual Abuse	26	23	343	1	393	-1%
Caretaker Absence/ Incapacity	48	4	45	.	97	-45%
Severe Neglect	42	7	27	.	76	100%
Exploitation	.	.	9	.	9	350%
Total	754	414	4,375	10	5,553	8%

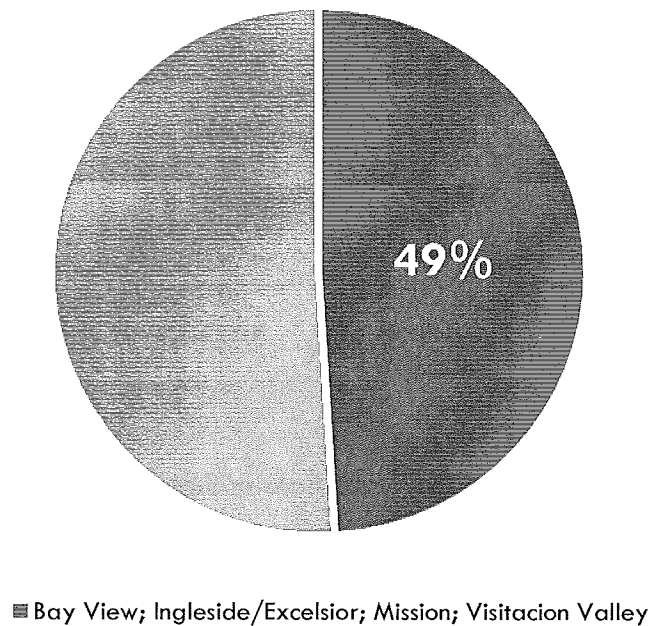
*Family and Children's Services
Child Abuse Allegation Incidence Rate in San Francisco
CY 2012-2015*

	2012	2013	2014	2015
Child Population	116,074	113,400	111,188	118,144
Children with Allegations	6,239	5,516	5,161	5,553
Incidence per 1,000 Children	53.8	48.6	46	47

Maltreatment Allegations and Incidence Rates by ZIP Code CY 2015

The neighborhoods with the highest number of allegations were Bayview Hunter's Point (94124) with 1,019, Ingleside/Excelsior (94112) with 568, Mission (94110) with 435, and Visitacion Valley (94134) with 532 allegations. These four zip codes accounted for 49 percent, virtually half of all child abuse allegations in San Francisco. Treasure Island, the Bayview, and Hayes Valley/Tenderloin ZIP codes had the highest rates of incidence per 1,000 children.⁵⁰

Family and Children's Services Child Abuse Allegations by Neighborhood CY 2015



⁵⁰ 14 percent were not geocoded.

Family and Children's Services
Child Abuse Allegations and Incidence by ZIP Code
 CY 2015

ZIP Code	Neighborhood	Child Population	Children with Allegations	Incidence per 1,000 Children
94124	Bayview	8,512	1,019	119.7
94112	Ingleside/ Excelsior	14,808	568	38.4
94110	Mission	10,949	435	39.7
94134	Visitation Valley	8,404	532	63.3
94115	Pac Heights/Western Addition/Japantown	4,224	202	47.8
94102	Hayes Valley/Tenderloin	2,943	267	90.7
94107	Potrero Hill	3,565	180	50.5
94103	SOMA	2,766	174	62.9
94109	Nob Hill/Russian Hill	3,939	145	36.8
94132	Lake Merced	4,282	157	36.7
94133	North Beach/Fisherman's Wharf	2,815	108	38.4
94117	Haight/Cole Valley	4,320	110	25.5
94130	Treasure Island	579	105	181.3
94127	West Portal	3,625	83	22.9
94118	Inner Richmond	6,153	49	8.0
94131	Twin Peaks/Glen Park	4,465	96	21.5
94108	Chinatown	1,115	9	8.1
94123	Marina/Cow Hollow	2,884	29	10.1
94116	Outer Sunset	6,906	37	5.4
94114	Castro/Noe Valley	3,675	24	6.5
94121	Outer Richmond	6,301	37	5.9
94122	Inner Sunset	8,385	47	5.6
94129	Presidio	968	17	17.6
94111	Embarcadero	327	16	48.9
94104	Financial District	29	0	0.0
94105	Embarcadero/SOMA	601	7	11.6
94158	Mission Bay	604	11	18.2
	Zip Code Missing	-	783	-
	Out of County	-	306	-
	San Francisco	118,144	5,553	47
	California	9,097,971 ⁵¹	496,972	54.6

⁵¹ California numbers are from CY 2014.

Child Abuse Referrals and Foster Care Entries by Age Group and Gender

In 2015 the largest age group of children receiving a referral was 11-17 year olds, accounting for 2,050 referrals, followed by similar numbers for children birth to five with 1,759, and 6-10 year olds with 1,744.

When looking at actual entries into foster care, the highest number comes from the birth to five age group. In 2015, 0-5 year olds accounted for 148 entries, followed by 11-17 year olds with 109, and 6-10 year olds with 73 foster care entries. The number of children entering foster care decreased 19 percent from 2014, and the total number of children in foster care declined ten percent from 2014 to 2015.

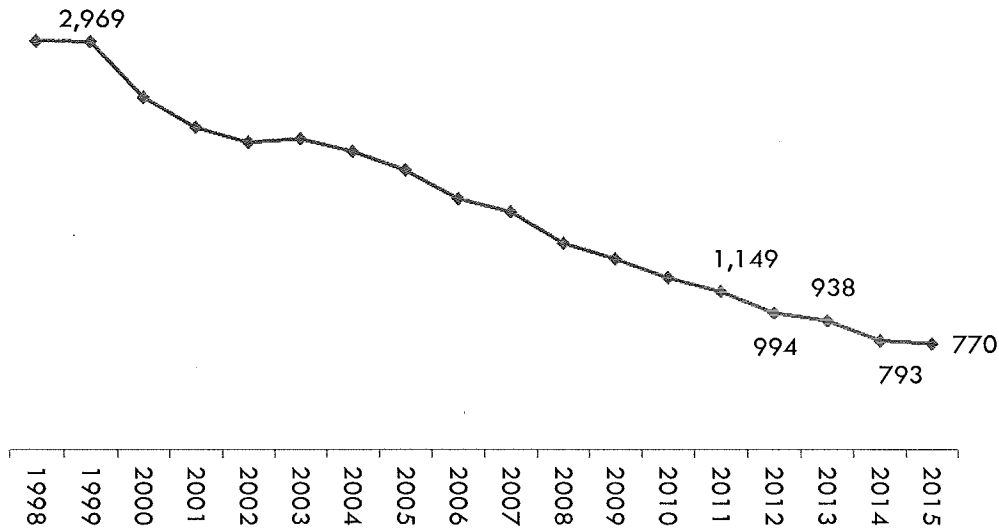
The total foster care caseload has consistently declined overall by 70 percent in the last 17 years. In January 1998, there were 2,969 children in foster care in San Francisco. In January 2015, the total foster care caseload reached a low of 770. There are several changes that have likely contributed to this overall decline: San Francisco's decreasing child population, and new Family and Children's Services policies that emphasized early intervention and providing increased family support services to keep more children safely in their homes, when appropriate, rather than placing them in foster care.

Family and Children's Services Child Abuse Referrals by Age Group CY 2014-2015

Age Group	Child Abuse Referrals		Foster Care Entries	
	2014	2015	2014	2015
0-5	1,768	1,759	194	148
6-10	1,555	1,744	90	73
11-17	1,838	2,050	125	109
Total	5,161	5,553	409	330

A significant change to the child welfare system that remains relevant today came with the passage of State Assembly Bill 12 (AB 12), the California Fostering Connections to Success Act, in August 2010. Under AB 12, eligible foster youth have the option to remain in care until age 21 and receive transitional support. This extended foster care program has been incrementally implemented over a three-year period. In January 2012, eligible youth were able to extend their foster care until age 19, and in January 2013, until age 20. With the passage of AB 787 in October 2013, as of January 2014, eligible youth were able to remain in foster care until age 21.

**Family and Children's Services
Total Foster Care Caseload
Point-in-Time Data: January 1998-2015**



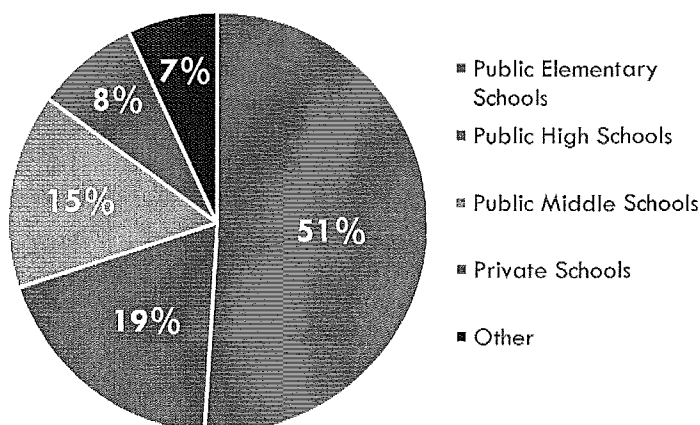
Girls and boys are roughly equally represented in the child welfare system. Allegations are evenly split between girls and boys, as are foster care placements. Girls represent a little more than half (53 percent) of substantiated allegations, even though they represent a slightly smaller percentage of the child population in San Francisco (49 percent).

*Family and Children's Services
Child Abuse Referrals and Substantiations by Gender
CY 2015*

Gender	Total Population in San Francisco	Children with allegations	Children with substantiations	Children with foster care entries
Male	61,965	2,772	397	166
Female	59,860	2,749	357	164

Trends in San Francisco School Reporters of Child Abuse

In school year 2014-15, 1,481 child abuse referrals came from school reporters. This marks a 13 percent increase in total referrals compared to SY2013-14.⁵² The majority of child abuse referrals come from San Francisco Unified School District (SFUSD) elementary schools, accounting for 758 (51 percent) of all school referrals.



Child Abuse Referrals by School Reporters SY 2012-2015

	SY 2012-13	SY 2013-14	SY 2014-15	%Δ from SY 2013-14
SFUSD Child Development Centers & Preschools	58	53	26	-51%
Non-SFUSD Preschools & Day Care Centers	45	N/A	14	N/A
SFUSD Elementary Schools	802	658	758	+15%
SFUSD Middle Schools	231	171	229	+34%
SFUSD High Schools	321	245	286	+17%
Private Schools	130	94	121	+29%
SFUSD Admin	N/A	29	24	-17%
Other School District	N/A	27	15	-44%
Other (No School Identified)	N/A	31	0	N/A
Summer Program	N/A	N/A	8	N/A
Total	1,587	1,308	1,481	+13%

⁵² SY indicates school year.

JUVENILE PROBATION

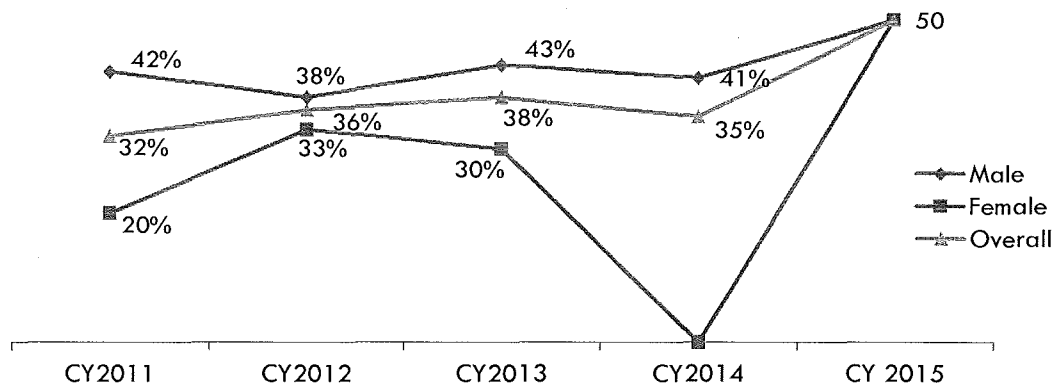
Domestic Violence Offenders

The Juvenile Probation Department categorizes intimate partner violence as well as violence against parents committed by juveniles as domestic violence. In 2015, of the 12 domestic violence petitions filed, 58 percent involved male offenders and 42 percent involved female offenders. In 2014, 85 percent involved male offenders and only 15 percent involved female offenders.⁵³ There has been a 50 percent decline in domestic violence petitions filed between 2013 and 2015.

*Juvenile Probation Department
Petitions for Domestic Violence Offenders by Gender
CY 2013-2015*

Gender	CY 2013		CY 2014		CY 2015	
	Filed	Sustained	Filed	Sustained	Filed	Sustained
Male	14	6	17	7	10	5
Female	10	3	3	0	2	1
Total	24	9	20	7	12	6

**Juvenile Probation Department
Percent Petitions Sustained
CY 2011-2015**



For more details on Juvenile Probation Department's domestic violence cases, please see the Juvenile Probation Department's 2015 Statistical Report at <http://sfgov.org/juvprobation/publications-documents>.

⁵³ Data are tracked by number of petitions, rather than individual probationers. One probationer could have multiple domestic violence petitions.

POLICE

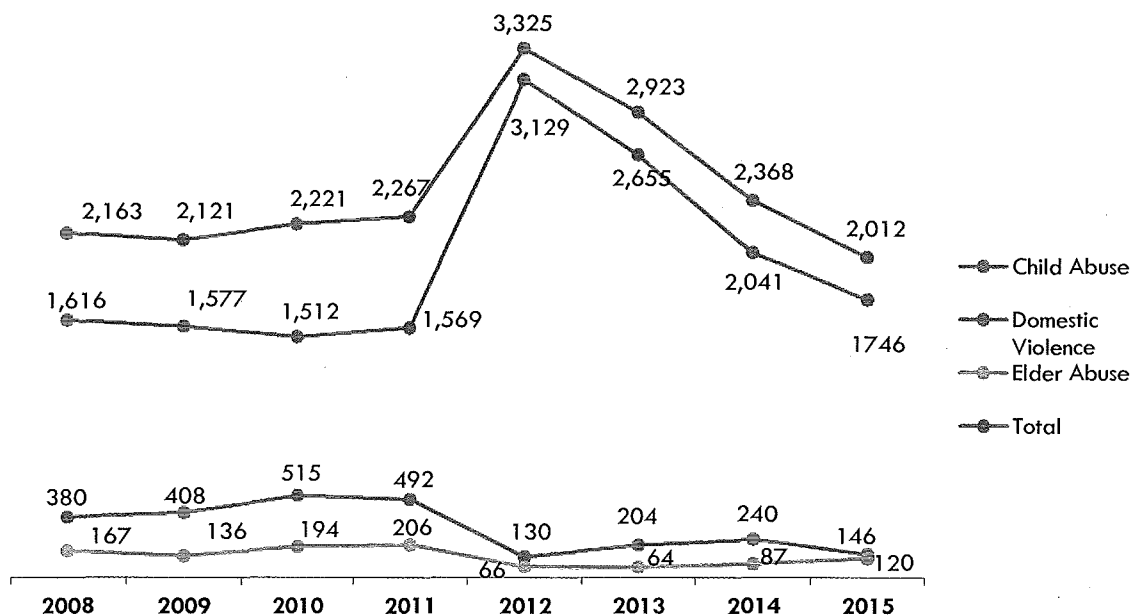
San Francisco police officers respond to cases child abuse, domestic violence, and elder abuse. The San Francisco Police Department Special Victims Unit (SVU) reviews and investigates felony family violence cases. The Department of Emergency Management may receive multiple calls to 911 for the same incident, or callers may call back to cancel a request for assistance, so the number of cases to which the police respond is less than the number of 911 calls. The Special Victims Unit received and assessed a total of 2,012 family violence cases in fiscal year 2015. Over the course of FY 2014, the Special Victims Unit had two different Captains. Additionally, the Unit had a staff of 55 individuals including: 3 Lieutenants, 42 investigators, 5 officers, 2 police service aides, and 2 interns.⁵⁴ In 2011, the Police Department was entirely restructured after having experienced staffing shortages due to mass retirements. Police Chief Greg Suhr consolidated four sections of the Special Victims Unit scattered in offices throughout the city and combined them with human trafficking investigations, which were previously handled by the Vice Crimes Unit. The 300-person shortage across the Police Department that began in 2011 has influenced SVU's state of flux in regard to staffing and case intake over the past five fiscal years.

The Special Victims Unit includes the Domestic Violence Section, Child Abuse Section, Sex Crimes Section, and Elder Abuse and Financial Crimes Section, which includes elder and dependent adult physical and financial abuse cases, as well as all fraud-related crimes in the City and County of San Francisco. There is a Lieutenant for each Section that is responsible for overseeing the investigation of its cases. Under this structure, all inspectors and officers working in the Special Victims Unit are cross-trained in the special skills and techniques necessary for investigating all types of cases that fall under the purview of the Unit. Thus, individual inspectors and officers may not be exclusively assigned to domestic violence, child abuse, elder abuse and dependent adult abuse, or fraud-related cases.

In response to deficiencies identifying in the *FY 2014 Family Violence Report*, the Police Department assigned three additional elder abuse investigators to the Special Victims Unit, which led to a 200 percent increase in the number of financial elder abuse cases investigated. However, the percentage of child abuse cases investigated declined by 20 percent, which may reflect a need to increase staffing overall in the Special Victims Unit.

⁵⁴ Represents the average, which is close to the actual personnel numbers; interns are not considered full time staff members and their participation can be considered to equal 1 full time staff person.

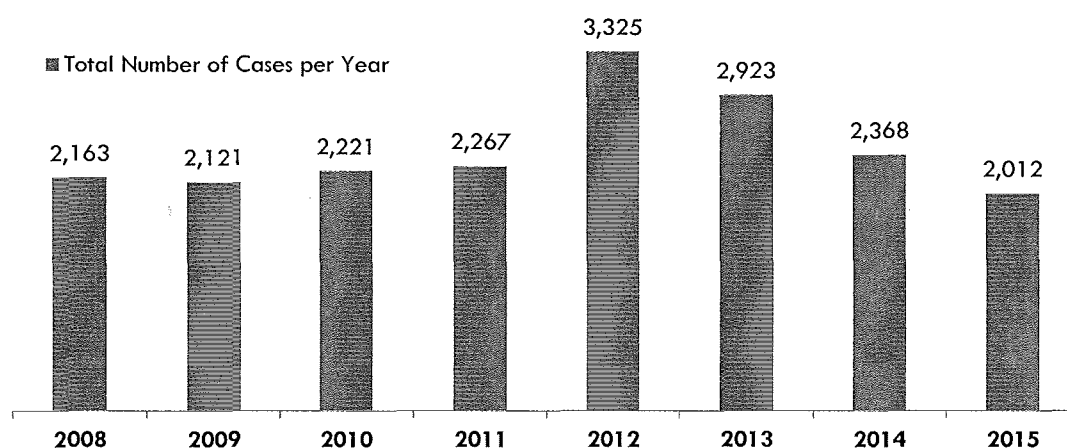
**San Francisco Police Department:
Cases Investigated by Special Victims Unit
FY 2015**



*San Francisco Police Department: Special Victims Unit
Number of Cases Investigated by Year
FY 2008-2015*

	2008	2009	2010	2011	2012	2013	2014	2015
Child Abuse	380	408	515	492	130	204	240	146
Domestic Violence	1,616	1,577	1,512	1,569	3,129	2,655	2,041	1,746
Elder Abuse	167	136	194	206	66	64	87	120
Total	2,163	2,121	2,221	2,267	3,325	2,923	2,368	2,012
% Change	N/A	-2%	5%	2%	47%	-12%	-18%	-15%

**San Francisco Police Department:
Total Number of Cases Investigated by Special Victims Unit
FY 2008-2015**



Based on recommendations from last year's report, this year's report percent also added additional categories to track, such as numbers of arrests and felonies referred to District Attorney's Office.

Child Abuse

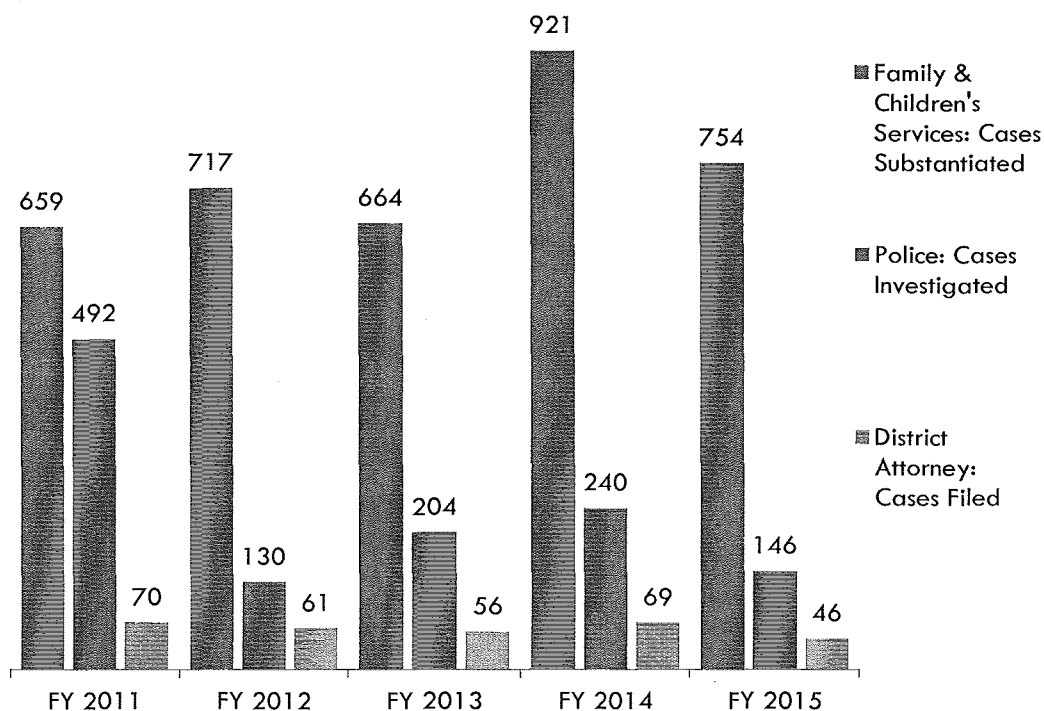
In FY 2015, 308 child abuse cases were reported to the police, a 23 percent decline from FY 2014. The Special Victims Unit investigated 146 cases in FY 2015 – 40 percent fewer than in FY 2014. They also investigated 20 percent fewer of the cases that were reported: 47 percent of reported cases in FY 2015 compared to 67 percent of cases in FY 2014. This may reflect a shifting of resources to elder abuse, which had increased rates of investigations

*San Francisco Police Department: Special Victims Unit
Child Abuse Statistics
FY 2011-2015*

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Incidents Reported ⁵⁵	545	2,959	5,078	401	308
Cases Investigated	492	130	204	240	146
Percent Investigated	90%	4%	4%	67%	47%
Arrests	Not previously reported	Not previously reported	Not previously reported	Not previously reported	58
Cases Referred to DA's Office After Investigation	Not previously reported	Not previously reported	Not previously reported	Not previously reported	92

⁵⁵ CPS must cross report all cases to SFPD. This number excludes cases reported to SFPD by CPS which do not meet the criminal definition of child abuse.

**City of San Francisco
Child Abuse Cross-Agency Comparison
FY 2011-2015**



Domestic Violence

In FY 2015, the combined number of cases referred to the District Attorney's Office for investigation and cases investigated by the Special Victims Unit decreased by 11 percent, from 2,358 to 2,115. For the third year in a row, the number of cases investigated by the Special Victims Unit dropped. Since FY 2012, there has been a 32 percent drop in the number of domestic violence calls to which the police department responds, but a 44 percent decrease in the number of domestic violence cases investigated. Roughly a third of domestic violence incidents to which the police respond result in an arrest. The Justice and Courage Committee of the Family Violence Council has identified a need to improve policies for follow up when a suspect is gone by the time the police arrive ("gone on arrival") and this will be a continuing area of work in the upcoming year.

Recommendation:

Improve protocols for following up with domestic violence cases when a suspect is gone on arrival.

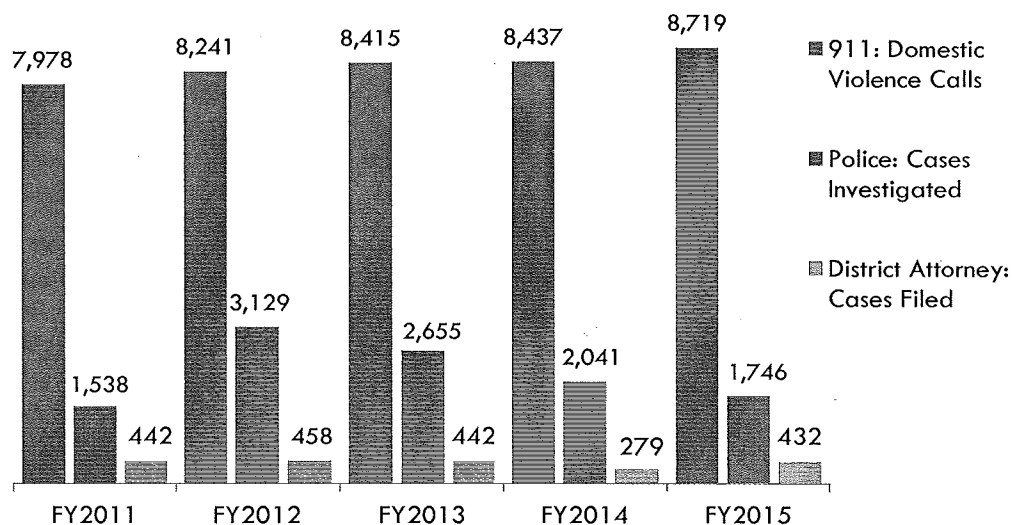
San Francisco Police Department: Special Victims Unit
Domestic Violence Statistics
FY 2011-2015

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Incidents Responded to by SFPD ⁵⁶	3,922	4,560	4,031	3,383	3,094
Arrests	Not previously reported	Not previously reported	Not previously reported	Not previously reported	1,116
Misdemeanor Arrests Referred to DA's Office for Investigation	529	444	348	317	369
Cases Investigated ⁵⁷	1,538	3,129	2,655	2,041	1,746
Felony Cases Referred to DA's Office After Investigation	Not previously reported	Not previously reported	Not previously reported	Not previously reported	1,343
Percent Investigated	45%	69%	66%	60%	56%

⁵⁶ This year's report has changed categories slightly to report "domestic violence incidents responded to" while prior reports tracked all domestic violence cases that were referred to the Special Victims Unit.

⁵⁷ Represents cases that make it to the investigatory stage.

**City of San Francisco
Domestic Violence Cross-Agency Comparison
FY 2011-2015**



Elder Abuse & Financial Crimes

The Elder Abuse and Financial Crimes Section oversees elder and dependent adult physical and financial abuse cases, and all fraud-related crimes. In FY 2015, the Unit investigated 25 percent fewer physical abuse cases. Investigations of financial abuse increased by 208 percent. Overall, elder abuse investigations are up 38 percent. This reflects implementation of a recommendation from last year's report, which was to put more resources into elder financial abuse.

*San Francisco Police Department: Special Victims Unit
Elder Physical Abuse Statistics
FY 2011-2015*

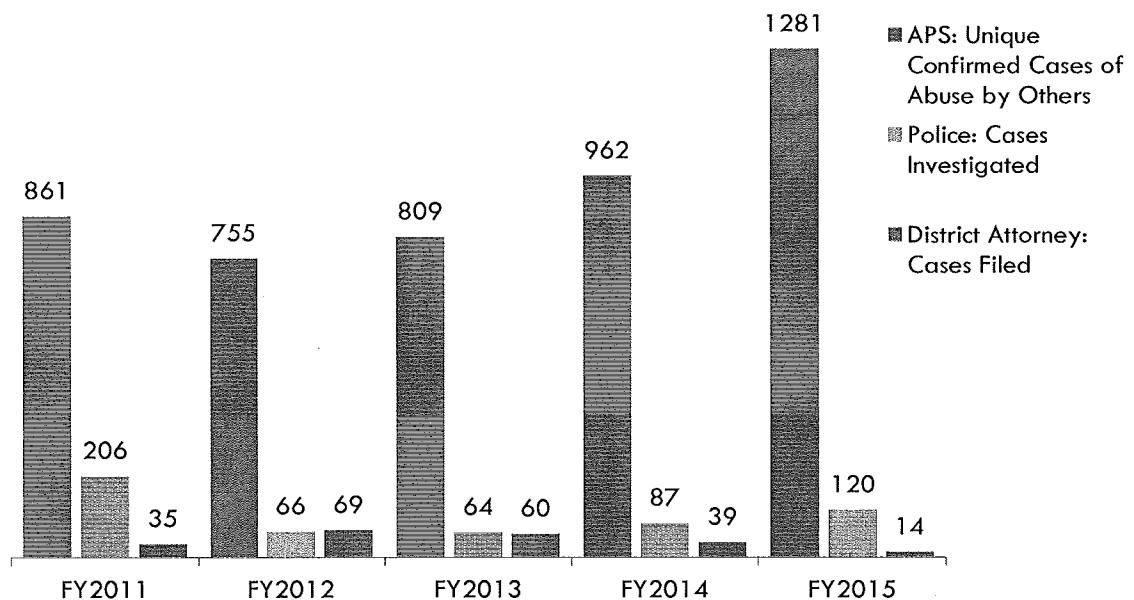
	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Incidents Reported ⁵⁸	67	57	65	95	71
Arrests	Not previously reported	Not previously reported	Not previously reported	Not previously reported	17
Cases Investigated	39	30	37	61	40
Cases Referred to DA's Office After Investigation	Not previously reported	Not previously reported	Not previously reported	Not previously reported	32
Percent Investigated	58%	53%	57%	64%	56%

⁵⁸ Excludes cases referred by Adult Protective Services that do not meet criminal definition of elder abuse.

San Francisco Police Department: Special Victims Unit
Elder Financial Abuse Statistics
FY 2011-2015

	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Incidents Reported ⁵⁹	445	70	62	94	501
Arrests	Not previously reported	Not previously reported	Not previously reported	Not previously reported	12
Cases Investigated	167	36	27	26	80
Cases Referred to DA's Office After Investigation	Not previously reported	Not previously reported	Not previously reported	Not previously reported	24
Percent Investigated	38%	51%	44%	28%	16%

City of San Francisco
Elder Abuse Cross-Agency Comparison
FY 2011-2015



⁵⁹ Excludes cases referred by Adult Protective Services that do not meet criminal definition of elder abuse.

PUBLIC DEFENDER

The Public Defender's Office in San Francisco utilizes a "holistic model" of indigent defense services, focusing not only on legal representation, but also on helping clients address the root causes of problems that may have led to their arrest. The Public Defender recognizes that contact with the criminal justice system offers a rare moment in which to address an individual's needs, including those beyond the realm of the legal system. By taking advantage of the unique relationship as a counselor to the client, public defenders can refer individuals to services for addiction, mental illness and unemployment, thereby providing alternatives to incarceration that promise better client, family, and community outcomes through decreased recidivism and healthier reentry into communities.

San Francisco Deputy Public Defenders are trained in evidence-based practices and understand the wide range of service needs of their clients. They are effective advocates for the use of alternative sentencing strategies and equally well versed in the legal issues and advocacy techniques required in the criminal justice process. Deputy Public Defenders are also responsible for identifying clients who are eligible for collaborative courts and other evidence based programs aimed at improving social and legal outcomes.

Children of Incarcerated Parents Program

Public Defender clients in the county jail avail themselves to the services of the Children of Incarcerated Parents Program, which is part of the office's Reentry Unit. The goals of these services are to insulate children from the risks associated with parental incarceration, maintain family bonds through the period of incarceration, and improve the ability of clients to participate in family life upon their release. The Children of Incarcerated Parents Program staff works with clients, their families, deputy public defenders, Human Services Agency, Child Support Services, Family Court, and a network of community-based treatment providers to respond to the needs of incarcerated parents and their families. The staff is uniquely positioned to address family needs that are created when a parent is taken into custody. Services provided include addressing the urgent needs of children, setting up contact visitation, assisting clients with family court issues, child support, reunification plans, connecting clients with Child Protective Services case managers, and connecting clients and their families to additional social services. Since its inception in 2000, the Children of Incarcerated Parents Program has helped hundreds of families in San Francisco overcome the numerous obstacles created as a result of the incarceration of a family member.

Clean Slate Program

The office's Clean Slate Program assists over 5,000 individuals each year who are seeking to "clean up" their records of criminal arrests and/or convictions. Clean Slate helps remove significant barriers to employment, housing, public benefits, civic participation, immigration and attainment of other social, legal and personal goals. The program, now in operation for over a decade, prepares and files over 1,000 legal motions in court annually, conducts regular community outreach, distributes over 6,000 brochures in English and Spanish, and holds weekly walk-in clinics at five community-based sites, in predominantly African American and Latino neighborhoods most heavily impacted by the criminal justice system. The Clean Slate Program has been instrumental in helping individuals obtain employment and housing, factors that help stabilize and strengthen families.

Family Violence Prevention

As shown by a growing body of scientific research, interventions that address the underlying causes of violent behavior and victimization are effective in preventing new instances of family violence. Without compromising the due process rights of individuals as guaranteed by the Constitution, the Public Defender is committed to utilizing evidence-based alternatives that address individual-level risks that perpetuate family violence. As a participating agency of the Family Violence Council, the Public Defender is committed to engaging in interagency collaboration and implementing preventative measures aimed at addressing family violence in San Francisco.

The Public Defender's Office has been very active in efforts to recognize child sex trafficking as a form of child abuse, and to prioritize San Francisco's use of the child welfare system to respond to commercially sexually exploited youth rather than the juvenile delinquency system. The Public Defender's Office was part of the Commercially Sexually Exploited Children Steering Committee that worked on new protocols for San Francisco in 2015.

PUBLIC HEALTH

The San Francisco Department of Public Health strives to reduce family violence both through public health prevention programs and by directly addressing family violence with patients seen in the Department of Public Health network of hospitals and healthcare clinics. Healthcare providers may be the first or only professionals to encounter and provide services to many victims of family violence. Although some victims of family violence may present with obvious injuries during a healthcare visit, it is far more common that they present with only subtle symptoms of repeated abuse or violence like chronic pain, depression, or exacerbation of chronic health problems. Therefore, treating and preventing family violence requires extensive training of healthcare staff, protocols to use in screening for and responding to family violence, and the development of educational materials for healthcare providers and staff.

Data on all forms of family violence in the healthcare setting can be captured in multiple different ways. Mention of family violence (child abuse, intimate partner violence, elder abuse) may be made in the text of a paper or electronic healthcare note. With charting of violence in the textual portion of a note, information on violence must be extracted by reading each healthcare note and, thus, is impossibly time-consuming to collect. Other ways of capturing data include the development of specific “standardized fields” in an electronic medical record that can be filled out to capture the results of a violence “screening” done by healthcare staff or providers. This method of capture makes digital extraction of the data possible. Yet healthcare providers may not fill out this “standardized field.” Finally, another way to capture data on all forms of family violence is through “billing code data” (called “ICD codes”). These are codes that describe the diagnoses made and counseling done during a healthcare encounter for purposes of billing. There are many diagnostic and counseling codes related to family violence. National data strongly suggests that these codes are underutilized in healthcare settings. (So, for example, a provider may code a “fracture” that was the result of abuse but not the abuse itself).

Both the San Francisco General Hospital Emergency Department and the Department of Public Health outpatient clinics have begun to document intimate partner violence in standardized fields in newly adopted electronic medical records systems. Because learning to use new electronic medical record systems is quite challenging, it is not expected that there will be a high level of documentation during the first several years. The Department of Public Health is committed to continuous improvement of these data collection systems.

The San Francisco General Hospital Emergency Department (SFGH ED) screens for intimate partner violence with triage nurses and other healthcare providers asking each patient about his/her/their intimate partner violence experiences. All patients identified as, or suspected to be, victims of intimate partner violence are offered treatment, counseling, and referrals to community services. Department of Public Health will provide SFGH ED data on a bi-annual basis beginning with this Family Violence Council Report.

The Department of Public Health outpatient primary care and women’s clinics also have an intimate partner violence protocol that was endorsed by the San Francisco Health Commission in 1998, mandating that healthcare providers in each clinic routinely screen for and address intimate partner violence with their patients. As with the San Francisco General Hospital

Emergency Department model, all patients identified as, or suspected to be, victims of intimate partner violence are offered treatment, counseling, and community resources.

In the new outpatient electronic medical record system, Department of Public Health established “searchable” fields for: (1) Physical and emotional intimate partner violence; (2) Sexual abuse by an intimate partner or another person; and (3) Contraceptive coercion (whether a partner tried to interfere with contraceptive method or tried to force a female patient to become pregnant). The electronic record system has now been implemented in all clinics. Training in the use of the intimate partner violence and contraceptive coercion fields has not yet been implemented in all clinics and, thus, utilization of this standardized field is still low. Widespread training in the use of this standardized field will be implemented in 2016-2017 as part of a new federally funded initiative.

In August 2015, University of California, San Francisco researchers, in partnership with the San Francisco Health Network (SFHN) and community-based organizations, were awarded a three-year grant from the Office of Women’s Health, U.S. Department of Health and Human Services to reduce interpersonal violence (IPV) and improve the safety and rights of IPV survivors. This partnership is known as ARISE (Aspire to Realize Improved Safety and Empowerment). The objectives of ARISE are: to increase the frequency and quality of IPV screening in healthcare; respond to women and girls who disclose IPV; use innovative intervention models; study the impact of interventions using a quasi-experimental design; and broadly disseminate results.

Department of Public Health

*Outpatient Primary Care Clinic Statistics**

FY 2015

	FY 2014		
Female Clients Screened: (number of female clients with completed standardized field in at least one of the three categories of abuse)	970	761	-22%
Female Clients with <u>Current</u> intimate partner violence: (number female clients with positive screen in any one of the three categories of abuse)	17	15	-12%
Female Clients with <u>Past</u> intimate partner violence: (number of female clients with positive screen for past abuse >1 year ago, in any one of the three categories of abuse)	78	40	-49%
Male Clients Screened: (number of male clients with completed standardized field in at least one of the three categories of abuse)	82	105	+28%
Male Clients with <u>Current</u> intimate partner violence: (number male clients with positive screen in any one of the three categories of abuse)	0	3	Small sample
Male Clients with <u>Past</u> intimate partner violence: (number of male clients with positive screen for past abuse >1 year ago, in any one of the three categories of abuse)	1	4	Small sample

*Clinics included in report: General Medical Clinic, Children's Health Center, Castro Mission Health Center, Family Health Center, Maxine Hall Health Center, Potrero Hill Health Center, Silver Avenue Family Health Center, Tom Waddell Urban Health Clinic

The decrease in female clients screened and female clients with past intimate partner violence most likely reflects a lack of consistent use of the intimate partner violence field in electronic records. Training of staff on using the field is planned for 2016. The 28 percent increase in male clients being screened is a positive sign that health care providers are recognizing all patients should be screened regardless of gender.

Department of Public Health Emergency Department – San Francisco General Hospital FY 2014 & 2015		
	FY 2014	FY 2015
Patients Treated by Emergency Department	62,373	66,214
Patients Screened for Intimate Partner Violence	52,638	56,054
Patients Screened for Intimate Partner Violence Not Applicable or Unable to Assess	11,183	10,595
Patients Screened Negative for Intimate Partner Violence	41,238	45,245
Patients Screened Positive for Intimate Partner Violence	217	214
Percent of Patients Who Are Screened	84%	85%
Percent of Screened Patients Positive for Intimate Partner Violence	.4%	.4%

For the first time the Department of Public Health is able to provide data on elder abuse and intimate partner violence at Laguna Honda Hospital.

Department of Public Health
Laguna Honda Hospital
FY 2015

	Reports of Abuse from Laguna Honda	Clients referred to Laguna Honda Hospital by Adult Protective Services*
FY 2013	2	10
FY 2014	15	7
FY 2015	11	14
*These numbers were derived from case notes that indicated cases closed (a) for the reason "Client placed in permanent or LTC facility" and (b) a text field for facility name containing "laguna honda." This may not be comprehensive (about 6 percent of cases closed for this reason do not have a specified facility) and this may not necessarily indicate that APS workers brought the client to Laguna Honda Hospital.		

Because many survivors of family violence do not feel safe or ready to disclose their experiences of abuse when asked by a healthcare provider, not all family violence survivors may be identified in the healthcare setting. Once survivors of family violence and sexual assault are identified within the Department of Public Health system, they are treated by their primary health care team and referred to community services. However, there are also a number of trauma-specific treatment programs within Department of Public Health to assist patients in recovering from the physical and emotional trauma they have experienced. This report includes data from the Trauma Recovery Center, the Child Abuse Intervention Program, and the Child Trauma Research Program.

Trauma Recovery Center

The Trauma Recovery Center (TRC) provides mental health and case management services to survivors of interpersonal violence, including intimate partner violence, sexual and other physical assaults, gang-related violence, survivors of political torture and more. The specific services provided include patient assessments and intakes, crisis services, case management, evidence-based individual and group mental health treatment, medication monitoring, and other miscellaneous services. The TRC's comprehensive model also includes pro-active outreach to clients and assistance with practical needs, components of care that are particularly important for urban underserved communities. TRC services are currently offered in 11 different languages. Rigorous evaluation has demonstrated that the TRC comprehensive care model reduces disparities in applications for state-level victim compensation funds for survivors who are young or homeless or have low levels of education. Other counties in California including Los Angeles, Long Beach, Stockton and Solano County have begun to replicate the TRC's comprehensive model of trauma care. The TRC is providing technical assistance to these programs. The passage of Proposition 47 in November 2014 will direct savings of several million dollars annually, from reduced prison and jail sentences, to replicate the TRC model in additional counties in California.

Department of Public Health

Trauma Recovery Center: Client Statistics

FY 2013-2015

	FY 2013	FY 2014	FY 2015	%Δ from FY 2014
Clients Served	742	715	776	+9%
New Clients	637	666	678	+2%
Units of Service	7,115	7,145	8,617	+21%

During Fiscal Year 2015, the Trauma Recovery Center served 776 clients who received 8,617 units of service. This represents a 21 percent increase in the units of service provided as compared to FY 2014. Each encounter with a client is designated as one unit of service. These encounters may occur in person at the Trauma Recovery Center, in the course of a home visit, or in the community. During this same period, the TRC received 678 new referrals. As some referral calls are received after hours, demographic information for gender, race, and type of trauma may not be collected on all referrals. The majority of clients were female (68 percent) and survivors of sexual assault (59 percent). These demographics reflect the role of the TRC in responding to all

acute sexual assault survivors seen in the Zuckerberg San Francisco General Hospital Emergency Department. All acute sexual assault survivors are offered a medical follow-up at TRC within five days of being seen in the Emergency Department. The TRC also saw 20 clients that were family members of victims. The mean age for all clients was 36. The full client population demographics follow.

*Department of Public Health
Trauma Recovery Center:
Client Statistics by Gender
FY 2015*

Gender	FY 2015
Female	452
Male	197
Unknown/Omitted	19
Transgender: M to F	9
Transgender: F to M	1
Total	678

*Department of Public Health
Trauma Recovery Center:
Client Statistics by Type of Trauma
FY 2012-2014*

Trauma	FY 2013	FY 2014	FY 2015
Sexual Assault	372	354	378
Other Assaults ⁶⁰	370	195	213
Domestic Violence		25	67
Family of Victim			20
Total	742	574⁶¹	678

⁶⁰ Shootings; stabbings; physical assault; other. Data was not broken out between other assaults and domestic violence before FY 2013-2014.

⁶¹ Value does not reflect total clients served. As mentioned in prior text, demographic data was not collected for some clients due to after-hours referrals.

*Department of Public Health
Trauma Recovery Center
Client Statistics by Race
FY 2015*

Race	FY 2015
White	177
Latina/o	121
African American	188
Asian Pacific Islander	61
Native American	48
Mixed Race	32
Other	34
Unknown/Uncoded	7
Declined to Answer	10
Total	678

Child Abuse Intervention Program

The Child Abuse Intervention Program (CAIP), which is under the larger umbrella of the Violence Intervention Program (VIP), is a treatment program designed in accordance with the California Penal Code as a condition of probation for those convicted of a child abuse offense. Clients are mandated by law to complete a minimum of 52 sessions of counseling, in a group setting, focusing on assisting clients to take responsibility for their child abuse offenses. Following Adult Probation Department referral, clients undergo an initial screening to determine suitability and a full psychosocial evaluation, which in most cases establishes medical necessity for treatment. The program includes teaching clients about child abuse prevention methods; anger, violence, and behavioral health treatment; child development and parenting education; substance use treatment linkage; psychiatric medication services; and case management. The membership of the group is fluid; clients graduate, withdraw, and join throughout the year.

The Child Abuse Intervention Program offered services to 12 clients in FY 2015. Of those 12 clients, five clients graduated from the program and two clients were discharged: one for excessive absenteeism and the other because of incarceration for an offense unrelated to child abuse. By the end of FY 2014-15, five individuals were enrolled. Criminal charges included child abuse (physical and mental) and/or endangerment in nine cases and three for child abduction. In

some of the cases involving endangerment, there were additional charges of abuse or willful cruelty and unjustifiable punishment.

**Department of Public Health
Child Abuse Intervention Program
Client Statistics
FY 2015**

	FY 2014	FY 2015
Total Clients Enrolled	19	12
Clients Remaining	11	5
Completed Treatment	3	5
Left Treatment	5	2

**Department of Public Health
Child Abuse Intervention Program
Statistics by Criminal Charge
FY 2015**

Child Abuse/Endangerment	9
Child Abduction	3

**Department of Public Health
Child Abuse Intervention Program
Demographic Statistics
FY 2015**

Age Range		Gender		Race/Ethnicity	
21-29	5	Male	5	African American	8
30-39	3			Caucasian	1
40-49	3			Asian/Pacific Islander	1
50-59	1	Female	7	Hispanic	2
				Other	8

Child Trauma Research Program

The Child Trauma Research Program (CTRP) is a program of the University of California, San Francisco Department of Psychiatry that serves families at San Francisco General Hospital (SFGH) and at community centers throughout San Francisco. CTRP provides assessment and intensive mental health services to children birth through five years of age who have been exposed to trauma, including family violence.

During FY 2015, 250 children received services at CTRP. It is important to note that roughly one third of children exposed to any trauma are exposed to multiple forms of trauma. In our program in FY 2015, 216 (28 percent) of the children treated had experienced multiple traumas. The primary traumas that led to referrals of children to CTRP were: 141 were referred for exposure to domestic violence, 14 were referred for exposure to community violence, 13 were referred for neglect, 13 were referred for separation from a primary caregiver, 12 were referred for sexual abuse, 10 were referred for physical abuse, 9 were referred due to the death of someone close, and 38 children were referred for other trauma exposures that did not fall into the above categories. Of the 250 families treated in FY 2015, 57 of these families were referred in FY 2014 or prior fiscal years but continued to receive services in FY 2015.

*Department of Public Health
Child Trauma Research Program Statistics
FY 2012-2014*

	FY 2013	FY 2014	FY 2015
Families Served by CTRP at SFGH & Community Centers	282	290 ⁶²	250

*Department of Public Health
Child Trauma Research Program
Statistics by Type of Trauma
FY 2013-2015*

Primary Type of Trauma Endorsed	FY 2013	FY 2014 ⁶³	FY 2015 ⁶⁴
Domestic Violence	144	102	141 (56.4%)
Separation from Primary Caregiver	45	25	13 (5.2%)
Physical Abuse	17	10	10 (4.0%)
Community Violence	11	11	14 (5.6%)
Loss of Close Relation	14	11	9 (3.6%)
Sexual Abuse	17	9	12 (4.8%)
Child Neglect	14	9	13 (5.2%)
Other traumas	20	34	38 (15.2%)
Unknown traumas	N/A	79	

Child and Adolescent Support Advocacy and Resource Center

The Child and Adolescent Support Advocacy and Resource Center (CASARC) is the Department of Public Health/UCSF partner for the Children's Advocacy Center (CAC). CASARC provides services for the CAC including forensic medical exams and interviews, mental health evaluation and treatment, and referrals. The CAC is described in further detail in the Child Abuse Prevention and Support Services Section.

⁶² 85 families were referred in FY 2012-2013 but continued services in FY 2013-2014.

⁶³ 216 children (74% of all children served) had experienced multiple traumas.

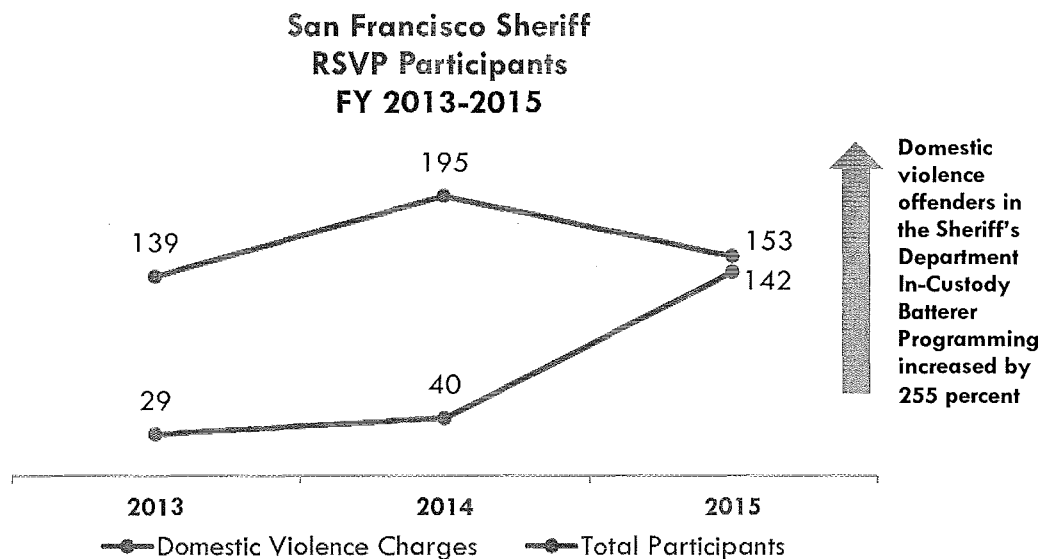
⁶⁴ 70 children (28% of all children served) had multiple traumas

SHERIFF

The San Francisco Sheriff's Department oversees three innovative programs related to family violence that it currently operates through its Custody and Community Programs Divisions: the Resolve to Stop the Violence Project, an in-custody program, the Out of Custody Violence Prevention Program, and the Survivor Restoration Program for victims.

Resolve to Stop the Violence Project

The Resolve to Stop the Violence Project (RSVP) is a survivor-centered program for in-custody offenders based on a restorative justice model. The mission of RSVP is to bring together all those harmed by crime, including victims, communities, and offenders. RSVP is driven by victim restoration, offender accountability, and community involvement. The goals of the program include empowering victims of violence, reducing recidivism among violent offenders, and restoring individuals and communities through community involvement and support in order to prevent future violence.



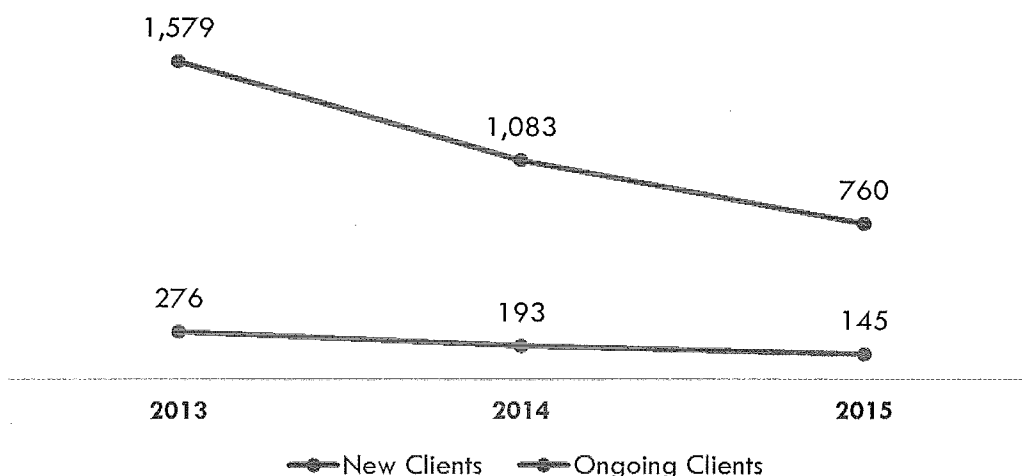
In 2015, 93 percent of RSVP participants were in custody on domestic violence charges, up from only 20 percent in 2014. A recommendation of the 2012/13 Family Violence Council Report was to prioritize persons coming out of the Domestic Violence Court for the RSVP program. The increase in RSVP participants with domestic violence charges addresses this recommendation. Since 2013, the percent of participants in custody for a family-violence related offense has been between 21 percent to 24 percent. It is the goal of the Sheriff's Department to reach half of participants with family violence-related offenses.

Survivor Restoration Project

The Sheriff Department's Survivor Restoration Project (SRP) is a component of the RSVP that focuses on supporting survivors through their own process of restoration and empowerment, while providing opportunities for them to contribute to the development, implementation, and evaluation

of all RSVP components. To this end, SRP offers direct services to the survivors of the violent offenders participating in RSVP's Offender Restoration component. In accordance with the Victims of Trafficking and Violence Prevention Act (VTVPA), the Sheriff's Department identifies qualified victims whether they are in custody or in a post release program and refers them to the SRP. In addition to referring clients to SRP, the Department's Criminal Investigation Unit has been authorized to complete the law enforcement certification step of the U-Visa process for immigrant survivors.

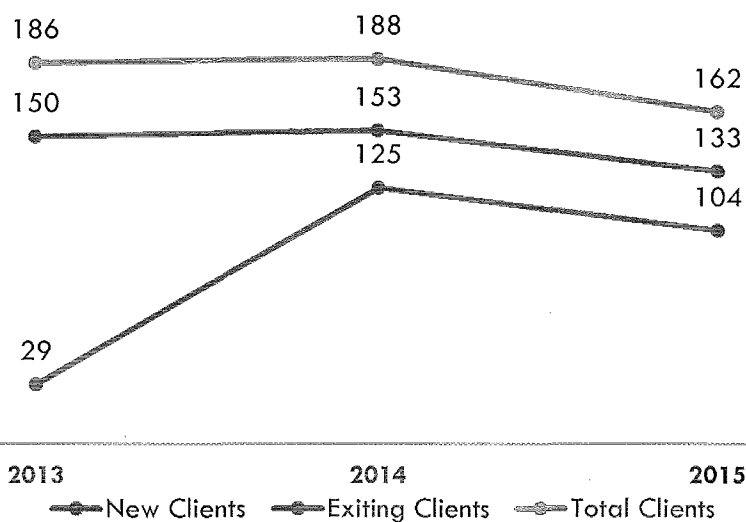
San Francisco Sheriff Survivor Restoration Program Clients FY 2013-2015



Out of Custody Community Program

The Sheriff's Department utilizes the Manalife Violence Prevention Program curriculum both in the jails and at community-based sites. There was a 40 percent drop in clients referred from RSVP. The data reflect the fluidity of open enrollment. For example, some people are terminated after one or more group sessions, while others could graduate a day after the end of fiscal year.

**San Francisco Sheriff
Manalife Participant Statistics
FY 2013-2015**



**San Francisco Sheriff
RSVP: Participant Statistics
FY 2013-2014**

	FY 2013	FY 2014	FY 2015
Domestic Violence Charges	29	40	142
Elder Abuse Charges	1	2	1
Child Abuse Charges	1	5	3
On Parole	18	18	7
Percent Family Violence	22%	24%	21%
Total Participants	139	195	153

**San Francisco Sheriff
Manalive: Client Statistics
FY 2013-2015**

	FY 2013	FY 2014	FY 2015
New Clients	29	125	104
Exiting Clients	150	153	133
Referred from RSVP Jail Program	23	14	22
Total Clients	186	188	162

**San Francisco Sheriff
Survivor Restoration Program: Client Statistics
FY 2013-2015**

	FY 2013	FY 2014	FY 2015
New Clients	276	193	193
Ongoing Clients⁶⁵	1,579	1,083	1,083
Total U-Visas Obtained	56	65	65
Political Asylum Granted	4	6	6
Permanent Residence Granted	10	12	12
Graduated from Empowerment Program	44	51	51

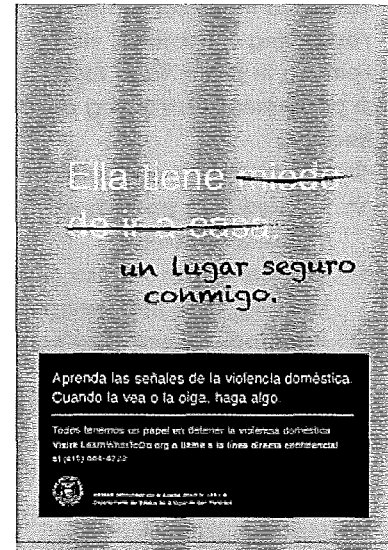
⁶⁵ These cases vary from a weekly phone call check to on-going long term critical cases from previous years.

STATUS OF WOMEN

The Department on the Status of Women staffs the Family Violence Council and its various subcommittees. Highlights of the Department's family violence related activities in FY 2015 include:

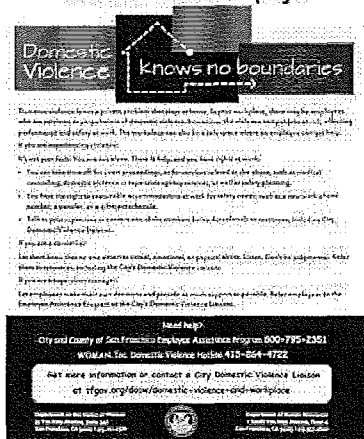
Domestic Violence Public Outreach Campaign

In October 2015, the Department launched a domestic violence outreach campaign aimed at bystanders. Messages encouraged friends, family and co-workers to get involved in helping someone who was abused or calling out abusive behavior if they witness it. Ads ran on MUNI busses and bus shelters and data from the 2014 *Family Violence Council Report* was used to place ads in neighborhoods identified as generating the most domestic violence calls to 911. Ads also ran on Facebook, and, in a first, on dating websites and apps such as OK Cupid and Grindr. The ads ran in English, Spanish and Chinese, and included multiple relation types to be inclusive of LGBT communities. Ads linked to a website, LearnWhatToDo.org, which contained resources on how to help a survivor of intimate partner violence. The ads had almost 9 million impressions, including over 250,000 on Facebook, and click through rate double the national average for ads. The campaign received a 2016 Award of Excellence in the Crisis Communications/Public Safety category from the California Association of Public Information Officials.



Domestic Violence and the Workplace

We all have a role to play!



Domestic Violence in the Workplace: Domestic Violence Liaison Program

The Department on the Status of Women, in partnership with the Human Resources Department, created the Domestic Violence Liaison Program to provide support for City employees experiencing domestic violence. The Department designed a Domestic Violence in the Workplace poster that was distributed to City work sites, and recruited and trained 40 city employees to become Domestic Violence Liaisons, to help guide co-workers experiencing abuse to support and resources.

SUPERIOR COURT

Domestic Violence

Survivors of domestic violence can request a restraining order from the Family Law Division of the San Francisco Unified Family Court. Civil domestic violence restraining orders are available for cases involving a current or former intimate partner or spouse, a person with a child in common, or family to the second degree, which include in-laws but not cousins. The majority of persons requesting a domestic violence restraining order receive a temporary restraining order, which remains in place from the date of filing until a hearing scheduled within 25 days, to determine if a permanent restraining order will be granted. There are a number of dispositions possible at the hearing:

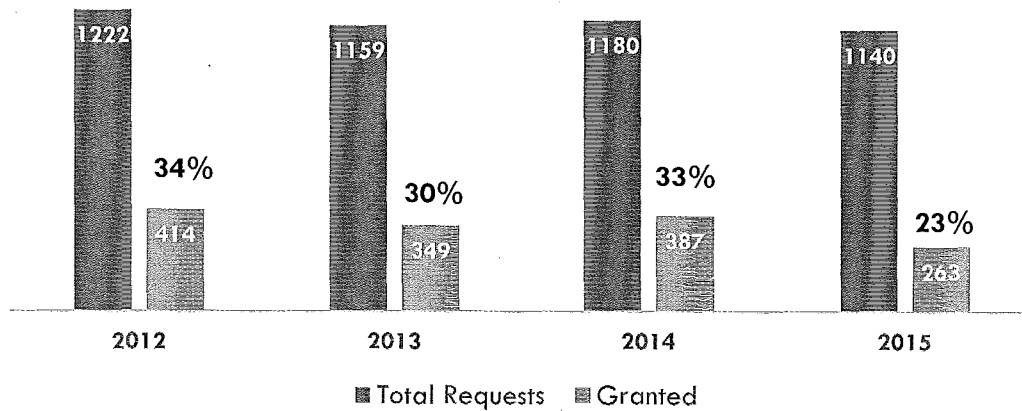
- ❖ **Granted:** The petitioner receives a permanent restraining order.
- ❖ **Denied:** The petitioner does not receive a permanent restraining order, and the temporary order is removed.
- ❖ **Off-Calendar:** A case may be removed from the calendar if the petitioner does not attend the hearing, or if the petitioner indicates that he or she no longer wants the restraining order.
- ❖ **Pending:** A case may not have been resolved by the close of the fiscal year, June 30.

Other dispositions may include:

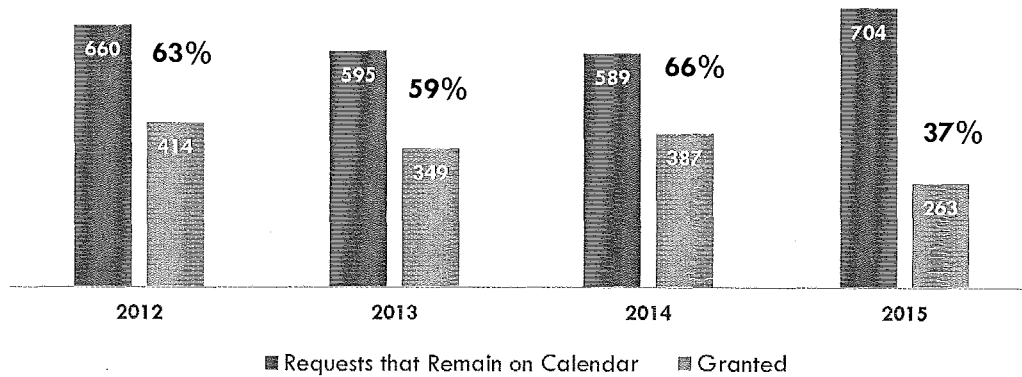
- ❖ **Continued:** The most common reason for a continuance, or a rescheduling of the hearing, is the inability to find and serve the respondent with the order prior to the hearing date.
- ❖ **Dismissal:** The judge may determine the case should be dismissed, or it could be dismissed at the request of the petitioner.
- ❖ **Set for Trial:** Instead of a hearing in front of a judge, some restraining order requests require a trial with witnesses and testimony to determine a disposition.

In Fiscal Year 2015, the Family Law Division of the San Francisco Superior Court received 1,140 requests for domestic violence restraining orders. Of these requests, 263 were granted: 23 percent of the total requests and 37 percent of requests that remain on calendar.

**San Francisco Superior Court
Disposition of DV Restraining Order Requests
FY 2012-2015**



**San Francisco Superior Court
Dispositions of DV Restraining Order Requests for Cases
That Remain On Calendar
FY 2012-2015**



*San Francisco Superior Court
Dispositions of Domestic Violence Restraining Order Requests Family Court
FY 2012-2015⁶⁶*

	FY 2012	FY 2013	FY 2014	FY 2015
Requests ⁶⁷	1222	1159	1180	1140
Granted	414	349	387	263
Percent Granted	34%	30%	33%	23%
Off Calendar	562	564	591	436
Denied	112	132	82	85
Percent Granted that Remain on Calendar	63%	59%	66%	37%
Other Disposition ⁶⁸	36	71	125	85
Pending	2	4	3	6

Elder Abuse

Restraining order requests can be submitted to protect any individual 65 years of age and older or for dependent adults who have physical or mental limitations that restrict their ability to carry out normal activities.

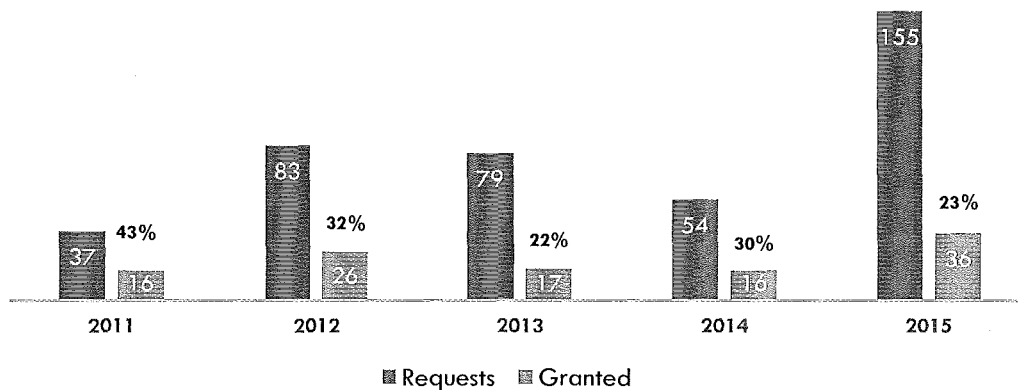
The Probate and Civil Harassment Courts received a joint total of 155 requests for elder or dependent adult abuse restraining orders in FY 2015. The total number of requests has increased 187 percent from FY 2014. Of requests for restraining orders, 36 were granted: 23 percent of total requests and 24 percent of requests that remain on calendar. Only one request was denied. Following the trend established in FY 2013, the majority of these cases (65 percent) received other dispositions, which means they were continued, dismissed, or set for trial.

⁶⁶ The information in this table does not include restraining orders requested in Criminal Court as part of a criminal prosecution.

⁶⁷ Because more than one temporary restraining order may be issued in the same case before a final decision is made, we have decided to more accurately reflect the number of persons requesting restraining orders, which has changed this data from previous years.

⁶⁸ Other Disposition includes cases continued per reissuance of order to show cause, dismissed, set for trial, advanced, or vacated.

**San Francisco Superior Court
Dispositions of Elder and Dependent Adult Abuse
Restraining Order Requests
FY 2011-2015**



The overall increase of the elder population, more awareness and advocacy surrounding elder and dependent adult abuse, and more accurate filing practices on the part of the Superior Court could all contribute to an increase in Elder and Dependent Adult Abuse restraining order requests.

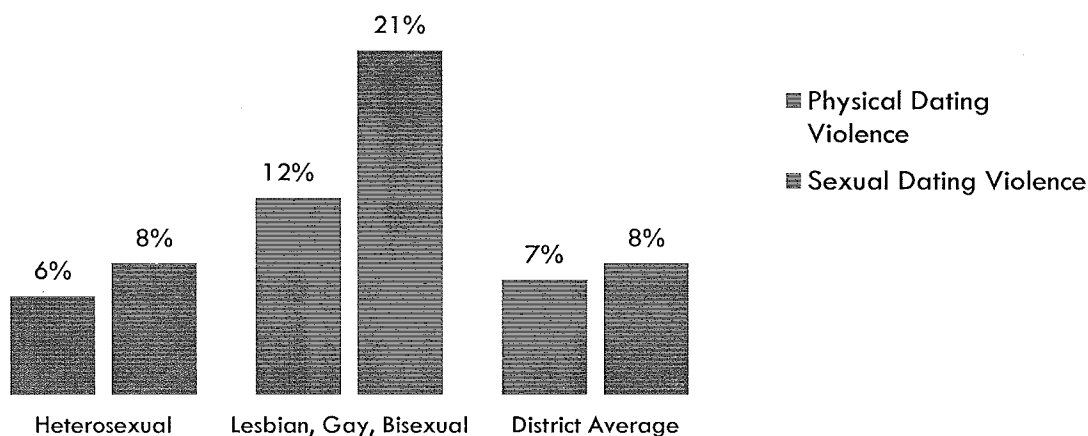
*San Francisco Superior Court
Dispositions of Elder and Dependent Adult Abuse
Restraining Order Requests Probate and Civil Harassment Courts
FY 2013-2015*

	FY 2013	FY 2014	FY 2015
Requests	79	54	155
Granted After Hearing	17	16	36
Percent Granted	22%	30%	23%
Denied	22	2	1
Off Calendar	15	9	6
Other Disposition	67	41	100
Pending	0	0	12

UNIFIED SCHOOL DISTRICT

The Student, Family, and Community Support Department (SFCSD) of San Francisco Unified School District (SFUSD) provides a broad range of specialized services and programs to support SFUSD students and their families beyond the classroom. SFCSD has a variety of prevention and intervention services to address the needs of students experiencing violence. These include: professional development for teachers and staff; violence prevention curricula across K-12; school social workers and nurses in elementary and middle schools, high school Wellness Centers; health promotion staff such as Health Advocates in elementary, LGBTQ Support Liaisons and Youth Outreach Coordinators in middle and high schools; and programs addressing the needs of youth at disproportionate risk including Support Services for LGBTQ Youth, Mentoring for Success, and Caminos.

Physical & Sexual Dating Violence Prevalence Among High School Students Who Date SY 2014-2015



This graph shows the SY2014-15 violence prevalence results from a set of high school students who date. Physical violence was defined as being physically hurt on purpose one or more times during the past year. Sexual violence was defined as being forced to do sexual things that you did not want to do one or more times in the past year.

Due to the low unweighted sample size, results for transgender students are likely not representative and not included in the graph. However, research studies indicate that transgender students are at disproportionate risk for physical and sexual dating violence.

Youth Risk Behavior Survey

Every two years, SFUSD administers the Center for Disease Control and Prevention's Youth Risk Behavior Survey (YRBS)⁶⁹ to a random sample of students across all SFUSD middle and high schools, and uses the data to examine risk factors present in students' lives. Data from the most recent survey, covering school year 2014-15, found among high school students who dated, rates of physical dating violence at 6 percent (n=929) for heterosexual students; and 12 percent (n=82) for lesbian, gay, or bisexual students. Sexual dating violence occurred at 8 percent (n=922) for heterosexual students, 21 percent (n=81) for lesbian, gay, or bisexual students.

Violence Prevention Education

As of May 31 15, SFUSD had 481 school-wide health events reported for SY2014-15 across grades K through 12. "Violence Awareness" was among the top five focus areas for the presentations that were held, which included events such as workshops, student-led campaigns, and school-wide resource fairs, among others.

Based on SFUSD's Comprehensive Program Monitoring (CPM) data, violence prevention education efforts in elementary schools for SY 2014-15 demonstrates that evidenced-based violence prevention lessons were taught by 661 teachers. Lessons also included violence prevention curriculum from "tribes," "caring school community," "restorative practices," and lessons developed by teachers. Violence Prevention lessons were the most commonly taught health education lessons by teachers who submitted CPM data.

SFUSD has designated November as "Violence Prevention" month and January as "Building Friendships and Healthy Relationships" month. During these months, SFUSD stresses coordinated efforts to provide classroom curricula around peer violence, family violence, and teen relationship issues for teachers to implement. Additionally, throughout the school year, Wellness Center staff, school social workers, nurses, health advocates, and LGBTQ support liaisons organize workshops at various elementary, middle, and high schools throughout the district. These workshops aim to educate, create public awareness, and equip students with tools and resources to recognize and address community violence as they present themselves in children's lives.

Trauma-Informed Care

SFUSD provides ongoing trauma-informed care training. Since 2013, all SFUSD social workers, nurses, high school Wellness Coordinators, and Community Health Outreach workers have received Complex Trauma training. These staff are required to complete a three-part training

⁶⁹ Standard CDC Youth Risk Behavior Survey Questionnaires can be accessed at: http://www.cdc.gov/healthyyouth/yrbs/questionnaire_rationale.htm

series: Trauma 101 – Addressing Complex Trauma in Schools, Trauma in Schools – Strategies for Promoting School Success, and Creating a Safe and Supportive School Community.

Trainings are also offered to school psychologists, special education and pupil services staff. Two-hour trauma basics sessions are offered to school counselors, teachers, central office administrators and content specialists. Staff are also encouraged to join a trauma-informed Professional Learning Community (PLC) to examine ways they can assist their colleagues to be more trauma sensitive. PLC training includes:

- “Teacher Consultation Strategies for Trauma Sensitive Schools”
- “Promoting Resilience and School Success by Creating Trauma-Sensitive, Safe and Supportive Schools”

In addition, site-based trauma professional development is provided by a Project Prevent Grant awarded to SFUSD by the U.S. Department of Education.

APPENDIX A: SAN FRANCISCO FAMILY VIOLENCE COUNCIL MEMBERS FY 2015

Agency	Family Violence Council Representative
Adult Probation Department	<i>Mark Hudgins, Ramona Massey, Sunny Schwartz, Andrea Wright</i>
Batterer's Intervention Programs	<i>Antonio Ramirez</i>
Board of Supervisors	<i>David Chiu, Iris Wong</i>
Commission/Department on the Status of Women	<i>Nancy Kirshner-Rodriguez, Dr. Emily Murase, Minouche Kandel</i>
Department of Aging and Adult Services	<i>Jill Nielsen</i>
Department of Animal Care & Control	
Department of Child Support Services	<i>Karen Roye, Freda Randolph Glenn</i>
Department of Children, Youth, & Their Families	<i>Aumijo Gomes</i>
Department of Emergency Management	<i>Robert Smuts, Cecile Soto</i>
Department of Public Health	<i>Dr. Leigh Kimberg, Carol Schulte</i>
Department of Human Resources	<i>Susan Gard</i>
District Attorney's Office	<i>Elizabeth Aguilar Tarchi, Marianne Barrett, Gena Castro Rodriguez, Julius DeGuia, David Merin, Jackie Ortiz</i>
Domestic Violence Consortium	<i>Beverly Upton</i>
Fire Department	<i>Mindy Talmidge</i>
Human Services Agency	<i>Sylvia Deporto</i>
Juvenile Probation Department	<i>Chief Allen Nance, Paula Hernandez</i>
Mayor's Office	<i>Paul Henderson</i>
Police Department	<i>Sgt. Tony Flores, Capt. Teresa Gracie, Capt. Joseph McFadden, Lt. Edward Santos, Lt. Trenia Wearing</i>
Public Defender's Office	<i>Carmen Aguirre, Simin Shamji</i>
San Francisco Child Abuse Prevention Center	<i>Katie Albright, Abigail Stewart-Kahn</i>
San Francisco Elder Abuse Prevention Center	<i>Shawna Reeves</i>
San Francisco Unified School District	<i>Erik Martinez</i>
Sheriff's Department	<i>Delia Ginorio, Kathy Gorwood, Ali Riker</i>
Superior Court	<i>Judge Kathleen Kelly, Judge Anne-Christine Massullo</i>

Jerel McCrary, from Bay Area Legal Aid, serves as the Family Violence Council representative for the Sentencing Commission.

APPENDIX B:

FIVE YEAR PLAN TO ADDRESS FAMILY VIOLENCE

In the spring of 2016, the Mayor's Office requested the Family Violence Council to develop a Five Year Plan to Address Family Violence. The Council put together an ambitious plan. While this took place beyond 2015, we include this here to document the vision of what it would take to comprehensively address family violence in San Francisco.

5-Year Plan to Address Family Violence

San Francisco has made some important strides in the past decade in responding to family violence. In 2007, the Family Violence Council emerged from the prior Domestic Violence Council, incorporating child abuse, domestic violence and elder abuse, with recognition that forms of family violence are linked. For almost four years, from 2010-2014, we were able to go 44 months without a domestic violence homicide. We have created a state of the art Child Advocacy Center, and recently put more law enforcement resources into investigating elder abuse.

However, we can do more to “connect the dots,” among many inter-related forms of violence including family violence, address family violence more vigorously, and facilitate collaboration with other violence prevention efforts in the City. Addressing family violence should be incorporated into initiatives like the Trauma Informed Systems Initiative at the Department of Public Health, the Our Families, Our Children Council, and the Interrupt, Predict, and Organize effort, and other important violence prevention programs in San Francisco. The various efforts to prevent and respond to violence in San Francisco present an opportunity for synergistic collaboration. By prioritizing and responding to risk factors and cultivating protective factors that are shared across multiple forms of violence our violence prevention efforts will be more successful. Wherever possible, institutions should also incorporate screening for high lethality potential risk factors and doing multi-system case review of potential high lethality cases.

The following recommendations build out in part from the recommendations contained in the *FY 2014 Family Violence Council Report*, published in late 2015. The recommendations prioritize solutions that cut across disciplines, and work together to strengthen San Francisco’s response to the various forms of family violence. They aim to change attitudes, beliefs, norms, and practice towards family violence by: training the city workforce and the public; expanding access to services through linguistically accessible and culturally competent programs; sustaining a network of public and community based service providers through increased funding; and leveraging collaborations and multi-disciplinary work groups. The recommendations put prevention in the foreground and focus on root causes of violence. The recommendations were assembled with input from members of the Family Violence Council and related stakeholders, and are listed in order of priority.

1. Direct Services to Address Family Violence

A. Child Abuse: Screening conducted with children and families for child abuse and childhood exposure to violence and linkage to direct family support services that strengthen protective factors.

(\$275,000/year in Year 1 to \$975,000/year in Years 2-5 through the Joint Funders for Family Resource Centers Initiative—HSA, DCYF, First 5)

\$150,000 to develop and evaluate a child screening tool/protocol to effectively identify and link at-risk children and their families to services. (Years 1-5)

\$125,000 to provide training and technical assistance annually to child and family serving organizations in order to improve direct services including identification of at-risk children as well as implement direct service best practices to build Protective Factors. (Years 1-5)

\$700,000 in increased support for Family Resource Centers via Joint Family Resource Center Initiative with a focus on building families’ protective factors. (Years 1-5)

Child Abuse, as all forms of family violence, is a complex public health issue requiring a tiered and sophisticated prevention and response approach. San Francisco has invested with success in the child abuse response system and has invested somewhat less so in a citywide approach to prevention. The Our Children Our Families Outcome Framework -Measure A3 focuses on the reduction of child maltreatment. To make this prevention system possible, a robust screening, linkage and support service response for prevention should be developed. Happily, the majority of the pieces of this system already exist in our community. With some increased investment, these systems could be connected and aligned to maximize our collective impact.

To carry the impact of the Training Institute (below) further towards the prevention of child abuse, child-serving government and non-government entities require increased resources to put into direct practice their learnings regarding risk and protective factors. The “Five Protective Factors” are the foundation of the Strengthening Families Approach: parental resilience, social connections, concrete support in times of need, knowledge of parenting and child development, and social and emotional competence of children. Research studies support the common-sense notion that when these Protective Factors are well established in a family, the likelihood of child abuse and neglect diminishes. Research shows that these protective factors are also “promotive” factors that build family strengths and a family environment that promotes optimal child and youth development. But how can we take this research and common-sense and provide direct services to families to lower their risk and increase their protective factors?

Critical to the implementation of a public health response to child abuse is consistent screening for child abuse by child-serving professionals to determine level of risk and protective factors in a family. While some of this screening will inevitably lead child-serving professionals to make mandated reports to Family and Children’s Services for those at highest risk, many children screened have risk factors for abuse and low family protective factors but do not reach the level of abuse required for reporting or, once a report is made, do not reach the legal definitions of abuse. Finding appropriate support for those at risk but not yet abusive family environments is challenging, even with successful implementation of Differential Response and similar programs. The City’s 25 Family Resource Centers provide critical infrastructure to support low, medium and high-risk families to provide services designed to raise a family’s capacity to raise children in healthy, non-abusive environments. Increased funding to the Family Resources Centers via the Joint Funders to provide Protective-Factors based direct services would mean that, once families are screened and identified, there would be a robust, culturally and linguistically competent, community-based and protective factor-focused set of agencies better able to support them.

Goal: Increase child-serving organizations capacity to effectively prevent child abuse through services that directly increase protective factors in families. Increase capacity to properly screen for child abuse, respond/refer to organizations based on the level of risk through expanded resources for direct services to non-profit Family Resource Centers and through tools, training and technical assistance to Family Resource Centers.

Year 1 Objectives:

- Increase capacity of Family Resource Centers to prevent child abuse by providing services that directly increase protective factors in families.

- Develop an effective screening tool for child abuse and family protective factors for implementation at all child and family serving agencies contracting with the city and child serving departments;
- Require child serving agencies to attend Training Institute discussed above or other forms of training to increase knowledge of family violence and learn how to take action.

Year 2 Objectives:

- Begin implementation of screening tool for child abuse and family protective factors;
- Provide increased funding to Family Resource Centers via the Joint Funders to adequately staff, train and support child and family serving agencies on best practices to build protective factors aligned with the Protective Factors Framework. Create mechanisms to identify and evaluate effective interventions;
- Provide funding for technical assistance to those Family Resource Centers interested in adopting best practices and developing programmatic or organizational outcomes based on the Protective Factors Framework.

Year 3 Objectives:

- Continue implementation and testing of screening tool for child abuse and family protective factors;
- Identify promising practices that effectively build protective factors and share learnings with Family Resource Centers;
- Provide funding for technical assistance to those Family Resource Centers interested in developing programmatic or organizational outcomes based on the Protective Factors Framework.

Year 4 Objectives:

- Evaluate screening tool for child abuse and family protective factors for efficiency and effectiveness. Adjust tool as appropriate;
- Continue to identify promising and established practices that effectively build protective factors and share learnings with Family Resource Centers;
- Provide funding for technical assistance and capacity building to Family Resource Centers interested in implementing promising/best practices that build protective factors.

Year 5 Objectives:

- Evaluate and refine screening tool for efficiency and effectiveness;
- Evaluate promising practices that build family protective factors;
- Increase adoption of promising practices that build family protective factors.

- B. Domestic Violence: Sustain and expand San Francisco's existing and innovative domestic violence prevention and intervention services (\$900,000-\$1,000,000 annually) (Few to no new City positions are required; additional funds would go mostly to direct service providers and those they serve.)**

Over 20,000 San Francisco residents and visitors reach out to the community for domestic violence prevention and intervention services annually. A network of approximately 25 non-profit organizations work with survivors of domestic violence and their children to help ensure their safety and self-determination. This network has 30+ years of successful strategies in collaboration with the

Department on the Status of Women. Shelter, legal services, 24-hour crisis line, therapeutic services, group work and community building are the backbone of San Francisco's successful model.

A dashboard of the current issues facing the network of domestic violence and stalking service providers includes, but is not limited to:

- Innovative work regarding Language Access and an environment of cultural awareness is critical to removing barriers, creating opportunities for survivors, and improving the criminal justice system's response to, and prevention of, domestic violence in all communities.
- Cultural awareness regarding the LGBT community is key, with a particular need for attention to issues facing transgender victims of violence, including homicide, who are subject to wrongful arrests, unconscious bias and disrespect by some in law enforcement and the courts.
- The housing crisis in San Francisco affects public safety when victims of domestic violence fear that leaving their abusive homes will result in homelessness. Domestic violence is a leading cause of homelessness among women and children nationally.
- The housing crisis is also affecting domestic violence service providers. Advocates, community based attorneys and program directors are being forced out of the city by rising rents and evictions. This silent epidemic has gone largely unaddressed for those working in non-profits. Not only does this serve to reduce the connectedness of the service providers to the City, but it can be a barrier to 24 hour, in-person response to the needs of survivors and their children.
- CBO sustainability is a crisis in San Francisco. Those who have given their lives and careers to serve our most vulnerable are finding themselves underpaid, overworked and traumatized by their work with no resources or relief in sight.
- Employment is key to survivors as they struggle to attain self-sufficiency. We must do more to connect survivors to employment services and public benefits.
- Immigration policy can inhibit survivors from calling for help, particularly if they fear ICE detention for their partners or themselves.
- Regain trust for law enforcement and the criminal justice system by policy improvement, community building, and reform efforts. Recent events such as racist and homophobic texts, officer-involved domestic violence and stalking, and officer involved shootings have caused intense mistrust among many communities. This leaves the non-profit community responding to more and more dangerous calls for help, putting staff at greater danger, emboldening perpetrators, and, ultimately, putting the public at greater risk.
- Protecting children is a common goal among Family Violence Council members and the communities they serve. Fear of having one's children removed as a result of calling 911 poses a large threat to many domestic violence survivors. More must be done to mitigate the unintended consequences of our efforts to "save children" from witnessing domestic violence.

- Those who work with domestic violence and stalking perpetrators provide vital and potentially life-saving services to the community. More must be done to build bridges and affect policy and practice in Batterer Intervention Programs.
- Government and community engagement must be encouraged and supported. Responding to domestic violence homicides, marking significant occasions such as Domestic Violence Awareness Month, and joining celebrations of safety and justice help to build community, understanding of the issues, and send a message to the public that we are united in our concern for their safety and well-being and that of their children.
- Most of the victims of our latest domestic violence-related homicides were not connected to services. We need to continue raising awareness and spreading the word of hope and safety. Every resident of San Francisco needs to know that help exists and how to access it.
- Related to the earlier recommendation on gun relinquishment, the use of firearms is now more prevalent in domestic violence-related abuse and homicides.

Goal: Sustain and expand the network of Violence Against Women and Domestic Violence-related services to meet the needs of San Francisco's diverse communities.

Year 1 Objectives

- Housing & Services for Clients: Augment funding for Violence Against Women services by 10% - 20% to invest in residential, non-residential, legal and prevention services, in order to meet the needs of clients, maintain their safety and well-being;
- Employment: Encourage and fund existing and new partnerships among domestic violence agencies, non-profit work-readiness programs, and City Departments to develop job programs for domestic violence survivors;
- Immigration: Uphold San Francisco's Sanctuary City Ordinance. Hold Town Hall-type discussions on Domestic Violence, Immigration and ICE detention;
- Trust in Law Enforcement:
 - Increase training for all law enforcement officers on Limited English Proficient issues and increase recognition and certification of bilingual officers. Hold town hall-type discussions around the City on domestic violence and violence against women. Identify officers at each district station that would be contacts for the violence against women/family violence service providers to contact when there is a problem with getting a police report or other issues;
 - Review methods to improve prosecution of restraining order violations with District Attorney's Office, so that abusers will be held accountable for ignoring court orders;
- Protecting Children: The Police Department, Family & Children's Services, and the domestic violence community should partner to monitor data on the effectiveness and/or unintended consequences of any cross-reporting policies, and hold the Police Department and the Domestic Violence community accountable for the safeguards that they agreed to in 2015 that have yet to be implemented. All stakeholders should be able to discuss these difficult issues openly and honestly;

- Perpetrators: Support the work of the Adult Probation / Domestic Violence Consortium “Batterers Intervention Audit Team;” and the work of the Batterers Intervention Programs offered in the community and through the Sheriff’s Department;
- Provide several trauma-informed trainings per year for Violence Against Women non-profit staff. Bring the Trauma Stewardship Institute to provide trainings;
- Government & Community Engagement: Implement a joint response to domestic violence homicides, such as a vigil, a presence at memorials and family-requests. Domestic violence homicides should not go unnoticed in our City;
- Raising Awareness: Demonstrate strong collaboration during Domestic Violence Awareness Month. Light City Hall purple for the entire month of October, and issue press releases raising awareness about the services available. Contract with a media consultant to help the City and the Violence Against Women community based organizations tell their story and raise awareness;
- Gun Safety: Domestic violence service providers should be invited to partner with City departments and the Mayor’s Office on gun safety discussions, homicide debriefing and legislation.

Year 2 Objectives

- Housing & Services for Clients: Continue General Fund investment and expand transitional housing programs;
- Employment: Assess effectiveness of vocational programming for survivors of domestic violence/sexual assault and the estimated financial impact of these programs on survivors, their families and the City. Continue support for the Department on the Status of Women/Department of Human Resources Domestic Violence Liaison Program;
- Immigration: Maintain San Francisco’s commitment to be a Sanctuary City;
- Trust in Law Enforcement: Conduct a full audit of the Special Victims Unit and report results to Commission on the Status of Women, the Mayor’s Office, the Police Commission and the Board of Supervisors;
- Protecting Children: Track outcomes for families experiencing domestic violence and CPS intervention, and compare with community-based assistance;
- Perpetrators: Support and highlight existing work and community building with the Batterer Intervention Program provider community;
- Government & Community Engagement: Increase engagement with a City / Community meet & greet;
- Raising Awareness: Review and begin to implement the recommendations from the media consultant;
- Gun Safety: Make domestic violence a high priority in the gun safety conversation. Address domestic violence in gun buy-backs and other efforts.

Year 3 Objectives

- Housing & Services for Clients: Sustain investment and expansion of community-based services;
- Employment: Expand workplace protections for survivors;
- Immigration - Continue to meet the needs of immigrant survivors;

- Trust in Law Enforcement: Earn the trust of the community by holding accountable officers that do not adhere to Police Department general orders and policies;
- Protecting Children: Explore ‘non institutional’ partnerships to increase safety and reduce trauma for children who witness domestic violence;
- Perpetrators: Create a forum to hear from domestic violence offenders and those who work with them, to be hosted by the San Francisco Domestic Violence Consortium;
- Government & Community Engagement: Include advocates and violence against women leaders in events with other jurisdictions. Share our best practices and learn from neighboring communities about what is working;
- Celebrate non-profit advocates that risk their lives on a daily basis to do this work;
- Raising Awareness: Expand media strategy and monitor outcomes;
- Gun Safety: Work with San Francisco legislators to write and pass legislation that raises the bar on gun relinquishment in addition to the ongoing work;

Year 4 Objectives

- Housing & Services for Clients: Continue investment and support. Measure, assess and adjust based on outcomes and need;
- Employment: Measure, assess and adjust based on outcomes;
- Immigration: Continue bold efforts to protect immigrant survivors and their families;
- Trust in Law Enforcement: Measure, assess and adjust based on outcomes;
- Protecting Children: Explore innovative programs such as a summer camp for children affected by domestic violence and trauma;
- Perpetrators: Continue community building. Address women’s domestic violence-related criminal justice involvement;
- Government & Community Engagement: Continued engagement;
- Raising Awareness: Measure, assess and adjust based on calls to the community and 911;
- Gun Safety: End gun related domestic violence homicides in San Francisco.

Year 5 Objectives

- Housing & Services for Clients - Continue investment and expansion.
- For all prior objectives: celebrate accomplishments, adjust where necessary and work on next draft of the Family Violence plan.

C. Elder Abuse: Build out direct services for older adults and adults with disabilities who are victims of abuse (\$883,184 /year)

Fund 1 FTE Forensic Accountant at a community based organization, through Department of Aging and Adult Services (\$80,000/year);

Fund 1 FTE case manager at a community based organization, through Department of Aging and Adult Services (\$100,000/year);

Fund 1 FTE therapist, at a community based organization, through Department of Aging and Adult Services (\$100,000/year);

Allocate \$50,000 for shelter beds through Department of Aging and Adult Services;

Allocate \$50,000 for assisted living/board and care placements through Department of Aging and Adult Services;

*Hire 1 FTE 1823 Senior Administrative Analyst at Dept. of Public Health (\$157,000/year);
Hire 1 FTE Assistant District Attorney (\$162,000/year);
Hire 1 FTE Elder Abuse Inspector at Police Department Special Victims Unit (\$184,184/year);*

San Francisco has a significant older adult population, but services for older adults and adults with disabilities who are victims of abuse have not received the same kind of resources as other areas of family violence. The housing crisis in San Francisco has made elders particularly vulnerable to financial abuse connected to their mortgages and improper evictions. Funding for additional staff to investigate elder abuse at the Police Department, prosecute elder abuse at the District Attorney's Office, and provide prevention, intervention, and continuing case management services in the community are all needed.

Goal: Improve San Francisco's response to Elder Abuse.

Year 1 Objectives

- Secure funding for additional staff at the Police Department and District Attorney's Office to focus on financial abuse and abuse in long term care facilities.
- Secure funding for an additional staff person at the Department of Public Health to focus on the health care system's response to abuse of older adults and adults with disabilities;
- Explore the development of a hotline for caregivers of older adults/adults with disabilities, similar to the Talk Line, which would provide support and resources for caregivers feeling stressed or overwhelmed;
- Begin collaboration between Family Violence Council and new Department of Homelessness on developing best models for providing emergency shelter to abused older adult/adults with disabilities.

Year 2 Objectives

- Create a supervised visitation / family reunification program for elders abused by adult family members, coordinated with the District Attorney's Office and Probation Department;
- Hold a hearing on the crisis of low-income elders facing eviction based on protected fair housing categories such as age and disability (hoarding, etc.). Coordinate with Department of Aging and Adult Services, the Human Rights Commission, Department of Fair Employment and Housing, Department of Housing and Urban Development, Asian Law Caucus, Asian Pacific Islander Legal Outreach, and other local nonprofit fair housing organizations (Project Sentinel, Housing Equality Law Project, etc.);
- Hire a forensic accountant for the San Francisco Elder Abuse Forensic Center and train Adult Protective Services workers on forensic investigation techniques, collection of evidence, etc.;
- Fund specialized shelter beds for adults with disabilities/older adults who are victims of abuse;
- Fund assisted living placements or board and care placements for older adults/adults with disabilities who are victims of abuse.

Year 3 Objectives

- Create a specialized case management program for survivors of older adult/adults with disabilities abuse in San Francisco. This program would not have income requirements and would be available to current and former Adult Protective Services clients. The program would include mental health services for older adults/adults with disabilities abuse, and provide for both support groups and home-based counseling for those who are homebound;
- Institute an evidence-based program for training first responders and emergency dispatch on responding to elder abuse, based on San Diego's training program.

Year 4 Objectives

- Measure, assess and adjust based on outcomes and need.

Year 5 Objectives

- Measure, assess and adjust based on outcomes and need.

2. Create a Training Institute on Prevention and Response to Family Violence (\$307,000/year)

Hire 1 FTE 1823 Senior Administrative Analyst at Dept. on the Status of Women (\$157,000/year)

Fund 2 FTE Community Advocates through Dept. on the Status of Women (\$150,000)

Multiple city agencies require on-going training on family violence to ensure they are responding effectively to cases of child abuse, domestic violence, and elder abuse. It has been eight years since the City last offered the Domestic Violence Response Cross-Training Institute, which trained over 430 criminal justice personnel from the Police Department, Adult Probation, Sheriff's Department, District Attorney's Office and Department of Emergency Management. This innovative model of training professionals across agencies helped the participants understand how their role fit into the overall response to domestic violence, and the challenges for victims in navigating systems. An independent evaluator rated the Institute as "a very important advance in the governmental response to...domestic violence."

Developing a permanent Training Institute and broadening its scope to focus on both prevention and response as well as child abuse and elder abuse would institutionalize this best practice, significantly improving the City's direct service response and prevention of family violence. San Diego has developed a training program for first responders to elder abuse that could be incorporated into the training. The Institute could also engage an even broader sector of city employees who come into contact with victims of family violence (like EMT workers or library staff), and provide targeted trainings to particular agencies in addition to the cross sector trainings. For prevention, the key themes should be teaching all city employees about all forms of family violence with specific focus on knowledge development, cultivation of protective factors as well as understanding the adverse effects when children are exposed to family violence, recognition and the importance of screening, and how to take action when risk or violence is identified, including heightened response when high risk factors are identified. The Institute could also work with individual agencies to ensure that their protocols reflect best practices on preventing and responding to family violence.

The person staffing the Training Institute could also help oversee implementation of the other components of this 5 Year Plan.

Goal: Improve San Francisco's prevention and response to family violence.

Year 1 Objectives

- Hire 1 FTE staff at DOSW;
- Develop Request for Proposal for 2 FTE community advocates to assist with training and protocol development and issue Request for Proposal and award grants;
- Create curriculum for Cross Training Institute;
- Oversee implementation of 5 Year Plan to Address Family Violence.

Year 2 Objectives

- Provide 10 8-hour Cross Training Institutes;
- Develop tailored curriculum for particular city agencies and provide 10 3-hour targeted trainings;
- Assist one city agency with updating its family violence protocols;
- Train 20% of staff of participating agencies in Cross Training Institutes by end of Year 2;
- Oversee implementation of 5 Year Plan to Address Family Violence

Year 3 Objectives

- Provide 10 8-hour Cross Training Institutes;
- Provide 10 3-hour targeted trainings to particular city departments;
- Assist a second city agency with updating its family violence protocols;
- Train 40% of staff of participating agencies in Cross Training Institutes by end of Year 3;
- Oversee implementation of 5 Year Plan to Address Family Violence

Year 4 Objectives

- Provide 10 8-hour Cross Training Institutes;
- Provide 10 3-hour targeted trainings to particular city departments;
- Assist a third city agency with updating its family violence protocols;
- Train 60% of staff of participating agencies in Cross Training Institutes by end of Year 4;
- Oversee implementation of 5 Year Plan to Address Family Violence.

Year 5 Objectives

- Provide 10 8-hour Cross Training Institutes;
- Provide 10 3-hour targeted trainings to particular city departments;
- Assist a fourth city agency with updating its family violence protocols;
- Train 80% of staff of participating agencies Cross Training Institutes by end of Year 5;
- Oversee implementation of 5 Year Plan to Address Family Violence.

3. Gun relinquishment program for family violence offenders

Hire 1 FTE 8302 Deputy Sheriff at Sheriff's Department (\$110,000/year)

Getting firearms out of the hands of domestic abusers is a critical step to preventing family violence homicides. Women who are threatened with a gun during a domestic violence incident

are more than 20 times more likely to be murdered. In 80% of cases, the lethality is reduced when firearms are removed. California and federal law prohibit a person who is restrained by a civil or criminal protective order from possessing a firearm. California domestic violence restraining orders require the restrained party to surrender any firearms, but if they do not do so voluntarily, there is no consistent method in which the gun surrender is enforced. The California Attorney General's office has a program, the Armed and Prohibited Persons System, which is supposed to remove guns from the possession of persons prohibited from having a gun, but as of the end of 2015, the APPS program had a backlog of over 12,691 unrecovered firearms statewide. The APPS program does not review the actual restraining order applications to gather information on firearm possession, and only retrieves firearms from persons who legally purchased or registered their firearm.

San Mateo County has implemented a Domestic Violence Firearms Compliance Unit through their Sheriff's Department, in which one full time deputy reviews every restraining order that is issued to determine whether the protected party believes the restrained party has access to firearms, and also cross references databases of registered gun owners to identify restrained parties who have guns. This program goes beyond the Attorney General's program. By reading the domestic violence restraining order applications, it is able to include *unregistered* firearms that the restrained party may possess. The deputy then actively works to recover the guns, either through voluntary surrender or through law enforcement efforts to recover the firearm.

Since January 2014 there have been several domestic violence homicides each year in San Francisco, and at least two involved firearms. Instituting a family violence firearms surrender program could help prevent future homicides.

Goal: Remove firearms from family violence offenders to prevent future homicides.

Year 1 Objectives

- Consult with relevant agencies and determine best model for the program;
- Hire 1 FTE to run the program;
- Develop protocols for the program.

Year 2 Objectives

- Begin gun relinquishment activities;
- Increase by 20% the number of guns identified in restraining orders that are removed from offenders;
- Create and implement public outreach campaign to inform community groups about the program so they can inform their clients at risk of gun violence about the program.

Year 3 Objectives

- Continue gun relinquishment activities;
- Increase by 10% the number of guns that are removed from offenders.

Year 4 Objectives

- Continue gun relinquishment activities;
- Maintain the number of guns that are removed from offenders.

Year 5 Objectives

- Continue gun relinquishment activities;
- Maintain the number of guns that are removed from offenders.

4. Improve Language Access for Victims of Family Violence

(\$175,000)

Fund 1 FTE Community Based Advocate through Office of Civic Engagement and Immigrant Affairs to lead process to develop best practices on enhancing language access for family violence cases (\$75,000/year);

Implement pilot project to provide Language Line access at no cost to family violence non-profits receiving city funding (\$100,000/year);

After best practices are identified, provide funding for in-person interpreters for city and non-profit providers serving victims of family violence, cost TBD.

Limited English Proficient victims of family violence face additional barriers to reporting abuse and receiving services. Many victims are unable to even make a police report at district stations due to lack of personnel who speak their language, face long wait times for assistance, or are uncomfortable utilizing interpretation services. Language assistance services for victims are difficult to obtain in a timely manner for many departments working with children, adults and elders. For example, interpreter services for on-going investigation of child abuse are not guaranteed without 24 hours' notice. Community based organizations also struggle to provide optimal language services in all the needed languages of their clients.

Goal: A family violence victim speaking any language shall be able to receive appropriate response and services, in a timely and culturally appropriate manner, from both city departments and non-profit agencies.

Year 1 Objectives

- Pilot a program to provide Language Line access at no cost to certain family violence non-profit service providers receiving grants from the City;
- Continue the work of the Limited English Proficient (LEP) Workgroup that currently consists of Domestic Violence and Sexual Assault service providers, the San Francisco Domestic Violence Consortium, District Attorney's Office, the Office of Citizen's Complaints and the Police Department. Help to fully implement the Police Department Limited English Proficient General Order (DGO 5.20 from 10/17/07);
- Ensure that all Police Department public facing personnel are continuously trained on language access protocols and how to approach or serve individuals for whom English is not a primary language and/or who are hearing impaired in a culturally appropriate manner;
- Ensure all Police Department officer phones are loaded with Language Line account information and train all officers in using Language Line;
- Create a card in multiple languages that is posted on the City's website and can be downloaded that says "My preferred language is _____. Please provide me an interpreter" that limited English proficient victims can use to notify city department staff about their preferred language. Customize "I Can Help You" guide cards for public facing employees to use;
- Increase outreach to increase number of bilingual police recruits;

- Hire or reassign more Department of Human Resources staff to test bilingual/signing employees on written skills and to re-test all bilingual employees or oral/signing skills every three years;
- Create a list of all bilingual/signing employees at the police department (both sworn and civilian) who might be available to help with interpretation/translation;
- Create a database of all bilingual/signing employees of the City and community volunteers, including their interpretation skill level, who may be available to assist during crisis or emergency situations;
- Create a video in multiple languages to play at Police Department district stations which informs limited English proficient victims of their language access rights;
- Create a Police Departmental bulletin that if a district station cannot take a victim's report within 30 minutes, they shall assist the victim in making an appointment with the Special Victims Unit to file the report;
- Develop Request for Proposal for 1 FTE community advocate to oversee development of best practice model for providing timely, culturally appropriate services to limited English speaking survivors of family violence, and issue Request for Proposal and award grant;
- Once position is filled, explore best models for providing in-person interpretation in various settings, both for city departments and non-profit agencies, including but not limited to exploration of: (1) Improving quality and timely accessibility of contracted translation services for departments serving victims of family violence; (2) Creating a new job classification in the City for staff whose primary purpose is to interpret/translate for multiple City departments, and determining which agency should house them; (3) enabling departments to hire their own interpreters/translators; (4) creating a multi-lingual access model of bilingual interpreters/translators specifically trained in working with victims of family violence.

Year 2 Objectives

- At least 15% of new police recruits will be certified bilingual;
- Conduct outreach campaign to non-profits that work with limited English proficient clients on the new "please provide me with an interpreter" card;
- Begin testing bilingual staff on written skills and re-testing all bilingual staff on oral/signing skills every three years;
- Set up devices in Police Department district stations that can play the language access rights video and train district staff on how to utilize the video;
- Complete recommendation for best practices for providing timely, culturally appropriate services to limited English speaking survivors of family violence.
- Report out on recommendations and progress of Limited English Proficient Workgroup to Commission on the Status of Women, the Mayor's Office, the Police Commission and the Board of Supervisors.

Year 3 Objectives

- At least 20% of new police recruits will be bilingual.
- Fund and implement recommendation for best practices on for providing timely, culturally appropriate services to limited English speaking survivors of family violence;

- Continue to report out on recommendations and progress of Limited English Proficient Workgroup to Commission on the Status of Women, the Mayor's Office, the Police Commission and the Board of Supervisors.

Year 4 Objectives

- At least 25% of new police recruits will be bilingual;
- Continue to fund, implement recommendations, and report out on best practices for providing timely, culturally appropriate services to limited English speaking survivors of family violence.

Year 5 Objectives

- At least 25% of new police recruits will be bilingual;
- Continue to fund, implement recommendations, and report out on best practices for providing timely, culturally appropriate services to limited English speaking survivors of family violence;
- Celebrate accomplishments, adjust where necessary, and work on next draft of the Family Violence plan.

5. Sexual Assault System Reform: Invest in Sexual Assault Response Team (\$307,000)

*Hire 1 FTE 1823 Senior Administrative Analyst at Dept. on the Status of Women (\$157,000/year);
Fund 2 FTE Community Advocates through Dept. on the Status of Women (\$150,000/year)*

The City has staffed interagency work groups that advocate for system reform in the areas of family violence and human trafficking, but no similar resources exist for sexual assault. The Department of Public Health runs the Sexual Assault Response Team, but they do not currently have resources to pursue broad systemic reform. In 2015, the state legislature enacted AB 1475, which set state guidelines for county Sexual Assault Response Teams. Pursuant to AB 1475, Sexual Assault Response Teams should: provide a forum for interagency cooperation and coordination, assess and make recommendations for the improvement in the local sexual assault intervention system, and facilitate improved communication and working relationships to effectively address the problem of sexual assault in California. This law creates an opportunity to strengthen and expand the work of our existing Sexual Assault Response Team. The issues around underserved populations, sexual assault on campus, and the need to improve how sexual assault victims are treated in our criminal justice system require a dedicated staff person who can amplify and expand the work of the existing Sexual Assault Response Team to address systemic issues, as well as support from community based advocates providing direct services to lend their expertise to both prevention and system advocacy.

Goal: Improve San Francisco's Response to Sexual Assault

Year 1 Objectives

- Hire 1 FTE to staff the expanded Sexual Assault Response Team;
- Identify key stakeholders to participate in the expanded Sexual Assault Response Team;
- Develop Request for Proposal for 2 FTE community advocates, with one dedicated to prevention efforts and another assisting with policy and system advocacy, and issue Request for Proposal and award grants;

- Hold listening sessions with victims, advocates and government agency staff in order to review local sexual assault intervention undertaken by all disciplines and gather suggestions on how to promote effective intervention and best practices.

Year 2 Objectives

- Expanded Sexual Assault Response Team (SART) to build on existing meetings of the current SART and meet at least bi-monthly to undertake, among other issues:
 - An assessment of relevant trends, including drug-facilitated sexual assault, the incidence of predatory date rape, and human sex trafficking;
 - An evaluation of the cost-effectiveness and feasibility of a per capita funding model for local sexual assault forensic examination teams to achieve stability for this component of the SART program;
 - An evaluation of the effectiveness of individual agency and interagency protocols and systems by conducting case reviews of cases involving sexual assault;
 - Plan and implement effective prevention strategies and collaborate with other agencies and educational institutions to address sexual assault perpetrated by strangers, sexual assault perpetrated by persons known to the victim, including, but not limited to, a friend, family member, or general acquaintance of the victim, predatory date rape, risks associated with binge alcohol drinking, and drug-facilitated sexual assault.
- Collect data and publish a report on Sexual Assault in San Francisco, similar to the Family Violence Council Report and the Mayor's Task Force on Anti-Human Trafficking report.

Year 3 Objectives

- Continue objectives from Year 2.

Year 4 Objectives

- Continue objectives from Year 3.

Year 5 Objectives

- Continue objectives from Year 4.

6. Non Profit Sustainability

Cost to be determined in collaboration with Mayor's Office and Controller's Office

San Francisco's non-profits are a crucial element of the City's response to family violence. Increasing costs of wages, rents and other organizational expenses in the City are creating significant hardships for non-profits. Organizations are struggling to keep staff -- many of whom are early responders to family violence -- who can afford to live in or close enough to work in the City, and struggling to meet increasing health insurance costs, rising rents and building operational costs. When agency staff cannot live in or near the City, a 24-hour, in-person response to the needs of survivors and their children can be compromised.

City contracts with non-profits should reflect a sustainable cost of doing business which includes a living wage for the staff who provide crucial services to victims of family violence, adequate coverage for rising health insurance costs, and increases for operational costs of rented and owned facilities.

Goal: Ensure that non-profits providing services to victims of family violence are able to recruit/maintain staff to provide those services.

Year 1 Objectives

- Work with the Mayor's Office, Controller's Office, and other working groups on Non-Profit Sustainability to determine the actual cost of doing business for non-profits serving victims of family violence (including: living wages, health insurance increase, and facilities' operation increases), pegged to the real rate of inflation;
- Request additional funding to be included in city contracts with non-profits providing services to victims of family violence to cover the real cost of doing business, including a living wage;
- Survey available city properties that could be rented to non-profit agencies;
- Develop legislation to require new commercial developments to either make a certain percentage of their property available at below-market rents to non-profit agencies that provide essential services to city residents, or pay into a fund to develop office space or provide rental subsidies for those non-profit agencies;
- Explore a BMR (below market rate) program for non-profit workers struggling to remain residents in San Francisco.

Year 2 Objectives

- Include increases pegged to actual cost of doing business including a living wage in city contracts with non-profits serving victims of family violence;
- Explore the possibility of the City purchasing a large building that it could make available for non-profits providing essential services to city residents;
- Enact legislation to require new commercial developments to either make a certain percentage of their property available at below-market rents to non-profit agencies that provide essential services to city residents, or pay into a fund to develop office space or provide rental subsidies for those non-profit agencies;
- Fully implement the Below Market Rate housing program for non-profit staff;
- Measure outcomes of efforts so far. Monitor and expand progress. Report out this information to Commission on the Status of Women, the Mayor's Office, and the Board of Supervisors.

Year 3 Objectives

- Include increases pegged to actual cost of doing business including a living wage in city contracts with non-profits serving victims of family violence;
- Create an ongoing task force to implement aforementioned programs, monitor progress, and report out to the Commission on the Status of Women, Mayor's Office and the Board of Supervisors;

Year 4 Objectives

- Include increases pegged to actual cost of doing business including a living wage in city contracts with non-profits serving victims of family violence;

- Measure outcomes of efforts so far. Monitor and expand progress. Report out this information to Commission on the Status of Women, the Mayor's Office, and the Board of Supervisors.

Year 5 Objectives

- Include increases pegged to actual cost of doing business including a living wage in city contracts with non-profits serving victims of family violence;
- Measure outcomes of efforts so far. Monitor and expand progress. Report out this information to Commission on the Status of Women, the Mayor's Office, and the Board of Supervisors;
- Celebrate accomplishments, adjust where necessary, and work on next draft of the Family Violence plan.

7. Hire a staff person to pursue state and federal grants related to family violence

Hire 1 FTE 1823 Senior Administrative Analyst at Mayor's Office (\$157,000/year)

Every year, San Francisco leaves hundreds of thousands of dollars on the table by failing to apply for state and federal grants that address family violence. Creating collaborations to apply for these grants and putting together the applications is a time intensive process for which many city departments do not have adequate staffing. Dedicating resources towards a person who could coordinate with other city departments and community based organizations and apply for grants would pay for itself in several years with the monies obtained from grants. City agencies applying for grants should make every effort to avoid competing with the City's community based organizations for funding. In evaluating collaborations with community based organizations in applying for funding, the City should make every effort to include a wide scope of the City's anti-family violence direct-service providers and other community based organizations.

Goal: Increase funds available to city departments and non-profits to address family violence. Maintain a stream of at least \$300,000 in outside funding per year.

Year 1 Objectives

- Hire 1 FTE to develop and apply for grants;
- Survey city agencies and Family Violence Council on needed programs;
- Create centralized data base of all family violence related grants currently received by city departments;
- Research grants and apply for at least one federal or state grant and two other foundations, corporate or private grants to address family violence.
- Obtain at least \$150,000 in funding for both city and non-profit agencies.

Year 2 Objectives

- Apply for at least two federal or state grants and ten other foundations, corporate, private or other grants to address family violence. Target area of family violence (i.e. child abuse, domestic violence or elder abuse) not addressed by prior funding.
- Obtain at least \$300,000 in new grants for both city and non-profit agencies.

Year 3 Objectives

- Apply for at least two federal or state grants and ten other foundations, corporate, private, or other grants to address family violence. Target area of family violence (i.e. child abuse, domestic violence or elder abuse) not addressed by prior funding.
- Maintain a stream of at least \$300,000/year in outside funding for city and non-profits.

Year 4 Objectives

- Apply for at least two federal or state grants and ten other foundations, corporate, private, or other grants to address family violence.
- Maintain a stream of at least \$300,000/year in outside funding for city and non-profits.

Year 5 Objectives

- Apply for at least two federal grants and ten other foundations, corporate, state or other grants to address family violence.
- Maintain a stream of at least \$300,000/year in outside funding for city and non-profits.

8. Assess, address, and prevent root causes of violence

(\$157,000/year)

There is a growing body of work from the public health world on the connections between different forms of violence, and how individual violence links to violence in the home, neighborhood and broader community. For example, children exposed to violence in the home by an abusive parent can have similar risk and protective factors as children exposed to violence in the community. In San Francisco, there are many initiatives and programs that address violence prevention. Some of these programs address limited aspects of the violence prevention puzzle, and others comprehensively address both violence and trauma. Synergistic effects could be realized if there were shared evidence-based practices and coordinated efforts amongst all violence prevention groups.

- Engage with university researchers to provide local recommendations on strategies to assess, address, and prevent root causes of violence. Neutral outside researchers should analyze San Francisco's current landscape of violence prevention work, and make recommendations on how San Francisco can best collectively address risk factors and bolster protective factors for various forms of violence.
 - The Department on the Status of Women also recommends hiring 1 FTE 1823 Senior Administrative Analyst in the Mayor's Office of Violence Prevention (\$157,000/year) to help coordinate the various anti-violence initiatives in San Francisco to collectively address risk factors and bolster protective factors for various forms of violence.

Conclusion

A recent *New Yorker* article on the history of failed child abuse prevention and intervention efforts noted that: "Programs for the poor are poor programs." San Francisco must lead the way in

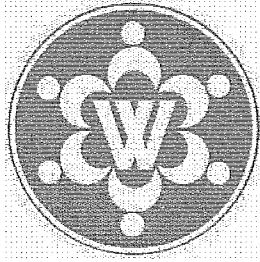
demonstrating that we value programs that serve the most vulnerable among us with our time, priorities, and money. While family violence spans all socio-economic lines, barriers to safety are even greater for low-income victims of family violence whose finances limit their options. Addressing family violence requires a substantial investment that will pay off in a safer San Francisco. Investing in prevention will pay off in reduced violence down the road.

TOTAL: \$3,271,184 - \$4,071,184 (not including undetermined costs)
--

Funding Summary (in order of priority)

1	Direct Services to Address Family Violence			
	Child Abuse Screening, Training, Resources	Develop screening tool/protocol (\$150,000); training (\$125,000); additional resources for Family Resource Centers (\$700,000) @ Joint Funders for Family Resource Centers Initiative (HSA, DCYF, First 5)	Ongoing	\$275,000 (yr1); \$975,000 (yr1-5)
	Domestic Violence Resources & Policy Reform	Strengthen anti-domestic violence service providers network with additional funding	Ongoing	\$900,000-\$1,000,000
	Elder Abuse Resources, Investigations, Prosecutions	1 Forensic Accountant funded by DAAS (\$80,000); 1 Community Case Manager funded by DAAS (\$100,000); 1 Community Therapist funded by DAAS (\$100,000); shelter beds funded by DAAS (\$50,000); assisted living placements funded by DAAS (\$50,000); 1.0 FTE 1823 @ DPH (\$157,000); 1.0 FTE Assistant DA @ DA (\$162,000); 1.0 Elder Abuse Inspector @ SFPD (\$184,184)	Ongoing	\$883,184
2	Training Institute on Prevention & Response to Family Violence	1.0 FTE 1823 @ DOSW (\$157,000); 2 Community Advocates funded by DOSW (\$150,000)	Ongoing	\$307,000
3	Gun Relinquishment Program	1.0 FTE 8302 Deputy Sheriff @ Sheriff's Department (\$110,000)	Ongoing	\$110,000
4	Language Access for Victims of Family Violence	1 Community Advocate funded by OCEIA (\$75,000); Pilot free language line to family violence CBOs (\$100,000); hire interpreters (TBD)	Ongoing	\$175,000
5	Sexual Assault Response Team	1.0 FTE 1823 @ DOSW (\$157,000); 2 Community Advocates funded by DOSW (\$150,000)	Ongoing	\$307,000
6	Non-Profit Sustainability	TBD	Ongoing	TBD
7	Pursue State & Federal Grants	1.0 FTE 1823 Grant Writer @ Mayor's Office (\$157,000)	Ongoing	\$157,000
8	Assess, address, prevent root causes of violence	1.0 FTE 1823 @ Mayor's Office of Violence Prevention (\$157,000)	Ongoing	\$157,000
TOTAL				\$3,274,184 to \$4,071,184

Last revised: March 10, 2016.



For more information, please contact:
The San Francisco Department on the Status of Women
25 Van Ness Avenue, Suite 240 | San Francisco, CA 94102
415.252.2570 | dosw@sfgov.org | sfgov.org/dosw



This report is available online at: <http://sfgov.org/dosw/family-violence-reports>



Emily M. Murase, PhD
Executive Director

City and County of San Francisco
Department on the Status of Women



Edwin M. Lee
Mayor

Highlights of 6th Comprehensive Report on Family Violence in San Francisco
Fiscal Year 2015 (July 1, 2014 – June 30, 2015)
San Francisco Family Violence Council

Child Abuse

- The number of child abuse cases referred to Family & Children's Services increased by 23% while the number of child abuse cases substantiated by Family and Children's Services has declined by 18%.
- The overall number of child abuse cases investigated by the Police Department's Special Victims Unit has declined 39%. Conversely, investigations of elder financial abuse have increased almost four fold. These changes may reflect a lack of sufficient staffing in the Special Victims Unit, such that increases in one sector create deficiencies in another.
- The number of families served by SafeStart increased by 103% between 2011 and 2015.
- The number of children exposed to domestic violence seen by the District Attorney Victim Services increased by 41%.
- These last two highlights suggest that while it is impossible to know the actual level of child abuse, we are doing a better job of serving children exposed to domestic violence.

Domestic Violence

- There was a 10% increase in the volume of domestic violence incidents presented to the District Attorney's Domestic Violence Unit, and a greater proportion of those were filed (from 21% in 2014 to 32% in 2015).
- Domestic violence offenders in the Sheriff's Department In-Custody Batterer Programming increased by 255%. We are doing a better job of providing treatment to domestic violence offenders in jail.
- 12% of lesbian, gay, and bisexual students who date are victims of physical abuse and 21% are victims of sexual abuse by their intimate partner. We need to be sure to provide support to queer teens who are being abused by their partners.
- Community based organizations served 75% more clients than in FY 2014.
- Community hotlines received two-and-a-half times as many hotline calls as 911.
- These last two highlights demonstrate the importance of community-based responses.

Elder Abuse

- Substantiated cases of elder and dependent abuse by Adult Protective Services have increased 70% in the past four years, and 33% in just the past year.
- In FY 2015, Adult Protective Services substantiated 29% more cases of financial abuse than in the prior year.
- The Police Department assigned three additional elder abuse investigators to the Special Victims Unit, which led to a 200% increase in the number of financial elder abuse cases investigated, directly in response to last year's Family Violence Council Report.

Selected Family Violence Statistics in Summary: FY 2015

	Child Abuse	Domestic Violence	Elder Abuse
Crisis Calls Received by Community Providers	14,785	21,386	NA
Calls Received by 911, Family & Children's Services, & Adult Protective Services	5,553	8,719	6,812
Cases Substantiated by Family & Children's Services & Adult Protective Services	754	NA	1,281
Cases Responded to by Police Department	308	3,094	572
Cases Investigated by Special Victims Unit	146	1,746	120
Cases Received by District Attorney's Office	112	1,694	NA
Incidents Filed by District Attorney's Office	41	450	32
Convictions by Guilty Plea & Probation Revocation	19	290	30
Cases Brought to Trial	1	27	0
Convictions After Trial	1	21	0
Clients Assisted by Victim Services	316	1,419	205
Requests for Restraining Orders from Family, Probate, & Civil Harassment Courts	NA	1,140	155

Major Achievements

- The Council's public-private partners of the Children's Advocacy Center created and agreed to an information sharing agreement and took other key steps to build a shared database that will be implemented in the coming year.
- The District Attorney's Office, Police Department, Department on the Status of Women, and several non-profit organizations successfully applied for a federal grant to pilot a to high risk domestic violence program in the Bayview District. The need for stronger responses to high risk cases was identified by the Justice and Courage committee. The Bayview District was chosen because it generates the most domestic violence calls to 911.
- The Council created a new Elder Justice Committee to focus on criminal justice system improvement issues in responding to elder abuse.
- Community advocates met with staff from the Police Academy to discuss integrating community presentations at the Academy, which will begin in 2016.



Emily M. Murase, PhD
Executive Director

City and County of San Francisco
Department on the Status of Women



Edwin M. Lee
Mayor

MEDIA RELEASE

For immediate release: September 1, 2016

CONTACT:

Minouche Kandel, Director of Women's Policy, San Francisco Department on the Status of Women;
415-572-6482, minouche.kandel@sfgov.org

**San Francisco Issues 6th Comprehensive Report on Family Violence
for Fiscal Year 2015 (July 1, 2014 – June 30, 2015)**

Today, the San Francisco Family Violence Council releases the *2015 Comprehensive Report on Family Violence in San Francisco*, which covers data from July 1, 2014 – June 30, 2015 from 15 city public agencies and 27 community-based organizations related to domestic violence, child abuse, and elder abuse. This year's report includes 11 recommendations for the upcoming year, informed by the data from FY 2015.

"The Family Violence Council plays an essential role in our strategy to create a safer City," said Mayor Ed Lee. "I'm proud that we are one of the only counties in California to systematically analyze data on child abuse, domestic violence, and elder abuse, and we will do more to ensure all our families are safe."

The Family Violence Council is chaired by Beverly Upton, Executive Director of the Domestic Violence Consortium, Katie Albright, Executive Director of the San Francisco Child Abuse Prevention Center, and Shawna Reeves, Director of Elder Abuse Prevention at the Institute on Aging. The tri-chairs stated jointly: "The report demonstrates that non-profit service provider hotlines receive three times the calls that local government hotlines do – showing the importance of our community based providers in providing safety to family violence survivors. The Family Violence Council is a true partnership between community and San Francisco government."

Dr. Emily Murase, Executive Director of the San Francisco Department on the Status of Women, which convenes the quarterly meetings of the Council, added: "We are taking an honest look at child abuse, domestic violence and elder abuse, so that we can respond where it is most needed. We respect the willingness of City agencies to share sometimes sensitive data in our collaborative effort to address family violence."

The 2015 Comprehensive Report on Family Violence is available at the San Francisco Department on the Status of Women website: <http://sfgov.org/dosw/family-violence-reports>

##

September 13, 2016 Communications Page

From the Clerk of the Board, agencies that have submitted a 2016 Local Agency Biennial Conflict of Interest Code Review Report:

Department of Aging and Adult Services (DAAS)
San Francisco Arts Commission
San Francisco International Airport
Department of Children, Youth and Their Families (DCYF)
Civil Grand Jury
Ethics Commission
Historic Preservation Commission
Human Resources
Mayor's Office
San Francisco Municipal Transportation Agency
San Francisco Public Works
Recreation and Park
Retiree Health Care Trust Fund Board
Sheriff's Department

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: San Francisco Department of Aging and Adult Services (DAAS)
Mailing Address: 1650 Mission Street, 5th Fl. San Francisco, CA 94103
Contact Person: Bridget Badasow Title: Assistant to the ED and Commission Secretary
Office Phone No: (415) 355-3509
E-mail: bridget.badasow@sfgov.org


This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9/31/16

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

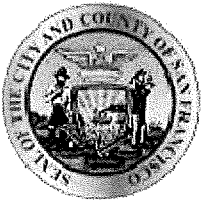
From: Badasow, Bridget (HSA) (DSS)
Sent: Wednesday, August 31, 2016 2:33 PM
To: Gosiengfiao, Rachel (BOS)
Subject: RE: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required
Attachments: SKM_364e16083113050.pdf

Good Afternoon Rachel:

Attached is the Department of Aging and Adult Service's 2016 Biennial Notice that you requested.

Respectfully,

Bridget V. Badasow
Executive Assistant to Executive Director Shireen McSpadden,
Commission, Advisory Council and Joint Legislative Secretary
San Francisco Department of Aging and Adult Services (DAAS)
1650 Mission Street, 5th Floor
San Francisco, CA 94103
(415) 355-3509
Bridget.Badasow@sfgov.org



From: Gosiengfiao, Rachel (BOS)
Sent: Monday, August 29, 2016 9:56 AM
To: Badasow, Bridget (HSA) (DSS)
Subject: RE: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Hi, Bridget,

Please forward request to your Executive Director and/or HR Manager to review Section 3.1-110 – Aging and Adult Services to determine if there are changes to the positions. After reviewing, please complete the 2016 Biennial Notice Review Report by Wednesday, August 31, 2016. Let me know if you have further questions. 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

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: San Francisco Arts Commission_____
Mailing Address: 401 Van Ness Ave., Ste. 325, San Francisco, CA 94102_____
Contact Person: Tom DeCaigny_____ Title: Director of Cultural Affairs_____
Office Phone No: 415-252-2256_____
E-mail: tom.decaigny@sfgov.org_____

This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe)_____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

August 31, 2016_____
Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

From: Page_Ritchie, Sharon (ART)
Sent: Thursday, September 01, 2016 3:04 PM
To: Gosiengfiao, Rachel (BOS)
Cc: DeCaigny, Tom (ART); Krell, Rebekah (ART)
Subject: RE: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required
Attachments: Arts_Commission_Conflict_of_Interest_Code_Review_Report_August_2016.pdf

Attached is the Arts Commission's Conflict of Interest Code Review Report for 2016. We have no changes, and no amendment is required.

Thank you.

Sharon Page Ritchie
Commission Secretary

We've moved!

San Francisco Arts Commission
401 Van Ness, Suite 325
San Francisco, CA 94102-4570
T: 415-252-2256 F: 415-934-1022
sfartscommission.org

[e-Newsletter](#) | [Twitter](#) | [Facebook](#) | [YouTube](#) | [Flickr](#)

From: Gosiengfiao, Rachel (BOS)
Sent: Tuesday, August 30, 2016 4:54 PM
To: Page_Ritchie, Sharon (ART)
Subject: FW: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Hi, Sharon,

I sent email in July, I'm following up on a request that I sent Tom DeCaigny, the 2016 Biennial Notice Review Report is due Wednesday, August 31, 2016. Please contact me if you have any questions. 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

From: Gosiengfiao, Rachel (BOS)
Sent: Tuesday, July 12, 2016 5:39 PM
To: DeCaigny, Tom (ART) <tom.decaigny@sfgov.org>
Subject: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

From: Jean Caramatti (AIR)
Sent: Wednesday, August 31, 2016 5:05 PM
To: Gosiengfiao, Rachel (BOS)
Cc: Ivar Satero (AIR); Chris Arrigale (AIR)
Subject: FW: Conflict of Interest Code Review Report
Attachments: Conflict of Interest Code Review Report.pdf; AIRPORT DESIGNATED POSITIONS LIST 083116.docx

Attached is the Airport's revised Designated Positions lists and the Conflict of Interest Code Review Report. Please feel free to contact me if you have any questions.

*Jean Caramatti
Airport Commission Secretary
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128
650-821-5042
Jean.Caramatti@flysfo.com*

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Airport Commission
Mailing Address: P.O. Box 8097, San Francisco, CA 94128
Contact Person: Jean Caramatti Title: Commission Secretary
Office Phone No: 650-821-5042
E-mail: Jean.Caramatti@flysfo.com

This agency has reviewed its conflict-of-interest code and has determined that:

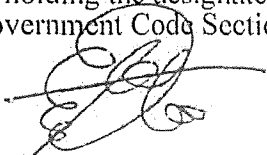
☐ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☒ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☒ Revise the titles of existing positions.
- ☒ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other *(describe)* _____

☐ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

8-31-16

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

AIRPORT DESIGNATED POSITIONS LIST

(Revised August 31, 2016)

Designated Position	Revised / New Designated Position	Filing Categories
Airport Capital Planning	<i>Airport Economic Planner</i>	2, 3
Airport Commissioner		1
Airport Commission Secretary		1
Airport Controller		1
Airport Director		1
Airport Grant Manager		2, 3
Airport Operations Coordinator		2, 3
Airport Parking Manager		2, 3
Airport Planning Manager		2, 3
Airport Publications Manager		2, 3
Airport Risk and Audit Manager		1
AirTrain Safety & Security Manager		2, 3
	Assistant Director, Facilities	2, 3
Assistant Director, Human Resources		1
Budget Director		1
Building Inspector		3
Capital Planning Manager		2, 3
Chief Administration & Policy Officer	<i>Chief Administrative & Policy Officer</i>	1
Chief Business & Finance Officer		1
Chief Information Officer		1
Chief Marketing & Communications Officer		1
Chief Operating Officer		1
Construction Inspector		2, 3
Consultant		1
Curator in Charge of Administration & Special Projects	<i>Curator in Charge of Museum Affairs</i>	2, 3
Curator in Charge of Exhibitions	<i>Curator in Charge of Exhibition Design</i>	2, 3
Curator in Charge of Registration		2, 3
Debt Manager		2, 3
Deputy Airport Director, Design & Construction	<i>Chief Development Officer</i>	1
Director, Airport Planning	<i>Director, Airport & Environmental Planning</i>	1
Director, Airport Services		1
Director, Airport Services (Operations & Security)		1
Director, Aviation & Parking Management		1
Director, Business Services (ITT)		2, 3
Director, Capital Finance		1
Director and Chief Curator, SFO Museums		1
Director, Communications		1
Director, Contracts Administration		2, 3

Director, EEO, Organization Development & Compliance		2, 3
Director, Employment & Community Partnerships		2, 3
Director, Enterprise Architecture (ITT)		2, 3
	Director, Environmental Policy	2, 3
Director, Environmental Services & Sustainability		2, 3
Director, Financial & Planning Analysis		1
Director, Ground Transportation Unit Planning & Projects		1
Director, Guest Experience		2, 3
Director, Health, Safety & Wellness		2, 3
Director, Information Security (ITT)	Chief Information Security Officer	2, 3
Director, Innovation & Design (ITT)		2, 3
Director, International Aviation Development & Marketing		2, 3
Director, People, Performance & Management		1
Director, Programs & Projects (ITT)		2, 3
	Director, Project Management	2, 3
Director, Revenue Development & Management		1
Director, Safety & Security Services		1
Director, Safety & Strategic Programs		2, 3
Director, Small Business Affairs		2, 3
	Director, Social Responsibility & Community Sustainability	2, 3
Director, Support & Reporting (ITT)		2, 3
	Director, Sustainability	2, 3
Electrical Inspector		2, 3
Enforcement Manager, Landside Operations		2, 3
Executive Assistant to Airport Director		2, 3
Facilities Construction Manager	Facilities Construction & Maintenance Manager	2, 3
Facilities Director & Building Official		1
Facilities Service Manager		2, 3
Finance Director	Managing Director, Finance	1
Financial Reporting Manager		2, 3
Fiscal Operations Manager		2, 3
Fleet Services Manager		2, 3
	Head Electrician	2, 3
	Heating and Ventilating Inspector	2, 3
Hotel Manager		1
Landscaping Manager		2, 3
Librarian		2, 3

Manager VIII		4
Manager, Airfield Operations		2, 3
Manager, Airport Signage		2, 3
Manager, AirTrain		2, 3
Manager, Assets		2, 3
Manager, Aviation (Museum)	<i>Aviation Museum Assistant Director</i>	1
Manager Aviation Security & Compliance		2, 3
	Manager, Capital Projects Marketing	2, 3
Manager, Civil Engineering		2, 3
Manager, Compensation & Standards Compliance		2, 3
Manager, Construction Services		2, 3
Manager, Contractual Baggage Systems		2, 3
Manager, Contracts		2, 3
Manager, Custodial Services		2, 3
Manager, Customer Service		2, 3
	Manager, EEO Compliance & Community Program	2, 3
Manager, Emergency Operations & Planning		2, 3
Manager, Emergency Services		2, 3
Manager, Engineering		2, 3
Manager, Environmental Affairs		2, 3
	Manager, Environmental Operations	2, 3
Manager, Exhibitions (Museum)		2, 3
	Manager, Financial Analysis	2, 3
Manager, Governmental Affairs		2, 3
Manager, Ground Transportation Enforcement		2, 3
Manager, Ground Transportation Unit		2, 3
Manager, Guest Services		2, 3
	Manager, Code Enforcement	2, 3
	Manager, Hiring & Examinations	2, 3
	Manager, Human Resources	2, 3
	Manager, International Aviation Development	2, 3
	Manager, International Trade & Commerce	2, 3
	Manager, Labor Relations	2, 3
	Manager, Learning & Development	2, 3
Manager, Mechanical Engineering		2, 3
Manager, Noise Abatement	<i>Manager, Aircraft Noise Abatement</i>	2, 3
Manager, Operations & Maintenance (ITT)		2, 3
Manager, Paving & Grounds Maintenance		2, 3
Manager, Regional Governmental Affairs		2, 3
Manager, Safety & Security Services		2, 3
Manager, Safety Management Systems		2, 3

Manager, Scheduling & Control		2, 3
Manager Security Access Office		2, 3
Manager, Small Business Affairs		2, 3
Manager, Special Projects		2, 3
Manager, Standards & Compliance (ITT)		1
Manager, Terminal Systems		2, 3
	Marketing Manager	2, 3
Mechanical Inspector		2, 3
Parking Manager		2, 3
Plumbing Inspector		2, 3
Principal Architect		2, 3
Principal Engineer		2, 3
Program Director, Design & Construction		1
	Project Director, Information Systems	2, 3
Project Manager		2, 3
Property Manager, Aviation Management		2, 3
Property Manager, Revenue Development & Management		2, 3
Public Information Officer		1
Reprographics Manager		2, 3
Senior Architect		2, 3
Senior Aviation Planner		2, 3
	Senior Building Inspector	2, 3
Senior Engineer		2, 3
Senior Environmental Planner	Senior Planner, Environmental Review	2, 3
Senior Financial Analyst	Manager, Financial Analysis	2, 3
Senior Manager, AirTrain		1
Senior Manager, Mechanical Maintenance	Senior Manager, Mechanical Maintenance & Water Quality	2, 3
Senior Manager, Safety & Security Services		2, 3
Senior Museum registrar		2, 3
Senior Planner, Landside	Transportation Planner	2, 3
Senior Principal Property Manager	Manager, Revenue Development & Management	2, 3
Senior Property Manager		2, 3
	Senior Registrar	2, 3
Senior Traffic Manager, Landside Operations		2, 3
	Special Assistant to Chief Development Officer	2, 3
	Superintendent, Sewage Treatment Plant	2, 3
Supervisor, Application Development (ITT)		2, 3
	Supervisor, Carpenters	2, 3
	Supervisor, Communication Center	2, 3
	Supervisor, Painters	2, 3
	Supervisor, Sheet Metal Shop	2, 3

	Supervisor, Steamfitters	2, 3
	Supervising Electronic Maintenance Technician	2, 3
Supervisor, Ground Transportation Unit		2, 3
Systems Manager, Noise Abatement		2, 3
Systems Manager, Planning		2, 3

Designated Positions that are crossed out have been eliminated.

Designated Positions that appear in bold/italicized letters are existing positions with new titles.

Designated Positions that appear in red are new to this list.

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Department of Children, Youth and Their Families (DCYF)
Mailing Address: 1390 Market Street, Suite 900, San Francisco 94102
Contact Person: Maria Su Title: Department Head
Office Phone No: 415-554-3547
E-mail: maria.su@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

☒ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☒ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☐ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

August 30, 2016
Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org



Maria Su, Psy.D.
EXECUTIVE DIRECTOR



Edwin M. Lee
MAYOR

MEMO

To: Clerk of the Board
Board of Supervisors
City Hall, Room 244

ATTN: Rachel Gosiengfiao

From: Maria Su, Psy.D.
Department Head

Date: August 30, 2016

RE: 2016 Biennial Notice Review of Conflict of Interest

After reviewing the San Francisco Campaign and Governmental Code, it is determined that Sec. 3.1-163 (Department of Children, Youth and their Families) of the Code needs to be amended. Please see the two additional designated positions.

SEC. 3.1-163. CHILDREN, YOUTH AND THEIR FAMILIES, DEPARTMENT OF.

Designated Positions

Member, Oversight and Advisory Committee
Executive Director
Deputy Director

Disclosure Categories

1
1
1

Cc: Rob Gitin, Chair of the DCYF Oversight and Advisory Committee
Laura Moye, Deputy Director
Megan Caygill-Wallach, Community Outreach and Engagement Manager

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Office of the Controller / SF Civil Grand Jury
Mailing Address: 1 Dr. Carlton B. Goodlett Place, Room 482
Contact Person: Asja Steeves Title: Civil Grand Jury Coordinator
Office Phone No: 415-554-6630
E-mail: asja.steeves@sfgov.org

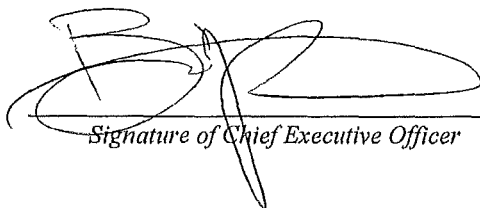
This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

X No amendment is required.

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

8/31/16

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

[Print](#)

San Francisco Campaign and Governmental Conduct Code

SEC. 3.1-180. CIVIL GRAND JURY.

Disclosure Category 2. Persons in this category shall disclose all investments and business positions in business entities, and income from any sources which have done business within the City and County in the previous two years and income from all individuals who are employees of the City and County and all interests in real property.

<i>Designated Positions</i>	<i>Disclosure Categories</i>
Member, Civil Grand Jury	2

(Added by Ord. 71-00, File No. 000358, App. 4/28/2000)

(Derivation: Former Administrative Code Section 58.170)

From: Petersen, Patricia (ETH)
Sent: Thursday, September 01, 2016 3:18 PM
To: Gosiengfiao, Rachel (BOS)
Cc: Pelham, LeeAnn (ETH); Shen, Andrew (CAT)
Subject: Ethics Commission -- 2016 Local Agency Biennial COI Code Review Report
Attachments: Transmittal Letter, Conflict of Interest Code Review Report and 20160826....pdf

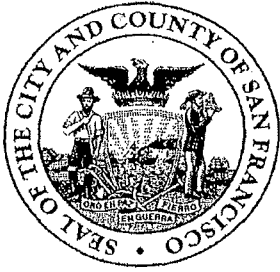
Hi, Rachel –

Attached as requested in Ms. Calvillo's July 5, 2016 memo to all departments is the Ethics Commission's 2016 Conflict of Interest Code Review Report. We're submitting it under a cover letter from Ethics Commission Executive Director LeeAnn Pelham, and including a memorandum that was distributed to all Ethics Commission staff that explains our process for review.

Let me know if you have any questions,
Pat

Pat Petersen
Education/Administrative Officer
CCSF Ethics Commission
25 Van Ness Avenue, Suite 220
San Francisco, CA 94102
(T) 415-252-3100
(F) 415-252-3112
patricia.petersen@sfgov.org
<http://www.sfethics.org>

PLEASE NOTE THAT NOTHING IN THIS E-MAIL IS INTENDED TO CONSTITUTE A WRITTEN FORMAL OPINION OF THE SAN FRANCISCO ETHICS COMMISSION, AND THE RECIPIENT MAY NOT RELY ON THIS E-MAIL AS A DEFENSE IN ANY ENFORCEMENT PROCEEDING.



ETHICS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

PAUL A. RENNE
CHAIRPERSON

PETER KEANE
VICE-CHAIRPERSON

DAINA CHIU
COMMISSIONER

BEVERLY HAYON
COMMISSIONER

VACANT
COMMISSIONER

LEEANN PELHAM
EXECUTIVE DIRECTOR

Via E-Mail (PDF)

September 1, 2016

Ms. Angela Calvillo, Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Re: 2016 Conflict of Interest Code Review

Dear Ms. Calvillo:

Attached as requested in your July 5, 2016, memo to all departments is the Ethics Commission's 2016 Conflict of Interest Code Review Report (Attachment 1). As I understand it, the Ethics Commission's list of designated filers was last updated in 2010, and updates are now in order to reflect positions that have been added, a position that no longer exists, and new working titles.

These changes are discussed in detail in my attached August 26, 2016 memorandum to Ethics Commission Staff regarding the proposed update of designated filers (see Attachment 2). The proposed changes reflect the Ethics Commission's adopted FY17 and FY18 operational budget, which includes several newly authorized and funded positions. In addition, with a new organizational structure implemented beginning in FY17, a number of positions previously listed on the Ethics Commission's Code have new working titles. Lastly, one position on the current list of designated filers no longer exists, and has been deleted.

These proposed updates also will be presented to the Ethics Commission at its next regular meeting on September 26, 2016 for their consideration and action.

Sincerely,

A handwritten signature in cursive script, appearing to read "LeeAnn Pelham".

LeeAnn Pelham
Executive Director

cc: Andrew Shen, Deputy City Attorney

Attachments: Ethics Commission 2016 Conflict of Interest Code Review Report
August 26, 2016 Memorandum to All Ethics Commission Staff

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: San Francisco Ethics Commission
Mailing Address: 25 Van Ness Avenue, Suite 220
Contact Person: LeeAnn Pelham Title: Executive Director
Office Phone No: (415) 252-3100
E-mail: leeann.pelham@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

☒ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☒ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☒ Revise the titles of existing positions.
- ☒ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☐ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

September 1, 2016

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org



ETHICS COMMISSION CITY AND COUNTY OF SAN FRANCISCO

PAUL A. RENNE
CHAIRPERSON

PETER KEANE
VICE-CHAIRPERSON

BEVERLY HAYON
COMMISSIONER

DAINA CHIU
COMMISSIONER

VACANT
COMMISSIONER

LEEANN PELHAM
EXECUTIVE DIRECTOR

August 26, 2016

To: All Ethics Commission Staff

From: LeeAnn Pelham, Executive Director

Re: **2016 Biennial Conflict of Interest Code Review - Proposed Update of
Ethics Commission Designated Filers and Disclosure Categories**

State law requires the Conflict of Interest ("COI") Codes of every public agency to be reviewed and updated every other year. As you know, COI codes identify positions designed to file regular public financial disclosure forms, or Form 700s, because they make or participate in making or influencing governmental decisions. For all departments in San Francisco, the list of designated positions appears in Chapter 1 of Article III of the San Francisco Campaign and Governmental Conduct Code sections 3.1-100 – 3.1-510. Those sections also show the disclosure categories departments have assigned to their designated positions.

Each department is responsible for keeping their list of positions and disclosure categories current. Changes to a COI Code may be needed when agencies restructure, or when positions that make decisions, or participate in making or influencing decisions change. The biennial COI Code review requirement helps ensure agencies periodically review their list of designated filers to ensure it is current, and to ensure the disclosures required by those filers are appropriately tailored to the nature and scope of work they perform.

As the Code Reviewing Body for the City and County of San Francisco, the Board of Supervisors is charged with approving any Conflict of Interest Code changes after receiving input from each department. Last month, the Clerk of the Board notified all departments of their obligation to conduct their biennial review. As part of our process, and to promote enhanced public transparency about the Ethics Commission's operations and activities, our proposed revisions will be placed on the Ethics Commission's agenda for its September 26, 2016, meeting to enable the Commission's action on these updates.

For background, this memo provides a general refresher on agency conflict of interest codes and financial disclosure requirements. Attachment 1 shows our current designated positions and disclosure categories. Attachment 2 lists proposed additions, deletions, and changes. Attachment 3 shows the proposed revised list of designated positions and disclosure categories.

I am circulating this memo to all staff to highlight these proposed changes and to provide a 30-day period for your individual input and questions prior to the Commission's action. We'll also have the opportunity to review and discuss it at our August all-staff meeting, which was rescheduled to August 31.

Background:**Conflicts of Interests and Financial Disclosure**

As the City Attorney's *Good Government Guide* discusses, California's principal state law governing conflicts of interest for government officials throughout the state is contained in the Political Reform Act, or "PRA." The PRA prohibits public officials from making, participating in making, or seeking to influence governmental decisions in which they have a financial interest.

A public official is defined as a "member, officer, employee, or consultant" of a local government agency, and includes any member of a board or commission with decision making authority. If the individual is not a public official, then the Political Reform Act does not apply.

Under the PRA, an official has a financial interest in a decision if it is reasonably foreseeable that the decision will have a material financial effect –different from the effect on the public generally – on the public official's economic interests. When a public official has a conflict of interest under the Political Reform Act, the official must abstain from participating in the decision-making process, including any discussions or meetings leading up to the final decision.¹

Financial Disclosure Under the Political Reform Act

To promote accountability in government decision-making, the PRA requires public officials with significant decision making authority to publicly disclose their financial interests. In general, public officials must disclose the types of economic interests that could potentially lead to a conflict of interest under the PRA. These "statements of economic interests" are commonly referred to as "SEIs" or "Form 700s." These filings serve two key purposes – to help officials detect and avoid possible conflicts of interests; and to inform the public about an official's personal financial interests that could cause a potential conflict of interest.

The breadth of a public official's financial disclosure requirements depends upon the nature of the position held by a particular public official. Depending upon their job duties and scope of their responsibilities, public officials who are required to file Form 700s must disclose for the applicable reporting period some or all of their interests in real property located in San Francisco, investments, business positions, and income (including gifts and loans) received. Because officials are also considered to have an economic interest in the interests of their spouse, registered domestic partner, and dependent children, officials must also report those interests in addition to their own.

¹ The State's Fair Political Practices Commission (FPPC) has developed a multi-step framework for assessing whether an officer or employee has a conflict of interest under the PRA. As part of that analysis, various factors established are closely examined. These include whether the decision "directly" or "indirectly" involves the official's economic interest; how foreseeable it is the decision would have a "material financial effect;" and whether the effect of the decision for the official's interest would be distinguishable from the effect on the public generally. Because this analysis can be complex, officials should always seek guidance to determine whether they have a conflict and if so, what actions they should take or avoid taking. For more a more in-depth discussion, see the City Attorney's *Good Government Guide* at <http://www.sfcityattorney.org/good-government/good-government-guide/>.

What Makes Someone a Designated Filer?

Making, Participating in Making, and Influencing Decisions

All public officials (including elected officials, candidates for elective office, appointed officials, and employees) who make or participate in making governmental decisions that could affect their personal financial interests are required to file financial disclosure forms. (See Cal. Govt. Code §§ 87200, 87302). The PRA prohibits a public official from making, participating in making, or seeking to influence a government decision in which the official has a financial interest. The PRA specifically defines these activities as follows:

- ✓ **Making a decision.** A public official makes a decision when the official:
 - votes; or
 - appoints a person to a position; or
 - obligates the agency to a course of action; or
 - enters into a contract for the agency.

Note: Deciding not to act, unless based on disqualification under the PRA, also constitutes making a decision.

- ✓ **Participating in making a decision.** Participating in making a decision includes negotiating, providing advice by way of research, investigation, or preparation of reports or analyses for the decision-maker, if these functions are performed without significant intervening substantive review.

Note: Participating in making a decision does not include: taking ministerial or clerical actions; appearing before an agency to represent the official's personal interests; or participating in actions regarding the public official's own compensation for services or the terms or conditions of the official's employment or contract.

- ✓ **Influencing a decision.** Influencing a decision includes: contacting, appearing before, or otherwise attempting to influence any member, officer, employee or consultant of the official's agency or an agency appointed by or subject to the budgetary control of the official's agency.

Note: Even where a public official appears before another agency that is not subject to the control of the official's agency, the official still would be considered to be influencing a decision if the official is acting on behalf of or as a representative of the public official's agency in contacts with the other agency. Only where the official is acting solely in a personal capacity in such a situation could the official avoid being deemed to be influencing a decision. Acting as a representative of the official's agency includes, for example, delivering correspondence using official stationery.

Types of Economic Interests Subject to Public Disclosure

There are certain types of economic interests that state law identifies as possible sources of conflicts for public officials. These types of interests are subject to public disclosure depending on the official's authority and scope of duties. Disclosure requirements are designed to reflect the types of interests that could be affected by the filer's duties and therefore should be tailored accordingly. In general, the types of reportable interests defined under state law include:

Investments.

An "investment" is a financial interest in any business entity (including a consulting business or other independent contracting business) that is located in, doing business in, planning to do business in, or that has done business during the previous two years in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more at any time during the reporting period.

Key Points

An entity does business in the jurisdiction if it has contacts on a regular or substantial basis with a person who maintains a physical presence in the City and County of San Francisco. Contacts include manufacturing, distributing, selling, purchasing or providing goods or services.

A public official who claims that a business is not doing business in the jurisdiction bears the burden of demonstrating this fact.

Real Property.

Real property located in your agency's jurisdiction in which you, your spouse or registered domestic partner, or your dependent children had a direct, indirect, or beneficial interest totaling \$2,000 or more any time during the reporting period.

Key Points

An indirect investment means an investment owned by your spouse, dependent child, or agent, or by a business entity or trust in which you (or your spouse, registered domestic partner, dependent child, or agent) owns a 10% or greater interest.

Source of income or gifts.

Gross income of \$500 or more you received during the reporting period, other than loans from a commercial lending institution. Income also includes income to your spouse or registered domestic partner if your community property share was \$500 or more during the reporting period.

A gift is anything of value for which you have not provided equal or greater consideration to the donor.

Key Points

A source of income must be reported only if the source is located in, doing business in, planning to do business in, or has done business during the previous two years in your agency's jurisdiction.

Depending on your disclosure category, reportable sources of income may be further limited by your agency's conflict of interest code.

Travel payments are income if you provided services that were equal to or greater in value than the payments received. You must disclose income totaling \$500 or more from a single source during the period covered by the statement

Business positions.

You must report any business entity doing business in the jurisdiction in which you are a director, officer, partner, trustee, or employee or holds any position of management. Your job title with each reportable business entity must be disclosed even if you received no income during the reporting period.

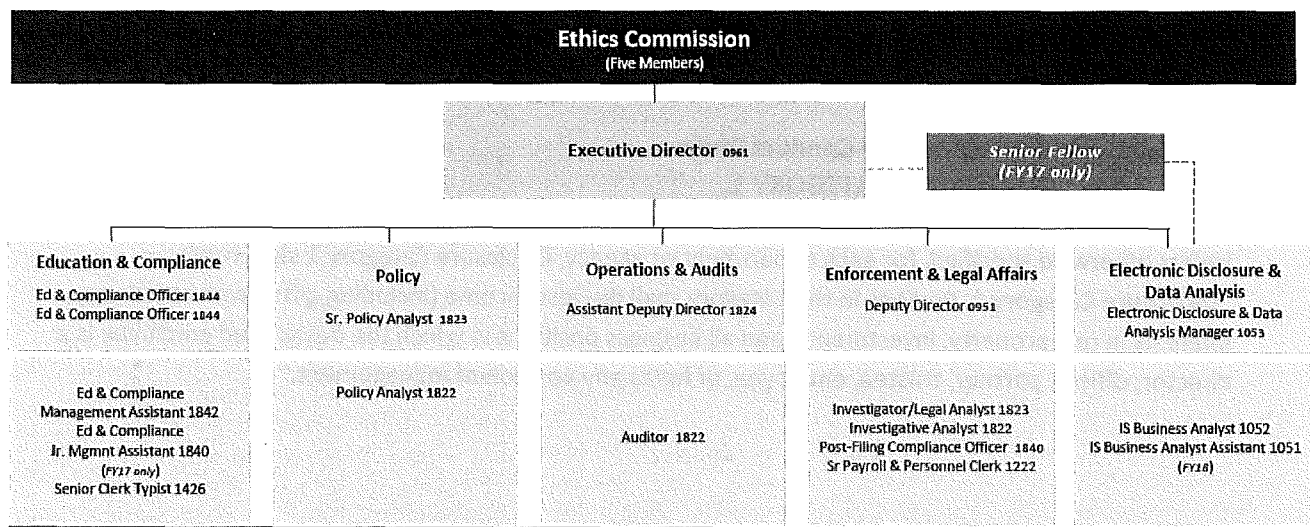
Proposed 2016 Amendments

The list of positions and disclosure categories currently designated by the Ethics Commission for the existing Conflict of Interest Code is shown in Attachment 1. All designated positions are assigned to Disclosure Category 1. The Commission's list of filers and disclosure categories appears to have last been amended in 2010.

For reference, the Ethics Commission's adopted FY17 and FY18 operational budget provides for the position authorities shown below in Chart 1, with several positions newly authorized and funded. These positions are shown in Attachment 2 as "Positions Added." In addition, with a new organizational structure implemented beginning in FY17, a number of positions previously listed on the Ethics Commission's Code have new working titles. These are shown in that attachment as "Positions Changed." Lastly, one position shown on the current list of designated filers has not existed for several years, and so it appears on Attachment 2 under "Positions Deleted."

Due to the nature of the Commission's work and structure, Ethics Commission staff routinely participate in making decisions that have the potential to affect a wide range of interests. These activities can range from providing advice by way of research, investigation, or preparation of reports or analyses for the decision-maker, as well as negotiating outcomes without significant intervening substantive review. Consequently, as shown in Attachment 3, 12 of the 13 designated positions remain designated as Category 1 filers. Due to the more focused duties of the Information Systems Business Analyst, however, that newly created position is designated as a Category 2 filer.

Chart 1 – Ethics Commission Staff Positions Effective July 1, 2016



Attachment 1
Current List of Positions and Disclosure Categories
Designated in Existing SF Ethics Commission COI Code

Campaign and Governmental Conduct Code
SEC. 3.1-230. ETHICS COMMISSION.

<i>Designated Positions</i>	<i>Disclosure Categories</i>
Commission Member	1
Executive Director	1
Deputy Executive Director	1
Assistant Deputy Executive Director	1
Chief Enforcement Officer	1
Investigator/Legal Analyst	1
Campaign/Public Finance Auditor	1

(Added by Ord. 71-00, File No. 000358, App. 4/28/2000; amended by Ord. 58-01, File No. 001951, App. 4/13/2001; Ord. 73-03, File No. 022027, App. 4/25/2003; Ord. 99-05, File No. 041570, App. 5/25/2005; Ord. 80-07, File No. 070122, App. 4/19/2007; Ord. 320-10, File No. 101272, App. 12/23/2010)

Campaign and Governmental Conduct Code
SEC. 3.1-107. DISCLOSURE CATEGORY 1.

Unless otherwise specified, for each department or agency, Disclosure Category 1 shall read:
"**Disclosure Category 1.** Persons in this category shall disclose income (including gifts) from any source, interests in real property, investments, and all business positions in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management."

Attachment 2
Changes Proposed - 2016 Biennial Conflict of Interest Code Review
SF Ethics Commission

Positions Added

Title	Division	Reason
Education & Compliance Officer (1844)	Education and Compliance	Reports to Executive Director; responsible for day to day administration and oversight of campaign finance, ethics, and lobbying programs
Investigative Analyst (1822)	Enforcement & Legal Affairs	Reports to Deputy Director; responsible for conducting analysis, research and investigations, developing recommendations, preparing reports without significant intervening substantive review
Senior Policy Analyst (1823)	Policy	Reports to Executive Director; responsible for providing advice, conducting research, developing recommendations, and preparing reports without significant intervening substantive review
Policy Analyst (1822)	Policy	Reports to Senior Policy Analyst; responsible for providing advice, conducting research, developing recommendations, preparing reports without significant intervening substantive review
Electronic Disclosure & Data Analysis Manager (1053)	Electronic Disclosure & Data Analysis	Reports to Executive Director; has broad responsibility for technology procurement, and day to day management and oversight of all information systems with agency-wide reach
Information Systems Business Analyst (1052)	Electronic Disclosure & Data Analysis	Reports to Division manager; responsible for detailed scoping of technology projects and day to day project management of IS operations
Senior Fellow		Reports to Executive Director; has high-level responsibility to develop and implement new compliance tools and technologies agency wide

Positions Deleted

Title	Reason
Chief Enforcement Officer	Duties of position have been responsibility of Deputy Director; separate position no longer exists.

Positions Changed

Prior Listing	New Listing	Reason
Deputy Executive Director	Deputy Director (0951)	Change in working title effective FY17.
Assistant Deputy Executive Director	Assistant Deputy Director (1824)	Change in working title effective FY17.
Campaign/Public Finance Auditor	Auditor (1822) / Operations & Audits Division	Change in working title effective FY17.

Attachment 3

**Proposed List of Designated Positions and Disclosure Categories
For SF Ethics Commission COI Code**

Designated Position	Disclosure Category
Commission Member	1
Executive Director	1
Deputy Director	1
Assistant Deputy Director	1
Consultant / New Positions	*
Senior Fellow	1
<u>Education and Compliance Division</u>	
Education & Compliance Officer	1
<u>Policy Division</u>	
Senior Policy Analyst	1
Policy Analyst	1
<u>Operations and Audits Division</u>	
Auditor	1
<u>Enforcement and Legal Affairs Division</u>	
Investigator/Legal Analyst	1
Investigative Analyst	1
<u>Electronic Disclosure & Data Analysis Division</u>	
Electronic Disclosure & Data Analysis Manager	1
Information Systems Business Analyst	2

Disclosure Category 1

Income (including gifts) from any source, interests in real property, investments, and all business positions in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

Disclosure Category 2

Any investment in, business position with, or income (including gifts) from any source that:

1. Provides the type of information technology services, goods, or equipment used by the Ethics Commission, including but not limited to, computer hardware or software companies, computer consultant services, training, data processing firms, and media services; or
2. Provided or sought to provide such services, goods, or equipment to the Ethics Commission during the reporting period.

* Consultants/New Positions are included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation: The Executive Director may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code. (Gov. Code Section 81008.)

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Historic Preservation Commission _____
Mailing Address: 1650 Mission Street, Suite 400 _____
Contact Person: Jonas P. Ionin _____ Title: Director of Commission Affairs
Office Phone No: (415) 558-6309 _____
E-mail: jonas.ionin@sfgov.org _____

This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

August 31, 2016 _____

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

From: Ionin, Jonas (CPC)
Sent: Wednesday, August 31, 2016 2:05 PM
To: Gosiengfiao, Rachel (BOS)
Subject: RE: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required
Attachments: ECOPY-529_SMTP_via_LDAP_08-31-2016_14-03-36.pdf

Thank you for the reminder.

Jonas P. Ionin,
Director of Commission Affairs

Planning Department | City & County of San Francisco
1650 Mission Street, Suite 400, San Francisco, CA 94103
Direct: 415-558-6309 | Fax: 415-558-6409

jonas.ionin@sfgov.org
www.sfplanning.org



From: Gosiengfiao, Rachel (BOS)
Sent: Wednesday, August 31, 2016 12:20 PM
To: Ionin, Jonas (CPC)
Subject: FW: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Hello Jonas,

Just a reminder that the 2016 Biennial Notice Review Report is due today for the Historic Preservation Commission.

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

From: Gosiengfiao, Rachel (BOS)
Sent: Tuesday, July 19, 2016 3:59 PM
To: Ionin, Jonas (CPC) <jonas.ionin@sfgov.org>
Subject: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Good afternoon, Jonas:

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Human Resources
Mailing Address: One South Van Ness Avenue, 4th Floor
Contact Person: Michael Cerles Title: DPO
Office Phone No: 415-557-4831
E-mail: michael.cerles@sfgov.org


This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

8/31/16

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

From: Cerles, Michael (HRD)
Sent: Wednesday, August 31, 2016 3:50 PM
To: Gosiengfiao, Rachel (BOS)
Cc: Callahan, Micki (HRD)
Subject: Fw: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required
Attachments: Conflict of Interest Code Review Report 2016.pdf

Hi Rachel,

Please find attached DHR's Conflict of Interest Code Review report for 2016.

Please let me know if you need any additional information.

Thanks,

Michael Cerles
Departmental Personnel Officer

Department of Human Resources
City and County of San Francisco
michael.cerles@sfgov.org

415-557-4831

From: Gosiengfiao, Rachel (BOS)
Sent: Tuesday, July 19, 2016 4:13 PM
To: Callahan, Micki (HRD)
Subject: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Good afternoon, Micki Callahan:

Please see attached the 2016 Biennial Notice – Conflict of Interest Code Review Memo, Review Report, City Attorney Memo and San Francisco Campaign and Governmental Conduct Code, Section 3.1-275 – Department of Human Resources.

Regards,

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

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Mayer's Office
Mailing Address: City Hall Room 200 1 Dr. Carlton B. Goodlett Pl.
Contact Person: Caitlin Jacobson Title: Assistant to Mayer
Office Phone No: 415-554-6910
E-mail: caitlin.jacobson@sfgov.org

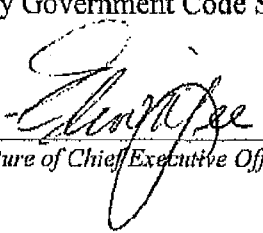
This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

8-31-16

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

From: Jacobson, Caitlin (MYR)
Sent: Thursday, September 01, 2016 10:37 AM
To: Gosiengfiao, Rachel (BOS)
Subject: RE: Reminder: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required - Due, Wednesday, August 31, 2016
Attachments: Conflict of Interest Code review report.pdf

Hi Rachel,
Please find the 2016 Conflict of Interest Code review report for the Mayor's Office attached.

Thank you,

Caitlin Jacobson
Special Assistant to Mayor Lee
1 Dr. Carlton B. Goodlett Place, Room 200
San Francisco, CA
Tel: 415.554.6910

From: Gosiengfiao, Rachel (BOS)
Sent: Tuesday, August 23, 2016 4:18 PM
To: Jacobson, Caitlin (MYR) <caitlin.jacobson@sfgov.org>
Subject: Reminder: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required - Due, Wednesday, August 31, 2016

Hi, Caitlin,

Just a reminder to submit the 2016 Biennial Notice Review Report for the Mayor's Office, please submit by August 31, 2016. 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

From: Gosiengfiao, Rachel (BOS)
Sent: Tuesday, July 19, 2016 5:37 PM
To: Jacobson, Caitlin (MYR) <caitlin.jacobson@sfgov.org>
Subject: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Good evening, Caitlin:

Please see attached the 2016 Biennial Notice – Conflict of Interest Code Review Memo, Review Report, City Attorney Memo and San Francisco Campaign and Governmental Conduct Code, Section 3.1-315 – Mayor's Office.

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: San Francisco Municipal Transportation Agency
Mailing Address: 1 South Van Ness Ave 7th Floor
Contact Person: Derek Kim Title: HR Operations Mgr
Office Phone No: 415.646.2211
E-mail: Derek.kim@sfmta.com

This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9.1.2016

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

From: Kim, Derek Y <Derek.Kim@sfmta.com>
Sent: Thursday, September 01, 2016 9:06 AM
To: Gosiengfiao, Rachel (BOS)
Subject: Conflict of Interest Code Review Report
Attachments: 2016BiennialNoticeReview_SFMTA.pdf

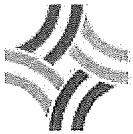
Rachel,

I apologize for not sending this to you yesterday.

Please let me know if you have any questions.

Thank you,
Derek

Derek Kim
Operations Manager, Human Resources
One South Van Ness Avenue, 6th Floor
San Francisco, CA 94103
Email: Derek.Kim@sfmta.com
Phone: 415.646.2211
www.SFMTA.com



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From: Lee, Frank (DPW)
Sent: Wednesday, August 31, 2016 4:53 PM
To: Gosiengfiao, Rachel (BOS)
Subject: RE: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required
Attachments: 03 08.30.16 Public Works Proposed Revisions- DRAFT.pdf; 02 08.30.16 Conflict of Interest Code Review Report - signed.pdf

Dear Rachel:

Attached are: (1) the Conflict of Interest Code Review Report form that is signed by our director and that indicated we would like to amend the Code; and (2) draft of the proposed revisions for the Code, as of today, 8/31/16. We may send you a new version of the proposed revisions next week.

Sincerely,
Frank W. Lee



Frank W. Lee
Executive Assistant to Director and Custodian of Records

Director's Office | San Francisco Public Works | City and County of San Francisco
City Hall, Room 348 - 1 Dr. Carlton B. Goodlett Pl. | San Francisco, CA 94102 | (415) 554-6993 | sfpublicworks.org ·
twitter.com/sfpublicworks

From: Gosiengfiao, Rachel (BOS)
Sent: Thursday, July 14, 2016 11:46 AM
To: Lee, Frank (DPW) <frank.w.lee@sfdpw.org>
Subject: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Good morning, Frank,

Please see attached the 2016 Biennial Notice – Conflict of Interest Code Review Memo, Review Report, City Attorney Memo and San Francisco Campaign and Governmental Conduct Code, Section 3.1-252 – Public Works.

Regards,

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 | www.sfbos.org

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

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: San Francisco Public Works
Mailing Address: City Hall, Rm 348, 1 Dr. Carlton B. Goodlett Pl. San Francisco, CA 94102
Contact Person: Frank Lee Title: Assistant to Director
Office Phone No: (415) 554-6993
E-mail: Frank.W.Lee@sfdpw.org


This agency has reviewed its conflict-of-interest code and has determined that:

☒ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☐ **No amendment is required.**

The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

8/30/16

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

SEC. 3.1-252. GENERAL SERVICES AGENCY – SAN FRANCISCO PUBLIC WORKS, DEPARTMENT OF.

Designated Positions

Disclosure Categories

Department-wide

Manager I	1
Manager II	1
Manager III	1
Manager IV	1
Manager V	1
Manager VI	1
Manager VII	1
Manager VIII	1

General Director's Office

Director of Public Works	1
Deputy Director of Public Works for Infrastructure and City Engineer	1
Deputy Director of Public Works for Buildings and City Architect	1
Deputy Director of Public Works and Operations	1
Deputy Director of Public Works for Financial Management and Administration	1
Director of Policy and Communications	
Government and Public Affairs	1
Stores & Equipment Assistant Supervisor	1
Special Assistant to the Director, Manager VI	1
Mobile Equipment Supervisor	1
Assistant Mobile Equipment Supervisor	1

Office of Financial Management and Administration

Financial Manager, Budget and Analysis Division	1
Computer Services Division Manager	1
Contract Section Manager	1
Financial Manager, Business Services Division	1

Finance

Finance Bureau Manager	1
Budget Section Manager	1
Accounting Section Manager	1
Accounting Section Assistant Manager	1

Information Technology

Information Technology Bureau Manager	1
Operations Section Manager	1
Applications Section Manager	1

Administration

Administration Bureau Manager	1
Contract Administration Section Manager	1
Performance Management Section Manager	1

Building Design and Construction (BDC)

BDC Bureau Manager—BDC	1
Director of Project Management	1
BDC Director of Operations	1
Assistant City Architect	1
Principal Architect	1
Senior Architect	1
Architect	1
Architectural Administrator	1
Project Manager I	1
Project Manager II	1
Project Manager III	1
Project Manager IV	1
Senior Landscape Architect	1
Landscape Architect	1
Landscape Architectural Associate I	1
Landscape Architectural Associate II	1
Principal Engineer	1
Senior Engineer	1
Administrative Engineer	1
Engineer	1
Associate Engineer	1
Assistant Engineer	1
Junior Engineer	1
Building Inspector	1
Senior Building Inspector	1
Assistant Construction Inspector	1
Construction Inspector	1
Senior Construction Inspector	1
Cost Estimator	1
Program Manager I	1
Program Manager II	1

Bureau of Building Repair (BBR)

BBR Operations Bureau Superintendent—BBR	1
BBR Public Building Maintenance and Repair Assistant	1
Bureau Superintendent	1
Maintenance and Operations Section Manager	1
Building and Grounds Maintenance Supervisor Superintendent	1
Cement Finisher Supervisor II	1
Glazier Supervisor I	1
Locksmith Supervisor I	1
Plumber Supervisor II	1

Sheet Metal Supervisor II	1
Maintenance Planner	1
Carpenter Supervisor II	1
Electrician Supervisor II	1
Painter Supervisor II	1
Steam Fitter Supervisor I	1
General Services Manager	1
Senior Stationary Engineer	1

Infrastructure Design and Construction (IDC)

IDC Bureau Manager — IDC	1
Industrial Systems and Buildings Section Manager	1
Streets and Structures Section Manager	1
Principal Engineer	1
Project Manager I	1
Project Manager II	1
Project Manager III	1
Project Manager IV	1
Manager VI	1
Manager VIII	1
Program Manager I	1
Program Manager II	1
Senior Engineer	1
Engineer	1
Administrative Engineer	1
Associate Engineer	1
Assistant Engineer	1
Junior Engineer	1
Structural Engineer	1
Disability Access Coordinator	1
Manager, Regulatory and Environmental Affairs	1
Building Inspector	1
Senior Building Inspector	1
Assistant Construction Inspector	1
Construction Inspector	1
Senior Construction Inspector	1
Cost Estimator	1
Regulatory Specialist I	1

Bureau of Environmental Services (BSES)

BSES Operations Bureau Superintendent — BSES	1
BSES Assistant Bureau Superintendent	1
Support Services Section Manager	1
Zone Program Section Manager	1
Operations and Dispatch Section Manager	1
Street Cleaning and Planting Assistant Superintendent	1
Street Environmental Services Operations Supervisor	1
Program Support Analyst	1

Bureau of Street and Sewer Repair (BSSR)

BSSR Operations Bureau Superintendent —BSSR	1
BSSR Assistant Bureau Superintendent of Streets and Sewer Repair	1
Operations Section Manager	1
Asphalt Plant Supervisor I	1
Senior Stationary Engineer	1
Street Repair Supervisor II	1
Sewer Repair Supervisor	1

Project Controls and Services (PCS)

PCS Bureau Manager —PCS	1
PCS Assistant Bureau Manager	1
Principal Engineer	1
Senior Engineer	1
Administrative Engineer	1
Engineer	1
Associate Engineer	1
Assistant Engineer	1
Building Inspector	1
Senior Building Inspector	1
Assistant Construction Inspector	1
Construction Inspector	1
Senior Construction Inspector	1
Cost Estimator	1
Junior Engineer	1
Program Manager I	1
Program Manager II	1
Project Manager I	1
Project Manager II	1
Project Manager III	1
Project Manager IV	1
Regulatory Specialist I	1
JOC Program Manager	1
As-Needed Professional Services Contract Manager	1
HazMat Contract Manager	1

Bureau of Street Use and Mapping (BSM)

BSM Bureau Manager —BSM	1
Subdivision and Mapping Section Manager	1
Infrastructure Task Force Section Manager	1
Inspection and Enforcement Section Manager	1
Permitting Section Manager	1
Senior Plan Checker	1
Senior Engineer	1
Associate Engineer	1
Assistant Engineer	1
Junior Engineer	1

Chief Surveyor	1
Engineering Associate II	1
Street Inspector	1
Senior Street Inspector	1
Street Inspection Supervisor	1
Project Manager I	1
Project Manager II	1
Project Manager III	1
Project Manager IV	1
Manager IV, Inspection and Enforcement	1
Manager V, Deputy Bureau Chief BSM	1
Manager VI, County Surveyor	1
Urban Forester	1
Program Support Analyst	1

Bureau of Urban Forestry (BUF)

BUF Bureau Superintendent- BUF	1
BUF Assistant Bureau Superintendent	1
Cement Section Manager	1
Urban Forestry Section Manager	1
Cement Finisher Supervisor II	1
Maintenance Manager	1
Urban Forester	1
Tree Topper Arborist Technician Supervisor II	1
Program Support Analyst	1
Street Environmental Services Operations Supervisor	1

Central Operations (CO)

CO Bureau Superintendent	1
CO Assistant Superintendent	1
Outreach and Enforcement Section Manager	1
Apprentice Programs Section Manager	1
Community Programs Section Manager	1
Cost Estimation and Planning Section Manager	1
Equipment Section Manager	1
Storeroom Section Manager	1
Program Support Analyst	1
Street Environmental Services Operations Supervisor	1
Public Information Officer	1
Maintenance Planner	1
Senior Storekeeper	1
Storekeeper	1
Assistant Storekeeper	1
Heavy Equipment Operations Supervisor	1
Assistant Heavy Equipment Operations Supervisor	1

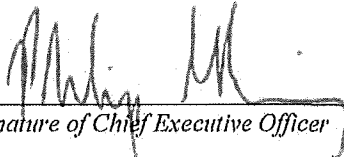
**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

Name of Agency: Recreation and Parks Department
Mailing Address: 501 Stanyan Street SF.CA 94117
Contact Person: Pauline Liang Title: Sr. Personnel Analyst
Office Phone No: (415) 831-2761
E-mail: pauline.liang@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

- ☒ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)
- ☒ Include new positions (including consultants) that must be designated.
 - ☐ Revise disclosure categories.
 - ☐ Revise the titles of existing positions.
 - ☒ Delete positions that have been abolished.
 - ☐ Delete positions that no longer make or participate in making governmental decisions.
 - ☐ Other (describe) _____

- ☐ **No amendment is required.**
The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

8/31/16

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

SEC. 3.1-390 RECREATION AND PARK DEPARTMENT
2016 Local Agency Biennial Notice

<i>Designated Positions</i>	<i>Disclosure Categories</i>
Recreation and Park Commissioners	1
General Manager	1
Superintendent of Parks & Open Spaces	1
Superintendent of Recreation & Community Services	1
Director of Capital and Planning Division	1
Principal Recreation Supervisor - Permits and Reservations	2
Principal Administrative Analyst II –Finance (New)	2
Principal Administrative Analyst II –Capital (New)	2
Principal Administrative Analyst -Partnerships	2
Principal Administrative Analyst- Property	2
Purchasing & Contracts Manager (New)	2
Principal Administrative Analyst – Purchasing (Delete)	2
Principal Administrative Analyst -Finance (Delete)	2
Principal Administrative Analyst -Budget (New)	2
Senior Administrative Analyst – Partnerships	2
Senior Principal Administrative Analyst -Finance	2
Principal Administrative Analyst -Finance	2
Principal Administrative Analyst -Finance	2
Principal Administrative Analyst -Finance	2
Senior Administrative Analyst – Property	2
Senior Administrative Analyst – Purchasing	2
Commission Liaison	1
Director of Operations	1
Director of Policy & Public Affairs	1
Permits & Reservations Manager	2
Director of Property and Concession Management	1
Director of Partnerships	1
Administrative Analyst – Purchasing	2
Project Manager I	2
Project Manager II	2
Project Manager III	2

From: White, Staci (REC)
Sent: Thursday, September 01, 2016 11:14 AM
To: Gosiengfiao, Rachel (BOS)
Cc: Gee, Kin (REC); Liang, Pauline (REC)
Subject: RE: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required
Attachments: 20160831144918463.pdf

Hi Rachel,

The Conflict of Interest Code Review Report is attached for your records.

Best,
Staci

Staci L. White
Executive Assistant to the General Manager

San Francisco Recreation and Park Department | City & County of San Francisco
McLaren Lodge in Golden Gate Park | 501 Stanyan Street | San Francisco, CA | 94117

(415) 831-2701 | Staci.White@sfgov.org



Visit us at sfrecpark.org
Like us on [Facebook](#)
Follow us on [Twitter](#)
Watch us on [sfRecParkTV](#)
Sign up for our [e-News](#)

From: Gosiengfiao, Rachel (BOS)
Sent: Tuesday, August 23, 2016 2:22 PM
To: White, Staci (REC) <staci.white@sfgov.org>
Subject: FW: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Good afternoon, Staci,

I'm reaching out to you to inform that the 2016 Biennial Review Report for your Department is due on Wednesday, August 31, 2016. I sent this email to Cristina Garcia, not sure if she was the appropriate contact or if this email was forwarded to the appropriate contact. Please let me know if you have questions. Thank you.

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

**2016 Local Agency Biennial Notice
Conflict of Interest Code Review Report**

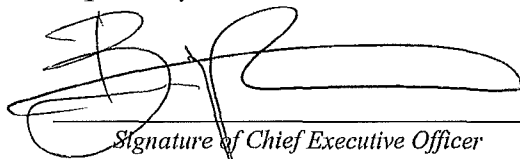
Name of Agency: Retiree Health Care Trust Fund Board
Mailing Address: 1 Dr. Carlton B. Goodlett Place
Room 216 - Controller's Office, S.F., CA 94102
Contact Person: Maura Lane Title: Ex. Asst. to the Controller
Office Phone No: 415-554-7502
E-mail: maura.lane@sfgov.org

This agency has reviewed its conflict-of-interest code and has determined that:

☐ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☐ Include new positions (including consultants) that must be designated.
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☒ **No amendment is required.**
The agency's code accurately designates all positions that make or participate in the making of governmental decisions; the disclosure categories assigned to those positions accurately require the disclosure of all investments, business positions, interests in real property, and sources of gifts and income that may foreseeably be affected materially by the decisions made by those holding the designated positions; and the code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

8/31/2016

Date

Complete this notice regardless of how recently your code was approved or amended.

Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

Print

San Francisco Campaign and Governmental Conduct Code

SEC. 3.1-268. RETIREE HEALTH CARE TRUST FUND.

Designated Positions

Retiree Health Trust Fund Board Member

Disclosure Categories

1

(Added by Ord. 285-08, File No. 081190, App. 12/5/2008)

(Former Sec. 3.1-268 added by Ord. 58-01, File No. 001951, App. 4/13/2001; repealed by Ord. 99-05, File No. 041570, App. 5/25/2005)

2016 Local Agency Biennial Notice

Conflict of Interest Code Review Report

Name of Agency: San Francisco Sheriff's Department
Mailing Address: 1 Dr. Carlton B. Goodlett Pl. Rm 456 City Hall
Contact Person: Freya Horne Title: Legal Counsel
Office Phone No: 415 554-7225
E-mail: Freya.Horne@sfgov.org

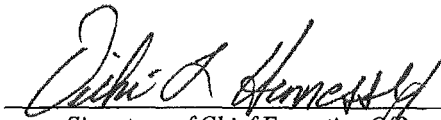
This agency has reviewed its conflict-of-interest code and has determined that:

☒ **An amendment is required. The following amendments are necessary:**
(Check all that apply.)

- ☒ Include new positions (including consultants) that must be designated. : CFO
- ☐ Revise disclosure categories.
- ☐ Revise the titles of existing positions.
- ☐ Delete positions that have been abolished.
- ☐ Delete positions that no longer make or participate in making governmental decisions.
- ☐ Other (describe) _____

☐ **No amendment is required.**

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Signature of Chief Executive Officer

8/31/16

Date

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Please return this notice no later than **August 31, 2016**, via e-mail (PDF) or inter-office mail to:

Clerk of the Board
Board of Supervisors
ATTN: Rachel Gosiengfiao
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
E-mail: rachel.gosiengfiao@sfgov.org

From: Fein, William (SHF)
Sent: Wednesday, August 31, 2016 4:16 PM
To: Gosiengfiao, Rachel (BOS)
Cc: Horne, Freya (SHF)
Subject: Conflict of Interest Code Review Report
Attachments: SKM_654e16083116070.pdf

Attached is the 2016 Local Agency Biennial Notice.

Bill Fein
Executive Secretary³
City Hall, Room 456
San Francisco, CA 94102
(415) 554-7225
william.fein@sfgov.org



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Copy: Leg. Dep.
BOS-11
COB
✓ C Page

Rachel Mansfield-Howlett/SBN 248809
PROVENCHER & FLATT, LLP
823 Sonoma Ave.
Santa Rosa, CA 95404
Phone: 707.284.2378
Fax: 707.284.2387
Email: Rhowlettlaw@gmail.com

Attorney for Petitioners

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

SAVE THE HILL AND GROW
POTRERO RESPONSIBLY,
unincorporated associations;

Petitioners,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, its PLANNING
COMMISSION and BOARD OF
SUPERVISORS, and DOES 1-5;

Respondents,

POTRERO PARTNERS LLC, PRADO
GROUP INC., WALDEN
DEVELOPMENT, LLC, DAN SAFIER,
JOSH SMITH, and DOES 6-10;

Real Parties in Interest.

Case No. _____

PETITION FOR
WRIT OF MANDAMUS

California Environmental Quality Act
[CEQA]

Petition for Writ of Mandamus
City and County of San Francisco

1 Petitioners allege:
2

3 **Introduction**

4 1. The community organizations Save the Hill and Grow Potrero Responsibly
5 (collectively, "Citizens", hereafter) bring this mandamus action in the public interest to
6 challenge the environmental review conducted for the 901 16th Street and 1200 17th
7 Street mixed use residential project ("Project", hereafter) proposed by Potrero Partners,
8 LLC, Prado Group Inc., and Walden Development, LLC ("Developer", hereafter) in
9 order to enforce mandatory environmental laws protecting Potrero Hill and the
10 Showplace Square areas of San Francisco. Positioned at the gateway of the Potrero Hill
11 community, the Project covers 3.5 acres and has the capacity to alter the very nature of
12 the iconic Potrero Hill environs. It is one of the largest projects to be proposed in the
13 history of Potrero Hill.
14
15

16 The City of San Francisco ("City", hereafter) improperly relied upon an outdated
17 2008 Eastern Neighborhoods Plan Environmental Impact Report (PEIR) for their
18 application of a Community Plan Exemption as well as an exception under Public
19 Resources Code section 21099 that relieves certain mixed use transit oriented projects
20 from considering aesthetics impacts during environmental review; and the Project's
21 Environmental Impact Report (EIR) is inadequate and incomplete. The PEIR
22 underestimated the level of development of residential units currently implemented
23 and proposed throughout the Potrero Hill and Showplace Square Areas, thereby
24 impacting the analysis of land use impacts, consistency with area plans and policies
25
26
27
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1 and direct and cumulative traffic impacts. The Developer asserts the Project's addition
2 of 395 residential units with admitted impacts to traffic and loss of PDR is a transit
3 friendly project merely because the site is located within a transit area. In actuality,
4 Potrero Hill is experiencing severe traffic congestion and the area is severely
5 underserved by area transit. Considering this, along with the Project's incorporation of
6 388 parking spaces, the Project cannot be considered transit friendly and therefore is
7 not exempted from the requirement of reviewing aesthetics and views impacts.
8

9 The Project EIR failed to adequately analyze impacts in the areas of: traffic and
10 circulation, transit and transportation, aesthetics and views, shadows, recreation and
11 open space, land use, consistency with area plans and policies, and cumulatively
12 considerable impacts; failed to adequately analyze and review alternatives to the
13 Project; and the Final EIR failed to adequately respond to substantive comments made
14 on the Draft EIR.
15

16 Citizens are not against the development of Potrero Hill; they are acting in the
17 public interest to ensure the community does not shoulder the burden of a project with
18 undisclosed impacts due to the reliance on an outdated Area Plan EIR and inadequate
19 Project EIR. Citizens reasonably assert that decision makers and the public should first
20 be apprised of the actual effects of the Project so that all feasible mitigation can be
21 reviewed and adopted in advance of its adoption.
22

23 Under mandatory provisions of the California Environmental Quality Act
24 (CEQA), the City cannot merely adopt a statement of overriding considerations when
25 approving a project with substantial environmental impacts, it must first analyze the
26
27
28

1 Project's actual impacts and adopt feasible alternative and mitigation measures that
2 substantially lessen or avoid these impacts prior to consideration of its adoption.

3 A peremptory writ should issue in the first instance, requiring the City to
4 prepare an adequate EIR that complies with CEQA, fairly identifies the Project's actual
5 environmental impacts, and reviews feasible mitigations and alternatives prior to
6 further consideration of the Project. Citizens look to this Court to enforce the mandates
7 of state law that protect the Potrero Hill and Showplace Square areas.
8

9 Jurisdiction

10
11 2. This Court has jurisdiction under Public Resources Code sections 21168 and
12 21168.5 and Code of Civil Procedure sections 1085 and 1094.5. The parties and the site
13 are located in the City and County of San Francisco.

14 Parties

15
16 3. Petitioners are comprised of two unincorporated public benefit community
17 organizations. Save the Hill was formed in 2012; its mission is to protect and promote
18 the Potrero Hill neighborhood's unique identity, to support its locally run businesses
19 and to ensure that neighborhood growth promotes the highest standards of urban
20 development and planning. Grow Potrero Responsibly was formed in 2013; its mission
21 is to promote the reasonable development of Potrero Hill.
22

23 Petitioners' members include community residents and concerned citizens who
24 have for many years personally enjoyed and appreciated the unique resources of the
25 Potrero Hill area and bring this petition on behalf of all others similarly situated who
26 are too numerous to be named and brought before this Court as petitioners. Petitioners'
27

1 members objected to the adoption of the Community Plan Exemption, the certification
2 of the EIR and the Project approval.

3 4. Respondents, the City and County of San Francisco are the governmental
4 bodies that applied the Community Plan Exemption, certified the EIR, approved the
5 Project, and acted as lead agency under CEQA.
6

7 5. Real Parties in Interest, Potrero Partners LLC, Prado Group Inc., Walden
8 Development, LLC, Dan Safier, and Josh Smith are listed as the owners/applicants who
9 propose to develop the Project site.
10

11 6. Does 1 to 10 are fictitiously named Respondents and Real Parties in Interest
12 whose true names and capacities are currently unknown to Petitioner. If and when
13 their true names and capacities are known, Petitioner will amend this petition to assert
14 them. If any of the listed entities are determined to be not indispensable to the
15 litigation, Petitioners will consider dismissing the party from litigation.
16

17 7. The paragraphs below refer to and rely on information in documents relating
18 to this action, all of which will be filed with this Court as part of the Administrative
19 Record of Proceedings and which are here incorporated by reference.
20

21 **General Allegations**

22 **Project Description and Locale**

23 8. The Project site consists of four adjacent lots in the lower Potrero Hill
24 neighborhood. The approximately 3.5-acre site is bounded by 16th Street to the north,
25 Mississippi Street to the east, 17th Street to the south, and residential and industrial
26 buildings to the west. The site currently contains four existing buildings: two metal-
27

1 clad industrial warehouse buildings (102,500 square feet), a brick office building (1,240
2 square feet), and an office building (5,750 square feet). The 1926 brick building was
3 originally constructed by the Pacific Rolling Mill Co. to house the office functions of the
4 company's steel fabricating operation. In total, the four existing buildings constitute
5 approximately 109,500 gross square feet.
6

7 9. The Project is located in the UMU Zoning District along a transitioning
8 industrial corridor connecting the Mission neighborhood to Mission Bay within the
9 Showplace Square/Potrero Hill Plan Area. Adjacent properties to the north, west, east,
10 and south are all zoned UMU (Urban Mixed Use). Properties further northwest are
11 zoned PDR-1-D (Production, Distribution, Repair- 1- Design) while properties further
12 south are primarily zoned RH-2 (Residential-House, Two Family).
13

14 10. The Project proposes to merge four lots into two lots, totaling approximately
15 3.5 acres, demolish a surface parking lot and approximately 109,000 square feet of
16 existing warehouse (PDR) use to construct two four- to six-story mixed use buildings.
17 The Project entails the preparation of an EIR and request for a Large Project
18 Authorization. The two buildings consist of a North Building ("16th Street Building"), a
19 6-story, 68-foot tall, 402,943 gross square foot, with 260 dwelling units, 20,318 square
20 feet of retail, and 263 off-street parking spaces; and, a South Building ("17th Street
21 Building"), a 4-story, 48-foot tall, 213,009 gross square foot mixed use building with 135
22 dwelling units, 4,650 square feet of retail and 125 off-street parking spaces. The Project
23 would construct a pedestrian alley connecting 16th Street to 17th Street along the
24 western property line. Combined, the two new buildings would construct a total of 395
25
26
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dwelling units, 24,468 gross square feet of retail space and 388 off-street parking spaces.
The Project would retain an existing two-story, brick historic building.

Administrative Review Process

11. The Eastern Neighborhoods Area Plan EIR, upon which the Project's Community Plan Exemption and EIR tiers, was adopted in 2008.

12. The Draft EIR was released for public review in August 2015. The Draft EIR found the Project would result in direct significant unavoidable impacts to traffic and circulation and cumulatively significant impacts contributing to the loss of PDR and worsening of area traffic and circulation but claimed there were no feasible mitigation measures that would lessen or avoid these impacts. The Draft EIR considered a No Project Alternative, Reduced Density Alternative, and Metal Shed Reuse Alternative and found the Reduced Density Alternative to be the environmentally superior alternative.

13. Citizens and numerous concerned area residents commented that the Community Plan Exemption improperly relied on an outdated Eastern Neighborhoods Plan EIR and that the Project EIR failed to adequately analyze: traffic and circulation, transit and transportation, aesthetics and views, shadows, recreation and open space, land use, cultural and historic resources, consistency with area plans and policies, and cumulatively considerable impacts. The EIR also failed to adequately analyze alternatives to the Project.

14. On October 1, 2015 the City held a hearing on the Draft EIR. Citizens and others objected on the bases stated.

1 15. On April 28, 2016, the City published the Final EIR. Citizens stated the Final
2 EIR failed to adequately respond to comments in the areas of, *inter alia*, scale, height
3 and density, aesthetic and views, recreation and open space, and consistency with area
4 plans and policies. Citizens noted the EIR failed to respond to comments made about
5 the Project's inconsistency with area plans and policies, including the Showplace
6 Square/Potrero Area Plan and the Urban Design and Housing Elements of the City's
7 General Plan. The EIR disregarded established City policies and failed to adequately
8 respond to comments regarding the Project's conflicts with neighborhood scale and
9 character, the requirement to provide adequate infrastructure, and the preservation of
10 PDR uses.
11

12
13 16. On May 12, 2016, the Planning Commission held a public hearing, certified
14 the EIR, made CEQA findings, adopted a Statement of Overriding Considerations and
15 approved the Project *via* Motions 19643-19645. Citizens reiterated their objections to the
16 Project approval and the environmental review conducted for the Project on the bases
17 stated.
18

19 17. On June 10, 2016, Citizens appealed the application of the Community Plan
20 Exemption and the EIR; the appeal was accepted by the Board of Supervisors as
21 complete and was calendared for hearing. Thereafter, on July 15, 2016, Citizens
22 submitted an extensive appeal packet to support their objections to the Project and its
23 environmental review. The appeal included, *inter alia*, the following objections.
24

25 Citizens stated that when the Planning Commission certified the Eastern
26 Neighborhoods Plan EIR in 2008, they approved a Preferred Project that allowed for
27

1 3180 residential units in the Showplace/Potrero area by 2025. But the analysis done for
2 the Project indicated that as of February 2016, 3315 units had been approved or were in
3 the pipeline. Additional analysis done for the 2011-2015 Eastern Neighborhoods
4 Monitoring Report showed 4,526 residential units had been approved or were in the
5 pipeline, well in excess of what was anticipated in the Eastern Neighborhoods Plan EIR
6 for the Showplace/Potrero Area. The Monitoring Report indicated that the entire
7 Eastern Neighborhoods Area was now on track to exceed projections of 9,785 units by
8 nearly 2,000 units.
9

10
11 Citizens stated traffic congestion in the immediate area of the Project is already a
12 readily recognized fact of life, with multiple intersections operating at "F" levels. The
13 Eastern Neighborhoods Plan EIR's cumulative traffic analysis was based on
14 assumptions about the level of development and traffic counts that are now outdated,
15 had not accounted for traffic at key intersections surrounding the Project site, and had
16 not included large projects such as the Warriors Arena.
17

18 Citizens stated the Project's single massive structure positioned at the base of
19 Potrero Hill, along with its height, bulk, and massing will obscure a cherished
20 landmark of Potrero Hill – scenic public views of downtown San Francisco. Potrero
21 Hill, like San Francisco as a whole, is known for its dramatic City views and
22 sweeping vistas. The height, bulk, and mass of the Project will effectively wall off a
23 large portion of lower Potrero Hill from public views of downtown that have been
24 enjoyed by visitors for generations. Just like the recent San Francisco campaign against
25 "walling off" the waterfront, Citizens stated Potrero Hill should be protected from
26
27
28

1 "walls" of out-of-scale development. The Project also conflicts with long-standing City
2 and state policies regarding protection of public scenic vistas.

3 Citizens provided substantial evidence countering the assumptions made in the
4 Developer's study and the City's findings regarding the infeasibility of alternatives; the
5 Metal Shed Reuse Alternative is a feasible alternative that would reduce the Project's
6 admittedly significant impacts to traffic and loss of PDR and would yield sufficient
7 profits. The Developer's study improperly used land value, instead of land acquisition
8 costs, which is the appropriate measure for assessing feasibility as defined by the
9 Planning Department, and thereby inflated the costs of the Project and skewed the
10 cost/profit analysis. Utilizing the appropriate land cost data, the Metal Shed
11 Alternative met the targeted 18%-25% profit margin utilized by the Developer. Other
12 errors in the study included the use of outdated information regarding the value of
13 rental square footage in PDR uses. The study assumed a \$2.50 per square foot value for
14 the Metal Shed Alternative, whereas, current figures were estimated at nearly twice
15 that, at \$4.00 per square foot. The analysis improperly devalued the potential profit
16 margin for this alternative. The Developer's study also neglected to include financial
17 data about the Project that would allow a fair comparison of the Project's costs and
18 profits to that of the alternatives', as required by law, and it burdened alternatives with
19 unnecessary flaws that made them appear to result in more severe traffic impacts and
20 less profit. Citizens stated:

21
22
23
24
25 If a project will result in significant environmental impacts that will not be
26 avoided or substantially lessened by mitigation measures, the agency must
27 consider the environmentally superior alternatives identified in the EIR
28

1 and find that they are "infeasible" before approving the project. (Pub. Res.
2 Code § 21081(a)(3), *See also* CEQA Guidelines 14 Cal. Code Regs. §
3 15091(a)(3).) Feasible means capable of being accomplished in a successful
4 manner within a reasonable period of time, taking into account economic,
5 environmental, social, technological, and legal factors. (Pub. Res. Code §
6 21061.1; Guidelines §15364.) The requirement for an infeasibility finding
7 flows from the public policy that states:

8 It is the policy of the state that public agencies should not approve
9 projects as proposed if there are feasible alternatives or feasible
10 mitigation measures available which would substantially lessen the
11 significant environmental effects of such projects ... the Legislature
12 further finds and declares that in the event specific economic, social,
13 or other conditions make infeasible such project alternatives or such
14 mitigation measures, individual projects may be approved in spite
15 of one or more significant effects thereof.

16 (Pub. Res. Code § 21002.) Reflecting this policy, Public Resources Code
17 section 21081(a)(1)-(3) provides that if one or more significant impacts will
18 not be avoided or substantially lessened by adopting mitigation measures,
19 alternatives described in the EIR that can avoid or reduce the impact must
20 be found infeasible if they are not adopted. Under this scheme, a public
21 agency must avoid or reduce a project's significant environmental effects
22 when it is feasible to do so. (Pub. Res. Code §§ 21002, 21002.1(b); 14 Cal.
23 Code Regs §§ 15021(a) and 15091(a)(1).) As explained by the California
24 Supreme Court in *Mountain Lion Foundation v. Fish & Game Commission*
25 (1997) 16 Cal.4th 105, 124, "Under CEQA, a public agency must ... consider
26 measures that might mitigate a project's adverse environmental impact
27 and adopt them if feasible. (Pub. Res. Code §§ 21002, 21081.)" The Court
28 reiterated "CEQA's substantive mandate that public agencies refrain from
approving projects for which there are feasible alternatives or mitigation
measures." (*Id.* at 134.) CEQA's substantive mandate was again
underscored by the California Supreme Court in *Vineyard Area Citizens v.*
City of Rancho Cordova (2007) 40 Cal.4th 412; *City of Marina v. Board of*
Trustees of the California State University (2006) 39 Cal.4th 341; *County of San*
Diego v. Grossmont-Cuyamaca Community College District (2006) 141
Cal.App.4th 86; and *Preservation Action Council v. City of San Jose* (2006) 141

1 Cal.App.4th 1336.

2 Increased costs of an alternative do not equate to economic infeasibility:
3 "[t]he fact that an alternative may be more expensive or less profitable is
4 not sufficient to show that the alternative is financially infeasible. What is
5 required is evidence that the additional costs or lost profitability are
6 sufficiently severe as to render it impractical to proceed with the project."
7 (*Citizens of Goleta Valley v. Board of Supervisors (Goleta I)* (1988) 197
8 Cal.App.3d 1167, 1181; see also *Kings County Farm Bureau v. City of Hanford*
9 (1990) 221 Cal.App.3d 692, 736; *City of Fremont v. San Francisco Bay Area*
10 *Rapid Transit District* (1995) 34 Cal.App.3d 1780 [addition of \$60 million in
11 costs rendered subterranean alternative for BART extension infeasible.].) In
12 *Citizens of Goleta Valley v. County of Santa Barbara (Goleta I)* (1988) 197
13 Cal.App.3d 1167, the court found that the record included no analysis of
14 the comparative costs, profits, or economic benefits of a scaled down
15 project alternative and was insufficient to support a finding of economic
16 infeasibility. In *Uphold Our Heritage v. Town of Woodside* (2007) 147
17 Cal.App.4th 587, a project applicant's preference against an alternative does
18 not render it infeasible. In *County of San Diego v. Grossmont Cuyamaca*
19 *Community College Dist.* (2006) 141 Cal.App.4th 86, 108, the court found that
20 a community college's proportional share of cost of off-campus traffic
21 mitigation measures could not be found economically infeasible in absence
22 of cost estimates. In *Burger v. County of Mendocino* (1975) 45 Cal.App.3d
23 322, the court found that an infeasibility finding based on economic factors
24 cannot be made without estimate of income or expenditures to support
25 conclusion that reduction of motel project or relocation of some units
26 would make project unprofitable.
27

21 Citizens stated the Project cannot meet the "impractical to proceed" standard
22 articulated in *Goleta I*.
23

24 18. On July 18, 2016, eight days before the appeal hearing before the Board of
25 Supervisors, the Planning Department asserted Citizens could not file an appeal to the
26 Planning Commission's CEQA determinations without also appealing the Large Project
27
28

1 Authorization. Citizens countered that the San Francisco Administrative Code section
2 31.16 provided the bases for the Board of Supervisor's rejection of the Planning
3 Commission's adoption of the CEQA determination and findings *via* a CEQA appeal;
4 their action to uphold the appeal would necessarily void the Planning Commission's
5 approval of the Project and was not premised on the appeal of the Large Project
6

7 Authorization. Citizens stated:

8 It is well settled that discretionary project approvals subject to CEQA, as
9 here, must first be premised on adequate environmental review under
10 Public Resources Code Sections 21100(a) and 21151(a). If the Board rejects
11 the environmental determination or findings made by the Commission, the
12 Large Project Approval will be deemed void. ... "The Board shall reverse
13 the Planning Commission's certification of the EIR if the Board finds that
14 the EIR does not comply with CEQA, including that it is *not adequate,*
15 *accurate and objective, is not sufficient as an informational document, that its*
16 *conclusions are incorrect or it does not reflect the independent judgment and*
17 *analysis of the City, or that the Planning Commission certification findings are*
18 *incorrect."* "Any actions approving the project in reliance on the reversed CEQA
19 decision, shall be deemed void." (Emphasis added.) The relevant sections are
20 quoted in full below.

21 Section 31.16 (b), relevant to "Appeal Procedures" states:

22 (10) If the Board reverses the CEQA decision, the prior CEQA
23 decision and any actions approving the project in reliance on the
24 reversed CEQA decision, shall be deemed void.

25 Section 31.16 subdivision (c), relevant to "Appeal of Environmental Impact
26 Reports" states:

27 (5) The Board shall reverse the Planning Commission's certification
28 of the EIR if the Board finds that the EIR does not comply with
CEQA, including that it is not adequate, accurate and objective, is
not sufficient as an informational document, that its conclusions are
incorrect or it does not reflect the independent judgment and
analysis of the City, or that the Planning Commission certification
findings are incorrect. If the Board reverses the Planning
Commission's certification of the final EIR, it shall remand the final

1 EIR to the Planning Commission for further action consistent with
2 the Board's findings. Any further appeals of the EIR shall be limited
3 only to the portions of the EIR that the Planning Commission has
4 revised and any appellant shall have commented on the revised EIR
5 at or before a public hearing held on the revised EIR or the project, if
6 any, The Board's subsequent review, if any, also shall be limited to
7 the portions of the EIR that the Planning Commission has revised
8 including, without limitation, new issues that have been addressed.
9 Any additional appeals to the Board shall comply with the
10 procedures set forth in this Section 31.16.

11 19. On July 26, 2016, the Board of Supervisors held a public hearing to consider
12 the appeal. After several hours of testimony, from Citizens and others voicing their
13 objections, and deliberation by the Board, the Board denied the appeal and upheld the
14 Planning Commission's decisions that adopted the Project and its environmental
15 review. Prior to their deliberation, the Board was instructed by Planning staff not to
16 consider the feasibility of alternatives in their deliberation. Just before the vote was
17 taken, Supervisor Malia Cohen asked the Developer to contribute funding for the
18 development of Jackson Park; the Developer promptly replied by offering \$800,000.
19 Supervisor Aaron Peskin strongly objected to the interchange between the Developer
20 and the Board member and stated that all of the Board members should be recused due
21 to its impropriety. Shortly before the vote was taken, Supervisor Cohen was recused
22 from voting on the Project. Supervisor Peskin concurred with Citizens appraisal of the
23 San Francisco Code provisions relative to the appeal and voted to uphold the appeal.

24 20. On July 29, 2016, the Notice of Determination was filed. This action is timely
25 filed.
26
27
28

21. Petitioners have no adequate remedy at law. Absent the relief prayed for in this Petition, the Project will proceed with significant irreparable and irreversible environmental impacts to the Potrero Hill/Showplace Square environs. The City has the ability to correct its violations of law but has failed to do so.

VIOLATIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

22. Petitioners incorporate all previous paragraphs as if fully set forth.

23. The City abused its discretion and failed to act in the manner required by law in applying the Community Plan Exemption, certifying the Environmental Impact Report and approving the Project because:

- a. The City improperly relied upon an outdated EIR prepared for the Eastern Neighborhoods Plan when it applied the Community Plan Exemption and certified the Project EIR.
- b. The EIR is inadequate and incomplete and its conclusions are not supported by substantial evidence;
- c. The City failed to adequately review significant environmental impacts related to: residential growth, traffic and circulation, aesthetics and views, shadow, recreation and open space, transit and transportation, land use, inconsistencies with area plans and cumulative impacts;
- d. The Board of Supervisors failed to fully address Citizens' CEQA appeal;
- e. The EIR failed to conduct an adequate alternatives analysis;
- f. The City unlawfully approved a project with significant environmental impacts when the record discloses feasible alternatives and mitigation measures that would substantially reduce impacts and those alternatives and mitigation measures were not adequately considered

or adopted;

g. The City's findings certifying the EIR, rejecting alternatives as infeasible, and approving the Project are not supported by substantial evidence in light of the whole record;

h. The City's Findings adopting the Statement of Overriding Considerations are not supported by substantial evidence.

WHEREFORE, Petitioners pray:

1. That the Court issue a peremptory writ of mandate ordering Respondents to set aside and void all approvals relating to the 901 16th Street and 1200 17th Street Project and to refrain from further approval until it fully complies with CEQA;

2. That the Court issue a stay order enjoining Respondents and Real Parties in Interest or their agents from engaging in any physical construction or pre-construction activities in furtherance of the 901 16th Street and 1200 17th Street Project while this Petition is pending;

3. For Petitioners' costs and attorney fees pursuant to Code of Civil Procedure section 1021.5; and

4. For other and further relief as the Court finds proper.

Dated: August 26, 2016

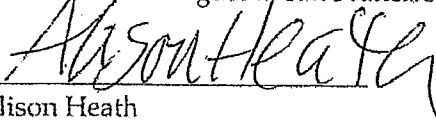


Rachel Mansfield-Howlett

Verification of Petition

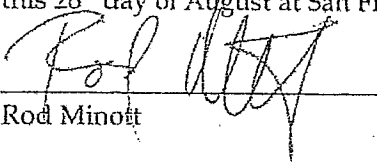
I, Alison Heath, am a member of Petitioner, Grow Potrero Responsibly. I have read the Petition for Writ of Mandamus and know its contents. The matters stated in it are true and correct based on my knowledge, except as to the matters that are stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the above is true and correct. Executed this 26th day of August at San Francisco, California.


Alison Heath

I, Rod Minott, am a member of Petitioner, Save the Hill. I have read the Petition for Writ of Mandamus and know its contents. The matters stated in it are true and correct based on my knowledge, except as to the matters that are stated on information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury that the above is true and correct. Executed this 26th day of August at San Francisco, California.


Rod Minott

Save the Hill, et al. v. City of San Francisco, et al.
San Francisco Superior Court Case No. _____

PROOF OF SERVICE

I am a citizen of the United States, over the age of eighteen years and I am not a party to the within entitled action;

On AUGUST 26, 2016, I served one true copy of the following documents:

**NOTICE OF COMMENCEMENT OF ACTION
PETITION FOR WRIT OF MANDATE
CIVIL CASE COVER SHEET
NOTICE OF ELECTION TO PREPARE RECORD**

X by placing a true copy thereof enclosed in a sealed envelope and postage thereon fully prepaid, in the US mail in Santa Rosa, California to the addresses and persons listed below.

City of San Francisco and its
Board of Supervisors and
Planning Commission

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

City Attorney
1 Dr. Carlton B. Goodlett Place
City Hall, Room 234
San Francisco, Ca. 94102-4689

Attorney General's Office
California Department of Justice
Kamala D. Harris
P.O. Box 944255
Sacramento, CA 94244-2550

I declare under penalty of perjury, that the foregoing is true and correct.

Executed on AUGUST 26, 2016, at Santa Rosa California.



Rachel Mansfield-Howlett

Rachel Mansfield-Howlett/SBN 248809
PROVENCHER & FLATT, LLP
823 Sonoma Ave.
Santa Rosa, CA 95404
Phone: 707.284.2378
Fax: 707.284.2387
Email: Rhowlettlaw@gmail.com

Attorney for Petitioners

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

SAVE THE HILL AND GROW
POTRERO RESPONSIBLY,
unincorporated associations;

Petitioners,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, its PLANNING
COMMISSION and BOARD OF
SUPERVISORS, and DOES 1-5;

Respondents,

POTRERO PARTNERS LLC, PRADO
GROUP INC., WALDEN
DEVELOPMENT, LLC, DAN SAFIER,
JOSH SMITH, and DOES 6-10;

Real Parties in Interest.

Case No. _____

NOTICE OF ELECTION TO PREPARE
ADMINISTRATIVE RECORD OF
PROCEEDINGS

California Environmental Quality Act
[CEQA]

1 Petitioners, Save the Hill and Grow Potrero Responsibly, elect to prepare the
2 administrative record of proceedings in the above-entitled proceeding, or
3 alternatively, to pursue an alternative method of record preparation pursuant to
4 Public Resources Code section 21167.6(b)(2).

5
6 August 26, 2016

PROVENCHER & FLATT, LLP

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10 Rachel Mansfield-Howlett
11 Attorney for Petitioners
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Save the Hill, et al. v. City of San Francisco, et al.
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Rachel Mansfield-Howlett

Orig: Leg. Clerk
Copy: Leg. Rep.
BOS-11
COB
C. Page

Rachel Mansfield-Howlett/SBN 248809
PROVENCHER & FLATT, LLP
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Santa Rosa, CA 95404
Phone: 707.284.2378
Fax: 707.284.2387
Email: Rhowlettlaw@gmail.com

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SAVE THE HILL AND GROW
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GROUP INC., WALDEN
DEVELOPMENT, LLC, DAN SAFIER,
JOSH SMITH, and DOES 6-10;

Real Parties in Interest.

Case No. _____

NOTICE OF COMMENCEMENT
OF ACTION


California Environmental Quality Act
[CEQA]

1 TO: THE CITY AND COUNTY OF SAN FRANCISCO and its PLANNING
2 COMMISSION AND BOARD OF SUPERVISORS:

3 Notice is hereby given that an action has been commenced against you by the
4 filing of a Petition for Writ of Mandamus in the above entitled court this date.
5

6 Date: August 26, 2016

7 PROVENCHER & FLATT, LLP

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9 
10 Rachel Mansfield-Howlett
11 Attorney for Petitioners
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Save the Hill, et al. v. City of San Francisco, et al.
San Francisco Superior Court Case No. _____

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Attorney General's Office
California Department of Justice
Kamala D. Harris
P.O. Box 944255
Sacramento, CA 94244-2550

I declare under penalty of perjury, that the foregoing is true and correct.
Executed on AUGUST 26, 2016, at Santa Rosa California.



Rachel Mansfield-Howlett

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Rachel Mansfield-Howlett SBN# 248809 Provencher & Flatt, LLP 823 Sonoma Ave. Santa Rosa, CA 95404		FOR COURT USE ONLY <i>Orig: Leg. Clerk</i> <i>Copy: Leg. Dep.</i> <i>BOS-11</i> <i>CDB</i> <i>✓C-Page</i>	
TELEPHONE NO.: 707-291-6585 FAX NO.: 707-291-2378 ATTORNEY FOR (Name): Petitioners, Save the Hill and Grow Potrero Responsibly			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister MAILING ADDRESS: 400 McAllister CITY AND ZIP CODE: San Francisco 94102 BRANCH NAME: Civic Center Courthouse			
CASE NAME: Save the Hill, et. al. v. City of San Francisco, et al.			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CASE NUMBER: JUDGE: DEPT: 503 [CEQA]

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
3. Remedies sought (check all that apply): a. ☐ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): (1) CEQA
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: August 26, 2016
 Rachel Mansfield-Howlett

(TYPE OR PRINT NAME)


 (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

Save the Hill, et al. v. City of San Francisco, et al.
San Francisco Superior Court Case No. _____

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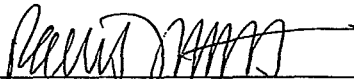
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Attorney General's Office
California Department of Justice
Kamala D. Harris
P.O. Box 944255
Sacramento, CA 94244-2550

I declare under penalty of perjury, that the foregoing is true and correct.

Executed on AUGUST 26, 2016, at Santa Rosa California.



Rachel Mansfield-Howlett

From: Cayabyab, Christine (BOS)
Sent: Wednesday, August 24, 2016 3:41 PM
To: Gosiengfiao, Rachel (BOS)
Cc: Laxamana, Junko (BOS)
Subject: RE: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Hey Rachel,

Here's the list I came up with:

Deputy Director II	Peggy
Manager I / AAB Administrator	Dawn
Manager II	Alisa
Principal Administrative Analyst / Admin & Finance Mgr	Junko
Senior Administrative Analyst	Wilson by classification but not sure if he needs to do it w/ his job duties
Board Members	11 Supervisors
Clerk of the Board	Angela
Member/Hearing Officer - AAB	AAB Commissioners
Senior Accountant	New Temp
Legislative Assistants	33 Aides
IS Manager	?? Rohan

Christine Cayabyab
Personnel & Payroll Unit
SF Board of Supervisors
415.554.7707

Move More, Feel Better. Register now to [Get Fit on Route 66](#).

Check out the [August Wellness Calendar](#) to learn more about group exercises, interactive seminars, wellness coaching & special events at the [HSS Wellness Center](#).

From: Gosiengfiao, Rachel (BOS)
Sent: Thursday, August 18, 2016 3:18 PM
To: Cayabyab, Christine (BOS) <christine.cayabyab@sfgov.org>; Laxamana, Junko (BOS) <junko.laxamana@sfgov.org>
Subject: FW: 2016 Biennial Notice - Conflict of Interest Code Review - Response Required

Good afternoon, Christine and Junko.

Please see attached the 2016 Biennial Notice – Conflict of Interest Code Review Memo, Review Report, City Attorney Memo and San Francisco Campaign and Governmental Conduct Code, Section 3.1-150 – Board of Supervisors.

Can you take a look at the classifications stated on the attachment Board of Supervisors Code Section 3.1-150, we may need to delete old positions and add new positions, like Rohan and Junko's position, not sure if we need to add Tony's

position because in the past, Judy would submit a Form 700. Also, I think the new accountant would be required to submit as well, but let me know your thoughts?

To better understand the Biennial Report, please read the City Attorney Memo and 2016 Conflict of Interest Code Review Memo. Every 2 years we update code Section 3.1-150. I've added Assessor-Recorder to see a list of positions from that Department. Our office should only be a few changes.

If you can provide me a list of changes by mid next if possible. 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 | www.sfbos.org

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Subject: Issued: Whistleblower Program: Annual Report and Quarter 4 Results, Fiscal Year 2015-16

The Office of the Controller's City Services Auditor Division today issued the fiscal year 2015-16 Whistleblower Program annual report. During the year the Whistleblower Program investigated and closed 221 investigations. These investigations resulted in:

- The proposed termination of an employee who abused their supervisory authority, intimidated other employees, and engaged in a pervasive pattern of making discriminatory comments.
- A ten-day suspension of an employee who participated in decisions involving family members.
- The resignation of an employee who directed customers to use and make cash payments to a family member's business.

To view the full memorandum, please visit our website at:
<http://openbook.sfgov.org/webreports/details3.aspx?id=2354>

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

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City and County of San Francisco

Office of the Controller – City Services Auditor

WHISTLEBLOWER PROGRAM: Annual Report and Quarter 4 Results Fiscal Year 2015-16



September 1, 2016

PROFILE OF PERFORMANCE

Fiscal Year 2015-16 Activity Summary

The Whistleblower Program Annual Report for July 2015 through June 2016 (fiscal year 2015-16) is the twelfth annual report on complaints received by the Whistleblower Program of the City and County of San Francisco (City) and summarizes Whistleblower Program activity for the fiscal year and Quarter 4 (April through June 2016). In the fourth quarter 101 complaints were filed with the Whistleblower Program, which had 56 open complaints on April 1, 2016. The Whistleblower Program closed 88 complaints in the quarter, leaving 69 complaints open on July 1, 2016. The Whistleblower Program substantiated 23 (26 percent) of the 88 complaints closed, resulting in a total of 26 corrective and preventive actions.

Activity Summary	Quarter 4 (Apr - Jun)	Fiscal Year 2015-16	5-Year Total
Open (under investigation) on April 1, 2016	56		
Received	101	325	1,564
Closed	88	309	1,542
Substantiated (of those closed)	23	81	370
Open (under investigation) on July 1, 2016	69		

Note: 5-Year Totals are from fiscal years 2011-12 through 2015-16

Action Taken	Quarter 4 (Apr - Jun)	Fiscal Year 2015-16	5-Year Total
Personnel Action	11	46	180
Employee Counseled (Verbal/Written Warning)	9	33	143
Disciplinary/Corrective Action Pending	2	10	20
Employee Terminated	-	-	5
Employee Resigned During Investigation	-	2	4
Employee Suspended	-	1	8
Procedure Changed/Reinforced	9	24	135
Other Corrective Action	6	33	128
Total	26	103	443

Note: 5-Year Totals are for fiscal years 2011-12 through 2015-16.

Complaint Closure	Target	Fiscal Year Actual
Complaints Closed Within 90 Days	80%	76%

PROFILE OF PERFORMANCE

Complaints Investigated and Closed at Departments with More Than 200 Authorized Positions

The Whistleblower Program investigated and closed 221 complaints in fiscal year 2015-16. The majority, 188 (85 percent), of the investigations occurred at city departments with more than 200 authorized full-time equivalent (FTE) positions. This table summarizes the number of complaints investigated and closed at these departments.

Department	2015-16 Complaints Investigated and Closed	As a % of 2015-16 Whistleblower Program Investigations	Budgeted FTE Positions as a % of Total Workforce
Public Health	47	21.27%	21.13%
Municipal Transportation Agency	31	14.03%	17.51%
Police	9	4.07%	8.98%
Public Utilities Commission	20	9.05%	7.00%
Human Services Agency	20	9.05%	6.60%
Fire	3	1.36%	5.30%
Airport	7	3.17%	4.99%
Public Works	9	4.07%	4.34%
Sheriff	5	2.26%	3.14%
Recreation and Park	9	4.07%	3.04%
City Administrator	9	4.07%	2.44%
Library	1	0.45%	2.02%
Building Inspection	2	0.90%	0.95%
City Attorney	1	0.45%	0.94%
District Attorney	-	0.00%	0.84%
Controller	2	0.90%	0.80%
Emergency Management	3	1.36%	0.80%
Juvenile Probation	-	0.00%	0.80%
Port	2	0.90%	0.79%
Technology	5	2.26%	0.78%
Treasurer/Tax Collector	2	0.90%	0.73%
Planning	1	0.45%	0.63%
All Other Departments*	33	14.93%	5.46%
Total	221	100.00%**	100.00%**

Notes:

* Includes complaints investigated and closed at departments with fewer than 200 authorized positions. The names of these departments are excluded from this table to protect the confidentiality of those complainants.

** Percentages do not sum to 100 percent due to rounding.

The City had 35,101.64 authorized positions in fiscal year 2015-16 (City and County of San Francisco's *Salary Ordinance for Fiscal Year Ending June 30, 2016 and Fiscal Year Ending June 30, 2017*).

The Office of the City Administrator (City Administrator) includes the Treasure Island Development Authority, Real Estate Department, Office of the Medical Examiner, Office of Labor Standards Enforcement, Grants for the Arts, Entertainment Commission, County Clerk, Contract Monitoring Division, Central Shops Department, Department of Animal Care and Control, and 311 Customer Service Center. Police Department complaints include those concerning the Office of Citizen Complaints.

See Exhibit 3 (on page 4) for details on all 309 closed cases, including those closed due to a lack of information, allegations that were previously investigated, complaints that were referred to a department with Charter jurisdiction, or complaints outside the City's jurisdiction.

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BACKGROUND

The City's Whistleblower Program was established as a function in the Controller's Office by San Francisco voters in November 2003. The Whistleblower Program was assigned to the Controller's Office because of the independent nature of the office, which sits outside of both the executive and legislative branches of government. The program is responsible for receiving and tracking 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. Investigators evaluate each complaint for its disposition and, when appropriate, either coordinate investigations with various city departments or refer the complaint to the appropriate organization for resolution.

The Whistleblower Program is frequently commended as a model fraud hotline, and its staff is nationally recognized for its expertise in fraud hotline operations. For example:

- A review by Santa Clara County cited the San Francisco Whistleblower Program as one of the two most comprehensive and well-organized whistleblower programs in California, noting the clarity of the Whistleblower Program's website and the level of detail provided in the program's quarterly reports.
- The City of San Jose noted the strength of the Whistleblower Program's policies and procedures concerning impartiality in investigations and the criteria for launching investigations.
- The director of city audits received the 2016 David M. Walker Award for excellence in government performance and accountability, in part for her leadership of the Whistleblower Program.
- The Whistleblower Program is a model of collaboration and regularly hosts webinars to disseminate hotline and investigation best practices to jurisdictions across the United States and Canada.¹

The program is committed to publicizing and promoting the hotline to city employees and residents. Whistleblower complaints have played a critical role in ensuring the City's financial integrity and promoting an efficient, effective, and accountable government.

For questions regarding this report, please contact Director of City Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393 or the City Services Auditor at 415-554-7469.

Whistleblower Program Team: Steve Flaherty, Audit Manager
Jonathan Collum, Associate Auditor
Raymond Lam, Associate Auditor
Steven Muñoz, Staff Auditor

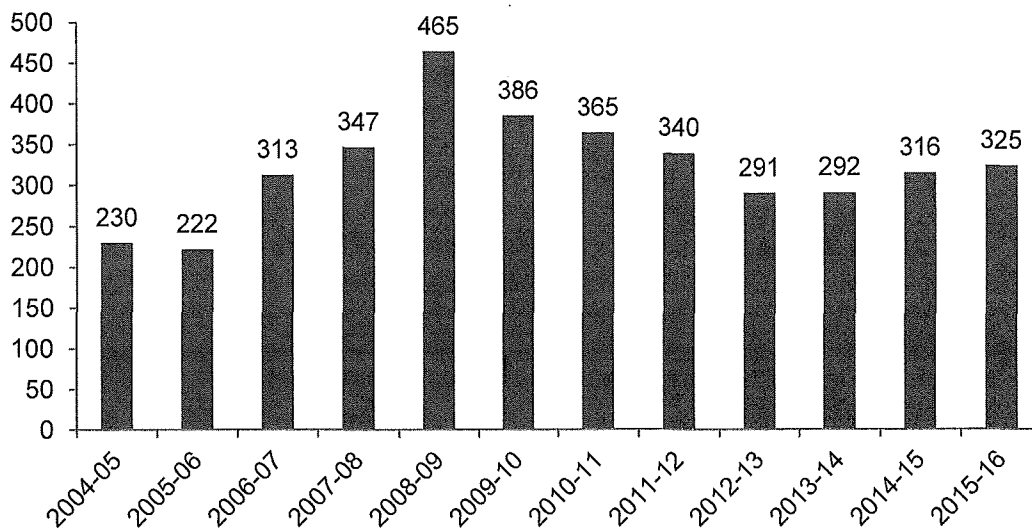
¹ Audio recordings of these webinars are available upon request by e-mailing the Whistleblower Program. See Page 12 of this report for a list of fiscal year 2015-16 webinars.

SUMMARY OF FISCAL YEAR 2015-16 ACTIVITY

Fiscal Year 2015-16 Summary

The Whistleblower Program received 325 complaints from July 2015 through June 2016 (fiscal year 2015-16), or 3 percent more than the 316 complaints received in fiscal year 2014-15. Exhibit 1 presents yearly complaint totals since the inception of the Whistleblower Program.

EXHIBIT 1 Whistleblower Program Complaints Received by Fiscal Year



Source: Whistleblower Program

Highlights of Fiscal Year 2015-16 Investigations

During fiscal year 2015-16, the Whistleblower Program investigated and closed 221 investigations. These investigations resulted in:

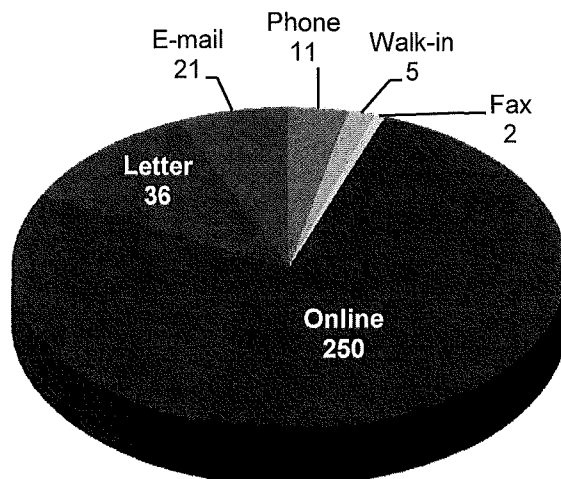
- The proposed termination of an employee who abused their supervisory authority, intimidated other employees, and engaged in a pervasive pattern of making discriminatory comments.
- A ten-day suspension of an employee who participated in decisions involving family members.
- The resignation of an employee who directed customers to use and make cash payments to a family member's business.

Appendix D provides greater detail of these and other fiscal year 2015-16 investigations.

Sources of Complaints Received in Fiscal Year 2015-16

As shown in Exhibit 2, in fiscal year 2015-16, the Whistleblower Program received 250 complaints (77 percent) through its website.

EXHIBIT 2 Sources of the 325 Complaints Received in Fiscal Year 2015-16



Source: Whistleblower Program

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-mails to whistleblower@sfgov.org (21 complaints)
- Calls to the Controller (11 complaints)
- Walk-in visits to the Controller's offices (5 complaints)
- Faxes to the Whistleblower Program (2 complaints)

Of the 325 complaints received, 203 (62 percent) were filed anonymously. The remaining 122 complaints (38 percent) were from:

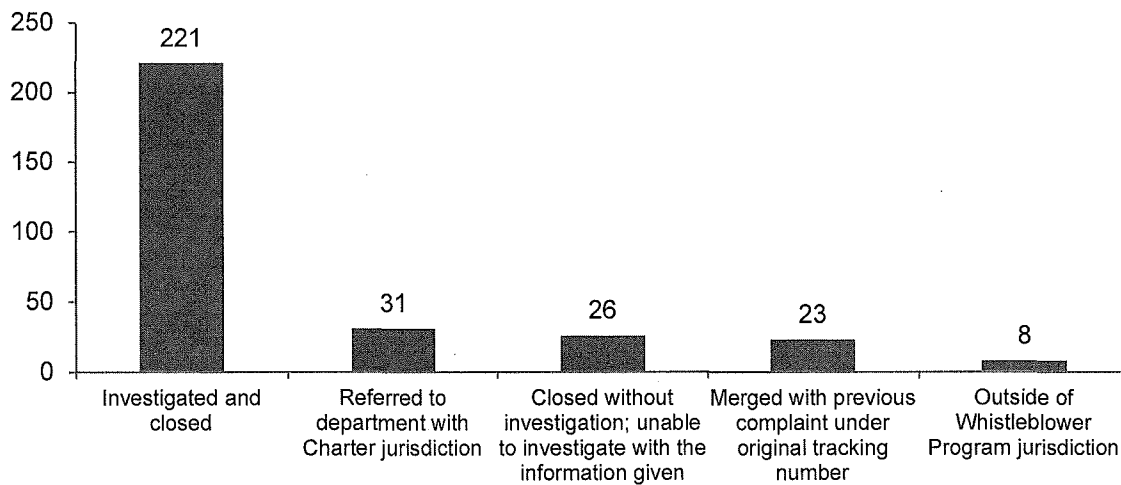
- People who are not city employees (75 complaints)
- Active or former city employees (47 complaints)

Appendix A contains a quarterly breakdown of both how complaints were submitted and the filing status of complainants.

Actions Taken on Complaints Closed

During fiscal year 2015-16, the Whistleblower Program closed 309 complaints, of which 221 were investigated or referred for investigation.² Exhibit 3 displays the actions taken on complaints closed in the fiscal year.

EXHIBIT 3 Actions Taken on the 309 Complaints Closed in Fiscal Year 2015-16



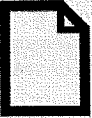




Source: Whistleblower Program

Of the 309 complaints closed, 221 (72 percent) were investigated or referred for investigation. The remaining 88 complaints (28 percent) were categorized as follows:

- Referred to Department with Charter Jurisdiction – Complaint was referred to the city department with Charter-granted jurisdiction over the issue (for example, the Ethics Commission, City Attorney, or District Attorney).
- Closed Without Investigation – Insufficient information to investigate. For example, no indication of department, employee(s) involved, or vehicle number.
- Merged With Previous Complaint – Complainant provided information for a complaint that is already under investigation or was previously investigated by the Whistleblower Program.
- Outside of Jurisdiction - Issue falls within the jurisdiction of federal, state, or other non-city government agency or is a suggestion or general complaint about decisions that are within management's discretion.

² Investigation includes research and other preliminary information developed in determining whether a full investigation is warranted or possible. The action taken on a complaint may change during an investigation.

The Investigation Process

Step	Description
Complaint Intake 	<p>Whistleblower Program staff carefully reviews each complaint received. If the complainant provided contact information, an investigator may follow-up with the complainant to review the allegations and ask additional questions.</p> <p>The Whistleblower Program keeps the identity of complainants confidential unless required by law to disclose this information or unless it receives the written consent of the complainant.</p>
Complaint Tracking 	<p>Each complaint received is assigned a unique tracking number. Complainants that provide contact information are provided with the complaint tracking number.</p>
The Investigation 	<p>Whistleblower Program staff lead certain investigations but coordinate the majority of investigations with management of the department associated with the complaint.</p> <p>Allegations that, even if true, appear immaterial or insignificant from a monetary or operational standpoint may be referred to the city department involved in the allegation for investigation and response. In these circumstances, department management leads the investigation, and, where appropriate, the Whistleblower Program helps guide the investigation. This coordinated approach uses the expertise of all involved departments and leverages resources to ensure that allegations are resolved in a timely manner.</p>
Complaint Disposition 	<p>Management of the department associated with the complaint must report to the Whistleblower Program on any action(s) taken in response to the complaint. Program staff then reviews the departmental actions and investigative findings and determines the adequacy of the information provided and whether additional action is required before closing the complaint.</p>
Confidentiality 	<p>Under current law, Whistleblower Program investigations are confidential.</p> <p>The Whistleblower Program cannot report details to complainants on any action taken in response to a complaint, including any corrective or preventive action taken by departmental management. However, complainants can access general information concerning the status of an investigation on the Whistleblower Program's website.</p>

Closed Complaints That Resulted in a Corrective or Preventive Action Taken

The Whistleblower Program sustained, in part or in whole, 81 complaints in fiscal year 2015-16. Complaints of improper activity by a city employee were most common. Exhibit 4 lists sustained complaints by category.

EXHIBIT 4 Sustained Complaints by Primary Allegation in Fiscal Year 2015-16	
Category of Primary Allegation	Number of Sustained Complaints
Improper Activity by City Employees	66
Misuse of City Funds	6
Quality and Delivery of Government Services	5
Improper Activity by a Contractor	2
Other*	2
Wasteful and Inefficient Government Practices	-
Total	81

Note: Some complaints contain more than one allegation type. Complaints are categorized by their primary allegation.
* Other includes complaints that do not allege a misuse of city funds, city employees, or city operations.

Source: Whistleblower Program

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 5 summarizes the corrective and preventive actions taken on complaints. The employee's department head (appointing officer) is responsible for administering the appropriate discipline. 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.

EXHIBIT 5 Actions Taken on Sustained Complaints in Fiscal Year 2015-16	
Action Taken	Number of Actions Taken
Employee Counseled (Verbal/Written Warning)	33
Procedure Changed/Reinforced	24
Disciplinary/Corrective Action Pending	10
Employee Trained or Retrained	4
Employee Resigned During Investigation	2
Employee Suspended	1
Issue Referred for Audit	1
Employee Paid Restitution	1
Other*	27
Total	103

Note: * Other generally includes non-personnel corrective actions. Examples during fiscal year 2015-16 include an employee assigned to the correct exempt category, a lease form revised, enforcement of compliance with commission bylaws, payroll records changed to reflect an employee's absence without leave, and a city decal placed on a city vehicle.

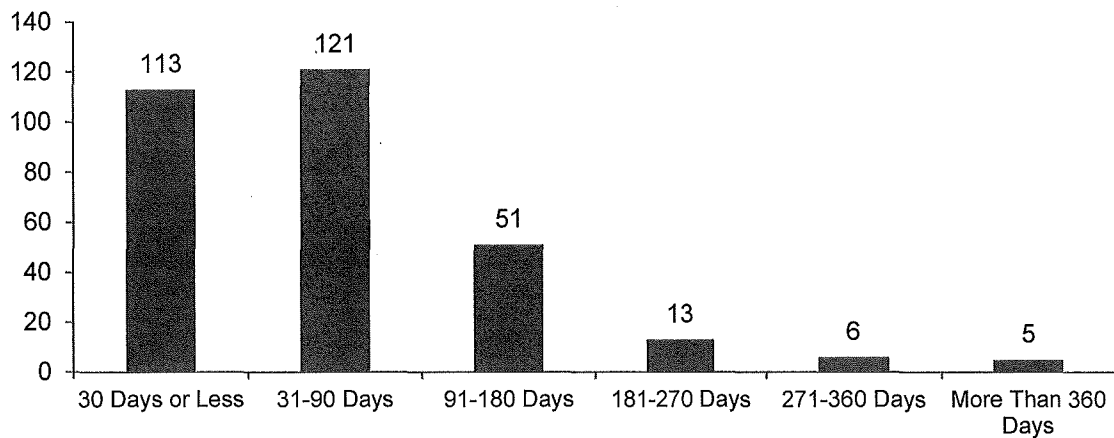
Source: Whistleblower Program

Complaint Aging

The Whistleblower Program resolved, either alone or in collaboration with another department, and closed 309 complaints in fiscal year 2015-16. Of these 309 complaints, 234 (76 percent) were closed within 90 days.

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. Exhibit 6 shows how long it took to close complaints in fiscal year 2015-16.

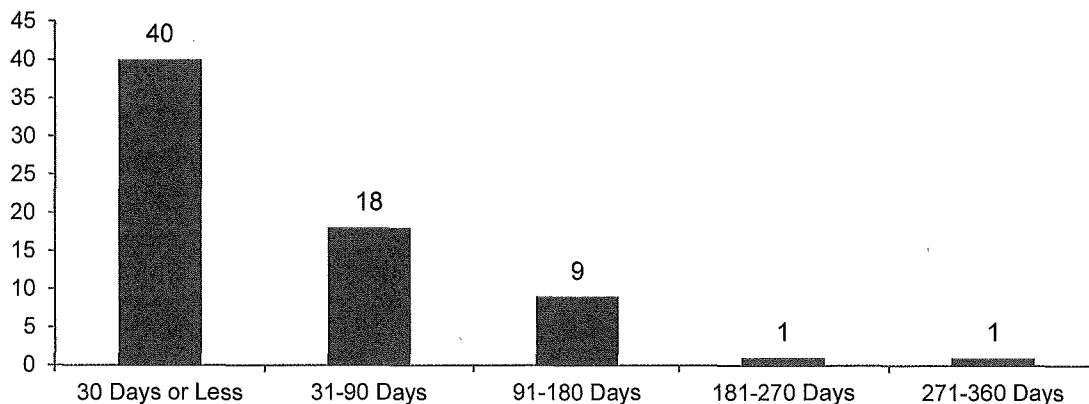
EXHIBIT 6 Age of 309 Complaints Closed in Fiscal Year 2015-16



Source: Whistleblower Program

Sixty-nine complaints were open at the end of fiscal year 2015-16. As shown in Exhibit 7, 58 (84 percent) of these complaints were 90 days old or less.

EXHIBIT 7 Age of 69 Complaints Open at the Beginning of Fiscal Year 2016-17



Source: Whistleblower Program

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 2015-16 the number of retaliation complaints received, closed, sustained, and, on July 1, 2016, under investigation by the San Francisco Ethics Commission.

EXHIBIT 8 Retaliation Complaints in Fiscal Year 2015-16		
Action Taken	Retaliation Complaints	Retaliation Complaints Related to the Whistleblower Program
Open (under investigation) on July 1, 2015	4	1
Complaints Received	15	5
Complaints Closed	8	-
Sustained (of those closed)	-	-
Open (under investigation) on July 1, 2016	11	6

Source: San Francisco Ethics Commission

In fiscal year 2015-16, the Ethics Commission received 15 complaints alleging violations of Section 4.115(a) of the Campaign and Governmental Conduct Code. Exhibit 8 shows that 5 of the 15 complaints alleged retaliation as a result of filing a complaint with the Whistleblower Program. The Ethics Commission closed 8 complaints in fiscal year 2015-16 (no complaints related to the Whistleblower Program), leaving 11 complaints open on July 1, 2016.

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.

Investigation Feedback

The Whistleblower Program welcomes feedback and ideas through its online survey to better understand complainant satisfaction and engagement. Through the survey, complainants can provide candid input on a variety of Whistleblower Program operations, including their perception of the:

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

Complainants can access the survey by going to the Whistleblower Program's Status Check page and entering the complaint tracking number. If the complaint has been closed, complainants receive a link through which they can complete the survey.

The Whistleblower Program 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. Feedback helps the Whistleblower Program continually improve its hotline services.

Whistleblower Program Oversight

The San Francisco Charter authorizes the Citizens' General Obligation Bond Oversight Committee (CGOBOC) to also function as an independent Citizens' Audit Review Board to review citizen complaints received through the Whistleblower Program.³ In its role as a review board, CGOBOC reviews citizen and employee complaints received by the Whistleblower Program and the disposition of those complaints. The Whistleblower Program prepares the information it shares with CGOBOC in a way that protects the confidentiality of complainants and of investigations. The Controller's Office presents Whistleblower Program activities before CGOBOC at two of its meetings each fiscal year. These meetings:

- Feature reports by CGOBOC liaisons assigned to oversee the Whistleblower Program.
- Are open to the public.
- Allow members of the public time to express their views and inform CGOBOC of any issues, problems, or concerns.

The CGOBOC website contains contact information and agendas, minutes, and audio recordings of meetings.

³ San Francisco Charter, Appendix F, Section F1.100(d)(8).

Fiscal Year 2015-16 Initiatives

The Whistleblower Program is committed to building a trusted hotline and strong reporting culture. In fiscal year 2015-16, the Whistleblower Program undertook the following initiatives to increase awareness of the hotline, help complainants recognize fraud schemes, and improve staff proficiency in hotline operations:

Initiative	Description
Communication and Outreach	As part of the effort to publicize and promote the Whistleblower Program to city employees and residents, the Whistleblower Program published an on-demand outreach video. The video was broadcast on SFGTV and is <u>available on YouTube</u> . The Whistleblower Program has requested that departments incorporate the video into new employee orientation programs.
Fraud Bulletins	The Whistleblower Program published bulletins to make employees aware of the red flags associated with the costly occupational frauds of <u>bid rigging</u> , <u>inventory theft</u> , and <u>payroll schemes</u> .
Fraud Hotline Webinars	<p>In fiscal year 2015-16, the Whistleblower Program hosted webinars featuring speakers from the City of San Diego (<i>Marketing Your Fraud Hotline</i>), City of Austin (<i>How Audits Become Investigations</i>), Los Angeles County (<i>Bid Rigging in the Government Sector</i>), and the U.S. Government Accountability Office (<i>Using GAO's Fraud Risk Management Framework</i>).</p> <p>Through these webinars, the Whistleblower Program helps promote improved complaint handling and investigations in San Francisco and in jurisdictions across North America.</p> <p>Audio webinar recordings are available upon request by <u>e-mailing the Whistleblower Program</u>.</p>

Benchmarking Performance

Local Government Hotline Activity - The Whistleblower Program regularly collaborates with and benchmarks itself against other local government fraud hotline programs to identify leading practices. Exhibit 9 compares whistleblower program activity in San Francisco with that in Los Angeles County and the City of San Diego, two jurisdictions that consistently publicly report on their hotline activity.

EXHIBIT 9 Whistleblower Complaint Activity in Three California Local Governments				
<i>Jurisdiction</i>	<i>Total Complaints Received</i>	<i>Complaints Per 100,000 Residents</i>	<i>Complaints Per 1,000 Budgeted FTE Positions</i>	<i>Substantiation Rate (of Closed Complaints)</i>
City and County of San Francisco	325	38.0	9.3	26.2%
Los Angeles County	1,385	13.6	12.8	25.3%
City of San Diego	120	8.6	10.9	43.8%

In fiscal year 2015-16, San Francisco's Whistleblower Program received considerably more (38) complaints per 100,000 residents⁴ than did Los Angeles County⁵ (13.6) or the City of San Diego⁶ (8.6), and a comparable number of complaints per 1,000 employees. San Francisco's substantiation rate is comparable to that of Los Angeles County and lower than San Diego's.

Nationwide Hotline Activity - The Whistleblower Program also benchmarks hotline activity against clients of Navex Global, a provider of ethics and compliance services.⁷ Navex Global publishes an annual hotline benchmark report that compiles data from 2,311 hotline and case management clients.

Navex Global reports a variety of hotline activity statistics, including complaint report volume, complaint intake sources, anonymous reporting rates, and substantiation rates. The Whistleblower Program uses this data to assess hotline performance and identify opportunities to improve program effectiveness.

Appendix C contains a more detailed comparison of Whistleblower Program performance to select Navex Global statistics.

⁴ U.S. Census Bureau's July 2015 population estimate for San Francisco was 864,816.

⁵ In calendar year 2015, Los Angeles County received 1,385 complaints and closed 1,207, with 306 resulting in corrective action. U.S. Census Bureau's July 2015 population estimate for Los Angeles County was 10,170,292. In fiscal year 2015-16, Los Angeles County reported 108,093 budgeted FTE positions.

⁶ In fiscal year 2015-16, the City of San Diego received 120 complaints and closed 73, with 32 resulting in corrective action. U.S. Census Bureau's July 2015 population estimate for San Diego was 1,394,928. In fiscal year 2015-16, the City of San Diego reported 11,040.89 budgeted FTE positions.

⁷ Navex Global, 2016 *Ethics & Compliance Hotline Benchmark Report*, p. 7.

APPENDIX A:

PROFILES OF COMPLAINTS RECEIVED AND ACTIONS TAKEN ON COMPLAINTS CLOSED BY QUARTER IN FISCAL YEAR 2015-16

Submission Methods of Complaints

Method	Q1	Q2	Q3	Q4	Total	Total %
Online	67	55	58	70	250	77
E-mail	3	7	3	8	21	6
Letter	4	8	8	16	36	11
Phone	3	1	3	4	11	3
Walk-in	-	1	2	2	5	2
Fax	-	-	1	1	2	1
Total	77	72	75	101	325	100%

Sources of Complaints

Source	Q1	Q2	Q3	Q4	Total	Total %
Anonymous	48	49	50	56	203	62
Non-city Employee	23	16	16	20	75	23
Active/Former City Employee	6	7	9	25	47	14
City Contractor or Vendor	-	-	-	-	-	-
Total	77	72	75	101	325	100%*

Note: *Percentages do not sum to 100 percent due to rounding.

Actions Taken on Complaints Closed

Action	Q1	Q2	Q3	Q4	Total	Total %
Investigated	51	56	53	61	221	72
Merged With Previous Complaint	4	4	5	10	23	7
Insufficient Information	3	10	7	6	26	8
Referred to Department With Charter Jurisdiction	8	10	7	6	31	10
Outside of Whistleblower Program Jurisdiction	2	1	-	5	8	3
Total	68	81	72	88	309	100%

Notes:

Q1 June–September 2015
Q2 October–December 2015
Q3 January–March 2016
Q4 April–June 2016

APPENDIX B:

AGE OF COMPLAINTS CLOSED AND PROFILES OF SUSTAINED COMPLAINTS BY QUARTER IN FISCAL YEAR 2015-16

Age of Complaints Closed

Duration from Received to Closed	Q1	Q2	Q3	Q4	Total	Total %
30 Days or Less	25	33	22	33	113	37
31-90 Days	29	28	28	36	121	39
91-180 Days	13	11	14	13	51	17
181-270 Days	-	7	4	2	13	4
271-360 Days	1	2	2	1	6	2
More Than 360 Days	-	-	2	3	5	2
Total	68	81	72	88	309	100%*

Note: *Percentages do not sum to 100 percent due to rounding.

Sustained Complaints - Types of Allegations

Complaint Type	Q1	Q2	Q3	Q4	Total	Total %
Improper Activities by City Employees	16	14	17	19	66	81
Improper Activities by a Contractor	-	-	-	2	2	2
Misuse of City Funds	1	5	-	-	6	7
Quality and Delivery of Government Services	1	-	2	2	5	6
Wasteful and Inefficient Government Practices	-	-	-	-	-	-
Other	1	-	1	-	2	2
Total	19	19	20	23	81	100%*

Notes:

*Percentages do not sum to 100 percent due to rounding.

Some complaints contain more than one type of allegation; complaints are categorized by their primary allegation.

Other includes complaints that do not allege a misuse of city funds, city employees, or city operations.

Sustained Complaints – Actions Taken

Action	Q1	Q2	Q3	Q4	Total Actions	Total %
Procedure Changed/Reinforced	3	5	7	9	24	23
Other	11	6	5	5	27	26
Issue Referred for Audit	-	-	1	-	1	1
Employee Counseled (Verbal/Written Warning)	10	6	8	9	33	32
Disciplinary/Corrective Action Pending	4	-	4	2	10	10
Employee Trained or Retrained	2	2	-	-	4	4
Employee Suspended	-	1	-	-	1	1
Employee Paid Restitution	-	-	-	1	1	1
Employee Resigned During Investigation	-	2	-	-	2	2
Total	30	22	25	26	103	100%

Note: *Other* generally includes non-personnel corrective actions.

Notes:

Q1 June–September 2015
Q2 October–December 2015
Q3 January–March 2016
Q4 April–June 2016

APPENDIX C:

BENCHMARK COMPARISON OF THE WHISTLEBLOWER PROGRAM'S PERFORMANCE TO STATISTICS REPORTED IN NAVEX GLOBAL'S 2016 ETHICS & COMPLIANCE HOTLINE BENCHMARK REPORT

Complaints Received Per 100 Employees

Reporter	Complaints Received Per 100 Employees
San Francisco	0.93
Navex Global Organizations (high)	10.30
Navex Global Organizations (median)	1.30
Navex Global Organizations (low)	0.30

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 0.3 to 10.3 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 in fiscal year 2015-16 was unchanged from fiscal years 2014-15 and 2013-14.

Anonymous Reporting Rate

Reporter	Percentage of Anonymous Complainants
San Francisco	62%
Navex Global Organizations	59%

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 is 5 percent lower than it was in fiscal years 2014-15 and 2013-14 (67 percent in both fiscal years).

Substantiation Rate

Reporter	Percentage Substantiated
San Francisco	26%
Navex Global Organizations	41%

Per Navex Global, a high substantiation rate reflects well-informed employees who make high-quality reports coupled with a high-quality investigations process. The 26 percent of complaints substantiated, either in part or in whole, in San Francisco is a slight increase from the fiscal year 2014-15 rate of 21 percent and the same as in fiscal year 2013-14.

Complaint Closure Time

Reporter	Average Time to Close (in Days)
San Francisco	68
Navex Global Organizations	46

The average complaint closure time of 68 days in San Francisco increased slightly from fiscal years 2014-15 (63 days) and 2013-14 (65 days).

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 and Helpline
San Francisco	77%
Navex Global Organizations	58%

All Other Submission Methods

Reporter	Complaints Received by Other Methods
San Francisco	23%
Navex Global Organizations	42%

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.

APPENDIX D:

HIGHLIGHTS OF COMPLAINTS SUSTAINED IN FISCAL YEAR 2015-16

Complaints in this section were either sustained, in full or in part, or resulted in a department taking some corrective or preventive action in during the fiscal year. The diverse nature of these cases demonstrates the value of the City maintaining the Whistleblower Program. A complete list of complaints substantiated can be found in the under *Whistleblower Program Summary Reports* at <http://www.sfcontroller.org/>.

Highlights of Sustained Complaints in Fiscal Year 2015-16

Complaint/Allegations	Resolution
An employee is unprofessional and bullies subordinates.	The Whistleblower Program's investigation substantiated that the employee intimidated other employees, made them fearful, engaged in a pervasive pattern of making discriminatory comments, and abused the employee's supervisory authority. The department has proposed that the employee be terminated.
An employee hired and supervised two family members.	The Whistleblower Program's investigation substantiated that the employee participated in decisions involving family members. The employee was suspended, and the department is reviewing the unit's reporting structure.
An employee purchased equipment three years ago that was never used. The equipment has deteriorated.	The Whistleblower Program's investigation substantiated that the department purchased \$76,388 of equipment that has not been used since its purchase more than three years ago. The investigation did not substantiate that the employee named in the complaint was responsible for the equipment purchase. The Whistleblower Program recommended that the department develop a plan of action and timeline to use the equipment. The department concurred with this recommendation.
An employee directed customers to use and make cash payments to a family member's business.	The Whistleblower Program's investigation substantiated that the employee directed customers to use and make cash payments to a family member's business. As a result of the investigation, two employees resigned.
Employees held a barbecue and consumed alcohol during work hours. Some employees operated city vehicles after consuming alcohol at the barbecue.	<p>The department's investigation substantiated that employees held a barbecue during work hours and that alcohol was present. The investigation also found that the employees' supervisors did not take appropriate action to address the situation.</p> <p>The department implemented a new work distribution system to increase employee oversight and recommended that the supervisors attend training for handling difficult situations. The Whistleblower Program recommended that the department consult with the Department of Human Resources concerning whether and what disciplinary action should be taken against the employees. Personnel action against the employees is pending.</p>

Complaint/Allegations	Resolution
<p>An employee had temporary employees work on a family member's construction site. The employee's supervisors were aware of this and failed to take action.</p>	<p>The department's investigation substantiated that an employee had other departmental employees work on a construction site related to a family member of the subject employee. The investigation also substantiated that the subject employee's supervisors were aware of the allegation and failed to take appropriate action. The investigation further found that the subject employee attempted to influence witnesses' testimony during the investigation.</p> <p>The department installed global positioning system technology on its vehicles and changed the reporting relationship of the employees. The Whistleblower Program recommended that the department consult with the Department of Human Resources to determine the appropriate personnel actions for the subject employee and the supervisors that failed to take action. Personnel action against the employees is pending.</p>

APPENDIX E:

SUMMARY OF QUARTER 4 ACTIVITY

Quarter 4 Summary

During April through June 2016 (Quarter 4), 101 complaints were filed with the Whistleblower Program, which had 56 open complaints on April 1, 2016. The Whistleblower Program closed 88 complaints in the quarter, leaving 69 complaints open on July 1, 2016.

Of the 88 complaints closed in the quarter, 67 (76 percent) were investigated or referred for investigation. The Whistleblower Program closed 23 complaints that were sustained, in whole or in part, or resulted in a corrective or preventive action taken during Quarter 4.⁸

All complaints in this section were either substantiated, in full or in part, or resulted in a department taking some corrective or preventive action in Quarter 4.

Highlights of Sustained Complaints in Quarter 4

Complaint/Allegation	Resolution
A contractor overbills a department for reimbursement, does not submit reimbursement requests in a timely manner, and does not meet with clients as reported. Department management was notified of these issues but refused to take action.	The department's investigation found two billing errors, which were determined to be unintentional. As a result, the contractor returned \$352 to the department. The investigation did not determine that the contractor submitted reimbursement requests in an untimely manner, did not meet with clients as reported, or that department management did not take action when notified of concerns.
An employee is consistently late to work, inappropriately uses sick leave, and uses their work computer to access video-streaming websites.	The Whistleblower Program's investigation found that the employee accessed video-streaming websites on their work computer. The investigation did not substantiate that the employee misused sick leave or was consistently late to work. The department has initiated the disciplinary process to determine the appropriate personnel action.
An employee is unprofessional in their interactions with coworkers, took funds set aside for work parties for personal use, and did not follow city hiring rules when filling a vacancy.	The department's investigation substantiated that the employee behaved unprofessionally toward colleagues, exhibited inappropriate behavior during hiring interviews, and took home food items from staff parties. The department removed the employee from a supervisory position.

⁸ See Appendix A for a summary of complaints received, by quarter, in fiscal year 2015-16. See Appendix B for a summary of complaints closed, by quarter, in fiscal year 2015-16.

Office of the Controller, City Services Auditor
Whistleblower Program Annual Report
July 1, 2015, Through June 30, 2016

Complaint/Allegation	Resolution
An employee inappropriately uses city property (construction stands) to reserve a parking space in front of their personal residence.	The department's investigation substantiated the complaint allegations. The department counseled the employee on appropriate use of city property.

Summary of All Other Sustained Complaints in Quarter 4

Complaint Category	Complaint/Allegation	Resolution
Improper Activities by a City Contractor	A contractor allows an organization to use city property in a manner that violates the contractor's lease agreement.	The Whistleblower Program's investigation did not substantiate that the organization's use of the facility space was inappropriate. However, the investigation found that the department did not have criteria for occasional but repeated uses of the property. The department is working to revise the facility's lease agreement to cover short- and long-term use of facility space.
Improper Activities by City Employees	An employee operated a city vehicle that violates a street's weight restriction and invited a non-city employee into the city vehicle.	The department's investigation did not substantiate that the subject employee violated the street's weight limit or that the employee invited a non-city employee into the city vehicle. However, the department counseled the employee on the appropriate use of city vehicles.
Improper Activities by City Employees	An employee uses and sells drugs while on duty and falsifies their time and attendance records.	The department's investigation did not substantiate that the subject employee falsified time and attendance records. However, the department determined that the employee's supervision and timekeeping could be improved. As a result, the department counseled the employee's supervisor and changed procedures to ensure that the employee's time and attendance records are accurate. The allegation of drug use and sales was referred to the Police Department for potential action.
Improper Activities by City Employees	An employee made a derogatory comment about a colleague.	The matter was referred to the Department of Human Resources' Equal Employment Opportunity division for investigation. The department's employees were reissued policies concerning the appropriate treatment of coworkers.
Improper Activities by City Employees	An unknown individual defaced a bulletin board posting.	The department's investigation confirmed that a wellness poster in the office was defaced. The department removed the poster and reminded all employees about the appropriate use of the office's bulletin board.
Improper Activities by City Employees	An employee falsifies time and attendance records and watches movies on a work computer.	The department's investigation did not substantiate the allegations. However, the employee was verbally counseled and reminded of policies related to use of the Internet and city resources.

Complaint Category	Complaint/Allegation	Resolution
Improper Activities by City Employees	An employee videotaped colleagues without their knowledge or consent, in defiance of their supervisor, leading to a physical altercation in the workplace.	The department's investigation substantiated the complaint allegations. The department proposed suspending both employees. Disciplinary action is pending.
Improper Activities by City Employees	An employee taped a sign containing inappropriate language to the back of a colleague's chair.	The matter was referred to the Department of Human Resources' Equal Employment Opportunity division for investigation. In response to the complaint, the department reissued policies concerning the appropriate treatment of coworkers to all employees.
Improper Activities by City Employees	An employee is unprofessional in interactions with coworkers and favors another employee.	The department's investigation did not substantiate the complaint allegations. However, the department counseled the employee on professional behavior in the workplace and reissued a copy of the department's core values to the employee.
Improper Activities by City Employees	An employee posted on social media that they were using drugs.	The department's investigation did not substantiate that the employee violated the City's drug-free workplace rules. However, the employee was counseled on the use of social media.
Improper Activities by City Employees	Two employees did not properly perform their duties and did not respond to the complainant's inquiries in a timely manner.	The department's investigation did not substantiate the complaint allegations. However, the department counseled the employees on returning phone calls in a timely manner.
Improper Activities by City Employees	An employee did not appropriately respond to a customer service request.	The department's investigation substantiated the complaint. The employee was counseled on how to correctly respond to service requests.
Improper Activities by City Employees	An employee does not punch their timecard, falsifies time and attendance records, and does not perform assigned duties.	The department's investigation substantiated that the employee did not use the timecard system but did not substantiate that the employee falsified time and attendance records or did not perform assigned duties. The department required the employee to use the timecard system.
Improper Activities by City Employees	An employee falsifies time and attendance records, allows subordinates to do so, and submits inappropriate expense reimbursements for work travel.	The department's investigation found that the employee accidentally incorrectly recorded a sick day as a day worked. The investigation did not substantiate that the employee allows subordinates to falsify time and attendance records. The Whistleblower Program's investigation did not substantiate that expense reimbursements submitted by the employee

Complaint Category	Complaint/Allegation	Resolution
		were inappropriate. The employee's time sheet was corrected, and the department implemented new procedures to provide transparency about the employee's time and attendance.
Improper Activities by City Employees	A temporary exempt employee works in a capacity inconsistent with the original intent of their appointment.	The department's investigation found that the employee was moved from the original appointment due to a personnel situation. As a result of the investigation, the employee was transferred to a project that is consistent with the intent of the original appointment.
Improper Activities by City Employees	An employee does not evenly distribute overtime and allows individuals to work excessive overtime. The employee inappropriately authorizes and approves their own overtime.	The department's investigation found that four employees exceeded the department's maximum of allowable overtime hours because management did not track this information. As a result, the department implemented new reporting practices to ensure that employees do not exceed the maximum allowable overtime. The investigation did not substantiate the remaining allegations.
Improper Activities by City Employees	An employee ignored requests to repair equipment, causing potential safety issues.	The department's investigation did not substantiate that the employee ignored requests to repair the equipment but did find that the equipment needed repair. As a result of the investigation, the department created an equipment repair and maintenance plan.
Quality and Delivery of Government Services	A contractor does not have the staffing necessary to provide adequate and timely service to clients. The contractor does not allow staff to complete client case documentation. Contractor management does not appropriately consult with case managers and clients' family members.	The department's investigation did not substantiate the complaint allegations. However, the department did remind the contractor to document instances when clients provide verbal consent to changes in service and to make continued attempts to get this consent in writing.
Quality and Delivery of Government Services	An employee did not properly handle a customer's phone call and did not notify the customer that the phone conversation was recorded.	The Whistleblower Program's investigation determined that the employee did not follow the department's procedure for handling the customer's phone call. The investigation did not substantiate that customer was not informed that their phone call was recorded. The department counseled the employee on call-handling procedures.

Report misuse of funds, waste, and mismanagement in
City and County of San Francisco programs and
operations by contacting the Whistleblower Program.



Internet: <http://sfcontroller.org/whistleblower-program>

E-Mail: whistleblower@sfgov.org

Fax: 415-554-7856

Mail: Office of the Controller
Attention: Whistleblower Program
1 Dr. Carlton B. Goodlett Place, Room 316
San Francisco, CA 94102

**COMPLAINTS ARE CONFIDENTIAL.
COMPLAINANTS MAY REMAIN ANONYMOUS.**

Whistleblower Team:

Steve Flaherty, Audit Manager
Jonathan Collum, Associate Auditor
Raymond Lam, Associate Auditor
Steven Muñoz, Staff Auditor

For questions regarding this report, please contact Director of City Audits Tonia Lediju at Tonia.Lediju@sfgov.org or 415-554-5393 or the City Services Auditor at 415-554-7469

*Copies of the full report may be obtained at:
Office of the Controller • City Hall, Room 316 • 1 Dr. Carlton B. Goodlett Place • San Francisco, CA 94102
415.554.7500 or on the Internet at <http://sfcontroller.org/whistleblower-program>*

From: Major, Erica (BOS)
Sent: Wednesday, August 31, 2016 2:49 PM
To: BOS-Supervisors
Cc: BOS-Legislative Aides; klowry@sfcgj.org; kking@sfcgj.org; 'jcunningham@sfcgj.org'; ascott@sfcgj.org; Howard, Kate (MYR); Ababon, Anthony (MYR); Kelly, Naomi (ADM); Strong, Brian (ADM); Updike, John; Rosenfield, Ben (CON); Steeves, Asja (CON); Givner, Jon (CAT); Somera, Alisa (BOS); Campbell, Severin (BUD); Wasilco, Jadie (BUD); Rahaim, John (CPC); Rodgers, AnMarie (CPC); Arntz, John (REG); Nuru, Mohammed (DPW); Lee, Frank (DPW); Callahan, Micki (HRD); Gard, Susan (HRD); Ginsburg, Phil (REC); Hui, Mei Ling (ENV)
Subject: 60 Day Receipt - Civil Grand Jury Report: Maintenance Budgeting and Accounting Challenges for General Fund Departments...
Attachments: 60 Day Receipt - Maintenance Budgeting and Accounting Challenges....pdf

Supervisors:

Please find the attached 60-day receipt from the Clerk of the Board documenting the required department responses for the Civil Grand Jury Report, "Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later" have been received. We will be working with Supervisor Peskin's Office on a hearing date to be scheduled in the Government Audit and Oversight Committee. The departments that have submitted their response as required are as follows:

- ✓ Controller
 - Citizen's General Obligation Bond Advisory Committee
- ✓ City Administrator/Office of
 - Director of Capital Planning Program
 - Director of Real Estate Division
- ✓ Mayor's Office of Public Policy and Finance
- ✓ Director of Department of Human Resources
- ✓ General Services Agency
- ✓ Director of Public Works
- ✓ General Manager of Park and Recreation Department
- ✓ Urban Forestry Council
- ✓ Planning Director
- ✓ Department of Elections
- ✓ City Services Auditor

Best,

Erica Major
Assistant Clerk

Board of Supervisors

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

Phone: (415) 554-4441 | Fax: (415) 554-5163

Erica.Major@sfgov.org | www.sfbos.org



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BOARD of SUPERVISORS



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

DATE: September 1, 2016

TO: Members of the Board of Supervisors

FROM: *ACC* Angela Calvillo, Clerk of the Board

SUBJECT: 2015-2016 Civil Grand Jury Report "Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later."

We are in receipt of the following required responses to the San Francisco Civil Grand Jury report released June 20, 2016, entitled: Maintenance Budgeting and Accounting Challenges for General Fund Departments: Maintenance Economics Versus Maintenance Politics: Pay Now or Pay More Later. Pursuant to California Penal Code, Sections 933 and 933.05, the City Departments shall respond to the report within 60 days of receipt, or no later than August 26, 2016.

For each finding the Department response shall:

- 1) agree with the finding; or
- 2) disagree with it, wholly or partially, and explain why.

As to each recommendation the Department shall report that:

- 1) the recommendation has been implemented, with a summary explanation; or
- 2) the recommendation has not been implemented but will be within a set timeframe as provided; or
- 3) the recommendation requires further analysis. The officer or agency head must define what additional study is needed. The Grand Jury expects a progress report within six months; or
- 4) the recommendation will not be implemented because it is not warranted or reasonable, with an explanation.

The Civil Grand Jury Report identified the following City Departments to submit responses (attached):

- Urban Forestry Council
Received July 20, 2016
- Department of Elections (also submitted a consolidated with the Mayor's Office)
Received August 19, 2016
- Office of the Controller
Received August 26, 2016

- Mayor's Office submitted a consolidated response for the following departments:
 - a. Mayor's Office of Public Policy and Finance
 - b. City Administrator
 - c. Planning Department
 - d. Department of Elections
 - e. Department of Human Resources
 - f. Recreation and Parks Department
 - g. Public Works

Received August 26, 2016

These departmental responses are being provided for your information, as received, and may not conform to the parameters stated in California Penal Code, Section 933.05 et seq. The Government Audit and Oversight Committee will consider the subject report, along with the responses, at an upcoming hearing and will prepare the Board's official response by Resolution for the full Board's consideration.

c:

Honorable John K. Stewart, Presiding Judge
Kathie Lowry, 2016-2017 San Francisco Civil Grand Jury
Kitsaun King, 2016-2017 San Francisco Civil Grand Jury
Jay Cunningham, 2015-2016 San Francisco Civil Grand Jury
Alison Scott, 2015-2016 San Francisco Civil Grand Jury
Kate Howard, Mayor's Office
Anthony Ababon, Mayor's Office
Naomi Kelly, City Administrator
Brian Strong, Capital Planning Program
John Updike, Real Estate Division
Ben Rosenfield, Controller
Asja Steeves, Controller
Jon Givner, Deputy City Attorney
Alisa Somera, Legislative Deputy Director
Severin Campbell, Budget and Legislative Analyst
Jadie Wasilco, Budget and Legislative Analyst
John Rahaim, Planning Department
AnMarie Rodgers, Planning Department
John Arntz, Department of Elections
Mohammed Nuru, Public Works
Frank Lee, Public Works
Micki Callahan, Department of Human Resources
Susan Gard, Department of Human Resources
Phil Ginsburg, Recreation and Parks Department
Mei Ling Hui, Urban Forest and Agriculture Coordinator

2015-16 Civil Grand Jury
Maintenance Budgeting and Accounting Challenges for General Fund Depts.
URBAN FORESTRY COUNCIL :FINDINGS Response Template

CGJ Year	Report Title	#	Findings	Respondent assigned by CGJ	2016 Responses (Agree/Disagree)	2016 Response Text
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:II.C-1-b.	San Francisco's canopy cover at 13.7% lags far behind other major cities, and varies widely between neighborhoods.	Urban Forestry Council	agree with finding	The Urban Forest Plan: Phase 1, Street Trees conducted an analysis of the urban forest and found that the City has a canopy of 13.7%, that this level of canopy coverage lags behind other major cities, and that forestry cover and management varies widely between neighborhoods. The UFC affirmed these finding in UFC Resolution No. 001-14-UFC, endorsing the Urban Forest Plan, Phase 1: Street Trees, and urging the Board of Supervisors and City Departments to adopt and implement the Plan.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:II.C-1-c.	The Urban Forestry Council notes in its annual Urban Forest Reports that San Francisco's urban forest managers consistently identify their highest priority as the lack of adequate resources to effectively maintain the city's trees. Recreation and Parks Department and Department of Public Works face the same challenge: both are significantly underfunded to do their needed maintenance work.	Urban Forestry Council	agree with finding	To produce the Annual Urban Forest Report, the Urban Forestry Council conducts an annual survey of urban forest managers to collect information on: - The resources used to manage the urban forest, including funding and staffing levels; - The number of trees planted, removed, and maintained; and - The opportunities and challenges faced by urban forest managers. As stated in all of the Annual Urban Forest Reports adopted by the UFC, reporting organizations consistently identified lack of funding and staffing to adequately maintain the urban forest as their chief concern and highest priority to address. In particular, the Recreation and Park Department and Department of Public Works, which have the largest municipal forestry programs in terms of number of trees overseen by a municipal agency, each consistently report that significant lack of funding and staffing prevent their forestry programs from adequately managing the trees within their jurisdictions.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:II.C-4-a.	The Urban Forestry Council urges completion of Phase 2 of the Urban Forest Plan related to Parks and Open Spaces.	Urban Forestry Council	agree with finding	<ul style="list-style-type: none"> • Urges the Board of 5 Supervisors, Planning Department and other City Agencies to prioritize funding and 6 support for the completion of the next two phases of the Urban Forest Plan; and, • Urges the Planning Department to work with the Recreation and Parks Department and the Department of the Environment to complete the Urban Forest Plan: Phase Two, Parks and Open Spaces and the Urban Forest Plan: Phase Three, Greening Buildings and Private Property.

2015-16 Civil Grand Jury
Maintenance Budgeting and Accounting Challenges for General Fund Depts.
MASTER LIST: FINDINGS Response Template

CGJ Year	Report Title	Number	#	Findings	Dept	Respondent assigned by CGJ	2016 Responses (Agree/Disagree)Use the drop down menu	2016 Response Text
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	64	F:V.3.	Voters are asked to approve General Obligation bonds for a new facility but are not informed of the projected interest cost to borrow the funds and of lifecycle cost projections for maintaining the new facility.	REG	Department of Elections, Elections Commission	Agree with finding	The Department of Elections is able to publish additional information in the Voter Information Pamphlet regarding general obligation bonds that is provided from City agencies.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	65	F:V.4.	Lifecycle cost projections for operations and maintenance and repair are not visible to citizens when considering General Obligation Bond propositions, because this information is not included in the Voter Information Pamphlets.	REG	Department of Elections	Agree with finding	The Department of Elections is able to publish additional information in the Voter Information Pamphlet regarding general obligation bonds that is provided from City agencies.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	65	F:V.4.	Lifecycle cost projections for operations and maintenance and repair are not visible to citizens when considering General Obligation Bond propositions, because this information is not included in the Voter Information Pamphlets.	REG	Elections Commission		

Received via Email
8/19/2016
File Nos. 160613 and 160614



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

August 26, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street, Room 008
San Francisco, CA 94102

**Re: Controller's Office response to the 2015-16 Civil Grand Jury Report entitled
"Maintenance Budgeting and Accounting Challenges for General Fund
Departments"**

Dear Judge Stewart:

Pursuant to Penal Code Section 933 and 933.05, this letter transmits the Office of the Controller's responses to the recommendations in the 2015-16 San Francisco Civil Grand Jury report, *Maintenance Budgeting and Accounting Challenges for General Fund Departments*, issued on June 27, 2016.

We commend the Civil Grand Jury for its focus on how the City can better meet the challenge of maintaining our City streets, parks, facilities, and other critical assets. While the City has invested additional resources in these maintenance needs in recent years, it has not been at a level sufficient to reverse a growing backlog of deferred maintenance investment needs. While we concur with the broader goal of the report – to encourage administrators and policy makers to reverse this long-standing trend – we do not concur in several cases with the report's suggested means to best achieve that goal.

If you have any questions about this response, please contact Deputy Controller Todd Rydstrom or me at 415-554-7500.

Respectfully submitted,

Ben Rosenfield
Controller

cc: Todd Rydstrom, Deputy Controller, City and County of San Francisco
Angela Calvillo, Clerk of the Board, City and County of San Francisco

2015-16 Civil Grand Jury
Maintenance Budgeting and Accounting Challenges for General Fund Depts.
CON :FINDINGS Response Template

CGJ Year	Report Title	#	Findings	Respondent assigned by CGJ	2016 Responses (Agree/Disagree)Use the drop down menu	2016 Response Text
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:I.A.1	The gap between the City's investment in General Fund Departments' "Facilities Maintenance" assets and industry guidelines measured as a percentage of Current Replacement Value (CRV): ● Recommended 4%, ● Minimum 2%, or ● Total General Fund Departments' "target need" of approximately 1.7% calculated by Facilities Renewal Resource Model (FRRM), (see Figure 4 and Appendix D3) and in dollar amounts is not made available to citizens of San Francisco.	Controller	agree with finding	The Controller's Office agrees with this finding. The Controller's Office has not issued any reports to the public indicating the gap between the City's investment in General Fund departments' facilities maintenance assets and industry guidelines. However, the city's Capital Planning Committee (CPC) issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide. To address the gap between its capital needs and the resources available, the CPC continues to explore various approaches, including, but not limited to, revising funding benchmarks, leveraging the value of City-owned assets as debt-financing vehicles, preparing projects for voter consideration at the ballot and exploring new revenue sources.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:I.A.2-a.	Without transparent and complete information about the investment levels in the City's General Fund Departments' maintenance and repair budgets, the public does not have important information with which to assess the City's stewardship of public assets.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The Controller's Office recognizes the importance of transparency in the government's use and stewardship of public assets and resources. General Fund departments report their maintenance and repair budgets as part of the City's ongoing budgeting and accounting procedures. For example, the Mayor's Office and the Controller's Office annually issue budget instructions, including those related to the reporting and tracking of budget requests for capital maintenance, renewal, replacement and enhancement projects. The City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:I.A.2-b.	The slice of the pie chart for General Fund departments labelled "Facilities Maintenance" in the Budget report is not the total maintenance budget for those departments.	Controller	disagree with it, partially (explanation in next column)	See Controller's response to related finding F:I.A.2-a. Departments may also use additional funding from their operating budget, for example, when corrective repairs exceed the amount assumed and appropriated in the facilities maintenance line item budget.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:I.A.2c.	The total maintenance budget for General Fund departments is not disclosed in the Budget report.	Controller	disagree with it, partially (explanation in next column)	See Controller's response to related finding F:I.A.2-a. To the degree departments consistently post all budget and actuals spent in the facilities maintenance line item, it will be reflected. Further, the Controller's Office reports the Facilities Maintenance budget for both the General Fund and All Funds Budget, along with subtotals by department, for both the Proposed and Adopted Budgets.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:I.A.3.	As a consequence of low investment levels in General Fund departments' asset maintenance and repair, the City has a large and growing deferred maintenance and repair backlog for General Fund departments. Without transparent and complete information about these deferred maintenance and repair backlogs, the public does not have important information with which to assess the City's stewardship of General Fund Departments' assets.	Controller	disagree with it, partially (explanation in next column)	See Controller's response to related finding F:I.A.2-a.
	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:I.A.4.	San Francisco's comparison with benchmark comparable cities and counties in terms of (a) "Facilities Maintenance" investment in General Fund Departments' assets, measured as a percentage of Current Replacement Value(CRV) and dollars; (b) General Fund Departments' total maintenance and repair budgets, and (c) General Fund Departments' deferred maintenance and repair backlog would be useful for the public in assessing the City's stewardship of these General Fund Departments' assets.	Controller	agree with finding	The Controller's Office agrees with this finding. The Controller's Office recognizes the importance of transparency in the government's use and stewardship of public assets and resources.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:II.A.1-c.	The City saves money over the long term by using pay-as-you-go financing for high priority maintenance and repairs.	Controller	agree with finding	The Controller's Office agrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources. The Controller's City Services Auditor is conducting a performance audit of facilities maintenance management citywide, including assessing the effectiveness of the City's facilities maintenance funding and budgeting methods. This audit will be issued in FY 2016-17. The City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:II.A.1-d.	Total reliance on annually budgeted pay-as-you-go funding can result in maintenance and repairs being deferred in lean budget years. It will be a challenge for policy makers to develop a range of stable "pay-as-you-go" annual funding mechanisms for maintenance and repairs.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources. The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:III.A.1a.	Lack of comprehensive and reliable data obscures the relationship between the amounts General Fund departments spend on annual maintenance and repair and the costs resulting from deferred maintenance backlogs.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources. The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide. The Controller's Office continues to refine and develop approaches to providing quality data and information to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:III.A.1b.	Replacement or revision of the current asset management programs used by General Fund departments provides an opportunity for development of new or revised performance metrics to collect and report: (1) the dollars departments expend on annual maintenance and repair and (2) the annual costs incurred in addressing their deferred maintenance and repair backlogs.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The Controller's Office acknowledges the importance of complete and accurate data in making informed decisions about the use and stewardship of public assets and resources. Although the Mayor's Office and the Controller's Office provide instructions to departments on performance measures, the primary responsibility for managing departmental assets is decentralized, resting with each department. Further, maintenance management functionality may be considered for a future phase of the City's new financial system deployment, which is slated to launch in July 2017. The City's new financial system's asset management module includes such fields as City Asset Status, Condition Assessment, and Safety Assessment, all of which are slated to be available citywide in July 2017.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:III.B.1.	The City's ability to determine the Deferred Maintenance and Repairs backlog is hampered by the aggregating of deferred maintenance expenses with capital renewal and replacement costs.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources based on complete and accurate information. The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:III.C.3-c.	A Controller's Study of those physical assets with a Facilities Condition Index of 0.30 or greater will help determine whether a lack of comprehensive maintenance and repair planning resulted in underinvestment in preventive maintenance work that has depreciated the value and useful life of those physical assets.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources based on complete and accurate information, but has not completed a study of the conditions of the City's physical assets. The study suggested would likely be most effectively performed by the City's Capital Planning Program or others with specific jurisdiction and specialization in these areas.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:IV.2-a.	Compliance with Section 3.5(a) of the Budget Process Ordinance provides City departments and department heads with an opportunity to make their maintenance needs known vigorously as part of the Budget Process.	Controller	agree with finding	The Controller's Office agrees with this finding. Section 3.5 of the Budget Process Ordinance requires departments to submit a budget containing documentation on the department's overall mission, strategic plans, policy outcome measures, and specific departmental programs and activities as part of their long-term departmental budget planning process. The process provides an opportunity for each department to make a case for additional resources for a host of identified needs.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:IV.2-b.	Opportunities exist for General Fund Department managers to advocate for increased maintenance and repair funding within the strictures of Capital Budget Request Form 6.	Controller	agree with finding	The Controller's Office agrees with this finding. The Capital Budget Request Form does allow departments to submit for consideration their Capital Budget requests of greater than \$100,000 to the Capital Planning Program (CPP). However, inclusion in the Capital Plan does not guarantee funding for a project. The Capital Planning Committee reviews CPP staff recommendations as part of the budget development process.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:IV.2-c	Compliance with Section 3.14 of the Budget Ordinance provides City department heads with an opportunity to make their unfunded high-priority maintenance needs known.	Controller	agree with finding	The Controller's Office agrees with this finding. Section 3.14 of the Budget Process Ordinance requires the head of each agency to, within 30 days of the adoption of the annual budget by the Board of Supervisors, by letter addressed to the Mayor, Board of Supervisors, and Controller, agree that the funding provided is adequate for his or her department, board, commission, or agency unless otherwise specifically noted by the appointing officer and acknowledged in writing by the Board.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:VI.2-b.	The City wastes taxpayer money when it uses general fund bonds to pay for renewal of assets that deteriorated prematurely because of deferred maintenance and repairs.	Controller	disagree with it, wholly (explanation in next column)	The Controller's Office disagrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources. The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including identifying appropriate funding mechanisms, such as using pay-as-you-go General Fund dollars or debt financing. Using pay-as-you-go General Fund dollars for renewal of assets is not always advisable, realistic, or possible, given the City's other critical needs and mandates.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:VII.1-a.	Leading or best practices exist on how to account for and report deferred maintenance and repair so that reliable information is provided to City managers and the general public. However, these practices are not being implemented by many, if not most, City departments.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources. The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including key information on mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide. The Controller's Office continues to refine and develop approaches to providing quality data and information to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:VII.1-b.	Implementation of GASB Standard 34's "modified approach" can provide some improvement in accounting for capital assets, but the City has chosen not to implement that option.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The City previously considered the implementation of GASB Standard 34's modified approach. GASB 34's modified approach requires an asset management system that must have an up-to-date inventory of eligible infrastructure assets, and requires the government to perform condition assessments of the eligible assets, summarize the results using a measurement scale, and estimate each year the annual amount to maintain and preserve the eligible infrastructure assets at the condition level established and disclosed by the government. Given the amount of resources the modified approach would require and the variations and ambiguities in maintenance reporting that could arise, the City decided to implement the standard approach, while still ensuring full compliance with government accounting procedures. In developing and evaluating the City's accounting system, consideration is given to the adequacy of internal accounting controls, including the safeguarding of assets against loss from unauthorized use or disposition, and reliability of financial records for preparing financial statements and maintaining accountability for assets. The Controller's Office believes that the City's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:VII.1-c.	Implementing GASB Standard 34's modified approach would be an improvement over the existing practices, but is not as robust as FASB 42.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. The City previously considered the implementation of GASB Standard 34's modified approach. GASB 34's modified approach requires an asset management system that must have an up-to-date inventory of eligible infrastructure assets, and requires the government to perform condition assessments of the eligible assets, summarize the results using a measurement scale, and estimate each year the annual amount to maintain and preserve the eligible infrastructure assets at the condition level established and disclosed by the government. Given the amount of resources the modified approach would require and the variations and ambiguities in maintenance reporting that could arise, the City decided to implement the standard approach, while still ensuring full compliance with government accounting procedures. In developing and evaluating the City's accounting system, consideration is given to the adequacy of internal accounting controls, including the safeguarding of assets against loss from unauthorized use or disposition, and reliability of financial records for preparing financial statements and maintaining accountability for assets. The Controller's Office believes that the City's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:VII.2.	The City does not have accounting and financial systems and processes in place to accurately determine and report the condition of its assets or the extent of its deferred maintenance.	Controller	disagree with it, partially (explanation in next column)	The Controller's Office partially agrees with this finding. In developing and evaluating the City's accounting system, consideration is given to the adequacy of internal accounting controls, including the safeguarding of assets against loss from unauthorized use or disposition and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The Controller's Office believes that the City's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions. The City is now replacing its accounting and financial system, which includes an asset management module, slated to go-live in July 2017. The City's planned new financial system's asset management module includes such fields as City Asset Status, Condition Assessment, and Safety Assessment. Further, a maintenance management module is also being considered for a future phase, post go-live, and the findings noted herein could be considered as part of the functional specifications assessment. However, systems are in place in both the City's Capital Planning Program and key enterprise agencies to model and track the state of deferred maintenance needs and expenses for City assets.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:VII.3.	The City's capital assets shown in its financial statements may be overstated because its use of straight line depreciation assumes a longer asset life span than is likely given the reduced life impact of deferred maintenance.	Controller	disagree with it, wholly (explanation in next column)	The Controller's Office disagrees with this finding. The City ensures the completeness and accuracy of its audited financial statement through the comprehensive structure of internal accounting controls to provide a reasonable assurance that the financial statements are free of material misstatements. Departments have the ability to reflect impaired asset value in the event it is materially different. The Controller continues to believe in the accuracy and completeness of the City's financial statements, as assured by the City's external financial auditors.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	F:VII.4.	Existing data show that maintaining assets extends asset life and is cheaper than prematurely replacing unmaintained assets.	Controller	agree with finding	The Controller's Office agrees with this finding. The Controller's Office recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources. The City's Capital Planning Committee (CPC) issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide. The CPC gathers departmental data and prioritizes maintenance and renewal projects, as well as identifies the City's deferred and emerging needs. To address the gap between its capital needs and the resources available, the CPC continues to explore various approaches, including revising funding benchmarks, leveraging the value of City-owned assets as debt-financing vehicles, preparing projects for voter consideration at the ballot, forming public-private partnerships, and exploring new revenue sources.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:I.A.2-a.	This recommendation satisfies Findings F:I.A.2a, and c: a. In order for the public to assess the City's stewardship of General Fund Departments' assets, the Controller should: (1) disclose the total maintenance budget for General Fund departments; and (2) periodically conduct an audit of investment levels in General Fund departments' asset maintenance and repair.	Controller	The recommendation has been implemented (summary of how it was implemented in next column)	The Controller's Office recognizes the importance of transparency in the government's use and stewardship of public assets and resources. General Fund departments report their maintenance and repair budgets as part of the City's ongoing budgeting and accounting procedures. The Mayor's Office and the Controller's Office annually issue budget instructions, including those related to the reporting and tracking of budget requests for capital maintenance, renewal, replacement and enhancement projects. The City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including specific mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide. The Controller's City Services Auditor is conducting a performance audit of facilities maintenance management citywide, which will be issued in FY 2016-17. The Controller's Office continues to refine and develop approaches to providing quality data and information to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:I.A.2-b.	The Controller should determine the additional annual time and manpower cost to accomplish the compilation and disclosure of the total maintenance budget for General Fund departments, and periodic audits and include line item entries for those costs in its budget requests for fiscal year 2017-2018 and thereafter;	Controller	The recommendation has been implemented (summary of how it was implemented in next column)	See Controller's response to related recommendation R:I.A.2-a.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:I.A3-a.	In order for the public to assess the City's stewardship of General Fund Departments' assets, the Controller should: (1) disclose the total deferred maintenance and repair backlog for General Fund departments; and (2) periodically conduct an audit of General Fund departments' deferred maintenance and repair backlog.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	The Controller's Office recognizes the importance of transparency in the government's use and stewardship of public assets and resources. General Fund departments report their maintenance and repair budgets as part of the City's ongoing budgeting and accounting procedures. The Mayor's Office and the Controller's Office provide budget instructions to departments, including those related to reporting and tracking of budget requests for capital maintenance, renewal, replacement and enhancement projects. The primary responsibility for managing departmental assets is decentralized, resting with each department. Departments maintain different systems for tracking maintenance and repair information (e.g., MAXIMO, Infor, etc.). The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including specific information on maintenance and repair projects, along with funding, prioritization, and reporting mechanisms. The Controller's City Services Auditor is conducting a performance audit of facilities maintenance management citywide, which will be issued in FY 2016-17. The Controller's Office continues to refine and develop approaches to providing quality data and information to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:I.A.3-b.	The Controller should determine the additional annual time and manpower cost to accomplish the compilation and disclosure of the total deferred maintenance and repair backlog for General Fund departments, and periodic audits and include line item entries for those costs in its budget requests for fiscal year 2017-2018 and thereafter;	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendation R:I.A.3-a. The Controller's Office will work with the Mayor's Office in developing instructions related to these budget requests, as necessary.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:I.A.4-a.	To provide useful information for the public in assessing the City's stewardship of General Fund Departments' assets, the Controller should conduct a benchmark study of investment levels in General Fund departments' "Facilities Maintenance" measured as a percentage of Current Replacement Value, total maintenance and repair budgets and deferred maintenance and repair backlogs;	Controller/CSA	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	Before determining whether to accept this recommendation, the Controller's Office must determine the costs and benefits of the efforts involved in implementing it, taking into consideration available resources, mandated functions and activities, and other higher-risk areas of concern citywide. The primary responsibility for managing departmental assets is decentralized, resting with each department. Departments maintain different systems for tracking maintenance and repair information (e.g., MAXIMO, Infor, etc.). The Controller's Office continues to refine and develop approaches to providing quality data and information, including benchmarking information, to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management. Coordination with other relevant city departments and stakeholders will be conducted, as necessary, in making this determination, with completion expected in January 2017.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:I.A.4-b.	The Controller should determine the additional time and manpower cost to conduct this benchmark study and include a line item for those costs in its budget request for fiscal year 2017-2018;	Controller/CSA	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	See Controller's response to related recommendation R:I.A.4-a. The Controller's Office will work with the Mayor's Office in developing instructions related to these budget requests, as necessary.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:II.B.1-a.	The Controller should: • conduct an audit of the Workers' Compensation Division of the Department of Human Resources data gathering policies and procedures, • report to budget decisionmakers its findings of identified and quantified risks of injury created by deferred maintenance and repairs, and recommend appropriate modifications. So as budget funding tradeoff decisions are made, the Mayor and Board of Supervisors will know what portion of the City's Workers Compensation liabilities (if any) arise from poorly maintained General Fund department capital assets.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	Before determining whether to accept this recommendation, the Controller's Office must determine the costs and benefits of the efforts involved in implementing it, taking into consideration available resources, mandated functions and activities, and other higher-risk areas of concern citywide. In addition, a determination on the availability and reliability of appropriate and sufficient data (e.g., workers compensation level, type, claim causes, etc.) is needed to assess feasibility. Assessment with other relevant city departments and stakeholders, specifically the Department of Human Resources Workers' Compensation Division and the California Workers' Compensation System, will be conducted, as necessary, in making this determination, with assessment completion expected in January 2017.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:II.B.1-b.	The Controller should determine the additional time and manpower cost to the City Services Auditor staff to accomplish this audit and report and include a line item for this cost in its budget request for fiscal year 2017-2018.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	See Controller's response to related recommendation R:II.B.1-a. The Controller's Office will work with the Mayor's Office in developing instructions related to these budget requests, as necessary.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:II.B.2-a.	The Controller should assist the General Services Agency Environmental Health and Safety in developing procedures for periodic analysis of Hazard Logs to identify and quantify risks of injury created by deferred maintenance and repairs.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	The Controller's Office defers to the other responding departments in determining the Controller's involvement in implementing this recommendation. Existing analysis and reporting efforts on injury and hazard risks include worker's compensation studies and the California Injury and Illness Prevention Program. Further, the Controller's Data Academy is open for all departments to attend to ensure data analytics skills are available to all departments.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:II.B.2.b.	To provide budget decisionmakers with pertinent information for making tradeoff decisions, the Controller should determine the additional time and manpower cost to develop procedures for periodic analysis of Hazard Logs to identify and quantify risks of injury created by deferred maintenance and repairs and include a line item for this cost in its budget request for fiscal year 2017-2018.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendation R:II.B.2-a. The Controller's Office will work with the Mayor's Office in developing instructions related to these budget requests, as necessary.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:III.A.1.a.	To focus attention on the relationship between General Fund departments' annual Maintenance and repair expenditures and these departments' deferred maintenance and repair backlogs, the Controller should utilize the replacement or revision of the current asset management programs used by General Fund departments as an opportunity for development of new or revised performance metrics to collect and report to City officials and the public: (1) the costs departments expend on annual maintenance and repair; and (2) the annual costs incurred in addressing their deferred maintenance and repair backlogs.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	Before determining whether to accept this recommendation, the Controller's Office must determine the costs and benefits of the efforts involved in implementing it, taking into consideration available resources, mandated functions and activities, and other higher-risk areas of concern citywide. The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including detailed information on maintenance and repair projects, along with specific funding, prioritization, and reporting mechanisms. The Controller's City Services Auditor is conducting a performance audit of facilities maintenance management citywide, which will be issued in FY 2016-17. The Controller's Office continues to refine and develop approaches to providing quality data and information to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management. The City is now replacing its accounting and financial system, which includes an asset management module containing such fields as City Asset Status, Condition Assessment, and Safety Assessment.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:III.A.1.b.	The Controller should determine the additional time and manpower cost to develop these new or revised performance metrics in asset management programs and include line item entries in its budget request for fiscal year 2017-2018.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	See Controller's response to related recommendation R:III.A.1-a. The Controller's Office will work with the Mayor's Office in developing instructions related to these budget requests, as necessary.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:III.C.3-b.	The Controller should conduct a study of the General Fund Departments listed on the December 2015 FRRM (Facilities Renewal Resource Model) report "Backlog and 10Yr Need by Facility (or such updated reports as is appropriate) with a Facilities Condition Index of 0.30 or greater ("fair" or "poor") to determine: (1) Which of those physical assets (if any) are in "fair condition"; (2) Which of those physical assets (if any) are in "poor condition"; (3) Which of those physical assets (if any) are starting to approach or exceed their life expectancies; (4) Which of those physical assets (if any) should be considered high priority for maintenance and repair funding; (5) Which of those physical assets (if any) require additional maintenance and repair funding to prevent further accumulation of deferred maintenance and repair; (6) Whether lack of comprehensive maintenance and repair planning resulted in underinvestment in preventive maintenance and repair work that has depreciated the value and useful life of these physical assets; and present the report containing the Controller's findings on the above items to the Mayor and Board of Supervisors for use in the budget process.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	The Controller's Office recognizes the importance of transparency in the government's use and stewardship of public assets and resources. The primary responsibility for managing departmental assets is decentralized, resting with each department. Departments maintain different systems for tracking maintenance and repair information for their physical assets (e.g., MAXIMO, Infor, etc.). The Controller's Office continues to refine and develop approaches to providing quality data and information to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management. The City is now replacing its accounting and financial system, which includes an asset management module containing such fields as City Asset Status, Condition Assessment, and Safety Assessment. As the City implements its new financial system, the Controller's Office will work with other departments in using these modules. On an ongoing basis, the City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:III.C.3-c.	The Controller should determine the additional time and manpower cost to accomplish the additional reporting recommended in the preceding Recommendation 3(b) and include a line item entry for those costs in his budget requests for fiscal year 2017-2018.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendation R:III.C.3-b.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:V.3.	In the furtherance of transparency and accountability and best practices in government, a. the Controller's Statement on General Obligation Bond propositions in the Department of Elections Voter Information Pamphlet should include a LifeCycle Cost estimate, containing the projected lifecycle Maintenance and Repair cost for the proposed Capital Project.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	Before determining whether to accept this recommendation, the Controller's Office must determine the costs and benefits of the efforts involved in implementing it, taking into consideration available resources, mandated functions and activities, and other higher-risk areas of concern citywide. Coordination with other relevant city departments and stakeholders will be conducted, as necessary, in making this determination, with completion expected in January 2017.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:V.3.	b. the Controller should instruct General Fund departments to report annually to GOBAC: 1) the inflationadjusted LifeCycle Maintenance and Repair Cost estimate for each General Obligation Bond funded project; 2) the amount budgeted for Operating Cost and Maintenance Cost of that asset; 3) the reasons for any budgeted shortfall; and 4) the immediate and longterm consequences of any budgeted shortfall.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	The Controller's Office does not have the authority or jurisdiction to require General Fund departments to report annually to the Citizens' General Obligation Bond Oversight Committee (CGOBOC), so cannot implement this recommendation. We will forward the recommendation to CGOBOC, who has the authority to request such reporting from departments.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VI.3-a.	In furtherance of transparency, accountability and stewardship, the Controller should track General Fund departments' maintenance budgeting and spending to assure that assets are not deteriorating through lack of maintenance and repair to the point where premature replacement funded by General Obligation bonds is needed.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	General Fund departments already report their maintenance and repair budgets as part of the City's ongoing budgeting and accounting procedures. The City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including specific mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide. The Controller's Office continues to refine and develop approaches to providing quality data and information to decision-makers and practitioners on critical topics involving the City's long-term liabilities, including asset and facilities management.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VI.3-b.	The Controller should determine the additional time and manpower cost to accomplish the preceding Recommendation to track General Fund departments maintenance budgeting and spending to assure that assets are not deteriorating through lack of maintenance and repair to the point where premature replacement funded by General Obligation bonds will be needed, and include line item entries for those costs in its Budget Requests for the 2017-2018 Budget and thereafter.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendation R:VI.3-a.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-a.	The Controller should require all city departments to implement existing best practices as provided in FASB 42 and other best practices sources to account for and report deferred maintenance.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	The City previously considered the implementation of GASB Standard 34's modified approach, which has the same elements as FASB 42, to which this recommendation pertains. GASB 34's modified approach requires an asset management system that must have an up-to-date inventory of eligible infrastructure assets, and requires the government to perform condition assessments of the eligible assets, summarize the results using a measurement scale, and estimate each year the annual amount to maintain and preserve the eligible infrastructure assets at the condition level established and disclosed by the government. Given the amount of resources the modified approach would require and the variations and ambiguities in maintenance reporting that could arise, the City decided to implement the standard approach, while still ensuring full compliance with government accounting procedures. In developing and evaluating the City's accounting system, consideration is given to the adequacy of internal accounting controls, including the safeguarding of assets against loss from unauthorized use or disposition, and reliability of financial records for preparing financial statements and maintaining accountability for assets. The Controller's Office believes that the City's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-b.	The Controller should establish systems and procedures to establish clear maintenance and repair investment objectives and set priorities among outcomes to be achieved.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	In addition to the response provided above in R:VII.1-a., City departments already have the stewardship responsibility of their assets and facilities, which are accounted for in the Controller's citywide accounting system. Using this accounting system data, annually the Controller's Office reports the depreciation costs of all assets, based on the estimated useful lives of those assets using historical costs. For forward-looking and planning purposes, under the City Administrator's direction, City departments annually assess facility conditions, determine cost projects for renewal and proposed enhancement projects, and analyze available funding resources as part of their ten-year capital plan preparations, using the Facilities Renewal Resource Model.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-c.	The Controller and the Director of Public Works should establish systems and procedures to identify types of facilities or specific buildings (i.e., capital assets) that are missioncritical and mission supportive.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.1-b.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-d.	The Controller should establish systems and procedures to conduct condition assessments as a basis for establishing appropriate levels of funding required to reduce, if not eliminate, any deferred maintenance and repair backlog.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.1-b. The Capital Plan also contains the estimated facilities, streets and other right-of-way asset backlogs, showing both funded and deferred levels.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-e.	The Controller should establish systems and procedures to establish performance goals, baselines for outcomes, and performance measures.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.1-b. The development of an inventory of maintenance-related performance goals, baselines for outcomes, and performance measures will be considered as part of future City Services Auditor maintenance audits.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-f.	The Controller should establish systems and procedures to identify the primary Methods to be used for delivering maintenance and repair activities.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.1-b. Further, the development of an inventory of methods used for delivering maintenance and repair activities will be considered as part of future City Services Auditor maintenance audits.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-g.	The Controller should establish systems and procedures to employ models for predicting the outcome of investments, analyzing tradeoffs, and optimizing among competing investments.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.1-b. This recommendation is already in part covered by the Capital Planning process and may benefit from further consideration by Capital Planning staff, who coordinate the use of the Facilities Renewal Resource Model, under the direction of the City Administrator's Office.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-h.	The Controller should establish systems and procedures to align real property Portfolios with mission needs and dispose of unneeded assets.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.1-b. Further, the Controller's Accounting Policies & Procedures already addresses the accounting treatment and procedures for asset disposal, and the City has procedures in place for identifying and disposing of surplus property.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-i.	The Controller should establish systems and procedures to identify the types of risks posed by lack of timely investment.	Controller	The recommendation requires further analysis (explanation of the scope of that analysis and a timeframe for discussion, not more than six months from the release of the report noted in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.1-b. Further, the identification and inventorying of the types of risks posed by the lack of timely investment will be considered as part of future City Services Auditor maintenance audits.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.1-j.	The Controller should determine the additional time and manpower cost to establish systems and procedures to accomplish the preceding items in Recommendation 1-a through 1-j and include a line item for those costs in its budget requests for fiscal year 2017-2018.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's responses to related recommendations R:VII.1-a through R:VII.1-l.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.2-a.	The Controller should include a discussion in its annual financial statements to describe what constitutes deferred maintenance and repair and how it is being measured.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	As noted in the City's 2015 Comprehensive Annual Financial Report (CAFR), the Controller prepared the CAFR in conformance with the principles and standards for accounting and financial reporting set forth by the Government Accounting Standards Board and provides a detailed accounting of annual and accumulated depreciation of City assets. The objective is to provide reasonable, rather than absolute, assurance that the financial statements are free of material misstatements. The CAFR includes critical information and highlights regarding departmental assets, capital programs, and maintenance and repair projects. The Controller continues to believe in the accuracy and completeness of the City's financial statements, as assured by the City's external financial auditors.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.2-b.	The Controller should include a discussion in its annual financial statements to include amounts of deferred maintenance and repair for each major category of Property, Plant, and Equipment.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendation R:VII.2-a. Further, the Controller's Office routinely refers any inquiries to the Capital Planning process and documents, with their associated renewal investment backlog estimates and plans.
2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.2-c.	The Controller should include a discussion in its annual financial statements to include a general reference to specific component entity reports for additional information.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendation R:VII.2-a. Further, the Controller's Office routinely refers any inquiries to the Capital Planning process and documents, with their associated renewal investment backlog estimates and plans.

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2015-16	Maintenance Budgeting and Accounting Challenges for General Fund Depts.	R:VII.3.	The Controller should immediately reassess the reported value of capitalized assets in its financial statements given the impact of the high level of deferred maintenance on reducing the useable life of these assets.	Controller	The recommendation will not be implemented because it is not warranted or reasonable (explanation in next column)	See Controller's response to related recommendations R:VII.1-a and R:VII.2-a. Further, the Controller's Office routinely refers any inquiries to the Capital Planning process and documents, with their associated renewal investment backlog estimates and plans.
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OFFICE OF THE MAYOR
SAN FRANCISCO



EDWIN M. LEE
MAYOR

August 26, 2016

The Honorable John K. Stewart
Presiding Judge
Superior Court of California, County of San Francisco
400 McAllister Street
San Francisco, CA 94102

Dear Judge Stewart:

Pursuant to Penal Code sections 933 and 933.05, the following is in reply to the 2015-16 Civil Grand Jury report, *Maintenance Budgeting and Accounting Challenges for General Fund Departments, Maintenance Economics Versus Maintenance Politics: Pay Now or Pay Later*. We would like to thank the members of the Civil Grand Jury for their interest in the long-term stewardship of the City's assets and ongoing efforts to address the City's capital needs.

The Capital Planning Program provides the public with a 10-year Capital Plan every 2 years, and a 2-year Capital Budget every year. The Capital Plan is a high-level guiding document, which contains planned investment amounts for Facilities Maintenance and Facilities Renewal for each department for the next 10 years. For the first time in its history, the City has exceeded the Capital Planning Program's recommended general fund capital funding for three consecutive fiscal years, including an historic \$141.1 million for Fiscal Year (FY) 2016-17, \$122.8 million in FY 2015-16, and \$114.1 million in FY 2014-15. The continued high levels of investment in capital demonstrate the City's strong dedication to making responsible choices and taking care of its infrastructure, roads, parks, and life safety facilities.

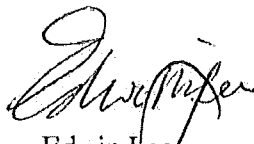
To address many of the findings and recommendations of the Civil Grand Jury, the City continues to explore various approaches, including revising funding benchmarks, leveraging the value of City-owned assets as debt-financing vehicles, preparing projects for voter consideration at the ballot, forming public-private partnerships, and exploring new revenue sources. In addition, the Controller's City Services Auditor is conducting a performance audit of facilities maintenance management Citywide, including assessing the effectiveness of the City's facilities maintenance funding and budgeting methods. This audit will be issued in FY 2016-17 and will provide additional transparency around maintenance budgeting.

In the upcoming November 2016 election, San Franciscans will consider a Charter Amendment – City Responsibility for Maintaining Street Trees that, if approved by the voters, will transfer responsibility for maintenance of street trees from property owners to the City. The Charter Amendment implements the Phase 1 of the Urban Forestry Plan and recommendations of the Urban Forestry Council.

A detailed response from the Mayor's Office, City Administrator, City Planning, Department of Elections, Department of Human Resources, Recreation and Parks Department, and the Department of Public Works to the Civil Grand Jury's findings and recommendations follows.

Thank you again for the opportunity to comment on this Civil Grand Jury report.

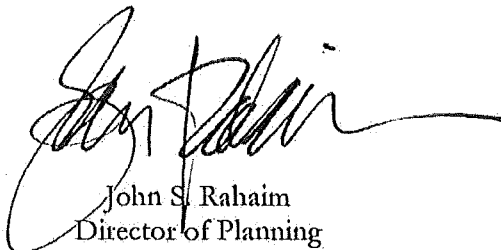
Sincerely,



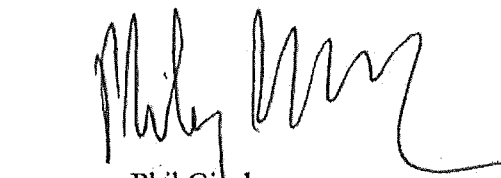
Edwin Lee
Mayor




Naomi M. Kelly
City Administrator



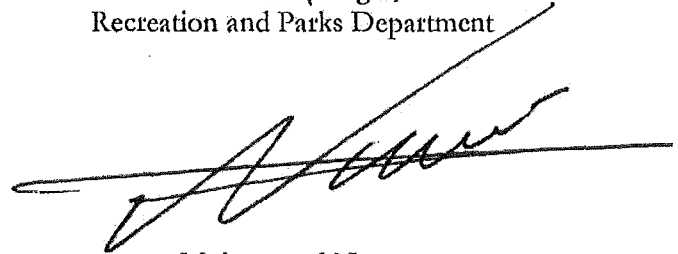
John S. Rahaim
Director of Planning



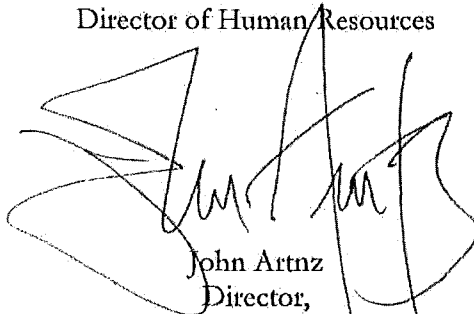
Phil Ginsburg
General Manager,
Recreation and Parks Department



Micki Callahan
Director of Human Resources



Mohammed Nuru,
Director, Public Works



John Artanz
Director,
Department of Elections

Finding:

Finding F:IA.1 The gap between the City's investment in General Fund Departments' "Facilities Maintenance" assets and industry guidelines measured as a percentage of Current Replacement Value (CRV): Recommended 4%, Minimum 2%, or Total General Fund Departments' "target need" of approximately 1.7% calculated by Facilities Renewal Resource Model (FRRM), (see Figure 4 and Appendix D3) and in dollar amounts is not made available to citizens of San Francisco.

Agree with finding.

The City's Capital Planning Committee (CPC) issues the Capital Plan that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects Citywide. To address the gap between its capital needs and the resources available, the CPC continues to explore various approaches, including revising funding benchmarks, leveraging the value of City-owned assets as debt-financing vehicles, preparing projects for voter consideration at the ballot, forming public-private partnerships, and exploring new revenue sources.

The Capital Planning Program is aware of the CRV methodology, and % of CRV was a consideration in setting target levels of investment in Facility Renewals for the City's 10-year Capital Plan for fiscal year (FY) 2016 – 2025. The City's 10-year Capital Plan represents the vast majority of the City's spending on facility care. While the Capital Planning Program does not necessarily agree with "industry guidelines" stated, the City will continue to evaluate % of CRV as a means of setting levels of investment in Facility Renewals, and the City may incorporate maintenance into that target following further evaluation.

Finding F:IA.2a Without transparent and complete information about the investment levels in the City's General Fund Departments' maintenance and repair budgets, the public does not have important information with which to assess the City's stewardship of public assets.

Disagree with finding, partially.

The City strives to be transparent in the use and stewardship of public assets and resources. For example, General Fund (GF) departments report their maintenance and repair budgets as part of the City's ongoing budgeting and accounting procedures. Further, the Mayor's Office and the Controller's Office annually issue budget instructions, including those related to the reporting and tracking of budget requests for capital maintenance, renewal, replacement, and enhancement projects. CPC also issues the Capital Plan report that describes the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects Citywide.

Finding F:IA.2b The slice of the pie chart for General Fund departments labelled "Facilities Maintenance" in the Budget report is not the total maintenance budget for those departments.

Disagree with finding, partially.

The Capital Planning Program provides the public with a 10-year Capital Plan every 2 years, and a 2-year Capital Budget every year. The Capital Plan is a high-level guiding document, which contains planned amounts for Facilities Maintenance and Facilities Renewal for each department for the next 10 years. The

budget lists actual appropriations for Facilities Maintenance for each department, and for individual Facility Renewal projects around the City for the next two years. These two sources of information are available on the Capital Planning Program website (onesanfrancisco.org) and are discussed at length during Capital Planning Committee meetings, which are public sessions, throughout the year. The public may use these materials and related discussions to assess the City's stewardship of public assets.

In addition, departments use additional funding from their operating budgets to support Facilities Maintenance, and those amounts may be reported under separate categories with the current financial system. The City is in the process of implementing a new financial system which should enable the tracking of operating dollars being spent on Facilities Maintenance.

Finally, the definition of maintenance used in the report refers to "preventive maintenance, programmed major maintenance, predictive testing and inspection, routine repairs, service calls, and replacement of obsolete items." Repairs and replacements more typically fall under the Renewals category of spending than under the Facilities Maintenance category. Therefore looking at the slice of the pie chart for GF departments labeled "Facilities Maintenance" is a misleading way to analyze the level of effort by the City to care for its assets.

Finding F:I.A.2c. The total maintenance budget for General Fund departments is not disclosed in the Budget report.

Disagree with finding, partially.

The Controller's Office reports the Facilities Maintenance budget for both the General Fund and All Funds Budget, along with subtotals by department, for both the Proposed and Adopted Budgets.

This finding does not acknowledge the detailed disclosures of the Capital Budget component of the Budget report. The Capital Budget lists actual appropriations for Facilities Maintenance for each department, and for individual Facility Renewal projects around the City for the next two years.

Finding F:I.A.3. As a consequence of low investment levels in General Fund departments' asset maintenance and repair, the City has a large and growing deferred maintenance and repair backlog for General Fund departments. Without transparent and complete information about these deferred maintenance and repair backlogs, the public does not have important information with which to assess the City's stewardship of General Fund Departments' assets.

Disagree with finding, partially.

The City has steadily increased funding for general fund capital over the last two fiscal years and has funded an historic \$141.1 million for FY 2016-17, approximately \$11.6 million more than the \$128.3 million proposed in the Capital Plan. Similarly, in FY 2015-16, the City invested \$122.8 million towards general fund capital, \$5.9 million more than the \$116.9 million proposed in the Capital Plan. The City fully funded general fund capital in FY 2014-15 in investing \$114.1 million towards general fund capital.

Two sources of information may be used by the public to understand the City's deferred maintenance and repair backlog. General Fund departments report their maintenance and repair budgets as part of the City's ongoing budgeting and accounting procedures. For example, the Mayor's Office and the Controller's Office

annually issue budget instructions, including those related to the reporting and tracking of budget requests for capital maintenance, renewal, replacement and enhancement projects. The City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.

The City's Facilities Renewal Resource Model (FRRM) contains subsystem-level information for General Fund-supported facilities, including whether a given subsystem or facility is in backlog. FRRM is updated by departments annually, and FRRM data is the basis for determining the City's GF backlog and facility renewal needs in the 10-year Capital Plan. The Executive Summary of the Capital Plan contains a discussion of the City's overall backlog, including the impact of proposed funding levels on the backlog for the next 10 years. In addition, the impact of proposed funding levels on the backlog is discussed at the Capital Planning Committee meetings (which are open to the public) leading up to the introduction of the Capital Plan (January of every odd-numbered year).

Finding F:IIA.1-a. Adequately funding maintenance and repair of General Fund departments' facilities and infrastructure has potential beneficial consequences, such as those noted in a National Research Council report (NRC 2012).

Agree with finding.

The City recognizes the importance of making informed and economical decisions regarding the use and stewardship of public assets and resources. The Controller's City Services Auditor is conducting a performance audit of facilities maintenance management citywide, including assessing the effectiveness of the City's facilities maintenance funding and budgeting methods. This audit will be issued in FY 2016-17. The City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.

In the upcoming November 2016 election, San Franciscans will consider a three quarter-cent sales tax increase. The Mayor's Office will work with the San Francisco Municipal Transportation Agency and the San Francisco County Transportation Authority to include improvements to our street network in the San Francisco Transportation Expenditure Plan, specifying that a portion of the additional sales tax revenues is directed towards improving the pavement condition of the street infrastructure.

Finding F:IIA.1-b. Underfunding maintenance and repair of General Fund departments' facilities and infrastructure creates potential adverse consequences, such as those noted in the same National Research Council report (NRC 2012).

Disagree with finding, partially.

Underfunding of General Fund departments' facilities and infrastructure expenditures and other competing expenditures has the potential to create adverse consequences. The City's policymakers consider the impacts of budget requests in connection with the City's annual budget process, while balancing budget and policy priorities, available revenues, and potential adverse consequences of budget decisions.

The City has steadily increased funding for general fund capital over the last two fiscal years and has funded an historic \$141.1 million for FY 2016-17, approximately \$11.6 million more than the \$128.3 million proposed in the Capital Plan. Similarly, in FY 2015-16, the City invested \$122.8 million towards general fund capital, \$5.9 million more than the \$116.9 million proposed in the Capital Plan. The City fully funded general fund capital in FY 2014-15 in investing \$114.1 million towards general fund capital.

Finding F:II.A.1-c. The City saves money over the long term by using pay-as-you-go financing for high priority maintenance and repairs.

Agree with finding.

In connection with the City's budget process and constrained by available revenues, pay-as-you-go funding for maintenance and repairs is considered along with competing costs that are not eligible for financing.

Finding F:II.A.1-d. Total reliance on annually budgeted pay-as-you-go funding can result in maintenance and repairs being deferred in lean budget years. It will be a challenge for policy makers to develop a range of stable "pay-as-you-go" annual funding mechanisms for maintenance and repairs.

Agree with finding.

In lean budget years, maintenance and repairs and other operating costs may be deferred. Stable "pay-as-you-go" annual funding is a challenge for all of the City's operating costs, including maintenance and repairs. This challenge will be aggravated in lean years.

Finding F:II.B.1-a. The City does not know what portion (if any) of its Workers' Compensation liabilities arise out of poorly maintained General Fund department capital assets.

Disagree with finding, wholly.

The construct of the California workers' compensation system is "no-fault." The fundamental principle of the entire system is that employers pay for injuries or illnesses that occur in the course of business, and employees give up the right to file civil lawsuits. While "cause of injury" (such as slip & fall, fall from height, exposure to toxins, etc.) is known, can be reported on by the Department of Human Resources Workers' Compensation Division, and is used to improve employee safety, fault is never assessed. Further, there is no objective way to determine that a workers' compensation claim resulted from deferred maintenance. As a result, an audit of the data-gathering statistics is unnecessary and burdensome.

Finding F:II.B.1-b. If the City's budget decision makers knew how much (if any) of the City's Workers Compensation liabilities arose out of poorly maintained General Fund department capital assets, they would have useful information in making budget tradeoff decisions.

Disagree with finding, wholly.

The construct of the California workers' compensation system is "no-fault." The fundamental principle of the entire system is that employers pay for injuries or illnesses that occur in the course of business, and employees give up the right to file civil lawsuits. While "cause of injury" (such as slip & fall, fall from height, exposure to toxins, etc.) is known, can be reported on by the Department of Human Resources Workers'

Compensation Division, and is used to improve employee safety, fault is never assessed. Further, there is no objective way to determine that a workers' compensation claim resulted from deferred maintenance. As a result, an audit of the data-gathering statistics is unnecessary and burdensome.

Finding F:II.B.2-a. Hazard Logs in City General Fund departments are not being compiled and analyzed in a manner which identifies and quantifies risks of injury resulting from deferred maintenance.

Disagree with finding, partially.

The City has added coding on the Hazard Logs for deferred maintenance and repairs.

Finding F:II.B.2-b. If the Hazard Logs in General Fund departments were compiled and analyzed in a manner which identified and quantified risks of injury resulting from deferred maintenance, that information could be provided to budget decision makers for use in making budget tradeoffs.

Agree with finding.

Finding F:II.C-1-a. Because trees perform valuable environmental, economic and social functions and make San Francisco a better place to live and work, stable funding sources for maintenance of the City's urban forest is recognized as a goal in the budget process.

Agree with finding.

In the November 2016 election, San Franciscans will consider the transfer of maintenance responsibility for all San Francisco's street trees to Public Works and the funding of tree maintenance through an annual budget set-aside.

Finding F:II.C-1-b. San Francisco's canopy cover at 13.7% lags far behind other major cities, and varies widely between neighborhoods.

Agree with finding.

Finding F:II.C-1-c. The Urban Forestry Council notes in its annual Urban Forest Reports that San Francisco's urban forest managers consistently identify their highest priority as the lack of adequate resources to effectively maintain the city's trees. Recreation and Parks Department and Department of Public Works face the same challenge: both are significantly underfunded to do their needed maintenance work.

Disagree with finding, partially.

Making informed and economical decisions regarding the use and stewardship of public assets and resources, including the City's trees, is important. The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.

Finding F:II.C-1-d. As long as San Francisco's urban forestry program is a discretionary expenditure, its funding will remain unstable and continue to fluctuate.

Disagree with finding, partially.

The urban forestry program is a discretionary expenditure, and like other discretionary expenditures, funding fluctuates with available local revenues and competing discretionary expenditures with the City's annual budget process.

In the November 2016 election, San Franciscans will consider the transfer of maintenance responsibility for all San Francisco's street trees to Public Works and the funding of tree maintenance through an annual budget set-aside. The proposed amendment would require general fund contribution to a newly created fund, the Street Tree Maintenance Fund, of \$19 million beginning in fiscal year (FY) 2017-18. This fund would be used to pay for City services to maintain street trees as of July 1, 2017. The cost to the City in FY 2017-18 would be \$13.5 million as the City has already budgeted \$5.5 million for these services.

Finding F:II.C-2-a. Budget cuts for street tree maintenance led to DPW's plan to transfer maintenance responsibility for approximately 22,000 trees from the City to adjacent property owners.

Disagree with finding, partially.

The plan to transfer maintenance responsibility for approximately 22,000 trees from the City to adjacent property owners included availability of staffing and long-term financing for tree care. The Urban Forestry Report (2014) notes that several forestry programs increased funding and/or staffing levels. When the 100,000+ trees in the public right of way are not maintained, their health and stability is compromised. As is their potential social and environmental benefit. The purpose of the maintenance transfer program is to ensure continuity of care for as many trees as possible, and the costs must be evaluated relative to the cost of maintaining street trees. The urban forestry program is a discretionary expenditure, and like other discretionary expenditures, funding fluctuates with available local revenues and competing discretionary expenditures with the City's annual budget process.

Finding F:II.C2b. The maintenance transfer program is costly to the City, as DPW must first assess the health of each tree to be transferred; and costly to property owners who are expected to bear the maintenance costs and liability risks.

Disagree with finding, partially.

When the 100,000+ trees in the public right of way are not maintained, their health and stability is compromised, as is their potential social and environmental benefit. The purpose of the maintenance transfer program is to ensure continuity of care for as many trees as possible, and the costs must be evaluated relative to the cost of maintaining street trees.

Finding F:II.C-2-c. The maintenance transfer program compromises tree health and stability, risks public safety and also diminishes the social and environmental benefits that street trees provide.

Disagree with finding, partially.

When the 100,000+ trees in the public right of way are not maintained, their health and stability is compromised, as is their potential social and environmental benefit. The purpose of the maintenance

transfer program is to ensure continuity of care for as many trees as possible, and the costs must be evaluated relative to the cost of maintaining street trees.

Finding F:ILC-2-d. Some property owners pay to maintain “their” street trees while others do no maintenance because they are unaware that it is their responsibility or are unwilling to pay for it.

Agree with finding.

Finding F:ILC-2-e. Deferred maintenance leads to a street tree program that is reactive, and ultimately increases the costs of street tree care, since trees in poor condition require greater care and contribute to emergencies and claims for personal injury and property damage.

Disagree with finding, partially.

If maintenance is deferred beyond a reasonable period, the costs of street tree care has the potential to increase.

Finding F:ILC-2-f. For every \$1 spent on public street trees, San Francisco receives an estimated \$4.37 in benefits.

Agree with finding.

Finding F:ILC-2-g. One major reason new plantings do not keeping pace with tree removals is that no city maintenance program exists to care for them afterwards. There is reluctance among property owners to plant new trees because of ongoing maintenance responsibilities and potential costs associated with liabilities such as sidewalk repair.

Disagree with finding, partially.

One reason property owners may be reluctant to plant new trees is ongoing maintenance responsibilities. However, property owners will have many other considerations in deciding to plant trees such as shade, aesthetics, and individual preferences.

Agree with finding.

Finding F:ILC-2-h. The Urban Forest Plan (Phase One: Street Trees) recommends reducing long-term costs of the urban forest by having Public Works take control of all street trees under a comprehensive street tree plan, allowing for routine block pruning (instead of responding only to emergency calls on specific trees) which would drive down per tree maintenance costs and increase overall tree health.

Agree with finding.

The Planning Department's Urban Forest Plan (Phase 1: Street Trees) adopted by the Board of Supervisors (2015) made this recommendation but it has not yet been implemented. The Board of Supervisors approved a ballot measure to be put before voters (Fall 2016) that if approved would revert maintenance responsibility for all San Francisco's street trees to Public Works and provide funding through an annual budget set-aside to allow this.

Finding F:II.C-2-i. Routine maintenance of all street trees in the City under a comprehensive program of the Public Works Department, with stable funding, will increase overall tree health and reduce per tree maintenance costs.

Agree with finding.

Finding F:II.C-2-j. The Urban Forest Plan (Phase One: Street Trees) recommending the Department of Public Works take on the maintenance of all street trees will be a net benefit to all San Francisco residents.

Agree with finding.

Finding F:II.C-2-k. The incidence of injuries to residents and visitors and damage claims against the City are expected to decline with routine street tree maintenance by the Department of Public Works.

Disagree with finding, partially.

Maintenance and funding will not guarantee reduction in the incidence of injuries to residents and visitors and damage claims against the City with routine street tree maintenance by the Department of Public Works. Weather and other natural events factor in the incidence of injuries and damage claims.

Finding F:II.C-4-a. The Urban Forestry Council urges completion of Phase 2 of the Urban Forest Plan related to Parks and Open Spaces.

Agree with finding.

Finding F:II.C-5-a. The Recreation and Park Department has a strategic reforestation plan to plant two trees for every tree removed.

Disagree with finding, partially.

It is a stated goal or performance target, but not a "Strategic Reforestation Plan".

Finding F:II.C-6.a. The Recreation and Park Department has a plan to implement a programmatic tree maintenance program that will sustain a 15 year tree maintenance cycle and seeks secure funding.

Agree with finding.

Finding F:II.C-7-a. Using funds from the 2008 and 2012 Clean & Safe Neighborhood Parks Bonds, RPD conducted risk assessments in many parks to identify trees with failure potential, the size of the part of the tree that would fall, and the target that would be impacted should a failure occur. Hazardous tree abatement was completed in several parks.

Agree with finding.

Finding F:II.C-7-b. Hazardous trees in City Parks are a risk to public safety (Figures 5 and 9).

Agree with finding.

Finding F:II.C.2-1. The City is responsible for maintenance of three of the fourteen bridges in the City rated as "Structurally Deficient".

Disagree with finding, partially.

Within the City and County of San Francisco, there are four bridges with a Structurally Deficient rating. All four of these bridges (Williams Avenue, Mariposa Street, 22nd Street, 23rd Street) are owned by the Peninsula Corridor Joint Powers Board (PCJPB). As such, the PCJPB is responsible for the structural maintenance of the bridges.

Finding F:II.C.2-2. Bridges may require substantial repairs before reaching the "Structurally Deficient" stage; e.g., the Richland Avenue bridge pictured in Figure 7.

Agree with finding.

Finding F:III.A.1b. Replacement or revision of the current asset management programs used by General Fund departments provides an opportunity for development of new or revised performance metrics to collect and report: (1) the dollars departments expend on annual maintenance and repair and (2) the annual costs incurred in addressing their deferred maintenance and repair backlogs.

Disagree with finding, partially.

Complete and accurate data is important for making informed decisions about the use and stewardship of public assets and resources. The Mayor's Office and the Controller's Office provide instructions to departments on performance measures, and responsibility for managing departmental assets rests primarily with each department. Further, maintenance management functionality may be considered for a future phase of the City's new financial system deployment, which is slated to launch in July 2017. The City's new financial system's asset management module includes such fields as City Asset Status, Condition Assessment, and Safety Assessment.

Finding F:III.B.1. The City's ability to determine the Deferred Maintenance and Repairs backlog is hampered by the aggregating of deferred maintenance expenses with capital renewal and replacement costs.

Disagree with finding, partially.

The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.

Finding F:III.C.1-a. Condition Assessment Surveys with cost estimates are an important factor in identifying required maintenance.

Agree with finding.

Condition Assessment Surveys with cost estimates can be an important factor in identifying required maintenance.

Finding F:III.C.1-b. Some old condition assessments, a key part of the maintenance needs determination process, have not been updated for ten years or longer.

Agree with finding.

Finding F:III.C.1-c. Updated Condition Assessment Surveys for capital assets maintained by the Real Estate Division, the Department of Public Works, and the Recreation and Parks Department will identify required maintenance needs.

Agree with finding.

Real Estate Division's use of Computerized Maintenance Management System (CMMS) and FRRM are used to identify maintenance needs. Condition Assessment Survey provides a physical inventory for asset, accomplishment (elimination of previously identified needs), and valuation and allows the opportunity for consistent cost estimates and replacement schedules.

Finding F:III.C.2. A new comprehensive condition assessment survey of Recreation and Parks department facilities and infrastructure is an important step toward getting adequate maintenance funding appropriated on a regular basis.

Disagree with finding, partially.

Maintenance funding, along with other discretionary expenditure appropriations, are subject to available revenues and the City's annual budget process.

Finding F:III.C.3-a The Mayor's announced goal of getting city streets to a Paving Condition Index rating of good condition, and keeping them there, is a good first step.

Agree with finding.

Finding F:III.C.3-b. The Facilities Conditions Index may be used as a means of identifying the condition of buildings and other nonstreet capital assets to assist in projecting and making resource allocations, and to determine the annual reinvestment needed to prevent further accumulation of deferred maintenance and repair.

Disagree with finding, partially.

The Facilities Condition Index (FCI) is calculated based on FRRM data, and assuming that facility data is updated consistently across the City's facilities, it may be used to assess the relative condition of one facility versus another. While FCI may be used as a planning tool in this manner, using it to determine the annual reinvestment needed would need further study.

Finding F:III.D.1. Below market rental rates charged to General Fund department tenants do not cover the annual Maintenance and Repair and capital replacements costs and conceal the true costs of program delivery.

Disagree with finding, partially.

Rental rates for departments are set to recover for expected operating costs. CPC issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects citywide.

Finding F:IV.1. The Mayor's Office of Public Policy and Finance reviews and analyzes prioritized General Fund departmental budget proposals.

Agree with finding.

Finding F:IV.2-a. Compliance with Section 3.5(a) of the Budget Process Ordinance provides City departments and department heads with an opportunity to make their maintenance needs known vigorously as part of the Budget Process.

Agree with finding.

Finding F:IV.2-b. Opportunities exist for General Fund Department managers to advocate for increased maintenance and repair funding within the strictures of Capital Budget Request Form 6.

Agree with finding.

Departments submit their Capital Budget requests for each fiscal year in January. Between January and May (when the Capital Planning Program presents the proposed Capital Budget to the Capital Planning Committee), department representatives have several opportunities to advocate for their capital needs. The Capital Planning Program evaluates all Capital Budget requests in light of the most recently adopted 10-year Capital Plan, however, some flexibility is maintained in order to be able to address departments' most pressing needs.

Finding F:IV.2-c. Compliance with Section 3.14 of the Budget Ordinance provides City department heads with an opportunity to make their unfunded high-priority maintenance needs known.

Disagree with finding, partially.

The annual budget process begins in December of each year and undergoes several phases over the course of approximately nine months. At the end of the nine month budget process, the Board of Supervisors adopts and the Mayor approves a balanced two-year budget.

Following approximately nine months of budget deliberations, Section 3.14 of the Budget Process Ordinance requires the head of each agency to, within 30 days of the adoption of the annual budget by the Board of Supervisors, by letter addressed to the Mayor, Board of Supervisors, and Controller, agree that the funding provided is adequate for his or her department, board, commission, or agency unless otherwise specifically noted by the appointing officer and acknowledged in writing by the Board.

Finding F:IV.2-d. General Fund department heads have the opportunity to make supplemental appropriation requests when they find that their department has inadequate resources to support M&R operations through the end of the fiscal year.

Agree with finding.

Finding F:IV.3. The Mayor's Budget Letter does not include a list with a description of the General Fund departments' high priority maintenance and repair projects which did not get funded in the budget.

Disagree with finding, partially.

Departments submit their Capital Budget requests for each fiscal year in January. Between January and May (when the Capital Planning Program presents the proposed Capital Budget to the Capital Planning Committee), department representatives have several opportunities to advocate for their capital needs. The Capital Planning Program evaluates all Capital Budget requests in light of the most recently adopted 10-year Capital Plan, however, some flexibility is maintained in order to be able to address departments' most pressing needs.

Finding F:V.1-a. As a basis against which to compare future actual M&R expenses, the Capital Planning Committee needs to understand the projected lifecycle cost of operating and maintaining proposed facilities to be built with General Obligation bond proceeds.

Agree with finding.

Finding F:V.1-b. The "Critical Project Development" program under the Capital Planning Committee continues the City's commitment to funding predevelopment planning so that project costs and impacts are clearly understood before a decision is made to either fund or place a project before voters.

Agree with finding.

While "Critical Project Development" has been funded through the regular Capital Budget in the past, since the FY 2016 - 2025 Capital Plan, the City has set up a revolving Capital Planning Fund in order to fund these projects. The Capital Planning Fund pays for predevelopment planning, with the condition that these funds will be reimbursed by the eventual G.O. Bond that funds the overall project.

Finding F:V.2. The Mayor's Five Year Plans are starting to mention the long term costs associated with onetime investments.

Disagree with finding, wholly.

Long-term costs associated with one-time investments are included in Five Year Plans.

Finding F:V.3. Voters are asked to approve General Obligation bonds for a new facility but are not informed of the projected interest cost to borrow the funds and of lifecycle cost projections for maintaining the new facility.

Disagree with finding, wholly.

Departments are required to fulfill a series of criteria when seeking Capital Planning Committee approval for a G.O. Bond. These requirements include a memo to CPC members, a copy of the Resolution of Public Interest and Necessity, a copy of the Ordinance placing the Bond on the ballot, and a presentation including program background and need, program components, impact to property tax rate, accountability measures, legislative schedule, and other relevant information. A projection of lifecycle costs has been added to the list of requirements.

Finding F:V.4. Lifecycle cost projections for operations and maintenance and repair are not visible to citizens when considering General Obligation Bond propositions, because this information is not included in the Voter Information Pamphlets.

Agree with finding.

Finding F:VI.1. Cutting the growth rate for funding the Pay-as-you-go Program from ten percent to seven percent causes a projected six year delay from 2019 to 2025 before the City begins to address its deferred backlog. Cost escalation over that six year delay will significantly increase the future cost of reducing the backlog.

Disagree with finding, partially.

Under the current assumptions made in the FY 2016 - 2025 Capital Plan, cutting the growth rate for funding the Pay-as-you-go Program from 10% to 7% causes a projected 10 year delay from 2021 to 2031 before the City begins to address its backlog.

Finding F:VI.2-a. Funding the Pay-as-you-go Program at historical levels would cause a further delay to 2031 before the City begins to address its deferred backlog.

Disagree with finding, partially.

The City's Capital Planning Committee issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including identifying appropriate funding mechanisms, such as using pay-as-you-go General Fund dollars or debt financing. Consideration of pay-as-you-go General Fund dollars for renewal of assets is balanced with the City's other critical needs and mandates.

The City has steadily increased funding for general fund capital: an historic \$141.1 million for FY 2016-17, \$122.8 million in FY 2015-16, and \$114.1 million in FY 2014-15. Funding the Pay-as-you-go Program at historical levels would mean that the City would address its backlog beyond 2031 because renewal needs that are deferred adds to the backlog.

Finding F:VII.2. The City does not have accounting and financial systems and processes in place to accurately determine and report the condition of its assets or the extent of its deferred maintenance.

Disagree with finding, partially.

In developing and evaluating the City's accounting system, consideration is given to the adequacy of internal accounting controls, including the safeguarding of assets against loss from unauthorized use or disposition

and the reliability of financial records for preparing financial statements and maintaining accountability for assets. The City's internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.

The City is now replacing its accounting and financial system, which includes an asset management module, slated to go-live in July 2017. The City's planned new financial system's asset management module includes such fields as City Asset Status, Condition Assessment, and Safety Assessment. Further, a maintenance management module is also being considered for a future phase, post go-live, and the findings noted herein could be considered as part of the functional specifications assessment. However, systems are in place in both the City's Capital Planning Program and key enterprise agencies to model and track the state of deferred maintenance needs and expenses for City assets.

Finding F:VII.4. Existing data show that maintaining assets extends asset life and is cheaper than prematurely replacing unmaintained assets.

Agree with finding.

Preventative maintenance can extend some assets' life and is usually cheaper than prematurely replacing unmaintained assets. For example, Public Works has conducted an analysis that shows that maintaining streets at a "good" pavement condition index (PCI) extends their life and is cheaper than replacing unmaintained streets. Some assets have a specific life cycle.

Recommendations:

Recommendation R:I.A.1-a. To provide useful information for the public in assessing the City's stewardship of public assets, the City Administrator and the Director of the Capital Planning Program should use the FRRM (Facilities Renewal Resource Model) to calculate the target need for General Fund departments' facilities maintenance as a percentage of Current Replacement Value (CRV) and in dollar amounts, and disclose that information to the public; b. The City Administrator and the Director of the Capital Planning Program should determine the additional time and manpower cost to accomplish this additional calculating and reporting and include a line item for those costs in their budget requests; c. The Mayor should include in the proposed budget for Fiscal year 2017-18 and thereafter the amount requested by the City Administrator and the Director of the Capital Planning Program to accomplish this additional calculating and reporting.

Recommendation has been implemented.

The Capital Planning Program already uses FRRM to calculate the target need for General Fund departments' facilities renewal needs over the next 10 years. This information is disclosed to the public in the financial tables of the City's 10-year Capital Plan. Target need as a % of CRV is not currently published in the Capital Plan, but it was discussed during a Capital Planning Committee meeting (public session). How exactly the City would use CRV and what the proper target levels would be, if any, require further study.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The budget for calculation and reporting will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:I.A.2-c. The Mayor should include in the proposed budget for fiscal year 2017-2018 and thereafter the amounts requested by the Controller for the compilation and disclosure of the total maintenance budget for General Fund departments and periodic audits.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The amounts requested by the Controller for the compilation and disclosure of the total maintenance budget will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:I.A.3c. The Mayor should include in the proposed budget for fiscal year 2017-2018 and thereafter the amounts requested by the Controller for the compilation and disclosure of the total deferred maintenance and repair backlog for General Fund departments and periodic audits; and

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The

deferred maintenance budget will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:IA.4-c. The Mayor should include in the proposed budget for fiscal year 2017-2018 and the amount requested by the Controller for the benchmark study; and

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by the Controller's Office, the benchmark study budget will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:II.A.1-1. In order to achieve beneficial consequences and avoid the potential adverse consequences from underfunding maintenance and repair of General Fund departments' facilities and infrastructure, and to save money over the long term: a. The City Administrator and the Director of the Capital Planning Program should identify a range of stable funding sources for pay-as-you-go maintenance and repair of the City's facilities and infrastructure.

Recommendation has been implemented.

The General Fund serves as the stable funding source for the Pay-as-you-go Program. According to the FY 2016 - 2025 Capital Plan, the current City policy is to grow the General Fund commitment to capital by 7% each year. For FY 2015-16, that commitment was \$119.1 million, which was raised to \$130 million, including addbacks from the Board of Supervisors. Of this amount, \$34.3 million went toward Facilities Renewals and Maintenance - with the remainder of the funding going towards Americans with Disabilities Act (ADA) needs, right-of-way infrastructure renewal, street resurfacing etc. The Mayor-proposed budget for FY 2016-17 includes \$128.3 million for capital, of which \$38 million is for Facilities Renewals and Maintenance.

In addition, departments with approved G.O. Bond Programs use bond funding to address renewal and deferred maintenance needs at the facilities being renovated using these funds.

Recommendation R:II.B.1-c. To reduce the risk of injury to City employees, the Mayor should include in the proposed budget for fiscal year 2017-2018 this line item in the Controller's budget request for an audit of Workers Compensation Division data gathering policies and procedures.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by the Controller's Office, the budget for an audit of the Workers Compensation Division data gathering policies and procedures will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:II.B.2-a. The Controller should assist the General Services Agency Environmental Health and Safety in developing procedures for periodic analysis of Hazard Logs to identify and quantify risks of injury created by deferred maintenance and repairs.

Requires further analysis.

Hazard logs have been modified to identify deferred maintenance and repairs to the Controller's Office periodically. The responding departments will work together in determining the involvement of the Controller's Office in implementing this recommendation. Existing analysis and reporting efforts on injury and hazard risks include worker's compensation studies and the California Injury and Illness Prevention Program.

Recommendation R:II.B.2.c. To reduce the risk of injury to City employees, the Mayor should include in the proposed budget for fiscal year 2017-2018 this line item in the Controller's budget request to develop procedures for periodic analysis of Hazard Logs to identify and quantify risks of injury created by deferred maintenance and repairs.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by the Controller's Office, the budget for periodic analysis of Hazard Logs will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:II.C.1-1. Maintain urban forest. Because trees perform valuable environmental, economic and social functions and make San Francisco a better place to live and work: a. the City Administrator and the Director of the Capital Planning Program should identify stable funding sources for maintaining the urban forest; b. the Mayor should identify stable funding sources for maintaining the urban forest and include them in proposed budgets; c. after review by the Budget and Legislative Analyst's Office, the Board of Supervisors should approve stable funding sources for maintaining the urban forest.

Requires further analysis.

In the November 2016 election, San Franciscans will consider the transfer of maintenance responsibility for all San Francisco's street trees to Public Works and the funding of tree maintenance through an annual budget set-aside. Depending on the outcome of the election, further conversations may be scheduled with the Mayor's Office, City Administrator and Director of Capital Planning to discuss stable funding sources for maintaining the urban forest by December 2016.

Recommendation R:II.C.1.2. DPW street trees : Because it will increase overall street tree health and reduce per street tree maintenance costs as described in the Urban Forest Plan (Phase 1: Street Trees): a. The Department of Public Works should include line items in its budget requests for the routine maintenance of all street trees,

Requires further analysis.

The Urban Forest Plan, adopted by the Board of Supervisors in 2015, is a long-term vision and strategy to improve the health and sustainability of the City's urban forest of more than 110,000 trees. Every year, as part of the capital planning process, Public Works includes line items in its budget request for the routine maintenance of all street trees in accordance with the Plan.

Recommendation R:II.C.1.4. The Urban Forest Plan Phase 2 Because it will increase overall tree health in the City's parks and open spaces and reduce per tree maintenance costs: a. The Planning Department should include a line item in its budget requests for the cost of completing The Urban Forest Plan (Phase 2: Parks and Open Space)

Recommendation has been implemented.

The Planning Department is currently scoping Phase II of the Urban Forest Plan to address the needs of trees in parks and open spaces. The Planning Department has included a line item in its budget to allow this work and is currently meeting its tree planning goals through existing budget.

Recommendation R:II.C.1-5. Rec & Park 2 for 1: Because it will promote the strategic reforestation of the City, thereby improving quality of life for City residents and visitors: a. The Recreation and Parks Department should include a line item in its budget requests for fiscal year 2017-2018 and thereafter for sufficient funding to plant two trees for every tree removed;

Recommendation has been implemented.

The Recreation and Parks Department is commencing initiatives toward achieving a 15-year tree maintenance cycle through the annual General Fund Capital Budget.

Recommendation R:II.C.1.6. Rec & Park 15 year maintenance cycle: Because it will increase overall tree health and reduce overall per tree maintenance costs: b. the Mayor should include sufficient dedicated funding in the proposed budget for upcoming fiscal years 2017-2018 and thereafter to the Recreation and Parks Department for the sustained 15 year tree maintenance cycle;

Recommendation has been implemented.

The Recreation and Parks Department is commencing initiatives toward achieving a 15-year tree maintenance cycle through the annual General Fund Capital Budget.

Recommendation R:II.C.1.7. Rec & Park Tree Risk Assessments. Because it will increase safety for all park users, a. The Recreation & Parks Department should seek a line item in its budget request to pay for completing tree risk assessments and hazardous tree abatement for trees in all remaining parks where that has not yet been accomplished.

Recommendation has been implemented.

The Recreation and Parks Department is funding a minimum of two new tree assessments per year through the annual General Fund Capital Budget.

Recommendation R:II.C.2-1-a. To prevent further deterioration and unsafe conditions, the Department of Public Works should seek prioritized line item budget funding in the fiscal year 2017-2018 for the maintenance and repair of the “Structurally Deficient” rated bridges for which it is responsible.

Requires further analysis.

Within the City and County of San Francisco, there are four bridges with a Structurally Deficient rating. All four of these bridges (Williams Avenue, Mariposa Street, 22nd Street, 23rd Street) are owned by the Peninsula Corridor Joint Powers Board (PCJPB). As such, the PCJPB is responsible for the structural maintenance of the bridges. Public Works is responsible for the maintenance of the roadway surface and above. Public Works will develop an estimate for the maintenance of the roadway surface and upgrade of the traffic railing for the bridges at Williams Avenue and Mariposa Street to be submitted in the fiscal year 2017-2018 budget. The PCJPB is presently replacing the bridges at 22nd Street and 23rd Street.

Recommendation R:II.C.2-1-b. To prevent further deterioration and unsafe conditions, the Mayor should approve these line items in the Department of Public Works budget request for the maintenance and repair of “Structurally Deficient” bridges and include them in the Mayor’s proposed budget for fiscal year 2017-2018 and thereafter.

Requires further analysis.

The Mayor’s Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by the Department of Public Works and subject to the Capital Planning Committee process, the budget for maintenance and repair of “Structurally Deficient” bridges will be considered in connection with the City’s budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:II.C.2-2-a. We acknowledge the Department of Public Works plans to repair the existing deterioration and unsafe conditions on the Richland Avenue Bridge and encourage the early completion of this important project.

Recommendation has been implemented.

The Department of Public Works undergoes an internal review and prioritization of maintenance needs in connection with each budget process that is submitted to the Capital Planning Program. The traffic railing replacement on the Richland Bridge has been included in the department’s request.

Recommendation R:II.C.2-2-b. To prevent further deterioration and unsafe conditions, the Department of Public Works should determine the cost of repairing the Richland Avenue Bridge and other deteriorated but not yet “Structurally Deficient” bridges for which it is responsible and include these costs as line items in its budget request for fiscal year 2017-2018.

Recommendation has been implemented.

Public Works will develop budgetary needs for the maintenance of all bridges under its jurisdiction and request funds in fiscal year 2017-2018.

Recommendation R:II.C.2-2-c. To prevent further deterioration and unsafe conditions, the Mayor should approve the items in the Department of Public Works budget request for the maintenance and repair of the Richland Avenue bridge and other deteriorated but not yet “Structurally deficient” bridges and include them in the Mayor’s proposed budget in the fiscal year 2017-2018 and thereafter.

Requires further analysis.

The Mayor’s Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by the Department of Public Works, the maintenance and repair of the Richland Avenue Bridge and other bridges will be considered in connection with the City’s budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:III.A.1.c. To focus attention on the relationship between General Fund departments annual maintenance and repair expenditures and their deferred maintenance backlogs, the Mayor should approve these line item entries in the Controller’s budget request to collect and report General Fund department costs expended on annual maintenance and repair and costs incurred in addressing their deferred maintenance and repair backlogs, and include them in the Mayor’s proposed budget for fiscal year 2017-2018.

Requires further analysis.

The Mayor’s Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The annual maintenance, deferred maintenance, and repair budget will be considered in connection with the City’s budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

In the upcoming November 2016 election, San Franciscans will consider a three-quarter cent sales tax increase. The Mayor’s Office will work with the San Francisco Municipal Transportation Agency and the San Francisco County Transportation Authority to include improvements to our street network in the San Francisco Transportation Expenditure Plan, specifying that a portion of the additional sales tax revenues is directed towards improving the pavement condition of the street network.

Recommendation R:III.B.1.a. For increased transparency and accountability, the City Administrator and the Director of the Capital Planning Program should report “Deferred Maintenance and Repair Backlog” separately from “projected capital renewal and replacement costs” in the Ten Year Capital Plan.

Recommendation has been implemented.

The City’s Facilities Renewal Resource Model (FRRM) allows users (departments) to make a distinction between backlog and renewal costs. FRRM is updated by departments annually, and FRRM data is the basis for determining the City’s GF backlog and facility renewal needs in the 10-year Capital Plan. The Capital Planning Program does report “Deferred Maintenance and Repair Backlog” separately from “projected capital renewal and replacement costs” in the Ten Year Capital Plan--this information can be found in the Executive Summary and also in the financial tables at the end of each chapter.

Recommendation R:III.B.1.b. The City Administrator and the Director of the Capital Planning Program should determine the additional time and manpower cost to collect data and report “Deferred Maintenance and Repair Backlog” separately from “projected capital renewal and replacement costs” in the Ten Year Capital Plan, and include a line item for this cost in its budget request for fiscal year 2017-2018 and thereafter.

Recommendation will not be implemented.

The 10-year Capital Plan already makes this distinction.

Recommendation R:III.B.1.c. For increased transparency and accountability, the Mayor should include in the proposed budget for fiscal year 2017-2018 and thereafter the City Administrator’s and the Director of the Capital Planning Project’s request for the cost to collect data and report “Deferred Maintenance and Repair Backlog” separately from “projected capital renewal and replacement costs” in the Ten Year Capital Plan.

Recommendation will not be implemented.

The 10-year Capital Plan already makes this distinction.

Recommendation R:III.C.1-1. To obtain updated relevant information as a basis for rational and informed budget decision making: a. The Director of the Real Estate Division should request a line item in the budget request to the Mayor for fiscal year 2017-2018 for updated condition assessment surveys of departmental facilities and infrastructure;

Recommendation will be implemented in the future.

The Capital Planning Committee oversees the Facilities Resource and Renewal Model (FRRM) and develops the Capital Plan. City Departments are generally responsible for maintaining the facilities that they occupy unless the buildings are multi-tenant, in which case the maintenance is the responsibility of the Real Estate Division.

The approved budgets for the Real Estate Division and the Recreation and Parks Department for FY 2016-17 and 2017-18 include funding for a facility condition assessment. When conducted, condition assessments should be a coordinated effort overseen by a policy body like the Capital Planning Committee.

Recommendation R:III.C.2-a. As an important step toward getting adequate maintenance funding on a regular basis, the General Manager of the Recreation and Parks Department should request the allocation of funds from the “Open Space Fund” for the purpose of conducting a comprehensive condition assessment of departmental facilities and infrastructure.

Recommendation has been implemented.

The Recreation and Parks Department (RPD) allocates 50% of the Open Space Fund contingency reserve annually for deferred maintenance projects. These funds may also be spent on condition assessments as necessary.

Recommendation R:III.C.2-b. The Mayor should include the allocation of funds from the Recreation and Parks Department's "Open Space Fund" for the purpose of conducting a comprehensive condition assessment in the proposed fiscal year 2017-2018 budget.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by RPD, the comprehensive condition assessment budget will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:III.C.3-a. As he has done for City streets' Pavement Condition Index, the Mayor should announce his goal of having the Facility Condition Index for all General Fund Departments' non-street capital assets at the level of "good" or better.

Requires further analysis.

In 2010, the City convened the Street Resurfacing Financing Working Group to prepare a specific set of proposals or recommendations for the Mayor, the Board of Supervisors, and the Capital Planning Committee for financing the repaving and/or reconstruction of the City's public streets and rights of way. The average Pavement Condition Index is tracked by the regional Metropolitan Transportation Commission, which assesses the condition of Bay Area roads. San Francisco's Pavement Condition Index score has increased each year for the last four years, following the implementation of recommendations of the Streets Resurfacing Financing Working Group and the voter-approved \$248 million 2011 Road Repaving and Street Safety bond.

The Facilities Condition Index (FCI) is calculated based on FRRM data, and assuming that facility data is updated consistently across the City's facilities, it may be used to assess the relative condition of one facility versus another. While FCI may be used as a planning tool in this manner, using it to determine the annual reinvestment needed would need further study.

Recommendation R:III.C.3-d. To provide useful information for the public in assessing the City's stewardship of public assets, the Mayor should include in the Mayor's Proposed Budget for fiscal year 2017-2018 these line item entries for a study of facilities with FCI of fair or poor condition in the Controller's budget requests.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by the Controller Office or Capital Planning Program through CPC, the budget for a study of facilities with FCI of fair or poor condition will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:III.D.1. To make the true cost of program delivery visible, a. The City Administrator and the Director of the Real Estate Division should charge rental rates sufficient to cover the full cost of

maintenance, repair and capital replacements in the leased premises it manages (to make the true cost transparent).

Recommendation will not be implemented.

Rental rates for departments are set to recover for expected operating costs. The City's Capital Planning Committee also issues the Capital Plan report that lays out the City's infrastructure investment plans over the next 10 years, including mechanisms and models for funding, prioritizing, and reporting maintenance and renewal projects Citywide.

Recommendation R:IV.1. In recognition of maintenance of facilities and infrastructure as an important component in stewardship of City assets, the Mayor and the Office of Public Policy and Finance should encourage adequate Maintenance and Repair funding as one of the budget priorities for General Fund departments.

Recommendation has been implemented.

The Mayor's Budget Instructions require that departments submit accurate and complete operating budget proposals, including budgets for facilities and infrastructure maintenance.

Recommendation R:IV.2. In recognition of maintenance of facilities and infrastructure as an important component of stewardship and in fulfillment of their stewardship obligations, the managers and staff of General Fund departments: a. should make their departmental maintenance needs known vigorously throughout the budget process and reallocation process; b. should advocate vigorously in their submissions on Capital Budget Request Form 6 to demonstrate why the amount allocated for maintenance by the Capital Planning staff based on the prior year's appropriation may be insufficient, and if so, why additional funds to meet maintenance needs are required; c. in their Section 3.14 letters, should make their unfunded high priority maintenance needs known vigorously; and d. should make supplemental appropriation requests when they find that they have inadequate resources to support Maintenance and Repair operations through the end of the fiscal year.

Recommendation has been implemented.

Departments make their departmental maintenance needs known vigorously throughout the budget process (See F:IV.2-c.). For example, the 2015-2016 fiscal year represents a record year for the Recreation and Parks Department's General Fund capital budget. With the approval of Proposition C (2008) and the creation of a General Fund baseline, the department allocates no less than \$15 million annually to capital and maintenance needs.

Recommendation R:IV.3. To further transparency and accountability in City government, the Mayor's Budget Letter should include a section listing and describing the General Fund departments' high priority maintenance projects which did not get funded.

Requires further analysis.

The Mayor's Budget Letter describes local conditions, recent City accomplishments, and revenue and expenditure trends, among other important considerations of the budget proposal. Included with the budget proposal is General Fund departments' maintenance and repair budgets.

Recommendation R:V.1. In accordance with best practices for governments and in the interest of transparency and accountability, the City Administrator and the Director of the Capital Planning Program should make projection of lifecycle costs of operation and maintenance a criteria for getting its approval to add General Obligation Bond propositions to the queue.

Recommendation has been implemented.

Departments are required to fulfill a series of criteria when seeking Capital Planning Committee approval for a G.O. Bond. These requirements include a memo to CPC members, a copy of the Resolution of Public Interest and Necessity, a copy of the Ordinance placing the Bond on the ballot, and a presentation including program background and need, program components, impact to property tax rate, accountability measures, legislative schedule, and other relevant information.

Recommendation R:V.2. We recommend in the interest of transparency and accountability that the Mayor carry forward plans to include information on projected lifecycle operating costs and maintenance costs in Five Year Plans.

Requires further analysis.

Long-term costs associated with one-time investments are included in Five Year Plans. In addition, a projection of lifecycle costs has been added to the list of requirements for departments when seeking Capital Planning Committee approval for a G.O. Bond.

Recommendation R:VI.1-a. To avoid future growth and cost escalation that will result from pushing back the starting date for reducing the backlog from 2019 to 2025 (or 2031 under historical funding levels), the Mayor should include in the proposed budget to the Board of Supervisors restoration of the annual ten percent growth rate to the Pay-as-you-go Program budget.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. If proposed by the Capital Planning Program through CPC, the restoration of the annual ten percent growth rate to the Pay-as-you-go Program will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:VI.2-b. In furtherance of good stewardship, the Mayor should propose in the Fiscal Year 2017-2018 Budget and thereafter sufficient funds for General Fund department maintenance and repair to prevent the Deferred Maintenance backlog from growing larger.

Requires further analysis.

The City has steadily increased funding for general fund capital over the last two fiscal years and has funded an historic \$141.1 million for FY 2016-17, approximately \$11.6 million more than the \$128.3 million proposed in the Capital Plan. Similarly, in FY 2015-16, the City invested \$122.8 million towards general fund capital, \$5.9 million more than the \$116.9 million proposed in the Capital Plan. The City fully funded general fund capital in FY 2014-15 in investing \$114.1 million towards general fund capital.

Addressing the entire the Deferred Maintenance backlog is not as straightforward as budgeting a certain amount of funds. The backlog consists of a wide variety of needs spread across various departments, and it grows each year as new needs arise. Other factors, such as the resources required to deliver budgeted projects in a timely manner, also affect the City's ability to prevent the backlog from growing larger.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The maintenance budget will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:VI.3-c. In the interests of transparency and accountability, the Mayor should include in the Mayor's proposed budget for fiscal year 2017-2018 and thereafter those line item entries in the Controller's Budget Request for tracking General Fund departments maintenance budgeting and spending to assure that assets are not deteriorating through lack of maintenance and repair to the point where premature replacement funded by General Obligation bonds will be needed.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The maintenance budget will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter

Recommendation R:VII.1-c. The Controller and the Director of Public Works should establish systems and procedures to identify types of facilities or specific buildings (i.e., capital assets) that are mission critical and mission supportive.

Requires further analysis.

This recommendation is not wholly within the jurisdiction of Public Works and the Controller's Office. For example, the systems and procedures contemplated may be performed by the Controller's City Services Auditor (CSA) Section in collaboration with San Francisco Public Works and other City Departments.

Recommendation R:VII.1-k. The Mayor should approve these line item entries in the Controller's budget requests to establish systems and procedures to accomplish the items in Recommendation 1-a through 1-j and include them in the Mayor's proposed Budget for fiscal year 2017-2018.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The

budget request described in Recommendation 1-a through 1-j will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

Recommendation R:VII.4-a. Beginning in FY 2017-18, the City's Capital Planning Committee should include in its annual report a complete and accurate update of the progress made in addressing deferred maintenance.

Recommendation will not be implemented.

The Capital Planning Committee does not issue an annual report. The City's 10-year Capital Plan, which is published every 2 years, contains information on the deferred maintenance backlog at that point in time.

Recommendation R:VII.4-b. The City Administrator and the Director of the Capital Planning Program should determine the additional time and manpower cost to accomplish the preceding Recommendation to include in its annual report a complete and accurate update of the progress made in addressing deferred maintenance, and include a line item entry for those costs in its Budget Requests for 2017-2018 and thereafter.

Recommendation will not be implemented.

The Capital Planning Committee does not issue an annual report. The City's 10-year Capital Plan, which is published every 2 years, contains information on the deferred maintenance backlog at that point in time.

Recommendation R:VII.4-c. The Mayor should include in the Mayor's Proposed Budget for 2017-2018 and thereafter the line item entries in the Capital Planning Committee's Budget Requests to include in its annual report a complete and accurate update of the progress made in addressing deferred maintenance.

Requires further analysis.

The Mayor's Budget Instructions are provided to departments in December of each year and the Mayor proposes a balanced two year budget the following June for consideration by the Board of Supervisors. The budget request of the Capital Planning Committee will be considered in connection with the City's budget process for FY 2017-18 and FY 2018-19, as provided by the City Charter.

To: BOS-Supervisors
Subject: FW: Annual Reports Submitted by ASR & TTX
Attachments: 2015 ASR Annual Report -- Central Market and Tenderloin Area Exclusion.pdf; 2015 ASR Annual Report -- Clean Energy Technology Exclusion.pdf; 2015 ASR and TTX Joint Annual Report -- Biotechnology Exclusion.pdf

From: Mccaffrey, Edward (ASR)

Sent: Thursday, September 01, 2016 4:44 PM

To: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Chu, Carmen (ASR) <carmen.chu@sfgov.org>; Augustine, David (TTX) <david.augustine@sfgov.org>

Cc: Legg, Douglas (ASR) <douglas.legg@sfgov.org>; Gosiengfiao, Rachel (BOS) <rachel.gosiengfiao@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>

Subject: Annual Reports Submitted by ASR & TTX

Dear Angela,

Please find attached and listed below the three reports that our office is required to submit annually. I will also be dropping off the original version and one copy of each for your records.

- (1) **Central Market & Tenderloin Area Exclusion:** Please find attached our annual Central Market & Tenderloin Area Exclusion report. Per the SF Admin Code, section 906.3, the Office of the Assessor-Recorder is required to submit this report annually.
- (2) **Clean Energy Technology Exclusion:** Please find attached our annual Clean Energy Technology Exclusion report. Per the SF Admin Code, section 906.2, the Office of the Assessor-Recorder is required to submit this report annually.
- (3) **Biotechnology Exclusion:** Please find attached our annual Biotechnology Exclusion report, signed by both the Assessor's Office and the Treasurer & Tax Collector's Office. Per the SF Admin Code, section 906.1, our offices are required to submit a joint report annually.

Best,
Eddie

Edward J. McCaffrey
Office of the Assessor-Recorder
City & County of San Francisco
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
(415) 554-5231

"With integrity we work together to build a better San Francisco through superior customer service, fair property taxation and the preservation of public records."

CARMEN CHU
ASSESSOR-RECORDER



SAN FRANCISCO
OFFICE OF THE ASSESSOR-RECORDER

September 1, 2016

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

Subject: 2015 Assessor-Recorder's Annual Report to the Board of Supervisors Regarding Clean Energy Technology Exclusion

Dear Ms. Calvillo,

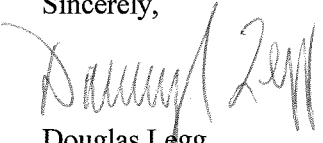
The Assessor-Recorder pursuant to Section 906.2 of the San Francisco Business and Tax Regulations Code, herewith submits the annual report of increases in property taxes resulting from clean energy technology businesses location, relocation or expansion to or within the City and County of San Francisco.

The Office of the Assessor-Recorder has no record of secured property ownership for the businesses approved for this exclusion; they are all tenants on property owned by other entities. Under Proposition 13, tenancy changes are not reassessable events. However, depending on the lease terms of the excluded tenant, they may pay a pro-rata share of the additional property taxes due to a reassessment of the landlord. The Assessor has no knowledge of the lease terms of each tenant.


Schedule A of this report summarizes the business personal property that was subject to taxation under Section 201 of California's Revenue and Taxation Code for the businesses that received the clean energy technology payroll expense tax exclusion in 2015. The businesses that received the clean energy technology payroll expense tax exclusion in 2015 owed a total of \$61,897 in business personal property taxes.

If you have any questions regarding this report, please contact Tom Swierk with the Office of the Assessor-Recorder at (415) 554-5540.

Sincerely,


Douglas Legg
Deputy Assessor-Recorder

Attachment

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**Assessor-Recorder's Annual Report on
Clean Energy Technology Exclusion
For Calendar Year 2015**

Schedule A

Year	Number of Businesses Claiming Clean Energy Technology Payroll Expense Tax Exclusion	Total Business Personal Property Reported	Resulting Personal Property Taxes Owed
2015	11	\$5,228,414	\$61,897

CARMEN CHU
ASSESSOR-RECORDER



SAN FRANCISCO
OFFICE OF THE ASSESSOR-RECORDER

September 1, 2016

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

Subject: 2015 Assessor-Recorder's Annual Report to the Board of Supervisors Regarding the Central Market Street and Tenderloin Area Exclusion

Dear Ms. Calvillo,

The Assessor-Recorder, pursuant to Section 906.3 (k) of Article 12-A of the San Francisco Business and Tax Regulations Code, herewith submits the annual report of increases in property taxes resulting from businesses' location, relocation or expansion to or within the Central Market Street and Tenderloin area.

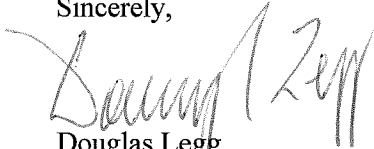
This report summarizes the number of Central Market Street and Tenderloin Area businesses receiving the payroll expense tax exclusion, and the property taxes paid by these businesses for 2015.

The Office of the Assessor-Recorder has no record of secured property ownership for the businesses approved for this exclusion; they are all tenants on property owned by other entities. Under Proposition 13, tenancy changes are not reassessable events. However, depending on the lease terms of the excluded tenant, they may pay a pro-rata share of the additional property taxes due to a reassessment of the landlord. The Assessor has no knowledge of the lease terms of each tenant.


Schedule A of this report summarizes the business personal property that was subject to taxation under Section 201 of California's Revenue and Taxation Code for the businesses that received the Central Market Street and Tenderloin Area payroll expense tax exclusion in 2015. The businesses that received the Central Market Street and Tenderloin payroll expense tax exclusion in 2015 owed a total of \$2,166,093 in business personal property taxes.

If you have any questions regarding this report, please contact Tom Swierk with the Office of the Assessor-Recorder at (415) 554-5540.

Sincerely,


Douglas Legg
Deputy Assessor-Recorder

Attachment

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**Assessor-Recorder's Annual Report on
Central Market Street and Tenderloin Area Exclusion
For Calendar Year 2015**

Schedule A

Year	Number of Businesses Receiving Central Market Street & Tenderloin Area Payroll Expense Tax Exclusion	Total Business Personal Property Reported	Resulting Personal Property Taxes Owed
2015	7	\$183,163,648	\$2,166,093

OFFICE OF THE
ASSESSOR-RECORDER



OFFICE OF THE
TREASURER & TAX COLLECTOR

September 1, 2016

Angela Calvillo
Clerk of the Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 941022014

Subject: 2015 Assessor-Recorder and Tax Collector Joint Report on Biotechnology Exclusion

Dear Ms. Calvillo,

The Assessor-Recorder and the Tax Collector, pursuant to Section 906.1(g) of the San Francisco Business and Tax Regulations Code, herewith submit the joint annual report of increases in property taxes resulting from biotechnology businesses location, relocation or expansion to or within the City and County of San Francisco.

This report summarizes the number of biotechnology businesses receiving the payroll expense tax exclusion, the amounts of payroll expense tax excluded, and the property taxes paid by these businesses for 2015.


The Office of the Assessor-Recorder has no record of secured property ownership for the businesses approved for this exclusion; they are all tenants on property owned by other entities. Under Proposition 13, tenancy changes are not reassessable events. However, depending on the lease terms of the excluded tenant, they may pay a pro-rata share of the additional property taxes due to a reassessment of the landlord. The Assessor has no knowledge of the lease terms of each tenant.

Schedule A of this report summarizes the business personal property that was subject to taxation under Section 201 of California's Revenue and Taxation Code for the businesses that received the biotechnology payroll expense tax exclusion in 2015. The businesses that received the biotechnology payroll expense tax exclusion in 2015 have a total of \$1,100,711 in business personal property taxes owed.

Schedule B of this report summarizes the business personal property that was subject to taxation for tax years 2011 through 2014 for all businesses receiving the biotechnology payroll expense tax exclusion. The businesses that received the biotechnology payroll expense tax exclusion for tax years 2011 through 2014 owed a total of \$4,778,985 in business personal property taxes.


If you have any questions regarding this report, please contact Tom Swierk with the Office of the Assessor-Recorder at (415) 554-5540 or David Augustine of the Office of the Treasurer & Tax Collector at (415) 554-7601.

Sincerely,


Douglas Legg
Deputy Assessor-Recorder

cc: Carmen Chu
Jose Cisneros
San Francisco Public Library

Attachments


David Augustine
Tax Collector

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**Assessor-Recorder and Tax Collector
Joint Report on Biotechnology Exclusion
For Calendar Year 2015**

Schedule A

Year	Number of Businesses Receiving Biotechnology Payroll Expense Tax Exclusion	Payroll Expense Tax Excluded	Total Business Personal Property Value	Resulting Personal Property Taxes Owed
2015	11	\$2,594,464	\$93,075,487	\$1,100,711

**Assessor-Recorder and Tax Collector
Joint Report on Biotechnology Exclusion
For Calendar Years 2011 Through 2014**

Schedule B

Year	Number of Businesses Receiving Biotechnology Payroll Expense Tax Exclusion	Payroll Expense Tax Excluded	Total Business Personal Property Value	Resulting Personal Property Taxes Owed
2011	27	\$1,363,728	\$99,623,171	\$1,167,384
2012	26	\$1,626,374	\$96,722,805	\$1,130,786
2013	20	\$1,595,688	\$89,223,313	\$1,059,973
2014	9	\$2,101,323	\$120,994,764	\$1,420,842
Total	82	\$6,687,113	\$406,564,053	\$4,778,985

Mayor Edwin M. Lee
City & County of San Francisco



Department of Homelessness &
Supportive Housing

Jeff Kositsky
Director

September 1, 2017

Mayor Edwin M. Lee
San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B Goodlett Pl.
San Francisco, CA 94102

Re: Annual Report on Evictions from Subsidized Housing for Fiscal Year 2015-2016

Dear Mayor Lee and Members of the Board of Supervisors,

Attached is the report required by Article XIV, the Tenant Eviction Annual Reports Ordinance. The report documents evictions from the subsidized housing programs that were funded by the Department of Public Health (DPH) and the Human Services Agency (HSA) for the fiscal year from July 1, 2015 through June 30, 2016.

The majority of these programs have moved into the Department of Homelessness and Supportive Housing, the staff of this department finalized the report and will provide this report in future years.

The report is separated by department as required by the legislation and documents the number of unlawful detainer filings, evictions filed, and evictions completed within the City's permanent supportive housing portfolio. Below is a basic overview of our findings for FY15-16 and more detail can be found in the attached report.

	PSH Sites	Households	# of Unlawful Detainer Filings	# of Evictions	% of Households Evicted
DPH	50	3476	82	39	1.12%
HSA	85	6493	305	123	1.89%
TOTALS	135	9969	387	162	1.63%

Sincerely,

Jeff Kositsky

		B		C	D	E	F	G	H	I	J	K	L	M	N	O	P	
1		DEPARTMENT OF PUBLIC HEALTH REPORTING/FISCAL YEAR: 7/1/2015 - 6/30/3016		TENANTS and HOUSEHOLDS		NUMBER of WRITTEN NOTICES issued and the REASONS FOR EACH				NUMBER of UNLAWFUL DETAINER ACTIONS filed and the REASONS FOR EACH				NUMBER of EVICTIONS (writ of possession stage or court-issued eviction) and the REASONS FOR EACH				
		Site Name (funding Department) Address		Total Number of Adult Tenants who lived in the Housing Facility during the Reporting Year.	Total Number of Households that lived in the Housing Facility during the Reporting Year.	Total Number of Households who were issued one or more Written Notices of Eviction during the Reporting Year.	Number of Written Notices of Eviction for Non-Payment of Rent only.	Number of Written Notices of Eviction for Lease Violations other than Non-Payment of Rent.	Number of Written Notices of Eviction for a combination of both Non- Payment of Rent and other Lease Violations.	Total Number of Households who were issued one or more Unlawful Detainer Filings during the Reporting Year.	Number of Unlawful Detainer Filings issued for Non- Payment of Rent only.	Number of Unlawful Detainer Filings issued for Lease Violations other than Non-Payment of Rent.	Number of Unlawful Detainer Filings issued for a combination of both Non- Payment of Rent and other Lease Violations.	Total Number of Households who were Evicted during the Reporting Year.	Number of Evictions for Non-Payment of Rent only.	Number of Evictions for Lease Violations other than Non-Payment of Rent.	Number of Evictions for a combination of both Non- Payment of Rent and other Lease Violations.	
2																		
3	D	149 Mason Street (DPH)	149 Mason Street 94102	56	56	11	1	10	2	12	4	8	6	3	0	0	1	2
4	D	990 Polk Street (DPH)	990 Polk Street 94109	158	119	0	0	1	0	1	0	1	0	0	0	0	0	0
5	D	Ambassador Hotel (DPH)	55 Mason Street 94102	158	158	2	1	1	0	2	1	1	0	2	0	1	1	1
6	D	Arlington Residence (DPH)	480 Ellis Street 94102	150	150	9	4	8	3	4	0	4	4	4	1	1	2	2
7	D	Armstrong Place Senior Housing (DPH)	5600 Third Street 94124	169	123	0	0	0	0	0	0	0	0	0	0	0	0	0
8	D	Bayanihan House (DPH)	88 6th Street 94103	10	10	2	0	2	0	2	0	2	0	1	1	0	0	0
9	D	Cambridge Hotel (DPH)	473 Ellis Street 94102	8	8	2	1	1	0	0	0	0	0	0	0	0	0	0
10	D	Camelot Hotel (DPH)	124 Turk Street 94102	53	53	12	2	10	0	4	0	4	0	4	0	4	0	4
11	D	Civic Center Residence (DPH)	44 McAllister Street 94102	244	243	0	0	0	0	0	0	0	1	0	0	0	0	0
12	D	Conard Co-ops - Scattered Sites (DPH/CBHS)		67	67	60	57	3	30	3	1	2	1	1	0	1	0	0
13	D	Coronet Senior Housing (DPH)	3575 Geary Street 94118	377	156	1	1	0	0	0	0	0	0	0	0	0	0	0
14	D	Dalt Hotel (DPH)	34 Turk Street 94102	209	209	1	0	1	1	1	0	1	1	0	0	0	0	0
15	D	Derek Silva Community (DPH)	20 Franklin Street 94102	70	70	1	0	1	0	1	0	1	0	0	0	0	0	0
16	D	Dolores Hotel/Casa Quezada (DPH)	35 Woodward Street 94103	55	55	2	1	1	0	0	0	0	0	0	0	0	0	0
17	D	Dudley Apartments (DPH)	172 6th Street 94103	77	77	16	16	0	0	0	0	0	0	0	0	0	0	0
18	D	Eddy Street Apartments (DPH)	425 Eddy Street 94109	30	30	2	0	2	2	0	0	0	0	1	0	1	0	0
19	D	Eddy Street Apartments (DPH/CBHS)	1096 Eddy Street 94109	20	20	0	0	0	0	0	0	0	0	0	0	0	0	0
20	D	Edith Witt Senior Community (DPH)	66 9th Street 94103	30	30	0	0	0	0	0	0	0	0	0	0	0	0	0
21	D	El Dorado Hotel (DPH/CBHS)	150 9th Street 94103	47	47	3	0	3	0	2	0	2	0	0	0	0	0	0
22	D	Empress Hotel (DPH)	144 Eddy Street 94102	100	98	12	1	11	0	3	0	3	0	0	0	0	0	0
23	D	Folsom/Dore Apartments (DPH)	75 Dore Street 94103	137	104	0	0	0	0	0	0	0	0	0	0	0	0	0
24	D	Grove Webster Apartments (DPH/CBHS) 650 & 680 Webster Street 94117		8	8	2	0	2	0	2	0	2	0	1	0	1	0	0
25	D	Hazel Betsey Community (DPH)	3554 17th Street 94110	9	9	3	2	1	3	2	0	0	2	0	0	0	0	0
26	D	Hotel Isabel (DPH)	1095 Mission Street 94103	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0
27	D	Hotel LeNain (DPH)	730 Eddy Street 94102	97	94	6	0	6	0	1	0	1	0	0	0	0	0	0
28	D	Jordan Apartments (DPH/CBHS)	820 O'Farrell Street 94103	56	56	9	6	3	0	0	0	0	0	0	0	0	0	0
29	D	Kelly Cullen Community (DPH)	220 Golden Gate Avenue 94103	199	198	9	2	6	2	5	1	4	0	5	1	4	0	0
30	D	Knox Hotel (DPH)	241 6th Street 94103	15	15	1	0	1	0	1	0	0	1	0	0	0	0	0
31	D	La Playa Apartments (DPH/CBHS)	770 La Playa Street 94121	18	18	0	0	0	0	0	0	0	0	0	0	0	0	0
32	D	Lytic (DPH/CBHS)	140 Jones Street 94102	68	68	3	2	1	0	1	0	1	0	1	1	0	0	0
33	D	Mary Helen Rogers Sr. Community (DPH) 701 Golden Gate Avenue 94102		20	20	0	0	0	0	0	0	0	0	0	0	0	0	0
34	D	Midori (DPH/CBHS)	240 Hyde Street 94102	73	73	2	2	3	1	2	0	2	1	1	0	0	0	1
35	D	Mission Creek Senior Community (DPH)	225 Berry Street 94158	49	49	1	0	3	1	0	0	0	0	0	0	0	0	0
36	D	Mosaica (DPH)	680 Florida Street 94110	28	24	1	1	1	0	1	0	1	0	0	0	0	0	0
37	D	Moultrie Apartments (DPH/CBHS)	374-376 Moultrie Street 94110	9	9	0	0	0	0	0	0	0	0	0	0	0	0	0
38	D	Pacific Bay Inn (DPH)	520 Jones Street 94102	80	80	6	2	4	0	3	1	2	0	2	0	2	0	0
39	D	Parkview Terrace Apartments (DPH)	871 Turk Street 94102	23	23	1	1	0	0	0	0	0	0	0	0	0	0	0
40	D	Planetree House (DPH)	154 Coleridge Street 94110	14	14	0	0	0	0	0	0	0	0	0	0	0	0	0
41	D	Plaza Apartments (DPH)	988 Howard Street 94102	107	104	14	0	14	0	9	0	9	0	3	0	3	0	0
42	D	Progress Apartments (DPH/CBHS) 1272 South Van Ness Avenue 94110		11	11	0	0	0	0	0	0	0	0	0	0	0	0	0
43	D	Rene Cazenave Apartments (DPH)	25 Essex Street 94105	142	141	11	5	6	0	6	3	3	0	3	1	2	0	0
44	D	Richardson Apartments (DPH)	365 Fulton Street 94102	133	133	17	4	13	0	6	0	6	0	3	1	2	0	0
45	D	Rita da Cascia (DPH)	1652 Eddy Street 94105	7	7	0	0	0	0	0	0	0	0	0	0	0	0	0
46	D	Ritz Hotel (DPH)	216 Eddy Street 94102	104	104	2	0	2	0	2	0	2	0	1	0	1	0	0
47	D	Star Hotel (DPH)	2176 Mission Street 94110	61	61	9	2	6	1	3	1	1	1	1	0	0	1	1
48	D	Vera Haile Senior Community (DPH)	121 Golden Gate Avenue 94102	18	18	0	0	0	0	0	0	0	0	0	0	0	0	0
49	D	Washburn Hotel (DPH/CBHS)	42 Washburn Street 94103	32	32	2	2	0	0	0	0	0	0	0	0	0	0	0
50	D	West Hotel (DPH)	141 Eddy Street 94102	119	119	0	0	1	0	0	0	0	0	0	0	0	0	0
51	D	William Penn Hotel (DPH)	160 Eddy Street 94102	8	8	1	0	1	0	0	0	0	0	0	0	0	0	0
52	D	Windsor Hotel (DPH)	238 Eddy Street 94102	94	93	13	0	13	0	3	0	3	0	2	0	2	0	0
53																		
54		TOTALS		3831	3476	249	116	142	46	82	12	66	18	39	6	26	7	7

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1		HUMAN SERVICES AGENCY REPORTING/FISCAL YEAR: 7/1/2015 - 6/30/2016	TENANTS and HOUSEHOLDS		NUMBER of WRITTEN NOTICES issued and the REASONS FOR EACH				NUMBER of UNLAWFUL DETAINER ACTIONS filed and the REASONS FOR EACH				NUMBER of EVICTIONS (writ of possession stage or court-issued eviction) and the REASONS FOR EACH			
2		Site Name (funding Department) Address	Total Number of Adult Tenants who lived in the Housing Facility during the Reporting Year.	Total Number of Households that lived in the Housing Facility during the Reporting Year.	Total Number of Households who were issued one or more Written Notices of Eviction during the Reporting Year.	Number of Written Notices of Eviction for Non-Payment of Rent only.	Number of Written Notices of Eviction for Lease Violations other than Non-Payment of Rent.	Number of Written Notices of Eviction for a combination of both Non- Payment of Rent and other Lease Violations.	Total Number of Households who were issued one or more Unlawful Detainer Filings during the Reporting Year.	Number of Unlawful Detainer Filings issued for Non- Payment of Rent only.	Number of Unlawful Detainer Filings issued for Lease Violations other than Non-Payment of Rent.	Number of Unlawful Detainer Filings issued for a combination of both Non- Payment of Rent and other Lease Violations.	Total Number of Households who were Evicted during the Reporting Year.	Number of Evictions for Non-Payment of Rent only.	Number of Evictions for Lease Violations other than Non-Payment of Rent.	Number of Evictions for a combination of both Non- Payment of Rent and other Lease Violations.
3	H	10th & Mission (HSA)	74	44	69	90	2	0	5	3	2	0	0	0	0	0
4	H	1100 Ocean Avenue (HSA)	26	25	8	20	16	2	0	0	0	0	0	0	0	0
5	H	1180 4th Street (HSA)	189	69	91	90	4	0	0	0	0	0	0	0	0	0
6	H	5th Street Apartments (HSA)	43	43	39	35	4	0	4	0	4	0	2	1	1	0
7	H	864 Ellis (HSA)	29	29	6	3	1	4	3	1	0	2	2	1	0	1
8	H	Alder Hotel (HSA)	131	114	3	2	1	0	10	4	6	0	4	3	1	0
9	H	Allen Hotel (HSA)	68	68	4	2	2	0	4	2	2	0	0	0	0	0
10	H	Allstar Hotel (HSA)	97	94	17	20	0	0	3	1	2	0	2	0	2	0
11	H	Altamont Hotel (HSA)	88	88	7	2	5	5	4	1	3	3	3	0	3	0
12	H	Ambassador Hotel (HSA)	158	158	1	1	0	0	1	1	0	0	1	1	0	0
13	H	Apollo Hotel (HSA)	80	80	7	3	3	3	4	0	3	12	0	0	0	0
14	H	Aranda Hotel (HSA)	114	113	12	10	2	4	11	10	1	1	2	2	0	0
15	H	Arnett Watson Apartments (HSA)	114	89	19	16	3	0	2	1	1	0	0	0	0	0
16	H	Baldwin Hotel (HSA)	192	190	39	37	2	0	9	0	9	0	3	0	3	0
17	H	Bayanihan House (HSA)	37	37	0	0	0	0	0	0	0	0	0	0	0	0
18	H	Bayview Commons (HSA)	66	29	4	3	1	0	2	2	0	0	2	2	0	0
19	H	Bayview Hill Gardens (HSA)	212	90	19	23	5	1	2	1	1	1	1	1	0	0
20	H	Bernal Gateway (HSA)	118	52	37	38	0	0	0	0	0	0	0	0	0	0
21	H	Bishop Swing Community House (HSA)	142	136	60	40	20	0	6	1	5	0	2	0	2	0
22	H	Boyd Hotel (HSA)	90	90	45	55	0	0	5	2	3	0	4	3	1	0
23	H	Broadway/Sansome (HSA)	57	37	24	30	2	0	1	1	0	0	0	0	0	0
24	H	Cadillac Hotel (HSA)	89	88	10	9	1	0	2	1	1	0	0	0	0	0
25	H	Caldrake Hotel (HSA)	51	51	5	5	0	0	1	1	0	0	0	0	0	0
26	H	Cambridge Hotel (HSA)	64	64	23	27	1	0	5	5	0	0	1	1	0	0
27	H	Canon Barcus Community House (HSA)	105	47	19	17	2	0	0	0	0	0	0	0	0	0
28	H	Canon Kip Community House (HSA)	96	96	12	7	5	0	8	0	8	0	1	0	1	0
29	H	Catholic Charities - Scattered Sites (HSA)	42	19	2	2	0	0	1	1	0	0	0	0	0	0
30	H	Civic Center Hotel - Permanent Tenants Only	65	55	6	2	5	1	9	3	6	1	5	0	4	1
31	H	Civic Center Residence (HSA)	244	243	0	0	0	0	0	0	0	1	0	0	0	0
32	H	Coronado Hotel (HSA)	80	76	5	3	2	0	8	6	2	4	3	2	1	0
33	H	Crosby Hotel (HSA)	156	123	28	21	6	1	3	0	2	1	3	0	2	1
34	H	Curran House (HSA)	137	69	0	0	0	0	0	0	0	0	0	0	0	0
35	H	Dudley Apartments (HSA)	77	77	61	50	11	0	4	0	4	0	2	0	2	0
36	H	Edgeworth Hotel (HSA)	47	46	4	4	0	0	0	0	0	0	0	0	0	0
37	H	Edward II (HSA)	29	29	5	5	0	0	1	0	1	0	1	0	1	0
38	H	El Dorado Hotel (HSA)	11	11	4	2	2	0	2	0	2	0	2	0	2	0
39	H	Elk Hotel (HSA)	105	100	37	44	0	0	2	1	1	0	2	1	1	0
40	H	Elm Hotel (HSA)	93	79	6	0	5	1	5	2	3	0	1	0	0	1
41	H	Essex Hotel (HSA)	86	86	19	19	0	0	4	4	0	0	1	0	1	0
42	H	Fairfax Hotel (HSA)	26	26	5	0	4	1	5	2	2	1	4	2	2	0
43	H	Folsom/Dore Apartments (HSA)	137	104	0	0	0	0	0	0	0	0	0	0	0	0
44	H	Franciscan Towers - Scattered Sites (HSA)	42	37	0	0	0	0	0	0	0	0	0	0	0	0
45	H	Glide Community House (HSA)	23	23	10	9	1	0	0	0	0	0	0	0	0	0
46	H	Graystone Hotel (HSA)	81	79	37	40	0	0	2	0	2	0	3	1	2	0
47	H	Hamlin Hotel (HSA)	69	69	109	109	9	0	2	0	2	0	1	0	1	0
48	H	Hartland Hotel (HSA)	165	154	56	64	0	0	3	2	1	0	4	1	3	0
49	H	Henry Hotel (HSA)	66	62	0	0	0	0	1	1	0	0	0	0	0	0
50	H	Hillsdale Hotel (HSA)	85	75	7	4	1	2	7	4	1	2	2	2	0	0
51	H	Hope House - Scattered Sites (HSA)	95	95	4	3	0	1	1	0	0	0	0	0	0	0
52	H	Hotel Isabel (HSA)	67	67	15	2	14	2	10	6	4	0	0	0	0	0
53	H	Iroquois Hotel (HSA)	82	77	17	11	6	0	4	2	2	0	3	3	0	0
54	H	Island Bay Homes (HSA)	72	42	29	34	0	0	11	12	0	0	2	2	0	0

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
1		HUMAN SERVICES AGENCY REPORTING/FISCAL YEAR: 7/1/2015 - 6/30/3016	TENANTS and HOUSEHOLDS		NUMBER of WRITTEN NOTICES issued and the REASONS FOR EACH			NUMBER of UNLAWFUL DETAINER ACTIONS filed and the REASONS FOR EACH				NUMBER of EVICTIONS (writ of possession stage or court-issued eviction) and the REASONS FOR EACH				
2		Site Name (funding Department) Address	Total Number of Adult Tenants who lived in the Housing Facility during the Reporting Year.	Total Number of Households that lived in the Housing Facility during the Reporting Year.	Total Number of Households who were issued one or more Written Notices of Eviction during the Reporting Year.	Number of Written Notices of Eviction for Lease Violations other than Non-Payment of Rent only.	Number of Written Notices of Eviction for a combination of both Non- Payment of Rent and other Lease Violations.	Total Number of Households who were issued one or more Unlawful Detainer Filings during the Reporting Year.	Number of Unlawful Detainer Filings issued for Non- Payment of Rent only.	Number of Unlawful Detainer Filings issued for Lease Violations other than Non-Payment of Rent.	Number of Unlawful Detainer Filings issued for a combination of both Non- Payment of Rent and other Lease Violations.	Total Number of Households who were Evicted during the Reporting Year.	Number of Evictions for Non-Payment of Rent only.	Number of Evictions for Lease Violations other than Non-Payment of Rent.	Number of Evictions for a combination of both Non- Payment of Rent and other Lease Violations.	
55	H	Jefferson Hotel (HSA) 440 Eddy Street 94109	125	123	41	44	0	1	0	1	0	1	1	1	0	0
56	H	Juan Pifarre Apartments (HSA) 3101 21st Street 94110	4	4	3	4	0	2	0	0	0	0	0	0	0	0
57	H	Knox Hotel (HSA) 241 6th Street 94103	18	18	0	0	0	0	0	0	0	0	0	0	0	0
58	H	Mary Elizabeth Inn (HSA) 1040 Bush Street 94109	55	55	28	27	1	0	4	3	1	0	1	1	0	0
59	H	Mayfair Hotel (HSA) 626 Polk Street 94102	56	55	13	17	0	0	1	0	1	0	0	0	0	0
60	H	McAllister Hotel (HSA) 270 McAllister Street 94102	80	78	9	5	6	0	7	4	6	0	3	2	1	0
61	H	Mentone Hotel (HSA) 387 Ellis Street 94102	86	68	7	2	5	0	9	2	7	0	2	1	1	0
62	H	Midori (HSA) 240 Hyde Street 94102	9	9	1	2	1	3	0	0	1	0	0	0	0	0
63	H	Mission Hotel (HSA) 520 S Van Ness Avenue 94110	288	279	90	109	0	0	13	6	7	0	4	3	1	0
64	H	Mission Veterans Residence (HSA) 2524 Mission Street 94110	32	32	1	0	1	0	1	0	1	0	1	0	1	0
65	H	Monterey Blvd Apts - Scattered Sites (HSA)	4	4	1	1	2	2	2	1	1	2	0	0	0	0
66	H	Mosaica (HSA) 680 Florida Street 94110	199	94	3	0	3	0	3	0	3	0	1	0	1	0
67	H	One Church Street Apartments (HSA) 1 Church Street 94114	177	94	0	0	0	0	0	0	0	0	0	0	0	0
68	H	Pierre Hotel (HSA) 540 Jones Street 94102	99	96	17	18	0	0	1	0	1	0	1	0	1	0
69	H	Railton Place (HSA) 242 Turk Street 94102	42	42	5	11	0	11	1	1	0	1	0	0	0	0
70	H	Raman Hotel (HSA) 1011 Howard Street 94103	94	89	39	46	0	0	2	0	2	0	0	0	0	0
71	H	Rose Hotel (HSA) 125 6th Street 94103	79	79	78	72	6	0	6	2	4	0	0	0	0	0
72	H	Royan Hotel (HSA) 405 Valencia Street 94103	75	75	10	10	0	0	6	3	3	0	3	2	1	0
73	H	San Cristina Hotel (HSA) 1000 Market Street 94102	59	59	11	8	3	0	6	6	0	0	1	1	0	0
74	H	Senator Hotel (HSA) 519 Ellis Street 94109	90	86	36	32	4	0	9	8	1	0	0	0	0	0
75	H	Seneca Hotel (HSA) 34 6th Street 94103	230	226	106	121	0	0	14	5	9	0	8	5	3	0
76	H	South Park Hotels (HSA) 22 & 102 South Park Street 94107	88	88	8	3	7	6	5	2	3	5	4	2	2	0
77	H	Stanford Hotel (HSA) 250 Kearny Street 94108	166	166	17	10	5	2	11	8	1	2	9	6	1	2
78	H	TRA - Scattered Sites (HSA)	40	19	0	0	0	0	0	0	0	0	0	0	0	0
79	H	Treasure Island Phase 1 (HSA) Treasure Island 94130	37	29	10	9	1	0	1	0	1	0	0	0	0	0
80	H	Treasure Island Phase 2 (HSA) Treasure Island 94130	114	70	10	10	0	0	0	0	0	0	0	0	0	0
81	H	Union Hotel (HSA) 811 Geary Street 94109	68	65	20	21	0	0	2	2	0	0	0	0	0	0
82	H	Verona Hotel (HSA) 317 Leavenworth 94102	59	59	35	32	4	1	7	3	3	1	4	2	1	1
83	H	Veterans Academy (HSA) 1029 & 1230 Girard Road 94129	117	108	15	1	14	2	4	0	4	0	4	0	4	0
84	H	Veterans Commons (HSA) 150 Otis Street 94103	82	82	39	32	5	2	7	3	4	0	3	1	2	0
85	H	Vincent Hotel (HSA) 459 Turk Street 94102	125	121	42	44	5	0	5	1	4	0	4	0	4	0
86	H	William Penn Hotel (HSA) 160 Eddy Street 94102	29	29	0	0	0	0	0	0	0	0	0	0	0	0
87	H	Zygmunt Arendt House (HSA) 850 Broderick Street 94115	48	48	3	3	0	0	0	0	0	0	0	0	0	0
88																
89																
90		TOTALS	7586	6493	1744	1707	221	59	305	144	155	41	123	56	60	7
91																

Mayor Edwin M. Lee
City & County of San Francisco



Department of Homelessness &
Supportive Housing

Jeff Kositsky
Director

September 1, 2017

Mayor Edwin M. Lee
San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B Goodlett Pl.
San Francisco, CA 94102

Re: Annual Report on Evictions from Subsidized Housing for Fiscal Year 2015-2016

Dear Mayor Lee and Members of the Board of Supervisors,

Attached is the report required by Article XIV, the Tenant Eviction Annual Reports Ordinance. The report documents evictions from the subsidized housing programs that were funded by the Department of Public Health (DPH) and the Human Services Agency (HSA) for the fiscal year from July 1, 2015 through June 30, 2016.

The majority of these programs have moved into the Department of Homelessness and Supportive Housing, the staff of this department finalized the report and will provide this report in future years.

The report is separated by department as required by the legislation and documents the number of unlawful detainer filings, evictions filed, and evictions completed within the City's permanent supportive housing portfolio. Below is a basic overview of our findings for FY15-16 and more detail can be found in the attached report.

	PSH Sites	Households	# of Unlawful Detainer Filings	# of Evictions	% of Households Evicted
DPH	50	3476	82	39	1.12%
HSA	85	6493	305	123	1.89%
TOTALS	135	9969	387	162	1.63%

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Kositsky", with a long horizontal line extending to the right.

Jeff Kositsky

Office of the Treasurer & Tax Collector
City and County of San Francisco



BOS 11, CPAG

José Cisneros, Treasurer

September 1, 2016

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

Re: Annual Report to the Board of Supervisors
2015 Payroll Expense Tax Credit – Enterprise Zone

Dear Ms. Calvillo:

The Tax Collector, pursuant to the provisions of the San Francisco Business and Tax Regulations Code, herewith submits the annual report of businesses that received the Enterprise Zone Tax Credit for the 2015 calendar year.

Schedule A of the report summarizes the number of businesses approved for the Enterprise Zone Tax Credit, the total number of San Francisco employees at those businesses, the number of eligible employees, and the amount of tax credit claimed. One hundred fifty eight (158) businesses were approved for the Enterprise Zone Tax Credit in the amount of \$498,645. These businesses reported a total of 15,628 employees who qualified for this tax credit.

Schedule B of the report summarizes the Enterprise Zone Tax Credits for tax years 2013 through 2015. Compared to the calendar year 2014, results indicate a decrease of 47 businesses approved with a decrease of 572 eligible employees in the Enterprise Zone sector for the calendar year 2015 in San Francisco.

If you have any questions regarding this report, please contact me at (415) 554-7601.

Sincerely,

David Augustine
Tax Collector

cc: José Cisneros, Treasurer
San Francisco Public Library

Attachment

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 SEP -1 PM 3:27
BY [Signature]

**TAX COLLECTOR'S ANNUAL REPORT
ENTERPRISE ZONE TAX CREDIT PAYROLL EXPENSE TAX CREDIT
CALENDAR YEAR 2015**

Schedule A

Year	Number of Businesses Approved	Total SF Employees	Number of Eligible Employees	Total Enterprise Zone Tax Credit Claimed	Payroll Expense Tax Forgone due to Enterprise Zone Tax Credit
2015	158	15,628	778	\$ 498,645	\$ 451,420

**TAX COLLECTOR'S ANNUAL REPORT
ENTERPRISE ZONE TAX CREDIT PAYROLL EXPENSE TAX CREDIT
CALENDAR YEARS 2013 THROUGH 2015**

Schedule B

Year	Number of Businesses Approved	Total SF Employees	Number of Eligible Employees	Total Enterprise Zone Tax Credit Claimed	Payroll Expense Tax Forgone due to Enterprise Zone Tax Credit
2013	176	15,856	1,147	\$ 835,821	\$ 780,686
2014*	205	17,696	1,350	\$ 928,979	\$ 929,480
2015	158	15,628	778	\$ 498,645	\$ 451,420
Change from 2014 to 2015	(47)	(2,068)	(572)	\$ (430,334)	\$ 478,060

***Amended**

Office of the Treasurer & Tax Collector
City and County of San Francisco



305-11, CP48

José Cisneros, Treasurer

September 1, 2016

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

Re: Annual Report to the Board of Supervisors
2015 Payroll Expense Tax Exclusion – Net New Payroll

Dear Ms. Calvillo:

The Tax Collector, pursuant to the provisions of the San Francisco Business and Tax Regulations Code, herewith submits the annual report of businesses that were approved for the Net New Payroll Exclusion from the Payroll Expense Tax for the 2015 calendar year.

Schedule A of the report summarizes for the 2015 calendar year the number of businesses which claimed the exclusion, the total amount of Net New Payroll Exclusion claimed, and the total Payroll Expense Tax forgone due to the exclusion for the calendar year 2015. Four thousand eight hundred three (4,803) businesses were approved for the Net New Payroll Exclusion, and they excluded a total of \$688,595,286 in payroll expense, which represents \$9,260,695 in forgone Payroll Expense Tax.

Schedule B of the report summarizes the Net New Payroll Exclusion for calendar years 2013 through 2015. Compared to the preceding calendar year 2014, results for the calendar year 2015 in San Francisco indicate an increase of 733 businesses approved for the Net New Payroll Exclusion, and an increase of \$786,990 Payroll Expense Tax forgone.

If you have any questions regarding this report, please contact me at (415) 554-7601.

Sincerely,

David Augustine
Tax Collector

cc: José Cisneros, Treasurer
San Francisco Public Library

Attachment

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 SEP -1 PM 3:27
BY [Signature]

**TAX COLLECTOR'S ANNUAL REPORT
NET NEW PAYROLL PAYROLL EXPENSE TAX EXCLUSION
CALENDAR YEAR 2015**

Schedule A

Year	Number of Businesses Approved	Net New Payroll Exclusion Claimed	Total Payroll Expense Tax Forgone due to Net New Payroll Exclusion
2015	4,803	\$ 668,595,286	\$ 9,260,695

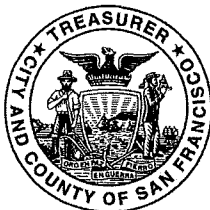
Schedule B

Year	Number of Businesses Approved	Net New Payroll Exclusion Claimed	Total Payroll Expense Tax Forgone due to Net New Payroll Exclusion
2013	2,488	\$ 350,571,492	\$ 7,735,917
2014*	4,070	\$ 517,665,214	\$ 8,473,705
2015	4,803	\$ 668,595,286	\$ 9,260,695
Change from 2014 to 2015	733	\$ 150,930,072	\$ 786,990

NOTE: Total Payroll Expense Tax Forgone due to Net New Payroll Expense Tax Exclusion includes taxes foregone due to businesses qualifying for a small business exemption. Total Payroll Expense Tax Forgone due to Net New Payroll Expense Tax Exclusion for tax year 2013 has been adjusted to includes taxes foregone due to businesses qualifying for a small business exemption for comparison across tax years.

*** Due to system configuration enhancements, tax year 2014 does not reflect changes to amended tax filings.**

Office of the Treasurer & Tax Collector
City and County of San Francisco



BOS-11, CPA 8

José Cisneros, Treasurer

September 1, 2016

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

Re: Annual Report to the Board of Supervisors
2015 Payroll Expense Tax Exclusion – Stock-Based Compensation

Dear Ms. Calvillo:

The Tax Collector, pursuant to the provisions of the San Francisco Business and Tax Regulations Code, herewith submits the annual report of businesses that were approved for the Stock-Based Compensation Exclusion from the Payroll Expense Tax for the 2015 calendar year.

Schedule A of the report summarizes the number of businesses approved for the exclusion, the total amount of Stock-Based Compensation Exclusion claimed, and the total Payroll Expense Tax forgone due to the exclusion for the calendar year 2015. One (1) business was approved for the Stock-Based Compensation Exclusion, and excluded a total of \$8,778,889 in payroll expense, which represents \$102,011 in Payroll Expense Tax was forgone.

Schedule B of the report summarizes the Stock-Based Compensation Exclusion for calendar years 2013 through 2015. Compared to the preceding calendar year 2014, results for the calendar year 2015 in San Francisco indicate an increase of 1 business approved for the Stock-Based Compensation Exclusion, an increase of 849 eligible employees and an increase of \$102,011 in Payroll Expense Tax forgone.

If you have any questions regarding this report, please contact me at (415) 554-7601.

Sincerely,

David Augustine
Tax Collector

cc: José Cisneros, Treasurer
San Francisco Public Library

Attachment

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2016 SEP -1 PM 3:27
BY [Signature]

**TAX COLLECTOR'S ANNUAL REPORT
STOCK BASED COMPENSATION PAYROLL EXPENSE TAX EXCLUSION
CALENDAR YEAR 2015**

Schedule A

Year	Number of Businesses Approved	Number of Eligible Employees	Stock Based Comp Exclusion Claimed	Payroll Expense Tax Forgone due to Stock Based Compensation
2015	1	849	\$ 8,778,889	\$ 102,011

**TAX COLLECTOR'S ANNUAL REPORT
STOCK BASED COMPENSATION PAYROLL EXPENSE TAX EXCLUSION
FOR CALENDAR YEARS 2013 THROUGH 2015**

Schedule B

Year	Number of Businesses Approved	Number of Eligible Employees	Stock Based Comp Exclusion Claimed	Payroll Expense Tax Forgone due to Stock Based Compensation
2013	0	0	\$0	\$0
2014	0	0	\$0	\$0
2015	1	849	\$ 8,778,889	\$ 102,011
Change from 2014 to 2015	1	849	\$ 8,778,889	\$ 102,011

Office of the Treasurer & Tax Collector
City and County of San Francisco



BOS-11, CPAG

José Cisneros, Treasurer

September 1, 2016

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

Re: Annual Report to the Board of Supervisors
2015 Special School Parking Event Permit Annual Report

Dear Ms. Calvillo:

The Tax Collector, pursuant to Section 608 of the San Francisco Business and Tax Regulations Code, herewith submits the annual report of parking revenue information related to the Special School Parking Event Permits for the 2015 calendar year.

Schedule A of the report summarizes for the 2015 calendar year the number of permits issued, the dollar value of the gross parking revenues, and the parking tax revenue foregone.

In 2015, a total of 15 permits were issued, resulting in \$52,020 of parking revenue and \$10,404 of forgone parking tax revenue.

The exemption granted in this ordinance shall expire on December 31, 2025.

If you have any questions regarding this report, please contact me at (415) 554-7601.

Very truly yours,

David Augustine
Tax Collector

cc: José Cisneros
San Francisco Public Library

Attachment

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BY 12



Management Summary Special School Parking

**Office of the Treasurer & Tax Collector
Business Tax**

September 1, 2016

Background:

The Business and Tax Regulations Code (BTRC) requires that occupants of parking stations pay a 25% tax that is collected and remitted to the City and County of San Francisco by parking operators. This section of the Code provides relief for special parking events on San Francisco Unified School District (SFUSD) property, as they are operated by volunteers of non-profit organizations, such as Parent Teacher Associations, and are a beneficial activity to supplement SFUSD school revenues, which have been drastically reduced by State budget cuts.

Requirements:

- The parking activity is conducted on SFUSD property.
- The parking activity is conducted by a volunteer led organization that has a recognized exemption from income taxation per the Internal Revenue Service.
- The organization has a Special School Parking Event Permit issued by the Tax Collector to conduct the parking activity and it is publicly displayed during the event.
- Gross Revenue from the special school parking event does not exceed \$10,000.
- 100% of the earnings from the parking activities are for the sole benefit of San Francisco public schools.

Administration:

- The Tax Collector issues 150 Special School Parking Event Permits to the Second District PTA annually.
- Each permit is used to conduct one special school parking event.
- The Second District PTA is required to file an annual return due January 31st.

Historical Filings:

- In 2013, a total of 25 permits were used, resulting in \$88,661.00 of parking revenue and \$17,732.20 of parking tax revenue forgone.
- In 2014, a total of 12 permits were used, resulting in \$24,777.00 of parking revenue and \$4,955.40 of parking tax revenue foregone.
- In 2015, a total of 15 permits were used, resulting in \$52,020.00 of parking revenue and \$10,404.00 of parking tax revenue foregone.

OFFICE OF THE MAYOR
SAN FRANCISCO



ORIG: Rules.
C: BOS-11, COB,
LEG. REP., City atty,
EDWIN M. LEE ac
MAYOR File
C. Page

September 2, 2016

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

Dear Ms. Calvillo,

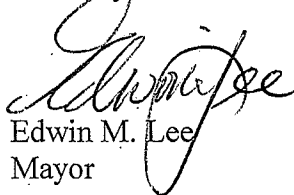
Pursuant to Chart Section 4.105, I hereby make the following nomination to the San Francisco Planning Commission:

Joel Koppel, assuming the seat formerly held by Michael Antonini, for a term ending June 30, 2020.

I am confident that Mr. Koppel, a CCSF elector, will serve our community well. Attached are his qualifications to serve, which will demonstrate how this nomination represents the communities of interest, neighborhoods and diverse populations of the City and County of San Francisco.

I encourage your support and am pleased to advise you of this nomination.

Sincerely,


Edwin M. Lee
Mayor

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SAN FRANCISCO
2016 SEP -2 AM 10:00
BY [Signature]

JOEL KOPPEL

1209 34th Avenue, San Francisco, CA 94122 – 415.694.2136 – Business.Development@eisb.org

CURRENT JOB TITLE AND DESCRIPTION

As **Director of Sustainable Energy Solutions**, for the San Francisco Electrical Construction Industry, LMCC, I work to advance the development, application, and deployment of sustainable energy solutions for the electrical industry in and around San Francisco. My areas of focus include energy auditing, energy efficiency, photovoltaics, zero net energy buildings, electric vehicle infrastructure, energy storage, micro-grids, and the urban mesh network.

EDUCATION

University of San Francisco Bachelor of Science in Business Administration Specializing in Business Law, Personal Law and Organizational Behavior	1993-1997
Lowell High School	1989-1993

WORK EXPERIENCE

San Francisco Electrical Construction Industry, SF, CA Director of Business Development Regular attendance at Planning Commission, Board of Supervisors, Land Use Committee and Board of Appeals. Communicating with land owners, developers, public affairs groups and general contractors to encourage sustainable development. Directly involved with the approvals of Park Merced and Golden State Warriors Construction Projects.	2014-present
Rosendin Electric, SF, CA Foreman Electrician (Field) – General Hospital Focus in installation of seismic supports and racking systems for vital power and communications conduits to be distributed throughout the trauma center. Management and oversight of complicated rooftop mechanical floor, including elevator machine room and building management systems.	2012-2014
Metropolitan Electric, SF, CA Estimator, Project Manager (Office) Focus in project management, project procurement, design build, negotiating project contracts with general contractors, construction support to downtown property management firms, estimating, client and general contractor interface.	2010-2012
San Francisco Electrical Construction Industry, SF, CA Business Development Specializing in energy efficiency procurement, solar photovoltaics and wind turbine technology as it related to new projects. Directly involved with the approvals of Bayview/Hunters Point Shipyards development and the Treasure Island development.	2008-2010
Metropolitan Electric, SF, CA Foreman Electrician (Field) – Various Commercial Projects Specializing in downtown Class-A, high-rise building tenant improvement remodels for companies such as Bank of America and Wells Fargo, fire alarm/life safety retrofits in hotels such as the San Francisco Marriott Marquis.	2005-2008
San Francisco Joint Apprenticeship Training Facility, SF, CA Apprentice Electrician Specializing in blueprint reading, the theory and installation of all types of electrical systems, power generation, energy efficiency, grounding, fire alarm/life safety, building management and solar photovoltaics.	2000-2005

STATEMENT OF ECONOMIC INTERESTS

 Date Initial Filing Received
 Official Use Only

COVER PAGE

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Koppel	Joel	Lewis

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

City and County of San Francisco

Division, Board, Department, District, if applicable

Your Position

Planning Commission

Mayor's Appointed Seat

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

Agency: _____ Position: _____

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

- | | |
|--|---|
| <input type="checkbox"/> State | <input type="checkbox"/> Judge or Court Commissioner (Statewide Jurisdiction) |
| <input type="checkbox"/> Multi-County _____ | <input checked="" type="checkbox"/> County of <u>San Francisco</u> |
| <input checked="" type="checkbox"/> City of <u>San Francisco</u> | <input type="checkbox"/> Other _____ |

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

- | | |
|---|--|
| <input type="checkbox"/> Annual: The period covered is January 1, 2015, through December 31, 2015. | <input type="checkbox"/> Leaving Office: Date Left ____/____/____
(Check one) |
| -or- | <input type="radio"/> The period covered is January 1, 2015, through the date of leaving office. |
| The period covered is ____/____/____, through December 31, 2015. | -or- |
| <input checked="" type="checkbox"/> Assuming Office: Date assumed <u>09</u> / <u>01</u> / <u>2016</u> | <input type="radio"/> The period covered is ____/____/____, through the date of leaving office. |
| <input type="checkbox"/> Candidate: Election year _____ and office sought, if different than Part 1: _____ | |

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

- | | |
|---|--|
| <input type="checkbox"/> Schedule A-1 - Investments – schedule attached | <input type="checkbox"/> Schedule C - Income, Loans, & Business Positions – schedule attached |
| <input type="checkbox"/> Schedule A-2 - Investments – schedule attached | <input type="checkbox"/> Schedule D - Income – Gifts – schedule attached |
| <input checked="" type="checkbox"/> Schedule B - Real Property – schedule attached | <input type="checkbox"/> Schedule E - Income – Gifts – Travel Payments – schedule attached |

-or-
☐ **None - No reportable interests on any schedule**
5. Verification

MAILING ADDRESS	STREET	CITY	STATE	ZIP CODE
(Business or Agency Address Recommended - Public Document)				
55 Fillmore Street, Suite 100		San Francisco	CA	94117
DAYTIME TELEPHONE NUMBER		E-MAIL ADDRESS		
(415) 241-0126		business.development@eisb.org		

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

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

 Date Signed 08/31/2016
 (month, day, year)

Signature



(File the originally signed statement with your filing official.)

FPPC Form 700 (2015/2016) Sch. B
FPPC Advice Email: advice@fppc.ca.gov
FPPC Toll-Free Helpline: 866/275-3772 www.fppc.ca.gov

SCHEDULE C
Income, Loans, & Business
Positions
(Other than Gifts and Travel Payments)

CALIFORNIA FORM 700

FAIR POLITICAL PRACTICES COMMISSION

Name _____

► **1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME

SF Electrical Construction Industry, LMCC

ADDRESS (Business Address Acceptable)

720 Market Street, Suite 700

BUSINESS ACTIVITY, IF ANY, OF SOURCE

Labor Management Cooperation Committee

YOUR BUSINESS POSITION

Director of Sustainable Energy Solutions

GROSS INCOME RECEIVED

- ☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000
☐ \$10,001 - \$100,000 ☒ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

► **1. INCOME RECEIVED**

NAME OF SOURCE OF INCOME

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED

- ☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000
☐ \$10,001 - \$100,000 ☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.)

☐ Sale of _____
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

(Describe)

☐ Other _____
(Describe)

► **2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

* You are not required to report loans from commercial lending institutions, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

HIGHEST BALANCE DURING REPORTING PERIOD

- ☐ \$500 - \$1,000
☐ \$1,001 - \$10,000
☐ \$10,001 - \$100,000
☐ OVER \$100,000

INTEREST RATE

_____% ☐ None

TERM (Months/Years)

SECURITY FOR LOAN

☐ None ☐ Personal residence

☐ Real Property _____

Street address
City

☐ Guarantor _____

☐ Other _____
(Describe)

Comments: _____

From: Reports, Controller (CON)
Sent: Tuesday, September 06, 2016 1:38 PM
To: Calvillo, Angela (BOS); Gosiengfiao, Rachel (BOS); BOS-Supervisors; BOS-Legislative Aides; Kawa, Steve (MYR); Howard, Kate (MYR); Steeves, Asja (CON); SF Docs (LIB); CON-EVERYONE; Ivar Satero (AIR); Leo Fermin (AIR); Wallace Tang (AIR); Cheryl Nashir (AIR); Nanette Hendrickson (AIR); Jean Caramatti (AIR); Kevin Kone (AIR); sjohnson@mgocpa.com; lmore@mgocpa.com; paj@andalemexican.com; claudia@andalemexican.com
Subject: Issued: Airport Commission: Andale Mexican Restaurant and Bar Correctly Reported Its Revenue and Paid Its Rent for 2013 and 2014

The City and County of San Francisco's Airport Commission (Airport) coordinates with the Office of the Controller's City Services Auditor Division (CSA) to conduct periodic compliance audits of the Airport's tenants and airlines. CSA engaged Macias Gini & O'Connell LLP (MGO) to audit tenants and airlines at the Airport to determine whether they complied with the reporting, payment, and selected other provisions of their agreements with the Airport.

CSA presents the report of MGO's audit of Andale Mexican Restaurant and Bar (Andale). The audit found that Andale correctly reported \$9,908,911 in gross revenues and correctly paid \$890,891 in rent due to the Airport. However Andale paid its incremental deposit late for calendar year 2013 and the Airport did not assess any late fees. In November 2015 the Airport implemented procedures to ensure that tenants submit on time lease-required annual reports, insurance, and deposits.

To view the full report, please visit our website at: <http://openbook.sfgov.org/webreports/details3.aspx?id=2355>

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

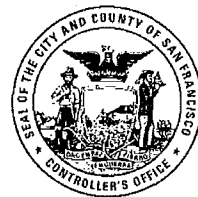
Follow us on Twitter @SFController

City and County of San Francisco

Office of the Controller – City Services Auditor

AIRPORT COMMISSION:

**Andale Mexican Restaurant
and Bar Correctly Reported Its
Revenues and Paid Rent for
2013 and 2014**



September 6, 2016

**OFFICE OF THE CONTROLLER
CITY SERVICES AUDITOR**

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

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

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

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

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

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

CSA Audit Team: Winnie Woo, Associate Auditor

Audit Consultants: Macias Gini & O'Connell LLP (MGO)



CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CONTROLLER

Ben Rosenfield
Controller

Todd Rydstrom
Deputy Controller

September 6, 2016

San Francisco Airport Commission
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128-8097

Ivar Satero, Airport Director
San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128-8097

Dear Commission President, Commissioners, and Mr. Satero:

The City and County of San Francisco's Airport Commission (Airport) coordinates with the Office of the Controller's City Services Auditor Division (CSA) to conduct periodic compliance audits of Airport tenants and airlines. CSA engaged Macias Gini & O'Connell LLP (MGO) to audit the Airport's tenants to determine whether they complied with the reporting, payment, and other selected provisions of their leases.

CSA presents the attached report for the compliance audit of Andale Mexican Restaurant and Bar (Andale) prepared by MGO.

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

Rent Paid: \$890,891

Results:

Andale correctly reported \$9,908,911 in gross revenues and correctly paid rent due to the Airport. However Andale paid its incremental deposit late for calendar year 2013 and the Airport did not assess any late fees. In November 2015 the Airport implemented procedures to ensure that tenants submit on time lease-required annual reports, insurance, and deposits.

The responses of the Airport and Andale are attached to this report.

CSA appreciates the assistance and cooperation of Airport and Andale staff during the audit. For questions about the report, please contact me at Tonia.Lediju@sfgov.org or 415-554-5393 or CSA at 415-554-7469.

Respectfully,

Tonia Lediju
Director of City Audits

Attachment

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

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

**PERFORMANCE AUDIT REPORT
Andale Mexican Restaurant and Bar**

January 1, 2013 through December 31, 2014



Certified
Public
Accountants



Certified
Public
Accountants

Sacramento
Walnut Creek
San Francisco
Oakland
Los Angeles
Century City
Encino
Newport Beach
San Diego

Performance Audit Report

Macias Gini & O'Connell LLP (MGO) presents its report concerning the performance audit of Andale Mexican Restaurant and Bar (Tenant) as follows:

Background

The Tenant has one lease agreement with the Airport Commission of the City and County of San Francisco (Commission). Lease number 99-0292A was for operations of a Mexican restaurant and bar in New International Terminal at the San Francisco International Airport (SFO). The agreement requires the Tenant to submit to the Airport Department (Airport) a monthly report showing its sales revenue and rent due.

For the period of our performance audit, January 1, 2013 through December 31, 2014, the lease required payment of the greater of monthly minimum rent or percentage rent thresholds as outlined below.

Lease: 99-0292A
Reporting periods: January 1, 2013 to December 31, 2014
Lease Term: November 10, 2010 to November 9, 2015
Percentage Rent: 6% of Gross Revenue up to \$1,000,000, plus
8% of Gross Revenues from \$1,000,000 to \$1,500,000, plus
10% of Gross Revenues over \$1,500,000

Minimum monthly rent is specified in the lease and has step increases stipulated by the lease.

Period	99-0292A
Lease year ended December 2013	\$ 12,279.33
Lease year ended December 2014	12,785.22

The percentage rent owed each month in excess of the monthly minimum is due as additional rent to the Airport.

Objective and Scope

The objective of this performance audit was to determine whether the Tenant was in substantial compliance with the reporting, payment, and other rent related provisions of its lease with the Commission. To meet the objective of our performance audit and based upon the provisions of the City and County of San Francisco contract number P-500 (5-10) dated March 1, 2013, between MGO and the City and County of San Francisco, and per Appendix A therein, we verified that revenues for the audit period were reported to the Airport in accordance with the lease provisions, and that such amounts agreed with the underlying accounting records; identified and reported the amount and cause of any significant error (over or under) in reporting together with the impact on rent payable to the Airport; and identified and reported any recommendations to improve record keeping and reporting processes of the Tenant relative to its ability to comply with lease provisions.

This audit and the resulting report relates only to the gross receipts and rents reported by the Tenant, and does not extend to any other performance or financial audits of either the Commission or the Tenant taken as a whole.

Methodology

To meet the objectives of our performance audit, we performed the following procedures: reviewed the applicable terms of the lease and the adequacy of the Tenant procedures and internal controls for collecting, recording, summarizing and reporting its gross revenues and calculating its payments to the Airport; selected and tested 4 sample months for each contract year and 3 sample days for each sample months selected per guidelines provided by the City; recalculated monthly rent due; and verified the timeliness of reporting revenues and rent and submitting rent payments to the Airport.

We conducted this performance audit in accordance with *Generally Accepted Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and recommendations based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our audit results based on our audit objective.

Audit Results

Based on the results of our performance audit for the period from January 1, 2013 through December 31, 2014, the Tenant correctly reported gross revenues of \$9,908,911 and paid percentage rent of \$890,891 to the Airport in accordance with its lease provisions. Those amounts agreed to the underlying records.

Gross revenues and percentage rent are defined in the lease between the Tenant and the City and County of San Francisco. The tables below show the Tenant reported total gross revenue and percentage rent paid to the Airport for the lease under audit.

**Sales Revenues and Percentage Rent Paid
January 1, 2013 through December 31, 2014
Lease No. 99-0292A**

Lease Period	Total Revenue Reported by Tenant	Calculated Percentage Rent Stipulated by Lease	Minimum Rent Stipulated by Lease	Additional Rent Due	Rent Paid per Airport Payment Records	(Over) Under Payment
	A	B	C	D (B-C)	E	F (E-C-D)
January 1, 2013 through December 31, 2013	\$ 4,736,253	\$ 423,625	\$ 147,352	\$ 276,273	\$ 423,625	\$ -
January 1, 2014 through December 31, 2014	5,172,658	467,266	153,423	\$ 313,843	467,266	-
Total	<u>\$ 9,908,911</u>	<u>\$ 890,891</u>	<u>\$ 300,775</u>	<u>\$ 590,116</u>	<u>\$ 890,891</u>	<u>\$ -</u>

Finding 2015-01 – Tenant did not pay the incremental deposit on time for 2013.

The Tenant did not comply with the Agreement by paying incremental deposit of \$10,874 over four months late for year 2013. The Airport received the deposit on May 24, 2013, 138 days after the due date of January 1, 2013. According to section 13.1 to the Agreement, “such deposit shall be renewed annually and increased annually such that at all times, the deposit is equal to one-half the then current MAG, all at Tenant’s cost”. Based on the 2013 MAG letter dated December 11, 2012, “provide the Airport with the required increase in a form specified in by the lease, no later than January 1, 2013”. Furthermore, under Lease Agreement Section 15.1(g), the Tenant will be in breach of contract for late payment of the deposit, defined as “**within ten (10) days** after the Effective Date, or failure to maintain the deposit in full at all times during the term of the Lease. The Airport Director after delivering a written notice, may under Section 15.8, impose fines of \$100 per day for the late payment. The Airport chose not to fine Andale. Airport staff report that Andale is a good tenant who makes timely payments and complies with its leases. In addition, under lease agreement Section 13.3, “if Tenant defaults with respect to any provision under this Lease, City may use, apply, or retain all or any portion of any deposit provided under any other agreement between City and Tenant, deposits from other agreements between the Tenant and the City”. According to Airport staff, the City is confident that Andale has enough on deposit from its three agreements with the City. The cause for the late deposit was caused by the tenant making the late payment, and an oversight from the Airport. The effect of a late deposit is not in compliance with the terms of the agreement.

Recommendation 2015-01

The Airport should develop procedure to enforce timely collection of all amounts due from tenants, including deposits, as defined in the terms presented in section 13.1 to the Agreement and MAG letter.

Conclusion

We conducted this performance audit in accordance with the provisions of our contract, as outlined in the objective and scope section above, and in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonableness basis for our findings and conclusions based on our audit objectives section of this report.

This report is intended solely for the information and use of the Tenant, the Commission and the City and County of San Francisco, and is not intended to be and should not be used by anyone other than these specified parties.

Macias Gini & O'Connell LLP

Walnut Creek, California
August 26, 2016



San Francisco International Airport

March 22, 2016

Ms. Tonia Lediju
Director of Audits
Office of the Controller
City Services Auditor Division
City and County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 477
San Francisco, CA 94102

Subject: Performance Audit of Andale

Dear Ms. Lediju:

We have received and reviewed the final draft audit report regarding the performance audit of Andale. This letter is to confirm that, based upon the details provided, we agree with the audit result.

If you have any questions, please feel free to call us at (650) 821-2850 (Wallace) or (650) 821-4501 (Cheryl).

Very truly yours,

A handwritten signature in black ink, appearing to read "Cheryl Nashir", is located below the "Very truly yours," text.

Cheryl Nashir
Director
Revenue Development & Management

Attachment

cc: John. L. Martin – SFO, Director
Ivar Satero – SFO, Chief Operating Officer
Leo Fermin – SFO, Chief Business & Finance Officer
Wallace Tang – SFO, Controller
Juan Zaragoza - MGO
Nanette Hendrickson – SFO, Assistant Manager RDM
Sharon Perez – SFO, Principal Property Manager RDM

AIRPORT COMMISSION CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE
MAYOR

LARRY MAZZOLA
PRESIDENT

LINDA S. CRAYTON
VICE PRESIDENT

ELEANOR JOHNS

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PETER A. STERN

JOHN L. MARTIN
AIRPORT DIRECTOR

**City Services Auditor Division
Recommendation and Response Form**

Audit Subject: Andale Mexican Restaurant and Bar

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

Recommendation	Responsible Agency	Response
Tenant paid the 2013 lease deposit four months late. The Airport should develop monitoring procedures to ensure tenants submit payments on time as defined in the Agreement terms and MAG Letter.	Airport	<input checked="" type="checkbox"/> Concur <input type="checkbox"/> Do Not Concur <input type="checkbox"/> Partially Concur Concur. As of November 2015, a monthly monitored Binder is reviewed by Property Managers to ensure all Lease annual reports, Insurance and Deposit requirements are submitted timely.



March 22, 2016

Director of City Audits
City Services Auditor Division
Office of the Controller
City and County of San Francisco

RE: Audit of Andale SFO (Andale Mexican Restaurant and Bar), Concourse G

To whom it may concern:

I am in agreement with the findings of the audit results of our Andale SFO, which was performed by Macias Gini & O'Connell LLP (MGO). To the best of my knowledge, all findings and results are correct.

If there are any questions, please feel free to contact me.

Best regards,

A handwritten signature in black ink, appearing to read "Pedro Alvarez Jr.", with a stylized flourish at the end.

Pedro Alvarez Jr

Andale Mexican Restaurants

Email: paj@anadalemexican.com

Phone: 415-632-9919

845 MARKET ST, SUITE FE-7 ~ SAN FRANCISCO CA 94103

tel: 415 660-6254



for all locations visit:

ANDALEMEXICAN.COM

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2016 AUG 31 PM 4:29

BY

B



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

To: Angela Calvillo, Clerk of the Board of Supervisors
From: Philip A. Ginsburg, General Manager
Date: August 31, 2016
Re: Park Hours Report Pursuant to Park Code Section 3.21(f)

In accordance with Park Code Section 3.21 HOURS OF OPERATION, subsection (f), we submit this report to the Board of Supervisors. Park Code section 3.21 (f) provides as follows:

The Department shall issue an annual report to the Board of Supervisors and Mayor by September 1 of each year providing the following information for the preceding fiscal year: (1) the number of citations issued by the Police Department and Park Patrol for violations of this section and the age and race of individuals cited, (2) the Department's costs for repairs and maintenance, including graffiti abatement, resulting from vandalism in parks, and (3) the Department's costs associated with enforcing this section.

Background

With some exceptions, park hours are from 5:00 a.m. to midnight daily. Park Code Section 3.21 became effective 12/27/2013. Following approximately four months of public outreach and education, as well as the installation of new signage with posted hours, the Park Ranger unit began issuing citations in April 2014.

Please note the data below reflects only those citations issued by the Recreation and Park Department's (RPD) Park Patrol. While the San Francisco Police Department is able to issue citations for violations of the Park Code, the Recreation and Park Department does not track these citations and are therefore is not able to report any SFPD data.

Citations Issued by SFRPD Park Rangers Under Park Code Section 3.21 in FY 15-16 and Associated Estimated Costs of Enforcement

For FY15-16 Park patrol issued 52 citations for violations of Park Code Section 3.21. Sixty-seven percent of the people cited identified as white, 13% Hispanic, 4% Black, 4% Asian and 12% did not identify themselves.

Of the 52 citations issued 21% were issued to people under the age of 21. Twenty-five percent were issued to people in the 21-30 age cohort while 25% were between the ages of 31-40. Fifteen percent of those cited were 41-50 and 13% were over the age of 50.

Park Ranger staffing during the period when parks are closed from midnight to 5:00am varies by day of week, season, and depends on available staff. SFRPD typically has 2 rangers on duty for the midnight shift, and those rangers enforce *all* Park Codes, not just operating hours. As such, there is no way to determine the cost of enforcing this single code section. The Park Ranger unit operates 24/7, so park hours are enforced only 5 out of 24 hours, or 20.8% of all park patrol time. The FY15/16 actual expenditure, per FAMIS, for the Park Ranger unit was \$2.712 million. Approximately twenty-one percent, or \$563,680 might be estimated to fund *all* Park Ranger activities between midnight and 5:00am.

Incidents of Vandalism in City Parks and Associated Costs for Repairs

Vandalism reports are reported through RPD's workorder management system, called TMA. In FY15/16 SFRPD processed 3,596 workorders at a cost of \$468,937.

BOS-11
CPA 8

August 25, 2016

TO: STATE, CITY AND LOCAL OFFICIALS

NOTIFICATION OF PACIFIC GAS AND ELECTRIC COMPANY'S APPLICATION REQUESTING TO INCREASE RATES FOR THE RETIREMENT OF DIABLO CANYON (A.16-08-006)

Background

On August 11, 2016, Pacific Gas and Electric Company (PG&E) filed an application with the California Public Utilities Commission (CPUC) requesting approval of a Joint Proposal that would phase out PG&E's production of nuclear power at Diablo Canyon Power Plant (DCPP) at the end of its current operating license period in 2024 and 2025. This request will also allow PG&E to increase its investment in energy efficiency, renewables and storage beyond the current state 2030 mandates.

The parties to the Joint Proposal include: PG&E, International Brotherhood of Electrical Workers Local 1245, Coalition of California Utility Employees, Friends of the Earth, Natural Resources Defense Council, Environment California and Alliance for Nuclear Responsibility.

The proposal recognizes that California's recently implemented energy policies, along with several other factors, will significantly reduce the need for Diablo Canyon's electricity output by 2025. The Joint Proposal would replace power produced by two nuclear reactors at the Diablo Canyon Power Plant with a cost-effective, greenhouse gas free portfolio of energy efficiency, renewables and energy storage. This proposal will also include a PG&E commitment to a 55 percent renewable energy target in 2031, which is five percentage points higher than the state's 2030 mandate.

The Joint Proposal would increase total system rates by 1.6 percent in the near term. However, PG&E does not anticipate a long-term increase in customer rates as a result of the proposal. PG&E believes relicensing and operating DCPP through 2044 would have a higher overall cost than the Joint Proposal. Additional factors affecting this rate projection include lower demand, declining costs for renewable power and the potential for higher renewable integration costs if DCPP is relicensed.

If approved, the costs would be \$1.766 billion and would be collected over an eight year time period. Included in this application is an increase to annual nuclear decommissioning revenue requirements of \$59 million, an increase in annual generation revenue requirements of \$7 million over the period 2018–2025, and an annual energy efficiency revenue requirement of \$187 million over the period 2019–2025.

The increased revenue requested in this filing will support the following activities:

- Energy efficiency projects to reduce 2,000 gigawatt hours in electricity demand across PG&E's service territory by 2024.
- The Diablo Canyon Employee Retention and Employee Retraining Programs to ensure the continued safe and reliable operation of the plant through the end of its licensed life.
- The Community Impacts Mitigation Payments to San Luis Obispo County to offset the loss of property tax revenue over the remaining nine years of plant operation.
- PG&E's formal termination of its license renewal application allowing the recovery of paid costs associated with previous license renewal activities.

How will PG&E's application affect me?

Most of PG&E's customers are bundled customers which receive electricity (generation), transmission and distribution service from PG&E. For the year 2021, the year with the greatest revenue requirement impact as a result of this application, the forecasted electric revenue requirement increase is \$253 million. PG&E estimates that the requested increase in electric revenues would be distributed as shown in the table included in a bill insert announcing this filing that was sent directly to customers in the September 2016 billing cycle.

If approved, PG&E's request would increase electric rates for customers who receive electric generation and distribution services from PG&E. For a typical residential Non-CARE customer using 500 kWh per month the rate would increase from \$96.94 to \$98.48 or 1.6 percent. Individual customer bills may vary.

How will PG&E's application affect non-bundled customers?

Direct Access (DA) and Community Choice Aggregation (CCA) customers purchase electricity from another provider and receive electric transmission and distribution services from PG&E. The net impact of PG&E's application on DA and CCA customers would be \$37.8 million, or an average decrease of 3.2 percent.

(13)

Departing Load (DL) customers do not receive electric generation, transmission or distribution services from PG&E. However, they are required to pay certain charges as required by law or CPUC decision. The net impact on DL customers would be \$5 million, or an average increase of 15.5 percent.

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

If you have questions about PG&E's filing, please contact PG&E at **1-800-743-5000**. For TDD/TTY (speech-hearing impaired), call **1-800-652-4712**. **Para más detalles llame al 1-800-660-6789 • 詳情請致電 1-800-893-9555**. If you would like a copy of PG&E's filing and exhibits, please write to PG&E at the address below:

Pacific Gas and Electric Company
Diablo Canyon Retirement (A.16-08-006)
P.O. Box 7442
San Francisco, CA 94120

A copy of PG&E's filing and exhibits are also available for review at the CPUC's Central Files Office by appointment only. For more information, contact **aljcentralfilesid@cpuc.ca.gov** or **1-415-703-2045**. PG&E's application (without exhibits) is available on the CPUC's website at **www.cpuc.ca.gov/pao**.

CPUC process

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

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

The Office of Ratepayer Advocates (ORA) may review this application. ORA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. ORA has a multi-disciplinary staff with expertise in economics, finance, accounting and engineering. For more information about ORA, please call **1-415-703-1584**, email **ora@cpuc.ca.gov** or visit ORA's website at **www.ora.ca.gov**.

Stay informed

If you would like to follow this proceeding, or any other issue before the CPUC, you may use the CPUC's free subscription service. Sign up at: **http://subscribecpuc.cpuc.ca.gov/**. If you would like to learn how you can participate in the proceeding, if you have informal comments about the application, or questions about the CPUC processes, you may access the CPUC's Public Advisor Office (PAO) webpage at **http://consumers.cpuc.ca.gov/pao/**. You may also contact the PAO as follows: **Email: public.advisor@cpuc.ca.gov**

Mail: CPUC
Public Advisor's Office
505 Van Ness Avenue, Room 2103
San Francisco, CA 94102
Call: 1-866-849-8390 (toll-free) or **1-415-703-2074**
TTY: 1-866-836-7825 (toll-free) or **1-415-703-5282**

If you are writing or emailing the Public Advisor's Office, please include the proceeding number (Diablo Canyon, A.16-08-006). All comments will be circulated to the Commissioners, the assigned Judge and appropriate CPUC staff, and will become public record.



Capital Planning Committee

BOS-11,
B+F clerk,
Cpage

Naomi M. Kelly, City Administrator, Chair

MEMORANDUM

August 29, 2016

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

Naomi Kelly

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2016 SEP - 1 PM 4:53
BY *BC*

Regarding: (1) Approval of Affordable Housing General Obligation (G.O.) Bond Sale (2) Approval of Treasure Island Community Facilities District (CFD) and Infrastructure Financing District (IFD)

In accordance with Section 3.21 of the Administrative Code, on August 29, 2016, 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 resolution authorizing and directing the sale of General Obligation Bonds (Affordable Housing, 2015) in an amount not to exceed \$77 million, and approval of the related supplemental request.

Recommendation:

Recommend the Board of Supervisors approve the resolution and the related supplemental request.

Comments:

The CPC recommends approval of these items by a vote of 10-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Nadia Sesay, Controller's Office; Mohammed Nuru, Director, Public Works; John Rahaim, Director, Planning Department; Kathy How, SFPUC; Chris Simi, Mayor's Budget Office; Kevin Kone, San Francisco International Airport; Dawn Kamalanathan, Recreation and Parks Department; Jonathan Rewers, SFMTA; and Elaine Forbes, Interim Director, Port of San Francisco.

2. Board File Number: TBD

Approval of the creation of a Treasure Island Community Facilities District (CFD) and a Treasure Island Infrastructure Financing District (IFD).

Recommendation: Recommend the Board of Supervisors approve the creation of a Treasure Island CFD and IFD.

Comments: The CPC recommends approval of these items by a vote of 10-0.

Committee members or representatives in favor include: Naomi Kelly, City Administrator; Nadia Sesay, Controller's Office; Mohammed Nuru, Director, Public Works; John Rahaim, Director, Planning Department; Kathy How, SFPUC; Chris Simi, Mayor's Budget Office; Kevin Kone, San Francisco International Airport; Dawn Kamalanathan, Recreation and Parks Department; Jonathan Rewers, SFMTA; and Elaine Forbes, Interim Director, Port of San Francisco.

BOS-11, Rules
CPAGE

BAWSCA

Bay Area Water Supply & Conservation Agency

August 31, 2016

The Hon. London Breed, President
City and County of San Francisco Board of Supervisors
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File
160911

Subject: Recommendation for Ann Caen to be reappointed as a member of the San Francisco Public Utilities Commission

Dear Supervisor Breed,

As the former Chief Executive Officer of the Bay Area Water Supply and Conservation Agency, I am writing to support the confirmation of Ann Caen for another term as a member of the San Francisco Public Utilities Commission.


I have had the pleasure of working with Ms. Caen since she was first appointed to the Commission in 1997. Ms. Caen consistently displays the characteristics of an effective public official. She considers matters thoughtfully, listens intently to public testimony, demands staff provide the information necessary to make sound decisions, and truly enjoys the role of commissioner in providing reliable utility service.

As a four-time president, Ms. Caen has led the Commission through major decisions during critical periods. She was president in 2002 when the Commission adopted the first capital improvement program, now called the Water System Improvement Program, for rebuilding the earthquake-prone Regional Water System.

While deeply loyal to the City and County of San Francisco, Ms. Caen demonstrates a genuine interest in the well-being of the entire region. The 26 cities, water districts and water companies that purchase water from the Regional Water System benefit from Ms. Caen's continued determination to see the Water System Improvement Program completed.

I urge the Rules Committee and the Board of Supervisors to confirm her appointment to the Public Utilities Commission.

Sincerely,


Arthur R. Jensen
Former Chief Executive Officer

cc: Members of the City and County of San Francisco Board of Supervisors, c/o Clerk of the Board
The Hon. Edwin M. Lee, Mayor, City and County of San Francisco
Ms. Ann Caen, Commissioner, San Francisco Public Utilities Commission

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THE
Commonwealth Club
OF CALIFORNIA

File 160959
PSNS, C Page
Clerk
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SAN FRANCISCO
2016 SEP -2 PM 3:09
BY 346

August 30, 2016

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

Re: The Commonwealth Club of California Liquor License "PCN" Request at 110 The Embarcadero, San Francisco, CA 94105

Original Type 51 - Club License

Dear Clerk of the Board,

The purpose of this letter is to respectfully request to be placed on the Board's calendar for Public Convenience and Necessity approval with regard to our original Type 51 Club license. My name is Nicholas Leon and I am the Vice President of Finance and Administration of the Commonwealth Club of California. My contact information is: nleon@commonwealth.org. My phone number is 415-597-6711. Thank you in advance for considering our request.

Our non-profit organization is the leading national forum open to all for the impartial discussion of public issues important to the membership, community and nation. We host more than 400 annual events on topics ranging across politics, culture, society and the economy to more than 20,000 members and the general public. We have been a responsible and contributing organization in the San Francisco community for over 113 years.

We hold events that include seminars, forums, and talks almost every day. Most of these are held in the evening, typically starting around 6 or 7 pm. We also hold special events such as galas, conferences, award ceremonies and dinners, during which alcohol is an essential part of the event. We need to be able to serve alcohol during such dinners, cocktail hours, and ceremonies in order for these events to be successful.

110 The Embarcadero, San Francisco, CA 94105

160959 (16)

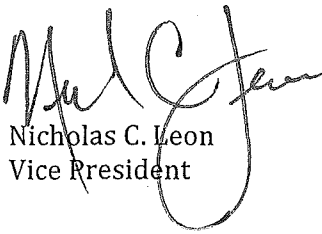


THE
Commonwealth Club
OF CALIFORNIA

We will adhere to a high level of lawfulness and safety, never serving obviously intoxicated people and always monitoring our surrounding area to ensure the quiet enjoyment of the neighborhood. We are dedicated to the vitality of San Francisco having finally raised the necessary funds to purchase the building at 110 The Embarcadero and we are currently in the process of renovating this landmark site.

We seek the SF Board of Supervisor's affirmative ruling that our application serves the public convenience and necessity of our City. This ruling will contribute positively to the continued success and existence of our longstanding San Francisco non-profit organization.

Very truly yours,



Nicholas C. Leon
Vice President

110 The Embarcadero, San Francisco, CA 94105

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: SFMTA

From: DOERTE G MURRAY [mailto:doerte.murray9655@sbcglobal.net]
Sent: Monday, August 29, 2016 10:25 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: SFMTA

August 29, 2016

Members of the Board of Supervisors:

re: SFMTA Charter Amendment

Support the Yee 160589 [Charter Amendment – Municipal Transportation Agency – Appointments to Board of Directors and Budget Process] going to the November ballot.

The amendment will split the MTA Board appointments between the Mayor and the Supervisors, 4 to 3 and lower the requirement to reject the SFMTA's budget from 7 to 6 supervisors, putting the SFMTA management in line with other city departments, and making it easier for the Board of Supervisors to respond faster to voter requests.

Thanks to all of you who supported bringing this important amendment to the ballot. The public has the right to determine how our money is spent and how our transportation system is run. The SFMTA is the one that needs to **shift policies and goals**.

They work for us. We don't work for them. San Francisco needs a transportation system that works today, not one that spends unlimited funds planning for the future. We need directors who listen to the public and follow our suggestions. San Francisco went from being one of the best traffic and parking cities in the nation to being third worst in less than the last few years.

Some of the problems the public wants to address:

1. NO MORE MONEY FOR SFMTA UNTIL THEY FIX THE PROBLEMS THEY HAVE CREATED – The voting residents of San Francisco are tired of being robbed of our rights and our standard of living by a government body that ignores us.
2. RETURN BUS SEATS AND BUS STOPS – SFMTA is taking seats out of buses and removing bus stops, in spite of public objections and warnings about the negative impacts to the elderly, families with children, physically challenged, and people. How does removing seat make the ride more safe and comfortable ride.
3. EMERGENCY SERVICES ARE NEGATIVELY IMPACTED – Emergency vehicles are forced to slow down as they get caught in the *traffic calming* obstacles littering our streets. Lane closures are creating dangerous traffic pileups on streets with lane reductions, and limited turns on streets slated for BRTS and further limitations.
4. FIX THE POTHOLES BEFORE PAINTING RED CARPETS. Buses are forced to deal with potholes in the red lanes by driving through them or navigating around them. (*Do you want to be standing on a bus on a hill as it drives through a pothole?*) In the case of Mission Street, some bus drivers are avoiding the red lanes to avoid the potholes.

5. POTHoles ARE DANGEROUS TO EVERYONE. The SFMTA paints over potholes in the streets in the name of safety, forcing buses, drivers and cyclists to swerve between lanes, to avoid the potholes, making collisions between vehicles more likely.
6. SLOWING TRAFFIC INCREASES POLLUTION – The longer it takes drivers to get to their destinations the more emissions they create.
7. LISTEN THE NEEDS OF BUSINESSES AND MERCHANTS – many businesses on the “improved streets” are closing due to the traffic and parking nightmare. Many of who left town are now forced to commute back into the city, adding to increased regional traffic gridlock.
8. PARK AND RIDE TRANSIT HUBS- Parking garage transit hubs near freeway and bridge access points will make it easier to transfer from cars to other transit options, reducing traffic and removing the regional and shuttle buses from city streets.
9. PUBLIC STREETS ARE NOT FOR SALE – The SFMTA needs to get out of the business of selling public property to private enterprises and return the streets to the public.
10. REMOVING STREET TREES INCREASES POLLUTION – The trees remove carbon and increase oxygen, so removing them reduces air quality.
11. STATE AND FEDERAL HIGHWAY TRAFFIC MUST FLOW – The public and our visitors should not have to endure the slow pace of traffic we have now, and the SFMTA plans to start a number of simultaneous major crosstown projects, creating virtual gridlock, and the most dangerous situation possible, where everyone is trapped, cannot move, and the city cannot be evacuated in a civil, organized manner.
12. NO EVACUATION PLANS – We understand the plan is “*shelter in place*.” This only works if you have a place to shelter in.
13. PROCESS ISSUES – Too many to list. Priorities and policy changes that benefit the SFMTA at the expense of the public. Noticing process. SFMTA chooses the most expensive and disruptive plans while refusing to provide cost estimates or analysis between alternatives. Limiting public comments and access to documents. Deliberate confusion over which department handles each part of the project. Mislabeling documents to make appeals more difficult. SFMTA officials and staff ignore the public and Supervisors. Outright lying and misrepresentation of the facts. Promising one thing and doing another. Endless spending on high level positions. Spending public money to lobby against the public. Rearranging the departments to keep everyone confused about what is going on. The list is endless.

Sincerely,

Doerte Murray
526 Clayton St
San Francisco, CA 94117

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: PROP L

From: gary@thegayliberationbook.com [mailto:gary@thegayliberationbook.com]
Sent: Friday, September 02, 2016 8:23 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Subject: PROP L

Dear Supervisors,

As a longtime resident and taxpayer of San Francisco I believe that the SFMTA's first and foremost responsibility is to improve MUNI and to make MUNI a more desirable means of transportation. It is not SFMTA's job to make owning and driving a motor vehicle more expensive and difficult.

The SFMTA needs to be accountable to all the citizens of San Francisco. We need a balanced, unbiased municipal transportation policy.

We respectfully request that the Mayor and District Supervisors immediately stop the SFMTA from:

1. Installing new parking meters and extending the hours of enforcement
2. Enforcing Sunday parking meters
3. Increasing meter rates, fees and fines

Gary Noguera
Former President of CSFN [not representing them]

From: Board of Supervisors, (BOS)
To: BOS-Supervisors
Subject: FW: Hold the City to its Executive Directive commitments (PSNS Committee) - File No. 160764

16 emails were received with subject matter similar as below.

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

From: Joe Roybal [mailto:joe.roybal@gmail.com]
Sent: Friday, September 02, 2016 3:11 AM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>
Cc: janice@sfbike.org
Subject: Hold the City to its Executive Directive commitments (PSNS Committee)

To the Board of Supervisors,

At the upcoming Public Safety and Neighborhood Services Committee meeting on Sept. 8, the City will be presenting its progress since the Mayor issued an Executive Directive on bicycle and pedestrian safety on Aug. 4. I urge you to hold the City to its commitment to building more protected bike lanes, delivering safe streets faster and continuing smart, data-driven traffic enforcement.